



Province of Alberta

The 25th Legislature
Second Session

Alberta Hansard

February 26, 2002 to December 4, 2002
and Index

The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

Title: **Tuesday, February 26, 2002**

3:00 p.m.

Date: 02/02/26

THE SERGEANT-AT-ARMS: Order!

[The Clerk read the Royal Proclamation dated January 23, 2002, summoning the Members of the Legislative Assembly of Alberta to convene on this date]

THE CLERK: Please be seated.

[The Sergeant-at-Arms left the Chamber]

THE SERGEANT-AT-ARMS: Order! Order! Mr. Speaker.

[Preceded by the Sergeant-at-Arms, the Speaker, accompanied by the officers of the Assembly, entered the Chamber and took the chair]

head: Prayers

THE SPEAKER: Good afternoon and welcome.

Almighty God, author of all wisdom, knowledge, and understanding, we ask Your blessings on all here present. We ask Your guidance in order that truth and justice may prevail in all of our judgments, for the benefit of all Albertans. Amen.

Hon. members and ladies and gentlemen, I would now invite Mr. Paul Lorieau to lead us in the singing of our national anthem. Please join in in the language of your choice.

HON. MEMBERS AND GUESTS:

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

THE SPEAKER: Please be seated.

Entrance of the Lieutenant Governor

[The Premier, the Clerk, and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

THE SPEAKER: Hon. members and ladies and gentlemen, while awaiting the arrival of Her Honour the Lieutenant Governor, the Royal Canadian Artillery Band will play a tribute in recognition of Her Majesty the Queen's Golden Jubilee.

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

THE SERGEANT-AT-ARMS: Ladies and gentlemen, all rise, please.

Mr. Speaker, Her Honour the Honourable the Lieutenant Governor awaits.

THE SPEAKER: Sergeant-at-Arms, admit Her Honour the Honourable the Lieutenant Governor.

[A fanfare of trumpets sounded]

[Preceded by the Sergeant-at-Arms, Their Honours the Lieutenant Governor of Alberta, Lois E. Hole, CM, and Mr. Hole, their party, the Premier, and the Clerk entered the Chamber. Her Honour took her place upon the throne]

HER HONOUR: Would everybody please sit.

It's a good thing that I at least had some consultation with my good secretary, Mary, or you might have been standing a lot longer, which wouldn't have been too good, I must say.

I have to say that I've been very fortunate to get around and visit many communities, many schools, and it has been delightful. I went to one school in Jasper where the children were all told, "The Lieutenant Governor is coming to your school," and they were all pleased. One little boy went home and said to his mother, "I don't know what's happening at our school, but the gardener is coming and we have to call her Your Honour."

head: Speech from the Throne

HER HONOUR: Fellow Albertans, it is my pleasure to welcome you to the Second Session of the 25th Alberta Legislature. It is again an honour to deliver the Speech from the Throne.

To begin, I want to take this opportunity to express to Her Majesty Queen Elizabeth II and to all members of the royal family the heartfelt condolences of Albertans for the loss of Her Royal Highness the Princess Margaret, Countess of Snowdon. Throughout her life Princess Margaret showed a genuine fondness for Canada and Alberta. All Albertans were saddened to learn of her passing and share the sense of loss felt across the Commonwealth.

While Albertans mourn for Princess Margaret, they are also remembering the late Hon. H.A. "Bud" Olson. His Honour, who passed away earlier this month, served with grace and dignity as Alberta's Lieutenant Governor from 1996 to 2000. He also served Alberta for many years as a member of the House of Commons and earned several distinctions through his lifetime for his many achievements on behalf of the province and the nation. To Mr. Olson's family and to those who knew him, I extend the condolences of all Albertans.

In memory of Her Royal Highness and His Honour I ask you to join me in a moment of silent prayer and remembrance. Thank you, ladies and gentlemen.

I also wish to express the great support that Albertans have for the men and women of Canada's armed forces who are serving in Afghanistan. For thousands of Albertans these soldiers are husbands or wives, sons or daughters, fathers or mothers, friends or neighbours. For all Albertans they are living symbols of courage and high principle. We send them our prayers and our hopes for a safe and speedy return. We also extend our deepest thanks to the families of these men and women. They, too, are contributing to the future safety and security of the nation, and to them we owe the most solemn of debts.

Fellow Albertans, 2002 is a notable year. The year marks the 50th anniversary of Her Majesty Elizabeth II ascending to the throne of the United Kingdom and Canada and assuming her rightful position as head of the Commonwealth. This is an auspicious anniversary that Albertans recognize with gratitude and love. Her Majesty has been a symbol of peace and stability for half a century. Long may she reign.

In honour of Her Majesty's Golden Jubilee the government of Alberta will introduce legislation this session that will officially commemorate the anniversary. The legislation will establish a new Premier's citizenship award that will recognize achievements of high school students in the areas of citizenship, community participation, and leadership. Each year five recipients of the Premier's citizenship award will be honoured with the Queen's Golden Jubilee citizenship medal, which will be accompanied by a \$5,000 award. As well, the Queen's Golden Jubilee scholarship for the visual and performing arts will be established. These awards and scholarships will together serve as a permanent remembrance of this historic anniversary.

As the Golden Jubilee reminds us, 50 years is an impressive length of service. The world has certainly changed over the past half century. That's definitely true in Alberta. But what has remained constant over the years has been the unique character and record of accomplishment that the people of Alberta have shaped through hard work, concern for each other, and the sharing of common goals for their province.

I don't think there is a prouder person than an Albertan. Whether a citizen's roots can be traced back for generations in this province or whether that Albertan just moved here from elsewhere, the pride that goes with being an Albertan is immeasurable and irrepressible. This Alberta pride is based on respect, mutual achievement, gratitude for our good fortune, caring for others, and people coming together despite their differences to confront the challenges of the day for the betterment of tomorrow.

Nowhere was Alberta pride more evident than at the recently concluded Future Summit. At the summit Albertans were asked to look five, 10, and even 20 years beyond today to imagine what their Alberta of the future could and should look like. Though the detailed results of summit discussions are still being compiled, the general theme of the summit is clear. Summit participants said that Albertans are focused on the future. They are determined to build an Alberta for their children that is prosperous, caring, secure, and that above all maintains a positive, healthy outlook to meet the challenges it will invariably face.

Indeed, in 2002 Albertans perceive health and health care to be a top priority. They have told their government that the health system they have built together must be maintained and that it must not be lost or impaired due to inaction or fleeting comfort with the status quo. Albertans go further than that. When Albertans speak about health, they don't only mean services provided in hospitals or prescription drugs or ambulance services. They know that people's health status is affected by their lifestyles, their socioeconomic status, their education, their sense of inner security and external security, their feeling of being part of a larger community, their access to jobs and safe and healthy foods and cultural experiences, and by many other factors that exceed the scope of the conventional health system.

Albertans know that people's health can be improved by events as complex as a redesign of an ambulance system or as simple as a comforting hand to hold during an ambulance trip. Albertans know that health status can be affected by forces as impersonal as monthly labour statistics or gestures as personal as a person hearing the words: "You're hired. Welcome to the team." Albertans know that healthy approaches to life are developed by institutions as comprehensive as a well-funded school system or by individuals as dedicated as the teacher who takes a student aside to say, "Good work."

It is to the betterment of people's health and the province's health that the government of Alberta dedicates itself in 2002. The government will work toward improving the province's health

system itself so that Albertans can be confident the system will be there for them and their children at an affordable cost.

But because there's more to healthy Albertans than the health system itself, the government will focus this coming year on improving all the factors and forces that come together to create a healthy Alberta. Factors contributing to a healthy Alberta are the same as those that contribute to a healthy Albertan. They are economic growth, fiscal stability, good schools, safe children receiving parenting in a caring and nurturing manner, strong communities, secure seniors, clean air and water, and confidence that the future is bright. It is these areas, all essential to the province's health, from which the government draws its goals and objectives for the new year.

Sustainable Health Care System for All Albertans

Ensuring the continued stability of the province's health care system is without a doubt at the top of the government's agenda in 2002. Sustainable health care is a formidable challenge that will test the leadership and ingenuity of Albertans. Albertans enjoy a very good health system, but change is needed if Albertans tomorrow are to have the same level of health care.

In January our government announced that it will implement the 44 recommendations of the Premier's Advisory Council on Health for improving the health system and keeping it affordable. Based on the council's recommendations, this government will work harder to build a healthier Alberta. This work will be assisted by an implementation team led by the former registrar of the College of Physicians and Surgeons.

The government will also launch a campaign to give Albertans reliable health information and encourage them to make healthy lifestyle choices. New 10-year targets will be established to reduce diabetes, obesity, chronic heart and lung disease, and preventable injuries.

In 2002 a task force will examine options for new revenues and to provide stable, long-term funding for health care with recommendations on funding made to the government by September. Government will give consideration to raising tobacco taxes and health care premiums with the goal of using these revenues to improve health, and later this year an expert advisory panel will recommend which services should be covered by Alberta health care insurance and which services, if any, should be deinsured.

Our government will also abide by the council's recommendations in taking measures so that Alberta's health care professionals are able to practise to the full extent of their training and education. In the next year it will work with physicians and health authorities to explore new options in physician compensation. It will also develop a plan to ensure that Alberta has the right number and types of health professionals, all working to their maximum potential to the benefit of Albertans.

This government will work to improve Albertans' access to the health services they need. This work includes moving toward an access guarantee for selected services and a web site with detailed information on waiting lists for selected services.

Other initiatives to ensure that these priorities are met include implementing a provincewide organ donation and transplant program, expanding the pharmaceutical information network to improve drug therapy and reduce costs, developing community-based health projects under the aboriginal health strategy, and providing better care for people with Alzheimer's disease and dementia.

A Healthier Alberta through Learning

Along with health care, education is a key priority of this

government and a key factor in individual health and the health of the province. The government recognizes the vital role of Alberta's learning system in giving people the technical skills and the life skills essential to personal growth and good health. A good education system also gives the province the gift of a population ready and capable to shape the province's future in positive and meaningful ways. That is why the government will ensure that Alberta's learning system continues to be one of the best in the world.

In the past year the quality of the system was proven by the number one placement of Alberta students in international reading tests and their third-place finish in math and science. These results reflect the value of Alberta's educators and the commitment of this government to maintaining an effective system.

In the coming year the government will share and discuss a renewed vision for the kindergarten to grade 12 learning system which emphasizes building basic skills in the early grades and more specialized skills as students move through the system. It is an important time for all parties in the public education system to work together for the betterment of students. The government believes there is a great deal of goodwill on all sides. This goodwill guarantees that the long-term health of the public education system will be protected. Educators will be key to that long-term health. Government will do its best to ensure that Albertans' hopes and dreams for students are given every chance to be made real.

Postsecondary education is also vital to the economic and social health of Albertans. The government will continue to work closely with students and institutions to ensure that high-quality postsecondary learning opportunities remain accessible and affordable for all Albertans.

A Strong, Resilient Economy

Underpinning the health of Albertans is, of course, the health of the province's economy and of the government's fiscal plan. Alberta remains in the best position of any province to take the lead in responding to today's stagnant global economy. Alberta's economy is healthy and continues to grow. Economic growth is forecast to be about 2 percent this year, significantly higher than the Canadian average. This fundamental strength of Alberta will allow government to invest in spending increases in Albertans' priority areas, including health, learning, and children's services, increases that will be greater than the inflation and population growth rates and which will all contribute to people's health.

At all times government will stick to its fiscal principles. This year provincial revenues have fallen, affected by the aftermath of September 11 and other global forces, leaving government without the high windfall revenues of recent years. Therefore, in its 2002 budget government will present a plan that balances priorities with accountability. Government will not spend more than it takes in. It will not leave a legacy of deficits for tomorrow's Albertans to pay.

It will continue to put in place fiscal policies that encourage investment, job creation, and consumer confidence. It will also limit spending in some areas without reducing the quality of priority services.

For many years the government's fiscal policies have helped Alberta be recognized across Canada as the leader in government openness and accountability. This recognition began in 1993, when the Alberta Financial Review Commission recommended steps that fundamentally changed the way that government managed and reported its finances. In 2002 the Minister of Finance will establish a financial management commission to once again review and assess current fiscal and accounting policies to ensure that Alberta remains a leader in fiscal planning.

In the coming year development of Alberta's energy resources

will continue to contribute to the province's economy and to the delivery of critical public programs. In an energy marketplace where short-term prices can be volatile, Alberta must continue to look to the longer term. Our government will continue to promote investment in Alberta's oil sands. It will continue to work with industry and the governments of Alaska, Yukon, and the Northwest Territories on proposed pipelines that will bring gas from the north to markets in Canada and the United States.

Trade is the lifeblood of the Alberta economy, with 1 in 3 jobs depending on international trade. The government will ensure that Alberta's interests are well represented by building stronger relationships with key trading partners, establishing formal ties in emerging markets, and working on improving access for our agriculture and service industries.

In co-operation with other provinces and the government of Canada the Alberta government will continue to take an aggressive approach in international trade negotiations to improve trade rules for our exporters and to open access for softwood lumber exports to the United States.

Our government will also continue to look for opportunities to strengthen and diversify Alberta's tourism industry, which is expected to generate \$6 billion of economic activity by the end of 2005.

A Growing Agricultural Sector

Agriculture is an important part of Alberta's economic health and a vital component of its rural landscape. Our province is Canada's second-largest agricultural producer, and despite higher farm operating expenses and the worst drought in 130 years in 2001 our province saw farm cash receipt levels reach a record of approximately \$8.3 billion.

This government will work with Albertans in 2002 to implement mechanisms that will ensure that agriculture continues to thrive. It will strengthen its support for the growth of profitable businesses involved in farming and agriculture services and processing, and it will increase support for producers and processors who are looking at new products, new markets, and better ways of doing business.

The merger of the Agriculture Financial Services Corporation and the Alberta Opportunity Company will provide additional support to the industry by creating a one-window approach to commercial financing for the agri-industry and for small businesses.

Albertans want to be sure that their food is safe and safely produced. In response, the government is working with other governments and industry groups on programs to help the agriculture industry meet international standards and to ensure that the industry continues to excel in food safety, innovation, and environmental performance.

Alberta's agriculture industry is well positioned for continued growth and is working toward achieving \$10 billion in primary production and \$20 billion in value-added processing by 2010. The government is committed to helping the industry meet these goals by continuing to stimulate economic development in agricultural communities.

It will also help protect agricultural communities through implementation of the agriculture drought risk management plan. This plan will allow more timely and accurate assessment of drought impacts on the farm economy and more targeted, timely, and cost-effective response measures if needed.

Healthy Communities

Our government is committed to ensuring that Albertans continue to live, work, and raise their families in safe, secure, diverse

communities. Given new and somber concerns about security, the government will introduce legislation this session to improve the province's ability to protect Albertans, their property, their infrastructure, and their environment from potential security risks. It will also work with other governments to ensure a co-ordinated approach to security and emergency response.

Alberta's aboriginal peoples are key members of the province's communities. This year government will continue to implement the aboriginal policy framework with the goal of increasing the well-being and self-reliance of First Nations, Metis, and other aboriginal peoples.

There is no group for whom a healthy Alberta is more important than Alberta's children. They are the leaders of tomorrow's communities, but today they are our children, and their health in the broadest sense of the word is an uppermost concern. In 2002 government will take many steps to enhance the health of children, especially those who are most vulnerable. Consultation on the Child Welfare Act will continue in early 2002, followed by recommendations that will be shared with stakeholders this spring. New child welfare legislation will be drafted this year.

The government will join other provinces and territories in introducing legislation to make it easier for families living in different regions of the country to obtain court orders for child maintenance. This legislation will help ensure that children receive the financial support to which they are entitled regardless of where they live in Canada.

Through its youth in transition initiative government will work to ensure that youth acquire the skills and attitudes to live happy, healthy, and productive lives, are safe, supported, and connected to caring peers and adults, and have access to services that meet their diverse needs.

Alberta's seniors are also a key component of the province's health. Our government will continue to ensure that lower income seniors have the supports they need to enjoy their lives in security and dignity.

Housing is fundamental to the health and well-being of individuals, families, and communities. This year government expects to complete negotiations of a bilateral agreement with the federal government that will give Alberta access to approximately \$67 million for low-cost housing initiatives over a five-year period. Government will also review the unique housing pressures in remote and northern communities.

In the area of workplace safety the Alberta government will work with employers, workers, and their families to ensure that people are safe while on the job. This spring a forum on workplace health and safety will bring together policy experts, enforcement professionals, workers, and employers to examine measures to reduce workplace injuries. The government will also bring forward amendments to the Workers' Compensation Act to improve service delivery, enhance clarity, and increase confidence in Alberta's workers' compensation system.

A Clean and Sustainable Environment

The health of Alberta's unmatched natural environment is also critical to the province's overall health and to individual health and well-being. In 2002 the government will further encourage practices that prevent pollution and other environmental problems. Be assured, however, that government will continue to move firmly to punish offenders who fail to live up to their environmental obligations. This government is committed to ensuring that Alberta's environmental standards and regulations are and will continue to be among the most stringent in North America.

Like many provinces Alberta has grave concerns about the impact of the Kyoto accord on Canada's economy. However, the Alberta government is committed to acting on climate change and reducing greenhouse gas emissions.

One of the most important challenges Alberta may face in the years ahead is continuing to ensure a safe and secure water supply. With Albertans' input the government will develop a comprehensive provincial water strategy that will look at means to ensure safe and secure drinking water while maintaining healthy rivers and lakes. Government will also continue to work with small Alberta municipalities to upgrade their water and wastewater systems.

Conclusion: A Healthy Alberta for the Future

Fellow Albertans, in all of its endeavours in 2002 this government pledges to maintain its focus on the present and future health of Alberta in all its aspects. It is not a job that government can do on its own. Maintaining Alberta's healthy outlook requires the goodwill and hard work of all Albertans.

Albertans accept that meaningful goals cannot be met without challenges. There is the challenge of building a sustainable health care system, of keeping the education system effective and responsive, of keeping the province's children safe, of keeping on track with the government's positive fiscal plan, and of keeping the environment clean. Albertans are up for the job. So, too, is this government.

From the beginning of our Queen's reign, indeed from its first year as a province and even earlier, the unique destiny of Alberta has been charted by the leadership, character, and values of its people. Through today's changing times these qualities will guide Alberta to continued growth, peace, and good health.

Thank you, ladies and gentlemen, and may God bless you all.

God bless Alberta.

God bless Canada.

God save the Queen.

THE SERGEANT-AT-ARMS: Order! All rise, please.

THE SPEAKER: Ladies and gentlemen, I would now invite Mr. Paul Lorieau to lead us in the singing of *God Save The Queen*. Please remain standing at the conclusion.

HON. MEMBERS AND GUESTS:

God save our gracious Queen,

long live our noble Queen,

God save The Queen!

Send her victorious,

happy and glorious,

long to reign over us:

God save The Queen!

THE SERGEANT-AT-ARMS: Order!

[Preceded by the Sergeant-at-Arms, Their Honours, their party, and the Premier left the Chamber as a fanfare of trumpets sounded]

THE SPEAKER: Please be seated.

[The Mace was uncovered]

[The Premier returned to the Chamber]

head: Introduction of Bills

THE SPEAKER: The hon. the Premier.

Bill 1**Queen Elizabeth II Golden Jubilee Recognition Act**

MR. KLEIN: Thank you, Mr. Speaker. I request leave to introduce Bill 1, the Queen Elizabeth II Golden Jubilee Recognition Act. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Mr. Speaker, I'm very pleased to introduce Bill 1, the Queen Elizabeth II Golden Jubilee Recognition Act. If passed in this Assembly, this legislation will permanently commemorate the Golden Jubilee of our Queen, Elizabeth II. The bill is much more than a statement of respect for the Queen. It also proposes the establishment of three new government programs in the Queen's name to acknowledge the very special contributions of Alberta's young people.

It outlines a program to recognize achievement among high school students in the areas of citizenship and leadership. It provides for awards of \$5,000 to be presented to five students in these areas per year. It establishes another two scholarships per year for people studying the visual and performing arts. These areas of pursuit – citizenship, leadership, and the arts – are very much characteristics associated with the reign of Her Majesty, who has exemplified achievement in these areas during her 50 years as our monarch. For that reason I am very proud to introduce this bill in honour of Queen Elizabeth II.

Thank you, Mr. Speaker.

[Motion carried; Bill 1 read a first time]

Tablings

THE SPEAKER: Hon. members, I have the honour to table a copy of the speech graciously given by Her Honour the Honourable the Lieutenant Governor.

Motions

MR. KLEIN: Mr. Speaker, I move that the speech of Her Honour the Honourable the Lieutenant Governor to this Assembly be taken into consideration Wednesday, February 27.

[Motion carried]

MR. HANCOCK: Mr. Speaker, I move that pursuant to Standing Order 49(1) the select standing committees for the present session of

the Legislative Assembly be appointed for the following purposes:

- (1) Alberta Heritage Savings Trust Fund,
- (2) Legislative Offices,
- (3) Private Bills,
- (4) Privileges and Elections, Standing Orders and Printing, and
- (5) Public Accounts.

[Motion carried]

MR. HANCOCK: Mr. Speaker, I move that the following members be appointed to the Assembly's five standing committees.

- (1) Alberta Heritage Savings Trust Fund: Mr. Hutton, chair; Mr. Magnus, deputy chair; Mr. Bonner; Mr. Broda; Ms Carlson; Mr. Knight; Mr. Lougheed; Mr. Marz; and Mr. VanderBurg.
- (2) Legislative Offices: Mrs. Tarchuk, chair; Mr. Ducharme, deputy chair; Ms Blakeman; Mr. Friedel; Mrs. Fritz; Ms Graham; Mr. Hlady; Mrs. O'Neill; Dr. Pannu; Dr. Taft; and Mr. Tannas.
- (3) Private Bills: Ms Graham, chair; Ms Kryczka, deputy chair; Mr. Bonner; Mr. Goudreau; Mr. Graydon; Mr. Jacobs; Mr. Johnson; Mr. Lord; Mr. Magnus; Mr. Maskell; Dr. Massey; Mr. McClelland; Mr. McFarland; Mr. Ouellette; Dr. Pannu; Mr. Pham; Mr. Rathgeber; Mr. Snelgrove; Mr. VanderBurg; Mr. Vandermeer; and Mr. Yankowsky.
- (4) Privileges and Elections, Standing Orders and Printing: Mr. Klapstein, chair; Mr. Johnson, deputy chair; Rev. Abbott; Mr. Amery; Mr. Cao; Ms Carlson; Mr. Danyluk; Mrs. Fritz; Mr. Graydon; Mr. Hlady; Mr. Jacobs; Mr. Knight; Mr. Lord; Mr. Lougheed; Mr. Lukaszuk; Mr. MacDonald; Mr. Masyk; Mr. McClelland; Dr. Pannu; Mr. Renner; and Mr. Zwozdesky.
- (5) Public Accounts: Mr. MacDonald, chair; Mr. Shariff, deputy chair; Mrs. Ady; Ms Blakeman; Mr. Broda; Mr. Cao; Mr. Cenaiko; Ms DeLong; Mr. Goudreau; Mr. Hutton; Mrs. Jablonski; Mr. Lukaszuk; Mr. Marz; Mr. Mason; Mr. Masyk; Mr. Ouellette; and Dr. Taft.

[Motion carried]

MR. HANCOCK: Mr. Speaker, I move that the Assembly now stand adjourned until tomorrow at 1:30 p.m.

[Motion carried; at 4:01 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, February 27, 2002**

1:30 p.m.

Date: 02/02/27

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon. I would ask members to remain standing after prayers so that we may pay tribute to a former colleague who has passed away since we were last in the House.

As we commence proceedings today in this Assembly, we ask for divine guidance so that our words and deeds may bring to all people of this great province hope, prosperity, and a vision for the future. Amen.

Mr. John Dubetz

July 7, 1916, to February 12, 2002

THE SPEAKER: On Tuesday, February 12, 2002, John Dubetz passed away. Mr. Dubetz represented the constituency of Redwater for the Social Credit Party. Mr. Dubetz was first elected in the election held on June 18, 1959, and served until May 9, 1963. During his years of service in the Legislature Mr. Dubetz served on the select standing committees on Private Bills; Public Accounts; Agriculture, Colonization, Immigration and Education; Municipal Law; and Railways, Telephones and Irrigation.

With our admiration and respect there is gratitude to members of his family, who shared the burdens of public office. Members of Mr. Dubetz's family are with us today in the Speaker's gallery. Our prayers are with them. In a moment of silent prayer I ask you to remember the hon. member John Dubetz as you have known him.

Rest eternal grant unto him, O Lord, and let light perpetual shine upon him. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It is an honour for me to rise today to introduce to you and through you to the members of the Assembly the family of Mr. John Dubetz, former MLA for the Redwater constituency. They are Mrs. Doris Dubetz, the widow of John Dubetz; Mr. Alvin Dubetz, son; Ms Bonnie Dubetz, daughter; Ms Evelyn Krawchuk, daughter; Ms Karen Bodner, daughter; Mr. Henry Bodner, son-in-law, husband to Karen Bodner; Mr. Darcy Dubetz, son; and Mrs. Donna Dubetz, daughter-in-law, Darcy's wife. They are seated in your gallery, Mr. Speaker. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

head: **Introduction of Guests**

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly 40 grade 6 students and their teachers Mrs. Natalie Gago-Esteves and Laurie Ewald from the Brander Gardens elementary school in my constituency of Edmonton-Whitemud. They're here today to observe and learn with keen interest about our government, and they're seated in the members' gallery. I must say that I was advised by the tour guides that these are exemplary students and showed a

great deal of interest and respect as they had their tour through the Assembly this afternoon. I'd ask that they please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. It's a real honour for me today to be able to introduce to you and through you to our colleagues in the Assembly a gentleman from the fine town of Castor, Alberta, from the constituency of Wainwright. He's a teacher, a longtime rancher, and our brand-new PC candidate for the area of Wainwright. We're all very hopeful that he will work hard and win the respect, honour, and privilege of representing that riding and be able to join us in this Assembly. Would you please welcome with me Mr. Doug Griffiths, and I'd ask him to rise and receive the warm welcome of this Assembly.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It's my privilege this afternoon to introduce to you and through you to members of this Assembly 57 visitors from Albert Lacombe school in St. Albert. They are seated in both the members' gallery and the general gallery, and they are accompanied by their teachers Mrs. Trish Lema and Ms Connie Ohl and also by parents who are accompanying them today on the visit, the tour, Mrs. Marlen Duval, Mrs. Ruth Robinson, Mrs. Jacqueline Harlton, and Mrs. Cathy Pavelich. I would ask that everyone here extend a warm welcome to these visitors as they rise, please, in the galleries.

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

DR. TAFT: Thank you, Mr. Speaker. I rise today with two sets of introductions. One is students from St. Martin Catholic school whom I'd like to introduce through you to all Members of the Legislative Assembly. They are accompanied today by their teacher Mrs. Olia Libicz and two parents, Mr. Greg Ostopowich and Mrs. Diane Marshall. I'd ask them to rise and receive the warm welcome of the Assembly.

The other introduction is some special visitors who are here today to watch the Legislature's debate on education and schooling in Alberta. Their names are Patti Lynn Chevalier, Valerie Warke, Verne Workun, Jean Hodgkinson, and Sherry Robbins. I'd ask them to rise and receive our welcome.

Thank you.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly a guest of mine whom I've had the pleasure of hosting for the past two days. She joined us in the House yesterday for the speech from Her Honour, and she's joining us today for question period. Jennifer Davies is a teacher from Medicine Hat who teaches grade 8 social studies. She's looking very much forward to returning to her classroom tomorrow and sharing the experiences that she's had in the Legislative Assembly over the past few days. I would ask that Jennifer rise in the members' gallery and receive the traditional warm welcome of all members of the Assembly.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm very

pleased to rise today and introduce to you and through you to members of the Assembly the following three guests who are seated in the public gallery. These are Albertans concerned about education, and they're here to listen to the discussion on education this afternoon. I would ask them to rise as I read out their names: Lorne Sparks, Noel Somerville, and Glen Huser. They're joining us, and I ask you to give them a warm welcome, please.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. I rise today to introduce four guests that are in the public gallery. These are Albertans that are concerned about education. They're Rabinder Sara, Kevan Rhead, Olive Thorne, and Gordon Health. I'd ask them to rise and be recognized by the Legislature.

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

MS CARLSON: Thank you, Mr. Speaker. I would like to introduce to you and through you to all Members of the Legislative Assembly the following visitors, which include some educators who are here to watch over the government's actions on education. They are Fran Losie, Jean Rogers, and Linda Howitt-Taylor. I would ask that they please rise and receive the traditional warm welcome of this Assembly.

1:40

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. It is my great pleasure to introduce to you and through you to members of this Assembly a special guest visiting us today from the Lac La Biche-St. Paul constituency. Many hon. members will recognize Debra Lozinski as the former reeve of Lakeland county. She has always been a strong agricultural supporter and farms in the Hyllo community. Debra Lozinski is seated in the members' gallery this afternoon, and I would ask her to please rise and receive the traditional warm welcome of this Assembly.

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

DR. MASSEY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly three very keen and experienced educators: Marguerite Meneely, Lynda Somerville, and Gail Gates. They're in the public gallery, and with your permission I would ask them to rise and receive the traditional warm welcome of the Assembly.

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

MR. BONNER: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly the following guests. These are Albertans who are very concerned about public education, and they are here to monitor our discussions on education today. They are Merv Rogers, Christine Witherspoon, and Joanna Weston. They are seated in the public gallery, and with your permission I would ask them now to rise and receive the traditional warm welcome of the Assembly.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. It's a pleasure for me to rise and introduce to you and through you my daughter Jackie, who is seated in the members' gallery. She dropped by to watch question period. I'd like to ask her to stand at this time and receive the very warm welcome of this Assembly.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise to introduce to you and through you to all hon. Members of the Legislative Assembly four Albertans. These Albertans are concerned about the state of public education in Alberta and have been kind enough to join us this afternoon for the discussion. These Albertans are in the public gallery, and I would ask them to now rise as I call their names: Clarence Collins, Prem Kalia, Aileen Taylor, and Bill Kobluk. If they would now rise and receive the warm welcome of the Assembly, I would be very grateful.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly two special guests who are seated in your gallery this afternoon. Mr. Peter Bray is the legislative comptroller with the British Columbia Legislative Assembly, and Ms Pat Bryant is with the office of the legislative comptroller of British Columbia. They are visiting Alberta to review how the Alberta Legislative Assembly deals with financial issues, and I would ask them now to both rise and receive the warm traditional welcome of this Assembly.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. I wish to introduce to you and through you to this Assembly two longtime residents of Sherwood Park, Philip and Brenda Welwood. Philip has been in the banking industry for over 25 years and is currently the regional investment manager of Clarica. Brenda is the exemplary administrative support for the hon. Member for Rocky Mountain House. I would ask that they rise now and receive a warm welcome as we applaud their attendance here this afternoon.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Assembly a gentleman who's becoming very well known in the province in the last few months, and he's here also to observe the proceedings of the Legislature. I'd ask the president of the Alberta Teachers' Association, Mr. Larry Booi, to stand and receive the warm welcome of the House.

head: **Statement by the Speaker**

Standing Orders Amendments

THE SPEAKER: Hon. members, before we progress too far in the proceedings, the chair wishes to remind everyone that today the Assembly will be operating under the amendments to the Standing Orders passed last November. By looking at the front page of the Order Paper on desks today, members will note that the daily Routine has changed. Many of the items of business that took place before Oral Question Period will now occur after question period. I refer specifically to presenting reports by committees of the Assembly, Presenting Petitions, Notices of Motions, Introduction of Bills, and the tabling of returns and reports.

Immediately after question period on Mondays and Wednesdays we will have Recognitions. On Tuesdays and Thursdays Members' Statements will follow question period. Consideration of points of order and privilege will be considered after the business in the daily Routine but before the calling of Orders of the Day.

With respect to petitions, members will note that there is no longer an item of business for Reading and Receiving Petitions. Under the amendments of Standing Order 83(3) petitions must now be approved by Parliamentary Counsel at least one sitting day prior to the petition being presented. Only those petitions that are in order can be presented.

The fact that tablings now follow question period in the daily Routine may require some adjustments in how members conduct themselves. The chair does not want to see question period become the time for tablings. If members have items that they want to table, it should be done under tablings, not during question period. If there are documents referred to during question period, then they should be tabled but at the appropriate time in the Routine.

The chair realizes that it may work an unfairness for members not to have the ability to review a document referred to by another member in a question or answer. It should be pointed out that the chair did not set these rules but must try to enforce them as passed by the Assembly. As with all new procedures members and the chair will have to see how they work.

The chair would also remind members that the amendments to the Standing Orders make it clear that items tabled must be in printed form. Under the new Standing Order 37.1(1) any member, not simply cabinet ministers, may table a document by providing it to the Clerk's office before 11 a.m. on any day the Assembly sits. However, the document will not be considered tabled until the Clerk reads the title of the document at the appropriate time in the daily Routine.

The chair will have some additional comments concerning the operation of business when we proceed to Orders of the Day.

head: Ministerial Statements

THE SPEAKER: The hon. the Premier.

Olympic Athletes

MR. KLEIN: Thank you. Mr. Speaker, I rise today to offer the congratulations of the government of Alberta and of all Albertans to the Alberta-based athletes who represented the province and the nation with such distinction at the 2002 Winter Olympic Games in Salt Lake City. At the appropriate time today letters of congratulations that I sent to medal-winning Alberta athletes will be tabled in the Legislature. It will be a big stack of letters, 21 in all.

Mr. Speaker, the fact that so many of Canada's medal winners are from Alberta or train in Alberta is a tremendous credit to the amateur sports programs offered in this province. It is also a credit to the skill of Alberta coaches and trainers and to the dedication of parents, families, and volunteers, all of whom make a vital contribution to the success of the athletes in this province. The work of those people and people like them across Canada was never more rewarded than by the exciting performances of our Olympic athletes in Salt Lake City during the Winter Olympics.

Canadian athletes set records for medals this year, an achievement that has made all Canadians exceptionally proud, but the athletes did more than win medals. They represented our country with utmost dignity and class. Whether they won medals or not, Canadian athletes showed the very best of the Olympic spirit and the qualities of teamwork and perseverance that distinguish the Olympic athlete.

Here in Alberta the Olympic Games were followed with intense

interest by people in all parts of the province. This pride was based not simply on where an athlete finished in competition. It was based more on the fact that every athlete gave his or her best. That is the true value of sports, and it is a value that all Alberta athletes brought to their performances.

Canadian pride was not only evident in the performance of the nation's athletes. It was also fueled by a mischievous act of true Canadian spirit. A young gentleman by the name of Mr. Trent Evans, as members of the Assembly have probably heard, is the renowned Edmonton icemaker who was part of the ice crew for the Olympic hockey tournaments. In the course of his work Mr. Evans quietly planted a Canadian loonie beneath the surface of centre ice.

1:50

Now, I don't know if this act brought good luck to the Canadian hockey teams. The fact that both teams won gold suggests that they didn't need any good-luck charms, but the gesture by Mr. Evans was a true indication that the Canadian spirit is difficult, if not impossible, to repress. I should also add that the Alberta and Canadian pride shown by Mr. Evans clearly was inherited from his parents, for his mother is none other than the hon. Minister of Children's Services. So congratulations, Minister, for raising a son who has earned international recognition not only for his icemaking skills but also for his national pride.

In closing, Mr. Speaker, I again extend my congratulations to all Canadian Olympic athletes. I extend those congratulations on behalf of all members of this Assembly and all Albertans and my thanks to them for making all Canadians so proud of their country. We will always remember the thrills and excitement they brought to all of us.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. I'm pleased to rise and offer congratulations from the Official Opposition to Canada's Winter Olympics team. In particular we can be proud of the Albertans and Alberta-based athletes who participated in the Salt Lake City games. In fact, Alberta athletes made up almost a quarter of Canada's team.

The success of these athletes is something we all take pride in. They are driven, determined young people pursuing a dream that embodies a relentless Canadian spirit. We commend our Olympic team for their commitment, dedication, and fortitude in pursuit of personal excellence. A province and nation watched and cheered with untold pride, patriotism, and respect.

We would also like to commend those parents, family, friends, and communities that have supported our athletes in their quest to get to the Olympics. They, too, exhibit Olympic spirit and are an important part of this success.

The passion of the athletes and their supporters has captured this nation. We will all remember the excitement of our gold medal women's and men's hockey matches, the heart-stopping events in figure skating, and the thrill of seeing so many of our athletes achieve medal performances or their personal bests. The recent Olympic performances will help to make the winter of 2002 memorable.

Mr. Speaker, I will close by again congratulating our Olympians, their families, their communities for a job well done. They have stirred a pride and patriotism that many of us did not know was there. Their efforts do embody a true north strong and free.

Thank you.

THE SPEAKER: Hon. members, before we proceed to the next

order of business, I must apologize. I neglected to call on an hon. member during Introduction of Guests. Might we revert briefly?

[Unanimous consent granted]

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

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

MR. LORD: Thank you, Mr. Speaker. It's my great pleasure to rise today and introduce to you and through you to all members of this Assembly two friends of mine who are also representatives of the Progressive Group for Independent Business who are here today. This is a group that is very involved in trying to address the many important issues affecting small businesses throughout Canada. Today seated in the members' gallery we have the admittedly controversial national president, Mr. Craig Chandler, who has come here today to see for himself what a great government we have here in Alberta, and team member Mark Lachance as well. I ask that they rise and receive the traditional warm welcome of the Assembly.

head: **Oral Question Period**

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

Education System

DR. NICOL: Thank you, Mr. Speaker. This government has ordered teachers back to work. For all the day-to-day issues in our education system this move provides nothing but a quick fix, but it does not provide a cure. The public needs to know if the government has a plan for addressing the issues that led to the job action in the first place. My questions are to the Premier. Mr. Premier, does the government have a plan for reducing class sizes?

MR. KLEIN: Mr. Speaker, we do have a plan for education, and it is a plan that has evolved to certainly give our students the opportunity to excel in education, as has been pointed out by the minister on a number of occasions relative to the way students score on international tests.

Relative to the specifics of the question, I'll have the hon. minister respond.

DR. OBERG: Thank you very much, Mr. Speaker. In about September or October of this year we undertook a survey of all schools in Alberta to determine exactly what the class size was. From the kindergarten to grade 6 age group the average class size was 23. In kindergarten it was 19.7. In grades 1 to 6 it was 23.6. So we feel that the flexibility that is given to the school boards is by far the most important issue, and indeed in talking to the school boards since that time, almost to a T the school boards say that they want the flexibility to be able to determine what the class size is.

We have visitors from British Columbia here today, and they are probably one of the best examples of what happens when a Legislature legislates class size. In British Columbia the Legislature legislated a class size of around 23, I believe, and it was going down to 22. Well, Mr. Speaker, if your child was child number 24, your child didn't get into that class. That child would be bused to another school down the road. That is the fact of what happened, and we have evidence of that here today.

So, Mr. Speaker, we feel that, yes, class sizes are important, that smaller class sizes are important, but we also feel that what is

equally very important is the flexibility that our democratically elected school boards have to determine the class size.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Resources are necessary to implement that flexibility. My second question to the Premier: does the government have a plan to give schools the resources they need so that parents no longer have to fund-raise for basics?

MR. KLEIN: Mr. Speaker, again I would point out that certainly there's been an increase, a substantial increase, over the last five years for educational funding. For the first time, as I've pointed out many times, a line item was put in last year's budget guaranteeing teachers at least 6 percent, an unprecedented step, if I may say, in terms of budgeting with the ability of the teachers, of course, to negotiate – that is, the unions of the various locals to negotiate – with the various school jurisdictions for more if indeed that's where the school jurisdictions feel that they want to spend their money. It's the opinion of the members of this government caucus that, indeed, sufficient resources are being allocated to education. In fact, we have identified education as a priority, one of the top priorities of this government, and the increase in funding – I believe it's 40 percent over the last five years – is indicative of this government's commitment to education.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Will the Premier tell Albertans also that that increase that you're talking about was not enough to cover the cost of increased enrollments or the cost of increased input costs associated with providing education?

MR. KLEIN: Mr. Speaker, that is all taken into account before and during the budget process.

Relative to the specifics as it relates to three-year business plans and so on, I'll have the hon. minister respond.

DR. OBERG: Thank you very much, Mr. Speaker. I think what the Premier said needs to be underscored and continued on with this statement. First of all, since '95-96 funding for education in this province has increased by 41 percent. The hon. opposition is talking about '92-93. The system today is much different than it was in '92-93. We had 165 school boards, some that had no schools. So obviously it is a different system here today. It has gone up 41 percent. Teachers' salaries have gone up 17 percent. Enrollment has gone up around 6 percent. So, Mr. Speaker, these are some of the issues that are out there. We feel very strongly about education on this side of the House. It is important, it is our future, and we will continue to assure that our students will always get the best results in the world, as they did this year.

2:00

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

DR. NICOL: Thank you, Mr. Speaker. During the teachers' strike the government said over and over again: there is no more money. This isn't exactly true. According to the latest quarterly fiscal update, the government has almost \$2.5 billion set aside for future debt repayment, and at least half a billion dollars of this won't be used until the end of the next fiscal year. Will the government use just a fraction of this to solve the crisis that's in our education system right now?

MR. KLEIN: Mr. Speaker, relative to that specific question I believe that the hon. Minister of Finance has a very good answer.

SOME HON. MEMBERS: Hello?

MRS. NELSON: Thank you very much, Mr. Speaker. No, I won't start this term off with "Hello?"

We did do a briefing today on the third-quarter update, that all members have received and which I will be filing at the appropriate time in the House this afternoon. The hon. leader opposite was present. What he is actually talking about is that last year, not this current fiscal year, we were able to put aside money to pay off the debt of this province and free up that burden from the very children that we're talking about in the future and bring down the debt servicing costs in the future for Albertans so that those debt costs could be freed up forever.

The concept that he is putting forward is that we renege on that and go back and take those dollars out, increase the debt, spend beyond our fiscal framework – in other words, run us into a deficit – to resolve an issue that is already dealt with within the fiscal framework of this province.

Now, to bring this analogy close to home, that's what went on – and I hate to say it – in our neighbouring province of British Columbia, just across the mountains, and that's why they have moved from the position of being a have province to a have-not province and running \$4 billion of debt on an annual basis and legislating major things. So the concept of what they're putting forward is to take the money that has already been put away to pay off our debt, pulling that back, increasing debt, increasing spending, running deficits, and putting it all on the backs of our children and our grandchildren. That's their policy, Mr. Speaker.

DR. NICOL: Mr. Speaker, bad education affects our children as well.

My question is to the Premier. Will the government finally make an official offer to fund the teachers' outstanding pension liability without taking the money out of the classroom?

MR. KLEIN: Mr. Speaker, that was on the table, notwithstanding what the union boss might have told his membership. That was on the table. It is now off the table because job action has been taken. It was made quite clear before the job action that that would come off the table. It is now off the table, unfortunately.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you. I just want to add one point, Mr. Speaker. In the hon. Leader of the Opposition's preamble he mentioned bad results for students. In the recent exams – I just really need to reiterate this for this House – we finished number one in the world. That isn't just in Canada; that's the world.

Mr. Speaker, there's one other very key component that came back from those studies. In Alberta we were the only jurisdiction in the world – in the world – where the public system did better than the private system, and we're very proud of that.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: is the government planning on biasing the negotiations again by putting a line item back into the education budget in the next budget period?

MR. KLEIN: Mr. Speaker, well, I'll announce it now. The budget

will be tabled, I believe, on March 19, so wait and see. I'm not going to discuss the budget now. There will be plenty of time after the budget is tabled to debate the budget and question the budget, and I'm not going to speculate at this point whether there will be any line items related to any salary relative to any sector at this time.

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

Teachers' Hours and Remuneration

DR. MASSEY: Thank you, Mr. Speaker. Surprisingly, given their actions this past year, the government believes that goodwill is important on the part of all parties in the education system. We learned that yesterday. My questions are to the Premier. By lobbing insults from Japan at our teachers about their working hours, was the Premier fostering goodwill?

MR. KLEIN: Mr. Speaker, I'm so glad, I'm very, very happy that the hon. member has raised this particular issue, because not everything was reported. The main thing that wasn't reported was that there was a challenge in one of the newspapers in a letter to the editor – it wasn't the *Sun*, but it was the other paper – where the writer pointed out – and I don't know if the writer was a teacher or not – that I was going to Japan and I should probably investigate how respected teachers are in Japan. So I asked the question of one of our staffers whose wife happens to be a teacher. She's been a teacher in Japan for 30 years, and I reported that. This is what he told me: that his wife works eight hours a day in the classroom – right? – five days a week and two weekends. Two weekends. That is mandatory. She earns the equivalent of about \$50,000 Canadian a year, after 30 years of teaching. I said, "Do teachers go on strike in Japan?" and he said, "No, that is out of the question."

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. No matter what the spin, teachers considered it an insult. Mr. Premier, will you begin rebuilding that goodwill with teachers by apologizing to them now for those comments?

MR. KLEIN: Mr. Speaker, why would I apologize for simply reporting what someone said to me? The husband of a teacher who obviously should know what his wife makes and the conditions under which his wife works. Now, what is wrong with that? Nothing.

DR. MASSEY: Mr. Speaker, to the Premier again. The teachers considered it an insult. Will you apologize to them?

MR. KLEIN: Mr. Speaker, why would a teacher consider it an insult if I report what the husband of a teacher told me: that teachers in Japan spend eight hours of classroom time a day, work two weekends a month, and that his wife after 30 years of teaching earns approximately what a teacher in Alberta would earn after 30 years of teaching? What is insulting about that?

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Drayton Valley-Calmar.

Health Care Premiums

DR. PANNU: Thank you, Mr. Speaker. This Premier and his Tory government pride themselves on cutting taxes, yet in yesterday's

throne speech this government promised to implement higher health care premiums. If it looks like a tax, if it walks like a tax, if it quacks like a tax, then it is a tax. To the Premier . . . [interjections]

THE SPEAKER: It's quite okay for an hon. member in raising a question to have colourful expressions.

The hon. member.

DR. PANNU: Thank you, Mr. Speaker. [interjections]

2:10

THE SPEAKER: I think, hon. Premier, the problem here is that the unrehearsed solicitations of expression didn't allow the hon. leader of the third party to conclude his question. We still have to get to that point.

DR. PANNU: Thank you. My question to the hon. Premier: since he promised Albertans tax reductions, why is this government now proposing a massive increase in the most regressive of all taxes, namely health care premiums? Duck that one, Mr. Premier.

MR. KLEIN: I will go on to repeat what I said earlier. There are two provinces in Canada that have premiums as opposed to a payroll tax. The reason we have premiums and the reason British Columbia has premiums is to point out to the population that health care is not free. You know, unlike the socialist way of sort of hiding it as a payroll tax and increasing taxes like the NDs do all the time, we're saying that there is a cost to health care, and premiums clearly identify that cost, Mr. Speaker.

Speaking to the extent to which health care premiums will be raised, I won't be specific at this particular time because that is a matter for the budget, which, again, will be tabled on March 19. At that time the Finance minister will outline what the increase is going to be and the rationale for the increase, but I can give the hon. member some hint as to the rationale. First of all, it was clearly recommended in the Mazankowski report that health care premiums be raised. [interjection] Yes, it was. Read the report.

Mr. Speaker, secondly, health care premiums have not been adjusted for a number of years. It is time to adjust those rates to reflect the true cost of insuring services that are insurable services under Alberta health, and that hasn't been done for some time.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My second question to the Premier: why has the Premier turned his back on seniors, on municipalities, and on business groups like the Canadian Federation of Independent Business, all of whom strongly oppose hiking health care premiums?

MR. KLEIN: Mr. Speaker, we haven't turned our backs on anyone. What we are proposing to do is the responsible thing and, I would point out, the reasonable thing, not only responsible but reasonable. It's a plan that will protect seniors, that will protect low-income Albertans.

AN HON. MEMBER: And the NDP.

MR. KLEIN: I don't know. There are some rich members of the NDs.

Mr. Speaker, it will reflect the real cost, the real and reasonable cost, of delivering health care services, especially as it relates to those services that are covered by health care premiums.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. How can the Premier justify targeting seniors and average Alberta families by hiking their health care premiums just so he can pay for further reductions in corporate income taxes in the next three years?

MR. KLEIN: Mr. Speaker, the hon. leader of the third party alluded to seniors. I specifically pointed out that seniors, as they are protected in a number of other instances, will be protected, at least the low-income to middle-income seniors, relative to health care premiums.

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

Teachers' Labour Dispute

REV. ABBOTT: Thank you, Mr. Speaker. I was very pleased to see this government take action to help Alberta students to obtain the education that they need and deserve. My question is for clarity purposes only, and it's to the Minister of Human Resources and Employment. How does this order affect the boards and locals that were not on strike on February 21 but have since taken a strike vote, such as the Timberline local and the Wild Rose school division teachers in my constituency?

MR. DUNFORD: Mr. Speaker, the order in council was quite clear, declaring the unreasonable hardship, but also to the appendix it listed 22 particular disputes that were in progress. That order does not impact or reflect on any of the other ongoing disputes.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. To the same minister: if a strike should occur in some of these other unaffected locals, will the minister consider declaring an emergency after a similar time period has elapsed, as in the first order?

MR. DUNFORD: I'd like to point out to the hon. member and to other members here in the House that it's not the minister that declares the emergency. The Labour Relations Code contemplates that in the opinion of the Lieutenant Governor in Council, thus meaning the cabinet. It's cabinet that would make that decision.

REV. ABBOTT: Thank you for the clarification.

My second supplemental is to the Minister of Learning. Is the minister prepared to bring legislation forward to protect the education of Alberta students in the future?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. On Friday of this week we will be having a very important court challenge that has been initiated by the ATA. We will wait for that, but I have given my assurances to the 37,000 grade 12 students, to the 550,000 students in Alberta that we will do what it takes to ensure that the teachers are not out on strike but, rather, in the classroom.

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

MR. MacDONALD: Thank you, Mr. Speaker. This government had

a chance to find a solution to the teachers' concerns before a strike began. My first question this afternoon is to the Minister of Human Resources and Employment. Why didn't the minister strike a disputes inquiry board to try and negotiate a solution before February 4?

THE SPEAKER: The hon. minister.

MR. DUNFORD: Thank you, Mr. Speaker. Disputes inquiry boards of course are part of the Labour Relations Code and have been used in the past in various disputes that were either ongoing or had actually gone into a strike situation. I want to point out to the hon. member that a disputes inquiry board would look at a situation to see if there was anything that was unclear, anything that was confusing about a particular issue, and if there was any particular hope in being able to cause a recommendation that might bring the parties to an agreement. I think that not only at the time but in retrospect we can see that a disputes inquiry board would only have delayed the situation. I would think on behalf of all teachers, of all parents and children that if we were to have a situation develop, February would probably be the month to have it happen.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. My second question is to the Minister of Learning. Did the hon. minister oppose a disputes inquiry board because it would not take away the teachers' right to strike, which is ultimately what this minister and this government wants to do?

Thank you.

DR. OBERG: Mr. Speaker, as the hon. member I'm sure knows and as the hon. Minister of Human Resources and Employment just alluded to, the disputes inquiry board is a mechanism for mediation. The contracts between the teachers' union and the school boards were up in September of this year – that is when they ran out – so they have been without a contract for roughly five or six months. They had that time in which to undertake mediation, and indeed many of them did undertake mediation. Because of one means or the other the mediation efforts were stonewalled, so I did not make the recommendation. Obviously, it is the Minister of Human Resources and Employment who makes this decision. But I think we have to be realistic. Mediation was going nowhere. To give it another month of mediation, to cause a month of undue hardship to students I think is a problem.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. My third question this afternoon is to the Premier. Is the Premier planning any punitive action in legislation against the ATA?

MR. KLEIN: No.

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

2:20

Kyoto Accord

MR. AMERY: Thank you, Mr. Speaker. My question is to the hon. Minister of Environment. Recent studies and reports by the Canadian Manufacturers & Exporters indicate that severe economic pain will be inflicted on the Canadian economy as a result of the

implementation of the Kyoto accord. Could the Minister of Environment advise the House and Albertans as to what the impact will be on the provincial economy if the accord is ratified by the Canadian government?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you very much. The issue is one of a range of risk, and certainly in Alberta we've done a great deal of analysis. We've used some Australian modeling groups called ABARE. We've used our own modeling groups and different modeling groups, plus we've had these numbers validated or examined by university economists inside the province. What we have is a number in a range. What we're estimating is our range of risk based on a 200 megatonne, or 200 million tonne, gap between the Kyoto target and where we are today. In fact, the gap is much larger than that. We know and the federal government just has admitted that the gap is not 200 million, not 160 million, but 240 million tonnes. So for Alberta what this means at a 200 million tonne gap – and we know it's already bigger than 200 million, and by the end of the year we'll be able to validate the gap of someplace around 280 million to 300 million tonnes. We already know the price to Alberta, based on 200 million – so we know it's a conservative estimate – in a range of risk will be someplace between \$2.9 billion and \$5.5 billion, and that's a conservative estimate. We know that will cost Alberta someplace between 40,000 and 70,000 jobs. Now, are these numbers right? Well, just yesterday we had an economist from a university in Ontario, who is not associated with us in any way, who has done his own analysis and reported: Alberta's numbers are right; it is the federal government and the federal Ministry of the Environment that are flat wrong.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. To the same minister. Since the United States of America, our largest trading partner, did not and will not sign the accord and opted for a made-in-America solution, did the Minister of Environment suggest to his federal counterpart a made-in-Canada solution?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. Not only did the U.S. not sign the accord, but 92 percent of Canadian trade and 92 percent of Canadian trade partners are in noncompliance. So only 8 percent of our trade is in compliance or will be in compliance with the Kyoto accord. That's one thing.

In terms of a North American policy, we have encouraged the federal government to seek a policy that would cover the U.S., Mexico, and Canada. The Europeans can meet their targets because they have what is called a European bubble. For instance, Portugal can increase its emissions by something in the neighbourhood of 37 percent. So what they've done is they've just moved that around Europe and given it to Germany and given it to the U.K. and said, "We're meeting our targets," without any significant, real reductions. So that's why we're arguing with the federal government: because our major trading partner is the U.S., Mexico is a major competitor, and Venezuela is a major competitor, we need a North American or even a hemispheric model.

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

Heritage Savings Trust Fund

MR. BONNER: Thank you very much, Mr. Speaker. My first question today is to the Premier. Why is your government planning to use Alberta's nest egg, the heritage fund, to cover your government's mismanagement of the province's finances?

MR. KLEIN: I really don't know where you get that notion. You know, perhaps it comes from my media scrum yesterday, where I said – and I've said it many times before – that if there's one thing that's true in politics, it is that yes means yes, maybe means yes, and no means maybe.

Very simply I said that, yes, there's been some informal discussion about what should be done with the heritage savings trust fund. All members of caucus have different ideas as to what should be done with that fund, but the hon. Minister of Revenue has the matter under consideration. There's been no formal discussion in caucus or cabinet about the future of the fund, and as I pointed out yesterday in the media scrum, the status quo prevails. Today the status quo prevails. Nothing has been decided relative to the future of the fund, but I imagine that down the road it will be a topic of discussion certainly amongst government caucus members and perhaps eventually in the Legislature. Who knows?

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Again to the Premier. As of last night the Premier said that there were rain showers in Alberta. What has caused this drastic change in weather in government policy from last night until today?

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Yes, Mr. Speaker. Again, what radio broadcast was he listening to? Did he question the reporter as to whether the reporter was perhaps paraphrasing or interpreting something that I said? I'll tell you precisely what I said in the news conference yesterday. I was asked specifically: is it raining? I said: in my mind it's not raining, but we've had sprinkles from time to time. But, no, we're not experiencing a rainstorm right now.

Unlike virtually every other jurisdiction in this country we're still budgeting, according to the third-quarter update, for an \$18 million surplus. Albeit small and a lot less than last year, nonetheless we're in better shape than virtually every other jurisdiction in this country, Mr. Speaker. So it's not raining.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Premier again. Will the Premier be sending a note to the co-chairs of the Future Summit and asking them to remove any recommendations about spending the heritage fund from their final report?

MR. KLEIN: No. If I get into that, Mr. Speaker, then someone else might say: Mr. Premier, you write the co-chairs and have them remove or add something. The Future Summit was an Albertans' exercise, and it was open and accessible to all the delegates. What made the summit so successful was that it was open and everything was on the table. We'll go through those recommendations and give them our fullest consideration.

Mr. Speaker, I'll have the hon. Minister of Revenue supplement the question.

MR. MELCHIN: Mr. Speaker, the Future Summit was an outstanding conference of delegates, a great cross section of Albertans. It was a chance for them to voice their opinions on a whole variety of topics. There was a chance for them to even talk about things such as the Alberta heritage savings trust fund. I would find it quite offensive that we would then go back to delegates and tell them that we didn't listen, that we don't care to have the recommendations even written up in a report.

It is imperative that we allow through a summit the voices of Albertans to come forward. That report will be completed by the end of April. We're looking forward to analyzing all those recommendations and will report to it in due course.

Thank you.

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

Bighorn Wildlife Recreation Area

MR. MARZ: Thank you, Mr. Speaker. My first question today is to the Minister of Sustainable Resource Development. The Bighorn backcountry area is a very large area, rich in resources, and a very popular spot for many recreational activities. I've recently received many calls and letters and another 52 letters just today from various recreational user groups including off-highway vehicle users, trail riders, and environmental groups, all with a very diverse set of opinions on how this pristine area should be managed. Now, with all these competing demands, how is this government going to resolve the issue of responsible access to this area in a way that meets the needs of Albertans?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a very good question. Of course the Bighorn backcountry is a very important area in Alberta. The area covers over 4,000 square kilometers, and about 80 percent of that, of course, is in the prime protection area of the eastern slopes policy.

2:30

Mr. Speaker, there are competing interests, of course, as far as access to the area, from environmental to recreational to industrial development, so what we've done is set up a committee of 15 independent members along with seven departments to look at laying out a plan, looking at areas such as the existing usage and looking at how we may minimize the imprint we leave once development takes place, and also to achieve a balance for Albertans between the economic development and the environmental management.

I just want to mention a few of the representatives that are representing the public, Mr. Speaker. One is the petroleum industry, trail riding, fisheries, environment, off-highway vehicle users, and residents of the Clearwater area also. So it is a very important area, and keep in mind that there will always be a balance.

MR. MARZ: My second question to the same minister: what is this 15-member advisory group or panel specifically doing to consult with Albertans about the use of this area?

MR. CARDINAL: Mr. Speaker, first of all, these 15 members are well qualified, and some of them represent agencies that already do a lot of work in the regions, in all the sectors in fact, and this group, of course, has developed a web site where individuals can contact the group. In addition to that, we are setting up a meeting on March

14 in Rocky Mountain House, where the public will be invited to attend and participate in the design of the process.

MR. MARZ: My final question, Mr. Speaker, is to the same minister. When will Albertans know what the advisory group is recommending, and will there be an opportunity to respond to those recommendations?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Yeah, Mr. Speaker. What I expect is the recommendations to be finalized later this spring. They will be made available to the public, and we will respond immediately to the recommendations, of course, keeping in mind again that there will always be a balance between the economic development and the environmental management of our lands.

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

Community Lottery Boards

MS BLAKEMAN: Thanks very much, Mr. Speaker. Last fall in a panic state the government cut community lottery board allocations by 1 percent. The timing and notification regarding these cuts resulted in hardship for the agencies that rely on these funds to do their good work. The government has now put the community lottery board allocation process on hold. My first question is to the Minister of Gaming. When is the minister going to be forthright with the lottery boards and their agencies and tell them how long they can expect to be kept on hold?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. In this particular fiscal year, that is 2001-2002, some \$53 million was allocated to community lottery boards.

AN HON. MEMBER: How much?

MR. STEVENS: Actually, \$53.3 million.

As a result of the belt-tightening that was necessary this past fall, Alberta Gaming did its share, and there was a minor reduction in the amount of the allocation at that point in time by some 2 million or so dollars. The balance of the money has been allocated to community lottery boards, and the cheques are going out to the various recipients.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Can the minister confirm if the reductions were levied across the province without preferential treatment; in other words, did all boards get cut the same?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The fact is that community lottery boards have different ways of dealing with the allocations that are provided to them. There are some 88 boards. Some have one meeting and one allocation. Others have two meetings and two-stage allocations. Accordingly, when it was necessary to make the deduction this past fall, some accommodation had to be made at that point in time to reflect the fact that some of the boards had in

fact expended all of the moneys that had been given to them. We indicated at that point in time very clearly to the boards what the process was, and all of them know exactly where they stand with respect to how they were treated, but it was necessary to take into account the different ways that each of those boards had set up their allocations in making those deductions.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Again to the Minister of Gaming: why are there indications being given to organizations that the community facility enhancement program has run out of money and that there's no point in putting in an application?

MR. STEVENS: Well, the community facility enhancement program was started in the '80s and, in fact, is in its 13th or 14th year and fourth iteration. Each year there is some \$25 million that is allocated to that particular program. The fact is that as you get towards the end of a particular program, as we are at this point in time – that is, with March 31 being the end of this fiscal year and with March 31 also being the end of this fourth iteration of the program – you come to a point where there is very little money yet there is a significant demand. Accordingly, what has been told to applicants is that we will be addressing the continuation of the CFEP program going forward into the new budget, and in the meantime we will continue to allocate what funds there are available based on appropriate applications. So that is the message, Mr. Speaker, that has been given to people who are interested in this program.

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

Teachers' Remuneration

MR. MASON: Thank you very much, Mr. Speaker. Contrary to the government's claims the 4 and 2 percent line items in last year's budget for teachers' salaries thwarted the collective bargaining process. It forced school boards to choose between a wage settlement for teachers well below those of comparable groups such as nurses, provincial employees, or even MLAs or to take resources away from students. The result now before us is a teachers' strike of unprecedented size and bitterness. My question is to the Premier. Why did the government arrogantly interfere with the lawful rights of teachers' locals and school boards to freely engage in collective bargaining through its imposition of a line item for teachers' salaries in the budget?

MR. KLEIN: Mr. Speaker, if I may be permitted, I would like to begin the answer to the question with a question. Would the hon. member have been satisfied had we put absolutely nothing in, that they were guaranteed nothing, rather than 6 percent? Is that what he's saying, that he would have preferred that we guaranteed nothing rather than 6 percent? Now, I know I can't ask him a question, but perhaps the media can ask him the question after the session.

Mr. Speaker, we felt that we were doing something for the teachers by taking the unprecedented step of guaranteeing them at least 6 percent, 4 and 2, by making a guarantee, unprecedented, with the ability for the union to negotiate with the various school jurisdictions for more if indeed that's where the jurisdictions decided they wanted to spend their dollars.

MR. MASON: Mr. Speaker, will the Premier be straightforward with Albertans and acknowledge that there is a clear link between the

government's unprecedented decision to impose wage controls on teachers through the budget and the resulting unprecedented provincewide job action by teachers?

MR. KLEIN: Mr. Speaker, had we made no comment in the budget and said that we will put zero in the budget for teachers' salaries, that would have been wage control, that would have sent a very serious message. Putting a minimum of 6 percent in the budget guaranteed that amount at least, and as has been the case in various school jurisdictions throughout this province where there have been settlements, teachers were able to negotiate for more in some cases if not all cases.

2:40

MR. MASON: Mr. Speaker, is the Premier trying to suggest that since previous budgets, going back till the foundation of this province, did not have line items for teachers yet teachers had significant increases in their wages and living conditions, that was a less satisfactory approach than this wage control through the budget?

MR. KLEIN: Mr. Speaker, this is not wage control. This is guaranteeing a minimum. You know, my math is not that poor, but a 6 percent increase is better than zero. Any of the university professors over there agree that 6 percent is better and greater than zero?

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

Osteoporosis Program

MS KRYCZKA: Thank you, Mr. Speaker. As chair of the Seniors Advisory Council for Alberta I have become very familiar with health issues facing older Albertans. A problem faced by countless seniors in our province is osteoporosis. In fact, 1 in 4 Alberta women over the age of 50 and 1 in 8 men suffer from osteoporosis. A number of my constituents have suffered broken bones as a result of what should have been minor falls. My question is for the Minister of Health and Wellness. What steps is his department taking to reduce the number of seniors who suffer these unnecessary setbacks year after year and to reduce the related costs to the health system?

MR. MAR: Mr. Speaker, it's clear that the cost of our health system will increase as the average age of our population continues to increase over the next 10 to 20 years. As an example, in the area of osteoporosis we spent \$14.2 million in the last fiscal year just for diagnostic tests to determine osteoporosis. The Department of Health and Wellness will be working with the Osteoporosis Society to develop a public awareness campaign around the relationship between nutritional, lifestyle, and activity habits and the development of osteoporosis, and I'm pleased to advise members of this Assembly that the department will be providing \$100,000 to the Osteoporosis Society to administer the campaign. The focus of the campaign will be on women over the age of 35 who are approaching or who have entered the menopausal years, when decreases in estrogen put them at risk of losing one-third to one-half of their bone density. This group is open to changing health behaviours. I think that this is a very good example of wellness initiatives that the government of Alberta intends to promote.

THE SPEAKER: The hon. member.

MS KRYCZKA: Thank you. Mr. Speaker, my first supplemental is also to the Minister of Health and Wellness. Calgary and Edmonton

have strong osteoporosis programs. Will this campaign include any specific activities to address the needs of those seniors and others who are living outside the province's major cities?

MR. MAR: Mr. Speaker, I think that this is an important point to make, that we need to conduct an environmental scan that is a first step to a public awareness campaign, and the purpose of the scan is to identify the most effective ways of reaching groups within the province that could be better served by osteoporosis education. Again, within the context of the Mazankowski report this approach to the promotion of wellness and giving Albertans access to credible, reliable information on how to look after themselves is critical.

Certainly the issues of those who are living in rural parts of Alberta will be addressed. The scan also must consider the harder to reach populations within urban areas. Examples of that may be certain cultural groups, recent immigrants who perhaps do not have facility in the language. Lower income groups would be another good example, Mr. Speaker. Based on the information that we gather through this environmental scan, we will develop a strategy to inform these groups about lifestyle, nutrition, and activity choices that will best protect them from osteoporosis.

THE SPEAKER: The hon. member.

MS KRYCZKA: Yes. Thank you, Mr. Speaker. My second supplementary also to the Minister of Health and Wellness: does he have any further plans that would also contribute to the prevention of osteoporosis, say in the area of learning with young students in the school system, in the area of diet and nutrition?

MRS. NELSON: Good question.

MR. MAR: Well, Mr. Speaker, the Minister of Finance, next to me, commented that that's a good question, and I agree. Clearly, one of the recommendations in the Mazankowski report that we intend on proceeding forward with is the improvement of curriculum in our schools as it relates to health. I think that that would be a very, very important point. The setting of the right trends in young people is absolutely critical to establishing lifelong trends for activity, proper nutrition, and so on.

So, Mr. Speaker, the short answer is yes. It is our intention to be working with my colleague the minister from the Department of Learning to proceed on developing curriculum, and certainly education as it relates to osteoporosis within an overall context of health education curriculum would be important.

head: Recognitions

THE SPEAKER: Seven hon. members have advised the chair that they would like to participate today, so we will go in this order. First of all, the hon. Member for Lacombe-Stettler, followed by the hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Bow, then the hon. Member for Edmonton-Glegarry, Edmonton-Castle Downs, and Vermilion-Lloydminster.

Town of Lacombe

MRS. GORDON: Thank you, Mr. Speaker. Lacombe, a growing, vibrant community situated adjacent to highway 2 in central Alberta, has something to brag about. *Harrowsmith Country Life* magazine has chosen Lacombe as one of the ten prettiest towns in Canada. No other Alberta towns were selected. *Harrowsmith Country Life* editor, Tom Cruickshank, stated that articles such as the one

Lacombe will be featured in in April's publication have been a huge plus for past winners, attracting large numbers of interested tourists.

Congratulations, Lacombe. I have always known that you were a special place. I am very proud to be a longtime resident and to represent your citizens' interests at the Alberta Legislature.

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

Peter Mercer

MS BLAKEMAN: Thank you, Mr. Speaker. Today it's my great pleasure to recognize and honour the work of Peter Mercer as he prepares for his March 1 retirement from the Downtown Business Association. I met Peter within a few weeks of first being elected. He was knocking on my door to let me know what I could do in partnership with the DBA.

We have much to thank Peter for. He promoted and publicized the 1995 capital city downtown plan. This, in turn, brought us the demolition of the Rat Hole, the one-way to two-way changes for downtown streets, safety audits of downtown parkades, and the first two-hour parking meters.

Peter is also a huge promoter of the Fourth Street Promenade streetscaping and the installation of Roy Leadbeater's *Aurora's Dance*, also on 104th. His publicity made this a going concern. In fact, that is the comment I heard the most: Peter's ability to get stories about revitalization into the news and that Peter is a great party animal. He brought us all the best parties downtown: festivities around the Canadian Finals Rodeo, the longest line dance, and the chili cook-off, a great Santa Claus parade, and lots of downtown activities for Family Day.

Thank you Peter, and best wishes for your new endeavor.

THE SPEAKER: The hon. Member for Red Deer-North.

Red Deer's Olympic Athletes

MRS. JABLONSKI: Thank you, Mr. Speaker. It gives me great pleasure to rise today in the Assembly to recognize the Olympic champions from Red Deer. All members of the Olympic team from Alberta and Canada have made us proud and grateful for their honest, drug-free efforts, their graciousness, and their classic Canadian dignity.

I'm very proud to congratulate Jamie Sale from Red Deer and her partner, David Pelletier from Quebec, for their beautifully exciting and flawless pairs skating and their great Canadian attitudes. Our congratulations to Diedra Dionne of Red Deer, who, through persistence, determination, and faith, flew through the air with grace and beauty to win a bronze medal in aerial free-style skiing and to Ryan Smith from Red Deer, a member of the Canadian men's hockey team, who showed the true grit of Alberta hockey players, who never give up and always put their heart and soul into our great Canadian sport.

It is my pleasure to also congratulate our Olympic athletes from Red Deer, who competed with great talent and effort, our world cup champion speed skater, Jeremy Wotherspoon, and another great speed skater, Stephen Elm. In women's luge racing we are very proud and pleased to claim Regan Lauscher as our very own.

Congratulations to all these Red Deer athletes and to our entire Canadian Olympic team, their coaches, families, and sponsors. You have given a gift to all Canadians of an unforgettable 19th Winter Olympic Games of 2002 in Salt Lake City, Utah.

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

2:50

Canadian Forces Battle Group

MR. BONNER: Thank you very much, Mr. Speaker. Earlier this year members of the Canadian Forces Battle Group, which consists of two infantry companies of the 3rd Battalion of the PPCLI, 1 Reconnaissance Squadron from the Lord Strathcona's Horse, and the logistics group from the No. 1 Service Battalion, all from Edmonton, were deployed to Afghanistan. They are part of Operation Apollo in direct support of the coalition against terrorism.

Our Canadian Forces have a long history of peacekeeping around the world, but they face real threats during this mission. They will conduct a variety of tasks where their safety will be threatened by land mines and resistance from the remaining Taliban and al-Qaeda fighters.

To all our soldiers who serve in Afghanistan, you honour us as a nation. Know that our thoughts and prayers are with you and that we wish you every success in your mission and a speedy and safe return to your loved ones. Thank you.

Walt Healy

MS DeLONG: Mr. Speaker, I rise today in the House to pay special recognition to an outstanding Calgarian who passed away in January. On January 12, Walt Healy, who was known around the world for his love of motorcycling, passed away.

Walt was an honoured resident of the Calgary-Bow constituency and the owner of Walt Healy Motorcycles, which he owned from 1931 until the day he died. Walt also loved to act part-time, appearing in several movies, including *One More Mountain*, where I was honoured to work with him. Walt won several awards and honours but may be best known for his commitment to safety while riding. His learn-to-ride program, implemented many years ago, has since become the Canada Safety Council motorcycle program and allows Canadians of all ages to share his passion for cycling and, at the same time, stay safe.

Walt was known as an outspoken, no-nonsense man with a heart of gold who lived life to the fullest. To quote from Walt: "On a motorcycle you smell, you feel, and you understand what's going on. It's a different feeling. You're a free individual, a free soul."

He was a true Albertan, a great friend to us all. We will miss him. Thank you, Mr. Speaker.

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

Canada's Armed Forces

MR. LUKASZUK: Thank you, Mr. Speaker. I'd like to join my colleague from Edmonton-Glengarry in acknowledging the brave Albertans who are currently maintaining the peace efforts in Afghanistan. On January 31, 2002, 750 men and women stationed at the CFB Edmonton Namao joined other members from Canada's armed forces on a mission to Kandahar, Afghanistan. We have complete confidence in their skills. It is with pride that we support them during this peacekeeping effort. The difficulties and dangers that they will face as they complete their tour of duty is a testament of courage and their devotion to Canada and her grateful citizens.

We also acknowledge their selfless families and friends, who are asked once again to put their fears and worries aside and accept the frightening task that lies ahead of their spouses, siblings, children, and parents. It is with the utmost gratitude that we honour them as well.

Canada is part of a coalition that will defend the fragile freedom in Afghanistan to ensure that this war-torn country, in despair for so long, has a chance to rebuild. Indeed, Mr. Speaker, the people of

Afghanistan are depending on this coalition to provide them a chance of finally building a peaceful nation.

To our military personnel, Godspeed. To the families and friends, we join you in prayers and hope for their safe and quick return home. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

The Scott Family from Vermilion

MR. SNELGROVE: Thank you, Mr. Speaker. It's truly an honour today to rise in the House and recognize the Scott family from Vermilion. Now, all of us have heard of Becky Scott, who recently became Canada's first ever medal winner in a cross-country skiing event. It was a bronze medal, but more importantly or maybe just as importantly, it was done, unlike some of her competitors, drug free. I think you would all agree with me that she should be awarded the gold medal.

Mr. Speaker, Becky would be the first person to acknowledge that her parents were instrumental in her success. Walter and Jan Scott from Vermilion are truly gold medal parents. Becky has stated that when you take on a goal and put your heart and your soul into doing everything it takes to accomplish that goal, that is excellence. Well, Becky Scott truly is excellence.

On behalf of all her friends and supporters in and around the town of Vermilion: job well done.

head: **Notices of Motions**

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

DR. NICOL: Thank you, Mr. Speaker. I rise now to give notice that preceding Orders of the Day, I will be rising on Standing Order 30. Thank you.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Children's Services.

Bill 2 Child and Family Services Authorities Amendment Act, 2002

MS EVANS: Thank you, Mr. Speaker. I request leave to introduce Bill 2, Child and Family Services Authorities Amendment Act, 2002.

The consultation that preceded this was, in fact, a comprehensive review taking place in the fall of 2000. The intent of this bill will be to clarify the nomination process for boards to address governance roles of the boards and their accountability to the ministry. Mr. Speaker, we have also had significant consultation with partnering departments of Justice, Learning, Health and Wellness, Community Development, International and Intergovernmental Relations.

Thank you.

[Motion carried; Bill 2 read a first time]

THE SPEAKER: The hon. Member for Little Bow.

Bill 3 Irrigation Districts Amendment Act, 2002

MR. McFARLAND: Thank you, Mr. Speaker. I request leave to introduce a bill, being the Irrigation Districts Amendment Act, 2002.

Mr. Speaker, this will accommodate small-volume water users who wish to use water without the necessity of obtaining the water licence under the current act.

[Motion carried; Bill 3 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that Bill 3 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

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

Bill 4 Public Health Amendment Act, 2002

MR. MAR: Thank you, Mr. Speaker. I beg leave to introduce a bill being Bill 4, the Public Health Amendment Act, 2002.

[Motion carried; Bill 4 read a first time]

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

Bill 5 Interjurisdictional Support Orders Act

MR. RATHGEBER: Thank you, Mr. Speaker. I request leave to introduce a bill being Bill 5, the Interjurisdictional Support Orders Act.

Mr. Speaker, if this act is adopted by this Assembly, it will replace the existing Reciprocal Enforcement of Maintenance Orders Act, eliminating the need for the provisional orders and therefore two court applications in most support cases. A claimant who commences a support application or a support variation application under provincial or territorial legislation in another Canadian jurisdiction would have the application forwarded here, where an Alberta respondent would then present his or her evidence at a single court hearing. Claimants in Alberta would similarly have their paper applications forwarded to the respondent's province or territory for a single court hearing there.

I encourage all hon. members to support Bill 5.

[Motion carried; Bill 5 read a first time]

3:00

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that Bill 5 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Member for Leduc.

Bill 7 Agriculture Financial Services Amendment Act, 2002

MR. KLAPSTEIN: Thank you, Mr. Speaker. I request leave to introduce Bill 7, the Agriculture Financial Services Amendment Act, 2002.

The bill updates the current act to reflect the merger of the Agriculture Financial Services Corporation and the Alberta Opportunity Company.

[Motion carried; Bill 7 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that Bill 7 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Minister of Children's Services.

**Bill 9
Child Welfare Amendment Act, 2002**

MS EVANS: Thank you, Mr. Speaker. I request leave to introduce Bill 9, the Child Welfare Amendment Act, 2002.

This will amend current legislation to allow for interprovincial movement of children involved in child welfare, will streamline telephone applications, will in fact address amendments to enable a justice of the peace to handle telephone applications for apprehension orders, and will help us with the introduction of amendments to allow the Child Welfare Appeal Panel to be bound by the policies of the resources for children with disabilities program. Mr. Speaker, these amendments will allow for smoother co-ordination of issues and efficiency in the Child Welfare Act.

[Motion carried; Bill 9 read a first time]

**Bill 10
Public Works Amendment Act, 2002**

MR. SNELGROVE: Mr. Speaker, I request leave to introduce a bill being Bill 10, the Public Works Amendment Act, 2002.

[Motion carried; Bill 10 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that Bill 10 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Member for West Yellowhead.

**Bill 11
Energy Information Statutes Amendment Act, 2002**

MR. STRANG: Thank you, Mr. Speaker. I request leave to introduce Bill 11, the Energy Information Statutes Amendment Act, 2002.

The following acts will be amended by this bill to retain and improve paramountcy of confidentiality provisions for those acts over the provisions of the Freedom of Information and Protection of Privacy Act: the Mines and Minerals Act, the Natural Gas Marketing Act, the Electric Utilities Act, the Oil and Gas Conservation Act, the Oil Sands Conservation Act, and the Coal Conservation Act.

Thank you.

[Motion carried; Bill 11 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that Bill 11 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

MRS. McCLELLAN: Mr. Speaker, on behalf of the Premier I'm pleased to file with the Assembly the appropriate number of letters of congratulations that the Premier has sent to Alberta-based Olympic medal winners. Many of those Olympians have been mentioned in statements here today. I will not read the names on all of the letters, but I do believe that these letters capture the pride that all MLAs and all Albertans have in these tremendous athletes.

Thank you.

THE SPEAKER: Hon. Deputy Premier, did you have tablings on behalf of your other position as Minister of Agriculture, Food and Rural Development?

MRS. McCLELLAN: I do, sir.

THE SPEAKER: Please proceed.

MRS. McCLELLAN: Mr. Speaker, I'm pleased to table with the Assembly today copies of the report on university animal facilities for the year 2001 as required under section 52(5) of the Universities Act.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. This morning I provided the government's 2001-2002 quarterly budget report for the third quarter to all Members of the Legislative Assembly. I am now wanting to file and table in this House the quarterly budget report as amended – in other words, the consolidated fiscal plan – as required under section 8 of the Government Accountability Act as well as the third quarter activity report for 2001-2002.

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

MR. MAR: Thank you, Mr. Speaker. I have for tabling the requisite number of copies of a listing of the expenses and costs for the Premier's Advisory Council on Health. I note that for its 17 months of activity the total cost came to \$326,454.30.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to table with the Assembly two reports: the Appeals Commission for Alberta Workers' Compensation 2000 annual report and the Certified General Accountants Association of Alberta 2001 annual report.

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

MRS. O'NEILL: Thank you, Mr. Speaker. This afternoon at the request of Mr. Barrie Schulha of St. Albert I wish to table the appropriate number of copies of a letter that he sent to me requesting that they be tabled in the Legislative Assembly.

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

DR. NICOL: Thank you, Mr. Speaker. I stand now to table the appropriate number of copies of a letter that I've written to Mr. Michael Chambers, president of the Canadian Olympic Association, congratulating him on the great work that Canada's team and Albertans did in the Olympics in Salt Lake City, expressing our

thanks for all the entertainment and enjoyment that they provided for us for the last couple of weeks.

THE SPEAKER: Are there additional members?

Hon. members, the chair has three tablings today. First of all, pursuant to the Legislative Assembly Act I table with the Assembly five copies of the following Members' Services orders: service order 7/01, Constituency Services Amendment Order (No. 9), and 8/01, Constituency Services Amendment Order (No. 10).

I also table with the Assembly the report by the Ethics Commissioner into allegations involving the hon. former Member for Wainwright, Robert Butch Fischer, dated January 9, 2002. The report was distributed to members on January 9 of 2002.

As well, pursuant to section 32 of the Election Finances and Contributions Disclosure Act, *Revised Statutes of Alberta 1980*, chapter E-3, I'm pleased to table with the Assembly the 24th annual report of the Chief Electoral Officer for the calendar year 2000 and the 2001 general election.

head: Request for Emergency Debate

THE SPEAKER: Now, on our routine, having no points of order, no questions of privilege, we come to recognition of the hon. Leader of the Official Opposition on a Standing Order 30 application.

Education System

DR. NICOL: Thank you, Mr. Speaker. I rise to propose the following motion to the Assembly:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance; namely, the actions needed to resolve the problems currently faced by Alberta's schools.

It is critical that we have this debate now. The discussion, the give and take that goes on, and the exchange of ideas has to be conducted beyond the scope provided by question period. It has to go beyond that scope where we can deal with it in the context of debate, because we're having a situation arise right now where there's potentially additional school jurisdictions that may enter into a strike position.

3:10

We have to have a clear definition from the government: what are the parameters, what are the expectations, and what are the future projections of where we expect to see our public school system moving? It's not enough just to say that the solution has to be achieved today. It has to be dealt with in the context of a long-run commitment to our education system, a long-run commitment to how we as Albertans want to see our education system supported, and those are the kinds of issues that we have to bring into this debate. We have to look at: what are the kinds of parameters that we as the decision-makers for this province want to put into the commitment on funding? In terms of class size what debate will go around creating class size parameters within the context of feedback from those school boards, from the teachers in terms of what is appropriate? What additional resources are available to possibly support a teacher in the classroom, whether those are computers, whether those are teacher aides, whether those are the kinds of access to textbooks that appears not to be there.

We also have to look at the overall commitment that we have to education in the context of the resources that we provide. How much of our education system is going to have to be funded from parent fund-raising, from community fund-raising, from partnerships with the business community? These are the kinds of things that we

have to be able to discuss now in the open, in a public area like the Legislature so that we can effectively send signals to Albertans about what to expect we have as a commitment to the education system.

Mr. Speaker, we also need to clarify for Albertans the kind of expenditures that we currently have in our education system, how it compares, how it's keeping up to the changing number of students, to the changing costs of providing the learning environment. This has to be reflected in the concept that we have conflicting numbers out there. You know, it's easy to say that there's been an increase of 41 percent, but we also have to look at it in the context of: how does that keep up with the number of students and the cost of providing it in terms of computers that are necessary, the increasing cost of textbooks, the increasing cost of providing library services?

All of this has to be built into that debate, and we have to have the opportunity to address those issues here in this Legislature so that Albertans understand the parameters. They then will better understand what they're hearing when school boards or when teachers' local associations get involved in their negotiations. They'll also understand better what comes out of this Legislature when we hear the Minister of Learning or the minister of human resources or the Premier make comments about the parameters, what's available for discussion, what is on the table, what has been offered, what's being withdrawn. These are the kind of parameters that we have to be able to provide Albertans with so that they understand fully the debate that's going on.

Mr. Speaker, we also have to look at how we fund education in the future. We have to look at it so that the system will provide opportunities for all of our students. Do we have enough support for our special-needs students? How do we go about creating special-needs classifications? How do we go about dealing with population changes, community growth? How do we deal with making sure that adequate school facilities are available? This is the kind of thing that has to be looked at in the context of where we want to go so that Albertans understand and can basically feel comfortable that they appreciate the arguments that are being put forward by both sides in this discussion right now, whether it be the school boards or whether it be the teachers' local. These are the kinds of things we have to be able to look at.

We also have to look in the context of: what is a government's role in the event of the kind of teachers' strike situation that we've seen in the last few weeks and potentially could see more of in the future. We've seen the government in effect become involved when it shouldn't have in the negotiations. They have set parameters on what are expectations from the messages that they're sending out to the public. That, Mr. Speaker, needs to be clarified. Is this going to be the common practice of the government? Is this going to be something that all groups who deal with public dollars are going to have to expect in the context of how they negotiate for their contracts? Will there be public legislated guidelines put in place about these kinds of settlements?

The other aspect, then, is: how do we deal with the responsibility once those signals are sent? You know, we've heard now from the budget last year of a 4 and 2 offer to the teachers as a base, but what happens now if the local school boards decide they want to deal with a different kind of a settlement? Where can they get the resources? Are they free to deal with that? We've heard through public debate that the minister has essentially suggested very strongly – now, some people see it almost as a threat if the school boards use their reserves to provide for settlement in this context. What is the role of a reserve? What are the options for using that reserve? These are the kinds of things that we have to be able to talk about and to question the government on to clarify so that, in effect, we can have a true understanding by the people of this province.

Mr. Speaker, that outlines very briefly why we see this being critical to the debate today, because it's a matter of importance that the public sees a need for clear definitions so that they can interpret the actions that are going on on both sides and they can basically better understand the solution as well when we see either a negotiated solution or after the 15th of March mediated solutions that are being put in place for schools.

We also have to be able to convince them or convey to them that as a province we will respect that, that we will provide the resources to the school boards so that they can deal with the settlement, whatever it is, especially if it's a mediated solution where the school board, then, is left with no choice but to make some drastic decisions. What are the implications of that? What are the support systems in place if they end up having to make, in effect, classroom cut decisions?

So that, Mr. Speaker, is why we think it's very critical that this debate be conducted today, that this debate be conducted this afternoon, and that this debate be conducted in this Legislature.

Thank you.

THE SPEAKER: The hon. Minister of Learning on the Standing Order 30 application.

DR. OBERG: Absolutely, Mr. Speaker. I would urge that this application is not in order, and I will do it for several reasons. First of all, the application, if I may quote, addresses "the actions needed to resolve the problems currently faced by Alberta's schools." As Minister of Learning it would be extremely naive of me to stand up here and say that there are absolutely no problems in any school at any one time. I think, equally, it would be naive of me to say that there aren't potential problems, that the teachers' strike has not been a problem, and I will address that a little later.

I think that any school jurisdiction, any jurisdiction in Canada, should be measured on its results. It should be measured on the outcomes that the students coming out of the system are showing. In Alberta we have unprecedented results. Prior to this motion in question period I talked about the results from the PISA exams, where we scored essentially the top marks in the world. I will say that it's for three reasons.

First of all, it's our students. I think we have excellent students in this province. I think our students are well motivated and are doing a great job. Secondly, I'll say teachers. I think that our teachers are doing an absolutely excellent job in this province and again are equally well motivated and doing a great job. And, Mr. Speaker, the third thing that I will say – and I will congratulate my department – is the curriculum. The work that my department does in curriculum with field testing, with diploma exams – all of these types of things are second to none in this world, and again I will repeat for the third or fourth time today that we finished number one in the world.

Often – and I believe too often – a jurisdiction is graded, so to speak, on the amount of dollars that they put in, and although I don't agree with that, I will state some facts. The fact is quite simply – and I'll use Stats Canada – that in the year 2000-01 we were ranked fifth in the country. We believe that in our ranking, using the same procedures, we are fifth again this year. However, Mr. Speaker, it is an apples and oranges argument, because, for example, in Manitoba they have included capital expenditures on a onetime basis within their budget. So if we were to include our capital expenditures of \$613 million for schools this year, we would be sitting approximately third in Canada. By no means an emergency.

3:20

Mr. Speaker, the other point that I wanted to make quite simply –

and the hon. Leader of the Opposition made this point as well – is that there has been a 41 percent increase in the dollars that have been allocated to schools since 1995-96. In the two budgets that I have brought down, 9.8 percent in the first budget and an 8.4 percent increase in the second budget – last year alone that amounted to an extra \$245 million that has gone into the school system. Special needs were raised by the hon. Leader of the Opposition. We have more than doubled special-needs funding from '95-96 to 2001-2002, to the tune of around \$327 million.

Another very important point – and I want to reiterate this – is that the surpluses that are existing within the school system today amount to around \$180 million, according to their statements. Mr. Speaker, these have been arrived at by good judgments by the school boards. I don't want to belittle that in any way, but the point I want to make here is that that money is available to be used within the school system but more importantly that number has increased. That number has not decreased. Last year it was around \$160 million. It has actually increased the amount of surpluses that are available to the schools. So I believe that it's something extremely important.

Another point that I wanted to make is the Alberta initiative for school improvement. This is something that is unprecedented anywhere else in the world; \$68 million per year is put in for 734 projects on how to improve schools. No other jurisdiction in the world is doing this. We are by far – by far – ahead of any other jurisdiction in the world.

Mr. Speaker, I will say, though, that there was a problem facing the system, a very major problem, and that was when the teachers were not in the classroom, when our students were not learning, when our students were not having their right to education being upheld. This Minister of Human Resources and Employment made the correct step and put those students back into the classroom, back into the learning environment. I will also argue that this is a case of sub judice – and this case will be heard by the Provincial Court on Friday of this week – that the whole issue about the strike is a sub judice case and should not be discussed in this Legislature.

So I guess, Mr. Speaker, what I would state quite simply to close is that the main problem that has been faced by the school system in Alberta has been the teachers out on strike. It has been the teachers not in the classroom teaching students, students not learning. That has been resolved, plus on Friday of this week there will be a court case, a very important court case, where the Alberta Teachers' Association has challenged the right of students to learn. We feel that that is extremely important, and we'll be there.

So, Mr. Speaker, I feel that the Legislative Assembly and yourself in particular should not rule, should not vote in favour of the Standing Order 30 and that this is not an emergency of the proportions needed to adjourn the debate of today.

Thank you.

THE SPEAKER: Well, hon. members, I've now listened to two petitions with respect to this. I would ask hon. members to get the Standing Orders out, please, because so far I've heard no arguments from anybody with respect to urgency. Maybe I'll get one. I'm going to allow two more, the hon. Member for Edmonton-Highlands and the hon. Government House Leader, and then I'm going to make a decision with respect to this Standing Order 30 application.

Hon. Member for Edmonton-Highlands, proceed.

MR. MASON: Thank you very much, Mr. Speaker. I certainly take your point that the test of whether or not this debate ought to be allowed is whether it is, in fact, a matter of urgent public importance. I would argue that it is both urgent and a matter of very serious public importance.

The government has taken action, Mr. Speaker, to order the teachers back to work, and that is currently before the courts and will be resolved, we hope, by the end of this week. So, in fact, that particular decision is going to have a very great effect, particularly if the court rules against the government, in which case immediate action of some sort will be taken by the government. It's very important that this Legislature have a debate before that happens.

Secondly, Mr. Speaker, there are a great deal of school jurisdictions that still may be in a position to strike, and that may in fact happen very soon. These are not covered under this application, so that is another matter of very urgent debate. I think that it's important to recognize that even if the government is successful, based on what we have understood in the public debate around this issue, there may be long-term and immediate consequences in the schools even if the teachers are forced against their will to go back into the classrooms. There may be, in fact, very serious impacts that will make themselves felt very, very quickly.

I would indicate that there have been 350,000 students in 22 school districts out of school, and the chances of them not being affected simply because the minister orders the teachers back to work is, you know, remote, that there will be no ongoing impact that we will be seeing. The government seems to feel that it can snap its fingers under its very broad legislative mandate and the problem goes away. Mr. Speaker, the problem has not gone away. It's a serious problem affecting almost every student in this province, and this Legislature has a duty to deal with it.

I've seen time and time again the burning issues facing Albertans. The burning political issues are not debated in this Legislature in a timely fashion because the government doesn't want it. Well, Mr. Speaker, what's the use of this place if it's going to be dealt with in that fashion by the government? The important question we have is: what is going to happen to the students in Alberta schools? Quite frankly, the fact that the government would say that this is not a matter of urgent debate beggars belief.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Government House Leader on the Standing Order 30 application.

MR. HANCOCK: Thank you, Mr. Speaker, and I will be succinct. There are some very clear points that need to be made. Standing Order 30 provides for suspending the normal business of the House for a matter of "urgent public importance." Well, there's no question that education, public education, is certainly an issue of public importance. In fact, it was highlighted yesterday in the throne speech, which we will get to debate later on this afternoon if we're allowed to continue with Orders of the Day.

I would think it would be entirely appropriate for members, in debating the throne speech, to deal with the issues that were raised in the throne speech, and there are matters in the throne speech dealing with education, so it's not urgent to move off the normal Orders of the Day, Mr. Speaker. In fact, the normal Orders of the Day allow for debate on those public issues of importance in Learning as well as those public issues of importance in health care and other areas.

Also, we heard the Premier today indicate that the budget would be available on the 19th of next month. Some of the issues that were raised – and I agree with you, Mr. Speaker, that none of them previously raised any issues of urgency – related to spending in education. Well, there's no better place to deal with the spending issues and the amount of resourcing and the way that resourcing is done and, in fact, the business plan of Learning except in Committee of Supply and in the debate under the appropriations bills which will be before the House.

There were questions about government getting involved when it shouldn't have, and that comes to my final point. The urgency that was apparent last week was relative to our students being out of school and needing to get those students back into school before undue hardship was caused. That was dealt with by the government. There was an action brought before the court. That action is before the court as we speak. The decision is to be made on Friday. It's premature for this House to get into that debate while that matter is before the court, and, Mr. Speaker, that really is the only issue where urgency was in question at all. The rest of the issues relating to public education are very important issues and very important issues for this House to debate, and we should get on with that debate under the debate on the Speech from the Throne. We should get on with that debate under Committee of Supply when the budget comes down. We should get on with that debate during the interim supply, which obviously will be necessary because the budget isn't coming down until the 19th of this month.

So there will be plenty of opportunities in this House to deal with the issues of public importance, including the very important issue of public education. But it's not an issue that meets the test, Mr. Speaker, under Standing Order 30 to abrogate Orders of the Day. In fact, we should get on with Orders of the Day and reply to the Speech from the Throne and address the very urgent issues of public importance that were addressed by Her Honour yesterday.

3:30

THE SPEAKER: Hon. members, the chair has listened carefully to the arguments with respect to the issue of emergency debate and this application to adjourn the ordinary business of the House as brought forward by the Hon. Leader of the Official Opposition.

First of all, the chair received notice that this application would be made at least two hours prior to this afternoon's sitting in the Assembly, so the requirements, at least the filing requirements, of Standing Order 30(1) have been met. At this stage the role of the chair is to determine whether or not the request for leave is in order, and that's what this discussion has been about: whether or not the request – the request – for leave is in order, not if the subject is in order.

The request for leave would be that under the Standing Orders the person who sponsors the request would "briefly state the arguments in favour of the request for leave" – I might point out that the brief request for leave was nine minutes in length – "and the Speaker may allow such debate as he considers relevant to the question of urgency of debate and then shall rule on whether or not the request for leave is in order." It has to do with "considers relevant to the question of urgency of debate," not at all with the subject matter before us.

So having listened attentively and having seen the words that were presented and recognizing that the sponsor of the motion went from 3:09 to 3:18, which was nine minutes – oh, by the way, to speculate for just 30 or 40 seconds or a minute ahead in the future, should the chair rule that this is in order, the amount of time eligible, then, for discussion would be 10 minutes.

The chair has great difficulty in determining any arguments that were put forward for urgency; that is, what we would take away from the general Routine for today, which has been posted. The Routine for today would see debate on Her Honour's speech, would allocate and afford members 20 minutes' participation for the mover and the seconder, would allow the Leader of the Official Opposition 90 minutes to participate if he chooses to participate, would allow other members 15 minutes to participate, and would allow for a five-minute exchange after that. That would provide considerably more time allocation, in fact, for debate on this subject than there would be if there would be a successful Standing Order 30 application.

The assessment is this: in the chair's view the criteria for the matter constituting a general emergency as required under subsection (7)(a) are not met on this application.

While the education system is a very important issue for this Assembly, within the technical meaning of Standing Order 30 it would be very subjective to determine that a genuine emergency exists at the present time. Moreover, the wording of the motion is such that it is very general, as it refers to "the problems currently faced by Alberta's schools," rather than to a particular emergency that would require the immediate attention of the Assembly. Of course, this could change if events unfold differently in the next few days. As the chair indicated in granting the request by the then Leader of the Official Opposition on May 24, 2000, things can change in a matter of a day to make something a genuine emergency that was not one the day before.

The chair again would also note that there will be an opportunity for members to discuss the state of education and other subjects during the debate on the address in reply, which is scheduled to proceed this afternoon. The chair again would note that the Leader of the Official Opposition is afforded up to 90 minutes under the rules of this Assembly to speak on the address in reply to the Speech from the Throne, which is more than the 10 minutes he would have been allowed under Standing Order 30 debate.

Accordingly, the chair will not put the question, and the request will not proceed.

head: **Statement by the Speaker**

Standing Orders Amendments

THE SPEAKER: Now, hon. members, before we proceed with calling Orders of the Day, I indicated earlier that I wanted to make some additional comments with respect to the administration of the rules as we go forward now. Before we proceed to the business under Orders of the Day, the chair wants to remind members of some of the changes to the Standing Orders adopted last November that will affect the operation of the Assembly.

As a result of those amendments, this will be the first time since September 1993 that a Wednesday afternoon is not devoted to private members' business. Monday afternoons will now be spent addressing Written Questions, Motions for Returns, and private members' public bills. Commencing Monday evening at 8 p.m., one hour will be devoted to Motions Other than Government Motions.

In terms of planning speeches, members should refer to Standing Order 29, concerning speaking times in the Assembly. The mover of a government bill or motion will have 20 minutes' speaking time but will be limited to 15 minutes in closing debate. The member who speaks immediately following the mover will also have 20 minutes. All other participants will be limited to 15 minutes' speaking time. The Premier, the Leader of the Official Opposition, and the mover on the occasion of the Budget Address will still have 90 minutes.

The five-minute reduction in members' speaking time is replaced by a question and comment period, which is a new feature of the Legislative Assembly of Alberta. This period will be available at second and third reading following every member's speech except for those of the mover in opening and closing debate and the member who speaks immediately following the mover. This question and comment period will be an opportunity to ask questions of the member who has just spoken or make a statement about that speech. Participation in the question and comment session must be relevant to the preceding member's speech and will be governed by the normal rules of the Assembly concerning the content of speeches as, for example, found in Standing Order 23.

The Canadian House of Commons has a 10-minute question and

comment period where this rule of relevance applies. Members may wish to review chapter 13 of the *House of Commons Procedure and Practice*, edited by Marleau and Montpetit, particularly pages 530 to 531.

The difficulty with the question and comment session comes in determining how the five-minute period will be apportioned. Of course, for every member who wishes to ask questions to or comment on a member's speech, there must be an opportunity for the member to respond. What if three members want to participate? When combined with the three responses allowed, the member would see five minutes divided by six.

The chair is always a timekeeper of sorts, but unless the Assembly decides to get a time clock in the Chamber like the one found at sporting events, it would be difficult for the chair to calculate the apportionment of time for members. Furthermore, the chair would be so intent in making sure that he or she had caught all members who wished to participate and had calculated the time correctly that the chair would not be able to focus on the member's speech.

Therefore, the chair will allot 30 seconds to each member who wishes to participate in the question and comment session. The member whose speech has generated the questions or comments will have 30 seconds to respond. As many members as possible can participate for up to 30 seconds in the five-minute period. Unless participating members use considerably less than 30 seconds, it will mean that five members may participate in addition to the original speaker. If there are not enough members who wish to participate, then a member can be recognized more than once. The new rules concerning speaking times in the question and comment session will apply to the debate on the address in reply, so they will go in effect this afternoon.

This question and comment period is not available for private members' business. The time limit on speaking for members' and private members' matters is now 10 minutes except for the Premier and the Leader of the Official Opposition, with 20 minutes each. The chair will review these matters on Monday, the first day of private members' business under the amended Standing Orders.

The chair also would like to take this opportunity to note a few other matters not related to the Standing Orders amendments. The first is that the new committee rooms are now operational. They are located on the fourth floor of the Legislature Annex, and of course they form part of the precincts of the Assembly. For those members that have not had a meeting there yet, I would encourage you to go and look at these exceptional facilities.

On another matter, members are aware that the *Revised Statutes of Alberta 2000* are now in effect. I want to let members know that when the Legislative Assembly Office received notice of the cost of purchasing the *Revised Statutes*, the chair wrote the hon. Minister of Justice and Attorney General to say, basically, that as the Assembly is the body that makes the laws for the province of Alberta, shouldn't the members be able to find out what the law is without having to pay for it?

3:40

The Minister of Justice wholeheartedly agreed and, on behalf of the government of the province of Alberta, donated three sets of the *Revised Statutes of Alberta 2000* for use by members and table officers in the Chamber. On behalf of the Assembly the chair would like to take this opportunity to thank the minister and also remind him that in previous days and on previous occasions all Members of the Legislative Assembly, the lawmakers of the province of Alberta, were provided with the complete *Revised Statutes* of the province of Alberta from the overall Minister of Justice in a gratuitous fashion.

Thank you very much.

head: **Orders of the Day**

head: **Consideration of Her Honour
the Lieutenant Governor's Speech**

Mr. Horner moved that an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows.

To Her Honour the Honourable Lois E. Hole, CM, Lieutenant Governor of the province of Alberta:

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

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

MR. HORNER: Thank you, Mr. Speaker. It is an honour that I have been given leave to move acceptance of the Speech from the Throne. The speech presented by Her Honour the Honourable Lieutenant Governor, Lois Hole, opened the Second Session of the 25th Legislature, and it is my pleasure to address the Assembly on behalf of my constituents from Spruce Grove-Sturgeon-St. Albert.

I would like to take this moment to send regrets to Her Honour and the province in respect to the passing of Princess Margaret and our former Lieutenant Governor, the Hon. H.A. "Bud" Olson.

I would also like to join Her Honour in expressing the pride and the great support for our soldiers who are serving in Afghanistan. I would like to thank these Albertans for the great job they are doing in protecting our nation and the principles and values we are so fortunate to be governed by. We all join in the prayers of their families and friends that they will be kept safe while they're there on duty and will return with speed once they've completed their mission. Albertans are proud of what they are doing and the sacrifices that they are making to touch the lives of others.

Her Honour's speech touched on many important issues our government is facing in the upcoming year. Because the issues of health care and education are in the forefront of most of our minds, I am pleased that a great portion of Her Honour's Speech from the Throne discussed what goals lay ahead for our government.

If we are to continue developing our Alberta advantage in the future, we must work together as a unified province to create the new paths that will take us where we need to be. Last year at about this time, as I gave my maiden speech in this House, I said that I am here to represent the concerns of my constituents and speak within our government on their behalf. As a government we have promised to listen to Albertans. My constituents have made their wishes concerning health care known. They would like to see this government committed to a sustainable publicly funded system, a system they can trust to sustain their needs and the needs of their children into the future.

As a province we're once again in the spotlight of our nation to see how we will define the health care system that will sustain our growing population, allow for comprehensive and accessible services, and, above all, keep Albertans healthy. After a decade of public consultation and study on the challenges we are facing to preserve affordable public health care, a report was presented to this government by the Advisory Council on Health. This report will inevitably provide the direction to many of the solutions for the problems we are facing with our health care system.

I know that the commitment of this government is to work together to find the answers which best suit all of our needs. However, I firmly believe that in order to do this, we must continue to work as a team. In order to provide us with sustainable health care

that works for all Albertans, we need to work with the regional health authorities, health professionals, and Albertans to ensure that we maintain the right direction.

Last year the throne speech stated that the government's priorities for health care would focus on access to health services, illness prevention, and effective regional governance. The council's report has focused reform on how this province spends our health care dollars. The promise of access, illness prevention, and effective regional governance are some of the concerns that Albertans have, and I strongly believe that we need to keep these in mind as we work through this process.

Mr. Speaker, to be effective, a government cannot support the status quo in a time when change is necessary. We cannot afford to build pillars to simply prop up long-standing and failing systems in this province. In order to move ahead and build effective systems that truly help people, not just catch them as they fall, we're going to have to work together to develop a better system. In health care all eyes are upon us to see what directions we now choose.

All eyes seem to be turning to our province for other reasons, as well, one of these being the ability of our students to excel in their studies and the commitments we have made as a province to ensure that every student receives the education they need to get ahead and enjoy a prosperous life and healthy lifestyle.

Mr. Speaker, as you know, I grew up as the youngest in a family of five boys, and many will attest to the special relationship which exists between the oldest and the youngest in a large family. My oldest brother has been there for comfort in bad times, and we've shared a great deal of mirth in the good times. His sage advice to me when I got married at a very early age, and even when I decided to enter the service of Albertans, has stayed with me.

My oldest brother, Mr. Speaker, has spent his career to date in a profession which I and I know all of my colleagues respect a great deal. It's a profession where people care, and they work very hard to achieve the results they do. I'm very proud of my brother; he is a teacher. We may not always agree on some of the issues or on management style, but we certainly respect each other's contributions and careers.

Mr. Speaker, much has been said in the media and around the province in the coffee shops and the constituency offices about education recently. I would like to express a key element of what my constituents have told me. They tell me that we need to review our policies as they relate to special-needs education and integration. Are we doing the right thing with the resources that we have? Have we swung the pendulum too far? Is there a better way? We need to answer these questions, and we need to involve the students, the parents, the teachers, the school boards, and the government.

Perhaps, Mr. Speaker, we may well find the answers to some of the concerns which have been expressed during this labour dispute, but through all of this we must ensure that management of the system stays where it is supposed to be. That means there probably should be some changes made. I'm not going to detail to this House what has been suggested to me in my constituency office, but on all sides perhaps change is due.

Education is a top priority of this government. School boards want to put funds where they deem they are necessary, and maybe we should look at ways that school boards could raise additional revenue. Mr. Speaker, the throne speech pointed out that this government will continue to stay ahead of inflation in enrollment and funding and that this government will ensure that resources are there for our students.

As a province we have the ability to set new standards for education across Canada. Alberta students scored significantly higher than the national average in math, science, and reading. We

scored top marks internationally in reading and placed third in math and science. Scoring so high on international standardized tests given to 31 other countries shows a great deal about the quality of education and the dedication of the teachers in our province. It also shows, as has been noted today, the dedication of our students and the commitment that they have made to focus on their futures. As a province it's my belief that we must remain committed to our students.

An exciting advantage for Alberta students is the projected completion of Supernet by 2004. By this time every library, school, hospital, and provincial government office will have access to high-speed broadband network, closing the digital divide that is prevalent between rural and urban areas of Canada. With the development of Supernet, Alberta will be the most wired jurisdiction in the world. This will allow endless possibilities for our students and create opportunities for greater technological and communication services to be provided to rural communities by building such a network. Mr. Speaker, I believe this is akin to when telephones came to our province. The dramatic effect that this will have on bringing Albertans together is very exciting.

Internet services and advanced communication technology have changed our lives, and Alberta will be in the forefront of providing e-services, e-health, e-education, and e-commerce to help bring even the most remote parts of our province into the gateway of trade and services without ever leaving their communities. We have taken the first step in our country to fund a provincial Internet initiative, and the whole province is excited about the opportunities it will bring and how it will help us rise to the top of the knowledge-based economy.

The innovative ideas put into motion in Alberta, like the Supernet, have not only turned attention to our province but have successfully drawn investment and spurred great economic development. The advantages we have developed as a province have created an amazing pull for all kinds of investments. Our government has been actively seeking international investment and stirring up quite a response from countries like Germany and the United States. Overall investment in Alberta has increased 85 percent since 1996. We have created such an amazing atmosphere for business investment through the Alberta advantage, including our access to the NAFTA markets, favourable operating costs, and significant opportunities for business growth, that companies are finding it hard to resist, Mr. Speaker.

Alberta is such a diverse province. We have the capability to develop and advance technology in a huge range of areas. Our economy is driven by virtually everything: oil and gas, forestry, natural resources, agriculture, and technological development in communications. Alberta has it all. We are fortunate to live in a province that can pull from so many areas, giving us the unique ability to combine them and produce new and innovative ideas for future marketing.

3:50

Mr. Speaker, we are also developing the human capital in a knowledge-based economy, and we need to continue in that direction. Specialized skills come in many forms, even to exporting our experts on the maintenance of indoor ice surfaces, as the Premier mentioned earlier today. At the Olympics it was reported that an Albertan was in charge.

Value adding to our industries and finding ways to diversify our economy even further is having a very positive impact on our economy and is something we all realize we must maintain a focus on. Researching and developing value-added products could result in finding that innovative idea which could stimulate the agricultural

industry and maintain the oil and gas industry as front-runners in the Alberta economy. In order for Alberta to hold steady in the international marketing of agricultural goods, we need to develop beyond production, and that same situation is necessary in our oil and gas industry.

International events like September 11 will continually threaten to upset our economy unless we diversify within our industries and are prepared to react proactively. Agriculture is very important to all Albertans. More than 82,500 people are employed in the primary ag and food and beverage industry in this province. Last year Alberta exports reached an estimated \$5.8 billion in primary and processed agrifoods, and we exported our agricultural goods to 110 countries around the world. We were able to export close to \$10 billion worth of manufactured food and beverage products, which is close to double that of primary production. All of this, Mr. Speaker, points to excellent opportunities for our province and for our farming communities in rural Alberta.

Research for our energy sector has exciting possibilities for developing Alberta as well. We have one of the largest reserves of tar sands in the world, and we are presently looking at economically viable technologies to develop these areas. Because of the vast oil and gas reserves we have in this province, we have the opportunity to take the lead in petrochemical research and development as well as nonconventional natural gas or coal bed methane research. Every day it seems that new advances are made and research is opening doors to develop and utilize oil and gas products that were either deemed impossible to capture for production or were not economically feasible for production. There perceptions have changed so much in the past decade that we must continue to invest in developing new and innovative products. We must find a way to stabilize our economy, and we need to look at ways to stabilize our provincial capital spending and diversify the resources we have available to us.

We live in an exceptional province. No longer are we the country bumpkin cousins in the west but a province with a growing population and a thriving economy.

I know I said in my maiden speech a year ago how honoured I am to be the representative in this Assembly for Spruce Grove-St. Albert. In my constituency I'm very proud of the relationships which have allowed so much co-operative effort between municipalities. Two examples are the intermunicipal planning being done by Sturgeon county and the city of St. Albert, which I share with my colleague, the hon. Member for St. Albert, and the Tri-Municipal Leisure Centre in Spruce Grove, which is something that my colleague the hon. Minister of Seniors and Member for Stony Plain and I share. The three municipalities of Parkland county, the town of Stony Plain, and the city of Spruce Grove had not only the vision but also gained the community support to make a grand facility become reality through partnership, planning, and co-operation.

The constituency of Spruce Grove-Sturgeon-St. Albert sends our heartfelt congratulations to all of Canada's Olympians, and we are very proud of two from Spruce Grove who put their hearts into a magnificent effort. They are Jennifer Heil, Canada's youngest Olympian, competing in the freestyle moguls and coming in fourth in the finals by only .01 of a second away from bronze, and, Mr. Speaker, Don Bartlett in men's curling, coming home with a silver medal. Our congratulations to them, their families, and all of Canada's athletes for a job well done.

The Spruce Grove-Sturgeon-St. Albert constituency is made up of growing, diversified communities, both urban and rural, with economic action from agriculture to e-commerce. But with growth comes challenges and a need to ensure that government is there on an ongoing, stable basis.

Mr. Speaker, my constituency is an amazing place. If you look at

the map, we're right in the centre of the province. There's so much happening in my constituency right now with economic and residential development, investment in technologies. You name it; it's happening in Spruce Grove-Sturgeon-St. Albert.

Not only are we on the centre of the map, but because of everything we have to offer, we're quickly becoming the hub of development in Alberta as well. Spruce Grove, Sturgeon county, and the city of St. Albert are great places for Albertans to raise their families because we have maintained that safe community feeling.

As a government, we need to continue to make the right and tough decisions about our investments. This is our future. This is the future of our children. I'm proud they will grow up as Albertans, as I am proud to be an Albertan. I am honoured and privileged to represent Albertans in this House, and it's my firm belief, Mr. Speaker, that as each one of us pledge to make a positive stand for our future and our children's future, there is nothing that we as an Assembly cannot accomplish for our province.

Thank you very much.

MR. CENAIKO: Mr. Speaker, it is an honour for me to second the motion for consideration of Her Honour the Honourable Lieutenant Governor's Speech from the Throne. It is, indeed, an honour and privilege to rise this afternoon and reply on behalf of the constituents of Calgary-Buffalo.

Mr. Speaker, the Speech from the Throne is one of the more important documents that we as members of the Legislature address in this House. It highlights our government's plans for the coming year and reflects the hopes and dreams of Albertans. Our job as elected members of this Assembly is to turn these hopes and dreams into reality.

To begin, I would also like to express to Her Majesty Queen Elizabeth II and to all members of the royal family the heartfelt condolences of Albertans for the loss of Her Royal Highness the Princess Margaret, Countess of Snowdon. She was very involved in charity work, community support, and goodwill missions. Her contributions to the Commonwealth and her spirit will be missed.

This year is a prominent year for Alberta, as 2002 marks the 50th anniversary of Her Majesty Queen Elizabeth II ascending to the throne of the United Kingdom and Canada and assuming her rightful position as head of the Commonwealth. This golden jubilee is even more special for me because I had the opportunity to take part in the silver jubilee in 1977 in London, England, which was an amazing experience. From the beginning of our Queen's reign and even from our first year as a province, the leadership, character, and value of our people have charted the unique destiny of Alberta.

As we all know, Alberta has royal representation that reflects our traits. The Honourable the Lieutenant Governor is the representative of the Crown in the province and exercises the monarch's powers and authorities with respect to Alberta. In the early years of Confederation the Lieutenant Governors were agents of the federal government and were expected to advise the provincial government as to their intent on federal legislation and to ensure that provincial legislation conformed to that of senior government. Over the years, however, with the gradual increase in the authority of provincial governments, the Lieutenant Governor's role as a federal agent is now focused primarily on the responsibilities as the sovereign's representative and the chief executive officer of the province.

Canada's Prime Minister appointed Her Honour the Honourable Lois Hole as Lieutenant Governor of Alberta on December 9, 1999. Before her appointment she excelled in careers as a successful businesswoman, best selling author, education advocate, and community supporter. Her Honour is Alberta's 15th Lieutenant Governor and the second woman in Alberta's history to serve Alberta in this capacity.

Her Honour the Honourable Lois Hole served as school trustee for St. Albert school district No. 6 from 1981 to the fall of 1998. She previously served for 14 years as a trustee and chairperson for the Sturgeon school division and for 11 years as a member of the Athabasca University governing council. Her Honour served as a director of the Farm Credit Corporation and as honorary chair for the 27th Canadian Congress on Criminal Justice as well as the children's millennium fund. Her Honour also served as a board member of the Canadian Heritage Garden Foundation, the Child and Adolescent Services Association, and the Quality of Life Commission.

Along with the Honourable Lieutenant Governor I am very proud of the Albertans who are contributing to the pursuits of safety, goodwill, and achievement. I agree with the Honourable Lieutenant Governor that for thousands of Albertans the men and women from 4 Wing, Cold Lake and the Edmonton Garrison serving in Afghanistan are husbands or wives, sons or daughter, fathers or mothers, friends or neighbours. For all Albertans these soldiers are living symbols of courage and high principle. All members in this Assembly send our prayers to all of them for a safe and speedy return. I would also like to send thanks to the families of these men and women. We know this is a difficult time for them.

We have had many other Albertans recently return from another mission of contribution, only this time for peace and goodwill, at the Winter Olympics in Salt Lake City. Alberta was represented by 38 of the 157 Canadian athletes at the Olympics. All of our Canadian athletes exemplified dedication, commitment, and confidence, three traits that all Albertans should endeavour to attain.

4:00

Alberta's 38 athletes' commitment to athletic excellence should also be viewed as examples of this province's commitment to wellness. There has been a great deal of debate and discussion regarding funding of our health care system when more talk should focus on the positive aspects of clean, healthy living. In addition to a healthy lifestyle, the Lieutenant Governor explained that Albertans know that people's health can be improved by events as complex as a redesign of an ambulance system or as simple as a comforting hand to hold during an ambulance trip.

I was honoured to be appointed chair of the MLA review of ambulance services on May 2, 2001. I had the pleasure of working with the hon. Member for Innisfail-Sylvan Lake to review ground ambulance services and provide recommendations regarding future governance and delivery of emergency medical services. While recognizing that significant improvements have occurred with Alberta's ground ambulance services following previous reviews, my intention was to build on the successes of these reports.

Although Albertans receive excellent care from ground ambulance services, the system faces challenges in meeting the demands of a growing, aging, and increasingly urban population. These challenges place considerable pressure on municipalities, ambulance operators, regional health authorities, and the province to provide Albertans with access to well co-ordinated and responsive emergency medical services when they need them. Our task was to meet with stakeholders and provide advice and recommendations addressing the future governance and delivery of ground ambulance services in Alberta. Our review team firmly believes that the current structure is cumbersome and lacks accountability. The recommendations contained in our report to the hon. ministers of Health and Wellness, Municipal Affairs, and Human Resources and Employment recognize that ambulance service is an integral component of the health care system where municipalities and regional health authorities can work together.

In conducting this review and maintaining our focus on patient

care, we attempted to strike a balance between guaranteeing quality service for all Albertans while controlling costs. To ensure a thorough examination of Alberta's ambulance system, we traveled thousands of kilometres and met hundreds of people throughout Alberta. The opportunity to see firsthand how diverse Alberta and its people are was truly remarkable and made me feel honoured to contribute to this province and to work alongside all my colleagues in this Assembly.

Mr. Speaker, my travels around Alberta also reminded me of how last spring you described how diverse the members are in this Legislature. Sixty-eight members have a business and entrepreneurial history, 24 were educators for a period of time, 16 are or were involved in the farming and agriculture industry, 13 have accounting or financial management experience, eight have oilfield experience, five have experience in computer technology, five are lawyers, five have experience in the real estate field, four have experience in the construction field, and four are professional authors. There are two members each with experience with the police service, nursing, and the forest industry. There is also a single member in each of the medical, floral, television and radio reporting, and social services fields. One is a pastor with the Faith Covenant church, one is a deacon and elder with the Christian Reform church, and one is a bishop with the Church of Latter-Day Saints.

It's fantastic that the diversity of nationalities and cultures in Alberta is reflected in the Alberta Assembly. Diversity is something that we must cherish. In Calgary-Buffalo Chinatown is one of the most dynamic and positive contributors to the community, and it's also one of the oldest communities in Calgary and Alberta. The first Chinese families arrived in Calgary over 140 years ago, and this wonderful culture has defined what it means to be an Albertan: hardworking and passionate, with strong convictions and a dedication to their family and community. I have had the pleasure to meet hundreds of residents of Chinatown over the past years and have cherished the occasions I've had with this vital community. I would like to thank them for their gracious invitations to numerous functions and their hard work in their community and wish them [remarks in Chinese] for a prosperous and happy year of the horse.

I was honoured by the presence of Mr. Winston Chow and Mr. Fei Hong Cheng, who attended yesterday's Speech from the Throne for the first time and were very moved by the messages from this government. The hon. Lieutenant Governor talked about this government's commitment to ensuring that Albertans continue to live, work, and raise families in safe, tolerant, diverse communities.

Given the new and sombre concerns about security, the government will introduce legislation this session to improve Alberta's ability to protect Albertans, their property, their infrastructure, and their environment from potential security risks. I, too, have been working on legislation that touches on what I refer to as the four points of safety in Alberta.

The first point of safety is preserving the overall protection of Alberta. I have prepared a motion, to be introduced this session, that will urge the government to work with Criminal Intelligence Service Alberta to enhance collaborative partnerships and co-ordinated programs with various levels of government, policing agencies, and the public. CISA will pursue effective strategies to detect, combat, and control organized crime in Alberta. Intelligence information sharing, joint forces, top-up funding, training, and investigative networking will augment a united policing front to attack organized crime groups. I believe that expanding Alberta's work with CISA will help this province effectively combat organized crime and terrorism and preserve the wellness, safety, and security of our communities.

The second point of safety focuses on our citizens. The govern-

ment of Alberta has a vision of a safe society where justice prevails. Accordingly, goal 15 of the Alberta government's business plan for 2001-2004 is that "Alberta will be a safe place to live and raise families."

One of the biggest safeguards for this goal is Alberta's Police Act. The present Police Act came into effect in 1988, and over the following decade a number of issues were raised that led to the formation of a legislation review committee. In October 2000 the Minister of Justice and Attorney General appointed an MLA committee to conduct a public review of policing in Alberta. Following the 2001 provincial election, the committee was restructured due to the appointment of the hon. Member for Calgary-Fish Creek to Solicitor General and the retirement of another member. The hon. Member for Lacombe-Stettler continued to chair the committee, and I was honoured to become a new member, along with the hon. Member from Dunvegan. The committee chose a three-pronged approach to the review of the Police Act: solicit public and stakeholder submissions in response to a discussion paper, review the findings of the police strategic vision project, and consult with experts on issues arising from these submissions.

The major themes arising from the submissions centred on levels of service and cost of policing. Many respondents see an inequity in policing either in service levels or in policing costs. There was also a general concern about oversight of policing, including responsiveness to provincial and local priorities as well as the investigation of complaints about police. A third common theme that emerged was the need for general policing standards established and monitored by the province.

From the perspective of policing itself, there are a number of challenges. Changes in policing environment include technological advancements such as the Internet, photo enforcement, and information technology. We have a highly mobile society, including criminals, which requires a greater sharing of information and more co-operation among Alberta's police agencies. This implies the need for more standardization among police and a requirement for more highly trained and educated police officers. This is further dictated by the development of global issues, including organized crime and international terrorism using high technology.

The committee tried to focus on overall themes and principles, only dealing with specific details where the issues demanded it. Many of our bold and innovative recommendations will raise questions about implementation and procedural details. Likewise, we have made a number of recommendations for areas that require further study. These are technical or long-term studies that require expertise and resources beyond that of the committee. The MLA policing review committee submitted our final report and recommendations to the Solicitor General just last week.

My third point on safety involves a private member's bill that I will introduce this session which will allow peace officers to seize vehicles involved in prostitution-related offences. I have met with community organizations, members of the public, and policing agencies regarding this legislation, and I have found that prostitution evokes strong and wide-ranging reactions and opinions. Some people strongly oppose the exploitation and violence associated with prostitution, while others resent the damage inflicted on their neighbourhoods. A number of these people want stronger laws enacted and fewer leniencies shown by the courts.

4:10

The variety of approaches taken to deal with problems associated with prostitution reflects the urgency felt by many stakeholders for solutions. Innovative strategies aimed at prevention as well as enforcement are being developed, and many affected communities

are applying these strategies to deal with these problems.

Many people who live in areas far removed from prostitution tend to make a couple of false assumptions: first, that prostitution is covert or largely confined to industrial or commercial zones; second, that it touches mainly on the lives of adults. This is not the case. Prostitution is openly carried out in residential neighbourhoods near schools and playgrounds in my riding of Calgary-Buffalo. For families living in these neighbourhoods, raising children gets that much tougher when the world of prostitution meets society's youngest members: school-aged children who see prostitution near their homes and outside their schools. Dealing with these concerns requires special initiatives, particularly when it comes to their effect on children.

Prostitution teaches several wrong messages, among them the legitimization of females as victims. Prostitutes are stigmatized and disdained while their customers seem to be forgiven of any involvement under the current climate of public opinion. Prostitution also seems to create an attitude among men that women are inherently inferior. Any antiprostitution activities should include a re-education component that counters this attitude. I can assure all members that my private member's bill has an acceptable education component in place as a result of consultations with both the Calgary and Edmonton police services and over a dozen community groups affected by prostitution.

My fourth and most important point of safety for Alberta is directed at our children. Last spring I was honoured to take a leadership role chairing the review of the Child Welfare Act. The act has a very profound and direct impact on the lives of thousands of Alberta's children and families, and the protection of children is a top priority for all of us. The Child Welfare Act must achieve a balance between promoting and ensuring the safety and well-being of children while also respecting the fundamental responsibility of parents for their children. It must reflect the values and principles of the people of Alberta, and it must carefully counsel people motivated by the Child Welfare Act to perform their duties in the best interests of the child. We have just completed the majority of stakeholder and community consultations and have now begun to review several hundred submissions, which will provide us with recommendations and new legislation focusing on early intervention, prevention, child protection, family group counseling utilizing the extended family, fostering and adoptions, and services for children with disabilities.

The four points of safety for our province, its citizens, our streets, and our children will ensure that Alberta remains a safe place to live and raise families. I can assure all my constituents that I will pursue this goal to the best of my ability as one of my duties as their elected representative.

I was extremely proud to be elected as the MLA for Calgary-Buffalo last spring. Calgary-Buffalo constituents cover a wide array of cultures, the most in any one constituency in the province. It's also home to young families, single moms, postsecondary students, young professionals, seniors, and, last but not least, a number of homeless people. The residential concerns span from homeless shelters, low-income units, rental apartments, and single-family homes to million-dollar condominiums. This constituency is home to Calgary's largest arts and theatre community, which adds a unique vibrancy and culture to the inner city. We are also home to the second highest number of corporate office headquarters, with a downtown skyline that is the most beautiful in Canada if not North America. It's an honour to serve the residents of this extremely diverse inner-city community as their voice in the Legislative Assembly of this great province.

Thank you, Mr. Speaker.

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

DR. PANNU: Thank you, Mr. Speaker. It's an honour and a privilege for me as representative of the constituents of Edmonton-Strathcona and as the leader of the New Democrat opposition to once again respond to the Speech from the Throne. I'd like to begin my comments by expressing my appreciation for the hon. Lieutenant Governor's presence yesterday in this Chamber and for her continued leadership, grace, and dignity. I know that she's highly respected by all Albertans.

Mr. Speaker, we're heading into interesting times in Alberta. For support of public health, education, and the environment we are heading into dangerous times. Yesterday's Speech from the Throne, though rife with pleasantries and rhetoric, was a mask for the government's true agenda. The government would like to cloak its agenda with talk of creating a healthier Alberta, yet its actual policies and its legislative agenda show no such priorities. I'll touch on four major policy area issues: health care, education, environment, and reduction of poverty.

This throne speech identifies health care as Alberta's first priority. Albertans are told that our health care system must not be lost or impaired due to inaction or fleeting comfort with the status quo. The New Democrats are well aware that the status quo is not an option for health care, but the real danger is posed by the government's determination to turn Alberta's health care system into a market commodity. The real danger to health care is posed by this government's determination to base health policy on profit instead of on wellness. We know that in the United States 20 cents of every dollar spent on health care goes to company profits, rich executive salaries, and administration. In Canada only 3 cents of every health care dollar goes to those items. What's the source of the discrepancy? Profit, multimillion dollar paycheques for CEOs, and an added layer of administrative cost.

The government is under the delusion that increases in costs to make room for profit will somehow save money. Is this why health care premiums are proposed to be increased by as much as 50 percent? Health premiums do nothing to promote the long-term stability of our health care system, and any increase will unfairly burden Alberta's seniors and every Alberta family. Health premium increases also represent a significant burden for small businesses.

The position of the Canadian Federation of Independent Business is made very clear in a letter dated February 13 of this year, the letter from Dan Kelly, the prairie region vice-president of the Canadian Federation of Independent Business, and Corrinne Pohlman, the business association director for Alberta and the Northwest Territories. In that letter they state, and I quote: our members are willing to engage in the debate on new ways of administering and financing this important service; we are very concerned, however, that the first major health care reform made in Alberta following the Mazankowski report would be to dramatically increase the tax associated with health care. End of quote.

Indeed, health premiums are a tax, and they are the most regressive and unfair sort of tax possible, but there's not likely to be the debate on health care that the CFIB and many other Albertans would like to engage in. Instead, the major decisions about health care are going to be made by committees, task forces, and commissions. Millions of dollars will be spent so a decision can be made about health care, but by whom? Will these committees be made up of average Albertans? Will they consist of people who are struggling to pay health care premiums and who are afraid that the government's plans to shift costs onto the sick and the injured will leave them unable to pay for necessary medical services? I think not. It wasn't mentioned in yesterday's Speech from the Throne, but these

commissions will largely be either Tory MLAs or handpicked government appointees. These committees will be a continuation of the same kind of closed door process that resulted in the Mazankowski report.

While the Premier's Advisory Council on Health includes some excellent people, it also includes people with a clear bias towards expanding private, for-profit health care. Don Mazankowski, for example, sits on the board of an insurance company which stands to increase their profits if services are delisted and demand for private health care insurance increases. Another committee member, Dr. Brian Crowley, has authored a study for the Atlantic Institute for Market Studies, sort of an eastern Fraser Institute that advocates full-scale privatization. It's no wonder the committee advocated increasing the role of the market in our health care system.

If the government's prior strategy is any indication, then the seven committees being established will not only be a waste of time and energy, but they will also be handpicked to provide the response the government has predetermined. These committees are a smoke screen. They're a way for the government to avoid serious debate about the direction of health care and a way to avoid listening to the concerns of Albertans, just as the Speech from the Throne was also a smoke screen. It dealt in platitudes about health care instead of pursuing the real changes that need to be made in the health care system.

4:20

There was no mention of a much-needed provincial pharmacare plan. Such a plan would reduce the impact of our fastest growing health costs: prescription drugs. There was no mention of increasing the number of special or surgical clinics, such as the Royal Alexandra centre in Edmonton, within the public system, and there was certainly no commitment to prevent the intrusion of profit-based service delivery in our health care system.

It's time for this government to end this fear mongering about the sustainability of health care. It is also time for the government to come clean about its real spending priorities. A one-third increase in health premiums will raise about \$220 million a year. Canceling or postponing a corporate tax cut planned for April 1, 2002, would save government coffers \$275 million or near about. Clearly, the government is more interested in shifting costs onto the sick, the injured, and the average Alberta family than it is in the sustainability of the health care system.

Turning to education now, Mr. Speaker, yesterday the Speech from the Throne pointed out quite correctly that a key component of a healthy province will help the citizens with a strong education system. We are told that the government believes that there's a great deal of goodwill among all partners in the education system and that "this goodwill guarantees that the long-term health of the public education system will be protected." Fine words, but let's take a look at reality.

I recently received a letter from a former member of the Conservative Party who is extremely frustrated by the deterioration of classroom conditions in Alberta. In the letter he points out that the lack of funding, large class sizes, and teacher burnout have created an Alberta disadvantage. These are his words. He goes on to admonish the Tory government. He tells them, and I quote: you should be ashamed to call yourselves Conservatives; you are conserving nothing, trading culture for business and blighting the futures of the children you are supposed to support. End of quote. I believe he is absolutely correct.

This government has done nothing to foster goodwill around education and everything to undermine it. For example, this government has failed time and again to take positive steps to

resolve the current dispute of the teachers. One of the major issues in this strike is the growing size of Alberta classrooms. It has the studies that have the numbers but is not willing to take action. What's worse is that the government waited four months, until the last provincial election was safely out of the way, to release a significant study telling the government that large class sizes are detrimental to learning. This government has done nothing to address this concern in the past year, and if yesterday's throne speech is any indication, it plans to continue neglecting this problem.

Another letter I received recently, this one from a senior citizen in rural Alberta, captured the current state of our education system quite precisely. I quote. The writer says: I believe that teachers are undervalued; they are the educators of my children and grandchildren and need tools which are now inaccessible; classes are too large, and many students need extra attention, which is not always possible. End of quote.

This government would convince us that large class sizes and teacher burnout are key to fostering goodwill among students, teachers, and parents. Goodwill was further deteriorated or undermined by the 2001 budget when attempted wage controls were introduced via a line item for teachers' salary increases. These wage controls are an affront to the independence of school boards and to the teachers' right to collectively negotiate salary increases. Since then the government has tied the hands of school boards, concocted a phony pension offer, and fostered an air of confrontation between teachers and government.

The government's approach to fostering goodwill was capped by the Premier's recent insensitive and insulting comments made while on a trade mission in Japan. Accusing teachers of being lazy and claiming that they worked only four or five hours a day does nothing to promote goodwill, Mr. Speaker. If the government cannot foster a healthy sense of goodwill among educators, how does it expect to foster growth of a healthy education system and a healthy Alberta and Albertans?

Turning to postsecondary education for a moment, Albertans were told yesterday that postsecondary education is also vital to the economic and social health of Albertans. I couldn't agree more. I wonder, however, how serious this government's commitment to postsecondary education is. This government has refused to address the fact that tuition fees tripled during the '90s. Alberta now has the third highest tuition costs in the country. Combined with housing pressures and other costs such as books and supplies, skyrocketing tuition has placed postsecondary education well out of reach for many young Albertans.

On the environment yesterday's speech was also chillingly scarce on any real details about this government's plans. In the last session Albertans bore witness to this government's callous disregard of the potential devastating impact of intensive livestock operations on the quality of air and water. In this session we are being promised a comprehensive water strategy. I shudder to think what the strategy might entail. Based on the government's record of environmental shortsightedness, Albertans can expect the question of interbasin water transfers to be resurrected. Will we also see the futile pursuit of the Meridian dam project? Both these proposals have been soundly decried by Albertans because of their environmental implications.

Albertans are increasingly aware of how intimately their health is affected by the quality of air and water. One cannot blame Albertans for becoming increasingly skeptical of this government's willingness to protect our environment. Instead, they are concerned that this government's water strategy is the same as the health strategy. Package our health care, package our water, add price tags, and ship them south for American profiteers. This is not a strategy for a clean environment and a healthy Alberta.

Now, the last point, Mr. Speaker, that I want to touch on is the issue of poverty. Perhaps the most scandalous absence in yesterday's speech, however, was the lack of any commitment to address the frightening increase in Alberta's poverty. Although it received a great deal of hype from the government when it was started, Albertans have heard nothing about the low-income review. We were promised recommendations and action in October, but not a peep was heard during last fall's session. Once again Albertans are being left in the dark about what the government will do to support Albertans living on low incomes. Not only do we have a responsibility to ensure that all Albertans are able to live with dignity; we must also remember that poverty has an extremely negative impact on people's health. While the flat tax has certainly made life easier for Alberta's top 1 percent of income earners, many Albertans find themselves losing out and falling behind.

School fees, delisted health services, and increased health care premiums are all putting financial pressures on Albertans. This pressure has been exacerbated by recent disastrous cuts in Children's Services. Despite clear evidence that early intervention prevents long-term involvement in child welfare, this government has clearly restricted the ability of community organizations to provide early intervention and support to families. To make matters worse, Mr. Speaker, the government is now prepared to blame parents instead of working to support families in a positive and timely manner.

To conclude now, Mr. Speaker, the Speech from the Throne has shown itself to be a smoke screen for the government's real priorities. While putting on a show of concern for Albertans' health, our education system, and our environment, their real objective is clear. This government is intent on tilting the Alberta advantage in favour exclusively of the wealthy and at the expense of average Alberta families. The New Democrats will continue to make health care our top priority in these coming months because we know that health care is also a top priority for the vast majority of Albertans, and we'll continue to fight for improvements to a public health care system.

Thank you, Mr. Speaker.

MR. McCLELLAND: Questions and comments, Mr. Speaker. I commend the Member for Edmonton-Strathcona, my friend, on his speech. The hon. member mentioned classroom size and conditions, and I wonder if the Member for Edmonton-Strathcona would advise us of his intention or his thoughts in this area. I'm wondering if the hon. Member for Edmonton-Strathcona feels that children with behavioral disorders should be part of an integrated classroom. Do you think that's a good idea?

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

DR. PANNU: Thank you, Mr. Speaker. The class size problem, that's well recognized by most stakeholders in this province, is exacerbated further. It's a serious problem as is. It's further exacerbated by the presence, by the integrative strategy of putting children with high needs into the classrooms of normal children. My own view is that integration is good, but we need resources to make sure that class sizes . . .

THE SPEAKER: Hon. Member for Edmonton-Rutherford, did you want to proceed? Another one?

MR. McCLELLAND: Thank you, Mr. Speaker. The hon. Member for Edmonton-Strathcona spent a good deal of time on health care. Because in virtually every other enterprise competition leads to a better product at a lower price, why would that same truism not hold in the delivery of health care?

DR. PANNU: Mr. Speaker, the proof of the pudding is in the eating. There are health care systems which use the market as a mechanism to reduce costs. All those systems that are based on market-driven strategies are far more costly than systems like ours, which to this point have avoided the market mechanisms as a lever to reduce costs.

4:30

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. My constituency of Red Deer-North includes teachers who work in Chinook's Edge, and River Glen school is part of Chinook's Edge as well. Although Red Deer teachers did not go on strike, Chinook's Edge teachers did. I received numerous calls from Chinook's Edge teachers who wanted to return to work. I wonder if the hon. Member for Edmonton-Strathcona can explain to me why teachers were more concerned about returning to work than staying on strike.

DR. PANNU: Mr. Speaker, teachers have a legal right, a lawful right to engage in collective bargaining and to withhold their services as part of that democratic right and process. I think the teachers everywhere in this province have exercised that right and duly done so.

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

MR. CAO: Thank you, Mr. Speaker. It's a great honour for me to speak today replying to the Speech from the Throne.

THE SPEAKER: Actually, hon. member, please, we're into the question and answer comment time.

MR. CAO: Thank you.

THE SPEAKER: Well, if there are no additional questions or comments, then we'll recognize the hon. Member for Edmonton-Ellerslie to proceed with the Speech from the Throne debate.

MS CARLSON: Thank you, Mr. Speaker. It's also an honour for me to be able to respond to the Speech from the Throne, and I would like to begin my comments by congratulating Her Honour the Lieutenant Governor on a job well done again yesterday. Certainly I concur with the comments of my colleague who said that she is well respected and loved by everyone in Alberta. I think that is certainly the feedback that I get. She is probably the most well known Lieutenant Governor we have had in this province, and that is also to her credit.

On behalf of all my colleagues in the Official Opposition I would also like to congratulate Her Majesty Elizabeth II on her 50th anniversary.

[Mr. Shariff in the chair]

I'm looking forward to the debate on the bill that the government has brought in as their first bill, which will talk about the golden jubilee scholarships for the visual and performing arts. I think this is an excellent way to recognize this particular anniversary, and it will be interesting to follow the debate in the Legislature.

Unfortunately, it isn't quite as interesting to follow another Speech from the Throne as delivered yesterday. This is the ninth time I have heard speeches from the throne, and while they generally tend to consist of motherhood and apple pie kinds of statements, this one has particularly little substance in terms of setting out a direction

for this province over the next year or over the next course of years, so that was somewhat disappointing.

We were certainly expecting a little more stuff between the pages that wasn't there, even though, Mr. Speaker, this government acknowledged on page 4 of the Speech from the Throne that change is needed. Unfortunately, as the pages unfold, we don't see much of a commitment to exactly what that means. What we did hear were platitudes and promises. What we didn't hear was leadership or direction. We heard things like working harder, will examine, will review, with no specific direction on where they're going and how they're going to do it. This is really too bad, because this government has done a very good job of making huge messes in both health care and education, and we were expecting them to take some time to explain how they were going to solve those issues, notwithstanding the fact that they have over \$21 billion to spend in this province in a given year, which should be more than enough money for even the most inept managers to figure out how to do things, but apparently not.

MR. MacDONALD: Are they inept?

MS CARLSON: Well, a lot of people would say so, including many people on this side of the House.

DR. TAYLOR: There are not many people on that side though.

MS CARLSON: There are quite a few of them. Take a look, Mr. Minister. There are quite a few of them. So we'll see what they have to say. [interjection] I said: on this side. I didn't say that they'd be on our side. I think that you're going to find more and more, day by day, as the ineptness of this government unravels, we have more from this group agreeing with us than they are agreeing with the direction that you're going in.

I think that it's going to be very interesting to see what proceeds here. What we were looking for is a government that would take the bull by the horns, that would show some strong leadership and some strong strategic direction for today, tomorrow, and the future, and it hasn't happened. What do they do? They consult, they consult, and they consult. They hold another summit. They talk about examining. They talk about reviewing. [interjection] Well, there's no doubt that this government likes to promote the idea of asking Albertans what they'll do. Too bad they don't actually do what those recommendations would be. We've had a series of consultations over the course of the years that I've been in here where they talk, talk, talk, talk, and then go and do exactly what they want to do at the end of the day. That looks like another case here. This is a government that doesn't govern by strategic direction. How they govern is really by the latest popularity poll, and that does not bode well for us in the long term or in the future.

Our role as Official Opposition then becomes even more important, I believe, when we have a government that isn't sure of where they're going. If they were sure, we would have seen it in the throne speech. They are not sure, so they need some help. This government can certainly look to the opposition not only to oppose alternatives that they're promoting that we feel don't meet the best needs of Albertans through the kinds of filters that we use but also to propose alternatives. In opposing, I would like to remind the government in this Assembly that 75 to 80 percent of the time we actually vote with them. That doesn't mean that we blindly vote with them. We bring forward alternatives, new ideas, options, amendments that sometimes aren't adopted by the government, most often not, but that sometimes are. The intent of those is to strengthen what the government is doing and to sometimes help alter their

course in a way that will facilitate the needs of Albertans in a little better fashion.

That's what happens when we oppose, but then we also have a responsibility to propose alternatives. We have done that many times over the course of the years that I've been here, and in fact ultimately the government sometimes adopts those proposals. I would refer members to just a couple of instances. One would be the freedom of information act, which was our former leader Laurence Decore's first bill when he came into this Legislature. He brought it in two sessions in a row as his first bill, and ultimately in 1995 this government adopted that idea and made it their own, bringing it in as their own number 1 bill.

Many of us in this Assembly were around to remember Alice Hanson's good work on social issues that was ultimately defeated at that level and brought back as a government bill and passed. Now we hear lots of talk about an idea that we've brought three times into this Legislature, which is the stability fund. We hear lots of feedback from the government and from people in the community that it's a pretty good idea and that we could easily see some form of that bill being brought into this Legislature in the future.

So I would suggest to government members that instead of just viewing us as opposition, they need to take a little broader look at what it is we do and how we can perform those duties. This government is very fond of looking at business-case kinds of models to adapt in what they're doing and to explain how they're carrying out their actions. So I would suggest to this government that they take a look at opposition as more of an advisory board in terms of role and function than they do as a traditional opposition sense.

If we take a look at what advisory boards do in the private sector, they are put in place not to have ultimate influence on decision-making but to advise on which direction the organization should move in terms of facilitating long-term strategic goals. What are those kinds of goals for Alberta? They're good government for the people at the lowest possible cost, providing the basic services that we as Canadians expect to have supplied with tax dollars, essentially health care, education, justice, and infrastructure, both hard and soft types of support. If the government would change the focus in how they see us and take a look at us more in terms of an advisory capacity, then I think we could see this government moving towards a more long-term strategic direction, because they don't seem to be able to do it without that kind of support.

4:40

So just don't think of us in terms of opposing and once in a while coming up with a bright idea that you'll adopt two or three years down the road, but work with us on an ongoing basis. That would mean some changes in legislative function. We would see things like more all-party committees, particularly the standing policy committees, where, as those members in this Assembly have seen, when opposition members are included on committees, we sometimes have some really good ideas. More often than not, we're much happier to work co-operatively to get a good idea brought forward than we are happy to work in opposition. This government, with the manner and format in which they run the government, force us into a position where it looks like what we do is oppose at all costs, but in fact they would be a much stronger government if they would work co-operatively with us in many areas. We have seen some good examples of that happen in many of the committees that I have participated in over the years, not the least of which would be PNWER, the Pacific Northwest Economic Region, and the Heritage Savings Trust Fund Committee. Now we see a FOIP committee being formulated that did really good work as an all-party committee in its last review, and we would expect the same thing to happen this time.

There are some real strengths and benefits to working with us.

You get better ideas and stronger direction if you include some opposing views or alternative views at the ground floor of building ideas and frameworks and legislation, much better than if you just surround yourself with people who think exactly like you. We have seen some true disasters in terms of legislation that has come into this Assembly when the government doesn't lift its head up and take a look in the broader community for input.

So I put those ideas forward to the government and hope that they will incorporate them into the kind of planning that they're doing, because if they don't take a look at some of those options, then we're going to see more of the same: \$21 billion and it's not enough money for them to manage on in a province where our population barely tops 3 million people, where we have a strong basis in terms of basic programming. We're going to see that eroding in health care, in education, in infrastructure. We're starting to hear the concerns and the complaints from people now. What we see is a government who likes to take a band-aid approach, and a good example of that is what they're coming forward with again in terms of the task force that's going to examine options for new revenues and long-term funding for health care.

Why is it that they wait until we're in crisis mode before they take a look at putting some of those kinds of ideas into place? Why is it that this government can't do what businesses do and have ongoing think tanks working around these kinds of issues that we know are emerging, that we know are going to be critical to our future as a province in the short term and the long term, and have ongoing information flows with people who are outside of government who have got the kind of expertise that they can provide substance and good ideas to them? So why wait until the last minute, until we're on the brink of disaster in some of these areas, before they start to think about what they should have been doing in the past?

So, Mr. Speaker, I will conclude my comments by saying that there is only one thing that I completely agree with the government on in terms of this throne speech, and that is on page 4 where they say "Change is needed."

THE ACTING SPEAKER: Any questions or comments? The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. My friend opposite in her comments mentioned – and I agree with her – that standing policy committees of the Legislature with opposition members can be very, very productive, in my experience. I'm wondering, though, if the hon. member has any specific committee in mind. What committee, in her estimation, would be the best to afford her attentions?

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie to respond.

MS CARLSON: Thank you, Mr. Speaker. I've waited nine years to be able to answer a question in this Assembly, and so I'm quite happy to be doing so.

In response to the member's question, certainly I think it's a model that would work well with all of the SPCs, and I would be quite happy to take direction from the government on that and take one committee as a pilot project.

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

REV. ABBOTT: Thank you, Mr. Speaker. The hon. Member for Edmonton-Ellerslie says that this is her ninth Speech from the

Throne, but she charges that it shows little direction. Yet I read about 10-year targets to reduce diabetes, obesity, chronic heart and lung disease, and preventable injuries. I also read about a task force reporting by September, about an expert advisory panel being formed. These are specifics. My question to the member opposite: what would the Member for Edmonton-Ellerslie specifically propose to sustain the health care system in Alberta?

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie to respond.

MS CARLSON: Thank you, Mr. Speaker. Let's talk about performance measures as an instance. We've seen repeatedly that the Auditor General has said that this government is not able to meet its own performance measures.

REV. ABBOTT: Mr. Speaker, the member opposite has said that she's waited nine years to answer a question, yet I just posed her one that I didn't get an answer for.

MS CARLSON: Mr. Speaker, for nine years I've also been listening to cabinet avoid the question, and this was also my first opportunity to do that.

MR. HANCOCK: Mr. Speaker, I'm chagrined to hear the Member for Edmonton-Ellerslie indicate that she's listened to throne speeches for nine years and that this one contained the least substance, because this throne speech set a policy direction, which is after all the sublime role of government: to set the policy direction for our province and to provide a sense of where we're going and what our vision is. If this throne speech didn't do that for the hon. member, I am wondering if she would prefer a dull litany of program-by-program detail of what we should be doing, if she thinks that is the type of vision, the type of direction, and the type of enthusiasm.

MS CARLSON: I would like to thank him for his comments.

THE ACTING SPEAKER: Okay. We shall resume debate again. The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker, for the opportunity to rise today and respond to the Speech from the Throne. I thank the hon. Lieutenant Governor for delivering the Speech from the Throne announcing to the House and this province the government's most important objectives or direction this year.

I believe that the Speech from the Throne reflects the priorities of all Albertans. It is necessary that as a government our priorities are in line with the people of Alberta, but much more is required. Our government must work very hard, ask some very difficult questions, and make bold decisions in guiding this province forward. I will be working hard with all my colleagues to ensure the most effective representation and the most efficient responses to Albertans' ongoing concerns.

As mentioned in the throne speech, the recent Future Summit provides a good measure of Albertans' views for the future. The people of this province and their government are on the same page, Mr. Speaker. We are not satisfied to sit idly by. Albertans can and will decide their own future. The Future Summit held earlier this month was a provincewide consultation on what Albertans would like our province to look like once the province's debt is retired. Information and opinions were collected and compiled from Albertans at regional forums and throughout the province.

We recognize that, despite recent economic volatility, Alberta

remains in an excellent position to chart a course to continued future prosperity. A strong economy will allow ongoing support for an accessible, affordable, and high-quality education system; a clean and healthy environment; safe, caring communities; and a first-class health care system which offers affordable health services whenever Albertans need them. These are our major priorities for Albertans, Mr. Speaker, and this government is listening.

4:50

At the summit Albertans spoke strongly that they would like to see a robust, stable, resilient, and diversified economy. Mr. Speaker, we are on course. Our province is heavily involved in trade. We are a diversified economy, but we are also at the forefront of energy prospects in Canada, throughout North America, and around the world. Because of this leading position, all Alberta's objectives are linked to maintain and continue to grow our province's solid financial and economic position. Our hon. Premier has just recently returned from a Team Canada tour, a champion of Alberta. He will bring attention and investment to the fertile economic environment we inhabit. Alberta has long been known as attractive to foreign investors. Our Premier's trip it is sure will pay off.

We all know, Mr. Speaker, that Alberta's taxes are the lowest in the country. This government is committed to managing our expenditures within a set agenda of fiscal responsibility. During a time of general economic drop-off throughout the world, our tax rates and our commitment to fiscal responsibility puts us front and centre. Across the international commodity and financial markets a strong recovery is forecast. Alberta is in an enviable position to take advantage of this trend. By keeping taxes the lowest in Canada, we ensure that our small and large businesses have the tools and the freedom to orchestrate a leading and profitable economic drive. By giving individual businesses more control of their funds, they are able to invest smartly, creating jobs and marking a landscape for outside investment. This game plan benefits all Albertans.

Mr. Speaker, Alberta has big expectations, and our government has big plans to meet them. Our ever growing economy is continually bolstered by our commitment to innovations in science. Introduced in phases, the Supernet will be fully constructed in 2004, making Alberta the world leader in information technology and connectivity. In addition to connecting every library, school, hospital, and provincial government office to a high-speed broadband network, the Supernet will make the broadband services available to commercial service providers, which can then provide competitive services to every community in our province.

Throughout this government's extensive aims and initiatives, Mr. Speaker, our method of foresight and strict fiscal responsibility also extends to our natural environment. Indeed, Alberta has its eyes set to the future. A profitable, sustainable development of its natural resources is a government commitment.

We are absolutely committed to ensuring first-class health, education, and infrastructure in a growing economic environment. That is to say, Mr. Speaker, that Albertans' standard of living is key. This means ensuring safe and future-minded resource development. Alberta is concerned with maintaining a healthy natural environment. Our energy interests are subject to our conviction of not shortchanging our future and, more importantly, our children's future.

Mr. Speaker, serving my constituents in this session of our Legislature, I will present a private member's bill to reduce environmental risk for the health and wealth of our citizens. I will also introduce two motions. One is to institute continuous improvement measurements in our government operations and publicly funded organizations. The other motion is to look into the feasibility of

delivering some government services through community association facilities, especially in the urban areas. This reflects suggestions from my constituents. In serving my constituents, I have also received opinions, queries, information, and I want to share them with all of you here today.

The Alberta government has invested significantly in education. From 1995 to 2002 the K to 12 spending has increased by about \$1.1 billion or 41 percent, from \$2.6 billion to \$3.7 billion now. Enrollment growth during the same period is just around 7 percent. There are about 560,000 funded students enrolled in kindergarten to grade 12. The pay raise the government put in the 2002 budget is to make Alberta teachers' average salaries the highest in Canada. Now, never before has any salary increase for teachers been guaranteed in advance.

In addition, there is an outlay of around \$1 billion for school facility upgrades and construction in the coming years. Albertans can rest assured of the fact that the government values the education of youth, our future, and appreciates the profession of teaching by our public investment, an increase in a time of shortfall, and by positioning the professional salary level as the highest among the provinces.

It's largely up to the school boards to decide how to spend those \$3.7 billion. Spending beyond that in other areas such as health care, social services, road construction, and so on will be trimmed or affected, and people's jobs will be affected. By the way, a 1 percent increase on \$3.7 billion is \$37 million.

The downturn of the world economy and the sagging commodity prices have reduced the amount of money available for many public projects and private investment as well. In reality, many hardworking Albertans working in construction and manufacturing services could potentially get laid off, many workers will not receive a pay increase at all or may even face reduction, and many businesses were closed because of the downturn of the world economy.

So when public money is tight, we need to ponder the question of fairness and timing. Should one profession receive higher than the highest pay when it means job losses for others or lack of money to assist the less fortunate? As an MLA my vision is to ensure that Alberta has the highest employment rate, that Alberta has the lowest tax regime for workers, who can have a bigger net pay, and that Alberta's workers are rewarded for their quality performance to be among the highest paid within their occupation across the country.

What counts is the position of the salary level among peers in the same occupation, not the percentage of pay increase. By all indications Alberta's professionals, especially in the health services and teaching professions, enjoy the highest average pay across the nation. By the way, my aim is never – never – for Alberta's MLAs to receive the highest pay among their peers across the country, and they do not.

Reflecting the fact that Albertans are very pragmatic, I call on the leaders, especially union leaders, to settle with what's now available in the public budget and plan to surf the next wave of our economic upturn as part of their contract agreements.

In the broader perspective, in a longer term view I feel that we need to find innovative ways of funding and spending for public programs and services. First, we need to find ways to deal with the reality of high fluctuations of Alberta's public revenues. One possible way is to call on the private sector to provide capital finances and assume the debts and the public sector to pay the much smaller and steady amounts of this annual operating budget. This certainly would require changes in our financing legislation and regulations.

Albertans deserve better ways to share the wage increase among the stakeholders groups than the archaic employer/union confronta-

tion model. This model always drags out the negative feelings and pits one side against the other. In the public's eyes it is wasting our valuable and scarce resources in those fights. I would venture a concept of a sharing summit, where representatives of stakeholder groups gather and work out together their wage increase shares.

5:00

Now, I would imagine a gathering of the local organized labour unions of doctors, nurses, teachers, public employees, and other stakeholder groups who are what I call sharing our public pizza. May I use the word "pizza" as an analogy? The representatives of these special interest groups would gather together, say, in Banff for a summit to come up with their agreement on slicing the percentages of increase of the pizza. This increase agreement will become the recommendation to the government to take into consideration in their budget development. Of course, the sharing summit concept needs to be thought out with further details. I have been told that 70 percent to 80 percent of public expenditures are for salary and wages. The sharing summit would provide fairness, balance, and understanding among Albertans' stakeholder groups.

Relative to other provinces Alberta is so fortunate that we still have quite a big pizza, may I say, to share, be it a notch smaller than previously predicted. Let's find a better way to share than to argue or fight over slices. However, regardless of the size of the pizza, a bigger share for one means smaller shares for the others. Our common aim is to work together to make a bigger Alberta pizza.

In closing, Mr. Speaker, I am very proud to have this opportunity to respond to the Speech from the Throne. Alberta's economic horizon, alongside Alberta's other fundamental priorities, is being paid close attention, and I do see a healthy, prosperous Alberta.

Thank you.

THE ACTING SPEAKER: Hon. members now have five minutes for questions or comments. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. At this time I have a question for the hon. Member for Calgary-Fort. Now, in the Speech from the Throne it is mentioned on page 11 in describing for this province, which is a noteworthy goal, a clean and sustainable environment. The direct quote here is:

In 2002 the government will further encourage practices that prevent pollution and other environmental problems. Be assured, however, that government will continue to move firmly to punish offenders who fail to live up to their environmental obligations.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort to respond. [interjections]

Hon. members, there was an understanding that questions will be for 30 seconds and the response will be for 30 seconds. For the chair to be fair to everyone, we are going to adopt the 30-second rule.

The hon. Member for Calgary-Fort to respond.

MR. CAO: I would love to respond to the hon. member. I don't hear your question related to what I said in the speech.

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

MR. MacDONALD: Mr. Speaker, thank you. Now, in response to what has occurred with the fire and explosion at Hub Oil, does this Speech from the Throne protect not only your constituents but the hon. Member for Calgary-East's? Is this enough to protect them?

Thank you.

MR. CAO: Still I don't see it related to what I said in the speech. My recommendation to you is that those questions probably should be directed to the question period.

THE ACTING SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Yes. A question to the hon. member. He seems to be very knowledgeable in the area of technology. He mentioned the Supernet. I'm just wondering how he feels this will help his constituency.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort to respond.

MR. CAO: In my constituency, hon. minister, there's a Calgary public library and also many schools. There's even a college and the city hall. So all of those will be served by this Supernet.

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

MR. BONNER: Thank you. To the Member for Calgary-Fort, Mr. Speaker. The grant for technology allowance is \$40 per student.

AN HON. MEMBER: Forty-three.

MR. BONNER: You're correct; it's up to \$43. But this is nowhere enough to meet the schools' needs in funding. Where do you propose we get the extra funding required?

MR. CAO: Well, again, it's not reflecting that in my speech, but I'd just venture my idea that the funding issues will be discussed with the minister responsible for the department.

THE ACTING SPEAKER: Thank you so very much. We shall resume debate.

MR. MacDONALD: Mr. Speaker, I had another question.

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

MR. MacDONALD: Thank you very much. Then in response to the speech yesterday afternoon by the Hon. Lois Hole, Lieutenant Governor, there are many issues that I want to bring forward in the time that I have. Mr. Speaker, at this time I would like to note that this fine province will celebrate its hundredth birthday on September 1, 2005, and it began its existence with 184,000 inhabitants.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort to respond. [interjections]

The hon. Member for Edmonton-Gold Bar was recognized with an understanding that this was a question, and there was time left in the five-minute time period that was allocated. If this is your response to the Speech from the Throne, the chair will now recognize you to respond to the Speech from the Throne.

MR. MacDONALD: Yes. Thank you very much, Mr. Speaker. There was noise coming from the Environment minister, just noise, and I thought it was time to respond to the throne speech.

However, it began its existence with some 184,000 inhabitants, of whom some 80,000 were First Nations people. Revenue for the first fiscal year of this province was barely \$2 million, of which half

came by grant or, as some would say, subsidy from the federal government. Mr. Speaker, \$175,000 was from fees on land transfers, and \$130,000 was from the sale of butter. Now, so many years later Alberta has over 3 million citizens and revenues of over \$21 billion, of which roughly 28 percent comes from nonrenewable resources. The future of Alberta will be based on the foundations laid out in this Speech from the Throne, delivered yesterday, as I said earlier, by Her Honour the Honourable Lois E. Hole. But birthdays such as our upcoming centennial are noteworthy events in the history of the province. Now, I don't know what we should do to celebrate this, whether we should, for instance, build arenas or build libraries or if we should just have very simple, inexpensive programs to recognize it, or if we should go on a massive public works program; for instance, start building things like, as they call it around Medicine Hat, the Taylor dam. Now, perhaps this is what should be done for centennial year. Who knows?

We have gone in a hundred-plus years from Rupert's Land to Ralph's world. The growth has occurred. It's certainly dramatic growth, but at the same time there's hunger in the inner cities. There are children going to school without food. [interjections] Other hon. members of this Assembly may laugh, but that is not growth. That is not a satisfied population.

Now, in listening to the throne speech . . . [interjections]

5:10

THE ACTING SPEAKER: Hon. members, the hon. Member for Edmonton-Gold Bar has the floor. I would request everyone to please allow the hon. Member for Edmonton-Gold Bar to deliver his response.

The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. In listening to the throne speech, one must remember and consider what happened only last year. We are told now that there is no money, but last year there was no end to the money. There was no end to the money because it was an election year, and we had introduction of rebate programs that cost \$800 million for four months. We had another program – and this was also tax dollars – of \$350 million for electricity rebates. Now, is this progress? Is this what sort of growth the public expects? I don't think so, and I think it was a very poor use of funds when you look at a year later. When there are children that are hungry, when there are seniors that can't afford their electricity bills, can't afford their heating bills, that is not, in my view, management.

Now, as I said before, a year ago, before the election, the government also instructed regional health authorities to increase access, reduce waiting lists. There were to be more MRI scans. There were to be beds opened and made available to the sick, and there were to be more operations. Now we have a full campaign, paid for by the taxpayers, to privatize our health care system. That wasn't mentioned in this document. That wasn't mentioned in this document last winter, this document here, A Positive Future for Alberta.

We talked about many fundamentals that were going to be improved, Mr. Speaker. There was to be paying down of the debt. We could no longer think of education as being only kindergarten to grade 12. We had to make commitments to lifelong learning. We had to develop programs for the whole student, whatever that is. Then we were going to increase – this is an interesting one – supply and choice and therefore lower prices for our electricity. If any hon. member can tell me, anyone, any household in this province who is enjoying electricity prices that are lower now than they were before electricity deregulation, well, then I think that they should bring these individuals to the Assembly, and they can tell us all how

they're enjoying a cheaper price for their electricity since deregulation.

Now, Mr. Speaker, in this document there is no mention of the government policy – we're talking about the future here. There is no mention of electricity exports and which direction this government would like to take. There is no mention of how much longer we can rely on our natural gas supplies to provide revenue for the government. Where are we going to be in 10 years with our natural gas fields, or are they all going to be developed for the Alliance pipeline on the other side of the border into northeastern British Columbia? There's no mention of this.

Kyoto. Now, we're essentially watching our world melt away. [interjection] I hear an "oh." There are glaciers in the national parks which are the source of water for this city and, as a result, for this Assembly. The glaciers decade after decade are getting smaller and smaller in size. There are shorebirds that go to the Arctic to nest. They're going further and further north. There is conclusive proof that global warming is occurring.

Now, all hon. members, Mr. Speaker, are going to wonder: well, what does this have to do with the teachers' strike? It has this to do with the teachers' strike. The government doesn't want to put money on the table to end the teachers' strike because they're afraid they're going to need it in a big way not only to fight forest fires this spring and summer but also to provide drought relief for Alberta's farmers. This is what the money is squirreled away for, and I'm not saying that's not prudent, but all this is related. The teachers deserve some of that money that you have set aside, as well as drought-stricken farmers, as well as contractors who are going to have to fight the forest fires.

Now, with contract negotiations I was pleased to see in the update that was presented to all members of the Assembly, Mr. Speaker, about the labour relations in this province and how because of mediation processes we have stable labour relations. One of the performance measures is to have the lowest number of days lost to job action or strikes in the entire country.

The form of mediation that may have worked in the teachers' strike was the disputes inquiry board. It worked twice in the past three years, once in the city of Calgary with the public school division and once with I believe it's called the Buffalo Trail school division in Wainwright. So in the last three years this worked twice, the disputes inquiry board, yet on the eve of the largest strike in the history of the province the government saw fit not to use it, and I was disappointed in that. I think it was an appropriate time to try to resolve that series of disputes.

Why the confrontation and why no negotiation? I don't know. The only thing I can think of is the fact that in 1999 this government at its party policy convention decided that teachers should become an essential service. Now we have a government that's putting its own policies, the policies of the party, before the parents and the pupils of this fine province. The government, whenever they do that, disappoint me, Mr. Speaker.

Now health care. In the time that I have left we have to talk about the unfortunate direction that we're going towards: further privatization of our health care system. There are economic issues that we have to discuss with health care. There are certainly fiscal issues or demographic issues. There are issues relating to special service delivery. But Albertans believe, Mr. Speaker, in the fundamental principles underlying the Canada Health Act. Everyone deserves equal access to the health care they need regardless of the ability to pay.

When we get back to the settlement of this province, whenever it was Rupert's Land, everybody chipped in and co-operated. They worked together. From what I can understand and from what I see

in the Mazankowski report, that's no longer going to be the case. We are no longer going to pool our resources so that if someone on Main Street has a very high health care bill, everybody shares in that. All the taxpayers would share in that bill. But with this system that is being currently proposed, that would no longer be the case. I think we are going against the spirit of co-operation that was evident whenever people worked together to settle this province and raise their families and build a basis which our prosperity is based on.

5:20

Now, I believe that this government should acknowledge its duty to provide effective health care in the most efficient manner possible. We need to take into consideration all spending on health care, both public and private. We all know that in the U.S. public-sector spending on health care is higher than in Canada. The public health care system that we currently have is one of our distinct economic advantages, and perhaps it'll be easiest for the hon. members across the way to understand, Mr. Speaker, because even Bart Simpson gets it.

Bart Simpson gets off the airplane in Toronto – I see the promo for his show – and he decides that he can walk cavalierly because health care is provided. Now, I don't think that's the right attitude, but it was noticed by the writers of that popular American show that this is what goes on in this country, and that distinguishes us from the Americans. The automobile manufacturers realize that, Mr. Speaker. Many bankers – in fact, the Toronto-Dominion Bank did a study, and they acknowledged the competitive economic advantage we have with our public health care system. To see it dismantled in any way, shape, or form is wrong.

With the Mazankowski report I don't know why we have to hurry. There's talk that this is not sustainable, but this is not true, that our system is not sustainable. We are spending a modest sum on providing public health care. We don't have an aging population. It just doesn't fly, the arguments that are presented to encourage and increase the participation of private health care providers. I have to question now: why does private health cost more? Well, Mr. Speaker, private businesses by their nature work hard to maximize growth and profitability. Neither goal is compatible with reducing the demands on our health care system or with keeping costs down. It takes more time and money for administrators to deal with a multitude of private. . . [Mr. MacDonald's speaking time expired]

THE ACTING SPEAKER: Hon. members, you now have five minutes for questions or comments. The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. The hon. member opposite talked a lot about our current challenges. Criticisms are easy, but I will give the Liberals one more chance. What would the Member for Edmonton-Gold Bar specifically propose to sustain the health care system, to lower the energy costs, to clean up the environment, and to further improve our great education system?

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

MR. MacDONALD: The first thing that we need to do to clean up our environment is to have rigorous enforcement of all laws and regulations. Now, with our health care system we have to have stability and continuity, and with our energy system we have to have clear policies. There has to be a vote of confidence in the system. Surely this hon. member should know that there's not a vote of confidence in our electricity system, because if there was, there would be people coming forward to invest in new transmission lines.

Thank you.

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

MR. HORNER: Thank you, Mr. Speaker. I was interested to hear the hon. Member for Edmonton-Gold Bar talk about privately delivered being much more costly and, of course, some of the other comments about how it raises the cost. I'm just curious if he's proposing that we purchase all of the private doctors' offices in the province and run them publicly?

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

MR. MacDONALD: No, certainly not, Mr. Speaker, but I would advise and encourage the hon. member to compare our health care costs as a percentage of GDP with the Americans, who already have the system that the member opposite is proposing.

Thank you.

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

MR. CAO: Thank you, Mr. Speaker. I have a question for the hon. member. Regarding your speech, you talk really about the money side, of costs increasing and all of that. So my question to you, sir, is: from whom do you want to get the money, and given the limited amount of money you have, from whom do you want to take away to give to the others?

MR. MacDONALD: Mr. Speaker, in response to the hon. Member for Calgary-Fort's question, there is an appropriate amount of money in this province. It's just that it's been mismanaged by this government.

Thank you.

THE ACTING SPEAKER: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Speaker. I would like to just ask a simple question of the hon. gentleman that gave the speech. He mentioned a problem with compliance. I would like you to explain to me: what is the level of compliance with Alberta Environment's orders with respect to the energy business?

MR. MacDONALD: That, indeed, is a simple question. I would just refer the hon. member to the events that led up to the explosion at Hub Oil in the vicinity of Calgary-Fort and Calgary-East. That is his answer. There was no compliance of occupational health and safety or environmental laws.

MR. McCLELLAND: On questions and comments, I wonder if the member opposite would give us his thoughts on the notion of settling public-sector disputes through the final offer arbitration process?

MR. MacDONALD: Mr. Speaker, in response to the hon. Member for Edmonton-Rutherford, there are processes that are in place in this jurisdiction, in this province, as the Minister of Human Resources and Employment is only too well aware, that will resolve each and every dispute, and I would remind the hon. member that we already have the second lowest if not the lowest days lost to strike action of any jurisdiction in Canada.

Thank you.

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

MR. CAO: Thank you. You talk about the high energy, utility prices, and so on. So my question to you is: given that there's a rising wage demand for people who work in that industry, what's your proposal to keep the price low or the same?

MR. MacDONALD: Mr. Speaker, I had difficulty understanding that

question. Could I ask the hon. member to repeat it, please?

THE ACTING SPEAKER: Hon. members, we are starting to run out of time, and at this stage I think it's only appropriate that the Assembly stand adjourned until 8 p.m.

[The Assembly adjourned at 5:28 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, February 27, 2002** **8:00 p.m.**
 Date: 02/02/27
 [The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Consideration of Her Honour the Lieutenant Governor's Speech**

Mr. Horner moved that an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows.

To Her Honour the Honourable Lois E. Hole, CM, Lieutenant Governor of the province of Alberta:

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

[Debate adjourned February 27: Mr. MacDonald speaking]

THE DEPUTY SPEAKER: Hon. members, it's my understanding that when the House adjourned, a member of your party was speaking at the time. Is that not so?

MR. McCLELLAND: Mr. Speaker, on a point of order. I'm happy to defer to the Leader of the Opposition.

THE DEPUTY SPEAKER: Thank you. All right.

The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I didn't know whose turn it was, so I thought that if two of us stood up, the decision was yours. I appreciate the consideration.

Mr. Speaker, it's a real pleasure to stand this evening and speak to the Speech from the Throne, that was delivered yesterday by the Lieutenant Governor. We've got a lot of issues that come up in the context of both the Speech from the Throne and what constitutes the proper mandate of government so that we can see how the proposals that fit within that speech and, I guess, the business plan or the initiatives that will be undertaken by the government over the next year fit within some of the mandates that we see for government and some of the planning and kind of the legal obligations that we as legislators have to the province that we represent and that we are to govern.

Mr. Speaker, I think all of us want to start by expressing our thoughts to the Queen, happy thoughts in the context of her celebration of her golden anniversary of ascending to the throne but also sad thoughts on the loss of her sister, Princess Margaret. I think it was very appropriate for that to be part of the recognition here in the Speech from the Throne.

The direction that we go from there is in the context of: how do we put together the policies that are important for the province under the mandate that we talk about? The Speech from the Throne in a number of places emphasizes the fact that the government is committed to recognizing and dealing with the priority areas that Albertans express again and again and again as being of great concern to them. We have to look at the history of what we've seen, Mr. Speaker, I think almost since the time I first came into the Legislature. At that point in time, the debt seemed to be a real issue, with health care and education following up. As the budget was balanced, we moved into an accelerated pay-down of the debt. The public's concern and Albertans' concern over debt and the role that

the debt plays in our province began to fade in terms of concern that Albertans had, and education, health care, and children have kind of risen now to the point where they are much more on the minds of Albertans in the context of: how do we manage the province and how do we deal with the issues that are important to this province in that context?

Now, we have to put all of this into the perspective of what we as a province have. Everybody in our province recognizes the blessings that we have in the context of the natural resource environment and also the physical structure as a place to live. We have to look at it from the point of view of: how do we make sure that the optimism that is part of being Alberta, the optimism both in terms of our individual futures and also in terms of our collective futures, gets a chance to grow and to be part of the next generation's heritage as well? If we look at the things that are coming out of this report, the Speech from the Throne, basically a draft of the government's business plans, more specifics of which we'll see when the business plans come out associated with the budget, we have to look at what we can take out of this speech and say: how does it apply to where we get a sense that Albertans are putting their priorities?

Mr. Speaker, I have traveled the province extensively since January 1, trying to get a sense of what Albertans are thinking, what Albertans want us to deal with in the context of this legislative session. We began the year with an awful lot of concern about health care and children. That was the question that came up a lot. Then as we began to get a sense of what was happening because of some of the adjustments that were being made in the budget, some of the discussions that were going on in the communities about what next year might bring forward, there were a lot of concerns raised about how we are going to deal with education. There were discussions at that time starting to come out about the possibility of strikes, about the possibility of not being able to settle with the teachers the way we had settled with the other public services during the year prior. Also, there was a lot of concern about how we deal with the things that are important to this province in terms of our planning ability, our planning horizon, and the associated interaction between the business community, the service community, and their government. What we were seeing was that a lot of them were saying: how do we plan as a community, how do we plan as an organization, how do we plan as a business when we can't understand or we can't develop expectations about where the government is going to go from one year to the next?

There's been a lot of concern expressed now about the need for stability in our province, the need for predictability in our province, so that they as community organizations, individuals, or businesses can effectively plan their future and deal with their decision-making in a context where the government doesn't catch them by surprise, doesn't provide them with a working environment that creates uncertainty for them. There are a couple of different areas that they really wanted addressed in that context, Mr. Speaker, and they were both in terms of the government's expenditure fiscal stability but also in terms of the program stability. They were really concerned about the kind of changes that were going on in some of the laws and some of the programs where they didn't feel that the changes that were happening did reflect the discussions that they had with the government. In other words, they felt that they were brought in for discussions, and all of a sudden there was a totally different idea coming out as the solution which hadn't been discussed with them, hadn't been brought up to them in that consultation.

I think that reflects the possibility that we have of decisions being made without an iterative process going on with the people that are being consulted. It's great to go out and say, "What do you think?" and get all the ideas together, but when you do come to a decision-

making time, what you need to do is take all of those ideas and go back again and say, "Okay; here's what the other people we talked to said," so that anybody then has a sense of: well, now we have a feeling of where that suggestion that's being adopted came from. When they're caught by surprise by not ever having heard about it, they end up saying: "Gee, who put that idea in? It sure didn't come from our discussions."

These are the kinds of things that we're hearing when we talk to the communities. A lot of the communities were very concerned about some of the cuts that went on last fall without consultation. They felt that there were adjustments made in the programs that could not be rationalized in the context of their perception of priorities for this government, and there were also changes in procedures that affected the business community. Some of them specifically were with the WCB. Others were with the rumoured at the time and now more substantiated but not final yet relationship the business community is going to have to play in the context of the reforms to public services. Specifically, the health care premiums is one that they keep talking about. You know, they see that in the end the business community is going to have to pay for that, whether it comes through their current benefit package negotiations with their employees or whether it's going to come through a greater effort by employees to get employers to pay their benefit packages or whether it's going to come through just the employees saying: "We can't make it anymore. We've got to have a higher wage so that we can pay our share."

8:10

You know, this is the kind of impact where the community is saying that they don't get a sense of participation in those decisions. They want to feel that they were part of it, because they were promised that they could be part of it when they were brought into the discussions in the first place. So we need to have that process put in place where when we do get a set of recommendations or a set of ideas that we're thinking about, there's a mechanism there to go back and deal with them so that they can effectively get a buy-in to those kinds of suggestions and comments.

When we go through the Speech from the Throne, the government starts off by talking about some of the different aspects, where they want to go. Commemorating the Queen's jubilee with the creation of the new student scholarships I think is a great idea, but it does help only a very small number of Albertans. In the sense that it does give the student a chance to set a goal – you know, the \$5,000 value scholarship is significant – it will effectively make sure that they are challenged to perform and to excel. I guess the thing that was missing out of the Speech from the Throne would be the criteria that would be used to determine who is eligible. Is this going to be just based on academic standing, or is it going to be based on a need criteria? Is it going to be based on some kind of a community designation? These are the kinds of things that would help Albertans to understand how that's going to, in effect, come and affect them in their communities.

If we look at the focus that the Speech from the Throne goes into after that, it talks about health care and then goes into some of the other departments, but I want to start first of all by commenting on some of the impacts that are there in the context of health care. When we look at the report that the Premier's Advisory Council on Health brought forward, they had a series of recommendations in there, 44 I think in total. The government within a very short period of time basically said: we're going to accept all of these recommendations. I guess, Mr. Speaker, I would have felt much more confident in the government's ability to deal with those recommendations if they had come forward and said: "You know, we've

considered all 44 of them. All 44 of them in some ways have merit, but this is the priority we want to put on them because these are the areas that we want to focus our limited resources on in dealing with trying to find solutions for our health care situation."

As members of part of the government, we recognize that nothing in a static situation is acceptable. We're always growing. We're always improving. We're always moving forward. So, you know, nothing can stay static, and this includes our health care system. New technologies are coming along, new organizational structures, new treatment methods, new drugs. All of these kinds of things have to be built into our decision-making process, and one of the fundamental things that health care has to be is a matter of creating priorities. You know, the doctors do that as they deal with you. Patients do it as they go into the system. Mr. Speaker, we have to look at how we deal with that in the context of our communication back to Albertans.

This report basically talks about health care in the context of a significant focus on revenue shifting, revenue generation. When you talk about health care with Albertans, revenue and revenue sharing, revenue alternatives were not really one of their first priorities. Their priorities were: how do we deal with waiting lists, how do we deal with access, how do we deal with the specialities? These things are mentioned in the Speech from the Throne, but they're away down the list. I guess I would've felt much more comfortable dealing with the government's intentions if they had been at the top of the priorities, because those are the things that Albertans speak about when they want to express concerns about their health care. It's not whether or not we're paying by health care premiums or paying by taxes or paying by cash. They want to know that they've got access to timely, adequate health care, and these kinds of recommendations and suggestions in the Speech from the Throne were at the bottom of the list. When we look at Alberta's position in expenditures in health care across Canada, we see that, you know, we are reasonably close to the top, if not at the top, of expenditures per capita in health care. So the dollars shouldn't be really that much of a concern. It's how we manage those dollars, how we make sure that those dollars are well spent.

Mr. Speaker, I've talked about a number of innovative processes and procedures that some of our health authorities have used to improve their effective use of our public dollars. I see nothing in here that talks about a process being put in place to expedite sharing of those cost-effective ideas from one health authority to the other. I know the minister has responded a couple of times when they've been asked about our suggestions, and he says: well, you know, the chairs of the health authorities meet all the time. But when I discuss health with some of the chairs of the health authorities, they tell me that the agenda they deal with has to deal with financing, has to deal with the relationship between the government and the health authorities. They don't have the time commitment in those meetings to deal with the lower level discussions that are going on about actual operational changes.

So what we need to do is put together a provincewide interhealth authority communication process where some of the operational managers, not the chief executive officers, get together and talk about how they're actually improving the delivery. One of the things that has been shown to be very effective is the Chinook health region's new program on transition into long-term care. Another one is the Capital Health Link here in Edmonton and how they're now expanding that a little bit into some of the other health regions. This is good, but why isn't it being opened up across all of the province?

I had a conversation with the executive here in the Capital health authority, and they were talking about how cost-effective it had been. I asked them: well, you know, if that Capital Health Link, that

call-in health advisory system, has been so effective for people who start at home and make the call, why is it that they don't have a bank of phones at emergency so that people who are sitting there for two or three hours in the emergency room . . . And, Mr. Speaker, I can go on: four and five and six hours as well, because there are a lot of people who have sat there that long. Well, why not have a bank of phones there so that they can call the health link and effectively get some support, get some ideas on how to deal with their ailment that brought them to emergency without having to go through the high-cost process of going into emergency care? These are the cost-effective things that we need to start looking at because we as a province are already spending more than most other provinces in Canada on our health care. So, you know, we need to make sure that we have cost containment, cost-effective discussions going on as well.

I was going to kind of skip over the discussion of health fees, health premiums, when I first went through this yesterday and started thinking about what I wanted to say this evening, but when I listened to the responses that we got in question period today when the issues of health user fees were brought up both by the opposition and by the government members, I just couldn't contain myself any longer, Mr. Speaker. I had to make some comments. They're effectively saying that raising health care fees will solve the dilemma, that it will make everybody aware of the fact that health care is expensive. Anybody who has had even a basic introductory course in economics knows that fixed costs do not affect consumer decisions. That's a given. User fees are a fixed cost. They are not part of a consumer decision-making process.

8:20

There's a lot of information out there also, Mr. Speaker, that when you deal with fixed costs in terms of consumption decisions, you in effect create an expectation of an entitlement. In other words, I've paid my health premium; I get something for it. You know, we have to make sure that this kind of decision process is not occurring in our health care system, and that's why I don't think that increasing health care fees is a proper operational tactic to deal with sending any kind of a signal to Albertans that our health care system is costly and has to be more judiciously used.

There are other ways that we can do it, like that health link program that I was talking about, having the phones in the emergency rooms, having the option there for individuals when they go to a doctor to certify that they have used the health link first so that they do know that they do need to go to see their doctor. You know, this basically gives a triage system to make sure that the people who are using the high-cost part of our health care system are the people who really need it. We in effect have that a little bit now in the sense that our general practitioners, our family practitioners are in a way a triage into the specialist system. Well, we may need to think about also having some kind of an entry signal sent to our general practitioners. There are a number of stories that run around about, you know, the social visit to the doctor: not the medical visit to the doctor; the social visit. Well, you know, we've got to make sure that that kind of use of our health care system is not there. We've also got to make sure, with one of the more rapidly increasing cost parts of our health care system, the prescription drugs, that we're starting to deal with those kinds of issues.

Mr. Speaker, I tell this story in a number of community meetings when people have said: well, Ken, give us an example. I don't know whether I'm fortunate or unfortunate, but I've had an ulcer for a large part of my lifetime, and I probably have used every treatment that's been available for ulcers, all the way from the original, you know, eat potatoes, eat rice, and drink milk and take a vitamin pill.

That was it. You know, what we end up with is all those, including the antibiotic treatment that's been tried.

The last time I had a concern about my stomach and went to the doctor, he prescribed a new prescription that I hadn't tried before. It was 30 pills, \$75. I couldn't believe it. I took them. It helped, but the next time I had a problem, I happened to be wandering around the drugstore and on the shelf was a now over-the-counter drug that I took probably 20 years ago under prescription. Mr. Speaker, \$12 for 90 pills. So in effect three months' worth for \$12 compared to one month's worth for \$75. The over-the-counter one worked just as well for me, and I'm using it now. That's the kind of decision we should be looking at in the context of what prescriptions and which drugs we allow and encourage physicians to prescribe for Albertans. You know, that's very cost-effective.

We have to look at some of these kinds of recommendations. I know that a number of other provinces have procedures that they recommend to physicians in terms of how they schedule prescriptions, how they decide which prescription to give. Maybe we should be looking at some of these, not necessarily to interfere with the doctor/patient relationship but to be there so that we in effect make people think about the cost, make them look at the cost as they make their decision. That way we in essence send cost signals into the consumption decision. That's good economics, Mr. Speaker. Fixed costs are not good economics.

We also have to look at some of the other things that we talk about in here. There's a recommendation on page 5 where they're talking about looking at access guarantees for selected services. In the same part of the report they're talking about basically putting the waiting lists onto computers so that people can come in and look at a waiting list and decide whether they want to go to this or that or that other location based on how long the waiting list is. The question that automatically comes up there is: will this choice that's being made include travel costs for the patient if they decide to go to someplace distant where there's a shorter waiting list, or are they making the choice of paying for that as part of getting treatment early? Well, truly if what we're going to end up doing is have them pay the transportation cost so that they can get the treatment early, we've in effect created a two-tiered health care system, because the people with the money are the ones who can travel, get the service quicker. The people who don't have money to make that kind of a choice about traveling are the ones who are going to have to stay home. They're going to have to suffer, and they're going to become disadvantaged Albertans.

I guess we have to look at it in the perspective of, you know: what are we as a society? Are we a society that says that health care is important to us, health care is important in the context of our community, or is health care truly a commodity that we buy and sell? If we can afford it, we get it and we get it a timely way, and others have to take what's left. Mr. Speaker, I don't think that's what Albertans perceive in their health care system. That's not what I've been hearing them talking about as I've traveled the province. So I would be very cautious in terms of how this part of the waiting list access guarantee package gets put together. There was reference in here to ambulance services as well, and you know, if that's going to be part of it, that the transportation and the cost of getting those services at a distance is included, that may be an acceptable process.

Mr. Speaker, many of us who live in rural Alberta accept the fact that we are not going to get timely health care, timely services the same way as someone who lives at a point of concentration, but that's a choice on our part. When we deal with it here, when we're actually legislating processes that do not allow for that kind of choice, that's not acceptable. If people move to a community accepting the fact that they're going to be disadvantaged, that's

different, but we have to make sure that we're not imposing economic hardship in the process of our legislative decisions.

Mr. Speaker, the next section that we get into in the Speech from the Throne looks at the focus on the learning system, and this afternoon we tried to conduct a debate on what constitutes a good learning system, what the government's role should be in that. We were shut down, saying we were supposed to do it in the response to the Speech from the Throne or in the budget debate. But the issue here comes out to be one of: this debate tonight is associated with the broad perspective of the government mandate, not an individual departmental focus. So we have to make sure that we get our comments on all of the aspects of government tonight, not just on education. So I was very disappointed in the way it turned out this afternoon.

In the other aspect here, what we have to do is look at how we develop our vision for the education system. I've often suggested, you know, that we have to make sure the school boards, the school community – the parents, the decision-makers, the teachers: all of the community – have input into defining what constitutes that community's delivery model. We can't have the government imposing criteria on that where they make conditions that are budget contingent. What we have to do is let them model their education system, and then through the negotiations that go on with the employee groups, whether it's the ATA or the support staff, they have to deal with how they staff the model that they feel would best deliver education in their community.

8:30

What we're also finding is that the government has announced that they're going to be putting out a new curriculum, and that's part of the material that's here in the Speech from the Throne. Mr. Speaker, I happened to be at a meeting last spring where the Minister of Learning made reference to how they were going to redesign the curriculum from kindergarten through grade 12, and the conversation that went through the room at that meeting was: where did this come from? We're basically seeing here now that that curriculum has been committed to, because it says "the government will share and discuss a renewed vision for the kindergarten to grade 12 learning system." But they've talked about it in these meetings as being already under way and being planned. I hope the government takes this sentence to heart and makes sure that this discussion about a new curriculum, a new process for learning is fully discussed with the communities before it is implemented. This is a good suggestion in this speech. I hope they carry through with it rather than the suggestion that was provided last spring, where it was almost presented as a *fait accompli*.

The only reference to advanced education that's in the Speech from the Throne basically talks about the government wanting to work with students and institutions to make sure that education is accessible. Well, that's a very broad, open statement. What are they thinking about? How are they looking at trying to decide whether or not education is accessible? How are they trying to decide whether or not education is affordable?

Are they willing to look at some of the investment share/return type of models that are out there for business? You know, students put some money into it; they get a benefit out of it. The public puts some money into it; we get some benefit out of it. How do those returns balance relative to the proportion of the costs that we are putting into it? Mr. Speaker, I think that from some of the rough work we've done on these kinds of models right now, we're asking the students to pay more than the share they should. We should be looking at trying to provide opportunities for students to deal with getting their education in a less costly way to them; in other words,

increasing the public component in it. Then we'll get a better output in some of these investment share model type of analyses.

But we've got to make sure that we look at advanced education. How does it work? How does it function in the context of providing equality or equity of access for students across the province? More and more we're seeing programs focus on one or two institutions. The government's commitment to this Campus Alberta idea hasn't materialized the way it should. It's still institutionalized in buildings in the major centres, because that's where the volume exists to, in effect, create the economies of scale that are needed to make education cost-effective. The only institution we have in the province that's really stretching out to the reaches of the province is Athabasca University, and it has a limited curriculum that it offers and a limited opportunity for people who want to specialize in some of the more challenging and advanced learning environments.

I guess the next section that the government goes into is dealing with the focus on the economy. This is kind of the section that a lot of people are talking about right now in terms of how the government's interaction with what's going on in our economy really is being questioned by an awful lot of the business community in Alberta, by a lot of the people who are buyers and sellers in that business community. They've seen the instability that's created by the changes in the government expenditure patterns affecting their ability to plan. The sense of uncertainty and, kind of, commitment of the government I think started last year with the electricity deregulation, when the government told them that there wouldn't be a severe impact and there was. You know, they lost their trust in the government to say that stability was important, and that kind of was the real hard kick that made them start to think about what was going on. They're now looking at a lot of the other things that the government is doing and saying, "Gee, that's destabilizing as well".

They're not providing support to the business community, not support in the context of dollars being given to the business community but support in the context of a stable business environment. They're telling me now that operating in Alberta requires more than just low taxes. It requires predictability. It requires stability so that they can plan, they can deal with a good relationship with their employees, they can deal with good relationships with their suppliers. When they don't know what the government is going to do in terms of the contracts they have with the government, or when they don't know what the arm's length agencies are going to do as they are affected by the government's decisions, how do these businesses deal with their suppliers and their employees? They don't want to be in a situation where they jeopardize the working relationship they have with their suppliers and with their employees.

The uncertainty and the volatility that is becoming evident in terms of the government's activities is really starting to cause them some concern. I think the government needs to recognize that the fundamental role of government in terms of its relationship to the economic community is to promote stability, to promote accountability, and to promote predictability. That is not occurring right now in the context of the actions of this government, and we've got to start working on it.

Mr. Speaker, I'm not going to spend the next 15 minutes giving my normal talk about how the proper tools need to be put in place to deal with fiscal stability, because I don't doubt that everybody in this House has heard it at least once before. So I'll give everybody a break tonight and just go on to the next section instead of dealing with that one at this particular point in time.

I guess when we look at the financial management commission that the government promises to put in place to deal with the financial management of our province and where we're going, I would hope that some of those tools I talked about will come out of

there, because we've had a number of groups say that these are good. The Chamber of Commerce thinks it's a good idea. The Institute of Chartered Accountants have started to talk about it as well.

Mr. Speaker, I guess the thing that has come out in terms of some of the debate we've heard the last two days both in connection with the Speech from the Throne and this financial commission but also in terms of some of the other comments that have started to float out from discussions that are going on in the community about what the government's intending has to do with the heritage savings trust fund. I think it's really important that, in effect, if any change – and I don't think it's appropriate at this point in time to make changes in the Alberta heritage savings trust fund and the relationship it has to Albertans – is going to occur, it should only occur if a referendum were held to give Albertans a true say in it.

8:40

They spoke very, very strongly in the '95 review, when they said that they wanted the heritage fund kept as a long-term income source to support Alberta when our oil and gas revenues begin to decline and we have to look at having an alternative revenue instead of increased income taxes or a possibility of a sales tax or whatever else you wanted to call it. That was not acceptable to Albertans. They wanted the heritage fund kept to provide them with the income so that they could deal with their future in a certain way. If we're going to change that, we'd better make sure that that's what Albertans are saying and that Albertans recognize the fact that based on their requests at that time we changed the management style and the management structure of the Alberta heritage savings trust fund to the point that an unplanned, short-term liquidation of any of that fund probably creates a situation where we will, in effect, be net losers, and we can't let that happen.

Long-term planning in the context of the equity investments of that heritage fund requires a long-term decision-making process, not a short-term decision-making process, because we will lose because of the equity situation, the equity markets, and the role the equity markets is now playing in that heritage fund if we liquidate it at this point in time. So we can't deal with that kind of decision-making without Albertans fully being allowed to participate through some kind of a referendum.

The other aspects that we come up with here, Mr. Speaker – and I want to wish the government all the success in the world as they move to try and work with the government of Canada and all of the other things that are necessary to facilitate better access to the international markets for our producers and our processors in Alberta. This has to be a priority in terms of our economic growth, but we have to do it in a way that, in effect, sustains the kind of Alberta that's important to us as well.

I guess the one little part of the economic section of this Speech from the Throne that kind of brought a chuckle as I read it was the reference to "establishing formal ties in emerging markets." My first thought was, Mr. Speaker: is this a bunch more trade offices that we're going to be establishing? And isn't it only about five or six or seven years ago that we were shutting these all down, saying that there are better ways to do it? I guess if that's really what that clause in this speech means, I would ask the government, before they undertake any more trade offices, to conduct a thorough analysis of the effectiveness and the benefits we've achieved from the trade offices that we have. Are they giving us an increase in trade with those countries that's above the trend for the countries if we hadn't had them there? There are a lot of model systems that would allow them to make that kind of a comparison. I don't want us to be putting in place just an assignment for somebody to go out and have a good time for a couple of years living overseas. That's not what we need to promote our economic growth.

There are a lot of options for us through the trade associations. You know, the Beef Export Federation has done a great job of promoting our activities in the international market in the beef industry. We want to focus probably more in the context of supporting some of these commodity associations and their efforts to reach out. They are the professionals, they are the commodity-knowledgeable people, they know where the market is for their product, and they have the resources and the knowledge to make sure that the information that's conveyed to the other side is adequate. Now, I'm going to put a qualification on that, Mr. Speaker, in the sense that I've worked internationally. I know how important it is in some countries to have a government tag along when you go into negotiations. You know, if those are the kind of justifications that will in a sense create the need for a trade office in those countries, we need to make sure that that is made plain to Albertans when we establish these. Custom and practice in some of these countries are such that if you don't have somebody who has political connections with you, you're not going to get a signed deal. If that's the country we're going into, that's the country we need to make sure we deal with, but we do it in the open. So that's why I'm suggesting that we need to have this full-fledged investigation of whether or not these kinds of offices truly bring us a benefit.

The last comment on the economic section there is that the government wants to make sure that they work to have open access for our softwood lumber. This is really important to us in Alberta. It's important to a lot of our northern and rural communities. I guess, Mr. Speaker, one of the things that I'd like to throw out here is that I heard a suggestion coming from Ottawa where they were going to enter into negotiations with the U.S. something similar to what they had in the previous agreement, where they would impose a national export tariff on softwood lumber and the U.S. government would drop their 32 percent countervail duty. Somewhere in my mind – I don't whether it's just open tonight or what – I have a recollection that we as a province have control over our resources. If that is really true, why is it that we are not dealing with trying to collect the appropriate tax to offset the U.S. rather than letting the feds do it? That would be an appropriate strategy for us. After all, those are our resources, and we need to deal with it. If that means entering into discussions with our lumber producers about changing the harvesting fees that they pay or the stumpage fees or the access fees, that may be a way to do it, but we should be getting that 13 percent, not sending it to Ottawa.

There are a lot of issues here that we come up with in the context of the agriculture sector when they talk about what we're dealing with in the context of rural Alberta, how we have to go into dealing with some of the new strategies. Mr. Speaker, I guess if there's one thing that's been coming up very, very frequently in my contact with the rural communities over really the last four or five months – it started to trickle in last summer – it was: what is the government doing when they're trying to reorganize the ag offices? What kind of focus are they putting on this value-chain reorganization? Where do we fit into it as small producers, or where do we fit into it as a community?

I guess, Mr. Speaker, if there's been a failure on the part of Alberta Agriculture, it's been to communicate clearly to rural Alberta what they mean by that reorganization, how it's going to affect them, how it's going to deal with them. I don't feel comfortable that the comments in here are going to help in having rural Alberta understand what's going on. A lot of people are saying that what this reorganization is doing is just putting in place a support system for industrial agriculture. It's got nothing to do with community-based agriculture. In fact, it's weakening community-based agriculture. It's going to take away from the communities any

say in what agriculture is. They looked to last fall's intensive livestock act, the confined feeding operations act, in effect as justification for that, because they saw in there the province removing from the local community the kind of say they thought they should have in the location of those intensive livestock operations. They're seeing this as another step in that removal of opportunity for community-based agriculture. So I think the government really owes it to rural Alberta to make sure that if that is the case, they admit it, and that if it isn't the case, they get out there and explain to them how the average farmer in Alberta, the average rural community can benefit from this reorganization.

The indication that runs around in the community is that 51 regional offices will be reduced to 18. That, in effect, has created a lot of concern about access to information. It's created a lot of concern about the kind of information they're going to be able to get. A number of farmers have called and said: you know, what we've been told is that now if we want agronomic or crop science information, we'd better go talk to a commercial supplier, because they have field men that promote their product. Mr. Speaker, what kind of objectivity do we get if we go to Monsanto and ask them what crop to grow? They're going to give us a crop that requires their chemicals, that requires their processes, that requires their input. They're not going to give us an objective assessment of what's good for our farm, for our community. They're going to look at what's in the best interest of Monsanto. I pick only on Monsanto because it's the easy name to say compared to some of the other ones. It's not that they're any more self-serving than any of the others.

8:50

I guess the issue that comes up next in the speech is the reference to healthy communities with the activities and the discussions that have been going on today about what we are dealing with in the context of safe communities when the government is talking about changing probation requirements. We've got to make sure that the communities out there feel that we as a government are looking out for their interest. I would ask: is it in their interest to have people out there who are now being given a less-supervised probation? That has to be really looked at. What data is available to show that moving from a three- to a six-month visit with your probation officer is adequate? Do we have the investigative analysis that shows that that still provides for adequate reintroduction of an offending person into the community? Is that adequate? I don't think we do have that, Mr. Speaker, and if we do, if the minister has it, I would ask that it be tabled in this Legislature and that it be circulated to Albertans. Every mayor, every reeve, every community leader should be given a copy of it so that they can have a sense that there is some degree of evidence behind this change. Safe communities is one of the major concerns of Albertans. Safe communities, the ability to go out into your community, the ability not to feel threatened in your community: that's important to Albertans. We've got to make sure our activities support that concern and provide for solutions to those concerns.

Mr. Speaker, I'm just about finished, so we won't be going much longer.

I guess the interesting part of the Speech from the Throne is that one of the things that I probably have heard raised more than just about anything else as I've traveled the province is at the end of the Speech from the Throne. Mr. Speaker, if there's something that I think is a sense of what Alberta stands for, it's how we care for and treat our children, yet this is the second-last section in the Speech from the Throne. There have been so many concerns raised by groups from one end of the spectrum, from one age level to the other, about why it is we're reducing financial support for the

prevention programs in our children's services area. Why are we removing so many of those support programs for families that will give them a chance to bring their children up and make those children feel part of the community, give those children a chance to grow, to feel loved, to have a sense that they do have value, that they do have worth? People are really, really concerned about the perception in the community that that kind of commitment we as a public are making to our children has been removed, and I really think that if the government is going to move in that area, they've got to reinstate those prevention programs, and they've got to make sure that the communities appreciate the fact that children are important.

Mr. Speaker, we went through a process of developing mandates for our regional children's authorities where we had those consultations under the commissioner's office. They basically said that the communities were going to have a chance to deal with developing the programs for the youth in their community. Prevention and family support were almost at the top of the list of every one of these business plan developments. Why is it that we as decision-makers on their behalf have made a choice, set priorities that have removed those programs? We've in effect pre-empted the authority that we gave to the children's services authorities to make decisions that fit their community, that reflected their community's wish, that reflected their community's collective decision on how they should support and provide the necessary growth environment for their children. I think that's one of the worst things that we've done in the last year when we removed those kinds of programs in support of children in this province.

We also have to look in that same context – but it's not even talked about in this speech – at the relationship that we've had to removing support for persons with developmental disabilities. Mr. Speaker, these are disadvantaged Albertans who need community supports. A lot of them, with a small amount of financial support, a small amount of counseling support can become effective participants in a community. If we don't give them those supports so that they can live independently, they're going to end up being institutionalized and much more costly for us as a province. We've got to make sure that we keep those community support structures in place for these individuals. They're Albertans. They deserve dignity. They deserve to be given an opportunity to live in the community, and we've got to make sure that our resources are there for them. This is another one of the areas that really has been brought forward in the past four or five months as people have seen the cuts that started in response to the second-quarter update.

Mr. Speaker, I guess the comment that I'd like to make about the environment section is that as we look at expanding our output – and I know that a lot of our new electricity generators, as an example, are looking at building in Alberta with the idea of exporting their electricity – I would ask a question as much as anything. Has the government looked into the opportunity of working with these companies as part of their approval process that if their electricity is being exported, it has to be exported in exchange for greenhouse gas credits? You know, that kind of option should be looked at, because if we're going to allow businesses to establish here in Alberta with the idea of exporting resource-based energy, then we should be saying: why allow them to export into another economic market at the expense of an alternative business that wants to establish in our area that doesn't export those resource-based credits into another market? We want to have the growth in our community, not the growth in somebody else's community, when we get the debit of the greenhouse gas. So I guess that's a question as much as anything.

This is one area where I think we're in an evolving state of understanding for a lot of people, including myself. This is one of

the areas that I probably haven't kept up on as much as I should, but it's one of the things that I think we need to look at, especially when we're dealing with new energy suppliers. You know, these are not people that have been in the province, that have been growing in the province, or that are producing that energy source for consumption in the province. If they're going to establish here to supply a market somewhere else, then we don't want to become the source of location for other communities to come here, establish their greenhouse gas emitting energy sources, and then use the product without having to deal with the greenhouse gas that's emitted. I guess that's a concern that I've got when we look at some of the options now that are being speculated on in the context of some of our electricity generation options that are coming up or some of our new coal exploration projects.

Mr. Speaker, there are a number of other issues that need to be addressed, but more and more I'm getting into the area where some of the things I want to say deal with the actual expenditure patterns and the actual expenditure amounts. I would just serve notice that I'll make the choice right now to give everybody a rest from listening to my gravelly voice, and I'll pick up those specific items about the levels of funding and the priorities on funding when we get into the budget debate.

Mr. Speaker, I thank you very much for the opportunity to express my concerns about this agenda of the government, provide some suggestions for them. We'll see over the coming weeks what happens to those suggestions and those comments.

Thank you very much, Mr. Speaker.

9:00

THE DEPUTY SPEAKER: Hon. members, according to Standing Order 29(2) we have a brief period for questions, comments, and responses.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Yes, hon. members. It's a ruling that's already been looked into. If the hon. Leader of Her Majesty's Loyal Opposition had spoken right after the mover, then there might have been something different, but inasmuch as there have been others in front, then all people who speak subsequent to that fall under Standing Order 29.

There being no questions, we'll go to the next member. The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. Common sense and practical experience tell us that health, education, and social services are inextricably linked. This is especially true when we're considering the welfare of our children. In Her Honour's Speech from the Throne yesterday I was pleased to see the recognition that good health and a good life depend on much more than medical care alone. It's also about lifestyle, hard work, and having encouraging role models at home, at work, and at play.

I was also pleased to see the recognition of the fact that the more our children learn, the healthier they will be and the better lives they are likely to have. However, in my opinion, recognition of the societal benefits of early childhood intervention for at-risk children was not sufficiently emphasized in the throne speech. Today I'll try to make a case for why long-term, secure funding for early childhood intervention programs for at-risk children and families is in our enlightened self-interest. I'll try to show that it's ethically appropriate to identify and help those children most vulnerable in society who need and would benefit from our help in ensuring that they start life on an equal footing with their peers, and I'll demonstrate that it's

in our economic interest to make the investment in children early so as to mitigate against the negative influence of learned helplessness.

Albertans through the Future Summit process have in my opinion clearly identified the necessity of providing a foundation for education and learning upon which future generations of Albertans will enjoy the same opportunity our generation enjoyed. In a knowledge-based world economy achieving this objective will not be easy. As members know, we are no longer competing in a local or even a national market. We now compete in a world market against the best the world has to offer. To do this, we must be able to draw on the broadest possible base, not just those children born into the best circumstance. We often make the case that to be competitive in a world environment, we must have a competitive tax base. Does it not follow that we should also nurture our most important human resource, our children, through whom our future is realized?

Earlier I stated that health, education, and social services are inextricably linked. As we will see, when we neglect this fact early on in a child's life, we often see the effects of that neglect throughout the whole of his or her life, often manifested in aggressive behaviour, low scholastic achievement levels, juvenile delinquency, drug and alcohol addiction, mental health problems, and possibly criminal activity.

We know that the primary societal foundation that nurtures the child, ensuring that the child has the best opportunity to grow into a contributing member of society, is the family. The vast majority of children in our province are born into families whose prime consideration is their children. But what of those children not so fortunate? What of the child born into a circumstance over which they have no control, perhaps born of parents with little control because they were born into a similar circumstance?

It is in our enlightened self-interest to work with these children to ensure that every child benefits from the best possible start in life. Intuitively we know that a person on the wrong side of the law, perhaps dependent on drugs or alcohol, will eventually find themselves in jail or perhaps in the welfare system, a burden to themselves and society. How do we break the chain? How do we break the cycle? Isn't it better to do what we need to do early and to try to ensure that every child has the chance to develop into a contributing member of society? More and more professionals in our health, education, and social services field understand this reality.

I recently met with one such professional, Mr. Gabe Mancini. Mr. Mancini is the principal of Mayfield school in Edmonton's west end. Mayfield school serves a diverse population, including some who benefit from an early intervention program known as Early Head Start. Mr. Mancini sent me the following letter. I'd like to share it with you, slightly shortened and slightly abridged.

Dear Mr. McClelland:

The systemic problem of poverty is inextricably related to the cultural issue of learned helplessness. Kids coming to school from middle income families have been exposed to over 1000 hours of print pages. They have higher and more sophisticated vocabulary levels in comparison to children coming from poor homes.

The interaction with parents of a middle income family, is [often] significantly more sophisticated. Parents provide a rationale for their decision as well as providing alternatives to behaviour – this is not a good idea, try this and let's see if it works. In contradistinction low income families [sometimes and typically] provide direction – [do this, without the rationale behind the decisions] . . .

When lower income students [from time to time] come to school, [not all but some] they have difficulties with following directions, poorer and impoverished vocabulary, and more aggressive behaviours. They also have lower expectations for themselves and so on. This "sets" them up for failure.

To avoid [this], they need a great deal of stimulation (being read to, higher level of vocabulary presented to them, problem solving strategies, encouragement) as well as appropriate behaviour management techniques.

He also included some demographic facts taken from a United States sample but applicable here. In 1950 fewer than 20 percent of children lived in dual-income or single-parent homes. In 1995 66 percent lived in dual-income or single-parent homes. This statistic would indicate that our education system is now doing far more parenting than was the case in the past. This statistic also indicates that there are far more children entering the education system with specific needs to be addressed before they are able to keep up with their enriched peers. Does it not make ethical and economic sense to do everything we can to ensure that children starting school do so with the strongest possible foundation? This means health and social service professionals and educators need to work together to identify at-risk children and families so that the remedial work begins at the earliest possible time.

Local early intervention programs such as Success by Six, ABC Head Start, Clareview Head Start, and Atonement Home Head Start, among others, have proven records of success. The May 2001 issue of the *Journal of the American Medical Association* reports that a 15-year study of the long-term effects of early childhood intervention in Chicago public schools indicates a clear link between early intervention in at-risk children and lowered high school dropout and juvenile crime rates. Now, we don't have to travel that far away. In November of 1993 the University of Alberta completed an extensive analysis of the Edmonton ABC Head Start program and had similar conclusions.

All this to say that we should consider education and our human potential long before school starts. We need to start thinking about what we can and should do to ensure that educators start with children ready to learn in their classrooms so that they can teach and not parent. We need to consider the harm done to society, families, and especially to children by FAS/FAE, fetal alcohol syndrome and fetal alcohol effect, and consider it the great public health problem that it is tragically, 100 percent preventable.

9:10

I want to conclude by reading into the record a letter given to me by Mrs. Joan McDonald of the Mayfield Head Start program. The letter was written by a mother thankful for the program that helped her family and fearful others may not be so fortunate.

To whom it may concern

I would like to take you through a journey. A journey in which I hope to open your eyes to how important you really are.

My story began just under three years ago. I had reached the beginning of my end. Being placed on bed rest for the last two-and-a-half months of my pregnancy with my son, scared me. I already took a bad turn, when my two-year-old daughter wasn't being heard, due to a later diagnosed speech disorder. If that wasn't . . . enough, she also began a violent spell, later found to be aggression due to the speech disorder.

My husband and I, knew we were in big trouble when even we couldn't understand our child. We began the trials of looking for help. Everywhere we turned, it seemed like a wall of rejection was thrown at us. Whether it be a lack of income or space, we had lost hope.

In trying to find help, we would go to see our Public health nurse. Then one day she had news of a new program. She went on to tell us how it was for low-income families, who need supports. Well, if any low-income family needed support, it was us. So, with no hesitation, I accepted to go to the Early Head Start program.

Held by denial about my child, I was extremely anxious. I thought I was the world's worst parent. Although, as the day

arrived, to begin the program, we felt some form of relief. When we arrived we felt welcome, not so alone.

As the weeks went by, so many things became clear. My daughter had her speech looked at. Now we had a start. I began to realize that there was something I could do to help. When my daughter began smiling again, I knew we took the best first step we could have. With each step we took, we were closer towards our goals.

We had now found that my daughter had problems socializing with other children. Her speech problem was diagnosed as severe phonological delay. We also found that she had a chronic and organic behaviour disorder.

With the assistance of the staff of Early Head Start, we were geared to the necessary programs for my daughter. She was referred to a behaviour program, in which we saw drastic improvement. Then, my daughter was placed in a school, at the age of three and a half, for her speech. Once again, we saw extreme improvement. Her speech went from a severe delay to a mild delay in just five months.

Not only would I not have been able to get my daughter tested and receive a diagnosis, but I had no idea that her behaviour could be tested. I also had no idea about the programs that we had gotten into.

Now my daughter is five years old. My son is almost three. The pride they show every day is worth everything. My daughter is at the top of her kindergarten class, and my son has gotten over his anxieties.

In my heart, I know that my children's accomplishments are due to the help from people who wouldn't let me quit. These people are the staff at the Early Head Start program. Programs like this are so greatly relied on by both parents and their children for support. It would be a real shame if the families now and the families to come would have nowhere to turn.

I am hoping by sharing my story with you, maybe you could see just how important your contribution is. Through your funds, both of my children have good starts to promising futures.

If we lose our funding for this program, we will be losing a lot more than you could imagine. We would be losing hope for families just like mine, who would have nowhere to turn. All I ask is for you to continue contributing to our future by funding the Early Head Start program. Let another family take that first step to understanding.

Thank you.

Lisa Ferguson

Mr. Speaker, the experience Lisa shared with us highlights the importance of Head Start programs in our province. Just as the best first step that Lisa took was to enroll her child in an Early Head Start program, the best first step that we as a government can take is to ensure that every family like Lisa's has the same opportunities.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Are there any questions or comments with respect to the speech? The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. Yes. I couldn't agree more with the hon. Member for Edmonton-Rutherford on the importance of early childhood, and I guess my question to him would be: as a member of the ruling party in the province why are your concerns not reflected in the Speech from the Throne?

MR. McCLELLAND: Well, as a matter of fact, they are, on page 10 in the second paragraph. My purpose in emphasizing it was to make the point in the House that this is extremely important not just to one side of the House or the other side of the House but to all members here and that this kind of priority is not forgotten on this side of the House.

THE DEPUTY SPEAKER: No further questions? We'll call for the resumption of the Speech from the Throne debate. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I am pleased to be able to respond to the 2002 Speech from the Throne, which was delivered on the 26th of February. We're all here in this Chamber as elected representatives. I think my job as an elected representative is to seek the opinions and concerns and issues of constituents, and I do that in a number of different ways. I have a web site that they can consult. There's information on it and ways for them to give me feedback. Certainly I attend a lot of events in the community so that I'm easy to approach and I'm aware of what the community is doing. All of us, I'm sure, have phone calls and letters and e-mails that come in that are raising particular concerns or areas of interest and also meet and chat with people in the bank lineup or the grocery aisles. As well, I think some of us take additional measures of holding town hall meetings or public forums of some kind.

I was very interested and anticipated this throne speech and had a shopping list of issues that had been brought forward to me by my constituents, so I was looking very carefully and listening very carefully to the Speech from the Throne as to whether the issues that were raised by my constituents were going to be addressed in it.

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. member, I just wanted to address the hon. ministers' debate back here. It's getting louder, so it's harder to hear the hon. member. It is her turn to speak, and she's the only one that's been recognized. So if you wish to carry on a lively debate, please do so outside in the chamber next.

The hon. Member for Edmonton-Centre.

Debate Continued

MS BLAKEMAN: Thank you, Mr. Speaker. I was looking to see if those concerns that were raised would be reflected in the throne speech setting out the government's agenda for the 2002-2003 year. Some of the same issues came up, although based on the information I've collected from my constituents, not in the way they were looking for.

I'm going to go through some of those, sort of the top five, one of which was the Future Summit. I did hold a special town hall on that, so I got quite a bit of feedback. A second issue that's been raised a lot is teachers, education, postsecondary education. Third was housing, and that's including the issue of rent control and also the canceling of the private contractor housing subsidy program. Of course, health care is of enormous importance to the constituents of Edmonton-Centre, and along with that, concerns are increasingly being raised along long-term care. Finally is gaming.

When I looked at the Future Summit, it was interesting, because I couldn't find anything in the advertised government bills that was going to deal with anything coming out of the Future Summit or directly related to the Future Summit. I expected to see more around that or more coming out of this throne speech. I was a little surprised that there wasn't more of it, but perhaps the reasoning is that there's going to be a full-fledged report that will come out at some point in the future.

What I did was I held a town hall at my own expense. Although there was a direct request from the government for all MLAs to hold town halls, there was no assistance given. It was a choice that I had to make, whether I was going to hold a different kind of town hall on

education or health care or whether in fact it would be on the Future Summit. I advertised it in my newsletter and on the web site. I sent posters out to the seniors' residences, the seniors' centres, the community leagues, churches, that sort of thing. I had a very, very good turnout, an excellent group of very thoughtful, committed people and, interestingly enough, a really great mix that was very representative of the people that live in the riding. I didn't know who was going to be there until I walked in that morning, but it was a very representative mix of the people that live in my riding.

9:20

I'll just run through some of the major points they raised when we looked at the issues that were thrown up into the air from the Future Summit. We actually had a facilitator. No matter how the question was put, through the facilitator or working off the workbook, the constituents refused to be limited to a strictly economic vision of the future of Alberta. They just would not go there. They kept pulling in a different direction to say: "No. You have to consider other things besides a strictly economic model." They were making the point that if individual Albertans are going to have confidence in their future, it will be essential to define and make a commitment to the fundamental social values that will make the province stronger, a very interesting point, and much of the rest of their discussion sprang from that principle.

The group that met was firm in recognizing families as a significant stabilizer for the community, both an economic stabilizer and also a social stabilizer. They were particularly interested in the definition of family. I do understand and it is referenced in the throne speech that we will have an opportunity to look at the family law statutes, hopefully through legislation this spring, and that we can look at incorporating some flexibility in how and what we understand families to be in this day and age. Of course, for constituents in my riding different models of family are very important, including models that would include same-sex families.

Another issue that constituents were questioning with the agenda that was being put forward with the Future Summit material was the compatibility of the principles of democracy and market forces. In some ways they were anticipating the cataclysm that's been caused by Enron and its relationship with their national government and that whole question of government promoting the advantages of a business community or a market community over that of its individual citizens.

This is very interesting, looking back at my notes as to how strongly they felt about that, and they felt it was not just for government to be promoting a business interest or a market interest. Economics and values cannot be considered exclusively. They expected government to be a leader, not a follower, and that government should be taking action to ensure that values are protected rather than only reacting once they're endangered. Good point. Again, that's a concept of prevention.

There was a concern raised about the current state of government monitoring and evaluation and enforcement in a number of areas: job safety, environment, and a number of other areas. This is interesting, because I think people didn't understand that when there was a downsizing or smaller government, a lot of the areas that go first that people don't notice for a long time are the monitoring, evaluation, and enforcement sectors. So when things started to go wrong, then people said: "Who was watching for this? The government should have been watching out for it." Well, maybe, but there was nobody left to watch because those jobs had all disappeared. They were the first group of jobs to go. That was an issue they raised repeatedly, and they felt that it was a job that government should be performing because really government was the only one that could perform it in an unbiased way.

Constituents felt that the public-sector and the public-service

delivery of programs was still the best way to ensure maximum application of taxpayer dollars for services for Albertans. Okay. It's fair.

A lot of talk about prevention. My notes say: prevention, prevention; education, health care, social programs, et cetera. Therefore, it's with a great deal of concern that we look at things like the elimination of or cutbacks to children's preventative programs. We just had the Member for Edmonton-Rutherford make a passionate plea for restored funding into preventive services for children. Again, I think a penny of prevention is worth millions of dollars' worth of cure, and it's very shortsighted to cut those prevention programs.

My constituents were very clear that they didn't want tax refunds. When we started to look at the economy and that boom-and-bust economy from Alberta, they actually called the tax refunds bribes and were quite insulted. They also raised the point that business should shoulder their fair share of the tax burden. There were additional points raised about government spending a lot of time attracting businesses to Alberta only if the money is coming back to Alberta communities, which is interesting because what they were getting into was that they were troubled by nonresident ownership and the corresponding government policy, and they felt that Albertans were not the chief beneficiaries of our own resources. Good point. We should be. They're our resources; we should be gaining from them.

Moving on to another section, the section on teachers and education, postsecondary education. Out of all the phone calls and e-mails and letters that I have received around the concern for education, the teachers' strike, and those issues in the last six months, I have only had two that were not entirely supportive of the teachers and for a stronger, better supported public school system. Those two were against the teachers and in favour of the current government action. Everybody else supported the teachers and supported stabilizing education.

I had a very interesting experience a year ago when we were out door-knocking for the election. I have a lot of young teachers that live in my constituency, and some of them were very articulate and made it crystal clear to me. One young man said that he would not be the next generation of teacher martyrs, which is very strong language, but he meant it. He very clearly said: "Look. Other people value our degrees and our experience more than our own system does, and I will not pay my dues and put in the time. I'll take my degree and go somewhere else and make a heck of a lot more money." So we run the risk of having exactly the same situation down the road with teachers as we currently have with nurses, where we discouraged them all, we shooed them all away, and they left, and now we're having to spend enormous amounts of money to woo them back again. So he was very, very articulate about that.

There are strong connections with prevention programs in education, healthy lifestyles, and better futures for children, and I wasn't clear from the throne speech what exactly government would look to be changing. It doesn't seem to be indicating that those eliminated prevention programs for children were going to be restored. Are we looking at having hot lunch programs expanded into junior high schools or expanded into high schools? After all, what is the difference between the last day of grade 6 and the first day of grade 7? You don't get a hot lunch in grade 7. I'm not seeing anything that's indicating that that kind of understanding of the underpinnings of what youth need is forthcoming from the government. [interjection] Yeah. What is the real difference there? Is the family any better off now that the kid is older? No, the kid is just hungrier.

When we look at postsecondary education, again I've got a lot of students in the riding and their concerns about their carrying that

intergenerational debt. We hear a lot of talk from the government about: we don't want to pass the debt on to the next generation. These people feel very strongly that they've already had the debt loaded onto their shoulders when they're walking out of university with \$20,000-plus loans that they have to pay back. That didn't happen 10 years ago, five years ago, but under this government, with the changes and the increases in tuition, they are walking out of university with that kind of debt. That's what they're saying. So the intergenerational debt transfer is complete. It's already happened.

9:30

Housing and rent control and the private contractor housing subsidy program are huge issues for me. We've got a lot of private owners. [interjections] The rest of you can engage in this as soon as I've finished talking. A lot of people have brought up the issue of rent control. I've approached a number of different ministers about what they're anticipating and if they are looking to do anything to assist people who are looking at rent increases every three to four months, rents going from \$600 to \$900 for a one-bedroom. Thus far I haven't had any indication that there would be any consideration for that.

I think the last issue – and I know I'm out of time here – is health care and long-term care. These are closely tied to the housing issues. Constituent feedback has not been very keen on the Mazankowski report. They look for the future to be better, and what the Mazankowski report is saying is that the future is going to be worse. The report is not improving the system. It's not restructuring. It's just figuring out how to get Albertans to pay more.

I've run out of time. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Are there any questions to be offered with respect to this speech? The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Mr. Speaker, to the hon. member. You mentioned the government's support of Enron. If you could just give me some information as to what government supported Enron, at what time and in what country and to what degree. I'd be curious, and I'm sure the Senators south of the border would be curious too.

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

MS BLAKEMAN: Thanks very much. Well, if the member is really interested in it, I'm sure there's a good deal that's been written in the major American newsmagazines that are examining this. There's no question that there was promotion of Enron through the Bush administration, and it's not a problem for him to look that up. I'm sure he can do it.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmor.

REV. ABBOTT: Thank you, Mr. Speaker. The Member for Edmonton-Centre in her response to the Speech from the Throne talked a lot about the future. Now, she was fairly broad and nonspecific. Most of her comments were negative. Our government, while planning prudently for the future, must also deal with the realities of today. So my question is: what part of Her Honour's speech does this member opposite support?

MS BLAKEMAN: Well, I would be supporting all of my speech. I don't know what else he could be referring to. [interjections] Oh, to the entire throne speech. Well, I think I spoke for 15 minutes. If the member was listening, it should be pretty clear to him what issues I support and where I have concerns.

THE DEPUTY SPEAKER: You have a second question, hon. Member for Drayton Valley-Calmar?

REV. ABBOTT: Mr. Speaker, I listened very attentively for the last 15 minutes, and I did not hear any support, unlike her colleagues who were very supportive of Her Honour's speech and at least attempted to offer some solutions. I'm just wondering if the member opposite can outline anything that she supports, as many of her constituents have also done.

MS BLAKEMAN: I'm aware that the Member for Drayton Valley-Calmar asked a very similar question to my colleagues who spoke this afternoon, and truly it's not my role as a member of the opposition to be doing the work of the government.

THE DEPUTY SPEAKER: No further questions.

We'll proceed to the next member to enter into the debate. The hon. Member for Calgary-Bow.

MS DeLONG: I'd like to move that we adjourn debate for the night.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Government House Leader.

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

[Motion carried; at 9:35 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, February 28, 2002**

1:30 p.m.

Date: 02/02/28

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. O Lord, grant us a daily awareness of the precious gift of life which You have given us. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country. Amen.

Please be seated.

head: Introduction of Visitors

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti.

MR. GRAYDON: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to the members a guest in your gallery from Grande Prairie. Mr. Wayne Jacques served in this House for two terms. He represented the Grande Prairie-Wapiti constituency. He represented that constituency with enthusiasm and, I've heard, at times with outrage. Mr. Jacques continues to serve the people in my part of Alberta as a board member of the Mistahia regional health authority, and I'm delighted to introduce him and have him join us here today.

Thank you.

head: Introduction of Guests

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

MR. HUTTON: Thank you. It is an honour for me today to rise to introduce to you and through you to members of this Assembly three outstanding members of the business community. They are Brian Ironside, Bruce Gordon, and Jim Taylor. Mr. Ironside is Manulife Financial vice-president of regional operations, and his territory covers the Yukon to Thunder Bay. Accompanying Mr. Ironside is Mr. Bruce Gordon, the executive vice-president of Canadian operations for Manulife Financial, a Canadian company worth \$150 billion in assets, the number one insurance company in Canada. I've just left the Minister of Economic Development, and we were discussing the Alberta advantage with Mr. Ironside and Mr. Gordon. Accompanying these two gentlemen is Mr. Jim Taylor, former councillor of ward 4 and now the newly appointed executive director of the Downtown Businessmen Association. I would ask the three gentlemen to please rise and receive the warm welcome of this Assembly, Mr. Speaker.

Thank you.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise with pride today to introduce to you and through you to all hon. Members of the Legislative Assembly my eldest brother. John MacDonald is visiting the city this afternoon on his way through to Kelowna to the Canadian Horticultural Council's annual meeting, which is going to occur in that city next week. John is a former president of that organization, and he's also a blueberry farmer in P.E.I. He is a father and a husband, and he's also a Montreal Canadiens fan, one of few in Prince Edward Island. I would ask him now to please rise and receive the warm and traditional welcome of this Assembly.

Thank you.

head: Oral Question Period

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

Education Spending

DR. NICOL: Thank you, Mr. Speaker. Yesterday the Premier said that spending on education has gone up by 40 percent in the past five years and that this figure takes into account increases in enrollment and inflation. Using the government's own numbers, it's clear that this statement is not accurate given the fact that real spending on education has gone up only 12 percent since 1995 and only 2 percent since 1992. My questions are to the Premier. When Alberta Learning's own numbers say that spending has gone down since this Premier's government took over, why does he continue telling Albertans that spending has gone up?

MR. KLEIN: Mr. Speaker, the proof is in the budget, and if you will examine the budgets over the past five or six years, you will see that spending for education has gone up 40 percent. I'll have the hon. minister supplement.

DR. OBERG: Yes. Thank you, Mr. Speaker. I do believe it is quite obvious, and I will go one step further and suggest to the hon. member that he look at the consulting report that Price Waterhouse did, which verified all of these figures. It does show, for example, that in 1995-96 the spending on basic education was \$2.6 billion. It is now up to \$3.7 billion, which obviously is in the 40 percent increase.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why did the Premier say yesterday that the 40 percent increase in the expenditures included enrollment growth and inflation when it's only a monetary value?

MR. KLEIN: Mr. Speaker, I didn't say that at all. The hon. Minister of Learning said that. What he did say – and I'll have him elaborate once again. He did point out the increase relative to the student enrollment and relative, I believe, to the population increase in the province, and I'll have him reiterate those figures.

DR. OBERG: Thank you, Mr. Speaker. What I said yesterday is that the enrollment increase was roughly 6 percent and the teachers' salary increase was roughly 17 percent over that time frame. I will reiterate once again that those are numbers that have been confirmed by an independent third party, so they are absolutely accurate. So it's gone up 41 percent in real spending. The enrollment has gone up roughly 6 percent, and the teachers' salaries have gone up roughly 17 percent over that time frame.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: why does the government insist on using 1995 spending figures as a reference point when everybody knows that in that year education wasn't properly funded and so you're starting from a base that is not sustainable?

MR. KLEIN: You know, Mr. Speaker, that comment is entirely subjective. We don't believe it was underfunded then; we don't believe it's underfunded today. As the minister pointed out, there has been a 41 percent increase in spending over the past five or six years.

THE SPEAKER: The minister.

DR. OBERG: Thank you, Mr. Speaker. I will just add a couple of things. One of the things we really have to remember is that that was a time when we made some major changes in education, and one of the ones that we always talked about is the number of school boards that were running at that time that actually had no schools. We had something like 160 school boards. We're now down to 64 school boards, so we decreased the amount of administrative dollars that were going out. We also put in administrative caps so that there were not as many administration dollars going out. More dollars were going into the classroom.

The other very important thing, Mr. Speaker, is that everyone tends to think that there was a 20 percent reduction in things like education. Well, education was 4.8 percent reduced.

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

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: can the Premier tell us how much education spending has gone up as a percentage of all government spending since 1995?

MR. KLEIN: Mr. Speaker, I think that education spending accounts for about 25 or 26 percent of overall government expenditures. I would suggest that the increase in education spending is really commensurate with the growth patterns and the needs that have been identified within the school system, but I'll have the hon. minister elaborate.

1:40

DR. OBERG: Yes. Thank you, Mr. Speaker. I don't have that right at my fingertips. However, I certainly will undertake to get that for him. As everyone here knows, the percentage spending on education has gone up dramatically. We've seen a lot of other departments that have had their budgets decrease, whereas education and health care have continued to increase. So we're very fortunate that that has occurred. I will, however, undertake to get those numbers to the hon. member.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: is your government demonstrating goodwill to teachers by presenting monetary figures instead of real value figures when you talk about the cost of education?

MR. KLEIN: Well, the question is: are we demonstrating goodwill to teachers? Well, yes, we are demonstrating goodwill to teachers. I believe it was a gesture of tremendous goodwill in last year's budget to put in as an unprecedented step a 6 percent guaranteed line item relative to salaries, unprecedented in this government, a lot better than zero, which is what the Liberals for some reason seem to think would have been appropriate. Nothing as opposed to 6 percent.

DR. OBERG: Thank you, Mr. Speaker. I will remind the hon. member that from November of 2000 to November of 2001 the inflation rate in Alberta was actually a negative number. It was under zero. There was a deflationary period. So I think that that has to be taken into consideration. This is over the same time frame when, as the Premier has indicated, we guaranteed a 6 percent increase to our teachers.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: was it showing goodwill to teachers when they were not informed that the money for the pension offer would actually come out of classroom funding?

MR. KLEIN: Mr. Speaker, I don't know that to be true. All I know is that something equivalent to 3 percent – well, actually, more than that because it's after-tax dollars – was put on the table relative to the unfunded portion of the teachers' pension fund, and that is now, unfortunately, off the table, the result of job action that has been taken by the union.

DR. OBERG: Thank you, Mr. Speaker. Once again I'll reiterate the process that was involved there. Back in October of this year the president of the Alberta Teachers' Association and I met on the unfunded pension liability. At that time I said that we were open to discussions on anything to do with the unfunded pension liability. I did not hear anything back from the president of the ATA until around January, when I asked for a meeting with him. I subsequently formally put it on the table at that time. I felt – and maybe this was my mistake – that as a union leader it was his obligation to tell his clients, to tell his people about the offer. Obviously, the leader of the ATA chose not to. I believe it was to the true detriment of all the junior teachers, to every teacher in the system. I believe it was to their detriment. It is extremely unfortunate, but that is what happened.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Teachers' Labour Dispute

MR. MacDONALD: Thank you, Mr. Speaker. In a confidential document I've received from Alberta Human Resources and Employment titled A Semi-annual Preview of Key Alberta Labour Negotiations, October 2001 to March 2002, in the education sector outlook there is this statement: "The government does not directly participate in education bargaining." My first question is to the Premier. Does the Premier agree with that statement?

MR. KLEIN: Mr. Speaker, outside of the 6 percent line item in last year's budget relative to teachers' salaries, unprecedented, as I mentioned before, we do not become directly involved in bargaining with the teachers' union. That is left entirely up to the individual school jurisdictions.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you very much, Mr. Speaker. Again, my second question to the Premier: how can the Premier say that there's no direct involvement with teachers' negotiations when the Deputy Minister of Learning in a recent e-mail instructs or tells school boards how to spend this money?

MR. KLEIN: Well, Mr. Speaker, I don't know that to be true or not, and I don't have the benefit of the document that obviously came to the hon. member in a brown envelope. Perhaps the hon. Minister of Learning knows more about it, but I sure don't. They don't leak a lot of information to me.

DR. OBERG: Thank you, Mr. Speaker. I do believe that if the hon.

member would actually read the memo, what it states from my deputy minister is to be careful about using operating surpluses to pay teachers because the operating surpluses are onetime dollars – they're only there one time – and the teachers' salaries are a continuing expense.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. My third question is to the Minister of Learning. Is running full-page newspaper ads interfering with local bargaining?

DR. OBERG: Well, Mr. Speaker, I guess you'll have to ask the ATA and the Canadian Teachers' Federation that because that's where the full-page ads were. We did run an ad. We ran a very factual ad, because at that particular moment in time there was a lot of misinformation that was being put out in the media.

DR. MASSEY: Interfering with bargaining.

DR. OBERG: I'm sorry, but it is not. Putting out the facts is not interfering in bargaining, Mr. Speaker. What we had done was we had confirmed all of the data that we were putting out, and it was confirmed by Price Waterhouse, which is, obviously, a very reputable firm. That was then made public, as our job as government is to make information public, real, factual information public to the citizens of Alberta, unlike the Canadian Teachers' Federation.

Speaker's Ruling Seeking Opinions

THE SPEAKER: The chair would like to apologize to the House. Obviously, there has been some movement of tongues in the last 30 or 40 seconds caused by the chair's decision not to rule out the third question from the hon. Member for Edmonton-Gold Bar, which sought to seek an opinion, which is against the rules. Now, the chair should have ruled the question out of order, and that would not have permitted the comments that did come unsolicited. We'll have to be a little more vigilant, then, perhaps in the future.

The hon. leader of the third party.

Teachers' Labour Dispute (continued)

DR. PANNU: Thank you, Mr. Speaker. The Minister of Learning has stated publicly that should the government lose its case on the back-to-work order tomorrow, he will introduce legislation to order teachers back. Moreover, the minister also seems to have a plan to unilaterally impose a contract settlement on teachers through legislation. The message the Minister of Learning is sending to teachers and all Albertans is pretty obvious; that is, if the court rules against the government tomorrow, the minister will just change the rules. My questions are to the Premier. Why doesn't the Premier tell this Minister of Learning to put a sock in it so he stops making inflammatory statements designed to provoke teachers thereby providing the government with the pretext to unilaterally impose a contract settlement through legislation?

MR. KLEIN: Mr. Speaker, certainly a sock isn't required, because the minister is doing absolutely what he is required to do, and that is to speak to the welfare of the students – the students – the most important people in this particular dispute. It's the attitude of this government that students come first. The minister is saying that we will take every action necessary, legislative or otherwise, to make

sure that the students' needs are met. That's what it's all about: the students.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. To the Premier: as a way of rebuilding some trust with this province's teachers, would the Premier today in this Assembly make a firm commitment that the government will not unilaterally impose a contract settlement through legislation and instead abide by the arbitration process that is set out in the Labour Relations Code?

1:50

MR. KLEIN: Mr. Speaker, I'll make absolutely no commitment one way or the other relative to legislation that may or may not be introduced in this Legislature. It could be – I'm not saying that it will be, but it could be – a matter for debate in the Legislature. Let's just wait and see what kind of legislation, if any, is tabled in this Legislature, and the hon. leader of the third party will have an opportunity along with every other member in this Legislative Assembly to debate the issue.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My final supplementary to the Premier: when the Premier made a flat denial yesterday that the government is planning any punitive legislative action against teachers, was he not aware that the Minister of Learning is in fact working on a plan to unilaterally impose a contract settlement?

MR. KLEIN: You're absolutely right. The questioner is absolutely right, Mr. Speaker, in that no legislation, no regulations, no policy initiatives will be taken to bring about punitive action – punitive action – against the teachers. Understanding that, albeit inconvenient, teachers do have the right to strike in this province for the time being at least and perhaps forever. I don't know, because I don't know what kind of legislation, if any, is going to be tabled in this Legislature or whether that legislation, if it is indeed tabled, is going to be passed by this Legislature. But I will reiterate: nothing that this government contemplates in the future at any time is punitive relative to teachers. It's not the nature of this government to punish. We just don't do that.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Ellerslie.

AES Calgary ULC Project

MR. CAO: Thank you, Mr. Speaker. Given that an electricity generation plant proposal by a company, AES, is outside my constituency but is within the distance of concern of some of my constituents living in the community of Erin Woods, my question is to the Minister of Municipal Affairs. Could the minister help explain to my constituents the approval process for such a project?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. Power plant approvals are a provincial interest and therefore must first go to the EUB for the process. I would like to say that the company would apply to the board, which would consider input from the municipality and other interested parties. After considering the input, the board may issue an approval, and in this case they did, and they may ask municipali-

ties to amend their plans and bylaws if necessary. What I would like to state is simply this though: under the Municipal Government Act it stipulates that the decision of the EUB prevails over any local approval or a decision of the Municipal Government Board.

MR. SMITH: Mr. Speaker, if I could just take two seconds to supplement the minister's answer. That particular hearing for AES was a series of public hearings, public hearings at which all and sundry people from the member's area were invited to attend and did attend. People from the area of Chestermere were invited and did attend, and at the end, in fact, the people that were assembled there that evening gave the EUB a round of applause for the good job that they had done in holding those hearings.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. My only supplemental question is to the Minister of Municipal Affairs. Given that the Rocky View municipal council has voted rejecting the rezoning of the land for the power plant, what is the process available for the project owner and the citizens concerned?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. As I mentioned earlier, certainly the EUB decision will prevail over a local municipality ruling, but I would like to also indicate that if an agreement can't be reached, an appeal can be lodged with the Municipal Government Board. However, the Municipal Government Act does require the municipality and the actual affected party to try to mediate the situation, which of course is another option in terms of mediation. So having said that, again it's a quasi-judicial board. Clearly, in terms of approval the Minister of Environment also has played a key role, and he may want to supplement my answer as well on the importance of the environment.

Standing Policy Committees

MS CARLSON: Mr. Speaker, standing policy committee members are paid significant fees with tax dollars over and above their usual salaries. That means that these committees should be open, transparent, and accountable to all Albertans, as it is in other jurisdictions, yet it is the policy of this government to restrict access to these meetings, limiting membership to Conservative MLAs, and often prohibiting access to taxpayers, media, and to opposition MLAs. My questions are to the Premier. How can the Premier justify a policy topping up committee members' salaries with taxpayer dollars when they use these committees as just another internal caucus review committee?

MR. KLEIN: Mr. Speaker, SPCs are relatively new, since 1993 anyway, and they are government committees. They are standing policy committees that make recommendations to cabinet and therefore are government committees. The chairs of those committees, sitting on the front benches and in the seats across, can decide whether an item will be an open item on the agenda or will be an in-camera session. Ultimately, the decisions are made by the committee members, all of whom are government members, and those recommendations are carried via the committee chairmen or chairpersons to the cabinet table. So, clearly, it is the business of government, and I would remind the hon. member that she is not government. She is the opposition.

MS CARLSON: Mr. Speaker, I'll ask my question to the Premier one more time. How can the Premier justify a policy topping up committee members' salaries to the tune of more than \$20,000 for the chairs with taxpayer dollars when they use these committees as just another internal caucus review committee, as he just stated?

MR. KLEIN: Mr. Speaker, I would say that the chairs of the committees are paid extra because they work very, very hard and work long, long hours not only to convene and to run the meetings but to do all the research that is required on the various subjects that come before them. I would advise the hon. member that the vice-chair of each committee is a member of the cabinet, and there's absolutely no extra pay for that. All the members of the committee are members of this caucus, both cabinet members and private members, and receive no extra pay whatsoever for serving on those committees.

MS CARLSON: Mr. Speaker, once again I'll ask the question because the Premier refuses to answer it. How can the Premier justify topping up committee salaries with taxpayer dollars when they could take it out of their own caucus budget rather than as an additional burden on the taxpayers of this province?

MR. KLEIN: Mr. Speaker, the hon. member does not or refuses to understand the structure. This is not a caucus committee. These are policy committees. These are committees of cabinet, and the chairs of those committees report directly to cabinet.

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

Grasshopper Infestation

MR. VANDERBURG: Thank you, Mr. Speaker. I'd like to bring forward an agricultural issue, and I am an unpaid member that sits on the SPC on agriculture and municipal affairs. Last year farmers in my constituency had to deal with an infestation of grasshoppers due to severe drought conditions. With the dry winter and the expected drought farmers will be facing this year, grasshoppers are again posing a threat to our provincial crops. Tomorrow I'll be meeting with the Whitecourt-Ste. Anne agriculture advisory board, and I know this topic will be on the agenda. My question is to the Minister of Agriculture, Food and Rural Development. Can you tell me what the potential is for another grasshopper outbreak?

2:00

MRS. McCLELLAN: Mr. Speaker, there's no question that this was a huge concern in the agricultural community last year, and we had a widespread monitoring program working with municipalities, working with agricultural field men, agricultural service boards, and our own specialists. Unfortunately, the indications are that unless conditions change dramatically in the next short weeks, we will probably be faced with the worst outbreak we've had in 30 years. We came close to that last year. The area is expanding, and we would really like to see a very cold, wet spring to at least delay one of the hatches. Unfortunately, the ground was perfect for the laying of eggs and for them surviving over the winter, and the indications aren't very good for this spring.

MR. VANDERBURG: Mr. Speaker, again to the same minister: has your department identified areas of this province that will be hardest hit?

MRS. McCLELLAN: Mr. Speaker, we do have an indication of what the areas are, and with your permission I'll quickly go over them. The areas are west and southwest of Edmonton. It is not common to have large outbreaks in this area: the county of Yellowhead, the county of Parkland, Lac Ste. Anne, the county of Athabasca, Wetaskiwin. That's in addition to the areas that have had problems: Barrhead, Westlock, Smoky Lake, Bonnyville, and then, of course, down the eastern border of Saskatchewan across the whole south of Alberta.

So, Mr. Speaker, you can see by those projections that this is widespread. Obviously, these are hungry, voracious little insects, and they will move where the food supply is, so we're monitoring it very closely this winter.

THE SPEAKER: The hon. member.

MR. VANDERBURG: Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Red Deer-North.

Affordable Housing Agreement

MS BLAKEMAN: Thanks very much, Mr. Speaker. Four provinces and territories have already negotiated affordable housing agreements with the federal government. Close to half the pot is gone while the government is only expecting to complete negotiations sometime this year. My first question is to the Minister of Seniors. Why has this government dragged its heels to the negotiation table and given other provinces the opportunity to scoop the funds?

MR. WOLOSHYN: Mr. Speaker, if ever there was an effort at misinformation, you've just heard it. I'd like to point out that as of last August, through the lead of Alberta in the meeting of the housing ministers in London, Ontario, the federal government went back to the drawing board and actually drew up in consultation with the provinces a plan that was made to fit each province, not a one size that doesn't fit anybody.

That process was finalized at the end of November. Unfortunately, I was unable to attend the meeting. Out of that, four provinces, one of which had a previous agreement, signed on. The commitment is there for the Alberta government to receive some 67 million dollars over the next five years. The process of negotiation involved is quite lengthy in that we want to ensure that the money we receive is targeted to the areas that are most in need, whether it be geographic or social.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. Can the minister confirm, please, that the \$67 million figure that he's referring to would be the province's share of that federal money, or is the province responsible for putting in half of that \$67 million?

MR. WOLOSHYN: The \$67 million is the amount of federal money that would be directed to Alberta over the next five years.

MS BLAKEMAN: Thank you very much for that information.

My last question is back to the same minister. Given that there is a retroactive clause in the new agreement, will the minister confirm if the funding for affordable housing is new money or if it's funding that he's already announced for other previous programs?

MR. WOLOSHYN: Mr. Speaker, I'm not going to go into the details of the agreement that we are currently negotiating. All I'm going to say is that the agreement will be the best one that we can possibly get to ensure that we continually improve the housing situation of all Albertans, social housing, the homeless, and I would say that we've done an excellent job there, since we are being used as a plan for the rest of the country. Our community plans are being used as a basis for the homeless funding. When the time comes, when the agreement is finalized, it will be made public so that all Albertans can know what's contained therein.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Riverview.

G-8 Summit

MRS. JABLONSKI: Thank you, Mr. Speaker. The 2002 G-8 summit is approaching fast. Ever since Albertans first learned that the summit would be held in Kananaskis, there have been many concerns raised by Albertans about potential violence and destruction by demonstrators. My question is for the Minister of International and Intergovernmental Relations. What preparations and precautions will be in place to ensure the safety of the environment and those attending the summit?

MR. JONSON: First of all, Mr. Speaker, it's important to emphasize that the summit is a federal government responsibility. However, this is a very important event for this province, for its residents, and for people that will be visiting as heads of state and also in various other capacities. A number of Alberta government ministries are very much involved in the planning process to make sure our priorities as a province are going to be met.

I'm not, as I think can be appreciated, in a position to discuss specific security matters, but I can tell you that very strong linkages are established between various groups involved in the security of the summit, including the G-8 summit management office, the RCMP, the Calgary Police Service, and other security officials.

It's also, I think, very important to emphasize, Mr. Speaker, that there is very extensive contact being arranged with the local governments in the area and the citizens in the area that is impacted by this particular major event. Every effort is being made to put the planning in place in an effective way so that the summit participants are safe, so that there is as little disruption as possible in the ordinary business and activity of Albertans in the area, and also very important of course are the environmental considerations that have to be given to this event and its possible impact. Everything is being done to mitigate any damage there.

Also very important and, I think, showing the balance that is being worked on here: there is work being done to make sure that peaceful protest is provided for in a constructive way. We know that this is a major international event. We want it to be successful, I think, on behalf of the people of the province and the participants, and we're doing everything we can to work towards that result.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. My second question is for the Minister of Sustainable Resource Development. Given the dryness and forest fire dangers that Kananaskis experienced last year, what steps will be taken to protect the area from forest fires during the summit?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a very important question at this time because of the drought and low water levels out there and general dryness in the past five years in Alberta. But Alberta does have a very, very, excellent fire prevention program that we already, in fact, will be implementing tomorrow. On March 1 we will implement the fire prevention program. In fact, any individual that wants to start a fire will have to have a permit, and we've also encouraged the municipalities to try and consider permitting their applications for burning.

In relation to the G-8 summit itself, Mr. Speaker, we will be handling the fire suppression, fire prevention program the same as we did in the past. We will have the appropriate manpower available. We will have the appropriate equipment available. In fact, you know, when you look at last year's budget, it was over \$170 million. In the last five years, because of the dryness, we spent an average of \$150 million per year. We will continue doing that.

In relation to the specific question, we will continue monitoring the situation closely and take the necessary action that's required to make sure that the people are safe that are there.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. My third question is for the Minister of Community Development. How long will Kananaskis be closed to campers, kayakers, hikers, and ordinary Albertans during the summit?

2:10

MR. ZWOZDESKY: Mr. Speaker, the area in Kananaskis Country where the summit is occurring is actually the Evan-Thomas recreation area, and certainly that will be closed to the general public. That will include the golf course, three hotels, the RV site, and, I suspect, the ski hill area as well. But they will only be closed for about a week leading into the summit, and as soon as possible after the summit is over and concluded, then they will immediately be reopened.

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

PDD Boards

DR. TAFT: Thank you, Mr. Speaker. Last September this government came to an agreement with employees working in the PDD system that placed government employees at up to a 49 percent higher salary than community staff in the same jobs. In the past when this government settled with PDD workers, it provided PDD boards with the funds to cover the settlement. However, this year no additional funds were received, and the boards have had to struggle with these increases themselves. My questions are to the hon. minister responsible for PDD boards. Why has your government put PDD boards in an impossible bind by settling with workers and then not providing the dollars to support those settlements? Why are you downloading responsibility onto your boards?

MR. ZWOZDESKY: Well, Mr. Speaker, we're not downloading anything unreasonable here. What I would say to the hon. member is that we have asked for some co-operation during some very difficult times that were precipitated largely by the tragic events of September 11 last year, over which we had no control.

What I would like to remind the hon. questioner about is this. In the current budget we provided an increase of 9 percent to the PDD system, which is one of the largest increases to any government

department. We worked very hard to try and affix some of those dollars toward the wage disparity between the community agency workers and the government workers working in some of our institutional care centres and so on. So with the 1 percent reduction there still remains an 8 percent increase overall.

Now, specific to the issue of the wage disparity, that is an issue that I'm abundantly aware of because I did make that recommendation in the Building Better Bridges report, which most members here will remember. We did provide about \$23.4 million or thereabouts in additional moneys specifically for narrowing that gap. Those moneys went out to the community agencies, and to the best of my knowledge they were passed on to the workers. There will be a need to readdress this issue, and I will do that later.

DR. TAFT: Given that you've conceded there's a need to address the issue, then let's go back and ask: why have you reneged on your commitment initially in Building Better Bridges to "undertake the necessary steps to narrow the gap that exists . . . between agency/service-provider staff wages and government-employee staff wages"?

MR. ZWOZDESKY: Well, Mr. Speaker, there was no reneging at all. When I first authored the report and that particular recommendation, there was up to a 40 percent difference between what community agency workers were receiving and what government-employed workers were receiving. Through the increases that I just explained, which I believe started in the fall of 2000, we narrowed that gap from 40 percent down to 25 percent. So it was a recognition of the good and hard efforts that our community agency PDD workers provide, as do the government workers. However, given the recent settlements of 5 and 4 through the AUPE channel, that gap has grown a bit, and I will be looking at how to best address that, as I've already indicated.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Then is the minister committing to providing adequate funding to the PDD boards to not only cover increases in government employee wages but also to narrow the gap between government employees and service-provider staff? Is that a commitment?

MR. ZWOZDESKY: Well, Mr. Speaker, the government-employed individuals in the PDD system will be receiving obligatorily the 5 percent and the 4 percent. The other piece, which is the community agency workers, is what we're working on right now. There will be a new budget tabled, and the hon. member will have to just be patient, as will all members, to see what that budget contains.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Innisfail-Sylvan Lake.

Health Care Premiums

MR. MASON: Thank you very much. Yesterday the Premier tied himself in knots trying to justify health care premium increases while posing as a tax cutter. A duck is a duck is a duck, Mr. Speaker. To the Premier: if an increase in health care premiums is not a tax increase, can he assure Alberta's taxpayers that they won't have to pay such an increase?

MR. KLEIN: No. I can't give that assurance at all, but I can give the assurance that a health care premium is a health care premium is a health care premium. So if it looks like a premium and it acts like

a premium and does what a premium is supposed to do, it must be a premium.

MR. MASON: Does the Premier agree that tax increases and health care premium increases both come out of the same pocket of the taxpayer?

MR. KLEIN: Of course it all comes out of the same pocket. I mean, it reminds me of a former member of this Legislature, long since deceased, who said: there's only one taxpayer, you and me. Mr. Speaker, certainly it all comes out of the same pocket. But the simple fact is that there is a difference between a tax and a premium. First of all, with premiums you can be selective as to whom the premiums apply, as we have been selective in this government by shielding those who cannot afford to pay premiums from paying premiums, by shielding seniors and other people in unfortunate circumstances.

Another factor relative to premiums, Mr. Speaker. Unlike a payroll tax, unlike a tax, it clearly points out that there is a cost associated with health care, and one of the fundamental problems as it relates to the sustainability of health care is the perception by some that health care is somehow free . . .

MR. MAR: It's 18 million bucks a day.

MR. KLEIN: . . . when in fact it costs, as the minister points out, \$18 million a day. I would point out that premiums only cover 11 percent of insured services, but at least it demonstrates that there is a cost associated with the delivery and the maintenance of health care.

MR. MASON: Mr. Speaker, the Premier in response seems to be having difficulty telling the difference between a tax and a premium. Once again to the Premier: why is he having so much trouble explaining the difference between a tax and a premium?

MR. KLEIN: I am not having any difficulty whatsoever explaining the difference between a tax and a premium. The problem we have in this Legislative Assembly, Mr. Speaker, is the hon. member, who has a very serious problem in understanding what I'm saying.

Speaker's Ruling Exhibits

THE SPEAKER: Exhibits are not normally the case for decorum in the Assembly. I would invite the hon. member to attend the Speaker's suite this afternoon. There is a beautiful bathtub there. He can take his two rubber duckies and play as he wants to.

The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Edmonton-Glengarry.

Bighorn Wildlife Recreation Area

MR. OUELLETTE: Thank you, Mr. Speaker. I've been getting an abundance of letters on the Bighorn country. I've also attended a few public meetings held on access to the Bighorn area. What I'm hearing from the majority is that they are concerned that the use of mechanized vehicles, as in off-road vehicles, quads, snowmobiles, et cetera, would be banned in the area. So the question is to the Minister of Sustainable Resource Development. Are there any plans to ban off-highway vehicles or snowmobiles from the Bighorn recreation area?

THE SPEAKER: The hon. minister.

2:20

MR. CARDINAL: Thank you very much, Mr. Speaker. A similar question came up in the House yesterday, but I'll try and expand on my answer to try and clear up the issue for the member and Albertans.

Mr. Speaker, the Bighorn backcountry is about a 4,000 square kilometre area in southwest-central Alberta. Eighty percent of the area is presently zoned as a prime protection and critical wildlife zone. In fact, there is so much interest in the area that it was recommended to be designated under the special places program. The committee that reviewed it, in fact, at the time – this is very, very important – recommended that it should not be designated in the special places program, that a committee would be set up, and the committee then would develop some form of an access plan for all the interested users in the area. Since then we've set up a committee of 15 members, also involving six different departments, to ensure that as we move forward with this plan, it deals with all interested users including the recreation users you mentioned, the environmentalists, wildlife interests, et cetera.

MR. OUELLETTE: My second question to you. I'm not fully understanding what direction your department is going, and I really just have a simple question: are they in or out?

MR. CARDINAL: Mr. Speaker, the recommendation – and I've said this all along. There is enough land in that area. There is enough interest by various interest groups to utilize the area. What I've suggested is that the end result will be a balance between environmental management and other users, including industrial development.

THE SPEAKER: The hon. member.

MR. OUELLETTE: That's fine. Thank you.

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

Heritage Savings Trust Fund

MR. BONNER: Thank you very much, Mr. Speaker. My first question is to the Minister of Revenue. Yesterday you appeared at odds with the Minister of Finance over whether or not the heritage fund should be liquidated to pay off the remaining debt. Is it the position of the minister to use the heritage fund to pay off the debt early even though it has been noted that it would be costly to do so?

MR. MELCHIN: We continue to look at the mandate of the Alberta heritage savings trust fund as to how we maximize its value and its potential for savings for Albertans in the future. When we talked about that review, it was not a discussion about how to spend it or how to chop it up or how to get rid of it. It was always about how you ensure that it's there for the intended purposes for which it ought to be there for the future.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. My next question is to the Minister of Finance. Is it the position of the minister to liquidate the heritage fund to pay off the remaining debt by the centennial in 2005?

MRS. NELSON: Well, Mr. Speaker, we've laid out a fiscal plan for

this House. We've debated it here. Those kinds of debates have to take place in this Legislature in the longer term, and they haven't come to the floor of this House.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Again to the same minister: can this minister assure Albertans that their prized nest egg and the legacy of Peter Lougheed will not be blown on a burn-the-mortgage party in 2005 as a legacy of the current Premier?

MRS. NELSON: Well, Mr. Speaker, the nonsense that comes out of this hon. member is unbelievable. It's been demonstrated all day again.

Quite frankly, the heritage trust fund has been extremely beneficial to the financial stability of this province. It has not only been the financial backing of the province during the good times but in the very difficult times that we experienced from the mid-1980s through the mid-1990s. It has also been a vehicle that has provided a stream of revenue to the general revenue fund that has helped us ward off some of the costs as we were rapidly paying off our debt to get us into a better fiscal position. So to thwart or be loose about the future of the heritage trust fund I think is irresponsible and unfitting because that fund is reviewed by an all-party select committee of this legislature that makes recommendations as to the future of the fund. I used to be a member of it myself, Mr. Speaker, as I'm sure most members in this Legislature have at one point or another. The long-term plans of the fund are to be reviewed on an ongoing basis, as is the case with any of the funds that come before this Legislature, but there is an all-party committee that does just that and brings recommendations forward on an annual basis.

The Minister of Revenue is also responsible to make sure that the fund performs well, and quite frankly it has done extremely well. I am very pleased with the performance of this fund, particularly in a year when we have seen some very difficult economic market conditions. This fund has performed very well for Albertans.

So the hon. member in my view, Mr. Speaker, is out of line, he's frivolous, and he's out of tune.

head: **Members' Statements**

THE SPEAKER: Three hon. members today will participate in Members' Statements, but prior to arriving at that very important juncture in the Routine, let me just advise all hon. members that today is the 43rd anniversary of the birth of the Minister of Municipal Affairs.

The hon. Member for Wetaskiwin-Camrose.

Viking Cup

MR. JOHNSON: Thank you, Mr. Speaker. History is full of examples of where sport and cultural exchanges have nurtured understanding and goodwill between people of different national backgrounds and political persuasions. This has been demonstrated over the last few weeks as the world has been focused on the pinnacle of sport and intercultural activity, the Olympics. Here in Alberta in my constituency a youth sporting and cultural event, the Viking Cup, has been taking place biennially for the past 22 years with long-lasting benefits.

This tournament began as an idea generated on a wobbly train carrying the Augustana University College Viking team from Leningrad to Helsinki as part of a hockey tour in 1979. This led to the first Viking Cup international tournament with teams from Finland, Sweden, and Canada in Camrose in 1980. The event is

sponsored by Augustana University College in partnership with the Camrose and Wetaskiwin communities and involves over 400 dedicated volunteer workers and approximately 100 billeting families.

The 10-team tournament is known worldwide for its quality; 233 Viking Cup players have been drafted by the National Hockey League with approximately 50 players currently playing in the National Hockey League. Twenty-four players of the Viking Cup played in the Salt Lake Olympics.

The Viking Cup has been won by national junior teams from Finland twice, Czechoslovakia with Dominic Hasek in 1982, Russia, U.S.A., as well as Canadian teams from NAIT twice, University of Alberta, McGill University, University of New Brunswick, Saskatchewan junior all-stars, and finally in January at Viking Cup 2002 the Augustana Vikings became the Viking Cup champions for the very first time. The Viking Cup has produced many winners and champions, but more important it has generated a spirit of friendship, understanding, and goodwill amongst its numerous participants.

Thank you.

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

Provincial Fiscal Policies

MR. MacDONALD: Thank you, Mr. Speaker. We live in the most prosperous province in Canada, but this government continues to mismanage our financial resources at an alarming rate. Only two years ago we had an over \$5 billion surplus, but a large percentage of it was blown on pre-election spending. While a few benefited by the government's wild spree, a whole segment of society was ignored and still suffers from the government's neglect today.

Alberta's programs and benefits for things like assured income for the severely handicapped and supports for independence are paid lip service by the government but little else. The Minister of Human Resources and Employment appointed a low-income review, but where is it? Every week calls come into my office and to my colleagues', but still there is nothing to be heard on this review. The government knows what it really needed to do is allocate more resources, yet they won't give this review priority over something like horse racing or gambling. So with inflation and the cost of living and as utility rates go up, benefits for the most vulnerable in our society stay the same, and with that, they fall further behind in the most prosperous province in Canada.

What are our priorities? Where is all the money going? Why can't those who need it the most to afford to live in our ever increasingly expensive cities get some needed help from the government?

2:30

In fact, the money is going the other way. As the third-quarter update shows, \$34 million allocated for programs like SFI was not spent and therefore goes back to the government to help balance its budget and increase its surplus. The year before, about \$13 million went unexpended in programs. How much could the benefits offered in these programs have been increased with that money, Mr. Speaker?

Only a decade ago we were hearing the same rhetoric we hear now about tightening our belts, making cuts, and raising taxes. One thing that has not changed in the last 10 years is this government's inability to budget.

Thank you, Mr. Speaker.

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

Jennifer Heil and Don Bartlett

MR. HORNER: Thank you, Mr. Speaker. It gives me great pleasure today to rise and give praise to two extraordinary world-class athletes from Spruce Grove who showed their stuff at the Olympics and came out on top.

Jennifer Heil is a vivacious young downhill skier who caught the world's eye over the past year, blowing through the competition in several World Cup events, and is currently ranked ninth in World Cup moguls. She represented Canada beautifully in the freestyle skiing in Salt Lake over the past few weeks where she narrowly – and I mean narrowly – missed a bronze medal by a fraction of a point. All of Alberta was watching in awe as we saw our amazing athlete post jumps with higher degrees of difficulty than any other skier in the competition. We're all very proud of Jennifer and can't wait for the snow to fly in the years to come to watch this young lady take skiing to new heights.

I would also like to say congratulations to the lead of Kevin Martin's curling team, Don Bartlett, who, as I have been told, bound the team together as only one of the best leads in the country can do. Don and Kevin Martin work like a fluid machine out on the ice. We all thoroughly enjoyed watching some intense games. Don has worked with Kevin since 1989, and their ability to curl so well together certainly shows. We're excited about the silver medal Don and the curling team was able to play a key part in obtaining for Canada in men's curling.

Spruce Grove-Sturgeon-St. Albert extends a huge congratulations to both Olympians as they made us so proud that they were representing us and Canada in Salt Lake.

Thank you, Mr. Speaker.

head: Notices of Motions

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I give notice that immediately after the daily Routine I will move as follows: "Be it resolved that the Legislative Assembly affirm the importance of open access to reading material by recognizing February 24 to March 2, 2002, as Freedom to Read Week."

Thank you.

THE SPEAKER: I believe the hon. member would want to do that under a Standing Order 40 provision. Is this correct?

MS BLAKEMAN: Yes. Thank you.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Well, thank you, Mr. Speaker. Normally at this time I'd be moving a motion that written questions and motions for returns stand and retain their places, but there are none on the Order Paper. I thought I'd better make that mention in any event so that the House was aware of the need for that.

head: Introduction of Bills**Bill 202****Environmental Protection and Enhancement
(Clean-up Instructions) Amendment Act, 2002**

MRS. JABLONSKI: Mr. Speaker, I request leave to introduce a bill being Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002.

[Motion carried; Bill 202 read a first time]

**Bill 203
Gas Flaring Elimination Act**

MR. MASON: Mr. Speaker, I request leave to introduce Bill 203, the Gas Flaring Elimination Act.

[Motion carried; Bill 203 read a first time]

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was tabled with the Office of the Clerk: Alberta heritage savings trust fund third-quarter update, 2001-2002 quarterly report.

MRS. McCLELLAN: Mr. Speaker, for the interest of particularly the rural members of the House but I know all, I would like to table some very good maps that show the grasshopper infestation forecast for the prairie regions.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to table two articles in response to a question yesterday from the Member for Vermilion-Lloydminster, who was surprised to hear of Enron's involvement with the U.S. government. The first article is entitled Enron for Dummies, and the second is an in-depth research article on exactly that topic.

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

DR. TAFT: Thank you, Mr. Speaker. I rise with two tablings today. First of all, I'd like to table a set of letters expressing concerns over education funding and classroom size written, one, by Greg Balanko-Dickson, another by Dianne Gazdewich, another by R. Moore and the Moore family, and the fourth by Jeff Goth.

I would also like to table an extraordinary document called Making Medicare Better, a discussion paper by the Alberta Liberal caucus on how to improve Alberta's health care system.

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

MS CARLSON: Thank you, Mr. Speaker. My tablings today with the appropriate number of copies are letters from Albertans, five who are in support of teachers in the current negotiations. They are David Sloan . . . [interjection] Don't worry. I've got hundreds more coming. We'll just bring in a few a day.

They are David Sloan, Pat Eeckel, Norman Blais, Corinne Whelan. Lorie Welk and Lyle Weis, a businessman from Medicine Hat, are both concerned about how the government has handled the teachers' strike.

Thank you, Mr. Speaker.

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

MR. BONNER: Thank you, Mr. Speaker. With your permission I have a number of tablings today. The first one is a bookmark put out by the Alberta Teachers' Association: "Public education benefits everyone . . . By accepting students from all backgrounds, public education prepares children to participate in a democratic society."

The second tabling, Mr. Speaker, is a handout I got when the Edmonton Catholic teachers picketed my office to support Edmonton public teachers, and it listed the conditions as to why there was job action taken by teachers.

The third tabling is titled *Why Not Become a Teacher?* It goes on to state that “there is a critical shortage of Chemistry, Physics & Mathematics teachers in North America and around the world.”

My last tabling, Mr. Speaker, is a notice about a public forum to discuss the teachers’ strike which was held on Friday, February 15, at the University of Alberta. It lists representatives from the ATA, parent groups, the Public School Boards’ Association, a Liberal MLA, an ND MLA. Unfortunately, no members of the Tory caucus would show up for this.

Thank you.

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

MR. HANCOCK: Thank you, Mr. Speaker. I’m pleased to table on behalf of the Minister of Community Development, responsible for provincial libraries, five copies of an excerpt from the Library Association of Alberta’s February 2002 magazine which elaborates on activities and purposes related to Freedom to Read Week, which is being celebrated this week throughout our province.

Also on behalf of the Minister of Community Development I’m pleased to table his congratulatory letter to the Library Association of Alberta acknowledging their good efforts in this regard.

THE SPEAKER: The hon. Member for Banff-Cochrane.

MRS. TARCHUK: Thank you. As chair of the Standing Committee on Legislative Offices I would like to table five copies of the financial addendum to the report of the Chief Electoral Officer, 2000 provincial confirmation process, and the Monday, March 12, 2001, provincial general election of the 25th Legislative Assembly.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first one is a letter dated February 13, 2002, from myself to the Minister of Energy, and it is in regards to questions about the composition of the 11-member EUB Advisory Committee.

My second tabling this afternoon is a letter that I received at the constituency office from the King Edward Child Care Society. The King Edward Child Care Society is very concerned about the elimination of the \$15.6 million day care operation allowance by this government.

Thank you, Mr. Speaker.

2:40

head: **Projected Government Business**

THE SPEAKER: The hon. Opposition House Leader.

MS CARLSON: Thank you, Mr. Speaker. I would ask that the government now share the projected government business for next week with us.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Obviously, there’s some tentativeness to the agenda for next week given that we’re in the first week of the session, but Monday afternoon, of course, under the revised Standing Orders would be private members’ business for the most part. At 9 p.m., depending on the pleasure of the Legislature this afternoon, we will possibly be dealing in Committee of Supply with supplementary estimates and then may request unanimous consent to revert to Introduction of Bills to introduce Bill 8,

Appropriation (Supplementary Supply) Act, 2002; failing that, as per the Order Paper.

Tuesday, March 5, in the afternoon under Government Bills and Orders for second reading bills 1, 4, 2, 3, 5, 8, and as per the Order Paper. Tuesday, March 5, at 8 in the evening under Government Bills and Orders address in reply to the Speech from the Throne and second readings on Bill 8 and Bill 1 and thereafter as per the Order Paper.

Wednesday, March 6, in the afternoon second reading of bills 7, 9, 10, 11, and as per the Order Paper. At 8 p.m. under Government Bills and Orders address in reply to the Speech from the Throne, Committee of the Whole on bills 8 and 1, and second readings as per the Order Paper.

Thursday afternoon under Government Bills and Orders third reading of Bill 8, second reading of any that remain on the Order Paper, and address in reply to the Speech from the Throne.

head: **Motions under Standing Order 40**

THE SPEAKER: The hon. Member for Edmonton-Centre on a Standing Order 40 application.

Freedom to Read Week

Be it resolved that the Legislative Assembly affirm the importance of open access to reading material by recognizing February 24 to March 2, 2002, as Freedom to Read Week.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I had given the notice of motion earlier and had read the motion into the record.

Now, this is the 18th annual Freedom to Read Week. The members of the Book & Periodical Council Freedom of Expression Committee reaffirmed their support for intellectual freedom guaranteed by the Charter of Rights and Freedoms and acknowledged the ongoing commitment of Canadian writers, publishers, librarians, educators, and booksellers to support intellectual freedom and to be vigilant.

Mr. Speaker, books and magazines are banned regularly at the border.

THE SPEAKER: Hon. member, please, just explain the urgency of it. We’ll decide whether or not we go on to the debate.

MS BLAKEMAN: Thank you for your wise counsel.

There are three points that I’d like to make on pressing or urgent necessity. The first is that this is the week that has been designated in Canada as Freedom to Read Week. We were not able to bring up this Standing Order 40 motion prior to today with the throne speech and other business that’s been scheduled. This has been the first opportunity to do it, and if we don’t do it today, the week passes from us.

Secondly, usually the Ministry of Community Development would have given some sort of information bulletin on the importance of this particular week. I have checked the government web sites, and there has been no information bulletin that has come out. Therefore, there’s been no information disseminated by this government either on the content or the importance of Freedom to Read Week.

Thirdly, we still have problems about access to reading material here in Alberta. In one e-mail that I had, they were talking about an incident where a vandal mutilated books from a gay and lesbian section at a Chapters bookstore and then moved them to another section of the bookstore so that people couldn’t get at them and read them. Chapters thankfully reacted by putting them on display, but

we still have issues every day, often quietly, where books are removed from libraries and bookshelves in Alberta, and the importance of that issue needs to be addressed.

So I think these are compelling reasons, Mr. Speaker, and with respect I think we need to show our leadership, as we are all elected leaders in this Assembly and it's not a matter of one member giving a private member's statement. I think it's important that we join together and that each of us in this Assembly signals our support and affirmation for Freedom to Read Week.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, under a Standing Order 40 application the proposer of the motion is afforded the opportunity to put arguments forward with respect to urgency. The decision to proceed is a decision of the Assembly, and it requires unanimous consent of all members of the Assembly to proceed.

[Unanimous consent denied]

THE SPEAKER: Hon. Government House Leader, a point of order?

**Point of Order
Standing Order 40 Motions**

MR. HANCOCK: Yes, Mr. Speaker. Under the Standing Order which provides that in the absence of a rule you have the right to make a ruling, I would like to raise a point of order on the last Standing Order 40. Bringing up a Standing Order 40 does not allow for a discussion of reasons as to why one might give unanimous consent or not give unanimous consent, and therefore the only opportunity that I have to deal with it is under this particular section.

I would not at any time suggest that a member does not have the right to bring up a Standing Order 40 under the rules. However, the bringing in of Recognitions into our Standing Orders started, as you might recall, through a House leaders' agreement which was an effort to make sure that private members in the House had an opportunity to recognize events and people that were important to our community. The clear understanding at the time was that we were bringing in Recognitions as a way of avoiding the need for the House to deal with these sorts of recognitions, which are very, very important to all Albertans but to do it without the need of an emergency debate and without detracting from Standing Order 40 and Standing Order 30, which allow for debates of issues of an emergency or an urgent matter. Therefore, it should not be taken by a negative vote in this House on a Standing Order 40 that anyone is denying the importance of the issue which has been raised but, rather, that Recognitions themselves were brought into the House under a House leaders' agreement, and they're now embedded in our Standing Orders for precisely this purpose.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie on this point of order.

MS CARLSON: Absolutely. There is no point of order, Mr. Speaker. The Government House Leader was simply looking for an avenue to bring forward his argument in terms of why this Standing Order 40 shouldn't have gone forward. In fact, my colleague from Edmonton-Centre made a very good argument on the pressing nature of this particular issue. This government had all week to bring forward this issue, and they have not. We have not seen it come forward in any other venue. Therefore, this is the last opportunity of the sitting of this week to bring forward what is, in fact, an urgent and pressing matter for all of us and is a matter that has not ever

been given unanimous consent in this Legislature, certainly in the time that I have been here, which is now nine years.

MR. MASON: Mr. Speaker, I would observe that an apology is not a point of order.

THE SPEAKER: Well, hon. members, there's some validity to the argument put forward by the hon. Government House Leader about the historical development of Recognitions and Members' Statements, but that does not preclude an hon. member from coming forward with a suggestion that he or she may have with respect to a Standing Order 40.

The chair would like to point out again, though, that the following is also true, and this is the 28th day of February. February is and was Black History Month. February is and was Heart Month. February is and was Potato Month. On behalf of all Members of the Legislative Assembly the chair will provide recognition for those three very important events in the month of February.

The chair would also like to point out that the year 2002 is the International Year of Mountains and the year 2002 is also the International Year of Ecotourism.

When we arrive in March, the chair will provide members with an update of what March is all about.

2:50

head: **Orders of the Day**

Transmittal of Estimates

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: Hon. members, the Lieutenant Governor transmits supplementary estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2002, and recommends the same to the Legislative Assembly.

Please be seated.

The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I have transmitted to you the messages from Her Honour the Honourable the Lieutenant Governor and also filed five copies of the supplementary estimates with the Legislature.

head: **Government Motions**

- Mrs. Nelson moved:
Be it resolved that the Assembly do resolve itself into Committee of Supply, when called, to consider supply to be granted to Her Majesty.

[Government Motion 4 carried]

- Mrs. Nelson moved:
Be it resolved that the message of Her Honour the Honourable the Lieutenant Governor, the 2001-02 supplementary supply estimates, No. 2, for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 5 carried]

- Mrs. Nelson moved:
Be it resolved that pursuant to Standing Order 58(9) the number of days that Committee of Supply will be called to consider the 2001-02 supplementary supply estimates, No. 2, for the general revenue fund shall be one day.

[Government Motion 6 carried]

7. Mr. Hancock moved:

Be it resolved that the Assembly resolve itself into Committee of the Whole, when called, to consider certain bills on the Order Paper.

[Government Motion 7 carried]

head: **Consideration of Her Honour
the Lieutenant Governor's Speech**

Mr. Horner moved that an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows.

To Her Honour the Honourable Lois E. Hole, CM, Lieutenant Governor of the province of Alberta:

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

[Adjourned debate February 27: Ms DeLong]

MS DeLONG: Mr. Speaker, it is my pleasure today to reply to the Speech from the Throne delivered by Her Honour the Honourable the Lieutenant Governor. The Speech from the Throne, like no other event, sets the tone for the goals and the obligations of this Legislature and the government of Alberta. I am very proud to know that we are continuing to face the future bravely and that we are constantly moving forward. Some of the themes that Her Honour the Honourable the Lieutenant Governor addressed are of extreme importance to my constituents and also bring a sense of the great challenges and opportunities that the next year will bring to Albertans.

Mr. Speaker, I know that the mandate of this government remains the same: stay the course of fiscal responsibility while maintaining excellence in programs and services that are most important to Albertans. It can sometimes be a tall order, and there will always be naysayers, but this government has consistently delivered a focused, reasoned, and progressive approach to achieving the directives of the people. We will continue to do this with the vigour and innovation that has become the hallmark of this government and all Albertans.

As noted in the Speech from the Throne, what Albertans can be very proud of is a booming economy in spite of tumbling financial markets across the globe. While other economies are speaking of job cuts and recession, Alberta has posted a growth rate of 4 and a half percent through 2001 with no fewer than 45,000 new jobs created over the year. Albertans are confident in their economy because they have confidence in this government that facilitates economic growth through the lowest tax levels in the country for individuals and businesses. We have won the trust of Albertans as the stewards of their tax dollars towards the goal of sound fiscal management, and it is seen in consumer confidence that only serves to drive the economy even further.

Although estimates for 2002 are more conservative in terms of job creation and economic growth, I have no doubt that Alberta will once again surpass expectations. Just a few weeks ago several Alberta cities were cited in a KPMG study for having the lowest cost of doing business in the world. This combined with some of the best trained and most highly motivated, ambitious workers adds up to an Alberta advantage that will continue to attract greater and more diversified investment into the Alberta economy.

Because Alberta has been a world leader in the sound management of its finances over the past decade, we are in a far better position at this time of economic downturn. Some economists have said that Alberta was lucky to have paid down its debt during times

of steady revenues and low interest rates. This had, of course, absolutely nothing to do with luck. It had much more to do with the willingness of Albertans to sacrifice over the short term for the sake of their children and their children's children, a sacrifice that is showing real benefits to Albertans already.

Now at a time of extraordinary market uncertainty in the shadow of the tech bubble bursting, the terrorist attacks of September 11, and the corruption scandal of Enron, Alberta's prospects are bright. My constituents recognize the importance of strong fiscal leadership and the preservation of the good things we have built here in Alberta. Investors across the globe are scrambling to find safe, secure investments, and at the top of the list with a triple A credit rating is Alberta.

Although being fiscally prudent in the good times helped us to prosper, that prosperity has extended itself into current bear markets and has positioned Alberta to lead Canada's economic recovery. We are more than ever in a position to realize a standard of living for all Albertans that will only serve to perpetuate our excellence.

I know as do all Albertans that the adjustments to tumbling oil and gas prices are a necessary consequence of the new global economic realities. It brings me great pride and satisfaction to know that although Alberta is fiscally strong, we only strive to reinforce this sound footing by attracting new investment and innovating in the delivery of the best and most cost-effective programs.

Her Honour the Lieutenant Governor also discussed a very important aspect of living in Alberta: that we maintain safe and strong communities. It's one of the most important functions of government, to protect the security and well-being of our citizens, and again we're addressing new challenges in law enforcement with innovative, straightforward, and practical solutions that involve all Albertans.

Our efforts are increasingly effective, and our crime rates are now at the lowest level since 1985. Our overall crime rate is the lowest in western Canada, but again we're not willing to rest on our laurels. Through new and innovative models of service delivery, such as the provincial organized and serious crime strategy, youth justice committees and alternative measures programs, and youth attendance centres, we are fulfilling our mandate to keep Albertans safe while not breaking the bank. Even through our most turbulent hour we are continuing to tend to our responsibility to all Albertans. As Her Honour mentioned, anyone can steer a ship through calm seas, but it takes strong leadership to steer through rough waters.

3:00

In response to a very real need for greater service levels we are quickly responding to our obligations to our children and seniors with increased funding and greater focus on these key priority areas. Through the youth in transition policy framework Alberta will continue to be an excellent place for all children to come of age and become strong contributors to the society that has cared for them. Mr. Speaker, the youth in transition policy framework will guide cross-ministry program development of youth progressing to adulthood. Through the framework Alberta's youth will be one of the priorities of government ministries, and youth will be involved in determining the future direction of goals and business plans. The framework seeks to ensure that youth acquire the knowledge, skills, attitudes, and abilities to live happy, healthy, fulfilling lives that contribute positively to society, that youth are safe, supported, and connected to caring peers and adults, and that youth are involved in and have access to a wide range of flexible services that meet their diverse and unique needs.

Of equal importance to my constituents is that we continue to respect our obligations to Alberta's seniors. I was heartened to hear

that we will continue to provide base supports for our seniors to live out their lives in comfort and dignity. As we develop a plan for the future, our heritage must continue to play a key role in the social and cultural development of the province. It is of the utmost importance that our seniors be regarded as a backbone of who we are as a people and that there be safeguards for their wellness, including affordable housing, accessible health care, and a strong base level of financial support. Our commitment to Alberta seniors to ensure that they share in the Alberta advantage serves to bolster the feelings of respect all Albertans have for seniors and each other.

Mr. Speaker, I am very proud of what we have accomplished as a government over the past year. I know that my colleagues share the pride that I have to be part of a strong team with the extraordinary leadership of our hon. Premier. I look eagerly forward to the Second Session and fully expect that we will continue to realize the goals of this government: to meet the core needs of Albertans while managing the province's finances responsibly.

Thank you.

THE SPEAKER: Before I, then, call on the hon. Member for Red Deer-North, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

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

DR. TAFT: Thank you, Mr. Speaker. It's with great pleasure that I stand on behalf of the Member for Edmonton-Centre to introduce a group from Norquest College. They are accompanied by a couple of leaders, Mr. Cap Tiege and Miss Catherine Schmitz. There are in total I think 24 people in the group. I welcome them through you to the Assembly, and I'd ask them to rise and receive the warm welcome of all MLAs assembled.

Thank you.

head: **Consideration of Her Honour the Lieutenant Governor's Speech**

(continued)

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Mr. Speaker, I beg leave to sit down so that the hon. Member for Drayton Valley-Calmar can do his speech.

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

REV. ABBOTT: Thank you, Mr. Speaker. All right. Thank you for the opportunity to rise today and respond to the Speech from the Throne. I would like to begin today by congratulating Her Honour the Honourable the Lieutenant Governor for her grace and dedication to this province. It is always a pleasure when she attends this Chamber but even more so when she delivers the Speech from the Throne.

I would also like to take this opportunity to congratulate Her Majesty the Queen on over 50 years of duty and service to our province, our nation, and our Commonwealth. Her honoured commitment to service and duty has served this province well, and I know I join all members of the Assembly in wishing her many more years of continued success and happiness.

As Her Honour outlined on Tuesday, Alberta's future remains strong and vibrant in spite of new threats and challenges to our

prosperity and way of life. Literally thousands of Albertans participated in our recent Future Summit through regional forums, on-line surveys, and mail-in workbooks. We confidently plan for a bright future in Alberta looking five, 10, even 20 years down the road. I'm proud to say that many residents of Drayton Valley-Calmar contributed some great ideas that will undoubtedly shape policy and planning in the coming years.

Yes, Mr. Speaker, the future is coming. As the men and women of our proud armed forces are deployed around the world to protect and maintain our way of life, I wish to join the chorus of Canadians giving thanks to these brave soldiers and their families for their bravery and sacrifice. I am confident that those military men and women trained here in Alberta will serve us well. The threats that we face can never overcome the potential and ability that we Albertans have always had to meet adversity with fortitude and new risks with optimism.

A perfect example of this spirit can be found in our agricultural sector, a sector that is vital to Alberta's health but one that faces both new challenges and opportunities. Mr. Speaker, Alberta is the second largest agricultural producer in Canada, with 23 percent of Canada's farm cash receipts despite having only 10 percent of the country's population.

Alberta is also the largest beef-producing province in Canada, as you well know, Mr. Speaker, with 41 percent of the national herd. This province is renowned for its food safety and quality products. Who hasn't heard of Alberta beef? Who hasn't tried it and loved it? The farmers and ranchers of Drayton Valley-Calmar produce some of the finest cattle in the province. Preliminary figures for farm cash receipts for the 2001 calendar year show a new record of just over \$8.2 billion, consisting of \$5.1 billion in livestock and livestock product sales, \$2.3 billion in crop sales, and \$862 million in direct program payments.

As we become even more innovative in areas such as the proposed cervid harvest preserves and other brand-new value-added sectors, this number will soar even higher, Mr. Speaker. Alberta boasts an estimated 500 food and beverage firms, forming the single largest manufacturing sector in the province. In 2000 the value of shipments of manufactured food and beverage products reached a record \$9.2 billion. Preliminary figures point to \$10 billion in shipments for 2001. That's 9 percent growth in this sector for the year.

Food sales from grocery stores topped \$7 billion in 2001, while restaurant, caterer, and tavern receipts totaled just over \$4.5 billion. The average Alberta household spends \$6,500 a year on food. Now, that's more than 10 percent of the average household budget. I know, Mr. Speaker, that it looks like some of us spend more than others, but as outlined in Her Honour's speech, Alberta Health and Wellness will address this issue also.

As well, Mr. Speaker, Alberta's exports reached an estimated \$5.8 billion in primary and processed agrifood products in 2001 sold to 110 countries around the world: again, a new record, an almost 10 percent growth from the previous year. Just over 54 percent of exports went to our friends in the United States.

These are incredible statistics from a vibrant and dynamic industry, but our agriculture industry also faces challenges, challenges that we can't necessarily control, Mr. Speaker. Weather experts from across the province are predicting another dry season. This could result in extended drought conditions, and I'm very pleased that the government will implement the agriculture drought risk management plan. This plan will help producers access timely and cost-effective response measures if needed. The plan will also allow for the province to better assess the impact of any drought on the farm economy in our rural communities.

I'm also proud, Mr. Speaker, that this government has committed

to facing the challenges in providing health care to Albertans in the 21st century. The report of the Premier's Advisory Council on Health has provided a solid and balanced framework on which to build reform. In accepting the recommendations, this government is taking sound and prudent action to build a health care system that will meet the needs of our children and our grandchildren: sustainability. As her honour said, it is to the betterment of people's health and the province's health that the government of Alberta dedicates itself in 2002.

3:10

In building a positive health care infrastructure and network, reform must be approached from many different directions. We must look at the way we use the system and how health boards provide services. We must examine the role of health care professionals as well as the role of individuals using the system. We must not shy away from looking at how we pay for health care and how we spend our health care dollars. The people of my constituency believe in dollar stretching and prudent spending in all areas of government, Mr. Speaker, even health and education. We are in a time of constraint, and efficiencies must be found.

Now, we also face challenges in the economy as a whole, but again, Mr. Speaker, Alberta is not only positioned to meet these challenges; we will come through them stronger and better than before. A stagnant global economy has affected us all, yet Alberta remains in the best fiscal position of any province. Our economy continues to grow, and that growth will allow this province to continue to address Albertans' key priorities. These priorities include sound fiscal principles, principles that demand balanced budgets, payment of the debt, and lower taxes for both individuals and corporations. Small business tax cuts are of paramount importance, as these will allow more jobs to be created at higher salaries.

These prudent fiscal policies do not mean that we should not or cannot invest in the basic responsibilities of government. Rather, our fiscal principles will enable us to build the roads, the highways, and the infrastructure that will fuel our continued economic success. Our roads are our wealth creators, Mr. Speaker, and our fiscal principles will allow us to invest in the growth, the health, and the security of our citizens so that they can pursue their own individual agendas and pursuits. Our fiscal principles will allow us to ensure that our people will be educated and ready to meet whatever new opportunities or challenges await them that we cannot yet see. We will continue to turn out the top-ranked students in the world from our basic and advanced education systems.

Despite all the gloom and doom talk of opponents, naysayers, and special interest lobbyists, this province, Mr. Speaker, stands at the forefront of fiscal prudence and responsibility. We are ready to eliminate our debt completely within years, not decades. No other province can yet plan for that time when they overcome their debt, but I am proud to say that we can. This is a remarkable achievement, and we should never lose sight of how far we have come.

We can also be proud of the climate that we have helped to foster. When other Canadians think of Alberta, they see an attractive and vibrant place to live. Our tax policies, both personal and corporate, have compelled people to move to our jurisdiction. No sales tax, flat rate income tax, and high tax exemption thresholds have drawn people and industry from around the globe to Alberta. And when they get here, Mr. Speaker, they find a province with a quality of life like no other. They find a province whose beauty never ceases and a province that has room for all individuals who want a better life to pursue their dreams and aspirations. It's easy to get caught up in the negativism of our times and the narrow focus of a minor few. Opposition forces will come, but we will continue to do the right thing regardless.

Mr. Speaker, thousands of children go to school every day and receive a world-class education, an education that will provide the foundation on which to build a more specialized knowledge and a continued need to expand their own individual and collective horizons. Every day thousands of Albertans who get sick or find themselves in need of medical care receive that care in a responsible and professional manner. They encounter a health care system that produces results and that pushes the standards of excellence for not only other Canadians to follow but the rest of the world as well. Our health care system allows our seniors to enjoy the golden years, as they so deserve. Every day millions of Albertans and the thousands of others that follow them live and prosper in a jurisdiction that lets them keep more and more of their own hard-earned dollars so that they can decide how best to address their own needs and priorities.

This is a great time to be an Albertan, Mr. Speaker, an exciting time to be an MLA. I'm proud to represent the constituency of Drayton Valley-Calmor in this honoured Assembly. The Lieutenant Governor was correct when she indicated that our province has always had a unique destiny, one that is guided by great leadership, by character, and by the values of its people. I look forward to working with all Albertans in continuing that destiny and in building a positive future for our province.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. Member for Edmonton-Riverview, did you wish to participate? First of all, we're going to go to questions if there are some.

DR. TAFT: I have no questions.

THE SPEAKER: Okay. The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Well, I enjoyed some of your comments. To the member: could you expand a bit on the comments on the fiscal principles of this government and specifically how it relates to your constituents?

REV. ABBOTT: Sure. Thank you for the question. Actually, my constituents were very happy to see one thing in particular in this Speech from the Throne, and that is where it says: "Government will not spend more than it takes in. It will not leave a legacy of deficits for tomorrow's Albertans to pay."

Thank you.

THE SPEAKER: Would there be additional questions from hon. members? That being the case, the chair will recognize the hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. It is a pleasure for me, as it is for all MLAs, to respond to the Speech from the Throne. I will keep my comments quite brief and pointed today in light of the fine speech given by the Leader of the Official Opposition last night and the comments from my other colleagues. They've covered much of the ground I would have covered if they hadn't, so I will be able to keep my comments brief.

I will just go through certain points made in the speech here that I think are worth some comment. On page 4 of the speech it reads:

Factors contributing to a healthy Alberta are the same as those that contribute to a healthy Albertan. They are economic growth, fiscal stability, good schools, safe children receiving parenting in a caring and nurturing manner, strong communities, secure seniors, clean air and water, and confidence that the future is bright.

Of course, it's more or less impossible to dispute any of those. I would, however, like to add one in particular, a factor that is well substantiated by research nationally and internationally, a factor that contributes to the health of people throughout a society, and that is the factor known as equality. In fact, there is strong research from various countries in the world indicating that the greater the inequality in a society, the lower the level of health. You can in fact have very poor countries, such as certain countries in Africa, that have unusually high degrees of population health, and that is often attributed in the research to high degrees of equality. So I would like to have seen in the throne speech a notion of equality, and I would encourage this government to consider equality as one of its values. I would, for example, muse on the effects of the flat tax on equality among Albertans. I'm concerned that in fact the flat tax and any number of other policies of this government have exacerbated inequality.

I'd also like to make comments on a sentence farther down on page 4 that reads: "Ensuring the continued stability of the province's health care system is without a doubt at the top of the government's agenda in 2002." For a moment I thought there was actually a typographical error. I thought that perhaps they meant to say: ensuring the continued instability of the province's health care system. The simple fact of the matter is that over the last eight years the health care system in Alberta has been profoundly unstable. We can look at that in various ways. We can look at the wild swings in funding: down, down, down; up, up, up; and apparently down, down, down again. We can look at the thousands of layoffs and then the scramble to rehire staff with the ensuing staff shortages. We can look at the leadership or the management of the Department of Health and Wellness, in which there have been seven deputy ministers in nine years. The status quo for Alberta's health care system the last nine years has been turmoil. I would love it and I would thoroughly encourage the government if they ensured stability of the province's health care system, but when they speak in terms of ensuring continued stability, I'm afraid they're misleading themselves.

3:20

There are various comments in the Speech from the Throne on the Premier's Advisory Council on Health, the report there and the recommendations. Certainly some of those recommendations are well worth implementing, and I'm sure we'll see some of them implemented. We will work with the government to support those recommendations including, for example, an increase in tobacco taxes. We will, I hope, be able to support the Minister of Health and Wellness in efforts that he may pursue to ensure that the revenue from the increase in tobacco taxes goes to a dedicated promotion of health and wellness fund. It's an excellent idea, and I think that the minister, if he pursues that, can look forward to our support.

Of course, there are concerns that have been already raised at length in this Assembly in the last couple of days about health care premiums. An increase in health care premiums is something we will be actively opposing.

While I continue to focus on Health and Wellness, I'll also mention the suggestions farther down on page 5 that there may well be reductions in services that are covered under our public health care insurance system. Those are potentially very worrisome trends. Any move toward delisting is potentially a serious mistake, and we will be challenging the government if it moves in those directions.

As I move through the speech and move into the section of the speech on education and learning, I am again concerned that the government may not have a firm grip on reality when it says that "the government believes there is a great deal of goodwill on all

sides" when it addresses the education system. I think that any claim that there's a great deal of goodwill on all sides in the education debate is delusionary. I'm expressing my strong conviction, in fact, that there is very little goodwill in the education debate and that we are looking to this government for leadership in establishing and expanding goodwill and reducing the animosity that is existing in the education area.

Moving further through the speech, I'll just skip ahead to the section on healthy communities. I note that there will be new child welfare legislation drafted this year. We'd all agree in light of events in the last weeks and months that any additional attention paid to the child welfare system will be welcomed. I would ask all members here to carefully read the speech given by the Member for Edmonton-Rutherford last night, a passionate plea on behalf of children. I'd encourage – let's see – the one, two, three, four, five cabinet ministers who are here at this moment to take that text to the next cabinet meeting and argue based upon the strong points . . .

THE SPEAKER: The hon. Government House Leader.

**Point of Order
Referring to Absence of Members**

MR. HANCOCK: Mr. Speaker, it behooves me to rise on a point of order.

THE SPEAKER: A point of order?

MR. HANCOCK: Yes.

THE SPEAKER: Right now? Okay.

MR. HANCOCK: I know it's unusual during the reply to the Speech from the Throne, but it is normal not to refer to the absence of a member, and by referring to members by means of referring to their position in cabinet, it does indirectly what you can't do directly. The hon. member indicated that there were only five members of cabinet here, and that was an inappropriate reference.

THE SPEAKER: Okay. I tend to agree with that, but it was being done in such a nice way about conveying information someplace else.

So please continue.

Debate Continued

DR. TAFT: Thank you, Mr. Speaker. In any case, I would encourage all cabinet members, whether they're here or not, to review carefully the speech given by the Member for Edmonton-Rutherford last night, which was a plea for very, very careful and compassionate attention to children. It was a commendable speech, and I think that he should be proud to have had the courage to stand up and make that speech, largely aimed at his own government, I would expect.

However, with those comments, Mr. Speaker, I will take my seat and carry on.

THE SPEAKER: Okay. We have provisions under Standing Order 29, so the hon. Government House Leader, followed by the hon. Member for Vermilion-Lloydminster, followed by the hon. Member for Edmonton-Castle Downs, and then followed by the hon. member for Grande Prairie.

MR. HANCOCK: Yes. I'm wondering if the hon. member would give any recognition to the fact that the single rate of tax, which he

referred to as a flat tax, also afforded an opportunity to raise the personal and spousal exemption rate in this province so that many, many thousands of Albertans who have a single income and a family income of under \$27,000 no longer pay any tax at all. I'd also wonder who in his comments he accuses of not having goodwill. We know that the government has goodwill; we know that there's goodwill with boards and teachers.

THE SPEAKER: Thank you. The hon. member.

DR. TAFT: Thank you, Mr. Speaker. There is a very long history of debate in our parliamentary tradition. This kind of debate is widely available to all MLAs, and I welcome it. It was fully available to government members and backbenchers under the previous Standing Orders, and they seldom used it. It's still available to them, and I will engage them if they use it at that time. At the same time, in my view there was no need to change the Standing Orders to create this platform. So while I'm delighted to engage in the traditional debates in the Legislature, I have no plans to respond to questions.

MR. SNELGROVE: It would not be a debate if the hon. member would please inform me what year the total funding to health care actually went down.

THE SPEAKER: The hon. member.

Then the hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: In view of the member's criticisms of our health care system, it's my understanding that his Liberal cousins have sponsored a committee chaired by ex-Premier Romanow, an NDP, which may be very reflective of what the Mazankowski report has indicated. Any comments on that?

THE SPEAKER: The hon. Member for Edmonton-Riverview. None?

The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Redundant.

THE SPEAKER: Redundant?

Additional questions under Standing Order 29 to the hon. Member for Edmonton-Riverview? There being none, the chair will then recognize the hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. It is an honour to rise on behalf of the constituents of Red Deer-North and reply to the Speech from the Throne. First I would like to thank Her Honour the Honourable Lieutenant Governor for her touching address. I truly enjoy the official ceremony and protocol that surrounds the Speech from the Throne. It is an excellent way to begin the Second Session of the 25th Legislature. It reminds me of the history of this province and this building, and I feel very fortunate to be a part of it. It's exciting to be part of a province that has worked hard to make it to where it is today in just 97 short years. Alberta has such a bright future and boundless potential.

Everyone can recognize that the recent world events have altered our way of life. The events of September 11 have brought changes that we deal with every day and others that we have not yet begun to grasp. Despite the turmoil and the uncertainty that we have all faced, the people of this province have persevered, and that makes me very proud. As Her Honour stated yesterday, there is no prouder person than an Albertan. I certainly agree with this sentiment, even though I'm originally from Ontario.

I would like to take this opportunity to add my thanks to the men and women of our armed forces who are stationed around the globe to stand on guard for the Canadian way of life. I would also like to thank the families of our soldiers for their sacrifice. As a former member of an armed forces family I join with them in their hopes and prayers for the safe return of their children and spouses. I think that we can all draw strength from the bravery that the men and women in our armed forces display. I would urge everyone to never forget that they are some of our very own out there on the front lines making sacrifices, taking risks, and working hard to protect us. We must also remember the very brave members of our Canadian armed forces bomb squad who risk their lives every moment when they are attempting to locate and diffuse the horrific and inhumane land mines located in war zones like Bosnia, Herzegovina, Sudan, and Afghanistan. I thank them all.

Alberta, as I have said, is a proud province and a province that is proud of the achievements of its sons and daughters around the globe. Alberta has produced many exceptional people who have achieved incredible success. I would like to take this opportunity to congratulate the members of the women's and men's national hockey teams for their recent success at the Olympic Winter Games in Salt Lake City. Do you realize that Canada received more gold medals than any other country? We have 25 medals for the men's hockey team, 25 for the women's hockey team, four for the relay team, two for the pairs skating, one for cross-country, and that makes 57 gold medals, more than any other country.

3:30

As Her Honour alluded to, Alberta has built a rich history in a short time and has a lot to look forward to this year and in the years to come. Given the circumstances of the global economy, I think that we are fortunate to live in such a strong province. While the financial picture that is forecast is not as splendid when compared to last year's results, I must say that it is very promising when compared to the rest of the country and the continent.

The Alberta economy has evolved significantly over the last two decades and is now fundamentally strong and geared to withstand exterior pressures. People say that if any province can weather the current economic slowdown, it's Alberta. They're right, and that's thanks to the fiscal policies of this government. Even though the economy will grow less than it did last year, it will still grow a significant amount. Alberta is forecast to exceed Canada in economic growth for 2002 and remain competitive for the lead in economic growth among provinces across the country.

Activity in the energy sector is expected to slow down due to lower prices. However, investment in the oil sands is expected to remain strong throughout the year. Even though the number of wells drilled this year will be lower than last, the number will still be higher than it has been historically. This is good news for all oil and gas service companies in Alberta and especially for those in Red Deer.

The reduction in demand for oil and gas has brought along with it a reduction in prices for these commodities. Lower energy prices will result in lower government revenues, and as Her Honour stated firmly yesterday, this government will balance our priorities with accountability, and we will not spend more than we take in. This is the same principle that my husband keeps telling me: we will not spend more than we take in.

The government continued to display its dedication to fiscal prudence just last fall when we implemented a 1 percent spending reduction across all government departments. Difficult decisions were made, but like a strong and wise parent our government chose what was necessary. To further emphasize our dedication to fiscal

prudence and commitment to accounting excellence, I am pleased to see that we plan to resurrect the financial management commission. As Her Honour noted, this commission is charged with assessing the fiscal policies and accounting practices of this government.

Health care is an area that affects all Albertans from a baby in the womb to the oldest resident. Albertans need to find a sustainable and affordable solution so that health care will always be accessible.

Alberta education achieves high goals, and we are proud of our results. The education in Alberta would not be as good as it is without our teachers. Teachers in Alberta do a good job, and many teachers do an outstanding job. I personally appreciate and value all teachers for I believe that they would not be doing the job they do unless they were truly dedicated to the children they serve. As chairperson of the Youth Secretariat I work with our youth advisory panel. This is a diverse group of 16- to 22-year-old Albertans who work together to help find the answers that will help our youth acquire the skills and attitudes they need to live those happy, healthy, and productive lives.

Our environment must be cherished and protected. In Alberta, as Her Honour noted in the throne speech, our "environmental standards and regulations are and will continue to be among the most stringent in North America." In my private member's Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, I aim to make sure that when a spill occurs, a timely plan is put into place that states how and when a cleanup will happen and how long it will take. Whoever is responsible for the cleanup will then be forced to abide by the terms of the plan that is set in motion according to the terms of this amendment.

Children's services is a priority area and accounts for the most difficult decisions made in government. A review of the Child Welfare Act is being conducted at this time, and we are accepting comments from all Albertans. One area under review is the adoption section. The adoption task force of Alberta, which finds its chairperson in Red Deer-North, is asking for open adoption records with a noncontact declaration or a veto clause. With the help of our gracious Minister of Children's Services and committee members, an acceptable solution will be found and recommended.

I would like to once again echo the sentiments of Her Honour: staying the course is not something the government can do alone. It will require co-operation and input from the people of this province. We have a proven record of consultation and interaction with Albertans on important issues, the latest being the Future Summit that Red Deer was very proud to host.

In conclusion, I would like to quote from the daily bulletin of February 27, 2002: Alberta has been ranked third in the country for UFO sightings, with 40 sightings this year. Obviously, the Alberta advantage is well known even in interplanetary circles.

The throne speech eloquently illustrated the advantages of living in Alberta. We have work to do and promises to keep. Long live the Alberta advantage.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, we have now arrived where Standing Order 29(2) kicks in, and I just want to repeat it again. It says under Standing Order 29(2) that members are allowed "to ask questions and comment briefly" as well.

Then we will proceed to the next speaker. The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. It's an honour for me to have the opportunity to respond to Her Honour the Honourable Lieutenant Governor's Speech from the Throne. I'm proud to be a rural Albertan, and I'm very proud to represent the hardworking

people living in the Whitecourt-Ste. Anne constituency.

I'd like to thank the Lieutenant Governor for talking about several rural concerns that were acknowledged in Her Honour's throne speech. I agree with Her Honour that agriculture is an important part of the economic health and a vital component of our rural landscape. Alberta is Canada's second-largest agriculture producer, and despite higher farm operating costs and expenses and the worst drought in 130 years in 2001, our province saw farm cash receipt levels reach a record of approximately \$8.3 billion. Agriculture is very important, and it's part of Alberta's economic health, contributing over \$16 billion in economic activity in value-added food and beverage processing and primary production. An often overlooked fact is that agriculture is Alberta's single largest manufacturing sector.

I also agree with Her Honour that the merger of Agriculture Financial Services Corporation and the Alberta Opportunity Company will provide additional support to the industry by creating a one-window approach to commercial financing for the agriculture industry and for small businesses. Alberta's agriculture industry is well positioned for continued growth and is working toward achieving \$10 billion in primary production and \$20 billion in value-added processing by 2010. The Alberta government is committed to helping the industry meet these goals by continuing to stimulate economic development in the agriculture communities.

There are some big challenges ahead, including another drought forecasted for 2002. I'm relieved that this government is prepared for another dry summer and its effects on the agriculture and forest industries. Alberta Sustainable Resource Development will officially launch the fire season March 1, 2002. Under normal weather conditions operations usually begin April 1. Dry conditions and warm weather have resulted in fire officials preparing for another potentially busy fire season. A significant lack of snow in parts of the province this winter means that the forest fire hazard conditions could be high or extremely high this spring. The Minister of Sustainable Resource Development summed it up best when he said that we cannot control nature, but we can take every precaution to protect the public and Alberta's natural resources.

[Mr. Shariff in the chair]

Alberta producers who have felt the effects of drought on pasture and forage crops have new insurance options for 2002. Some areas of the province have experienced the driest conditions in over 100 years. Forage is critical to the health of the cattle industry. To help producers deal with the extremely dry conditions, the government has introduced a new pasture insurance option and has enhanced two of its existing forage insurance programs. Forage insurance compensates for production losses due to damage caused by natural perils. The lack-of-moisture insurance pilot program is new in this province, a wide insurance option that helps producers protect their pasture acres against the lack of moisture, based on readings from the weather stations selected for the insurance. I feel that in light of our dramatically altered fiscal picture from a year ago, these new insurance programs will offer a suitable safety net to protect people in the agriculture industry.

3:40

This season I will introduce two motions that will deal with two issues in rural Alberta that should get some more attention. In the first motion I urge the government to investigate a system of pooling all proceeds from charity casinos throughout Alberta. The proceeds would then be redistributed in quarterly intervals to all the charities – and I mean all the charities – across this great province. This will help charities, especially in our rural areas, to improve services to the community.

My second motion urges the government to re-examine the

expropriation rules and regulations to ensure a streamlined system that encourages efficient and more economical resolve to land issues. Right now the government pays for associated legal fees for landowners during the expropriation process. No slight to lawyers, but they love this law, and there's no incentive for our constituents to settle land compensation issues in a timely manner. This expands the legal fees billed to the Alberta government. I believe that this government should also place a time limit from the time expropriation proceedings begin in the court system to the time that a fair settlement can be reached, and I express "fair." As the process currently stands, there is no time limit, and the legal bills, court time, and assessment stretch longer and higher.

I would again like to thank the people living in the Whitecourt-St. Anne constituency for choosing me as their MLA last spring. It has been an honour representing their concerns and a pleasure to work with the members of this Assembly.

Thank you.

THE ACTING SPEAKER: As per our Standing Order we now have five minutes for questions and comments.

The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. I listened to the hon. Member for Whitecourt-St. Anne. Maybe I didn't hear it well, but I would like you to comment on the safely produced food in your agriculture comment.

MR. VANDERBURG: Sorry. Did you say "safely"?

MR. CAO: Yes. Safely produced food.

MR. VANDERBURG: Well, thank you. It is a pleasure to accept a question on food safety, especially since it didn't take nine years for me to get a question, and I would like to refer it to the minister responsible. But I can comment that Alberta remains in the best position of any province to take the lead in responding to today's stagnant global economy. Alberta's economy is healthy and continues to grow. The economic growth is forecasted at about 2 percent this year.

MR. SNELGROVE: The hon. member mentioned in his speech that this was the driest summer in 130 years, and we've heard recently from the opposition and the media that it's global warming that has caused this drought. I'm just curious if he could tell me what caused the one 130 years ago.

MR. VANDERBURG: I'd like to refer that to the Minister of Environment, but of course I can't. He's right, you know. It's too bad that we didn't have the statistics for 150 years; otherwise, I could have extended it to 150 years.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands for a question.

MR. MASON: Yes, Mr. Speaker. I would like to phrase the same question in a very similar fashion. How does the hon. member square the continuing drought conditions, the increase in forest fires and so on with the climate change that is occurring and the government's position on the Kyoto accord?

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

MR. VANDERBURG: Yes. Thank you very much for that question. There are some very good points you've brought up, and I think that we should expand on that. You know, I will continue and I think our government should continue to put in the fiscal policies that encourage investment, job creation, and consumer confidence. It will also limit spending in areas without reducing the quality of priority projects. If I didn't hear it quite right, you know, that's okay too.

THE ACTING SPEAKER: It appears that nobody else is rising for questions.

The chair will now recognize the hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Speaker. It is indeed an honour to rise today and address this Assembly to provide a reply to the Speech from the Throne from the perspective of the Grande Prairie-Smoky constituency. We are pleased to be able to join with other Albertans to recognize Her Majesty Elizabeth II ascending to the throne 50 years ago, and we applaud this long service to the United Kingdom and the Commonwealth. The Premier's citizenship awards are a very fitting way for us to remember this historic anniversary.

On a personal note, I was saddened at the passing of HRH the Princess Margaret. Through a longtime hobby I was privileged to be the caretaker of a motorcar constructed for the princess in 1975. This exceptional conveyance afforded us many pleasant hours touring Alberta's first-class highways and bi-ways, enjoying our natural beauty and friendly, pleasant citizens.

I am looking forward to the Second Session of the 25th Legislature with optimism. Her Honour has set the tone for the session: focusing on working to build a healthy Alberta. I believe we are all aware that we have much to do to fulfill the agenda we have before us. This agenda addresses what Albertans have been telling us over the past months: we need to work together for a better Alberta. The Future Summit's regional summit in Grande Prairie brought this theme forward from all working groups.

We need to make the necessary changes to ensure prosperous and healthy futures for all Albertans. Change is often not well accepted, but Albertans are faced with a number of challenges that will not accept the status quo. I am confident that Alberta is a strong and capable province, and the people who live here are hardworking and committed to making and embracing positive change.

The government of Alberta's dedication to improving people's health and the province's health in the year 2002 will be strongly supported by the constituents of Grande Prairie-Smoky. Sustainable health care is arguably our greatest challenge. It becomes increasingly apparent that a greater level of private involvement will be necessary to maintain Alberta's leading health care services.

It is interesting to note that in a recent national broadcast the former federal Minister of Health, Monique Begin, stated that it is time to open the Canada Health Act and allow private providers to deliver some services that will enhance health care in Canada. It will be remembered that this minister introduced the Canada Health Act under Prime Minister Pierre Trudeau. In light of this refreshing news from a prominent federal health care champion, we are assured that recommendations from the Premier's Advisory Council on Health are indeed leading Alberta to a new shared health care system where personal responsibility, families, communities, all levels of government, and private providers will contribute to long-term affordability and accessibility in our first-class system.

As Albertans we share many advantages. Primary among them is a learning system that is one of the world's best. Our ranking in international tests is proof of this, and it is clearly demonstrated here

that Alberta has exceptional teachers, who remain dedicated to their profession. It is not by chance that executives from around the world come to Alberta to source educators. These test results are noticed, and with that comes recognition that Alberta's postsecondary institutions and universities continue to turn out top-ranked teachers.

The other point to be made with respect to these tests is that they show the government's commitment to our children's education and, as importantly, show our students' commitment to their own futures by making the effort to do well in their studies and excel in a competitive environment.

3:50

To ensure that Alberta's students continue to achieve, we as a government must investigate and promote a range of alternative investment initiatives that can provide the infrastructure that houses classrooms and equipment that students require to learn. Recent school audits conducted across the province have identified a number of structures that require repair and/or replacement, and addressing these pressure points is necessary to avoid increasing our infrastructure deficit.

Mr. Speaker, Grande Prairie-Smoky constituents are pleased to see this government's commitment to stick to its fiscal principles, and under this framework we will encourage the government to invest in our infrastructure in a timely, responsible manner. In keeping with this encouragement, we in Grande Prairie-Smoky will continue to insist that the trade corridor remain a high priority of this government. Trade is certainly the lifeblood of this province, and our ability in northwest Alberta to reach markets for our products is the key to our progress and prosperity.

Our products, Mr. Speaker, include some that are under extreme pressure in current trade action. I am very supportive of our government's co-operative effort with other provinces and the federal government to improve trade rules and open access for softwood lumber exports to the United States. We in Grande Prairie-Smoky support free, as well as fair, international trade.

Agriculture, as Her Honour pointed out, is a very important part of our province and of the Grande Prairie-Smoky region. Grande Prairie-Smoky is certainly no exception in this. We have many of the province's most productive and progressive producers. As agriculture expansion moves north in our province, we in Grande Prairie-Smoky welcome the opportunity to work with our government in support of producers and processors, who are strengthening our agriculture sector and ensuring that this sector continues to thrive. The goal of \$30 billion in primary and value-added agricultural business by 2010 is realistic, and Grande Prairie-Smoky entrepreneurs will play a major role in accomplishing this goal.

A safety net system continues to be an important part of this sector, and we encourage and support this government's positive initiatives in this regard. This Assembly recognizes its responsibility to Alberta's children, seniors, and disadvantaged persons. Nowhere, Mr. Speaker, is this responsibility taken more seriously than in the riding of Grande Prairie-Smoky. Volunteers and professionals work tirelessly, side by side, to improve the quality of life for these sectors of our society.

A case in point, Mr. Speaker, is a group of individuals who have formed a society to provide low-income housing for disabled and other members of the Grande Prairie community. This group is currently beginning the development of a 47-unit complex suited to this purpose. It is this Alberta spirit that makes our province the best place to live and work.

Mr. Speaker, Her Honour has reported that aboriginal peoples are key members of this province's communities. This again is very true in Grande Prairie-Smoky. The commitment to continue with

implementation of the aboriginal policy framework with the goal of increasing the well-being and self-reliance of First Nations and Metis is a commendable policy. However, some current policy and practices need to be reviewed to ensure that women and children in these communities benefit fully from any programs or policies.

Exploration for and production of energy resources has been ongoing in Grande Prairie-Smoky for more than 50 years. This major economic driver continued to grow through the ensuing years and today plays a major role in the success of many communities in my riding. There admittedly were some problematic practices in the drilling and production areas years ago. A responsible government has worked with industry to design environmental standards that will protect our natural heritage, maintaining healthy forests, clean air, and clean water for future generations.

Ongoing studies, science-based studies, will determine what action is appropriate with respect to flaring and venting. The stewardship of these resources – forests, air, water, and hydrocarbon reserves – has been successful and responsible and will provide benefits for all Albertans and Canadians for generations to come.

Arctic gas from Canada's north or Alaska will soon be playing a major role in the North American security of supply. It is very probable that this resource will be brought into Alberta, and Grande Prairie specifically, for possible upgrading and inclusion in the Alberta gas hub. This tremendous resource, the hub, allows resource owners to produce, process, store, and then market natural gas to six major markets in North America.

AN HON. MEMBER: How many?

MR. KNIGHT: Six. This investment in energy-related infrastructure is an Alberta advantage, but, Mr. Speaker, more important are the thousands of Albertans educated and trained to build, operate, and maintain these systems.

That, Mr. Speaker, is the Alberta advantage working on a daily basis in our communities. This industry and, indeed, the economy of our province would be negatively impacted by a hasty ratification of the Kyoto accord. The Alberta government commitment to science-based reduction of greenhouse gas emissions is much more in line with the actions of our trading partners in North America. Grande Prairie-Smoky constituents support the government's efforts to convince the federal government that ratification will unnecessarily penalize our business and citizens while it does very little to actually reduce global greenhouse gas emissions or global warming.

Mr. Speaker, a comprehensive policy, a provincial water strategy is not only timely but absolutely necessary for Grande Prairie-Smoky and, indeed, all of our province. Safe, secure drinking water and healthy rivers and lakes should be viewed as a birthright of Albertans. We are most certainly in a four-year plus time period of moderate to severe shortfalls in annual precipitation level. Groundwater and aquifers supplying some of our communities are showing an alarming decrease in volumes available. A comprehensive study will be a first step in allowing us to understand and design solutions to this most crucial concern.

Mr. Speaker, in conclusion, Grande Prairie-Smoky constituents will see in this throne speech that many of our most pressing concerns will be addressed by a government that has pledged to maintain its focus on the present in all aspects. I look forward to participating in these endeavours on behalf of the Grande Prairie-Smoky constituency.

Thank you.

THE ACTING SPEAKER: Hon. members now have five minutes to ask brief questions and receive brief responses.

The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. After listening to the hon. Member for Grande-Prairie-Smoky, it now is confirmed to me that the constituents made the right choice on March 12, 2001.

I do have one question of the hon. member. He mentioned in his remarks about expanding the trade corridor, and I would like him to elaborate a little bit on that, please.

THE ACTING SPEAKER: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Speaker. I don't believe that I actually said that I would want it expanded. We just want it continued.

Thank you.

THE ACTING SPEAKER: The chair is not seeing anyone rise to ask questions. If that's the case, the chair will now recognize the hon. Member for Edmonton-Highlands.

MR. MASON: Not at this moment, Mr. Speaker.

Thank you.

THE ACTING SPEAKER: Okay.

The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Speaker, for giving me the opportunity to reply to Her Honour's Speech from the Throne. If the speech is any indication, the coming year promises to be one of the most important for Albertans in a long time. As a province we are embarking down several new roads that will challenge this government and the citizens we represent in this Assembly. Her Honour's words provided the people of our province with a clear vision of change, innovation, and renewal and outlined the big picture very nicely.

However, Mr. Speaker, what I would like to do today is shift gears and concentrate on the local picture that the constituents of the riding I represent, Dunvegan, see every day. I'd like to talk about Dunvegan's history, some of the problems the region currently faces, and how focusing on some key ideas could help to reinvigorate and diversify our economy.

Dunvegan, as I'm sure most members are aware, shares the northwest corner of Alberta with the riding of Peace River. It is among the largest ridings in the province and, as far as I'm concerned, one of the best. The people of Dunvegan are hardworking, diverse, and proud Albertans. We have one of the strongest Francophone contingents in the province and an unparalleled history.

4:00

The fort of Dunvegan was founded by the North West Company in 1793 and served as a fur trading post in Alberta's north. Later Catholic missionaries came to the fort bringing with them cultural vestiges of Europe and eastern Canada. They, along with occupants of other trading posts scattered across Alberta's north, provided a new heritage that even today deeply influences the people of Dunvegan.

Just as the trappers of the 18th and 19th centuries relied upon Alberta's natural resources to make a living in the north, the people of the 21st century rely heavily on Dunvegan's natural resources as well. Our major industries include agriculture, forestry, and oil and gas, and our major commodities include forage production, oil seeds, honey, and cereals. The region produces over 10 million pounds of honey per year. The town of Falher is known as the honey capital

of Alberta and is home to the world's largest bee and the Falher Honey Festival, which takes place every July. The constituency is also the closest in Alberta to the Pacific Rim countries through the port of Prince Rupert.

So, Mr. Speaker, just as we are proud of our history in Dunvegan, we are also optimistic about the future opportunities that our resource base provides our young people. The town of Fairview, for example, is home to Fairview College, an institution through which we hope to educate our young people, to teach them new skills and keep them in the area.

However, Mr. Speaker, just as there is optimism in Dunvegan, there is also some cause for concern. Dunvegan is, in fact, like many rural areas, a net exporter of young people. The families in our 36 municipalities raise their families, and those children more and more are being forced to leave because while we have opportunity, we often don't have enough opportunity. This is potentially disastrous. Any community is created by the fabric of history. Any time that a large number of people of a specific generation leave that community, it means that the historical fabric is ripped and is not as strong as it once was. The people that we need to run our farms, businesses, hospitals, community and volunteer organizations, and municipal governments of the region won't be there to do that.

There's no reason why this should happen. With solid economic development policies that would encourage manufacturing and product refining in Dunvegan, we could diversify our economy and create opportunities that would keep our promising youngsters in the constituency. We could tap into the vast potential that this region has to offer. For example, while the region boasts massive numbers in honey production, most of it is refined and packaged elsewhere. Right there we see a prime example of a project that with just the right motivation and policy-making could get off the ground and create jobs in our region, which would encourage our young people to stay around.

The municipalities of Dunvegan have expressed the desire to take a more active role in developing the region. The will of the people is there. It must be matched by the political will of our government to effect change in the area. It is often hard to remind my fellow MLAs to the south – and believe me, Mr. Speaker, from the perspective of Dunvegan, Edmonton is south – of the natural benefits of Dunvegan as a constituency in which all facets of a resource- and service-based economy can be developed. There are no major centres in the constituency that most Albertans would associate with a picture of diverse economic development, but that does not mean that we are short on innovation and know-how. That economic diversity is there, and so are the seeds for greater development of Alberta's north. It benefits nobody in our province to see it depopulated by a lack of opportunity.

Further, Mr. Speaker, the constituents of Dunvegan would really benefit if economic development and learning policies would bring the tools of integration and the knowledge economy to our constituency. I must applaud the Department of Innovation and Science for forging ahead with the Supernet program, which will connect all schools and libraries within the province to the information super-highway. Supernet will help us to educate students and will help us to close the rural/urban divide that is apparent in information technology usage.

But that's just a start. The founding principle of the knowledge economy is that the ideas inside a person's mind are just as valuable, if not more so, than the resources this province has to offer. It is based upon the idea that human beings are the best capital and the best resource we have. The knowledge economy is about ideas, and this has major implications for our education system. Knowing the three Rs is one thing. Being able to appropriately apply them is

another. Being inventive thinkers and being taught to think outside the mold is altogether different.

In the end we need an education system that prepares our students to be flexible and innovative so that they as the future leaders of Alberta's communities can develop every one of our urban and rural centres into the economic centres they all have the potential to be. In my opinion, Mr. Speaker, the more we teach our youngsters how to think creatively, the more they will be able to benefit each and every constituency in Alberta. Especially for constituencies like mine, which is comprised of much smaller communities without the natural economic attractions that cities like Edmonton and Calgary and Lethbridge hold, ideas are most important. In a sense we are always playing catch-up. If we can hold some aces up our sleeve, then it can only help us to develop new solutions in our own backyard.

Within our government and in the activities of Albertans we are already starting to see how the knowledge economy is being applied to our rural areas. In the agricultural sector crop diversification has allowed farmers, including many in my area, to experience some economic benefits. As Her Honour noted in the throne speech, the province is geared up to make over \$30 billion in agricultural primary and value-added production by 2010. This is good news for all Albertans but especially those in our smaller communities.

We are pleased with the Department of Agriculture, Food and Rural Development's efforts to support a profitable agricultural services and processing business sector. Dunvegan welcomes these innovations and is always ready to help the department of agriculture lead Alberta into the 21st century. I encourage the department to work with municipalities in all the rural ridings and to take these innovations to the people who have done farming for generations and who are the guardians of a proud way of life.

In this vein, I'm also enthusiastic about the merger of the Agriculture Financial Services Corporation and the Alberta Opportunity Company. Creating opportunities for farmers and agriculture and food-related small businesses is the first step to strengthening the industry. By diversifying their economy and allowing them to oversee the next step in agricultural innovation, we can blend Alberta's past with its future and give a greater sense of economic hope to our rural citizens.

So in reality, Mr. Speaker, with the right fine-tuning there is much to be optimistic about. The people of Dunvegan are true Albertans and will say that with pride every time. They are ready and willing to be participants in our growing economy to ensure the prosperity of their families, neighbours, children, and the rest of Alberta.

Mr. Speaker, I hope that I have given you and the members of this Assembly a small insight into the constituency I represent. I also hope that there are others in this Assembly who have the same concerns and also share the same aspirations for their constituencies as I do for mine. It is my hope that we can all work together to effect change for our rural communities and for the continued prosperity of all of Alberta.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: We have another five minutes for questions or comments if any member wishes to ask.

Seeing nobody rising to ask questions, we'll proceed with the next speaker. Any other member want to respond? The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. It is a distinct honour and privilege for me today to stand in the House and respond to the Speech from the Throne. I wish, first of all, to pay tribute to the Lieutenant Governor for her eloquent reading of the Speech from the

Throne. I would also like to take this opportunity to thank her for her tireless dedication to this province. I really feel that she is a superb representative of Her Majesty Queen Elizabeth II. The Honourable Lois Hole brings class and dignity and a wonderful sense of humour to her duties as Lieutenant Governor. Her Honour's unwavering commitment to Alberta is widely respected, and she brings renewed credibility to Alberta's traditions of monarchy and state, which is so very important, as it shows our youth the prestige of our traditions.

4:10

I would like to extend heartfelt condolences to Her Majesty and members of the royal family on behalf of my constituency of Calgary-West on the passing of Princess Margaret, Countess of Snowden. Condolences are also passed on behalf of Calgary-West to the family of the Hon. H.A. "Bud" Olson. He was a great Albertan and will be surely missed.

Mr. Speaker, I'm very proud to represent the people of Calgary-West in this Assembly today. I know that they share a vision for the future. I have discussed with them actually many of the initiatives and ideas that were brought forth in the Speech from the Throne. Their feelings are very clear that we as a government must continue down, first of all, the path of fiscal responsibility as we address Alberta's concerns both in the present and in the future.

Mr. Speaker, along with my constituents I am extremely proud of this province. Alberta is the province to live in. I think it is important for us to realize, though, why we are proud and that much of our pride has come from our history and also the good fortune that we have all been privileged to experience largely through the revenues of our energy sector.

But, Mr. Speaker, many Albertans are concerned about our future. They are pleased that the government has realized the need to be proactive and to undertake widespread public consultations through the regional Future Summits and also the Red Deer Future Summit. I attended the Future Summit in Red Deer, as well as co-chairing the Calgary regional forum and hosting a Future forum in Calgary-West. The commitment of Albertans at all these summit meetings was evident. They told us through their values, which were carefully crafted, their vision for Alberta five, 10, and 20 years into the future. It is a real daunting challenge to realistically think that far ahead, yet it was one that I feel they met very well. At all levels of consultation I was always very impressed with the depth of knowledge and caring of the participants.

Mr. Speaker, I believe that many Albertans think about the challenges of the future, and now, though, they look to this government. That means to me that every individual MLA is challenged to make responsible decisions on policies and programs that will move Alberta toward the future that they have envisioned. The future they envision is one outlined in the throne speech, and that includes a sustainable health care system, one which has a strong world-class education system, one which confronts the impacts of an aging population and workforce head-on, and one which meets these challenges with fiscally responsible decisions. Albertans do not want to be in debt, and they never again want to be in a deficit situation.

Mr. Speaker, Calgary-West constituents want this government's leadership also in committing to the challenges of health care reform. They understand the pressures that are currently on the system and that actions must be taken to save it. Our health care system and the Canadian health care system truly are at a crossroads. My constituents, I believe, realize that this government has to make many tough decisions. Many of my constituents also realize that to save our health care system, we cannot simply throw money at the

current problems. As in the past that action leads us toward even higher expectations and a deficit situation. I believe they are waiting for outcomes as the government develops new ways to solve our health care problems and as we work through the recommendations in the report by the Premier's Advisory Council on Health.

Mr. Speaker, I realize, as do most Albertans, that health care reform is a very tremendous challenge. Just as we met our lofty goal in balancing our budget in the mid-90s and led the provinces to aim for fiscal responsibility, I believe we will meet this challenge and lead Canada into a new era of health care.

As I said earlier, my constituents would like to see government continue to consult with Albertans on the direction of health care. They want a sustainable – and that includes affordable – health care system. I believe the task before us is to make the best decisions possible and at the same time work to gain public consensus. We're going to have to exercise responsible leadership, making informed, tough decisions, and some of these decisions will be met with protests. However, they will be from a small, loud minority, and I feel, as do many of my constituents, that we must not be swayed by the noise but stand by overall public consensus on our decisions.

For instance, many of my constituents support the reason for raising tobacco taxes. They realize the detriment smoking has on our health and on our health care system and that this is one way to recoup some of the costs. I'm confident in this government's commitment to prevent and reduce smoking, especially among our youth.

Mr. Speaker, I very much appreciated the Lieutenant Governor's reference to the importance of a healthy lifestyle and contributing factors such as socioeconomic status; education; a sense of inner security and external security; the feeling of being part of a larger community; access to jobs; safe and healthy foods; and cultural experiences. As leaders we must try to ensure that the lifestyles that informed Albertans are choosing are ones that will lead to healthier living so we can progress at a fantastic rate. We need to remember that Alberta is acknowledged as a leader in Canada, perhaps begrudgingly by some. I've told myself, certainly lately: Karen, remember your commitment to consult with the grass roots on pending tough choices so that you will be informed, as you are part of making tough decisions.

Mr. Speaker, not only is our health system feeling the pressure of our growing and aging population; our workforce is aging, and the labour market will be under extreme pressure in 10 years or less. This government, I have to say, formally identified this problem of an aging population five years ago and more and now has in hand two major reports as a result: the long-term care review and the aging population study. Since the submission of the extensive long-term care report of which I was vice-chair, there have been many changes in the continuum of care which are supported by Albertans and key health care stakeholders. These changes give me confidence that our aging population and our future will not be taken for granted. I hasten, though, to add that our work is far from done, but we are leaders in Canada in these two major dimensions.

Mr. Speaker, many of my constituents are proud of the achievements of their students in our school system, and I would say that most of them are their children and grandchildren, but many are also concerned about the present labour situation in our education system. They are disheartened and they are very frustrated by the actions that many teachers have been convinced to take, and they feel that this was the wrong approach. I do not believe that confrontation is the best way to solve any problem. I have been a teacher and counselor for a long time in the public school system, and more recently, since being an MLA, I have spoken to many teachers from both the private and public school systems, and I have to admit that

I've learned a great deal by engaging with the grass roots of these school systems.

There is no doubt that most teachers care deeply about our children and the importance of their work and that the system may not be perfect, but do they realize that we, too, are faced with challenges? I believe we must be able to communicate directly with those who are on the front lines and not through those who claim to represent them. I do not believe that teachers in our public school system are fairly represented. This is a clear challenge that MLAs, government, and teachers must face together to solve.

Based on the variety of comments to my office during the past three weeks, I am re-energizing in stating that a strike is not the best solution for anything. The government should take a long hard look at our education system with regard to making, perhaps, some needed changes that will benefit, most important of all in our learning system, the children. Our children and our grandchildren – and I have nine, so I have a real investment in the future of young people – are certainly the most important part of this province and a priority of this government, Mr. Speaker. We should frequently ask ourselves: how will this decision benefit their future? We should leave them with a province that they will want to inherit.

4:20

Mr. Speaker, it is important that this government has reconfirmed with Albertans that we will stick to our fiscal principles. I am hugely supportive, as are most of my constituents, of the government's pledge to balance priorities with accountability. I am extremely pleased this government has reconfirmed it will not spend more than it takes in. We will leave a province for future generations to inherit.

Even though we are in a period of less revenues, Mr. Speaker, I am pleased this government has pledged to work to sustain our strong economy. I am very pleased the Lieutenant Governor also shared with Albertans that this government will be reviewing and assessing our current fiscal and accounting policies to ensure we remain a leader in fiscal planning. My constituents will be encouraged knowing that we will not allow ourselves to fall into the trap of deficits and overspending.

Mr. Speaker, I am excited about the year 2002 and beyond, and I am very proud to reconfirm my commitment to my constituents and Albertans that Alberta will continue to be a leader in Canada for many years to come.

Thank you.

THE ACTING SPEAKER: Hon. members, you now have five minutes to ask brief questions, to make comments, and to receive response.

Seeing nobody rising to ask questions or make comments, the chair will now recognize the Deputy Premier.

MRS. McCLELLAN: Thank you, Mr. Speaker. I am pleased to rise today to make a few comments on the Speech from the Throne. First, I too, as many of my colleagues have in the Legislature, would like to acknowledge the very gracious delivery of the speech by Her Honour. Our province is indeed fortunate to have Her Honour, the Hon. Lois Hole, as Her Majesty's representative. She has, as some have indicated, a wonderful sense of humour, but she has a warmth, a feeling, and a commitment to this province that few could exceed.

You know, Mr. Speaker, the throne speech is always an exciting time for those of us in the Legislature, I think on all sides of the House. It's our first day back in session. It's an opportunity to debate the legislation or the fiscal policies of government, but this year I think it was a very special day. Certainly the commemoration of Her Majesty's 50th year of reign as our monarch and the special

music that was performed so beautifully added to that day, and I think a very fitting tribute to Her Majesty's reign and to her work and commitment through her reign were the scholarships, and I know that students in our province who receive those scholarships in the future will be very, very proud. Certainly they exemplify what Her Majesty has emulated through her reign.

The other thing that I think was perhaps more poignant to us this year was the fact that so many of our troops are fighting in Afghanistan. It's a reminder of the very horrific events of September 11, of the pain that families and businesses and friends for more than just the United States or the city of New York felt from those events and certainly is an acknowledgment of the importance of those folks who protect our peace, our security, and our safety. Every moment I think was important, and it's also important to recognize the commitment of the families of those men and women who leave their homes and go to protect what we hold so dear. So those things I think made this throne speech maybe even more important to me, and I have heard a few in the Legislature.

The other thing, though, is that this throne speech covers a number of areas that Albertans have told us are critically important to them, and having the throne speech follow so closely after the Alberta Future Summit, where men and women of our province came together to talk about the vision for this province that we all love so dearly and are so proud of, a vision for five years, 10 years, maybe 20 years down the road – so to have an opportunity after that summit to lay out some of the government's vision, plans, and priorities to follow through on that summit is particularly important. Certainly for all of us who either attended the summit or were able to read of the proceedings or to talk with people who did attend the summit – I think what really came home to all of us is the immense pride that Albertans feel in this province, the tremendous commitment they have to the positive future of this province, and the absolute desire to do anything they have to do to ensure that future is bright for this province.

I'm asked as I travel outside of the province why Alberta is so successful. We are 10 percent of the population, we are not a hundred years old, yet we are the second largest economy and the second largest exporter, and we continue to excel. I have always said that it's the people of this province. People of this province, when they're faced with a problem, don't say: we can't do that. They say: how can we? I think that exemplifies the Albertans that were at the Future Summit.

The throne speech also lays out the importance of our health system and the importance of the deliberations that we will all have over the next weeks, months, and perhaps years in ensuring the sustainability of this system. It is going to require a lot of work from all, and it's going to take a lot of dialogue, and I hope that from all members in this House it will be constructive and with the best interests of the health system as the final route, if there is one. I recall saying, when I had the privilege of being the Minister of Health in this province, that health should not be discussed in a political way. It is too important to all people. I believe the throne speech lays out some very important directions for the sustainability and improvement and increasing excellence of our health system.

[The Speaker in the chair]

I also read and listened with interest in the area of children's services. I, like some others in this House, have grandchildren, four beautiful grandchildren, and it hurts me and pains me when I understand that there are children in this province that don't have all of the necessities, maybe the love and caring and nurturing that all children have every right to have. I support what we can do to work

with our communities – our communities, Mr. Speaker – to ensure that all children in this province have an opportunity to succeed, to learn, to enjoy good health, and to realize their dreams. I think that's an important contribution.

Mr. Speaker, we've talked about learning in this Legislature over the last days, and certainly it was discussed in the throne speech. Alberta has been proud for some time to have the most highly skilled workforce in Canada. That has not come about by accident. It has come about by the dedication of the men and women who teach, whether it's in the kindergarten to grade 12 level or in our postsecondary institutions, that commitment but also the commitment and the desire of the students in this province, whether they be children or adult students, to learn and to excel. We have to continue to ensure that we are on the leading edge in our educational opportunities. I believe that the plan that the Minister of Learning has set forward will allow us to do that. There are many components of learning. Some say that children learn more from the ages of one to five than they do at any other period in their lives. That speaks to the importance of children having that basis and background, but from that point on we also have to ensure that they have those opportunities.

4:30

It is no secret that I am a strong proponent of research. I am proud of the research facilities that we have in this province, whether they be in an institutional setting or, in the case of agriculture, in a setting that is less traditional, in fields and greenhouses and buildings. Our agricultural industry has benefited greatly over the years from research. Without good research we would not have the agricultural industry that we have here today that allows it to be the largest single manufacturer in this province. It is the largest single manufacturer in this province; 24 percent of the manufacturing is in agriculture. It has an opportunity to grow. It is a sustainable, renewable resource, and with good research we can continue to grow that industry, to have good jobs, to contribute to the economy, but maybe more importantly to ensure that the people of this province, of Canada, and the hundreds of countries that we export to have a safe, reliable supplier of a quality food product, and we will continue to work towards that end.

We talk about healthy communities, and many of the things I've talked about today contribute to healthy communities. I do want to make special mention of the volunteers in our communities. We are blessed in this province with having the largest volunteer community or commitment of individuals of any province in Canada. Canada is the leader in the world; Alberta is the leader in Canada. Those people, who are often not noticed and certainly not recognized often enough, maybe taken for granted, are people who contribute to the success and the strength of our communities and who are, I believe, the best decision-makers in the communities. Frankly, in most of our communities if you are an elected representative, a municipal representative, your pay is not very high, Mr. Speaker. It is a volunteer commitment, and we should always take time to acknowledge those folks.

The last thing that I'd really like to touch on is something that I think is perhaps most important to this province and beyond our province, to Canada and, I believe, to North America, and that is the issue of water. The Minister of Environment has put in place an opportunity to review and to come forward with directions on a water strategy. Mr. Speaker, we often think of water as turning on the tap and having a good water supply to drink and to operate our homes. We take it for granted. We do take it for granted. We have an abundance. We sit on the largest amount of fresh water in North America in this province, but it is a resource that we have to

maintain and make sure that we protect the supply and the quality.

We think of water often, too, as irrigation. Well, in southern Alberta you think beyond that, because almost every community depends on an irrigation system for their domestic water supply. Recreation: to the best of my knowledge there is not a natural lake in southern Alberta. They are all fed by irrigation. So recreation is a part of it, but more important is that we have a responsibility as a province to ensure that we protect the quality and the use of that resource. Too often, except in times of drought or water shortages, we let the taps run. We don't think too much about it, and we should think about it all of the time.

So, Mr. Speaker, this is, to me, an exciting start to a session. Yes, we have some fiscal challenges, but as our Minister of Finance has clearly stated, we are fortunate. Because of good, good decisions that have been made in the past, this province is probably in the best position in Canada to withstand those fiscal challenges. Albertans have clearly told us how to manage our fiscal affairs. We will do that, and because of that our economy will continue to grow, maybe a little less than it has been, but we will come through this time.

Thank you.

THE SPEAKER: Hon. members, Standing Order 29(2) kicks in at this point in time if there are questions, comments to the hon. Deputy Premier. Then, there being no indication of such, I will now call on the hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. It's a real honour, as always, to be able to rise in this Assembly and address the Speech from the Throne, which, as has been pointed out by the Deputy Premier, was so graciously done by our Lieutenant Governor. We're very fortunate to have a woman like that, of such high honour and integrity, to represent us in this important position.

As a child growing up in Alberta, I had probably not a rare opportunity, probably a fairly common opportunity to have had grandparents from other parts of the world. Three of my four grandparents came from the British Isles, and my grandmother on my maternal side came from London and was a huge fan of the royal family. So as a child it was into the scrapbooks every time a picture of the Queen or her sister or children or, you know, just anything to do with royalty appeared in any magazine anywhere. I had to cut it out and put it in a scrapbook. I have an incredible collection of pictures, of course, going back more than 39 years now, because I'm a little older than 39, but going back to then.

MRS. McCLELLAN: Say it's not true.

MS HALEY: It is true.

But it's wonderful to be able to go back and look at that and to understand, you know, the meaning of all of that, the history that we're attached to by having a tie to the monarchy. I know that there are some people who are against the monarchy, but I think it's just a wonderful connection to a country and a culture and particularly that we here in the Commonwealth Parliamentary Association, that we're all members of, also have links back into that system of government as well. So I, too, have deep sorrow for the royal family on the loss of Princess Margaret and for the Olson family here with the Hon. Bud Olson's death this past month as well.

To have an opportunity to address a few of the other issues that the Lieutenant Governor raised, particularly our soldiers going to Afghanistan – there is nobody in this room or probably anywhere in the world that didn't see the horrifying pictures from September 11 of the World Trade Center and what started this war against terrorism that we are part of as Albertans. Our troops are over there.

I pray for their safety and for their safe return and also for the strength that their families have in having a loved one go overseas to try and defend what we believe in here, which is democracy, which is what in fact we're here representing today. So whether, you know, a person is on the government side or on the opposition side, it doesn't matter. Democracy is what it's all about. It allows us to have an opportunity to get up and brag about our ridings or fight about issues or fight about financial issues. It's about priorities and trying to do our very best to represent the people that live in our ridings.

4:40

I particularly had to enjoy the one comment from the Lieutenant Governor about being proud Albertans. I have a number of friends and acquaintances in the United States, and when I meet with them and when I talk about Alberta, they tell me that I sound very much like a Texan. Texans in the United States are known to be number one in the patriotism game, but I think they would be hard pressed to beat out Alberta. Perhaps it's because we have links to Texas that go back years. When I grew up in the oil patch, a lot of the engineers and geologists and owners of a lot of the companies that were here investing in Alberta back at that time were of course from Houston and Dallas. I grew up with these guys coming out to the rig. My dad was a tool push on the rigs. Our Minister of Energy pointed out to me one day that he finally understood me after I told him that I had in fact grown up in the oil patch. Well, understanding me might be a little more difficult than that. But I learned a lot of interesting things in the oil patch, and one of them was to be very proud of who we are. We would go to other provinces for holidays, and when we would get back to Alberta, my dad would stop the car, get out, and kiss the ground. I always thought, well, this is a little weird, but when I saw the Pope do it, then I understood. This was my dad's Mecca. There was no place like Alberta, and he passed that, the love of this province, on to my brother and me and my mom, who – and we won't hold this against her – came from Saskatchewan. But she is as Albertan as they get, except when the Roughriders are in town.

Our Future Summit I think was a great thing. I think it changed; it evolved as time went on. When we originally came up with the concept of a Future Summit, the idea was: what would Alberta be like without a debt? Where would you allocate resources? Of course, the economy started to spiral down just a little bit. Oil and gas resources dropped dramatically and impacted our ability to maybe have a surplus this year and pay down more on our debt. That's unfortunate, but we will get back to where we need to be in due time. But the Future Summit, as it evolved, became something more meaningful, I think, than where it had originally started. It became something where people could talk about what they truly believed this province should be, how we should do things.

I was delighted that the Finance minister is going to look at how we do our books and if there are any other ways and things that we should be doing. We shouldn't be afraid to look at things like the heritage savings trust fund or any of the other issues. Everything should and could be on the table, and I for one think it's awesome that she's willing to do that.

Hopefully we'll be able to take out some of the peaks and valleys that we run into here when it comes to things like infrastructure and transportation, because without those two – you know, we talk about how the most important things in Alberta are health care and education and our seniors and our children. Everybody knows that. That's a given. The areas that are so easy to step past are the things that drive our economy, and transportation is one of the key economic drivers of this province. If you can't build an off-ramp,

then maybe you can't build those businesses. That's a problem in my area. We need another overpass in Airdrie. Everybody knows that. Maybe 10 years from now we'll get it, but on a short-term basis we can't even do an on- and off-ramp on the highway, which means that two very large warehouses, that would have been factory outlet malls for Calgary, are not being built in Airdrie at this time. Hopefully we'll find a way to address those issues because if for the sake of a million and a half dollars you lose a hundred million dollars, you probably haven't accomplished very much in the big picture. So along with this review that the minister is doing I hope that there will be consideration given to things like that, how we can smooth out some of those issues so that our economic drivers can still be maintained.

Even though oil and gas are down, our dependency on oil and gas is decreasing. We in fact have a much more diversified economy than we did in the mid-80s, when oil and gas went down a bit – a lot – then too. Those are issues that we can work out. We've got a great group of people, and I know that there are a lot of great ideas that will come forward. The minister will bring back those great ideas, and we'll deal with them in this Assembly, because that's what this place is for.

With regard to our health care system, you know, we always talk about what we maybe don't have. We never talk about the things that we do have. You have a system that's using up over \$6 billion worth of resources in a year now. Funding has increased dramatically in the last few years on this, yet you never hear about the thousands of people every day that go into the health care system and get exactly what they need. They get the diagnosis; they get the tests; they get the surgery if that's what they need. We have examples of that in some of our colleagues right here, in our Minister of Seniors, who just recently, you know, underwent very traumatic surgery and came out of it. He's doing so well; he's back at work.

Our seniors are, of course, right up there with children as being one of most important resources and probably an underutilized resource as well. Unrecognized perhaps is a better word. They are the ones that do so many things. I can tell you just on a personal level. My mom and stepfather are constantly volunteering their time to try and raise money for the Elks or for the Royal Purple or for a variety of organizations like that, that then turn around and contribute back into their communities. That in fact is, you know, one of the things that makes Alberta so strong.

We do have a great economy in this province. There isn't anybody that can compete with us anywhere. It's not just a Canada issue; it's a North America-wide issue. When the Fraser forum does their reports on North America, there's only one other part of North America that's ever as strong as we are, and that's Texas. That's oil and agriculture again that come back. So when things are bad there, they're bad here, but overall our two economies are the strongest on this entire continent. We have a lot to be proud of.

Agriculture. Being my favourite thing in the world, I just echo the minister of agriculture's comments from earlier. We have an unprecedented opportunity in this province for value added. It is my hope that by the year 2010 we are at that \$20 billion value-added stage, because our resources are our resources. There's never, ever been a reason to ship raw resources out of this province when we have the ability to do the manufacturing and the value adding here. Move up the food chain, give our people the higher paying jobs, and take advantage of that wonderful resource that's renewable and ongoing.

Our Minister of Environment today released his Water for Life report. I'm sure it will be very controversial, but it will also be a fascinating discussion for Albertans to participate in. You know, I think that all of us as MLAs should be encouraging our constituents

to get involved. They can do the workbook right on-line. They can pick it up from us if they want to, but everybody – everybody – in this province has an opinion on water, and I'm sure that we're going to hear from them.

Mr. Speaker, in concluding, I just want to say again what an honour it is to be here to represent the citizens of Airdrie-Rocky View, and I appreciate very much the opportunity to have been able to stand and speak in the Assembly. Thank you.

THE SPEAKER: Hon. members, Standing Order 29(2) kicks in. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. At this time I have a question for the hon. Member for Airdrie-Rocky View, and it would be this. The hon. member was discussing the value-added industry and the importance of it to the Alberta economy, and I could not agree with her more. But can the hon. member explain, please, why we are allowing so much of our natural gas liquids to be exported, specifically ethane, in the Alliance pipeline and why it is not upgraded in this province?

Thank you.

MS HALEY: I would be delighted to take a shot at that. I believe that it was the National Energy Board of Canada, federal, that determined that this gas would go out in this form, and we've been trying to work with the industry, in fact, to have more work be done here in Alberta, but it's fairly difficult. Maybe the Minister of Energy could help me out here, but my understanding was that the National Energy Board of Canada approved that in that form, and the only way to undo it is to become very uncompetitive in this marketplace.

Thank you.

THE SPEAKER: There being no additional questions or comments, then the chair will recognize the hon. Minister of Justice and Attorney General.

MR. HANCOCK: Well, thank you, Mr. Speaker. I as well am honoured to have the opportunity this afternoon to make comments in address in reply to the Speech from the Throne. I would as well like to start by acknowledging and thanking Her Honour the Hon. Lois E. Hole, our Lieutenant Governor, for the job that she does and for the inspiration that she is to Albertans and particularly to Albertan children. Since the appointment of Her Honour and her taking on the role of Lieutenant Governor, she has made it a passion to attend schools in our province and to inspire schoolchildren in our province to succeed. I would like to thank her for doing the job that she's doing. She has really revitalized the role of Lieutenant Governor and therefore revitalized our understanding of the monarchy and the way that our monarchy plays a role in our democratic process. I for one very much appreciate that.

4:50

I'd like to comment just briefly on some of the aspects of the Speech from the Throne. The Speech from Throne in itself this year, in my view, was inspirational. I've been a student of government for a long time. I actually read speeches from the throne before I was elected, which I know not many people do. I have copies of speeches from the throne that have been signed by Peter Lougheed and by earlier Premiers and earlier Lieutenant Governors. I have a collection of them. I collect things like this.

Historically speeches from the throne tended to be a fairly dry litany of what was going to happen over the course of the year.

“We’re going to amend the Railway Act. We’re going to do this act. We’re going to do that act.” Really the role of government is to provide a policy direction for the province, a policy oversight for the province, to provide a vision, to provide hope, to paint a picture of hope for the province, where we want to go and how we want to get there, and then the role of government is to look to see what the best delivery model is.

For many of us the private sector does a very good job of delivering most things. The government is a necessary delivery vehicle for some other things, and not-for-profit or nongovernment organizations deliver very well in other areas. But it’s not the primary role of government to be a program deliverer. It’s the primary role of government to set the policy standard and then to make sure that there’s a delivery vehicle and then to audit to make sure that we’re achieving that standard. So the Speech from the Throne this year, in my view, really spoke to that.

A healthy Alberta, working together to build a healthy Alberta. What could be a better set of directions for our government in this year than that very topic?

To start the Speech from the Throne, they’re talking about recognizing Her Majesty’s Golden Jubilee with commemoration through the Premier’s citizenship awards, through the Queen’s Golden Jubilee citizenship medal, and through the Queen’s Golden Jubilee scholarship for the visual and performing arts, again setting a very, very good tone at the very front end of the document for something which I believe to be extremely important.

Mr. Speaker, the reason I’m here in this House today is because my parents taught me that we have an obligation. We have an obligation to give back to our community. We have an obligation to take care of our families and then to contribute to our community. So in this 50th year of the reign of Her Majesty Queen Elizabeth II, what more fitting way could we recognize that Golden Jubilee than to recognize citizenship and encourage citizenship, particularly in youth?

The citizenship award to one student from every high school in the province to recognize the values which make up citizenship and to recognize mentorship, leadership in those schools, and leadership in our community among our youth is to me one of the most important and most significant things that we could do, so I was absolutely delighted that we could recognize the jubilee in that manner and then in order to highlight it have a jubilee medal, which I hope will be presented right here at the Legislature and that we will bring the five winners of the jubilee medal each year to this Legislature to be presented that medal. Perhaps, Mr. Speaker, that medal could be presented at a luncheon where the Lieutenant Governor and the Premier and the Speaker could be in attendance, or perhaps we could even have them in the Speaker’s gallery and have the presentation there.

The opportunities are marvelous to highlight the fact that the Legislature is about citizenship. It’s about what we can each do in our communities to make our communities a better place. While we have the opportunity to be here and to debate public policy in this forum, what’s really important is citizenship back in our communities and how we each play a role in building our communities. So, Mr. Speaker, I’m absolutely delighted that the front piece of the Speech from the Throne was celebrating citizenship, particularly celebrating citizenship and mentoring of citizenship among our youth.

Mr. Speaker, the Speech from the Throne goes on to talk about “the unique character and record of accomplishment that the people of Alberta have shaped through hard work, concern for each other, and the sharing of common goals.” And again I’m inspired by those comments and by what they mean, what they say to Albertans,

because what they say to Albertans is that we know and understand that Albertans are pioneers. They’re young, well-educated people who are ready to take on new challenges.

I’m reminded of the time when as minister of intergovernmental affairs I had the opportunity to attend in Redmond, Washington, with the Premier of our province. We met at Microsoft, and we met with their vice-president of research. Now, Microsoft spends \$3 billion on research every year, and we were able to let them know that nowhere in this world is there a better place to do research and development of product than in Alberta, because we have a young, well-educated population who are entrepreneurial and pioneering. There’s no place where people have taken up computers faster. We’ve more computers per capita than anywhere else as far as I’m aware. Anytime some new product comes out in the way of a telephone, an electronic telephone, a VCR, the take-up in Alberta is faster than in most places in the world, and it’s because we’re pioneers. It’s because we’re prepared to step out, to try something new, to be entrepreneurial, to be different, to be daring, and to be good at it. So that’s what the Speech from the Throne says to me, and it says that this government recognizes that and will build on that, Mr. Speaker.

It goes on to talk about the Future Summit. The Future Summit is important. I was chagrined the other day when someone asked whether the Premier would direct the co-chairs of the Future Summit that they should not bring forward something that was said by Albertans at the Future Summit. The Future Summit is typical, a hallmark of this government, where we listen to Albertans, but we listen to Albertans not so that we can do everything minutely that we’re told by Albertans, because of course that’s not possible. There are 3 million and some Albertans, and there are many, many different views as to what should be done.

We listen to Albertans in the context of the Future Summit, Mr. Speaker, so that we can shape a vision for this province not based on the 83 people in this House and solely their views, not based just on us going out to our constituents, which is a very, very important part of the democratic process and shouldn’t be overlooked, but also on the types of summits and forums that the Future Summit provided so that there could be reasoned and educated thought and opportunities for discussion so that we can continue to reshape and rethink and relook at where we’re going and how we’re going to get there. So the Future Summit was a very, very important way to help Albertans have an opportunity to provide and guide us in setting a vision for this province.

We then get onto the real context of this speech, the theme of the speech, which was working to build a healthy Alberta and the betterment of people’s health and the province’s health that the government dedicates itself to in 2002. I want to comment just briefly. In the Speech from the Throne there was a comment that said that that is exhibited in many, many ways, not just by prescriptions of pills or providing surgical services but in so many ways that we make ourselves healthier. One of those ways was the teacher who took a student aside to say, “Good work.” I might have expanded that particular part of the speech to also say the student or former student who says to a teacher: you made a difference in my life; I would not be where I am today without what you’ve done for me in the classroom and what you did for me as a role model. We have so many teachers in this province who can tell us stories of being in a store or a restaurant or being on the street or in the parking lot at a movie theatre and having somebody come up to them and say: you were my teacher; you made a difference in my life. I’ve witnessed that happen, Mr. Speaker, and it’s about what makes this province healthy. It’s teachers who work every day with our students to make sure that our students have the opportunity to be

the best that they can be, and they do make a difference.

Mr. Speaker, a “sustainable health care system,” because, yes, although we’re talking about health in the broad context, there’s also the health care system itself. We had the benefit in January of what’s called the Mazankowski report, the Premier’s Advisory Council on Health, and that was a very broad-reaching report, 44 recommendations.

5:00

I’m not going to dwell on all the recommendations, Mr. Speaker, but there were some in there that we don’t dwell on enough perhaps because we often think of health care on the acute care side. The first recommendation, Mr. Speaker, was one of wellness, and I again really would like to emphasize that. I often talk about in the Ministry of Justice, that I’m responsible for, the wellness side of the justice system. How do we make sure that we don’t spend so much on acute care in the justice system? We do it by making sure that our children have a good start, that they’re healthy, that they get a good education. If there’s any way to keep people out of jail, it’s to make sure that the barriers to their success are removed and that they have an opportunity to succeed. So when we talk about the health care system, wellness is very important.

One of the members of our caucus takes every opportunity to talk about the fact that we should be putting some of our resources into community programs for children so that they can be active and healthy in sports. That’s very right. We do need to encourage that active, healthy activity, and that’s done in so many ways in our communities by organizations, for example, like the YMCA, who provide healthy leadership opportunities for our children and for some of us as adults if we’d ever go. So on the wellness side of the agenda we could do better for Alberta if we would devote some attention to making sure that we are well.

There are so many things to say, and I’m going to run out of time, but I do want to say that we often refer to the Premier’s council as the Mazankowski report, but we shouldn’t lose sight of the fact that there were 11 people who served on that committee and many more who supported them and provided ideas. I want to just reference one who’s a constituent in Edmonton-Whitemud, Dr. Lillian Douglass, who I’ve had the honour and privilege of talking to about health issues since well before I was elected, when I was at a roundtable on health care as a representative of the University hospital and talking about some of the things that are so important and that have come through in this report, like taking measures so that Alberta’s health care professionals are able to practise to the full extent of their training and education. So many people in addition to Mr. Mazankowski made a huge contribution to that report, and I just wanted to take this opportunity to acknowledge that and to acknowledge the good work of Dr. Lillian Douglass, who’s a former president of the AARN, and the others on that committee who made such a contribution.

The other aspect of the recommendations that I wanted to touch on briefly was the question of the contribution of health care to our

economy, and we mustn’t overlook that side. It’s not to say that the other ones aren’t important, but health research, particularly in the Capital region, is very, very important. If we look to the next 20 years and the impact that biotech research and development is going to have on our economy and therefore our well-being and our wellness, we can’t diminish that in any way, shape, or form. So, yes, we spend some \$6 billion on health care, but let’s recognize what impact that has on our community in terms of the economic driver and the economic engine that it provides for us and the good work that’s done in our postsecondary facilities and our research facilities both in the public and the private sectors as spurred on by the emphasis that we put on health care, but it also contributes back to our community because of health care.

A Healthier Alberta through Learning: Mr. Speaker, it couldn’t be a more important topic. It’s essential that we deal with education in a meaningful way, that we constantly revisit, re-evaluate, and that we recognize the important contributors to education, those contributors again being our teachers. Our goal should be that our children always have the opportunity to be the best that they can be.

I’d like to just reference a comment that was made in a speech to the students in the Ismaili community during their Ishtar awards last year recognizing the success of those students. An ophthalmologist from Ottawa who was the president of the Ismaili community in Ottawa at the time was the guest speaker. He made the point that we have an obligation to maximize our potential, to be the best we can be so that we can contribute, so that we can give back, so that we can make our community a better place.

That would appear to be my time, Mr. Speaker, and I would just end where I started. We all have that obligation to build our community, to make our community a better place, and this document, the Speech from the Throne, is such a good framework for that.

THE SPEAKER: Hon. members, Standing Order 29(2) option for hon. members. There being none, then I would now like to call on the hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. Because it is our first week in the House and we’re all excited about the opening session and being here again, I’d like to move that we adjourn debate.

[Motion to adjourn debate carried]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. on Monday, March 4.

[Motion carried; at 5:06 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, March 4, 2002**

1:30 p.m.

Date: 02/03/04

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

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

Hon. members, would you now please remain standing for the singing of our national anthem, and please join in in the language of your choice as I call on Mr. Paul Lorieau.

HON. MEMBERS:

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

THE SPEAKER: Please be seated.

head: **Introduction of Visitors**

MR. JONSON: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly Mr. Sulev Roostar, charge d'affaires of Estonia. He is accompanied today by his wife, Mrs. Anna Roostar.

Since achieving independence in 1991, Estonia has undergone major political reforms and has obtained very impressive economic stability and growth. In 1999 Estonia joined the World Trade Organization and is now poised to join the European Union. Alberta is home to a vibrant and active Estonian community, and we're proud of the many ways that this community contributes to our province. Today's visit by Mr. Roostar is an excellent opportunity for us to learn more about each other and to discuss ways to build upon the Alberta/Estonia friendship. I would ask that our honoured guests please rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

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

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a great pleasure to introduce to you and through you to all the members of the Assembly a very special guest who's visiting me all the way from Melville, Saskatchewan. I've known this woman for all the 37 years that I've lived on this planet. I'd ask that my mother, Jean Rathgeber, stand and accept the warm reception of this Assembly.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I do have two introductions today. The second one: they're coming into the gallery later. I'm not sure if the first group is here, but I am going to introduce them to you and through you to members of the Assembly. This is a group of 45 adult upgrading students from Alberta College,

which of course is located in the wonderful riding of Edmonton-Centre. They're accompanied today by their instructor, Miss Kim Rusnak, and I'm very glad to be able to welcome them to the Assembly. They're supposed to be sitting in the public gallery, and I'd ask if you could give them a warm welcome.

Thank you.

head: **Oral Question Period**

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

Teachers' Labour Dispute

DR. NICOL: Thank you, Mr. Speaker. I'm pleased that the Premier has agreed to meet with the head of the ATA. This is what the Official Opposition has been advocating for months. My questions are to the Premier. Why did Albertans have to wait so long and experience the hardship of strike before the Premier would agree to meet with the ATA?

MR. KLEIN: Mr. Speaker, I would remind the hon. Leader of the Official Opposition that this meeting was requested by the head of the ATA. It's been our policy that we stay out of the negotiations. I understand that this is not going to be – not going to be – negotiating a settlement. We simply want to see if there's some common ground that can be reached, and we want to see what can be done in the best interests of the students.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Is the Premier free to elaborate a little bit on what he'll be talking about when he goes to meet with Mr. Booi?

MR. KLEIN: I have absolutely no idea, Mr. Speaker. It's Mr. Booi's agenda.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Can the Premier explain why he excused \$85 million in oil royalties in the last two weeks? This is the amount that could have been used to resolve the teachers' strikes.

MR. KLEIN: Mr. Speaker, there is an explanation, and it's a reasonable explanation. Alberta Energy, the Surmont Producers Group, and Conoco Canada reached a negotiated settlement in their gas over bitumen issue that results in \$85 million in waived royalties in exchange for a gross overriding royalty of 11 percent on future gas produced from the 146 wells in the disputed area.

I think it's important that we point out why this settlement was reached. The agreement was necessary after the Alberta Energy and Utilities Board concluded that continued production of natural gas in the group's wells presented a risk to future bitumen recovery on oil sands leases held by Conoco. The deal doesn't affect our current revenue bottom line, and the waived royalties will largely be recovered over time.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. The hon. Leader of the Opposition stated that \$85 million would solve the teachers' issues. I must remind the Legislative Assembly that for every 1

percent increase in teachers' salaries around the province it costs \$23 million. That amounts to roughly 3 to 4 percent being in this range, so I would respectfully say that \$85 million is not the number that it would take to solve a teachers' strike.

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

DR. NICOL: Thank you, Mr. Speaker. It's misinformation like we just heard from the minister that's really causing the problem in all of this right now.

The court's decision to uphold the teachers' right to strike leaves Albertans with some important questions. The reaction from the government leaves us wondering who's in charge. The minister of human resources said that the government would appeal the court decision, and the Minister of Learning said that they wouldn't appeal it. My question to the Premier: can the Premier explain why each minister tells a different story?

MR. KLEIN: Mr. Speaker, regardless of what the ministers have stated, this is a matter that is essentially in the hands of the Justice minister and Attorney General; that is, the issue of an appeal. I'll have him respond.

THE SPEAKER: The hon. minister.

MR. HANCOCK: Thank you, Mr. Speaker. This is essentially a labour negotiation issue. From a time perspective an appeal of the decision on Friday is not effectively a solution with respect to the labour discussions. However, it's still important that we consider the question of an appeal over the longer term with respect to the inherent underlying issues relative to the time frames and the tests that are involved when a court interferes with a decision of the Lieutenant Governor in Council.

THE SPEAKER: The Minister of Learning.

1:40

DR. OBERG: Thank you. I feel I must stand up to correct the statement that was just made, Mr. Speaker. At no time did I say that we would not appeal. I agree entirely with what the Minister of Justice has said. Perhaps the hon. Leader of the Opposition has been listening to some people that are telling them some falsehoods.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Attorney General: is he looking into why his lawyers and the people who recommended to go ahead with the court action didn't understand their own law enough to make sure that it was right?

MR. HANCOCK: Well, Mr. Speaker, I would suggest to the hon. Leader of the Opposition that the opinion and the work done by the lawyers in our department were in fact correct, that the law as we read it from the Supreme Court of Canada would clearly set the bar at a higher level. There is a question which could be appealed. That's why we have appeal courts. In fact, making the decision that the Lieutenant Governor in Council made, I'm convinced that we had in front of us the evidence necessary to make the decision. The fact that the court disagreed with that does not make the opinion and the direction given by our counsel wrong. It just means that there was a different viewpoint, and unfortunately in this circumstance the viewpoint of the justice prevails.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. The ATA prefers not to talk to the Minister of Learning anymore, and the teachers want to withdraw all services from his ministry. My question to the Premier: is that going to mean that the ATA no longer can functionally work with the Minister of Learning and we should think about replacing him?

MR. KLEIN: Mr. Speaker, I'll have the hon. Minister of Learning respond in fuller detail, but I would hope that in the spirit of co-operation, in the spirit of doing what is best for the students, there would be co-operation amongst the teachers, the ATA, and of course the Department of Learning. Hopefully the meeting this afternoon will serve to resolve some of those issues to bring about the need for co-operation, because we're all in this together.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. I will echo very much what the Premier has just said. What the ATA has stated in withdrawing their services from the Ministry of Learning is that they will not correct diploma exams. If diploma exams are not corrected, it is the student that suffers. They have said that they will not correct achievement tests. Again, if the achievement tests are not corrected, it is the student that suffers.

The committees that we have teachers on from the ATA at this moment are presently doing work that will help the students. Mr. Speaker, from my department's point of view we will continue to extend an invitation to the ATA. If the ATA chooses not to take us up on that invitation, that is their issue. We will, however, continue to ask individual teachers to give us their knowledge when it comes to our committees. The key component here is that it's going to be the students that get hurt.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Back-to-work Order for Teachers

MR. MacDONALD: Thank you, Mr. Speaker. On Friday the Court of Queen's Bench clearly told the government to stop playing politics with teachers. I'm pleased that the hon. Premier is going to get involved directly with the negotiations with the ATA, and the fact that the Minister of Learning has been given a time-out and he's been sent to the corner is also a positive thing. Now, my first question is to the Premier. Will the Premier please explain how the government failed to recognize that the hardship would have to be proven in all 22 school jurisdictions where there were strikes?

Thank you.

MR. KLEIN: Mr. Speaker, first of all, to comment on the comment, I am not about to become involved in negotiations with the ATA. I want to make that abundantly clear. As a matter of fact, I received a letter about 20 minutes ago from the Alberta School Boards Association also asking for a meeting. That is the association that represents the various school districts that are indeed charged with the responsibility of negotiating contracts – negotiating contracts – and I'll have that meeting, just as I'll meet with the president of the ATA.

Having said that, I forgot what the question was.

MR. HANCOCK: Twenty-two jurisdictions.

MR. KLEIN: Oh, 22 jurisdictions. Mr. Speaker, this speaks to the court ruling, and on that point I'll have the hon. minister respond.

MR. HANCOCK: Mr. Speaker, I have to be careful how I say this. The Lieutenant Governor in Council considered whether or not in its opinion there was an unreasonable hardship to a third party. The court in reviewing that decision indicated that in its view it did not see that we analyzed each of the 22 separate situations separately and made decisions separately with those jurisdictions. In my humble submission, it is very difficult to see how anybody making decisions would sit down and say, when the unreasonable hardship is to a high school student who might not be able to complete their year, an international baccalaureate student who may not be able to complete their program, other students who will suffer hardship, how that hardship differs whether that high school student is in Edmonton or is in Airdrie or is in some other part of the province. Therefore, I think the logic is eminently reasonable to suggest that once you've determined that there's hardship to students, you can apply that determination with respect to each of the 22 different boards. So with respect I believe that the court used the wrong test, if I may put it that way, that in fact cabinet did deal with each of the 22 different jurisdictions and made those decisions and in that circumstance was entitled to do so.

Now, obviously the court disagreed with that analysis, put in their own analysis, brought into that analysis some questions of the different issues that were in dispute which, in my view, did not deal with the question of hardship. Fortunately, Mr. Speaker, that is why we have a Court of Appeal.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: can the hon. Premier please tell the House who gave the legal advice to proceed with the back-to-work order? Was it government lawyers or was it lawyers from an outside firm?

MR. KLEIN: Mr. Speaker, all of the matters pertaining to the legalities of this case came from the Justice minister and Attorney General's office, and I'll have him respond.

MR. HANCOCK: Mr. Speaker, it goes without saying that when legal advice is given to government, it's given by and on behalf of the Attorney General.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. My third question is to the Minister of Learning. Will the minister commit to spending as much energy on the issues in the classroom as he has on the issues in the courtroom?

Thank you.

AN HON. MEMBER: The results speak for themselves.

DR. OBERG: Absolutely.

Mr. Speaker, what the learning system is all about is having kids go through and learn what is necessary to be learned. I believe that we have seen that in the recent PISA results which showed us at the top in the world. You've heard me go on about this before. We have numerous examinations around Canada that show us that we're number one in Canada. We're number one in the world. Talk to

some individual teachers and superintendents, and they will tell you that the school classroom conditions are better now than they've ever been. Special-needs funding has doubled.

Mr. Speaker, this hon. member is hallucinating a little bit.

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

Teachers' Labour Dispute

(continued)

DR. PANNU: Thank you, Mr. Speaker. Last Friday the government suffered a stinging defeat by having its attempt to order teachers back to work ruled invalid by the Court of Queen's Bench. In his ruling Justice Wachowich made some strong observations, including that the government used fallacious logic and made fatal errors in its defence of a wrongheaded decision to call it a public emergency. I do commend the Premier for agreeing to meet with the ATA president later this afternoon in an attempt to dig out of the mess created in no small part by his colleague the Minister of Learning. A question to the Premier: in light of the Premier's statement last Friday that he appreciates and respects the ATA's decision to ask teachers to stay in class, is the Premier now prepared to work constructively to settle the outstanding issues in this dispute which involves not only teachers' salaries but also improving classroom conditions for students?

1:50

MR. KLEIN: First of all, Mr. Speaker, I don't consider this to be a "stinging defeat" by any stretch of the imagination. The kids are back in school. The ATA has given an undertaking that before any further job action is taken, if indeed it is even contemplated, there would be 72 hours' notice. To my knowledge the notice of the 72 hours has not been served as yet, so that indicates that the students will be in school for probably the remainder of this week and hopefully for much longer than that, until the end of June or somewhere around there, when it's the normal time to recess for the summer break.

But to answer the question, it's always been our attitude that we should get along. We have absolutely nothing against teachers. As I have reminded the Legislative Assembly before, in this caucus there are 20 former teachers – and I would daresay including yourself, Mr. Speaker – people who are absolutely dedicated to the cause of teaching and students.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My second question to the Premier – and he may need some help from the minister. Are the services of the arbitrator the government appointed last week still available, and if not so, will the government commit nevertheless to allow, subject to agreement with the ATA, an arbitration process to go forward?

MR. KLEIN: Mr. Speaker, I don't think that this Legislative Assembly is the place to get into what might or what might not be contemplated in terms of legislation down the road. When the legislation is tabled, if it is indeed tabled, there will be ample time to debate it at that particular point. Relative to the specific question as it relates to the labour situation generally and very generically, I will have the hon. minister who's responsible for labour reply.

THE SPEAKER: The hon. minister.

MR. DUNFORD: Well, thank you, Mr. Speaker. The OC contemplated a dispute process, and when the OC was declared null and void, so was that dispute mechanism.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My last question to the Premier: will the Premier show a measure of goodwill toward teachers as he walks into the meeting with the ATA president this afternoon and rule out the possibility of a unilateral imposition of a contract settlement through legislation on teachers, and if not, why not?

MR. KLEIN: Mr. Speaker, I'm not about to discuss in any way, shape, or form a discussion that hasn't taken place yet.

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

Accreditation of Private Surgical Facilities

MR. HORNER: Thank you, Mr. Speaker. Some of my constituents are concerned about a recent decision by the College of Physicians and Surgeons to accredit a private surgical facility in Calgary. This facility would perform procedures which would require an overnight stay. My question is to the Minister of Health and Wellness. When will this facility begin performing such procedures?

MR. MAR: Mr. Speaker, the short answer is that I don't know when such a facility would be providing procedures, because an application has not yet been made. I can give this House a background with respect to what has happened so far. The College of Physicians and Surgeons has accredited Health Resource Centre's Calgary facility to perform five procedures requiring an overnight stay. The college has by doing so determined what is medically safe, but as Minister of Health and Wellness it would be my ultimate decision to decide if the facility will in fact maintain the integrity of the public health care system.

The next step, Mr. Speaker, that would have to take place before HRC could start providing services would be for HRC to submit a proposal. My department will then review the proposal and make a recommendation for my consideration. The criteria I will table at the appropriate time later this afternoon. The document is entitled Factors for Assessing Proposals to Provide Uninsured In-patient Surgical Services, and I will have the requisite number of copies to table at a later time.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My first supplemental is also to the Minister of Health and Wellness. Should this facility proceed, will Albertans be able to pay this facility to receive insured services so they can bypass the waiting list for joint surgeries in the public system?

MR. MAR: Mr. Speaker, the short answer is no. The longer answer is absolutely no. Under the Health Care Protection Act it would be illegal for Albertans to pay for insured services, and to be perfectly clear, what we have here is HRC wanting to provide and deliver uninsured services. Under the Canada Health Act there are a number of recognitions for exceptions. Uninsured services are procedures that are paid for by the Workers' Compensation Board, the RCMP, the armed forces, other provinces, the federal govern-

ment, and out-of-country residents, but I'm not aware of any health authority expressing an interest at this time in contracting out insured services requiring an overnight stay.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. Given the minister's response, how would the minister ensure that the public health system is not negatively impacted by this private facility?

MR. MAR: As I indicated earlier, Mr. Speaker, I will be tabling the criteria for review, and I must be satisfied that there will be no adverse impact to the public health system, that such a private surgical facility would in fact serve the public interest, and finally that it would not affect Alberta's ongoing compliance with the principles of the Canada Health Act.

Mr. Speaker, if HRC does submit a proposal, my department will provide a copy to the Calgary health region so that it can determine whether there will be any negative impact to the health authority. My department officials will also consider this feedback as they conduct their review and make a recommendation to me.

But to be clear again, Mr. Speaker, I want to assure this House and Albertans that I will not approve any facility that would clearly negatively affect our province's publicly funded health care system.

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

Children's Services

DR. MASSEY: Thank you, Mr. Speaker. Last Friday night a Grande Prairie boy in the care of Children's Services was left unsupervised in a motel, and the boy proceeded to have a drinking party in his room with about 10 of his friends. My questions are to the Minister of Children's Services. Why wasn't there a safe, supervised overnight facility for this child?

MS EVANS: Mr. Speaker, we are currently looking into the situation as described by the hon. member. I'll be very pleased to bring forward a report when I have it, but simply put, I don't have all the information. I've asked the question, but I don't have it available.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: do motel owners now routinely supervise children in care as a result of the minister's hiring freeze on qualified caseworkers?

MS EVANS: No.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the same minister: can the minister confirm that placing children in motels is a result of the reduced number of caseworkers being unable to seek out appropriate placements for these children?

MS EVANS: Mr. Speaker, in this House last fall again and again and again I described that we added 475 positions to Children's Services. We had filled most of those positions. There were some positions in remote areas that were not filled. We have had an unprecedented increase in our budget, an unprecedented addition of Children's

Services workers throughout the province. On this particular incident that the hon. member is asking the question, I do not know at this time whether or not cost containment or any other situation evolved, but I really suggest that it's premature for me to respond until I get all the facts.

THE SPEAKER: The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Ellerslie.

Funding for Children's Services in Edmonton

MRS. O'NEILL: Thank you, Mr. Speaker. My question is to the Minister of Children's Services. City of Edmonton councillor Michael Phair recently stated that budget cuts to the Ma'Mōwe Capital region are putting children at risk. Could the minister please tell us if this is true?

2:00

MS EVANS: Mr. Speaker, I was quite surprised that at the hearings with the hon. Member for Calgary-Buffalo on the Child Welfare Act there were allegations that there were significant reductions and cuts to the child service delivery system in the capital region or in Ma'Mōwe child and family service authority. In fact, in the last three years we have had phenomenal increases in our budget here. From '99-2000, when the budget was \$120 million, we have increased to today. The current budget up until the year ending is \$178 million.

Mr. Speaker, we have provided additional funds for the last two years to Children's Services for after school child care not only through agreements that were external to the funding model but with the Minister of Human Resources and Employment, who has assisted in providing additional funding.

So I'm tabling a letter later today or tomorrow, at your pleasure, Mr. Speaker, which I have sent to the councillor in question who raised these issues challenging them to in fact provide for us evidence that there have been significant cuts.

MRS. O'NEILL: My second question is to the same minister. Could the minister please tell us whether there has been any increase to Edmonton's family and community support service funding?

MS EVANS: Mr. Speaker, in the last year we've increased the funding to family and community support services provincially by about \$5 million. We added an additional \$1.2 million to the allocation in the city of Edmonton to raise it to in excess of \$9 million.

Mr. Speaker, last November, in co-operation with the child and family service authorities and FCSS, we started looking at a funding model where if, in fact, there can be significant co-operation, the preventive part of delivering child welfare will move in large part to the agencies and support systems through family and community support services, and they're very anxious to take up that challenge. We currently have a committee working with representation across the province between FCSS and the CFSAs to look at ways and means to make sure that children that are only at moderate or at low risk are given supports throughout the community through Boys' and Girls' Clubs, through Catholic Social Services, through other agencies that do not immediately assume that children should be taken into the child welfare caseload, and I think this is very positive. We look forward to providing additional funds for FCSS through our budgetary process later this year.

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

Water Management

MS CARLSON: Thank you, Mr. Speaker. In the Department of Environment's document *Water for Life: An Introduction* it says, "Although we suspect Alberta has large amounts of groundwater, we currently do not have data that indicates exactly where, and how much groundwater is available." My first question is to the Environment minister. What makes him suspect that Alberta has large amounts of groundwater when his own document indicates that he doesn't have sufficient data to support this statement?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. The document is quite clear that we need to do further mapping to discover exactly where the groundwater is and the volumes of the groundwater. We just don't have good data on it yet.

One of the things that we're hoping will come out of this process that we've entered into is a good education process and a good process for Albertans to learn about water and our water supplies, both our groundwater and surface water. I would encourage anybody that would like to learn about that. We've got a very good booklet out that the hon. member has referenced, and it's quite clear that we still have a lot to learn about water in this province.

MS CARLSON: Then, Mr. Speaker, can he answer this question: how can he start or justify the political process of divvying up Alberta's water resources when he doesn't know how much water there is or even where the groundwater is?

DR. TAYLOR: I am not sure where she's got the idea that anybody is divvying up Alberta's water. We've started a consultation process to ask Albertans important questions about water and water utilization. Nobody is talking about divvying up, and I would encourage the members opposite to participate. I believe I sent all of the members personally one of the documents, and I would encourage them to read it.

MS CARLSON: Mr. Speaker, to the same minister: is doing essential baseline research considered a short-, medium-, or long-term goal of the consultation process?

DR. TAYLOR: Well, certainly, Mr. Speaker, we have to do research and find out information before we can come to any conclusion. What the document is clearly pointing out is that we have to have short-term goals, medium-term goals, and long-term goals. This process cannot just result in a short-term kind of view of water, because as our population grows – we've got the fastest growing economy in this country – we still have to go forward and understand short-, medium-, and long-term goals as we go forward in this consultation process.

THE SPEAKER: The hon. Member for Redwater.

Alberta Agriculture Offices

MR. BRODA: Thank you, Mr. Speaker. I have been receiving numerous calls from my constituents concerning the closure of Alberta agricultural offices. They have heard that there will be no agricultural specialists in the field. Removal of these specialists will adversely affect rural communities. I would like to direct this question to the Minister of Agriculture, Food and Rural Development. Could she please enlighten us about these changes?

MRS. McCLELLAN: Mr. Speaker, I too have been receiving numerous calls and letters on this issue, as I think most of the rural members in this House have. First, I would say that it's wholly incorrect to say that there won't be any Alberta agriculture specialists located in rural Alberta. However, having said that, I will say that we are restructuring how we provide services in rural Alberta. We're doing it in response to the information and advice that we received through the ag summit process. So we will be changing the way we deliver those services. There will be hub offices. Some 16 in the province have been identified to date. They will have teams of specialists, and they will have research facilities, laboratories, et cetera. We will have collocations with other partners in some of our regions.

Our call centre hours will expand. You know, farmers don't shut down at 4:30 when our offices close. Their questions might come up at 8 o'clock at night or 6 o'clock in the morning, and those call centres are manned by knowledgeable people who can give answers, not one of these "push button number 1, 2, 3, or 4."

The other thing is the extensive use of our web site Ropin' the Web. Mr. Speaker, it's amazing the number of hits we've had on it from Albertans, from across Canada, and in fact from 127 countries in the world.

The last thing I wanted to say on this subject is a very important thing. I have also been receiving a lot of questions on support for 4-H. Let me make it very clear that this government is not reducing its financial support to 4-H. It is not reducing its support to 4-H. It is a fine program. However, what we are doing is working with the 4-H Council and 4-H Foundation to determine which is the best way to deliver those services to our 4-H members. When that determination is completed, we will let people know.

THE SPEAKER: The hon. member.

MR. BRODA: Thank you, Mr. Speaker. To the same minister. I had the understanding that MLAs would be advised of any changes in their constituencies. Now I understand that the staff of the Smoky Lake office have been offered severance packages, and as a result that office will be closed by the end of March. How can this process be consultation?

MRS. McCLELLAN: Mr. Speaker, I'm not at liberty to talk about severance packages of individual Alberta Agriculture staff. That information is private and confidential. However, in this process we did talk with our staff first right across our whole rural services. We value our staff, we respect our staff, and we thought that they should be the first to know and should have options. So they have options whether there is an office remaining there as to whether they might want to relocate, whether they might want to take a severance. I can say this: that severance packages are voluntary, that they have to be approved by our deputy minister, and our staff are being encouraged to apply for any positions that might be available in our department in any location.

THE SPEAKER: The hon. member.

MR. BRODA: No further questions.

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

2:10

Health Care Premiums

DR. TAFT: Thank you, Mr. Speaker. My question, as he knows, is

to the Minister of Health and Wellness. Given that the Department of Health and Wellness does not keep track of how much is paid in health care premiums by businesses, how is the minister planning to assess the impact of an increase in premiums on Alberta businesses?

MR. MAR: I can give this background on the subject matter of health care premiums. First of all, Mr. Speaker, there hasn't been an increase in health care premiums since 1995. Over that same period of time, that seven-year period of time, health care costs have nearly doubled. I think it's well understood by Albertans by reason of health care premiums that our health care system is not a free system. It costs money. It costs approximately \$18 million a day, and overall my concern has to be on the delivery of an affordable health care system that has high-quality services that people have access to.

Issues with respect to what may be paid for by employers and so on and so forth, Mr. Speaker – I think most people understand that that would not be the central focus of my attention.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Perhaps it should be.

Does the Minister of Health and Wellness plan to give Albertans a free choice about whether or not they pay health care premiums?

MR. MAR: Understandably, again I think most Albertans recognize the value of our health care system, that it's not only important to have good health but good health insurance. We do have a good system, Mr. Speaker, that is occasionally excellent, and Albertans support it. We support it in part through health care premiums. Those premiums which are collected to this point amount to approximately \$660 million out of what amounts to what we'll spend this year, roughly \$6.8 billion, so roughly 10 percent of the overall costs of the system. We continue to collect health care premiums from individuals. Understandably people don't want to pay more for anything, but I think that if Albertans understand the money that is collected for health care premiums goes to supporting the very good health care system that they enjoy, they'll understand that.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. I'll take that as a no.

Since the great majority of Albertans have no choice under law about paying premiums, how can the minister deny that they are a tax?

MR. MAR: Mr. Speaker, I am not a tax lawyer, nor am I here to give an opinion with respect to whether something is a tax or not.

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

Rental Properties

MR. MASON: Thank you, Mr. Speaker. The former Member for Wainwright who recently resigned in disgrace while pocketing \$345,000 in severance from the taxpayers of Alberta was an investor in Village on the Green, formerly known as Park Valley Village, located in the constituency of Edmonton-Highlands. Since this property was taken over by Ulysses Property Management, tenants have been hard hit by dramatic rent increases of as much as \$250 per month and the deterioration of the properties. One tenant is quoted as saying: they have slumped up the place. To the Minister of Seniors, who is responsible for housing: what will this minister do

to ensure that people living in these developments can be assured that their rents remain affordable and that they are not forced out into the street due to the gouging of property speculators and scam artists?

MR. WOLOSHTYN: Mr. Speaker, the issue as presented by the hon. member is one that is not only restricted to Edmonton nor to particular developers. It's something that we have been trying to deal with. First of all, if this is a question of whether we intend on getting directly involved in the rental market, the answer is no. The best solution to the problem is to ensure that we have a sufficient number of units available to people so that they do have some choice and the volume of supply is such that it keeps the cost down, and we are working on that with the various municipalities across this province.

MR. MASON: Again, to the minister, Mr. Speaker: since some of these properties have been a constant source of concern to the surrounding community for years, will the minister give us some idea of what might be done to ensure that they become stable, affordable, family-oriented housing which benefits the surrounding communities?

MR. WOLOSHTYN: I would like to do that, but unfortunately, Mr. Speaker, that is far beyond my role as housing minister. This is something that is best brought forward to the city of Edmonton, to their planning department. Hopefully they have addressed the issue and, if they have, will continue to address it to ensure that all their neighbourhoods are appropriate for the people that are living in them.

MR. MASON: Mr. Speaker, what will the minister do to ensure that tenants and communities are no longer victimized by the actions of speculators and scam artists?

MR. WOLOSHTYN: Oh, boy. The request is quite heavy-duty, Mr. Speaker. I can't anticipate what speculators and scam artists would be doing. I know that under the area where I have jurisdiction, with respect to seniors, we have a variety of programs such as Wise Owl to ensure that telemarketing and other things aren't hitting that particular segment of the population we have. We have a whole area of government that deals with consumer protection, and I think under that we can't do much more. I would hope that people who are victimized bring forward their concerns as quickly as possible to any appropriate person so that they can be helped as individuals and collective action may be taken by authorities when appropriate.

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

Alberta Supernet

MR. STRANG: Thank you, Mr. Speaker. Residents of West Yellowhead constituency have been questioning me about the status of the Supernet project. My question today is to the Minister of Innovation and Science. When will Supernet come to the West Yellowhead constituency?

MR. DOERKSEN: Mr. Speaker, the Member for West Yellowhead understands fully the benefits that Supernet will bring to the rural community. Since the contract was completed last summer between Bell Intrigna, Axia, and the government of Alberta, a lot of planning has taken place to develop the build schedule. I'm pleased to let the

member know that as of late February the build schedule was released. While I can't specifically tell him the individual community dates in the Assembly, if he logs onto www.albertasupernet.ca, a complete list of the build schedule and maps are available there. For any Albertan who does not have access to the Internet, they're welcome to phone any member of the Legislature and get that information that can be available to them.

THE SPEAKER: The hon. member.

MR. STRANG: Thank you, Mr. Speaker. My first supplementary question is to the same minister. What are the factors used to determine the order in which communities are to be connected to the Supernet?

MR. DOERKSEN: Mr. Speaker, there are quite a considerable number of factors that needed to be considered when we designed the schedule. Among those is access to right-of-ways. Among those is the design or the architecture of the electronics themselves. Weather, of course, is a factor. One of the parameters was that we did not want to strand existing fibre optics, so there's some negotiation that has to take place with existing fibre owners to utilize that fibre wherever possible. All of these factors have led into the discussion of how we build the Supernet and to which communities it will go first.

The last factor, Mr. Speaker, is that when a segment is finished, a test has to take place on that network to make sure that it's working. That will be the final test for each segment before it is certified as qualifying to be advanced to the Supernet.

THE SPEAKER: The hon. member.

MR. STRANG: Thank you, Mr. Speaker. My second supplementary question is to the same minister. Can the minister explain the pricing structure re urban and rural for the Supernet fee?

MR. DOERKSEN: Mr. Speaker, the rates that we are giving to the schools, the hospitals, the libraries, and the government buildings in the rural communities will be the equivalent rates to those that are charged in urban centres. That was a key consideration when we designed the contract because we wanted to make sure that rural users had the same access as urban users to be able to develop their communities and had the same availability as those in the urban centres have.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Vermilion-Lloydminster.

2:20

Seniors' Health Care Premiums

MS BLAKEMAN: Thanks very much, Mr. Speaker. Alberta seniors have faced repeated economic penalties, be it increased electrical, telephone, and rental rates or the soon to be increased health premiums. My question is to the Minister of Seniors. Has the minister determined what the effect of this new health tax, this health premium, will be on Alberta seniors?

MR. WOLOSHTYN: Well, I'll speculate for a moment if I may, Mr. Speaker. Until budget day comes, we won't know if there is a premium increase and, if there is, how much. But to go along with the speculation, I would say quite clearly that to lower income seniors the impact will be zero because, as in the past, we will be supporting the health premiums to some 50 or 60 percent of seniors either partially or totally, and that will not change.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks very much, Mr. Speaker. Given that 50 or 60 percent of seniors, as the minister mentioned, currently receive full or partial subsidy of health care premiums, has the minister and his department worked out how much subsidizing a higher cost premium is going to cost the government?

MR. WOLOSHYN: Well, Mr. Speaker, it will cost the government zero because what comes from my department goes into revenue, so it would be a balance.

MS BLAKEMAN: I think it's called forgone revenue.

My final question to the minister: has the minister and his ministry determined how many seniors will likely be pushed over the line into poverty by the addition of this new health head tax?

MR. WOLOSHYN: Yes, we have, Mr. Speaker. Not a single senior will be pushed into poverty by this government.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

Trade Mission to Germany

MR. SNELGROVE: Thank you, Mr. Speaker. Representatives of our government just recently completed a trade mission to Germany. I know it was done in conjunction with the Team Canada trade mission, but it still carries quite a cost. My question is to the Minister of Economic Development. Given the economic realities of today, can the minister justify to Albertans the cost of this mission?

THE SPEAKER: The hon. minister.

MR. NORRIS: Well, thank you very much, Mr. Speaker, and the hon. member for the question. I'm delighted to answer that. As you know, one of the beauties of this job, which I consider to be the best in Alberta, is to go out and sell what the Premier and the team have put together, which is the strongest economy in Canada, the strongest economy in North America, and the continued growth that is the envy of the free world. One of the purposes of these missions is to get out there and sell the Alberta message to foreign markets in order to continue diversifying our economy. We have five or six very major industries, and tourism is one of them. These trade missions serve as an ability for the Alberta government and certainly my department to get out there and tell the people of the rest of the world that we have created something very unique and magnificent here, the best economy in the world.

THE SPEAKER: The hon. member.

MR. SNELGROVE: Thank you. Well, Mr. Minister, given the development of the European bloc as a single trading nation, why would you target Germany? Did you have any results? Was there any success in this mission?

MR. NORRIS: Well, I guess I would need the hon. member's definition of success, Mr. Speaker. However, why we targeted Germany in specific is that it represents the third-largest economy in the world and the second-largest source of overseas investment. Aside from the obvious connection whereby more than 500,000 Albertans can trace their roots to Germany, including Premier Klein, there has been historically a very strong tie between the German economy and our own. We picked Munich because it represents . . .

AN HON. MEMBER: Beer.

MR. NORRIS: Well, yes. It represents the industrial and economic hub of Bavaria, Mr. Speaker. As a result, we expect to get a number of new foreign investment dollars.

With regards to the specific results of the tour, I am very pleased to announce that we met two weeks ago with a company who is now in the final stages of establishing a foundry here just outside of Edmonton. That foundry is estimated to employ 50 to 100 skilled people, long-term, sustainable jobs, Mr. Speaker. The investment is in the neighbourhood of \$20 million to \$25 million, and we are in ongoing negotiations with two other major companies who, if everything goes according to plan, will be setting up in Alberta in the next six months. Very tangible results, but again, as I said, when we have the ability to sell the best product in the world, it becomes very easy.

head: Recognitions

THE SPEAKER: Hon. members, seven members have indicated their intent to participate in Recognitions today, but prior to calling on the hon. Member for Dunvegan, let me draw to your attention the recognition that this is now the 43rd anniversary of the birth of the hon. Member for Calgary-Mountain View.

Dr. Andries Botha

MR. GOUDREAU: Thank you, Mr. Speaker. Today I would like to acknowledge a great Albertan and a great physician. Dr. Andries Botha works at the Grimshaw medical clinic, but even in his spare time he looks for new ways to contribute to the community and the wellness of Albertans.

On August 5 of last year Dr. Botha began his beyond-extreme bicycle trip in Prudhoe Bay, Alaska. Twenty-six thousand kilometres and 139 days later the trip ended in Tierra del Fuego in Argentina, the southernmost tip of the South American continent. This adventure took Dr. Botha through two continents and 13 countries, and as if that wasn't an outstanding achievement already, Dr. Botha then proceeded to climb Mount Aconcagua, the highest peak in the western hemisphere. The climb ended prematurely due to poor atmospheric conditions. Nevertheless, Dr. Botha's trip was a success. What makes this individual effort even more special is the fact that the trip was also used as a launching platform for a trust fund that Dr. Botha set up for children receiving cancer treatment. This is a great example of linking personal achievement with the good of the society as a whole.

Dr. Botha is a great role model for all Albertans, and it's with utmost pleasure that I stand and acknowledge his outstanding achievement. Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, the time frame for recognitions is one minute.

The hon. Member for Lethbridge-East.

Preston Manning

DR. NICOL: Thank you, Mr. Speaker. I rise today to recognize an Albertan who was raised on a dairy farm near Edmonton but never ventured far from politics. As a boy he roamed the halls of this Legislature. At age 45 he helped organize and subsequently became the first leader of the Reform Party of Canada. After the 1997 federal election Reform became the Official Opposition in Ottawa with Preston Manning as its leader. This political movement forced our federal government to get tougher on crime, cut the federal deficit, and rearrange government spending. He helped set the national agenda from here in Alberta. He was always gracious both

in political victory and in defeat. Honest and respectful are two special words to describe Preston Manning. His contributions to this province and this country do not go unnoticed.

Mr. Manning retired from Canadian politics at the end of January. My colleagues and I and, I hope, everyone in this Legislature join together to wish Mr. Manning, his wife, Sandra, and their family all the best in the future.

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

Jarome Iginla and Ken Tralnlberg

MRS. O'NEILL: Thank you, Mr. Speaker. On behalf of my constituents in St. Albert today I wish to extend warm congratulatory wishes to two Olympic medalists from St. Albert, Jarome Iginla and Ken Tralnlberg.

Jarome grew up in St. Albert, lending his athletic talents to St. Albert minor baseball teams and St. Albert minor hockey teams. Jarome, with his mother, Susan, and his grandparents Rick and Fran Schuchard also lent their musical talents in entertaining community residents over the years. We all know that Jarome scored the second and fourth goals in the gold medal game for men's hockey, which we as a nation thoroughly enjoyed on February 24, but what we may not know is that Jarome donates \$1,000 for each goal he scores to provide an opportunity for disadvantaged kids to play organized sports. To date Jarome has given \$39,000 to this charitable cause.

The other accomplished St. Albertan is Ken Tralnlberg, who played on the men's curling team and proudly won a silver medal. Ken has curled with our St. Albert Curling Club and rink.

I am indeed proud to honour Jarome and Ken, our St. Albertan Olympic medalists.

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

2:30

India Day Celebration

MS CARLSON: Thank you, Mr. Speaker. On February 3, 2002, the Council of India Societies of Edmonton held their annual India Day celebration. The theme for this year's outstanding award presentation and cultural celebration was Promoting Peace and Tolerance. The essays written by local high school students were very well done and deserve recognition by this Assembly. First prize, Manoj Kumar Saraswat, grade 12, essay entitled Should a State Restrict the Freedoms of Its People to Deal with Security Issues? First prize, Vishesh Kumar, grade 10, essay entitled Should We Apply Gandhian Solutions to Create World Peace? Second prize, Angela Sharma, grade 10, essay entitled How Should We Seek Peace in this Age of Turmoil and Conflict? Third prize, Anuj Saraswat, grade 10, essay entitled Freedoms and Human Rights Are Inalienable Rights of Citizens of a Democracy.

Mr. Speaker, I will table copies of these essays and encourage all members to review them.

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti.

Carter Rycroft

MR. GRAYDON: Thank you, Mr. Speaker. It's my pleasure to rise and recognize another Alberta Olympian. Carter Rycroft plays second on the Kevin Martin silver medal winning curling team. Carter is from Grande Prairie, lived a couple of blocks from the curling rink, and after school and after supper he would run over to the curling rink and fill in if somebody didn't show up. As a result, he curled in the men's league, the mixed league, and the super league. You name it; he was there. And they were happy to have him.

Grande Prairie and indeed all Albertans should be very proud of Carter Rycroft, silver medal winner in curling at the Olympics.

Thank you.

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

Keep It Simple Club

MR. MASYK: Thank you very much, Mr. Speaker. I would like to recognize a pleasant little surprise I found on 82nd Street and 117th Avenue in Norwood. I would like to congratulate Tom Charbonneau and Lawrence Lathe for a job well done. The Keep It Simple Club is actually a nice and fancy little restaurant they have going. When you walk into the club, you are pleasantly surprised with the elegant decor and pleasant service. This attractive coffee shop certainly is a much-needed improvement for this part of the city and is open from 7 a.m. until midnight, so it accommodates earlier risers and late visitors.

I wish them every success in their business and applaud their decision to provide rental facilities for 12-step programs and other recovery programs with extremely modest rental rates. With an excellent combination may their business prosper and their recovery program be helpful to many people in Edmonton-Norwood.

I'd like to invite all MLAs to visit this nice little spot in Edmonton.

Thank you.

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

Heroic Almadina Charter School Students

MRS. FRITZ: Thank you, Mr. Speaker. I am very pleased and proud to recognize three very courageous young people. Thirteen-year-old students Hana Kadri and Mary Fares and 11-year-old student Anees Amr faced a very difficult situation on Friday while returning home on the school bus from Almadina charter school. There were 40 students on the bus that day, and Hana sensed that her classmates were in serious danger because to Hana and others the bus driver appeared to be very impaired. Students were very frightened on that bus.

Hana told me that she knew that Mary, her best friend, had a cell phone. They quickly put together a plan. Hana took the first step and called 911 to report the seriousness of the situation, and Anees gave clear directions to the Calgary police. Other students distracted the driver while Hana's important call was being made.

Mr. Speaker, the quick action of Hana, Mary, and Anees prevented what could have been a very serious tragedy, and I have written to the Calgary chief of police to strongly support that these brave students receive a special commendation from the Calgary Police Service.

I would ask all members of the Assembly to join me in congratulating Hana, Mary, and Anees for their heroic action.

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was tabled today with the office of the Clerk: Alberta Racing Corporation 2000 annual review, the hon. Mr. Stevens, Minister of Gaming.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have two tablings. The first is the copies of the speeches prepared by students from Old Scona and J. Percy Page high school that I referred to in my recognition.

The second is five copies of a petition with 4,549 signatures from the Alberta Wilderness Association. The AWA is requesting that the government reverse the FMA process in Kananaskis, Ghost, Waiparous, and Burnt Timber forests.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have three tablings today. The first is from a teacher at a high school in my constituency. Janice Paproski is a first-year teacher who has 22 special-needs students in her class.

My second tabling is from a constituent, Dallas Becker, who has sent me an e-mail with suggestions on what the government needs to do to improve education.

The third letter is from a constituent, Janet Thomas. The letter is addressed to Neil Wilkinson, chairman, Capital health authority. This is outlining her horror at the treatment that was received by her father when he was in the University of Alberta hospital.

Thank you very much, Mr. Speaker.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first one is the program from the International Human Rights Day that occurred on December 10, 2001, at Edmonton city hall. I would urge all hon. members of this Assembly to read the universal declaration of human rights on the back of this program.

My second tabling today is of course the appropriate number of copies of the judgment that came down from the Court of Queen's Bench, the reasons for judgment of the Hon. Chief Justice Allan H.J. Wachowich, on Friday regarding the ATA and our current government.

Thank you.

MS EVANS: Mr. Speaker, I have one tabling today of a letter I've written to Councillor Michael Phair of the city of Edmonton, which I referenced previously in a response I gave to the hon. Member for St. Albert.

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

MR. MAR: Thank you, Mr. Speaker. Earlier in question period I referred to a document entitled Requirements for Proposals for Insured Surgical Services Agreements, and I wish to table the requisite number of copies regarding the requirements for overnight stays in private surgical facilities.

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

DR. PANNU: Thank you, Mr. Speaker. I have two letters to table today and appropriate copies of them. The first one is addressed to me by Mrs. Fern Olson of Olds, Alberta. She expresses two serious concerns about the education system: large class sizes is one, and the second is the continuing undervaluing of teachers in the province.

The second letter, Mr. Speaker, is from Miss Colleen Cassady St. Clair, again expressing outrage at the way that the teachers' dispute has been handled by this government.

Thank you, Mr. Speaker.

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

MR. MASON: Thank you, Mr. Speaker. I have two tablings today. The first is a copy of a letter sent by Stan Halluk of Calgary to the Minister of Environment regarding the western Canada study on animal and human health effects associated with exposure to emissions from oil and natural gas field facilities.

The second, Mr. Speaker, is a letter from the same Mr. Halluk to his MLA in support of my private member's bill on the elimination of natural gas flaring and venting.

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

MR. BONNER: Thank you, Mr. Speaker. With your permission I would like to table the appropriate number of copies of a letter I received in my constituency office from a teacher who has had 21 years' experience teaching in Fort McMurray, Manitoba, and now in Edmonton and who indicates in this letter that she has been watching things steadily deteriorate in the classroom over the course of her career.

Thank you.

2:40

head: **Statement by the Speaker**

Private Members' Business

THE SPEAKER: Hon. members, before calling Orders of the Day and before the Assembly considers private member's business for the first time this session, the chair would like to review briefly how the changes will affect the operation of this component of the Assembly's business. First of all, private member's public bills will now be considered exclusively on Monday afternoons. The bills will be considered after Written Questions and Motions for Returns. Today there are no written questions or motions for returns. As a result, Bill 202 will be considered at second reading stage, and if there's time this afternoon, then Bill 203 will be considered as well. Private member's public bills start at Bill 202 as there was not a Bill 201 introduced.

Starting this evening at 8, there will be one hour's consideration of motions other than government motions on Monday evenings, and under Standing Order 8(4) these motions retain their places on the Order Paper until they're "given 60 minutes of debate [plus] 5 minutes for the mover . . . to close debate" unless the debate concludes before these limits are reached.

Under Standing Order 29(3) the time limits for speaking on private member's public bills, motions other than government motions, written questions, and motions for returns are 20 minutes for the Premier and the Leader of the Opposition, 10 minutes' speaking time and five minutes to close debate to the mover, and 10 minutes to all other members. There is no question and comment session for private member's business.

The chair would also note that the amendments to the Standing Orders may result in a different pace for consideration of private member's public bills, which should be interesting to monitor.

head: **Orders of the Day**

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

Bill 202

Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. I'm very pleased to rise today to speak to Bill 202, the Environmental Protection and

Enhancement (Clean-up Instructions) Amendment Act, 2002. I am very pleased because it represents not only ideas that I have about what constitutes fairness in contamination clean-up situations but also represents the values that Albertans hold regarding fairness and their environment.

Mr. Speaker, Bill 202 is an amendment to the Environmental Protection and Enhancement Act which would make it mandatory for owners of any source of environmentally harmful substances to initiate remediation of damage caused by contamination through directions and time lines laid out by the Department of Environment. Further, if the polluter fails to comply with the directions set out by the department, it is then the department's duty to issue an environmental protection order. There are no ifs, ands, or buts. If a polluter fails to comply with the directions set out by the department, they will be issued an environmental protection order.

Finally, Bill 202 requires that the Department of Environment review the EPEA every 10 years.

Mr. Speaker, we in this Assembly all know that environmental accidents happen. We can try to minimize the occurrence of these through legislation, but in the end we also need legislation which governs behaviour when a spill does occur. It is common policy that when a spill is reported to the Department of Environment and if the spill does not pose an immediate danger to either human health or the environment, the department gives the polluter a good faith opportunity to clean up the mess that they have caused. In most cases this works. Albertans are good people, and when they create a mess, they clean it up.

Part of what makes this province so great is the respect that our people have for each other and for our land, but in some cases polluters abuse this good faith opportunity. In some cases polluters are allowed to delay taking meaningful action for years on end, and they often face no penalty for this delay. Meanwhile, the mess they have caused continues to grow, causing more concern to other affected landowners and Albertans. In these cases, it is often not until an environmental protection order is issued to polluters that they begin to take action. This is not right.

Mr. Speaker, most Albertans do act under the good faith opportunity to show that they deserve that good faith, and those who abuse this opportunity ruin it for well-intentioned Albertans. For those who do not clean up their spills, we have section 113 of the EPEA, which forces them to take remedial action through an environmental protection order.

The problem is that there is no continuity between section 112 and section 113 of the EPEA save for the discretion of officials inside of the Department of Environment. It is my belief that our employees in Environment are hardworking, honest, and thorough in their jobs. However, in cases where they have given polluters good faith opportunities to clean up spills and those polluters have refused to do so and they do not issue environmental protection orders, it is not right to ask Albertans whose property has been contaminated to have faith in Environment's discretion.

When we're talking about the protection of the environment, health, and property, we're not talking about subjects that should be at someone's discretion. These are far too important. We're talking about considerations that ought to be enshrined in legislation. Bill 202 represents a small step in the right direction. It provides a link from section 112 of the EPEA to section 113. It says to polluters: our good faith only extends so far; once you abuse it, your time runs out. It also says that polluters cannot plead for more time in order to stall again and cause more hardship to neighbours and those affected by spills. Believe me, Mr. Speaker, if I had my way, the minute a spill was discovered, it would be contained and immediately cleaned up. However, practical wisdom, scientific reality, and

legal fairness suggest that this is not possible. But there's no reason why we cannot make the process more efficient in a reasonable manner. This is the point of Bill 202, and this is why I ask all members of the Assembly to vote in favour of it.

I know that there may be objections to Bill 202. Some may argue that normal routes of civil litigation already provide an avenue for the owner of affected property to seek a remedy from a polluter who refuses to clean up a mess. Fair enough. However, I think we need to put ourselves in the positions of small landowners and small business owners. It is often impractical or impossible for small landowners to take large corporations to civil courts. They simply do not have deep enough pockets to go through a drawn-out process like this without losing their shirts. Put plainly, it's often not worth the risk, and by the time they get a court decision, more damage has occurred. This damage affects all Albertans.

This speaks to another objection, Mr. Speaker. Some members may argue that Bill 202 is anti small business. Because private companies would face increased pressure to quickly clean up contaminated property, substantial costs may be added to the operation of their businesses. I would argue the opposite, that this bill protects small businesses. It gives owners more assurance that if another business contaminates their property, it will be contained and cleaned up quickly and that they won't have to operate their businesses in an unhealthy setting or incur excess legal costs to force a cleanup. This is just one advantage of this bill. Another advantage is that it would help Environment officials convince polluters to remediate sites quickly and prevent polluters from delaying cleanup efforts. This increases the likelihood that releases will be contained and unable to cause further damage.

In the end, Mr. Speaker, all of these points show that Bill 202 would provide all property owners with stronger protection for the environmental integrity of their property. This, in turn, would help protect the value of private and public property and would help to protect the overall environmental integrity of this province. Bill 202 also protects the polluter because it requires immediate containment of a spill, and by preventing a spill from spreading across property lines and into other areas, the cleanup will be concentrated in a contained space and will be less costly.

If 202 is passed, Alberta once again will be seen as a national leader in balancing the needs of the environment with the needs of Albertans, property owners, and businesses. Bill 202 simply requires that any source of environmentally harmful substances be contained and cleaned up as soon as physically and scientifically possible. I therefore urge all the members in this Assembly to support Bill 202.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, before recognizing the hon. Member for Edmonton-Ellerslie, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

2:50

head: **Introduction of Guests**

(reversion)

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

MR. BONNER: Thank you very much, Mr. Speaker. On behalf of the MLA for Edmonton-Centre it gives me a great deal of pleasure to introduce a group from NorQuest College who are visiting the Legislature this afternoon. Unfortunately, their timetable required that they leave, but on her behalf I would like to introduce the 16

visitors who were here. They were accompanied by teachers Ms Judy Dobbs, Mrs. Andrea Massing, and an interpreter, Mrs. Elaine Cotton. With your permission I would ask that the members of the Assembly do note that they were here to watch the proceedings today.

Thank you.

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

**Bill 202
Environmental Protection and Enhancement
(Clean-up Instructions) Amendment Act, 2002
(continued)**

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Minister of Environment.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to support the bill brought forward by the MLA for Red Deer-North. Certainly, as we see it, the highlights of this bill would be that it requires the director to issue instructions for cleaning up after a release that has been reported under section 110 of the Environmental Protection and Enhancement Act, and if these instructions are not followed, the director must issue an environmental protection order. Nice to see "must" put into this legislation. So often we see changes come that are not as incisive as this, and certainly in terms of environmental cleanup this is an added benefit as we see it.

[Mr. Shariff in the chair]

Also, we believe one of the highlights is the requirement for review of the EPEA every 10 years with recommendations for amendments presented to the Legislature one year into the review. Having those sunset clauses are a good idea we think. As we see it, the object of this bill is to strengthen requirements for the director to be able to issue cleanup orders after the release of a substance that may cause, is causing, or has caused an adverse effect. No doubt the member has had some concerns from people in and around her constituency. We've heard some of those concerns as well and are very happy to see that she's taking action in that regard.

Currently there is a requirement for the person responsible for the release to take appropriate action. However, there are no provisions for the director to issue specific orders. As the member stated, most Albertans are very good corporate citizens. However, we do have some instances where that isn't the case, and we support this change. It's a reasonable change, Mr. Speaker. It requires the director to take action. Often legislation only says that the director may take a specific action. Under these amendments the director must issue the cleanup instructions, and if they are not followed, an environmental protection order may be issued.

Legislation of this size we believe also should be regularly reviewed, and every 10 years or after every second election is a good time frame to put in here. The one absence we see is that there is no mention in section 2 about a time line for issuing the instructions. It could be tightened up just a little bit in that regard.

Too bad this had to come forward from a private member. We would have liked to have seen this kind of direction from the government itself. However, I see that the Minister of Environment is on his feet to speak next, Mr. Speaker, so perhaps he will stand up and let the Assembly know that this is one of his first orders of business for this session.

Thank you.

THE ACTING SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker, and it is indeed a pleasure for me to rise and talk to this bill. The intent of the bill is very laudable, and we certainly support the intent of the bill. Nobody wants spills to be out there and to not be cleaned up. I mean, we all want spills to be cleaned up immediately. We all want them cleaned up appropriately and as quickly as possible.

Before talking about that aspect of the bill, let me talk about number 4. We wholeheartedly support number 4, section 257: "The Minister must begin a comprehensive review of this Act within 10 years." Certainly that is very valuable. I would think that all legislation should have that requirement in it. All legislation should be reviewed on a regular basis. I would certainly, you know, support that and encourage other ministers to take a look at having that in their legislation as well. It's a valuable thing to have. So, as I say, we certainly agree with the intent of the act. It's a valuable piece of legislation.

However, I have a little problem with just one word in the act, and that is the word "must." It says, "When the release of a substance has been reported under section 110, the Director must issue . . ." Well, in some cases that's good, Mr. Speaker, but in reality and practicality the way things happen are that somebody spills a little bit of diesel on the ground. They then phone the Department of Environment, as they are required to do, and say: we've had this spill; send somebody out. So we send somebody out. But in most cases – and there are thousands of these calls and thousands of these spills every year – by the time the department official gets out there, it's already cleaned up, and the department official looks at it and says "Yup" and signs off on it. It is cleaned up. For him then to have to go back, which he would have to under this legislation, and do an order, issue instructions and do the paperwork when the spill is already cleaned up, doesn't make a lot of sense. As I said, there are any number of these spills that industry responsibly cleans up.

So what we would like to see – and perhaps the member would consider it in some future iteration of the act as we go through the debate on this act – is that that "must" could be replaced with "may." Then if the company isn't doing their job, the director could certainly issue that order, but if the company has already got the spill cleaned up by the time an inspector gets there or if they are already doing their job, you know, and the inspector can see that even if it's not cleaned up, they've clearly undertaken to clean it up, that they're moving in the right direction as required by the act, then there's no need for the issuance of an order. This would mean that if we had to issue an order in the second case I've just given you as well, when the company is already doing their job, it would once again increase the volume of paperwork that we would have to do in the department. Quite frankly, we don't have the people or the budget to do that kind of volume of paperwork. So what we're saying is replace the "must" with a "may." Hopefully the member will consider that as we go forward, and in that case we would certainly be pleased to support the act.

Thank you.

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

MRS. ADY: Thank you, Mr. Speaker. I'm pleased to rise today in support of Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. I would like to begin my time by commending the Member for Red Deer-North for introducing such an important piece of legislation. Passing this bill is very important, certainly so for its short-term gains but even more so for its long-term benefits, which are likely to surpass our own lifetimes.

The discovery of large deposits of oil at Leduc in 1947 catapulted Alberta from being a largely agrarian province to the forefront of the oil and gas exploration in the western hemisphere. Our economy depends on the revenues these activities generate, and the economies of other jurisdictions depend on the availability of oil and gas, which we're able to supply. Without this discovery and the many that have followed since, there's no telling where we'd be today nor what kind of province we'd be. These ventures, however, for all the benefits they stand to offer, also have risks. Underestimating them and the threats that they pose to our environment can have dire consequences for all, not just for us here and now but also for our children and our children's children.

Mr. Speaker, I was contemplating the ramifications of the impact of Bill 202, and I was reminded of a line from a primary school: don't make a mess you can't clean up. Maybe you've heard it. When we were young or younger than we are now anyway, our parents admonished us for spilling food or drink and told us to clean it up. It's not only common sense to do so, but cleaning up after yourself right away reduces the risks of falls and injuries and shows responsibility for one's actions, and quite frankly it's the right thing to do.

Somewhere along the way, though, that sense of responsibility or duty, if you will, sometimes gets lost. To carry on as if nothing has happened, to feign ignorance or not show the slightest concern for how one's actions might affect the livelihood and well-being of others has become the order of the day for some. Don't make a mess you can't clean up has become: cleaning up is messy; don't. Mr. Speaker, such an attitude is not acceptable to me and I'm sure not to most Albertans.

Bill 202 is in keeping with Albertans' concerns about the environment. At the recent Future Summit in Red Deer survey results indicated that when asked how to ensure the best future for the province, protecting the environment was a close second to improving the educational system among respondents.

3:00

The timeliness of Bill 202 therefore cannot be exaggerated. Its overarching objective is to strengthen existing legislation protecting our environment. Bill 202 reinforces the authority and the mandate of Alberta Environment by making those who pollute clean up after themselves not at some arbitrarily determined point in time but at a time line established by the department. Why should we expect anything else? Why should anything less be expected, let alone be acceptable?

Mr. Speaker, you don't have to be an environmentalist to know two things: first, the environment is vulnerable, and second, it is not ours to do with as we please. At best we are stewards of the land and we're only borrowing it for the duration of our lifetime. What we do with it, whether we cause it to improve or whether we cause it to deteriorate, will pass on to future generations. There is little room to move around that fact. Therefore, the protection we establish today will go a long way towards giving our children and our children's children access to a clean, healthy, and inviting environment.

In the past few decades we have begun to move away from the destructive path that celebrated built-in obsolescence and consumption at all costs. We have realized that not only can we and should we recycle, for instance, and that it is in our best interests and future generations' to look at how to find alternative fossil fuels; we have also learned that we need to establish a legal framework to develop pollution standards in order to better handle those who pollute.

What Bill 202 proposes to do, then, is to provide reinforcements to that legal framework. By amending section 112 of the Environ-

mental Protection and Enhancement Act, Bill 202 will make it mandatory for owners of any source of environmentally harmful substances to initiate remediation of damage in compliance with fixed guidelines according to the Department of Environment.

It all comes back to what I said before: you make a mess; you clean it up. The difference, Mr. Speaker, is that we're not talking about a spilt glass of milk or bowl of Jell-O. We're talking about chemical compounds that can seep into groundwater, toxins that can infest the soil and make the land infertile, and airborne pollutants that can spread over vast areas and infect a large number of people very quickly.

Mr. Speaker, it would appear to me that here in Alberta, energy resource rich province that we are, we must find a way to balance three very different yet closely interrelated priorities: our need to have an adequate energy supply, the significance to our economy of oil and gas exploration, and the importance of continued environmental vigilance. It is of equal importance that we find ways to prioritize these three issues all at once. While it may seem to some as if they're contradictory, we have to believe that it is possible to do just that. We must have environmental legislation that does not put a stranglehold on some of our province's most important sources of revenue, and we must ascertain that energy exploration, be it for oil or gas or something else, be conducted in such a manner that we do not compromise the beauty and the vitality of our environment.

Mr. Speaker, everyone here is familiar with the catchphrase "the Alberta advantage," and so are many Albertans. It is part of our vernacular, you might say, but also part of us as Alberta. There is a variety of distinct advantages to being an Albertan and to living in Alberta. We have the nation's strongest economy, we have the lowest unemployment rate in the country, we've had seven consecutive years of balanced budgets, and we have the lowest taxes of any province. We also have some of the most pristine environment to be found anywhere on the face of the planet. The beauty of the Alberta environment is second to none, and we must treat it as such. Each year millions of people visit our province, and many of them come here because they know how beautiful Alberta is.

Passing Bill 202 therefore is imperative. It will allow the Department of Environment to act swiftly and decisively whenever a situation arises that requires the department to take action against polluters. It will enable the department to do this in a manner specific to each situation. What it will not do is tie the hands of the department; rather, it will give legislative weight to the department's environmental regulations. Bill 202, furthermore, will not allow those responsible for toxic spills to waste time and, more importantly, waste Alberta's environment. It will mandate that cleanup efforts begin quickly, reducing the long-term threat of toxins to do lasting and maybe even permanent damage.

That said, it is clear that in the course of the last 55 years we've learned how to forge a balance between the intricate relationship of nurturing continued exploration and preserving the environment. We're still learning how to maintain that relationship and how to keep it balanced, of course, and Bill 202 is another step in that process.

We're a rich and prosperous province thanks in large part to our natural resources and our hardworking men and women, who have transformed this land into what it has become today. They have done so without losing sight of the fact that stewardship of the environment is a serious matter. Let's honour that commitment by passing Bill 202.

Thank you.

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

MR. MASKELL: Thank you, Mr. Speaker. It's important to me today to speak in support of Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002, sponsored by the hon. Member for Red-Deer North.

Mr. Speaker, over the last three decades Alberta ingenuity has led to a reduction in the adverse environmental and public health impacts from energy development and use. People demand a reliable energy supply and a clean environment, and this government has always believed that Alberta can have both. The Environmental Protection and Enhancement Act is this government's foremost example of environmental stewardship.

Those who operate or propose developments will be subject to firm but fair requirements that clearly spell out their environmental responsibilities. Under the Environmental Protection and Enhancement Act the department protects Alberta's land resource base by ensuring that land used for specified industrial activities is developed and reclaimed in an environmentally sound manner. The act requires operators to employ effective and efficient conservation and reclamation measures. These measures ensure that the disturbed land is reclaimed to meet the goal of equivalent land capability.

Spurred by strong environmental concerns, competitive forces, and environmental regulations, businesses have developed innovative technologies and pollution prevention techniques that help protect Alberta's environment. However, accidents do happen, and more work can be done by this government to help preserve our environment and maintain its natural value.

Bill 202 is not proposing to reinvent the wheel, nor is it proposing wild and radical reforms to Alberta's current and effective Environmental Protection and Enhancement Act. I'm confident that this bill will not cause any undue administrative hardships on this government, directors of the act, or industries that work on or around the environment. The goal of increasing the efficiency of Alberta's environmental protection legislation proposed in Bill 202 adds a small yet important element to an act that already manages a staggering number of environmental issues.

Simply put, Bill 202 would prevent polluters from delaying their cleanup efforts. Alberta's Environmental Protection and Enhancement Act does currently have a process to deal with industrial spills, but as the law stands right now, if a spill does not pose an immediate threat to the environment, the violator does not have to take responsibility until an environmental protection order has been issued. This can take some time, while the condition of the land deteriorates. I'm sure the members in this Assembly would agree that just because a spill isn't immediately harmful to people or the environment doesn't mean that it shouldn't be cleaned up as fast as possible.

We would be remiss to allow violators of Alberta's rigid yet fair environmental protection legislation to stall and procrastinate from their duty as good corporate citizens to clean up any messes they have made to Alberta's land, water, or air. Any company doing business in this province must also be aware that Albertans care a great deal about their environment. This government is committed to ensuring it continues to have some of the most stringent standards for environmental protection in Canada and North America.

I believe that Bill 202 contributes to the government's dedication to protecting our province. All organizations in Alberta that I have dealt with are outstanding corporate citizens and are responsible and accountable to their stakeholders and to the public. However, we do not live in a perfect world, and we must be cautious of instances where companies or individuals abuse Alberta's good faith policy for the quick and complete cleanup of spills that do not pose an immediate emergency to a community.

Mr. Speaker, I believe that Bill 202 will help this government

protect the environment without enacting unreasonable demands on responsible corporate citizens. Any legislation that protects the environment must ensure that the law-abiding companies are not punished as a result of the actions of a few. Bill 202 prevents this from happening. The focus of the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002 is on instances where the guilty party has not cleaned an industrial accident that poses no immediate threat to the environment.

3:10

Bill 202 would require the department to issue a time line under section 112 of the act that would ensure that cleanup efforts are not delayed. While Bill 202 would protect against harm to human health and the environment, it would also provide greater protection for the environmental integrity and value of private and public property and greater assurance to property owners whose land has been contaminated. I am sure that most companies have no problem cleaning up their spills or mistakes, hazardous or not. Most companies have trained staff and safety plans in place to deal with these situations, although I am sure they hope they never have to use them.

Mr. Speaker, under this legislation it would be cheaper for a business or individual to clean up a spill as soon as it happens rather than wait and do it later. The longer it takes for spills to be cleaned up, the more likely the possibility that the violators will be fined and still remain responsible for the initial expense of cleaning the spill. As the spill spreads as a result of neglect, there is more for the company to clean up.

If passed, Mr. Speaker, Bill 202 would empower directors of the Environmental Protection and Enhancement Act to protect local communities from the negative by-products of industrial accidents on our environment. The bill would be an important addition to this government's commitment to revitalize communities by improving public health and environmental conditions and creating jobs. These are the direct benefits of protecting Alberta from the few violators of Alberta's environmental protection laws.

Bill 202 focuses on the balance between business both big and small and Albertans living in areas that could be contaminated. This government has a unique role in facilitating energy development while simultaneously protecting the environment and conserving Alberta's natural resource legacy. As our economy grows, so too does the likelihood of industrial accidents. Simply, Bill 202 would provide more protection against environmental harm than currently exists in the Environmental Protection and Enhancement Act. Bill 202 will work for Albertans to protect this province's air, land, and water while building on the premise that environmental protection and economic prosperity should go hand in hand.

I believe that this government has enjoyed a great deal of success in balancing environmental and economic issues relating to the environment. Bill 202 will add to our preservation achievements.

Thank you.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I listened with a great deal of interest to the hon. Member for Edmonton-Meadowlark and also the hon. Member for Calgary-Shaw regarding Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002, and I agree with their analysis.

The environment in this province is pristine when you compare it to a lot of other areas on the planet, but certainly there needs to be further protection. To strengthen the requirements for the director to be able to issue cleanup orders after the release of a substance that

is causing or has caused an adverse environmental effect is noteworthy, and it should be done. Now, I don't know if this is a quiet admission that the current policy not only in the Environment department but you can look at it in Occupational Health and Safety, you can look at it in Municipal Affairs, this concept of voluntary compliance – if this is not a quiet admission that that entire concept of voluntary compliance is not working, well, then, that is further reason why I believe that all hon. members of this Assembly should support this legislation at this time.

I'll be brief, Mr. Speaker, in my comments, but I would remind all members of the Assembly of exactly what happened in Swan Hills, what happened at Hub Oil in Calgary, what happened in the hon. Member for Red Deer-North's own constituency a couple of years ago with the hydrochloric acid cloud. Fortunately the wind was blowing to the northeast and it did not go over the city of Red Deer early in the morning, but this cloud would have caused considerable damage to the health of many of the citizens of Red Deer. That is an issue of voluntary compliance, because this incident should not have happened, but it did, and what has to be done is ensure that it doesn't happen again. Another example certainly would be the BP fire last summer in Fort Saskatchewan, the ethane storage facility that leaked and then caught on fire. These are examples.

Now, I'm sure that there are going to be people who say that there was no pollution, that there was no property damage, that there was no one adversely affected over a long period of time by this, but we can't be sure, and this legislation will make the enforcement and protection of our environment that much better.

I don't think that we should perhaps stop here, but it is good to see the word "must" and not "may" finally being used in environmental legislation, and I would like to see this trend continue in other statutes in this province because it is my strong view that this concept or notion of voluntary compliance certainly does not work.

In conclusion, I will remind all hon. members of this Assembly – now, this didn't happen in this jurisdiction or this country, but it certainly happened in Texas, in Houston to be specific, and that is Enron. Enron had a lot of voluntary compliance to various investment rules, and it didn't work out.

Thank you.

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

MR. LORD: Well, thank you, Mr. Speaker, for this opportunity to rise today and speak, as well, to Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act. In a nation that unfortunately has no constitutionally enshrined protection of land and property rights, which in my view is one of the most important rights that any nation could or should have and rights that need protecting, it falls to Legislatures like ours to ensure that the average citizen and their property rights are well protected.

In modern times part of the protection of people's property rights entails the protection and security of its environmental aspects and characteristics. It is a job that most Albertans undertake not only with a sense of duty but also a sense of pride and appreciation: the protection of future owners' rights as it relates to the environment.

From farmers in their fields to urban dwellers across this province who all enjoy the benefits of their piece of land, our province prides itself on a history of sustainability and environmental protection. It is a history that extends way back in time, as well, in this province, way beyond the waves of European and other settlers, right back to the long history of aboriginal peoples in this land, who had and still have a profound respect for nature, a communion with nature and the environment. As stewards of our environment Albertans have always realized that for our province to remain at the forefront of

national affairs, we must not only preserve the environmental security of our province, but we must strive to even enhance land conditions to ensure that our children and grandchildren continue to enjoy prosperity and a healthy, safe, and enjoyable environment.

I commend the hon. Member for Red Deer-North for bringing this legislation forward for discussion and debate. It seems to me that this is a reasonable bill and one that I will be supporting.

3:20

Bill 202 proposes to amend section 112 of the act to make it mandatory for owners of any source of environmental contamination to initiate remediation of damage as per the directions laid out by the Department of Environment. This principle ensures that the department is able to respond appropriately to each different situation. The director may request urgent action in one case, but for a less urgent situation in another the director, he or she, may request a different sort of remedial action. By being so flexible, Bill 202 properly respects the varying and complex nature of environmental hazards and the unique circumstances that individuals and corporations may unfortunately find themselves involved in.

Bill 202 has flexibility in it, but it should be pointed out that Bill 202 is also firm in its demands that once an environmental protection order has been issued for the cleanup of that site, that order must be followed. It must be carried out in order to ensure that Albertans really are protected. This province can afford to be and is accommodating in looking for reasonable and workable solutions for all parties involved in this sort of matter, but it also must be vigilant in ensuring that a reasonable time limit is imposed so that our co-operative nature is not left open to abuse.

Now, I am well aware of the importance of the oil and gas industry in Alberta. I'm sure we all are. I'm also aware that in addition to our proud heritage of environmental protection, Alberta also has a distinguished record of developing its strengths, both natural and otherwise, for the enrichment of this province. To a large extent that development has entailed the exploration and advancement of the oil and natural gas industry. The benefits of that exploration need not be expanded upon here other than to say that it is certainly one of the best advantages that Albertans have. Needless to say, this industry is one of the key pivots on which our provincial history and economy turned back in 1947.

However, along with the benefits that oil and gas have brought I believe also comes the admittedly sometimes onerous task of cleaning up after oil rigs and gas lines, especially if little concern was demonstrated initially by companies in a hurry. Now, most energy companies have done a superb job of ensuring that minimal damage is done to the surrounding land when they drill for oil and gas. For years Alberta's energy policy has already demanded the protection and enhancement of the environment, a policy that has shown a visionary consideration for the air, natural lands, and watersheds of our province. Even today many companies still aggressively pursue new technologies and techniques to ensure environmental sustainability and protection and to ensure that any necessary impacts to the land and the local environment are being kept to a minimum. We already have many good employees in the province working on that as well.

Bill 202 does not threaten energy companies' status as partners and stewards of the land. Rather, it provides them and their industrial partners with an opportunity to work with landowners and others to confirm their roles as protectors of the environment. They can show to us all that their responsibilities and commitments did not end when the oil stopped but, rather, continued to the cleanup and restoration of the local environment as well. This commitment also extends past the energy industry, of course, to other industries

as well as they go about their business if that business impacts the environment negatively.

The point remains that when damage is done – and this does happen unfortunately – it needs to be repaired. Repair needs to happen in a timely fashion and in a responsible manner. It need not bankrupt a company or cause the abandonment of land, but advantages must not be given for inaction. Cleanup and restoration must happen in order to protect the property rights of present or future landowners.

Mr. Speaker, as a conservative-minded individual I don't get too carried away on issues. Environmental protection does not need to succumb to the overarching demands, overreaction, or fundamentalist viewpoints of a select few environmental zealots. I don't believe that we have to seal our borders and cut off contact with the land in order to protect it. We do not need strict regulations that stifle and suffocate economic advancement to calm those whose only perspective is to disallow civilization. What we do need to do is overcome the myth that economic development and environmental sustainability must always involve competing values, because it is a myth. We can all work together and steer in the same direction for the benefit of all. I believe that we live in a day and age when we can explore for energy, produce it, use it, and do so with a decent and sincere regard for the natural environment. We have and we can employ the technology of our times to address some of the problems we may face now or in the future. It is all entirely possible, and I'm confident that Alberta will be a leader in this respect.

I spoke earlier, Mr. Speaker, about the need of this Legislature to protect the land and assist landowners wherever possible. We belong to a province where stewardship is a serious matter. Thousands of Albertans rely on our land not only for the livelihood it yields but for the life it has to offer. Farmers, ranchers, townfolk, and basically anyone who goes beyond the larger city limits and spends time in the wonder of our land quickly comes to appreciate the bounty of our natural heritage and wildlife, and anyone who has traveled around this province is well aware of this attitude. One of the quickest ways for anyone to lose respect in Alberta is to act harshly or selfishly towards the natural world and its inhabitants. There is no excuse for that kind of reckless disregard of our nature, and our policies must not allow spills and other sources of hazardous materials to sit and even spread indefinitely.

Bill 202 strives to ensure that this sort of situation does not happen. It encourages parties to work together to find solutions. Perhaps most importantly it ensures that the Department of Environment has the power and the responsibility to enforce our standards and regulations. I know that Alberta's industrial and economic sectors are up to the challenge, and together all of us can encourage a clean and prosperous province for future generations. Our children and our grandchildren deserve no less. It only makes good economic sense. It has cost avoidance. It only makes good health sense and has great cost avoidance if we have a clean and healthy environment.

I support this bill. I urge all members of this Assembly to support this bill as well. Thank you very much for this opportunity to speak, Mr. Speaker.

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

MR. MASON: Thank you very much, Mr. Speaker. It's an honour to rise to speak to the private member's bill, Bill 202. It's the first bill that is being debated in this Assembly under the new rules for private members' bills. I would like to indicate to the Assembly that I'm pleased with the efforts of the hon. member in bringing forward this piece of legislation. I think that it is high time that we recog-

nized the principle in law that polluters have a responsibility to clean up after themselves. One of the hon. members talked about training we all received as children from our parents about cleaning up our own messes, yet sadly that's not always been the way we've operated when it comes to pollution in this province. I think it is really important that we apply that principle to the environment as well and enshrine that in legislation.

Now, the key section of the bill is section 2, which amends 112.1(1) of the Environmental Protection and Enhancement Act. I was just going through the *Revised Statutes of Alberta* and reading the sections of the Environmental Protection and Enhancement Act which are amended by this bill. I know that this will please the Minister of Environment, but I find that there is an excessive use of the word "may" in our existing legislation and that everything of substance that I have been able to see in this very cursory examination of a limited number of sections seems to be optional. It's all on the table, as they would say. I think that when it comes to taking immediate action to clean up pollution, the word "may" is not always the appropriate word. The word "must" is sometimes necessary, and I don't think we should use the word "must" when we don't need to.

3:30

I was surprised to hear the Minister of Environment indicate that "may" would solve all of the problems which he had conjured up around this bill, but if we were to substitute "may," again it would simply have the effect of making everything optional. If there's a difficulty caused by the fact that something has been spilled, as he said, a little bit of diesel maybe on the road or on the ground, and by the time the officials for Alberta Environment get there, it's been cleaned up and then you still have to issue the order and go through an unnecessary bureaucratic procedure, well, it seems to me that he's got a point, as far as it goes. But is it solved by the addition of the word "may"? If you add the word "may" instead of "must," it also makes it optional in a case where the spill has not been cleaned up by the time the official arrives on the scene. It becomes optional, and other factors may determine the decision to allow pollution to continue to exist and not be cleaned up promptly and not be cleaned up by the person or company responsible for the spill in the first place. So I would suggest that if members opposite are indeed interested in improving this bill and making it work, another amendment, other than substituting "may" for "must," would be appropriate, and it might be along the line that says: if the spill has been cleaned up, you don't have to issue the order. That would certainly deal with the minister's concern without creating just another loophole that you could drive a Mack truck through, Mr. Speaker.

I think that the bill can easily be amended to do specifically what the minister indicates is necessary. That would strengthen the bill. It would still allow the bill to be passed by this Assembly, and I think it should be passed by this Assembly. I think that this is a small step in the right direction, because the alternative to having a prompt cleanup of a spill by the person responsible for the spill is not satisfactory. There are, in fact, a number of alternatives. The worst possible alternative is just to leave the pollution there. That I don't think I need to elaborate on, Mr. Speaker. That is probably the worst alternative.

The next worst alternative is that the government has to clean it up at taxpayers' expense, and we certainly don't support the taxpayers being on the hook for pollution and the cleanup of pollution of individuals or corporations or even other governments. That's just not what people pay their hard-earned taxes for, Mr. Speaker. The other alternative is that whoever comes along and owns the land later on or perhaps they own the land at the time of the spill if they're not

the polluter, then they will have to pay for it. I don't think that that's acceptable either.

In my constituency of Edmonton-Highlands there is a 7-Eleven store that's under construction, and that 7-Eleven store has been under construction for nearly a year now. It's on 118th Avenue. What's happened is they built the store and were almost ready to open it, and they discovered that it was on the site of a previous service station, a gas station, and that in fact there was contamination of the ground around the store and under the store. So the opening of the store was halted, the finishing of the construction was halted, and they started to dig, Mr. Speaker. They dug and they dug and they dug, and they discovered that in fact the pollution had migrated underground, as it often does. So now the store is on stilts, because they've had to excavate under the structure.

Now, we didn't have the kind of legislation in place at the time that that service station was operating that we do now, and I would like to think that that kind of thing couldn't happen under our present legislation. But I would suggest, Mr. Speaker, that it points to the relevance of the hon. member's bill, and that is that when pollution occurs, it must be cleaned up and it must be cleaned up by the person who created the mess in the first place. There is no other acceptable alternative. If the Minister of Environment would like to find a way to ensure that we don't have to process orders for pollution that's already been cleaned up, then I'll support him in that, but it really occurs to me that there's a lot more in this bill that's positive than just the fact that it would have to be reviewed in 10 years. I think that the Assembly ought to find a way to address concerns that may exist on the part of the minister or legitimate concerns on the part of anyone else and make the necessary amendments in the committee and that we should pass this bill, because I think this bill is a good bill and it deserves our support.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's indeed a privilege to address the situation. I can probably come at it from a little different point of view than many of the other members. I've seen it from many different sides. I've had underground tanks in the businesses I've run. I'm licensed by the Alberta government to remove underground tanks, and I can tell you through that you get to see a whole different side of how the business works. I've also sat on a town council, as many of you have, and been aware of the abandoned sites and the contaminated sites in the many small communities we've got, and somehow we have to address that. I can tell you that one size doesn't fit all, and we'll never be able to describe a perfect way to handle all cleanups. So I was very happy to hear the words of the hon. opposition and our members that we do need a certain amount of flexibility with this. No one has set out to break a business or to make it cost prohibitive to do. We have to understand that probably a very high percentage of the spills and leaks right now are cleaned up quickly and efficiently and most businesses take their environmental responsibilities very, very seriously.

Some of the biggest problems we have right now in the communities are the unknowns. We don't know all of the sites, and we have no idea what contamination might even be there. We may have owners of properties that have no idea there were contaminants left on-site and therefore may need some time or some type of help to be able to organize how their specific cleanup will go. Contamination by itself is not necessarily something that is going to leach into neighbouring soil or damage the party's property beside it, but it very well could.

One of the myths, I think, is that it's underground tanks that have caused all of the leaking, and I can assure you from my experience that's not the case. Many of the old bulk stations in Alberta were all above ground, yet the areas below the pump distribution part of the bulk stations are some of the worst contaminated sites we've ever had to clean up. From a surface leak in those pumps we've had to move literally hundreds of thousands of yards of dirt to remove it all.

3:40

Even the technology that we have now to remediate the soil – I mean, it's been conventional thinking that we'll haul it away and put it in a landfill site, and if that's the only option to you, that's fine. However, the last few years have seen several Alberta companies develop technology for the burning of soil, which is now being used worldwide, developing the right temperatures to burn it so you don't release the particulates. The soil can be removed from the site and run through this type of – it looks much like a thing that would make asphalt. The soil is burned. It's spread out, or it's put back in the same hole it came from. You can put a plant in a location and maybe do half a dozen sites from the one centre. Now, it wouldn't be economically viable for one station to move in this soil burner, but it probably would be if you had 10 or 12 sites. I know that in Calgary they set up, and I think they did 16.

I think the idea to identify the problem, to work out the time lines and the method of remediation with the Department of Environment, and to bring forward a plan stating the time lines and the type of remediation is probably the single most important part of this bill as well as the section that says: "Now, you've said that you're going to do it. You've said how you're going to do it and when you're going to do it. Then you have to do it."

Also, Mr. Speaker, many of these sites have debatable ownership or debatable responsibility of contamination. In the last 15 to 20 years we've seen oil company after oil company being taken over. The smaller stations are closed, and that company itself may be taken over, so just to find who is responsible or who will be paying the bill can probably take longer than the actual remediation will take. So it's not just a cut-and-dried situation where we've got a spill. We have to contain it, and we have to do it now. In many, many cases it's testing. It's finding out if, in fact, the contaminant is leaching off into other areas.

It is problematic when your property borders another individual's business and their business becomes either shut down or inconvenienced by the type of remediation you may have done. If there's a big hole beside your business, you may have to limit access. There are a lot of reasons why the type of remediation has to be able to fit the situation.

We talk a little bit about being in a better situation than we are. The rules that the government has brought forward in the past decade will just about eliminate the possibility of underground contamination from tanks. The tanks are all now tanks within a tank. If one were to leak, it would only leak into a containment tank. Underground or aboveground tanks all have secondary containment within them now. So I think that in keeping with the philosophy that prevention is certainly the way to go, the government has addressed that in their petroleum tank storage regulations, and with the removal program they've had in place, they've started to address many of the problems that face the contaminated tanks.

We have talked about the concerns of inspectors maybe being a little overzealous or the rules being too stringent or strict, but that really doesn't have anything to do with this bill, Mr. Speaker. If the rules aren't right, change the rules, and if the inspectors don't know how to interpret the law or don't seem to be willing to do it, then maybe we could change the odd inspector.

The other thing that doesn't solve any environmental problem is paperwork. As a matter of fact, probably the biggest environmental problem we have as a government is we generate so much paper that we probably create more problems than we solve. But paperwork won't help get the job done. So I can understand the minister's concern that we don't need to follow everything up with a volume or volumes if in fact the job is being done. I think that's everyone's primary concern, that when we have a problem, we want it fixed, and we'd like to be able to notify the surrounding properties what's going to happen and when and what will be the result.

The other thing that we have to bring in as part of the legislative process is that because we make a law on one side doesn't necessarily mean it's going to be an expense to someone. There are a lot of cases where it's a win/win situation. You're expected to clean up your leak, and any contamination now is going to be looked at and cleaned up. "Why put it off?" would be the obvious question. You've done it now. If it's a leakage that's current, I think that should be dealt with slightly differently than one that's 40 years old. I think the flexibility the hon. members previous talked about is critically important, but I do believe that when it's recognized that you've created a problem or you're the one that's responsible for the property with the contamination on it, come forward with a plan, approval through the department as to the time lines and the method of remediation, and then the department has the stick to use after the carrot approach has failed to achieve the results that we all look forward to: a clean, safe environment for business.

So with that, Mr. Speaker, I would encourage the hon. members to give consideration to this bill. It's a step forward, and I think it's a good step. Thank you.

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

MR. McCLELLAND: Thank you, Mr. Speaker. It's a privilege to rise and speak today in favour of Bill 202, Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. I believe that this bill is a progressive step forward for environmental protection in Alberta. This is a bill that will ensure future generations will enjoy the pristine environment we now enjoy.

Over the last 50 years we've seen the evidence mount proving that a healthy environment leads to a healthy human being. We've also seen evidence of how contamination of a small area can quickly leach to other areas causing future problems and devastation and even putting human life in jeopardy.

The Environmental Protection and Enhancement Act was groundbreaking legislation when it was introduced back in 1992. It was a significant step for protecting Alberta's beautiful environment. The Environmental Protection and Enhancement Act was the result of large-scale public consultation to ensure that the Minister of Environment brought forward a piece of legislation that represented all Albertans' best interests. When the Environmental Protection and Enhancement Act was debated in the House, it became evident that the entire House supported what the legislation was trying to accomplish. Of course, there were disagreements between the opposition and the government on some of the substance of the legislation, but overall all of the Members of the Legislative Assembly agreed that the Environmental Protection and Enhancement Act had to be a government priority.

Mr. Speaker, this is still the case. In 1992 the basis of the Environmental Protection and Enhancement Act was nine principles. Of these nine, I believe that two principles are near the top in importance: one, "the protection of the environment is essential to the integrity of ecosystems and human health and to the well-being

of society," and two, there is "the responsibility of polluters to pay for the costs of their actions."

Mr. Speaker, Bill 202 upholds nine of the principles of the environmental protection act and provides a small change to the act so that the two principles mentioned earlier are made even stronger. Bill 202 is a small adjustment to current legislation, but it is one that has the potential to benefit Albertans greatly. It affirms to Albertans that we care about our environment. It shows them that we share in Albertans' vision of a province that is healthy, strong, and has a beautiful, clean environment.

3:50

Mr. Speaker, I'd like to mention one of the most important strengths of the bill, and that is this: it will prevent polluters from delaying cleanup efforts. The purpose of Bill 202 is to ensure that the hand of the polluter is forced at a time line determined by Alberta Environment, therefore preventing the spread of contamination and in turn saving the province and, indeed, potentially the polluter money in the long run. But the essential element is that it protects the environment above any other consideration.

Environmental contamination does occur. We all wish that it would not, but we can't deny the fact that contamination will occur no matter how careful a person or business may be. When a spill occurs, I believe it should be cleaned up immediately. There should be absolutely no delay in the cleanup process, and Bill 202 will hopefully encourage polluters to clean up contamination as soon as possible. This bill is based on a principle that polluters will have to be responsible for their actions.

There are many benefits to cleaning up contamination as soon as it occurs, and this should be common sense, Mr. Speaker. I don't believe we should have to tell polluters to clean up contamination quickly, but the sad truth is that we do, not all but some. Bill 202 puts pressure on polluters to clean up their mess so that human life and the environment will be saved from future compounded problems.

Mr. Speaker, may I portray a scenario for the House on why this bill will be beneficial for all Albertans. When you drive around Alberta, it's not uncommon that you'll come across an oil well site. On occasion wellheads will spring a leak either from a broken seal or a malfunction in a piece of equipment. Oil could be sprayed all around the site, doing significant damage to the surrounding area. Now, usually the owners of the well site will clean up the mess as soon as possible so as to avoid a spread and compounding the damage to the surrounding environment and to the property value. But what happens when one of the companies takes a little longer in getting to the site to clean it up? Current legislation does not give legislative weight to the time line set by Environment for the contamination to be cleaned up, therefore opening the door for procrastination and more of the environment being contaminated and property value being subsequently diminished.

A company may take advantage of the good faith opportunity set out in section 112 of the act and clean up contamination on their own schedule. This means the contaminated area will become steadily larger. It's a fact that some of the spilled oil may seep into groundwater or cause problems with livestock. Bill 202 will force companies to clean up their contamination as soon as directed. By doing this, they will avoid having an environmental protection order slapped against them. By avoiding an environmental protection order, the polluters will avoid dealing with penalties, but most importantly it will encourage polluters to clean up contamination quickly, benefiting the environment and human health.

Mr. Speaker, Bill 202 has another strong point that I'd like to conclude with. It also requires that the Environmental Protection

and Enhancement Act be reviewed every 10 years. I believe this is a very, very important part of Bill 202. By requiring regular review, Albertans will always be sure that our environmental law remains up to date. As years go by, new environmental challenges and technologies develop, and I think it's important for this government to have it legislated that the Environmental Protection and Enhancement Act be reviewed so our environmental law will always be current.

Mr. Speaker, Alberta is constantly growing. We must ensure that this growth is done in an environmentally sustainable and environmentally friendly way. Bill 202 ensures that the current act will continue to protect human health and the environment for years to come.

I believe our government is committed to ensuring that it continues to have some of the most stringent standards for environmental protection. They have always put Alberta's best interests to the forefront, and right now Albertans feel that environmental protection is a very important issue.

I'd like to urge and encourage my colleagues on both sides of the House to vote in favour of Bill 202. By passing this amendment, Alberta can continue to be a leader in this country in environmental policy. Again, I urge all members to vote favourably on Bill 202.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I'd like to take this opportunity to speak to Bill 202, which appears here under the name of the Member for Red Deer-North. I congratulate her for bringing this forward. I also listened carefully to the eloquent remarks made by my colleague from Edmonton-Rutherford, and I'm quite encouraged by the tone of those remarks and hope that all of us in the House will lend our support to this bill.

The bill obviously amends the existing piece of legislation that we have, the Environmental Protection and Enhancement Act, and it amends it in a way which strengthens the bill, strengthens the statute. The act in its amended form will certainly help provide Albertans stronger assurance that if ever any area, any part, any neighbourhood, any site gets polluted because some substance is reported to have been released either in the air or in the ground or in the water, immediate action will be taken and that the obligations of the companies or the persons responsible for the release of the substance, the pollutant, are very clear and that they're enforceable by environmental protection order.

The Member for Edmonton-Rutherford, I think, quite rightly emphasized that the environment is important for our good health, for human life, and even for animal life. A healthy environment is needed for protecting all kinds of species including our own in the current phase of rapid industrialization of our provincial economy. He talked about wellheads and how spillage can take place. Pretty soon we'll have a bill before us that talks about gas flaring and those consequences and how it pollutes our environment and causes human health problems. So we need to do everything that we can in this Assembly to assure Albertans that we're aware of their concerns about the environment, about protecting it from pollution, particularly pollution that's caused by our own economic activities related, as I've said, to a growing pace of industrialization.

It is true that much of the spillage in the past of the contaminants that have led to pollution has been caused by oil and gas exploration, our transportation activities, but we do know that that industry has spawned a whole lot of other industries both in forward linkages and backward linkages. Lots of machinery is being produced in urban areas and rural areas, in small towns and big cities, and this produc-

tion of industrial technology – machinery, parts, what have you – does expose these communities to the potential of accidental release of harmful substances.

4:00

This bill is an attempt to amend a 10-year-old piece of legislation, and I think it rightly proposes that this legislation be subject to regular, legislated 10-year comprehensive review. I'm not entirely sure if Bill 202 proposes that we start this year, perhaps, because the statute that's being amended, the review of which every 10 years is being proposed by this piece of legislation – if this includes that we start this year with a comprehensive review of the legislation that's been in place for 10 years, it would be important for the minister to take notice of the fact that this bill is recommending such a review. I understand the minister spoke favourably of this part of Bill 202, which proposes this 10-year obligatory review of this piece of legislation.

I suggest, Mr. Speaker, that since the Environmental Protection and Enhancement Act is 10 years old this year, the time to begin that comprehensive review may have come. This bill certainly is an attempt to address that question by proposing a particular amendment to a certain section of the existing legislation, but perhaps we need to go beyond that and encourage the minister and perhaps amend this piece of legislation here to include that the first such 10-year comprehensive review must be undertaken this year because this marks the 10th anniversary, as it were, of this piece of legislation.

So, Mr. Speaker, I am pleased to be able to support this bill before us in its second reading, and I will give some consideration to bringing an amendment later on if I think that's appropriate, which will be with the review of the act section of this proposed piece of the bill.

With that I conclude my remarks. Thank you.

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

MR. BONNER: Thank you very much, Mr. Speaker. It's a pleasure this afternoon to rise and speak to Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. I would like to commend the hon. Member for Red Deer-North for bringing forward this piece of legislation, and it is a welcome bill. It is a bill required not for the majority of people that do business here in the province but for those instances where accidents do occur and we get accidental spillage or to deal with those people who hope to gain some type of economic advantage by not complying with our environmental standards here in this province.

Of course, we have to remember as well that whatever is bad for society is also bad for business. We certainly have seen many cases where, when violations have occurred, the end result is that the costs are much, much higher than compliance or, in the case of our underground storage tanks program, where compliance with new standards is just so much cheaper than what we're experiencing with the number of underground tanks that have leaked over the many years that we've had underground storage for gasoline here in this province.

When I attended the AAMD and C convention last fall and delegates there were asked to rank their concerns, their number one concern was certainly about air and water quality in this province. When we look at statistics supplied by the federal government, in Canada alone, Mr. Speaker, there are somewhere in the neighbourhood of 5,000 deaths a year that can be attributed to air pollution. The Ontario Medical Association deems the cost in Ontario to be

somewhere in the vicinity of \$1 billion because of air pollution. This is for admissions to emergency rooms, this includes admissions to the hospital, and it includes absenteeism from work. So we do have to look at this whole issue, and I think that Bill 202 does do an admirable job of dealing with spills and environmental hazards that do crop up.

Now, then, I also think that what this bill does, Mr. Speaker, is it certainly makes us much more vigilant as a society and particularly in this province here, where much of our industry is energy based. Of course, the hon. Member for Edmonton-Strathcona indicated that we do have spin-off industries as a result of our great oil resources here in this province and that when we look at our petrochemical industry, for example, we do have the potential for environmental spills that can be very, very costly, and cleanup costs and restoration do take quite a time.

Now, as well, we end up, Mr. Speaker, in this province in certain instances where cleanup is very, very difficult. I think most members would be familiar with the site on 82nd Avenue and 105th Street where gasoline from that particular station had leaked into the ground over many years, and it actually found its way into the sewer system that linked up with St. Joseph's hospital. Of course, when the extent of that leak was determined, the service station was shut down immediately. As well, to clean up that area is going to be a long and costly process, simply because some of that leakage has gone under the street and has migrated quite extensively from the underground storage tanks.

As we talked about as well, with the underground storage tanks, Mr. Speaker, another problem with this type of environmental hazard is the fact that it does get into the groundwater. Certainly with groundwater, depending on the various types of soil, the migration throughout the soil is either going to be quite quick, as in the case of it flowing through sand, or quite restricted, when we get a clay base. Just the same, it is a very, very potentially great hazard and something that we haven't encountered here in Alberta recently. But when we have leakage in underground storage tanks, when the water table rises, so do those contaminants, and certainly we want to keep those away from the surface as much as possible.

[The Speaker in the chair]

So in looking at this bill, Mr. Speaker, I certainly will be supporting this bill, as I am sure most members of the Assembly will. It is a very good bill, and, in closing, I'd just like to say that I certainly do urge members to keep the term "must" in this bill, because in far too many instances voluntary compliance just doesn't work.

With those comments, Mr. Speaker, I will take my seat and urge all members to support this bill. Thank you.

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

4:10

MR. CAO: Thank you, Mr. Speaker. It is my great pleasure to rise today to speak on Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. I support the proposed amendment of the hon. Member for Red Deer-North that would have the owner of environmentally harmful substances remediate them according to the directives set out by the Ministry of Environment.

I support Bill 202 because it addresses the health and wealth of Albertans. I also support Bill 202 because the directives would ensure that immediate action is taken to contain and control the source and the movement of contamination. I commend the member for bringing this bill forward in the House for debate. As elected

representatives I believe it is our responsibility to define the most effective legislation we can to protect the quality of life of Albertans.

I see environmental protection as a matter of the wealth and health of Albertans. The health of our constituents is at risk when harmful substances are not remediated properly or without efficiency to control the damage. The wealth of Albertans is also at risk when their property values are affected negatively by the pollution. It is often difficult to assess all the subsequent effects which will take place after a spill happens. If the spill is left too long before the remediation occurs, hazards that are leaked into the environment, whether they be on the land, in the water, or released into the air, are not easy to detect without conducting many different tests.

The land, water, or air that the hazard is released into does two things: it disguises the presence of contamination or environmental hazard by blending it within its own elements, or it acts as a carrier for that hazard to spread throughout more land, water, or air. Once contaminants are released, they could travel to a number of places which would pose serious health risks to Albertans. Hazards could make their way into the groundwater we drink, lie hidden in the soil our children play with, or get mixed into the air we breathe. For this reason I support Bill 202. The longer hazards are left, the more contaminants will inevitably spread and steadily become a more serious problem to the health of Albertans and our environment.

Environmental contamination poses great risk to the health of Albertans because it can be ingested through groundwater, as could happen through petroleum leakage or spill – inhalation of petroleum vapours from old oil or gas storage tanks is what happened in the Lynnwood Ridge area in my constituency – or can cause other serious health problems due to long or short exposure to harmful environmental hazards. Bill 202 provides greater protection against harm to the health of Albertans by placing greater assurances to clean up, through remediation efforts, any environmental hazard that could be in the communities.

Mr. Speaker, we have built a quality of life in Alberta that is among the best in the world. We are fortunate to live in Alberta for many reasons. Part of the Alberta advantage is the beautiful and clean environment we enjoy, as it adds greatly to the higher standard of living and quality of life. I believe we have a responsibility to the people of this province to ensure that we continue to protect the land, the water, and the air that is so important to the health of all Albertans and continue to treat the environment in Alberta as a precious resource.

Presently section 112 of the Environmental Protection and Enhancement Act gives polluters an opportunity to remediate out of good faith the contamination that they have caused. I believe this is an honourable concept. Nonetheless, I believe it is a concept we must strengthen through more strict legislation. Alberta is expanding rapidly. Our population and our economy are steadily increasing. More people are investing in Alberta because it is a great place to do business, and there is great opportunity for investors to grow and expand. Of course, this growth and development is good for Alberta. However, I believe it is our responsibility as a government to ensure that the growth that occurs in this province is not only beneficial to our economy but sustainable for our environment. Mr. Speaker, if we were to let all spills, even the small and easy-to-fix, be remediated on the good faith of the polluter, we run the risk of two things: the problem not being remediated in due time and giving the impression to the people out there who would take advantage of this system and not act in good faith that there are limited consequences to their actions.

Bill 202 would not only ensure that spills are remediated in a more efficient manner but enhance the ability of the Ministry of Environment to define the terms by which a remediation process could take

place without issuing an environmental work order. An environmental work order is a permanent record and can potentially have a greater negative impact on the polluter at a later date. The ability of the Ministry of Environment to negotiate the terms of remediation before an order is issued and have the contamination cleaned up in an efficient manner could be a most beneficial option to both parties. Bill 202 would ensure that the instructions provided by the director of Environment to the polluter are followed, giving a greater credibility to the instructions and ensuring a faster response to the hazard.

Mr. Speaker, I believe that Bill 202 is a responsible change to the Environmental Protection and Enhancement Act. It is already a great piece of legislation. I firmly believe this amendment will provide the ministry with the ability to have hazards cleaned up more efficiently, removing the need to rely on the good faith of polluters. I believe that handling environmental hazards appropriately in this province is very, very important. Environmental standards are going to improve as our population and economy grow. We need the means to ensure that these standards are respected and any environmental hazards are dealt with efficiently as they are a risk to the health of Albertans.

A sustainable balance between the environment and the economy is a difficult line to find simply because it is always fluctuating. I believe that we can achieve a closer state of balance by finding ways to ensure that we react to contamination and hazards in a more efficient way. Bill 202 proposes to do just that.

I support Bill 202 because I feel that it will aid our government to ensure that the owners of environmentally harmful substances are remediating the contamination according to the directives set out by the Ministry of Environment with greater immediacy. It would allow the director of Environment to initiate actions to contain and control the source and the movement of contamination sooner.

The beauty of Bill 202 is that it's forward-looking, and I urge my colleagues to support the bill. Thank you.

4:20

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker, for the opportunity to rise today and speak to Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act. I'm very pleased that the Member for Red Deer-North has brought this bill forward. This bill ensures that all who pollute our province take responsibility for any potential harm done to our land, our people, and our prosperity.

This sensible amendment brings a little bit more of a bite to an already strong, innovative, and excellent piece of legislation, the Environmental Protection and Enhancement Act. Mr. Speaker, this act, when it was introduced back in 1991 by our Premier, unified many pieces of legislation into a single powerful act. The EPEA has served this government's ongoing commitment to maintaining the cleanest air, water, and lands of any industrialized nation. In doing so, the act has promoted the health and prosperity for this and our future generations and, also, the well-being and diversity of our unique plants, animals, and geography. Indeed, the Environmental Protection and Enhancement Act is a prime example of government putting the values of Albertans first. Only after a massive public consultation was the EPEA proclaimed, and over the past 11 years it has been a strong tool for the Department of Environment to ensure that polluters are held accountable for their actions.

What Bill 202 proposes to do is make a small change to this already strong law and make it stronger by removing any doubt and ensuring that action will be taken to correct a spill of a noxious,

corrosive, or toxic substance following a written request by the director of the act. Although there is room for a threshold of tolerance and understanding in some arrangements, when it comes to protecting our environment, we should exercise due diligence and not extend continual good faith to any person, organization, or company that has already breached the trust of government and is known to be a polluter.

One of the long-term effects of this amendment would be to ensure that due precautions are taken to ensure that Alberta's environment remains well cared for. I believe we have in Bill 202 an opportunity to practise prevention by providing strong deterrents against handling hazardous chemicals without the utmost care. Bill 202 also represents a small step forward in ensuring that individuals and corporations are treated with fairness under the other provisions of the Environmental Protection and Enhancement Act.

Now, when a director of the act draws a line in the sand, infractions of written directives will be followed by swift action by way of an environmental protection order to ensure that our environment is cared for at all times. Bill 202 calls for consistency and respect for a written request to clean up spills, nothing more and nothing less. Albertans are strongly committed to preserving their environment and deserve to know that there will not be any wiggle room for violations of the EPEA with the written orders of the director of the act.

Bill 202 does not alter the balance between industry and environment but, rather, solidifies the principles contained within the EPEA to ensure that they are applied as soon as a polluter does not comply with the direction, the written orders of the Department of Environment. Some may say that the mandatory compliance orders might cause some hardships on the businesses that pollute. But do we factor in economic hardships when we hand out speeding tickets? It is the same principle. This bill will remove a degree of uncertainty by clearly defining what must take place after the issuance of a written order. This will give polluters and the department more clearly defined responsibilities when a request for cleanup is issued. This creates efficiencies by eliminating any and all guesswork for both the director and those who have a spill to clean up. Ultimately, Mr. Speaker, this can only serve to expedite the cleanup process.

We have seen in other jurisdictions the potential for catastrophe when the safe care of biological and chemical contaminants is overlooked. There must be no second-guessing on the part of the polluters. If they are caught, they will be cleaning up their own mess in short order as well as facing potential fines or other penalties. As an example, I know that in my own constituency there have been some spills. What we find sometimes is that the polluters, who are known polluters, change the name of the company or sell the company yet are principals of that company. This has to stop. I think that when you pollute a particular area, you should be the one that cleans it, because you not only polluted it but you also benefited by farming that particular area, by receiving the products from the ground. I think it's your responsibility as an operator to be diligent and look at what you're doing in this province, because we all want to continue working in our own province.

If we look at the oil and gas industry or any chemicals that are produced in this province, I think it's crucial that if you're going to do business, you should be very cautious and understand what is out there. We all have to live with the oil, gas, the chemicals. We breathe the air. If we don't look after what we've got here in this province – other people would like to move to this province and maintain it the way we have right now. I think we see other provinces, other countries looking at this area and saying: look at what Alberta is doing; we have to follow that example. I know that we have other issues coming up in the future such as the Kyoto

agreement, but we also have to look at how we as a province exist so that we can have the benefits of good education, that we spoke about here in the last couple of days even in question period. This all takes into consideration what we do in this province, where the dollars come from for education, for our health system.

What we are proposing under this bill is to make sure that we have a good level playing field that we can all work in, enjoy as members and residents of this province and future generations to come. It's very easy to say: let's cover up what we've spilled; somebody else will do it. I think it's about time under this legislation – and as I indicated, I'm very pleased to see that the Member for Red Deer-North has introduced it – that we do put the onus on those operators and that there is nowhere to hide, that there isn't a rock big enough that they can hide under.

So with that I encourage all members of this Assembly to support this reasonable amendment proposed by the Member for Red Deer-North. It would be a big step in creating an act that is more transparent and is a more effective deterrent to mismanagement of dangerous chemicals, petroleum, or wastes.

Now, we're talking not only about the oil and gas. There are other things as well. We have to look at agriculture. So it's a big spectrum. It's not only one particular individual or company or group that we're targeting with this bill. When we look at the Minister of Environment, he's charged with all environmental protection within this province, not only in oil and gas but, as I indicated, agriculture and everything else that goes with it.

MS CARLSON: No. He's the Minister of Environment, not the minister of environmental protection.

MR. BRODA: Well, he's still the Minister of Environment. Thank you, Mr. Speaker.

4:30

THE SPEAKER: Now the hon. Member for Airdrie-Rocky View.

MS HALEY: I want to thank you very much, Mr. Speaker, and I particularly would like to thank the hon. Member for Red Deer-North for the tremendous amount of work that she and her researcher have done trying to pull this together. I know how much work it is as somebody who brought forward a private member's bill, and I know how frustrating it can get when you know you have a great idea and maybe not everybody agrees with you.

I do support this bill providing that in Committee of the Whole we're able to change the word "must" to "may," and I don't say that lightly. It becomes just incredibly important when we legislate that we realize what actually happens out in the world, and I'd like to give you a couple of examples of how things get basically out of control depending on what the legislation actually says.

Before I became an MLA, I worked in the biomedical waste industry, and biomedical waste was everything from blood and blood products to chemical bags that were used in chemotherapy to even, as gruesome as it sounds, body parts. When people have surgery, the bits that they cut out of you have to go somewhere, and biomedical waste companies handle that waste and incinerate it. They did incinerate it at incredibly high temperatures to make sure that there are no chemicals or anything else that would pollute Alberta or, you know, any part of our environment, and that was awesome. But along comes the government, and they regulate everything, which is fine, except that from time to time regulations can get a little crazy. If you had a spill, a blood spill for example, inside the biomedical waste plant – and this could be a half a cup of blood or less, just something like a pail being introduced into the furnace that there

might be a small leak from – you had to report it. It wasn't enough to just report it to the health authority. You had to report it all the way down through Environment, the hazardous protection. You name it. It became massive.

What we did with all of the rules and regulations is that we actually encouraged people to not report things because it was so complex. Something that could be so easily cleaned up with a chemical bath and a good flushing of water, that you could clean up yourself as an employee of this company became a major issue.

It was the same on the trucks. We used to pick up things like – you won't believe this one – finger paints the kids use in school. It turns out that years ago somebody discovered that there was a lead base in it, so of course it couldn't be used anymore. Stuff that we had been playing with as little kids had to now be incinerated. So a lot of it was sent to Swan Hills, but others were picked up by biomedical waste companies because we could incinerate it as well. Now it was just huge. If you dropped one of these boxes containing something and there was a little cloud of dust that went off from it, you had to report it and deal with five or six different people even up to and including RCMP and inspectors and regional health authorities. This is a lot of high-priced help that you're involving in something that's relatively easy to clean up.

So from my perspective after having lived through that kind of situation dealing with regulators in government and people who interpret legislation, it becomes incredibly important to me how things are worded. Whenever we say "must," it means that we're probably going to have to hire more people to go out and enforce the "must."

What happened in my riding because of the Water Act that's now taken effect – yes, Minister, your Water Act – is that the Department of Environment came along through their fish and wildlife branch and got involved in the siting of a dugout. Fine. You know, that's great. We need the department everywhere because farmers clearly don't have the expertise to decide where a dugout should be. The department sited the dugout at the top of a rise. I don't know. There's really not a lot of water that runs uphill, not in my experience.

Right beside that on another farm a farmer had the opportunity to have an oil company dig a dugout for him as they needed dirt for an infill on another spot where they had been working. Everything was going along fine. Fish and wildlife comes along and says: oh, we want to see your permit. Well, he didn't have a permit, and they said: well, you have to get a permit, and you'd better get a permit, and we'll come back and check your permit. Great. Perfect. He goes to the agriculture offices in my area, and the agriculture people tell him: "Oh, you don't need a permit for that. It's on your property, and there's no problem with having a dugout." Right? Agriculture says that you don't need one. Fish and wildlife says that you do. It turns out that Environment says: oh, yeah, gotta have a permit. Takes six weeks to get it, by the way. And once the six weeks is up, the oil company has gone because they're not going to sit around forever digging your dugout. They'll get the infill someplace else. So now he's got a half-dug dugout, and he's got to find the money to finish it.

As a member of our government – and I am very proud to be a member of it, but sometimes regulations and legislation that we pass here with nothing but the best of intentions don't always get translated that way in actual operation and practice. So we have to be more than just a little bit careful in what we say, how we say it, and what gets passed in Assemblies like this one. Whether it's here in Alberta, at the federal level, or in any other province in Canada, wording matters. We have ample evidence to prove that.

The point of all of this, however, is to say that if we get into

Committee of the Whole and we can change that word from “must” to “may,” I am absolutely delighted to be able to support that, and I hope that we’ll all vote for it in second reading and see what happens in Committee of the Whole.

Once again, thank you to the hon. member for bringing it forward.

THE SPEAKER: The hon. Member for Red Deer-North to close the debate.

MRS. JABLONSKI: Thank you, Mr. Speaker. Bill 202 will make it mandatory for owners of any source of environmentally harmful substances to initiate remediation of damage caused by contamination through directions and time lines set out by the Department of Environment. Further, if the polluter fails to comply with these directions set out by the department, it is then the department’s duty to issue an environmental protection order. This bill also requires that the EPEA be reviewed every 10 years.

Mr. Speaker, I will consider the amendment suggested by the Minister of Environment to change the word “must” in section 112.1 to “may.” By changing this word, we will prevent redundant work from piling up on a director’s desk. In this way we protect the environment, too, from unnecessary paperwork. If there’s no need for direction because the spill is already cleaned up or is being cleaned up, then we’re just creating a make-work project. It’s not my intention to create unnecessary or redundant work.

I also believe that our environmental directors are competent and very conscientious. We will still accomplish the intent of this amendment without creating work. We will still maintain the word “shall” in the second part of the amendment of 112.1.

Mr. Speaker, this bill is not one giant step for mankind, but it is one small step for Albertans. It’s one small step that will lead to a protected environment and thus ensure the health and safety of Albertans and the health and safety of the environment.

There is a Cree Indian prophecy that states: only after the last tree has been cut down, only after the last river has been poisoned, only after the last fish has been caught, only then will you find that money cannot be eaten. Mr. Speaker, the people and the government of Alberta are the guardians of our environment, and it is up to all of us to make sure this prophecy is never fulfilled. Bill 202 will help to prevent the fulfillment of these words.

Bill 202, if passed, will make Alberta a national leader in balancing the needs of the environment with the needs of Albertans, property owners, and business. I therefore urge all members of this Assembly to support Bill 202.

[Motion carried; Bill 202 read a second time]

4:40

Bill 203 Gas Flaring Elimination Act

THE SPEAKER: The hon. Member for Edmonton Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I’m honoured and pleased to rise to speak to second reading of Bill 203, the Gas Flaring Elimination Act. This act is very straightforward. Its objective is to eliminate the scourge of gas flaring and venting from the rural Alberta landscape within 10 years. [interjections] Yes, if you’ll all take out your *Reader’s Digest* version.

Mr. Speaker, the Pembina Institute for Appropriate Development in a February 1999 report called *Beyond Eco-terrorism: The Deeper Issues Affecting Alberta’s Oil Patch* described gas flaring and venting as the most prominent air quality concern in rural Alberta. The most prevalent type of flaring was solution gas flaring of natural

gas from oil wells and gas flaring at smaller processing facilities including sour gas processing plants. There is also significant concern about flaring at test wells where an energy company is trying to establish the pressure of the natural gas reservoir.

Residents living near flares have for many years documented problems with their health, their children’s health, and the health of their livestock, their crops, and surrounding vegetation. The Alberta Research Council recently found that flares fully combust only 64 to 85 percent of the gas that is being directed to them. More than 250 compounds are being emitted from flares as a result of incomplete combustion, including hydrogen sulfide, which is extremely toxic, and benzene, a known carcinogen.

According to the Pembina institute report in 1996 there were 5,246 active gas flares in Alberta. Those flares burned 1.8 billion cubic metres of gas, or about 8 percent of the volume produced. So in addition to the negative impacts of flaring on rural residents, livestock, and vegetation, flaring wastes a very valuable and increasingly scarce commodity.

I wish to acknowledge the fact that significant progress has been made in reducing gas flaring. A few years ago the energy industry made a commitment to reduce gas flaring and venting by 50 percent by the end of 2003 and a reduction of 60 to 70 percent by the end of 2004, I guess. The multistakeholder task force involving the province, the energy industry, and a number of public representatives was set up under the province’s Clean Air Strategic Alliance to monitor whether these reduction targets were being achieved. It looks like the 50 percent reduction target may in fact be achieved by the end of 2002, this year. This is a significant achievement, and I commend those involved for helping to bring it about.

At the same time, it is important to note that the approach to reducing gas flaring to this point in time helped Alberta get rid of the easy half of the problem; namely, the relatively large flares where it was most economic to recover the gas rather than to flare it into the atmosphere. Eliminating the second 50 percent of flaring is likely to be a significantly greater challenge.

I suspect that some government members are going to point to the progress made so far in reducing flaring and question the approach of legislating firm targets for further reductions and eventual elimination of this environmental scourge. In response I would say that sometimes you need legislation to keep your feet to the fire. This government has been a longtime advocate of setting legislated targets for paying down the provincial debt. I ask: why not use the same approach to eliminating an environmental hazard like gas flaring?

I see two major advantages to using a legislated approach to eliminating gas flaring compared to the existing largely voluntary approach. First, a legislated approach creates a more level playing field. Companies which make the investment to eliminate flaring on a voluntary basis are not penalized compared to companies who refuse to make that investment, and as the economic costs of reducing flaring further increase, this will become a greater and greater problem. The good corporate citizens, the ones that are willing to play by the voluntary rules, actually suffer in a competitive market relative to those who refuse to be good corporate citizens. I think that’s wrong, Mr. Speaker. That’s something we need to address.

Second, an approach which sets out minimum legislated targets is more transparent. Everyone understands clearly what they are expected to achieve in terms of reductions. Even those who favour the current approach, the current voluntary approach, have said that Bill 203’s target to eliminate all but emergency flaring under strict conditions is in fact achievable. I want to stress that the bill does

include a provision for flaring in the case where there's a real threat of an accident or an explosion.

I also think that it would be naive for members to believe that the progress that has been made thus far has settled the problem of gas flaring. Nothing could be further from the truth. As just one example to substantiate that the issue of gas flaring is far from being resolved, next week in Fort Saskatchewan the Heartland Citizens' Coalition is sponsoring a public meeting on gas flaring and what needs to be done to get the oil and gas industry to eliminate this problem.

I believe that this bill sets up a very reasonable process for eliminating flaring within a 10-year period. Bill 203 establishes a broadly based advisory council consisting of representatives from government, industry, labour, and the environmental and scientific communities to establish a threshold volume for gas flaring that would be subject to elimination within 10 years. The composition of the advisory council in Bill 203 is similar in terms of its composition to the multistakeholder task force set up under the Clean Air Strategic Alliance. However, unlike the CASA task force the advisory council will have the power of legislation behind it. The advisory council will be given the necessary legislative tools to get the job of eliminating gas flaring done.

I remind all members that Bill 203 is being debated at second reading, which is a debate on the principles and intent of the bill and not on its detailed contents. While there may be some details in the bill on which members have questions, I would be very open to consider amendments from members on any side of the House at the committee stage. I think the bill's approach is a very reasonable one and that government members and all members of this Assembly consider the bill on what it is setting out to achieve, including reducing the level of conflict between rural Albertans and the oil and gas industry and improving the environment throughout rural areas of the province.

Mr. Speaker, I would like to indicate that one of the great challenges, I think, which faces us all is to maintain and improve the quality of life in the rural areas of this province. It's under attack like never before. The quality of life in rural Alberta is why many, many people live there, have moved there, or have stayed there, yet with the rapid industrialization of the province it's placed under significant pressure from a number of quarters. One of them and one which has certainly become a very, very serious irritant in rural Alberta is the intrusiveness of the oil and gas industry on their lives.

In particular, I want to stress that the flaring and the venting of gas in this province have had very serious problems. While I think that almost all Albertans share the view that violence and sabotage is the wrong way to deal with it, the fact remains that of all of the political issues in this province this is the one issue that has led to those kinds of things. We need to do, I think, a better job of communicating to Albertans that we are going to take very firm and strong action in order to eliminate this scourge, and I urge members, in conclusion, to support Bill 203, the Gas Flaring Elimination Act, at second reading.

Thank you, Mr. Speaker.

4:50

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

MR. VANDERBURG: Thank you, Mr. Speaker. It's my pleasure to speak to Bill 203. I believe that the intent of the member is good. However, I cannot support the bill. Before I talk on it, I'd like to invite the member out to Whitecourt-St. Anne and have a look at some of the situations that I've worked in in the past. I've come to realize that flaring is a necessity. We need to have an opportunity

to create a safe workplace, so I would like to invite you to come out and have a look at some gas plants and some areas where we do flaring where it's necessary.

I have to also commend you on Bill 203. It's very easy to read. I've read lots of these bills and motions since I've been here, and some of them are very difficult to get through, but you've done a good job in writing it.

The purpose of the act "is to establish a time frame in legislation that will eliminate the flaring and venting of solution gas in Alberta within 10 years." I would say that it may be more appropriate to state that you'd like to urge the government to act, to continue to work toward the elimination of flaring rather than the statement made. Mr. Speaker, flaring is a sensitive issue in Alberta. Oil and gas revenues bring a lot of money to our province, and without them we would most likely not be in the enviable shape we are in today.

I believe that Bill 203 is premised on rhetorical-based research and not scientific study. This government is currently waiting for results of a study that'll bring scientific evidence and world-class research to bear on this issue. The western provinces' human and animal health study is an ongoing study that will provide us with the necessary scientific data to make informed decisions on the future of industry in Alberta. This government has taken a leadership role with respect to this study by giving \$11 million toward its completion. It's estimated that the study will be complete in 2004, and when the recommendations are received, we will then have the proper scientific evidence to guide the government if it changes policy. I'll repeat: the scientific evidence to guide government. Mr. Speaker, if we pass Bill 203 today, we would be doing so based not on this scientific data that's so much needed but on speculation.

We have another scientific study that researched the effects of, among other things, gas flaring on crops. It was conclusively found that there was no significant effect of short-term exposure to ethylene on barley, canola, or field peas. It also conclusively found that there was no significant evidence or effect on barley yield from exposure to ethylene pattern that was derived from ambient air monitoring data during the highest month of exposure at an Alberta petrochemical facility. We have the results of this study, and I suggest that we wait for the results of the human and animal health study before we make any decisions either way. A wrong decision could cripple the industry that is the backbone of our resource-based economy. It would be unwise, inappropriate for government to pass legislation before the results of the study are completed. We need to have factual information and scientific data available before we can pass legislation of this magnitude, and I again repeat: scientific data available before we can pass legislation.

Mr. Speaker, I would also like to point out that this government is already working viably to eliminate flaring. There have been significant decreases in flaring in Alberta since 1996. The Energy and Utilities Board has set flaring reduction targets for the industry. By the end of 2003 they have set a target of 40 to 50 percent reduction in volumes flared. Forty to 50 percent. These reductions are firm and will be met. The government is well on its way to considerably reducing flaring.

Even though we are moving towards eliminating flaring, Mr. Speaker, it is impossible for flaring to be completely eliminated at this point. Like I talked about in the preface of my comments, there are many, many safety concerns when we must have flaring on-site to ensure the best possible and the most safe working conditions available. We must take into consideration exploration and production. In almost all cases natural gas drilling requires release of excess gas. If we eliminate flaring completely, it would stop drilling activity in remote areas. This is because when you drill, you have to release the gas that's produced during the process, and currently

the safest way of doing so is by flaring. Surely we wouldn't want to put that gas out in the raw form. We do not have the current technology to release gas safely in remote areas other than by flaring. When we have the technology, then maybe this legislation would be a better idea, but as for right now it's not going to happen.

Mr. Speaker, we cannot support this bill because we do not have the scientific evidence or the technology available to support it. Again: do not have the scientific evidence or the technology to support it. The data is on its way, and I'd ask the member opposite and Albertans to remain patient as results will give us the information we need to make the right decision. In many cases flaring is used for emergency safety purposes, not for convenience.

Thank you.

MS CARLSON: Mr. Speaker, I'm happy to speak to Bill 203, the Gas Flaring Elimination Act. It isn't very often in this Legislative Assembly that we see two environmental bills come up in one afternoon, and I'm very happy to see that this is an issue that's topical at least to private members in this Assembly if not necessarily the government. I hope that these actions will closely be followed by government actions, seeing issues debated and legislation brought forward that will support positive changes in how our environment is managed within this province. It's good to see that the Member for Edmonton-Highlands brings up the issue of gas flaring. It's one that's very important for us to be talking about in conjunction with a number of other related kinds of environmental hazards that we see in this province.

I was a little disappointed when I first saw the bill being brought forward, because it came to my mind that we have quite a number of very burning environmental issues in this province that need to be addressed and the Member for Edmonton-Highlands chose to bring forward an issue where there has been some progress made over the past few years and where we have seen some good collaborative efforts being made between industry, environmentalists, and the government.

It was my intention to speak a little more critically of the bill than what I will now, Mr. Speaker. Having heard from one private member who supports government actions is enough to actually urge me to aggressively support the Member for Edmonton-Highland's bill, because once again the private members who support government actions come to this table, in my opinion, somewhat uninformed, inside-the-box thinkers, and unadaptable towards changes that could be progressive for this province. So it's a grave disappointment with only one speaker having come forward that we see the kinds of comments being made here. I was happy to see that the member who spoke, who was the Member for Whitecourt-Ste. Anne, brought forward the discussion about the western provinces' human health study and said that we needed to talk about the science before we took legislative action. I wish he would share that principle with the Minister of Environment, who has recently brought forward a consultation process on water in this province in the absence of any science-based evidence indicating the kinds of quantities and resources and longevity for water in this province. Perhaps they could get their lines of communication open. The Minister of Environment certainly has something to learn and benefit from.

5:00

AN HON. MEMBER: I'm just a lowly backbencher.

MS CARLSON: That's okay. You can start. You can start today. You've got lots of company, but you need to pull a few more to your way of thinking.

Mr. Speaker, in terms of the western provinces' human health

study, yes, it's under way. Yes, it takes a look at gas flaring as a part of the process of impact on human and animal health. In fact, it was my privilege to recently meet in Washington with one of the world experts on air, a fellow who is collaborating with Dr. Schindler, whom we all know in this Legislative Assembly quite well, on assessing some of those impacts and is using parts of this health study in developing their paper.

However, he believes they have enough information, base data to go forward on now to talk about some of the impacts, particularly of gas flaring. It would seem, then, that that certainly is science-based research. So for the Member for Whitecourt-Ste. Anne to say that we have to wait before we move forward on this kind of work is really not accurate. In fact, there have been a number of studies done over the years in different areas that are science based and that do have some well-documented evidence and have drawn some conclusions.

In general, for the most part, what those conclusions say is that there are very definitely health impacts on people and animals to deal with gas flaring. Now, where the debate comes into effect is whether those are isolated in regions or more widespread in nature and what the other contributing factors are to those health risks or detrimental health effects. There's an argument to be made that you need a certain set of conditions to be met for the health impacts to be substantive and negative in nature. His paper will come out with this. I'm looking forward to reading it and pushing the government to take some action when it comes out.

So what the Member for Whitecourt-Ste. Anne said isn't completely accurate. In fact, there's lots of data. In fact, there are negative effects on both humans and animals. We welcome the moneys that the government has allocated to this most current study being undertaken, because it will be far more encompassing than former studies have been, but it isn't the end of the story on this particular issue and shouldn't be taken into account as being the bible for what will happen. There are certain actions that the government can take in the meantime and in fact, I would suggest, has been taking.

It was interesting that when this bill came up, we had the opportunity to talk to a good friend to all Albertans, be they wildlife- or landscape- or people-based, and that's Martha Kostuch. Martha has been a longtime member of CASA, the Clean Air Strategic Alliance Association.

MR. MacDONALD: She lives pretty handy to a big gas plant.

MS CARLSON: And she lives – that's exactly right – very close to a big gas plant and, I think, could be called by all members in this Assembly as an expert on this particular issue. She's spent a great deal of her life fighting for issues that pose health risks to people in the community, not the least of which is . . . [interjection] Yes, she was even a friend to them, because good legislation and good changes are progressive for everybody, even if some companies go kicking and screaming along the way.

In talking to her, in fact – and I'm paraphrasing, so please don't quote me in terms of saying exactly what she stated in terms of this – her concerns were that most of the things being suggested in this bill are being undertaken in great part by CASA and that they have made some excellent progress in terms of reducing gas flares, and a community, proactive, collaborative effort to eliminate them is definitely what's needed.

As the Member for Edmonton-Highlands said, the 50 percent reduction should be met by the end of this year. They're looking to go to 70 percent reductions by the end of 2006 and 2007, and that's all good news. But what can help them along that way, and what

can take us down the road to completely eliminating gas flaring? Technology advances certainly can. What we certainly need in this province now are more efficient and effective burns. We know the technology's out there. For some reason there seems to be a gap between what they can do in the laboratory and what happens out in the field, so I think the government needs to take a serious look at that. That would be proactive.

The Member for Whitecourt-Ste. Anne talked about safety concerns with flaring and why it was needed and necessary now, but that's really inside-the-box thinking, Mr. Speaker. We need to be pushing these companies a little harder to take a look at other options. What are the conditions that exist that cause them to have to do flares, and why is it that those flares aren't always efficient burners at this time? That's what we need to take a look at. It's not very forward thinking – in fact, it's backward thinking – to state that this is the only way to handle that particular problem. I don't believe that for a minute, and I don't think the companies do either.

Certainly I receive every year many phone calls, letters of concern, and anecdotal evidence about the impact of gas flaring in this province. We have come a long way in taking a look at this issue but certainly not far enough. So it is important that the issue be raised, I believe, in some sort of a legislative fashion, and a private member's statement is a good way to do it. I certainly hope that the Minister of Environment gets in on this particular debate, because he's supposed to be responsible for being in charge of overall air and water quality, and that the Minister of Sustainable Resource Development will come forward and tell us what initiatives companies are bringing forward.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake.

MR. OUELLETTE: Thank you, Mr. Speaker, for the opportunity to rise today and speak to Bill 203, the Gas Flaring Elimination Act. Ensuring that industrial and economic development in Alberta proceeds in a reasonable manner is a responsibility that this government takes very seriously. Since the first well was struck in Leduc in 1947, Alberta has had a proud and distinguished association with the oil and gas industry. It is an industry that altered our course of history and forever revolutionized our way of life.

Most of us in this Assembly realize the importance of the development of oil and gas. Over 33 percent of government revenues come from the exploration and development of oil and gas. Most of our debt and much of our provincial infrastructure and extra program spending can be attributed to the royalties the government earns when world markets sustain high prices.

This industry, with all the benefits, also comes with challenges that include protecting the environment and the safety of surrounding areas and people. It is a challenge that the energy sector takes very seriously. Each year millions of dollars are spent by the energy industry to ensure that the environment is not overly harmed by the development of land. Each year time and effort is invested in developing new technologies to ensure the safety of local communities and individuals.

Part of the requirements necessary to protect the safety and health of local residents includes flaring. Flaring, Mr. Speaker, involves the burning of waste gases during well testing and in petroleum production operations. While flaring may occur to dispose of unwanted and unusable volumes of gas and to depressure gas processing equipment for maintenance, flaring is also used to protect people and the environment during emergencies. Flaring is an important safety procedure, especially at facilities that handle sour gas. Hydrogen sulphide in sour gas is toxic and heavier than the gases that make up our air. When flared, the hydrogen sulphide is

converted into less toxic sulphur dioxide, which is dispersed in the plume of hot gas from the flare. If not flared, these gases could pose serious health hazards to workers and adjacent landowners.

5:10

With the handling of any sort of dangerous toxic gases, concerns are raised when they are released and burned in the atmosphere. Questions and concerns on flaring range anywhere from health and environmental impacts to whether flaring is a waste of gas that perhaps could be captured and refined for other uses. Concerns are also raised on smoke, noise, and odour problems.

The government of Alberta has delegated authority for the regulation and monitoring of such energy industry practices to the Alberta Energy and Utilities Board. The board has taken steps to review flaring and to ensure that the safety and the environment of Albertans is protected. In July of '99 the EUB directed industry to eliminate the practice of flaring where possible and, where elimination was not possible, to reduce the volumes to be flared. The EUB also asked industry to find alternative uses for gases that were previously flared and to design and operate flares so as to increase their efficiency and minimize the release of products of incomplete combustion.

Alberta's energy industry took this challenge seriously and responded with many improvements. A multistakeholder group was formed to address this issue, including representatives from industry, government, the EUB, and interest groups. Frameworks were established for managing routine flaring activities, and actions have been established to lead to the eventual elimination of flaring. The eventual elimination of flaring is a worthy goal but one that requires much, much more work. Mr. Speaker, I firmly believe that these studies need to be undertaken and solutions found by scientists, experts, and professionals rather than armchair experts who like to think that they know a thing or two about hot air.

Industry and professionals have produced a guide for operators in situations where there are no reasonable alternatives to flaring. Funds have been invested in the sponsorship of research to assess the viability and the alternatives to flaring and to optimize flare design to ensure maximum combustion efficiency. Industry has also been successful in increasing the promotion of gas recovered in operations. In fact, the Energy and Utilities Board reports that Alberta conserves about 94 percent of all solution gas produced.

SOME HON. MEMBERS: How much?

MR. OUELLETTE: Ninety-four percent. The rest is generally treated as a waste stream and flared.

These are results that we can all be proud of and results that have evolved along with time, technology, and expertise. They have not resulted because of a pie in the sky or unnecessary and harsh regulations. The Energy and Utilities Board's commitment to safety and to examining this issue has not ended by simply monitoring the situation. The EUB has been working with the Clean Air Strategic Alliance, otherwise known as CASA, and reduced upstream solution gas flaring by 15 percent from '96 levels by the end of 2000 and 25 percent by the end of last year. These targets, Mr. Speaker, were firm, and the EUB is once again working with CASA to implement regulatory measures to ensure industry compliance.

Future CASA air emission standards are being re-evaluated this year. In addition to this, Mr. Speaker, a study that is in part supported by the government is being undertaken to investigate whether there is a link between oil and gas emissions and animal health. This study, the first of its kind, is scheduled to be completed by 2004. The Alberta government has already invested millions of

dollars into this project, a sign of its commitment to this important issue.

Mr. Speaker, I believe that before any more action is taken, we must complete studies like this one. We must ensure that experts, health officials, and scientists are allowed the time to monitor and investigate this further and come up with recommendations for action. We must not fall into a trap of getting ahead of experts by creating unnecessary rules and regulations that would cause more harm than good.

I would urge all members to vote down Bill 203 and allow industry, scientists, and experts the opportunity to do the jobs that they were trained for. Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to rise and participate in the debate this afternoon on Bill 203, Gas Flaring Elimination Act, as presented by the hon. Member for Edmonton-Highlands. First, before I get into my organized speech, I would like to remind the Member for Innisfail-Sylvan Lake that the citizens of Turner Valley would take exception to his remark that the oil or particularly the gas industry started, I believe, in 1947 or 1948 with the Leduc discovery. There was a viable natural gas industry and a significant production for decades in southern Alberta, specifically in the Turner Valley area, previous to the Leduc discovery. I'm told that from Calgary you could actually see the gas flare from Turner Valley. There was that much gas.

One thing that I do at this time commend the government for – and I see this outlined in the third-quarter fiscal update – is a commitment to do the western Canadian flaring study on gas flaring. I think that is necessary. It is necessary after one has an opportunity to read the book entitled *Saboteurs*, written by, I believe, a Calgarian, Andrew Nikiforuk. This book outlines to Albertans just precisely what the controversy is between landowners and gas producers and the whole issue of flaring.

Now, I happened to run into someone during Minor Hockey Week, Mr. Speaker, and they had this book under their arm. I approached them and asked them about it, and they urged me to read it and I did. It is available in the library here, and I would urge all hon. members of this Assembly to read *Saboteurs* before you vote on this bill, as presented by the hon. Member for Edmonton-Highlands.

Earlier this afternoon in debate there was a lot of talk about having to have this flaring because it is a safety issue in gas plants and in other production facilities, and that is absolutely correct. There can be upsets; there can be mechanical failures. The easiest way to depressure the facility is certainly with the use of the flare, and that has gone on.

Other hon. members talked about testing wells. Mr. Speaker, certainly, whenever you test a well or you want to do a production test on it, to flare the gas off is only reasonable. But when we look at the statistics that are now being produced on the supply of gas and the production of gas in this province, one has to notice that in 1999 – and I think this is an excellent way of handling this – there are two categories for gas. There is raw gas production, and there's processed gas production. To clarify that for all members, processed gas production refers to gas usage dispositions downstream of Alberta gas plants, and this is specifically mentioned here, because it is easy for members to get confused between raw gas production and processed gas production.

The hon. Member for Whitecourt-St. Anne was talking about the

reduction in the amount of gas flared. The amount of gas – and this is in millions of cubic feet. In the last decade there has been no reduction really in the amount flared to atmosphere, but there has been a significant increase in the production of gas in this province. For instance, in 1990 gas production in this province was 117 million cubic metres. Now, in the last year that I have the full figures for, it is in excess of 170 million cubic metres. So there has been a significant increase in the amount of production, and the amount of gas that has been flared has remained pretty much the same, around 2.2 million cubic metres. But that's not to say that that is right. This gas has certainly increased in value, and that would be a natural incentive, as it increases in value, for there to be less flaring, because it's too valuable a commodity just to be flared. There are certainly issues relating to the environment.

5:20

I think this bill has merit. We were talking earlier about a 10-year plan. We're talking about 10-year plans, for instance, in health care. So why can't we have one, as the hon. member suggests, for gas flaring and reduce this even further? It is a worthwhile goal to reduce gas flares. A lot of the contentious issues that face landowners and oil and gas landmen I think could be resolved easier if there were less flaring.

There have been studies done. There has been conclusive proof established that gas flaring affects the health not only of humans but certainly animals. A noteworthy example would be the beef cattle in the area of Sundre. There has been a great deal of difficulty, particularly with one cattle owner and his herd. There is a dairy farmer I believe in the St. Albert area who has concerns. Every time there is flaring in the vicinity of his farm, if the wind is blowing in the right direction, then the cattle certainly are sick. Now, I don't know, as the hon. member has suggested, if the milk is sour, but certainly the cattle need attention from the veterinarian, who I believe is the Morinville veterinarian.

Now, there are many different and various examples from across the province, and that is why I would have to urge all members to support this bill. We can't underestimate, or we can't just simply dismiss and pretend that there are no statistics relating to this because the studies have already been done, and if people perhaps work together, Mr. Speaker, with solution gas – I'm astonished at the statistics brought forward by the hon. member, but solution gas, excess gas from oil production, certainly could be used to produce electricity on a small local scale. There could be natural gas flaring as well. Instead of flaring it, it could be used as a fuel source for small, say, four- or five-megawatt turbines. There are answers to this problem besides just simply cheaply flaring the gas off.

Mr. Speaker, in conclusion I would like to urge members to read *Saboteurs* by Andrew Nikiforuk before you vote on this bill, and at this time I would like to adjourn debate on Bill 203. Thank you.

[Motion to adjourn debate carried]

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's been a very progressive and exciting day. We've made excellent progress on this historic day, it being the first full day of private members' business, and since we are very close to the hour, I would move that we now call it 5:30 and adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:25 p.m.]

Legislative Assembly of Alberta

Title: **Monday, March 4, 2002**

8:00 p.m.

Date: 02/03/04

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Health Care Premiums

501. Dr. Pannu moved:

Be it resolved that the Legislative Assembly urge the government, in the interests of fiscal prudence and tax equity, to not increase health care premiums and instead cancel the scheduled reductions in corporate income taxes for fiscal years 2002-03, 2003-04, and 2004-05.

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

DR. PANNU: Thank you, Mr. Speaker. It's my honour and privilege to move Motion 501, that stands in my name on the Order Paper, as the first motion of this spring session, 2002. It's an honour to move this motion on behalf of the New Democrat opposition and on behalf of hundreds of thousands of Albertans of all political stripes who believe that the government is making a huge mistake by hiking health care premiums. The New Democrats have long maintained that the provincial government should phase health care premiums out and should certainly not be increasing them. Make no mistake: by hiking health care premiums by up to 40 percent, perhaps even 50 percent, Albertans are going to be asked to swallow a significant tax increase.

In question period last week the Premier tried to justify increases in health care premiums by saying that they remind Albertans that health care isn't free. I find this claim and this rationalization ludicrous, if not totally ridiculous. I think Albertans are fully aware that health care is one of the most important services provided by their government and is funded by taxes and by other government revenue sources.

The question is: who pays the health care bill? What the government is doing through its stated intention to continue reducing corporate taxes over the next three years is saying that corporations, who benefit enormously from the cost advantages of a publicly funded system, should pay less. In contrast, the Premier wants to shift a greater share of the cost of health care disproportionately onto the shoulders of average lower and middle-income Alberta families and small businesses. That health premiums are a tax is beyond question, and I suspect that even the Premier knows this and would agree with it. What he doesn't seem to grasp, however, is how unfair, impractical, and unpopular this particular tax is.

Premiums are an unfair tax. The people that will be hit hardest by an increase in health premiums are exactly the ones who are already struggling with the current rate of premiums: lower middle- and middle-income seniors and working families. In fact, we know that a family of four in Alberta can expect to pay approximately \$4,200 for health care services such as ambulance services, dental and optical care, home care, and prescription drugs. All of these dollars are out-of-pocket expenses. Already burdened by this \$4,200 shortcoming in out-of-pocket payments for health care, two-parent families already pay \$816 in so-called health care premiums. A 40 percent increase in health care premiums would burden those Alberta families with an extra \$326 a year in taxes. Unlike personal

income taxes, where despite the move to the regressive flat tax the amount paid goes up with income, health care premium increases bear no relation to a family's ability to pay or its income.

During the last election Premier Klein promised Albertans that the only way taxes were going in this province was down. Yet barely a year later Albertans are being forced to rework their household budgets to make room for a big increase in the form of increased health premiums. Instead of spending money to keep themselves healthy, preventing use of the health system, Alberta families will be spending their money on health premiums. Not only does this reversal belie the Premier's election promises; it does so in the most unfair way possible.

Instead of having a fair and progressive tax regime, Albertans have a tax system that rewards a very few Albertans and punishes the vast majority, the rest of them. For example, if you assume a 40 percent increase in health care premiums, a fairly safe assumption given recent comments from the Premier and the Minister of Health and Wellness, an Albertan earning \$30,000 per year can expect to pay back all but \$17 of the tax break they received from the introduction of the new flat regime: all of this to increase premiums. On the other hand, a person earning \$250,000 will lose a mere 2 percent of their flat tax savings. There's clearly a shift in who is being burdened by these increases. The top 1 percent of income earners, who make \$250,000, will gain tremendously, while the majority will be shortchanged.

Let's turn to small businesses now. Health premium increases also represent a significant burden for small businesses. The position of the Canadian Federation of Independent Business is made very clear in a letter dated February 13 of this year from Dan Kelly, the prairie region vice-president of the Canadian Federation of Independent Business, and Corinne Pohlmann, the CFIB's director for Alberta and the Northwest Territories. In that letter they state:

Our members are . . . willing to engage in the debate on new ways of administering and financing this important service. We are very concerned, however, that the first major health care reform made in Alberta following the Mazankowski report would be to dramatically increase the tax associated with health care.

Small businesses are already saddled with the costs associated with collecting premiums on behalf of Health and Wellness. They will now face the daunting challenge of including a larger health care premium as a benefit for employees in order to compete for top workers. If the premium increase and the generous tax cuts to our corporations both proceed, it's obvious who will come out ahead. Large and profitable corporations will have cause to celebrate, while Alberta families and small businesses will be left to struggle.

Now, the administrative costs of having premiums, Mr. Speaker, is another matter that should receive some attention. Health care premiums are a very economically inefficient tax. When the massive administrative and compliance costs associated with this tax are considered, it becomes very clear that not only are health care premiums aggressive; they are also very wasteful. Alberta Health and Wellness spends more money chasing down people who can't pay their premiums than it spends on administering the rest of the public health care insurance plan. In the fiscal year 2000-2001, \$44 million in premiums was written off because Albertans were simply unable to pay it. Money spent tracking down Albertans who have difficulty paying the premiums could be better spent on improving health care delivery.

We are not the only ones, by the way, who oppose health care premiums. Some Tories do as well. Contrary to what the Premier likes to think, there's widespread support across the political spectrum for phasing out health care premiums. It is true that we the

New Democrats are strongly opposed to health care premiums, particularly in light of the generous tax breaks being offered to profitable corporations, but we are not the only ones. In October, 2000, Mr. Speaker, grassroots members of the Progressive Conservative Party passed policy resolutions calling for an end to health care premiums.

In the same month the Member for Edmonton-Rutherford strongly expressed the belief that health care premiums are a tax that should be eliminated. In the last session of the Legislature a member of the Conservative caucus introduced legislation that would have ended the collection of health care premiums. In fact, in June of last year the Minister of Seniors, the Hon. Stan Woloshyn, made it clear that he believes . . . [interjections] I'm sorry.

Speaker's Ruling Referring to Members by Name

THE DEPUTY SPEAKER: Hon. member, I don't know who's typing your speech, but you've got a number of references to names, and the tradition in the House is that we use either their portfolio or the constituency they represent. This is several times you've kind of moved over there, so if we can just catch that, please.

Debate Continued

DR. PANNU: Thank you, Mr. Speaker, for your instruction.

In June of last year the Minister of Seniors made it clear that he believes premiums should be eliminated, at least for seniors, as soon as possible. Instead, seniors and other Albertans are going to bear the brunt of increased premiums. We know that the Premier and the Minister of Health and Wellness are unwilling to listen to Alberta families on this issue. We are surprised that they are unwilling to listen to Alberta's small business community and astounded that they won't take direction from their own party members and caucus colleagues.

8:10

In conclusion, Mr. Speaker, let me make the following observations. Burdening hardworking Albertans and middle-income seniors while proceeding with an extremely generous tax cut for already profitable corporations sends a clear signal to Albertans, which is that this government continues to listen to only what it wants to hear. It continues to tilt the so-called Alberta advantage to high-income earners and larger profitable corporations while asking Alberta families to pay more.

I urge all members of the House to support Motion 501. Thank you.

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

MR. VANDERMEER: Thank you, Mr. Speaker. It is my pleasure to rise today and speak to Motion 501, urging the government not to increase health care premiums but rather defer decreases to corporate taxes.

First off, I would like to say that I believe the hon. Member for Edmonton-Strathcona has brought forth an admirable motion not to increase health care premiums. As you know, last fall I presented a private member's bill to eliminate health care premiums altogether. However, I have reservations about supporting Motion 501 because I believe lower taxes promote economic growth, which will have a positive impact in our province and could even boost our economy to help support our social program funding.

Mr. Speaker, we all know that costs to our health care system are increasing at what could be considered an exponential rate, increas-

ing approximately 64 percent over the past decade. This fact has forced the government to look seriously at creating new ways to maintain health care in the province. A number of experts have advised our government that our health care system is not capable of withstanding the pressures it is facing, and changes are going to have to be made.

Along with the hon. Member for Edmonton-Strathcona I, too, have reservations about increasing health care premiums in this province. Low-income Albertans have expressed their concerns to this government that an increase in provincial health care premiums will increase the financial burdens on those who do not qualify for subsidies. Subsidies are available only for Albertans who make under the base claim amount on income.

Mr. Speaker, it is my belief that as a province we have always been committed to helping low-income Albertans and should continue to make sure they are covered. The MLA task force on health funding and revenue generation has been asked to evaluate both overall health funding and the merits of different sources of revenues. That task force will submit recommendations to the Minister of Health and Wellness by September 30, 2002. I strongly encourage the task force to look at finding ways to eliminate health care premiums altogether. They are a financial burden on our citizens, especially those in low-income brackets.

Premiums bring in approximately \$640 million to \$660 million per year in revenue and account for approximately 11 percent of Alberta's health care expenditures. The annual costs of collecting and billing for health care insurance premiums are approximately \$13 million to \$16 million and an additional \$4.5 million to collect delinquent accounts. Delinquent payments can become a financial burden on individuals and families, hurting credit ratings and straining Albertans who are struggling to get ahead.

Many recommendations have been made, and our government is committed to developing a health care system which is fair to all Albertans, easily accessible, and capable of providing Albertans with a sustainable system in the future. Though I do not support the increases of health care premiums, I do believe that we should back away from reducing corporate income taxes. We have to face the challenges in health and in our economy and revise the system. To try to fund a greater portion of health care from business taxes will mean that Alberta will become uncompetitive in business investments and a strong market that is fundamental to the strength of our economy. As a golden rule you are only as strong as the weakest link, and it is not wise to jeopardize something as important as a healthy economy to support a health care system in need of revitalization.

Mr. Speaker, it is well documented in the economic statistics that support our government policy how successful Alberta has been because our government has been able to support and allow business to grow. Alberta needs to remain competitive with other jurisdictions. Presently we have a strong economy, and we are attracting international investment. It is not enough of an Alberta advantage to have the lowest tax burden of any jurisdiction in Canada. In a world where businesses can locate anywhere, we must remain globally minded in order to draw international attention and bring investment into Alberta. If high corporate taxes drive business away, Albertans will be left with fewer jobs, lower wages, and a lower standard of living. We cannot afford to risk losing what advantage we have as a great place to invest and draw business to, because it will mean greater hardship to Albertans than simply using corporate taxes as a source of revenue to fund health care costs.

In the long run, the revenue needed to provide government services, including health care, depends greatly on a healthy economy. It is a proven economic strategy that lower business taxes

generate economic prosperity. As a government we are looking ahead to address the specific issues of health care funding and revenue generation – an MLA task force on health funding and revenue generation, chaired by the Member for Grande Prairie-Wapiti – to elevate both overall health funding and the merits of different sources of revenue. The task force will be submitting recommendations for the Minister of Health and Wellness by September 30 of this year, and I look forward to sharing some of my ideas with that committee. We need to find other solutions to our health care challenges without damaging the competitiveness of our economy.

Government anticipates that over 40,000 new jobs will be created in Alberta by proceeding with corporate income tax reductions. These jobs could be in jeopardy under Motion 501. It is for that reason that I speak against Motion 501. We need to continue with fiscal responsibility. Motion 501 is not fiscally responsible but will only continue to prop monetary supports against the problems we are having with the health care funding. We cannot go against current economic policy of lower taxes and risk losing important business investment.

Thank you, Mr. Speaker.

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

DR. TAFT: Thank you, Mr. Speaker. It is an honour to speak to Motion 501:

Be it resolved that the Legislative Assembly urge the government, in the interests of fiscal prudence and tax equity, to not increase health care premiums and instead cancel the scheduled reductions in corporate income taxes for fiscal years 2002-03, 2003-04, and 2004-05.

I will be speaking in favour of this motion. I think it's a well considered motion and merits our support.

There are, as other people have commented, two aspects to this motion. One is the reduction in the corporate taxes, and the other is preventing the rise in health care premiums. On the issue of reducing corporate taxes, we are in general in favour of low taxes, but we must also recognize that taxes are the price of civilization. There is a point in reducing taxes at which you begin to defeat yourself. The member before me, who was speaking to this issue, indicated that low taxes and lowering taxes are proven ways to stimulate the economy. I would argue that that's a fallacy. That's a mistake.

Certainly there is a point at which taxes get in the way of economic growth, but let's think this position through. If we were to reduce taxes endlessly, we would end up with no taxes, and surely we all recognize . . . [interjections] I guess perhaps we don't all recognize, but those of us who are thoughtful enough on this recognize that taxes are necessary for many of the things that attract businesses, whether that's roads or an educated workforce or a competitive health care system or a functioning justice system or approved regulations. So taxes are a price of civilization, and a certain level of taxes is necessary – is necessary – for a solid economy. In fact, there are any number of business location studies that will indicate that the tax rate alone is nowhere near the top of the list of issues considered by businesses when they choose new locations.

8:20

I also point out that there are a number of studies, including a recent one that found Alberta cities to be among the most competitive cities in the world for economic activities, that point out that Alberta's and Canada's health care system is a competitive advan-

tage for companies wanting to locate here when they compare Canadian cities to American cities. So we need to protect our health care system. While we as a caucus typically stand in support of lower taxes, we do recognize that lowering taxes endlessly is self-defeating.

On the issue of the health care premiums I think we must need to repeat this over and over so that it settles into the minds of all MLAs: health care premiums are a tax. An increase in health care premiums is a direct contradiction to the position of this government that the only way that taxes in this province are going is down. In fact, health care premiums are the worst kind of tax. Traditionally through the last century civilized countries have relied on the basis of a progressive tax, in which those at the higher end of the income scale contribute more to the well-being of society than those at the lower end. We've backed away from that in this province with the introduction of a flat tax, so people at the top of the scale pay the same portion of their income towards taxes as people at the lower end of the scale. They get, as a result, a much bigger break. Health care premiums are even worse than a flat tax. They're a regressive tax.

So what this means is that a family on an income of \$20,000 a year will pay potentially about 5 percent of their taxable income for health care premiums, a substantial expense indeed for a family at \$20,000 a year. An executive at \$100,000 a year pays exactly the same amount, which works out to 1 percent. So this is genuinely a regressive tax. The higher you go up the scale, the smaller percentage of your income you pay, yet you get the same benefit, so it is indeed the worst kind of tax. It's terribly, terribly unfair.

Alberta should follow the lead of eight of the other 10 provinces and eliminate this, and I would like to remind the House that in the lead-up to the last election a number of PC candidates actually ran on a platform that if they were elected, health care premiums would be eliminated. As well, the PC Party convention before the election passed a motion calling for the elimination of health care premiums.

For those of us who were at the Future Summit a few weeks ago in Red Deer, one of the most interesting parts of the Future Summit was a presentation at noon hour on the first day on some recent polling information of Albertans. What that poll found is that the top-of-mind issue for Albertans was concern over health care; 52 percent of Albertans indicated that that was their highest concern. The number of Albertans who identified taxes as their top-of-mind concern was 2 percent. It was the lowest level of all the categories of issues identified. There's no question that the public is concerned about health care, and I think we can assume that there's no question that the public would like to see health care premiums ultimately eliminated.

For those reasons, Mr. Speaker, I think I can speak for all of my caucus that we think this is a well thought out motion. We would urge all MLAs to support it. Thank you very much.

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

MRS. ADY: Thank you, Mr. Speaker, for the opportunity to rise today and speak to Motion 501, as put forward by the hon. Member for Edmonton-Strathcona. Quite simply, I'm proud that this government has committed itself to addressing the challenges in providing health care services to Albertans in the 21st century. The report of the Premier's Advisory Council on Health has provided a solid and balanced framework on which to build reform. In accepting the recommendations of the panel, which included some of the most respected and health-knowledgeable individuals in Alberta, this government is taking sound and prudent action to build a health care system that will meet not only the needs of our children but our grandchildren as well.

In restructuring a health care infrastructure and network, reform must be approached from many different directions. We must look at the way we use the system and how health boards provide services. The government has responded by forming a Committee on Collaboration and Innovation, that will help to establish clear roles and responsibilities for government and health authorities.

We must also examine the role of health care professionals as well as the role of individuals using the system. To this end the government has committed to take steps to enable the development of new approaches to providing health care. This new approach will encompass a broad use of health care professionals and a new way for the public to access health care.

Mr. Speaker, we must not shy away from looking at how we pay for health care and how we spend our health care dollars. The government has created also another new committee that will review by this fall ministry funding options and formulas to ensure that government funding in health care is affordable and sustainable. As part of this move the government has also committed to look – to look – at raising health care premiums, premiums that have not been reviewed since 1995 and that used to cover approximately 17 percent of the costs of running the Alberta health care system.

DR. TAYLOR: How much?

MRS. ADY: Seventeen percent. As the Premier said today, those health care costs have actually doubled in seven years. Today those same premiums cover only about 11 percent of health care costs.

MR. LUKASZUK: How many?

MRS. ADY: Seven years. Eleven percent of health care costs.

As stated by the Mazankowski report, “the advantage of increasing health care premiums is that . . . it would remind Albertans that the costs of health care services are significant.”

Mr. Speaker, the hon. member across the way would have Albertans believe that there are no costs to health care. This is not the case, and Albertans need to know and understand the costs and the responsibilities of a world-class health care system. It is my hope that the sacred aura, that somehow we can offer a public health care system for free, will be broken. Albertans need to understand that it costs \$18 million a day to run our present health care system.

AN HON. MEMBER: How much?

MRS. ADY: Eighteen million dollars a day.

Even Roy Romanow, the former Premier of Saskatchewan and present head of the federal government’s inquiry into medicare, has recognized this point.

AN HON. MEMBER: He was NDP; wasn’t he?

MRS. ADY: Yes.

Mr. Romanow has said:

Each of us lives in a society where our citizens have come to believe that every possible medical problem or condition, from the most innocuous to the most life-threatening, can and should be addressed. Immediately!

What is clear is that the attitude that absolutely everything can and will be taken care of is no longer sustainable. And, perhaps, not even realistic.

Health care premiums, as our Premier has already indicated, Mr. Speaker, help to demonstrate that there is a cost associated with the maintenance of health care.

Mr. Romanow has gone on to say:

History teaches us that this is one of the fundamental understandings behind medicare at the very beginning – that it wasn’t going to cover everything for everybody at all times.

There have been a couple of generations or more since medicare (was introduced) in Canada which have not experienced that debate about what it can or cannot do.

The Mazankowski report addresses this debate and challenges us to look at these key issues as we prepare a health system for tomorrow.

With respect to health care premiums the Mazankowski report goes on to say that

if decisions are made to increase health care premiums, there should be corresponding benefits to Albertans including more choice, better access, and more control over how they spend their health care investment.

In return for their premiums, Albertans can and should demand more choices and innovation in their system. They should expect and receive a system that is affordable, sustainable, and provides them with the best bang for their buck. If individuals and families are going to pay more to access the health system, there should be a parallel effort to increase quality, access, and choice. Mr. Speaker, I know that the government will follow through on this commitment and that the health care system will be better off because of it.

8:30

The government has also realized that some individuals require help to pay their premiums. In 2001 close to 17 percent of all non-senior Albertans paying premiums received a full or partial subsidy. For seniors close to 41 percent received help through the Alberta seniors’ benefit as well as full health premium waivers. An additional 18 percent of seniors not on the Alberta seniors’ benefit received a premium subsidy. Help is available, Mr. Speaker, and the government will ensure that assistance will continue so that those Albertans who truly need help with the premium will receive that help. As our Premier indicated in the House last week, we will pursue a plan that will protect seniors and that will protect low-income Albertans.

We also face challenges and opportunities for reform in the economy as a whole. But again, Mr. Speaker, Alberta is not only positioned to meet these challenges; we will come through them better than before. While the government has always indicated that corporate income tax restructuring would only proceed subject to affordability, I believe that the true intent of this motion is to delay corporate income tax reform permanently.

Mr. Speaker, the hon. member would have us believe that a trade-off needs to occur between a policy to reform the health care system and a policy to reduce corporate income taxes. That is simply not the case. Albertans’ priorities include sound fiscal principles, principles that demand not only a balanced budget and payment of the debt but lower taxes for both individuals and corporations. These policies do not come at the cost of the basic responsibilities of government. Rather, our fiscal principles will enable us to invest in the health of our citizens.

Reform in the health care system needs to occur, but reform must also occur in our approach to corporations and businesses. Income tax reduction will benefit all Albertans, and no one in this Assembly should ever lose sight of that fact. Our economy will benefit from these reductions if we can afford them, and that’s good news for the hardworking men and women of this province. A healthy economy means more money in the hands of individuals and more jobs and opportunities for those people willing to work for them.

Mr. Speaker, I urge all members to vote against this motion and, rather, support necessary changes to both the health care system and our corporate income tax system.

Thank you.

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

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm pleased to be able to rise and join in the debate around Motion 501, which is urging the government to not increase health care premiums and to cancel the reductions scheduled for corporate income taxes for the next three fiscal years. I've had a very entertaining evening listening to the previous speakers. In particular, the Member for Edmonton-Manning was particularly impressive. I think that with his ability to tap dance around the issues, he should be onstage.

What I find most interesting is: what is fiscally responsible about increasing the burden upon the taxpayers and refusing to look at having an equitable and balanced requirement from the business sector to contribute to what makes Alberta such a great place to be and do business, particularly when we're looking at placing a burden upon the taxpayers of a regressive tax? My colleague from Edmonton-Riverview has already done an admirable job of outlining why it's regressive, so I won't go into that again, but I think it was important that that point was made.

You know, I like to have tax reductions as much as the next person, and I want to see a tax regime in Alberta that is conducive to people wanting to do business here and people being successful in business here. I think I just disagree with the members opposite about what that amount is and how much forgiveness should be given to companies at different times around their taxes.

I view this current discussion around increasing health care premiums really as a health head tax in that it's affecting every person indiscriminately and in a regressive manner. In my constituency of Edmonton-Centre I have a lot of seniors that are living on a fixed income, and they are middle- to low-income seniors. As well, I have a lot of students who, again, are on their own kind of fixed income. Neither group has much ability to generate more income for themselves as there's more expectation placed on them by this government to pay more out of their pocket.

It's always an interesting discussion, because the government is playing this interesting kind of not a shell game but a left-hand pocket/right-hand pocket distinction where they say: oh well, we'll give you a tax cut of a hundred bucks. So you're paying a hundred dollars less out of your right-hand pocket, but you're now going to pay user fees and health care premiums and additional licences, taxes, tolls, and whatever other means the government wants to talk about, and that is going to amount to \$150 out of your left-hand pocket. So individual Albertans in fact are paying more money to the government, but it's not specifically a tax. It's called all kinds of other things. I would maintain that in fact it is a tax.

The Member for Calgary-Shaw mentioned the seniors who were receiving a full or partial subsidy of their health care premiums, and I'm glad she raised that, because I think it brings up an interesting dilemma for the government. They're supposed to be generating more revenue for themselves, but in fact they are going to have to do an internal transfer or a transfer on the books because they're going to have to increase the subsidy they're transferring across departments for the seniors that are already receiving these full and partial subsidies. If that subsidy is higher, they're going to have to cover it, and although it's not cash, it's going on the books.

But I am more concerned about those seniors that are not eligible at this point for that full or partial subsidy of their health care premium. In five years I've watched these people slide a little closer to the poverty line, to strained circumstances, or in many cases to getting to the point where they now qualify for the subsidy from the government. So should the government put through a health care premium increase that's in the 40 to 50 percent range, it'll be interesting to see how many more people in fact end up on this

subsidy because they don't have the income and they've now got the expenses against their income that would qualify them for that. That's why I was asking the minister the questions about that this afternoon.

The other interesting part of this motion is around the businesses and the co-payments. I'm not hearing a lot of discussion and feedback from the government members about how the business community is reacting to the concept of having a 50 percent increase in their co-payment where they are participating in a plan where they're paying part or all of the health care premiums, and many people would call this, in fact, a payroll tax. The businesses that I've talked to and that I've read about certainly aren't too happy about this concept. In fact, they're saying things like, well, they just wouldn't be involved in that co-payment scheme or that payroll tax scheme. Where does that leave the employees? Well, then, the employees have more expenses out of their pockets, and they're going to be looking for the businesses to pay them more to cover this. So how did this make us take a step forward? I don't think it did.

So we've got a regressive tax that particularly causes problems for those on fixed incomes, that being seniors and students. It's a payroll tax that I think takes away some of the advantage to businesses, and it is a health head tax. There's no question.

When I looked at some of the arguments that came out of both the growth summit and the Future Summit, in both cases reductions in income tax were very low on the list. Out of a list of 60 things out of the growth summit in '97, the reduction of personal income tax was really low on that list, but health care, quality health care, was very high.

8:40

As I was listening to the Member for Calgary-Shaw, I was wondering why there seems to be a belief from the Conservatives that improved access, improved quality, improved wait list times cannot be achieved in the public system. Why does there seem to be a thought that this improvement can only be achieved by going into the private sector, that they're the only ones that are capable of that? Why? Why can't those improvements be made in the public system? They can be made in the public system.

I'd like to see some tabled documents, if that's possible, of how money spent on health care has doubled. I keep hearing that figure. It has become a mantra, but I'm not seeing the support documentation for that.

AN HON. MEMBER: Have you read a budget lately?

MS BLAKEMAN: Yes, I've read a number of budgets, but it's not being backed up with proof there.

THE DEPUTY SPEAKER: When hon. members ask a rhetorical question, they really aren't looking for a whole bunch of answers, so we'd like to hear the rest of the hon. Member for Edmonton-Centre's speech.

MS BLAKEMAN: Thank you very much, Mr. Speaker. In closing, I see the government increasing the tax burden. Whether they call it a tax, a premium, a licence, a toll, or a duck, it's still increasing the out-of-pocket payments from Albertans while the government is trying to pretend they're not taking that money out of their pocket. In fact, they are, and it's done in a way that's regressive, and I really object to that. I'm a believer in a progressive tax system, and I think this government has moved us a long way away from that, and I just flat out disagree. So I'm certainly willing to support the motion

brought forward by the Member for Edmonton-Strathcona. I think there's a lot of merit to it, and I appreciate the opportunity to be able to speak in support of it.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Minister of Agriculture, Food and Rural Development, followed by the hon. Member for Edmonton-Highlands.

MRS. McCLELLAN: Thank you, Mr. Speaker. Just a few points that I'd like to cover. Certainly I'd be the first to admit that ideologically the member who proposed this motion and I are probably quite a ways apart. So I'll talk first to the issue of the motion that suggests not lowering general business taxes. I've listened to the debate, as others have in this House, and I listened with interest to the Member for Edmonton-Riverview saying that businesses don't locate necessarily – and I'm paraphrasing, and forgive me if I'm wrong – on the basis of tax.

However, in my discussions over the years with the business community they have a variety of things that they look for when they look at locating in a province or a country. The first on their list is political stability. Well, that's pretty good here. Tax and fiscal policies are probably next on their list. Quality of life issues are next, and that would cover things like safety of communities, policing. Cultural and sporting opportunities for their family are high on their list, and it goes on. Nowhere did I ever have a businessperson say to me that they would really like to see more tax. So that I found interesting.

The other thing is that when we talk about the reduction of taxes to the business or corporate community, there are a good number of studies which clearly show that the economic payback is there and there very strongly, and I don't think any report disputes that.

The other thing that is neglected in this discussion, when we talk about health care premiums in this province being a tax and why don't we join the eight other provinces that don't have that, are we saying by our silence across the way that we want to join them in having a payroll tax, which pays for that in all provinces, or a provincial sales tax, which clearly in those provinces is earmarked for that? Mr. Speaker, Albertans have clearly told us that a sales tax is not in the cards.

What are we really talking about in this whole issue? I don't think there's any question in my mind or in any quarter in this House, Mr. Speaker, that we don't agree with the fact that we want a sustainable, quality health system. I think that's the goal of all of us. How we get there we may differ and we may disagree on. However, we did ask a panel of experts to take a very hard look at the sustainability of our health system. These were people not just from Alberta but experts from across Canada well respected in their various fields. In the report there is a recommendation that we do increase health premiums to more properly reflect a percentage of health costs. Certainly in 1995 when we froze health care premiums, we made a decision to do that at that time. However, in not revisiting the issue for some six or seven years now, we have gone from having something that covered about 17 percent of our health costs to about 11 today.

Mr. Speaker, Albertans that I talk to value the system we have here. They value the fact that our pharmacy coverage for seniors is unparalleled. When we talk about this impact on seniors, no other pharmacy program in Canada to my knowledge is as good as the one we have for Alberta seniors, where we cap the total amount that they can pay for a prescription. There are only four provinces that offer any allied health services to their seniors in podiatry, chiropractic, optometry, and dental. No other province that I know of – and we

may be close with a couple – has long-term care rates at the rates that we do in Alberta. These are parts of the health system that aren't covered under the Canada Health Act necessarily, but they are important to us, and they do come at a cost.

I don't like taxes any better than anyone else. However, I will say that a reminder of the fact that health care at the level of excellence and access that we want comes at a cost is not a bad reminder for all of us, and we should cherish and protect this system and use it wisely. I think that's important.

I support continuing to protect low-income earners, and we have increased the level at which they are eligible for either reduced or no premiums. I certainly support protecting seniors, who in most cases are on fixed incomes, and ensuring that those who cannot pay do not. However, I have had many seniors that are in a position to pay say to me that they do appreciate being able to contribute. In fact, I recall when I was health minister having some seniors send in a cheque, which we couldn't accept, for their health premiums because they really did want to contribute because they felt the system was so valuable and important to keep.

Mr. Speaker, I appreciate the opportunity to speak to this. I just want to say, finally, to members that I do not see paying a premium in this province as a cost. I see it rather as an investment in excellence, in quality, in access, and in services in a system that we can be very, very proud of held up against anywhere in Canada.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Provincial Treasurer.

8:50

MR. MASON: Thank you very much, Mr. Speaker. I rise to support Motion 501, which is sponsored by my colleague from Edmonton-Strathcona. Motion 501 urges the government to not proceed with plans to increase health care premiums and instead cancel the scheduled reductions in corporate income taxes during the next three fiscal years.

The reason we have linked the increases in health care premiums with the reductions in corporate income taxes is because the Conservative government is in a very real sense using the proposed increases in health care premiums to pay for next year's reductions in corporate taxes. Just look at the numbers involved, Mr. Speaker. Hiking health care premiums by 40 percent will raise an additional \$260 million in government revenue. Reducing corporate taxes will permanently reduce government revenues by \$275 million next year and by over \$700 million two years after that.

Former Provincial Treasurer Steve West announced the Conservative government's decision to cut corporate taxes in half in September of 2000, permanently reducing government revenues by about \$1 billion annually after four years. At the time, I warned the government that it may not be able to afford such generous corporate tax cuts, which were significantly deeper than the cuts to personal income taxes that resulted from the government's introduction of the flat tax. Last April the corporate tax rate was reduced from 15.5 percent to 13.5 percent. This is already a very generous tax break given to the corporate sector. This reduction gives Alberta one of the lowest tax rates for corporations in North America. At the time that the former Provincial Treasurer announced his plans to cut corporate taxes in half, oil and natural gas prices were at record levels and the government was on its way to posting a record \$5 billion budget surplus even after paying Albertans billions of dollars in energy rebates previous to the last election.

Well, times have changed. Oil and gas revenues are down sharply. The government has imposed a hiring freeze, made deep

cuts in children's services, and says that it can't afford to pay the province's teachers more than 4 percent this year and 2 percent next year. On top of this, the government is considering steep hikes to health care premiums, other kinds of health user charges, and the delisting of some health services.

The net effect of the tax policy changes has been twofold, Mr. Speaker. One effect is to reduce reliance on more stable revenue sources like personal income taxes and corporate taxes while increasing reliance on more unstable revenue sources like oil and gas royalties and gambling revenues. Altogether since 1998 the Conservative government has permanently reduced personal income taxes by 1 and a half billion dollars per year. As mentioned, unless the government changes course, the government will reduce corporate taxes by an additional billion dollars. That is a total hit of \$2.5 billion a year on government revenues.

Now, Mr. Speaker, I think it's appropriate at this time to call attention to the Auditor General's take on this situation. The Auditor General in his last report indicated that we have to look at these tax cuts as expenditure items; the government is expending so much of its revenue for a certain purpose. But, he says, they have not defined the purpose, they have not defined the results that they wish to obtain, and they have no way of measuring the results that they obtain as a result of this policy. So it doesn't meet the test of the Auditor General as he would apply it to a government expenditure on any other item. The Auditor General is clearly not disagreeing with the government on a policy basis, but he's saying that there's no clear, defined objective for these tax cuts and there's no way of defining whether or not we've reached the objective. Clearly, these tax cuts are not responsible expenditures on the part of the government until they meet the Auditor General's test, and then we could debate them, I think, on some basis of deciding whether or not they accomplish what the government wants to do.

Now, the second effect of the Tory's tax policy changes has been to significantly shift the tax load away from high-income earners and profitable corporations onto middle-income earners and small business. The introduction of the government's 10 percent flat tax reduced taxes for the highest income earners by a breathtaking 43 percent between 1998 and 2001. However, middle-income Albertans with taxable incomes from \$30,000 to \$60,000 saw their taxes go down by less than 10 percent. The question must be asked: can we afford the planned reductions in corporate taxes, especially if they have to be paid for by steep hikes in health care premiums? The answer to this question, Mr. Speaker, has to be no. It's time for the government to change course and put the planned reductions in corporate taxes on hold indefinitely. That's exactly what Motion 501 calls for.

Were the government to do the right thing and put its planned corporate tax cuts on hold, the New Democrat opposition would be supportive of retaining those elements that primarily benefit small business. Those elements are a reduction in the small business tax rate to 3 percent by 2003, and an increase in the amount of business income that qualifies for the lower small business tax rate to \$400,000 next year from \$300,000 this year.

Those, Mr. Speaker, are things that we're prepared to support, tax reductions for business, which the New Democrat opposition is prepared to support. Let me repeat that in case anybody thought they misheard me. Retaining those elements of the corporate tax cuts that primarily benefit small business would cost \$43 million next year and \$31 million the year after that according to information that was provided to us by the Canadian Federation of Independent Business. That's just a little over 10 percent of the total cost of reducing corporate taxes over the next three years.

To sum up, Mr. Speaker, by canceling all but the small business

components of the planned corporate tax cuts, the government would save \$232 million next year, \$410 million the following year, and \$640 million each year after that. Meanwhile, Alberta companies would continue to enjoy some of the lowest rates of corporate taxation on the North American continent while making an important contribution to helping to pay for the public health care system. Businesses benefit enormously from a well-educated and healthy workforce. Paying for health care collectively through taxes is much more cost-effective for business than having to incur additional costs to pay for health care through private insurance or health care premium increases.

A recent survey conducted by the New York based consulting firm KPMG found that Canada was the least costly place to do business out of nine industrialized countries. Canada had a 14 and a half percent advantage over the United States. KPMG found that Canada's universal health care system was a significant factor in keeping the cost of private health benefits down.

Moreover, New York based investment firm Morgan Stanley Dean Witter found that General Motors pays an average of \$3,000 in private health insurance benefits for each of its U.S. employees. These private health benefits add \$931.70 to the cost of each GM vehicle produced in the United States.

The bottom line, Mr. Speaker. Asking corporations to forgo planned reductions in corporate tax rates is very fair and very reasonable. Asking Alberta families who have been hurt by other recent tax change policies, such as the flat tax, to pay more in health care premiums is neither fair nor reasonable.

I urge all members of this Assembly to support Motion 501. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Treasurer in the minute and a bit left.

MRS. NELSON: Thank you very much, Mr. Speaker. I wanted to make a comment at the very beginning about the concept of the benefits of a very competitive tax system and what it has meant to Alberta in the last number of years and what we believe it will mean to Alberta and to Albertans over the next several years.

First of all, Albertans enjoy the lowest overall tax regime within Canada. Clearly, we recognized a number of years ago that to be competitive in Canada was very, very important but equally important was to be competitive on a North American basis, not only on our corporate side but on our individual side. That's why, Mr. Speaker, last year Albertans kept \$1.1 billion of personal income tax in their pockets so they could decide what to do with those dollars. We felt that was an important step as a government to move forward to encourage people and young people in particular to stay in Canada to pursue their dreams and their businesses here in this country.

In fact, in December I just finished putting forward an additional \$75 million adjustment to protect against bracket creep on the indexation of the personal income tax so that we would in fact continue to have that benefit.

Mr. Speaker, insofar as health care premiums I think it's very important that we are very fortunate in Canada to have . . .

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. minister, but the rules of the House are such that the time for consideration of this item on this day has finished.

Just a reminder. We do have time allotments that allow 60 minutes, so when that's been calculated, then the hon. member proposing the motion will have five minutes to conclude the debate, but that will have to wait till next Monday evening.

9:00

head: Committee of Supply

[Mr. Tannas in the chair]

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

**head: Supplementary Estimates 2001-02
General Revenue Fund, No. 2**

THE CHAIR: The chair would like to first of all remind hon. members that we've just gone through where 10 minutes was the maximum. Again we're back to 20 minutes as the maximum, but because you're allowed unlimited times to get up and ask a question and have it responded to, you're invited to use less than 20 minutes.

Anyway, it has been suggested that we have a brief overview from each minister and then questions. Is that agreeable?

HON. MEMBERS: Agreed.

THE CHAIR: Objection? No? Okay.

Then I believe if we start, we're going to start with the hon. Minister of Children's Services.

MS EVANS: Thank you very much. I would point out that on page 15 of the 2001-2002 supplementary estimates from the general revenue fund there is a supplementary appropriation of \$500,000 assigned to cover extra costs which might be incurred by this ministry as a result of the teachers' labour dispute. Obviously, Mr. Chairman, currently the department is assessing what costs, if any, were required to be spent. If at any time there are funds that are not used – I assume there would be considerable funds that would not be used – then this supplementary funding will be lapsed at the end of the fiscal year.

Just a couple of quick examples. These funds would be used to cover additional respite care to parents of children with disabilities who are unable to send their children to school for learning purposes. It would also assist with extra staffing costs which could be incurred by group homes and other residential services, ensuring that staff were present during those hours when normally their charges, their children in care, would have been in school. These are at least two examples of areas in which we believe there may be some interruption, and in the best interest of children these funds would be made available to cover any of those costs that could be involved in the extent of a significant interruption of services.

Could I just point out that during the springtime or particularly in spring breaks service providers and families are expected to take care of children during those breaks, but interruptions which may not be expected, such as the interruption of a teachers' strike, necessitated that we be prudent and that we provide some capacity to fund those costs should they be incurred.

So with that, Mr. Chairman, I will sit down and be prepared to answer any questions.

THE CHAIR: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Chairman. As you can see in the supplementary estimates, we're just getting over \$8 million extra, and it's broken really into three sections. Six million dollars of it goes to two programs. We have Climate Change Central in Calgary, which is the operational partnership between government, the private sector, and environmental groups. That board runs independently from governments, organized as not-for-profit, and the board of that group is made up of industry sectors and environmental groups and is strongly supported by the environmental groups and the NGOs.

So what we're doing is offering them more funding. Four million dollars of the \$6 million goes to the study on flaring. We have a three prairie province study going on flaring which looks at the effects of flaring on animal and human health, and it's being strongly supported by CASA, Clean Air Strategic Alliance. It's a very valuable study. We're just at the present time trying to get industry and the other two provinces, Manitoba and Saskatchewan, to kick in their fair share and are having some difficulty with the other two provinces. But I would point out that this study really makes the bill introduced by the hon. member opposite, who's standing up and talking while I'm speaking, totally unnecessary. I will comment on that bill – Bill 203 I think its number is – at the time.

Finally, the other roughly \$2.2 million is simply a transfer from Sustainable Resources over to Alberta Environment. They're lapsing the money. In good faith our good minister of sustainable resources has agreed to kindly pass that money on to Alberta Environment – I wish other ministers would follow his suit – and we are going to be using that for water issues.

Thank you very much.

THE CHAIR: The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Chairman. I'm pleased to rise on behalf of the Justice minister and speak briefly on that and then speak on behalf of the Solicitor General.

Alberta Justice's supplementary estimate is at \$1.5 million. The supplementary estimate covers the cost of wage settlement in the most recent collective agreement between the province and AUPE. Besides the negotiated salary increases, about 65 percent of Alberta Justice employees are affected by salary-grade increases in the contract. The contract settlement had a significant impact on the Justice ministry. Many of our judicial clerks and administrative support staff had been held in inappropriate salary grades, and in-scope adjustments were necessary to keep staff compensated appropriately.

Under the Alberta Solicitor General's supplementary estimate is \$4,369,000. The supplementary estimate covers the cost of wage settlements in the most recent collective agreement between the province and the AUPE. Besides the negotiated salary increases, about 85 percent of the Alberta Solicitor General's employees are affected by salary grade increases in their contracts. Many others are affected by increases in shift differentials. Because Alberta Solicitor General is a people ministry, the contract settlement has had a huge impact on my ministry. The bottom line is a raise of about 13 percent for many of my employees.

Thank you.

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

MS BLAKEMAN: Thanks. We've had everyone speak, the ministers that wanted to?

THE CHAIR: To my knowledge. Is there anyone going to speak for the other ministers?

MS BLAKEMAN: For aboriginal affairs? Nobody speaking? Okay.

MRS. McCLELLAN: If you have questions, I'll answer them.

MS BLAKEMAN: Okay. Thank you.

Well, thank you very much, Mr. Chairman. Another year, another supplementary supply. I've done at least one a year and sometimes two a year since I was first . . .

9:10

AN HON. MEMBER: And you say the same things, so sit down.

MS BLAKEMAN: Yeah, as much as I'd like to say, "Ditto, and you can take all my previous speeches," you know, there's always something new. This government is always willing to entertain.

I think that the fact we have one or two supplementary supply budgets a year really speaks to the government's ability to manage or rather . . . [interjections] Well, it's not a terribly complimentary thing I just said.

AN HON. MEMBER: They can't tell.

MS BLAKEMAN: I guess they can't. I appreciate the cheers though.

I think it also speaks to a lack of stability and sustainability. I mean, what's interesting about all of this is that if we look back over the 10 years of Ralph's world, I think we were all told that if we participated in the belt-tightening, we would all benefit, that things would be better. Certainly for the seniors that I've talked to and also for the students who are experiencing that intergenerational debt transfer by way of having student loans now of \$20,000-plus as they come out, they don't see stability and sustainability out of all of this.

I think we were expecting or we were told that we were going to get, you know, lower taxes, programs for prevention, deluxe service delivery. All of this was promised to us. Do we have it? Well, no, not particularly. You see, we've been told all the way along that we don't have a revenue problem, that it's a spending problem. To quote the Minister of Finance: "Hello? Hello? Hello?" The government keeps giving us comparisons based on today versus the lowest funding level from this government, which is 1995. They go, "Look how much more we're spending," because they picked the figure that's from the very lowest spending date that they had. They can say, "Wow, we're spending double the amount that we were before," and I find it . . . [interjection]. Yes. Lies, damn lies, and statistics indeed.

I don't think we can say that spending is that much higher than 10 years ago. Now, revenue is still high, and the Treasurer did just put out her third-quarter update. In fact, when we look at the revenue, the revenue is still high. It is still high. It's the second-highest ever third-quarter update for revenue overall, and the revenue from taxes is almost the highest ever. Energy royalty is the second highest except for last year, which was some sort of extraordinary banner year. So we don't have a revenue problem here, but everything still needs money. We need money in Justice. We need money in municipalities, support for the voluntary sector, seniors, infrastructure, education, health care. There are calls from the sectors themselves, there are calls from the citizens saying: "This isn't what we expected it to be. It isn't good enough."

So how is it that all this extra money could have been put into the system and we're still not getting the program delivery that we were promised? There's a disconnect here. But I guess that this is Ralph's world, that you can take all that money and you still can't do it right. You can collect all that money and you still can't do it right. Did we get stability? No, we did not. Did we get sustainability? Obviously not. This is going up and down like a yo-yo. We can't seem to get either of those, and I think, looking back, what we did was we cut stupid and then we spent stupid. Now we're 10 years into this, and we still don't have this under control.

I want to look at the Children's Services budget. I have to sort of gently question. I appreciate that the minister says that there's more money needed to be put into Children's Services because of disruptions during the teachers' strike. I just have to make that tiny

little question about, well, who caused the teachers' strike? Who put a situation in place that caused the teachers to be so upset that they walked out? I would say this government.

I look at what's being said about the budget in Children's Services. The minister said some things in question period this afternoon that honest to goodness made my head come off. You know, my head pops off when I hear the minister say things like: all these positions have . . . [interjections] Hang on. I'll do a demonstration later. The budget increases that she's quoting, from \$120 million in '99-2000 to \$178 million, I'm assuming in this year, the 2001-2002 budget, and I think: well, I can look at that two ways. Either I say: "I'm sorry; I don't believe those figures. I don't see that you've included inflation here. I don't see that you've worked in or you're admitting to an increase in the number of children that you are delivering those services to, because obviously, if in '99-2000 . . . [interjections] The government solution is a band-aid, yup. You know, is that increase in the figure including inflation? Is it including any increase in the numbers of children that we are supplying these services to?

On the other hand, if I accept these figures and I go, "Okay; you had another \$58 million in the Children's Service's budget," then why on earth are we having programs that are being cut? But then the minister says that the programs aren't being cut. That's what makes my head pop off, because I'm getting phone calls from people that don't get these programs and services anymore. So after she said this this afternoon, I got on the phone and phoned some of the people I know in the sector and said, "What is this; how can she say that there's more money going in here and there have been no cuts?" which is what she says. There have been no cuts.

Well, a patient couple of people pointed out to me that what it would be, given her comments, is that everybody took the 1 percent cut, so I'm told. So, in fact, there was a cut across the board to the children's regional authorities, and they passed that on to their providers. Also, Ma'Mōwe was already running a deficit, and they were made to trim their budget to come in at a zero budget. I'm assuming that that's where this is coming from.

You know, that's the same thing that we experienced in the '90s with the RHAs. It costs a certain amount to provide these services. The government creates a whole other administrative network of regional health authorities, decides how much money they're going to give them, gives the money, and the regional health authority says: we can't provide the services you're expecting us to provide for the money that you've given us. So they run a deficit, and then they get in heck from the Treasurer, who says that you can't run a deficit. Figure that out.

But we have another disconnect between what it actually costs to deliver those services and the amount of money that the government gives them, and simply the fact of the government saying "We shall give you X amount" does not make the programs cost X amount. So where are services being cut here? I'm really disappointed in that and especially when they are early prevention programs for children. I'm really disappointed in those choices that were made here, but I appreciate that that money is not going to be in here, that we're just dealing with a request for half a million dollars to address the additional costs of having to look after school-aged children who were not in school during the teachers' strike, and that's what the half a million dollars is for. I'll tell you there are still kids not getting services that they want.

All right. We'll look at Justice. Now, this is interesting, and maybe I can get the Solicitor General up and speaking on behalf of the Justice minister to answer a question here. I was expecting the \$1.5 million that has been requested by Justice partly to be covering the settlement that was reached in the fall with the Crown prosecu-

tors, where they had a grid increase at the top end, I think, and there was also an agreement to hire five more Crown prosecutors. Now in fact what I'm being told is that this is an AUPE settlement for clerks and administrative staff. So perhaps the minister could tell me how the costs were covered for the Crown prosecutors, because again I have a beef with the choices and the priorities that this government has. I think there's a real question about whether there is access to justice and good access to justice in this province.

9:20

I mean, right now we have a problem with courtroom space, with Crown prosecutors and their workload, and with vacancies on the judicial bench. So we have a problem. There are choices that are made in the department and there are choices that are being made in this supplementary supply that I don't think are increasing and guaranteeing access to justice.

I might make this same comment about the funds that are being requested under the Solicitor General's area. Again, she's saying that this is an AUPE wage settlement, grade increases in shift differentials for staff. But, you know, I know that there are situations in the court system right now where they can have the litigants and the defence all in the courtroom, and the judge is there – they're in a courtroom, assuming we can get all that stuff happening – and there's no court clerk available for them, so the whole system grinds to a halt. Or there's no security. In fact, there was a justice that made quite a big deal out of this and recommended that people get a transcript of that particular court proceeding and approach the government with it to underline how serious this is. This is not the first time that I've heard this issue being raised.

So I see the request for additional funds for administrative support people under Solicitor General and Justice, and I certainly understand why that's needed. If the whole system is grinding to a halt for the lack of people that are in the support services and you've got expensive people like judges and lawyers sitting around waiting for a court clerk, yeah, we're in trouble here, and there is a real question about access to justice.

I mean, on the other side, we're looking at choices that are being made by the Solicitor General where I'm suspecting what's happening here is that we're going to take more or less the same amount of money and stretch it a bit further, because last week we were dealing with the issue in the news about having parolees reporting to their parole officers less often. Sure enough that would result in fewer parole officers needed or their working less hours, because if you have someone that's only reporting once every three months instead of reporting every month, yeah, you'd need less staff. I'm wondering if those are the choices that this Solicitor General is making to stretch her budget a little further, but I challenge her as to public safety. I think this is a public safety issue, and I don't see the choices and the priorities being put in place by this government that are going to give us good public safety and access to justice.

Now, you know, I've got all kinds of facts and figures on spending patterns and how many special warrants we've given and how many supplementary supplies. The truth of the matter is that, you know, this government can come up with as many videos and songs and dances as they want. I just don't see good management of money. I see an incredible yo-yo effect. I see money being put into a system that doesn't appreciably get any better. We were told that we were going to have a restructured health system. We don't. We're still reviewing it. We're still getting reviews and task forces and things coming out to tell us what we should be doing there, and now we're going to start that same review process with education. So 10 years from now we'll still be having another review about how to really invest in education and improve the system. So I just don't see good

fiscal management. I don't see good fiscal priority making by this government, and I'm just going to continue to disagree with them.

So I don't need to take up my full amount of time today. I can see that the Member for Edmonton-Calder is most eager to get up and join this debate, and I'm looking forward to his contribution. Aside from heckling me, I'm sure we'll all be interested in what he has to say.

I do find that this is a very poor way of managing money: to constantly – constantly – every year have to come back once or twice for a supplementary supply. Chances are pretty good that a month from now we'll be looking at – and I can't quite remember the exact term. [interjection] No, it's not. It's the one where we're into the next fiscal year, but we're now approving . . . Interim supply: that money be moved around in the fiscal year that we're in; so backwards. Isn't that interim supply? Okay, so that's moving the money around that we've already spent to actually make it match what happened. Boy, if I were allowed to do that with my books in the nonprofit world, my life would have been a whole lot easier, but I wasn't allowed to do that. I had to deal with what actually happened.

So you're always at this dilemma at this point. Do you support the increases that are being asked for going into the different departments because the money is needed and you know it's needed and you want to see it go there? Or do you say: "I've had it. I've had it with constantly having to come forward and say, 'Oops; oh oh, we need to shift this money around; we need to add more money in because we didn't plan properly, we didn't foresee things, we didn't put the priorities in, we didn't make the choices'"? I think to continue to approve these things is to encourage the government in its bad practices. So maybe this time I won't vote in support of this. Now, the government certainly has enough votes in this Chamber to outvote me, but maybe it's just a small personal stand that I can take to make my point that this is poor fiscal management.

Thank you very much for the opportunity to express those opinions, Mr. Chairman.

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

DR. TAFT: Thank you, Mr. Chairman. I have a question, if the Minister of Environment would indulge me. I'm just wondering if he can give any more details on the gas flaring and health study and the \$4 million allocation for that.

Thanks.

DR. TAYLOR: This is an ongoing study that started two and a half to three years ago. The total price of the study is about \$18 million, and it was started when the present Minister of Infrastructure was the Minister of Environment. We've got about another year or 18 months to go in the study. It is being run by a group of international experts. There is a board of directors made up of international experts. In fact, I can't remember some of their names, but there are a couple out of major universities in the U.S., seen as leaders in this whole area, who are advising the study. The study is being run out of the University of Saskatchewan, and it's being run, as I say, by the three prairie provinces.

The unfortunate part is that the other two provinces haven't really contributed any money yet, and there's still about an \$8 million pocket left that needs to be funded. So what we've said to the other provinces and to industry, which really hasn't contributed a fair share yet either, is that we'll put in \$4 million more, because Alberta has essentially paid 100 percent of the money up to date. We've spent, I think, \$11 million so far, which is about a hundred percent of the study, and there's about another \$8 million to go. We've said:

we'll commit another \$4 million; industry and you provinces of Manitoba and Saskatchewan, it's time for you to front up now and put up some money.

So that's about where we are right now: looking for the other \$4 million to complete the study.

DR. TAFT: Thank you very much.

9:30

Agreed to:

Aboriginal Affairs and Northern Development	
Operating Expense	\$848,000
Children's Services	
Operating Expense	\$500,000
Environment	
Operating Expense and Capital Investment	\$8,296,000
Justice	
Operating Expense and Capital Investment	\$1,500,000
Solicitor General	
Operating Expense and Capital Investment	\$4,369,000
Total Voted Operating Expense and Capital Investment	\$15,513,000

THE CHAIR: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would move that the committee now rise and report the votes.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions of the 2001-02 supplementary estimates, No. 2. For the fiscal year ending March 31, 2002, it reports the approval of the following estimates, and requests leave to sit again.

Aboriginal Affairs and Northern Development: operating expense, \$848,000.

Children's Services: operating expense, \$500,000.

Environment: operating expense and capital investment, \$8,296,000.

Justice: operating expense and capital investment, \$1,500,000.

Solicitor General: operating expense and capital investment, \$4,369,000.

Amount of operating expense and capital investment to be voted under section 1 of the Appropriation (Supplementary Supply) Act, 2002, \$15,513,000.

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

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Following some very progressive discussions with the opposition parties on this point, I would now seek the unanimous consent of the Assembly to revert to Introduction of Bills to allow for first reading consideration of Bill 8, the Appropriation (Supplementary Supply) Act, 2002.

[Unanimous consent granted]

head: **Introduction of Bills**

THE DEPUTY SPEAKER: The hon. Minister of Finance.

Bill 8

Appropriation (Supplementary Supply) Act, 2002

MRS. NELSON: Thank you, Mr. Speaker. I request leave to introduce Bill 8, the Appropriation (Supplementary Supply) Act, 2002. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of the bill, recommends the same to the Assembly.

[Motion carried; Bill 8 read a first time]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to all parties for that unanimous consent.

I would move that the Assembly now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 9:37 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, March 5, 2002**

1:30 p.m.

Date: 02/03/05

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others. We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of Alberta. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHTYN: Thank you very much, Mr. Speaker. I'm very honoured to introduce to you and through you to the Assembly a group of about 49 grade 6 students and nine adults from Graminia school. The teachers are Mrs. Janice Carsell-Michaud and Mrs. Colleen McGhan-Cox, and they are accompanied by teaching assistants Mrs. Heather Friskie and Mrs. Debbie Fagan along with parent helpers Mrs. Tina Sautner, Mrs. Alanna Taylor, Mrs. Sheryl Hennig, Mrs. Yvette Schuh, and Mrs. Leslea Martin. I also have the privilege on Thursday of attending their DARE graduation. DARE is the drug abuse resistance education program, one of the best programs that has ever come into schools, sponsored by the RCMP and city police. I'd ask them to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. As I rise today, I'd like to thank our hon. Member for Edmonton-McClung, who has given me the privilege of introducing two guests this afternoon that live in his constituency but will be properly recognized later by the hon. Member for Edmonton-Meadowlark. The guests are Sid Hanson and his lovely wife, Emily. Sid has been the chairman of the Edmonton Regional Airports Authority. Many of us were privileged to honour and recognize Sid last week as we said good-bye to him in his role as chairman. He's been an outstanding leader. He has made aviation history in this province with the things he has done. I would ask Emily and Sid to please rise so we can warmly acknowledge their presence in the House this afternoon.

head: **Oral Question Period**

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

Children's Services

DR. NICOL: Thank you, Mr. Speaker. On February 22 Children's Services placed a troubled 15 year old in a Grande Prairie motel with no adult supervision. According to an article in the Grande Prairie *Daily Herald-Tribune*, a 13-year-old girl was among the 10 youths found by the RCMP partying in that room that night. In today's *Edmonton Journal* the minister is quoted as saying that this practice is "rare, discouraged," yet the motel owner told the Official Opposition that he is asked twice a month to take overnight guests from children's authorities. My question today is to the Minister of Children's Services. Does the minister consider twice a month in one hotel a rare occurrence?

MS EVANS: Mr. Speaker, at your pleasure I will table some documents that I will read from in part today that respond to the hon. member.

We do not believe that it's advisable to provide residence for children in a motel. We at all times look for placement within either residential homes of foster families or in group homes. This situation was most unfortunate in that the child in question that had been resident in the motel had had an obvious – what shall we say? – error in the management of the paperwork that surrounded the child's transfer, and there was a lack of knowledge by the worker that was supposed to be attending and supervising the child. I do not believe that any of these circumstances are ones that we would condone. While they are regrettable, I am assured today that they are doing everything in their power to make sure that this does not happen again. It is an embarrassment, obviously, but one that we're working to ensure doesn't occur again.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Does the minister think it is acceptable that while this incident happened well over a week ago, she still did not have the information for this House yesterday?

MS EVANS: Mr. Speaker, I did not have the information for the House yesterday, and for that I apologize. We have been working very hard to provide the follow-up on the basis of the comments that the hon. member has made. We have done a review of the situation, and we have spoken to the people that are in charge of that authority. I am truly sorry that this incident occurred. I am only thankful that nothing that seems to have been materially wrong has happened to harm either the safety or well-being of the children, but it is something that wherever possible we work to our utmost to avoid.

Mr. Speaker, may I just to this Assembly say one thing. I had three sons, and God knows that as a good parent I tried to do my level best. From time to time they did things that I did not approve of, and I followed up on that. To try and attack this minister for the things that we do that are right for over 15,000 children every day is wrong. We've got ministers, people that are working out there doing as much as they can to be prudent parents. [interjection] If the hon. member would only listen, she might find out that in 99 percent of the cases we are a hundred percent right.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Can the minister tell this House what her department has done in the past week to make sure that the parents' home is the best place for the child, when only a few days ago Children's Services saw fit to remove this child from his home?

MS EVANS: You know, Mr. Speaker, with great regret I did not hear all of the hon. member's questions, but I assume they related to the due diligence of what had been put in place in the department within that authority this past week. I will table the answers to the three questions: why there wasn't a safe, supervised facility for this child, asked yesterday; relative to the motel owners and relative to the confirmation about how we place children in motels, today.

On the latter point that has been raised by the hon. member, the Leader of the Opposition, I will table further work that has been done in the authority on behalf of the children.

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

Special Case Review

DR. NICOL: Thank you, Mr. Speaker. The Minister of Children's Services has promised to release a report this week on the special case review that looked into the tragic deaths of Angel and Shaniece Kerrigan-Kinahan, the Slave Lake twins found dead in a Thunder Bay motel room on January 27. I am very concerned that the Minister of Children's Services may have biased . . .

MS EVANS: Mr. Speaker, a point of order.

THE SPEAKER: Just a second. Let's hear what we have to say here first.

DR. NICOL: I'm very concerned that the Minister of Children's Services may have biased the outcome of this commission before it even started, because on February 4 she told CBC radio that after the private guardianship order was in place, the responsibility was not hers but was instead the twins' grandfather's, Mr. Kerrigan. To the Minister of Children's Services: did the special case review consider whether or not recent cuts to the Children's Services budget played a role in the events leading to the deaths of those children?

THE SPEAKER: Now, hon. minister, on a point of order.

Point of Order Referring to Persons by Name

MS EVANS: Well, Mr. Speaker, it's my understanding that one does not raise in this House the names of children, and I would question whether or not the hon. member, in raising the question in the fashion he has done – has he made in fact a breach of what we understand is our parliamentary procedure? There's confidentiality in dealing with children.

THE SPEAKER: On this point of order are there additional points?

MS CARLSON: Sir, will we deal with this point of order after question period, which has been the traditional time to deal with points of order?

1:40

THE SPEAKER: Are there additional comments on this point of order?

Well, hon. members, the traditional time in which one would deal with a point of order would be at the conclusion of question period. However, in terms of the efficiency of this particular parliament on this particular day, the point of order raised by the hon. Minister of Children's Services is an interesting one. The hon. minister says that it would not be appropriate to raise the names of certain children in this Assembly. Yet it would appear to the chair that the names of these children have been common public knowledge for several weeks now, and it has been commented on by a number of individuals, including the hon. minister herself, and these names have been publicly reported throughout the media in this country.

So I think that it's probably prudent to deal with this point of order now and indicate that it's not a point of order and ask the hon. leader to proceed.

Special Case Review (continued)

DR. NICOL: Mr. Speaker, will the minister respond to the first question?

THE SPEAKER: Another interesting fine point, hon. leader. With

strike one one could almost argue that the hon. minister has responded to the first question.

DR. NICOL: Thank you, Mr. Speaker. Can the minister explain how she is not biasing the outcome of the special case review when she has already stated that her department is not to blame?

MS EVANS: Mr. Speaker, I am not sure in which context the hon. member is using the words. We have been very careful in the statements issued about special case reviews in every circumstance not to bias those reviews. We have been very careful in the most recent circumstances where we appointed a special panel to make sure that somebody was appointed from outside the province, to make sure that we provided somebody with huge credentials, a doctor renowned in his various areas of expertise. We've done our utmost to make sure that we provide an unbiased opportunity for the panel to look at the issues.

Mr. Speaker, I have not been familiar with any context in which we have tried to shift emphasis, lay blame, or change the context. The only article that has appeared before me has been something as stated by the member that is responsible for the College of Social Workers in Alberta.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: will the minister promise this House that the results of the special case review will be made public?

MS EVANS: Well, Mr. Speaker, I've stated it again and again and again. We will be as transparent as we can without breaking any confidentiality. The report will have two parts. It will respond on what our findings are and recommendations from the special case review, and it will also deal with and address those issues which were identified as human resource issues.

Thank you.

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

Children's Services (continued)

DR. MASSEY: Thank you, Mr. Speaker. "It is our belief that supports and services for children and adults with developmental disabilities and their families are in jeopardy and that individuals are being put at risk." Those are the words of the Southern Alberta Community Living Association. Yet the Minister of Children's Services maintains that children are not being hurt. My questions are to that minister. Does denying youngsters previously approved for funding and services not hurt children?

MS EVANS: Well, Mr. Speaker, until today I thought the hon. opposition had forgotten me, but they haven't, so I'm glad to be back.

Mr. Speaker, that's a very serious question. I have been privileged to receive a number of concerns on behalf of the parents and on behalf of the children from the hon. Member for Lethbridge-West, who has reviewed with me not only a videotape of the actual meeting but has given me names and addresses of people who have asked questions. Obviously there are individual answers to individual cases, but we have been doing our utmost to make sure that children who have disabilities have the privilege of having supports.

Later today I will speak in this House on legislation that will address the ways that children receive supports. We think it's important for policy to provide a framework for their opportunity to receive dollars, that it shouldn't be at the whim of somebody making decisions or an appeal panel to judge whether it was right or wrong. We've done our utmost, Mr. Speaker, to find ways and means to support those children with special needs. I should add that across Canada one of the reasons why children take a look at Alberta with special advantage and why people move here is because there are more supports provided here for children with special disabilities than there are anywhere else from sea to sea.

THE SPEAKER: The hon. member.

DR. MASSEY: It's interesting, but that's not what I asked, Mr. Speaker.

Does denying youngsters previously approved for service not hurt children?

MS EVANS: Well, Mr. Speaker, since last fall when we first worked on cost-containment strategies, I have asked for people to bring to me names and circumstances where children have not received service that they must receive in order to look after the best interests of the child. If there are specific examples, the hon. opposition and other members have not thought fit to bring those forward to me.

More recently I met with a number of social workers from across Alberta. I asked for the same thing: please give me names and addresses so that if children have been denied service that they absolutely need, then we would look into it but in the confidential manner in which we handle every case file, hon. member, and not just bringing it out to air here in the Legislative Assembly as if we have suddenly found something that's wrong in the system.

We have been doing everything possible, and if I go back to the resources that we've spent this past year, let's reiterate: \$647 million spent on children's services this year, huge increases from three years ago – \$647 million, Mr. Speaker – and the only one of three ministers that will see additions still provided for children as identified in the throne speech, something that further underscores the commitment of this government to the children of Alberta.

DR. MASSEY: Well, I'll try again, Mr. Speaker. Does denying youngsters previously approved for service not hurt those children?

MS EVANS: Well, Mr. Speaker, without saying specifics, how can I respond to that?

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-Shaw.

Back-to-work Order

DR. PANNU: Thank you, Mr. Speaker. Yesterday in this Assembly the Minister of Justice said that even if another mechanism is found for settling the province's dispute with teachers, he's still leaning towards appealing last Friday's court ruling which threw out the government's back-to-work order. The Minister of Justice seems to be taking lessons from a former colleague on how to waste public dollars on suicidal missions in the courts. My question to the Premier: why won't the Premier rein in the Justice minister before he needlessly wastes more public dollars on a pointless appeal of a court ruling on the back-to-work order?

MR. KLEIN: Well, I would suggest, Mr. Speaker, that the hon.

leader of the third party is full of anticipation and speculation. Nothing has been decided. My recollection of the question that was asked of the Justice minister and Attorney General was: was an appeal being considered? His reply was that if – and that is an if, if underlined – an appeal is to be launched, it wouldn't be launched on the case itself, in other words the issue of the dispute, but it would be launched on a jurisdictional basis. But there has been no decision whatsoever as to whether an appeal will be launched.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My second question to the Premier: does the Premier stand behind his Justice minister, who said in this House yesterday that Justice Allan Wachowich of the Court of Queen's Bench interfered – these are the words that the minister used – with a provincial cabinet order in ruling on the government's back-to-work order?

MR. KLEIN: Mr. Speaker, the hon. Justice minister and Attorney General is a wonderful lawyer and, I understand, a very competent lawyer and as a lawyer is entitled to express an opinion relative to any decision, as is any other citizen free to express an opinion. How I feel about that opinion makes no difference at all. As a matter of fact, I have no thoughts whatsoever on that particular opinion. This is a matter of law and a matter on which lawyers could and should rightfully comment.

1:50

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. If the Premier is not willing to take a position, let me ask the minister himself. Will the Justice minister withdraw his offensive use of the word "interference," which resulted in the Chief Justice of the Court of Queen's Bench taking the very unusual step of defending his actions in an on-air radio interview? Would you like to comment on it?

MR. HANCOCK: Well, Mr. Speaker, you can use whatever synonym you wish for the word, but the comment essentially that I was trying to make yesterday was that when a court reviews an order of the Lieutenant Governor in Council which is expressed in legislation to be the opinion of the Lieutenant Governor in Council, there's a very high standard. In the judgment itself there's a distinction made between the Lieutenant Governor in Council operating as an administrative body or operating as a legislative body. Obviously, the court and I have a difference of opinion as to whether we were legislating or administrating.

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

Teachers' Labour Dispute

MRS. ADY: Thank you, Mr. Speaker. Yesterday Premier Klein and then the ministers of Learning and Human Resources and Employment met with the head of the Alberta Teachers' Association. As a result of these meetings, caucus will be reviewing a plan that may lead to a possible resolution of the current labour dispute. My first question today relates to one part of the proposed solution: a Mazankowski-style educational review. To the Minister of Learning: can you confirm that a report of this nature is being considered and outline what sorts of things would be included in such a review?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Yes, this was something that was raised in the conversations that were being had yesterday. I must also say that this has been raised in the context of the Future Summit. We will take a look at all of these suggestions, and I do believe there is some merit in this. I believe there's merit in continually evaluating our system, in continually attempting to come up with a better system, and I'm certainly one hundred percent behind anything that will do that. The specific details I cannot give the hon. member here today, but I will confirm that we are taking a look at it.

Speaker's Ruling Oral Question Period Practices

THE SPEAKER: Hon. members, normally caucus matters are not the purview of the question period. Now, this is rather interesting, where a government member has raised a question to a government minister and they've agreed publicly to discuss caucus matters.

Proceed.

Teachers' Labour Dispute (continued)

MRS. ADY: My second question, hopefully as good as my first, is to the same minister. If binding arbitration is part of the solution, how does what is being proposed differ from what government outlined in the original back-to-work order?

THE SPEAKER: The hon. minister.

DR. OBERG: Mr. Speaker, thank you very much. I will say that I'm a little cautious in talking about this purely because it is speculation and again given the hon. Speaker's previous ruling. We were asked by the leader of the ATA to take a look at binding arbitration. Our first look at it shows it to be very similar to what was brought forward to the emergency tribunal, so we are looking at the specific details of that. I do believe though, again, that it is a little too early to comment fully on it, and in the due course of time perhaps – perhaps – this Legislature will have a look at it.

THE SPEAKER: The hon. member.

MRS. ADY: Thank you. My final question is to the Minister of Learning. What role will school boards play in this? Don't they have a say?

DR. OBERG: Well, Mr. Speaker, that's an excellent, excellent question, because over the last four or five months the school boards in many cases have been the forgotten party in all of this. The school boards are the ones who will be signing the contract. So, yes, they do have a say, and I will announce today, as the Premier has announced, that the Premier and I will be meeting with the head of the Alberta School Boards Association tomorrow to discuss what has taken place. I do not want to prejudice any of the discussions, but I expect that it will be a very frank, a very blunt, and a very good discussion.

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

Low-income Programs

MR. MacDONALD: Thank you, Mr. Speaker. With the visit to the

Herb Jamieson Centre last December one would think that the Premier and this government would have a greater appreciation and a sense of urgency for the plight of the homeless, the poor, and the disabled of this province. My first question is for the Premier. Why is this government trying to balance the budget on the backs of the poor and the disabled using the \$34 million originally budgeted for low-income programs that has not been used?

MR. KLEIN: Mr. Speaker, to my knowledge we're not, and we have no intention to do so. It's the policy of this government to look after those who truly can't fend for themselves in society, and I think we're doing a darn good job of doing just that.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: given that in the third-quarter fiscal update that we all received last week Human Resources and Employment spending is \$34 million lower than budgeted due to lower costs for supports for independence, labour market development, and skill development programs, why can't you do the right thing and increase SFI rates and the rates for the AISH clients now? Why make them wait until some low-income review from the minister . . .

MR. KLEIN: Mr. Speaker, before I have the hon. Minister of Human Resources and Employment respond, I would like to point out to the hon. member that the AISH program is unique in Canada.

MRS. NELSON: The only one of its kind.

MR. KLEIN: Yes, it's the only one of its kind in Canada, and we are so fortunate in this province to be able to have a program that looks after an assured income for the severely handicapped. To my knowledge no other province, no other jurisdiction in this country has such a program, so that's something to keep in mind when he criticizes a program that is unique in this country. Relative to the specifics of the question, I'll have the hon. minister respond.

MR. DUNFORD: Well, let's examine the facts, Mr. Speaker, if we could. First of all, I think that because of the leadership and the philosophy of this particular government, we have the Alberta advantage well at work within this province, and what we're starting to see, of course, and what the hon. member has inadvertently allowed me the opportunity to do is to tell you and to tell all Albertans that the number of clients dependent on our supports for independence programs is down. These people are in fact working, and isn't that what we want?

We receive money from the federal government under the labour market development agreement, which, I might add, is an excellent example of flexible federalism. It works very, very well, but again because of the high employment levels within Alberta there were fewer clients coming forward that needed the assistance of the LMDAs, and because under our agreement we can't transfer those moneys into other particular areas, then of course it is something that we don't fill up the full component of that contract with the federal government. The SDP program that he's referred to is the acronym for the skills development program, and once again we have Albertans out in the workplace working and gaining training, gaining experience, making money, paying taxes, all of those things within this Alberta economy.

Now, here's where, of course, the key is, and I think that even the hon. member in his household would have a basic understanding, a basic understanding of the fact that because of the decrease in these

numbers you do create a little bit of a surplus, I think about .03 percent of our particular budget. You don't start funding operating, ongoing programs with surpluses.

2:00

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. To the Minister of Human Resources and Employment then: when can the disabled, those Albertans who cannot work, expect an increase in their benefit rate under the AISH program?

MR. DUNFORD: Well, under the AISH program, as a matter of fact, we've just made some recent – actually, it was under supports for independence. Pardon me. The AISH program, if that's now what he is discussing, is part of the low-income review that we're currently looking at. We have received a report from the low-income review committee not only in terms of what they heard when they went around and listened to all Albertans that had an interest in this particular area, but they also made recommendations based on the input that was received. As a department we are currently examining this, and in the due course of time we of course will be going through the internal process and then presenting something to this House in terms of our response.

THE SPEAKER: The hon. Member for Calgary-Cross, followed by the hon. Member for Edmonton-Ellerslie.

School Bus Driver Qualifications

MRS. FRITZ: Thanks, Mr. Speaker. Last Friday a very serious incident occurred. It's been alleged that a school bus driver who tested at nearly three times the blood alcohol limit while driving created some very serious problems. There were 40 ECS to grade 9 students on the bus that day. Luckily, due to the intervention of a few very brave students the serious potential for disaster was averted. So today my questions are for the Minister of Transportation. Mr. Minister, what are the qualifications that are required by your department for a person to drive a school bus?

MR. STELMACH: Mr. Speaker, any person wishing to drive a school bus in excess of a seating capacity of 24 would have to have either a class 1 or a class 2 driver's licence. If that particular bus has air brakes, they would also need their air brake endorsement. The school board and/or bus contractors would also require further screening of the drivers by looking at their abstracts. They cannot obtain this without the written consent of the applicant, and section 66 of the Motor Vehicle Administration Act allows insurance companies, police, and also school board contractors to further investigate and check the abstract but, again, on written consent of the applicant.

THE SPEAKER: The hon. member.

MRS. FRITZ: Thank you, Mr. Speaker. To the same minister. The fact is that a driver's abstract is simply a snapshot, I understand, of the previous three years of their record, so it may not show a previous suspension or conviction. How can a bus company obtain the full history of a prospective driver?

MR. STELMACH: Mr. Speaker, I'll just make it very clear that nothing is ever removed from a driver's abstract. That record will remain with the driver for life. It's just that it's a three-year

snapshot, and it is possible to further check into the person's driving record by asking of course and, again, receiving written consent to see if there's any criminal record, as well, with respect to that particular applicant. So there are provisions. In this particular case it's the three-year picture, snapshot, and in those three years of course part of the record wasn't included.

THE SPEAKER: The hon. member.

MRS. FRITZ: Thank you, Mr. Speaker. To the same minister. Given the situation, I'd ask the minister: will he commit to reviewing the school boards' and bus companies' systems for screening applicants?

MR. STELMACH: Mr. Speaker, we will commit to again sit down with school boards and school bus contractors to look at how we can look at the process. But I just want to remind the House that on a daily basis there are about 200,000 students on about 5,500 school buses. I don't want to diminish this particular issue that happened, but if you look at the kilometres, on a daily basis that's like going around the world 10 times in one day. We have to be more vigilant, more diligent, and I assure the House that we will continue to monitor and work with school boards to ensure that this does not happen again, but overall we have a pretty decent school bus driving record in the province of Alberta.

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

Bighorn Wildlife Recreation Area

MS CARLSON: Thank you, Mr. Speaker. My questions today are all to the Minister of Sustainable Resource Development. What tracking or enforcement does your department do to enforce its policy that off-highway vehicles are not permitted in areas designated zone 1, prime protection?

MR. CARDINAL: Mr. Speaker, the area that's been mentioned in this House a number of times is the Bighorn backcountry, and I indicated earlier that that area covers – it's a very sensitive area – over 4,000 square kilometres.

AN HON. MEMBER: How big?

MR. CARDINAL: Over 4,000 square kilometres, and 80 percent of it is prime protection area. In fact, during the special places process which took place the last number of years, it was nominated as a site to be designated as a special places site. The appropriate committee, which is normally selected by the municipalities in the area, reviewed it and decided at the time that the area should be left as it was with additional work in relation to how access would be dealt with in that particular area. Of course, since then we've set up a committee of 15 members representing various organizations like the petroleum industry, trail riding, guides and outfitters, off-highway vehicle users, which the opposition member mentioned, snowmobilers, and also residents of Clearwater county.

Mr. Speaker, what will happen is that there is going to be a public meeting on March 14, I believe, at Rocky Mountain House, and of course at this public meeting we will hear from the general public to determine what processes should take place in order to arrive at a multi-use area keeping in mind that, yes, we have to protect the environment, but we also have to allow the development that's required that it is possible to do in the area.

So, Mr. Speaker, I am confident that with the participation of those members that are living out there and the users, we will come up with a decent plan. That area is over 4,000 square kilometres, and the public, both people that want to protect the environment and people that want to use parts of the area for other uses – it is possible to do that. We have no problem doing that.

THE SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker. He didn't answer the question, so I'll ask this one. What actual steps has his department taken to ensure that off-highway vehicles are not being used in this area of the Bighorn? We would actually like an answer to this question.

MR. CARDINAL: You know, maybe the opposition would do it a little differently than we did. No doubt they would. No doubt they'd put the rules in first and then put the committee in after to determine how you may deal with the rules. We don't operate that way. We don't operate that way, Mr. Speaker. We look at the whole area of 4,000 square kilometres. Eighty percent is prime protected area, but there is an opportunity for multi-use in the area, and this is exactly what's happening with the 15-member committee. The 4,000 square kilometres will be reviewed thoroughly.

Just remember – I want to mention it again – that it was recommended to be designated for special places. That was not accepted by the committee from that region. They said that that area should be multi-use, and that is exactly what we're doing.

MS CARLSON: So, Mr. Speaker, with two nonanswers is this minister actually saying that they are doing no tracking or enforcement or taking any steps to ensure that off-road vehicles are not used in the Bighorn?

MR. CARDINAL: Mr. Speaker, that is, you know, the concern out there. Some of the public are concerned that there are too many off-road vehicles in any area of Alberta. Then, of course, you'll have the others that want to protect the area completely. You can be assured that we will always keep a balance, keep the environmental side protected and also the development side that can be developed in a reasonable way developed.

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

2:10

Romanow Commission

MR. BRODA: Thank you, Mr. Speaker. In recent media comments it appears that the Romanow commission is hearing similar concerns as were brought forward to the Mazankowski group. My question is to the Minister of Health and Wellness. What is the cost of the Romanow exercise versus Mazankowski's?

Speaker's Ruling

Questions outside Ministerial Responsibility

THE SPEAKER: The first commission that the hon. member is referring to falls under federal jurisdiction. It is not within the purview of a member of Executive Council in the province of Alberta. However, if the minister feels that he is certainly capable of answering the question, he can proceed.

Romanow Commission

(continued)

MR. MAR: Mr. Speaker, there have been a number of commissions

that have been created across Canada to review the issue of the Canadian health care system. Of course, there's been the Claire commission in the province of Quebec, the Fyke commission in the province of Saskatchewan, the Kirby Senate commission and the Romanow commission, and of course our own Premier's council on health care, led by former Deputy Prime Minister Mazankowski.

Mr. Speaker, I can indicate that there have been many similar findings in these reports across Canada, whether it's coming from economists or from health care professionals or patients themselves, and whether it comes from an NDP government or a Parti Quebecois government or a Liberal government, many of the same conclusions have been arrived at.

I can indicate, Mr. Speaker, that I have investigated this particular question. The cost of the Fyke commission, which was for the province of Ontario and commissioned by then Premier Romanow and delivered to now Premier Calvert of the province of Saskatchewan – that report was estimated at being \$2 million. The Romanow commission has a budget which has been disclosed to the public as being in the range of \$15 million. By comparison, the numbers which I tabled, I believe, in this House yesterday, the cost of the Mazankowski report, came in at \$326,000.

THE SPEAKER: The hon. member.

MR. BRODA: Thank you, Mr. Speaker. To the same minister: how will the Romanow report tie in with the Maz report?

MR. MAR: Mr. Speaker, we have said all along that from the perspective of the provincial government of Alberta there are good ideas that are meritorious of investigation that have emerged from other jurisdictions in Canada. I believe that Mr. Romanow will do a very good job in his public hearings. Any recommendations that come out of Mr. Romanow's commission that may be applicable to the province of Alberta and would be of benefit to the delivery of health care in this province we will be prepared to evaluate and move forward on if those good ideas. . .

AN HON. MEMBER: Make sense.

MR. MAR: Make sense. Exactly.

So, Mr. Speaker, we will look at what Mr. Romanow prepares when his report is delivered later on this year. I believe that November is the timetable he has set out. In the meantime we are proceeding with the 44 recommendations set out in the Mazankowski report.

THE SPEAKER: The hon. member.

MR. BRODA: No further questions here.

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

Grant Funding Policy

MS BLAKEMAN: Thank you, Mr. Speaker. The federal cultural spaces Canada program offered \$80 million to improve infrastructure for artistic communities. Alberta's arts and cultural groups have not had access to funds like these since 1967, and now they can't get reliable matching funding because this government is dithering about lottery fund allocations. My questions are all to the Minister of Gaming. Why is the minister jeopardizing access to federal money by his on-again, off-again grant funding policy?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. As the hon. member knows, each year in this House lottery fund estimates are tabled and debated, and each year, in the last few years, those estimates have had allocations relative to funding for various grant programs including the arts foundation, which, by the way, is under the responsibility of the hon. Minister of Community Development. Once again this year, when the budget comes down, there will be an Alberta lottery estimate, and we will at that point in time address that issue.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. Given that the minister lunches with some community lottery boards, whereupon their woes disappear, will the minister commit to lunching with all the boards to solve their application woes or at the very least inform them all if there's going to be a program to access?

MR. STEVENS: Well, Mr. Speaker, I don't get invited to lunch by all community lottery boards, but if I receive invitations to lunch, I can tell the hon. member that I will give them due consideration, because, as may be apparent, I do like to eat lunch.

AN HON. MEMBER: And dinner and breakfast.

MR. STEVENS: Yeah. Three squares a day is appropriate.

I think the answer to this question, Mr. Speaker, is similar to the answer to the first, and that is that each year the items which make up the Alberta lottery fund estimates are tabled. They will again be tabled along with the budget later this month, and at that point in time the issue that the hon. member has raised will be the subject of debate.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks, Mr. Speaker. Well, be it CFEP grants, lottery board grants, legacy grants, or changes in gaming policy, what is this government's long-term commitment to supporting the voluntary sector?

MR. STEVENS: The commitment of this government with respect to the voluntary sector is significant. The gaming scheme that is in place in Alberta is a charitable one, and the resources associated with that are for the purposes of charity. For example, in the year 2000 as a result of licences being granted to various charities and not-for-profit groups in the province, which would be for casinos and bingos and raffles, they earned something in the order of \$175 million.

AN HON. MEMBER: How much?

MR. STEVENS: One hundred and seventy-five million dollars, which went directly to those particular groups.

In addition to that, the funds that went into the Alberta lottery fund, which come from gaming exclusively, were allocated to a number of foundations, two of which are under the responsibility of my ministry, the community facility enhancement grant program and the community lottery board program, and in the past year they had about \$75 million allocated to them. In addition, I believe that there are five foundations which are funded through the Alberta lottery foundation which are under the responsibility of the Minister of Community Development, and I think they amount to another \$50

million or \$60 million. But beyond that, Mr. Speaker, I think it's important to recognize that the entire Alberta lottery fund is for the benefit of community and public initiatives, and all Albertans are beneficiaries of that.

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

Municipal Land Reserves for Schools

MR. MASON: Thank you very much, Mr. Speaker. Yesterday the Urban Development Institute, which represents commercial developers, joined the city of Edmonton in opposing the Conservative government's push to have a supermarket located on municipal reserve land in the Callingwood area of Edmonton. The Municipal Government Act is clear and unambiguous: municipal reserve land can only be used for parks, recreation areas, and schools; it cannot be used for supermarkets or other private purposes. If municipal reserve land is deemed surplus, the law requires that the land is transferred back to the municipality in which it is located. My question is to the Minister of Municipal Affairs. In light of the strong opposition not only of the city of Edmonton but also from the development industry, will the government now back off on its plans to force the school board and the city of Edmonton to locate a high school with a supermarket there?

2:20

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you very much, Mr. Speaker. To the hon. member, first and foremost, one thing for certain is that Albertans are not afraid to think outside of the box, because we are in the 21st century. That being said, right now we have a dispute between the city of Edmonton and the Catholic school board. I have offered mediation. In terms of the work within the Catholic school board and the city of Edmonton, though, I hope that they will take up our offer regarding mediation pertaining to this local issue to be dealt with with the local electors.

MR. MASON: Mr. Speaker, given that the minister has been behind this cockamamy scheme from the beginning, isn't his offer of mediation somewhat like asking Ariel Sharon to mediate between the Palestinians and the Israelis?

MR. BOUTILIER: Well, Mr. Speaker, allow me the latitude to respond in this way. The city of Edmonton has sent correspondence to the province indicating this, and I quote: city council is fundamentally opposed to the removal of their authority to make decisions regarding land use. I will table this at the appropriate time. However, what I find interesting is that I read in the *Journal* and the *Sun* that the city of Edmonton says that they'd like to have the province involved. So what is it? Do they want us to allow them to utilize their authority, or do they want us to be involved? How we were involved is through mediation.

MR. MASON: Mr. Speaker, why can't this minister get it through his head that allowing a commercial supermarket to locate on municipal land reserved for schools and parks sets a dangerous and undesirable precedent and that he is in effect asking the city of Edmonton to break the government's own laws?

MR. BOUTILIER: Mr. Speaker, what's very important at the end of the day in these two jurisdictions as they work together is quite

simply this: no matter what takes place, it is the authority of the city of Edmonton. If it's so determined in evaluating the pros and cons to transfer the land from the city of Edmonton to the Catholic school board, that is solely a decision of the city of Edmonton and its local electors.

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

Workers' Compensation Board Review

MR. HORNER: Thank you, Mr. Speaker. The government has been reviewing the workers' compensation system for some time now, and I've had a number of calls in my constituency office. The review has included a lot of extensive public consultation. Could the Minister of Human Resources and Employment please advise this House what outcomes or status we are looking at for the WCB review process now?

THE SPEAKER: The hon. minister.

MR. DUNFORD: Well, thank you, Mr. Speaker. We're on the spring list, as you might know, for bringing forward amendments to the Workers' Compensation Act. What we'll be looking at primarily, I think, comes into four areas. First of all, we want to make the workings and the decision-making and the appeal system inside the board more transparent. The second thing that we want to do is to provide an accountability framework whereby, then, all Albertans would be able to analyze and evaluate the operations of the WCB, because there would be an accountability framework which would then be audited by the Auditor General.

We want to remove the apparent conflict between the Appeals Commission and the WCB by moving the Appeals Commission further away from the WCB and having it report to the Minister of Human Resources and Employment and of course, then, have a governance model similar to the Labour Relations Board. Lastly, we want to provide an opportunity for conflicting medical opinion to be dealt with. So a pilot is contemplated between WCB, the Alberta Medical Association, and the College of Physicians and Surgeons.

Now, all of these changes, of course, will have a price tag to them, and as I understand it, the current estimate for cost is that it will be less than 1 cent per \$100 of payroll, which is the normal assessed level of the WCB.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. Could the minister advise the House if the concept of minor employee contributions to encourage a cost-benefit relationship was reviewed?

MR. DUNFORD: The answer is no, because that would be a violation of the Meredith principle, wherein there is a no-fault insurance system that is put into place that looks after the medical costs and wage loss for an injured worker, and of course it is funded entirely through premiums of an employer.

Just as an aside, I remember a rookie that came into this House in 1993 that actually went further than question period, actually put it in a private member's bill. I think I still hold the record for being skunked the most.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. Given the recent increases

in the WCB premiums in Alberta, could the minister advise the House: how does the WCB compare to private insurer options?

MR. DUNFORD: Comparisons are not only difficult but dangerous. The beauty of the workers' compensation system is that employers are required by law to be covered by injury insurance, and in Alberta and all of the other jurisdictions that have Workers' Compensation Board systems, the total cost, the total liability of all of that is then spread throughout all of those employers in all of those sectors. In a privatized system you're going to have cherry-picking, and you're going to have, then, a real disparity of coverage for workers.

Speaker's Ruling

Points of Order during Question Period

THE SPEAKER: Hon. members, before calling on the first of four hon. members to participate in Members' Statements, just let me make a brief comment with respect to the operation of question period today, particularly the intervention of the point of order which was right at the very beginning.

Normally points of order are dealt with at the conclusion of question period, but today's point of order was such that if it had not been dealt with at the time it was dealt with, then there would have been a question of whether or not the questions being proposed by the hon. Leader of the Official Opposition could have been proceeded with. Kind of hard to deal with that at the conclusion. It had to be dealt with at the time.

The time clock was kept running during that point of order, so for those hon. members who have sent me notes basically asking were they denied an opportunity to participate in a question today because the chair chose to deal with the point of order at the time, the answer to that question is no, they were not denied. In fact, today's question period went five minutes beyond the norm of 50 minutes; it went almost 55 minutes. In fact, there were 12 sets of questions raised today by hon. members, and the average tends to be about 11 and just above. So we are above the average in all of it, and it was the judicious thing to do.

Now, before dealing with Members' Statements, let me just point out to all members that today is the 10-year anniversary of the first election of the hon. Member for Little Bow, who arrived in this place by way of a by-election because, he says in a note to the chair, he was motivated determinedly by the Deputy Premier at the time who said publicly, quote: who cares about the Little Bow by-election?

I might also point out that today is the 61st anniversary of the arrival upon this planet Earth of the hon. Member for Wetaskiwin-Camrose.

head: Members' Statements

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

Sid Hanson

MR. MASKELL: Thank you, Mr. Speaker. Last Tuesday I, along with a number of members of this Legislature, was a guest at the Edmonton Regional Airports Authority at a reception honouring Mr. Sid Hanson.

Sid Hanson retired from the Edmonton airports board of directors on December 31, 2001, following a distinguished 10 years as a founding board member and as the authority's second chair for the period 1997 through 2001. Sid has played an enduring leadership role in defining and delivering the vision of Edmonton airports as an industry leader. In 1998 his focus was on delivering new air service along with further development of the air terminal plan. With the very rapid growth in our market the authority launched its strategic vision for a \$300 million air terminal redevelopment.

2:30

I wish I could describe all of the accomplishments this outstanding Albertan has made to this province, but most of you will remember the grand opening of the southeast terminal in December 2000. It opened on time and under budget and opened in plenty of time to receive the world in 2001 for the grand events of July and August. Premier Klein was part of this magnificent event and was particularly pleased to see the scope and breadth of the authority's vision.

In summary, through the Sid Hanson era and particularly seen in the challenges of the last few months post 9-11, the authority has been able to continue to focus on the short-, medium-, and long-term future with the confidence and conviction that it has the right plan and the right team to guarantee industry leadership in delivering outstanding aviation and airport services to our capital region.

Thank you, Sid Hanson.

THE SPEAKER: To both the hon. Member for Edmonton-Meadowlark and the hon. Member for Calgary-Shaw, it's totally inappropriate to mention the names of individuals who are currently sitting and operating in this particular House and this particular parliament, so appropriate punishment will have to be meted out at a later opportunity.

The hon. Member for Edmonton-Mill Woods.

Education System

DR. MASSEY: Thank you, Mr. Speaker. The current teacher dispute has again raised the need for an independent look at our schools. Selecting a narrow set of achievement scores and, based on those scores, making the generalization that school and classroom conditions are better than they have ever been is the kind of denial that has blinded the government to the problems facing our schools and helped lead to today's strife. We need a truly independent look at education in the province. Such a commission could look at three basic questions.

First of all, what is. What is the state of our schools? Let's look at claims with respect to class size, parent fund-raising, the lack of basic resources such as textbooks, the need for support staff, and the exclusion of low-income students from some programs in schools.

Secondly, let's look at what should be. Albertans have firm and varied ideas as to how they want education shaped now and in the future. Let's look at concerns about the adequacy of funding formulas, small schools, rural education, program accessibility, fees, and program affordability.

Thirdly, what should be done. From such an examination will come a list of recommendations, a blueprint, if you will, for the future of the education system. The last examination of our schools reported in 1972. The Worth Commission on Educational Planning issued a report entitled *A Choice of Futures: A Future of Choices*. Suggestions in that report led to provincewide kindergartens, calling even then for the province to assume fiscal responsibility for K to 12 education in order to provide equity and foreshadowed schools such as the one in inner-city Edmonton now offering year-round schooling.

One of the first bills former Alberta Liberal leader Laurence Decore introduced in 1993 in the Legislature was a bill to establish a royal commission on education. In the 1990s Alberta Liberals repeated that request. Such an examination has long been needed. The problems the government faces today with teachers may well have been avoided if this work had been done a decade ago.

Thank you.

THE SPEAKER: The hon. Member for Red Deer-North.

Sandra Ladwig

MRS. JABLONSKI: Thank you, Mr. Speaker. Does your mother love you? Was she thrilled by the miracle of your birth, or did you ruin her life? Does she hate you? These are questions asked every day by adult adoptees who may never have the chance to know their birth family. A painful, gaping wound that never heals leaves a hole in their hearts, and many adoptees who never find their birth family rarely experience true peace and wholeness in their lives. There are close to half a million people in Alberta affected by adoption. Adult adoptees, many with a blessing from their loving adoptive parents, search to find the answers that they have been asking for since they were old enough to understand.

Is the government able to make things right so that adult adoptees can access their birth records? Are adults not capable of and responsible for working out their own relationships? The government has acted in the best interests of the child by providing a loving adoptive family. Once a child becomes an adult, do they not have the right to their own personal information?

For 43 years Mrs. Sandra Ladwig has been searching for birth families. She has done this voluntarily with no wages or income because of the indescribable joy and priceless happiness that is experienced when the majority of birth families are reunited.

Sandra is truly an angel of mercy. Without any benefit to herself or her family she selflessly strives to unite families that are desperate to know each other. She has helped thousands of families over the past 43 years and receives at least 10 phone calls a week asking for help. Sandra has been encouraging the provincial government for the past 25 years to change legislation to open adoption records with a no-contact declaration.

Yesterday was Sandra's 61st birthday. She may be close to retirement, but this does not slow her down. She's determined to see that the right thing is done, and when it is time for her to retire, there will be no need for 10 phone calls a week.

Sandra knows better than anyone else these words of Robert Munsch:

I'll love you forever,
I'll like you for always,
as long as I'm living
my baby you'll be.

The time has come for adoption records to be opened. Then Sandra Ladwig will be able to retire knowing that birth families will be able to find each other when they are ready to.

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

Aboriginal Culture

MR. CAO: Thank you, Mr. Speaker. In recognition of Native Awareness Week I would like to share with our colleagues a great life-enriching experience. Two summers ago I had the honour of being a guest at the powwow event in Lac La Biche, and I will remember that experience vividly. I was donned with full ceremonial headwear. I felt its weight on my head, but it was the spiritual and cultural value that has been impressed deeply in my feeling and my memory to this day and forever. I joined a parade of chiefs in the ceremonial dancing steps, in time with the chanting and the drumming. The sound, the sight, the colourful dresses, the friendly people in a beautiful natural setting of rolling hills and verdant woodland and the deep blue sky of Alberta: what an environment to be in.

I also realize that as Canadians having heritage from other lands,

we can always find the culture of our heritage in those lands if we feel the need, but our aboriginal culture can only be found here and nowhere else in the world. In fact, this experience made me realize that our aboriginal culture needs to be nurtured and sustained as part of Canadian and Albertan development.

I'd like to point out the need to understand the cultural differences. I would like to use the words of Professor James Dempsey of the University of Alberta. At Chief Big Bear's trial the charges were read out in court and ended with the statement that the offences were against the peace of our Lady the Queen, her crown and dignity. The translator could not find the Cree equivalent for many of the legal phrases. As a result, some words, such as the word "crown," were translated literally. Big Bear responded: "These people all lie. They are saying that I tried to steal the great mother's hat. How could I do that? She lives very far across the great water, and how could I go there to steal her hat? I don't want her hat, and I did not know that she had one." Dual interpretation of this kind of encounter exists to the present day.

Thank you, Mr. Speaker.

head: **Presenting Reports by
Standing and Special Committees**

THE SPEAKER: The hon. Member for Banff-Cochrane.

MRS. TARCHUK: Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices I would like to table five copies of the report of the committee recommending the reappointment of Mr. Robert C. Clark as the Ethics Commissioner for a five-year term and of Olaf Brian Fjeldheim as the Chief Electoral Officer for the province of Alberta.

Thank you.

head: **Introduction of Bills**

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

**Bill 204
Traffic Safety (Cellular Phone)
Amendment Act, 2002**

MR. HERARD: Thank you, Mr. Speaker. On behalf of the hon. Member for Lacombe-Stettler I'm honoured to request leave to introduce Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, 2002.

This bill would propose to legislate the safe and responsible use of handheld cellular phones while in the care and control of a motor vehicle.

[Motion carried; Bill 204 read a first time]

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

2:40 **Bill 205
School Trustee Statutes Amendment Act, 2002**

MRS. O'NEILL: Thank you, Mr. Speaker. I beg leave to introduce Bill 205, a bill being the School Trustee Statutes Amendment Act, 2002.

It is a bill in which I propose that the trustees and members of school boards are clearly able to understand the conflict of interest circumstances.

Thank you.

[Motion carried; Bill 205 read a first time]

Bill 206

Fisheries (Alberta) Amendment Act, 2002

MR. DANYLUK: Mr. Speaker, I request leave to introduce a bill being the Fisheries (Alberta) Amendment Act, 2002.

[Motion carried; Bill 206 read a first time]

THE SPEAKER: The hon. Member for Little Bow on behalf of the hon. Member for Calgary-Mountain View.

Bill 207

Alberta Wheat and Barley Test Market Act

MR. McFARLAND: Thank you, Mr. Speaker. I'm pleased to request leave to introduce Bill 207, the Alberta Wheat and Barley Test Market Act, on behalf of my colleague the MLA for Calgary-Mountain View.

The bill will enable the development of a value-added industry back into Alberta which has been stagnant under the Wheat Board since 1945.

[Motion carried; Bill 207 read a first time]

THE SPEAKER: I have that the hon. Member for Lethbridge-East will be introducing a private member's bill today. Is there any member of the opposition caucus who will be proposing that bill on his behalf?

Then we will proceed to the hon. Member for Edmonton-Strathcona.

Bill 209

Electoral Fairness Commission Act

DR. PANNU: Thank you, Mr. Speaker. I request leave to introduce a bill being the Electoral Fairness Commission Act.

The purpose of this bill, Mr. Speaker, is to establish a voting system ensuring that each political party's representation in the Legislative Assembly is broadly proportionate to its share of the provincewide popular vote.

Thank you, Mr. Speaker.

[Motion carried; Bill 209 read a first time]

THE SPEAKER: The hon. Member for Vermilion-Lloydminster on behalf of the hon. Member for Calgary-Lougheed.

Bill 210

**Matrimonial Property (Division of Property
on Death) Amendment Act, 2002**

MR. SNELGROVE: Thank you, Mr. Speaker. It's a privilege to request leave to introduce a bill on behalf of the hon. Member for Calgary-Lougheed, the bill being Bill 210, the Matrimonial Property (Division of Property on Death) Amendment Act, 2002.

[Motion carried; Bill 210 read a first time]

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

Bill 208

Fiscal Stability Fund Calculation Act

DR. MASSEY: Thank you, Mr. Speaker. On behalf of my colleague

the Member for Lethbridge-East I request leave to introduce a bill being the Fiscal Stability Fund Calculation Act.

[Motion carried; Bill 208 read a first time]

head: **Tabling Returns and Reports**

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to provide acknowledgment that the following required tablings were deposited today with the office of the Clerk by the hon. Mr. Mar. These are annual reports for the years 2000-2001 for the Alberta Association of Registered Occupational Therapists, the Alberta Health Facilities Review Committee, the Alberta Mental Health Board, the Chinook health region, the Palliser health authority, the Headwaters health authority, the Calgary health region, the David Thompson health region, the East Central health region, the WestView regional health authority, the Crossroads regional health authority, the Capital health authority, the Lakeland regional health authority, the Peace health region, the Northern Lights regional health services, and the Northwestern health services region.

In addition, the following document was deposited with the office of the Clerk by the hon. Mr. Mar: the Alberta Cancer Board annual report, 2000-2001.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. I have the proper number of copies to table today on behalf of the Evergreen local ATA members.

Thank you.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of a letter from myself to the Premier asking for an investment in Alberta's future to adequately fund child care and pay early childhood educators at a reasonable level.

My second tabling today is five copies of a report entitled *The Shame of Canada's Nursing Homes: A Testimony of the Experiences of Older Persons in Care Facilities in Canada*. This report was prepared by FAIRE, Families Allied to Influence Responsible Eldercare, and it's looking at what's happening in our eldercare facilities and seeking solutions to respect the rights and privileges of our older persons.

Thank you.

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

DR. TAFT: Thank you, Mr. Speaker. I rise today with the privilege that I've been asked to table copies of a petition collected in Canmore expressing very serious concerns about reductions in health services in that town. It has been signed by 256 persons, a substantial portion of that population.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I rise to table five copies of a letter that I received a couple of weeks ago from the executive director of the Calgary Women's Emergency Shelter. In this letter the director has raised some serious concerns about the appropriateness of the language of the Alberta Children's Services survey. She

draws particular attention to the confused goals of the survey. She wonders whether it's to improve services or to justify reduction in services, plus she is very concerned about the systematic bias built into the questions that Albertans are invited to answer.

Thank you, Mr. Speaker.

MS EVANS: Mr. Speaker, I rise today to table the required number of copies relative to questions posed in the House by Her Majesty's opposition and hope that they will suffice as an answer for the first part of the issues that arose.

head: **Orders of the Day**

head: **Government Bills and Orders**

head: **Second Reading**

Bill 1

Queen Elizabeth II Golden Jubilee Recognition Act

THE SPEAKER: The hon. Minister of Community Development on behalf of the hon. Premier.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed my great pleasure and privilege on behalf of our hon. Premier to rise and move Bill 1, Queen Elizabeth II Golden Jubilee Recognition Act, for second reading.

Mr. Speaker, this is truly a unique and wonderful bill, a great piece of legislation. I want to congratulate our Premier for sponsoring it and bringing it to this House, and I want to thank all of my colleagues for supporting it. It is truly a unique occasion. We haven't seen anything like it in the history of our province and of this Legislature, and we and our successors are not likely to see anything like it again, certainly not for a long time to come. The British monarchy has had more than its share of long-lived monarchs, but even among them golden jubilees have been rare. So I think it is most appropriate to take time to appreciate this very special moment. We are in fact the first Alberta Legislative Assembly to celebrate a monarch's golden jubilee, and we could well be the last. That may not be a momentous achievement as things go in the world today, but it is a special achievement nonetheless. It's an important occasion for most Albertans. Above all, it's a very happy occasion, and such occasions can be all too rare in this very frantic and fragile world.

2:50

I can't help but draw your attention, Mr. Speaker, to the fact that the Queen's jubilee year coincides quite happily with another jubilee achievement. Princess Elizabeth, as we know, ascended the throne of Great Britain on February 6, 1952. Sixteen days later an Alberta team of amateur hockey players, the Edmonton Mercurys, including our good friend Billy Gibson, ascended the podium as gold medalists at the 1952 Olympic Games. On February 6, 2002, Queen Elizabeth celebrated the 50th anniversary of her ascension and, may we call it coincidence or call it destiny, a professional team of Canadian hockey players marked the occasion by winning the gold medal at the 2002 Olympic Games. Not all of the 2002 Olympic hockey champions are Albertans, but some of them are, and I'm prepared to acknowledge all of them as honorary Albertans. In the meantime, we have two golden moments to celebrate now and to remember and treasure for years to come: one of them in honour of the Queen and one of them in honour of all Canadians. We know that the Queen has special regard for Canada, and I am confident that she, too, rejoiced with the rest of us when the gold medal came home to Canada.

As I'm sure you know, Mr. Speaker, our province has a unique

connection with the royal family. It was named after Princess Louise Caroline Alberta, the fourth daughter of another long-lived British queen, Her Majesty Queen Victoria. Of course, our Legislature colleagues from Banff-Cochrane and Rocky Mountain House would remind us that it is a distinction that we share with the jewel of the Rockies, Lake Louise, and the thriving foothills community of Caroline. When Queen Elizabeth ascended the throne, that occasion was marked by the naming of many streets, parks, schools, hospitals, and other very familiar landmarks throughout our province, reminders to this day of that event and that happy occasion.

In 1952, when Queen Elizabeth II was just beginning her reign, Alberta was looking forward to and making plans for its golden jubilee in 1955. Now, as the Queen celebrates her golden jubilee, the province is getting ready and making plans for our 100th birthday, our centennial, in 2005. As Minister of Community Development I have the great privilege of being the minister responsible for both these landmark events, the recognition of the Queen's golden jubilee and the celebration of Alberta's centennial. I know there will be many synergies between the two celebrations, and I look forward to participating further in the planning and in the sharing of the results with my colleagues in this House and, indeed, with all Albertans.

But I'm not here just to dwell on the past, Mr. Speaker, and to point out happy coincidences. Jubilee and centennial celebrations are as much about the future as they are, of course, a salute to the past. I'm pleased to announce that Bill 1 establishes two Queen's golden jubilee scholarships, that will be awarded annually to outstanding students in the visual and performing arts fields. They will be administered by the Alberta Foundation for the Arts, which will look for young artists who show exceptional talent and potential, supported by clear educational goals and objectives. The years of Queen Elizabeth's reign have seen a remarkable growth of the arts in our province, Mr. Speaker, and I know you to be personally a great supporter of that cause, as are all members of this House, I'm sure, both in terms of quality and quantity. I should point out that there are awards-cum-scholarships already available for the literary arts through our Community Development sponsored Grant MacEwan awards for the literary arts. Hence these two new scholarships will focus on the visual and performing arts.

Mr. Speaker, in 1952 most Alberta artists, like our Olympic champions of the day, were amateurs, dedicated amateurs who knew that they had to be builders and lay strong foundations for future growth. They built those foundations and built them well, as our first-class artists, art organizations, and their appreciative audiences regularly demonstrate. As a mature arts community we are now producing many talented, focused young artists with legitimate ambitions to become world-class professional performers, artists, and educators. These two Queen's golden jubilee scholarships will bring well-earned recognition to Alberta's arts community by selecting two of the best and brightest students and showcasing their talent, their vision, and their abilities. Inspired by those who have laid these foundations, these young people will leave lasting impressions and impacts in Alberta and, in some cases, abroad. Mr. Speaker, this is the most significant recognition that the arts in our province have received in a long, long while, and to have them surface and highlighted in Bill 1, a bill sponsored by our hon. Premier, is indeed an accolade of large proportion.

Bill 1 also establishes the Premier's citizenship award, which will be given to one student each year in each high school in Alberta for outstanding contributions through their citizenship, leadership, community service, and volunteerism. As well, the Queen's Golden Jubilee Citizenship Medal will be awarded each year to the most outstanding five students from among those who are receiving an

award under the Premier's citizenship award referred to earlier. I'm very proud to be associated with this program, and I look forward to meeting the first recipients of these awards and meeting many more after that.

Mr. Speaker, let me close by saying that the second Elizabethan era has been good to Alberta. We have thrived and prospered as perhaps no other part of Canada and few parts of the world. From one of the poorest and most remote parts of the country we have grown and matured to become one of the wealthiest, one of the strongest, one of the most stable provinces in the Confederation. Thanks to tremendous changes in transportation, communication, and other foundations of our province, this growth is expected to continue and to be very healthy throughout its reign. No one, not even the Queen herself, would claim that she is responsible for our success, but that does not mean that we cannot recognize and appreciate her as a symbol of our good fortune and celebrate her jubilee as a way of celebrating and giving thanks for the peace and prosperity that have marked the Elizabethan era in Alberta.

Mr. Speaker, earlier last summer, as part of the 2001 world games I had the great privilege of hosting two members of the royal family for a very special luncheon, which focused around the youth of this province. Bill 1 in a similar vein is also dedicated to celebrating and saluting our youth in Alberta.

On behalf of all my colleagues I express our deep thanks to Her Majesty for 50 outstanding years, and may I close by saying: long may she reign, and long may Alberta prosper under her reign.

Thank you, Mr. Speaker.

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

DR. MASSEY: Thank you very much, Mr. Speaker. I'm pleased to have this opportunity to speak to Bill 1 and to heartily endorse and support the action of the government in choosing to mark the golden jubilee of Queen Elizabeth II in a manner such as they have done; that is, making it possible for our young people in our high schools to be recognized and through that recognition to further their education.

I think that the whole notion of citizenship awards is going to be rather interesting in terms of the schools when they try to make those. Before I talk actually, though, about the citizenship awards themselves, I'd like to express the real need that we in the opposition see for a wide range of scholarships and a wide range of grants. The costs of education in our province are rising, and there's always been the concern that students whose families lack fiscal resources may be excluded from some of our institutions. So the more opportunities that can be provided for scholarships and for grants, I think, the better students will be. But I don't think that in any way it should remove the obligation of the government to make sure that schooling, the public schools, are open to all youngsters regardless of the parents' ability to pay and that our postsecondary institutions welcome students, again, not based on their ability to pay.

3:00

With that aside I'd like to look at the awards being in the two categories that were chosen, citizenship and visual and performing arts. I know that one of our local high schools already has a citizenship award, and I think it speaks to the importance that that high school attaches to leadership in the school and particularly volunteering and community service. So schools, I'm sure, in many parts of the province are already very aware of the need to encourage citizenship and to have in place rewards for those youngsters who exhibit exemplary leadership skills. It's going to be interesting to watch as the criteria for awarding the citizenship awards are

developed, because there are some very conflicting views of citizenship that have been traditionally held.

The first view is a more conservative view, and that is the view of a citizen and the citizen's obligations. That notion is that you have an obligation as a citizen in a democracy to promote and to serve the common good, and it's a position that often has, in fact in most cases has the public good being placed before the private good. So it's a conception of citizenship that really focuses heavily on a citizen's obligations.

The second conception of citizenship is one that we hear of often these days, and that is the citizen's rights: the rights of a citizen to have protection from the government, the rights of citizens to promote individual liberty, and the rights of citizens to promote their individual interests. There's even – and you hear this often at election time – a cry from people who are very deep into the citizens' rights movement to insist that even voting in an election or not voting in an election is their right as a citizen, and any move to encourage them to vote or any laws such as exist in other countries to make voting mandatory they would oppose with great vigour.

So there are two, as I said, somewhat conflicting views of citizenship, and I suspect it's the former, citizenship and your obligations as a citizen, that is emphasized, and maybe most appropriately, in the schools of the province. But it will be interesting to see how students are judged with respect to the receiving of the awards.

A quote was, I think, attributed to Adlai Stevenson, and that quote was: "As citizens of this democracy, you are the rulers and the ruled, the lawgivers and the law-abiding, the beginning and the end." I think that that notion of a citizen is one that we borrow from liberally in our country.

The awards, as I said, are very appropriate. The selection of citizenship, I think, in some ways may be ironic if it's a citizenship award being sponsored in the name of a monarch, but those ironies aside I think they're excellent awards.

I'm also very pleased with the visual and the performing arts awards being included as part of this marking of the golden jubilee. The great focus in the province the last number of years on technology and on the sciences, I think, in some cases has been at the expense of the visual and performing arts. In fact, all arts and humanities, I think, have suffered. There have been pleas from those who would speak in the interests of the humanities for greater recognition, and for that reason I am pleased to see that it was deemed appropriate to select out the visual and performing arts for two of the awards.

All in all, it's an awards program that should have a widespread effect across the province, Mr. Speaker, when every school will address the notion of what it means to be a good citizen and what it means to be a good citizen with respect to that particular student body.

With those few comments I'd conclude, Mr. Speaker, and congratulate the government for bringing forward Bill 1. Thank you.

THE SPEAKER: The hon. Minister of Gaming? The hon. Member for Edmonton-Centre then. Harmony here in the House. Good.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I just wanted to speak briefly to this bill because it involves scholarships and students, and I have so many students that live in my riding.

To me the Queen has been on the throne and the ruler of the Commonwealth and associated with Canada my entire life, and I'm glad of the opportunity of having something to associate the Queen with besides her occasional appearances on television and her Christmas messages. This brings it a little closer to home.

I know when I was in high school and, I think, going into university, there was such a thing as a Princess Elizabeth scholarship. I'm not sure if that was honouring her specifically; I'm assuming that it was. I think those scholarships are probably known as the Rutherford scholarships now, but it's nice to see that this has come full circle.

I am particularly impressed with the goal of assisting the future development of Alberta youth. Certainly education is, I think, a major route into great possibilities for Alberta youth and particularly when we don't have to look very far into the future to see the need for skilled workforces and knowing that intellectual property or intellectual pursuits will become the future manufacturing product. That's what we'll be looking mostly to deal with: the intellectual property and pursuits.

Secondly, I like to see citizenship as a cornerstone, and I hope that maybe in the future we'll be able to expand some programming around this scholarship program that does really get out there and try and encourage especially young people to engage more actively in promoting citizenship through a number of things, through things like keeping up on current affairs, on voting, which, I'm afraid, is not very appealing to our young people these days. I think that in some cases the government policies reflect that. So keeping up on current affairs, voting, community involvement, in particular volunteering. You get a better sense of the community that you're in if you are able to volunteer and work with other people that are out in that community.

3:10

I did have one question. When I look at the scholarship for the visual and performing arts, it's not specific whether it is just for the same high school students as – the Premier's citizenship award says that it goes to "one student in each high school in Alberta." Then it goes on to talk about: out of those students "the 5 most outstanding" receive the medal. Then it talks about the visual and performing arts scholarship. It's separate. Does that mean that postsecondary students could apply for it, or is there a cutoff? It's only for high school students?

MR. ZWOZDESKY: It starts after grade 12.

MS BLAKEMAN: It starts after grade 12. Great. Oh, that's wonderful. That's even better. Okay. Terrific.

I'm really glad to see this because there are not as many bursaries and scholarships available for students that are pursuing any of the arts, and I can certainly speak from experience there. So it's really nice to see one, especially for that kind of money. It is a significant contribution.

Now, I just had a few other questions. When I look at the criteria for the citizenship award, it's saying that the recognitions, the details of it, will be prescribed by regulation, and I'm just wondering why that was done here. The details are given quite clearly for the other two, yet when it gets to that one, it says, well, check the regulations. I never, especially with this government, like to see things go into regulations, because they sort of disappear into a black hole. You know, it's very difficult for the public to find when the regulations come out. It's very difficult for them to track and actually find a copy of the regulations and find out what's supposed to be going on. So I would far prefer to see whatever the criteria is built into the legislation.

This is obviously meant to be a feel-good bill, a sort of Canadian version of Mom and apple pie, a do-nice, be-nice sort of bill, and I appreciate that. I think it's perfectly appropriate that we mark a significant event in someone's life with something significant like

this. But, in closing, I'm not going to relent from urging this government to consider the many other ways that we could be assisting the future development of Alberta youth, particularly when we look at the possibility of restoring prevention programs, restoring early intervention programs for youth, reviewing and prioritizing and properly funding the RHAs for their programs. Same thing: adequately funding the children's authorities and their programs for youth.

So if we're really looking to promote youth and citizenship and health and well-being and even the attainment of a postsecondary education, I think there's more to it than offering a scholarship, as valuable as that is, and I encourage the government to be more vigilant in that area.

I appreciate the opportunity to speak in support of this bill. All things considered, I think it's a good idea, and I'm pleased to see the province choosing to do something which will enhance youth and particularly which would encourage youth towards a postsecondary education in whatever area.

Thank you.

THE SPEAKER: The hon. Minister of Gaming.

MR. STEVENS: Thank you, Mr. Speaker. I move that we adjourn debate on Bill 1.

[Motion to adjourn debate carried]

Bill 2
Child and Family Services Authorities
Amendment Act, 2002

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you very much, Mr. Speaker. Just briefly to recap the intent of the Child and Family Services Authorities Amendment Act, 2002, as I cited the other day. Extensive consultation with all of our partners, including the 18 child and family service authorities, their board members, and chief executive officers, took place. Partnering departments consulted were Justice, Health and Wellness, Learning, Human Resources and Employment, Community Development, and International and Intergovernmental Relations. As a result, these amendments have come forward.

Mr. Speaker, I think that most significantly the intent of this act will clarify the board nomination appointment process, the governance roles of the boards, and their accountability to the Minister of Children's Services. If the proposed amendments are passed, I believe that it's safe to say that there will be a much clearer understanding of the role of the authorities and a much clearer articulation of the process for selection.

I would be remiss, however, if I didn't cite just one thing. This past year we had a lay member, if you will, that assisted in the board selection process. It was highly successful with very few complaints as a result.

With that, I would pass to other speakers who may wish to comment on this amendment act.

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

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to say a few words about Bill 2, the Child and Family Services Authorities Amendment Act, 2002. I have to begin by thanking the minister for showing me the courtesy of a briefing on the bill before it was introduced. I found that very valuable, and it's consistent

with her past practice, and I really do thank her for it. I think it makes for better consideration of the legislation and a fuller understanding of what the government intends. I don't think it means that we're always going to agree, but it's a practice that I applaud and thank her for.

The changes before us in Bill 2 have appeared to be primarily administrative, but I think that when we read through them, the question that does arise is: is there a shift of power through Bill 2 of more authority back to the minister's office? I guess I would pose it as a question to the minister. Was that one of the intents, that there would be that kind of a shift? It would be understandable, Mr. Speaker, if that is what has occurred, because there has been a great deal of difficulty with some of the authorities in terms of them carrying out their mandates and there's been a great deal of difficulty with a number of them in terms of their ability to provide services with the budgets that they have been allocated from the government. So I guess underlying this: is there a principle that says that there should be more authority in the office of the minister?

[Mr. Shariff in the chair]

I think there's an attempt to provide some clarity. I think trying to make more clear the distinction between the authority and the board is probably a useful thing to have done, and it will serve all of us in the long run.

The notion of the size of boards is an interesting one, and I think the reducing of the number of members is probably appropriate. I remember the battles that have gone on about the number of school trustees that there should be and in this city and in Calgary the moving back from seven school trustees to nine. The kinds of arguments that are made about representation with respect to the size of the board I think are rather interesting. It seems to me that some of the boards, given their size, were unruly and that the reduction to 11 will serve everyone and certainly expedite the business of the boards.

3:20

There are a number of questions again besides the centralization that need to be raised, but I think maybe some of them are more appropriate when we get into the detailed discussion of the bills at the committee stage, Mr. Speaker.

So, with that, I think I'll conclude. Thank you.

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

MRS. ADY: Thank you, Mr. Speaker. I'd like to bring forward my support for Bill 2, the Child and Family Services Authorities Amendment Act, 2002. The Child and Family Services Authorities Amendment Act is necessary to clarify the board nomination and appointment process, governance roles of the boards, and their accountability to the Minister of Children's Services. The proposed amendments are the result of a comprehensive review of the act carried out in the fall of 2000.

Consultations have taken place with stakeholders including the boards and chief executive officers of the 18 child and family service authorities. The partnering departments of Justice, Health and Wellness, Learning, Human Resources and Employment, Community Development, and International and Intergovernmental Relations have also been consulted. The proposed amendments are the result of this consultation.

The preamble of the act will highlight the principles of early intervention and integration. The current preamble does not sufficiently highlight early intervention and integration as important

components of the community governance model. These principles will be separated, and it will be clarified that integration of programs and services is best achieved through partnerships in communities and other ministries. This will result in a preamble that more clearly reflects the principles underlying the community governance model.

The amended preamble will also clarify that while boards are responsible or answerable to their communities, they are ultimately accountable to the Minister of Children's Services. The amendment will remove the two consecutive term limitation for a board member and replace it with a seven consecutive year limitation. In addition, the minister will have the authority to extend the seven consecutive year limitation. When a vacancy on a board arises before the end of the board's full three-year term, a new member is appointed only until the end of the term. Because of their shortened term these new members do not have an opportunity to serve the full three-year term. The proposed amendment will allow a board member to fill an interim vacancy of a short duration and thereafter continue to serve the equivalent of two three-year terms. The flexibility provided through this approach will assist with the retention of good board members and help ensure continuity of expertise.

The act proposes to reduce the maximum board membership from 15 to 11 and grandfather those boards with more than 11 members until such a time as attrition reduces the membership to 11. Mr. Speaker, fewer members will strengthen the governance role of the boards, as a 15-member board may be difficult to manage. Decreased board sizes will also alleviate difficulties with board recruitment.

The act will also clarify that a resident of a First Nations reserve with the geographical boundaries of a child and family service authority is a resident in that region and is therefore eligible to sit as a member of the board.

The proposed amendments will clarify that the board of a child and family service authority governs rather than administers the CFSA. The changes will be clear that CFSA boards govern on behalf of and are subject to any parameters set by the Minister of Children's Services. Sections 8 and 9 will be amended to specifically authorize the minister to provide the boards with written governance expectations and to require those boards to comply with those expectations.

These amendments will further strengthen the concept of board governance and clarify the accountability of the boards to the minister. It is proposed that amendments provide the minister with regulation-making authority with respect to four specific matters: one, listing of core child and family services; two, roles and responsibilities of board chairs; three, confidentiality; and four, conflict of interest. Regulating these matters will provide needed clarity and consistency across the province and will further strengthen responsibility to the community and accountability to the Minister of Children's Services.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Any questions or comments for the Member for Calgary-Shaw? Seeing none, anybody else wish to speak on this bill?

The hon. Minister for Children's Services to close debate.

MS EVANS: Mr. Speaker, in closing, I'd like to just make one brief comment to the hon. Member for Edmonton-Mill Woods. On the face of it one would assume that there would be increased power to the minister, but the thrust of this is increased accountability by the boards. The boards must submit their financial statements on time and must make every effort to adhere to the principles, the budgetary framework, and the policies that are contained therein. So while we

view it as accountability, there may be some who view that it gives the minister more power, but it's not so much the power of the minister as it is the enforced accountability. That is what we hope to clarify.

Originally when the boards were defined, they were more at the discretion of their local authorities' domains. In other words, they could chart more of their own course, and there has been a subtle shift in emphasis, one being that the staff stayed on because of the successor-right issue. They are still provincial staff, so that was different than the original definition of the board. So they are perhaps more linked to the department by design than that.

The second is that unlike the boards of education or the regional health authorities, they do not have the prerogative of accumulating any surpluses, and they do not have the prerogative of conducting themselves with a more autonomous framework. They must be participants in the overall framework under the current design. So this attempts to clarify that and attempts to clarify that while they have the duty to their communities, they have due diligence and a duty as well to the ministry and to the department and to the other boards who may or may not have the resources to complete the task for a year.

Our current challenge, if I may, is to make sure that we refine the funding formula so that everybody will get fairly funded on the basis of what their own menu is, their own demographics are, and this will assure that the minister will be able to make those sharings possible, particularly at year-end when there might be some that could have accumulated surplus and some that could have accumulated deficits.

Now, it raises several other issues really when you think about that because we're working with them to try and refine the formula, but in the meantime this is to just assure that there are some very clear guidelines for the authority of the minister, the authority of the board and the CEO in response to the various issues, and primarily, honestly budget drove a good part of that.

With that, I would conclude on this motion.

[Motion carried; Bill 2 read a second time]

Bill 9

Child Welfare Amendment Act, 2002

MS EVANS: Well, Mr. Speaker, just briefly. There will be others, no doubt, that would speak to this, and in conjunction with my introduction in the House the other day in the reading of Bill 9, I believe that the amendments proposed here will enable us to be more effective in doing the business of child welfare delivery.

One thing I should profile is that the amendments allowing the Child Welfare Appeal Panel to be bound by the policies of the resources for children with disabilities program is our very strong attempt to make sure that we are not governing or administering programs by appeal but that we are administering programs by policy. We have an expert panel that will be adjudicating some of our programs in this regard so that we put a framework out about what should and should not pertain and so that we will put families through much less agony, if you will, in the appeal process. So this will establish a framework. It will be clearly understood by the families, and it is not in any way an attempt to make it difficult for families to follow the appeal process but to make it less necessary for them to appeal and make the governance quite clear in the manner in which our policies are administered. So while the legislation may be the first point that's coming through to the House, the really significant item is the work that is currently going on behind the scenes in meetings with parents and discussion of special-needs children with the staff in Children's Services.

3:30

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

MR. CENAIKO: Mr. Speaker, I would like to bring forward my support for Bill 9, the Child Welfare Amendment Act. As part of the current Child Welfare Act review now under way I have been traveling the province listening to concerns Albertans have about the present act. These concerns are wide ranging, and recommendations will not be incorporated into the act until spring 2003, but I'm very committed to improving life for Alberta's children and youth. As a former member of the Calgary Police Service I was involved with hundreds of cases, in fact some of them with you, Mr. Speaker, dealing with abused children. The health and safety of children throughout Alberta is critically important, and it is an area I am most concerned with.

While recommendations from the Child Welfare Act review won't come before this House for another year, currently we have some minor amendments before us in Bill 9. The bill proposes amendments specific to particular portions of the Child Welfare Act. The amendments will change current legislation to allow for interprovincial movement of children who are involved with child welfare. Bill 9 would allow an apprehension order carried out in another province or territory to be considered as an apprehension in Alberta. The proposed amendment will apply, where it is determined by child welfare officials, in both the apprehending jurisdiction and in Alberta if it is in the child's best interest to be cared for in Alberta. This approach is consistent with the Premier's commitment to co-ordinate child welfare programs interprovincially.

The act will also streamline the telephone application process for apprehension orders. Amendments will authorize a justice of the peace, in addition to judges of the Provincial Court, to handle telephone applications for apprehension orders. The changes apply to occasions when it is impractical for a child welfare worker to appear personally before a judge or a justice of the peace to make an application for an apprehension order. Through Bill 9 a child welfare worker would be able to speak directly with a justice of the peace rather than have to page the judge on call. Justices of the peace are available 24 hours a day, seven days a week to handle other similar court matters. Section 17 of the act provides that a justice of the peace may handle in person applications for apprehension orders. The changes would simply extend this authority to include telephone applications.

Other amendments will allow the Child Welfare Appeal Panel to be bound by the policies of the resources for children with disabilities program when rendering RCD agreement decisions, resources for children with disabilities. These policies are established by the Minister of Children's Services. The Child Welfare Appeal Panel is a quasi-judicial body established by the minister. The panel may hear appeals respecting various decisions made by a director of child welfare including decisions relating to the terms of a resources for children with disabilities agreement. Because the appeal panel is not currently bound by policy, decisions concerning RCD matters may be overturned by the panel. As a result, the ministry has no way to maintain the integrity of the resources for children with disabilities program or to control program costs. Appeals regarding RCD agreements make up approximately 59 percent of the Child Welfare Appeal Panel caseload. This high percentage is due to the fact that the RCD program has no statutory or regulatory parameters. The proposed amendment is supported by a recent decision of the Supreme Court of Canada.

Mr. Speaker, I ask for support to these amendments to the Child Welfare Act in order to accomplish three goals: one, allow for smooth co-ordination of interprovincial child welfare issues; two,

efficiency in telephone applications for apprehension orders; and three, ensure that the Child Welfare Appeal Panel is bound by resources for children with disabilities policy.

Thank you very much, Mr. Speaker. With that, I move to adjourn debate on Bill 9.

[Motion to adjourn debate carried]

Bill 3

Irrigation Districts Amendment Act, 2002

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to move second reading of Bill 3, Irrigation Districts Amendment Act, 2002.

Mr. Speaker, these amendments are designed to help our irrigation districts manage the water allocated to them more effectively and more efficiently. I don't have to remind this Assembly that in a year of predicted water shortages, managing our resources has never been so important as this year. In the southern area of our province the impact of irrigation is irrefutable; 80 percent of southern Alberta's agricultural production and 70 percent of our processing is directly linked to irrigation. More than 1.3 million acres of crops are grown within our 13 irrigation districts, totaling nearly 20 percent of the province's agricultural gross domestic product.

Irrigation means more than economic benefits, Mr. Speaker. Nearly 50 communities, varying in size up to and including the city of Lethbridge, use irrigation water for their domestic use. Water provided by irrigation districts also serves industrial users. Water enhances fish and wildlife. Water enhances our recreational opportunities. This legislation, which helps our irrigation districts to use water more efficiently and more effectively, has positive, wide-ranging impacts.

As a background to this legislation I would like to remind members that after two years of review by all the stakeholders, the Irrigation Districts Act was passed in 1999. I would like to acknowledge our Minister of Gaming, who chaired that particular review, which came into force in the year 2000.

The act applies only to irrigation districts within the 13 that I've outlined in Alberta. It does not impact or apply to the 250,000 acres of private irrigation, which is under separate licence throughout the province. Through the Irrigation Districts Act in 1999 we gave these 13 irrigation districts more autonomy and greater responsibility. They now have the capacity, the rights, the powers, and the privileges of a natural person, subject to certain limitations set out under the act, regulations, and bylaws.

We changed the role of the Irrigation Council from one that approved many of the day-to-day operations of the districts to one that now monitors the operations and financial performances of the districts and acts on behalf of the minister as required. It also conducts hearings with respect to petitions and all other matters of appeal.

Mr. Speaker, this new act provides greater flexibility in managing water to meet crop production requirements and also allows more effective use of water. Our amendments to this act are a direct result of consultation with the stakeholders. After working with the new legislation that was proclaimed in 1999 for two years, the irrigation districts identified that some sections of the legislation needed clarification in order to honour its original intent. The amendments will make it clear that users of small volumes of water can receive water from an irrigation district for purposes other than irrigation, as they have in the past, and they will not require a separate water licence to do so under the Water Act.

Other amendments facilitate the transfer of small portions of an

irrigation district's licensed water allocation or small changes to the expansion limit of the irrigation district itself. There are other amendments, Mr. Speaker, not substantial in nature, which are included in order to clarify the existing legislation, to eliminate some ambiguities, and to correct some minor contradictions. With your indulgence I'll briefly highlight three changes that we're proposing.

3:40

Section 11 would allow the Minister of Agriculture, Food and Rural Development, upon a request by an irrigation district, to waive the requirements for a plebiscite when an irrigation district proposes to transfer a small part of the water licence. When I spoke with the hon. Member for Edmonton-Highlands, the New Democratic agriculture critic, I know that he was concerned about this particular section, and I know he'll listen to these following comments as well. Certainly this would only be done if the minister is satisfied that the volume of water to be transferred is so small that it wouldn't have a significant effect on the overall water supply to the balance of the irrigators in the district.

As well, under proposed changes to section 12 of the act the minister could also waive the requirement for a plebiscite when an irrigation district proposes to change its expansion limit. Again, this would only be done if the minister were fully satisfied that such a change wouldn't have a significant impact on the overall water supply to the balance of the district's irrigators.

These are good changes, I suggest, Mr. Speaker, that will allow the irrigation districts to manage their allocated water. None of these changes would increase the volume of water allocated to any irrigation district, so nobody would receive less than what is currently going past the delivery point. The water allocated to irrigation districts remains as defined in the water licences issued to them by Alberta Environment under the Water Act.

I'll now move on to the proposed changes for section 19 of the Irrigation Districts Act. Here we're proposing to create a new rural water use category. This would allow the use of a maximum of 25,000 cubic metres, or approximately 20 acre-feet, of water annually for purposes other than household or irrigation. As it stands, without the amendments many people who used to receive water from an irrigation district are now technically in contravention of this existing act because their annual volumes exceed the one acre-foot which we're now proposing to move to 20. Under the old irrigation act and the water resources act there was no volume specified in the definition of domestic or household use, and this will clarify that. This new category of use will also allow those users to continue to receive water for such things as shelterbelts, small livestock operations, small industries, or wildlife habitat projects.

I think it's very important to remember, Mr. Speaker, that it was the irrigation districts that asked us to make this change so that they can continue to serve their water users in a better fashion. These 20 acre-foot maximum volumes are very small in relation to the total volume of water that the irrigation districts manage. In many instances it represents less than 3 percent of their total allocation under their current water licence, but it is enough for maybe a small feedlot or a small industry like a small dairy farm. I want to stress that any medium or large user, such as a large confined feeding operation or a large industry, would still need to apply to Alberta Environment for their own water licence under the Water Act. We're not changing that.

Finally, I'd like to outline proposed changes to section 26. When an irrigator applies to transfer irrigation acres to another parcel, he or she must provide written confirmation from all mortgagees that they consent to the transfer. This ensures that the holder of the mortgage on the parcel from which the irrigation acres are being

transferred is informed and consents to the transfer, as the removal of the irrigation acres could significantly reduce the value of their property. When the act came into force in 2000, Mr. Speaker, the banking industry and the irrigation districts noted a potential problem, but they worked together and found a solution and implemented that solution on a voluntary basis until we could make the necessary amendment to this legislation. I want to commend them for all working together on this issue. This amendment simply formalizes the process agreed to by the irrigation districts and the lending agencies.

So with those few words, Mr. Speaker, I close the debate on second reading. I do want to thank the 13 irrigation districts, all the stakeholders, and the water users for their participation in proposing these amendments. I particularly would like to thank the Irrigation Council and the director down there for helping put this together. I would acknowledge that we've met with the hon. Leader of the Opposition, our agriculture critic, and I look forward to hearing his comments.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. I rise this afternoon to speak to Bill 3, the Irrigation Districts Amendment Act, 2002. I want to begin by thanking the Member for Little Bow and also the secretary of the Irrigation Council, Mr. Len Ring, for the information they provided to me in terms of helping to understand the debate and the discussion that went on in the community and within the drafting of the bill so that we could understand fully the implications of it.

I guess the focus of the bill really has to do with some of the things that are important as we move into looking at how we're going to manage water in the province. The issue that we have to look at here is: is the set of amendments that we're being provided with today going to really contribute to that? A lot of the issues that came up, as the Member for Little Bow said, are being developed and put in place in response to requests from irrigation districts to help make their management decisions and their processes user-friendly and administration friendly, administration easy, and that's the kind of thing we have to kind of look at.

The process that we go through in dealing with this I think has to look at quite a number of different aspects. In reflecting on the discussions that I had with the Member for Little Bow and the head of the Irrigation Council, the only question that has come up in my mind since that time and then reading the bill, you know, as it's finally put on paper, has to deal with the changes that are occurring in section 11. This focuses on the ability of an irrigation district to petition the minister to basically allow for a partitioning of their acreage to change the definition of their licence, the acres served.

In the proposal now it talks about the idea that the minister can waive the requirement of a plebiscite. What I would like to put out is a question at this point. If we look at the full section that's being amended, there is a provision in the early parts of that section for public meetings connected with the application to transfer an allocation of water. I would like some clarification.

When I put the original act together with the amendments, I don't really see if it flows through that those kind of public meetings have to be held prior to the request to a minister to make a waiver of the plebiscite. The act basically says that these public meetings have to be held to provide information for members of the district in order to prepare them for the vote on a plebiscite. But if the district chooses instead for a small allocation, can the district go straight to the minister, or do they have to go through the public awareness process? Because if they're not going to actually go to a plebiscite,

it's not a how-to-vote or what-your-vote-means type of a public meeting. It's more just a process of saying: we intend to ask the minister to allow us to go ahead with this without having a plebiscite, and this will be the consequence of this change in our licence. I would suggest that that would be important so that the members of the district are not caught unawares, and I support the idea that, you know, there is not a number associated with what constitutes a significant transfer.

3:50

I don't think we want to start saying that it's 10 acre-feet or it's so many cubic metres per second or anything like that. That's not for us to make a judgment on, but we need to have a process in place where the community members – in other words, the participants in that irrigation district – have an option to, in their own mind, somehow judge whether or not the transfer is going to be significant or not, because that's what in effect would happen if there was a plebiscite. So if the minister is going to make an exception, we want to make sure, if there are members in the district community who sense that there may be some complications associated with that transfer, that there's a process for them, first of all, to get good information and to express their view to the minister before the minister makes the decision.

You know, I think it's important that the public know about this before they read it in the paper or get it through the district newsletter that some of their licence has been adjusted. So in that context, as we move into the next stage of debate and get into committee, I would hope that the government looks at just that sequencing and whether or not they really feel comfortable that enough public awareness is present before the minister makes a decision. If the minister is only going to make a decision based on the information presented from the board, there is the possibility there that they're getting a one-sided view, because obviously the minister is going to get the information from the board. The minister will also get information from the proponents of the transfer, but there needs to be a process so that if there potentially may be some members of the district, you know, participants, holders of part of that licence or holders of an agreement with the district for access to water through that licence, they should be given the chance to just say: hold it; we need some more information; we need to be given a better explanation.

As we move into that part of the discussion where we're dealing with sectional analysis in committee, I would hope that the Member for Little Bow explains how that input will occur, because in looking at the act, I see a very good definition of what happens before a plebiscite but not quite as clear a definition of what happens before a ministerial decision. That needs to be clarified.

In the whole first section, where the public notice applies to the ministerial decision, it needs to be put into the section there about the ministerial part of it. What it says now is that "where the Minister waives the requirement of a plebiscite . . . the board must" and then goes through a public notification process. Well, I would like to see the public notification process be before the minister makes that decision so that if there is a community action or a community concern, then the community can, you know, effectively have input to the minister before the decision is made. Now, I want to clarify again that when I'm talking about the community, I'm talking about the individuals who participate in the licence, not necessarily, you know, every world citizen. So that's the kind of clarification I guess I would ask, because the Member for Little Bow, you know, specifically illustrated that section when he was introducing the bill in second reading. Other than that, Mr. Speaker, I think the bill does a lot to facilitate some of the administrative

issues both in terms of partitioning off or adding to some of the irrigation districts.

I think this is something that's going to really be significant as we move into some of the future debate about water in terms of what happens to licences, how do we deal with licences, and who has control over those licences. What we're seeing is that when the administrative costs in some of the irrigation districts are really quite small, it may be quite convenient and quite cost-effective for some of those to start discussing the possibility of how do they, you know, combine some of that administration. This bill would go to the point of facilitating the possibility of a union of a couple of those smaller irrigation districts if they agree to come together, and it allows the acreage and the water licence quantity to be matched.

I guess the interesting part of partitioning here, especially to partition off a small subsection – and this falls out of some of the other implications of what we're allowing when we're freeing up an irrigation district to partition off some of their licences. Mr. Speaker, I think everybody in the House is aware that I have access to water through the Lethbridge Northern irrigation district. There are possibilities where if I were to say, "I want my farm partitioned off," because this partition is open to definition, does that give me a separate licence? What freedoms do I have with that licence? Even if we're starting to talk about, you know, partitioning off or setting out a separate licence for some of these other uses, like the nonhousehold use that's defined here, we're in effect transferring to those licence holders a marketable good in the sense that they then will have a fixed licence.

This is another clarification I would ask: if that happens, does it transfer with the priority of the irrigation district licence or does it transfer with a priority of the time of partitioning? Because if you can partition off part of that district, like the water that comes to my farm and my acres, and then I want to sell them to somebody who wants to have access to water, that's quite a capital gain for anybody who would want to sell that licence in the future. You know, how are we dealing with this in the context of value of these partitioned-off licences?

We saw an illustration of the value of water in southern Alberta last year. The prices that were put on water in southern Alberta last year cannot be interpreted as a long-term equilibrium value of water because these were short-term risk management premium-type pricing situations. We saw some individuals transferring their water access agreements from one farmer to another, totally allowable here, and I think the highest price I heard was \$160 an acre, where that acre was eligible to receive eight inches of water. So if you transfer that to an acre-foot basis, you're basically ending up with something around \$240 to \$250 an acre-foot of water. So that in effect really puts a signal into our community and into our discussion about what do we do in the context of a value trade-off here in terms of who has the ownership of that water when it's under a group licence and who should the benefits of that accrue back to.

That, Mr. Speaker, is way beyond the intent of this amendment, but what it does is it kind of raises some issues that we have to start thinking about as we go into the next round of discussions about what is water, what is water worth, what's quality of water, what's ownership of water, what's transferability of water? You know, as the Minister of Environment has said, what about interbasin transfers? What about new storage facilities? So all of these kinds of things. As we get into that debate, we should be looking at the context of: when we change legislation, are we creating wealth for someone that we didn't intend to directly with that legislation?

4:00

In the context of the 1995 Water Act I think the debate at that time when we traveled the province listening to Albertans speak about water and the importance of water to them – they said that they saw

water as a public good. We have to then start questioning whether or not amendments to subsequent acts or supporting acts, such as the irrigation act, that deals with both the access to the ownership of and the delegation of use permits – Mr. Speaker, I go back and I erase the words “ownership of,” because there’s no such thing in the context of these licences in an irrigation district as individual ownership by a farmer. It’s a right to access agreement more than it is an ownership. So I’ll let that explanation be what I mean by the word “ownership” when I used it at that point. It’s right to access, and what they’re doing is transferring these rights to access the water as opposed to transferring ownership of it.

We have to start thinking about this in a much broader context. If we are providing individuals in the province through licences, through agreements, through legislation with the ability to in effect create a new concept of property, that concept of property being a piece of paper which gives them access to water, we as a public should be really seriously looking at how we want to deal with the relationship between that access piece of paper and our concept of the ownership of water, which under that 1995 act was deemed to be a public good.

So I guess in the context of where we go with this kind of legislation, I think that those comments I’ve just made, Mr. Speaker, are intended to kind of trail off into the future, not specifically to be something we need to deal with in the context of this act, unless we want to start saying: okay; if these transfers occur within a district, then some recognition of the wealth creation by that transfer should be noted. We should be then deciding who has access to or who is the recipient of that payment in the context of wealth.

I know that in the preceding summer, last year, when farmers were transferring their water access agreements, what we in effect had was the farmer saying, “You can have my water,” and as a trade-off they took a lower income, because, you know, their land was then either being summer fallowed or it was being used at a lower productivity level. So it wasn’t really just a sale of an asset type thing or an access agreement, but it was a trade-off of income. We have to look at that in the context of how we judge what is the fair value of those agreements that developed last summer.

This gives us a sense of how important water is to Albertans, especially to the agriculture community in southern Alberta. We saw that value put on it last year in the context of farmers with investments associated with certain styles of farming, certain crops that they were producing. Rather than idle all of that investment, they were willing to go out and purchase the access to water from other farmers. Again, as I said, that’s a short-run decision, so we can’t take that value as something that we could deal with in terms of capitalizing long-term present value. The very fact that farmers were willing to make those kinds of trades indicates that this is a discussion that needs to be held.

Further to that, Mr. Speaker, I had a chance – I think it must be about a month or six weeks ago now – to attend a public meeting in southern Alberta where the South Saskatchewan River basin was dealing with their first public meeting. This is a possibility of a plan. They were presenting their river basin management plan, which all river basins have to do now under the 1995 Water Act. It was interesting because almost the whole focus of that meeting in the context of how they were going to deal with water management within the district focused on: how do they in effect create property rights for water; how do they create transfer mechanisms for that defined property right? This sends a message that in an area where water is scarce, we have to be very cognizant of any type of change we make in legislation that affects the value of water for the users of that water.

If we look at some of the issues that they were raising, it was all

associated with, you know, if the public puts a high enough value on water for a particular use, they will be willing to come up with the actual dollars that are necessary to encourage a transfer of use access. In other words, if you want water for in-stream maintenance, if you want water for an urban use, if you want water for minimum flows, if you want water for an ecosystem support system, if you can’t bid it away from other users, then the community as such doesn’t feel strongly enough about that particular use of water that you come up with the cash that’s necessary to buy it.

So, you know, that was an interesting perception, because when we went through the debate on the 1995 Water Act, a lot of the discussion that went on about these river basin management plans was focused on basically sufficiency of water, whether or not the stream flow management plans, the management of the flow through on dams were adequate. This was all the kind of discussion that went on at the time, and very little of the discussion in 1995 was associated with pricing transfer mechanisms. Whereas now all of a sudden as we get into making this actually work, we’ve turned to a situation of marketizing water within these river basins, creating a pseudomarket or in fact a functional market for water as a commodity. I guess the thing that I again go back to is that in the context of some of the things we’re dealing with here in terms of the ease with which we’re facilitating partitioning of small amounts of water, those small amounts still will have a value. We need to look at the consequences of what we’re doing in the future as we look at how we want to manage water across our province.

I know a lot of these issues will be addressed by the undertaking that the Minister of Environment initiated last week, but this is where we have to start looking: what is water, what does it mean when we start talking about transfers of water, and what does it mean both to the recipient community and to the community both in the short and the long run when you end up with water being diverted out of that community?

I guess in conclusion, Mr. Speaker, I would hope that just because this is a set of amendments that are initiated by the irrigation districts, by the users of water and that this act in effect is internal to the operation of these irrigation districts rather than the large body of water policy across Alberta – other than the one issue that I raised and would hope to have clarification on in committee, I would hope that everybody at this stage would support this, because it does reduce administrative burden and promotes timeliness when decisions have to be made. So I hope that everyone in the Legislature finds this bill to their liking and will support the irrigation districts in their requests.

4:10

THE ACTING SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I just want to rise today very briefly to support the amendments proposed to the Irrigation Districts Act. [some applause] The kiddies are playing, you know; they really are. Sorry, Mr. Speaker. I don’t have any control over these people. [interjections] Until they want to speak in the next caucus meeting.

Anyway, Mr. Speaker, this legislation will benefit a number of my constituents who rely heavily on access to water delivered by the irrigation districts. My colleague from Little Bow prefaced his comments about the value of irrigation, and I’d like to echo his sentiments and add a few of my own.

In my riding, where the Western irrigation district operates, it is readily apparent that an irrigation district does much more than just deliver water to irrigation farmers. Yes, irrigation by itself, just for

farmers, is incredibly important. There are 1.3 million acres of crops grown within the province's 13 irrigation districts, and that's everything from barley and beans to potatoes and sugar beets. But there are many rural residents and other users of small volumes of water that rely solely on irrigation districts for their water supply. Irrigation provides domestic water to nearly 50 communities, several of them in my area. It means economic strength, and our provincial irrigation infrastructure supports 3,200 jobs in the agricultural processing sector and 680 jobs in the manufacturing of agricultural and other machinery.

We know that population growth in centres close to irrigation development is higher than the normal provincial average. In fact, more than half of the rural water users in southern Alberta depend on irrigation for all of their water needs, from drinking to fire protection. Recreation and wildlife habitat projects also benefit from the availability of water in these dry areas of southern Alberta, and it is imperative that we continue to serve these types of projects. However, many of my colleagues here today have enjoyed the benefits of Chestermere Lake without even realizing that it was not a lake at all but rather an irrigation reservoir owned and operated by the Western irrigation district and made available to all of us to use.

I have to tell you that it's not always an easy ride between Chestermere and the Western irrigation district, but it has smoothed out a lot in the last few years on the fight over the level of the lake and how much everybody is going to pay. It has improved, and I'm very grateful for that.

Irrigation has delivered water to wetlands as well, which helped reverse the declining population of some of our threatened and endangered species. As an example of that, in Alberta there are four different irrigation districts that have received the coveted blue heron award, given by the North American Waterfowl Management Plan. It's a co-operative international program that covers the United States, Canada, and Mexico. In the case of the Western irrigation district there are about 50 Ducks Unlimited projects. Thirty of them are part of the North American Waterfowl Management Plan. Those projects contain approximately 65,000 breeding pairs of ducks and 2,000 pairs of geese. The area comprises about 10,000 acres of wetland projects and upland nesting sites.

Healthy wetlands improve wildfowl seasonal movement, and irrigation in Alberta feeds about 80 different bodies of water, amounting to more than 300 square miles of water surface and more than 1,000 miles of shoreline. You know, you just have to think about the impact not only on the birds, fish, and animals but on the people that can enjoy having access to water that way as well in a dry part of this province.

The amendments proposed in this legislation are important to all end users even though the total amount of water supplied to them is minimal. Ask a hamlet about water for fire protection or talk to an acreage owner who needs water for their shelterbelt or their horses or visit a small livestock operation that needs water for their cattle, and you'll soon see the value to them of having an irrigation district in their area.

Mr. Speaker, we aren't changing the intent of the legislation that we passed in 1999. In fact, we are strengthening the spirit of the Irrigation Districts Act after working with it for the last two years. These amendments are empowering; that is, they allow each district to deliver water to users in their area and to do so in a manner that meets the needs of that particular region. Remember, we are talking about small-volume users here only. Major water users like large industry or a large livestock operation would still need to obtain their own separate water licence under the Water Act. That's a necessity, and we are not changing those rules.

In conclusion, Mr. Speaker, I would reiterate my support for these

amendments on behalf of all Albertans who are served by irrigation districts but especially on behalf of my constituents, who know and appreciate the advantage that it affords them. Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Airdrie-Rocky View? Anybody else wishing to speak on this bill?

The hon. Member for Little Bow to close the debate?

[Motion carried; Bill 3 read a second time]

Bill 4

Public Health Amendment Act, 2002

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

MR. MAR: Thank you, Mr. Speaker. I'd like to move second reading of Bill 4, the Public Health Amendment Act, 2002.

Mr. Speaker, as we look at new models for delivering health services and how to make the best and most appropriate use of a limited health workforce, we need to reconsider the role of registered nurses. Responding to requests from the Calgary and Capital health regions and the council of health region CEOs, I'm pleased to propose the Public Health Amendment Act to provide greater flexibility in how registered nurses are employed to provide extended health services in Alberta.

First, Mr. Speaker, the proposed legislation formally recognizes and creates the title of nurse practitioner for the highly skilled registered nurses who provide extended health services. Also, under the current legislation a registered nurse who provides extended health services must be employed by a regional health authority, a provincial health board, or the Department of Health and Wellness. The intent was to make sure that nurses had the support services that they need to practise safely. The Public Health Amendment Act achieves the same purpose by legislating not who may employ a nurse but the criteria that any employer must meet in providing appropriate supports to its nurses.

A further amendment provides authority to make regulations on additional training, experience, or conditions of employment. Alberta Health and Wellness is consulting on amendments to the regulations that will include employment criteria like linking nurse practitioners to laboratory and radiology services, public health referral networks, pharmacy services, and other resources.

Mr. Speaker, the support of this House for the Public Health Amendment Act also supports an expanded and more flexible role for nurse practitioners in delivering quality services as part of a more sustainable public health care system.

That concludes my remarks, sir.

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

DR. TAFT: Thank you, Mr. Speaker. In case the hon. Minister of Health and Wellness thinks that we don't believe he does anything right, today we're going to endorse this initiative. I can see that he's delighted.

Mr. Speaker, we all recognize that there is constant room for improvement in the health care system, and one of the ways that's widely accepted for achieving that improvement is to allow more flexibility for some of the highly trained people who work in the health care system to fully utilize their knowledge and expertise. So that's the reason that we will be voting for this bill.

Besides the change in definition the main change that the bill introduces is moving or altering restrictions on who can employ nurse practitioners under the act, moving it out of the act and into regulations. Moving the requirement out of the act and into regulations of course can be seen as operating in two ways. We do recommend in our own discussion paper on health care, called Making Medicare Better, that the government act quickly to ensure that all health care professionals can fully utilize their training and expertise. I think we would probably all agree, including people in the profession, that in Alberta we have not always been making the best possible use of our medical professionals. So I think these amendments as proposed under this legislation can be seen as a positive way of allowing more flexible work arrangements for nurse practitioners and better use of multidisciplinary teams of health professionals. Up until now nurse practitioners have only been able to work in areas designated as underserved by Alberta Health. Proposed changes to the regulations could help ensure that nurse practitioners are better utilized. According to some government documents we've obtained, the proposed changes to the regulations will allow other organizations such as nonprofit community groups to directly engage nurse practitioners.

4:20

Of course, my comments would not be complete if I didn't express a few reservations. We are always leery of control being shifted out of legislation and into regulations. We are concerned that the public, through the full legislative process, needs as much opportunity as possible to see how health care policy is being developed and what all the issues are, and probably the most effective single vehicle for providing the public with that opportunity is the Legislature itself. As material or as issues are moved from legislation into regulation, the accountability to this House is diminished and the transparency for the public is also diminished. The devil, of course, is in the details in this process, and those details will be in the regulations, which are not, I might note, before us now. I would encourage the government to return to historically common practices of many years ago of introducing regulations in tandem with the legislation so that a full debate can be undertaken.

I think that with those comments, Mr. Speaker, I will take my seat and endorse the legislation on behalf of the entire caucus.

MR. MAR: Mr. Speaker, I thank the Member for Edmonton-Riverview for his endorsement and gracious comments and now call the question.

[Motion carried; Bill 4 read a second time]

Bill 5 Interjurisdictional Support Orders Act

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

MR. RATHGEBER: Thank you, Mr. Speaker. On behalf of the hon. Minister of Justice and Attorney General for Alberta it is my pleasure to address the Legislature today and support second reading of Bill 5, the Interjurisdictional Support Orders Act.

The Interjurisdictional Support Orders Act, or the ISO Act, as I will refer to it, is a welcome piece of legislation because it will allow spousal and child maintenance orders to be obtained, varied, and enforced more efficiently when the parties reside in different Canadian jurisdictions. This will benefit many Albertans, including children, parents, former spouses, and former common-law spouses.

THE ACTING SPEAKER: Hon. member, since you are the sponsor of the bill, you will need to move second reading of this bill.

MR. RATHGEBER: Mr. Speaker, I move second reading of Bill 5, the Interjurisdictional Support Orders Act. Thank you.

Mr. Speaker, in June of 1998 the MLA review of the maintenance enforcement program and child access, chaired by the hon. Member for Calgary-Lougheed, presented its excellent report on ways that maintenance enforcement could be improved. Recommendation 36 suggested that the province "seek more cooperative measures nationally" to reduce delays and alleviate other difficulties associated with the reciprocal enforcement of maintenance orders. It is hoped that the proposed Interjurisdictional Support Orders Act will successfully meet this recommendation by making reciprocal enforcement less complicated and less time consuming.

Every province and territory has been working towards passing similar ISO acts so that it is easier for individuals who are entitled to support under provincial or territorial legislation to receive their benefits in a timely manner. It is my understanding that Manitoba and the Yukon Territory have already passed their respective ISO acts and that Ontario has introduced its version. A model ISO act was developed by the Federal/Provincial/Territorial Family Law Committee and drafted by Alberta's own Legislative Counsel. At their conference in August 2001 Canada's Premiers reviewed the model act and expressed their commitment to pass their respective version within one year.

Mr. Speaker, the ISO Act will replace and significantly streamline current procedures under the Reciprocal Enforcement of Maintenance Orders Act, or the REMO Act, as it is known. Under REMO a person claiming support from an individual in a different Canadian province or territory must first bring a court application in his or her own jurisdiction. For example, a mother raising children in Alberta would have to attend court in Alberta in order to make an application for child support from the father who happened to reside in Ontario. At the hearing the Alberta court may only grant what is called a provisional order, or one that is enforceable until it is confirmed by a court in Ontario at a second court hearing.

Not only does the mother have to incur the time and the expense of a court application in Alberta, but the father in Ontario must also attend a second court hearing in that province. The two-hearing process under the REMO Act is also required, for example, when a father residing in Alberta finds that his financial means have significantly been reduced so that he would like to decrease the amount of support that he currently pays. If the recipient of support lives, for example, in British Columbia, there must be first a provisional hearing in Alberta and then a confirmation hearing in B.C. The time that it takes for both jurisdictions to hold court hearings can create considerable delay in obtaining an enforceable support order or changing an existing one. In fact, this complex process can take up to two years in many instances.

AN HON. MEMBER: How long?

MR. RATHGEBER: Two years in many instances.

Like other Canadian provinces and territories Alberta has recognized the need to change and improve procedures for obtaining and varying support between jurisdictions. Mr. Speaker, under the Interjurisdictional Support Orders Act only one court hearing will be required in almost all cases. An Albertan claiming support or applying to increase or decrease the amount of support payable under an existing order will only need to complete a paper application rather than attend court.

This paper support application or support variation application, as

the case may be, will set out what the person is requesting, such as an original amount of support, a new amount of support, whether higher or lower or none at all, or an amount of support arrears to be canceled. The paper application will also contain a copy of the statutory or other legal authority relied upon, the party's financial circumstances if relevant, and the other party's financial circumstances to the extent which they are known. All of the evidence in the application will be sworn so that it is reliable. An individual will be able to submit his or her paper application at their nearest courthouse. The application will then be forwarded to the other party's province or territory for a single court hearing held there.

An Albertan will only have to attend court if he or she is the respondent to a paper application started by somebody in another jurisdiction. An Albertan responding to an application will receive notice of the hearing from their nearest court. He or she will be able to attend this hearing to present evidence, at which time the court will also consider the sworn evidence that the applicant in the other province or territory included in their paper application. In this way the ISO Act protects the right of both parties to have their point of view heard.

If the court requires further information from the person in the other jurisdiction in order to make its decision, it will be able to request this information through the courthouse where that person submitted the paper application. Once it has considered all of the evidence from both parties, the court will be in a better position to grant an order that may be acted upon or enforced immediately. There will no longer be delays because a second hearing was required or another court must confirm the order before it becomes enforceable. This will be of great benefit to many Albertans, especially those who rely on court-ordered support payments for their quality of life.

4:30

I should point out, Mr. Speaker, that two court hearings may still be required in a few varied cases, as the ISO Act will only apply to support applications brought under provincial or territorial legislation such as our Domestic Relations Act or the Alberta Parentage and Maintenance Act. When parties residing in different jurisdictions are involved in divorce proceedings under the federal Divorce Act, they will still have to obtain or vary their court orders in accordance with the provision of that federal legislation. Unless parties involved in a variation application agree to have their application in a particular province or territory, the Divorce Act currently requires a court hearing in both of their jurisdictions using the provisional and confirmation order process which I described earlier. Two court hearings may also be required under the ISO Act if one of the parties resides in a reciprocating country that still uses the two-hearing procedure. However, most of the states that Alberta reciprocates with in the matters of spousal and child support have already moved toward the single-hearing process. The United States and all other Canadian provinces and territories will be using the new one-step court hearing process along with Alberta.

Mr. Speaker, the Interjurisdictional Support Orders Act will only make it easier for parties in different Canadian jurisdictions to obtain or vary a maintenance order. It will also make it easier for support recipients to enforce a court order if the person required to pay lives in a different province or territory in Canada or if one of the parties moves to a different province or territory.

[The Speaker in the chair]

Mr. Speaker, the 1998 MLA review of the maintenance enforcement program and child access found that many Albertans were

concerned about their ability to enforce a court order when they or the other party moved out of Alberta. Enforcement between Canadian jurisdictions will be more efficient under the ISO Act because there will no longer be a 30-day waiting period when Alberta receives an order from another province or territory to send one of its orders to another province or territory with a request for enforcement.

In contrast to the current REMO Act, Mr. Speaker, the ISO Act will make all maintenance orders granted in Canada immediately recognizable by another province or territory. This is because all of the Canadian provinces and territories have substantially similar legislation entitling individuals to support. However, where a support order is granted in a reciprocating jurisdiction outside Canada and one of the parties wishes to enforce it in Canada, the other party will still have 30 days to apply to the court to set the order aside as improperly obtained.

Mr. Speaker, there are other significant features of the Interjurisdictional Support Orders Act that will help Albertans obtain the child or spousal support they are entitled to or make it easier for Albertans required to pay support to understand and respond to court orders. There will be alternatives regarding which jurisdiction's law applies so that individuals, especially children, are more likely to be granted the support they deserve. For example, if the law of the place where the children reside does not give them entitlement to support, the law of the jurisdiction hearing the application will apply. Courts will continue to provide written reasons if they refuse to grant support, if they refuse to increase or decrease the amount payable under an existing order, or if they decide to set aside a support order. This is to increase the parties' understanding of a decision that may not be favourable to them.

Mr. Speaker, there will be longer appeal periods so that the parties have sufficient time to bring an appeal given the time it takes to transfer documents between jurisdictions. The Ministry of Human Resources and Employment will continue to have the ability to bring or to respond to support applications on behalf of Albertans receiving social assistance even when the other party resides outside of Alberta.

In conclusion, Mr. Speaker, the Interjurisdictional Support Orders Act will significantly benefit Albertans including the recipients of spousal or child support, the individuals required to pay said support, and others. In most situations where parties reside in different jurisdictions, the streamlined procedures under the ISO Act will remove the need for two court hearings. This will make support applications less lengthy and complicated, reducing legal costs for the parties involved and the court costs borne by Alberta taxpayers. Perhaps more importantly, the new reciprocal process will enable support beneficiaries, particularly children who rely on maintenance for their standard of living, to receive the amounts they deserve in a more efficient and time-effective manner. Improvements in obtaining and enforcing support orders are particularly warranted today given the increased mobility of Canadians between provinces and territories. Finally, by passing the ISO Act, Alberta will meet its commitment to assist in the co-ordination and harmonization of reciprocal support legislation throughout the dominion of Canada.

Mr. Speaker, I am happy to have been given the opportunity to present Bill 5, the Interjurisdictional Support Orders Act. Our government is confident that Albertans addressing matters of spousal and child support that involve other jurisdictions will greatly appreciate the improvements that the Interjurisdictional Support Orders Act provides to them.

I encourage all hon. members to support Bill 5 at second reading.

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

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm glad to be able to have the opportunity to address the debate on Bill 5, Interjurisdictional Support Orders Act, in second reading.

Maintenance enforcement and issues arising out of maintenance enforcement I've been told is the area where MLA offices get the most calls and the calls that are most difficult to deal with. I can certainly believe that. I've been working on this issue since 1998, and it is an issue that strikes very close to people's hearts and to people's pocketbooks. I think what we have to continue to remind each other is that, bottom line, we are talking about support for children. That's what makes the concept of the maintenance enforcement program so important, because it's easy to get distracted by the adversarial nature of divorce or of separation between common-law partners, but what we're really talking about here is securing financial support for children.

The truth is that there are very few alimony orders that are granted by the courts anymore. There's an assumption that women are able to get out and earn their own money, to resume a career or start a career. We just don't get alimony orders being made anymore, so really probably 98 percent of what we're talking about here is maintenance orders for children.

We all know, I hope for MLAs trying to assist their constituents from their constituency offices, how difficult it is to try and track down a reciprocal maintenance order from another province or, worse, a foreign maintenance order. So I am supportive of what the government is attempting to do here, not particularly because it's this government but because it's an initiative from across Canada, where all the provinces and territories are trying to align themselves with identical or very similar legislation so that we can have fairly seamless transference. As the Member for Edmonton-Calder pointed out, we've always prided ourselves in Canada on our mobility rights and that we have an increasingly mobile population. Indeed, as we are in a global marketplace, that mobility widens even further. So if we have people that are traveling and living all over the world that we are trying to either seek support from or get support to, it's important that we're able to do that with the least number of restrictions placed in front of us as possible.

Certainly what's come up in a lot of the work that I have done is the issue of what I'll call access to justice. I think it gets very frustrating when one party is able to continually draw another party into court for a variance, for a provisional order, for a change in a support order, for a new order, for whatever. The other party has to constantly go to court to answer this. We'll see whether this is successful in what we're trying to do here, and maybe we can transfer that to some of the work that we're doing in the province, because ultimately we are trying to achieve a fair balance here. We need to have a system that works as well as possible so that we cannot inconvenience people too much and still achieve getting that financial support for children.

4:40

By the way, I was shocked and surprised at how thorough the Member for Edmonton-Calder was in walking through exactly what is contained in this legislation. I can believe that his writer was up all night writing that speech for him, and he delivered it very nicely. There was a good deal of information in there. I think that is very helpful, as we have more and more people that are following our proceedings through the on-line *Hansard* or the live audio. I think it's helpful to have that kind of very clear description laid out here in the Assembly so that others can follow and understand exactly what the legislation is meant to be. So congratulations and a gold star to the Member for Edmonton-Calder.

AN HON. MEMBER: Brent's got a girlfriend.

MS BLAKEMAN: No, no. I don't think we can go that far. But it does save me some work in not having to do it for the same purpose and walk through it all. [interjections] I know; I know. The frat boys. You get them going and, you know, off they go.

A couple of points that I did want to raise around this. It is important that this legislation be aligned as closely as possible with the other legislation that's being proposed. There are a couple of differences that I'll come back to later and put the question forward to the Member for Edmonton-Calder, and perhaps he can answer me at another time or find the answer for me.

I'm assuming here that the designated Alberta authority would be the maintenance enforcement program director, and he can confirm that for me. Now, the authorities are ministerial appointments with the power to delegate and with protection from prosecution for personal liability for acts that are conducted in good faith. There's no provision – and there is provision in the Ontario legislation – that says that the Crown is not relieved of liability. I think in fact what they're trying to say is that they are relieved of liability here in Alberta. So I'm wondering why the province has chosen to deviate from the Ontario legislation in that manner.

Now, there's another issue, and I don't know how we can get around these. They're essentially security issues. I hope that we will continue to seek a way to do this. I understand why the information has to be asked for and given, but I think there are underlying security problems in some cases here. I hope that we can continue to seek a way to get this information and maybe hold it privately where it doesn't jeopardize someone. Specifically I'm talking about the insistence, the right insistence, that home addresses and financial information, particularly from claimants, who are usually the women, have to be given as part of the order. What's happened in my experience with some of these cases is that where there is a particularly acrimonious separation or divorce and one party has been successful in removing himself or herself from the public eye and has managed to stay away from any kind of encounter with the other individual, of course now they have to go to court to get support for their kids and they have to put their home address down on the application form. So, bingo, the spouse gets to know instantly how to get hold of them, and there's a real personal security issue there. I understand why you have to give a home address – it's only fair – but there is a personal security issue there that we have not been able to figure out a way to deal with and successfully surmount the problem.

The same thing with the financial information. Again, it's only fair when you're talking about support amounts and you're talking about how this is all going to be figured out and who pays what and when and all of that. Yes, clearly to be fair and to have a balance, both parties have to be given their financial information. But, once again, there is a clear possibility that that can be taken advantage of when you have that kind of detailed financial information like where your bank is, how many bank accounts you have, what's in them, and what cheques you've written. It's not difficult for someone to follow that through and get very detailed personal information and use it to track somebody down and cause personal harm to them. You know, on the one hand, in this province we've made some attempts to address the issue of family violence or domestic violence or violence against women, whatever you want to call it. There's more that we could be doing, and this is an area where it's a definite loophole. There's a legal reason for it, but there's a definite loophole here that I'd like to see us continue to attempt to find a solution for.

Another one of the questions I had is that there is no required process for the designated authority. The designated authority does serve the respondents in accordance with the regulations, but it's not

clear when the support application will be forwarded to the courts and under what circumstances, and this again differs from the Ontario legislation. So why isn't the process the same as that for the registration and enforcement of orders made outside of Alberta? Are the Alberta courts aware of this? How, specifically, are the designated authorities going to serve the respondents here?

In Ontario when an out-of-province order arrives, it goes to the designated authority who is a clerk of the court, and here, as I asked you in the very beginning, I ask you to confirm whether the designated authority was the director of maintenance enforcement. In Ontario that designated authority is a clerk of the court, and then of course you're already in the court system, so when you have an order to appear, it's coming from the courts. We're not going that route, so why aren't we going that route? Why did Alberta make a different choice there? We're joining Manitoba and the Yukon in not using the courts. I thought the whole purpose of this was that we were all going to align and paddle our canoes in the same direction, and we've got some that are doing it one way and some that are doing it another way, so if I could get that question answered as well.

In Alberta the courts must give reasons for refusing to make a support order, but other jurisdictions require written reasons and delivery of these reasons to the appropriate authority. We don't seem to be saying that, so how come?

If I can just take a step back for a moment and look at the whole concept behind the foreign orders. When I've dealt with this, the big frustration has been the small number of other sovereign countries that we the province of Alberta have actually negotiated a reciprocal agreement with. As I said, as we move more and more into a global economy where we potentially could have borderless countries and people moving around – well, look at the European Community. You've essentially taken the borders of those countries away, and with one passport you're moving through all of them, and I think it won't be very long until we could have a time when people are easily moving around different countries in the world. Well, it's great if they can move around, but if we're trying to chase them down to get a reciprocal order happening, that's very difficult. So my encouragement here is that there be a commitment on behalf of the government to continue to work on setting up reciprocal agreements with other countries. One I'm thinking of quite specifically, that I've worked on, is Holland, and we don't have a reciprocal agreement with them and we need to. It comes to our attention because we have a claimant in Alberta. So that's money for kids that are living in Alberta that we're not being successful in being able to get hold of and making sure that our kids get that support money. That's not specifically addressed in this legislation. It's a bit of a tangent, but it's worth my going on it, I think.

4:50

Oh, miscellaneous points. There's no definition for child, which is really interesting. Generally there's a lot of tradition and precedents around when you no longer have to pay support because the child is no longer a child; they're an adult. Just to clarify then. Usually you would be paying maintenance until the child has reached 18, at which time they have achieved an age of majority. In other words, they're an adult. You're not paying maintenance anymore, unless – and this is the exception provision – they are attending a postsecondary institution and living at home with one of the parents. Then essentially they're a dependent adult while they are pursuing that postsecondary education and still are eligible to receive that support from the other parent. Here we are not defining child. So that strikes me as a rather glaring omission.

There are a number of other ones that are omitted as well. Certified is not defined. Clerk is not defined. Regulations are not defined. Oh, what a surprise in Alberta.

Alberta courts will be allowed to impute income in provisional

orders. I'm wondering why this is specifically included in the legislation. Now, I think this is a good idea, but I know I'm going to be hearing from people that are wondering why it's in there. So why was that choice made? I'm assuming that it's flowing from the excellent work done by the Member for Calgary-Lougheed, from her maintenance enforcement review in '98, but I'd be interested specifically in why that's being included here.

Here's another one. Why was it chosen to use the term "as soon as practicable" instead of "promptly" when you're referring to the review and forwarding of applications? It's a small difference but an important one if you're waiting for something to happen there and if you're trying to get a grasp of what a reasonable time line is. They're obviously legal beagle terms, but the sponsor of the bill is a lawyer, it's my understanding, so perhaps he'd like to tell me why those choices were made.

Also, our legislation is referring to sworn documents as opposed to affidavits. Is that for more generalized understanding? Again, why was that choice made?

The 18-month expiry period for the support applications in the courts. I've already been asked a question about that, and how was that 18 months arrived at? How did you pick that one? Was it just sort of out of a hat, or was there some reasoning behind that about why it would be 18 months? Did it perhaps come from one of the other jurisdictions, or was it the experience of the courts here in Alberta? Why?

I'm very pleased to see any movement forward on the whole issue of maintenance and maintenance enforcement and support. I think it's important that whenever we work on this issue, we look to instill a balance to ensure that there's equity and fairness in the way both parties are treated here. I believe that I see that in this legislation that's being put forward, but I do have some questions that I would like answered. Until that point I can't give it unqualified support, but I'm certainly willing to speak on behalf of my colleagues at this point and say that we're interested in having the questions I've raised answered and we are looking upon this bill with favour. Hopefully I'll be able to give it unqualified support in another stage of readings.

Thank you very much for the opportunity to speak to this.

MR. STEVENS: Mr. Speaker, I move that we adjourn the debate on this bill.

[Motion to adjourn debate carried]

Bill 8

Appropriation (Supplementary Supply) Act, 2002

THE SPEAKER: The hon. Deputy Government House Leader on behalf of the hon. Minister of Finance.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's my pleasure on behalf of the hon. Minister of Finance to move second reading of Bill 8, that being the Appropriation (Supplementary Supply) Act, 2002.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity make some comments about Bill 8 and the supplementary estimates. The supplementary estimates are traditionally used as an opportunity for further grants to an existing service in addition to the sum already appropriated, to extend a service that the government already has in place, for a new expenditure on behalf of

a newly enacted statute – so if there has been a change in legislation and there's need for financing that change, then it has often been done through supplementary estimates – to meet the cost created by an unexpected emergency. Again, we've seen those requests before the House in the past. They're also used to transfer money from one vote to another in the budget, and they've also been used to extend the purposes of a vote. So they have a variety of uses, and that's the case in the bill before us this afternoon.

I'm interested in the appropriation for Children's Services. The information that we have in the bill is that the reason for that particular item being there is a result of the dispute with teachers and the removal of services from schools. The sum that is in the bill is fairly considerable, \$500,000, so it would be interesting to know exactly what the details of that expenditure are.

I assume without further information, Mr. Speaker, that it must be concerned with providing services to children and to the parents of children who found themselves with youngsters out of school and having to provide care for those youngsters. So I would appreciate hearing from the government in terms of what needs exactly are going to be met with this sum. Are they day care costs? Are they tutoring costs? Are they costs that could of course have been avoided if the government had acted earlier to resolve the dispute with teachers? There were some suggestions from this side of the House how that could've been done going back as far as last April.

It's interesting that there would be a group of costs selected out to be paid for, for instance, under the Children's Services budget, but there were a number of others who also had losses and who had to cover costs including parents and teachers and small businesses. The withdrawal of those services had wide-reaching effects on people, so I think the government owes the House some further explanation as to exactly how those dollars in Children's Services are being expended.

5:00

One of the other concerns we have as an opposition is requests like this coming forward – and it seems it happens session after

session – without any sort of long-term plan in terms of financing that would somehow or other accommodate these out-of-budget expenditures. Now, I think we all realize that it's impossible to predict everything that could happen, but the kinds of requests that we've had in the past for funds to be set aside for emergencies I think bear even closer scrutiny and consideration by the government because of the kind of history we've had with the number of these requests that come forward.

So I have those questions about Children's Services. There are similar questions about each of the departments, Mr. Speaker, and I know some of my colleagues have some questions about those specific departments. So with those questions and comments I'd conclude. Thank you.

[Motion carried; Bill 8 read a second time]

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's been another excellent day in the House, and I want to thank you for your stewardship in that regard, which at this hour of the day leads me to say the following: I'm going to move that we call it 5:30 and then adjourn until 8 tonight. The reason that I would seek the Assembly's concurrence in this is because, as we all know, our Muslim community friends have been invited by the Speaker to a very special celebration in honour of their festival Eid Al-Adha, which will take place in our rotunda in a few minutes' time. I am sure all members will join me in extending our sincere congratulations to all members of our Muslim community, and I hope you will all be able to join me there.

With that, I move that we do call it 5:30 and adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:03 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, March 5, 2002**

8:00 p.m.

Date: 02/03/05

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Consideration of Her Honour the Lieutenant Governor's Speech**

Mr. Horner moved that an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows.

To Her Honour the Honourable Lois E. Hole, CM, Lieutenant Governor of the province of Alberta:

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

[Adjourned debate February 28: Mrs. Nelson]

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

MR. LUKASZUK: Thank you, Mr. Speaker. [some applause] And thank you too. There's something about Castle Downs that keeps the members enthusiastic.

Mr. Speaker, it is indeed an honour and a pleasure for me to rise today and respond to the Speech from the Throne. As Her Honour delivered the speech last Tuesday, I could not help but think of the valued institution that she represents. On behalf of the residents of Edmonton-Castle Downs I would like to join other members and Albertans in offering my congratulations to Her Majesty the Queen on the occasion of her golden jubilee. In 1947, Mr. Speaker, a few years before my time, Her Majesty dedicated herself to the service of the Commonwealth, a dedication she has more than fulfilled with a tremendous amount of grace, duty, and honour. She has provided us with a noble example to follow and a head of state of whom we all can be very proud.

Her Honour outlined a vision of a healthy and vibrant province, an objective that all of us have a role to play in and work towards. Be it in health or education, agriculture or the environment, the government is positioning Alberta to respond to the needs and challenges of the 21st century.

There is no more pressing area, Mr. Speaker, than education. As Her Honour the Honourable the Lieutenant Governor indicated in her Speech from the Throne, "a good education system also gives the province the gift of a population ready and capable to shape the province's future in positive and meaningful ways." While there are many challenges in the present system, there is much to be proud of with respect to our education system. This government stands ready to ensure that students, teachers, parents, and every Albertan have an opportunity to fully participate in an education system that will help people get the technical skills and the life skills essential to personal growth and good health. In 2001-2002 total government spending for basic education will be \$3.7 billion, an increase of \$245 million.

AN HON. MEMBER: How much?

MR. LUKASZUK: In case anybody asks "how much," Mr. Speaker, \$245 million from the previous year.

This is an incredible amount and a testimony to the importance that this government places on the needs of our students. From

1995-96 to 2001-2002 spending on K to 12 increased by \$1.1 billion, or 41 percent. Enrollment growth over the same period was only 7 percent. This money goes towards supporting over 2,044 ECS to grade 12 schools, some 591,000 students and approximately 32,000 fine certified teachers. Every day, Mr. Speaker, all these factors come together and produce a result that all of us can be proud of. We should never lose sight of the fact that every day good things happen in Alberta when it comes to education, and I am proud of the commitment that this government will make towards education in the coming years.

This government has a commitment to education, and it can be seen in the first bill that was introduced this session. The new Queen's golden jubilee scholarship for the visual and performing arts recognizes the valued contribution that these areas of study offer to Alberta. Bill 1 also creates a new series of scholarships that recognize the importance and value of citizenship, community participation, and leadership in our high school communities. In fact, five recipients of the Premier's citizenship award will be honoured with the Queen's Golden Jubilee Citizenship Medal, which will be accompanied by a \$5,000 award.

Students' good citizenship is a mark of many things, Mr. Speaker, including the steady and positive influence of good teachers. Teaching involves more than students simply acquiring skills. It involves students taking pride in their work and accomplishments. It involves students taking pride in their school and community. It also involves students moving past the lessons of a textbook and embracing a philosophy of learning in general.

THE DEPUTY SPEAKER: Hon. minister, it's not committee yet. Perhaps later. Right now we're in Assembly and would be listening to the hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. The minister will be interested to find out that by offering these scholarships, the government is once again illustrating its commitment to lifelong learning in our province. We have seen the value of scholarships in the past and the role they can play in building a vibrant province.

In May of 2000 the Department of Learning announced a new partnership with industry to establish a new scholarship program that would annually reward and encourage Alberta's top young apprentices. In October of last year 50 first-year apprentices, Mr. Speaker, from across the province became the inaugural recipients of a \$1,000 award under the registered apprenticeship program. These awards recognize high school students in the RAP program, a program that allows full-time high school students to begin an apprenticeship training program as early as grade 10, earning credits towards a high school diploma or a certificate and an apprenticeship program at the same time. This program provides a primary example of how the education system can be specialized to respond to the individual needs of students and their unique circumstances. More than 750 students are enrolled in this program, and this number stands only to increase with time. In fact, Mr. Speaker, Alberta trains approximately 20 percent of Canada's apprentices, even though we have only 9 percent of Canada's population. This is a testament to the good work going on in this area.

Another testament to the good work in education, Mr. Speaker, is the Alberta initiative for school improvement. In schools throughout the province the Alberta initiative for school improvement is changing the way teachers, parents, students, and administrators meet educational challenges. This program has helped develop new ideas and approaches to improve learning in more than 700 AISI projects across the province. Programs ranging from early literacy initiatives to providing equipment for special-needs children, AISI

is designed to help local schools address local issues. By focusing on local issues, the program is flexible enough to meet the challenges and needs of local educators and local students. It is also a program that has many partners, including the Alberta Home and School Councils' Association, the Alberta School Boards Association, the Alberta Teachers' Association, the Association of School Business Officials of Alberta, and the College of Alberta School Superintendents. Also involved in this program are the various faculties of education from universities across Alberta.

The strength of the program and the opportunity for success can be seen in the diversity of goodwill and all partners involved in this remarkable program. Over \$68 million has been allocated to this program for the 2001-2002 school year.

Despite the tension and problems of last year, educators, students, and parents are coming together to produce marvelous results. In the latest OECD program for international student assessment tests Alberta students scored the highest marks in reading and were among the top three in science and mathematics. PISA assesses the international achievement of 15-year-old students in reading, mathematics, and science and is conducted by the Organization for Economic Co-operation and Development. In both science and math Alberta's results were not significantly different from the top two. Alberta students scored significantly above the national average in all three subjects. When compared with other nations, Mr. Speaker, Alberta's top students performed very well. About 24 percent of Alberta's students scored in the top 10 percent in reading, 19 percent scored in the top 10 percent in science, and about 18 percent scored in the top 10 percent in mathematics. That is good achievement.

8:10

I believe that there are many opportunities ahead in the coming months and years awaiting parents, students, educators, and administrators. Indeed, as Her Honour indicated, "It is an important time for all parties in the public education system to work together for the betterment of students." Mr. Speaker, this is not government's task alone but an opportunity for teachers, administrators, parents, and students to address challenges within the system and keep Alberta's education on top of the world.

Over the next three or four years this government will be working with partners to review Alberta's curriculum. Here is an opportunity to look at many diverse issues including boosting Alberta's Canadian history component. Mr. Speaker, a former Premier in this Legislature Peter Lougheed indicated that he wished he had established an intensive history course as part of the school's curriculum. Perhaps there are other areas where Albertans feel we should be headed. For instance, as part of our government's overall efforts to increase awareness of health in the lives of Albertans, perhaps more emphasis could be placed on physical education and health programs in our schools. In an increasing international society where business is conducted with consumers from around the world, new emphasis could be placed on students acquiring a second language as well.

There are other opportunities for constructive changes. I mentioned the RAP program earlier, Mr. Speaker, as a positive indication of how the system can respond to the individual needs of students. There is a new Calgary high school under way that will offer room for postsecondary students as well as high school students. This will offer students an opportunity to prepare for the next step in their education. We must not be afraid of offering innovative options for students and other primary partners in education. In all of this there will be roles and responsibilities for many partners and institutions presently in the system. Each has a meaningful role and opportunity to positively affect the future course of change in the education system. The hard feelings and negativity of the past should not be a barrier to meaningful dialogue on the

future course of education, teaching and learning, in our province. We must all come together and focus on the students we aim to teach and the remarkable gift that they each have to offer to our society.

I congratulate all the members on the important work we have already accomplished in education, and I look forward to the important work to come. Thank you, Mr. Speaker.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak this evening to the Speech from the Throne. It was Benjamin Franklin who said, "Blame-all and Praise-all are two blockheads," so I'll try to avoid being accused of being a blockhead this evening by starting off with some praise for the speech that was delivered from the throne. That praise particularly is for the awards that have been proposed in recognition of the Queen's golden jubilee.

Those awards will affect every high school in the province. What more appropriate way to mark the jubilee than through a program that encourages and rewards students who provide leadership, who are volunteering their time and services to the community, who are making a marked difference in their own high schools. It seems like a very appropriate and a continuing recognition of the importance of democracy and strong communities. Along with that, the scholarships for the visual and performing arts, which we learned a little earlier today are going to be available to both high school and post high school students – those two awards are long overdue. I think that, as I said earlier today, there's been a great focus in the province on science and technology, and sometimes that has come at the expense of concern for the humanities and the arts. I think this is very timely and very appropriate that it was done as a jubilee project.

Having said that, Mr. Speaker, it doesn't preclude the need for affordable postsecondary programs. We have to be concerned with the rising cost of tuitions at postsecondary schools and institutes across the province. Most important is the impact that those tuitions have on students and particularly students who come from low-income families, where high tuition and high loans scare students into opting for programs that are short and inexpensive, hardly the two criteria we'd expect students to use when they are selecting the kind of profession they're going to pursue, some of them for the rest of their lives. So we have to be concerned with affordable programs, making sure that affordable programs are there for students. Coupled with that, I think this makes a contribution . . .

I yield to the chair, Mr. Speaker.

THE DEPUTY SPEAKER: May we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. There are 75,000 people in Alberta celebrating the end of the annual hajj to Mecca and the festival of Eid Al-Adha. Among the 75,000 we have five here with us in the members' gallery. I would like to introduce to you the mother, Yashmin Rajan, the daughters Ruhee Rajan and Uzma Rajan, and two young friends Noreen Lalani and Azra Lalani. I would like to ask the House to give them a really great welcome as they stand.

Thank you.

head: **Consideration of Her Honour
the Lieutenant Governor's Speech**

(continued)

THE DEPUTY SPEAKER: Thank you, Edmonton-Mill Woods. It was my oversight on that.

DR. MASSEY: Thank you, Mr. Speaker. I think that this forms part of the continuing, ongoing grant and scholarship programs at our institutions and in our high schools. I think that making sure there are resources there for students in need and resources there that reward students who perform well in institutions and want to proceed is extremely important.

Mr. Speaker, I read a report not that long ago that indicated that in the United States it's almost at the point where the first year and in some states the first two years of postsecondary schooling are almost completely assured by public financing, and it was a goal that was established by Canada at the United Nations in 1976. It's encouraging to see that at least some jurisdictions are still working towards that goal. So I think that the whole thrust of the scholarship program is a good one. I'm pleased it was here.

I thought another thing in the throne speech was encouraging, and that was the broadened notion of health to include more than just health, to include the total well-being of individuals, the kinds of services that we find in the community, and a much broader look at the well-being of individuals. I think that's a healthy perspective. We often, I think, in the Assembly get into silos where we tend to look at the world through various departments and their activities, and I think the throne speech in doing that encourages us to take a broader view.

8:20

Having said that, I think that the comments about the Learning department and the goodwill that the throne speech indicates exists on all sides – at first I was a little skeptical of that, given the events of the last number of months and the dispute with the teachers. But I was encouraged, of course, by yesterday's meeting of the Premier and the president of the Alberta Teachers' Association and the coming meetings with the president of the Alberta School Boards Association that that goodwill is going to actually be fruitful and will result in all sides being able to come to agreements that serve youngsters in the province.

Having said that, I think there is a need for a hard, independent look at the education system. As I said in my private member's statement earlier this afternoon, Mr. Speaker, it was 1972 when the last report on education was delivered, the Worth commission on education, and that report had an effect on the system and helped it, I think, to progress. In a conversation with Dr. Worth I asked one time how many of the recommendations in that report did he feel had been acted upon. His guess was that between 40 and 45 percent of the recommendations had in one way or another affected practice in the schools of the province, and they were in some important ways. Universal kindergarten is a reality, and that was a recommendation in the report. There were recommendations in the report that the government take on major responsibility for financing K to 12 education and that they do so in the name of equity, trying to even out, making sure that every youngster across the province had the same resources in terms of accessing programs, and things like year-round schooling. I believe Eastwood school in the inner city in Edmonton has ventured into year-round schooling, and there are other places in the province involved in or looking at such configurations for the school year. So they were positive things that came out of the report.

I think it's very timely that we have a good hard look. As I said, there's been progress in funding. I think that the government tried very hard to work at equity and to rid the system of those school districts that had access to great resources for their youngsters, being able to have high assessments and draw on resources for their schools, and in other parts of the province school districts located in areas that were not so fortunate and not having the same resources and hence not being able to finance their schools to the same extent. So the government has done that evening out, which I think was necessary. I think it's gone too far. I think that local boards still need some resource base to draw upon, and I would like to see that in the future.

More important and I think the big issue here and the one that has led to the kind of strife that we see in the school system is the need for an adequacy formula. How do we determine exactly how much money should be budgeted for education? As far as I can understand it, Mr. Speaker, there is no rationale for determining how many dollars will be put into the per pupil grant or into various programs. What we have today is a result of having the budget cut, divided by the number of students we had, and that money sent out. Since those years it's been tinkered with, but we have no real base for determining the resource needs of schools. Adequacy funding is on the agenda of many states. They've gone at it in a variety of ways. Minnesota, I believe, has a basket of measures that they consider, a basket of measures put together by some professional experts who say: "If you're going to have a kindergarten program, these are the resources you need, and this is what it will cost to provide those resources. If you're going to have a high school program, these are the resources you'll need, and this is how you go about determining that."

So adequacy funding is a huge issue. Other districts have tried to look at very successful schools and say: what were the resources that were supplied to that school to allow them to enjoy the success that they do? Then they use that as a base measure for determining adequacy. But it's becoming a court issue in some jurisdictions with states being challenged in the court for failing to provide an adequate program for students. It's certainly a bone of contention with many special-needs parents, the whole notion that the money that the youngsters require, the support that they need in the classrooms, often isn't there, and it's a challenge, I think, for the government not mentioned specifically in the throne speech but something that I hope will be addressed by the department.

Besides funding or besides the adequacy and equity, we have to look at stability, and it's instability in the system I think, again, that's led to some of the problems we have today. Earlier in the afternoon we introduced a stabilization bill, a bill that would go a long ways to putting into perspective the value of having a stabilization fund so that the kinds of ups and downs that the learning system experiences could be avoided, not just the learning system but other services provided by government. It's the kind of fund that could bring that long-term stability and make possible the long-term planning that most people agree is needed if we're going to make progress in the school system.

There was no mention in the throne speech of class size, something that has been really crucial in talks with teachers. Mr. Speaker, I can understand the government's reluctance to put class size in legislation, but I can't understand the government's reluctance to set targets. They've done it in the past. They did it with teacher education when they decided that all elementary teachers in this province should have a university degree. They set that as a target. It took them a number of years to get there, to achieve that target, but at least everyone knew where we were going. I think that with class size, if you look at the number of states that have put in very

rigid legislation, they recognize the importance of class size. I am the first to admit that class size alone doesn't make a difference, but I think smaller classes K to 3 certainly make possible some differences in terms of instruction and learning strategies for children and at the high school level. I note that the Pugh Foundation at the postsecondary level uses a measure of 80 students for core subject teachers; that is, an English 30 teacher in any one term would not have more than 80 students to instruct, to mark their papers, and to consult with. I'm sure if you were to take that kind of a measure across this province, as we found in our small survey, at least 75 percent of core or postsecondary teachers face workloads larger than that. So I think there's room there for progress to be made, and I would hope that the government will see fit in the coming year to address it.

There are many other things that the system could benefit from. I think things like parent fund-raising would become a thing of the past, at least for basics.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmar on a question.

REV. ABBOTT: Thank you, Mr. Speaker. I'd like to thank the hon. member for his speech, and I'd just like to ask: what is the hon. member proposing as a method of determining adequate funding for individual schools? If that number should end up totaling higher than the current \$3.7 billion that we already invest, which is, by the way, an increase of \$232 million over last year, then how will he pay for this increase?

8:30

DR. MASSEY: I think the question of adequacy is one that I've insisted has to be addressed. The government doesn't know what a program costs right now. They can't tell you what it costs to educate an IB youngster, so you don't know what you're getting for the money you're now spending.

THE DEPUTY SPEAKER: Second question, the hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you. What is the hon. member proposing as a method of determining adequate funding for individual schools?

DR. MASSEY: Well, I think that I indicated some of those. The state of Minnesota uses a basket of measures. Other states use exemplary programs. Schools that have high achievement, have made progress: they use those as the model and as the basis for funding other schools. There are a number of models out there. Odden – and I forget the other author's name – has a needs-based model where each school goes through a very detailed assessment of the kinds of needs and the kinds of programs they're going to deliver, and they use that as the basis for their funding.

MR. VANDERBURG: I'd like to ask the member if he could expand a bit on the comments he made regarding requisitioning. Where he mentioned just for a few sentences about the opportunity for a partial requisitioning, could he expand upon that please?

DR. MASSEY: For a number of years we've indicated that we believe that school boards need some requisitioning power, some resource other than the provincial government to meet local needs. We were at that as a province a number of years ago. I believe the number was about 80-20. Eighty percent was provided by the province and 20 percent at the local level. We've suggested 85-15.

When the government took over funding, it had really become distorted.

THE DEPUTY SPEAKER: Yet another question, the hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you. Yes. Also the hon. Member for Edmonton-Mill Woods mentioned smaller class sizes. My question for the member is: how much smaller?

DR. MASSEY: Well, I think the research that the government paid for in Edmonton, the \$100,000 study they conducted, said that class sizes of 17 were appropriate, supported by research across the continent.

REV. ABBOTT: So the Liberals then are proposing that all classes should be capped at 17?

DR. MASSEY: We had asked that class sizes for K to 3 be set at 17 – that's a target – and that from grades 4 to 9 it be 25 and that high school classes be capped at 30 as targets to work towards in the future.

THE DEPUTY SPEAKER: No further questions? Then we'll call upon the hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. It's a great honour to rise today and finally be able to respond to the Speech from the Throne. To begin with, I would like to offer my congratulations and my sincere gratitude to Her Honour the Honourable the Lieutenant Governor. Her continued devotion to our great province is commendable, her personality delightful, and we are all very grateful.

Mr. Speaker, I'm very proud to stand here today representing my constituents in the riding of Calgary-Currie, and with their views in mind I am pleased to support the Speech from the Throne. Its positive messages, its overall directions for Alberta are commendable, and as we look forward to the next year and build upon the experiences of this past year, I think it will prove very valuable.

It was a tumultuous past year, Mr. Speaker. During the past year we saw our society's foundations rocked in ways that were previously unimaginable. Historically, North America has been a relatively tranquil continent compared to the rest of the world. Generally we have been spared much of the sorrow and turmoil that other societies have been subjected to, but how the world has changed for us since September 11, 2001. On this day of infamy, indelibly etched into our minds forever on this day of stunned disbelief, shock, and horror, did we indeed lose our innocence as four hijacked airplanes before our very eyes, over and over again on every channel on our televisions, stopped being modern transportation wonders and became instead massively destructive airborne firebombs. Our innocence was gone as many innocents lost their lives that day. Many others were physically scarred for life. All of us who watched have been emotionally scarred. Even those of us who witnessed these events from the safety of our living rooms still share with the victims' families the sad realization that our tranquil and trusting way of life may have come to an end.

What kind of future do we face as a result of all this? Well, it is a unique historical situation, Mr. Speaker, more difficult than any other conflict in history. We are not at odds with a single nation or block of nations. This is not a geographical war. Our enemies are amongst and surrounded by many who would be our friends. Indeed, some of our adversaries may even be amongst us disguised as our friends, or maybe they are only shadows in the night, whisperers

in the wind, figments of our imagination that are creating fears that lie heavily on our society, fears indeed sought after and inspired by these evil groups of evil individuals whose only common traits are their hatred and jealousy of others, jealousy of others' successes. They have a blood lust for killing innocents and an unquenchable thirst for external power and control that they would never be able to earn without weapons.

Do they pose a threat to us? Yes, Mr. Speaker, I'm afraid they do. They pose a threat to us all. It may not be obvious, it may be hidden beneath the surface, but I think that collectively we are all a little more wary, a little less trusting, and a little harder in our general attitude towards outsiders than we were before that first plane struck the tower in New York City. In other words, we are all in danger of becoming a little more extremist in our own attitudes and thinking, the very thing that they would like to foster or should I say fester within us. In many ways the major battleground in this war may be in our hearts and in our minds. We must be courageous in facing our fears such that we ourselves do not create an ever more fertile ground for this virus to breed, this virus of extremist attitudes which they have been so infected with. We must not allow such attitudes to find fertile ground within our own minds in which to grow. We must continue instead on our own path, one that follows peace, order, and good government.

Will there be more terrorist attacks in North America, indeed maybe even some here in Alberta? Yes, Mr. Speaker, there almost certainly will be, at least in North America. It will be part of our way of life from now on. We must come to expect it, but to use the vernacular, we must also cowboy up, get over it, and get on with it. We cannot let such people deter us. Slowly but inexorably these human viruses will be rooted out throughout the world. In the meantime, we must remain vigilant and resolute in the face of these expected atrocities. It is up to us elected officials right here today, as well as in all other governments and Assemblies across the world, to be at the forefront of this war of emotions, this so-called clash of values and to continue to lead the way out of it through our words and deeds.

A crucial component in this battle is our armed forces, our men and women in uniform who have served our country so well on so many occasions in the past all around the world and who we all know will continue to do so during their current deployment in Afghanistan. As Albertans and as Canadians we are very proud of our men and women in uniform, small though their numbers may be, but who pound for pound are among the greatest and most effective fighting forces in the world. We thank them for their continued commitment to serve. We thank them for their courage and willingness to sacrifice. We just thank them.

On a lighter note, Mr. Speaker, some of our other Canadian men and women in uniform, in different uniforms, chased away a different kind of ghost just recently and a 50-year-old ghost at that. Incredibly, almost like a fairytale come true, both the Canadian men's and women's hockey teams recently won Olympic gold in front of the entire world in two of the most exciting, indeed riveting games of modern times. Wow. I think it's safe to say that virtually our entire nation coast to coast probably came to almost a complete stop as people tuned in to watch or listen to those two games. I myself was absolutely riveted to CBC radio announcer John Hancock's blow-by-blow or should I say penalty-by-penalty description of both games while I was driving down the highway. Finally once again the inventors of hockey are the world champions of hockey, as it should be.

Alberta as usual did more than our fair share of contributing to this Canadian victory. Three of the players on the men's team are Albertans. Scott Niedermeyer and Jarome Iginla were both born in

Edmonton, and Ryan Smyth was born in Banff. In addition, Eric Brewer plays for the Edmonton Oilers. From the women's team Jayna Hefford and Danielle Goyette both live in a city of champions otherwise known as Calgary. They and all the other players on the teams and all the other Olympic athletes as well did a tremendous job and make us all very proud. On behalf of my constituents I would also like to send them our very best wishes and congratulations.

8:40

The Olympic Games in Salt Lake City, Mr. Speaker, were a welcome distraction from some of the pressing issues that we must otherwise contend with here in the government of Alberta. In the course of the past year much of the industrial world has been in the throes of a recession. The growth and surpluses we were experiencing have in many cases evaporated. The rate of increase has decreased dramatically. Now, as Einstein might have said, everything is relative, of course. Certainly our own economy has fared relatively well, but Alberta has taken a few hits too, and life is not the same. Gas and oil prices have plummeted, causing a major drop in provincial revenues. Now, one person's bad news may be another's good news, and the drop in energy prices is great news for consumers, just not from a government revenue perspective. One would hope that these savings being experienced by the public, all these savings in energy costs, would mean less demands on the government, but this does not appear to be the case, unfortunately. That demand continues unabated and appears infinitely insatiable.

Some days, Mr. Speaker, it seems to me that government spending is sort of like feeding a growing baby dragon in your living room, the deficit dragon. The more you feed it, the more it grows. The more it grows, the more it demands. The more it demands and the bigger and hungrier it gets, the more it threatens to devour you unless you feed it more. Solutions are elusive. If you attempt to kill this growing threat in its infancy, this baby deficit dragon, then as a politician you will quickly be publicly pilloried as a baby killer. Solutions seem improbable, the system intractable, inertia inevitable, but find solutions we must.

Mr. Speaker, the Mazankowski report on health care is an excellent example of the type of proactive thinking that we need more of to deal with these issues. We in Alberta can still brag about having an outstanding health care system, still one of the best in the world, and we'd like to keep it that way. But we all know, at least I'm sure that members on this side of the government know, that if you are not continuously moving forward in this world, if you are not continuously improving, then you are moving backward towards defeat and obsolescence. We cannot allow ourselves to be fooled into thinking anything else. Albertans won't allow it; we won't allow it. But we must also be aware that the treadmill is speeding up. That is why our government announced in January that it will seek to implement the 44 recommendations of the Premier's Advisory Council on Health in order to maintain our health care system, not just in terms of being one that delivers quality health care but also one that is financially sustainable. It is a direction that involves making not only tough choices but, even more importantly, wise and well-informed choices. The Mazankowski report is a very good start.

The same can be said for our commitment to education, Mr. Speaker. This government is committed to providing all Alberta students regardless of age or circumstances with access to a quality education. This means developing and maintaining a curriculum that meets the demands of the modern world. This means making sure we have qualified and committed teachers and that we have cost-effective, energy-efficient buildings appropriate and functional for the activities for which they are being used.

Also, Mr. Speaker, I'm very pleased to note that the Alberta Supernet is well under way. This is an unprecedented initiative which will result in 4,700 facilities in 422 communities throughout our province having superfast access to the network. Thanks to the Supernet, Alberta will be the most supercharged, fired-up, wired-up jurisdiction in the world.

Mr. Speaker, I am proud to be an Albertan, proud to be a member of this Legislature, and proud to represent my constituency of Calgary-Currie. On the whole, this is the best time in history to be alive and to be an Albertan. We lead the nation in economic growth and employment, we are taking bold steps on a variety of fronts and to a brighter future, and we are prudently planning for that future, in which we will continue to sustain the Alberta advantage.

With that having been said, I again thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie, a question?

MS CARLSON: Yes, Mr. Speaker. I wonder if the Member for Calgary-Currie would tell us how he expects to fund the fight in what he called the virus of extremist views?

MR. LORD: Mr. Speaker, I'm very pleased to have received that question, since it means that I will not have to wait for many, many years to answer a question in this Assembly as the hon. member opposite noted the other night, to which I was going to respond: had she joined the correct side, the government, she wouldn't have had to wait so long.

In answer to the question that the hon. member opposite has raised, Mr. Speaker, I'm very pleased to say that we are all working hard on this side to cut unnecessary expenditures in order to raise the funds required to meet all of those demands and pay for those costs.

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

MS CARLSON: Thank you, Mr. Speaker. I have another question for the Member for Calgary-Currie, and I would just like to also make the comment that I'm quite proud to not be a part of this particular government.

In his speech he stated that he welcomed distractions from pressing issues. But doesn't the Member for Calgary-Currie think that his first priority should be to address those pressing issues, and could he list what he sees them as being for the benefit of this Assembly?

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

MR. LORD: Thank you, Mr. Speaker. When I mentioned that they were welcome distractions, it certainly implies that all of us are working very hard on the issues that this government is facing. A distraction, in fact, is something that takes you away from something you're working very hard on. Consequently, I guess I would question the question itself, which implies that we aren't working hard.

Thank you, Mr. Speaker.

MS CARLSON: Well, Mr. Speaker, he didn't actually ask the question. What I wanted to know was why he welcomed distractions from pressing issues when he should have his priorities straight?

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

MR. LORD: Thank you, Mr. Speaker. I'm quite sure that in fact we have our priorities straight in this government, and we are working very hard on those priorities. Health, education, and all the many other issues that we are working on formed the bulk of my speech, but I did think it was important to recognize the accomplishments of our Olympic athletes and our men and women in uniform.

Thank you, Mr. Speaker.

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

MS CARLSON: Thank you, Mr. Speaker. I have another question for the Member for Calgary-Currie. Could he tell us who he thinks created the current deficit that we have now, what party it was in power that couldn't manage with more than \$21 billion in revenue?

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

MR. LORD: Thank you, Mr. Speaker. The issue of government financing in this province is indeed very complicated. I should point out that from the city of Calgary alone nearly \$500 million a year leaves that city for the federal government in fuel taxes. So were we to get the better deal with the federal government, which is taking so much money out of Albertans' pockets and not returning it, we might not be facing some of the issues that we currently are facing. Having said that, it appears to me that the demands for spending emanate from the opposite side of the House.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Castle Downs has been dying to ask a question.

MR. LUKASZUK: Well, Mr. Speaker, it isn't a matter of life or death. I just wanted to point out to the hon. Member for Calgary-Currie that as he drives to Edmonton from Calgary, he will be glad to notice that the sign City of Champions appears under the sign of Welcome to Edmonton and not Welcome to Calgary. So a correction needs to be made.

THE DEPUTY SPEAKER: I don't know that that's a question, but do you wish to reply, hon. Member for Calgary-Currie?

8:50

MR. LORD: Thank you, Mr. Speaker. The competitive nature between Edmonton and Calgary is of course very well known, and while Edmonton currently has claimed the title "the" City of Champions and my speech did say "a" city of champions, we hope to rectify that situation shortly.

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

MRS. O'NEILL: Thank you very much, Mr. Speaker. It's my honour this evening to rise and respond to the Speech from the Throne, which was delivered by Her Honour Lois Hole, Lieutenant Governor of Alberta and, I would like to add, also a resident of St. Albert.

In the Speech from the Throne Her Honour mentioned the golden jubilee of Her Royal Highness Elizabeth II and in particular the acknowledgment of the fact that we will be having a Premier's citizenship award and a Queen's Golden Jubilee Citizenship Medal for those high school students who achieve in the areas of citizenship, community participation, and leadership. I would like to suggest that I like every other member in this Assembly feel that our students in St. Albert can certainly rise to the challenge of working

towards receiving that award and certainly towards receiving that medal, which would indeed be an honour.

The Queen's golden jubilee scholarship for the visual and performing arts was also mentioned in the Speech from the Throne, and I'd like to also say on behalf of the community of St. Albert that we have in our community a strong sector for the cultural arts. In particular for the visual and performing arts we have St. Albert Place, where we have our Arden Theatre, and of course we also have our library and also Profiles Public Gallery, which serves to profile, literally, local artists with their wonderful visual talents.

We have also, interestingly enough, an item of news most recently with the namesake of our Paul Kane high school. One of his paintings, *Scene in the Northwest*, fetched \$4 million on the auction market, but what I'd like to point out is the fact that at Paul Kane high school in St. Albert there are students who have actually executed marvelous canvases that are hanging in the halls of our public buildings in the community and certainly are there in the halls of the high school. They have an excellent visual arts program. As well, our community has a strong performing arts community, that also showcases the Children's Festival every year, and we've had the opportunity to do that for the last six years in our community.

I would also mention that we have very strong, visible, and enjoyable art in public places monuments, if you will, or sculptures around the community and murals that again will inspire students, young students and high school students and postsecondary students, to reach for and strive for achieving those scholarships and indeed that medal.

In the Speech from the Throne our Lieutenant Governor reflected on "the unique character and record of accomplishment that the people of Alberta have shaped through hard work, concern for each other, and the sharing of common goals for their province." As presumptuous as it may seem, Mr. Speaker, and certainly as boastful as I may sound presumptuous, I believe the latter attributes are specifically those of the people of St. Albert.

To further paraphrase the throne speech, I can honestly say that the pride that goes with being a St. Albertan is immeasurable and irrepressible. My constituents do care for others, and residents, sometimes despite their differences, are very willing to confront the challenges of the day for the betterment of tomorrow. Nowhere was that willingness to articulate our vision so evident as at the Future Summit roundtable discussions that I held in my constituency in late October of last year. At that those roundtables, in preparation for our discussion and our collective search for the vision for the future of Alberta, many of the participants mentioned that we did want to work towards a caring community, a safe community, an educated community, and, by all means, a healthy community with healthy Albertans in a healthy province.

However, Mr. Speaker, I am reminded of the adage that was, well, interestingly enough, expressed by Mark Lee in *The Next Karate Kid* movie when he observed that ambition without knowledge is like a boat on dry land. With that adage in mind I know that we have ambition in St. Albert. I know that we do not have a figurative dry land of opportunity in Alberta, but I also know that we have a strong foundation of educational opportunity in St. Albert.

In my community we have a comprehensive and inclusive learning opportunity that encompasses the concept of lifelong learning. I can only point to the programs we have that go beyond the schooling component of education, the library programs where we have the award-winning program of Computers for Seniors. Our library is on the APLEN system. We have 13 CAP sites, or community access programs, where we have computer terminals of access for the public around the community. In fact, one has just been placed in the post office opposite my constituency office on Perron Street.

Our St. Albert protestant schools, our greater St. Albert Catholic schools, and our Nord-Central Francophone Scolaire all have programs that are encompassing of community endeavours to learn beyond the classroom as well as in the classroom.

Most recently we have the establishment of the St. Albert campus of Fairview College. Among the many programs that Fairview College offers in St. Albert is the only one that we have for motorcycles, for the maintenance and the upkeep of motorcycles, authorized and certified by Harley-Davidson in western Canada, for those who might be aficionados of motorcycle lore and enjoyment.

We also have Visionary College, which is a private music college, and of course Athabasca University has the MBA program. Also in St. Albert we have St. Gabriel school, which provides cyberlearning and cybercurriculum for grades 1 to 12 to 600 or so students, and I think that probably every member in this Assembly has perhaps a student, two, three, or more in their constituency who accesses their program, their grades 1 to 12, through the cyberschool. So when the Speech from the Throne mentioned a healthier Alberta through learning, I believe that we as St. Albertans can certainly attest to our desire to reach a healthy Alberta. We hope to be healthy Albertans in a learning environment.

As I mentioned earlier, too, the theme of the throne speech and the overarching interest of St. Albertans is for an enabling environment created by a government that points to healthy Albertans in this healthy Alberta. We want and we will work towards a health care system for all Albertans.

I'm also proud to say that many of those points that were recommended in the Premier's Advisory Council on Health, led by the Rt. Hon. Don Mazankowski, had mentioned a number of initiatives that I think have begun in St. Albert. So our desire is to continue to find new ways of delivering health care that are not only efficient but that provide a ready opportunity for citizens to access health care.

I'd like especially to speak about the fine programs that are available and also the services, of course, at Sturgeon community hospital. We do have challenges though, and we do need to look after those who cannot look after themselves in many ways and must do so in specific health facility settings. So it is with great eagerness that I hope we will be able to construct a new Youville auxiliary hospital that will provide us with more long-term care beds that are direly needed in my community.

9:00

I'd also like to mention the remarkable strength of our seniors who live in their homes and live independently, of course with the aid of some home care. In particular I want to mention two elderly women who are extraordinary in so many ways. I'd like to acknowledge Bertha Kennedy and Elsie Dittman, both who are in their early 90s and who live in an older neighbourhood of St. Albert but are still contributors to the quality of life in St. Albert, and it's because of them that we want to build on our past and look to our future.

The St. Albert Chamber of Commerce, which represents 70-plus small businesses, is indeed a testament to the desire of my community for a strong and resilient economy. The establishment of a financial management commission as mentioned in the Speech from the Throne is welcomed by my constituents who pride themselves as being the prime drivers of the economic engine that carries our train of products and services through our social landscape of health care, education, social programs, and a justice system founded on a rule of law.

I would also like to acknowledge the fact that many of the residents in St. Albert are members of the military. They work out of the base at Griesbach, but they reside with their families in my community. They are a source of strength, and they are also a

source of great assistance in our community programs. I would like to pay tribute to their efforts both home and abroad, and certainly we wish them well, great safety, and much appreciation for their work on our behalf.

There is a mention of healthy communities in the Speech from the Throne, and if there is something that my community desires most and will work most diligently to achieve, it's a safe and a caring community. In that respect, I would like to acknowledge the RCMP who assist us in this task. Inspector George Shillaker and members of the RCMP work in many, many community programs, most specifically the DARE program, which is much coveted by all my grade 6 classes and can only be provided to a select number of them due to a shortage of personnel and resources.

We also have a desire to engage in the youth in transition program, and our youth community centre, which has suffered a setback because of a reduction in funding most recently, is keen to find alternate ways to fund the program and to work with the storefront school which is just adjacent to it in our Grandin mall.

Our other challenge is to find affordable housing in my community, housing that will provide opportunities for individuals to house themselves, to look after themselves in a safe and a livable environment.

So I would like to conclude, Mr. Speaker, by saying that the challenges that have been articulated by Her Honour in the Speech from the Throne are challenges that members of my community most readily accept, and it is my honour to share the responsibility of representing those views, those energies, and that enthusiasm and willingness to find and work towards solutions that I share with my colleague the Member for Spruce Grove-Sturgeon-St. Albert, who represents the northwest segment of the city. Together we are very eager to put into practice and to implement those initiatives which the citizens of St. Albert feel are most attentive to what we want this province to be in the future but most specifically in the immediate days to come as we work at legislation to enhance the quality of life in Alberta.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. Under 29(2) I would like to put a question to the Member for St. Albert. She spoke at some length about the resources available to libraries and the different library programs that she was able to access in her constituency. I'm wondering if the member is satisfied with the current level of funding that's available to the libraries in her constituency.

MRS. O'NEILL: Mr. Speaker, in reply to the hon. member, of course I'm not satisfied. I would like a lot more money, resources, opportunities for my library. However, what I must say is that I would commend the library board in St. Albert for the opportunities that they have taken to fund-raise and those who are willing to contribute to the fund-raising in order that we may have these quality programs.

THE DEPUTY SPEAKER: No further questions?

The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: I don't have a question.

THE DEPUTY SPEAKER: No, no. You're speaking. There being no further questions, the hon. Member for Wetaskiwin-Camrose then would be speaking.

MR. JOHNSON: Thank you, Mr. Speaker. It's a pleasure to be able to respond to the Speech from the Throne. I'd first of all like to thank the Lieutenant Governor for what I consider to be a very, very good speech. It's not only a very good blueprint for the government's agenda for this coming year but I think also for the future. It is visionary, it's realistic, and it's positive, as one might expect from our Lieutenant Governor, and it develops logically and clearly from its title, Working Together to Build a Healthy Alberta.

While it is made clear that the health care system is at the top of our agenda, the speech is very strong in making a distinction between a healthy system and a healthy Alberta and the health system. Simply put, there's more to a healthy Alberta than just our health system.

The speech skillfully discusses the meaning of a healthy Alberta in terms of economic growth and fiscal stability, good schools, safe children being cared for and nurtured by parents, strong communities, secure seniors, clean air and water, and an Alberta where confidence for the future is bright. It is clear that all systems and qualities must work together in concert, as the title indicates: working together. The backbone that ties these forces and qualities and systems together I believe is our education system.

While I could comment on all of the issues that were raised in this speech, I want to take a few moments to respond to the comments that were made specifically relating to our education or our learning system. Education has been so important in my life and in my career, and I expect that we could all say the same thing. Whether talking of health or a healthy Albertan or a healthy Alberta, education, as stated in the speech, is a key priority of this government. It is not only a key priority of this government, but it is a key concern of my constituency.

Education plays a very important role in Wetaskiwin-Camrose. Many retired teachers in this province point to Camrose as the place where they took their normal school training in the '20s and perhaps the '30s, and I believe the school closed in the late '30s. Many people talk about their years spent at Augustana University College, where we celebrated our 90th year just this last year, or perhaps NorQuest College in Wetaskiwin. We're proud of our two excellent high schools, one in Camrose and one in Wetaskiwin, and of course we feel we have a very strong elementary and secondary system in our many schools in Camrose and Wetaskiwin and Millet.

Mr. Speaker, the importance of a strong emphasis and strong support for our education system just cannot be overstated, and before we look to a bright future for Alberta built on a strong educational system, we should consider the foundation upon which we will build. That foundation is our past and our present education system. The Speech from the Throne indicates that our education system "continues to be one of the best in the world." The speech gave evidence in terms of results. "In the past . . . the quality of the system was proven by the number one placement of Alberta students in international reading tests," and they finished third in math and science.

Mr. Speaker, while on sabbatical from Augustana University College in 1994, I spent some time studying education systems in eastern and western European countries. I concluded that we have a better education system than we often give ourselves credit for. Our teachers are well trained and well qualified and do a very good job in the classroom. Many of them are a product of our strong universities, particularly the universities of Alberta and Calgary and the University of Lethbridge. Our curriculum is designed to develop students with the ability to think creatively and independently, thereby giving them skills to meet the challenges of a changing job market.

9:10

It was interesting to me when I was interviewing some students in a little town in the Czech Republic, a town called Tábor. I talked to two grade 12 students there. They had both been on Rotary exchanges in Canada the year before, and I asked them to compare the two systems, in their home country of the Czech Republic and in Canada. They both said to me that if you really want to be trained how to think, how to solve problems, how to think independently and creatively, then you should go to Canada for an education system. If you're more interested in learning facts and memorization, well, they would rather stay in their home country. Well, I think that we would rather teach our children how to think and to be creative, and I think we do a pretty good job.

I found also that our facilities compare very favourably. We have done a remarkable job of incorporating fine arts and sports into our educational system, providing students with a well-rounded foundation for lifelong learning.

Public education in this country and in this province by and large has done a very good job. As the minister of education stated in a speech in question period just a few days ago,

there's one other very key component that came back from those [achievement] studies. In Alberta we were the only jurisdiction in the world . . .

"In the world," he emphasized.

. . . where the public system did better than the private system.

Our system, Mr. Speaker, to continue the quote, is "second to none."

While we have many strengths from which our province has benefited clearly, we also must work on improvements. We must improve our teaching of languages in our school system. We must define the roles of our stakeholders better, such as the role and the authority of our school boards. At a time of emphasizing healthy Albertans, I would also like to see more attention given to our physical education offerings in our schools.

I am pleased to read that in the coming year the government will share and discuss a renewed vision for the kindergarten to grade 12 learning system which emphasizes . . . basic skills in the early grades and more specialized skills as students move through the system,

providing a strong foundation upon which to build. I am further delighted to read that "it is an important time for all parties in the public education system to work together for the betterment of students." Mr. Speaker, so much more can be accomplished when all stakeholders work together, and who isn't a stakeholder when it comes to education, working together for the common benefits of all: our teachers, our administrators, parents, school boards, government, the teaching profession itself, staff, the public, and of course I must include students as well.

Mr. Speaker, I attended the Future Summit in early February as the moderator of the session on learning. I was pleased to see participants of many and diverse backgrounds working together to find common ground and a united vision for our learning. No doubt the conclusion of this session will be a significant start as we work together to refine and improve on our education system, that we can already be proud of, as I mentioned before.

It is always wise to build upon our strengths. I look forward to the opportunity to contribute to a renewed vision of our learning system, and I'm sure all of my colleagues in this House, my teaching colleagues, my parent colleagues, my grandparent colleagues, want to be participants as we share and discuss this renewed vision of our K to 12 system that we read about in the throne speech. Just as a strong education system is the foundation of a healthy Alberta and healthy Albertans, so too is a solid K to 12 learning system the foundation for postsecondary education and lifelong learning. I'm

pleased to read of the government's continuing commitment to high-quality postsecondary learning opportunities and that these opportunities will remain accessible and affordable to all Albertans. I'm proud of our postsecondary opportunities through our universities and our colleges, from the university colleges and technical institutes. I'm also very pleased to see the expanding Campus Alberta concept as institutions find more ways to collaborate in offering more and better opportunities to students of all ages to learn. This, too, lays a firm foundation for a healthy Alberta and healthy Albertans.

Mr. Speaker, while one section of the speech dwells specifically on a healthy Alberta through learning, the theme is cleverly woven throughout the speech in all sections. For example, health status can be affected even by the statement: "You're hired. Welcome to the team." And I ask what makes a person employable? How do people learn to be team members? Well, it's through an effective school system. Another point

Albertans know that healthy approaches to life are developed by institutions as comprehensive as a well-funded school system or by individuals as dedicated as the teacher who takes a student aside to say, "Good work."

A healthy Alberta is built on a well-funded education system and such dedicated teachers, and we must strive for both.

A third example: "The government will also launch a campaign to give Albertans reliable health information and encourage them to make healthy lifestyle choices." Our schools are pivotal in helping our youth to make healthy lifestyle choices.

Or another point: "Through its youth in transition initiative government will work to ensure that youth acquire the skills and attitudes to live happy, healthy, and productive lives." Children acquiring skills and attitudes come first and foremost through a solid education system that not only trains children but lays the foundation for developing skills and, maybe even more important, lifelong attitudes.

Mr. Speaker, this throne speech is extremely positive, and it gives us good reason to be optimistic about a healthy Alberta in the future. I thank you for the opportunity to glean and comment on issues and directions by looking at a healthy Alberta from a learning perspective. Thank you very much.

At this time I would like to move that we adjourn debate.

[Motion to adjourn debate carried]

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

Bill 1
Queen Elizabeth II Golden Jubilee Recognition Act

[Adjourned debate March 5: Mr. Stevens]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. It's a pleasure to rise today and speak in support of Bill 1, the Queen Elizabeth II Golden Jubilee Recognition Act. I'd like to thank the Premier for introducing this as Bill 1 last week in the Legislature, and I'd also like to thank my colleague the Minister of Community Development, who spoke to Bill 1 at second reading and addressed the Assembly about the Queen's jubilee scholarship for the visual and performing arts as proposed under this bill.

I want to speak today, Mr. Speaker, about the citizenship awards that this bill will establish, awards that will recognize outstanding young Albertans who go above and beyond in their communities, who give freely of their time to support other people and worthy

causes, who give back to their communities and to the province, who, in short, show us what it means to be a good citizen. There are many awards that recognize outstanding achievement by young people in academics, and that's entirely appropriate. There are many awards for those who excel in sports. But I am particularly pleased that now we will have a Premier's award to recognize young people who exemplify the best qualities in citizenship and leadership.

Mr. Speaker, under this program a student from every high school in the province will be recognized with the Premier's citizenship award in recognition of the Queen's golden jubilee. The awards will be presented to students who make a significant contribution to their communities through good citizenship, leadership, community service activities, and volunteering, and I'm hoping, Mr. Speaker, that those awards will be accompanied by a special pin recognizing that leadership and, hopefully, a certificate which will be signed by the Premier. Perhaps, we could even encourage local service clubs to provide a monetary scholarship to go with them, because I think we really do need to recognize in each of our communities and each of our high schools those of our students who are going above and beyond.

9:20

The five most outstanding of these students, Mr. Speaker, from across the province will be recognized with the Golden Jubilee Citizenship Medal and a \$5,000 award that they can use for further education or development. Hopefully, again, we can recognize these students in a special manner. Perhaps they could be brought to the Legislature and the award presented here, either before the bar or in the Lieutenant Governor's suite or the Speaker's suite. Perhaps they can be honoured with an opportunity to meet with the Lieutenant Governor, the Speaker, and the Premier. In short, Mr. Speaker, I believe that we should make this award a special award, link it to the Legislature, and say in this award and demonstrate in this award that we appreciate citizenship and leadership in our communities.

Mr. Speaker, as members of this Assembly we often talk about the importance of young people, about investing in their future, about ensuring that young Albertans have opportunities to reach their goals, but until now we have not recognized in any significant way the many young people who exceed all expectations and show us truly what it means to be a citizen. In future we will call upon these young people to lead this province, and these awards will recognize Alberta's very best: young people who are clearly ready to take this vital responsibility.

It's easy to forget, Mr. Speaker, that Alberta is a relatively young province, not yet a hundred years old. When settlers came here in the 1800s, there was very little, but people worked together. They planted the province's first crops. They built our first cities and roads. They formed our first school boards. In short, people in our communities built our communities by giving of themselves. They achieved this by working towards a common goal, a common goal that we still have today, building a better place to live for our children and our grandchildren, and giving something back to their community.

Through the Premier's citizenship awards and the golden jubilee medals we will celebrate the achievement of today's young Albertans who exemplify the qualities of citizenship, volunteerism, and community participation. Those are the cornerstones of a caring society. They're an important part of what has made Alberta the strong, vibrant province that it is today and will allow it to continue to grow in the future.

Mr. Speaker, one of the reasons that I got involved in politics was the belief that was instilled in me by my parents that you have an

obligation to give something back to your community, to contribute in the best way that you have the capability to do. And I can't coach soccer. I would encourage all members of the House to support this bill so that we can encourage young people in all of our communities to give back to their community, to show leadership in their community, to help build their community so that Alberta can continue to be the great place that it is so that others can see through their leadership how to make their communities stronger.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. I'd like to speak to the bill. No questions.

Those were excellent words spoken by the Government House Leader, and certainly I support what he had to say about this bill. It's good to see that we have support in all aspects of young people's lives, but having said that, certainly this is a welcome addition to recognizing the kind of contribution that young people make in this province. It's nice that the government has come out with this as their first bill given that this is the 50th anniversary, and we're happy to see also that there's a substantive dollar value attached to these scholarships. While on the one hand it does help point out how much financial assistance students need in order to complete their postsecondary education in this province at this particular point in time, it is decent to see at least that the government has recognized that need and that we're going to see scholarships in the amount of \$5,000 each. That certainly still doesn't get them through the first year of school, Mr. Speaker, but it is a significant contribution.

MS BLAKEMAN: It certainly cuts their debt down.

MS CARLSON: Yes, it helps to cut their debt down. There's no doubt about that.

One thing that I have been struck by time after time in my own constituency is the quality of leadership that we see from today's young people, and I think the citizenship medal certainly recognizes that. My colleague for Edmonton-Mill Woods attends many of the same functions I do because while the high schools are in his constituency, we share students in those two high schools. We are constantly struck by how much time and effort and genuine concern these students show in terms of building better communities, in the leadership aspects of bringing other students along with them to learn the ropes and learn how to organize and learn how to manage and still keep their grades up, keep very high grade point averages. So I am constantly awed by the abilities of these students and look forward to seeing where they go on their life path and watch to see what they succeed in and how they change the world that we live in in future times.

As the minister said, there always have been a lot of scholarships and support for students who work hard and are talented on the sports side of things. I'm happy to see that happen because as my colleague for Edmonton-Centre said, I am a coach and have been for a number of years and I know that those kids make huge efforts and that not every child is talented in the same areas, but it certainly is past time that we recognized in a significant and serious way the contribution that students make to our development and their development through good citizenship.

So I'm very happy to be able to support this bill, and I'm sure that it will receive unanimous support from all members in this Assembly.

[Motion carried unanimously; Bill 1 read a second time]

[Motion carried; at 9:29 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

MR. HANCOCK: Mr. Speaker, in light of the good work that's been done today, I would move that we adjourn until 1:30 p.m. tomorrow.

Legislative Assembly of Alberta

Title: **Wednesday, March 6, 2002**

1:30 p.m.

Date: 02/03/06

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. O God, grant that we the members of our province's Legislature may fulfill our office with honesty and integrity. May our first concern be for the good of all our citizens. Guide our deliberations this day. Amen.

Please be seated.

head: **Introduction of Guests**

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

MS CARLSON: Thank you, Mr. Speaker. It's with great pleasure that I introduce to you and through you to all Members of the Legislative Assembly one of my favourite schools in the constituency, favourite because my kids went there. Today we have 56 students in attendance and seven adults. The teachers are Mrs. Caroline Lepps and Mrs. Helen Meiers. They are accompanied today by parent helpers Mr. Pat Ryan, Mr. Greg Abesamis, Mrs. Tammy Bruens, Mrs. Liz Moniz, and my good friend Mrs. Jo-Anne Ward. It's Holy Family Catholic school. I would ask that they please all rise and receive the traditional warm welcome of this Assembly.

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

MR. BONNER: Thank you very much. I have a number of introductions today. I would like to introduce to you and through you to all members of the Assembly Marj Bouchard and her son Bill. Marj is a longtime volunteer with minor hockey in Edmonton. She has served as the novice city category director. She has run an arena for many years during Minor Hockey Week, and she has also hosted the Bill Bouchard memorial tournament for 27 years. They are seated in the public gallery, Mr. Speaker, and with your permission I would ask that they now rise and receive the traditional warm welcome of the House.

My next introduction, Mr. Speaker. I would like to introduce to you and through you the students of one of my favourite schools, St. Philip Catholic elementary school. This is the school that my children attended. They are accompanied today by Mr. Jerome Burghardt and Mr. Roger Millette as well as parents Mrs. Pauline Sevigny, Mrs. Marie Yaremko, Mrs. Emily Reichert, and Mrs. Elaine Vervoort. They are seated in the members' gallery, and I would ask them all to rise now and receive the traditional warm welcome of the House.

Thank you.

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

MR. LUKASZUK: Thank you, Mr. Speaker. As you may know, Edmonton government MLAs, which now are quite a numerous bunch, may I add, would like to foster a spirit of co-operation with the city of Edmonton, and in that spirit we have teamed up into a buddy system with city councillors. It is my pleasure to introduce my buddy city councillor from the city of Edmonton, Mr. Allan Bolstad. I would ask Mr. Bolstad, who happens to be a constituent of my seatmate, to rise and receive the warm welcome of this Assembly.

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

MR. JOHNSON: Thank you, Mr. Speaker. It's a pleasure to introduce to you and through you to the members of the Assembly two very special guests from my constituency: Mr. Andrew Church, acting president of the Agriculture Financial Services Corporation, and his wife, Bev. They are seated in the members' gallery. As acting president Mr. Church's extensive experience in business administration and agricultural finance provide leadership to the AFSC, which assists approximately 26,000 Alberta farmers and agribusinesses to achieve their operational and financial goals. I'd like to ask Andrew and Bev to rise in the gallery and be received by the Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. It's my pleasure today to introduce a lady who is a citizen of Fort McMurray and who is very active in the postsecondary institution of Keyano College, where my wife actually teaches. She's the executive assistant to the president and also, I might add, a very good friend of the Member for Drumheller-Chinook. I'd ask Wendy Crawford to stand and receive the very warm welcome of the Assembly.

THE SPEAKER: Hon. Member for Edmonton-Highlands, we'll deal with your point of order under the regular Routine aspect; okay?

head: **Oral Question Period**

THE SPEAKER: The hon. Leader of the Official Opposition with the first Official Opposition question.

Children's Services

DR. NICOL: Thank you, Mr. Speaker. Today I want to provide the Minister of Children's Services with an example of one parent's struggle with her ministry, a struggle that is shared by dozens of other parents. This parent has tried to appeal to the Child Welfare Appeal Panel about the level of funding for her child, only to be told by the panel that her case is not in that jurisdiction. My question is to the Minister of Children's Services. Whose jurisdiction is it to make sure that handicapped children who need intensive behavioral intervention get the full support recommended by their professional staff?

MS EVANS: Mr. Speaker, I'd like to say thank you to the hon. member for providing me with a specific example that I can follow up on. The reference points that have been made both in the media and from hon. members about the adjudication of some 85 cases to the tune of \$3.5 million – I want to clearly state that all those who have gone before the appeal panel who have received services will not have those services reduced if they have been judged at an appeal to be appropriate services. Any service reductions that may have occurred over the last six to eight months in services to children with developmental disabilities have been done in consultation with the families and have been done in a manner which we would hope would reduce what might be excessive in service but keep the service requirements in the best interests of the child. While those adjustments may have caused some hardship, we have asked for a review of all of those adjustments that have been done in the last eight months. So, simply put, if in fact any hon. member or anybody in Alberta wishes to present to me circumstances which are tangible evidence that some of those reductions may have hurt children, we are more than happy to go back. Our job is to protect the children.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My next question is to the Minister of Learning. Why is it that your department referred these children back to the children's services appeal panel when they had already referred them to your department saying that it was your department that was responsible for providing that intervention?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. If there is a jurisdictional issue on the local level, we will certainly get to the bottom of this. The ultimate panel that is responsible for this is the child welfare panel, that the hon. Minister of Children's Services looks after. However, I will give the hon. member the undertaking that if there has been a jurisdictional issue there – I do not agree with having one group causing a child to go to the other group within government. If that did occur, I will get to the bottom of it.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question is to the Premier. With both ministers saying that the other is responsible, will the Premier commit to looking into and clarifying for this parent which minister is responsible so she knows which minister to go to get a solution to her problem?

THE SPEAKER: The hon. the Premier.

MR. KLEIN: I think I heard the hon. Minister of Learning say that he's committed to getting to the bottom of this situation, and I will ask both ministers today to discuss this matter and iron it out.

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

1:40

Women's Shelters

DR. NICOL: Thank you, Mr. Speaker. Last year the Ministry of Children's Services launched an internal survey which will supposedly help it improve services. Yesterday a letter was tabled in this Legislature from the executive director of the Calgary Women's Emergency Shelter stating that the goal of this survey seems not to be to improve services but to cut them. To the Minister of Children's Services: can the minister explain how this survey is even remotely fair when it gives people the impression that maintaining services could mean a trade-off as a 5 percent tax increase?

MS EVANS: Mr. Speaker, I'm aware that a member of the third party tabled a letter. I received a copy of that letter. I'm not sure that it is the survey that was done by Children's Services or if, in fact, it was the survey that was done through permission that I granted to the association for women's shelters across the province, which Jan Reimer sought and received permission from my department to release. I can assure you that with the deputy minister and the executive director of the Alberta association of women's shelters we are reviewing not only the funding model but the manner in which technology links up with the department. We are reviewing whether or not the system to envelope funding to the local authorities across Alberta to deal directly with the shelters is the appropriate fashion or if, in fact, the dollars which we have increased substantively in the last two years could be better meted out through the department because shelters don't exist in every single authority.

There are 19 shelters we fund, 28 shelters in all in Alberta, and we are working more closely than we ever have with Children's Services and the women's shelters.

Could I point out one success that was reported to me just this week from the director of the association for women's shelters? Apparently, because of our conversations we've already been able to open doors for a better dialogue with law enforcement authorities and women's shelters across Alberta. So we are doing our utmost to be co-operative, and I can assure you that if we had the directors from all the shelters sitting in this Assembly today, they would tell you that we've made headway.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Back to the Minister of Children's Services: why did the survey contemplate that women's shelters should no longer be the responsibility of government? Who's going to pay? Are you going to charge room and board?

MS EVANS: Well, Mr. Speaker, it has never been the intent of Alberta Children's Services ministry or this government to divest ourselves of responsibility. There has never been one thought to entertain that. There have simply been questions about the funding and the manner in which we're funding them through Children's Services. At one point some of the women questioned whether or not Children's Services by the very title was the appropriate area. We have understood that they understand that we are working hard with them. It's a ministry of government.

Also, Mr. Speaker, I'm going to enlighten this House that we are working in close co-operation with the hon. minister in charge of the Solicitor General's responsibilities because sexual assault centres across Alberta are asking us for information as well, and the hon. minister may wish to elaborate on that answer.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question again to the Minister of Children's Services: how much did this survey cost, and will it be released to the public?

MS EVANS: Well, Mr. Speaker, I would be very happy to provide those details, but again I want to confirm whether or not this is our survey, the Minister of Children's Services' survey, or if in fact this was the more recently released survey that happened within the last two months from the association of women's shelters. But with any survey that we have undertaken on behalf of services for women who have experienced family violence, we'd be happy to provide that information.

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

Ma'Mōwe Child and Family Services Authority

DR. MASSEY: Thank you, Mr. Speaker. According to an Edmonton city council Community Services Committee report, cuts to the Ma'Mōwe region are putting children at risk. My questions are to the Minister of Children's Services. Given that the minister claims that millions of dollars have been put into the system, why are at least 25 preventative programs in this region being axed?

MS EVANS: Mr. Speaker, previously in the House this week I tabled a letter that I sent to Councillor Michael Phair inquiring under

what circumstances, what survey, what information they had, and what report was the basis for claiming there had been significant cuts in Ma'Mōwe children's services. In actual fact cost-containment strategies were only effected in the last part of the latter part of this past government fiscal year, and my information would in fact deny that the draconian cuts that have been suggested were actually made. We made some alterations to programs. Last fall I identified in this House programs that we actually reduced or removed; for example, a learn to swim program. There are three premises under which we undertook cuts as far away from the child as possible to make sure we were working with families that needed child protection as our priority and to keep children where at all possible safe from risk and enabling them to grow up in the four pillars of our ministry: safe and healthy, successful at learning, and working as well with the aboriginal pillar.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: are children not being hurt when anger management, stay-in-school, and academic support programs are cut?

MS EVANS: Well, Mr. Speaker, I think that the hon. member is talking about a program that is in part delivered by the school authorities in some situations. Anger management programs in schools happen within schools, but we support anger management programs as parents and through parental groups.

One tremendous stride we've made with the child and family services authorities is to put them in close collaboration with family and community support services. We have a preventive strategy group working on putting those preventive dollars up front so that we'll be able to provide stronger preventive programs in the future, and the communities themselves have come forward very responsively to that.

Mr. Speaker, the capital region, if our plans are successful, will see an injection of at least \$3 million more for preventive programs to make sure that those programs are available, to do those kinds of things that help children from being at risk.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: why is the ministry abandoning prevention, one of the pillars on which the department's services were supposedly built? Why are you abandoning that?

MS EVANS: Well, Mr. Speaker, we are, simply put, not abandoning prevention. We are working very strongly and positively. I've just identified the family and communities support services model, but let's get back to the basics.

Every hon. member here knows that this budget has increased some 35 percent in the last two years. There isn't another commitment across Canada and there isn't another budget across this province that has increased as much as we have for Children's Services, and while I may, the children with special and unique abilities, of which we have about 9,000 children, receive an average of \$50,000 apiece over and above other programs that are being provided through either the Department of Learning or Health. We provide as much as a quarter of a million dollars for one special-needs child.

Mr. Speaker, I am taking offence, indeed, on behalf of the children that are well served by many programs in this province. We should be proud of those programs.

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

NHL Player Levy

MR. MASON: Thank you, Mr. Speaker. Yesterday the Premier announced a new tax. It will no doubt be a relief to Alberta taxpayers to learn that this tax will not be paid by them but by NHL players. However, it is clear that this is an actual tax and not some other form of waterfowl. To the Premier: how much revenue will this tax bring in, and how will that revenue be spent?

MR. KLEIN: Well, Mr. Speaker, it's not a tax that quacks. Details of the tax or facility fee or call it what you want will be outlined in the budget on March 19, but this is a proposal that has been visited and revisited now about – what? – three times I think at the request of the two NHL teams here in Alberta, the Flames and the Oilers. Basically, they've asked for a system that would levy a form of taxation on visiting players or players who come to Alberta to play. It would be a tax similar to that levied by I believe it's 14 other jurisdictions in the United States, where players from outside that jurisdiction are required to pay a tax, and I understand even inside those particular jurisdictions. So this is a tax or a facility fee or call it what you want – I don't know what name we've attached to it or what name will be attached to it – that certainly will not involve taxpayers' dollars generally but will be a specific tax on the players, players who earn a million dollars or so on average.

1:50

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Will the Premier assure the House that before the owners of the two teams in question receive what is clearly tax money, they will undertake not to move the hockey teams out of either Edmonton or Calgary?

MR. KLEIN: That's an interesting question. I don't know if we have any control over that, but certainly it's the opinion of Mr. Bettman, who has stated publicly that he wants to keep the so-called small market teams alive, particularly in Alberta, the Oilers and the Flames, because they do provide a tremendous amount of excitement. They do provide a vehicle for community spirit, and they contribute significantly to the economy, Mr. Speaker. The teams have indicated that until they have the opportunity to deal with the fundamental problem – and that is the problem of salaries – which won't come due I believe until 2004, they need some form of relief that doesn't involve taxpayers' dollars generally, and that's precisely what we're trying to do.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Given that the existing agreement with the city of Edmonton requires that the Oilers stay in Edmonton until the year 2004, why can't this government do just as well and ensure that both teams stay in Alberta until at least 2008 or perhaps beyond?

MR. KLEIN: Well, Mr. Speaker, no one can predict what's going to happen in 2008, never mind next year, but I've received clear indication and I believe the Finance minister has received clear indication that indeed the owners of those teams want the teams to remain here. They're committed to those teams.

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

Family Law Review

MR. CENAIKO: Mr. Speaker, as a member of this Assembly a topic that is brought up regularly by my constituents is the issues surrounding family law. For that reason I am pleased Alberta Justice is reviewing all legislation that deals with family law. My questions today are to the Minister of Justice and Attorney General. How will this project make a difference to those Albertans who are struggling with the many aspects of Alberta's family law system?

THE SPEAKER: The hon. minister.

MR. HANCOCK: Well, thank you, Mr. Speaker. I'm pleased to answer questions with respect to this very important project, because just last week our public consultation process wrapped up, and we're continuing the technical consultation yet for a while. The driving force behind this was the Member for Calgary-Lougheed with a review of the maintenance enforcement program and child access and at that time brought forward in their recommendations that there needed to be a review of the family law and a simplification of it. Again at the justice summit in 1999 one of the key recommendations coming out of that was that family law needed to be simplified, consolidated, the access needed to be improved, and the forms needed to be simplified. So in response to that, Justice has had in its business plan for the last two years a review of the family law. We've reviewed internally, we're now consulting externally, and we hope to bring forward legislation this spring. We'll be examining areas of provincial jurisdiction, aiming to streamline the law, making it more accessible to Albertans, more affordable for Albertans, and clearer for Albertans.

MR. CENAIKO: To the same minister: will this review expand the definition of marriage?

MR. HANCOCK: No, Mr. Speaker. First of all, marriage in its definition is under the purview of the federal government, but the Alberta government has made it very clear that in our view marriage is between a man and a woman. What we are doing under the review is we're reviewing issues like spousal support, child access and maintenance, and the obligation of individuals with respect to support and other issues like that surrounding family law.

At the same time, Mr. Speaker, we're also reviewing issues relating to other types of personal relationships. These are not relationships that are created by government, but they're relationships which exist in society and which need to have access to rule of law when those relationships break down or when dependencies have been created in those relationships.

So, Mr. Speaker, I'd reiterate. We're not moving to change the definition of marriage or the definition of spouse. We understand what those mean in our society and in the religious institutions and the way we've historically dealt with them, but we will through this process attempt to deal with the issue of other adult personal relationships.

MR. CENAIKO: Mr. Speaker, to the same minister: when can we expect to see these changes?

MR. HANCOCK: Well, Mr. Speaker, it's been a long process because of the complexity of the issues and because we have to coordinate as well with the federal government. They had a consulta-

tion on family law matters last June. We're still waiting to hear what their intention is with respect to introduction of their legislation. Obviously, to a certain extent we'll want to align some of our terms and some of our processes with the federal law relative to issues around custody and access, issues around maintenance and support, because it's important, whether it's under federal jurisdiction or under provincial jurisdiction, that people are treated fairly and equitably and relatively in the same manner. So those issues have to be addressed.

As I indicated earlier, we're wrapping up our technical consultations with respect to our law. We're working very hard to make sure that some, if not all, of the family law package is available for this spring's session.

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

Day Care Worker Review

MR. MacDONALD: Thank you, Mr. Speaker. This government has forgotten about the homeless, the poor, the disabled, the children, and the day care workers. Last April the Minister of Children's Services said that the Clelland report on day care worker salaries was not yet ready to be tabled. In November, seven months later, it was said that it is not yet ready to be tabled. Surely it is ready now, 11 months later. My questions are to the Minister of Children's Services. Since the minister has boasted that her department will be one of the few to get new money this year, will some of that money go to address the chronic underfunding in the salaries of day care workers?

MS EVANS: Well, Mr. Speaker, we're waiting for the new budget to come out, and I would advise the hon. member that he could wait and see.

The other thing, Mr. Speaker. I should advise that at a point where we may have been able to make some policy decisions or recommendations, the family day home operators came forward. Currently we're still undertaking a review of their expectations, because it was their belief that if there were any resources from the early child development funding or anything else that was added to this program, they would be given some equivalent consideration.

Mr. Speaker, further, we have been working in close co-operation with the hon. Minister of Human Resources and Employment about some of the options available in light of the review that he's currently doing on the low-income issues that were raised earlier last year. He may wish to supplement my answer about what his department intends to do.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: is the minister admitting that she will be not addressing the issue of salaries for those who care for so many Alberta children despite the urgent need for action? You promised.

MS EVANS: Well, Mr. Speaker, you know, if we owned day cares in this province, then we would be responsible for every issue, including the payment of salaries. The very success of the operation of day cares, especially those parent co-operative day cares, is that parents are involved, community members are involved, the private sector is involved, and we do not define their budgets. Many Members of this Legislative Assembly would be familiar with day cares in their communities that are operating successfully, but let's

be clear: we do not currently pay the workers in day cares. We have moved up from some \$25 million that used to be paid in operational allowances to day cares to over \$50 million, last year about \$57 million, that goes out through operations that are provided not through an allowance but through the parents who bring forward their evidence of needing supports for day care, and through their applications dollars are provided in subsidies to those day cares to support those children. I think that the red herring here is that we are underpaying day care workers. We do not pay day care workers as a government. We support children in the best interests of children through their parents, who make application for those day care supports.

2:00

MR. MacDONALD: Mr. Speaker, to the same minister: given that there is more to operating a government department than appearing on TV clutching a teddy bear in front of a corporate jet, when will you table the Clelland report?

MS EVANS: Mr. Speaker, that is not a worthy question, but I will give the response that I work as many as 20 hours a day on behalf of children and would challenge all members in the House, including the hon. member, to do the same thing.

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

Farm Income Support Programs

MR. McFARLAND: Thank you, Mr. Speaker. At a time when accrued farm incomes have been reduced in excess of 50 percent over two years, I'd like to ask the Minister of Agriculture, Food and Rural Development why a 30 percent premium discount has been stripped from the grain producers in this province.

MRS. McCLELLAN: Mr. Speaker, the 52.9 percent reduction in accrued income was for the 1999 and 2000 income figures. You could conversely say that in 2001 the net farm income rose by 39.4 percent and crop income rose by 1.8 percent. However, statistics are not the best way to gauge the seriousness or the positives in the agricultural community.

What is important is programs like our safety net program, that the member alludes to. Mr. Speaker, in the year 2000 a 30 percent reduction in premiums was introduced by the crop insurance corporation, or Ag Financial Services. It was done in response to low commodity prices, in response to high input costs, and it was continued in the year 2000 to respond to continued low prices and high input costs. This was a discount offered by the corporation. It was never intended to be there forever but to respond to a situation. I'm pleased to say that although input costs are still somewhat high, they have come down, and commodity prices have increased. Ag Financial Services is no different than any other part of this government. We have to be prudent with our budgeting. We would like to offer this program indefinitely, but this year we're not able to continue a discount.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker, and thank you for the answer. In addition to the discontinuance of the 30 percent discount, will this crop year's premiums be going up another 30 percent?

MRS. McCLELLAN: Well, Mr. Speaker, if you do not offer a 30

percent reduction, you will pay an increase of 30 percent because you will pay the 30 percent that was offered as a discount before. However, beyond that, this is a crop insurance program. It is a safety net program. It's a tripartite program supported by the federal and provincial governments and contributed to by the producers. Because commodity prices are higher this year, because you are insuring the value of that commodity, premiums will be higher this year. However, so is your protection, and that is really what this program is in place for.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker. Given the premium rate hikes and disappearing discounts, can the minister indicate when the new revenue insurance type program will come into effect for our producers?

MRS. McCLELLAN: Mr. Speaker, we were able to make some changes to our crop insurance program again this year, some improvements, we believe. We've been able to include protein coverage for durum and red spring wheat. We've been able to offer separate levels of coverage for Argentine and Polish canola. There was a lot of work done with farmers, with focus groups throughout the year on a change to the program that would better reflect the cost of production. We were not able in this crop year to introduce those changes. This is a tripartite program. It requires a sign-off from the federal government, the producers, and the province. The province, I believe, agrees with these changes. The producers definitely agree with these changes, but we do not have a sign-off from the federal government at this time.

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

Low-income Review

MR. BONNER: Thank you, Mr. Speaker. Yesterday the Minister of Human Resources and Employment told us he had received the low-income review initiated nine months ago, in June of last year. The challenges facing people on low income are great. To the minister: when can we expect to see the results of the low-income review?

MR. DUNFORD: Mr. Speaker, we're working on the government response as we speak. While we don't have a particular date currently as to when the reports would be made public, we are just about at the point where we can start moving through the internal process that we have as a government, and then we'll release at some point in time the low-income review MLA report on what they heard. We'll release the report on what they recommended and the government response to that recommendation.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: has the release of the report been delayed because most of the suggestions involve extra resources that are not considered a priority by the government for the coming budget?

MR. DUNFORD: No, and the hon. member knows us better than that. He knows that we approach the situation with care and compassion for those Albertans who need our assistance. What we're trying to do, of course, is make sure that we bring forward a plan that will provide for the needs of individuals that we have in

Alberta. After all, I remind the hon. member that unlike any other jurisdiction in Canada we are prepared to measure up in terms of our performance, and of course our ability to provide needs to Albertans who need assistance is one of those measurements.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: when this report is tabled in the Legislature, will the report contain the actual comments from participants and the full recommendations of the committee, or will we receive the sanitized, edited version?

MR. DUNFORD: Well, Mr. Speaker, the member is not very continent; is he? I can assure the hon. member – and of course we go back many, many years; we've had many, many discussions; he has learned that he can trust me – and I'll tell him again that the reports we received from the low-income review team and their recommendations will be submitted to the public just as we receive them.

THE SPEAKER: The hon. Member for Peace River, followed by the hon. Member for Edmonton-Ellerslie.

Softwood Lumber Trade Dispute

MR. FRIEDEL: Thank you, Mr. Speaker. This question is to the Minister of International and Intergovernmental Relations. Recently some media reports have suggested that the softwood lumber dispute with the United States was close to being resolved. However, other reports would indicate that there are still many unresolved issues and the dispute is far from being settled. The lumber industry is hurting because of the dispute, and inaccurate information certainly doesn't help anyone. I wonder if the minister could clarify the issue for us by advising what stage the negotiations really are at.

2:10

MR. JONSON: Mr. Speaker, we are very much aware that these negotiations are extremely important to the industry in Alberta and to the communities across particularly northern Alberta that depend upon this industry and contribute to it.

Mr. Speaker, negotiations are continuing. Last week there was another very detailed and intensive round of discussions with United States officials and our officials and those, of course, from other provinces, and it also involves of course the federal government. Both the United States and Canada agreed, I think, that certainly it's in the best interests of both countries and the industries involved to continue towards a policy-based decision rather than going, as could be a possibility, back to the World Trade Organization or to a legal challenge through NAFTA.

We feel that at this point in time progress is still being made. A greater understanding of the characteristics of the Canadian industry is being achieved, and we have meetings scheduled again next week, Mr. Speaker, to make further progress towards what we hope will be a conclusion in a constructive way for Canada and for Alberta of this very, very difficult trade matter.

THE SPEAKER: The hon. member.

MR. FRIEDEL: Thank you, Mr. Speaker. To the same minister: realizing that Alberta is a relatively small player in the lumber industry compared to B.C. and Quebec, could the minister tell us what steps are being taken to protect the interests of Alberta exporters in these discussions?

MR. JONSON: Mr. Speaker, ever since we started into these negotiations with the United States, we have worked very closely with other provinces and with the federal government. The hon. Minister Pettigrew has co-ordinated meetings of the ministers in this regard. Also, a very important factor in this is that we have in Alberta the Alberta Forest Products Association, and this has established the softwood lumber trade council, that meets on a regular basis for their provincial officials, the most recent meeting being held on March 4, 2002.

Industry representatives, Mr. Speaker, accompany our officials, accompany the delegations that we have involved in this round of negotiations, and they are there so that they can receive immediate feedback from the negotiation, the discussion table, and report back as people involved in the industry to the people back home in Alberta as to what is happening. They also, of course, are a route for people in the industry to make suggestions, to be part of a continuous process of the overall negotiations.

So we are certainly doing our very best to keep the industry informed, not just those that are directly involved in the industry but also the people that represent the communities of northern Alberta.

THE SPEAKER: The hon. member.

MR. FRIEDEL: Yes, Mr. Speaker. My third question was going to be regarding the amount of information that went to the industry players. I think the minister did answer that in the second question to some extent, but I wonder maybe if the Minister of Sustainable Resource Development would want to add to that, because he also works extremely closely with the industry in Alberta.

THE SPEAKER: Very quickly.

MR. CARDINAL: Yes, Mr. Speaker. It's very important. Alberta may be, you know, a small player in the overall picture of the exports to the U.S., but as far as the impact on the industry in Alberta it is great. Over 50 communities depend on forestry as their major source of revenue and income. Over 50,000 people are employed in that industry. So it is important because I think all of our constituents are impacted in one form or another in the industry, and definitely the industry has been involved.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Strathcona.

Gas Flaring Study

MS CARLSON: Thank you, Mr. Speaker. Members of the western interprovincial scientific study which has been established to answer questions about the impact of flaring and fugitive emissions have described Alberta Health's progress on the human health component of this project as "lagging more than is liked." My questions today are to the Minister of Health and Wellness. How far behind is this department lagging in its contribution to this study?

MR. MAR: Mr. Speaker, I'll be happy to take that question under advisement.

MS CARLSON: Well, Mr. Speaker, there's a lot of money that was dedicated to this project, and that's our next question. What does the minister have to show Albertans for the money that his department committed to this project in the most recent plan? You got permission from the Minister of Finance for two years of financing. Where is the money?

MR. MAR: Mr. Speaker, I'll take that question under advisement.

MS CARLSON: Mr. Speaker, how could it be that the minister doesn't know about a study that has money dedicated to it in his own department studying human health effects of gas flaring in this province, a very important issue to Albertans?

MR. MAR: I didn't hear a question in that, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Drayton Valley-Calmar.

Private Surgical Facilities

DR. PANNU: Thank you, Mr. Speaker. Earlier this week the Minister of Health and Wellness tabled a document purporting to set out requirements for companies wanting to open private, for-profit hospitals in Alberta. The minister has set up a cozy little scheme with little or no input where he gets to make a decision behind closed doors while relying on information provided from those who hope to benefit and profit from opening such a facility. My question to the minister: in light of the fact that the opening of private, for-profit hospitals will have major implications for future public health care delivery in this province, how can the government justify completely freezing the public, including health providers and patients, out of the approval process?

MR. MAR: Oh, Mr. Speaker, I've been waiting for this one. The characterization by the hon. leader of the third party of these things as being private hospitals is completely, patently false. The College of Physicians and Surgeons has accredited the Health Resource Centre's Calgary facility to perform certain overnight procedures, but it is clear from the Health Care Protection Act that they cannot operate a hospital.

Let me also suggest, Mr. Speaker, that the hon. leader of the third party has made an incorrect characterization of what we are doing versus what we are not doing. What we are not doing is we are not setting up a for-profit, parallel health care system. We are not doing that. What we are doing is this, and I hope that the hon. leader of the third party can understand this particular portion of what we are doing. We are allowing private providers of service to provide services to the public system, and this is an issue that arose when the Premier and I were at the Premier's Conference.

One of the Premiers of a province in Canada said that there's no room for for-profit, private providers within the public single-payer system. Another Premier commented on this. He said: "If you are ill and you go into a facility and your only requirement for accessing that facility is the production of a health care insurance card, then here are the questions you're going to ask. Does this place have the people and the equipment to diagnose my condition and treat me so that I get better? You're not going to ask: what's the internal rate of return of this place? What's the corporate structure? Who owns it?" The fact is that what we are talking about is private providers of service within a publicly paid for, single-payer system.

2:20

THE SPEAKER: The hon. member.

DR. PANNU: Thank you. The minister's attempt to deny the reality will not change the reality.

My question to the minister: why is the minister refusing to give the public a say in the approval of what are private, for-profit hospitals in everything but name?

MR. KLEIN: Mr. Speaker, I'm sorry. It's all right; I'll let the hon. minister supplement my answer. But as the hon. minister pointed out, there is no such thing as a private, for-profit hospital.

Mr. Speaker, I used to have right in the front of my binder – but I was prevented from using it – a little card that I used to flash. It was the Alberta health care card, and I used to say: the only card you need to access medical services in this province is your Alberta health care card.

That's what the minister was saying, that yes, certainly private operators can contract to regional health authorities to provide services; there is nothing wrong with that. As the minister said, a patient doesn't examine the corporate structure of a doctor's office or a clinic. He wants to know if he or she is going to be cured. That's what is fundamental and important to this question, Mr. Speaker.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My final question to the Minister of Health and Wellness: will the minister assure this House that he will not approve any application for an overnight surgical facility, which is another name for a hospital, a for-profit hospital, that has any level of foreign ownership whatsoever since this could expose Alberta's health system to a NAFTA challenge?

THE SPEAKER: The hon. minister.

MR. MAR: Thank you, Mr. Speaker. I wish to make it perfectly clear yet one more time on this occasion: we will not have private, for-profit hospitals in this province. But the College of Physicians and Surgeons has determined that there are certain procedures that are currently done in our public hospitals – publicly owned, publicly funded hospitals – that can be done safely in a private surgical facility that may require an overnight stay. The issue of what can safely be done within a private surgical facility has been satisfied by the tests set out by the College of Physicians and Surgeons. It then remains incumbent upon the Minister of Health and Wellness for the province of Alberta to determine whether the contracting of certain types of procedures to such facilities can be done without impairing the public health care system. We will assure Albertans that we will do that.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Centre.

Electricity Rates

REV. ABBOTT: Thank you, Mr. Speaker. My question is for the hon. Minister of Energy. As the minister knows, I have had numerous calls and meetings with angry farmers and acreage owners in my constituency showing me their recent power bills. I've discovered that rural customers served by EPCOR and Utilicorp are being charged rate riders from 2000 and 2001, making their rates the highest in the province. How can these companies back-charge for two years and at a higher rate than any other company?

THE SPEAKER: The hon. minister.

MR. SMITH: Thanks very much, Mr. Speaker. The ability for EPCOR, in this case, and Utilicorp to charge a deferral rate is set out in the Electric Utilities Act. In fact, the charges accrue from the price that the power companies bought power for in the year 2000 and from the price they paid for power in 2001. In 2000 under the

regulated rate model they were, as they were in previous years, entitled to charge for the difference in what they paid for the power and what they sold the power for. This occurred in 2001, as well, from the regulated rate option, which was set at 11 cents.

The interesting part if you look across Alberta, Mr. Speaker, is that EPCOR and Utilicorp in this particular area have the highest deferral account rate for the year 2001 and I believe the year 2000. In fact, ATCO in their service area has no deferral rates, no rate riders for the price of power. They do have a small deferral account for another side. The second-least increase belongs to Enmax out of Calgary.

So what the utility companies are doing, Mr. Speaker, is charging correctly for power that was purchased in the year 2000 under the regulated rate model and then agreed to in the year 2001 in consultation with consumer groups on a process on how to collect that money. These fees will dissipate in 2003, after two years. A deferral account or a rate rider is not a new procedure under this new competitive market model. It took place before in the form of a regulated rate model.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. My first supplemental is for the same minister. My constituents have also noticed their consumption rates for January are higher than experienced for similar time frames in the past years. Why?

MR. SMITH: Well, Mr. Speaker, there are some issues about load settlement, and there's a load settlement committee whose job is to reconcile the actual use of electricity. This can get fairly complicated if you're in a rural electrification association, because those, in effect, are a bulk purchase and then they're rolled up annually, so there's an accounting issue.

Secondly, active meter reading is important. There's an absolute horror story out in the newspaper about a meter-reading error that occurred with EPCOR, Mr. Speaker, that in fact resulted in the people leaving their house.

Now, I know members of the governing party are interested in every constituent, and although we hear the byplay from the opposition, it probably indicates a lesser degree of compassion for their constituents.

REV. ABBOTT: That's exactly right. Thank you.

Mr. Speaker, my final supplemental is again for the Minister of Energy. There is a large amount of previously regulated generation that wasn't sold in the past electricity auctions, and these PPAs are slated for sale this year. Will the minister guarantee that any funds raised in this upcoming auction will be used to offset these rate riders?

MR. SMITH: Well, Mr. Speaker, one of the great things about what's happening now in the marketplace without the government prescribing any regulated rate options is there will be no rate riders in the future, so that's a good thing.

Secondly, Mr. Speaker, those who have signed contracts with utilities will also not be subject to deferral rate charges or rate riders because they are contracted for the actual price that they're paying now. So, in fact, the new competitive market model works strongly on their behalf.

With respect to the balancing pool, we don't know. No one knows with certainty, Mr. Speaker, what proceeds or, in fact, possible negative proceeds could be accruing from that auction. What we do know is that we will be committed to exit any power

that is held by the Balancing Pool inappropriately to the hands of the private sector as diligently and as expeditiously as possible.

2:30

head: **Recognitions**

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

University of Alberta Pandas Hockey Team and Golden Bears Volleyball Team

MR. HUTTON: Thank you, Mr. Speaker. I am very pleased to recognize the outstanding athletes of our University of Alberta. It was a stellar occasion last weekend as the Pandas hockey team and the Golden Bears volleyball team both captured 2002 national titles in their respective sports. It was all the more exceptional as our U of A captured its third and fourth Canadian Interuniversity Sport titles of the year. It takes great skill and dedication to win championships, and the Pandas demonstrated this with abundance in Regina by winning their second title in three years.

The players and coaching staff are a part of a rich tradition of athletic excellence at our U of A, and these achievements build on our university's national reputation for good sportsmanship and athletic excellence. I join the Minister of Community Development and all members of the Assembly in extending congratulations and best wishes to both U of A teams on their latest successes.

THE SPEAKER: The hon. Member for West Yellowhead.

Norman Rodseth

MR. STRANG: Thank you very much, Mr. Speaker. It gives me great pleasure to rise today and recognize the outstanding achievement of one of West Yellowhead's constituents, Norman Rodseth. Norman's service to Alberta has been exemplary. For many years until his retirement in 1992 Norm worked for the Alberta forest service and served as vice-president of the Alberta Council of Trout Unlimited. Through his long career Norm undertook many projects and initiatives, all designed to improve Alberta's environment and the condition of her wildlife. The commitment remains today.

Norm is a conservation education program instructor, and in addition to that he teaches fly-tying, fly-fishing, and building rods. On March 1 Norm's accomplishments and his commitment to Alberta were recognized through the Alberta Order of the Bighorn. This award was created in 1982 by the government to recognize the outstanding contribution of fish and wildlife conservation made by private individuals, organizations, and corporations. I would ask that all members join me in congratulating Norm for this tremendous achievement and in wishing him continued success.

Thank you, Mr. Speaker.

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

Bill Bouchard Memorial Hockey Tournament

MR. BONNER: Thank you very much, Mr. Speaker. Earlier today I had the honour of introducing to you and to all members of the Assembly Marj Bouchard and her son Bill. For the past 27 years she's organized and run the Bill Bouchard memorial hockey tournament in memory of her late husband. Marj hosts her hockey tournament for peewee-aged players at Rosslyn Community League. It is one of the few tournaments which continues to be played outdoors. Some participants are quite disappointed when they learn they'll be playing outside. Yet when asked at the end of the season what was their highlight, they reply: playing in Marj's tournament.

Marj receives a great deal of support and help from her sons Bill and Paul and a host of volunteers who fill the many required positions.

Notable participants in her tournament over the years are Hnat Domenchelli, who plays with the Minnesota Wild of the NHL; game officials Lance Roberts, who refereed at the Calgary Olympics and in the NHL, Greg Hilker, a linesman at the Calgary Olympics, and Kevin Acheson, a referee at the Salt Lake City Olympics.

Marj, thank you for the many years you've dedicated to minor hockey here in Edmonton.

Thank you.

THE SPEAKER: The hon. Member for Red Deer-North.

Stan Schalk
Peter Leyen
George Berry

MRS. JABLONSKI: Mr. Speaker, thank you. If you had to live in a half-ton truck for two months or in a tent in minus 20 weather, how would you feel about three men who decided to build you a home? One handicapped resident is so grateful that she can't say thank you enough. Stan Schalk and his partner Peter Leyen of P & S Investments teamed up with Red Deer architect George Berry to create affordable transitional housing. The unique thing about this partnership is that they don't do it for money. They do it out of a sense of duty and out of a sense of love. Through the creative skills of George and the construction skills of Stan and Pete two affordable housing projects, one with 14 units and one with 22 units, are now housing people who would not have had a home to hang their hats without the efforts of these three men. George, Pete, and Stan worked with funding from the provincial and federal governments along with their own funds to build beautiful suites with oak cabinets, ceramic tile, new appliances, and oak trim. Beating all the odds, George, Stan, and Peter proved that where there is a will, there is a way. Indeed, they found a way to do His will, and all of Red Deer is truly grateful.

Thank you, George, Stan, and Pete, for proving that Red Deer is a caring community. Thank you to these three champions who have earned more than an Olympic medal; you have earned stars in Heaven.

THE SPEAKER: The hon. Member for Redwater.

Order of the Bighorn Awards

MR. BRODA: Thank you, Mr. Speaker. I would like to recognize Dave Powell of Lacombe, Murray Mackay of Ponoka, Norm Rodseth of Edson, Calgary's Bill Turnbull, Edgar T. Jones and his wife, Jeanne, of Edmonton, and Andy Russell of Waterton Park, and the Bow River irrigation district. These individuals and corporations were inducted into the Alberta Order of the Bighorn, which the government of Alberta established in 1982. Members of the order of the bighorn have enriched the lives of many Albertans through their outstanding contribution to the conservation of Alberta's world-renowned fish and wildlife resources.

I would like to congratulate the runners-up of the order of the bighorn and to recognize the corporate sponsors and the excellent presentation made by our own Minister of Sustainable Resource Development at the award presentation on Friday, March 1, 2002.

Thank you, Mr. Speaker.

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

Linda Bull

DR. PANNU: Thank you, Mr. Speaker. On March 8, 1908, women workers in New York took to the streets to protest dangerous working conditions and low wages. Ninety-one years later women continue to come together on or around March 8 to celebrate past victories, identify new challenges, and plan needed actions. Today I would like to recognize a woman of action whose passion for peace, justice, and empowerment of oppressed people is inspirational: Linda Bull. Ms Bull received her BEd and an MEd from the University of Alberta, from my former department, and is now completing a doctoral degree on peace and nonviolence.

Her work has taken her across five continents, delivering a message of empowerment and peace and challenging those in leadership roles to be advocates for peace and justice. She is the 2001 recipient of a scholarship from the Mahatma Gandhi Canadian Foundation for World Peace, and she is a guest speaker at the 2002 International Women's Day program planned for this Saturday, March 9, in City Hall. I encourage all of my colleagues to try and attend that function.

Thank you, Mr. Speaker.

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

Jean Fraser

MS KRYCZKA: Thank you, Mr. Speaker. I'm very proud to recognize Barbara Jean Fraser in this Assembly today. Jean is a constituent in Calgary-West who was recently honoured by appointment as a member of the Order of Canada. Since the 1970s Jean has been a very strong influence in education in Calgary. She was a trustee and then chairman of the Calgary board of education and a member of the senate of the University of Calgary, where she was chairman of the external relations committee and the chancellor's search committee, to name a few. Jean was also a member and then chairman of the Mount Royal College board of governors and was again a member of many governance committees. Since 1978 Jean's exemplary leadership has also been an influence on the Calgary board of health and the Calgary regional health authority. Her skill in governance has benefited many committees such as quality care, policies and finance, and corporate accountability.

Mr. Speaker, Jean Fraser's compassion and exceptional leadership abilities have inspired others to actions which have brought about changes in health care, education, and social services. Congratulations, Jean, on your appointment.

Thank you.

head: Presenting Petitions

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

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and present a petition signed by 115 Edmontonians. These Albertans are petitioning the Legislative Assembly "to urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Learning.

Bill 6 **Student Financial Assistance Act**

DR. OBERG: Thank you very much, Mr. Speaker. I request leave

to introduce Bill 6, the Student Financial Assistance Act. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to this Assembly.

[Motion carried; Bill 6 read a first time]

THE SPEAKER: The hon. Minister of Environment.

2:40

Bill 13
Administrative Penalties and Related Matters
Statutes Amendment Act, 2002

DR. TAYLOR: Yes. Mr. Speaker, I'm pleased to introduce Bill 13, the Administrative Penalties and Related Matters Statutes Amendment Act, 2002.

Simply put, Mr. Speaker, this bill in fact amends five acts that are administered either by Environment or Sustainable Resource Development and makes administrative penalties common across the five acts.

[Motion carried; Bill 13 read a first time]

THE SPEAKER: The hon. Minister of Gaming.

Bill 14
Gaming and Liquor Amendment Act, 2002

MR. STEVENS: Thank you very much, Mr. Speaker. I'm pleased to rise today and introduce Bill 14, the Gaming and Liquor Amendment Act, 2002. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Mr. Speaker, Bill 14 will strengthen the Alberta Gaming and Liquor Commission's ability to maintain the integrity of gaming and liquor activities in Alberta as part of our commitment to Albertans that the gaming industry will be well regulated and managed in a socially responsible manner.

[Motion carried; Bill 14 read a first time]

Bill 15
Dairy Industry Omnibus Act, 2002

MRS. McCLELLAN: Mr. Speaker, I request leave to introduce Bill 15, being the Dairy Industry Omnibus Act, 2002. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

Mr. Speaker, this bill will move the governance of dairy production and marketing from the provincial government to Alberta's dairy producers. It will remove the provincial government's responsibility for licences, quotas, milk hauling, and payment systems, and it will allow for a producer-elected commodity board.

[Motion carried; Bill 15 read a first time]

THE SPEAKER: The hon. Minister of Gaming.

Bill 16
Racing Corporation Amendment Act, 2002

MR. STEVENS: Thank you, Mr. Speaker. I request leave to introduce Bill 16, the Racing Corporation Amendment Act, 2002.

Mr. Speaker, horse racing has a long and colourful history in Alberta. Bill 16 is intended to assist the industry and Alberta's agricultural community in their efforts to revitalize this proud tradition. Industry representatives have requested changes to the current governance structure of the industry as well as a new name, Horse Racing Alberta, to mark this milestone. The proposed amendments will improve accountability of the industry to the government by requiring the annual submission of multiyear business plans and performance measurements. These changes are a result of the government responding to and consulting with all industry stakeholders.

[Motion carried; Bill 16 read a first time]

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I have two tablings, which are official letters of congratulations that I have sent on behalf of our government to congratulate the University of Alberta Pandas hockey team on winning their second CIS women's hockey championship last weekend and also to the University of Alberta Golden Bears on winning the 2002 CIS men's volleyball championship last weekend. It's very important to note that for our U of A this marks the fourth CIS title of the year. That's an amazing accomplishment, as alluded to by our colleague from Edmonton-Glenora, and I know we will all want to reiterate our sincere thanks to the fine players, coaches, and trainers in that regard.

Thank you.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. It's my pleasure today, as I promised and committed to in question period yesterday, to table, first, a letter dated February 19 from the city to the province referencing a unanimous motion passed by city council stating that "City Council is fundamentally opposed to the removal of our authority to make decisions regarding land use."

The second tabling today is a copy of a letter dated March 5 to the city from Municipal Affairs, and the letter is in response to a request by the city manager asking the province to step in regarding the solving of land use between the city of Edmonton and Catholic schools.

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

MRS. O'NEILL: Thank you, Mr. Speaker. I request to table with the Assembly a petition statement sent to me by a constituent, Anika Ursuliak, regarding the War Amps Drivesafe initiatives.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. With your permission I'd like to table five copies of a letter from Mr. David Cross of Okotoks, who is a constituent of Highwood, requesting that the Bighorn wildlife recreation area be designated a wildland park.

Thank you.

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

MR. MASON: Thank you very much, Mr. Speaker. I have two tablings today. My first tabling is the Seniors Action and Liaison Team submission to the Romanow commission.

The second tabling is their analysis of the report of the Premier's Advisory Council on Health, the Mazankowski report, and I would provide the necessary number of copies.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have one tabling this afternoon. It's an e-mail from the Deputy Minister of Learning to various school superintendents across the province. Thank you.

THE SPEAKER: On a point of order the hon. Member for Edmonton-Highlands.

**Point of Order
Tabling a Cited Document**

MR. MASON: Mr. Speaker, I intended to raise a point of order pursuant to *Beauchesne* 495 respecting the tabling of documents referred to by a minister, but as the minister has now tabled those reports and courteously provided me with a copy, the point is moot.

head: **Orders of the Day**

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

**Bill 10
Public Works Amendment Act, 2002**

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's my pleasure to move second reading of Bill 10, the Public Works Amendment Act, 2002.

It really is an honour for me to bring forward a piece of legislation that actually removes duplication and redundant legislation. I think it's a trend whose time has come. Although public works are not the most dynamic type of bill to bring forward, I think it's very important that this Assembly recognize that if it were not for our public works and our infrastructure, the economy that provides the wealth to fund many of the other bills we deal with would not be there. So I think that when we can help this industry streamline and eliminate paperwork, we're certainly on the right step.

[The Deputy Speaker in the chair]

Now, everyone has been delivered a copy of Bill 10, and I'll run through it briefly, Mr. Speaker, and comment on some of the major changes, and I'll certainly look forward to the discussion in committee.

Before I go through the bill, Mr. Speaker, I'd like to take the opportunity to thank all the stakeholders for their input during the developments and the amendments you see before you today in the bill, particularly the Alberta Construction Association, the Alberta Roadbuilders and Heavy Construction Association, the Surety Association of Canada, the Canadian Federation of Independent Business, and many others who all provided very valuable comments and were of great assistance to us in the department. We're sincerely grateful for their support.

The original Public Works Act dates back to 1922 and hasn't been significantly updated since the 1970s. Since then there have been significant developments in contract and tendering law and business practices that have made many parts of the act unnecessary or unworkable.

The amendments to the act which are proposed in this bill result from the recommendations of two groups that were given the task of reviewing the legislation over the last few years: an industry/government working group and the Premier's Task Force on Construction Contracts. As I've already mentioned, stakeholder input and consultation were also key.

Going quickly through the bill, Mr. Speaker, you'll see first that the definitions of the act are clarified and updated. As government departments are restructured and streamlined over the years, it makes sense to replace department names in legislation with more generic references so we don't have to keep updating them.

The repeal of section 2(2) recognizes that under contract law principles, a binding contract is created when a tender is accepted and that the subsequent signing of the contract is only a formality. Similarly, the change to section 7 reduces the potential for conflict between the act and established contract law.

2:50

The new section 8 allows the government to award a contract to someone other than the lowest bidder without the present requirement of an order in council. Dating back many decades, the requirement for an order in council was first included to ensure government accountability. However, since then various court decisions have established contract law principles of fairness, good faith, past performance of the contractor, and so on, which allow contracts to be awarded to someone other than the lowest bidder. The government has been and will continue to follow these contract law principles. Also, other public-sector agencies such as municipalities, school boards, and regional health authorities are not required to obtain orders in council under these circumstances. So this amendment will make the government consistent with other private-sector owners. Just for clarity, Mr. Speaker, this is not changing how a contract is tendered or how it is awarded. It is simply the follow-up paper trail to it.

Changes to section 9 now reflect current tendering law in Canada and are consistent with a standard form of bid bond commonly used in the industry.

Sections 10 and 12(2) and (3) are no longer needed as these requirements are now commonly specified in contracts.

The effect of repealing section 13 is to delete unnecessary definitions and to extend protection under the act to all levels of subcontractors. Quite honestly, Mr. Speaker, it really doesn't matter what you want to call someone who's provided a good or service to a job. They should be paid regardless of what a bond company or a contractor puts them as to what level of subcontractor. So by eliminating the term "subcontractor," we've provided that protection from top to bottom.

One of the things we heard very clearly from our stakeholders, Mr. Speaker, was that the differences and inconsistencies between the Public Works Act and the Builders' Lien Act are confusing and unfair to contractors. A significant change in section 14 provides greater consistency between the two acts by extending the period for a claim arising from a contract, other than for a highway or road, from 35 to 45 days. Similarly, the following section ensures that the process for paying money into court under this act parallels the commonly understood process under the Builders' Lien Act. The claim period for highway and road contracts remains at 90 days due to the nature of the heavy construction involved and the way the payment is calculated under these contracts. This, too, mirrors the 90-day claim period for the oil and gas service sector under the Builders' Lien Act, and it's what the industry wanted.

Changes to section 17 ensure that subcontractors and suppliers can get the information they need should they wish to file a claim for nonpayment.

Finally, while some outdated offences in section 18 are repealed, the maximum fine for offences under section 33 is updated to \$1,000.

Bill 10 will assist contractors who build the infrastructure that is so important for Alberta's economy, Mr. Speaker. I urge all members of this Legislature to give this bill their full support. Thank you.

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

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure to rise today to speak to Bill 10, the Public Works Amendment Act, and I would like to thank the hon. Member for Vermilion-Lloydminster for sponsoring this bill.

Right off the bat I can inform not only the hon. member but all members of this House that this is a welcome bill by our contractors. It is also a bill that will help harmonize different pieces of legislation in this province. I can say that with confidence, Mr. Speaker, in the fact that we have also had extensive consultation with many stakeholders, and for the most part they are in favour of the bill. Of course, we do realize that with any piece of legislation there is a certain degree of compromise that must be taken by all parties, and they certainly expressed their confidence in the fact that for any contentious issues ongoing consultation will take place and that if changes are required, then certainly the work that is yet to be done on this bill will be done.

One of the important parts of this bill is that it will harmonize two different pieces of legislation: the Builders' Lien Act and, of course, this piece of legislation, the Public Works Amendment Act. One of the other strengths of this particular bill, Mr. Speaker, is the fact that it does provide a great deal of clarity and consistency between the pieces of legislation that were missing before. The one question that kept coming up in our consultation was: is the 45-day period enough? We see that perhaps in the future this may have to be extended.

As I was mentioning, it is a very good piece of legislation. We do realize that the tendering process in public works is a complex process, and it is extremely important and incumbent upon us as elected members to protect the taxpayers' money while still giving the government the flexibility it needs to get the job done. So when we do look at the act, Mr. Speaker, there appears to be a number of changes that are welcome that will simplify this whole issue of tendering and the awarding of contracts, and I do look forward to speaking to this bill as we move on through committee and into third reading.

I do note as well, Mr. Speaker, that the hon. member did in fact outline very well the changes that have occurred in contract law principles since the 1980s and the fact that we don't necessarily have to award contracts to the lowest bidder anymore. Other issues and factors that do come into place, of course, are the criteria, which include fairness, good faith, past performance of the contractor, and so on. Particularly in other public-sector agencies such as municipalities, school boards, and regional health authorities these public-sector agencies are not required to obtain an order in council approval if they do not wish to award the contract to the lowest bidder.

So, as I said, Mr. Speaker, we certainly are supporting this piece of legislation, and I would urge all members of the Assembly to support it. Thank you.

THE DEPUTY SPEAKER: The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I rise to speak on Bill 10, Public Works Amendment Act, 2002, in its second reading. I had a quick look at the bill, and clearly part of the purpose of the bill is to harmonize different pieces of legislation and to simplify and reduce redundancies where they might be. To the extent that it succeeds in doing that, we will certainly be happy to support it.

The bill essentially eliminates the legislated time periods, security requirements, et cetera, from the public works contracts and tenders. It also increases ministerial prerogative in terms of accepting tenders other than the lowest. Since the bill removes legislative restrictions regarding time lines, rules, standards, et cetera, it certainly, I guess, puts these things more at the discretion of the minister. It certainly will give greater room for the minister to draft contracts. It will also be easier for the minister to accept a tender other than the lowest one. Whereas the minister previously needed an order in council to accept a tender other than the lowest, he or she will now be allowed to simply not accept the lowest tender. So it eliminates the need for the ministers to go through the order in council process.

3:00

As a result, the concern I have is that overall the amendments may mean that there'll be less transparency and less predictability, and that's something the contractors may not like, the latter part in particular. Although there will likely be standard contracts with standard terms, developing and breaking these standards will be at the discretion of the minister.

Our concern here – and I will simply register this concern at this point. We will have the opportunity to look at the bill in more detail in committee and, if necessary, be able to amend it. One concern that we do have, Mr. Speaker, with respect to the bill is the removal of the requirement that if the minister is not accepting the lowest tender, he or she must obtain an order in council. I think that was a provision in the previous legislation that needed to be kept. It provides a second check and assures the public and everyone else that everything is done absolutely appropriately and beyond any reason for suspecting that the decisions were made on grounds other than the ones that are in the best public interest.

The general trend, Mr. Speaker, in the legislation is towards removing legislative constraints and making significant policy decisions subject to regulations and ministerial powers and discretion. This bill certainly reflects the same trend, and we certainly have a concern on this one.

So the issues of transparency and matters related to regressive removal of legislative constraints on the decision-making process are the two concerns that we have that we want to register and share with the rest of our colleagues. Hopefully as we go through the various stages of debate on this bill, we should be able to address those concerns and improve the bill.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I have at this time a few remarks regarding Bill 10, the Public Works Amendment Act, 2002, as proposed by the hon. Member for Vermilion-Lloydminster. In reviewing this legislation, I see that there has been an extensive consultation process completed, and the member wouldn't have to go too far for the consultation process because of his background in the construction industry. I think the hon. member would have a familiarity with the industry and the contractors involved, and I believe this is reflected in this legislation, because from what I can see, it's noteworthy and it is meant to bring this act in line with

current tendering law and the Builders' Lien Act, which we dealt with in this Assembly last session. As I understand it in reading this, we are going to be given the same deadlines for filing a lien as in the Builders' Lien Act.

However, I do have a few reservations, one in particular at this time, Mr. Speaker, and perhaps other members of the Assembly can discuss this and perhaps shed more light on this specific issue. As I understand it here, the proposal is to eliminate the section requiring an order in council to accept a tender other than the lowest one, and I don't know if that is necessary. I don't know how many times that has been used in the past. Perhaps the hon. member can at some time advise not only myself but other members of the House regarding this: specifically how many times, if any, was this section needed? It obviously was intended to ensure that there was another form of accountability, as described by the hon. Member for Edmonton-Strathcona, but it is something that we cannot forget, particularly when we're dealing with tax dollars.

The majority of the projects certainly would be noteworthy, and they would be necessary to improve not only urban areas but certainly municipalities, rural areas, whether it's roads, whether it's bridges, whether it's public buildings. These are very important to the communities in which they are located, but it's also very important that there is a wise use of tax dollars not only in the construction of these facilities but also in the period leading up to the start of the construction. So accountability is an issue, and I'm curious as to why, if this order in council was seldom used, we would have to eliminate that. Did it take up a lot of cabinet time? I don't know.

Now, Mr. Speaker, I have one more observation, and that is with the proposed legislation and the current Public Works Act and the discussion in here on the levels of subcontractors. Sometimes subcontractors can be left holding the bag, shall we say, and it is unfortunate. Some of them are smaller businesses, they're family-owned businesses, and they can't afford that. I think this is an improvement, and I would like to point that out to the hon. Member for Vermilion-Lloydminster and commend him for the proposed change that would eliminate the specific reference to subcontractor and simply rely on the word "person." Now, that would be, I believe, the repeal of section 13, and we follow through with the notice of claim in section 14(1).

With those comments, Mr. Speaker, I will cede the floor to another hon. member of this House. Thank you.

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

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise to speak to second reading of Bill 10, the Public Works Amendment Act, 2002, and I honestly think that my colleague the hon. Member for Edmonton-Strathcona was far too kind in his comments with respect to this bill. He'd raised a number of concerns, but I think those concerns are very, very serious.

3:10

I just want to preface my remarks by saying that I've had in my experience in municipal government quite a bit of opportunity to deal with issues around the awarding of construction contracts. They can be sometimes quite thorny, but certainly I think that in our system . . . [interjections] You know, we can elaborate as much as necessary to elucidate the hon. members opposite, Mr. Speaker.

In the system used in the city of Edmonton – and I'm sure it's rather different than in the city of Calgary, where they let the commissioners run the whole show – we have an executive commit-

tee system where members of the council on a rotating basis sit with the mayor and senior administration and deal with issues that come up from time to time with respect to a number of issues including the awarding of contracts. If a contractor feels unjustly dealt with, Mr. Speaker, then he or she has an opportunity to come before the committee and challenge the process. So you have an opportunity to find out how some of these things work in some detail.

Sometimes the contractors have a point in terms of ambiguity in the process, and that's the first point I'd like to make, that this bill removes a number of steps and removes a number of checks and balances which would in many cases protect contractors who are often small businesses. Certainly we found a number of times that smaller companies felt they were unfairly dealt with in terms of a process. So if you provide a better framework, a firmer framework for evaluating those and making sure that things are done appropriately and transparently, then that benefits the small business community, who often depend for their livelihood on contracts let by municipalities or, in this case, by the provincial government.

But the broader concern, Mr. Speaker, is the other way, and that is the concern that the process is fair and that it's honest and that contractors are not mistreated without some check and balance. I've seen a number of cases where this has occurred. All of the checks and balances that exist to make sure the tendering process is clear and transparent and fair are taken out by this bill.

Now, sometimes you don't want to accept the lowest tender. If for some reason a company has not performed in the past or you don't think that it has the expertise or the size in order to appropriately deal with the contract, you can sometimes award the contract to someone else. If you think that the contractor is lowballing the bid, then you have a duty to award it to someone else. But there needs to be a check and a balance to make sure that, in fact, something untoward is not happening, and this happens from time to time. The requirement in the present legislation that the minister doesn't have to take the lowest tender but has to justify it to cabinet is a prudent one. I would make the statement and make it advisedly, Mr. Speaker, that corruption is not unknown in the relationship between the construction industry and government. It is not unknown.

I can give some examples from my own experience, Mr. Speaker. In one particular case I had a worker who'd been working on a job come to my office. This job involved a large water main. He came into my office and told me that at a certain point this main had been improperly constructed, with the result that the lining inside the main had spalled off. There's a concrete lining inside a steel pipe the size that a person could walk upright in. This had been reported to the owner of the company. The owner of the company instructed the crew to cover it up and put the dirt over top of the line, and they signed off on this to the city. What would have happened, of course, is that in about 10 years the steel would have rusted through, and there would have been a massive leak underground, with no one understanding what had caused it, and it would have had to be fixed by the taxpayers.

So I took the worker to the city solicitor and the head of our water branch, and I took the worker to the police as well. The result was that the city ordered the line drained, and they did an inspection. Exactly where the worker had said this had occurred, in fact the lining had spalled off the inside of the line. So restitution had to be made by the company, and all of this work was done at the company's expense.

The question arises, Mr. Speaker, that when the expenditure of public money is undertaken in the awarding of contracts, there must be checks and balances and there must be transparency in the process. I'm not making this in reference to anyone presently sitting opposite, but I am making it as a general point. Otherwise, it is an

invitation for corruption to occur. This bill for some reason removes the protection that we have against that sort of thing occurring in our own department.

The other aspect, Mr. Speaker, has to do with the limitation on awarding contracts to companies that owe money for past work. This is a matter that's come up a number of times as well in my previous life, and I'm sure that other people who've had involvement in municipal government would have had similar experiences. There's a dispute over money, yet the contractor with whom the dispute exists wants more contracts and wants more work but doesn't want to settle the issue. One of the strongest levers that you have is simply to not award additional contracts, and this has been taken out as well. I suspect that in the long run, this amendment will cost the provincial government millions of dollars that would otherwise have been recovered without costly litigation.

So I can't support the bill, Mr. Speaker. I think it's dangerous. I think it's going to result in considerably increased costs to the government in the long run, and it has the potential of leading to a very, very bad situation with respect to the awarding of contracts in our province for construction of highways or whatever. It's not prudent, it's not thoughtful, and it gives the minister far too much power.

So I would urge hon. members to consider whether or not all of the clauses of this bill merit the approval of this Legislative Assembly, and hopefully the government may consider what steps they might take at committee stage in order to mitigate the damage which I believe this bill is going to cause to the administration of multimillion dollar budgets and infrastructure programs in this province.

Thank you, Mr. Speaker.

3:20

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

MR. McCLELLAND: Thank you, Mr. Speaker. During the Member for Edmonton-Highlands' comments he referred to a specific construction company that didn't undertake its responsibilities and was subsequently sued. I don't doubt the veracity of what had happened, but I'm wondering if the Member for Edmonton-Highlands would identify the company involved so as not to cast aspersions on the reputation of other businesses that may do business with the city.

Thank you, Mr. Speaker.

MR. MASON: I'll take that question under advisement, Mr. Speaker. If I get advice that it's a prudent thing to do, then I would be pleased to stand in this place and tell the entire House the name of the company.

AN HON. MEMBER: Why raise it in the first place then, Brian, and cast aspersions?

MR. MASON: Because he wanted an example.

THE DEPUTY SPEAKER: If there are no further questions, the hon. Member for Vermilion-Lloydminster to close debate.

MR. SNELGROVE: Thank you, Mr. Speaker. I want to thank the hon. members for some suggestions. I will try and find out how often it has been necessary to get an order in council. That's a valid point.

I think the critical part of that debate is that it's not going to change the way it's done now. It's simply going to change the fact

that we have to go get the Lieutenant Governor to sign the bill. The minister will still have the right to determine whether the contract is accepted or whether a contract that's provided is accepted, so it's not a case of changing the process.

I think it's very important to recognize in this that the individual responsibility for that contract now is going with the contract. Anyone who has been in the contracting business, particularly if you've been contracting with the government, will know that you get a package about this thick. The very first part of that package would be half a dozen, maybe 10 or 12, pages that are the actual tender documents themselves. Then you will have, if the book is an inch and a half thick, an inch and a quarter of general contract conditions. At the end of most contracts you will have the specific conditions which will relate to that contract. So we routinely provide one and a half inches of a two-inch book for conditions that probably do not apply, and in those conditions may be clauses still that are different from the tendering contract, from contract law. So it's important that we address each contract on its individual requirements: for bonding, for the protection of – we don't want to use the term subcontractors, because I believe all people that provide goods or materials to a job should be covered at whatever level. It's important that that tender recognize the individuality of that contract.

I think that when the hon. members have a chance to look maybe a little more carefully through the bill, they will see that what we're doing is eliminating the duplication of many of the requirements. It's not eliminating them; it's making them specific to the contract you're dealing with.

I can tell you that in the contracting business – and I appreciate that the hon. opposition member is aware that I've operated in the construction business over 25 years – the contracts never got simpler. Many, many times it's not only to the benefit of the government; it is to the benefit of the contractor to, one, have plain language and, two, have that contract specifically say if they can withdraw their tender, the amount of security required to bid or to perform the job, individually marked in that particular tender.

So I take the concerns of the opposition members. I certainly hope it wasn't my company that put in the line that the hon. member talked about, because that would be just recently off warranty, I'm sure. However, Mr. Speaker, I appreciate their concerns. We'll discuss it more fully in committee, and I will try and get the answers the hon. member mentioned.

I move that we vote. Thank you.

[Motion carried; Bill 10 read a second time]

Bill 7

Agriculture Financial Services Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm very pleased to move second reading of the Agriculture Financial Services Amendment Act, 2002, and in doing so would like to outline for this Assembly the details of proposed amendments to the Agriculture Financial Services Act.

First a little history. In December of last year the Minister of Agriculture, Food and Rural Development announced our government's intention to merge the operations of the Agriculture Financial Services Corporation and the Alberta Opportunity Company. Since that time both organizations have been working together to ensure a smooth transition on behalf of the small business and agri-industry clients that they serve. Both AFSC and AOC are strong organizations with dedicated staff and proud histories. By reducing adminis-

tration and combining the business strength of both organizations, we are looking to enhance delivery of one-window, made-in-Alberta financial solutions.

AFSC, as members may know, serves Alberta agri-industry through 50 offices throughout the province as business centres for insurance, income protection, farm lending, and commercial financing. AOC serves Alberta's small business sector through 10 offices, providing financing to viable small businesses when it is unavailable from conventional sources. AOC's reach will be significantly increased through its merger with AFSC. That, I believe, can only strengthen the services it has delivered and will continue to deliver. The amendments we are proposing give AFSC expanded responsibility for the business assets, obligations, and opportunities of AOC. Modifications to the act also include several changes that will provide AFSC with more flexibility in the delivery of effective and efficient financial products and services to Albertans.

The merged company will operate under the name Agriculture Financial Services Corporation. The previous two boards will be merged into one board. In order to ensure a smooth transition, directors have been appointed to serve concurrently on both AFSC and AOC boards until this legislation takes effect. The appropriate sections from the Alberta Opportunity Fund Act are being incorporated into the AFSC act to allow the business of lending and financial assistance presently conducted by AOC to carry on as part of AFSC. Once this amendment is proclaimed, the Alberta Opportunity Fund Act will be repealed.

As well, we are proposing several changes relative to AFSC's involvement in providing crop insurance. If these amendments are passed, AFSC will be able to offer, should government deem it necessary, a price support program that relates to market prices or input costs. What this means is that AFSC will have more ability to respond to the needs of agricultural producers.

Amendments will give AFSC more flexibility to deal with misrepresentations by their clients. Currently AFSC can cancel a contract of insurance for only one year when a misrepresentation occurs. AFSC wants and, I suggest, needs the ability to cancel a contract for a longer period of time, depending on the severity of the misrepresentation.

Amendments will clarify wording related to deadlines for farmers making crop insurance claims. We also propose to reinstate a clause from the former Hail and Crop Insurance Act which was omitted in the merger that created AFSC. This clause deals with the farmer's exemption under the Civil Enforcement Act. Other proposed changes will allow for retroactive regulations to be passed to deal with an agriculture disaster or an emergency situation.

Members will also note that this act will change the individual lending limit from \$1 million to \$2 million. It is apparent that the \$1 million lending limit, which has been in effect for some years, needs to be changed. The size of projects being financed has grown substantially. We know that the costs of land, buildings, and equipment have been the major factors. This \$2 million limit will enable AFSC to deal with some projects that in the past they have been unable to accommodate. The act will allow AFSC to act as a ceding insurer; in other words, be an intermediary through which reinsurance could be offered to other government departments to ensure that fluctuating costs due to unforeseen disasters are not a strain on budgets.

3:30

Mr. Speaker, that highlights the changes we are proposing. We are looking forward to the results of this merger between two outstanding organizations. Small business and the agriculture

industry are strong contributors to the Alberta economy, especially in rural Alberta. We'll continue to invest in our entrepreneurial spirit by providing meaningful and unique financial services that aren't readily available from the marketplace.

Thank you.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to rise this afternoon and discuss Bill 7, the Agriculture Financial Services Amendment Act.

I notice with a great deal of interest anytime the Alberta Opportunity Company, which was established in 1972, is discussed. Now, the first thing to recognize here, Mr. Speaker, is the objective of this bill as I understand it, and that too is noteworthy because of the objective to improve the delivery of service in a more efficient manner. There are claims that up to \$1 million in administrative costs could possibly be saved with the unification of these two corporations or companies. But I would have to question even why it is necessary at this time to have the AOC, or the Alberta Opportunity Company, in a free enterprise, free market economy such as the one that we enjoy in Alberta. I don't see the need for having the Alberta Opportunity Company.

Now, there are those that will say: well, it's not really involved with taxpayers or tax dollars. But there are debt servicing costs here, and they usually, depending upon the year, range from \$5 million to \$6 million. This is certainly noted in the fiscal plan from 2001 through to 2004. You have them in a business plan.

When you think that the Alberta Opportunity Company was established in 1972 to provide financing for viable Alberta small businesses that are unable to find the financing they need through conventional financial institutions, well, there are those that would say: go to a chartered bank, go to the Alberta Treasury Branch, or go to a credit union. There are some offshore banks that certainly individuals could approach. Since 1972, Mr. Speaker, the mandate was to give priority to businesses located in smaller communities where access to capital may be more restricted. A lot has changed in the last 30 years. A lot has changed certainly with the banking industry. There's no doubt about that. There's no denying that in the banking industry for some enterprises with user fees and with electronic transaction fees, it's almost become some sort of cash cow. But we're here to discuss the unification, shall I say, of the Agriculture Financial Services Corporation and the Alberta Opportunity Company, not to discuss the fees and the cost of those fees and the profits of the banks.

A lot has changed in 30 years, and I don't think we in this province need the Alberta Opportunity Company any longer. Now, if a person has a small business that they're interested in starting or promoting in a smaller community, I believe there is access to capital that perhaps there wasn't 30 years ago. I know there are many people concerned about the lack of venture capital in this province, but perhaps that's something that we could work at improving. Certainly the hon. Member for Lethbridge-East has discussed this with members of this side of the Assembly, and there are some excellent ideas or proposals available to provide venture capital. But how fair is it now, Mr. Speaker, when we think of businesses that have been not prospering in a community for any number of years – let's say for the last 30 years – as a family-owned business, a family-owned construction business? We could select any town at random in this province, but let's select Kitscoty.

Now, in Kitscoty there is a business, and it's been transferred from one generation in the family to the other and has prospered.

Someone comes along and they're seeking funding through the AOC to set up some competition. With that particular community what may happen is that that competition could go awry. There could be no businesses. Everyone could suffer as a result of that. With the financing that's available, a viable small business or a family-owned business perhaps cannot compete on the level playing field. Perhaps there's no need for a business there. For the company, if they have a sound business plan, if they have a strategy to develop or attract a market for their product or their service, then the banks will tip their hat to that business plan, and they will provide the money at a competitive rate. Then everyone is on the same level playing field.

I'm not stating that the Alberta Agriculture Financial Services Corporation be eliminated, but I think that this province has outgrown the need to have an enterprise such as the Alberta Opportunity Company. Now, I don't know how much money precisely is dealt with here through the AOC, but I believe - and I could be corrected if an hon. member of this Assembly has the precise information - it's in excess of \$100 million.

MR. MASON: How much?

MR. MacDONALD: I believe it deals with finances over \$100 million. Now, I could stand corrected, and if anyone has that information, I would love to hear from them.

We have to be very careful about this, and we have to understand the changes that have occurred since 1972. I think this enterprise or this organization is no longer needed. I could never understand why it was needed. Gosh, I think, Mr. Speaker, there was even money that went from AOC to various pine shake manufacturers. At one time six or seven - no; it would be longer than that. It would perhaps be 10 years since that happened. So, you know, there are various enterprises that received money in one form or another from this company. I would just caution all members that times have changed, and we do not necessarily need this company.

We are certainly grateful for our free enterprise system, our free market system, and whether you're in Kitscoty or whether you're in Calgary or whether you're in Whitecourt, I think if you have a viable business plan, there is no need for an outfit such as the AOC. Perhaps you can go to the bank. You can select your bank or your financial institution, and that's it. I think the time has finally come for not only this government but all governments. I think this is to me an indication that we're still in the business of being in business, and it's time to stop that practice. I would urge members to consider that perhaps this bill is the time to achieve that objective. I just cannot understand why in this province we need an organization like this now. We've come a long way. It may have served a purpose, but I can't see the reality of allowing this amalgamation. Just simply, I think that the AOC should be eliminated.

Thank you, Mr. Speaker.

3:40

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

MR. MASON: Thank you very much, Mr. Speaker. Well, I'm a little more equivocal on this bill. I think that it's got some interesting points. Obviously the government is trying to appear as if it's modernizing and streamlining and so on, and there's nothing really bad about that. I tend to agree that the AOC is something that we should look at, and I certainly think policies that would be in some way conducive in an overall way to the formation and growth of small business that are available to everyone would be preferable.

But I do want to indicate that we feel that the Agriculture

Financial Services Corporation has been and will continue to be very important for Alberta farmers. The concern that we have is that the merger may in some way shift its focus or direct it in some way to stop offering some of the services to farmers that it presently does. That is, I guess, the big concern. The AFSC has provided many, many valuable services. They include loans to farmers, insurance, income protection, and other things, and those things are beneficial.

Certainly we believe the family farm is under attack in this province like never before, and the policies of the government which promote the development of large agribusiness as the right approach in rural Alberta are not helping. So we're really concerned, for example, that we not be closing offices of the AFSC as part of this amalgamation. There are now about 50 offices provincewide, and we think that maintaining the accessibility of the corporation to Alberta's farmers is very important and hope that any amalgamation or merger doesn't mean the loss of programs or offices or resources that are currently available to farmers.

I don't want to speak very long on this bill; that is, unless anyone has any questions they want to raise that I could elaborate on. [interjections] Mr. Speaker, I only told actual facts, but that was another bill.

Mr. Speaker, I will also indicate that we're generally supportive of the increase in the loan limit from \$1 million to \$2 million. We think that reflects the current state of affairs.

So the last caution I would raise is that as we amalgamate and modernize, there's been a temptation to try and make these publicly owned corporations look like private-sector corporations, with very, very fat salaries for CEOs and, you know, all of those kinds of things. [interjections] The WCB would be a case in point where that kind of corporatization is . . .

THE DEPUTY SPEAKER: Hon. member, sorry to interrupt you, but the hon. minister doesn't know that he has to wait until after you've finished your speech before he might ask you a question under Standing Order 29 as well as other rules.

Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I was enjoying the hon. minister's questions with one ear, but I'm sure that he appreciates your correction.

Finally, Mr. Speaker, the corporate model that's been developed and that we've seen, for example, in the WCB is not where I think we should go on this. We should be making sure we put the resources right in the front line where they can help the farmers and help the small businesses if that's deemed necessary and not create some kind of high-powered corporate executive team with salaries in the six figures.

So with that caution, Mr. Speaker, I'll indicate that we'll support this bill at second reading and look forward to any comments any members may have. Thank you.

THE DEPUTY SPEAKER: A question, hon. Minister of Environment?

DR. TAYLOR: Thank you very much, Mr. Speaker. I regret I asked my question at the wrong time. It was just a slip, I'm sure.

The hon. member is suggesting that the CEO of the AFSC, Agriculture Financial Services Corporation, is making in the six or seven figures, and I'm just curious if he actually knows what the salary is of the CEO of that organization or if he's just making it up like most of his other information?

MR. MASON: I'll deal with his last comment last, Mr. Speaker, but

I want to indicate that I did not say that I knew what the salary was. I understand that the position is currently being head-hunted. I do not know what the salary is, and I did not claim to know what the salary was. I did say that I hoped the government would avoid the model that we've seen in the WCB, where the executive salary is over \$300,000.

AN HON. MEMBER: You didn't deal with the last part.

MR. MASON: Shall I deal with the last part of his comment?

THE DEPUTY SPEAKER: You've run out of time, hon. member. It's 30 seconds each.

A question, hon. member, or to carry on debate on this bill? The hon. Member for Edmonton-Mill Woods on the bill.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to make a few comments about Bill 7, the Agriculture Financial Services Amendment Act, 2002. I have some sympathy with the aims of the act, and it arises out of some concerns we've had in our constituency working with people who are living in poverty and experiencing poverty. The roundtable on poverty was fortunate enough to get a grant from the community lottery board to run a series of sessions for people who are experiencing poverty and who are interested in starting their own businesses. We were able to have some general sessions and then to run an incubator for some of those people who had ideas that were worthy of pursuit. One of the great difficulties that that group of individuals has of course is securing financial backing for the projects that they bring forward. There are a number of reasons for that, but they do have a great deal of difficulty.

3:50

It seems to me that as you read the proposed bill and the kind of promotion that is expected, there's quite a difference in the classes of businesses that are going to be eligible for support. I'm not making a comment as much as I'm asking a question. One of the purposes is to provide "employment and business experience for Alberta students through loans for the creation, expansion or operation of student business enterprises." The following one: "Companies, associations and groups formed for the purposes of attracting industrial development and expansion within their communities." And the last one: "Industries involved in pollution control, including recycling of products." It seems to me that those classes of business are going to find a very difficult time gaining financing in the normal commercial market, yet they are quite different from some of the other ones that are going to be supported: "Alberta services and products to enhance their marketing and export potential" or "commercial enterprises offering a high degree of job opportunity in relation to capital investment."

It seems to me that there's quite a discrepancy. There are two distinct groupings of businesses that are going to be eligible, and I wondered if the crafters of the bill had considered that and made that kind of distinction when they were putting forward the listings and the purposes that we have here. I think there are some conflicting assumptions. One is the need to "promote the development of resources and the general growth and diversification of the economy," and the other assumption is that the current financial structure won't or can't respond to those needs. Yet that doesn't seem to me to be equally true for all of the companies that are listed here.

This may be a more appropriate question at committee stage, but it's one that I would be interested in having some information on. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Leduc to close debate.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I have no further comments other than to move that the vote be taken.

[Motion carried; Bill 7 read a second time]

Bill 11

Energy Information Statutes Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. I'm pleased to move second reading of Bill 11, the Energy Information Statutes Amendment Act, 2002.

This bill will ensure the prompt, accurate submission of vital energy information by industry allowing government and the Alberta Energy and Utilities Board to continue acting in the public's interest by effectively managing energy and mineral resources and revenue and facilitating the achievement of cost-saving negotiated electrical rate settlements.

This bill will amend a number of energy-related acts to ensure that the specific information provided by industry under these acts or their regulations is protected from disclosure despite FOIP, extending the same protection to royalty forecasts and information provided by industry. The following acts will be amended by this bill: the Natural Gas Marketing Act, the Electric Utilities Act, the Oil and Gas Conservation Act, the Oil Sands Conservation Act, and the Coal Conservation Act.

These acts require industry to submit information to the Crown or the Alberta Energy and Utilities Board including analysis of geological and geophysical data required by the Crown to manage Alberta's mineral resources, royalty information required by the Crown to levy and collect appropriate resource revenues, information required to submit to the Alberta Energy and Utilities Board for the purpose of achieving cost-saving negotiated electrical rate settlements, and royalty forecast information required by the Crown for government revenue forecasting and budgetary planning. Privacy provisions under these acts protect this information from disclosure.

The FOIP regulation currently makes these privacy provisions paramount over the FOIP Act in relation to this information. This protection helps to maintain the competitive environment that drives energy and mineral development in the province by ensuring that the information provided to the government or to the Alberta Energy and Utilities Board, often developed by companies at considerable expense, is not available to their competitors through the FOIP Act. In this way the protection contributes to maintaining a fair level playing field among all energy companies.

In its 1999 final report the Select Special Freedom of Information and Protection of Privacy Act Review Committee recommended that the existent paramountcy provision established in compliance with the act should continue but suggested that in actual practice paramountcy should preferably be established directly in an enabling act and the use of the FOIP regulation should be reserved for the time-sensitive situation. This bill achieves the recommendations of the committee by moving the paramountcy provision from the FOIP regulation into the energy-related acts. It also provides the same paramountcy for royalty forecast information.

The act recognizes, however, the need to balance the objective of open, transparent governance with that of providing reasonable protection of sensitive business information so that the information continues to be provided in the timely and accurate manner neces-

sary for effective governance. Consequently, when the acts or related regulations do not always limit the duration of confidentiality provided for the information, this bill includes time limits in the act on how long the confidentiality can override the FOIP Act. This time limit has been set at a reasonable level, bearing in mind how long the information may remain sensitive.

Transferring the paramountcy provisions to the act from the FOIP regulation and extending the paramountcy regulations to royalty forecasting information is in the best interest of Albertans. It provides a level of certainty to the industry that the information they submit will not be shared with their competitors. This will foster a co-operative environment where the necessary information is most likely to be submitted by industry in a timely and accurate way. By creating an environment conducive to timely and accurate reporting of vital information by industry, this act will allow the Energy ministry to fulfill its responsibilities for the stewardship of Alberta's resources and resource revenue and for the development of those resources in a manner consistent with the public interest. It will also facilitate the achievement of cost-saving negotiated electrical rate settlements. Industry and government must in this way continue to work together in the best interests of the province.

Thank you very much, Mr. Speaker.

4:00

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

MR. MacDONALD: Thank you very much, Mr. Speaker. Well, this is certainly not another Bill 11, but it certainly raises alarms on this side of the House. It's Bill 11 in another form, but it's also one that I don't think is without questions.

In the hon. Member for West Yellowhead's opening comments at second reading here this afternoon, Mr. Speaker, there was an indication that this is discussion between industry and government, and that's fine. That's a good thing. But there's another leg to the stool, and that's the consumers. Industry and government – it's fine to have a consultation process, but there are consumers who are also going to be affected by this legislation, whether they're consumers of electricity, whether they're consumers of natural gas, coal certainly. The hon. member is cognizant of the role that coal plays in electricity generation. It's 78 percent of the total of the province. Seventy-eight percent of the total electricity generation in this province comes from coal-fired plants.

[Mr. Lougheed in the chair]

Now, when we look at excluding information – and the hon. member talked about the information flow, but I would like to remind that member, Mr. Speaker, that that information flow is a two-way street. Information certainly can go into organizations such as the Power Pool, the EUB, which are regulatory bodies. Now, people at the Power Pool may take exception to that, but they are a regulatory body. But also consumers. I believe that consumers have a right to know and should be able to do a follow-up request in FOIP. I can certainly understand where the hon. Member is coming from, whether as a member of this Assembly or a businessperson with confidential information or confidential knowledge or a confidential process or a process that should remain confidential because of the research and development over a period of time that went into the development of that process.

I can understand that part of the argument, but when one thinks of the important role – and I will again use the Power Pool as an example and the EUB as an example – that they have in regulating

industry for the benefit of all Albertans, not for the benefit of a few but for the benefit of everyone, the decisions that are made, I'm sure, are made with the interests of the majority at heart. But I don't understand the concern for this, because there are sections available currently in FOIP, or Freedom of Information and Protection of Privacy Act, that would allow for the confidentiality requirements and the requirements of documents of a sensitive nature from the enterprise.

Now, Mr. Speaker, the hon. member can correct me again if I'm wrong, but my interpretation of this is that this act is also going to give the time limits that the member described earlier. There is to be an extension of some of those time limits, and my question at this time would be: why? Why do we need an extension of those time limits?

Now, we realize certainly that there is legislation, Mr. Speaker, that's paramount over the FOIP Act. We are dealing here with the Electric Utilities Act, the Mines and Minerals Act, the Natural Gas Marketing Act, the Coal Conservation Act, and that's it, I think. One has to recognize that with the Mines and Minerals Act and the Natural Gas Marketing Act there are particular records, as I understand it, where paramountcy will expire on December 31 of this year. I think this is also applicable to the Electric Utilities Act, and I could stand corrected on this. We have to recognize that the government, you know, does not want to contradict the FOIP Act, but I think there's an effort being made here to make it clear that the provisions in the acts mentioned as amended are going to prevail over the FOIP Act. What this really does, as I understand the member, is provide clarity for everyone.

When you consider that, as I understand it, this legislation is designed to protect sensitive information that has always been considered confidential or potentially confidential, we are not making any information off-limits that wasn't already protected, whether indefinitely or for the set periods of time that I discussed a little while ago. But if we are just clarifying these sections in light of FOIP, there are sections of FOIP that are already set aside, and I don't understand why we need to go this way. There are questions, Mr. Speaker.

Now, the FOIP Act has three mandatory exemptions. There are also 11 discretionary exemptions and a commissioner, in this case an acting commissioner, to rule on other issues. I don't know if this Bill 11 is showing a lot of confidence in the government's own FOIP legislation to protect information. This isn't a ringing endorsement.

We all know exactly how important a stable electricity generation and distribution system is to the province. What are we going to do here? Now, let's say that an individual party across the province wants to have a look at, let's pick for instance, the subsidies that are going to some of the generating stations that are currently being constructed, natural gas generating stations. These subsidies are called location-based credits. They are certainly happening in the northeast section of Calgary. They're happening in Grande Prairie, I believe in two locations in Grande Prairie.

What happens if consumers or perhaps some competitors don't feel that this is a level playing field, these location-based credits? Are they going to have access to this information, exactly, precisely what the location-based credits were in the auction? I don't know. Perhaps the hon. member can not only share with this member but all members of the House this information. Will individuals or enterprises be able to seek that information? Will they be able to seek information such as the over \$1 billion that I understand has been put into the transmission administration from proceeds from the PPAs? Now, there's also the issue of taxes or municipally owned utilities' taxes in lieu of. Where exactly would that money, if there

is any money, be going? In light of these changes will anyone ever be able to find out?

4:10

Now, I'm told that many of the electricity generators know one another's costs because they've been in the business for awhile and it is a competitive business. They can pretty well tell exactly what it costs per kilowatt to generate electricity, but in light of what has gone on with electricity deregulation in this province, I don't know, Mr. Speaker, if it is wise to be amending the Electric Utilities Act in regards to FOIP.

There are many documents that one can view on-line from the EUB, and they're very interesting reading, but at the same time we have to ensure that there is accountability and not only accountability but accessibility to the public, whether they be consumers of electricity or perhaps generators of electricity. Perhaps there's information there that it would be wise if it was available to all citizens of this province. I'm not sure why we need this legislation as it has been described to me this afternoon.

Now, in regards to the Mines and Minerals Act and, in the time that I have remaining, the Natural Gas Marketing Act there are many changes occurring with our royalty system, and the hon. member in the opening remarks in debate at second reading touched on this. I don't have to remind anyone in this Assembly of the importance of Alberta's natural gas industry not only for exports, but we have to look at the revenue that we get in this province from natural gas. This whole process has to be open, and it has to be transparent.

For instance, Mr. Speaker, the Auditor General two years ago raised reservations about the integrity of the metering system. I believe that the Auditor General was concerned about the age of this metering system and whether we were missing anything. Now, we can only go back to . . . Well, let's go back 20 years, to 1982. These are in billions of dollars. There was over \$4 billion in natural resource revenue collected and about \$7 million in non natural resource revenue. Last year was an extraordinary year, but let's look at 1992-93.

Natural resource revenue as a percentage of government spending was 12 percent, but there was, again, a significant amount of revenue collected. Excuse me, Mr. Speaker, there was \$12 million dollars in non natural resource revenue collected, and in 1999-2000 there was \$4.6 million in natural resource revenue collected. Excuse me, there was \$2 million collected in 1992-93.

Now, it's an important source of revenue. If there's ever to be any questions regarding, you know, the changes to not only natural gas and natural gas liquids, the royalties on those resources, the public has every right to know. To think that perhaps this is confidential, that this is proprietary, oh, no. I think the public has every right to know.

Now, we look at some of the changes, and they may seem insignificant. But whenever a royalty regime is modified, exactly what happens? You know, are we going to identify ethane, for instance, as a distinct resource? If we're going to do that, perhaps recognize other natural gas liquids in the residue gas, are we going to calculate royalty and allowable costs on natural gas liquids extracted at straddle points? If this information is withheld from individuals or organizations such as the Parkland Institute or the Pembina institute, who want to look into whether we're getting fair value for our royalties, then I think they should be allowed to, Mr. Speaker, and they shouldn't be prohibited in any way, shape, or form by FOIP exemptions.

We have constant changes, and when we think of our oil and gas system, it's so easy to look at this and think: oh, well, everything is fine; we're getting \$4 billion. Well, maybe we could get \$4.5

billion. You know, we look at the current formula and how it's based and the royalty rates for both old and new gas. There is price sensitivity between the base and rate caps for, again, new and old oil and gas. We can look at select prices. We can contemplate having a third tier for oil pools that have been discovered, and we could pick a date. We could pick a date of 1995. All this could be going on, and perhaps the public would not be aware of this.

Now, if we're to look at a summary – and this should be available, and I'm urging the hon. member to ensure that it always is – there's the base rate for new gas, what the current rate should be, what the future rate should be. There's a marginal rate for new gas, old gas. This is a complicated issue. There's a rate cap as the price goes up or the price goes down, Mr. Speaker. This is very, very important. Certainly production of conventional oil in this province is declining. There's no doubt about that. Unfortunately, natural gas production at some time – we're in the mature western Canadian sedimentary basin, and some wells have been producing gas for a long time. For instance, wells in Turner Valley first came onstream in 1912. You know, we all think of Leduc, but that only came onstream in 1947, and it's two or three years ago that the Leduc field went out of production. So, you know, when we have a decline in conventional oil production and there's going to be a corresponding decline in natural gas production, we have to be confident that this government is getting the maximum amount of revenue that they can from these diminishing resources. With these changes as proposed and explained by the hon. member, I don't know if someone wants to check and see if this is being done, but they will have the opportunity.

Now, you look at all the changes that have occurred in the oil and gas industry and we think of programs to reactivate oil wells and we look at wells that have lower productivity and horizontal re-entry oil wells and experimental oil sands royalties.

Mr. Speaker, I'm disappointed that my time is up on this issue, but thank you.

4:20

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

MR. COUTTS: Thank you, Mr. Speaker. It's a pleasure today to get up and speak to Bill 11, the Energy Information Statutes Amendment Act, 2002. As Bill 11 ties into the Freedom of Information and Protection of Privacy Act, as the minister responsible for that piece of legislation I think it's important for me, in view of what I've just heard from across the way, to maybe give a bit of a history as to why this particular piece of legislation is here today and the kind of scrutiny that it received back in 1998 by then an all-party select committee to review the Freedom of Information and Protection of Privacy Act for the province of Alberta.

That committee, again an all-party committee, made a number of recommendations that have over time been incorporated into amendments across government, and this particular one dealing with energy information is one that that particular committee dealt with. The committee recommended that paramountcies should not be established in the FOIP regulation, which is where they traditionally have been, but should be housed in the appropriate ministry statutes.

Now, I've sat in this House for a number of years and heard members opposite saying that they don't like things in regulation because they can be changed rather quickly and without scrutiny by the public and that they would like to see things in statutes. So what you have is the recommendation of that 1998 committee coming forward doing exactly the things that they've been advocating for to

make sure that the proper information is put into that ministry's statutes and in this case the Department of Energy.

I should also point out that the committee did not recommend as to whether or not individual paramountcies were necessary or not, so then you have the situation where it's actually taken right from regulation and put into the statutes, but the actual debate on whether they're necessary or not was not discussed by that committee. However, in saying that, the committee clearly felt that there would be situations where the information was of such a sensitive nature that it could be made paramount to the FOIP Act. They also were very, very clear that these paramountcies should, when possible – when possible – be brought before the Legislature for debate and approval, and that's exactly what we have today: the discussion on those paramountcies.

I'd like to thank the Minister of Energy for following through on the recommendations of that 1998 all-party committee and also the MLA for West Yellowhead for taking action on the review committee's recommendations, moving to transfer these energy-related paramountcies from regulation into statute, where it's clear and delineated for all to see.

I further appreciate the work that the minister and his department have done to bring clarity and specificity to the identified paramountcies and perhaps most of all for taking actions to propose time limits for these paramountcies. The time limits ensure that the paramountcies are not ongoing and that after a reasonable period of time has elapsed, access to information requests for the identified types of information can be made. This is an important component of the act, and it's to everyone's benefit.

So, Mr. Speaker, with those few words and the reassurance that the 1998 committee recommendations are now being followed through on, I hope that all members will vote for this particular piece of legislation.

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

MR. MacDONALD: Mr. Speaker, I have a question, please, for the hon. Minister of Government Services. Understanding that whenever the FOIP committee met, the last select special committee, could the minister tell me, please, if the Power Pool and the transmission administrator were playing an active role in the distribution of electricity in this province?

MR. COUTTS: In relation to that, Mr. Speaker, when we're talking about freedom of information and protection of privacy and the government's involvement and private-sector involvement in making the decisions that eventually end up in legislation, we are accountable for the resources of this province, but at the same time we're also accountable to the point of bringing in not only the stewardship of those resources but bringing in the private sector to make sure that when they're doing their competitive businesses, they are also protected, and that's what this bill does.

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

MR. MASON: Thank you, Mr. Speaker. I appreciate the minister's comments on the act. One of the things which he talked about was that we are taking things out of the regulations and putting them in the act. Does the act not only do that but strengthen and make much more rigid the provisions for withholding information from the public?

MR. COUTTS: I don't think it does. Because of the time lines that are involved, it also adds a time line so that access can be made but at the same time allows companies to go out into the field with confidence that all of the information that they're working on is held for the betterment of the resource and for the betterment of the people that are working within their companies, Mr. Speaker.

THE ACTING SPEAKER: Are there no further questions then?

Any other speakers on this bill? The hon. Member for Calgary-Mountain View.

MR. HLADY: Well, thank you, Mr. Speaker. I'm pleased to have the opportunity to speak to Bill 11, the Energy Information Statutes Amendment Act, 2002, and as the chair of the standing policy committee on energy and sustainable development I certainly have an interest in this legislation and making sure that it's helpful to the energy industry.

Mr. Speaker, Albertans demand high levels of quality in our health care, our education, our teachers, nurses, and doctors, and everything that we can do out there. To be able to do that, we've been very fortunate because we've had such a strong energy industry that's allowed us to achieve these things and to have the highest paid folks in all of these areas. Without that, that would have been very tough.

Now, I was having trouble when I was listening to the Member for Edmonton-Gold Bar trying to determine whether he supports this or doesn't support this bill.

MR. MacDONALD: I needed five more minutes.

MR. HLADY: You needed five more minutes. Were you going to support this? No? Yes? Okay; he's not going to answer for me.

What I thought I'd do is just sort of speak to it from the point of view that maybe if he actually owned an energy company, he might have an understanding of how important this legislation is to energy companies. Energy companies spend a great deal of time and effort to obtain and analyze the geological information and the geophysical data. When they spend literally millions and millions of dollars every year to go and determine whether it's a . . .

AN HON. MEMBER: How many dollars?

MR. HLADY: Millions, billions actually, of dollars to try and determine whether it's a good decision to drill for these assets that are sitting underneath the earth, whether they should be used now, do they need to wait for later, what's the timing for it. Those are tough decisions for a company, and they spend a lot of money to try and determine that. The government needs this information and needs access to that information so that we can determine what we have in proven reserves and probable reserves and to make determinations on what we have for potential revenues in the future given what we have as an asset here in the province.

4:30

This information obviously can remain sensitive for a long period of time. It relates, as I say, to the resources that these companies are leasing from us. They're not currently economic, but they may be economic in the future. That's up to the company to decide. If we don't have access to that information, we can't make those decisions that we need to make to decide whether the company should still have access in the future, whether they should have those leases recalled in the future, and it's a tough thing for us to do all the way around.

The fundamental of it is the fact that it wouldn't be fair if a

competitor to the companies that have done that specific work would have access to this information through FOIP alone and if by going and doing a FOIP application they could find out what the assets are underneath those leases. They would be able to create an unfair competitive advantage over the people that have spent their time and money on these particular discoveries. Mr. Speaker, this would actually discourage the companies in many ways from doing further investment or giving us the straight information. If they knew that this was going to hurt their ability to be a competitive company, there would be a real challenge for us as government to be able to get accurate information and determine what sits out there as an asset for Alberta.

So through this bill what we want to ensure is that all energy companies are really playing on a level playing field and that one company's information will not at least for a specified period of time be available to another through a FOIP application. So really this bill just supports a level playing field. Companies certainly can be confident that despite the FOIP Act their information will be protected. This is one of the many reasons that Alberta is such a great place to do business, Mr. Speaker.

AN HON. MEMBER: Hear. Hear.

MR. HLADY: You betcha.

Comparing us to other jurisdictions such as Alaska, where there are three major players – they have a very different structure up there that has not allowed a truly competitive playing field to develop, and they don't see 50, 100, 200 different companies competing for those and creating a very valuable asset and getting it to the marketplace. That's one of the problems they have up there today.

The government levies a royalty, Mr. Speaker, and that's a very, very sensitive topic to all of the players out there. That's what's allowed us to be the successful and productive province that we are. The way we as a government levy this certainly helps us to make sure that we get the best economic rent that is possible out of the oil and gas reserves and coal reserves that exist. But this information is very sensitive, and for us to achieve this from the industry, as I've mentioned before, including their sales prices, the costs of production, processing, and transportation to the markets – all of those are very dependent on whether they are being successful as a company, which affects their price in the marketplace if they are a public company. Those things are crucial for us to be successful, but they won't release that if they don't know that information is going to be protected.

Ordinary Albertans would be concerned if this kind of information about themselves was going to be accessed, and that's why we have FOIP, to help protect people. Doing this act allows us to protect the corporations so that they can still be competitive and function in a successful way in Alberta. Knowing that their information is safeguarded, I believe industry will be much more confident to help us to understand what is there as an asset.

Mr. Speaker, I certainly am pleased to support Bill 11 and encourage all MLAs to do the same. Thank you.

THE ACTING SPEAKER: Any questions under Standing Order 29?
The hon. Member for West Yellowhead to close debate.

MR. STRANG: Thank you very much, Mr. Speaker. I guess just a couple of items that were mentioned by Edmonton-Gold Bar. The first thing I would like to relate to is his saying that there's nobody there to look after the consumer. Well, I mean, I think that's why we have the Alberta Energy and Utilities Board. But I think the biggest thing that we're missing on this aspect here with the

information we're looking for and why we've got to have paramountcy is, number one, we're not looking for pricing; we're looking for production. Then our hon. Minister of Revenue can get the proper revenue for us so that we can do what we need for our province.

I guess the other thing that I'd like to state now, too, is the aspect of what's transpired. We had this team, as the hon. Minister of Government Services stated, the select special freedom of information and protection of privacy review committee. They stated that we needed this. I think there were a couple of things that were in this bill.

We listed all the different acts that we're going to look at. The Oil and Gas Conservation Act, the Oil Sands Conservation Act, and Coal Conservation Act were open. They had no sunset clause. So what we're looking at now is going for a five-year. As my learned friend from Calgary-Mountain View stated, we need to have this privacy. So we're looking at the five-year time frame, and then it should be able to be open. This way, it's going to give the aspect of government the proper information so they know what the production is, and I think that's the big thing.

I guess the bottom line, to back up my colleague the Minister of Government Services, is that we're always hearing in this Assembly that, number one, we're doing stuff behind closed doors. Here we get a recommendation from the select FOIP committee stating that they want to move it from regulations to statute. So I think we can have full debate in the House, and then we'll have a better understanding.

With that, Mr. Speaker, thank you very much.

[Motion carried; Bill 11 read a second time]

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

[Mr. Tannas in the chair]

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

Bill 1 **Queen Elizabeth II Golden Jubilee Recognition Act**

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

MR. MacDONALD: Thank you very much, Mr. Chairman. I appreciate an opportunity at committee to recommend to all members that the Queen Elizabeth II Golden Jubilee Recognition Act is noteworthy, and at this time the creation of three new awards in recognition of the Queen's golden jubilee will perhaps help students with the high cost of education.

4:40

This bill, I understand, will cost in excess of \$30,000 annually. The money is coming from the Alberta heritage scholarship fund. This is the same fund that is used to provide the Rutherford scholarships, and the government will be increasing the fund or drawing on pre-existing resources.

Now, it was just the other day that I was reading in the paper – and the hon. Minister of Justice will certainly be sympathetic to this – that law school tuition fees have gone up in the last 15 years since that hon. member went through law school. Perhaps this will in some small way help, Mr. Chairman, many of the students who are faced with the burden of high tuition fees. This will certainly help,

and I believe that Alberta students deserve every possible recognition of their scholastic achievements and their excellence.

I also support any measure that will make going to college or university easier. Certainly, Mr. Chairman, university has to be accessible to everyone regardless of how many thousands of dollars the fees are. I don't think an individual or a family should be burdened with debt into middle age to pay for university or postsecondary education. What separates us from a lot of other countries is that everyone here has an opportunity to seek further education past high school, and that opportunity is in facilities that are well funded. The only unfortunate thing about this bill is that it shows how much financial assistance even our brightest students need in going to postsecondary schools.

Now, in section 3 there is the question of how these awards and scholarships are to be granted. The Premier's citizenship award will be each year granted to one student from every high school in Alberta for showing a significant contribution to the community through leadership, community service, and volunteering. One would only have to look around this Assembly at the pages, Mr. Chairman. I'm quite confident that the pages and future pages in this Legislative Assembly will be eligible because of their scholastic achievements for some of the awards that are outlined in this bill.

We look at citizenship medals; we look at scholarships for the visual and performing arts. All this is noteworthy, but we cannot in our support of this bill fail to recognize the need of other students, other students who may not have the opportunity to, say, give part-time service to Members of this Legislative Assembly by participating in the pages program.

In conclusion, Mr. Chairman, when you consider the article that was in the newspaper concerning the high cost of law school, this bill may be in a small way a recognition of tuition fees that are getting out of control. They're getting so high that many people cannot afford to go there.

It is significant to have Bill 1 here, the Queen Elizabeth II Golden Jubilee Recognition Act. Fifty years. Well, there are some members of this Assembly that probably weren't even born. When Her Majesty received the sad news that her father's, the King's, life, as the BBC described it, had peacefully come to a close, she was in east Africa on a tour. A lot has happened in 50 years. There are members of this Assembly who I don't believe were born at that time, but certainly a lot can happen. I certainly wish the Queen and other members of the royal family good health and continued success.

This bill is symbolic in its recognition not only of the golden jubilee, but I think all hon. members of this Assembly would be encouraged to think about this: this is in a small way helping some people cope with the high cost of education in this province. Perhaps we can work at ensuring that education is accessible and affordable to each and every student in this province if they want to receive more education after high school in the postsecondary system.

Thank you, Mr. Chairman.

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

MR. BONNER: Thank you very much, Mr. Chairman. It gives me a great deal of pleasure to also add a few comments at Committee of the Whole on Bill 1, Queen Elizabeth II Golden Jubilee Recognition Act.

As the hon. Member for Edmonton-Gold Bar had stated, there are a number of members in this Assembly that were not alive when she was crowned the new Queen, but for some of us, we have vivid memories of that occasion.

MR. MacDONALD: Did you sing *God Save The Queen* as a child in school?

MR. BONNER: Yes, we did, as a matter of fact. We used to begin each day with *The Maple Leaf Forever*, and in my very first years of school we sang *God Save The King*. After February 6 of 1952, Mr. Chairman, we would sing *God Save The Queen*, and that was a significant change for students in grade 3. Yes, we sang *God Save The King* prior to that. I won't ask the hon. Member for St. Albert if she sang *God Save The King*. I'm sure she is far too young for that to have occurred.

AN HON. MEMBER: She was in *Jurassic Park*.

MR. BONNER: I will let her respond to that comment, as I'm sure she will. Having been involved with her in education in St. Albert, I know that she is more than capable of responding to that comment.

It was quite an honour here, then, today to speak to this bill, Mr. Chairman. The coronation of our new Queen was a very, very important part, and if I recall correctly, the *Edmonton Bulletin* at that time put out a special issue, as did the *Edmonton Journal*, and both of these papers had paid quite a bit of attention to this great feat. At that time I never guessed that I would be standing in this Assembly today speaking on a bill of this nature, and it certainly is a privilege to be able to do it. For this to be the first government bill that we are debating, Bill 1, it is also a pleasure to see that it is not contentious, and I'm sure that it will have the support of all members in the Assembly.

4:50

Now, then, what Bill 1, the Queen Elizabeth II Golden Jubilee Recognition Act, does is create three new awards in recognition of the Queen's golden jubilee, and this is divided up into three very, very important awards: one being, of course, the Queen's Golden Jubilee Citizenship Medal; the second being the Queen's golden jubilee scholarship for the visual and performing arts; and a third area on the Premier's citizenship award in recognition of the Queen's golden jubilee.

As the hon. Member for Edmonton-Gold Bar also stated, any moneys that are funneled into education are certainly a very good investment, and it does show the confidence we have in education and not only the confidence we continue to have in education but also the confidence that Albertans have had in education from the inception of Alberta as a province and even before that time, Mr. Chairman. We all realize that public education is a means that gives every child in Alberta an opportunity to move forward. It is one of the reasons and a strong reason that so many of our forefathers moved to this province, in that they saw opportunity not so much for themselves but for their families. They realized that a public education system was essential for this to happen, and they also saw that a strong education system would not only benefit themselves but would also benefit their neighbours. This is certainly symbolic in that it does continue to support education in this province.

When I look and I see that this bill will cost at least \$35,000 annually and the money will come from the Alberta heritage scholarships fund, I think that when we look back to the inception of this fund by then Premier Peter Lougheed, certainly he would be in agreement with the cost of these funds coming out of the Alberta heritage scholarships fund because this is exactly one of the reasons that the fund was established: for future generations. What better way than to help them fund their education?

Certainly for the students that this will assist, this will lessen the burden of their costs, and for students in our postsecondary institu-

tions, all of them have experienced tremendous increases in tuition. Certainly in the good times in Edmonton and Calgary that we've seen over the past few years, for those that are required to travel to Edmonton and Calgary and stay in those cities, we've seen tremendous increases in the cost of rent. As well, Mr. Chairman, certainly over time other costs of attending postsecondary institutions have also increased very much.

I would hope that these awards would make the difference, that perhaps some students, when they do receive them, would make the decision to remain in school. It certainly for some will lessen the probability that they will have to hold down a part-time job, and it will certainly lessen the hours that they have to work, or in some cases it might mean they don't have to work at all and can devote all their time to their studies.

As I look here, I see that the Queen's Golden Jubilee Citizenship Medal will be in the amount of \$5,000 per student, the Queen's golden jubilee scholarship for the visual and performing arts will also be 5,000 per student, and the Premier's citizenship award in recognition will be decided in the regulations. Again, a big boost to education for those students who are fortunate enough to get these. I would certainly hope that perhaps even down the road we could look at increasing the quantity, the number of awards that we give out here, as well as the amount of money that's included in each award.

With those comments, Mr. Chairman, I certainly have enjoyed the opportunity to speak to Bill 1, the Queen Elizabeth II Golden Jubilee Recognition Act, in Committee of the Whole, and I know that all members of this Assembly will support this particular bill.

Thank you.

[The clauses of Bill 1 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

Bill 2
Child and Family Services Authorities
Amendment Act, 2002

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

MR. MacDONALD: Thank you very much, Mr. Chairman. Certainly I have a few comments to offer at this time regarding Bill 2.

Now, this idea of reducing the size of the boards could free up money from administration to those who really need it, and that's the children. I think that is a good goal. There certainly have been unforeseen administrative costs, and there have been complications surrounding the creation of children's services in 1999. Two of the largest authorities, of course, are the Calgary Rocky View and the one here in Edmonton, Ma'Mōwe, and now they represent 80 percent of all caseloads. The other authorities have run with deficits since their creation. For the first two years of the authorities' existence, as I understand it, the ministry bailed them out of their deficits at the end of the year but not this year. One has to question, whenever we're reviewing this legislation in committee, Mr.

Chairman: have the children's authorities been effective? Will this bill make them more effective or simply more responsive to the direction – now, I don't know whether this is correct or incorrect – from the minister?

Now, if we look at section 1 – and we have to have a close look here – the preamble to the act will no longer state that the well-being of children is to be best achieved “through the enhancement of prevention and early intervention programs and services.” Instead, it will only recognize the need for enhancement of these programs and services, and (c) adds to the preamble a clause stating that the programs and services must be provided in a way that is responsible to the community and accountable to the government.

Now, further on we are striking out the clause that defines agreement. We are talking about the change of the definition of child and family services to include services provided for in regulation. Will the regulations at this time – and perhaps further on in the debate the minister will clarify for the Assembly – also be changed in order to change the scope of the services provided? I would assume that that is going to happen, but certainly if in the course of time the hon. minister could answer that question, I would appreciate it.

5:00

Now, further on here in the new section 4, Mr. Chairman, the following is added after section 2: each region must be administered by an authority; the pre-existing authorities will continue; and there is notification that the CEO “is to be appointed by the Minister on the board's recommendation.”

Of course, here we get further on in the amendment to section 3, the reduction in the number of board members to 11. Is this in regards to the ministerial review of authority members? And authority members are to be replaced with – the description here is “board members.”

Now, there is permission that the minister may extend a term of office from three consecutive years up to seven.

Section 6 amends section 4(1) of the act by defining the authority as having the “rights . . . and privileges of a natural person,” but further defines these rights as “subject to this Act and the regulations.”

Now, further on we're going to replace “an Authority” with “a board.”

We are going to have an amendment to section 6, which reads, “An Authority is an agent of the Crown in right of Alberta” – and this is an addition – “under the Minister's direction.”

We are three years since the creation of Children's Services, and this is an overhaul that I believe, Mr. Chairman, is necessary. If the object of this amendment act is to give the minister more control over the children's authorities and to reduce the size of the board of each authority, then we will have to support this. There certainly are – and it's been outlined in the media; it's been outlined in question period here; it's been outlined in a lot of different places – some of the problems, and there has been a significant amount of money spent. I believe there is in excess of \$645 million budgeted for Children's Services, and we need to ensure that that money is going where it belongs, and that's to enhance the children of this province who are for whatever reason in need of care and in need of professional attention.

With those remarks, Mr. Chairman, at this time I will cede the floor to another hon. member of the Assembly, and I look forward to hearing a brief response from the minister in regards to the questions that I have at this time in committee.

Thank you.

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

MR. BONNER: Thank you, Mr. Chair. I also would like to add a few comments to Bill 2, Child and Family Services Authorities Amendment Act, 2002, and welcome the opportunity to address this bill. It is a very important bill, and it also is a bill that deals with perhaps some of the most vulnerable people in our society, certainly the people who have not yet reached their position in life where they can take care of themselves or provide for their care down the road. So I think it is a very critical area, I think it's a very important area, and I think it's one that we have to certainly put the necessary resources and the necessary people in place to take care of children and families in our society.

One of the things I do notice is that there are three important areas that the bill deals with. First of all, the bill will downplay the importance of prevention and early intervention in the Child Welfare Act. Another area this will look at is that it will reduce the children's authority boards from 15 to 11 members, and what it will also do, Mr. Chairman, is it will transfer from the authorities to the minister, and it will outline how the authorities will operate under this bill. It will place the emphasis on the power of the minister to give orders to the authority.

Now, then, when I look here as well, I can see that we have had overruns in both Ma'Möwe and Calgary Rocky View and that 80 percent of all caseloads are involved in these two areas. In looking at this whole situation of families and children and the family services authorities amendment act, I think we have to look at the demographics, and certainly when we look at demographics in these two areas, it's interesting to note that Edmonton, Mr. Chair, does have in the neighbourhood of 16 percent where we have a lone parent in charge of children. Calgary is slightly lower at around 13 percent. As well, when we look at why there would be such a large grouping in these two authorities, we also have to look at the incidence of low incomes. Again when we look for the incidence of low incomes in families, we see that Edmonton is somewhere in the range of 21 percent and Calgary is just slightly under 20 percent. So certainly those statistics bear out why the majority of these cases would be centered in the big cities. I know that so many people view our cities, particularly our larger cities of Edmonton and Calgary, as areas to go to when they need help. So, as a result, a greater amount of the workload is going to be in these two authorities.

Now, then, I do like the fact that we are going to reduce the size of each of the boards of the authorities, and of course by reducing that, there will be more moneys available. Yet I also think we have to take a very hard look here at why these authorities have had deficits and have had to run with deficits since their creation. Certainly if the need is there, then it indicates that we can solve the problem probably by combining two different methods to increase efficiency and to make them run as efficiently as they can, but also, Mr. Chairman, we do have to look at the idea here that if, in fact, they cannot make it on their budgets, then certainly the amount of the budget that we give to those authorities must be increased.

5:10

We look at the fact that people who do require the benefits from child and family services authorities tend to congregate in our larger cities of Edmonton and Calgary. We do know that in dealing with children, we are never going to be one hundred percent correct, but we certainly do want to increase that efficiency. We do for example want to make certain that no child falls through the cracks. I know that is the wish and the desire not only of all members of this Assembly but all Albertans. We do have so many different ministries and organizations involved. Hopefully we can become more

efficient and not allow any children to slip through the cracks.

As well, I noticed that one of the major changes will be in the preamble to the act, where it will no longer state that the well-being of a child is to be best achieved "through the enhancement of prevention and early intervention programs and services." Instead, it will only recognize a need for enhancement of these programs and services. I think it's critical that we look at a model which best achieves the well-being of the child and makes that paramount.

I think of a convention that I attended in Chicago a year and a half ago, and I see, Mr. Chairman, that in the city of Chicago, for example, 70 percent of the children who attend school are on a hot lunch program, again the huge impact that this type of a program would have on those that have to fund it, those that have to make certain that it does perform what it is meant to do. I think that we have a real opportunity at this stage in this province to look at our early intervention programs to see, as so many people that have spoken in this Assembly have brought to our attention, that for every dollar we invest into early intervention today, we save \$7 down the road.

So with those comments, Mr. Chair, I will be taking my seat and allowing other members to speak to Bill 2, the Child and Family Services Authorities Amendment Act, 2002 in Committee of the Whole, and I certainly look forward to hearing their comments. Thank you.

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

DR. MASSEY: Thank you, Mr. Chairman. I'm pleased to have an opportunity now at the committee level to address Bill 2, the Child and Family Services Authorities Amendment Act, 2002. There are a number of concerns. I think that when it was in second reading, I indicated that we supported the bill and will be voting for it, but it's not without some reservations. We wonder if the total impact of the bill is not going to be one that places more authority in the minister's office. That may not have been the intention when it was drawn up, but it may be the result of the kind of provisions that we find in the bill.

I think we agree that the defining of authority and the defining of board is a good thing. It brings clarity to the act and, more importantly, will make it clear to administrators, to board members, and to chairs exactly where their responsibilities lie. As I said, I think that that's a good thing for the act and for the authorities.

I go back to one of the recommendations put forward in the report *Connecting the Dots*, that looked at the social workers in the province. One of the recommendations that that report made was that every change be viewed through the eyes of children and that the question be raised: does this change make things better for children and directly affect them? I looked at this bill, even though it deals more with administrative and governance concerns, through that prism, and I wonder if there aren't some concerns.

We would hope that local authorities would have the power to deal effectively with concerns and to make plans for their jurisdiction. Certainly that was the intent of breaking the system up into a number of authority regions. But a bill such as this, which seems to give more decision-making to the minister, may work against the interests of children, because I think even the minister would admit that she is not in the best position to be making a lot of the decisions that the authorities and their administrators have to make and that there are a whole host of decisions that are better made at the local level. When you start constraining what they can do at the local level – it's one thing to make it clear what they can do, but if in the process of adding that clarity you start to constrain or take powers away from the boards, then I wonder if we are really serving the best

interests of children. So it's a concern that permeates this bill, and it's a concern that is going to be raised when we deal with the companion bill, Bill 9, later in the session, Mr. Chairman.

The reduction of the board members to 11 is, I think, a good move. Large boards tend to be unwieldy. I know from working on a school board of nine that at times even that was too big, but I think 11 is an appropriate number. I think the mechanisms put in the bill to ensure that there's some continuity in membership, that all members on a board are treated equally in terms of their ability to serve, and the length of time they're able to serve as members are a good thing.

The section that has the minister giving boards written directions and expectations I think has to be looked at really carefully in terms of what the scope of those directions to boards will include. Again it goes back to my concern that there may be a limiting of local authority and a centralization of power in the minister's office, and I think that would be unfortunate. There's been a great deal of difficulty, I realize, with some of the boards in terms of them carrying out their functions, but I think a lot of that is wrapped up in the education of board members and the responsibility that the board members themselves take in terms of preparing themselves to oversee an authority in the province.

5:20

I think there are a number of other items with respect to confidentiality: giving the Lieutenant Governor in Council the authority to make regulations regarding confidentiality and information possessed by the board, and then regarding conflicts of interest. But the one on confidentiality is one that I think should raise some red flags. We have to be clear, we have to be certain when children are in government care, children that the government is dealing with, that

those dealings are open to public scrutiny. We've had some unfortunate cases in the last few months in the province where there were obviously problems within the system. Even the method in which those problems are being investigated raises questions as to the openness and, more importantly, the fairness of how families and children are being treated by the system.

So with this whole business of what can be kept confidential, certainly we have to make sure that we protect children, but we also have to make sure that in that process it doesn't carry protection for the government and allow the government to escape the kind of scrutiny that is demanded by the public and should be a normal part of the operations of a democracy and that the government is held accountable for actions they are involved in.

So I think with those comments, Mr. Chair, I'll conclude, and as I indicated, we will be supporting Bill 2. Thanks very much.

[The clauses of Bill 2 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: I would move that we call it 5:30.

[Motion carried; the committee adjourned at 5:25 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, March 6, 2002** **8:00 p.m.**
 Date: 02/03/06
 head: **Government Bills and Orders**
Committee of the Whole

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

Bill 8 **Appropriation (Supplementary Supply) Act, 2002**

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

SOME HON. MEMBERS: Question.

THE DEPUTY CHAIR: You're ready for the question, I guess.
 On the clauses of the bill are you agreed?

MR. STEVENS: There is one speaker on 8, Mr. Chairman.

THE DEPUTY CHAIR: The chair hasn't seen anyone rise to speak.

MR. STEVENS: If you have the patience of Solomon, you will have the ability to see someone rise.

THE DEPUTY CHAIR: The rule of the Assembly is that members will only be recognized in their own position, where they're supposed to sit, and the chair now sees the hon. Member for Edmonton-Ellerslie wanting to speak. The chair will recognize the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. It was my understanding that we were going to finish up in committee on Bill 2 this evening, and that was the small misunderstanding that occurred, but we're quite happy to finish up on supplementary supply in committee at this point in time.

This is my first opportunity to speak to these supplementary estimates, Mr. Chairman, so I do have a few comments to make in terms of the dollars that have been requested at this particular time. The good news about this particular supplementary estimate is that it's a very small amount. In fact, it's probably the smallest request that I've seen for supplementary estimates since I have been in this Legislature. However, we have to remember that it is the second time that this government has come back for supplementary estimates, and that was quite a bit more money at that time. We're looking at \$15.513 million, all of which goes towards operating expenses and capital investment, and I do have a couple of questions about this.

I'll just start at Children's Services perhaps. We have seen an increasing number of concerns and problems with Children's Services here over the course of the past year, and now the government is coming back and asking for \$500,000 "to provide funding to address the additional needs of children receiving services under the Child Welfare Act that arise from a labour dispute in the education system." This labour dispute, Mr. Chairman, is just indicative of the ongoing problems that we have seen in Children's Services. We continually in our offices get concerns about the way things are being managed in Children's Services. They don't seem to have adequate resources to investigate or to provide support to the families and to the workers. The workers are just absolutely overburdened with work at this particular time.

Through the newspapers we have seen some horrendous cases that have occurred just this last little while, two small girls dying in transit to a new residence, why they were let go when there had been some problems with their health and with their care, why they were put in the care of a person who wasn't used to raising small children at that particular point in time – it was the children's grandfather – to be transported over a couple of provinces with a two year old, which, I would have to say, would be an onerous task for anybody without support or help, be they male or female, old or young, something that I would seriously question if I had someone I knew who was planning to do that. Yet these professional workers gave the okay for that to happen.

We have more recent cases in the news. We have the young man who was taken into custody, put in a hotel room without supervision, who partied hard all night with his friends, not the least of which were a number of also underage girls, where there was lots of liquor and lots of other inappropriate activities happening. We have to question why this is happening and how it is that the Minister of Children's Services doesn't know that these things are going on. It's a horrendous state for this particular department to be in. So the questions that really come up for us are: what are the additional needs specifically, not only in this request but in this department?

There is a point when you do cutbacks in a department where you just completely become unmanageable and inefficient. I would say that this is probably the case in this department, and that is a very big shame. Who's at risk more than anybody else are young people who are already at risk and parents who need support and assistance and training. That's what I have to say about that particular dollar value.

In Environment we see just over \$8 million coming through. I'm always happy, Mr. Chairman, to see requests come for program dollars in Environment because I think that this has been a department that has taken the greatest number of hits over the past nine years, and it's interesting to see that the minister is addressing what I believe to be some of those concerns.

I'm happy to see the support here for the western provinces human and animal health study. It's too bad that the other provinces have not yet come up with their share or some portion of the contributions for this study, because they, too, will benefit from it. We could hope that industry would also be prepared to pay their fair share on this one because it is the effects of industry that we are actually seeing being studied, in this case on animal and human health.

Now, it's my position that Environment is responsible for the animal side of the study and that Health and Wellness is responsible for the human study side. As we saw today in question period, the health minister clearly doesn't have a clue what's going on in terms of that study, and it is our opinion that that money has not been properly spent or accounted for and that they haven't taken the right kinds of factors into account when taking a look at the studies themselves and how they'll be followed. We would hate to see this province put animal health before the needs of human health, but it certainly seems to be the road that the minister of health is traveling down. So what I have to say to that is: "Good news for Environment. Job well done. Hope you can recover some money from the other provinces and from industry." You put your colleague in Health and Wellness absolutely to shame, and we would expect him to step up to the plate and do the work that he is supposed to do.

We had a good discussion, I thought, with the minister this week on this particular study and on the changes that are happening in Climate Change Central and are quite satisfied with those, Mr. Chairman, and believe that while there are instances where the minister and I will disagree on how things are decided and how policy decisions are made, there isn't much to be concerned about in terms of how he's managing these two areas. We've had some

concerns about Climate Change Central because they seem to be a little slow off the mark, but I believe that the work they're doing is good. It may take them a while to get to where they need to be, but they are on that road. We'll be watching, but I'm hoping that I'll only have good things to say about that organization in the future.

We always have a concern about the estimates in terms of their not being broken down in more detail. We just get the line items and no specific detail, and sometimes it's hard to tie down ministers or their staff to get that feedback. Fortunately, we were able to in Environment this time, but I haven't even had time to talk to my other colleagues to see how those requests have gone in the other departments and whether or not they've gotten more feedback. I would continue to urge the government to work in a co-operative fashion in this matter because, quite frankly, we have less questions and less concerns and can actually make a contribution in some instances to good strong policy decisions, and we would hope that that's the route that most ministers would choose to take.

Justice is getting \$1.5 million to provide for increased costs due to salaried staff settlements. So we see this as an ongoing issue in a couple of areas, and my question is: how can it be that the government doesn't manage effectively enough that they understand that these salary negotiations are coming down the pipe and that there is every expectation that people will get increases that are at least similar to the kinds that we as politicians get, tied to the weekly wage in this province. If we're prepared to do that for ourselves, then why is the government not prepared to do that with other organizations that they need to negotiate and deal with at a minimum.

It would appear that in this department and several others in terms of these estimates requested, the government wasn't prepared to do that and hadn't put any kind of process in their management plans where they have the flexibility to accommodate those requests and settlements as they occurred, so they come back in supplementary estimates. To me that is indicative of poor management, Mr. Chairman, and we would expect the government to do a lot better so that they don't have to come back for more money when issues should have already been dealt with earlier in the fiscal year. It indicates that there is no plan, which we have been saying for a long time, or that there is a plan perhaps and it is just to squeeze people other than themselves when it comes to salary negotiations. I think that that's something that has to happen.

8:10

Also, it's touching the surface of the kind of issues that we see occurring in Justice with their staff. There aren't enough judges; there aren't enough clerks; there aren't enough support staff. We've got huge backlogs. That creates an astronomical amount of problems, but even more than that, to speak in terms that this government understands, it costs money to have those kinds of backlogs. Unfortunately, that's what we see happening: to try and save a penny, this government has cost the taxpayers a pound. Inefficient management is costly; there are no two ways about it. So they need to get their act together. I seriously hope that we're going to see that kind of management as an issue addressed in the budget and that we could look to some sort of improved record in that regard, but that's not likely because they haven't been able to figure it out for almost the last decade.

The Solicitor General asks for almost \$4.4 million. Again, staff settlements: same issues that I talked about in Justice. I think that now is the time to start asking whether or not these new divisions of ministries have actually been effective or if they were just good excuses to give more people frontbench positions and the salaries that go along with that, Mr. Chairman. It doesn't seem to me that

we have met the needs of the people better or been more efficient or more effective in the delivery of services, which should be the kind of benchmarks that the government looks at when they decide how they're going to overhaul how government is delivered to the people. Maybe there's some obscure plan in the back of their minds that will prove to be efficient sometime in the future, but I doubt it, and I think that all those people directly affected by the salary negotiations this year would also doubt it. I look forward to being corrected by the Premier or any minister who would like to come forward and share their long-term strategic vision with us and a framework that's actually going to deliver services in an effective and efficient way, Mr. Chairman, but I'm not holding my breath.

So with those comments I believe that I have finished talking about supplementary estimates for this particular time. Let's hope that we don't have to come back two times in the next fiscal year for the same kinds of issues.

Thank you.

[The clauses of Bill 8 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Chairman. Having confirmed that my memory is inaccurate along with some of the other members', that in fact we did get to vote on Bill 2, as the transcript of *Hansard* clearly indicates – it obviously was a very smooth, quick vote on Bill 2 – I would like to move that we rise and report on Bills 1, 2, and 8.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 1, 2, and 8.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Consideration of Her Honour the Lieutenant Governor's Speech**

Mr. Horner moved that an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows.

To Her Honour the Honourable Lois E. Hole, CM, Lieutenant Governor of the province of Alberta:

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

[Adjourned debate March 5: Mr. Johnson]

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands. [some applause]

MR. MASON: Thank you, one hon. member, two, three. Mr. Speaker, it's my pleasure to rise and give my reply to the Speech from the Throne, delivered at the opening of the session by Her Honour the Honourable Lois Hole, the Lieutenant Governor of Alberta. I feel proud to be represented by Mrs. Hole in her capacity as the Lieutenant Governor of this province. I don't think that we could ask for a better representative of our province.

I want to indicate that I listened with great care to Her Honour and have had a chance to go through the Speech from the Throne a little more thoroughly subsequent to that time, and I find it's an interesting document, Mr. Speaker. It talks about and its headline is Working Together to Build a Healthy Alberta. That is a very, very laudable goal. I congratulate the government on that title of this speech, because I think that is quite frankly its strongest point, the title. It's interesting that the government has chosen the theme of a healthy Alberta for this Speech from the Throne. It seems to have a couple of trends, a couple of elements. One is a healthy individual and health in its classical sense: the health of someone, absence of disease, and wellness, those things. It also then talks about the health of the province, and I think that is very appropriate. So I would like my remarks to follow along those two themes.

Increasingly, research and people who study the question of health of individuals and of communities have come to the conclusion that one of the biggest single indicators of health for an individual and indeed for a community, even including up to a province, is the absence of poverty, specifically the absence of relative poverty. Recently in Edmonton we had a speaker, Richard Wilkinson, who is a health policy senior research fellow at the Trafford centre for medical research, the University of Sussex in the U.K. He's written a book called *Unhealthy Societies: The Afflictions of Inequality*, and he says that

among the developed countries it is not the richest societies which have the best health, but those that have the smallest income differences between rich and poor. Inequality and relative poverty have absolute affects: they increase death rates.

He goes on to say in the book that

research is increasingly able to document the human costs of particular features of the social and economic structure of modern societies. In particular, the underlying causes and pathways responsible for the excess mortality which occurs in less privileged sections of society are becoming clearer. Not unexpectedly, their broad outlines have much in common with the likely sources of a number of other social problems – including emotional disturbance in childhood, poor educational performance, crime and violence.

Now, it's interesting to me, Mr. Speaker, that these conclusions are reflected in some of the background documents prepared for the Mazankowski report.

8:20

MR. MacDONALD: What's that report again?

MR. MASON: It's the Mazankowski report, sometimes known as the 'Mazankowski' report.

The background paper, the context paper Opportunity for People and Communities to Improve Their Own Health, prepared by Larry Bryan, says on page 18 that "income-related disparities in infant mortality are two-thirds higher in the poorest neighborhoods than [in] the richest." It goes on to say people in the lowest income households were nearly twice as likely to smoke compared to those in the high-income households. He says:

- Those with low incomes were more likely than those with higher incomes to: be heavy users of physician services, visit [emergency rooms], be admitted to hospital, take multiple medications and require home care services.
- Seniors with low incomes have increased odds of institutionalization.

All of these, Mr. Speaker, are contained in the context paper for the Mazankowski report, and indeed the Mazankowski report includes some positive recommendations with respect to those things. But does it go far enough?

I think, more importantly, the question is for the government and for the Speech from the Throne. If in fact the theme of the Speech from the Throne is the health of the individual and the health of the province, then why is there not one word in it about poverty? Can we say that poverty is not a problem or that it's going away as a result of the economic boom caused by relatively high energy prices? Well, a couple of years ago the Alberta Urban Municipalities Association released a report, and it indicated for a number of cities – large, medium, and small – in the province that poverty rates continue to be a very, very serious problem, ranging from in excess of 15 percent in the cities with the lowest poverty rate to over 20 percent in the centre with the highest rate, which happens to be the city of Edmonton, Mr. Speaker.

Nearly 1 in 5 Albertans lives at or below the poverty line, and we have a situation where the government policies are tending to widen the gap between rich and poor in our province. Statistically this can be shown. The policies of flat tax, the policies of user fees such as health care premiums, ironically, are contributing to the widening of the gap between the rich and the poor in this province, which according to experts is the single biggest determinant of illness and lack of health in a community.

So, Mr. Speaker, the government talks about health as its priority, yet it cuts preventative programs for children's services. It drags its feet on the low-income review. It brings in taxation policies that favour rapid accumulation of wealth at the high end of the scale and which create difficulties, financial and otherwise, for people at the low-income end of the society. A number of years ago, not too long ago, the government completely walked away from all social housing programs even though these had been devolved from the federal government at the request of the provinces, who claimed that it was constitutionally within their jurisdiction. When the federal government did that, the reaction of the government of Alberta immediately was, essentially, to get completely out of that business.

So we have a serious problem with health, and, Mr. Speaker, I would submit that the government is complicit in that, has created conditions and policies which foster that. I find it ironic indeed that the major thrust of the Speech from the Throne deals with improving the health of Albertans. Clearly, not all Albertans are equal, in the government's view, when it comes to health.

Now, the other question, Mr. Speaker, is the health of our communities, the health of our province, and the government is quite rightly talking about a strong and resilient economy. I will not stand here and deny that the economy has been growing rapidly in Alberta, that the rate of industrialization has been increasing, and that more Albertans are working now than a few years ago. But does that mean that the province is healthier? I think in one sense it is, but in a number of other senses it's not healthier, and there are a number of issues that I think need to be addressed in terms of the health of the province.

One of the major ones is the state of the environment. There's also a very well written section in the Speech from the Throne about the environment of our province, but the words belie the reality once again, Mr. Speaker. First of all, the government talks about the grave concerns it has about the Kyoto accord, this in a section that's entitled A Clean and Sustainable Environment. The government is pleased to provide Albertans with a variety of different numbers on the costs of Kyoto for Alberta. Sometimes the numbers provided are correct and sometimes they're not, but I think that they are all inflated and take no account of the costs of continued changes in the

climate on Alberta. We are faced with a dramatic situation of ongoing drought year after year in the southern part of this province. Now, any climate expert worth their salt will tell you that one of the effects of climate change in our particular area of geography is increasing drought in certain parts of the continent, especially those parts towards the interior of the continent, such as southern Alberta.

Where in the analysis of the costs of the Kyoto accord to the Alberta economy does the government subtract the cost of not doing something about global warming and climate change? Where does it add on the balance sheet the costs of drought to Alberta farmers, the costs to the government? Where does it add the dramatic costs for fighting forest fires? Where are its projections and its analysis of the impact over a period of time of this steadily worsening situation on the economy, not to mention the people, not to mention the environment and the flora and the fauna? Since the government likes to place everything in the context of numbers and money, it seems to me that the analysis around failing to deal with climate change ought to be clearly part of the planning documents of the province.

8:30

Now, we've just learned more recently that Alberta now is running out of water for economic growth. This is after the government has worked very hard to promote industrial development all around the province, no longer limited to cities, but you can see it now spread out all over the province helter-skelter as it sprawls across the face of the province. The government's quite right in pointing out that that produces jobs for people. It does. But, Mr. Speaker, on the other hand there is a cost to it.

Particularly I want to come to the question of the agricultural policy of this government, which promotes intensive livestock operations and has yet to deal with the ecological and health effects of some of those operations, particularly those of a very large scale. The Premier, of course, as we know, has suggested that the number of hogs in the province ought to be dramatically expanded.

So, Mr. Speaker, I think that the government speaks out of both sides of its mouth with respect to the question of environment and of health of individuals of the province.

Thank you, Mr. Speaker.

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

REV. ABBOTT: Thank you, Mr. Speaker. The Member for Edmonton-Highlands was quoting extensively from the Mazankowski report, linking health and wealth. I'm wondering how the second member of the third party is proposing to end poverty in Alberta. Is it through increased taxation and more government handouts?

MR. MASON: Well, Mr. Speaker, I will respond to the 71st member of the first party by suggesting that a variety of measures would be appropriate. It is particularly the style of taxation which benefits wealthy people at the expense of poor people which we think ought to be changed, not necessarily increasing taxation for everybody but ending the tax holidays for the wealthy people.

THE ACTING SPEAKER: Anybody else wishing to ask a question or make comments? The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Mr. Speaker, to the hon. Member for Edmonton-Highlands. I was interested in his comments with respect to Kyoto and the inference that the provincial government has their numbers

wrong. I'd like the hon. member to explain to me to what degree global warming will be reduced once Canada ratifies Kyoto.

MR. MASON: Well, Mr. Speaker, I was reading with interest the comments in the paper the other day of Dr. Schindler, who's a world-renowned expert, who said that it would take four Kyotos to actually deal effectively, and obviously Kyoto is a compromise because of the opposition of the United States and particularly the current president who is, as we all know, very closely associated with the oil and gas industry in that country.

MS DeLONG: I also have a further question. It seems that you missed answering the question in terms of the effects of Canada signing the Kyoto agreement. We already know the U.S. isn't going to. Okay? So what would be the effects of Canada signing the Kyoto?

MR. MASON: Well, it's obviously better than doing nothing. It is a small step. You know, a journey of a hundred miles begins with a single step, and if we refuse to take that step, then we will not leave the Earth to our grandchildren in any fit condition. In fact, there will be mass starvation, desertification, and depopulation of the human race.

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

MR. LORD: Thank you, Mr. Speaker. I'd like to address a question to the hon. member opposite in a similar vein, the concern about Kyoto. I'm wondering if the hon. member opposite is aware that the Bloc Quebecois have made statements to the effect that Alberta should bear most of the brunt for Canada's entire commitment to Kyoto. Does the hon. member's party support the Bloc Quebecois in their quest to have Kyoto put mostly on Alberta?

MR. MASON: No.

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

REV. ABBOTT: Thank you, Mr. Speaker. Incidentally, I'd rather be the 71st member of a party with 73 than the second member of a party of two.

Some strong accusations in that speech. I was wondering if the member could state which numbers from Alberta Environment are false or inflated, as he mentioned, and if he would be willing to table documents to prove such allegations.

MR. MASON: Mr. Speaker, I could table the minister's correction in the House to his comments.

DR. TAYLOR: Unfortunately, I missed some of what the member was saying.

THE ACTING SPEAKER: I hesitate to interrupt the hon. Minister of Environment, but the five minutes allocated for questions and answers are up.

Would any other hon. member wish to respond to the Speech from the Throne? The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. Thank you for the opportunity to rise this evening and address Her Honour the Lieutenant Governor and the Speech from the Throne. It is always a pleasure to have her presence in the Assembly and listen as she

reads the Speech from the Throne. I know that not only myself but many members in the Assembly look forward to her little side comments, which add her own personal touch to the speech.

Mr. Speaker, I listened with great interest to the words of the Lieutenant Governor, particularly as she outlined the direction we as a province are to travel in the coming year, and it struck me that some concerns of Albertans were not being addressed. Albertans look forward to the Speech from the Throne as it provides us with some sense of purpose, a plan that not only recognizes the challenges we face as legislators but also sets a course of action to meet our goals. This is critical, as one of the government's major roles is to create a stable environment for Albertans. In the Speech from the Throne this very theme was echoed by the participants at the Future Summit. "They are determined to build an Alberta for their children that is prosperous, caring, secure, and that above all maintains a positive, healthy outlook to meet the challenges it will invariably face."

Mr. Speaker, one of the roles of government in developing that stable environment for business, for our municipalities, and for Albertans is to provide stable, equitable, predictable long-term funding. The onetime roller-coaster model currently employed by the government is not working. In a time when we have had the second most money come into our coffers in the history of this province and we are making cutbacks, it is unforgivable.

Planning by our municipalities and businesses which rely on provincial dollars is difficult at best when funding is clawed back or projects are deferred or canceled. The cuts to the fuel tax rebate program, which amounted to approximately \$10 million for Edmonton and \$12 million for Calgary, lead to a lack of trust and respect that municipalities have for their provincial counterparts. When the province makes a deal with municipalities to provide funding and then reneges on that agreement, the planning and budgetary process for the municipalities is thrown into disarray. It is unacceptable to download this responsibility to municipalities without giving them access to appropriate funding.

8:40

Mr. Speaker, the Alberta Roadbuilders and Heavy Construction Association has also expressed concern over the present funding practices of this government. They have studied the recent projected cuts to the Alberta Transportation budget for the coming year, and if these cuts are confirmed, their studies indicate large job losses and a strong possibility of business failures due to the sudden loss of cash flow.

The Official Opposition does have an alternative to the current budget practices of the government. We have proposed a fiscal stability fund. Unlike the heritage savings trust fund this fund would be a short-term savings account meant to smooth out the peaks and valleys of our volatile economy. We would contribute to the fund during good years. When our revenues fall, money would be withdrawn so essential programs like health care, education, children's services, and infrastructure enhancement would continue as planned. This would not be used to fund new initiatives and programs but, rather, to maintain existing essential services.

The second fund is a targeted savings account called the infrastructure enhancement fund. As we know, in some years in Alberta there is a lot of money to go around. During these years we would be able to put money into this fund to pay for the acceleration or enhancement of infrastructure projects in the following year. This means that once the money is in the bank, projects can be announced and contracts signed.

Mr. Speaker, I agree with this statement in the Speech from the Throne: "Indeed, in 2002 Albertans perceive health and health care

to be a top priority." Health care has been at the top or near the top of priorities of Albertans for many years. They want a public health care system there for them when they need it. They are very concerned when the government talks about services that are to be deinsured. They are very concerned when they see an increase in their health care premiums of up to 40 percent. This increase is nothing more than a head tax. Albertans are very concerned as this government moves towards a health care system which is market driven even though there is an abundance of evidence which shows that private, for-profit medicine increases costs and waiting times in the public system and increases administration waste and creates barriers to equal access.

In a province as rich as Alberta, Mr. Speaker, no sick or injured person should ever go without medical attention because they are poor and cannot afford it. No Albertan should ever have to choose between putting food on the table or taking care of their medical needs. These decisions are being made more frequently by people on fixed incomes as they get squeezed by increases in the cost of living. Albertans get very concerned when they look at the American model of health care and see that 40 million Americans have no health care coverage – 40 million Americans have no health care coverage – and that the leading cause of personal bankruptcies in the United States is health care.

One of the targets to increasing revenues for stable, long-term funding for health is to increase taxes on tobacco products. If this government has identified the use of tobacco products as a contributor to the poor health of Albertans, why have they not made this entire Legislature Building a smoke-free building?

Once again in the Speech from the Throne we see education listed as a priority of the government. The major unresolved issues in the recent strike by 21,000 Alberta teachers have been identified for a number of years, but the government has failed to address the concerns as raised by the ATA. Failure to do so eventually led to the largest strike in this province's history. According to a one-page summary of education spending prepared by Alberta Learning and leaked to the press, spending on education rose 34.6 percent between 1992-93 and 2001. By Alberta Learning's own assertion education spending has not even returned to the 1992-93 levels when inflation and student population growth are factored in. The fact is that funding for education is \$64 million lower than it was in 1992-93 when adjusted for inflation and student population growth. That's a 2.33 percent decrease and a far cry from the government's claims that education spending has risen dramatically. And this, Mr. Speaker, occurred when times were good in this province.

We go forward in the Speech from the Throne to praise student achievement when compared against students internationally. Mr. Speaker, if teachers were in private business and had results like have been mentioned in the Speech from the Throne and by other members in this Assembly, they would not only get double-digit raises, but they would also get bonuses in the double-digit range. The Premier had raised the expectations of teachers with comments prior to last year's budget. Teachers were shocked when they saw a line item limiting their raises to 4 and 2 percent. When other sectors funded from provincial revenues were getting double-digit raises, teachers got a total of 6 percent. It is not unreasonable that when other issues designed to improve classroom conditions were ignored and no commitment was made to build and improve the education system for tomorrow, the only alternative for teachers was job action.

In a keynote address to the Conservative policy conference in April of 1999, Eric Newell, chairman of Syncrude Canada, said that Albertans risk being unable to realize their dreams because the government isn't spending enough on education or on research and development.

During question period on February 29, 2000, the hon. Member for Edmonton-Mill Woods asked the Provincial Treasurer of the day the following question:

On the Wednesday before last week's budget the Treasurer promised Albertans that 2,200 new teachers and teaching aides would be hired. The 2,200 teachers and aides were part of a list that supposedly included more computers, severe disability funding, expanded early literacy programs, and increases in teachers' salaries.

The government knew of these unresolved issues but chose to continue underfunding public education in this province. What is unreasonable is that the government knew a strike was looming yet did absolutely nothing to prevent it. Hopefully the anticipated meeting between the Premier and the president of the ATA, which has taken place, will result in positive action that will avert any more job action by teachers in this province.

Mr. Speaker, not all Albertans are sharing in the benefits of our fast-growing economy in this province. Homelessness and a growing shortage of housing affordable by low- and moderate-income households is an escalating issue. It is severe for those with fixed incomes, particularly in our larger cities of Edmonton and Calgary. *This Quarter*, a publication which provides information on the city's current activity and issues, indicates that there is a need for at least 5,000 more low-income and special-needs housing units in Edmonton. The need ranges from subsidized housing for low-income families through to short-term, emergency shelter for people with no home but the streets.

Mr. Speaker, events of September 11, 2001, harshly reminded us of how small our world has become and of our role and responsibilities as members of the international community. I look forward to new legislation referred to in the Speech from the Throne which will be introduced this session to improve the province's ability to protect Albertans, their property, their infrastructure, and their environment from potential security risks.

But our responsibilities as members of the global community extend far past the borders of this province. At a recent meeting of the Standing Committee on the Alberta Heritage Savings Trust Fund I made a proposal that we should adopt a policy of ethical investing when it comes to the fund. Ethical funds represent about 3 percent of all mutual fund assets, but asset growth recently has been around 75 percent per year. In the United States social and ethical funds account for 13 percent of the market, with a growth rate almost as high as that in Canada.

8:50

Mr. Speaker, socially responsible investing is increasing because investors realize that what is bad for society is also bad for business. I am certain that Albertans do not want us investing their money if a company's practices go against social standards. Investors take environmental, social, and community interests into account when they decide which companies to invest in. This is an area where we as a province could take a lead.

Mr. Speaker, as my time winds down on my response to the Speech from the Throne, I have to briefly mention the Alberta advantage. Certainly when we look at the Alberta advantage, the major reason we have an Alberta advantage is the people, but we also have other reasons. We have an agriculture industry that was recognized by people around the world before we became a province. When we look at our forestry industry, which also plays a major role in this province, it again has been recognized since before the turn of the century. When Peter Pond in 1778 recorded the occurrence of bituminous sands at the confluence of the Athabasca and Clearwater rivers, we knew that we had an Alberta advantage.

So, Mr. Speaker, what we need in this province certainly isn't to

create wealth. What we need in this province is to redistribute that wealth to all members of the province.

Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. member? The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I was wondering if the Member from Edmonton-Glengarry could expand on how he would increase the transportation budget from a so-called fiscal stability fund this year when this year would actually be a year of contributing to such a fund according to the Liberal model of contributing in years above the five-year average of resource revenues?

MR. BONNER: That is a very good question and one that should be answered because the road builders of Alberta definitely would like an answer to that, particularly when their anticipated budget has been cut somewhere in the neighbourhood of \$700 million. If we had an infrastructure enhancement fund, then those moneys which would have been put in there as we use our five-year average could have been used to keep those people in business today instead of laying off workers.

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

MR. LORD: Thank you, Mr. Speaker. My question to the hon. member opposite. During my time as a stockbroker I did considerable research on social and ethical investment funds. Unfortunately, they had an extremely dismal rate of return in comparison to most other funds. I'm wondering if the hon. member opposite would like to elucidate on whether or not he thinks we should still invest in those funds even if they have a far lower rate of return than other funds.

MR. BONNER: Actually at one time, as people got more involved in ethical investing and socially responsible investing, I probably thought that it was a slow-growth market. But certainly all the research indicates today that ethical investing in the long run is going to provide much more of a stable environment for investing because we don't have environmental concerns to clean up after, we don't have violations against human rights in other countries.

THE ACTING SPEAKER: The chair would like to recognize the hon. Member for Calgary-Bow.

MS DeLONG: Thank you, Mr. Speaker. Our hon. colleague from Edmonton-Glengarry very nicely outlined many things that would be very nice to spend more money on, and I could add another 10, 20, or 30 that would do wonderful things for Alberta. But the question, of course, is: where do you want to take the money from? You were talking about large amounts of money here. You're talking hundreds of millions, billions of dollars.

MR. BONNER: An excellent question. Our biggest problem, Mr. Speaker, in this province is that we have a boom-and-bust economy. As well, in this beautiful province we do have oil reserves which are running dry. These are not the oil reserves that are in the Fort McMurray region but in the western Canada basin. So it is essential that we smooth out the peaks and valleys with some type of an enhancement fund.

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

MR. McCLELLAND: Thank you, Mr. Speaker. I wonder if the Member for Edmonton-Glengarry would tell the House: if the circumstances were to be such that this province did have a Liberal government, would the first priority be the redistribution of wealth or would the first priority be the creation of wealth?

MR. BONNER: Yes. Certainly, in reply to the hon. member's question, the first priority of a Liberal government would be to establish a budget which was sustainable. Mr. Speaker, we would make certain that the funding for all programs in this province was predictable, sustainable, and we know that this would be of benefit to all.

THE ACTING SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you so very much, Mr. Speaker. My question to the hon. member. First of all, I want to make a comment and thank him so much for recognizing the Alberta advantage in Fort McMurray. That is very important.

THE ACTING SPEAKER: I hesitate to interrupt, but the allocated five minutes are up.

The hon. Minister of Government Services.

MR. COUTTS: Thank you, Mr. Speaker. I do now move that we adjourn debate on this particular item.

[Motion to adjourn debate carried]

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

Bill 5
Interjurisdictional Support Orders Act

[Adjourned debate March 5: Mr. Stevens]

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

MS CARLSON: Thank you, Mr. Speaker. Happy to have an opportunity to speak to Bill 5 in second reading in the Assembly. At the rate that we're ripping through these early bills, it's going to be not very long before we're through the entire agenda that this government has brought forward. [some applause] While government members have just applauded that particular concept, what it means is that there isn't very much meat and substance in what we've seen so far.

AN HON. MEMBER: Good planning. Good planning.

MS CARLSON: It's not good planning.

AN HON. MEMBER: It's called co-operation.

MS CARLSON: Co-operation. Well, yeah, we're happy to cooperate in some instances, but certainly we're looking forward after this spring break to seeing some more substantive items coming forward. However, that isn't to say that some of the bills we have seen have not been good.

DR. OBERG: Be careful what you ask for.

MS CARLSON: That's okay. We're happy to be in there. I know

you don't like to be here, but, Mr. Speaker, we're happy to deal with substantive issues that make a difference to Albertans, so we'll be here as long as it takes to settle some of those outstanding issues. [interjections] Yes, yes, especially me. I'd like to be here, you know, right till July.

AN HON. MEMBER: All four of you?

MS CARLSON: It only takes one of us. You guys have got to keep quorum, not us.

AN HON. MEMBER: All four of you and one sidekick, eh?

MS CARLSON: No, it doesn't take that many. We've had lots of evenings when just one of us has been able to keep the business of the Assembly going for quite a long time.

On Bill 5, Mr. Speaker, I am quite happy to support this particular bill. It is a step forward in terms of interjurisdictional support orders, and that happens to be an issue that I deal with quite frequently in my constituency. Not only is there a large number of single parents in my constituency, but people seem to have known over the years that I also have been a single parent for many years, soon to be 16 years, and certainly understand the issues that come up around moneys and custody and trying to raise children on low-paying or small-paying or part-time jobs. So this is an issue that I understand, I believe, quite well from both personal and practical experience and having to negotiate and lobby for any number of single parents over the years, both male and female, who have had problems receiving support from their estranged spouses.

9:00

What we see, then, in terms of the highlights in this particular bill is that there's going to be some uniform legislation developed by provinces and territories. We've seen it passed in Manitoba, it's been introduced in Ontario and the Yukon, and we can only hope that soon we'll see it in the other provinces as well. Without a doubt, the biggest issue we have with nonpaying, noncustodial spouses is that they simply move out of the province in order to evade their responsibilities and become deadbeat dads or moms. They just laugh at the custodial parent when they try to get the moneys that are owed to them, because there are no arrangements interprovincially that work well.

What we find here with maintenance enforcement is that they don't even address the issues that are out of province in any kind of serious and significant fashion. They write these issues off quite quickly, and we see people who are really having trouble raising their kids and not getting support from the natural parents of that child. It's really important that we have this kind of interjurisdictional support for this particular issue. This bill brings forward those issues, lines them up properly and makes sure that we're going to see an improved way for support orders to be attained or varied between the jurisdictions. So it's a good step in the right direction.

I would wish that the legislation was tougher. I would wish that we would see really tough penalties in this regard for nonpaying spouses, and I would wish that we would see a bigger overall maintenance enforcement. It is a problem in many ways, for people who hide assets are still getting away with it. Decades after the program was first introduced, we still have people who are very adept at hiding assets and a maintenance enforcement program that is slow and cumbersome in its responses. It's sometimes successful but not very often. We see a judicial system that isn't lined up to support maintenance enforcement when they do finally haul a

deadbeat parent into court. So we need to see an alignment there in terms of seeing the needs of children being met as the first priority, rather than the abilities of these people to get away with nonpayment.

We also need to see a change in the way of thinking, I believe, about noncustodial parents who are falsely accused of not providing support. We have some instances where that's an issue. We also have some discrimination issues around primarily men who are custodial parents in terms of getting their access, in terms of just the way maintenance enforcement deals with them on their own. It seems that they often will assume right off the bat that the male parent is the offending parent. It's certainly not the case in my constituency. I have an increasing number of custodial parents who are male and who are doing an excellent job of raising their children and have the same issues with their estranged spouses in terms of money collection and in terms of them leaving the province and just never coming up with the kind of support that is reasonable and can be expected.

So this is a really good, strong step in the right direction, but it certainly isn't enough in terms of this particular issue, Mr. Speaker, and I would hope that the member who is the sponsor of this bill and the minister will seriously undertake to do a thorough and systematic review of the process and bring forward legislation soon to address some of these issues. This is something that I think is an issue that we could have all-party support on, all-party co-operation as we work through the issues. We all know what they are. Let's sit down at a table, identify the top priorities, and start to address them. This is the kind of issue where we could see some excellent work being done in this province. We have seen some of that kind of co-operation happen in this Legislature in the past, and it would be very interesting and productive to see it happen again. This is exactly the kind of issue that we could look forward to working with the government on.

So I look forward to hearing what the minister has to say about that and applaud them on at least bringing this forward as a first step in this process.

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Edmonton-Ellerslie? The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: I wonder what the hon. member opposite would think about the notion of having a court-ordered maintenance payments source deduction and then the resulting funds going to the recipient so as to be a separation from the sometimes heat that's generated through access when one parent is not paying and the other parent has refused access.

MS CARLSON: Well, the member should know that, in essence, that is what happens with maintenance enforcement now. When families are separated, when there is a divorce, there is automatically an application given to the custodial parent to apply for the maintenance payments to go to maintenance enforcement and then delivered to them to make that kind of division. The problem, as I see you saying it, is that it doesn't first go to payable deductions. That would be an improvement. They get there eventually.

THE ACTING SPEAKER: Is there any other member who wishes to ask a question of the hon. Member for Edmonton-Ellerslie? I recognize the hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. The notion would be that the payment would be a source deduction similar to tax and would go through the federal government so that the recipient

custodial parent would have a consistent source of funds. Therefore, any shortages or if the funds are not paid by the parent, it would be handled exactly the same as a tax deduction not paid, removing the heat between the estranged parents, thereby providing access for the noncustodial parent.

MS CARLSON: It's a good idea. It happens now in terms of when maintenance enforcement garnishees wages, and they do that with the employer. That's a little more acrimonious, so this may be something serious to look at. However, having said that, to speak in defence of noncustodial parents, some of them really don't want that kind of information to happen. They don't want to see the enforcement orders and have been very good at making payments regularly and consistently. So there still, I think, needs to be an opt-out clause for both parties, but I think that would help.

THE ACTING SPEAKER: Okay, is there anybody else who wishes to ask a question?

Anybody else wishing to speak on the bill? There is a member who wishes to speak on the bill. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. At this point I would like to get on the record regarding Bill 5, and certainly I would like to offer my support to the hon. Member for Edmonton-Calder in regards to this bill. Any time there can be an improvement in the contentious issues that can surround maintenance enforcement, I think it is a valid objective.

Now, to improve the process for obtaining and varying support orders where the claimant and the respondent live in separate jurisdictions. There are many times in the constituency office of Edmonton-Gold Bar that individuals come in and express a great deal of frustration, and if this legislation will reduce that frustration, which perhaps it will, then I'm in full support of it. I don't know how other hon. members of this Assembly feel about this or how often they get constituents coming with a great deal of frustration.

9:10

Now, this new legislation will also deal with how support orders made outside of Alberta can be registered and enforced in Alberta, and there are many examples by members from all parties in this Assembly talking about how individuals are coming to Alberta. They're coming from B.C., they're coming from Saskatchewan, they're coming from Manitoba, from all over Canada, to work here and carry on their lives. This legislation is to replace Alberta's existing enforcement of the Maintenance Order Act with legislation that's consistent across provincial and territorial jurisdictions.

I think everyone should support this legislation. I would encourage all members, Mr. Speaker, to do so. This legislation, in my view, should make it easier for claimants to obtain an initial support order within the framework of reciprocating jurisdictions. It will also, in my view, allow for a streamlining of court proceedings, and this should result in more efficient processing of applications and thus improve services to all Albertans. It is extremely important that the legislation be consistent with that of other jurisdictions; namely Ontario, Manitoba, and the Yukon.

Now, with those comments, Mr. Speaker, I shall cede the floor to another hon. member of this Assembly who would like to participate in the debate. Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Edmonton-Gold Bar?

The hon. Member for Edmonton-Calder to close debate.

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a pleasure to rise and close debate on Bill 5, the Interjurisdictional Support Orders Act. I note that the Official Opposition has agreed to this bill in principle. Yesterday, following my much heralded and accoladed speech in second reading, the Member for Edmonton-Centre posed a number of technical questions, and I propose to deal with those technical answers in Committee of the Whole.

So, in closing, the Interjurisdictional Support Orders Act will streamline the process for obtaining and varying court orders under provincial or territorial legislation when the parties live in different jurisdictions. Rather than a court hearing taking place in each jurisdiction, one single court hearing would occur in the respondent's jurisdiction, which will allow for quicker enforcement of Canadian orders once they are registered in Alberta.

I believe that all members who have spoken on this bill are in

favour of the principles of the legislation, and I encourage all members to support Bill 5 at second reading. Thank you, Mr. Speaker.

[Motion carried; Bill 5 read a second time]

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

MR. STEVENS: Thank you, Mr. Speaker. I move that the Assembly stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 9:15 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, March 7, 2002**

1:30 p.m.

Date: 02/03/07

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. On your behalf I would like to introduce to you and through you 16 grades 5 and 6 students from Meadowview school, which is located in the Barrhead-Westlock constituency. They are accompanied this afternoon by Principal Jeannette Shipton and parent helpers Grace Huisman, Val Schafers, Patsy Shrode, Tami MacIntosh, and also their bus driver, Louis Robinson. They are seated in the members' gallery, and I would ask them to please rise and receive the traditional warm welcome of the Assembly.

Thank you, Mr. Speaker.

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

MS KRYCZKA: Thank you, Mr. Speaker. It is my great pleasure this afternoon, in the absence of the Member for Calgary-Lougheed, to introduce Steven Taylor, who sits on the board of the Member for Calgary-Lougheed's constituency association. Welcome, and I'd like the members to give Steven the warm welcome of the Assembly.

Thank you.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of this Assembly four classes of students from Neil M. Ross school in St. Albert. They are accompanied by a number of parent assistants and their teachers. They are here in the Legislative Assembly today, and I would ask all members of this Assembly to extend a warm welcome to them as they rise in both galleries.

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

MR. LUKASZUK: Well, thank you, Mr. Speaker. It is indeed a pleasure to introduce to you and through you to the members of this Assembly Mr. Allan Lowe, who is the president of the Alberta Roadbuilders and Heavy Construction Association, with whom I had the pleasure of meeting this afternoon and discussing Alberta's infrastructure and transportation matters. I will ask him to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. It's my pleasure today to introduce four young Albertans that are very active in their campaigning for the executive of the PC Youth of Alberta, which we'll be having in a couple of weeks' time. In the members'

gallery I'd like to ask to stand: Marcus Hoyda from Barrhead, your riding, William McBeath from Edmonton, Tim Duncan from Calgary, and from the oil sands capital of the world, Fort McMurray, Blake Robert.

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

MR. MAGNUS: Thank you very much, Mr. Speaker. I did find a jacket in time for this afternoon, you'll be happy to note.

It is my pleasure to introduce to you and through you to members of this Assembly a good friend of our government, a good friend of mine, and the best campaign manager in the business. In the members' gallery is Alan Hallman, and I'd ask him to stand up and receive the warm welcome of this Assembly.

THE SPEAKER: All hon. members will know that the hon. Member for Calgary-North Hill attempted to enter these precincts without the appropriate dress.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Community Development.

International Women's Day

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to recognize International Women's Day tomorrow, March 8. This is a time to reflect on the progress made to advance women's equality, to look at the challenges of today and tomorrow, and to celebrate women's achievements.

In Alberta we have worked hard to remove barriers that would otherwise prevent women from achieving full equality. As Minister of Community Development with responsibility for human rights and for women's issues I know that we will continue to make good progress. The Human Rights, Citizenship and Multiculturalism Act includes gender as a protected ground, which means women may not be discriminated against because they are women. This act also provides for protection against sexual harassment. It addresses equal pay for the same or similar work. It also seeks to prevent discrimination based on pregnancy or source of income.

Though legislation offers protection, one of the best ways to bring about change is through education. This is a very significant part of International Women's Day, and it is an important role within my ministry. The Alberta human rights, citizenship, and multiculturalism education fund, also within my ministry, has funded a variety of education projects addressing issues of concern to women, including an emphasis on young women. However, women's issues go beyond the jurisdiction of one government ministry. As Alberta's minister responsible for women's issues I value the contributions made by other Alberta government departments that provide programs, services, and legislation of benefit to women.

Our elected female colleagues are excellent role models and leaders for women in this province. Alberta has had other strong female leaders in the past, as we all know. The best-known examples of course are the Famous Five: Henrietta Muir Edwards, Nellie McClung, Louise McKinney, Emily Murphy, and Irene Parlby, all of whom helped lead the struggle for women's equality that resulted in women being recognized as persons with full rights to participate in politics in Canada.

I also value the work of the federal/provincial/territorial ministers responsible for the status of women, with whom I have already met once and with whom I hope to meet at least annually. This important partnership allows us to collectively address issues that cross jurisdictional boundaries. For example, our work in the area of

violence against women and women's economic independence is particularly noteworthy. The indicators of violence against women is one such project that will provide clear information that is useful for developing policies and programs that support women who unfortunately are victims of violence. It will also help to prevent further violence from occurring. As status of women ministers we are also undertaking a study to identify growth sectors of the labour market that offer high-paying jobs in which women may be underrepresented. We will also identify strategies pertaining to issues regarding recruitment, retention, and so on.

On Saturday, March 9, it will be my great pleasure to attend a special celebration of International Women's Day hosted by the Indo-Canadian Women's Association, care of the Mill Woods Welcome Centre for Immigrants in my greater area. I invite everyone to join me and to otherwise use this special occasion to recognize the contribution of all women and, in particular, Mr. Speaker, of Alberta women, to help celebrate their strengths, their contributions, their achievements and to think of ways that we can continue to foster equality and other issues of importance.

Please join me in acknowledging International Women's Day.

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

MS CARLSON: Thank you, Mr. Speaker. I am pleased today to rise in response to the minister's statement on International Women's Day. International Women's Day came about because of the Bread and Roses March of 1908. This march was a pivotal moment when women took their dreams and their visions to the streets. They knew things had to change, and they made it happen.

But dreams and visions don't become a reality overnight. It takes little steps and small victories to get to something greater. In honour of International Women's Day I challenge all members of this Assembly to help a young woman make a dream a reality. Help her take a small step. Give her a hand in achieving that victory. It could be your daughter, your granddaughter, your niece, or maybe your friend's daughter. Take the time to talk to her; find out what her dreams are. What is she afraid of? Where does she want to be next year, in five years, or in 10 years? Listen to her current favourite CD, and learn why she just can't live without it. Let her listen to the CD that you can't live without, or maybe your first choice is still on vinyl. Read each other's favourite book. Spend time volunteering together. Hang out at the mall and find out what all the fuss is about. Let her pick out your clothes before you do this. Set a fitness goal, and work together towards it. Learn all the rules to one sport and get off the couch and go play it. Teach her how to change the oil in her car. Help her learn about investing. Take the time to find out what she needs to do now for that totally cool job in the future. Now help her do it. Go for a walk somewhere new. Visit a museum or an art gallery, and learn more about one of the artists. Teach her how to cook that old family recipe. See how much fun you can have with just \$10. Teach her how to lobby a politician. Help her organize a letter-writing campaign. And don't say that you are too busy. We can all be too busy. Stop and think of the people who have made a difference in your life. Now be that person for a young woman. Don't just recognize and celebrate. Take action and inspire.

1:40

If you need inspiration, remember the words of Nellie McClung: "Never retreat, never explain, never apologize. Get the thing done and let them howl." She also said:

The women who have achieved success in the various fields of labour have won the victory for us, but unless we all follow up and

press onward the advantage will be lost. Yesterday's successes will not do for today!

Those words are as true today, Mr. Speaker, as they were when Nellie first said them.

Thank you.

head: **Oral Question Period**

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

Children's Services Special Case Review

DR. NICOL: Thank you, Mr. Speaker. It has been reported that the Minister of Children's Services wants to know why her department did not fight for temporary guardianship of the twins who later died in a motel room in Thunder Bay. My question is to the Minister of Children's Services. The minister's own news release states that in addition to the special case review, there will be another internal investigation into staff accountability. Will the results of this be made public, and will the minister's role in this be also investigated?

MS EVANS: Mr. Speaker, we have issued a notice that we will have a press conference tomorrow at about 10:45 a.m. We will at that time outline the response that has been outlined in the opposition's question. The minister's own role in this no doubt will be a part of the public scrutiny and is always up for review, but clearly I will be responding on the two areas of the special case review and the human resource issues that we were reviewing.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why did the minister not cooperate with the Alberta College of Social Workers when they asked for the names of the social workers involved so that they could do an internal review within their profession?

MS EVANS: Mr. Speaker, that's an excellent question. About two weeks ago I saw to my considerable surprise an article in the paper that referenced that the minister may in fact be on a witch hunt, which in fact in my view compromised what would have been a very credible college response. It was a fairly significant article that almost identified prematurely what the outcome of an investigation may or may not be. I have written – in fact, that letter no doubt will be distributed today to the college – a response to the college saying that in my view that was a serious compromise of their effectiveness in doing an unbiased investigation.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. The department is the minister's responsibility. Will you commit to review process rather than trying to pinpoint any one or two employees in this case?

MS EVANS: Mr. Speaker, process is a great deal of what is being done with the special case review, and I will respond further and clarify further what process reviews will be involved following tomorrow's release.

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

Handicapped Children's Services

DR. NICOL: Thank you, Mr. Speaker. The Official Opposition is hearing from parents of handicapped children that prior to last fall's

budget cuts their children qualified for support, but now they no longer do. As an example, one couple's child was born with cleidocranial dysostosis, which means that the jaw cannot function properly. To the Minister of Children's Services. This child used to qualify for support from your department but doesn't now when the medical processes are needed.

MS EVANS: Mr. Speaker, just prior to the commencement of our question period I received from the hon. member opposite a copy of a letter relative to the circumstance he has identified, and I will be very pleased to look into it and give a proper response. The intricacies not only of the letter but of this particular case, I think, would behoove me not to respond about it and give a half-measured response but to just confirm once again that this government spends for handicapped children's services for 9,000 children an average of \$55,000 per child, or \$55 million per year. I hope there is no inference that we are not spending money on children with special disabilities.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My next question is to the minister of health. Will the minister of health take the responsibility for children whose medical needs are no longer covered by Children's Services because these now fall under medical? In this case it's dental procedures.

MR. MAR: Mr. Speaker, there are certain types of conditions that are considered medical in need as it relates to what is referred to by physicians as maxillofacial conditions. Whether this particular individual case falls within the ambit of the program that we have for dealing with those conditions, I don't know, but certainly if the hon. leader would be good enough to forward to me the information, I'd be happy to look into that for him.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question is to the Premier. Obviously, we have a case here where a child has fallen through the cracks between Children's Services and health care. Will the Premier ensure that children who have medical needs where prevention measures have been taken care of by Children's Services will have them covered either by Children's Services or by Alberta Health?

MR. KLEIN: Mr. Speaker, the hon. Minister of Children's Services has given an undertaking to investigate this matter and to report through the Legislature.

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

Early Intervention Programs

DR. MASSEY: Thank you, Mr. Speaker. St. Michael school in Edmonton is one of the many to feel the cuts to early intervention programs. Sixty-three percent of their children are from single-parent families, 56 percent are from families on social assistance, and 42 percent of their children suffer attention deficit hyperactivity. My questions are to the minister of social services. Given that department cuts have meant the loss of this school's guidance counselor and social worker, does the minister consider them unnecessary in a school like St. Michael?

MS EVANS: Mr. Speaker, the particular circumstances in St. Michael school I would be pleased to take a look at along with the staff of Ma'Mōwe child and family services authority. It relates, in fact, to those supplementary supports that are provided to the school for the intervention programs.

Mr. Speaker, since last fall we have been working very clearly with three principles in mind: to in fact make any cost containment or reductions as far away from the children who are most at risk as possible. We have been working very hard to make sure that the children's needs are the primary focus, that health and safety come first. We have been working to be sure that we address that significant child welfare caseload that has been a part of our authorities' concerns over the past year.

Mr. Speaker, over the past five years child welfare caseloads have increased 65 percent. The number of social workers has increased by 60 percent, and the budget that is in Ma'Mōwe that is for child and family services increased 20 percent this year over last year to \$178 million – I can't stress that too much: \$178 million – which two years ago was less than \$130 million.

We're putting money in the system even though we have cost-containment measures. We're doing our level best to put our priorities on the needs, the special needs of children. While parents and while our society abdicate that responsibility and when they do, we have found ourselves involved in many more cases than we might have been in the past. It's a trend, Mr. Speaker, that we hope we can curb. The early intervention programs – the hon. member is right – are an important part of what we have to work on, but we cannot do that in peril to those that are more acutely affected.

DR. MASSEY: Mr. Speaker, to the same minister: aren't you really adding to that caseload when the principal at St. Michael indicates that without those early intervention programs, those youngsters are going to end up being placed in government care?

1:50

MS EVANS: Mr. Speaker, every time there have been reductions or realignments of programs, there has always been another program available. I think that while we have not probably gone as far as we could have to communicate those on some of the frontline circumstances – perhaps St. Michael school is one of them – many have found other programs as options that they have found worked very well. I would be very pleased to follow up on the issues at St. Michael school with, obviously, the Minister of Learning as it pertains to learning issues and see if there's something more that should've been done in this situation. We are not denying the importance of early intervention programs, but simply put, we have been trying to use our dollars as wisely as possible, and we have been focusing not only on those early intervention programs but on the home visitation and early childhood development programs that we are also funding. Let's be clear. Last year we doubled the amount of money in this province that went out in early intervention and early child development. It is not a case of cutting and removing programs as much as it is trying to get the allocations right within every child and family services authority.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: has the minister visited schools like St. Michael, and would you commit to visit St. Michael to see the impact of those cuts?

MS EVANS: Mr. Speaker, of course I would visit St. Michael school. I have visited schools, and I could certainly provide the hon. member with the number of schools I've visited.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-East.

Teachers' Labour Dispute

DR. PANNU: Thank you, Mr. Speaker. Earlier today the government announced that legislation will be introduced next week which sets up an arbitration process to settle the teachers' contract dispute. My question is to the Premier. Will the Premier assure this House that the legislation to be introduced next week will contain a sunset clause and apply only to this round of collective bargaining and not to future rounds?

MR. KLEIN: I think I can safely say that the legislation being contemplated would anticipate a sunset clause, Mr. Speaker, because we do want to in all sincerity return bargaining to the local jurisdictions, where it rightfully belongs.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier also assure this House that the legislation to be introduced will not include provisions that will remove the teachers' right to strike after the contracts reached through binding arbitration expire?

MR. KLEIN: Mr. Speaker, nothing of that nature is being contemplated in the legislation.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier ensure that the upcoming review will focus on strengthening public education in this province and involve widespread public consultation with parents, teachers, students, school boards, and the general public, in stark contrast to the closed-door process used to develop the Mazankowski report?

MR. KLEIN: The form and nature of the summit or blue-ribbon panel or Mazankowski-style commission has yet to be determined, but I can give the hon. leader of the third party assurance that virtually everything will be on the table. There are so many factors involved in this complex issue of education, Mr. Speaker, and we need to have a full and broad-ranging discussion on all of these issues, issues such as student/teacher ratios, special-needs children, sparsity and distance, postsecondary. I mean, the list goes on and on and on. There are so many issues. Believe me; since it was announced that this is being contemplated, my office has received numerous phone calls with suggestions and ideas as to what should be included in this study of education. So it's my feeling and I believe the feeling of caucus that it should be wide open, and virtually everything is on the table.

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

Kyoto Accord

MR. AMERY: Thank you, Mr. Speaker. My question today is to the hon. Minister of Environment. The Canadian Chamber of Commerce recently released a report estimating the cost of the Kyoto accord to the Canadian economy at about \$30 billion, very close to our minister's own estimate. It is clear that the federal Liberal government is not listening to Canadians. In fact, the federal Liberal Environment minister just unveiled his hot air trading policy in

Vancouver yesterday. So my question is to the Minister of Environment. Could the minister explain to Albertans as to what is the meaning of this hot air trading policy?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. This is a very important issue to Albertans. In fact, yesterday in the speech, if I could just quote a couple of phrases from it, the federal Minister of the Environment talked about buying emission reduction permits, buying emission reduction credits, and buying credits in the international marketplace. Who has to buy those? Well, I'll tell you who has to buy those according to this speech: major industrial plants, of course, which Alberta has plenty of in Fort Saskatchewan, Joffre, and other places in the province; oil sands operations – who else in Canada has oil sands operations? – petroleum refineries; and electrical generators. So those are the companies that will be penalized by having to buy emission credits.

These emission credits, Mr. Speaker, will be bought on an international market by these companies, which will increase the cost of these companies' products. As they increase the cost of these companies' products – you know, we compete with Mexico, whose products will not be increased; we compete with Venezuela and the U.S., whose products will not be increased.

So our position is very clear. If – if – the federal government ratifies this, Mr. Speaker, they must recognize that they're ratifying it on behalf of all Canadians, and all Canadians must share equally and fairly in the cost and not just Albertans.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. To the same minister: could the minister outline to Albertans as to what is the Alberta alternative to the Kyoto accord?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Certainly, Mr. Speaker. Well, in the first place, let me say that we recognize that climate change is important, and we are taking many actions that I could outline: a project in Weyburn, Saskatchewan, with us and the federal government looking at carbon capture and storage. Perhaps the Minister of Innovation and Science would like to comment on that further when I'm done. So that's one thing. But we're doing many projects like that: Climate Change Central and Ride the Wind! in Calgary and so on.

Overall, Mr. Speaker, our position is very clear. We need a North American approach to climate change that includes the U.S., that includes Mexico, that includes Canada, because 92 percent of our trade is with countries who are noncompliers. We need a North American approach just like the Europeans have what they call the European bubble. Quite frankly, the European bubble can meet their goals, because in Germany they closed down a whole bunch of industries that were noncompetitive in East Germany and they reduced their CO₂. Portugal can increase its emissions by 30 to 37 percent, so they spread that around the European bubble.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. Could the minister explain to Albertans who are very concerned about the effects of climate change on our water supplies as to what his department is doing to address this very important issue?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes, Mr. Speaker. We announced a proposal or a consultation process this week where we are going to go out and look at issues all around the water supply, you know, in terms of how we deal with water, how we conserve water in this province, how we look after our water, because water is vital to future economic growth of Alberta.

I will make just one comment. There is not a clear connection in the science between the climate change and dwindling water supplies that we see in Alberta today.

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

Private Registry Offices

MR. MacDONALD: Thank you, Mr. Speaker. Identity fraud seems to be a growing business in Alberta. It is also a crime. On November 14, 2001, the Minister of Government Services stated in this House, "Let me reassure you that drivers' licences are safe in Alberta today." My first question is to the Minister of Government Services. In light of the headline news from Calgary of what may be the largest fake driver's licence scam of its kind in Alberta, can the minister still assure us that things are fine?

Thank you.

2:00

THE SPEAKER: The hon. minister.

MR. COUTTS: Mr. Speaker, absolutely. I can stand here and let Albertans as well as this House know that our system is safe and secure in Alberta today, and we are always on the lookout for fraud and forgery. Always. It's a policy of this province that no one should be susceptible to this type of thing. We are working with stakeholders in this particular incident, particularly the Calgary city police. We co-operate through our department of registries to make sure that this type of thing does not happen in the future, and as a result of that, I can announce to this House today that effective this morning a freeze on the date of birth that goes onto a driver's licence will remain on that customer's record forever. There is no provision today to change the date of birth on that driver's licence. We have made that correction today.

One thing we'll make sure of is that this stays forever, that that date of birth will not be able to be changed without the approval of the registrar of Alberta Registries.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: given that we need to ensure that all registry systems are secure and protect the privacy and confidentiality of personal information of Albertans, will the business contract of the private registry company in question in Calgary be revoked until this matter is investigated by your department?

MR. COUTTS: Mr. Speaker, this particular incident has absolutely no bearing on the particular registry office. It does have everything to do with an employee of a registry office and how that employee went about doing her work.

Mr. Speaker, our contract with registry agents is a very successful system in this province. Privatization is not the villain here. This is a particular problem with an employee, and this could happen in any business. It could even happen in a public utility business. It could happen in a private business. It's one of those things that when you take a person, a human being, and technology and put them together,

if the motives of that particular individual working in that office, wherever that office may be, are against the rules of society, that's what causes the problem.

So, Mr. Speaker, I can say that of the 6 million transactions that our registry offices in Alberta handle today on behalf of Albertans, those 6 million transactions are handled in a safe and secure way.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister. Let's go north, in this case to Edmonton. Can the hon. minister be certain that things are fine when just this past January in Edmonton an accredited driving school was charged with offering a bribe with regards to a client's driving test while the same day a Mill Creek registry was charged with forgery and taking secret commissions?

Thank you.

THE SPEAKER: The hon. minister.

MR. COUTTS: Thank you, Mr. Speaker. In view of the fact that this registry was charged, it would not be appropriate for me to comment. However, I will say that because that individual was charged, the registry office was closed immediately. That is no different than where the employees in registry offices must sign a code of conduct and ethics, and if they violate that code of conduct and ethics, they are immediately dismissed by the registry agent manager.

I would also like to reassure Albertans that I will be contacting our stakeholders, and in this particular case the stakeholder will be the Alberta Registry Agents Association. We are going to take a look at criminal record checks or security clearances for all employees of registry agents' offices, and we will be doing that in the very near future.

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

Confined Feeding Operations

MR. MARZ: Thank you, Mr. Speaker. My first question today is for the Minister of Sustainable Resource Development. Earlier this year the Natural Resources Conservation Board took over responsibility for approving confined feeding operations, or CFOs, as we now call them. This new process has caused some alarm amongst some neighbouring constituents of CFO developers who fear the new process will allow for a huge and sudden increase in the number of CFOs in their neighbourhoods. My question to the minister is: how will these constituents who have concerns with the CFO application have their concerns heard and fairly dealt with?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. Of course, the NRCB is providing a very good and important service for Albertans for a very, very important industry. Agriculture is very important to all Albertans. In fact, Albertans living near the CFOs will actually have more to say in the decision-making process as far as approval with the new legislation that is in place. An example of this: the NRCB will notify Albertans that are living near the proposed CFOs, and these Albertans will also have an opportunity to review applications and provide their input and comments.

As well, of course, because municipalities are very important in the process, municipalities will be a part of the decision-making

process. Municipalities will have an automatic standing with the NRCB and will be asked to provide input in the application process. This is the important area, Mr. Speaker, that in fact the NRCB will ask municipalities to identify areas where CFOs may apply and where they may not apply, and I think that is a good process to have.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. My second question is to the Minister of Environment. Some experts still express concerns about the impact of CFOs on water quality and say that another Walkerton is right around the corner. What assurances can the minister give that the water supply in rural Alberta will remain safe?

DR. TAYLOR: I'd like to assure the member that because of these changes in the way it's going to be handled, there is no change in environmental regulations. The environmental regulations, I think, will be in fact put into effect more appropriately because they are going to be done by one body that oversees the whole thing, and as a result it'll be consistent across the province, Mr. Speaker.

The other thing I would say is that Alberta does have the most strict drinking water standards in the country and the most strict standards for operators in the country. So certainly as we go forward with that, Mr. Speaker, we will maintain that and maintain our high-quality water.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Again to the Minister of Environment: given that some small farms and residents have told me that they've been waiting over a year to get their water wells registered, is Alberta Environment placing a higher priority on water well licensing for CFOs than on residential water well registrations?

DR. TAYLOR: No. I can assure the member that that has not in fact happened. What has in fact happened, Mr. Speaker, is that this program was ongoing for three years, and we actually got most of the applications in just the last few months. We have 25,000 applications on our desks right now, so we will get to them hopefully by the end of March.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-Mountain View.

Out-of-region Patients

DR. TAFT: Thank you, Mr. Speaker. The Calgary health region recently instituted a policy of limiting access for out-of-region patients during times of high demand. Rural doctors are worried that this will mean limited access and greater restrictions for rural residents. My questions are to the Minister of Health and Wellness. Given that the minister is ultimately responsible for the health care of all Albertans, what is he doing to ensure that rural Albertans receive the same access to care as urban Albertans?

MR. MAR: Mr. Speaker, I have asked this question of the regional health authority in Calgary. I've been advised that there are approximately 12,000 people that come from outside of the regional health authority to seek medical care within that particular region's boundaries. They assure me that the most urgent and emergent of cases are dealt with within the city of Calgary. They, of course, do have critical times when they are not able to take all people who

come in, but those that have the most emergent and urgent needs do get looked after immediately.

THE SPEAKER: The hon. member.

2:10

DR. TAFT: Thank you, Mr. Speaker. Even so, how does the minister justify providing one level of care to residents, say, of Bragg Creek and a different level of care to residents just down the road in Okotoks and High River?

MR. MAR: Well, Mr. Speaker, that's not the case at all. We treat all people based on their medical need and not based on the geography in which they live.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. As RHAs begin closing their doors to patients from outside their regions, what is the minister doing to ensure that Albertans don't end up with 17 different levels of care?

MR. MAR: Well, Mr. Speaker, I think it would be fair to say that we have much more of a system now than we ever have. The hon. member will recall a time when there were over 200 hospital boards and health regions throughout the province. There are now 17. I can assure the hon. member and members of this House that more than ever our regions are working together. They are collaborating. They are ensuring that transportation among and between regional health authorities is as seamless as possible, that the people who have the highest needs are dealt with immediately. Of course, an individual who has an urgent or emergent need, regardless of where they live in the province, will get the care that they require.

The hon. Member for Edmonton-Glenora is heading up a committee that is responsible for looking at further opportunities for collaboration among and between regional health authorities. I expect some good work to be done by that member and the members on his committee, and they'll be coming back this fall. But make no mistake about it, Mr. Speaker. More than ever our regional health authorities are working together and collaborating, and their interests are not in their regions but on patients in the province of Alberta.

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

Justice System

MR. HLADY: Thank you, Mr. Speaker. Members of Calgary's legal community and specifically the Alberta branch of the Canadian Bar Association have brought a number of concerns to my attention about our justice system. It is their opinion that an overall lack of provincial funding is causing problems in how justice is administered in Alberta. My questions today are to the Minister of Justice and Attorney General. Because the Canadian Bar Association has identified court facilities as a critical situation, can the minister update us on the status of a new single-court complex previously discussed in this House that could be paid for by the private sector?

THE SPEAKER: The hon. minister.

MR. HANCOCK: Well, thank you, Mr. Speaker. The Calgary court situation is indeed an interesting one. We have six different locations for courts. It was identified in January '99 at the justice summit as an area where there was confusion among the public as to

where to access courts from time to time, and of course we're reaching a point where we've reached capacity. Infrastructure has been very helpful in both providing the renovations on a timely basis and providing – we have what we call affectionately the trailer courts in Calgary, and those have been very helpful.

But it's very, very necessary that we proceed with a court facility, a justice facility in Calgary on a timely basis. Because of the need to look for innovative ways to do that in order to get the financing, we will certainly be considering – and we've been promoting, and I've been talking with the Minister of Infrastructure and others in government and with the private sector – how we might do that with a public/private partnership.

MR. HLADY: To the same minister: can the minister respond to concerns that inadequate resources have led to the deterioration of our justice system?

MR. HANCOCK: Well, Mr. Speaker, inadequate or under funding is always a matter of opinion and a matter of perspective. We have a very good justice system in this province, and we provide justice services on a very timely basis and, I would suggest, with good quality. The people working in the system do a very, very good job. We've supplemented the funding with supplementary estimates last fall when we needed to add additional prosecutors and to pay better in that area, and we've since had a supplementary estimate just last week which helped us address the issue with respect to judicial clerks, which was a problem.

So we're moving to deal with areas where there are resourcing problems and have handled that area. We also, of course, have had a bit of a problem, particularly in Calgary, which I think is what's generating some of the letters from the Canadian Bar Association, in that the hiring freeze in government has impacted the fact that as we had problems in the judicial clerk area, we had an unusual number of vacancies in that area. So we've had to work around that.

But, Mr. Speaker, services are being delivered on a timely basis. Where there have been holdups, those holdups have been limited to areas where there is not an urgency. We've been working with the courts and with the court services division to make sure that the services are delivered on a timely basis to Calgarians.

THE SPEAKER: The hon. minister to supplement.

MR. LUND: Mr. Speaker, the hon. member is indicating that there's been a problem with providing services as it applies to the Court of Appeal. It is true that we did have some difficulty. As the hon. member probably knows, back a year ago January there was a mold discovered in the old Court of Appeal. We had to move the people out of that building. We then had difficulty housing the Court of Appeal in another location. We have tested a number of buildings to make sure that the air quality meets the standards that the Court of Appeal justices feel is necessary. It has not been a case of lack of money; it's been very difficult to site the Court of Appeal. Of course, there has been some inconvenience because they did have to sit in Edmonton as opposed to Calgary. But certainly we have done everything we possibly can to find air quality that would be satisfactory to the Court of Appeal.

MR. HLADY: Well, thank you very much for that answer.

Can the minister address the concern that a lack of funding is increasing the time to trial in Alberta courts?

MR. HANCOCK: Well, thank you, Mr. Speaker. In fact, average time to trial across Alberta has not increased but has been reduced

significantly in recent years. The average time to trial in Provincial Court was 14 weeks, the same as it was in 1996-97 and three weeks shorter than 1998-99. Times in other courts have fluctuated up and down since the 1990s, but average time to trial in our courts has remained relatively stable.

There are some very interesting developments in that area, Mr. Speaker, that I believe the hon. member and others in this House might be very interested in. You've been reading lately in the newspapers about the collaborative law project in Medicine Hat, where they're finding that the family law list has essentially dried up because lawyers are working with their clients to keep things out of the courts, to resolve things on a collaborative and a mediated basis. It's a very positive approach and one which is spreading across the province. Medicine Hat leads the province again in that area.

Mr. Speaker, I would encourage other ways of mediation, arbitration, and the collaborative law process which takes those issues that don't need to be in the courts and, quite frankly, aren't effectively resolved in the courts out of the courts, and that allows the court resources to improve our time to trial even more.

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

Land Acquisition

MR. BONNER: Thank you, Mr. Speaker. In November the county of Barrhead gave a campground back to the province in exchange for \$10,000 and three paved approaches. Alberta Transportation needs the land for a road project. My questions are to the Minister of Transportation. Is this type of innovative funding strategy available to all municipalities?

MR. STELMACH: Mr. Speaker, land disposition and land acquisition is done by the minister responsible, and that's the Minister of Infrastructure.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. My next question is to the Minister of Infrastructure. How did your department decide that a campground was worth \$10,000 and three paved approaches?

MR. LUND: Well, Mr. Speaker, I will have to take that particular question under advisement because, quite frankly, I cannot follow every land transaction that we have in the province of Alberta, because there are hundreds if not thousands of them annually.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister. The province had previously turned the campsite over to the county for one dollar. Is land for road projects really that expensive?

MR. LUND: Well, Mr. Speaker, usually with any land – and a campground is one of them – the process is very straightforward. We first offer it to the municipality, and if the municipality is not prepared to purchase the land, then we move out to the private sector. Once again, for this particular incident that the member is talking about, I wish he would have asked me to get some information for him. I cannot follow on a daily basis every transaction.

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

2:20

NHL Player Levy

MR. MASON: Thanks very much, Mr. Speaker. Yesterday the Premier confirmed that this government is considering yet another new tax, this time on hockey players. The Premier also indicated that the idea of tying this tax to an agreement to keep the Oilers and Flames in Alberta was interesting. The New Democrat opposition has received positive reaction to the idea of tying any sort of tax assistance for NHL teams to some sort of agreement which keeps those teams in Alberta. To the Premier: has the Premier given any further thought to the role that this tax might play in keeping NHL hockey in Alberta past 2004?

MR. KLEIN: Mr. Speaker, indeed, all the steps that we have taken as a government – the lottery program, the contributions to improving the infrastructure of two publicly owned facilities, i.e. the Pengrowth Saddledome and the Skyreach arena, and the taxation system – are designed to keep those two teams in Alberta. This has been done in concert with the management of the two teams, and while there's been no formal written assurance that the teams will remain here, everything that is being done is being done to keep the teams here at least until 2004, at which time the fundamental problem of salaries can be discussed.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Would the Premier agree that Albertans would be justifiably angry if the government gave the owners of the Oilers and the Flames millions of dollars of tax money yet they moved the teams anyway?

MR. KLEIN: Well, Mr. Speaker, it only stands to reason that if the teams are not here, then there would be no taxation. I mean, who would we tax? Do you mean that the Buffalo Sabres are going to come in here and play with themselves and pay the tax? Think about it. [interjections]

THE SPEAKER: The hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Thank you very much, Mr. Speaker. Well, clearly the Premier is rattling his sabre.

In the event that one or both of Alberta's NHL teams are moved in the next few years, what will this Premier tell Albertans about this historic lost opportunity to secure the future of NHL hockey in Alberta? How will he explain his failure to act?

MR. KLEIN: Mr. Speaker, if the teams are lost – and I don't think that they will be. I think the measures that we've taken, the measures that the two teams have taken to bring back fan support – by the way, the way the two teams are playing right now makes it I don't know if I should say quite likely but possibly likely that they will make the playoffs. It's that kind of fan support, it's the kind of support that the teams receive from the government and the municipalities that will provide assurances to Flames and Oilers fans that the teams will be around until they can come to grips with the fundamental problem. That's the problem of salaries, and I understand that can't be negotiated until the year 2004.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Ellerslie.

Physician Achievement Review Program

MS DeLONG: Thank you, Mr. Speaker. A constituent recently

asked about a questionnaire she filled in about the practice of her family doctor. She wanted to know what this information is used for. My questions are for the Minister of Health and Wellness. What is the physician achievement review program, and why is the public participating in it?

MR. MAR: Mr. Speaker, this is the first program of its kind in North America. The PAR program, as it's often referred to, requires the practice of every licensed physician to be reviewed at least once every five years, and since the program was instituted in 1999, some 1,600 physicians have participated.

The program is unique because it gives patients an opportunity to evaluate the performance of their physician, and each physician's review includes a series of questionnaires that are completed by the physician, that physician's peers, and a number of the physician's patients. By answering questions about the performance of their doctor, the public can provide very valuable feedback on how physicians can provide the best care to their patients.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. Also for the Minister of Health and Wellness: how many Albertans have completed the questionnaires?

MR. MAR: I'm advised that some 40,000 Albertans have participated in performance reviews of their doctors under the PAR program. The public will continue to play a key role in this very important aspect of physician continuing competence programs.

There has been an independent review of the PAR program, Mr. Speaker, and it was found in a survey of patients that they very strongly support this particular program. The program will help Albertans understand that all health care providers, including physicians, must maintain a safe and competent level of practice.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. How can Albertans get the information about the independent evaluation of the physician achievement review program?

MR. MAR: Mr. Speaker, as I indicated, an independent review has been conducted as required under the Medical Profession Act, and at the appropriate time later today I will table the report that has been prepared. As I indicated also, this is the first program of its type in North America and is being adopted by the college of physicians in the province of Nova Scotia and is currently being looked at by the province of Manitoba. The College of Physicians and Surgeons of Alberta will provide copies of the review to the public, and I'm advised that they will post it on their web site. My department will also refer public inquiries about this important report to the college.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-Fort.

Children's Services in Grande Prairie

MS CARLSON: Thank you, Mr. Speaker. We have a breaking story from the Grande Prairie *Herald-Tribune* which indicates that another 16-year-old city youth was weeks away from returning to his mother's care when he froze to death December 20 after a drinking party blocks away from the group home child and family services

placed him in. Could the minister please tell us why this youth wasn't properly monitored?

MS EVANS: Mr. Speaker, today I cannot tell the hon. member what she is asking. I will certainly undertake to bring it forward. I have checked all of the information to date, and I know that there are more questions I have. So I will bring it forward when it's appropriate.

MS CARLSON: Well, Mr. Speaker, can the minister answer this question then: what's wrong with the care that she's providing to youth in Grande Prairie? We have ongoing incidents where youth in care are not properly supervised and are not properly taken care of.

MS EVANS: Mr. Speaker, if this is a generalization referencing the case that was brought forward the other day, there are some very unique circumstances which have been involved in that case. It's not a general epidemic that affects one particular stream of youth or one particular situation. They're very individual cases. My preliminary review of the second situation would indicate that it's not remotely connected with the first situation. There was a question in this House the other day, for example: was it a regular occurrence to have children unsupervised in motels or having access to motels? In fact, according to the authority it isn't a regular case; it is a rare occurrence. Although motels are sometimes used to harbour families in situations when family violence has occurred, it is not regular to put children in them. So I would rather not generalize and to be very specific in my response and provide more information later.

MS CARLSON: Mr. Speaker, as twice a month for drinking parties for youth in care is twice too often, can the minister tell us why this death occurred on December 20 and it's only coming to light now?

MS EVANS: Not today.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Red Deer-North.

2:30

Low-income Program

MR. CAO: Thank you, Mr. Speaker. My question today is to the hon. Minister of Human Resources and Employment. Mr. Minister, you have indicated to this Assembly that you have received the report from the MLA committee that reviewed the low-income programs provided to Albertans. In the meantime people are still facing problems. For example, a constituent of mine who was on the AISH program now receives a Canada disability pension, a monthly income of over \$860. That disqualifies him from AISH coverage by a mere \$10. Now he has to pay \$60 per month for his medication. That takes away from his food money. To the minister: when are you going to fix this problem in such a way that the lower income who are on medication can get help?

MR. DUNFORD: Mr. Speaker, the member is quite right in identifying this problem, and it happens almost continually as people are on the AISH program as the disability income increases. This, I think, points out the need that we had for that low-income review team. Of course, it was one of the things that's been identified. Some of these programs are simply not fair. They don't provide the kinds of services that people need, in my view, and I hope, then, that all members in this House will see that some reform is required.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. My first supplement is also to the same minister. Considering the tight budget, could the minister look into these situations case by case, based on the personal hardship circumstances, while waiting for the broad-brush policy changes?

MR. DUNFORD: Well, we'll do what we can, Mr. Speaker, in that sense, but again I think the member is on to an excellent line of questioning here. It shows the need that we have here in Alberta to move away from labeling, to move away from entitlements, and start looking and treating people as individuals with individual needs.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. My last supplement to the same minister: what is it that my constituent can do to get his medication covered so he doesn't have to spend his food money on medication?

MR. DUNFORD: What I might suggest at this point, Mr. Speaker, because we're talking now about a specific constituent, is to make sure that we've been advised, and we'll look into it on an individual basis.

THE SPEAKER: Yesterday in the question period several questions were addressed to the hon. Minister of Health and Wellness. The hon. minister would like to respond to those questions now, and that's permissible, but under our long-standing tradition I also will accord, then, the opposition member who raised the question a supplemental with respect to it.

The hon. minister.

Gas Flaring Study

MR. MAR: Very good, Mr. Speaker. Yesterday the hon. Member for Edmonton-Ellerslie asked about a western Canada study on animal and human health effects associated with exposure to flares. My recollection from my time as Minister of Environment is that there was a program going forward on animal health studies, and that is continuing. We still have committed \$2 million to fund a human health portion on this particular study, but we are deferring our commitment on this study. While we think that it still has potential to be of value, we will determine our next steps once the study on animal health results are available. The Minister of Environment may wish to supplement, sir.

THE SPEAKER: The hon. minister.

DR. TAYLOR: Certainly, Mr. Speaker. This is an ongoing study. It's a three- to four-year study. The total cost of the study is in the neighbourhood of about \$19 million. The province has spent \$11 million so far. It's a study that crosses the three prairie provinces. We're in a position now where just in supplementary estimates the other evening we were given another \$4 million for this study. There's another \$4 million on top of that that needs to be spent, so we're presently encouraging the other provinces of Manitoba and Saskatchewan. They haven't put in any money yet, period, so we're encouraging the provinces of Manitoba and Saskatchewan to contribute their fair share. However, they are in a little different financial situation as they have NDP governments.

head: Members' Statements

THE SPEAKER: The hon. Member for Medicine Hat.

Alberta Winter Games

MR. RENNER: Well, thank you very much, Mr. Speaker. It's with great pleasure that I rise today to acknowledge the success of the Alberta Winter Games held February 16 to 19 in my constituency of Medicine Hat. [some applause] Thank you, hon. members.

The Alberta Winter Games provide a competitive opportunity for Alberta's developing athletes mostly between 12 and 17 years old. This year there were approximately 2,800 participating athletes, coaches, and officials. Many of these committed athletes will continue on to the Canada Games and, Mr. Speaker, perhaps one day to the Olympics. You know, Jamie Sale, one half of our Canadian gold medal figure skating pair in Salt Lake City, was first an Alberta Games athlete.

To organize the games, much co-ordinated hard work is required. I would like to acknowledge the entire board of directors for a job well done; in particular, Mr. Ron Zablocki, chairman, and Mr. Ken Sauer, vice-chairman, who spearheaded the outstanding event. Of course, I would like to acknowledge and thank the roughly 3,000 volunteers and countless corporate and organizational sponsors who ensured the success of the games. If you're keeping track of numbers, Mr. Speaker, you will note that there were more volunteers than participants. Southeastern Alberta's generous support and dedication has shown itself once again. Finally, I would like to congratulate all of the athletes. Your commitment to training and excellence serves you well and our province well.

As usual, Medicine Hat's local athletes were well represented and particularly successful. I would like to send out a special congratulation to the Medicine Hat athletes participating in archery, biathlon, bowling, boxing, curling, fencing, gymnastics, judo, hockey, ringette, squash, and various skiing and skating events.

Mr. Speaker, hats off to Medicine Hat, our wonderful host city for the 2002 Alberta Winter Games.

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

Public Health Care System

DR. TAFT: Thank you, Mr. Speaker. Alberta's public health care system is sustainable. Spending on health care in Alberta today is not out of line with historic levels nor with other provinces, and the fundamentals of an outstanding system remain in place. What Alberta's system needs more than ever is steady, strong management. It needs stable funding. It needs innovation within a public framework. Albertans deserve an efficient and effective health care system, and the Alberta Liberal opposition is working hard to ensure that Albertans get exactly that.

The Premier and others have gone to lengths to convince Albertans that provincial spending on health care is soaring and out of control. By reliable measures that simply is not true. Once inflation and a larger population are accounted for, it turns out that the Alberta government is spending about the same amount on health care as it did 10 and even 15 years ago. We had an excellent system then. We can have an excellent system again.

The current boom-and-bust cycle in health care funding is wasteful and harmful. It is unacceptable that events a few months ago on the other side of the world are determining how long Albertans wait for health care services today. Stable funding is needed, and it is possible.

The most recent Auditor General's report contains over 20 pages of detailed recommendations on ways to improve the system, but rather than improving management, the provincial government seems intent on turning health care over to market forces. Market forces do work well for many things, but they do not work well for

health care. In study after study the evidence of this is overwhelming. For-profit hospitals in the U.S. typically function at about 65 percent of capacity. Alberta's major hospitals run at over 90 percent capacity. It may well be that there isn't a for-profit hospital in North America that operates at the efficiencies routinely achieved by hospitals in Alberta.

This doesn't mean there isn't room for improvement. There are a host of innovations that should be enacted within the public system. Specialized surgical centres for such things as eyes and joints are operating with wonderful efficiencies within the public system. Alberta's health care system does not need radical surgery. It needs steady, strong leadership.

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

International Women's Week

MRS. O'NEILL: Thank you, Mr. Speaker. I rise today to acknowledge and to speak in support of International Women's Week in Alberta, March 3 to 9. While disgracefully there are many countries and numerous communities around the world who treat their women as second- and third-class citizens, I wish to point out that the intrinsic value of women and the rightful position of women in society is first-class.

Over the past several months there were two pertinent events that took place in St. Albert. The first was an exhibition called Connecting Voices at our Musee Heritage Museum, which was a collage of photographs, taped voice interviews, and art pieces created by and for women of St. Albert past and present. The other event was a one-person play written and performed by St. Albert actor Maureen Rooney, who presented an historical, autobiographical drama of six remarkable women who played significant roles in building our community.

The task as I see it before us today, as we reflect on the successes and the circumstances of women around the world, is to raise the awareness of every man and woman that every human being, that every woman is first and foremost equal in dignity and rights.

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

2:40

Public Health Care System

DR. PANNU: Thank you, Mr. Speaker. When historians look back at the year 2002, they may well write that it was a landmark year for our Canadian health care system. While the Alberta Tory government speeds up privatization of the system based on the Mazankowski report, the federal Romanow commission will issue its final report by year's end. It's very clear that the Alberta government's strategy is to implement the Mazankowski recommendations incrementally in the hope that it won't give Albertans who advocate strengthening Alberta's public health care system a tangible focus to shoot at. That's why no fewer than seven Tory-dominated task forces, panels, and committees have been set up to implement this report. The government clearly hopes that if they can generate enough fog, the Mazankowski report's core recommendations of delisting, user fees, and further privatization will be obscured.

The New Democrats oppose turning health care into a market commodity. We reject privatization. Evidence from the U.S. and elsewhere clearly shows that this will only drive up costs and impede access. Instead, we propose gradually extending public coverage to include home care and prescription drugs. Instead of shifting more costs onto the sick, the injured, and the elderly in every family, the New Democrats support funding health care as a shared responsibility through the public treasury.

Finally, the federal government must contribute a greater share of health care funding if we are to maintain a national health care system available equitably to all Canadians. Innovative solutions to the problems facing health care can and must be found within the public system. If medicare is to be strengthened rather than put on the road to ruin, it will be due to the efforts of the millions of Canadians who know that medicare works. The New Democrats built medicare. We ask all Albertans to join with us in making sure it's strengthened and sustained.

Thank you, Mr. Speaker.

head: **Presenting Reports by Standing and Special Committees**

THE SPEAKER: The chair of the Public Accounts Committee.

MR. MacDONALD: Thank you, Mr. Speaker. As chair of the Standing Committee on Public Accounts I hereby submit five copies of the report of the Standing Committee on Public Accounts for the First Session of the 25th Legislature covering the committee's activities in 2001.

Thank you.

head: **Notices of Motions**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, normally at this time I'd be moving a motion regarding Written Questions and Motions for Returns; however, there are none on the Order Paper. Nonetheless, I thought it important to mention this for the awareness of the House.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I'm giving oral notice today of Bill 12, the Education Services Settlement Act.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, in supplement to the excellent accolades that are already offered by our Premier to Alberta's Olympic team, I'm pleased to add my sincere personal congratulations as minister responsible for sport in Alberta to all athletes, coaches, trainers, parents, and family members, and also to hereby table personal letters of congratulations to our Olympic medal winners, including Ryan Smyth, Eric Brewer, Jarome Iginla, Kevin Martin, Don Bartlett, Don Walchuk, Carter Rycroft, Ken Trahnberg, Jamie Sale, Catriona LeMay Doan, Cindy Klassen, Beckie Scott, Deidra Dionne, Alanna Kraus, Colleen Sostorics, Cassie Campbell, Kelly Bechard, Hayley Wickenheiser, Danielle Goyette, and Dana Antal.

I'd also like to just note quickly, Mr. Speaker, that I will be attending on behalf of the government of Alberta and all Albertans the special celebration on March 11 at Edmonton city hall to honour these outstanding Alberta-based athletes in the Pride in Our Olympians ceremony.

Thank you.

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

MS KRYCZKA: Thank you, Mr. Speaker. With your permission I

would like to table five copies of three letters from constituents of mine in Calgary-West – Gisele Durand-Smith, Trevor L. Smith, and Claude J. Durupt – requesting that the Bighorn wildland recreation area be designated as a wildland park.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. With your permission I'd like to table five copies of a document known as Edmonton this Quarter: Winter 2001-02. This document shows that Edmonton's population includes a significant and growing segment of people for whom basic housing is unaffordable, inappropriate, or simply not available.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I have this afternoon two documents that I would like to table for the convenience and for the information of all hon. members of the Assembly. The first one is proposals that are being discussed, hopefully currently, for changes to the Appeals Commission of the Workers' Compensation Board. The second document is also related to proposals to change and improve, hopefully, the Workers' Compensation Board. These are for all members of the Assembly.

Thank you.

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

MR. MAR: Thank you, Mr. Speaker. Sir, I beg leave to table the requisite number of copies of a document entitled Alberta's Physician Achievement Review Program: a Review of the First Three Years.

MR. MASON: Mr. Speaker, I'm tabling today with your permission five copies of a letter from Mr. Stan Halluk of Calgary addressed to the Minister of Health and Wellness on the subject of toxic flaring. As flaring and venting of solution gases pose considerable risk to public health, Mr. Halluk is urging the Minister of Health and Wellness to support Bill 203, the Gas Flaring Elimination Act.

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

DR. MASSEY: Thank you, Mr. Speaker. I have two tablings today with your permission. The first is the required number of copies of a letter from Neil Evans, who is dissatisfied with how the government has handled the concerns of teachers, writing in part that he's disillusioned with the negative attitude and that a school system that used to be the best in the world has been changed.

The second letter is from Pam Head, who wanted her voice heard in the Legislature with respect to health care reform and A Framework for Reform report. She urges the Premier to go slow on a very important issue and, you know, in her and my opinion, take a lot of planning and public input. So she would like the Premier to slow the process down.

Thank you, Mr. Speaker.

head: **Projected Government Business**

DR. MASSEY: Would the Government House Leader share with the Assembly the projected government business for next week?

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On Monday, March 11, in the afternoon, of course, is private members' business, and from 8 to 9 Motions Other than Government Motions, but at 9 o'clock we would anticipate being in Committee of Supply, should the House so decide this afternoon, for day 1 of two in interim supply.

On Tuesday, March 12, in the afternoon under Government Bills and Orders for second reading bills 12, 14, 16, 15, 6, and 13, and for third reading bills 1 and 2 and as per the Order Paper. In the evening at 8 under Government Bills and Orders, Committee of the Whole, Bill 12; Committee of Supply, day 2 of interim supply; and, should the House so determine, introduction of Bill 17, the Appropriation (Interim Supply) Act; and as per the Order Paper.

On Wednesday, the 13th, for second reading bills 9 and 5, in Committee of the Whole Bill 12, and second readings which weren't completed on Tuesday, as per the Order Paper. At 8 p.m. under Government Bills and Orders, Committee of the Whole, bills 12, 5, 7, 10, 11, 3, 4; second reading of Bill 17; third readings as per the Order Paper.

Under Government Bills and Orders for Thursday, March 14, for third reading bills 12, 1, 2; third readings based on progress Monday, Tuesday, and Wednesday; Committee of the Whole on Bill 17, the Appropriation (Interim Supply) Act, and as per the Order Paper.

head: **Orders of the Day**

head: **Transmittal of Estimates**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I have received a certain message from Her Honour the Honourable the Lieutenant Governor, which I now transmit to you.

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: Hon. members, the Lieutenant Governor transmits estimates of certain sums required for the service of the province and of certain sums required from the lottery fund for the fiscal year ending March 31, 2003, and recommends the same to the Legislative Assembly.

Please be seated.

2:50

MRS. NELSON: Mr. Speaker, I wish to table the 2002-2003 interim supply estimates. These interim supply estimates will provide spending authority for the Legislative Assembly and for the government for two months ending May 31, 2002. Before that date, probably by mid-May, it is anticipated that spending authorization will have been provided for the entire fiscal year ending March 31, 2003. As announced previously, we are tabling Budget 2002 on March 19.

Interim supply amounts are based on departments' needs for routine monthly payments. In addition, they also need to make some annual payments at the beginning of the fiscal year and at the beginning of the quarter. Payments also need to be made for deposit by government clients before the due date of June 1.

head: **Government Motions**

8. Mrs. Nelson moved:

Be it resolved that the message of Her Honour the Honourable the Lieutenant Governor, the 2002-2003 interim supply

estimates, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 8 carried]

9. Mrs. Nelson moved:

Be it resolved that pursuant to Standing Order 58(9) the number of days that Committee of Supply will be called to consider the 2002-2003 interim supply estimates shall be two days.

[Government Motion 9 carried]

Committee Membership Change

10. Mr. Hancock moved:

Be it resolved that the following change to the following committee be approved by the Assembly: on the Select Standing Committee on Private Bills that Rev. Abbott replace Mr. Yankowsky.

[Government Motion 10 carried]

Ethics Commissioner Appointment

11. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the March 5, 2002, report of the Select Standing Committee on Legislative Offices and recommend to the Lieutenant Governor in Council that Robert C. Clark be reappointed as Ethics Commissioner for the province of Alberta for a five-year term commencing April 1, 2002.

[Government Motion 11 carried]

Chief Electoral Officer Appointment

12. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the March 5, 2002, report of the Select Standing Committee on Legislative Offices and recommend to the Lieutenant Governor in Council that Olaf Brian Fjeldheim be reappointed as Chief Electoral Officer for the province of Alberta.

[Government Motion 12 carried]

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

Bill 6 **Student Financial Assistance Act**

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It's a great pleasure for me to stand today and move second reading of Bill 6.

Bill 6 represents a compilation of two acts, the Students Finance Act and the Student Loan Act.

By way of background, earlier this year the chartered banks in Canada decided to withdraw from the student loan portfolios. Subsequently what has happened is that the government of Alberta and numerous governments across the country have had to go in and set up a direct loan authorization process, and that is what this act is. This act does go further in that it allows for more harmonization with the federal Student Loans Act and, indeed, Mr. Speaker, provides a much better system for the students.

There has been considerable consultation with student groups around the province, including ACTISEC, CAUS, as well as numerous graduate student associations and things like that, and they

are all in favour of that, Mr. Speaker. I will be tabling letters in support of Bill 6 probably when it is in committee.

In essence, what this does is it gives us the authority to give direct loan assistance to the students of Alberta. Again, as I stated, Mr. Speaker, the students of Alberta are very much in favour of this. The Students Finance Board is continued on.

The other point that I will make, Mr. Speaker, is that eventually the Student Loan Act and the Students Finance Act will be repealed. They will not be repealed until those loans that are under those acts have expired. So they still will be acts under the government of Alberta until the loans that have been placed under them are finished.

Again, Mr. Speaker, I don't foresee any problems in this. We have had extensive consultation, and I do believe that it is a very good bill. The students of Alberta believe that it's a very good bill, and I will very soon be tabling correspondence from all the various students' groups around the province in support of this legislation.

I await the debate in the Assembly, and hopefully we can move on to legally give the students of Alberta the right to the student loans that they are receiving and will continue to provide one of the best student loan programs in the country of Canada to our students.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak at second reading of Bill 6, the Student Financial Assistance Act. My overall view of the bill is one that agrees with the minister. I think it's a bill that should be considered good progress on the way to a sound loans program, and as such, it's welcomed in the Legislature. We, too, have had an opportunity to talk to a number of the students involved, and they are welcoming the bill as just that, as progress.

The essential thing that the bill does is put the loans program firmly back in the control of the government, where the motive, I think, is more of a social motive, one that is concerned with encouraging students, easing the way for students to progress into the postsecondary school system as opposed to the profit motive that seemed to be driving some of the bank dealings with students and one that certainly the students felt quite keenly about. I think students are looking forward to the government re-establishing their control over it.

I think one of the other good things about it is that although there's still the federal and the provincial government involved in the program, there's one-stop shopping for those students now. That's something that, again, is encouraging for students, and I think accessing the loans program is made easier by the changes that are in Bill 6.

One of the concerns – and it's not inherently a problem in Bill 6, although Bill 6 perpetuates it – is the need to distinguish between undergraduate and graduate students. At the current time they're all treated similarly under the loans program, and I think we'll all agree that there are vast differences in the lives of undergraduates and graduates. Graduate students tend to be older. Many of them have established families and are studying while they're taking time away from their occupation. Many of them have their families with them, as opposed to undergraduates who can live in residence. I don't think you'll find many graduate students living in residence. Five or six or eight undergraduates living in a home is commonplace, but you don't see the same groupings of graduates because of their family circumstances. The kind of research tasks that graduate students find themselves involved in and the kind of dedication to their programs is different for them than it is for undergraduates.

3:00

Most importantly, I suspect, at least for the graduates students, is the whole problem of costs. Their costs for the most part are much greater than the costs that undergraduates face. All you have to do is look at renting a two-bedroom or a three-bedroom apartment in this city to house a family while you're studying, and you can see the kinds of financial barriers that immediately arise for a graduate student who is coming from out of city to study here.

So there are huge differences in costs, and the obligations of graduate students, that they have to continue to pay while they're studying, are again costs that I think are much greater than they are for most undergraduates. So I think that in the future with the changes that the government undertakes – and this may be more at the administrative level than it will be at a legislated level – is some recognition of the need to differentiate the kinds of costs that are allowed for under the loans program.

Some of the other assumptions in the loans program I think have been looked at too. One of the big problems for many students is the assumption of parent help and that there will be some contribution to the student's program and that the loan they eventually are able to secure will be dictated in part by their families and the contribution that their families make. The Canada Millennium Scholarship Foundation has done some research on this parental contribution, and they've discovered that about a third of the students under the age of 22 are not receiving assistance from their parents and that a significant number of students aged 22 or more are getting help from their parents.

[Mr. Shariff in the chair]

So the whole business of parental support is really quite problematic. The indication is that summer employment is no longer able to play as significant a part as it used to in terms of meeting student costs. For instance, one in 10 students doesn't work during the summer. They travel; they opt to do other things. Eighteen percent of the students who do work, in this survey that the foundation conducted, earned less than \$2,000 during that summer period, and when you take out their living expenses, it left them very little to contribute towards a program. Thirty percent only earned between \$2,000 and \$4,000, the \$4,000 coming close to covering tuition. So I think that some of the assumptions in the present loans program about students' ability to earn are ones that should be revisited as we move to improve the program.

I suspect that most of the comments I have are, again, about the administration of the current program and the need for changes there. I guess if there's a plea from students, it is that the way in which loans are determined or the amount of money they are allowed to borrow be given careful scrutiny and that there be built into that criteria some mechanism for change that keeps current the costs for accommodation and the other kinds of costs that students face. There's also a need for some consistency in what the loans program will allow them to consider as a cost. For instance, they're allowed to claim fees that are levied for some programs – and most notable was the \$7,000 for the dental program here – but other program fees are not acknowledged by the loans board. It puts an additional burden on students who are unable to borrow the kinds of dollars that they need to actually pay the costs that they face.

I think with that, Mr. Speaker, I'll conclude. As the minister indicated, the students across the province are encouraged by the legislation. They're happy to see it back with the government, and they look forward to working with the government to make sure that it meets the needs of all students.

Thank you.

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

MR. MASON: Thank you very much, Mr. Speaker. Well, it's an honour to stand and speak to Bill 6, the Student Financial Assistance Act, and I as well would like to indicate the support for this bill. Even though it was a reform necessitated by the withdrawal of the banks from the administration of student loans, it is a good step and I think one which students have advocated for many years. I myself in my first real job was working for a student organization. Some may not call that a real job, but I did. We advocated . . .

MR. HUTTON: ETS?

MR. MASON: No, it was before then. It was a long time ago.

We regularly visited this Legislature to put forward the position of students, sometimes in very, very large numbers, Mr. Speaker. One day we came across with 5,000 students to speak with the minister of advanced education at that time about the concerns of students. Many of these concerns have not changed in the 20-odd years since that time, but it is indeed a positive step to get the banks out of the way in what is essentially a government-to-student relationship, which has as its objective making postsecondary education more accessible.

It was always, in my view, sort of mixed up, because it was a loan, and therefore the federal government and the provinces all thought that it might be better delivered through banks because they give loans, and in many respects the features of it as a program to encourage accessibility were lost. I think we're well rid of the banks from this particular program, and the government, I think, will have more accountability, less bureaucracy, less paperwork, and I think it can only benefit not only the government but particularly benefit the students.

I want to take this opportunity as well, Mr. Speaker, to talk about a couple of things about the student assistance system in Alberta that have been bugging me for 20 years or so.

3:10

DR. MASSEY: You haven't paid back your loan?

MR. MASON: No. I did pay back my loan.

One of them is the enforced parental contribution. Under the system we had then and still have today, parents of adult students are required to make a contribution, or at least that contribution is then deemed as part of the student's available income and is deducted from their eligibility for the loan. At least, that's how it was, and I understand from students we visited this summer as part of our youth initiative tour that this has not changed. I think there's something fundamentally unjust about assuming that students who are adults, who are mature, who live on their own, who don't live with their parents, in some way continue a financial dependence upon them and that the government, the state, insists on this relationship before it's willing to provide funding for those students. So that's one thing that I think, Mr. Speaker, ought to be addressed.

The other one — and it's been addressed by the hon. Member for Edmonton-Mill Woods as well — is the assumption that a certain amount of income can automatically be earned in the summer. I do think that students should work if they can in the summer to earn money towards their education and that the bulk of that money ought to be saved and put towards the education. I think that's fair, but we need to take into account the differing circumstances of students and their ability to save money. There are wide swings in the job market for students, and I don't think it's anywhere near as good as it was

when I went to school, Mr. Speaker, where a student could have a summer job virtually at the drop of a hat. It's not necessarily that way today, nor are the relative wages necessarily as high, and of course there are wide variations in the living costs facing students. I still hear from students and did hear from students quite a bit this summer that there needs to be greater flexibility in that respect as well.

I'm pleased to see that there's a continuation of student representation on the board, which was one of the things we achieved back at that time, and I think it's probably been beneficial for all parties in that respect. Mr. Speaker, sometimes it feels that the more things change, the more things stay the same. But I think that we are seeing some positive change in this bill, and I would be pleased to support this bill at second reading.

Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. member? The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I, too, will be speaking in favour of this piece of legislation, and given the comments of the others who have preceded me, I will not take the time to go over the same ground to a great extent.

I would like to note a concern that I'm hearing constantly from constituents. The single largest educational institution in the province, the University of Alberta, is in my constituency, and I hear from them directly and indirectly constant concerns about the rapid rise in the cost of tuition.

Tuition increases are sort of the other side of the coin from a bill that makes student loans perhaps easier or more efficient to obtain. By increasing tuition and then providing more loans to cover that tuition, we are in some ways perhaps defeating ourselves. I would suggest that there would be a lot to commend in a system in which we didn't emphasize loans and debt so much as we simply emphasized merit and open access to universities at a lower tuition rate. So there is a connection between loans and tuition that I want to draw the attention of the House to, and we all know that tuition fees have risen rapidly in Alberta in the last several years.

There were reports in the newspaper in the last few days that next year tuition fees at law schools may be something like \$9,000 a year, which is a substantial amount of money. Equal and open access to postsecondary education I think is fundamentally important to our society for a number of reasons. Obviously, the more highly educated a society we have, the more productive it is likely to be, the healthier it is likely to be, the better generally our social conditions will be. So I think we would all agree that a well-educated populace is a desirable outcome, and to the extent that this bill will enable people to attend postsecondary educational institutions more easily, it is to be commended.

I want to draw the attention of the House to a few aspects of a highly-educated population. Yesterday I was in Calgary for the day participating on a panel looking at the social determinants of health. It's not simply that high education is a close determinant of wellness, but it's also the fact that social integrity or the sense of a society holding itself together and making sense, making coherence, and caring for one another also relates to the general health of a population.

As we increase inequalities in societies, we often see health decline, and as we increase equality, we see health improve overall. One of the opportunities for increasing equality within a society is making education widely available, including postsecondary education, to all citizens. So there is an important health component, albeit indirect, to making postsecondary education as widely available as possible.

I also draw the fact of the principle of fairness. We would all agree, I think, that all citizens, at least as babies and as children and as young adults, deserve a reasonably equal opportunity to fulfill their lives. An education funding system that is equally available to all is important, and I am again concerned that as we raise tuition fees, even though there's a loan program in place, we screen students on the basis not just of merit but also on the basis of the wealth of their family. I think that goes against the basic principle of fairness, which dictates that people should be rewarded and should be granted opportunities on the basis of merit, not on family wealth.

Finally, I'd just note the importance of freely available or widely available education for a healthy, functioning democracy, a society in which everybody is well educated and has the opportunity to understand how society operates, the history of the society, the nature of politics and has the opportunity to study and to contribute to that democracy to the highest level possible. This bill will inch us in those directions. I would like to see a complementary approach taken, which would be to not simply make loans more available but actually to see tuition fees reduced.

Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. member? Anybody else wishing to speak on the bill?

The hon. Minister of Learning to close debate.

DR. OBERG: Thank you very much, Mr. Speaker. I'll keep my responses very brief. This is a very good bill. It's a bill that is needed to continue our student loan practice. For the benefit of the House I won't get into it a lot, but what I will quite simply say is that during my tenure as Minister of Learning the amount of dollars that have gone into student loans and to student financial assistance has gone up 44 percent. It's something that we place an extremely high priority on and will continue to place an extremely high priority on. As the hon. opposition members have stated, this is a very important bill for the students of Alberta.

Thank you.

[Motion carried; Bill 6 read a second time]

Bill 15 Dairy Industry Omnibus Act, 2002

MRS. McCLELLAN: Mr. Speaker, I'm pleased to move second reading of Bill 15.

The bill, the Dairy Industry Omnibus Act, 2002, has been a long time coming. In fact, for several years our department has been working with the Alberta milk producers to create an independent, democratically elected commodity board. It is an industry that wants and deserves control over its own future. I am going to keep my remarks short in moving second reading, Mr. Speaker, because I want to give my colleague from Drayton Valley-Calmor, who has given yeoman's service to the work in developing this legislation, an opportunity to speak to the legislation. I should, though, take a moment to just talk briefly about the value of this industry to our province, because often we take the dairy industry, I think, for granted.

Mr. Speaker, our industry, despite what may be believed, is growing in size and stature. In fact, there are 850 dairy producers in this province. The value of their raw milk alone is at about \$350 million. We have 24 processing plants. They are owned and operated by 18 companies, and the value of their manufactured, processed dairy products last year reached \$1.5 billion.

3:20

AN HON. MEMBER: How much?

MRS. McCLELLAN: That's \$1.5 billion.

Mr. Speaker, I am confident that the self-management of this industry will help it build on its successes and it will find more effective ways to work together to continue to grow.

Again I want to sincerely thank those members of the industry who have provided a great deal of their time and their insight into helping us develop this legislation. I have every confidence that this industry is in a position where the government can step back and let them run the show. We have 16 other commodity groups in this province that have established boards or commissions under this same legislation, and they are very successful. This will allow our producers to govern their industry's milk production, their marketing systems, just as producers in most other provinces do.

Again, my thanks to the Member for Drayton Valley-Calmor for his dedication to the legislation and this industry, and I know that members in the House will look forward to his comments on this bill.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmor.

REV. ABBOTT: Thank you, Mr. Speaker, and I'd like to thank the hon. minister for that great compliment. I understand that a yeoman is the lowest ranking seaman, working down in the bowels of the ship. Yesterday I found out that I was the third-lowest ranking, but today I find out that I'm the lowest ranking. So thank you very much, I think. I'd also like to say thank you to the staff of Alberta Agriculture, Food and Rural Development. They're up in the gallery watching this today, so thank you very much.

As mentioned by the hon. Minister of Agriculture, Food and Rural Development, the objective of the Dairy Industry Omnibus Act is to shift the governance responsibility for dairy production and marketing away from government and into the hands of dairy producers. This change in governance is a direct result of the industry consultation and recommendations led by my constituency predecessor, MLA Tom Thurber, in the summer of 2000. Following the Thurber report, dairy producers elected producer delegates to help lead the change to self-governance. These delegates then elected the interim Dairy Board and interim Policy Committee. These producers are now leading the process to self-governance, and they have been keeping their industry colleagues informed of their progress.

The province's largest dairy producer association, which represents almost all 850 producers, has been solidly behind this proposed change. Producers envision one umbrella producer organization in the future, one organization that conducts board regulatory functions as well as education, marketing and research, and other activities. Alberta's milk processors have been involved at every step and have representatives on both the interim Dairy Board and interim Policy Committee. Both producers and processors would like to make the regulations less complex. As the new board establishes, they plan to minimize regulatory burdens on producers and processors.

Now, the Dairy Industry Omnibus Act repeals one act and amends two acts. The first major task of this bill is to repeal the Dairy Board Act. This will remove direct government responsibility for the operation of commercial dairy activities such as licences, quotas, milk hauling, and payment systems. Under this part of the omnibus act the producer and processor assessments, previously collected by the government, will be turned over to a new producer board to use in managing the system.

Although this bill dissolves the current Dairy Board, it is anticipated that those government staff needed to perform industry functions will stay with the new organization. As well, I understand

that during the transition, the new organization will maintain the two offices that the industry currently occupies in Edmonton and Wetaskiwin. The office space in Wetaskiwin will be available to the industry until 2004. As part of the transition the records for items such as licences, which the dairy board currently holds, will be transferred to the new organization. This will be accomplished through a specific regulation of the Lieutenant Governor in Council.

Now, the second major item is to amend the Dairy Industry Act to ensure that food safety inspectors have all the necessary powers to safeguard milk and dairy products. In the past food safety inspectors used powers under the Dairy Board Act. Since that act will be repealed, inspectors need in their own legislation the same powers that they use today. So this is simply a transfer of tools from one act to another. Amendments to the Dairy Industry Act will also ensure that milk test results are available to inspectors, the producer board, and the processor. This will actually streamline operations by ensuring that only one test is required to accomplish food safety, milk quality, and milk payment goals. Efficiency, Mr. Speaker; I love it.

It is anticipated that the new producer board will be created by regulation under the Marketing of Agricultural Products Act. Consequently, the third major item is to amend the Marketing of Agricultural Products Act to ensure that the new milk producer board has all the tools that are required to operate the system. While this bill does not actually create a new producer milk board, it does open the way for the industry to form the type of organization that it needs. As the minister mentioned, under the Marketing of Agricultural Products Act a producer plebiscite is required before forming any new producer board. I expect that a plebiscite will be held this spring.

Now, this type of board is not new to Alberta, Mr. Speaker. There are several types of producer boards under the Marketing of Agricultural Products Act that govern their industry similar to those planned by the dairy industry. Most other provinces have producer self-governed dairy industries similar to what Alberta's dairy industry is proposing. A few housekeeping items to both the Dairy Industry Act and the Marketing of Agricultural Products Act are also being considered in these amendments.

Although the Thurber report recommended keeping the industry much the same as it is today through the transition period, this industry needs to continue to grow. We all should be drinking more milk, Mr. Speaker, to keep our bone density up and our health care costs down. Since the goal of the industry and the government team working on this project was to make the transition to self-governance happen without changing the day-to-day operations of the industry, the dairy industry itself will actually notice little direct change when this bill takes effect. Licences, quotas, pickup of milk from farms, delivery of milk to the dairy plants, and the milk payment system will operate virtually the same as it does today. The real change is that the producers themselves will now be responsible for operating the system as opposed to the government.

Now, since the Thurber report both producers and processors have been involved in extensive consultations towards developing the new system. As the minister mentioned, there is widespread support within the industry as a whole for this initiative, and the further advancement of this bill is in the hands of the producers through the aforementioned plebiscite vote this spring.

Mr. Speaker, I encourage all the members to support the Dairy Industry Omnibus Act, a bill which shifts control of commercial dairy industry activities away from government and into the hands of industry stakeholders.

In the words of the Thurber report, it is time to create a new industry organization capable of building on the successes of the

past and ensuring a strong and viable Alberta dairy industry into the future.

I'd like to thank you, Mr. Speaker, and I would gladly entertain any questions that my colleagues or the hon. opposition may have.

3:30

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

MR. MASON: Thank you very much, Mr. Speaker. To the hon. member: I have heard many comments and speeches . . .

THE ACTING SPEAKER: Hon. member, I recognized you to speak to the bill. The first two movers do not have the five-minute option according to Standing Orders.

REV. ABBOTT: I wasn't moving anything.

THE ACTING SPEAKER: The first two speakers do not have the five-minute option under Standing Order 29.

MR. MASON: I'm sorry. Well, Mr. Speaker, I will briefly speak to it, and I will include the question that I was going to ask the hon. member within the context of my remarks, which will otherwise be very brief.

I'd just like to indicate from our point of view our support for the main aspects of this bill, particularly the concept that the producer group should be self-governing. We agree with that. That's worked very well in a number of other areas, and we don't see the need for the government to be appointing all of the people. We're sure that the producers are quite capable of doing that.

Mr. Speaker, the question I was going to ask, though, is that I've heard on the other side of this House many, many comments about the Canadian Wheat Board and how people who grow wheat ought to be able to sell their wheat to whoever they want, including across the border, and that they shouldn't be having some board telling them what to do. My question, then, to the hon. member would have been: what's the difference between milk and wheat as far as the members opposite are concerned?

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Edmonton-Highlands?

REV. ABBOTT: I have a comment. The comment would simply be that it's very different from the Wheat Board because people can still export milk without a quota system, which they cannot do under the Wheat Board. So if you would like to export milk to the United States, you're allowed to do that. This act will not change that. People do it now, and you'll be able to continue to do it after this omnibus act is passed.

THE ACTING SPEAKER: Hon. Member for Edmonton-Gold Bar, are you rising to ask a question?

MR. MacDONALD: No, Mr. Speaker.

THE ACTING SPEAKER: Okay. The chair doesn't see anybody else wanting to ask a question, so we'll recognize the hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. At this time I have a few brief remarks, and I too have questions that I would like to get on the record regarding Bill 15.

The hon. Minister of Agriculture, Food and Rural Development has certainly emphasized the importance of this industry to the entire province. One does not just have to motor through the fine constituency of Drayton Valley-Calmar to see silos, and anytime you see a silo, you're probably going to see in the immediate vicinity a dairy barn. Regardless, this is an industry that is not only in the fine constituency of Drayton Valley-Calmar but across the entire province. There was mention of the significant value-added product that's created. I believe the hon. minister said that it was in the range of \$1.5 billion.

Now, there are 24 processing plants, and they're operated or owned by 18 companies. I'm curious to know how many of those companies are Alberta companies. There was some talk, some discussion – perhaps it was not true. I would certainly like it to be clarified, not only for this member but for all Albertans, as to the ownership of dairy marketing in this province. Certainly the 850 producers are local. Some, of course, will be family farms. But of this industry, how much of it is owned and controlled by Albertans, or is it concentrated in the hands of a few? To have a staple food product such as milk in the hands of a few I don't think is wise, nor is it prudent.

[The Deputy Speaker in the chair]

Other questions that I have are regarding the quota system, or licence system. The hon. Member for Drayton Valley-Calmar in due time probably has an explanation. What mechanisms are there to exchange these licences or quotas? What value is placed on them, and how is that value derived? As the economy expands, what mechanism is in force to increase the number of producers? Now, I'm sure there's a good answer for this, and I would be very anxious to hear it. Certainly, as I understand it, with the quota system for milk it's different than, for instance, another agricultural commodity such as canola. If I could have an explanation for that, Mr. Speaker, I would be very grateful.

At this time I will cede the floor to another hon. member of the Assembly. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise today to speak to Bill 15, the Dairy Industry Omnibus Act. I guess what I can start off by saying is that this is an interesting act. It basically takes what has been a legislated or regulated industry for, well, most of my lifetime. I can remember when my father as a dairyman first got a quota, and I was hardly old enough to understand what quota meant. But basically what has happened is that, you know, this kind of process has grown to where we now have a very heavily controlled industry in the sense that it doesn't exhibit very many of the characteristics that are normally thought of when we talk about competitive commodity production strategies or markets.

If we look at the dairy act that's going to be replaced by this, it basically was set up to make sure that the regulated industry or the controlled industry did have an accountability back to the public. As I look through the act now, I see that basically what we're doing is taking that accountability part out and turning over to the dairy farmers, the dairy processors, the collective industry, a process that will allow them to in effect be self-governing in the context of not having to come back through the Dairy Control Board. I guess the question that comes up in this context is: how does this compare to other commodities? We have a lot of other commodities now that have organized under the Marketing of Agricultural Products Act,

where the dairy industry will have the option to set up. You know, they'll have to have their plebiscite, et cetera.

I guess what we're looking at here is the issue of in a sense turning over to a self-governing body, without a lot of public input and a lot of public participation, the power to control both price and quantity. The end result here is going to be a really interesting process which goes far beyond any of the other commodities that are currently under the Marketing of Agricultural Products Act. None of those groups has the option to control the number of producers, who is a producer, the entry into the production of that commodity. All they have is the power to control promotion and support for that commodity industry.

3:40

So what we're looking at here is a lot of questions that come up in the context of what would be the motivation for the dairy industry now to consider the consumer concerns about price, the consumer concerns about issues that reflect on competition in that market, but also associated agricultural producers who may want to enter into that industry. What we're going to see here is basically the creation of almost like a joint monopoly in the sense that they each produce into the market but don't have any market forces to react to. I guess that in a sense comes into this discussion more as a caution as opposed to "I think this is a bad idea," because the idea that we can reduce regulation, reduce the role of kind of a government overseer is good. But what we need to do is make sure that there still is a degree of responsiveness to the consumer and a relationship with the dairy industry in a way that we have some semblance of market forces working. I know I've talked to a number of people in the dairy industry about this act, and they've said: well, market forces come up when a consumer wants a new product, but the idea of the supply/demand interaction is totally lost when we start dealing with this kind of a process.

It's a number of years back now, before I got involved as an elected official, that I was doing some work in looking at what was the relative effectiveness of the pricing mechanisms in the dairy industry. It was quite interesting in the sense that over the three-year period that I was looking at, none of the producers experienced a negative rate of return on their investment. The more efficient and better producers actually were getting upwards of 30 to 35 percent return on investment. In other words, their investment was paid off in three years. What industry has that?

This is an issue of how do we deal with dynamics in the industry when we're going to turn absolute control over to them without any public participation in the context of the board that controls how they work, and I think it's something that needs to be just put on the record. As I mentioned before, I support moving out under the Marketing of Agricultural Products Act. All I would suggest is that as we do that, there needs to be consumer input into the decision-making process, because they are a special industry. They are not like the other commodity industries that operate under the agricultural products marketing act. Free entry is possible in almost all of these other commodity groups that are administered under the Marketing of Agricultural Products Act.

In this case now we've got a closed system where the opportunity exists for exploitation. You know, this is the kind of thing that works out. We have to look at it from the perspective of how we work this, because the principles of supply and demand are sure not going to be put into this kind of a structure. So we have to make sure that we look at it from the perspective of: are we making sure we have a responsive industry when we end up with it operating under this act? The specifics of how it's going to work are basically not as relevant now as what the end result is, because they're

basically going to operate under the same process of price-setting, quantity-setting as was done before under the dairy control act, but now the public has lost a voice.

I guess, Mr. Speaker, if there's anything that I would suggest on that, that is the concern that has to be put on the record, you know, as we go into dealing with this particular piece of legislation.

Thank you very much.

MRS. McCLELLAN: Mr. Speaker, if I could just make some closing comments. There have been some very good questions and comments made and I think some reasonable support for the principles of this bill. However, as in second reading we are dealing with principles only, it would seem prudent to take all of the questions and comments, which have maybe been a little more far-reaching in some cases, and look at dealing with them all in Committee of the Whole, where we have far more latitude and time. I know that the Member for Drayton Valley-Calmar will be anxious to answer a number of the questions and express his appreciation for the positive comments that have been made regarding this bill.

Thank you.

[Motion carried; Bill 15 read a second time]

Bill 13

Administrative Penalties and Related Matters Statutes Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Yes, Mr. Speaker. On behalf of the Minister of Environment I would be pleased to move for second reading Bill 13, the Administrative Penalties and Related Matters Statutes Amendment Act, 2002.

Bill 13 was initiated as part of an overall effort, Mr. Speaker, to provide a clear and consistent, efficient and effective approach to the delivery of environmental compliance programs in Alberta and specifically the administrative penalty process in both Alberta Environment and Alberta Sustainable Resource Development. Proposed changes which amend parts of the Environmental Protection and Enhancement Act, the Water Act, the Forests Act, the Public Lands Act, and the Mines and Minerals Act will ensure that regulated parties face the same administrative penalty process regardless of which of these laws they've broken.

Mr. Speaker, in the most basic sense these amendments clarify the rules of the game and make the administrative penalty process the same across the five pieces of legislation. For example, if you were issued an administrative penalty under the Environmental Protection and Enhancement Act or the Water Act, you could appeal the decision. However, if you were administered a penalty under the Mines and Minerals Act, the Public Lands Act, or the Forests Act, you have no right of appeal. Bill 13 will establish a process to develop an appeal process under regulation in each of these acts.

Similarly, if you're a director of a corporation or an employer and you direct someone to break the law, under the Environmental Protection and Enhancement Act, the Water Act, or the Mines and Minerals Act you can be held directly responsible for that violation. However, under the Public Lands Act or the Forests Act the same director or employer could not be held liable, even though they are the most responsible for the situation.

Another example, Mr. Speaker, relates to the timeliness of the regulatory process. Right now under the EPEA, the Water Act, or the Forest Act there's a two-year statute of limitation to issue an

administrative penalty. Not so under the Public Lands Act or the Mines and Minerals Act. Under those two pieces of legislation there's no statute of limitation, and penalties can be issued more than two years after the incident occurred. These inconsistencies are not reflective of the government's commitment to timely response.

3:50

The Administrative Penalties and Related Matters Statutes Amendment Act also addresses how fines are calculated, Mr. Speaker. Under the EPEA and the Water Act administrative penalty amounts apply per contravention per day. Under the other acts they are only able to assess a penalty for contravention, meaning that it is more difficult to stop an ongoing contravention and there is simply no incentive to stop.

Mr. Speaker, these are just some of the examples of the types of situations that the Administrative Penalties and Related Matters Statutes Amendment Act is meant to address. These changes will benefit everyone involved in the administrative penalty process: the regulated community, the regulators, both the ministry and the Ministry of Sustainable Resource Development, and all Albertans. Regulated sectors will have the benefit of clearly understanding the administrative process regardless of which act is in effect and which laws are being broken. In addition, they can be sure that when Alberta Environment or Alberta Sustainable Resource Development issues an administrative penalty, it will be done quickly and fairly and there'll be a consistent appeal process. The changes also create efficiencies in government by providing more flexibility when responding to laws being broken, making Albertans confident that government is able to respond fairly, quickly, and efficiently when environmental and natural resource laws are broken.

Consultation on the proposed changes occurred in January of 2001, and over 45 stakeholder groups including industry stakeholders, recreational groups, and municipalities were consulted, Mr. Speaker. I'm pleased to report that there was significant support for the proposed changes.

In closing, I'd like to reinforce that the proposed changes are not new to environmental and natural resource related legislation. They are just simply being made consistently available across all of the legislation. Many sectors in this province, including the oil and gas sector and the agriculture sector, are regulated by more than one of these five pieces of legislation, and they should be able to be treated in the same fashion regardless of which act is applicable. The Administrative Penalties and Related Matters Statutes Amendment Act will ensure that consistency and will provide a harmonized, interdepartmental approach to the use of administrative penalties.

Mr. Speaker, I would like to, again, move second reading and encourage the support of the members of this House for Bill 13.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have a few comments at this time in second reading of Bill 13. It is good, it's a positive thing to see that the Minister of Environment is addressing the need for increased and more stringent penalties. One only has to look at the tourism industry in this province to realize how important that's going to be for the future, for the future economy of the entire province, and recognize the need to protect our environment now so that people will see this province and its natural beauty and want to visit. They're certainly not going to want to visit a community or a province that for whatever reason has had lax standards, and as a result of those lax standards – no one is going to want to visit a slagheap.

This is encouraging to see. We've had some spectacular failures,

in my view, in this province. We look at the Swan Hills waste treatment plant and the immediate surrounding environment. We look at – I brought it up in this Assembly before – the unfortunate incident of Hub Oil in Calgary, Mr. Speaker. The list is long. We have increased concern among rural landowners over oil and gas developments and the encroachment of batteries and production stations that are in the immediate vicinity of residences.

So I'm pleased to see this. I note that in the forestry industry I was the recipient of a lot of information through freedom of information, the FOIP Act, and I was astonished. It was sort of pleasing to see and I would like to recognize that the government and the Department of Environment are going about their way as quietly and efficiently as possible with the resources that are available to prosecute and fine individuals and enterprises that are breaking the laws as we know them. For instance, one company had taken a Cat and had pushed gravel into the course of a stream. Environment officials noticed this, and they took it to the attention, certainly, of the individual company, and that company had to pay money. There was an overcutting of timber. That was also dealt with, and the department officials are to be commended.

But how much of this is going on and getting away from them because simply they don't have the resources to deal with the matter I can't say for certain. It is perhaps more important that we at this time recognize that we need a sufficient number of enforcement officers and the funding to support them. It's fine to address the need for increased and more stringent penalties, but there also has to come with that a team to enforce the law.

Now, again, if this is sort of a quiet acceptance of the fact that some of the voluntary compliance that's been attempted in the last eight years has not been as successful as initially thought and we're going to get tough on polluters, people who are perhaps taking a few more timber resources than they should, well, then again I would have to commend the department.

Mr. Speaker, the hon. minister can write all the regulations and come up with as many penalties as he can, but if there is insufficient staff, then the legislation means absolutely nothing, because you have to have enforcement. The companies that are out there have to know that there's a willingness by the authorities to enforce their regulations and their laws.

Now, continued cuts and department reorganizations of one type or another make it difficult to design and carry out long-term plans. We've certainly seen that with the department of health - and that has been recognized by the hon. Member for Edmonton-Riverview – because, you know, that department has had so many changes over the years. Fortunately, Alberta Environment has not been affected as detrimentally, but one can only hope that they don't have the same fate as Alberta Health and Wellness.

This government's reliance on self-reporting is also, Mr. Speaker, of concern. While self-reporting with appropriate penalties for failure to report is an important part of the enforcement process, it does not replace officers and random inspections. Now, I see that the hon. minister in charge of Alberta Human Resources and Employment is recognizing the need to have an increased frequency of random, independent inspections to ensure that occupational health and safety laws and regulations are being abided by.

I would encourage the Minister of Environment and the Minister of Sustainable Resource Development to do that as well, and I'm sure it will be done, because there's nothing like field inspection. There is nothing like it. To encourage the personnel to get out from behind the desks to see what's going on out in the field I think is a good idea, and I would encourage the hon. minister to ensure that it's going to be done.

4:00

Now, Mr. Speaker, the government's increasing pace of resource development means that enforcement is even more important than ever. I think this bill will increase the personal responsibility that directors have for the work done by their companies, and it is good to see that this change is taking place.

In conclusion, I would like to offer to all hon. members of the Assembly the information that I did receive through FOIP. It does show that this hon. minister's department is certainly out and about in our northern forests and they're making sure that the resource companies are abiding by the obligations of those licences.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I was trying to take a quick run through Bill 13. I would like to make a few observations during the debate on second reading of Bill 13, Administrative Penalties and Related Matters Statutes Amendment Act. As the Minister of Justice in his introductory remarks has drawn to the attention of the House, the main purpose of the bill is to make the administrative penalties, both the mode in which they are realizable and enforceable and the stringency of the penalties as well, I think – insofar as possible these matters should be made consistent across the various statutes which cover the areas of environment, mines and minerals, public lands, and so on.

It outlines some very interesting responsibilities. I'm looking through the bill to find that the section on vicarious responsibility runs throughout the various sections of this bill. Again, I appreciate the minister's observations that the enforcement side of it is addressed in this and the ability of the minister to make sure that these penalties are realized, that they're paid, and for those who fail to pay them, there are consequences. Those things are spelled out more clearly in the bill.

I have a few questions. Maybe the minister can educate me on this. Administrative penalties as distinct from penalties that might result from court decisions – I don't know if they are appealable. On the one hand, I do want to make sure that there is certainly in legislation powers available to the government to make sure that once these penalties are assessed, the offending parties pay those and that the government has the power to compel those parties to pay those penalties on the side of enforcement. We also want to make sure that we respect the principles of rule of law and therefore the opportunity for those who are assessed those penalties to be able to address them, challenge those penalties in a lawful manner. But the notion of administrative penalty is something that I haven't had a chance to pay enough attention to to understand the exact nature of it and whether or not it's appealable.

So one concern that I would have is with respect to whether or not the substance of this bill is fully respectful of the traditions and the principles of rule of law and the ability of those who are subjected to those penalties to seek redress if they come to the conclusion that either the penalty is too high or stringent or else is uncalled for. I'm sure the minister would help me on this, give me a little, I guess, law 101 on this when he has an opportunity to do that. But I certainly see in general that there is good reason that some of these administrative penalty rules and procedures should be made consistent across these various areas so that there is both ease of enforcement and clarity by the citizens of this province as to their understanding, what they are infringing and what kinds of penalties will result across those areas.

With those remarks, Mr. Speaker, I'll sit down and let other members make some comments if they so choose. Thank you.

THE DEPUTY SPEAKER: The hon. Government House Leader to close debate?

[Motion carried; Bill 13 read a second time]

**Bill 9
Child Welfare Amendment Act, 2002**

[Adjourned debate March 5: Mr. Cenaiko]

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have this opportunity to make some comments about the principles and the assumptions that underlie Bill 9, the Child Welfare Amendment Act, 2002. I should start by thanking the minister for taking the time to brief me briefly on Bill 9 and to outline the reasons why she thought that this would be a good piece of legislation. I also thank the Government House Leader for arranging the schedule this week so we had an opportunity to meet with some of the stakeholders who have an interest in the bill and were unable to have that meeting until later in the week, so I thank him for accommodating us.

The bill seems to have a number of assumptions and principles that seem worthy of support. The assumption that there is a need in certain cases to apprehend youngsters quickly and that the kinds of legal procedures that they must go through shouldn't unnecessarily impede the process I think is a good one. The minister in our conversation was able to give some good examples of where a worker was with a youngster who was in a situation where there could have been trouble, and the context was one that was not in that youngster's best interests, but the worker was unable to do anything because of the need to contact a judge to get the order that was needed. The worker really had her hands tied and was unable to act in the youngster's best interests. So anything we can do to make sure that that doesn't occur and that children are apprehended when that's deemed necessary by workers I think is a move in the right direction. It's not that part of the bill that I'm going to spend the majority of my time on.

4:10

Before I do move to the principle that I think is most worthy of examination, I would like to make a couple of comments about the out-of-province apprehensions. This, like the first assumption, is that easier apprehension of out-of-province children is in the best interests of those children, and again I believe that's true. Agreements that allow children from Alberta who leave and are found in another province to get back to Alberta quickly and to have it dealt with quickly are in the best interests of the children. Also, the fact that other jurisdictions, other provinces, have or are considering similar changes to legislation I think is a move in the right direction and again an improvement in the system.

The big assumption, of course, and the one that has parents and some professionals very, very concerned is the assumption that appeal panels should operate under direct supervision of the minister. I think for the minister's part there's the belief that by the minister sending direction to those appeal panels, by building fences around their jurisdiction, that makes the process fairer to appellants. On the surface of it that might be true, but I think you have to look at the kinds of grave reservations that parents and professionals have and the root of those reservations.

Of course, the first result of this legislation would be to destroy the independence of appeal panels. The appeal panels at the present time make wide-ranging decisions based on new evidence as it

comes up, and they're very free to make decisions that again are in the best interests of the children. By the minister taking on and setting a policy that circumscribes their operation, the fear is that this will exclude appeals from children when new circumstances arise. This has happened in the past. It's also a fear that those narrowed grounds will make it tougher for parents to seek relief in the court systems.

So there are two real fears, and they're rooted in, I suspect, the difficult lives many of these parents have had in trying to obtain the kinds of resources their youngsters need to grow and to thrive and to develop to the best of their abilities. Often those parents spend many hours and weeks and years of their lives pleading for services, trying to acquaint themselves with every aspect of the law and anything that has to do with their youngsters. Even when they do sometimes get awards, they still have trouble getting the kinds of services that have been awarded to them. For many of these parents it's been an uphill battle, and they view anything that would constrain them or constrain other parents in that search for the best for their children as something that should be avoided. Many of these parents are under considerable stress, and the feeling is that this will just add to that stress and distress for parents who have to go through the appeal process.

One of the fears, of course, is that the kinds of things will happen to the appeal panel that happened to families as a result of the recent budget cuts. The Southern Alberta Community Living Association has, I think, contacted a number of MLAs in the House and left with us their concerns about the impact of the cuts on families. What's happened with the cuts is that they have seen the eligibility criteria narrowed to restrict access, and their worry is that that same manipulation could happen to the appeal panel so that eligibility would be narrowed. When the contracts were reviewed, supports were eliminated or reduced, and the concern again is that an appeal panel might find itself in the same place, having new directions were the minister to deem it appropriate to curtail their activity or the kinds of judgments that they could make.

The cuts in that region resulted in children who had previously been able to access service now being denied funding, and a further impact of the cuts was that many parents were required to start to partially fund the supports that their sons and daughters were receiving. It was deemed that this was done on the perceived ability of them to pay for those services. The respite services, for example, were changed so that the one-size-fits-all model was applied. Where there used to be an individualization of the respite services, there's now just one service regardless of the kinds of circumstances the family finds itself in.

The elimination of some of the programs and again the impact of those cuts on the Children's Services department and how the cuts were carried out with respect to service has parents, at least some of these parents, very, very nervous. I think that nervousness is at the root of some of the fear they have with the change they see in Bill 9 with respect to the appeal boards.

There are some other concerns about the timing of the bill, the Child Welfare Amendment Act, the public consultation just about over if not over at this time – they wonder why it wasn't raised as an issue earlier in order that there could have been more public input into the considered changes – and real concern about the process of the introduction of Bill 9.

The concerns are so grave, Mr. Speaker, that I hope the minister will consider, before we complete work on Bill 9, removing the references in the bill to the appeal panel and leave things as they are. I think there's good evidence from the history of those panels that although some of their judgments have been very, very costly in terms of the resources that were needed, the decisions were the right

decisions in terms of particular children, and anything that would leave those children through the appeal process without the kinds of resources that they need or would cast them into searching other departments, for instance the health department, for similar services I think would be very, very unfortunate. So I'm hoping that before this is over, the minister will see fit to amend the bill to assure Albertans and to assure parents of handicapped children in particular that they will have access to appeal panels that are fair and not in any way unreasonably constrained.

4:20

Mr. Speaker, we will be waiting with interest to see the response of the minister to the concerns that are being raised. I'm sure that her office is getting their fair share of messages from parents, and we have an amendment ready to introduce at the appropriate time should the minister not move to make such a change.

With those comments, Mr. Speaker, again I think the bill has a couple of very, very good improvements of the system. I think that if we could set aside the concerns over appeals or if we could change the appeal process, it would have our support.

Thanks very much.

THE DEPUTY SPEAKER: The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I rise to speak on Bill 9, the Child Welfare Amendment Act, 2002, in its second reading. I'll make a few general observations, and I'll express one very serious concern, a concern that represents the difficulties that some of my constituents have experienced in the past. They're worried that with the changes to section 120 being proposed by way of Bill 9, their lives will be more difficult and certainly deprive their children of the very necessary services that they need.

The bill, Mr. Speaker, certainly in part is a response to some of the recommendations made by the Auditor General. It's designed in principle to facilitate the transfer of children who reside in Alberta but are apprehended elsewhere, to bring them back to the province, in other words, and, secondly, to allow justices of the peace, who can currently give apprehension orders only in person, to issue apprehension orders over the phone. These two changes in the existing legislation that are sought by Bill 9 are fine. They address the difficulties that the existing legislation presents and certainly facilitate both the apprehension and the getting of orders for apprehension. What's really at stake here in this piece of legislation is that it will allow, as I said, better apprehension decisions to be made, and we support that. The interjurisdictional co-operation that is sought by way of this legislation is also something that's good.

The related changes to the handicapped children's services appeal panel are the ones that are a matter of grave concern to me. I've had several cases that have come to me through my constituency office at Edmonton-Strathcona where parents needed help in order to seek services for their severely handicapped children, services that those families themselves simply could not have afforded. They had to of course go through this maze of appeals and deal with the different departments: Learning, Health and Wellness, and Children's Services. These three departments get involved when dealing with provision of these services. Only one of these departments, which is the Children's Services department, has an appeal process.

What's tended to happen is that the appeal panel finds that children need Learning- and Health-related services, but the appeal panel puts the financial obligation on Children's Services. Binding appeal decisions to ministerial policy, as is being proposed here, means that children and families who need to access these extremely important and expensive services may lose access to them, espe-

cially services that should flow out of Learning and health services. So the lack of co-operation between Health and Wellness, Learning, and Children's Services is a chronic problem, is a perennial problem. Parents get very frustrated, when seeking the needed services for their children, having to deal with these three departments, which have competing or contrary or contradictory obligations and claims with respect to the provision of those services.

So the changes specifically to the handicapped children's services appeal panel – I've seen at least five parents who have had the chance to read this, and I concur with them that some of these services simply may be discontinued and may not be available to them if this bill passes without amending that section – I think it's on page 6 of the bill – which amends section 120 by adding the following after subsection (6): "In the hearing of appeals under this section, an Appeal Panel is bound by policy established by the Minister concerning agreements under section 106." That causes a great deal of concern to me, because this then makes the appeal process and the appeal panel's decision subject to being overruled by a minister, which has not been the case in the past. The families needing these services have sought and found and received relief, well-deserved relief, because the panel had the power to make decisions which have guaranteed the provision of the services to children who are in extreme need of these services. I would ask the minister to seriously consider dropping that section of this bill.

For the remaining part of the bill I think we will be happy to support the bill in its present form, but we would certainly seek to see the section related to changes in section 120 either dropped from the bill or amended to ensure that the concerns that I have heard from my own constituents and the problems that I had to deal with on their behalf in the past can still be addressed and that the change in the legislation is such that I can still help my constituents with respect to their ability to access the services that their children who are severely handicapped need, services that are extremely expensive and beyond the capacity of any hardworking, normal family in this province to be able to pay for on their own. I would certainly hope that the minister will address this part of the bill and address it in a way that meets the approval of the constituents that I've referred to and satisfies my concerns, and I'm sure they are shared by other members of this House as well.

Thank you, Mr. Speaker, for the opportunity for me to get up.

THE DEPUTY SPEAKER: Any questions or comments, or did you wish to speak?

MR. MacDONALD: I wish to speak.

4:30

THE DEPUTY SPEAKER: Okay. The hon. Member for Edmonton-Gold Bar, if there are no questions.

MR. MacDONALD: Thank you very much. At this time I, too, have some comments that I would like to get on record regarding Bill 9. It is certainly my understanding that there are a lot of contentious issues relating to children's services these days. We saw that earlier in question period, Mr. Speaker.

Specific to this bill I know that the hon. Member for Calgary-Buffalo is busy with the consultation process regarding the Child Welfare Act. It would have been, I think, better for the children, better for the ministry if this bill perhaps were delayed, and we could hear directly from that hon. member just precisely what has been discussed not only in Edmonton and in Calgary but in Lethbridge, Grande Prairie, Fort McMurray, and Medicine Hat, all over the province. That was an extensive consultation process that I think

has just concluded. I'm sure there is paperwork to do and policies to prepare.

Certainly parents seem to be very angry with the direction, and these are parents of children who have developmental disabilities, parents with autistic children. There are many parents who have expressed disappointment or fear at the spirit of this bill, Mr. Speaker. I know parents from across this province who are always trying to do what's best for their child, and sometimes that means moving to a different location to have access to a program or therapy that will improve the ability of the child to learn and to function not only in the family but in the school setting and in the community hopefully at some time in the future.

Now, when we think of programs for children with learning problems, there are many places to go. I learned this firsthand, Mr. Speaker, in the Edmonton-Gold Bar constituency office. Certainly there are moneys available in Children's Services. There's also money available in Learning. There's also money available in Alberta Health. Some of these programs, I acknowledge, are very, very expensive. There could be a range of between \$30,000 and \$50,000. There are some programs that are taught at the University of Alberta that are recognized worldwide. Speech therapy is one, for instance. There are people who are willing to go the extra mile to ensure that these children have a future.

[The Speaker in the chair]

As I understand it, Mr. Speaker, there's \$3.5 million spent this year funding services for 85 children who are technically eligible. Now, granted these programs are expensive, but this Bill 9, the Child Welfare Amendment Act, 2002, will dictate that the appeals process and the appeals panel must follow government policy in assessing cases. This is going to be impossible for the parents. It is going to be impossible in my view.

There are some things that will work, I suppose, Mr. Speaker, and certainly the intention here, as I understand it, is to provide for out-of-province apprehensions of some children, and the apprehension order process should be quicker and less expensive by allowing for less senior legal employees to carry out certain tasks. That, I suppose, a person could live with, but whenever we consider that we're going to make it harder for parents to appeal funding decisions by making the decisions of the appeal panel subject to the policy of the minister – these files that I'm familiar with are difficult. I can only express my frustration, but I cannot imagine how the parents feel, and the parents, as I said before, are willing to move from one area of the province to another to have access to one of these programs. To think that by moving, for instance, an autistic child who is receiving intense therapy, doesn't have verbal skills, has difficulty with any sort of behaviour that we would deem as normal for a child in an elementary school – if we can improve even if it's 85 children across the province with the program, I think we should continue to do so.

Now, if we don't, what consequences will we pay in the future? This money spent now not only will improve the lives and the future of the children, but it will also, Mr. Speaker, certainly improve the lives of the entire family.

There are many people who have expressed concern about Bill 9, and their concerns have been expressed quite eloquently by the Member for Edmonton-Mill Woods. We need, in conclusion, Mr. Speaker, to ensure that parents' legal right to appeal funding decisions will not be denied. We need to ensure that that is done, and I'm sad to say that it is my view that this bill will make it easier for the minister to cut funding to handicapped children, and that disappoints me.

With that, I will conclude my remarks at this time on Bill 9 and cede the floor to another hon. member of this Assembly. Thank you.

[Motion carried; Bill 9 read a second time]

4:40

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

Bill 8
Appropriation (Supplementary Supply) Act, 2002

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. It's with pleasure that I move third reading of Bill 8, the Appropriation (Supplementary Supply) Act, 2002.

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

DR. MASSEY: Yes, just a couple of comments. It's really a question, Mr. Speaker, that I still haven't received an answer to. I notice that under the supplementary supply there are moneys in Justice and in Solicitor General for increased staff salary settlements, and that seems to me a legitimate reason to ask for supply, but I don't understand, I guess, why there wasn't a similar request from Children's Services to cover the new agreements that were reached after the budget was passed last year. It's just a matter of information more than any concern. The money in Children's Services, \$500,000, was money deemed needed as a result of the teachers' dispute.

Thanks, Mr. Speaker.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm delighted to have the opportunity to speak to Bill 8 at this point and perhaps will attempt to provide some information to the hon. member with respect to the questions he just asked.

The supplementary supply estimates for Justice and for the Solicitor General were essentially provided because there was an inordinate adjustment to salaries in those two departments as a result of us having within the departments – for example, in the Department of Justice judicial clerks and administrative support not only received the 5 and 4 percent in the overall contract, but also there was a need to adjust within the pay grades internally in order to make those particular areas competitive and to deal with the long-standing grievances in the area with respect to the way they were classified. The Solicitor General's department had similar issues with respect to their department, where the wage settlements with AUPE had an inordinate effect in those two departments which wasn't necessarily shared in other departments of government because of the type of and classification of workers that we had.

So that was the need for us, and we didn't have the ability, didn't have the flexibility within either the Solicitor General or the Justice budgets to deal with the extent of the wage pressure as a result of the settlement because we had already been dealing with other issues. As the member might recall, last fall there was a supplementary estimate, for example, of \$6.5 million to deal with issues, again mainly wage issues but also new positions for Crown prosecutors.

All departments of government were affected by the 5 percent settlement with AUPE this year. I think all departments had budgeted a small amount for that and were able to meet the wage settlement within their budgets for the additional amount that hadn't been budgeted by making a provision for it in other ways, but Justice

and the Solicitor General, because of the significant adjustments in areas like judicial clerks and admin support in our departments, were not able to manage and therefore needed the supplementary estimate.

[Motion carried; Bill 8 read a third time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. We've made good progress this afternoon on the agenda that we had scheduled, and although it's early, I know that the weather is bad and members would like to get on the road home. Therefore, I would move that we adjourn until 1:30 p.m. on Monday.

[Motion carried; at 4:44 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, March 11, 2002**

1:30 p.m.

Date: 02/03/11

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome. Hon. members, would you please remain standing after the prayer for the singing of our national anthem.

Let us pray. At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature. We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve. Amen.

Now please join with Mr. Paul Lorieau in the singing of our national anthem in the language of your choice.

HON. MEMBERS:

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

THE SPEAKER: Please be seated.

head: **Introduction of Visitors**

MR. JONSON: Mr. Speaker, I am pleased to introduce to you and through you to members of the Assembly Mr. Hector Romero, Mexico's new consul general stationed in Vancouver. This is the consul general's first visit to Alberta since his recent appointment, and we're looking forward to a fruitful and beneficial working relationship with him.

Mexico is a growing trade and investment partner for Alberta. Since NAFTA was introduced, the province's exports to Mexico have increased tenfold, and two-way trade totaled over \$960 million last year. Alberta and Mexico work together in many areas including energy, agriculture, tourism, education, housing, and technology. This visit is a good opportunity to discuss ways to expand Alberta's relationship with Mexico, particularly given recent discussions about continental energy markets, North American border security, and forging stronger ties between Canada and Mexico.

I would ask that our honoured guest please rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

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

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly employees from Alberta Justice and Solicitor General strategic management services and from Alberta Justice and Solicitor General human resources. These individuals are here on the public service orientation tour, which I understand is being promoted and carried out by Leg. Assembly offices and your good offices. I'd ask Mr. Stephen Gauk, Ms Sylvia Church, Ms Jocelyn Partington, Miss Sarah Lynch, Ms Kathryn Delahunt, Mrs. Anna Silver, Mrs. Pat

McGill, Mrs. Annie Lam, Ms Inessa Serebrin, Ms Candice Mah, Ms Tanya Kotowich, and Ms Sylvia Getschel to rise and receive the traditional warm welcome of this House and a sincere thank you for the good work that they do on behalf of Albertans.

THE SPEAKER: The hon. Minister of Infrastructure.

MR. LUND: Thank you, Mr. Speaker. It's a great honour for me to have this opportunity to introduce to you and members of the Assembly some 14 people from the property and supply management branch of Alberta Infrastructure. These people do tremendous work on our behalf in the operating and maintenance of government-owned properties, the procurement and the sale of surplus supplies, and the real estate services. I believe they're seated in the members' gallery. I would ask that they now rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. Part of the very honoured and august crew that are here today from our departments who do great work on behalf of Albertans, and this time in Children's Services legal department, are two of our outstanding employees, Diane MacDonald and Nela Afonso. I'd ask that they rise and receive the warm welcome of this Assembly.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise in the Assembly this afternoon to introduce to you and through you to all hon. members of the Assembly Karen Beaton. Karen is the president of local 37 of the Edmonton public teachers. She has been involved in the teaching profession for over 34 years and has been a principal in an administrative role for the past seven. Mrs. Beaton is in the members' gallery, and I would now ask her to rise and receive the warm and traditional welcome of this Assembly.

Thank you.

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

MR. MASYK: Thank you very much, Mr. Speaker. It gives me pleasure to rise in the Assembly today to introduce to you and through you 21 students from the St. Gerard elementary school along with their teacher, Mrs. Lorraine Williamson, and parent Mrs. Treva Swick. I would ask them to rise in the public gallery and receive the warm traditional welcome of this Assembly.

Thank you.

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

MR. LUKASZUK: Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to the members of this Assembly four fine individuals from ATCO company, and they are Mr. Bart West, director of corporate affairs; Ms Kerry Hite, assistant executive officer; Ms Ariadne Richardson, executive assistant; and Judy Mohs, project resource team. I would like to ask them to rise and receive the traditional warm welcome of this Assembly.

head: **Ministerial Statements**

September 11, 2001, Terrorist Attacks

MR. JONSON: Mr. Speaker, today marks six months since the horrific terrorist attacks in the United States on September 11 of last

year. People throughout the United States, Canada, and around the world are pausing to remember this solemn date. The impact of these attacks resounded around the world for they were not just attacks on the United States. Among the victims of the attacks were people from dozens of different countries, including Canada. These attacks were truly against all humanity, and they affected each and every one of us very deeply.

Today we look back at September 11 and remember the feelings of shock, horror, outrage, and the outpouring of grief and generosity. Thousands of people across the province sent messages of condolence or donated money to the families of the victims. Many organized fund-raising campaigns, and some even traveled to New York to bear witness to the tragedy. As well, Canadian soldiers from Alberta are overseas to help fight the war on terrorism in Afghanistan. It is a very dangerous but important mission, and Albertans stand proudly with them as they serve this noble cause.

The September 11 attacks made us realize that no one is safe from terrorism. Even today acts of terrorism continue to take place in many parts of the world. The reality is that North America is no longer excluded from these types of events. Here in Alberta we took decisive action following the attacks. The hon. Premier immediately established a ministerial task force to make certain that Alberta is as prepared as possible.

1:40

Mr. Speaker, much work has been done in the last six months. There has been a review and tightening of Alberta's emergency response plans. There has been the establishing of connections with federal law enforcement and intelligence officials. There has been action taken to ensure strong linkages are in place between the various organizations that play a role in counterterrorism and emergency preparedness, and we have made a major effort to ensure that Albertans have the information they need. The work of the task force continues, and improvements are still being made, but this province is well prepared and has been recognized for having strong plans and procedures in place.

Mr. Speaker, September 11 was a day of tragedy that none of us will ever forget. It was day of horror and devastation, but during the last six months people overcame the terror to join hands across national, cultural, and religious lines to act in unity, bravery, and inspiration. Today we remember the tragedy, but at the same time we're inspired by the strength of the human spirit.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Opposition House Leader.

MS CARLSON: Thank you, Mr. Speaker. In the six months since the terrorist attacks on the United States our world has become a far different place. On that fateful morning lives around the world were forever changed. People all over the planet watched in horror and disbelief, wondering what will be next.

In response to the vengeful acts of terrorism we could do two things. We could let terrorism win by giving in to feelings of fear, prejudice, racism, and intimidation, or we could rise to the challenge, give out a helping hand to our fellow citizens, band together as a society, and recognize how fragile and special our freedoms and security are. Since September 11 millions of people have chosen to open their hearts rather than close them. Instead of beating us the terrorist attacks have brought us together as a society, recognizing in each other the wondrous potential for good that we all possess.

We have seen it time and time again since September 11, from the firefighters and aid workers who went to New York to help to our men and women of the armed forces currently serving in Afghanistan, from donations and drives started up in local communities for victims of September 11 to the ribbon campaign started by local

Alberta teens. People have provided help in the form of goods, their time, their labour, and, for many, their lives. These are some of the heroes that rose to the occasion in the aftermath. Their work goes on today just as it began six months ago. We owe them so much.

To our men and women in Afghanistan we send our thoughts and prayers. As we struggle to ensure that terrorism does not win, we look to you for strength and for protection. We join your families and friends in wishing you a successful mission, and we are anxiously awaiting your safe return home.

Here at home steps have been taken to ensure that violent attacks like September 11 never happen again, but while we must take steps to guard against such violence, we must also be sure not to sacrifice that which makes our life so special and unique: our freedom and our liberty. September 11 will never leave our thoughts, but let us hope that as time goes on, we continue to follow the example set by millions across the world who have opened their hearts, not closed them, to their fellow world citizens.

Thank you.

head: **Oral Question Period**

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

Teachers' Labour Dispute

DR. NICOL: Thank you, Mr. Speaker. A year ago on April 5 the Premier said: we'll work with our teachers to make sure they are fairly compensated and given as good a work environment as possible so that they know they are appreciated, end quote. To the Premier: is stripping teachers of the right to strike a sign of appreciation?

MR. KLEIN: The right to strike is a labour issue, Mr. Speaker. It has nothing to do with the quality of teachers. It has something to do with negotiations that have taken place in the past that give teachers the right to strike. It has nothing to do with the quality of teachers. Throughout the public service we have people who are wonderful individuals, wonderful employees, and many of them have the right to strike. It doesn't speak to the quality of teachers. It speaks to a labour issue, and that is the right to strike.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Does taking class-size targets out of teachers' contracts show teachers that they are appreciated?

MR. KLEIN: Mr. Speaker, I want to make something abundantly clear today, and if I have to go over this three or four times, I will. I had the opportunity of meeting with the president of the Alberta Teachers' Association, Mr. Booi, and subsequent to that meeting I had the pleasure of meeting with the president of the Alberta School Boards Association to get both sides of the issue. Both sides agreed to arbitration. They wanted a legislated arbitration process. A legislated arbitration process. Following my meeting with Mr. Booi – now listen to this. This was his statement publicly through the media to all the people of this province including the Liberal opposition:

We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike. We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

Mr. Speaker, as the hon. Leader of the Official Opposition will see

this afternoon, the bill represents the best efforts of government to reach a compromise amongst the three parties – teachers, school boards, and government – and on the nature and the scope of an arbitrated process. The bill stipulates that the arbitration will deal not only with salaries . . .

THE SPEAKER: Hon. Premier, we shouldn't be into the debate of the bill before the bill is actually introduced.

The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: why has the Premier reneged on his commitment to provide a good working environment for Alberta's teachers?

MR. KLEIN: Mr. Speaker, this was going to bring me to the other point. That point was raised by Mr. Booi himself and he agreed and again I repeat what he said:

We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

That's why we have announced publicly that, indeed, we're going to convene a blue-ribbon panel or a commission or some form of process to look at all of these issues, a plethora of issues affecting education in this province, and come to a solution that will ensure sustainability for quality education down the road.

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

DR. NICOL: Thank you, Mr. Speaker. A year ago the Premier went on to say: it's now the teachers' turn to be rewarded for helping get Alberta's finances on track. To the Premier: would the Premier consider an unfair arbitration process a reward?

MR. KLEIN: Mr. Speaker, an arbitration process is a legitimate labour tool. Arbitration is a legitimate labour tool. I would remind the hon. member that, yes, we want our teachers to be amongst the highest paid if not the highest paid in the country, and indeed they rank right up there. All the statistics show that to be the truth, the absolute truth. Further, to guarantee that teachers get some form of raise, we took the unprecedented step of guaranteeing, as a line item in the budget, 4 and 2, a 6 percent increase, unprecedented, with the ability of the various locals of the teachers' union to negotiate for more, as they have done in a number of jurisdictions, some awards up to 11 percent.

1:50

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Teachers' classes will continue to get bigger, and there will be no extra help for special-needs children. Does this also fit the Premier's definition of a reward?

MR. KLEIN: Mr. Speaker, over the long term those are some of the issues amongst the countless issues that need to be addressed: class size, taking into account that there are differences throughout the province relative to class size; special needs. There are differences relative to special needs vis-a-vis English as a Second Language versus those who are physically or mentally disabled. There's a multitude of issues. There are the issues of sparsity and distance. The list goes on and on and on. This is why we want to gain the cooperation of the teachers, of the parents, of the School Boards Association, of the union, of the government, and ordinary citizens

to engage Albertans in this discussion as to what we do to ensure that we achieve sustainable and quality education in the future.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Does the Premier consider it a reward for Albertans to have made no commitment in this process to improving classroom conditions in Alberta?

MR. KLEIN: Well, Mr. Speaker, that's what the panel is for. Again, there are differences throughout this province. There are some areas and some schools that have perfectly acceptable ratios. There are some schools that don't. There are some schools that are facing very special circumstances. What I'm trying to say – and I'm sure that the hon. Leader of the Official Opposition will agree with me – is that one size does not fit all. We've got to come to a resolution as to what is right relative to the individual school districts throughout the province.

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

DR. MASSEY: Thank you, Mr. Speaker. "The government believes there is a great deal of goodwill on all sides. This goodwill guarantees that the long-term health of the public education system will be protected. Educators will be key to that long-term health." Words from the government in this Chamber less than two weeks ago. My questions are to the Premier. Does bickering over what was agreed to with the president of the Alberta Teachers' Association with respect to arbitration foster that goodwill?

MR. KLEIN: Mr. Speaker, it is not a matter of bickering. I am not bickering; I am simply presenting the facts. It's so typical of the Liberals. They don't want to listen to the facts. You know, they pick up the *Edmonton Journal* or the *Edmonton Sun* and they quote when it suits them. Now, if I take a public comment attributed to the president of the ATA and read it back to them and they don't like it, then they start to complain. They say: "Oh, no; that's not fair. That's bickering." You know, slaying the messenger is the term we used to use. All I am in this case is the messenger sending Mr. Booi's words back to the public and to the opposition.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, and again to the Premier, Mr. Speaker: how does stripping teachers of their rights through legislation foster goodwill?

MR. KLEIN: Mr. Speaker, I reiterate and I stress again that arbitration is the route that both the Alberta Teachers' Association and the ASBA, the Alberta School Boards Association, wanted to go. They wanted to have a legislated process for arbitration. Both sides – both sides, the ATA and the ASBA – stressed that the arbitration should limit itself to salaries. It's as simple as that.

DR. MASSEY: Again to the Premier, Mr. Speaker: can you honestly look teachers in the face and say that the actions of this government since last April have fostered goodwill?

MR. KLEIN: Mr. Speaker, we have tried our darndest to foster goodwill amongst the teachers, and not all teachers are dissatisfied with the actions of this government. We have 20 of them in our caucus.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Red Deer-North.

DR. PANNU: Thank you, Mr. Speaker. The only mistake that teachers made in their yearlong dispute with this Conservative government was to trust the assurances of the Premier and to take the Premier at his word during their meeting last week. Since that meeting, every statement that the Premier has given confirms that he has chosen to double-cross and stab our teachers in the back.

Speaker's Ruling Parliamentary Language

THE SPEAKER: Whoa, whoa, whoa. Please, hon. member. The English language is a very beautiful language, and I'm sure that there are many phrases in the English language which may provide a similar kind of conveyance that the hon. member will want, but decorum still will remain in this Assembly.

Teachers' Labour Dispute (continued)

DR. PANNU: My question to the Premier, Mr. Speaker: why, after the teachers showed good faith by not renewing their strike after the back-to-work order was struck by the courts, do the government and the Premier seem hell-bent on declaring war on teachers?

MR. KLEIN: Mr. Speaker, no one is declaring war on anyone. All we're proposing through legislation is to put in place a process for arbitration, a process, by the way, that coincides quite nicely with what both sides asked for in my meetings last week. What's wrong with that?

Again I read back the words of Mr. Booi: "We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike." Those situations are classroom size, special needs, and so on. "We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road."

I agree with Mr. Booi. I agree that we should have a good hard look at some of the solutions. There have been many changes to education over the years, but it's been since 1972, I believe, that this was last studied in a comprehensive manner – that is, the whole issue of education – and now is the time. On that point I agree with Mr. Booi.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. No one likes a surgical strike and not our hardworking teachers in this province for sure.

THE SPEAKER: Whoa. Hon. member, please. You have signed an agreement that says that there'll be no preamble. Now, your name is on that document, so would you please proceed to your question.

DR. PANNU: Why has the Premier stabbed the province's teachers in the back by proposing a mediation process that is so draconian that it's tantamount to imposing a legislated contract settlement on the teachers?

MR. KLEIN: There are no mediation processes being contemplated. An arbitration process is being contemplated through legislation, Mr. Speaker. Again I reiterate: this legislation to be introduced later

today is quite consistent with what both the ATA and the Alberta School Boards Association have requested.

Thank you.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Why does the Premier refuse to recognize that the only losers from the arbitration process that he is prepared to impose on teachers will be the province's students, whose education once again will be disrupted and disturbed?

MR. KLEIN: Mr. Speaker, I would hope that there is no disruption in the classroom, because the most important people in this whole situation are the kids, the students. I would think that the hon. leader of the third party would understand and respect the importance of the students in this particular matter and wouldn't make any statements that might be inciteful or might be construed as being inflammatory. I would expect the hon. member to be in a nonconfrontational mode and try to resolve this issue rather than standing up and for purely political ND socialist purposes start to nag on the government to further his own cause.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Riverview.

2:00

Regional Water Initiatives

MRS. JABLONSKI: Thank you, Mr. Speaker. The communities of Blackfalds and Lacombe are in urgent need of quality drinking water. Ponoka, Hobbema, and Sylvan Lake need an effective long-term solution to their water supply issues. These communities are keen to participate in the development of a regional water supply system in partnership with the city of Red Deer. This partnership is the best long-term solution available. My question is for the Minister of Environment. Will the minister support a regional drinking water initiative for these communities through legislation?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. My colleague is right. There are serious water quality and serious water supply issues in central Alberta, particularly around the communities of Lacombe, Blackfalds, Ponoka. These communities and several others along with Red Deer have gotten together to form the North Red Deer Regional Water Users Group. The idea of this water users group is that they wish to take Red Deer water from the town of Red Deer and pipe it out to these various communities. Now, it makes sense for a lot of reasons. One is the economy of it. These other communities will not have to upgrade and spend a lot of money upgrading water systems. Also, we can guarantee a high quality of drinking water, the same quality as Red Deer would get, with this type of piping to these communities.

There is one glitch or one small hiccup, I suppose one could say, in this situation, Mr. Speaker. In the communities of Lacombe and Ponoka the water would originate in the Red Deer River, which is part of the South Saskatchewan River basin, and be discharged into the North Saskatchewan River basin, and this water basin transfer is not presently allowed under our act in the province. Now, it would be treated water, of course, that's all through the system and treated water that would be discharged, but even treated water is not allowed to be discharged from basin to basin. Therefore, it would take a special act of the Legislature to allow them to do this.

MRS. JABLONSKI: Mr. Speaker, the wells and aquifers are running dry for these communities. When will we be able to see changes in legislation so that these communities can have quality drinking water?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes. We understand the problems of the communities, Mr. Speaker. They had to ration water last summer even, will probably have to do that this summer. Right now we are presently working on the process of developing the act that we would need to bring through the legislative process.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. My last question is also to the Minister of Environment. If the minister is willing to support a regional drinking water initiative, will he also consider supporting a regional wastewater initiative?

DR. TAYLOR: Yes, I would also consider that. I think the regional wastewater issue is very important as well. Once again, it's economy and it's safety, and these big regional systems I think make a lot of sense. I'll be supporting both the drinking water and the wastewater systems.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Medicine Hat.

Chair of the Premier's Advisory Council on Health

DR. TAFT: Thank you, Mr. Speaker. In early January the Minister of Health and Wellness told the media repeatedly and in unequivocal terms that the chair of the Premier's Advisory Council on Health had been cleared in advance by the Ethics Commissioner of any conflict of interest. My questions are to the Minister of Health and Wellness. Given that his statement turned out to be false, can the minister explain how he made such a serious blunder?

MR. MAR: Mr. Speaker, I apologize for being incorrect on this particular piece. However, I think most people will understand that the Department of Health and Wellness has a great deal to do. I cannot be expected to know all of the intimate details that occur throughout our department. I've apologized for this. The issue has been dealt with. I don't intend on referring to it again.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Given that the department officials explained away the minister's mistake by saying that he misread a memo about Mr. Mazankowski's business interests, why won't he table that memo in the Legislature tomorrow?

MR. MAR: I don't intend on doing that, Mr. Speaker.

DR. TAFT: Had the minister in any way, shape, or form raised this issue with the Ethics Commissioner before he made his comments?

MR. MAR: Mr. Speaker, I speak with the Ethics Commissioner on a frequent basis. I discuss many different issues with him involving many different people. We are very careful in our efforts to ensure that people that we appoint to various commissions and agencies and boards are free of conflict. I intend on continuing with that avenue of communications with the Ethics Commissioner.

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

Treaty 8 Taxation Decision

MR. RENNER: Thank you, Mr. Speaker. Over the weekend I received several calls from constituents concerning the recent decision of a federal court regarding Treaty 8 taxation status. Given that I am not knowledgeable about the specifics of this case and concerns were expressed to me about possible long-term ramifications, I would like to pose my questions this afternoon to the hon. Minister of Revenue. Can the minister explain how it was argued that Treaty 8 members should not pay tax on off-reserve activities?

THE SPEAKER: If the province is involved.

MR. MELCHIN: Thank you, Mr. Speaker. I think it is important that we have a chance to at least update everybody on this complex issue. The province does act as an intervenor in this case specifically.

The case was brought forward by Mr. Gordon Benoit, and his claim was understood that anyone who adhered to Treaty 8 and their descendants would not be subject to taxation. Oral arguments were heard on January 22 of this year, and the case was concluded at that time.

In 1992, when the case was first brought forward, three members of the Benoit family initiated litigation in the Federal Court of Canada. They were claiming that as members of Treaty 8, First Nations were exempt from taxation. But since the litigation began, a number of other parties have also been added to that claim. Several Treaty 8 tribal councils were added as plaintiffs.

Last Thursday the Federal Court released its decision. Judge Douglas Campbell found that the plaintiffs were entitled to claim the benefits of Treaty 8, including the treaty right not to have any tax imposed upon them at any time for any reason.

MR. RENNER: Mr. Speaker, can the minister advise what role the province of Alberta played in this case?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. The province in 1999 chose to act as an intervenor. Shortly before the case was actually brought before trial, the plaintiffs served Alberta with a notice of constitutional question. Alberta elected to intervene in the case upon learning that the litigation deals with the issue of whether all members of Treaty 8 First Nations are exempt from any form of taxation. In other words, Alberta joined the case to protect its taxation abilities. Intervenor status will allow our legal counsel to put forth arguments, submissions, to question witnesses, and appeal if necessary.

THE SPEAKER: The hon. member.

MR. RENNER: Thanks. My final question, Mr. Speaker, to the same minister: apart from the obvious potential loss of revenue, can the minister comment on other long-term implications this decision could have on Alberta?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. There are some 30,000 Treaty 8 members in Alberta and upwards of another 7,000 in the

provinces of British Columbia, Saskatchewan, and in the Northwest Territories. Canada Customs and Revenue Agency is the lead defendant with respect to this judgment. They're currently reviewing the impact of the judgment in conjunction with their other federal departments.

We also – Alberta Revenue, Alberta Justice, and Alberta Aboriginal Affairs and Northern Development – are reviewing this 180-page decision in detail. It's inappropriate at this stage to comment on the specifics of the case or its potential ramifications as the matter is still under review, but we would like to say that Canada Customs and Revenue administration and the intervenors have until April 8, 2002, to decide whether we will file for an appeal in the Federal Court of Appeal.

Thank you.

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

2:10

Teachers' Remuneration

MR. MacDONALD: Thank you, Mr. Speaker. The Minister of Learning's salary has increased by 105 percent since he joined the Assembly, while a teacher with four years of schooling who had a comparable salary as the minister back in 1995 has had his or her salary increased by only 10 percent over the same period. Now, the minister may not feel that this is a fair comparison, so after adjusting for inflation, his salary increase was more accurately a mere 82 percent. However, the same teacher's salary decreased by over 2 percent after adjusting for inflation. My first question is to the Premier. Why does the Premier and this government present statistics and figures to Albertans that have been manipulated in a way that suit their marketing needs as opposed to presenting clear information?

Thank you, Mr. Speaker.

MR. KLEIN: Well, Mr. Speaker, speaking of manipulation, you know, and talk about manipulating figures – I mean, the hon. member across has set the perfect example.

Now, here's the case, and I'll try to relate this to the teachers or a teacher, because we're talking here in the abstract with the exception of the minister, who is sitting here live and real. The minister at one time was a backbencher, and by the way he was a medical doctor and took a tremendous salary loss, I would think, to participate in the Legislature. So if we want to go on, we can start with a teacher who was a medical doctor and then became a teacher, if we want to start that way. But we'll start on an even playing field. We'll start teacher there, MLA here. Well, this MLA went from a private member to cabinet. Okay? Naturally his salary doubled. Now, if teacher X in the system is promoted to a superintendent because he has outstanding administrative skills, then I would think that his or her salary would double too.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. I just want to throw one other statistic in here, and that was the statistic from my being a doctor to my being an MLA now. My salary decreased by 75 percent.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Very well. My next question will be to the Minister of Learning. Why does this minister

insist upon saying that teachers' salaries have gone up by 41 percent since 1995 when the number fails to adjust for inflation or student enrollment increases?

Thank you.

DR. OBERG: It's really hard to attempt to get across statistics to this person when they don't actually listen to what is being said. Mr. Speaker, what I said was that the amount of money spent on education has gone up 41 percent. Teachers' salaries since 1995 have gone up 17 percent since that time.

MR. MacDONALD: Again, Mr. Speaker, to the Premier: why does the Premier and this government continue to emulate Enron and skew the numbers you use in a way that provides misinformation to Albertans, who count on their government for accurate information?

Thank you.

THE SPEAKER: Hon. Premier, that's not a question. That's just – I'm not sure what that is.

Children's Services Funding

MS DeLONG: Mr. Speaker, my question is for the Minister of Children's Services. Media reports quote the federal heritage minister, Sheila Copps, as saying that the minister's cost containment was an issue in the deaths of the twin babies. Is this true?

Speaker's Ruling

Questions about Media Reports

THE SPEAKER: Well, hon. members, one of the things that we do not do in this Assembly is ask in the question period whether or not a media report is correct or not. We're above that. But if the hon. minister wishes to proceed, she may.

Children's Services Funding

(continued)

MS EVANS: Mr. Speaker, if I could address the issue of cost containment and comment on Neegan Awas'sak. The special case review, with the lead role of Dr. Charles Ferguson, determined that there was no cost containment as an issue. In fact, there was a record in Neegan Awas'sak of some surpluses for the past previous years. None of the cost containment issues affected any of the decisions we made.

I would just like to comment, Mr. Speaker, that since 1994 we've received \$2 billion less for federal funding for funding social programs and others that we have, in health, in our government. Perhaps the hon. minister of intergovernmental affairs would like to add to the response about costs.

MR. JONSON: Mr. Speaker, yes. Since 1994 there has been a \$2 billion reduction in the major source of funds from the federal government to assist provinces in this area. The Premier and representatives of this government have certainly made strong representation to the federal government to the effect that this action is unwise and that this trend should not continue. This is a major area of federal funding under the Canada health and social transfer program, and it is an area which certainly impacts upon the province's ability to fund these programs.

MS DeLONG: My second and final supplemental is to the Minister of Community Development regarding reports that Copps said that Ottawa granted Alberta \$140 million in heritage funding last year, money the province ultimately had discretion on. Did we receive this money, and have we cut arts funding?

THE SPEAKER: Well, Mr. Minister, there's no continuity between the first question and the second question here in subject matter, so be very imaginative, hon. minister.

MR. ZWOZDESKY: Mr. Speaker, if the hon. Minister of Canadian Heritage did provide \$140 million, I'll have to get out my forensic flashlight to find it because I don't believe we received that. But we have received some money from the federal government this year, about \$8 million, and we're grateful for that.

Thank you.

THE SPEAKER: Hon. members, that should put a wrap on it.

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

Children's Services

MR. BONNER: Thank you very much, Mr. Speaker. According to Children's Services 2000 annual report, there's been an increase in the deaths of children who are in the care of a child welfare director, from seven in 1995-96 to 12 in '99-2000. There's also been an increase in the deaths of children receiving services from the ministry, from six deaths in 1995-96 to 19 deaths in 1999-2000. To the Minister of Children's Services: why in the past seven years has the ministry not implemented effective policy changes to prevent further deaths?

MS EVANS: Well, Mr. Speaker, the death of a child is always tragic. It is hugely tragic not only to the family, but if it's the death of a child in care, it is hugely tragic to those in our ministry. Today the deaths of children that died while they were in care do not relate to issues of practice. They relate primarily to causes which can range from the children being medically fragile in the first place to other things that put them at risk.

Let's put Alberta's children in the context that we should: 750,000 children, approximately 14,950 children in care, and of all of those children that are in government care, there are many children that are medically fragile and are at risk. When we have deaths, albeit they are always tragic and always regrettable, the inference from the hon. member may well be that it has been because of neglect or some additional travesty heaped upon a child. Frequently we have unknown deaths, but we always do a special case review. We always do a fatality review. When children die, Children's Services take action.

MR. BONNER: Mr. Speaker, given that the number of deaths has tripled – and this is in the minister's own report – why did the budget of the authority which includes Slave Lake decrease by over a million dollars in the latest fiscal year?

2:20

MS EVANS: Mr. Speaker, in 1999, when we carved out Children's Services budgets for the 18 authorities, we found that there were differences between authorities. The mobility of children was part of it; the mobility of children and families in foster care was part of it. Sometimes the budgets had to be adjusted midyear. Frequently there were other issues that evolved, such as the moneys that are there for handicapped children's services. The correlation, I would suggest, between the bottom line for any one of our authorities and the deaths of children is completely misleading. The correlation is simply not there. We still have work to be done on the funding formula for Children's Services, but any relationship between that and the death of the children is completely misleading.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: while its budget for children was being cut, why did the authority's CEO receive a salary increase of \$23,000?

MS EVANS: Mr. Speaker, the boards of the child and family services authorities review their goals and objectives and make determinations on the salaries for those authorities and for those staff. Particularly relative to merit, they provide that information as well to the deputy, who reviews them very carefully. It does not account for what the base is or what some of the other extraordinary provisions are. The reductions, where they were for cost containment in each authority, were tailored to what the board and the authority thought was best and thought was prudent management, keeping those dollar reductions as far away from the child as possible.

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

Teachers' Labour Dispute

(continued)

MR. MASON: Thank you very much, Mr. Speaker. Following the Premier's meeting last week with the president of the ATA he led teachers and the people of Alberta to believe that a fair arbitration process would be put in place to resolve the teachers' dispute. It is apparent that the so-called arbitration process will be nothing more than a backdoor legislated settlement on the government's terms. By also taking away the teachers' right to strike, this proposal amounts to nothing more than a new form of slavery. Why did the Premier mislead Alberta's teachers about his government's intentions?

MR. KLEIN: Well, Mr. Speaker, no one misled anyone. Relative to slavery I would suggest that the hon. member go back and look at the film *Roots* again to understand what slavery is all about.

MR. MASON: Mr. Speaker, why did the Premier mislead Albertans about his government's intentions?

MR. KLEIN: No one was misled in any way, shape, or form. Again, I read back the words of Mr. Booi, who said:

We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike. We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

Those are the words of Larry Booi, president of the ATA, who also in a meeting with me – and there are copious notes to back this up – didn't anticipate other things being in the arbitration process. He wanted the wage issue settled. That was the position of the Alberta School Boards Association, and they do have a role in this particular process. Or does the hon. member not believe in duly elected school boards? If he doesn't, then have him stand up and say so, Mr. Speaker. The arbitration process that will be debated in legislation later on today is, to my mind, precisely what the ASBA and the ATA want.

MR. MASON: Mr. Speaker, how can the Premier claim to be acting in the best interests of Alberta's students when he is taking action which will poison the labour relations in the schools for years to come?

MR. KLEIN: Mr. Speaker, I think that this government is doing, first of all, precisely what the ATA and the ASBA want us to do. Secondly, I sense that there is an impasse relative to the negotiations that should rightfully take place. There is an impasse, and when there's an impasse, people look to a third party, the third party being the government, to resolve the impasse, to find a way out. We try to do what is best in the public interest.

Now, there is absolutely no way that we are going to please all the people all the time. We will never please the socialist NDs. I know that for sure because philosophically we are miles apart. That's why they have two, and that's why we have 74. So we will never agree with the NDs.

But having said that, Mr. Speaker, both sides are looking to this government to find a way to keep the students in the classroom so they can get an education. That's what it's all about.

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

Lack-of-Moisture Insurance Program

MR. DANYLUK: Thank you very much, Mr. Speaker. I would like to address my question to the Minister of Agriculture, Food and Rural Development regarding the lack-of-moisture insurance pilot program. In order for a program to work effectively, coverage needs to be equitable. In the present program there appears to be some disparity between traditional grasslands and bush pastures. Traditionally northern Alberta bushland has a comparable or higher carrying capacity per acre than grassland. There are individual farmers or ranchers who are unable to acquire insurance coverage without due consideration to grass production. Their assessment for the ability to produce grass on bushland is strictly dependent on municipal assessment but not on the ability of traditional production. [interjection] Yes. Thank you, Mr. Speaker. This would potentially cause hardship. Why is the new lack-of-moisture insurance pilot program not providing the same level of protection for wooded, treed areas opposed to grassland areas with the same production capabilities?

THE SPEAKER: The hon. minister with all the background having been given with the question.

MRS. McCLELLAN: Mr. Speaker, the weather-based pasture program is unique. It's the first time that we have actually used weather stations that are chosen by the producers to measure moisture, and this program, when precipitation conditions are less than 80 percent of normal, pays a producer.

The issue around bush pasture is a bit difficult in this new program because, as the hon. member indicated, this has been dealt with in three ways in the past. We've had native pasture, we've had bush pasture, and we've had improved pasture. The municipal assessment would indicate how dense or open the bush pasture is.

Given the newness of the program, Mr. Speaker, given the fact that there was a drought in much of this area in the past, and given the urgency of this, Ag Financial Services consulted with a number of producer organizations across the province. It was decided that for this year, this would be the basis that it would be held on. On the issue of whether there is an advantage to southern producers or northern, I would suggest to the hon. member that if he looks at it closely, he will understand that the increased premiums that southern producers will pay for coverage will pretty much make it a wash as to who has any perceived benefit.

2:30

MR. DANYLUK: Without the preamble, Mr. Speaker, I will say that given that we have bush pastureland that has the same caring capacity as grassland, in the future can we look forward to having the program being fair and equitable to producers for both areas?

MRS. McCLELLAN: Mr. Speaker, I think all members or at least all rural members in this Legislature will know that as we provide insurance programs, we consistently and constantly try to improve those programs because they are a risk-management tool. We are not talking about a grant program here. We're talking about an insurance program where producers are buying insurance to protect themselves against risk.

Bush pasture has to have some grass to qualify for protection. We're working with the cattle association and the grazing reserves to fine-tune the program for next year, but as I said in my earlier response, given the urgency of the drought situation that was there, we felt it important to proceed, as did the producers and their organizations that we talked to.

THE SPEAKER: Hon. member, 30 seconds.

MR. DANYLUK: My final supplemental is again to the minister. With the delayed implementation of the lack-of-moisture insurance pilot program there was some question as to the accessibility and the knowledge of this new program. Were producers adequately notified about the deadline and parameters of the program?

THE SPEAKER: Thank you very much. We'll come back to you another day.

The hon. Member for Edmonton-Centre, followed by the hon. Member for Whitecourt-St. Anne.

Justice System

MS BLAKEMAN: Thank you very much, Mr. Speaker. Judges and lawyers throughout Alberta have repeatedly asked this government to address the problems that chronic underfunding has created for the administration of justice in this province. Most recently an eloquent and articulate appeal was made directly to the Premier on behalf of the legal profession. My questions are all to the Minister of Justice. Why have you cut judicial administration to the point where the court's function is seriously compromised?

MR. HANCOCK: Well, Mr. Speaker, I don't believe that to be true. In fact, we have a justice system in this province which is accessible and open to all parties. There are issues that come up from time to time. Particularly in the past six months we've had a situation in Calgary where because of the pressures and because of the good economy, quite frankly, people being able to get jobs that are higher paying, we've lost some judicial clerks, for example. We moved to rectify that situation by improving the salaries for judicial clerks in the last round of provincial bargaining that happened. Now we're dealing with the situation of finding people to fill those jobs. That's proceeding apace. Justice is available to Albertans. Sometimes some things take a little longer than others, but nobody is in jeopardy of not being able to receive justice.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Is the minister finding it acceptable that we've got clerk and security shortages, we've got delayed and canceled court dates, we've got courtrooms closed, judicial vacan-

cies, we have Crown prosecutors still carrying large caseloads? Is this acceptable?

THE SPEAKER: Okay, hon. member. The same applies.

MR. HANCOCK: Mr. Speaker, management is always an iterative process, and one has to deal with things as they arise. People move from job to job and take advantage of better opportunities. When that happens, you'll have a vacancy; for example, in the judicial clerk process. When judges retire, you have vacancies in those positions. It's entirely acceptable. In fact, it is a constant state of affairs in every department and in every business that you will have vacancies and you will have to recruit to them.

This government has recognized over the course of the last year that we needed, for example, to add 6 and a half million dollars in supplementary estimates last fall so that we could pay Crown prosecutors better and make sure that we retained them because of the competitive situation we found we were in, and we did that. We found in the supplementary estimates just a few days ago that we added another million and a half to the budget because of the need to adjust salaries for judicial clerks and administrative support, and we did that. These are management processes which are clearly in order, and clearly we're handling the situation.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Well, wouldn't the minister find that it would be more effective to have a long-range management plan rather than constantly being two steps behind and having to use supplementary supply and patch things up as he goes?

MR. HANCOCK: Well, Mr. Speaker, the hon. member clearly hasn't been paying attention. We have three-year business plans, which we debate every year and bring forward every year, and we have the opportunity to discuss them, but we do not put – and she should be aware of this – in our business plan a line item for salaries. We don't put in a line item for salaries because that is subject to a bargaining process. The very members that are complaining that in the Learning budget last year we tried to move teachers to the top in Canada by adding 4 and 2 percent are now saying that we should budget specifically for the increases that are going to come through a bargaining process. Well, you can't have it both ways.

head: **Recognitions**

THE SPEAKER: Hon. members, five years ago today, on March 11, 1997, 21 new members joined this Assembly. So may I offer congratulations on the fifth year to the hon. Minister of Justice and Attorney General, the hon. Minister of Gaming, the hon. Minister of Children's Services, the hon. Minister of Municipal Affairs, the hon. Minister of Revenue, the hon. Member for Edmonton-Centre, the hon. Member for Edmonton-Glengarry, the hon. Member for Redwater, the hon. Member for Calgary-Fort, the hon. Member for Bonnyville-Cold Lake, the hon. Member for Calgary-Lougheed, the hon. Member for Wetaskiwin-Camrose, the hon. Member for Leduc, the hon. Member for Calgary-West, the hon. Member for Clover Bar-Fort Saskatchewan, the hon. Member for Edmonton-Gold Bar, the hon. Member for Olds-Didsbury-Three Hills, the hon. Member for St. Albert, the hon. Member for Edmonton-Strathcona, the hon. Member for West Yellowhead, and the hon. Member for Banff-Cochrane. Five years of experience.

Now the hon. Member for Banff-Cochrane.

Interpretation Canada Awards

MRS. TARCHUK: Thank you, Mr. Speaker. I rise to recognize all of our park interpreters and, in particular, those who were recently honoured at the Interpretation Canada national awards of excellence. The national gold award for personal interpretation went to Kananaskis Country staff member Don Den Hoed for a program about beavers. The national silver award for personal interpretation went to Don Den Hoed and Erin Couillard for a Kananaskis program on flowers. Honourable mention went to *The Kananaskis Chronicles* video and to *Moose on the Loose* by Wendy Pope and Lisa Ryan and to *The Superbirds*, again by Lisa Ryan. Also awarded honourable mention was a Beauvais Lake provincial park program on rattlesnakes performed by Darrel Croft and volunteer musician Jessica Titley.

These are outstanding examples of the excellent interpretive programs offered by Alberta Community Development staff at our provincial parks and protected areas, which attract more than 8 million visitors each year and help us to understand and appreciate our natural environment.

Congratulations to everyone.

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

First Anniversary of 2001 Provincial Election

MR. HORNER: Thank you, Mr. Speaker. It's my honour to rise today to recognize the one-year anniversary of the 2001 provincial election in Alberta. Tomorrow, March 12, marks the one-year anniversary for 23 members of this Assembly, and as the Speaker mentioned earlier today, on this day, March 11, in 1997 many veteran colleagues in this House were elected for their first time.

As a new member of the Assembly I would like to congratulate all of my colleagues on a job well done, because I now know how difficult this job can be sometimes. It was hard to imagine when we were elected exactly what being an MLA was going to entail. We have come to learn what it means to be lawmakers and what it means to represent Albertans. We all have an important role to play in the development of Alberta. This is the greatest province in Canada both as a place to live and do business, and I believe it's important that we work together as members of this Assembly to build and protect our province for all Albertans.

Thank you to all of my colleagues, both veterans and recent electees, for an excellent year of service. I'm looking forward to working with all of you toward an even better Alberta. Thank you.

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

Edmonton Symphony Orchestra

DR. TAFT: Thank you, Mr. Speaker. Too often these days the people who make up the fabric of our society – educators, health workers, families with children – find themselves not just struggling for fair wages or better working conditions but for respect. I stand today to recognize a group that shares this struggle, the musicians of the Edmonton Symphony. Alberta's life has been diminished this past month because of a labour dispute that has silenced the Edmonton Symphony Orchestra. This dispute appears to be less about money than about accountability and respect. The people who make the music, the musicians, want some of the respect they deserve. They are responsible for performing the music; they want the corresponding opportunity to have a meaningful say in how their professional lives are run.

History remembers musicians and music. Whether it is Beethoven or Bach, Lightfoot or Tyson, *O Canada* or *The Messiah*, music and musicians are measures of our greatest achievements of beauty and imagination, and their work is timeless. As Albertans let's do whatever we can to end the dispute at the Edmonton symphony and return its beautiful voice to our lives.

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

2:40

Kids Kottage

MR. BONNER: Thank you, Mr. Speaker. Last Wednesday I along with other members of the Assembly had the opportunity to attend the seventh annual Kids Kottage breakfast with the Premier and his wife, Colleen, who is the honorary chair of Kids Kottage.

Kids Kottage is located in the constituency of Edmonton-Glengarry and is a 24-hour crisis facility for children up to 10 years of age who are in danger of abuse or neglect. The Kottage serves as a temporary home, providing a safe, cheerful environment 24 hours per day seven days a week. They not only offer this early intervention program but also offer follow-up support and counseling for families who utilize the Kottage. Parents may use Kids Kottage when they are afraid they are going to hurt their child due to physical or mental reasons, housing problems, domestic violence or the threat of domestic violence, and where parents are having serious relationship problems.

Kids Kottage relies on the generosity of the community to raise the majority of money it takes to run their program. Thank you to the many sponsors, the dedicated staff, and the wonderful volunteers, whose combined efforts provide a much-needed service to families in crisis situations.

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

Nick Fylypiuk and Ron Tomy

MR. MASYK: Thank you very much, Mr. Speaker. It's with great pleasure that I rise in the House today to recognize two very special volunteers from Edmonton. These two men have worked hard to help others through the Balwin community hall for many years, and both have decided to retire.

Mr. Nick Fylypiuk is retiring after donating his time and efforts for 40 years. Most recently I know that he has worked with the executive of the ladies auxiliary at the Balwin community hall. On behalf of all members of the Assembly I'd like to express my gratitude to Nick for his hard work and dedication in the Edmonton community over the past four decades. I'm sure that Mr. Fylypiuk contributed a great presence, that will be missed.

The other individual I would like to recognize today is Mr. Ron Tomy. Mr. Tomy has decided to retire after donating his services as a volunteer at the Balwin community hall for over 20 years. Most recently Ron has focused his efforts as a member of the executive for the Balwin casino. I'd like to take this opportunity to extend my thanks to Mr. Ron Tomy for long years of effort and dedication.

I'm certain that both Mr. Fylypiuk and Mr. Tomy will be missed at the Balwin community hall. However, the group of people that remain at the hall will have no problem filling the shoes that they leave behind.

Thank you so very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Red Deer-North

Great Kids Awards

MRS. JABLONSKI: Thank you, Mr. Speaker. This past weekend I had the great honour along with the members of the Alberta Youth

Advisory Panel and members of Children's Services to participate in activities and celebrations with 16 outstanding Alberta children and youth selected as the 2002 Great Kids award winners. Selected from nearly 400 nominations, these great kids between five and 18 years of age have made invaluable contributions to their families, their communities, and their schools. Their acts of kindness, their personal perseverance, and their service to others make them all outstanding members of this province.

The highlight of the celebration was receiving their awards from the Premier, Mrs. Klein, and the hon. Minister of Children's Services. The lights in the room were bright but not as bright as the light shining in the eyes of these 16 remarkable children when they went on stage to receive their awards.

A big thank you to the sponsors who helped make this possible: IBM, TransCanada, Fantasyland Hotel, West Edmonton Mall, and Office Depot.

Mr. Speaker, I'd like to congratulate Lacey Bruckhoff, Shelby Renschler, Matthew Royce, Ashley Tessier, Brett Berger, Kimberly Connors, Yuri Dashko, Kyra Gladue, Bethan Jeffreys, Kyle Lillo, Benjamin McConnell, Kelsie Pagacz, Trevor Brown, Cheyenne Price, Reed Waselenchuk, and Myron Wolf Child. Thank you for your great contributions to your province, and never forget that you are a great kid.

head: Notices of Motions

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Today I give oral notice of five motions. Government Motion 13:

Be it resolved that pursuant to Standing Order 73(2) Bill 12, Education Services Settlement Act, may be advanced two or more stages in one day.

Government Motion 14:

Be it resolved that when an adjourned debate on Government Motion 13 is resumed, not more than one hour shall be allotted to any further consideration, at which time every question necessary for the disposal of the motion shall be put forthwith.

Government Motion 15:

Be it resolved that when an adjourned debate on second reading of Bill 12, Education Services Settlement Act, is resumed, not more than one hour shall be allotted to any further consideration at this stage of the bill, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

Government Motion 16:

Be it resolved that when further consideration of Bill 12, Education Services Settlement Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill at Committee of the Whole, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

Government Motion 17:

Be it resolved that when an adjourned debate on third reading of Bill 12, Education Services Settlement Act, is resumed, not more than one hour shall be allotted to any further consideration at this stage of the bill, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Learning.

Bill 12 Education Services Settlement Act

DR. OBERG: Thank you very much, Mr. Speaker. I request leave

to introduce a bill being Bill 12, the Education Services Settlement Act.

Thank you.

[Motion carried; Bill 12 read a first time]

THE SPEAKER: The hon. Minister of Children's Services.

Bill 18
Social Care Facilities Review Committee
Amendment Act, 2002

MS EVANS: Thank you, Mr. Speaker. I would like to move first reading of Bill 18, Social Care Facilities Review Committee Amendment Act, 2002.

Mr. Speaker, this will help clarify the mandate of the committee, among other issues.

[Motion carried; Bill 18 read a first time]

head: **Tabling Returns and Reports**

THE SPEAKER: Please proceed, Mr. Clerk, if you have any.

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document, Surface Rights Board and Land Compensation Board annual report, 2001, was deposited today with the office of the Clerk by the hon. Mr. Cardinal.

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

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and table five copies of a letter written on February 21, I think, by the Minister of Human Resources and Employment to the president of the Alberta Teachers' Association. An attachment to the letter is Teachers' Dispute Resolution Tribunal: Terms of Reference. The last of the six terms of reference includes the following, that "the Tribunal shall ensure that each party has a fair opportunity to be heard on all issues relevant to the dispute."

Thank you, Mr. Speaker.

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

MR. MASON: Thank you very much, Mr. Speaker. I have one tabling today. I'm tabling five copies of a New Democrat opposition submission to the Meridian dam preliminary feasibility study dated September 28, 2001. The submission strongly argued against the Meridian dam proposal because it would have some irreversible negative effects on the rare species of plant and animal life, the ecological systems, and moreover it was the worst possible investment of public funds. We are pleased to find out that the Meridian dam proposal is now officially dead.

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

MR. MacDONALD: Thank you, Mr. Speaker. I have this afternoon one tabling. It is entitled Where is the Outrage? The Power of Politics and the Politics of Power. It is an examination of the causes and effects of deregulation on the electrical industry in Alberta. It was written by Keith Provost, professional engineer.

Thank you.

2:50

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

DR. TAFT: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of an article from the *Arizona Republic* describing a host of serious concerns with kidney dialysis centres operated by for-profit chains, including the deprofessionalization of staff and a number of cases of death.

Thank you.

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

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I'd like to table the appropriate number of copies of a brochure from the Kids Kottage Foundation which outlines all their services that are available to families in crisis situations.

Thank you.

head: **Orders of the Day**

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

Bill 203
Gas Flaring Elimination Act

[Adjourned debate March 4: Mr. Macdonald]

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you very much, Mr. Speaker. I wish to rise on this private member's bill and appreciate the interest of the member in Alberta's largest industry, that represents some 20 percent of all economic activity in this province. In short, the bill is unnecessary, the bill is redundant, the bill is a bad bill, and I would recommend to members of this caucus not to approve this bill when it comes up for the second reading.

Mr. Speaker, it's a frivolous and vexatious attempt at taking a run at government policy to eliminate flaring and venting of gas throughout the province. If the member would have done more than scratched the surface of research and ever had the opportunity to leave Edmonton and actually see the results of the Alberta Energy and Utilities Board's work to reduce flaring, he would know that flaring reduction has exceeded targets set by the board. It's something where there are half the flares burning today from a 1996 baseline.

Mr. Speaker, from the time that I probably saw my first flare, there has been a tremendous change in technology, and in fact this is going the right way. I've got to put a lot of faith, confidence, and also recognize the good work of the clean air strategy for Alberta group, the CASA group, that works hard with all stakeholders to ensure that we have good, safe practices in Alberta.

In fact, if you were to look at the safe practices in the oil industry, which is by definition a fairly risky industry, you would look back, and with the handling of sour gas, or hydrogen sulphide, in Alberta there has in fact never – never – been a civilian fatality due to the presence of hydrogen sulphide. So Alberta's record and Alberta's workforce's records are very, very, strong in handling a very high pressure, very dangerous product that comes from many, many metres underground. It is, then, thanks to the technology of places like the University of Calgary and the University of Alberta and NAIT and SAIT, which have been the training backbone of this industry over the last 40 years. There is no better environment, there is no better workforce, and there is no better set of rules and regulations to handle emissions, flaring, and the handling of dangerous products in this province.

The flaring, though, does add just a dash to the debate on

greenhouse gases and greenhouse gas emissions, and it would be remiss of me not to take this opportunity, Mr. Speaker, to talk about how one manages the overall environmental impact of this industry. If in fact you really do look at what does occur with greenhouse gas emissions and the change of environment – and I must speak in support of Mr. Buckee's statements. He said that the science of climate change is not complete, and in fact I think he as president of Talisman virtually dismissed the science of global warming. So the forces of environmental protection and other forces, in response to it, instead of responding with facts, responded by simply calling him names.

I think if you look at the Alberta record of how we handle our product and our services, we probably do a better job than anybody else in the world. In fact, that's one of the reasons why people from all over the world seek Alberta expertise in handling these difficult situations. So, you know, as much as they talk about how the tales and the many words that are uttered by politicians make their own contribution to global warming, I would say that if you are examining global warming, if you are looking at greenhouse gas emissions, the first thing you do is you look at the hydrogen molecule, which provides us with all of this energy throughout the world, and that 80 percent of the emission occurs, Mr. Speaker, from the combustion of that hydrogen molecule and only 20 percent from its resource extraction industry.

So, in fact, Mr. Speaker, Albertans have directed this government and this government's agencies to develop policies that are fundamental and key to maintaining and keeping a clean air, a good air environment, and one of those is the strategy that is now under way with gas flaring, the reduction of gas flaring, and also the reduction of venting gases in the production of oil and gas. You'll also see across Alberta many fewer teepee burners, which is the way we used to burn up sawdust and chips years ago. Through government policy those are now cogen opportunities.

In fact, if you look at the members from Grande Prairie-Smoky and Grande Prairie-Wapiti here, they are in fact going to be beneficiaries of a program where formerly wood chips were just burnt and sent up into the atmosphere. That is now being converted to electricity and to steam. It's because of policies such as deregulation and the new competitive market model, and it's the policies of attacking those environmental emissions that kill people and not just warm people that is the success of this government and the success of this industry and its ability to manage its own business. I think that is going to continue.

Certainly the program where we can put small cogeneration plants now into small gas production facilities, further eliminating flaring, further eliminating solution gas, closed-chamber testing, and all the technological innovation that you see in this industry being put to play in it tells me that the only gas that really needs to be eliminated, Mr. Speaker, when I look at the Gas Flaring Elimination Act lies with the NDP third party opposition. So I would highly recommend that members rise up and suppress this gas.

3:00

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

MR. BONNER: Thank you very much, Mr. Speaker. I have just a few comments that I would like to make on Bill 203, the Gas Flaring Elimination Act. I would like to thank the Member for Edmonton-Highlands for putting this bill forward and sponsoring this bill. Certainly with the amount of research that we do have presently on the effect of gas flaring in this province, it is an issue that I know all members of this House are concerned about. I certainly think all members of this House would also support an environment where we wouldn't have any gas flaring.

We have to as well realize, Mr. Speaker, that in the history of the

province we have had quite a long record of gas production. I was getting a little bit of help with this bill when I looked at key dates in the Canadian oil industry and found that in 1883 the first gas was found in Alberta, and this was at Langevin near Medicine Hat. It was when the CPR was drilling a water well that they happened to find gas instead.

AN HON. MEMBER: Was it a deep well?

MR. BONNER: I don't think it was that deep. No.

In 1901, Mr. Speaker, the first commercial gas field was developed in this province at Medicine Hat. It's quite interesting to note that one of the early visitors to Medicine Hat after the gas was found was Rudyard Kipling, and Rudyard Kipling described this gas strike as having "all hell for a basement." So he certainly was quite studious when it came to looking at the gas production here in the province.

Now, then, Mr. Speaker, I think we have to be realistic as well when we look at gas flaring. When we get reports from the Pembina Institute and we see that according to their statistics even the last 20 percent of flaring cannot be eliminated, then I think we do have to seriously look at the whole issue and the safety factors that are involved with flaring. When we test a well, want to do a production test on it, to flare off the gas is only reasonable, and of course we also want to be able to flare off gas when we reach critical situations in the production of natural gas and for whatever reason it is interfered with.

It is also quite interesting to note that in the last decade, while our production of natural gas has in fact increased quite extensively, there hasn't been a significant increase in the production of gas in this province. So it would seem to me that this is not a problem that is increasing but certainly a problem that the oil industry is taking a very hard look at and doing their part to hold levels of flaring at the same level and not allowing them to increase.

I think we also have to look at perhaps the reason that this bill was introduced by the hon. Member for Edmonton-Highlands; that is, where we have a lot of documentation, particularly in areas around gas wells where there is a significant amount of flaring, on the hazardous effects that it does have on animals and humans in that region. Certainly our goal would be to hopefully reduce emissions as much as we can, but presently, Mr. Speaker, in the province we have not had a serious increase in the amount of gas flaring.

So, Mr. Speaker, those are a few comments that I wanted to get on the record. In closing, I look forward to debate in this House by other hon. members and would once again like to thank the hon. Member for Edmonton-Highlands for sponsoring this bill in the House. Thank you very much.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker, for recognizing me. I'm interested in Bill 203, the Gas Flaring Elimination Act, as presented by the member from the third party. From a former life I was most interested to see what this was all about, and as I read the bill, it became abundantly obvious that it's not really about gas flaring elimination but more about setting up another council to regulate an industry that is already regulated by one of the best regulatory bodies that the world has ever known, a world-renowned regulatory body, the Alberta Energy and Utilities Board, formerly known as the Energy Resources Conservation Board, that has been in existence for well over 60 years and is revered all over the world as being the most effective regulatory body that there is in the resource sector.

I was a little amazed to see what kinds of things this council would be doing, and again, as the Minister of Energy alluded to earlier, basically what they are attempting to do has already been put in place through the mechanism of a variety of co-operative and collaborative approaches through CASA, the Clean Air Strategic Alliance Association that came about a number of years ago, where industry, environmentalists, and government joined together to look at strategic processes and procedures that could be put in place because they were the right things to do to make sure that not only conservation was in place but that the development brought together economic development with environmental protection so that we wouldn't have difficulties down the road. CASA's process has been extremely successful over the years and has dealt with a number of very difficult issues.

I remember back in 1995, when there was a huge concern rearing its ugly head called climate change, global warming. Through the help of CASA and the energy ministers from across Canada, Alberta drafted a program called the voluntary challenge program. We went to our industry players and asked them to come forward with initiatives that would cut back the emissions that were coming out of Alberta and Canada and would be helpful for other jurisdictions so that they, too, through technological enhancements and initiatives would be able to cut back on their emissions so that we truly would have a clean environment. That process was taken up by almost 90 percent of the producing industries in western Canada and I believe by about 75 percent across the country.

What that process did, Mr. Speaker, was allow for the initiatives that were being done in Alberta and in Canada, because they made sense to do, to be promoted worldwide. I guess there was a lot of talk back in those days where you would have six scientists on one hand say that this was going to happen and six scientists argue on the other hand. We said: "Let's do things because they make sense. Let's move forward because it makes sense to do it. It's good economics to do it so that we don't have problems down the road." That's what the voluntary challenge program did. It did it because, in the overall scheme of the global economy and global climate change, we recognized that Canada contributed less than 2 percent of the emission problem, but Canada had the ability to take the lead on the technological enhancement to help those entities worldwide that were contributing 10, 15, 25 percent of the emission problem, particularly those entities in the Third World. This initiative was very successful.

3:10

So what happened back here at home? As we looked at ourselves, we said, "If we're going to be part of the solution of providing the technological enhancement and we're going to also be part of the solution of providing a cleaner fuel down the pipeline like we did with our expansion of our natural gas where we put a clean-burning fuel down a pipeline to get rid of a not-so-clean fuel in the United States, what would we have to do back home?" Well, we wanted to make sure that our emissions and flaring were brought down. Again, through CASA, the Clean Air Strategic Alliance, a flaring committee was struck to look at how we could reduce flaring concerns of solution gas in this province.

What this bill is asking for, this committee has exceeded by far. In fact, under the Energy and Utilities Board report in the year 2000 the flaring of solution gas has been reduced by approximately 38 percent from the 1996 baseline levels. That exceeds the 15 percent reduction target for the year 2000. It also exceeds the 25 percent reduction target for the year 2001. So this process of coming together with industry and environmental groups and government truly works. It improves on the 30 percent reduction recorded in

1999, and it far outstrips the 10 percent per annum reductions envisioned in this particular legislation. So already the process is successful and moving forward, Mr. Speaker.

I don't see any need for this piece of legislation, quite frankly. I think groups like CASA that can put together a flaring and venting project team to show success like they have demonstrated is the way to go. It brings the players to the table because it makes sense to be there. It's not because the heavy hand of government says: thou shalt do this or that. It's because it absolutely makes sense for them to be there, and we can see how this has been successful with this organization in a number of initiatives.

The hon. Minister of Energy alluded to deregulation. Quite frankly, with the cogeneration facilities that have occurred on industrial campuses throughout Alberta, we have seen tremendous success, in particular in our petrochemical areas, where they have been able to manage to provide not only for their own electrical needs but also additional electrical needs to go into the grid. So these initiatives coming forward from industry and government working together as a team have been very successful.

To legislate this through is redundant and counterproductive, so I would hope that the hon. members would not support this bill. I see no need for another council to come in and try and move into an area where the regulations have been rigid – they're tough but they're fair – where industry and government have come together to join forces to put forward best practices and have been successful, and where industry and government have come together to have a lead, not only in Canada, not only in North America but worldwide, with initiatives that have led this industry worldwide.

So I would hope, Mr. Speaker, that hon. members would not support Bill 203, as presented by the member of the third party. I would say that if the member of the third party would like to see this, certainly I'm sure that field trips could be arranged so that you can see the initiatives firsthand and realize the benefits that have come from such close arrangements such as CASA, such as the relationships with the industry, the environmental groups, and the government. I would encourage us to reject this bill.

Thank you.

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

DR. TAFT: Thank you, Mr. Speaker. As the opposition health critic I took particular note of Bill 203, the Gas Flaring Elimination Act, from the perspective of the health of Albertans. The whole thrust in our province, and I think across the country, is preventing illness rather than treating it. Gas flaring, of course, is – I think we would all agree – regarded in some situations as a health issue and indeed a threat to health and at times a cause of death. So it is an area where we need to watch out for the health issues, and I'd like to just discuss some of those for a moment here.

[Mr. Shariff in the chair]

The effects of gas flaring on health arise from a number of concerns. First of all, there are the respiratory concerns, the simple fact of people anywhere within the vicinity of the flare breathing the fumes from the gas flare and as a result suffering respiratory disease, either immediate discomfort and distress or a long-term degradation of their respiratory capacity. There are certainly concerns among experts and among residents of Alberta on the effects of gas flaring on healthy respiration.

There are also concerns over the effects of carcinogens from gas flaring. Certainly some of the by-products from the gas industry are

known to be carcinogenic, to be cancer causing, and properly disposing and controlling of those waste products is crucial to the health of Albertans. So again the issue of gas flaring is very important.

Beyond that, there is some evidence, both from animal studies and from human studies, of the effects of gas flaring on both birth defects and miscarriages. This applies, as I said, not only potentially to human health but also to the health of livestock and, I suppose, possibly wildlife. There has been, for example, evidence of increased rates of miscarriages among cattle and cows in areas where there's intense flaring of gas.

So there's no question that gas flaring is a serious health issue, and any steps taken to reduce gas flaring I think are to be commended. So I've read this proposed bill, Bill 203, with some interest and enthusiasm, for it does propose phasing out of potentially all gas flaring in the province within 10 years, by the end of this decade or thereabouts.

The bill, in fact, doesn't get specific on how this phasing out will occur. It does propose that flaring will be reduced by 10 percent a year each consecutive year, commencing January 1, 2003, and that this whole process will be overseen by a new council which they propose to call the advisory council on gas flaring elimination.

Now, there are views and points of debate over whether we can or ought to attempt to eliminate all our gas flaring. I think that by anybody's measure there has already been progress made on this concern in Alberta in the last several years, and industry and the government and the opposition, I might add, are undoubtedly all to be commended for this progress, but there is much that remains to be done.

I know two views taken on this issue. One is that we can perhaps achieve only an 80 percent success rate on eliminating gas flaring and that eliminating the final 20 percent of gas flaring is going to be impractical or exceedingly difficult. At the same time, there's another view that says that we should set our standards high. We should set our standards so that we have to really stretch to achieve them, and that sort of standard would be a 90 percent or even 100 percent target for eliminating gas flaring.

3:20

The proposal in this bill, as I understand it, is to eliminate 100 percent of gas flaring. I think there's much to be said for setting such a high standard, and as the Minister of Energy earlier confirmed, it's only because of prodding and encouragement and regulations set by government that so much progress has been made to date. I would encourage us to consider continuing in that process and setting very high standards to eliminate all gas flaring if at all possible within the next decade.

I know from personal contacts as well as reading in the area that this is a particular concern for ranchers and farmers and that this government would probably do well for its supporters in rural areas to look at potentially eliminating all gas flaring in Alberta. There are 5,200 active flares in Alberta, and virtually all of those are in rural areas. So that's an enormous contamination of our environment and at the same time an enormous opportunity.

The Minister of Energy and, I believe, the Treasurer both commented on the success of collecting these wastes and rather than just flaring them using them to power electricity. That's a creative and innovative solution to a problem where everybody wins, although I must note that the price of power the other day spiked up to \$420 a megawatt hour. So perhaps if we had all 5,200 wells cogenerating, we might – might – just bring electricity prices under control, although I'm not too optimistic. This was, I believe, at 7 o'clock in the morning last Friday.

I think there's also an opportunity here for the New Democrats and the government to join forces and work together in achieving the betterment of all Albertans. I'm sure that the Liberal opposition is prepared to encourage that sort of collaboration on such a good cause.

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

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

MR. CAO: Thank you, Mr. Speaker, for giving me the opportunity to speak on Bill 203 as proposed by the Member for Edmonton-Highlands. Let me first say that any proposal that intends to protect our environment ought to be considered very, very seriously. This province does not just belong to us; it belongs to our grandchildren and to their grandchildren. As representatives of everyday Albertans in this Assembly we are charged with being the stewards of the environment and making sure that it is kept in great condition now and in the future. This is a responsibility that all members of this Assembly accept and cherish.

The member across the way is proposing that we in this House impose a 10-year legislated time frame to eliminate gas flaring across the province. What this bill would do is eliminate the source of toxins that are released into the air and throughout Alberta. This bill has the best intention behind it, as it aims to protect the overall health and the environmental safety of Albertans. Mr. Speaker, I believe in the good intent of the bill and the Member for Edmonton-Highlands for the idea, and I thank him for the opportunity so we can have an in-depth understanding of the subject.

The history of oil and gas development in our province is long, Mr. Speaker. Since the first strike outside Leduc Albertans have been excited about the potential that oil and gas production offers us. By the same token, the concern for our environment has been just as prevalent since the early 1960s. For example, there has been concern about the proximity of oil and gas wells to farmlands in our rural areas. These concerns have never been sidestepped or dismissed by our government. Instead, they have been dealt with through the creation of sound legislation and consultation with all concerned stakeholders, especially since the mid-80s as governments worldwide began to realize the harmful effects of air pollution, such as the depleted ozone layer, breathing and skin problems. This government endeavoured to make sure that the booming oil patch could coexist with a healthy environment, and we are vigilant in this goal. The health of Albertans always comes first: no ifs, ands, or buts.

We see this from many views and studies, workshops and investigations. We have studied many of these issues. We can without doubt be sure that as a government we are not authorizing any activity which endangers the health of Albertans. Just look at the creation of the western provinces human and animal health study which was launched in 1999. By studying this issue, this government has truly committed itself to the safety of Albertans. Furthermore, this study has been funded by both the government and industry.

As a person with, I should say, a whole past area in the oil and gas industry I can say with confidence that it makes more fiscal sense to flare gas efficiently than it does to flare it inefficiently, and this fact is not lost on the oil and gas companies who operate in our province. Our oil and gas companies are looking to use gas as efficiently as possible because that means that the more gas that can be sold, the more profit can be made. As well, flaring and burning gas efficiently means that our oil and gas will last longer and will put money in our coffers for years and generations to come.

Finally, our oil and gas companies are becoming increasingly mindful of their effect on the environment. They understand, just as this government does, that destroying the environment benefits absolutely nobody. Oil executives have children just like the rest of us, and they don't want their children and grandchildren to suffer from lack of environmental practices. This is why companies around the globe are developing new and innovative strategies and technologies to mitigate harmful effects on the environment. They, like operators in other industries, understand that it is in their own best interests to waste as little of their products as possible.

Finally, Mr. Speaker, I think that we should be mindful of the positive effects that the oil and gas industry has on our province. We see that when we regulate appropriately but also allow industry to innovate, positive environmental and economic results occur. This is not to say that our history has been perfect. There have been bumps on the road. However, history suggests that when those bumps have occurred, government and industry have come together to find solutions that benefit everybody. When some partners in the industry have chosen to shirk their duty, this government has taken them to task. In the end, what has resulted is a mutually beneficial relationship with clear lines of responsibility and accountability.

These are just some of the reasons why the bill is quite unnecessary, despite the intent. We know that government and industry are working to improve gas flaring efficiency. We also know that we have made tremendous strides in reducing the amount of flaring that does occur in this province. In fact, we've reduced flaring in this province by more than 30 percent since 1996. Our departments of Energy and Environment are working hard to ensure that the gas producers in this province release gas in an efficient manner so as not to harm our environment. We are working hard and we will continue to do so. Our history is one that indicates that this government will always look out for the environmental health of Albertans. As a person with a long professional and technical experience in the petroleum industry I can attest that flaring is necessary for the safety of the industry operation and the safety of the workers at the site. In oil and gas operations we constantly deal with very high pressure, very high temperature, unstable and unsteady states of flow. Flaring is a needed safety valve and a necessary part of safe and responsible engineering design. Flaring is at times also used for the incineration of dangerous substances, making them more neutral. Total elimination of flaring is unscientific and dangerous to the lives of our workers. The Member for Edmonton-Gold Bar, with his work experience in pressure vessels, must agree with me on this.

I commend the hon. Member for Edmonton-Highlands for bringing up the idea, but for the abovementioned reasons I cannot support passing Bill 203 into law. Thank you, Mr. Speaker.

3:30

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

MS DeLONG: Thank you, Mr. Speaker. It is my pleasure today to rise and speak to Bill 203, the Gas Flaring Elimination Act. This bill may seem like a good idea, but I can assure the members of this Assembly that this government is already working to accomplish what this bill proposes. I would like to update the House on some of the actions and results that are currently being taken to improve the already world-class oil and gas industry in this province.

In July 1999 the Alberta Energy and Utilities Board put out a comprehensive set of requirements addressing all forms of flaring in the petroleum industry. The requirements are found in guide 60 of the Upstream Petroleum Industry Flaring Guide. Guide 60 requires that by December 31 of this year all solution gas flares be evaluated

to determine if the gas can be conserved. The Alberta Energy and Utilities Board has specified criteria and evaluation procedures that must be used to determine if gas conservation is economical. All flares that were within 500 metres of a residence must have been evaluated already and the results discussed with the residents. The industry has taken guide 60 and is following all of the recommendations, rules, and procedures for gas flaring. We have seen significant reduction in gas flaring since 1996, and we hope to see even more changes in gas flaring by the end of this year.

The Alberta Energy and Utilities Board is also very much involved in the reduction by increasing field inspections of facilities throughout the province and placing more emphasis on measuring and reporting flared and vented solution gas. The Alberta Energy and Utilities Board staff also respond to all complaints about flaring and venting. The staff regularly monitor the 50 oil bitumen batteries with the largest flares and regularly requests that the oil company complete an economic evaluation of gas conservation. This increased monitoring has been one of the major factors in reducing flaring in this province. The EUB will continue their good work, which will inevitably result in more reduction of gas flaring.

The Alberta Energy and Utilities Board is being proactive, and they make presentations all around Alberta to increase awareness of gas flaring. They continue to encourage further gas conservation and are working hard to reduce the number of gas flares in this province. I do not believe that we should give the EUB a legislated time frame. They understand the industry well enough to know what can and cannot be accomplished.

Mr. Speaker, Alberta continues to move towards the almost full reduction of gas flaring. For instance, in the year 2000 93 percent of the solution gas was conserved. That means that gas could have been flared, but, instead, alternatives were found and solutions were reached. This is true through the entire industry. Where conservation can occur, conservation will occur. This government will continue to evaluate and monitor gas flaring in the province and will continue to find ways to reduce gas flaring.

Mr. Speaker, we are currently trying to find the technology to help the industry conserve even more solution gas than it already has. We have been working together to find alternatives to gas flares. As technology progresses, the number of flares in Alberta will decrease. We are currently beginning to install power generators around Alberta. These power generators help conserve gas and eliminate flaring, and as the technology allows, more and more will be installed.

Mr. Speaker, there has been a significant reduction in gas flaring in Alberta. The AEUB has been setting targets and goals for the industry, and they have been meeting the targets. For instance, in 2000 a target of 15 percent of solution gas flaring had to be reduced. The industry saw this goal and exceeded it by reducing 38 percent of solution gas flaring. In 2001 the target was set at 25 percent, and it is estimated that the industry will have exceeded that target through the elimination of almost 50 percent of gas flaring. These numbers show that there is progress being made in the reduction of flaring.

The government and the industry have been working together to ensure that the public and the environment are considered and protected. To quote Pierre Alvarez, president of the Canadian Association of Petroleum Producers:

We understand the public's concern about flaring and that's why we moved to surpass the flaring targets. The oil and gas industry is committed to the long-term goal of eliminating routine solution gas flaring.

By passing Bill 203, I feel that we would be slapping the industry in the face. They have been working very hard, co-operatively, and successfully in reducing flaring. I don't feel that we should legislate

a time line for them to follow. We must continue to allow them to work co-operatively to find solutions that are ideal for Alberta, and eventually gas flaring will be eliminated.

Mr. Speaker, I should say almost eliminated, because right now I don't feel it is safe to eliminate flaring completely. We must take into consideration that there are many reasons for flaring, one of which being that when an emergency occurs at a facility, flaring must be allowed so emergencies can be dealt with. If you were not allowed to flare, then the operation of these facilities would not be safe. We must also continue to allow flaring during the drilling and completion of wells. This again is a safety measure. When a company drills a well, there is a gas produced during the process. The most economical and safest way to deal with the by-product gas is to flare it off. Technology may soon be developed that will allow for a different way to eliminate the gas, but until then we must allow it to be flared so that the lives of our workers are not put in jeopardy.

Mr. Speaker, this province is currently looking for new ways to eliminate gas flaring. Coupled with this, there are studies that are researching what effect gas flaring has on wildlife, agriculture, and human health. These studies help guide us when we make decisions about new technologies in eliminating gas flaring. I believe that we should wait for these studies to be completed before we make any decisions in regard to the oil and gas industry. We do not want to weaken the sector by making a poorly informed decision, especially when the sector has been so co-operative with this government in finding ways to reduce the amount of flares that take place in Alberta. To pass legislation that would affect countless Albertans before the studies are complete would not be wise or appropriate. We must be patient and wait for the results before making any decisions. The government must have received all the necessary data on gas flaring before we can make such an important decision.

I appreciate the intent of the member opposite, Mr. Speaker, but I do not feel that it is wise for us to proceed with Bill 203 as it currently stands. Thank you.

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

3:40

MR. HLADY: Thank you, Mr. Speaker. It is great that I have a chance to stand and speak to Bill 203 today. I really wanted to speak to it because I am very concerned over some of the potential damage that it could be doing to our economy here in Alberta.

We have right now the Clean Air Strategic Alliance, which is the CASA flaring and venting working group, working on this very issue, and it has a much broader mandate. It's looking into further flaring and venting reductions over a longer period of time. Alberta has been working with B.C., Saskatchewan, and Manitoba as well as with the private sector in an effort to address these questions, and we've put a lot of money into that. At this time I believe we've put in almost \$11 million. That is a substantial amount. The Science Advisory Panel is a world-class group of scientists, and they've been retained to ensure that the study is scientifically sound and properly carried out to determine what the effects are of flaring gas today. It's a very comprehensive study that involves measuring the exposure of emissions to both beef cattle herds as well as wildlife. I think we'll see some really great things coming out of this over a period of time.

I'm also concerned because I think the potential for a new council like this to come along is also going to at some point want some teeth, and if you have some teeth in it, then you have some real problems. What happens if it doesn't achieve what you want to have it achieve in 10 years? Would he shut down the oil and gas industry? Then we would be in serious, serious problems in this province.

I think, Mr. Speaker, there's another process that's going on right now that this has a little bit of mirroring to although on a smaller scale, and it's the Kyoto process. The Kyoto protocol as it's going forward right now has very, very detrimental effects that would be happening to Alberta if you saw that kick into place. We are right now waiting for the federal government to come up with its position and see what happens and what they think about implementing the Kyoto protocol here in Canada. I think it's important that people understand what the Kyoto protocol is and how it affects Alberta and our economy, because that directly relates to the kinds of things that could happen if you had something like this Bill 203 kick in and affect our economy.

As the Minister of Finance and the Minister of Energy mentioned earlier, Canada produces about 2 and a half percent of the world's emissions, yet we have the best technology today out there for making sure that we have minimized emissions in both the oil and gas industries. The billions and billions of dollars that it would cost, Mr. Speaker, to implement reductions that would take us from 2 and a half percent of the world's emissions down to, say, 1 and a half percent of the world's emissions, if you took those same billions of dollars and applied them to China and India and Russia, you could potentially cut the world's emissions by 20 to 30 percent. That's where they have very, very, dirty coal, as an example, creating the production of energy in those countries, but they are not committed to the Kyoto protocol. They don't have to meet any standards. That is one of the big failures and falling down parts of the Kyoto process.

So while we are trying to do everything we can here, we see other parts of the world not doing anything. In the bigger picture of making sure that we have a healthy world to live in, that's not effective. Now, we will continue to do what we're doing today, Mr. Speaker, and make sure that we do have the highest standards in the world, and we will offer them to the rest of the world so that they can achieve the same standards that we do already enjoy here.

I don't know how many folks here in the Legislature saw in the news – I think it was in today's newspapers – that Calgary was actually found to be the cleanest city in the world, folks, in the world. It doesn't get any better. There you go. I think that's a wonderful thing, beating cities such as Honolulu and every major city in the world. I think Honolulu was second, so that gives us a really good standard to see that we do care about the environment and we're doing everything. Everything that we've got planned right now is happening and working very effectively.

The flaring, you know, is certainly a challenge, but as I think you've heard many members today speak to it, we have seen the fact that it does have a purpose and it's a process. The study group is going to continue to work hard over the next number of years to make sure that we do remove, minimize, and eventually eliminate it. Can we do it in a 10-year process? Hopefully, we can do it quicker, but I think that interfering in the process that's going on would only be a negative.

I think another piece in regards to the effect that this would potentially have on our economy is, again, competing just inside North America, Mr. Speaker. The United States has already decided not to be involved in the Kyoto protocol. However, their energy plan is to actually achieve better standards than are being put forward in the Kyoto protocol. Right now the Kyoto protocol certainly supports the European Union, and it's designed to make it a much more effective economic tool against North America for the European Union. A lot of people don't understand that. Right now inside the European Union you have a bubble of about 17 countries, and inside those 17 countries they're trading in amongst themselves on credits, on emission credits. What they've come up with is a net sum of zero inside the European Union, so therefore all the 17

countries really don't have to do anything. They're already at a net sum of zero, and they're fine.

Canada and the United States didn't have any major partners that we could trade with, and therefore it made no sense, and that is why the U.S. has backed out of the Kyoto protocol. Unfortunately, our federal government is still considering going ahead, and it's looking like they may ratify in June or later, and that would be very detrimental to our economy here in Alberta.

A couple of other players that aren't involved. Mexico has also decided not to ratify, and even the Japanese – Kyoto is where the protocol was signed – have adapted and amended what they are going to fulfill in regards to the Kyoto protocol. The Kyoto protocol asks for emissions reductions to be everywhere. The Japanese had figured it out that it would just destroy their economy even further than it is today. Therefore, industry in Japan will not have to meet the emissions standards that are being put forward in the Kyoto protocol. What the Japanese are planning to do today is to meet the emissions reductions by doing it through vehicles and through residents and so on but not through industry because it would have been so harmful to the industries inside Japan.

So I think, Mr. Speaker, this is something that we have to be very vigilant with and watch and realize, when we're going through this process, that bringing forward legislation that would hurt the economy here in Alberta is something that we have to be very careful about, and I think Bill 203 potentially does that.

Just quickly I wanted to speak a little bit that Alberta Environment as well as Alberta Energy are very in touch with what's going on and staying close to this and working closely with the Clean Air Strategic Alliance. I think we will see a lot of good results coming out over a short period of time, and I look forward to seeing these results work favourably for our environment.

Mr. Speaker, thank you for your time.

THE ACTING SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker, and thank you to the member for bringing forward Bill 203, the Gas Flaring Elimination Act.

Mr. Speaker, if I were to go out into Edmonton and around the area there asking people what they knew about flaring and venting, I suspect there would not be many individuals that would understand the issue. Similarly, in the member's own constituency of Edmonton-Highlands it's probably not a big issue among many of the residents there. Same thing in Calgary, I would expect, although perhaps in the oil centre of Canada there may be a little more understanding of what flaring and venting actually are. If I were to tell them what the preamble said, this preamble for the bill where it says that "the flaring and venting of solution gas adversely affects the environment and ecological systems," some people may become concerned if they accept that at face value and believe that that is the case. That statement is quite easily made. Commonly it's claimed, though, that those concerns are voiced merely by opponents of the industry and that there's little or no evidence of any problems.

The other preamble goes along with something that is also of concern. The first statement expresses concern for those working in the vicinity of flaring and venting. Mr. Speaker, for the people I represent their concerns are not related to people working in the vicinity of flares but rather for those residents who live in the area of flares, flares that are ignited during the development of a gas well. Initially I said that there probably wasn't much interest in flaring and venting, but there's a real and dramatic change from apathy to really intense interest in my constituency when a resident of this constitu-

ency of Clover Bar-Fort Saskatchewan realizes that a rig is set up and some gas company is drilling about 200 metres from his or her house. In many cases, unfortunately, there's been no notification. There's been no information about the impact on any neighbours. There's no compensation offered for any real or feared negative impacts, and there's no opportunity to have their water well tested prior to the drilling to prove that either water quality or supply were affected by the drilling of this test gas well.

3:50

Now, the Alberta Energy and Utilities Board has responsibility for all the regulations under which these operators drill. If the regulations aren't working for the benefit of the residents of Clover Bar-Fort Saskatchewan, then I believe it's my responsibility to speak to that issue on their behalf. I must add as well though, Mr. Speaker, that the AEUB field-workers have done a good job of reacting to concerns and in fact have shut down operations where they feel inadequate notification has been given. The AEUB is, however, constrained by current regulations that could work better in those densely populated areas, those rural areas like Strathcona county, where there are many acreage developments.

A resident in the constituency is currently objecting to proposed drilling literally in his backyard. He's told me that he's suggested that his concerns and objections could better be dealt with prior to the sale of petroleum and natural gas rights. He has a great many concerns, many that go well beyond flaring and venting. He has concerns about contamination of water wells in the area and also concerns about property devaluation because of either pipelines crossing his property, eliminating the possibility of further subdivisions, or also having the gas well right next door to a proposed subdivision.

Mr. Speaker, people are committed in my constituency – those people that are in the vicinity of gas wells – to the reduction of flaring, sometimes at a great deal of their own personal cost. There are other alternatives such as in-line testing, and they would like to see in the development of newly drilled wells, rather than developing them through flaring, having them developed through in-line testing. In fact, another local resident, who owns the mineral rights, feels so strongly about the flaring of these test wells as the gas wells are being developed that in fact he will not allow his mineral rights to be accessed, and he won't allow production to proceed until he's assured that there'll be no flaring in the vicinity. He's insisting that there be some other alternative.

In-line testing identifies the composition of gases and liquids that are in the well, and that allows the producers to predict what the well will yield. It also allows them to plan around the composition and put in place the necessary infrastructure to manage the well. However, it's standard practice to discard the gases. Excess gas or solution gas has to be taken out of the way. The most common way is just to flare it off as a safety precaution, and it's also for production efficiency. Frankly, these producers are more concerned with getting the resource out quickly rather than efficiently and over the long term. It's a race among the producers to get the biggest slice to market as quickly as possible, and this is causing waste. The flaring process is wasteful. It's environmentally questionable and may impact human, animal, and ecosystem health.

There are other alternatives, Mr. Speaker, and we should address them as a priority of government. Another alternative to flaring in the oil patch is to return that natural gas back into the ground after separation from the oil, and it can be done in the same well location or in an adjacent well. The reinjection technology is well established and completely eliminates the majority of the need for flaring. This would help, also, to preserve gas for future generations if we have no use for it immediately.

Other options include the consumption of currently flared gas

through power generation. That presents an opportunity to bring additional power into the Alberta grid, and in the deregulated environment it can also lower the price of electricity for all Albertans. The flaring project team, a part of AEUB's Clean Air Strategic Alliance, has suggested that royalty be waived on gas producing this cogenerated electricity. This gas otherwise would just go up in smoke and the royalty would be lost.

Other suggestions are to provide financial incentive for the elimination of flaring and also through the mechanism of flow-through shares to apply to infrastructure upgrades, for instance in power generation, for these onsite small electric generators. Both of those options would be at no cost to government but would increase Alberta's power and productive capacity. Vapour recovery units which compress and store gas for future use are making gains in their cost and energy efficiency, and ultimately there are many viable options at hand. The waste of that valuable resource, the natural gas, is not an option that we should consider.

We've talked often in this Assembly about the Kyoto accord, and just in these past few minutes, even, there's been concern expressed about the ratification of the Kyoto accord by Ottawa. If, in fact, Ottawa does go ahead and ratify, the emissions from gas flares and from venting will be considerably impacting Alberta. If we can prevent flaring and prevent venting, we will be able to reduce those emissions and move closer to addressing the Kyoto accord ratification standards.

At this point in the debate though, Mr. Speaker, I'm left with a few questions. I'd have to ask if the advisory council proposed by this bill is really the way to deal with concerns of residents in the vicinity of flaring and venting. Especially I'm concerned about those residents in the constituency of Clover Bar-Fort Saskatchewan within close proximity of test wells being drilled where they may in fact, upon the striking of gas, flare for two or three days. Do the current regulations protect the public and the environment adequately? What can be done to ensure that reliable data is available and that research provided by either industry or environmental organizations is not regarded with skepticism? As I have stated, there are considerable concerns expressed by people from the constituency, people whom I respect and whom I represent. Whether their concerns are validated by science or not, they must be considered and evaluated.

This bill has some merit. I do not know yet if it's the proper vehicle to address my constituents' concerns. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands to close debate.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to close debate on second reading of Bill 203, the Gas Flaring Elimination Act.

Those of us who represent opposition parties in the House are sometimes accused of introducing bills that we know don't have a chance of passing the government caucus. Now, I happen to think that this is a very legitimate thing, as opposition parties have a responsibility to put our policies forward in legislation even if they are at odds with government policy.

MR. LUKASZUK: You have policies?

MR. MASON: We have more policies than you'd care to know, hon. member.

Judging from the comments made by government members during the debate, it looks like this bill will not be accepted by the Assembly, based on what I've heard so far, and I find that disappointing.

I find that some of the criticisms of the bill suggest that some members haven't studied it carefully enough. For example, the Member for Whitecourt-St. Anne said that he couldn't support the bill because sometimes gas has to be flared in an emergency situation, and that has been echoed by at least three other members of the House who've risen to speak. But if the members would look more carefully at the bill, in section (2)(d) there's a limited exception in cases of an emergency where it may otherwise be a threat to the safety of the public or to personnel.

[The Speaker in the chair]

The Member for Edmonton-Ellerslie left the impression that gas flaring was no longer one of the burning environmental issues in Alberta, but my travels around the province in the last two years have suggested that gas flaring is very much a burning environmental issue and continues to be so. In fact, several members of the government caucus have risen and spoken about the concerns of their constituents with respect to this problem. So I would ask the House: if the situation is so completely under control, why are we hearing hon. members representing their constituents say that the constituents are extremely concerned in some cases about this?

4:00

Now, it's clear that there has been progress in the last several years to reduce the amount of flaring, and I want to once again commend the work of the flaring/venting project team set up under the Clean Air Strategic Alliance for their excellent work so far. As I've said earlier, Bill 203 should be seen as an acceleration and a complement to and not a replacement of the work that has been done by them so far.

Mr. Speaker, let's be clear. There is one issue that comes up more often than any other when it comes to the question of the quality of life in rural Alberta, and that is gas flaring. I'm quite surprised to hear the hon. Member for Calgary-Bow call this bill a slap in the face to the energy industry, when we are continuing to see asthma – Alberta has more asthma than any other province in this country – when we're continuing to see other lung diseases, when we're continuing to see stillbirths, when we're continuing to see illness and death in animals and in humans. I would suggest that we need to go much further than so far. It's not the time to pat ourselves on the back and just say: we can rest on our laurels. What we need to do is to take concrete actions to finish the job.

Now, I was surprised when the Minister of Finance indicated that Alberta has very tough, very rigid regulations when it comes to gas flaring and venting, yet we all know that this is entirely a voluntary approach. So which is it, Mr. Speaker? Are we tough in our voluntary approach, or are we soft in our regulations? I think it's clear and has been clear that the easy 50 percent of gas flaring and venting has been dealt with, but increasingly it's going to be more expensive to get rid of the next 10 percent and the 10 percent after that and the 10 percent after that. Increasingly the voluntary approach, I submit, will break down because companies that comply will be placed at a competitive disadvantage with companies that do not comply. Therefore, the whole system is bound to break down. We need a bill that clearly sets guidelines over a 10-year period. That's long enough. We've been very liberal, so to speak, in considering the time available, and it's time that we dealt with this issue once and for all.

Thank you, Mr. Speaker.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 4:03 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Bonner	Mason	Pannu
MacDonald	Massey	Taft

Against the motion:

Abbott	Hutton	Nelson
Cao	Jablonski	Norris
Cardinal	Jonson	Ouellette
Danyluk	Klapstein	Pham
DeLong	Kryczka	Rathgeber
Evans	Lord	Renner
Forsyth	Lukaszuk	Shariff
Friedel	Mar	Smith
Fritz	Marz	Snelgrove
Gordon	Maskell	Strang
Goudreau	Masyk	Tarchuk
Graydon	McClellan	VanderBurg
Haley	McClelland	Vandermeer
Herard	McFarland	Woloshyn
Hlady	Melchin	Zwozdesky

Totals:	For – 6	Against – 45
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[Motion lost]

THE SPEAKER: Hon. members, before proceeding to the next order of business, which is second reading of Bill 204, the hon. Member for Edmonton-Highlands has advised in writing that he wants to rise on a question of privilege.

**Privilege
Misleading the House**

MR. MASON: Mr. Speaker, I'm rising under section 15(1) of the Standing Orders: "A breach of the rights of the Assembly or of the parliamentary rights of any member constitutes a question of privilege." Under subsection (5) I am indicating that I'm raising this at the first possible opportunity, and therefore the two hours' written notice does not apply.

Specifically, Mr. Speaker, as soon as I had a chance to peruse Bill 12, which was distributed to the Assembly this afternoon, I realized that in fact Bill 12 and its provisions were at definite variance to statements that the Premier had made to this House. So my question of privilege is that the Premier has misled the Assembly with respect to the actions that the government was going to take relative to the teachers.

In *Alberta Hansard* of February 28, 2002, in response to a question from the hon. Member for Edmonton-Strathcona, the Premier says:

You're absolutely right. The questioner is absolutely right, Mr. Speaker, in that no legislation, no regulations, no policy initiatives will be taken to bring about punitive action – punitive action – against the teachers.

He goes on to say:

But I will reiterate: nothing that this government contemplates in the future at any time is punitive relative to teachers. It's not the nature of this government to punish. We just don't do that.

Now, Mr. Speaker, having had a chance to briefly review Bill 12, I see that there are a number of provisions.

THE SPEAKER: Hon. member, please. The question of privilege

is a very, very important question. This is not a debate on Bill 12. The hon. member advised that he chooses to rise on the basis of what was said in Oral Question Period this afternoon, so please focus on that. This will not be a debate on Bill 12.

MR. MASON: Thank you, Mr. Speaker. It was not my intention to make it a debate but to bring to your attention those provisions of the bill which I believe to be punitive and therefore not in accordance with what the Premier told this House. If you wish, I can briefly enumerate them. Section 6(2) . . .

THE SPEAKER: No, no, no. Please, please. We're dealing with a question of privilege presumably arising out of the question period today. I'm sorry; you have to focus.

MR. MASON: Mr. Speaker, on February 28 the Premier made statements to the House which I've just quoted from *Hansard*. There are a number of provisions in this bill which are clearly punitive, and I would ask that you rule that there's a prima facie case of privilege in the sense that the Premier has not told the Assembly the truth with respect to the government's intentions and that it be referred to the Privileges and Elections Committee for a hearing.

THE SPEAKER: The hon. Deputy Government House Leader.
4:20

MR. ZWOZDESKY: Thank you, Mr. Speaker. The questioner opposite may wish at some point to raise a point of order but certainly not a point of privilege. I would direct the member to understand what points of privilege are in fact all about and perhaps remind other members of the House. Points of privilege deal with, specifically, breaches of a member's rights or a member's ability to perform the rights given to him by the electorate in this Assembly, or parliamentary rights, if you will, but what you may have a disagreement on is a totally separate matter.

I personally don't see that there's anything punitive about the bill in question, but that debate will come up, and the Speaker may well wish to rule on anticipation in that regard. Should you have another viewpoint with respect to that bill, there will be ample time, in other words, for you to discuss and debate that, but I fail to see personally how it is that your particular rights as an individual member in this House are abrogated or in some way impacted by a disagreement you might have with something that was or wasn't said.

I would ask you just to review that definition. More specifically, if you wish to refer to the definition in *Beauchesne*, it specifically states, Mr. Speaker, if you'll allow me to quote from section 24:

Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively as a constituent part of the High Court of Parliament, and by Members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals. Thus, privilege, though part of the law of the land, is to a certain extent an exemption from the ordinary law. The distinctive mark of a privilege is its ancillary character.

It goes on to talk about what constitutes privilege, and there are numerous pages of examples here where privilege questions have been addressed by former Houses.

In short, our own Standing Orders very clearly state under section 15(2):

A member wishing to raise a question of privilege shall give written notice containing a brief statement of the question to the Speaker and, if practicable, to any person whose conduct may be called into question, at least two hours before the opening of the sitting.

It goes on to talk about what constitutes the nature of the matter addressed in the complaint.

Now, this talks about the conduct of an individual as it might

impact another member's ability to function in this House, and I don't believe that is what the issue before us is. I don't find there to be a point of privilege, speaking personally, Mr. Speaker.

THE SPEAKER: The chair will allow for brief additional comments if there are any. The hon. Member for Edmonton-Gold Bar on this alleged point, please.

MR. MacDONALD: Yes. At this time, Mr. Speaker – and this is certainly a very serious issue – I would like to point out that on February 27, 2002 . . .

THE SPEAKER: Hon. member, please. We're dealing with events that happened in the House today. Let me just read again what this says, the Standing Orders that these hon. members in this Assembly have written.

15(1) A breach of the rights of the Assembly or of the parliamentary rights of any member constitutes a question of privilege.

We're talking about the individual rights of an individual in here or the rights of the Assembly.

(2) A member wishing to raise a question of privilege shall give written notice containing a brief statement of the question to the Speaker and, if practicable, to any person whose conduct may be called into question, at least two hours before the opening of the sitting and, before the Orders of the Day are called, shall call attention to the alleged breach of privilege and give a brief statement of the nature of the matter addressed in the complaint.

Well, needless to say, neither one of those two clauses have been dealt with.

(3) If the Speaker is of the opinion that the matter may not be fairly dealt with at that time, he may defer debate on the matter until such time as he determines it may be fairly dealt with.

Now, there are no rookies in here, none whatsoever. If we're going to talk about something that occurred on February 28, the time to raise that would have been February 28, not today.

I want to just deal with the Blues today. Quite frankly, the hon. Member for Edmonton-Highlands said the following: "Mr. Speaker, why did the Premier mislead Alberta's teachers about his government's intentions?" Further, the Member for Edmonton-Highlands: "Mr. Speaker, why did the Premier mislead Albertans about his government's intentions?" A breach might be constituted by a deliberate attempt by one member to chastise another member with a direct accusation. One should be very careful about calling – how does that phrase go? – the kettle black or something to that effect. I don't know what it is.

If the hon. member chooses to provide in writing a statement with respect to this alleged point of privilege, the hon. member should do so and under the Standing Orders provide "written notice containing a brief statement of the question to the Speaker and, if practicable, to any person whose conduct may be called into question" – in this case, if it is the Premier, provide him a copy as well – "at least two hours before the opening of the sitting," meaning tomorrow, "and, before the Orders of the Day are called." We'll deal with it tomorrow afternoon if there is one.

**Bill 204
Traffic Safety (Cellular Phone)
Amendment Act, 2002**

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

MRS. GORDON: Thank you very much, Mr. Speaker and Members of the Legislative Assembly. I tried to phone ahead, but phones aren't allowed in this Assembly.

Since the introduction of cellular phones in 1983 there have been

dramatic changes in the industry. With a growth rate of about 40 percent per year it is estimated that today there are 120.1 million cell phones in use in the U.S. By 2005 it is estimated that there will be 1.5 billion cell phones used worldwide. Changes in technology from heavy, cumbersome, and expensive devices to inexpensive, miniature, handheld units much smaller, in fact, than a package of cigarettes have had a significant impact on when, where, and how we conduct our affairs, both business and personal. Does the use of handheld cellular telephone technology while driving increase the risk of a crash? Will crashes likely increase with the increasing numbers of users of cell phone technology in the future? What, if any, are the options for enhancing the safe use of cell phones by drivers? Safe driving must be our first priority. I strongly believe driving to be a privilege and not a right.

Before I begin, I would like to thank city of Edmonton Councillor Dave Thiele, who, like myself, believes we need to look long and hard at this entire issue. You might recall that Councillor Thiele was interested in implementing a municipal bylaw making the use of cell phones illegal while operating a motor vehicle within the city of Edmonton. However, he does agree with me that piecemeal won't work. Any changes would have to be done provincially.

Did you ever in your experience in this Legislature when it comes to private members' day wonder how an idea comes forward? Many of us in this Assembly over the last few years have stood up and brought forward many ideas either through bills or through motions. Most of us get our ideas from our constituents, from the people that we deal with, the people that have sent us to this Legislature. This bill is no exception. I have over the last couple of years had a great deal of discussion with many, many people over cell phone use, and I can stand here today and say that many long-distance truck drivers as well as many bus drivers, particularly those driving for Greyhound or Red Arrow, have certainly told me time and time again about the abuse and use they see of cell phones, particularly on highway 2.

Along with an incident that happened with myself and my constituency secretary, I am now standing before you bringing forward Bill 204. Bill 204 proposes to legislate the safe and responsible use of cellular phones while in the care and control of a motor vehicle. This bill would amend the Traffic Safety Act to ban the use of handheld only cellular phones. Punishment for this offence would be a fine specified in regulations.

4:30

Several countries have already looked at this issue and have banned cell phone use. They include Japan, Great Britain, Spain, Brazil, and Switzerland. Are we right and they're wrong? Stateside on November 1 of last year New York state began enforcing the U.S.'s first statewide law banning handheld cell phone use. Worth noting, similar legislation is pending in 42 other American states. In Canada several provinces are studying this issue. The province of Newfoundland and Labrador plans on banning the use of handheld cell phone devices sometime this spring.

In a study conducted in September 2001, 80.8 percent of Canadians polled believe that cell phone use while driving should be banned. Of the Albertans polled, 92 percent consider using a cell phone without a hands-free device to be dangerous, and further, of those, 77 percent support a complete ban on handheld cell phone use while driving.

My goal: hands-free, preferably utilizing voice-activated recall, 300 to 400 numbers stored, accessed automatically by you simply by issuing a voice command. No fuss, no muss, hands-free.

An Edmonton city police spokesman said that with the increasing traffic in this city over the past few years, police in Edmonton think it's a step in the right direction to reduce property damage and

injuries. He went on to say that there are few statistics available linking collisions to handheld cell phones, mainly because few people are willing to admit that they caused the accident when distracted on the phone.

Distractions. Yes, I admit there are many: radios, other passengers, drinking coffee, the eating of fast food, cigarettes, more cigarettes. However, safe driving must be our first priority. As I mentioned earlier, many, many long-distance truck drivers, the companies they represent, and long-distance bus drivers have contacted me over the last couple of weeks. They see the abuse and use of cell phones each and every day. They told me that they very much support this bill. Now, it would be wrong of me not to tell you that I also have had a number of phone calls, e-mails, and faxes from people that don't agree with this bill, and that's what's great about a democracy.

We were talking about distractions. A handheld cellular phone is one such distraction. You say: how does that differ from all the other distractions? It is a distraction that we can do something about. We can look at legislating this differently. Let's be proactive, not reactive. Approximately, so I am told, \$50 worth of hardware can convert handheld to hands-free.

AN HON. MEMBER: How much?

MRS. GORDON: Fifty dollars.

I would ask you to consider for a moment what you see if you're parked out in front of a high school anywhere in Alberta. You see the students leave that high school to get into cars, trucks, whatever. Often those vehicles are newer than the ones that we drive, but one thing you will see that is very common is that most of them have a cell phone in their hand. Now, think about it. They have that cell phone, they get in the vehicle with their friends, and they are using the cell phone. I would like to see us encourage the use of hands-free.

I don't believe that this problem is going to go away. Let's be the first in Canada. Let's lead the way. Let's have this debate nationally. Let's show this nation, indeed all of North America that safe driving does come first.

Colleagues, I think back to 1984 and our infamous seat belt legislation. I wasn't here in 1984, nor were any of you, but do you remember . . . [interjections] Yes, there was one person here in 1984, our hon. Speaker. I remember the debate that took place in Alberta in 1984 regarding seat belt legislation. "We can't do this. It's an infringement of my rights. Nobody is gonna tell me what to do." Alberta was the last holdout, the last province to make belting up mandatory. I don't know how you feel, but I feel very strongly today that in 1984 we made the right decision, that seat belt legislation is a good thing, and I believe that by belting up, we have saved numerous lives. I have to tell you on this point that the RCMP in central Alberta are very, very concerned because under the age of 25 in central Alberta are the worst offenders.

Let's do something about cell phone use. I ask you to support this, to consider me standing here today, because I tell you that at some point in time we will be considering this issue in this Assembly.

Thank you.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. It's a pleasure to rise to speak to this bill. I'd like to thank the Member for Lacombe-Stettler for raising it. It gives me an opportunity, as one who likes to protect individuals from an abundance of legislation, to get up and speak to this issue again.

As the hon. member pointed out, Mr. Speaker, in her eloquent speech, there are many distractions in driving today, and there always have been. There'll likely be more as technology increases. One of the new vans I saw has a television in it. It's behind the driver, but if you recline your seat far enough, you can actually still drive and watch this little television set. I was recently at a motor home show, and they have these televisions actually in the console between the driver and the passenger, which makes it possible to watch these. They may be wired in such a way that makes it impossible with the ignition on, but certainly someone could change that.

I've witnessed in my travels back and forth to Edmonton and around the province a number of distractions. I've witnessed people reading a book while they passed me. I try to drive the accepted speed limit, which isn't necessarily the legal speed limit, as we all know, on highway 2. I've noticed people reading, I've noticed them putting on their makeup, and I've noticed them dipping down below the level of the dash where you can't even see them. I don't know if they're picking something off the floor or not.

We have tape recorders. We have cassette players. There's a distraction in seeking through your collection of tapes and CDs. That's a distraction in itself. Changing them is another distraction. Looking up numbers in a phone book, Mr. Speaker. Whether you have a hands-free or a voice-activated, to call somebody, you still have to have the number. Looking up the number in that tiny little print while you're driving in itself is a distraction. I don't know if anybody has tried that here – not that they would admit to it – but maybe we should ban phone books. I'm not too sure about that.

The hon. member mentioned smoking, and I can relate that many, many, many years ago before I quit smoking – and I'm sure that there are probably some in this Assembly that maybe haven't quit yet, but most people have. I'm sure that we can all relate, those that have smoked, to that experience when those hot ashes drop on your seat between your legs and the excitement that ensues from that experience.

4:40

Mr. Speaker, the point I'm trying to make here is that there are a lot of distractions, and there will be more. Technology and products that supposedly make our life easier while we're driving will make new products possible. Are we going to legislate each individual one as we go? I don't believe we need to do that, because I believe that we have some legislation already in effect. It's called driving without due care and attention. Any officer – and it's been a long time since I've been in that position – that sees an individual driving in an erratic manner, whether it's dropping cigarette butts or weaving back and forth because there are pages of phone book flying or there's a hand trying to dial a number, if he notices erratic driving caused by any of those things, they can be stopped and be charged under that particular act. I think it's a good charge to lay: driving without due care and attention.

With that, Mr. Speaker, I will allow for many of the other members of this House who I'm sure would like to get up and speak on this very important bill, and I will end my comments at that. Thank you.

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

MR. RATHGEBER: Thank you, Mr. Speaker. I am pleased to have the opportunity to rise today and speak to Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, 2002. First, I would like to thank the Member for Lacombe-Stettler for bringing forward this bill and for initiating the discussion that it has created regarding cell phone safety.

It seems that each year there is a new technological advancement

that enables us to look closer or farther, hear better, go faster, or work more efficiently. Our society is constantly flooded with new technologies, and by virtue of the law of demand the unwanted products are discarded or ignored while others that are more popular become instantly essential and thrive commercially.

If there's one product that has since its introduction demanded a place in our society in terms of mainstream application and need alongside the computer, Mr. Speaker, it is definitely the cell phone. The recent growth of cellular telephone use is a phenomenon that crosses all age and gender boundaries. More than just the latest electronic gadget, cellular telephones have become integral parts of our business and personal lives. They are used to schedule appointments, broker deals, call for assistance, report emergencies, and maintain contact with loved ones. You only have to go to dinner and a movie to be reminded of how cellular phones have become incorporated into our daily lives and into our society.

Everywhere you go, there is one ringing or someone talking on one. Mr. Speaker, cell phones have entered into nearly every aspect of our daily life, and that includes the time when we're on the road commuting. It is not surprising that people will attempt to optimize their travel time by communicating with coworkers or loved ones while en route. When an opportunity to contact someone either to stay in touch or to get important information presents itself, most members of our society seize it. In the past, however, contact hasn't been as readily available and not nearly as instantaneous. In this day and age, however, it is as easy as pulling out your handheld telephone.

Concern regarding the safety of operating a motor vehicle while using a handheld cell phone has been of such sufficient magnitude that legislation banning their use has been initiated in jurisdictions all around the globe, as the sponsor of this bill has accurately point out. Bans have taken place within international jurisdictions as well as in several states in the United States of America. This trend in legislative activity that we're all witnessing around the world is based on the assumption that hands-free cellular phones are much more safe for motorists, while handheld cellular phones provide too much distraction to allow for their use.

For this assumption to hold true, Mr. Speaker, hands-free designs should reduce the demands on the user of the cell phone while driving. Distractions associated with dialing, holding, or even reaching for a handset should all be reduced while using a hands-free model. If hands-free adapters provide this benefit – and I'm advised that several models do boast some of these benefits – then the mandatory use of hands-free units would provide a clear safety gain for motorists on Alberta highways.

There are studies and experts that claim that cell phones cause inattention and that this lack of focus is what causes drivers on cell phones to have accidents. There are some disputes surrounding the number of contradictory studies done in this area, but I believe, Mr. Speaker, that enough evidence has been gathered to support the simple conclusion that using a handheld cell phone while behind the wheel can be and often is unsafe. The distraction caused by using a handheld cell phone can take a motorist's attention away from the road and provide increased opportunities for accidents to occur.

Mr. Speaker, according to the Ledger marketing study released in 2001, almost 54 percent of the Canadian population uses a cell phone either regularly or occasionally. Alberta surpasses the national average in this regard with over 64 percent of Alberta's population using cell phones either regularly or on an occasional basis. Just in terms of rough numbers, 64 percent of 3 million people works out to about 1.9 million Albertans with a cell phone.

A 1999 study done by the National Highway Traffic Safety Administration in the United States revealed that more than 85

percent of cell phone users in the United States used their phone at least occasionally while operating a motor vehicle. If we're able to assume that Alberta's population could be compared to the population of the United States in terms of cell phone use, then this would indicate that a very large number of people in Alberta talk on a cellular phone while driving.

In my mind, Mr. Speaker, the most important issue surrounding cell phones is that they ought to be made safe while their user is driving an automobile. One method to make handheld cell phones more safe is to use them when accompanied by hands-free attachments. Hands-free phone operation reduces the total amount of distraction that is caused when a telephone call is taken while driving. By allowing the driver to maintain both hands on the wheel and to be looking ahead at the road in front of him or her, hands-free devices provide an obvious benefit. The voice-activated phones that are currently available on the market provide a similar benefit but are quite expensive to buy. These hands-free systems employ the same idea that many motor companies are integrating into their new vehicles. Having stereo controls on the steering wheel is something that is, albeit slowly, becoming more prevalent in new vehicles today, and like the hands-free cellular phones, they allow the driver to remain focused on the road.

The industry is well aware of the risks that driving while talking on the phone creates, and it is time for them to make meaningful strides in making their product easy to use on the road. As a Legislature, Mr. Speaker, we can make a law that states that people of this province may not talk on the telephone while driving unless the phone offers hands-free, driver-ready operation, but if the cell phone manufacturers price these phones out of the market, then I'm afraid that any bill that we pass into law with the goal of banning handheld cell phone use while driving will inevitably be broken by Albertans. With that said, I would like to urge cell phone manufacturers to co-operate with this Legislature and with this legislative initiative to produce affordable hands-free phones that are safe to use on the road.

I urge all hon. members of this Assembly to support this bill so that we can take steps to ascertain that the roadways in this province are safe and to further ensure that drivers in Alberta are as safe as possible while behind the wheel. With this legislation and co-operation from the industry I think that we can save lives and save health care dollars on Alberta roads.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to rise this afternoon in the debate on Bill 204 as proposed, the Traffic Safety (Cellular Phone) Amendment Act, and I urge all hon. members of this Assembly to support this legislation. Anytime there is a fatal crash on our highways, there's always this argument of whether it was caused by the use of a cell phone or not, if a cell phone was involved. If that debate can be reduced or limited by this legislation, then I think we should certainly restrict the use of cell phones.

Now, a person who is driving on a highway would not be permitted to use a cellular phone, car phone, portable computer, or fax machine unless it had a hands-free feature. This is an issue of public safety. This restriction, I would like to note for all hon. members of the Assembly, does not apply to a person driving an emergency vehicle or using a phone to report an emergency, and that is quite important here.

[Mr. Shariff in the chair]

There are many reasons, but one only has to come to any one of a number of traffic circles in the constituency of Edmonton-Gold Bar either in the morning or the afternoon rush hour and see the combination of events that take place in various vehicles. There are some people who've got a Tim Hortons coffee in one hand and a cellular phone in the other.

4:50

AN HON. MEMBER: And a dog on their lap.

MR. MacDONALD: Yes, there's the odd vehicle with a family pet pressing its nose to the window as well.

These are not practices that are increasing the safety of the individuals in that vehicle or the other individuals driving in the traffic circle, Mr. Speaker. It is not in the interests of safety.

Now, the price of the hands-free device was certainly discussed earlier in the debate. It's not that much. There are many different countries that have instituted laws against using a cell phone and driving, and they include Brazil, Australia, Israel, Italy, and Portugal. Certainly it's not too long ago that I read about the interest of the state of New York, which has a lot more cars and a lot more drivers than Alberta, and the traffic congestion there would be significant. Well, I don't know if New York City would have more congestion than Calgary, but certainly those roads are quite congested, and they are having this active public debate on cell phones and the safety of vehicles.

Now, we're not the only Legislative Assembly considering cell phone legislation. British Columbia, Quebec, and Newfoundland have considered bans or restrictions. I understand that Ontario and Nova Scotia have had private members' bills introduced to ban cell phone use by drivers, again except in emergencies. If any hon. member of this Assembly can provide not only this member but others with an update on the Ontario and Nova Scotia legislation, because I don't have it before me.

There certainly is a high percentage of Albertans and Canadians – in fact, I believe that in a recent copy of *Insight into Government* there was an article about the use of cell phones or the purchase of cell phones as a unit. It was a sign of the prosperity of this province. As I recall, we had the highest use of cell phones per capita in Canada, but more than 40 percent of Canadians have access to cellular phones, and the rapid growth of the cell phone technology in the marketplace has certainly raised questions about the risk of crash involvement associated with their use in automobiles. The simplest way around this is to have a hands-free device. Perhaps if this bill were to become the law of the land in this province, whenever you purchase a cell phone or you go back and upgrade your cell phone, you will simply buy the accessory that gives you the hands-free feature.

Now, there are people with different views on this subject. The Canada Safety Council, Mr. Speaker, states that road fatalities have decreased over the years despite this great surge in cell phone use which I have mentioned, but I think we should recognize that using a cell phone can be yet another distraction. The hon. Member for Olds-Didsbury-Three Hills talked about distractions.

MR. MARZ: A whole list of them.

MR. MacDONALD: A whole list of distractions. Certainly the hon. member is correct, but this is just one more.

In conclusion, Mr. Speaker, I would again like to remind all hon. members. It's not too far from this Assembly. They can go to the

traffic circle at 98th Avenue or the one over by Bonnie Doon at either rush hour. Pick your time and just stand there for five minutes and see the action with cell phones, family pets. It's quite a balancing act between refreshments and the use of the cell phone. It is my view that that is not in the interests of public safety, and I would urge all hon. members of this Assembly to please support the bill as proposed.

Thank you.

THE ACTING SPEAKER: The Solicitor General, please.

MRS. FORSYTH: Thank you, Mr. Speaker. It's my honour to join the debate on Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, 2002, sponsored by the hon. Member for Lacombe-Stettler. I believe that this bill will contribute to reducing driver distraction and improve traffic safety in Alberta. Alberta's transportation system is becoming more and more dangerous as Albertans respond to the desire to travel faster, work faster, live fast, play fast, and the faster the better. Their need to keep up is affecting many aspects of our lives including how we behave behind the wheels of our vehicles.

Mr. Speaker, I'm aware that there are laws that encourage drivers to drive safely, and these laws have enjoyed success. Alberta Transportation has introduced the Think and Drive campaign, that has been successful and an educational tool to help drivers pay attention on the road, yet collisions and fatalities continue in this province. Driving while talking on handheld cell phones is one of the worst culprits, and I was one of those culprits until recently. I don't think that exclusively banning handheld cell phones would dramatically reduce driver distraction. There are many different factors, including car stereos, food, coffee, pets, and children, that all take drivers' attention away from the road. I believe that Bill 204 can make an important contribution to driver safety because using a handheld cell phone is one of the most avoidable distractions. I drive on Alberta highways every weekend, and nothing bugs me more than seeing people talking on their cell phones or having their children unbuckled, as my colleague for Calgary-Egmont will agree. Legally in this province children must be buckled up in the name of safety. If children are able to move around a vehicle without being restrained, they distract the driver. I think handheld cell phones pose a similar danger to driving.

You know, Mr. Speaker, we're not magicians, who can do more than two things at once, though we believe that we can. It's ridiculous for anyone in this House to believe that they are in complete control of their vehicle while talking on a handheld cell phone. Head movements, concentration, and vision are split between using the handheld cell phone and effectively manoeuvring in traffic. I know that many people will say that they are capable of doing two things at once, but I really feel that driving conditions have changed in this province. Alberta roads are busier with many sizes of vehicles and more lead-footed drivers. Simply talking on a handheld cell phone has become a very dangerous attraction when you combine these factors. What may not have been deemed an issue before is now an important one. Taking handheld cell phones out of drivers' hands does not mean that they will become greater drivers, but realistically, banning handheld cell phones will be part of the solution, along with fines and education programs and an improved transportation infrastructure.

Mr. Speaker, Bill 204 does have support from transportation stakeholders. The Independent Insurance Brokers Association of Alberta, the Alberta Motor Association, and the Canadian Automobile Association all agree that using a cell phone while their vehicle is in motion is an added risk to drivers. Other countries that have

been mentioned – Japan, Great Britain, Spain, Brazil, and Switzerland – have all banned the use of handheld cell phones while driving.

Another important point is that Bill 204 would not ban all cell phone use. Drivers could still use hands-free units, which are considerably less of a distraction. There are benefits to drivers having cell phones in their vehicles. It can be a safety issue to be able to call for help if your vehicle has broken down. I've had to do that, Mr. Speaker. Police services appreciate calls from drivers reporting accidents or impaired drivers that they see on the road.

We'll have to consult with police on the enforcement of this legislation, but when it comes right down to it, cell phones like cars themselves must be used responsibly. We turn off cell phones in this Assembly because they're a distraction. We cannot deny that the research and legislation from other jurisdictions in Canada, North America, and all over the world are all moving towards banning cell phones.

Mr. Speaker, Bill 204 is not a quick-fix solution to the issue of driver distraction. If we have learned one thing about governing, it's that there's no such thing as one quick-fix solution or even an easy way to solve an issue. However, reducing the number of drivers driving with one hand will help reduce driver distraction on Alberta roads and highways. This bill is simply doing what's right. I believe Bill 204 will make a positive contribution to overall traffic safety in Alberta.

Thank you, Mr. Speaker.

5:00

THE ACTING SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. With some misgivings I find it necessary to rise today and speak against Bill 204. The reason I say "with misgivings" is that I feel a little bit like a traitor speaking against this idea proposed by my colleague from Lacombe-Stettler. After nine years of working with her, I've developed a high degree of respect for her good judgment, but on this one I think we're just going to have to agree to disagree.

Like many new technologies, Mr. Speaker, cell phones have impacted and even revolutionized our way of life since taking hold of the market back in the early 1990s. Most people now own one, and we've gotten quite used to seeing people walking down the sidewalk looking much like they're talking to themselves. I agree that cell phones have also impacted the way we drive and the way we conduct ourselves on the road. I can well remember the difference when I purchased the earliest version of a vehicle-mounted cellular phone. It meant that I could conduct a greater part of my business on the jobsite where I needed to be or on the road rather than being tied to my office for a good part of the day. Yes, I agree that a good thing can be abused if people want to. Lack of common sense or good judgment would be the best way to do that, but how many times have you heard that you cannot legislate common sense? And intentionally or otherwise, that seems to be exactly where this bill is heading.

No doubt the use of cell phones while driving has caused some accidents. Driver distraction is probably the greatest cause of all motor vehicle accidents. But why do we single out just one form of distraction for special attention? We already have legislation that provides a penalty if you drive without due care and attention, and that legislation has enough teeth to deal with negligent use of cell phones. Why would we want to go to the extent of making it illegal to use a handheld phone, even though most of the time there is no undue risk in doing so? Mr. Speaker, as legislators it's easy to fall into the temptation of wanting to protect people from themselves.

Just because some people abuse a good thing, should we overreact and punish everyone to stop it?

There are any number of studies dealing with the risk of using cell phones while driving. No doubt some are valid. Unfortunately, many others simply justify preconceived ideas. The truth of the matter is that there is no conclusive evidence that a handheld cell phone is a significant cause of accidents compared to other causes. Studies at the Harvard Center for Risk Analysis and the AEI-Brookings Joint Center for Regulatory Studies both concluded that the risk posed by cellular phones while driving alone appeared small in comparison to other dangers on the road. So whom do you believe? Should we believe the *New England Journal of Medicine*, which found that driver distraction quadrupled when cell phones were used, or do we believe the study I just quoted done by the Harvard University? Did either of these studies take into consideration the difference in road or traffic conditions? It doesn't take rocket science to understand that a driver needs to be a lot more alert in downtown Edmonton on Jasper Avenue, for example, than on a highway out in the country?

Mr. Speaker, I don't really believe that it's the minor distraction of talking on a telephone while you're driving that's the problem. That isn't much different than talking to a passenger or listening to the radio or reading signs or billboards. The real problem is the other things that you might be doing, like looking up the phone number or dialing the phone or writing messages, and those are no different whether you're using handheld or hands-free. I believe there are many types of driving distractions that are far more dangerous than using a phone, but they're often not pursued because they're harder to document and prosecute. Take, for example, reading a roadmap. I've even seen people trying to read a newspaper while they're driving down the street. I suppose because it would be hard to prove that they're actually reading it, the officer has to be sure of that ground before he issues a ticket. But under this bill they only have to catch you holding the cell phone, and you would be automatically guilty.

What about drivers that try to tune their car radio or those who have their radio on so loud that they can't hear anything else? What about those trying to settle down squabbling kids in the car or holding a pet on their lap? Maybe we shouldn't allow children or pets in the vehicle because they can be awfully distracting. I've seen drivers trying to use a rearview mirror to put on makeup or brush their hair while driving.

The American Automobile Association published a report last May dealing with levels of driver distraction. A person or object or event outside the vehicle was the cause of over 29 percent of distractions; adjusting the radio, cassette, or CD was 11 percent; other occupants in the vehicle was 10 percent. Cell phones only rated 1 and a half percent of total distractions. Even the minor task of adjusting climate controls accounted for more, at 2.8 percent of specific distractions. I'm not sure how they ever arrived at that kind of information or in what context it was intended, but if it's even remotely accurate, I think we had better rethink what we're doing here.

Mr. Speaker, car manufacturers and after-sale retailers are now making a great variety of information and entertainment devices for our vehicles. You can check your e-mail, surf the web, use your PalmPilot, watch TV or a movie, or even use a GPS in your car. How are you going to deal with those once we start to pick and choose among road distractions?

The point of all of this, like I said earlier, is that we cannot legislate common sense and good judgment. We have to have good general laws – and I emphasize general – and then rely on our police to enforce them properly. If necessary, put a few more teeth in the

law we already have. Perhaps make it simpler for law enforcement officials to charge drivers with reckless driving regardless of the nature of the distraction.

Mr. Speaker, we all have to become more responsible for our driving habits, and we have to stand by the consequences of the decisions we make. Try as we might, we will never be able to legislate that kind of attitude. While I fully understand the good intentions behind Bill 204, I believe it is too selective in its attention to one specific driving distraction, so I would have difficulty supporting it. Every member in here is going to have to wrestle with this in their own way, but I would prefer to look at a practical, meaningful way to encourage drivers to make their own good driving decisions.

Thank you, Mr. Speaker.

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

DR. TAFT: Thank you, Mr. Speaker. It's heartening to see such enthusiastic interest in Bill 204, the Traffic Safety (Cellular Phone) Amendment Act. Actually, I'm genuinely interested in the various views here, and I think they do capture some of the difficulties in passing legislation like this, whether it's a good idea or not. I think ultimately I would vote in favour of this, but it's not without some questions.

In the background research that we've been doing, the case against cell phones is not quite as clear as I initially thought. My first exposure to the concern over using cell phones while people are driving came from an article I encountered while reading the *New England Journal of Medicine* looking, actually, for information on the privatization of health care. While I was pouring over that research, lo and behold, here was this article on the risks of driving and using a cell phone. As at least one other hon. member has mentioned, that particular research found a fourfold increase in the accident rate of drivers using cell phones as opposed to those who didn't. So I, based on that information, would have immediately endorsed this kind of bill. However, some other information and research contradicts that.

5:10

Certainly the position put forward by the Canadian Automobile Association suggests that the picture is less clear than that initial research suggested. They do make some interesting points about the difference between talking on a cell phone as a driver and talking to a passenger in the vehicle. One of the things it suggests is that unlike a caller on the other end of a cell phone, a passenger can see when the driver needs to focus on driving and can further serve to alert the driver to hazards. So a passenger in the car having a conversation is part of the driving context, whereas a person on the end of a cell phone having a conversation is not. That, I think, helps explain the difference between ordinary conversation in a vehicle and conversation through a cell phone.

There are also a number of questions around at exactly what point during a cell phone conversation accidents are likely to occur. Do they result primarily from dialing, for example, or from having only one hand on the wheel or from reaching for or holding or dropping a phone? Right now we're not sure, and if we aren't sure, then there may be a flaw in Bill 204 in that it allows conversations to occur, and all it really does is prevent the manual handling of the device. But if that's not the problem, then we may be passing legislation here that's of no effect. On the other hand, a strong majority of the Canadian Automobile Association's members, a full 91 percent, do believe that cell phones distract drivers from safe driving, so public

opinion would be probably on the side of supporting Bill 204.

I would also point out to some of the members, such as the hon. Member from Olds-Didsbury-Three Hills, that just because there are many distractions when you're driving, whether it's children or fast food or cigarette ashes dropped in your lap or animals or whatever, that doesn't justify encouraging and allowing yet a further distraction. I think there's a problem in the logic there, but certainly I would dispute the logic. Just because there are a lot of distractions doesn't mean we should allow and encourage a further one. So I'm not prepared to accept that particular line of reasoning, as carefully thought through as it is.

I would be delighted if, for example, the Minister of Health and Wellness were to support a study that looks more deeply into this issue, on the effects of cell phone use on auto accidents in Alberta, again in concert with the whole thrust towards reducing accidents, reducing illness, and increasing wellness. We want to look at all kinds of ways of improving public safety, and reducing car accidents is one. I would encourage the minister, if he were so interested, to support some research into this issue.

When the dust all settles on this question for me, to the extent that we have the information on it, I am inclined to support the bill. Although there are questions for me about how effective it will be, I think that we are better off to err on the side of safety. There are tragedies every year in this province that involve car accidents and cell phone usage, and any step we can reasonably take to reduce those I'm prepared to support, so I will be supporting this bill.

Thank you.

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

MR. HERARD: Thank you, Mr. Speaker. It's a pleasure to rise, albeit in reverse order or whatever order, to support Bill 204. I'd like to begin by complimenting the Member for Lacombe-Stettler for introducing this piece of legislation, because this may be one of the more important bills to come before the Legislature in terms of the potential to save lives and reduce property damage.

Let me begin by putting things in context. I'm not at all opposed to cellular phones. For one, I use and have been using a cellular phone for years, and I've had experience with both the older style handheld, which were pretty heavy and cumbersome back then, and of course the hands-free. I can certainly attest from my own personal experience that when I was using handheld cell phones, I had very many near misses and almost caused quite a number of collisions. I haven't had that experience with the hands-free model in the car, and I don't think it's because I'm seeing any better or anything like that. I think it was just too difficult to try and hold onto this thing and – I used to smoke at the time too – try and drive with your knees, you know.

MR. LUND: Did you do your hair at the same time?

MR. HERARD: No, hon. member.

Resistance to cellular phones would truly be futile because these devices have become so common that you can hardly go anywhere these days without almost being able to take part in someone else's conversation or have your own conversation interrupted by a cell phone call on pretty much any given day.

Mr. Speaker, it's no wonder that in the space of a few short years so many people have decided that they must be able to be reached at all times no matter where they are, no matter what they're doing, no matter what time of day or night. You hear cellular phones in the movie theatres, on buses, in malls. You see people talking on them while shopping for groceries, while riding in elevators, on golf

courses, on the beach, and once in a while you even hear one in here. The big problem is that you see people talking on them and holding onto them while they have the care and control of a vehicle. Everything has its time and place, and I believe that handheld cellular phones have no place in the hands of a driver who has the care and control of a vehicle because that's a very important responsibility we have to take very seriously.

It might not be every day, Mr. Speaker, that we hear about accidents involving vehicles where at least one of the drivers was found to be talking on his or her cellular phone, but it's certainly becoming more frequent. I think one of the problems we're having with this whole area is that I don't think our police have the database systems in place to keep track of that kind of stuff. In other words, accidents get reported, but if you look at their form, there may not be any input there for a driver that was, in fact, driving and having a conversation at the same time. So when you talk to some of the police officers, they say: well, you know, it happens more often than we're able to report because we really don't have the computer system that will keep track of those things. It's unfortunate that they don't have the detail in their system to look after that.

Such accidents have become so commonplace that we can hardly bat an eye anymore, and I for one am not comfortable with such pervasive indifference to what quite obviously is a growing and continuing problem. Bill 204 offers us an opportunity to stem the tide and take some action before the problem gets even worse.

I'm informed, Mr. Speaker, that the manufacturers of cell phones have done so remarkably well in the penetration of the marketplace in the adult world that they're now currently spending most of their marketing and sales expenses targeting six year olds. This problem is just going to continue to grow, and as society becomes more and more cellularized, think of what's going to happen a generation from now or even 10 years from now if six year olds are walking around with their cellular phones. Maybe by then they'll have them grafted on their heads or something; I don't know.

5:20

Anyway, it's a major risk to use a cell phone while a vehicle is in motion, and we've heard it several times here today: there's more than four times the risk of being in a crash than for someone that isn't involved in a call. I mean, we can argue these statistics all day

long because, you know, the way that the studies were done, there probably isn't enough data. I guess one of the reasons for that is because of what I just finished saying, that the police don't have anywhere on their form to record it, so the data is just not there. But this level of risk during the time interval of the call may be comparable to driving with a blood alcohol content of .08, which is the legal limit in many U.S. states and many provinces.

Obviously, this bill would only affect handheld devices. Drivers could still use hands-free units, but Bill 204 would be a step in the right direction, to my way of thinking.

It should seem to be quite obvious – we've heard some hon. members indicate that you really can't legislate common sense – that when you've driving, using a cellular phone could result in a serious accident where you can lose your life or kill or maim other people. It ought to be obvious, but it isn't, and it's difficult for people who don't believe in legislating in-your-face types of legislation to support measures that appear to be doing that. But I think many people have already talked about the seat belt legislation and how that has definitely been shown to save many, many lives, and I think this particular bill is essentially along the same lines. So even though I don't personally like to see legislation that's in your face and legislating everything that we do, when it comes to safety, when it comes to, you know, the possibility of killing and maiming people and destroying property, then I think, because this problem will continue to grow, that we need to do something.

So, Mr. Speaker, with that, I would just urge hon. members to support the bill and would move to adjourn debate on this bill.

[Motion to adjourn debate carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again a very progressive afternoon, and in view of the hour I would move that we now call it 5:30 and adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:23 p.m.]

Legislative Assembly of Alberta

Title: **Monday, March 11, 2002**

8:00 p.m.

Date: 02/03/11

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Health Care Premiums

501. Dr. Pannu moved:

Be it resolved that the Legislative Assembly urge the government, in the interests of fiscal prudence and tax equity, to not increase health care premiums and instead cancel the scheduled reductions in corporate income taxes for fiscal years 2002-03, 2003-04, and 2004-05.

[Debate adjourned March 4: Mrs. Nelson speaking]

THE DEPUTY SPEAKER: Hon. members, I believe there's one minute, and then we call upon the mover of the motion. If there's no one wishing to speak in that one moment – there is. The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: For one minute, Mr. Speaker. Thank you very much. I think we've really talked about all we need to talk about on this motion. Government has a big picture to look at, and I think we're starting to really pick, when we're going to focus on one particular tax issue over another or tie the hands of the Finance minister or the Revenue minister with what they can and can do. I think it's very important that we look at everything as we govern. Whether it be health care premiums or hotel taxes or personal income tax, it behooves the government to keep an open mind and keep an avenue for all income and expenditures.

So with regards to this motion, I think that while we appreciate that no one likes to see an increase in premiums or taxes, sometimes we have to pay for the things we want as Albertans and as Canadians.

With that, Mr. Speaker, I would have to conclude debate.

THE DEPUTY SPEAKER: Okay. Well timed, hon. member.
The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I've got five minutes at my disposal. I rise to conclude debate on Motion 501. This motion urges the government to not proceed with plans to increase health care premiums and instead cancel scheduled reductions in corporate income taxes during the next three fiscal years. The reason the increases in health care premiums are linked in this motion with reductions in corporate taxes is because the Conservative government is in a very real sense using the proposed increases in health care premiums to pay for next year's reduction in corporate taxes.

I've listened in vain for sensible arguments against this motion by government members. What I've heard instead are purely ideological arguments in favour of corporate tax cuts, combined with fallacious rationalizations that levying a head tax on individuals and families somehow makes people more aware of the cost of health care. Make no mistake, Mr. Speaker; health care premiums are a tax. They're a particularly regressive and unfair lump-sum tax, a tax that disproportionately falls on lower and middle-income earners, but they are a tax nevertheless.

Government fiscal policy is about making choices, Mr. Speaker. This Conservative government is choosing to shift the tax load from

profitable corporations and wealthy individuals onto average Alberta families and small businesses. In September 2000 the Conservative government made a deliberate decision to cut corporate taxes in half, thereby permanently reducing provincial government revenue by about \$1 billion annually at the end of a four-year cycle. Moreover, on the personal income tax side the government introduced a flat tax which disproportionately benefited the top 1 percent of income earners in this province, thereby giving up another \$1.5 billion in revenue.

Last April the corporate tax rate was reduced from 15 percent to 13 percent, a very generous tax break given to the corporate sector in a province where corporations already enjoy an enormous tax advantage. Since last fall the government has imposed a hiring freeze on the civil service and made deep cuts in children's services. Today Bill 12 and its more than draconian provisions was introduced because the government claims that it can't afford to pay the province's teachers more than 6 percent over two years. On top of this, the government is considering not only steep hikes to health care premiums, but if recent budget documents leaked to the New Democrats are accurate, the government is also considering reducing seniors' dental and eye care coverage and delisting some health services.

The question must be asked, Mr. Speaker: can we afford the planned reductions in corporate taxes, especially if they have been paid for by steep hikes in health care premiums? The answer to this question has to be no. It's time for the government to change course and put the planned reduction in corporate taxes on hold indefinitely. That's exactly what Motion 501 calls for. Were the government to do the right thing and put its planned corporate taxes on hold, the New Democrat opposition would be supportive of retaining those elements that primarily benefit small businesses. The small business elements represent only 10 percent of the revenue reductions from the corporate tax changes. Businesses benefit enormously from the well-educated, healthy workforce.

Paying for health care collectively through taxes is much more cost-effective for business than having to incur additional costs to pay for health care through private insurance or health care premium increases. Asking corporations to forgo planned reductions in corporate tax rates is very fair and reasonable. Asking every Alberta family who has been hurt by other recent tax policy changes, such as the flat tax, to pay more in health care premiums is neither fair nor reasonable.

In conclusion, Mr. Speaker, I urge all members of the Assembly to support Motion 501. Thank you.

[Motion Other than Government Motion 501 lost]

Financial Planning for Retirement

502. Ms Kryczka moved:

Be it resolved that the Legislative Assembly urge the government to take on a leadership role to encourage Albertans of all ages to assume personal responsibility for planning their financial security in retirement.

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

MS KRYCZKA: Thank you, Mr. Speaker. I'm very pleased today to begin debate on Motion 502. Alberta has one of the youngest populations in Canada, but like the rest of the country we are experiencing an aging trend. The number and proportion of seniors has increased steadily since the mid-1980s, and currently about 303,000, or 10 percent of Albertans, are 65 years of age and older. By 2026 it is predicted that Alberta's seniors will more than double,

to 750,000, or about 20 percent of all Albertans. As the number of seniors increases, the pressure on the Canada pension plan will likely increase. To add to that fact, there is a growing trend among Canadians toward early retirement; that is, to retire prior to the age of 65.

However, there is a second, rather conflicting trend that concerns me, and that is the steadily increasing life expectancy for both men and women in Canada. In 1996, for instance, Statistics Canada reported that the average retirement age was 58.5 years for women and 61.4 years for men. Ten years earlier, between 1987 and 1990, only 29 percent of people retired before the age of 60, whereas 10 years later, between 1997 and 2000, that rate had increased to 43 percent. When the Canada pension plan was established in 1966, Canadians' life expectancies were considerably lower than they are today.

In 1960, according to the World Health Organization, life expectancies at birth for women and men in Canada were 73.9 and 68.1 years respectively. By 1997 those figures had risen to 81.4 for women and 75.8 for men, according to Statistics Canada, and in Alberta it's even higher. For women it's 81.5 years and 76.5 for men. So the average man in Canada in 1966 would retire at age 65 and then live to collect CPP for about three years. In 1997 the average man is retiring at 61.4 and can start drawing on CPP, and he's expected to live to 75.8. Instead of three years of drawing CPP, the average man will now do so for 15.2 years or more, and it will be even more in the future. While increasing life expectancy is generally considered a measure of the overall health and wellness of the members of society, we must recognize that it is putting added pressure on the CPP, especially as the baby boomers reach retirement. This pressure is likely to increase further.

Therefore, Mr. Speaker, if Canadians and especially Albertans wish to continue maintaining the same standard of living or lifestyle in retirement as they had prior to retiring, it is imperative that they are informed and begin to plan . . .

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. members, we have only one hon. member who's been recognized this evening at this time, and that would be the hon. Member for Calgary-West. Those people who wish to engage in lively conversations with people at some distance from their desk would please do so outside in the anterooms that are adjacent to this Chamber. In the meantime, we'll hear only from the hon. Member for Calgary-West.

8:10

Debate Continued

MS KRYCZKA: . . . and save for their retirement years as early and as wisely as possible.

The fact is that not enough Canadians and Albertans, especially those in their 30s and 40s, are addressing the importance of personal financial planning toward retirement. Whether the reason is that they don't know how to invest, whether they are afraid of the fluctuations of the stock market in a volatile economy, or whether they think that planning for retirement is something that can wait until another day, recent research confirms that 1 in 3 families in Canada will not have enough savings for retirement to maintain their present standard of living. This is cause for alarm. It is important that all Canadians and Albertans make informed lifestyle and financial planning decisions early on so that when they formally retire, they are financially ready to retire. However, in 2000, Canadians filled just 9 percent of the total allowable room of \$300 billion for registered retirement savings plans.

Mr. Speaker, in its June 2000 report Alberta for All Ages:

Directions for the Future the steering committee for the government-wide study on the impact of the aging population, which I chaired, states that "individuals are primarily responsible for their own financial security" and that being adequately prepared for retirement is an individual and family responsibility. True, the federal government administers the CPP, to which both employers and employees make payments, and it also provides Canadians with old-age security payments and for some the guaranteed income supplement. It is doubtful, however, that most people will find income from these sources sufficient to maintain the kind of lifestyle and quality of life to which they have been accustomed.

Preparing for retirement involves more than just being able to pay your utilities, your food, and other basic living expenses when that stage of life evolves. Preparing is a matter of lifestyle also, ensuring that you can live independently with dignity and in good health. The concept of living healthily encompasses a person's physical and mental health and also his or her social and financial health, an approach endorsed by the recently released Mazankowski report and by the Canadian Association of Pre-Retirement Planners, Alberta chapter.

"It's hard to teach an old dog new tricks," says an old proverb. Agreed, awareness and good habits are best developed early in life. Government and families can help our young people to develop a level of awareness of lifestyle and financial planning much earlier than we experienced. Many youngsters think they know all there is to know about using a credit card but may not know very much about the true purchasing power of money. It is critical that young Albertans, through levels of classroom curriculum which are appropriate to their stage of life, learn to understand and appreciate the importance of financial planning. Alberta Learning's career and life management program, or CALM, is presently offered at the senior high level in grade 11 and helps young adults develop a grasp of the importance of personal financial goals, financial planning, budgets, and financial challenges that they will face in life.

Mr. Speaker, beyond secondary school education, mostly it is in every adult Albertan's interest to take steps on his or her own, though, toward being informed at this new level or stage in life. This may mean investing in an RRSP, a group RRSP, or a company pension plan. Other investments may involve securities such as stocks and bonds, real estate, or owning one's own home, all approaches to building one's future financial security.

Merit Construction Association provides over 18,000 member employees with a benefit plan that has set the standard for the construction industry. Merit also offers other programs and services that increase workforce productivity and employee satisfaction, such as a group retirement and pension plan. Government education programs could stress the importance of planning for retirement through, for example, a vehicle such as a government newsletter with key messages to the 35-plus: (a) how many dollars do I need or want, (b) quality of life as I define it, (c) legacy investments are mine to spend or give to a charity of my choice.

Obviously, Mr. Speaker, financial investments can involve risk, and it is important that people not only know that there are risks but also that they have the means to gauge the risks they are likely to face when investing. Investing may be something an individual chooses to do on his or her own or it may involve consulting a financial planner. Prior to heeding the advice of a financial planner or an investment broker, however, individuals should ascertain that the planner or broker is accredited and that the advice therefore has merit. We take our cars to be repaired by certified mechanics, we make sure our doctors and dentists are accredited, and we require those who sell liquor to be licensed. There is, however, no mandatory regulation for financial planners to be certified in Alberta at the

present time. Why not? Often – too often – the public, especially the elderly, are victims of characters who prey on them, knowing that they may be vulnerable to fraud, scams, or inappropriate investment advice. As things stand now, it is possible for anyone to assume the role of a financial planner in Alberta. Section 21 of the Financial Consumers Act, *Revised Statutes of Alberta 2000*, addresses this issue, but to this day it remains unproclaimed.

Granted, Mr. Speaker, with the exception of Quebec there are no federal or provincial licensing or certification requirements for financial planners elsewhere in Canada. The closest we come to such licensing is the Canadian Association of Financial Planners. Its code of ethics acts as a surrogate for any federal or provincial licensing and accreditation requirements by mandating that certain standards be met and that CAFP members carry errors and omissions insurance and also pass CAFP ethical examinations.

It is true that in Alberta most financial planners do have a background in taxation, investments, securities, insurance, or accountancy. Financial planners may also be taxation specialists, investment brokers, securities brokers, insurance specialists, or accountants, required by law to be licensed and registered to practise. For example, the Securities Commission regulates the brokerage industry. However, anyone, whether trained or not, can hang out a shingle and call himself or herself a financial planner. Hardly a week goes by without a story on the news or in the paper about an unsuspecting person who lost most of his or her retirement nest egg.

I thank you, and I encourage everyone to support Motion 502.

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

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm pleased to respond to Motion 502, which is asking:

Be it resolved that the Legislative Assembly urge the government to take on a leadership role to encourage Albertans of all ages to assume personal responsibility for planning their financial security in retirement.

I appreciate the member opposite and her concern for seniors of today and for tomorrow. Knowing her position with the Seniors Advisory Council, that makes a certain amount of sense, but it's an interesting concept that we have. We have an expectation that there should be individual responsibility involved in financial planning, yet we haven't quite reached the point where that individual responsibility can or is possible to kick into place.

Certainly when we look at how pension or retirement investment income works today, it's not the same deal as it was 20 or 30 years ago or even, I guess, more particularly between generations. In my parents' generation they both worked for the same employer their whole life, and there was a pension that was offered. It was a contributory pension from both sides. They were able to retire on that, and it was augmented with their contributions to the Canada pension plan. When my grandparents retired, they were just able, I think, to receive the very beginning of the Canada pension, but they had to live on what they had saved up or on what they were able to have their children look after them with.

So the concept of having one employer your whole life and having a pension plan that goes along with that: I think we can't count on that for the future. Certainly we have a lot more people that have part-time work, which doesn't come with any kind of benefit at all. We know now that we expect people to have four or five or six different employers over their working life. In fact, payment of pension benefits is becoming more and more rare.

So I take the point from the member that it's going to be up to the individuals to look after their retirement because it doesn't look like

there will be a lot of pensions flowing through from companies, but I don't think that's going to happen, to be honest with you. I think we're going to have to look forward and prepare for that because I think there's going to be a group of people move through that just are not ready for it. They thought they were going to be involved with a single employer and a pension plan, and that's not the way their working career worked out. By the time they realized that, they were past being able to really contribute large amounts of money into a savings account or into an RSP or some kind of investment scheme that was going to give them a retirement income. We know that only 9 percent of the boomers today are making use of their full eligibility or the full amount that they can put into their RRSPs, and I think part of that is that they don't necessarily have the extra money set aside to be able to do that.

8:20

Now, you know, I've never worked in sectors that paid a lot of money, and frankly I didn't have the money left at the end of the day, once I paid for the rest of my costs, to be able to put anything into an investment scheme. People say: oh, now, come on; you could have put five bucks in or 50 bucks in. But there are a lot of people that work paycheque to paycheque, earning minimum wage or slightly above that, even 10 bucks an hour, and there just isn't money left at the end of the month to put into a retirement income. So I think we're going to have to learn to deal with that.

We're going to have to look at things like what programs are available, what kind of housing programs are available as that particular sector of boomers moves through into retirement. The member is right: we need to look and start thinking about that retirement planning and understanding all of that at a much younger age. I agree that elementary school is not too soon to start talking about that and having kids really understand it. I think the first time I ever heard about this I was a young adult, and it didn't mean that much to me at the time. Perhaps if we had learned it earlier, it might have had more impact.

Certainly if we're going to be looking at adding it to something like the CALM program, of course we also have to be looking at the ancillary costs that go along with that: the in-service cost for the teachers, the supply teachers to replace them as they're away at the in-service, the cost of textbooks and reference materials, et cetera. That doesn't come for free either. There is a cost involved with that but probably a cost that's well worth while.

Now, when I go back and I look at that sector of the population that isn't doing well with retirement income, either they didn't know and didn't plan soon enough or they just didn't have the money. I think we know that there's a huge intergenerational wealth transfer that's coming down the pipe, and we may as governments need to think very carefully about whether that wealth transfer is taxed. It may well be that that is the only money that's available to that particular generation of people as retirement income, period. If the government is going to tax half of it away or 40 percent of it away, then the government is going to end up probably having to pay for the social service programs to support those people. So it's a balance. It's always a give-and-take.

The other give-and-take is the whole concept of individual responsibility. This government is very keen to say, "We want less governing; we want less legislation," but very quick to turn around and say: "By the way, we want to legislate this particular part of your private life, and we want to legislate that part of your private life. Oh, we want you to do something this way, too, and we're going to legislate it." I just find that really interesting, the number of times that that's come up even in my five years in the House. They don't want to legislate business or clean environments, but boy, they sure want to regulate people's personal lives.

When we look at the concept of responsibility, again there's a give-and-take in that too, because I think responsibility is balanced by rights and privileges. If there is a responsibility for something, then there has to have been something that was gained on the other side. That's part of what I was talking about before, with people making enough money actually to have extra money to be able to invest and therefore be able to balance, to have that responsibility, to be putting money into their own retirement. They have to be paid enough to have enough money left over to invest that, so there's a balance that happens there. I think there's a responsibility that's balanced with an authority and an ability, which again is underlying that same concept. So we have to make sure that we don't have people that are overtaxed, that are paying through licences and fees and premiums and different varieties of taxes, that they still have enough money left. We have to make sure that there's reasonable food, shelter, and safety and that that's available at a reasonable cost for people.

I think the concept that's being brought forward here by the member, although again I question the eagerness to legislate people's private lives, is very interesting, coming from this government. The concept of it is not one that I'm going to speak against. I think it would be a great world if we had people that were knowledgeable enough to know that they needed to save for their retirement. That would be a very good thing, and again I agree, particularly when we look at introducing this whole concept into school at an elementary or a junior high school level. I think that by high school it's almost too late; people have already started to develop their spending and saving habits. That educational portion needs to happen before then.

So the last part of this is that if there's going to be a rule or a law or legislation that's going to make people take this responsibility, then as always I'm asking: how do you monitor this, and how do you enforce it? Is there going to be some kind of penalty? Is there a carrot and a stick? Is there some sort of encouragement? Alternatively, is there some sort of penalty if people don't follow that? I think the last thing we need is legislation that's saying that you must do this and then it's meaningless because there's no repercussion if someone doesn't follow it. As well, there has to be a monitoring system in place because it's not fair if some people are following the game, or doing everything they're supposed to, and others don't and blatantly get away with it.

So whenever there's a request from the government members to have some sort of rule or legislation or imposition placed on Albertans, I want to know what the plan is to monitor this process, and I want to know what's contemplated by way of enforcement for this, if that's including punishment, if it's including some sort of encouragement scheme.

I know that the member will have five minutes to wrap up at the end, and maybe I'll get a chance to hear her answers to my questions. Thanks very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm pleased to join the debate on Motion 502, which urges the government "to take on a leadership role to encourage Albertans of all ages to assume personal responsibility for planning their financial security in retirement." Motion 502 would help all Albertans plan to face some of the hard realities that we may encounter as a province in the near future. Motion 502 is a well-timed idea because according to the demographic studies of Statistics Canada, a greater number of Albertans are moving into their retirement years. Also, individuals are expected to live longer now in Alberta than ever before.

Our longer life spans can be attributed to the strength and resilience of Albertans but also are because Alberta has one of the highest standards of living in the world and a state-of-the-art health care system that is second to none. Albertans are not only living longer lives but more vigorous and richer lives, and Motion 502 seeks to ensure that all Albertans continue to do so well into their most golden years.

Mr. Speaker, the highest proportion of Canada's aging population is the baby boomers. More than any European nation or the United States our demographics are uniquely balanced to the high end, with the single largest demographic group being born between the years of 1945 and 1946. These individuals are nearing their sixties now, and the majority will soon be retiring. In fact, according to well-known demographer David Baxter in his presentation at the recent provincial Future Summit, baby boomers were born as early as 1938. If many boomers are already retired or living a semiretired lifestyle, this has implications on productivity, the workforce, tax revenue, lifestyle, housing, and social service utilization, especially health care. What we need to do as a government is integrate this new information in our work; for example, the seniors' policy initiative, which has as one of its five committees a financial planning committee.

The question is: are baby boomers doing all they can to ensure that they can maintain their standard of living well into their later years? In Canada the average life expectancy of an individual who has already reached the age of 65 is 18.4 years. That is just the average, and it is much higher for women than for men. At least half the boomers will be living well beyond the year 2025, and by that time, Mr. Speaker, it's projected that the number of senior citizens as a percentage of Alberta's total population will have more than doubled compared to today's population.

The strain on programs like the Canada pension plan will be unprecedented, and the burden to support these programs will fall on the next generation. Already there is a substantial unfunded liability in the Canada pension plan, and it will only grow as the demographic shift continues upward. The Canada pension plan will be there for the older generation but only at the expense of the shrinking proportion of Canadians that continue working. As a sign of the trend, in this budget year maximum CPP contributions have been increased by 11.8 percent from the previous year. This trend, which must continue just to maintain current Canada pension plan benefits, could cause further drains on productivity, reduce the disposable income of the workforce, and possibly cause an economic downturn that should not be underestimated. Motion 502 presents an opportunity for this government to show leadership to this end and be certain that all our citizens prosper well into the new century.

8:30

Mr. Speaker, we need to ensure that Albertans take personal responsibility for their financial security and retirement in the near future. If we can get out this message about the importance of planning for financial security well into the later years of life, it may well convince the boomers to continue to work on an alternative or part-time basis for the sake of their own future prosperity. Albertans don't want to have to rely on the social system to get by in their older age. Albertans don't want to be a financial responsibility of the next generation as they get older.

I think government can play a role in informing Albertans of the facts they will face in retirement. We are very helpful when Albertans make a transition into the workforce, providing career training, guidance, and even financial assistance. It is just as important that we extend advice or counsel to all Albertans when they plan for their retirement as throughout their career. We should

not stand by while people leave the workforce perhaps totally unprepared for what awaits them in their retirement.

Many Albertans initially feel that they are financially well equipped as they go into retirement but never expect to live for 20 or 30 years beyond the age of 65. Nevertheless, a significant percentage will inevitably live well into their 90s. One factor that may lead to this is the rather deceptive statistic of life expectancy at birth. Currently life expectancy at birth for Albertans is around 78 years, which is pretty good, but does this mean that a person retiring at 65 can expect to live only 13 more years? Absolutely not. As I mentioned earlier, a person living to age 65 will on average reach 83 and a half years of age, a full five and a half years beyond their life expectancy at birth. If they calculated their savings to only last for 12 years but live an additional 18, 20, or 25 years, they may find themselves in serious financial trouble. What a shame it would be to see someone who's saved so diligently and calculated so earnestly live out their last years in abject poverty, living with family, or being supported by government-funded programs. It happens far too often. Motion 502 would help to prevent this kind of innocent mistake that too many people make as they plan retirement.

In a recent Statistics Canada survey one in three Canadians is not financially prepared for retirement. There is clearly a need for more education programs and information to ensure that Albertans make the right decisions as soon as possible about how much they should be saving for their retirement and when they should be planning to leave the workforce.

In June of 2000 in the report *Alberta for All Ages: Directions for the Future* the steering committee for the governmentwide study on the impact of the aging population stated that individuals must bear the primary responsibility for their own financial security. Although there is a social safety net through the guaranteed income supplement and old-age security that will keep Albertans above a base level, these levels are constantly being challenged to keep up with the standard of living to which many Albertans have become accustomed. It is important that Albertans know all the facts and outcomes when they are deciding when to retire from work. I think that government is in a unique position to provide leadership and to work with educators and business to promote heightened awareness of lifestyle and financial planning.

Mr. Speaker, Motion 502 also encourages the government to establish standards for financial consultants in Alberta, addressing a need expressed by those in the industry. With all of the investment tools out on today's market, including thousands of mutual funds, stocks and bonds, performance indexes, or commodities markets, it is important that brokers, consultants, and dealers be straightforward and honest and, above all, trained and certified. It is a sad story that occurs far too often, and we have all seen or heard of retirees losing their life savings because they invested too aggressively in stocks, bonds, or commodities based on some neighbour's so-called advice. More than being just unfortunate, it is a story of gross misconduct when that advice comes from an unqualified consultant or financial planner. If we could ensure that financial planners in this province meet a bare threshold of understanding of, first, their ethical obligation to the best interests of their client and, second, an understanding that elderly clients' investments should be risk averse, we would be helping prevent needless misunderstanding and the potential for mishaps.

Mr. Speaker, Quebec is the only province that requires all financial planners to be licensed and registered as certified financial planners. L'Institut quebecois de planification financiere is a nonprofit organization responsible, under the provincial act respecting the distribution of financial products and services, for granting the diploma required to obtain the certificate authorizing the use of

the financial planner designation and setting the continuing professional development requirements for financial planners. The IQPF obtains its revenues from its activities rather than from fees imposed by legislation. It has awarded diplomas to more than 4,500 financial planners in Quebec.

The benefits to following Quebec's example in Alberta are threefold. First, more Albertans would be confident that their money will last as long as they do, bringing peace of mind, less stress, and a sense of wellness. Second, if more people trusted the investment system, a greater amount of savings would be transferred into higher earning investments, which would create wealth for all Albertans. Third, there are significant opportunities for cost savings to government if seniors of the future are not forced to rely upon the social safety net.

Mr. Speaker, I could go on at length about the importance of ensuring that all Albertans plan their retirements properly. I'm very thankful that the Member for Calgary-West brought this pressing issue to the attention of the Assembly, and I encourage all members to support this very important motion.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Red Deer-North.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to make a few comments about Motion 502 and to express some grave reservations about what has been placed before us this evening. I don't think we have to look far – we can look to Margaret Thatcher's Britain – to see the results of schemes such as this and the kind of horrendous problems and the horrible impact that it has had on people, people at the most vulnerable time of their lives, when they're retiring.

There are a number of problems that they've had to deal with. Some of those have already been raised by the two previous speakers, but the misselling of private schemes to Britons is a scandal of major proportions. There's a fundamental conflict of interest when you have brokers or companies promoting schemes for private pensions and giving advice. The Britons have found this to their great chagrin. No matter how they've tried to regulate it, the problems are still in the system. They can't rid the system of the inherent conflict of interest there is between someone selling a financial instrument to a citizen and their interest in making a profit or making a living based on those sales. So the kind of sound advice that a scheme such as this is predicated upon they found it very difficult to actually have occur.

One of the other unfortunate parts of schemes such as this is that it promotes loss of faith in the pension system itself, and we heard some of that in a previous speaker's comments: you know, the sky is falling down; the CPP is not going to be there for people; people are getting older; there's not going to be money around. That kind of rhetoric in Britain caused a tremendous loss of faith in the public pensions in the country and in the private pensions that they were advocating. So there's a disservice to the entire pension system by a scheme such as the one being proposed here.

8:40

Other problems they had were huge administrative costs. We have no handle on that yet in this country in terms of the administrative costs of the kinds of private pension plans that are put in place. With participation in one of these schemes, you put in place a scheme that you think is going to render you a decent income. Then you find, for instance, as they did in Britain, that it depends on when you retire. If you had retired in October 1987, when there was a

stock market crash, then you would have had a pension that is 30 percent less than if you had retired in September of that year. So horrendous problems in terms of the actual payment of the pension.

[Mr. Klapstein in the chair]

I guess the most damning indictment of proposals such as this is that the most severe impact is on low earners; they're the people that it hurts most. Those low earners are frequent job changers. It's most often women and it's most often ethnic groups that suffer when this kind of scheme is promoted. If you look at the Alberta statistics, 98,600 Alberta families have an average income of \$14,400 a year. Now, tell me how much of that money, of that \$14,000, is going to be left over for investments in the kinds of schemes that this kind of motion is predicated on. I'd say, Mr. Speaker, that it's going to be precious little. So some of the most vulnerable people in the province are going to be the ones that are ultimately hurt by this kind of scheme.

In Britain 90 percent of those who transferred out of occupational schemes to self-administered schemes ended up losing. The benefits they actually ended up having were less than if they had stayed with the schemes that they were in. Again, it points to the danger of bringing forward, I think, a motion like this that doesn't address the problem. I think if you again look at the British experience – and there's a push on in the United States right now for these same kinds of private schemes – a third of elderly Britons still depend on a means-tested welfare system for their income once they're retired. If that's where we're going, Mr. Speaker, I would be most distressed.

I think for those reasons that I've given, I will be voting against this, and I'd urge other members of the Assembly to consider it very carefully before they support it. Thank you very much.

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. I am pleased to have the opportunity to rise in the Assembly tonight and speak on Motion 502. I would like to commend the Member for Calgary-West for her efforts and commitment to raising issues regarding senior citizens in Alberta. The seniors' population is growing and aging at an increasing rate, and it's therefore very important to discuss as many aspects of aging as possible while there is still time to react as a government. I don't think there is anyone here in this room tonight that will escape the aging process, as Ponce de León never did find the fountain of youth, and when Harry Potter did find it, he destroyed it for the good of mankind.

Motion 502 addresses two important issues that Albertans deal with every day: getting older and financial security. It has been said by some that ignorance is bliss. Well, I can assure you that those who are ignorant, unable, or uneducated in the ways of retirement savings are not blissful when the time comes to retire and they are forced to change their lifestyle in a major way due to lack of income.

As we all know, growing old is inevitable. Alberta has a population that is aging with each year. I was initially astonished to learn that in just 20 years the Alberta seniors' population will more than double in size. Acknowledging this fact now enables us to realize the difficulty this circumstance will provide when it is upon us. I've heard that the Canadian pension plan may not be able to take care of all of us who have contributed to it when we need it.

As I understand it, Mr. Speaker, there are two reasons that may cause the CPP to falter. The first is the increasing older population that we are experiencing here in Alberta and throughout our country. Fortunately, Alberta has one of the youngest populations in Canada, and we can benefit from the experiences and solutions of others.

When our population of seniors doubles in the next 20 years, you can bet, however, that the majority of the population of seniors across the country will have increased by at least that same rate and will be older than us. What this tells me is that there will be more than double the number of Canadians drawing from the Canadian pension plan over today. You don't have to think about it long to see that it will place a great strain on the CPP, and older Albertans will qualify to draw from CPP after most other Canadians are already seniors.

The second problem with the CPP that I foresee, Mr. Speaker, is that with the current low birth rates Canada is experiencing, there will be significantly fewer people paying into the Canadian pension plan at the time when there will be the most Canadians drawing from it. Just for the record, I have done my patriotic duty and personally contributed three Canadians who are paying CPP and, so far, two grandchildren who will also be paying CPP in the future. This grim certainty for our younger generation's national retirement fund should encourage us all to take a closer look at better educating those younger citizens towards lifestyle and financial planning, including retirement planning.

In 1999 a steering committee was commissioned to study the impact of the aging population, and they produced the report *Alberta for All Ages: Directions for the Future*. The report recommended that the government encourage the expansion of financial planning education for Albertans of all ages. In addition, the report recommended that the Alberta seniors' benefit be reviewed and adjusted on an ongoing basis to ensure that it continues to meet the needs of seniors, reflect changes in costs, and achieve the goal of ensuring that older people do not live in poverty. Mr. Speaker, this motion certainly speaks to the report completed in 2000 by the steering committee, and I believe that it is one more voice among many that is asking this government to take a closer look at how people grow old in this province and to recognize the gamut of consequences that comes with aging.

Who then, Mr. Speaker, can help us get our finances in order for retirement? Well, financial planners can. We are all aware of financial planners. It's hard to pick up a newspaper or watch television without noticing an ad for some organization or individual who wants to secure your financial future. How are Albertans to know which of these service providers are worthy of their business and their trust and which are not? I have yet to see an analysis of this industry depicting the results gained for consumers by each company. In Alberta there are no background or educational requirements for financial planners. I understand that there is a risk that one assumes by asking another to invest his or her money for the future. However, with no safeguard or standards set in this province for proprietors of this service, it is a dangerous game to play when the stakes include your ability to retire comfortably.

I have attended a seminar on financial planning and have seen individuals encourage seniors to remortgage the houses that they spent their entire lifetimes working to pay out and then using that money to invest in stocks and bonds. One other province in Canada has regulations and requirements for financial planners, but in Alberta anyone can assume the role of a financial planner. This means that you can hand your life savings to me or anyone in this room to play with. Even though I may have no training or only limited experience in the field, I could charge you a high commission to invest your money.

So how does government help Albertans to help themselves lower the risk of poor retirement planning or a poor choice of a financial adviser? I think that education is the key to empowerment in this area, Mr. Speaker. If Albertans are well versed in the ways and means of retiring successfully, more will go out on their own to

secure their future. We as a government should want them to make the right decisions for themselves, and the right decisions will be made by those who have the power of knowledge.

There is a program of studies in the Alberta Learning curriculum called CALM, or career and life management. It has been developed to teach high school students about everyday life skills, including financial planning, that they will need to be successful when they leave home. In fact, this weekend I supervised a conference by the Youth Advisory Panel discussing the CALM program, and they will be recommending that the CALM program be enforced and standardized throughout the province.

8:50

Then there are a great number of younger adults who are in the workforce today, Mr. Speaker, who are unprepared to plan appropriately for their preferred lifestyle as they go through life and eventually retire. How are these young adults, male and female, to learn the importance of planning for tomorrow? According to a 1999 Statistics Canada survey, there are over 1.5 million Canadian families in which the primary earner is over 45 and who have no private pension savings. I understand that many families have tight budgets and that saving today for the future is not terribly realistic because the demands of the present are just too great and incomes can't be stretched far enough to make that accommodation. However, I believe that with encouragement and education people will be able to see that they can make a tremendous difference to the quality of their future if they strategically set aside some money each year for retirement.

In Alberta, Mr. Speaker, we could follow the example of our neighbouring province to the east. The Saskatchewan pension plan, SPP, is a voluntary plan designed to provide a pension plan for individuals with little or no access to private pensions or other retirement savings arrangements. The plan is available to anyone between 18 and 69 years of age. Eligibility is not dependent upon residency, income, employment status, gender, or membership in other plans. Since 1986 SPP has grown to \$193 million in assets and 30,000 members. The plan is designed for flexibility so that members can make it fit their life situation and budget. It is voluntary and flexible – payments can be made at any time during the plan year – and portable. Individuals can join and contribute to the plan regardless of where they reside.

Mr. Speaker, in an article in the February 12, 2002, edition of the *Montreal Gazette* the writer Catherine Solyom cited an Ipsos-Reid poll released the day before. According to the poll, one-third of Canadian women compared with 28 percent of men are concerned that they don't have enough to save for retirement. Almost half, or 47 percent, said that they have to make a more determined effort to live within a budget compared with 37 percent of men. Why? It has nothing to do with being born to shop. Women have good reason to be apprehensive.

First, women live an average of six years longer than men. The average Canadian widow is 58 years of age and hence needs more money to retire. Secondly, the big issue is the risk of outliving their money. Thirdly, women are also out of the workforce 11 years longer than men, caring for the children, their parents, or both. Other facts revealed by the survey suggest that a larger number of women, 60 and 52 percent respectively, have no idea how much money they would need for their retirement. Many of the women surveyed said they wanted to have greater control of their destiny. In short, Mr. Speaker, participants in the survey realized the importance of being knowledgeable in matters of financial planning, but becoming knowledgeable involves a significant investment and commitment of time.

[The Deputy Speaker in the chair]

I support Motion 502, Mr. Speaker, because it sends the message to this Assembly that we need to ensure that our citizens are well educated early about preparing for their preferred lifestyle in retirement. Motion 502 also draws attention to the fact that there are no certification requirements for financial planners in this province. I urge the members of this Assembly to consider the merits of this motion and join me in support of it.

Thank you, Mr. Speaker.

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

MR. BONNER: Thank you very much, Mr. Speaker. Thank you for the opportunity to speak to Motion 502, which is sponsored by the Member for Calgary-West. I must say off the bat that the intent of having people plan for their financial independence and future is a very, very good idea and certainly one that more and more Canadians are taking advantage of and also the responsibility for.

It's also been said that Canadians as a whole spend more time planning for their vacations than they do for planning for their financial well-being. Certainly for those people who grew up in the era that I did, there has been a tremendous tendency for us to rely on employer or government pension plans for retirement rather than other funds. Certainly it has only been within the last few years that more and more people are getting involved in financial planning. But again I think what we have to do, as well, if we look at records of RRSP contributions by taxpayers – and the figures I'm quoting here are from 1998 – when we look at the number of taxpayers, the majority of taxpayers are certainly in the lower income brackets.

If, for example, we look at the bracket of even \$30,000 to \$40,000 of annual income, we have roughly 1.4 million taxpayers in that bracket. We have 1.38 million with room in their RRSPs, yet we only have roughly 700,000 that are taking advantage of that. It's a very small percentage, and of course the reason for that is that with \$30,000 to \$40,000 there just isn't enough money after they take care of providing a roof over their head and certainly food and a car and, if they do have a family, taking care of those needs. Those do put a primary responsibility on that person rather than looking at their financial future.

Now, if we look at even bumping that up to the \$60,000 to \$80,000 bracket, in 1998 we had 492,000 taxpayers in that bracket. We had 488,000 of those taxpayers with room in their RRSPs, and we had out of that group 374,000 that were making contributions. Again, these people had the disposable income where they could make those types of investments, so we do have to realize that making the right decision doesn't always mean that you can fulfill that action.

When we start looking as well, Mr. Speaker, at the people we would like to target this bill towards and have involved in this program, these are young people who are finishing up their education or new members of the workforce, and of course they have many other expenses which are certainly primary when it comes to planning for their financial future and doing something about it. They start looking towards their first job, and many of them have debts to pay off at that stage, particularly if they happen to be students.

We see that university students today, quite a number of them, are graduating from university with \$25,000 in student loans, so they do have a priority there to pay off their student loans. If we want to draw a comparison, we as a province have set that as our priority over the last eight years. We have made debt repayment our number

one priority to the extent that we are now nine years ahead of our schedule, yet, Mr. Speaker, we have had to cut essential services in this province to maintain that. So what do we tell these people that are in exactly the same spot, that have debt requirements to meet: that they do not fund their essentials such as paying back student loans, that they do not eat to the extent they would like to, that they live in the very lower standard of rental property? So it seems that there is a contradiction here, that what we expect these people to do, we as a government are not prepared to.

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Glengarry, but the time limit for consideration of this item of business on this day has concluded.

9:00

head: Committee of Supply

[Mr. Tannas in the chair]

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

head: **Interim Supply Estimates 2002-03
Offices of the Legislative Assembly,
Government, and Lottery Fund**

THE CHAIR: Are there any comments, questions to be offered with respect to these estimates? The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. Just to double-check here, I have 20 minutes to speak to this? Thank you.

Okay. Well, another spring, another interim supply budget. This government's amazing lack of planning never ceases to amaze me. The government is asking for I think it's \$4 billion this time out, which I find interesting because last year the entire budget I think was for \$21 billion, which broken down into 12 months would put us at about \$1.75 billion in expenditures per month. I would assume that the government would be looking for \$3.5 billion to cover the two months that they're asking for in this interim supply, but no. In fact, they're asking for \$4 billion. I'm wondering now: is this casting into the future an omen that we can expect an even larger expenditure budget coming forward if I look at the ratios that have just been given to me?

I've thought about this, and as I said with the supplementary supply bill, you know, I'm not willing to support this government's poor management anymore. I understand that the government is asking for money so it can do its business and pay people. I'm sure an hon. member will get up and say: "Well, that's not nice, you know. Are you saying, Laurie, that government staff shouldn't be paid or that grants shouldn't be given out? You know, you're being mean and unreasonable." I have to say: sorry, but this is supporting a really bad habit, and I'm no longer willing to support that bad habit. Out of the six years that I have been in this Assembly to debate a budget, there's been an interim supply budget five times. Now, that's pretty poor management. Even if you say, "Well, you know, last year, for example, there was a late election, so there was no possible way that we could have had a budget passed by the end of March," okay. Fine. Still, there were four years of really poor planning then.

I mean, let's look at this year, for example. The government could have easily called us in in the middle of February, the beginning of February so that we had ample time to have a throne speech and, as traditionally, two weeks later have a budget speech and have the full amount of time that we needed to debate this budget and have it done by the end of March, which is the end of the fiscal year. But, no. The government chooses to bring us in on the

26th of February and is now saying: oh, well, gee, darn, you won't even have a budget presented until the 19th of March, and therefore it's not possible to debate and pass a budget before the end of the fiscal year. That is just bad planning.

I mean, is it a surprise that the fiscal year ends at the end of March? I don't think so. I think that the fiscal year has been ending at the end of March for some time. So it's not as though this is a moving target. The government knows very well when the end of the fiscal year is. Why can't they manage to actually get the budget up in time so that we can debate it and pass it before the end of the fiscal year? This is just bad planning, it's bad management, and I won't support it. I'm not going to feed into this bad habit. It's like a druggie. I'm not going to give this government another fix so that they can be poor managers again. I won't. I'm not going to support it anymore.

We just had a motion, Motion 502, that was saying that we must have individual responsibility, that we're going to force people to have individual responsibility to plan ahead and have their retirement income nailed down. I'm sure that if the government could manage to actually force people to do this by the time they were 30, they would be willing to. Two minutes later we are talking about: "Well, oops, sorry. We didn't plan well enough, so, gosh, can you just vote us \$4 billion to carry us through for a couple of months?" I mean, this government's disapproval of someone who lives paycheque to paycheque is palpable, but what is this government doing? It's saying: gosh, can you just advance me \$4 billion against when we'll actually manage to get this budget done? Unbelievable. But all the faces over there are looking like: "Oh, no, this is what we usually do. This makes perfect sense to us." You are borrowing against your paycheque. You are borrowing into the future to pay.

What was it in Popeye? Wimpy said: I'll pay you Tuesday for a hamburger today. That's what the government is doing: I'll pay you once the budget is passed for \$4 billion today; okay? Well, it's not okay with me. I don't think it should be okay with you either, but the government seems to think that that's fine and that it's okay that they do not have their fiscal house in order enough that they are able to get a budget presented before us in enough time to debate it before the end of the fiscal year. I'm not buying it, and I don't think you should either.

I look at what's been presented to me, this lovely printing job. I flip through it and see that there are amounts that are asked for in every department. Okay. Fine. It's distinguishing between the lottery fund payments and nonbudgetary disbursements. Okay. Fine. I'm going: "All right. So you're asking for all of this money. Oh, look; there are no performance outcomes. There are no targets. There are no descriptions of what this would be paid for. There are no business plans. There's nothing. Just give me \$4 billion and trust me." Well, you know what? I don't trust you guys. I don't trust you at all. I don't trust you to be good managers. I don't trust you to get it done before the end of the fiscal year. I don't trust you. I don't trust anything you've ever shown me in here. But I certainly don't trust you when you say: "Give me \$4 billion, and I won't bother giving you anything to do with outcomes, anything to do with targets, anything to do with performance measurements, anything to do with business plans. No, no, no. Just give me \$4 billion, and I'll get back to you." Not good enough. Not good enough.

Now, let's talk about trust. I raise the issue of trust with this government. That's an interesting concept here, because how do I trust this government, especially around whether there really is money or not? The government says that it has no money, but when we look at the third-quarter update that the Treasurer recently released regarding the fiscal year that we're still in, that shows that we have the second-highest revenue ever. The second-highest

revenue ever. "But we have no money. Trust us." Well, no, I don't think I'm willing to go there.

I guess my question to the government is: that money that you don't have, do you not have it today, or do you not have it tomorrow, or do you not have it yesterday? Well, we know you had it yesterday because it's in the third-quarter update, but I don't trust this government as to whether it has money or it doesn't have money. It seems to be this amazing shell game, and all the energy goes into moving the pea around underneath the walnut shells but not any kind of real, transparent budgeting that everyone can see and understand. There's nothing to be seen that goes along with this interim supply. It's just a bunch of numbers saying: trust us and give the government \$4 billion, please.

So they say that they don't have any money, and I've questioned that. They may not have any money today, but certainly their use of the interim and supplementary supply in place of formal budgeting suggests that they can get money if they want it or they can get money if they need it. I think that that's asking a lot from the Alberta public.

You know, I know and understand that there are 74 votes on the government side. That's fine.

9:10

AN HON. MEMBER: Seventy three.

MS BLAKEMAN: Seventy three. [interjections] You're missing one. Yeah, you think you'll get him back soon enough.

But that 73 is really only representing 30 percent of the vote in Alberta. Seventy percent of the people didn't get represented on the government side. That's what we're left to do here, uphold those 70 percent that didn't vote in this government. I'm perfectly willing to stand here and say: "No, I don't trust the government. No, I do not see sound financial management. No, I don't see good planning. I see a lot of moving money around. I see a lot of, well, no, we don't have money, but in fact we do have money for things that we want to do. No, we're not going to show you any kind of business plans or outcomes or targets or performance measurements for this amount of money. Just grant it to us and trust us." I don't trust you, and I don't think that many Albertans trust you either.

You know, when I look at other examples of whether or not I would consider this government to be good fiscal managers, I look at the cyclical nature of the Alberta economy, the boom and bust, the high natural resource revenue and low natural resource revenue. This government has done nothing to work with that. My colleagues here in the Liberal caucus have been talking about a stability fund since, I think, the days of Laurence Decore, that we needed to do something to smooth out those peaks and valleys of the Alberta economy. The government did nothing. We had huge spending cuts in the early '90s, and I think they cut stupid at the time. Then as we got more and more natural resource revenue in, they spent stupid, and that didn't really help us except that now everyone can point to figures and go: look; we're spending as much money today as we did 10 years ago, whatever, but we're not getting anywhere near the same level of service.

Now the government says: "Oh, dear, we're in another downturn, and now we're going to cut stupid again. We're just going to go into different departments like Children's Services and say that that's it. You know, we're going to cut all of the preventative early intervention programs for children." Well, if that isn't cutting stupid, I don't know what is. I mean, we have such short-term thought around planning and around good fiscal management from this government that I can't support any fiscal plans that they put forward. I've yet to see things put in place that I would consider wise financial

planning. The way this government operates, it would never tolerate this from any nonprofit that was out there, and they probably wouldn't tolerate it from a business either, but they seem to think it's okay if they do it.

So we've had citizens on a roller-coaster ride of spend and slash and spend and slash. You know, how do we even expect individuals to try and keep up with their own personal planning, to keep in sync with what this government is doing when the government is back and forth and back and forth? Certainly my colleagues here in the Liberal caucus have talked and called for some time for stability, predictability, and sustainability in our finances, and I think that's a very reasonable thing to be asking for.

MR. BONNER: And equitable.

MS BLAKEMAN: And equitable. Oh, excellent. Another suggestion from one of my colleagues that we look at equity as well, and I think that that's a wise suggestion.

We need a budget management program that can manage to get us a budget that's brought in and debated before the year-end so that we don't have to go in for an interim supply. We need good enough budget management that we don't have a government coming back to us not once but twice – twice – in one year for supplementary supply, which I've always found a very interesting concept. We can manage to sort of overspend in budgets. Well, that's okay; we'll just come back and do a supplementary supply and go: whoops, uh-oh, if I can just move money backwards into this account or into this department to cover the fact that we overspent our money, then when the books all come out at the end, you know, two or three years from now, we can look back and go, "We were exactly on target in that department." What a bunch of hooey. The department was over, and they had to put money into it after the fact so that they all came out even. So we've got a government that can't manage to get its budget presented and debated before year-end. Then during the year we get one or two – or I suppose even three is possible with this government – supplementary supplies that are dealing with overexpenditures in departments during the fiscal year. Unbelievably bad planning, but the government just keeps on doing it.

You know, I think any member of the government would be hard-pressed to stand up and tell me that anyone in Alberta gave them a mandate to budget this badly, that they came in with all their 74 seats and that gave them a mandate to be poor fiscal managers, that it gave them a mandate to budget badly. [interjections] Well, my hon. colleagues on the other side seem to disagree and believe that they were given a mandate to be poor budget managers and poor fiscal managers. I think it's a sad day when they admit that, but at least they're admitting it, so I'm glad to see there's some honesty coming forward there.

MR. NORRIS: Question.

MS BLAKEMAN: Oh, I can see that the hon. Minister of Economic Development is going to be up and joining in the discussion right after I'm finished, I'm sure, Mr. Chairman.

MR. NORRIS: I'll just let you talk all night.

MS BLAKEMAN: Thank you. I appreciate the support. That's really good of you. He's going to let me speak all night.

MR. BONNER: How much are they asking for here?

MS BLAKEMAN: They're asking for \$4 billion. You know, \$4

billion is the entire budget, the entire economy for many countries in the world. They run the whole year on that much money for everything and for all of their people. But no. In Alberta we want \$4 billion handed over for two months' operation with no accountability at all put in place, none, zip, zero, nada. Nothing in this book puts forward any kind of accountability, any kind of targets, any kind of "This is what we're going to do with it."

The most that I can get out of that is a one-liner. I just loved that. It said:

Amounts to be Voted are categorized as:

- operating expense, which includes expenses such as salaries, supplies, grants, amortization of capital assets and debt servicing costs.

Well, that's descriptive. Or

- capital investment, which includes the acquisition of land, buildings, equipment, highways, bridges, dams and other capital assets
- non-budgetary disbursements, which include the exchange of cash for another form of asset, [and]
- Lottery Fund payments.

That is the sum total of the description of what \$4 billion is going to be used for by this government. That's it. That's the entire description, and Albertans are to trust this government and say, "You betcha; we're going to hand over \$4 billion for this." Absolutely no accountability whatsoever, and I will not support this government in this anymore.

I think I've very clearly stated why I'm not going to support it anymore, and I'd be happy to send my remarks out to Albertans, letting them know what this government feels is acceptable budgeting and acceptable financial management. I hope more Albertans will be reading *Hansard* and listening to the live audio to understand what the government thinks is an acceptable way to come into this kind of management, because I certainly don't think it's acceptable, and if most Albertans tuned in and listened to it, they wouldn't find it acceptable either.

I've almost used up my time here, Mr. Chairman, and I appreciate the opportunity. I'm just going to check through my notes to make sure I said everything I wanted to. Yeah, I have. Those are the points that I really wanted to raise. I mean, there's not much else that you can say. We're given so little information in this, just the amounts in each ministry that they are wanting for two months' worth of operation, a grand total. They tell you how much is lottery fund, how much is general fund, and how much is their capital investment, all divided out, but together they add up to \$4 billion, with the very brief description that I just read to you of what the money is going to be spent on. Then it says: please vote this for us.

9:20

Once again they're in here asking for this money on the 11th of March, and they have made no attempt to bring in the budget, which they could have. We could be debating here tonight a budget on a given department and have the entire budget voted on before the end of the fiscal year, which is the 31st of March, as is appropriate. Every other nonprofit, every voluntary-sector organization, every business has to get this done before their year-end, except for government, who can manage to stand here and say: "Oops, darn; didn't get it right. Oops. Uh-oh. Give me \$4 billion, and I won't bother telling you how I'm going to spend it." Totally unacceptable.

Well, I guess I've made it pretty clear how I feel about this. Thanks for the opportunity.

THE CHAIR: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I wasn't intending to speak tonight, but given what we've just heard, I thought I'd better explain to the hon. member what interim supply is, because

it's pretty clear that she doesn't have the same understanding that I think perhaps other members of the House do.

I want to begin, with all due respect to the hon. member, by explaining that last Thursday, as required by Standing Orders, the Government House Leader did in response, I should say, to a member from the opposition provide a complete and detailed outline of what this week would be all about, and that did include the issue of interim supply.

Now, we are in Committee of Supply, and one of the issues that we have the ability to debate and discuss, of course, is interim supply. The way this process works, in a nutshell, Mr. Chair and hon. members, is that today is the first of two days that we have a chance to discuss and debate interim supply. Tomorrow, being Tuesday, will be the second day, and then we will also introduce the interim appropriation bill. Now, on Wednesday that bill, which will receive second reading, will hopefully be approved, and we'll move on to Thursday, at which time it will again surface in the form of a bill, and it'll be discussed in the Committee of the Whole stage. Then on Monday it will go to third reading. On Tuesday the budget will be tabled along with all the business plans and all the details that any member of this House or any member of the public could ever hope to have. That was all very clearly and plainly outlined by the Government House Leader last Thursday as projected government business.

The reason that we're looking at interim supply and the provision of certain funds come April 1 is because we have to have certain programs and services ready to go when April 1 arrives. Otherwise, you would not have hospitals, you wouldn't have anybody to staff them, we wouldn't have the wages to pay them, you wouldn't have schools, we wouldn't have any moneys to pay the teachers, you wouldn't have a justice system, you wouldn't have any courts operating, the Solicitor General's department wouldn't be there, in my case, in Community Development, we wouldn't have moneys for persons with developmental disabilities, and the list goes on and on and on. All that interim supply does is simply provide us with the ability to ensure that come April 1, there will be moneys in place to allow government to continue. Now, this is nothing new. The member has been here for six years, by her own admission. She knows what goes on in the community, and I'm sure that she's paid very close attention to that.

I should also say on the point of accountability, which the member mentioned many times, that I think it's important to remind all members in this House that we are subject to a very careful and a very scrutinous review by the Auditor General on an annual basis. He makes his recommendations, and we respond to those recommendations. Secondly, all members of the House who sit on Public Accounts have the opportunity to come and speak at Public Accounts, have questions answered not only from relevant ministers but also from their staff and from members of the Auditor General's department. It's a very good and a very full accounting-type system.

Now, this is a bit of an unusual year, and the member has alluded to that. I just wanted to clear up a couple of things here. First of all, effective March 25 this House will be recessed until April 8. Clearly, anyone looking at the calendar would understand that that is beyond the date of April 1. So basically we've got this week and we've got next week and then we're adjourned until after the April 1 deadline. So if we don't bring in an interim supply bill, Mr. Chairman, then we don't have the ability to provide the many excellent services and programs that this government intends to continue providing. So that's the first point.

The second point is with respect to some of the specific comments that the member made, and I just want to note a few of them. She's asking: why is it that \$4 billion is requested? Well, the answer very simply is: because that's what it takes to run government services and government programs for about two or three months. A further

question was: is this an even larger expenditure anticipated? Well, I anticipate that the incoming budget, although we won't know till March 19 for sure, will show some increases in certain areas. For example, in the throne speech we heard that health care, education, and I believe children's services are at least three areas that will receive some type of increase because the population is growing and expanding and more services are needed, but again we'll have to wait for the final numbers to come out, and it's just an unfair criticism to make at this stage.

There's another comment that was made, Mr. Chairman, in relation to the interim supply bill, and that was something about being poor managers. Well, I think that when you take a look at the record, if the government of Alberta were a poor manager, you'd see some deficits being run, you'd see an unsecured debt being run, I don't think you'd see a triple A credit rating, and so on. Now, those are very enviable benchmarks that the government has attained, and there has been some help from time to time from members of the opposition. [interjections]

Chair's Ruling Decorum

THE CHAIR: Hon. members, this is called Committee of Supply, not general, noisy visiting time. I wonder if those people who are engaged in lively conversation, who are now drowning out the Deputy Government House Leader as he tries to make some comments with respect to this interim supply, could move out to the outer chambers so that the rest of us could hear the hon. Deputy Government House Leader and others who may follow him when they're recognized.

MR. ZWOZDESKY: Thank you, Mr. Chairman, for that cautionary note, because this is very valuable information for all members to know.

Debate Continued

MR. ZWOZDESKY: There was a comment made about borrowing into the future. Well, this is not borrowing into the future. This is simply saying that come April 1, we need a budget in place to start the year. The House will not be in session, so we don't have the ability to bring something in, as I indicated, the week prior nor the first week after.

Now, the member has made several comments about not knowing exactly how these moneys are going to be spent. I would just say: well, if you want proof of how the moneys are going to be spent, this interim supply, then go out into the community, take a look at the hospitals, take a look at the schools, take a look at the court system, take a look at some of the many other excellent facilities we have, and that's where and how the money is being spent. It's nothing new. These facilities have been there for many, many years. They will continue to be there for many, many years. So that's the short answer to that.

The hon. member referred to something about not seeing any evidence of good planning. Well, I'll tell you what good planning is, Mr. Chairman. It's bringing in a solid three-year business plan for this House and all Albertans to review, and that's quite a rare commodity in this Confederation. Not every jurisdiction does that. That's good planning, and it'll show you what the plan is for three years out. If you wanted to have a look at where we're at this coming year, take a look at last year's three-year plan, because that's where you'll find some of the answers.

Secondly on the issue of good planning, I think we're probably the only jurisdiction that voluntarily provides quarterly reports, regular updates, which the Minister of Finance works very hard to provide so that all Albertans will be kept up to speed, knowing exactly where

their moneys have gone, what is being targeted, whether we're on track or a little off track or we need to catch up, and so on. Yes, from time to time things do go bump in the night. We had a very large and tragic bump in the night come September 11. So you have to make adjustments for that. No one can predict those tragic circumstances, but they do happen, and then we share the burden evenly and equally. In this case everyone had to reduce by 1 percent to ensure that we didn't incur a deficit. Why? Because not running a deficit is also good planning, and that's what we're pledged to do.

9:30

Now, it's unfortunate that the member indicated that there's nothing she can support in this interim supply. I'm not going to give her the usual rhetoric she was expecting, because she outlined in her first few comments that no one would want to stop providing services for seniors or for children. Of course not, but ensuring that we have this interim supply business passed will also ensure that those services continue to be provided.

The final comment I'll make, Mr. Chairman, is with respect to some confusion that appears to exist on the opposite side with respect to how supplementary supply works as compared with interim supply. Now, I don't understand the logic of someone who would stand up and argue when we bring in a supplementary supply estimate that provides for some additional funds to occasionally be spent in certain areas where those moneys are needed. On the one hand, you sit and you listen in this House to complaints: we're not spending enough there; we're not spending enough there; we're not doing enough there. On the other hand, from time to time we will bring in a supplementary supply bill with extra appropriations and we do provide those extra moneys. Then there are complaints about: why are you spending the extra money? Well, you can't have it both ways. As one former individual indicated in this House, you can't blow and suck at the same time. So you have to make up your mind on which side of that argument you are.

This interim supply bill is simply a way of allowing government services and programs to be continued. I would urge all members to stick to that point, understand it clearly, and please let's get on with this debate and have this appropriation-related bill and its outcomes passed and supported. With that, Mr. Chairman, I'll take my seat and look forward to listening to others.

Thank you.

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

DR. MASSEY: Thank you, Mr. Chairman. I found it interesting that the previous speaker took it upon himself to lecture another member about interim supply. It might have run more true had that member gone back and visited the very comments that that member made in this House about interim supply a few years previous. Talking about blowing and sucking at the same time, it seems to me that we just had a great example of it from the minister, and we'd be happy to table some of his previous comments.

When you look at the Appropriation (Interim Supply) Act, 2002, Mr. Chairman, there are I think a number of points that can be made. I guess the first question and one that is constantly asked at this time is: what is the rationale? Where is the money going to be spent? Where is the detail from each of the departments in terms of how this money is going to be allocated? I go back to the Auditor General's report, and one of the very first comments that the Auditor General made was: "We recommend that the Department of Treasury, in conjunction with other ministries, clearly define the core measures and targets in the government business plan." Now, the Treasury department's response to that was that they accepted it. They said: yes, we should have core measures; we should have targets.

It seems to me that having accepted it, then when a bill like this

comes before us, there's an obligation to report the progress. Where is the money going? On which of the objectives is the money going to be spent? What has been the progress to date? That's one of the very difficult positions this kind of bill puts legislators in. We don't have a report on the progress on those objectives that we can use to judge the appropriateness of the expenditures in each of the departments.

In Learning, for example, the amount of money that's being requisitioned, 588 million plus dollars, is almost equivalent to the entire Edmonton public school board budget for a year to look after 80,000 students. Now, it seems to me that before you bring forward a request like that to the Legislature, there is some obligation to earmark where those funds are going to be spent or on which objectives progress is expected to be made.

The Auditor General, for instance, under Children's Services made a number of recommendations, and again I'll quote from the Auditor General.

We recommended . . . that the Department of Children's Services review the funding formula to ensure that the allocation of resources . . . is consistent with the expected needs of each [child and family services] Authority.

He goes on to talk about that.

Well, the department in response to the Auditor General says:

Accepted. The Ministry is committed to improving the funding model taking into consideration variations between regions, best practices in case and program management, and the impact of legislated and mandated program parameters.

Again, here's a department that says, "Yes, we accept that." But what do we have with the bill before us this evening? A request from that department for 121 million plus dollars and no supporting documentation, nothing in terms of the kind of progress that has or has not been made on objectives such as that. It's one thing to say that you agree with the Auditor General. It's another thing to put into practice those beliefs. I think that that's fundamentally what's wrong with what we have before us. We don't have the kind of detail that you would expect. I can't believe, for instance, that the government would allow a school board to present a budget for this amount of money without more detail. In fact, for this amount of money, for a school board that was spending 500 million plus dollars, there would probably be volumes of documents supporting that expenditure. So it's a basic flaw in terms of what we have behind us.

One of the other things – and it's been mentioned by a number of the speakers – is that the budget planning seems to be at best erratic. There are increases, and then there are cuts: increases and cuts. I don't think that the impact of that is fully understood by some of the ministers. I attended a group of citizens concerned with funding for adults with disabilities and a number of those people who are in group homes, and the pain and the agony of even a 1 percent cut was evident at that meeting, Mr. Chairman.

These group homes have in place contracts with individuals who have to be on duty, some of them on call 24 hours a day. They have in place contracts for facilities. They have in place contracts for services. To turn around at the point in the budget year that the department did and ask them for a 1 percent reduction was really most distressing. It meant for them going into debt, being unable to handle it, looking at curtailing services for the coming year to be able to make up the funding loss. It was an evening of great frustration, to say the least.

I think that that's just one small example of what happens when you can't depend on the government funding to be there, to be stable, and to be consistent. Even once it's passed in a budget, you still can't depend upon it because somewhere down the road during that budget year the government may change and change plans. It

just seems an incredibly poor way to be delivering services and programs to Albertans.

9:40

I think there are a number of examples of changes and midyear changes that can also be cited: the changes to the contractors in Children's Services, a great number of people who had spent a lot of energy and a lot of their life putting services in place only to find that their contracts were discontinued. Questions about how the finances are being handled by the department: we get no information when we have the requests in a document such as appears before us this evening.

I think the third thing I would like to indicate, Mr. Chairman, is that there has to be a better way. We heard some of the reports out of the Future Summit, requests that echoed the requests we've had for a stability fund. Now, whether a stability fund would have been applicable in this situation – probably not. But I think it does ask the government, because this goes on year after year after year, to at least take the problem seriously and to address it so that next year prior to budget time we're not going through this same exercise as we have year after year. Surely, given the kinds of mechanisms the government has put in place for the financial management of the province, there are ways that this kind of asking for money before the budget is passed can be reduced or eliminated.

One of the obvious things is to pass a budget before the end of the year. I go back to my experience with school boards, where that became the rule, that you had to have in place your budget before the school year began. That only made good sense.

I think we're all very supportive of the unintended or the unpredictable. I don't think anyone in the House would argue that the government shouldn't have the freedom to come forward and ask for funds when unfortunate mishaps or something entirely unpredictable happens. I think, should that be the case, that it would certainly be entertained with support by the Legislature. But it's the predictable; it's what we know is going to be there. It's the costs that we know are going to be incurred coming before the Legislature year after year, where we pass a good portion of the budget before we ever have an opportunity to look back at the progress of the previous year, where we never have the opportunity to look at progress toward targets, where we don't have the opportunity to look at performance measures, and we don't have the opportunity to assess the appropriateness of the government's previous year's plans before we are already approving a couple of months' worth of expenditures for the next year. I think it's just a poor way, Mr. Chairman, for the government to be conducting business in the province.

I think with those comments I'll conclude, Mr. Chairman. Thank you.

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

MR. BONNER: Thank you very much, Mr. Chairman. I welcome the opportunity to speak to the interim supply estimates for 2002-2003 and certainly to make some comments in regard to what other speakers have indicated here in the House this evening.

Certainly these are funds that we are going to be voting on and allocating to keep many of our programs going through April and May of this current year. I also see that these are categorized into operating expenses, which includes expenses such as salaries, supplies, grants, amortization of capital assets, and debt-servicing costs. Now, these amounts to be voted in are also categorized as capital investment, which includes the acquisition of land, buildings, equipment, highways, bridges, dams, and other capital assets; plus nonbudgetary disbursements, which include the exchange of cash for another form of asset; and lottery fund payments.

The Minister of Community Development certainly spoke and

informed us this evening, and I would have to compliment him. He's come a long way since the days he used to ask: well, what is the difference between a deficit and a debt? I also have to say that we're in full agreement with him as well that we need a budget in place by April 1 as we start our new fiscal year. He also indicated that all we have to do is go out in the community to the hospitals and schools, and we can see where and how our dollars are spent and how many. But unfortunately, no, we cannot see how those dollars are spent and certainly get a handle on where these dollars are going.

It is ironic that here we are asking for moneys to tide us over for the next two months because even though we knew our year-end was going to be March 31, we did not plan this session and have a budget in place which could be passed in time for our April 1 start. Certainly that is not the obligation on this side of the House that was not fulfilled; it is the obligation on the other side.

I also look here and I see that we are asking for \$4 billion to take us to May 31, 2002. Now, this represents 16.6 percent of the year. When we look at the amount that's being requested as a percentage of our total budget of \$21.6 billion from last year, we see that this amounts to 18.5 percent of the budget from last year. So again we are looking at an increase of approximately 2 percent to carry us forward. You're asking for 2 percent more in dollars to cover the portion of the year, so this is again a little confusing. Now, I've read through this book that was provided to determine if some of these costs are front-end loaded or whatever. Does this mean that somewhere down the line we're going to have to perhaps cut 2 percent from everybody's budget throughout the next year because we've got 2 percent ahead? I don't know.

I also know, Mr. Chairman, that if we were to take this piece of information to any bank in this country, or in the world for that matter, and ask for \$4 billion without any breakdown in costs, they would be asking us to leave. Yet we are asking the taxpayers of this province, on the basis of figures like this, for us to pass \$4 billion in spending. These are not good business practices.

As the hon. Member for Edmonton-Mill Woods has stated, we want to be flexible, particularly when we are faced with the unpredictable. We all realize that at times there are going to be unfortunate circumstances that we can't control, and we had a good example here a couple years ago when we had a huge forest fire that raged in northern Alberta, and certainly we required extra funds to pay for that. Those are unpredictable circumstances, Mr. Chairman. We also have the potential this summer of a tremendous amount of problems because of the drought that most of us, I think, are expecting in southern Alberta, again a very unfortunate circumstance and one that we will definitely have to be prepared to pay for if in fact that does occur.

9:50

As well, Mr. Chairman, this certainly again has absolutely nothing in here that would address the roller-coaster economy that we experience in this province. It would be good if we did have some method to smooth out our spending, because we do know that our revenues certainly do fluctuate and that that is required.

Now, then, the hon. Member for Edmonton-Centre mentioned our need for equitable, predictable, stable long-term funding. Again, when our municipalities, when our road builders in this province, when our school boards, when our health authorities are all asking for this type of funding and certainly we cannot see far enough ahead that we require these moneys to start the fiscal year, then we still have not learned our lessons here.

The hon. Member for Calgary-Varsity – and I can always remember from my early days in the House here that one of his common pieces of advice to all members was that you have to plan

your work and work your plan. Now, we know that we need these moneys on April 1. That would be the plan to have these moneys available, but this type of budgeting certainly is not working our plan very well.

So we do have, Mr. Chairman, a lot of room for improvement here rather than on so many occasions having to revert to interim supply to carry us through. This seems to happen on a yearly basis, and we do know that there are many mechanisms which would be preferable, which would, if instituted, get away from this type of supply. We should have a budget that's presented in this House that could be voted on and be in place before the end of the year, and we would certainly not have to go to interim supply. Yes, there are some cases when we do have to go to extra funding, when we do have the unpredictable and unfortunate circumstances, but for predictable costs and predictable times this is a very poor answer.

I do know that if the former hon. Member for Calgary-Buffalo were here, he would certainly be saying something along the lines like: history is a torch that illuminates the future. What we have to do in this House is look at how we've conducted our business over the years and look at that example and see how we can do it better in the future.

Thank you.

MS BLAKEMAN: I just had one brief question back to the Deputy Government House Leader, the Member for Edmonton-Mill Creek. My question was: if the budget for 2002-2003 had been introduced, debated, and passed prior to March 31, 2002, would the government have needed an interim supply estimate? I think the answer is no, in which case all of my comments on poor planning stand.

Thanks very much.

THE CHAIR: Are you ready for the question?

HON. MEMBERS: Yes.

Agreed to:

Legislative Assembly

Support to the Legislative Assembly

Operating Expense \$8,735,000

Office of the Auditor General

Operating Expense and Capital Investment \$2,700,000

Office of the Ombudsman

Operating Expense \$400,000

Office of the Chief Electoral Officer

Operating Expense \$500,000

Office of the Ethics Commissioner

Operating Expense \$95,000

Office of the Information and Privacy Commissioner

Operating Expense \$805,000

Government

Aboriginal Affairs and Northern Development

Operating Expense \$11,005,000

Agriculture, Food and Rural Development

Operating Expense and Capital Investment \$102,155,000

Children's Services

Operating Expense \$121,930,000

Community Development

Operating Expense and Capital Investment \$125,310,000

Economic Development

Operating Expense \$8,565,000

Energy

Operating Expense and Capital Investment \$40,525,000

Environment		expense, \$400,000; office of the Chief Electoral Officer, operating expense, \$500,000; office of the Ethics Commissioner, operating expense, \$95,000; office of the Information and Privacy Commissioner, operating expense, \$805,000.
Operating Expense and Capital Investment	\$34,140,000	
Executive Council		Aboriginal Affairs and Northern Development: operating expense, \$11,005,000.
Operating Expense	\$3,765,000	Agriculture, Food and Rural Development: operating expense and capital investment, \$102,155,000.
Finance		Children's Services: operating expense, \$121,930,000.
Operating Expense and Capital Investment	\$15,325,000	Community Development: operating expense and capital investment, \$125,310,000.
Nonbudgetary Disbursements	\$15,260,000	Economic Development: operating expense, \$8,565,000.
Gaming		Energy: operating expense and capital investment, \$40,525,000.
Operating Expense	\$51,115,000	Environment: operating expense and capital investment, \$34,140,000. Executive Council: operating expense, \$3,765,000.
Lottery Fund Payments	\$234,685,000	Finance: operating expense and capital investment, \$15,325,000; nonbudgetary disbursements, \$15,260,000.
Government Services		Gaming: operating expense, \$51,115,000; lottery fund payments, \$234,685,000.
Operating Expense and Capital Investment	\$48,945,000	Government Services: operating expense and capital investment, \$48,945,000.
Health and Wellness		Health and Wellness: operating expense and capital investment, \$1,529,985,000.
Operating Expense and Capital Investment	\$1,529,985,000	Human Resources and Employment: operating expense and capital investment, \$318,435,000.
Human Resources and Employment		Infrastructure: operating expense and capital investment, \$279,530,000.
Operating Expense and Capital Investment	\$318,435,000	Innovation and Science: operating expense and capital investment, \$64,000,000.
Infrastructure		International and Intergovernmental Relations: operating expense, \$1,825,000.
Operating Expense and Capital Investment	\$279,530,000	Justice: operating expense and capital investment, \$47,240,000.
Innovation and Science		Learning: operating expense and capital investment, \$588,420,000; nonbudgetary disbursements, \$27,125,000.
Operating Expense and Capital Investment	\$64,000,000	Municipal Affairs: operating expense and capital investment, \$65,480,000.
International and Intergovernmental Relations		Revenue: operating expense and capital investment, \$6,845,000.
Operating Expense	\$1,825,000	Seniors: operating expense and capital investment, \$47,620,000.
Justice		Solicitor General: operating expense and capital investment, \$46,510,000.
Operating Expense and Capital Investment	\$47,240,000	Sustainable Resource Development: operating expense and capital investment, \$101,915,000.
Learning		Transportation: operating expense and capital investment, \$139,000,000.
Operating Expense and Capital Investment	\$588,420,000	
Nonbudgetary Disbursements	\$27,125,000	
Municipal Affairs		
Operating Expense and Capital Investment	\$65,480,000	
Revenue		
Operating Expense and Capital Investment	\$6,845,000	
Seniors		
Operating Expense and Capital Investment	\$47,620,000	
Solicitor General		
Operating Expense and Capital Investment	\$46,510,000	
Sustainable Resource Development		
Operating Expense and Capital Investment	\$101,915,000	
Transportation		
Operating Expense and Capital Investment	\$139,000,000	

10:00

THE CHAIR: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. There being no further members who wish to speak at the appropriate time, we have made very good progress, and as a result I would move that the committee now rise and report the vote.

[Motion carried]

[The Deputy Speaker in the chair]

MR. KLAPSTEIN: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following departments.

Interim estimates for the fiscal year ending March 31, 2003.

Support to the Legislative Assembly, operating expense, \$8,735,000; office of the Auditor General, operating expense and capital investment, \$2,700,000; office of the Ombudsman, operating

expense, \$400,000; office of the Chief Electoral Officer, operating expense, \$500,000; office of the Ethics Commissioner, operating expense, \$95,000; office of the Information and Privacy Commissioner, operating expense, \$805,000.

Aboriginal Affairs and Northern Development: operating expense, \$11,005,000.

Agriculture, Food and Rural Development: operating expense and capital investment, \$102,155,000.

Children's Services: operating expense, \$121,930,000.

Community Development: operating expense and capital investment, \$125,310,000.

Economic Development: operating expense, \$8,565,000.

Energy: operating expense and capital investment, \$40,525,000.

Environment: operating expense and capital investment, \$34,140,000. Executive Council: operating expense, \$3,765,000.

Finance: operating expense and capital investment, \$15,325,000; nonbudgetary disbursements, \$15,260,000.

Gaming: operating expense, \$51,115,000; lottery fund payments, \$234,685,000.

Government Services: operating expense and capital investment, \$48,945,000.

Health and Wellness: operating expense and capital investment, \$1,529,985,000.

Human Resources and Employment: operating expense and capital investment, \$318,435,000.

Infrastructure: operating expense and capital investment, \$279,530,000.

Innovation and Science: operating expense and capital investment, \$64,000,000.

International and Intergovernmental Relations: operating expense, \$1,825,000.

Justice: operating expense and capital investment, \$47,240,000.

Learning: operating expense and capital investment, \$588,420,000; nonbudgetary disbursements, \$27,125,000.

Municipal Affairs: operating expense and capital investment, \$65,480,000.

Revenue: operating expense and capital investment, \$6,845,000.

Seniors: operating expense and capital investment, \$47,620,000.

Solicitor General: operating expense and capital investment, \$46,510,000.

Sustainable Resource Development: operating expense and capital investment, \$101,915,000.

Transportation: operating expense and capital investment, \$139,000,000.

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

HON. MEMBERS: Agreed

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Thank you to all members of the House for their contribution to a very exciting, stimulating, and scintillating debate this evening. In view of the excellent progress made, I would move that the House now stand adjourned until 1:30 p.m. tomorrow.

[Motion carried; at 10:10 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, March 12, 2002**

1:30 p.m.

Date: 02/03/12

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. Our Father, we thank You for Your abundant blessings to our province and ourselves. We ask You to ensure to us Your guidance and the will to follow it. Amen.

Please be seated.

head: Introduction of Visitors

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It is my pleasure this afternoon to introduce Mr. Ernie Isley, former Member of the Legislative Assembly, who is seated in your gallery. Mr. Isley represented the Bonnyville constituency from the 19th through the 22nd Legislature. I would ask Mr. Isley to please rise and receive the traditional warm welcome.

head: Introduction of Guests

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

MR. LUKASZUK: Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you a number of members of the Holy Rosary club, fine individuals of Polish descent. I guess that would be synonymous. Among them is Mr. Marian Hajdasz, president; Tadeusz Szczepanski, first vice-president; Clarence Jarock, second vice-president; Agnes Jarock, treasurer; Walter Linkewich, secretary; and all board members. I would ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. It's a real pleasure today to stand and introduce to the Legislative Assembly a person who's looking down from the top now when he used to sit down here with us. Mr. Percy Wickman is here to join us. Percy, wave up there, and everybody give him a round of applause.

Mr. Speaker, I also have two other introductions I'd like to make. Mr. Len Borowski and Mr. Ross Demkiw are in the public gallery. They were candidates that ran in the last election for us. I'd just like them to stand and be recognized as coming in to look at what's going on here now.

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

MR. MAR: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to members of the Assembly Mr. Joachim Lemaire. Joachim is from northern France, and he is in Edmonton as part of the Edmonton Glenora Rotary Club student exchange program. A part of that exchange program requires students to attend high school in their host country, and even though Joachim graduated from grade 12 in France, he is attending Eastglen high school here in the city of Edmonton. Over the course of the year Joe will be living with three different Glenora Rotary families. His current family is Margot Ross-Graham and her husband, Mick

Graham, and their three children. I had the good fortune of being able to meet Joe and his host earlier this afternoon, and I would ask that the two of them please rise and receive the warm traditional welcome of this Assembly.

head: Oral Question Period

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

Education System

DR. NICOL: Thank you, Mr. Speaker. After his last meeting with the Premier, Larry Booi said:

From the beginning, teachers have been concerned about classroom conditions, fair salaries and initiatives to recruit and retain teachers . . . and it is important that the . . . process provide an opportunity for all three concerns to be raised.

My question is to the Premier. Why is the Premier misrepresenting the position of the elected president of the ATA and the thousands of teachers that he represents?

MR. KLEIN: Mr. Speaker, far be it from misrepresenting the president of the ATA. As a matter of fact, that's precisely what we have in mind: to address those particular situations through a blue-ribbon panel or a commission or some form of process that has yet to be determined to address a multitude of issues facing education today.

THE SPEAKER: The hon. Minister of Learning to supplement?

DR. OBERG: Yes. Thank you, Mr. Speaker. There are just two things that I wanted to add if I may quote to you, and this is from the ATA web site. March 4: ATA President Larry Booi meets with Premier Ralph Klein and subsequently with Minister of Learning, Dr. Lyle Oberg, and Minister of Human Resources and Employment, Clint Dunford. The Premier agrees to bring to caucus and cabinet for discussion two potential approaches to resolving disputes: number one, initiating an arbitration process and, number two, establishing a commission to investigate teaching and learning conditions. Right from the ATA web site.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Arbitration procedures can include more than just wages and salaries.

My second question is to the Premier. Is it the government's policy to make no commitment to improving the conditions of schools in this province over the course of the upcoming teachers' contract and in the current negotiations?

MR. KLEIN: Mr. Speaker, we have committed to take a good hard, thorough look at the situation. Putting those kinds of conditions in a contract doesn't really solve a thing, because as I explained in this Legislature yesterday, one size simply does not fit all. What we need to do – and Mr. Booi agrees – is to have a full and thorough examination of education to ensure its sustainability for future generations. That's what it's all about.

THE SPEAKER: The hon. Minister of Learning to supplement.

DR. OBERG: Thank you, Mr. Speaker. Once again I will quote from the ATA web site.

Impending changes in education point out the need for teacher-

board cooperation. Neither party can operate in a vacuum and expect complicated problems to be resolved during the heat of regular collective bargaining.

DR. NICOL: Good negotiation includes all the conditions, Mr. Speaker.

My final question to the Premier: can the Premier explain why his legacy to Albertans will be overcrowded classrooms, overworked teachers, and no extra help for special-needs students?

MR. KLEIN: Mr. Speaker, nothing could be further from the truth. Notwithstanding our commitment to look at education, to ensure sustainability of education for future generations, we have provided in our budgets reasonable increases to accommodate precisely what the hon. Leader of the Opposition pointed out.

To explain the amount of extra money we have put in to accommodate special needs, to accommodate early literacy programs, to accommodate a number of issues, I will have the hon. minister supplement.

DR. OBERG: Thank you very much, Mr. Speaker. Special needs in itself has more than doubled, from around \$158 million to a little over \$300 million in the last five years. When it came to special needs, we had a full review on this involving all of the stakeholders. There were some 20 or 30 stakeholders. They brought back 66 recommendations, all of which we accepted. This government, this department accepted each and every one of them.

When it comes to class size – and this, you will be pleased to know, will be my last quote of today: “I am the first to admit that class size alone doesn’t make a difference.” That was the hon. Member for Edmonton-Mill Woods in his response to the Speech from the Throne.

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

Money Not Spent during Teachers’ Labour Dispute

DR. NICOL: Thank you, Mr. Speaker. The government has saved over \$50 million as a result of the teachers’ strike. According to the Premier last Thursday, not a single penny of these dollars will go directly back into education. That money will instead be put into general revenue. My questions are for the Premier. How can the Premier justify not putting the money saved as a result of the teachers’ strike directly back into the education budget?

MR. KLEIN: Mr. Speaker, this is money that wasn’t spent within the budget, and it goes to other priority areas. I would remind the Leader of the Official Opposition that education, albeit very important, extremely important, is a priority area, but there are other priorities. We have a multitude of issues to deal with that require money. They complain that every single thing we do is underfunded. Underfunded. So this money will go to address some of those problems, the problems that they have brought up. We have infrastructure problems. We have problems related to seniors. We have problems certainly related to health. We have problems related to sustainable resource development, children’s services, transportation, PDD boards, administration of justice, municipalities. You name it; we’ve got it. So that money will be put to good use indeed.

1:40

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why will the Premier not

make this money available to school boards to cover the additional costs that are going to be associated with this arbitration and with the settlement? They need that money in education, Mr. Premier.

MR. KLEIN: Mr. Speaker, this government did not go out on strike. This government did not go out on strike. The \$50 million that was budgeted for teachers’ salaries was not used. It goes back into the general revenue fund and is used as the government deems appropriate. I can tell you that those dollars will be used in priority areas to address many of the urgent needs that I’ve previously outlined.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why won’t you give that money back to the school boards to cover the costs that are associated with this arbitration process that you’ve put in place? That’s going to increase their costs over and above what was in the budget before. They deserve that money, Mr. Premier.

MR. KLEIN: Mr. Speaker, first of all, these will be onetime dollars. I can’t in my wildest dreams imagine that this arbitration process is going to come anywhere near \$50 million.

I’ll have the hon. minister supplement.

DR. OBERG: Yes. Thank you, Mr. Speaker. For every 1 percent increase in teachers’ salaries around the province it costs us roughly \$23 million. The key component here is that those dollars are ongoing. They are not onetime dollars. The savings that were retained from the strike were a little over \$50 million. According to our accounting practices, those dollars have to be put back into general revenue.

I will not comment on the upcoming budget, but I think that people will be more than pleasantly surprised as to what occurs.

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

Teachers’ Labour Dispute

DR. MASSEY: Thank you, Mr. Speaker. The Premier and his Minister of Learning have acted like vigilantes, sniping at teachers and poisoning the atmosphere in schools across this province. My questions are to the Premier. How have the Premier’s attacks on teachers improved the learning atmosphere in our schools?

MR. KLEIN: Mr. Speaker, the preamble to the question is entirely wrong, which made the question invalid, because we have not in any way, shape, or form tried to undermine the value of the teachers. We have not attacked the teachers, we have not acted as vigilantes, and we are not in any way, shape, or form poisoning the classroom situation, so the question is invalid.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the Premier: how does the Premier’s teacher-bashing lure bright students into the profession and retain teachers in the schools? Just how does he intend to do it?

MR. KLEIN: Mr. Speaker, again the preamble to the question, you know, where he alludes to teacher-bashing, makes the question invalid. One relates to the other, and we are not teacher-bashing. Why would we teacher-bash? There are 20 teachers in our caucus.

DR. MASSEY: To the Premier, Mr. Speaker: how does taking away teachers' right to assemble and violating their Charter rights improve the atmosphere in our schools?

MR. KLEIN: Mr. Speaker, I have never in my life heard anything so ludicrous, so ridiculous, so untrue. Teachers can assemble anytime, anywhere, anyplace that they want to assemble: in the lunchroom, in front of the Leg., in the hon. member's office if he wants them to assemble there, in town halls, in church basements. Wherever they want to assemble, they can assemble.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Whitecourt-Ste. Anne.

Teachers' Arbitration Legislation

DR. PANNU: Thank you, Mr. Speaker. One week ago the province's teachers offered this government labour peace, asking in return only for a fair and unbiased arbitration process. The Premier did a total flip-flop last week, first agreeing with the teachers and then doing a complete reversal, throwing statesmanship to the wind, ending up in vindictiveness. My question to the Premier: how can the Premier possibly justify double-crossing Alberta's teachers through his government's reprehensible and unacceptable actions?

MR. KLEIN: There was no double cross. Nothing was reprehensible, Mr. Speaker. To enlighten the hon. member of the third party, there was a process, and indeed the decision to bring in the legislation was taken after considerable debate and consideration.

I'll go through the process. The notion of legislation, whatever that legislation might be, was first brought to agenda and priorities a week ago Monday. It was then taken to cabinet. It was then taken to caucus. While that process was going on, I had the opportunity of meeting with the president of the ATA and the president of the Alberta School Boards Association. The draft legislation was then taken to agenda and priorities again. It was then taken again to caucus. So there was a very thorough process and, I can assure you, a very lengthy and considered and intelligent debate on this issue before the legislation was brought forward, Mr. Speaker.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Why did the Premier cave in to his Minister of Learning and the right-wing hawks in his own caucus, who have for months been demanding that government extract its pound of flesh from the teachers?

MR. KLEIN: Mr. Speaker, that simply is not true. There's been no discussion whatsoever about extracting a pound or an ounce of flesh from the teachers.

Relative to the minister's role in all of this, I'll have him respond.

DR. OBERG: Thank you very much, Mr. Speaker. The Premier is absolutely correct. When Mr. Booi came and met with, first, the Premier and, secondly, with the Minister of Human Resources and Employment and myself, the issue, as I read from these quotes on the ATA web site, about class size, the issue about instructional time, PTRs were all to be put forward to a commission, a summit, an investigation of the learning system, which will take place this fall. We did agree to that. The president of the ATA also stated that he wanted a very narrow focus on the arbitration. He did ask for legislation with binding arbitration. He wanted a narrow focus. What I will say, though, is that the president of the Alberta

Teachers' Association did not ask for school boards not to be able to run a deficit.

There is another party to this matter. That other party is the employers, whom we subsequently met with, who put forward their case to the same group of people. One of the conditions that they demanded was that they cannot run a deficit. So, Mr. Speaker, we attempted to marry the two that were put forward to us, and you subsequently have that legislation, which will be discussed later on today.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My final question to the Premier: why did the Premier decide to be so utterly callous and decide to return the goodwill of teachers with the most draconian piece of legislation that has ever been introduced in the entire political history of this province?

MR. KLEIN: Mr. Speaker, the legislation now being debated is far from draconian, and it certainly is not callous. As a matter of fact, the majority of the legislation is in accordance with what the president of the ATA and the president of the ASBA requested.

We have brought forward legislation that keeps students in class – of no concern to the socialist NDs, no concern whatsoever. Students, you know, don't pay unions dues, so why think about them. Many of them aren't active contributors to the ND Party, so forget about the students. You know, the NDs want us to forget about the students. Well, we want to think about the students. They are the most important people in this debate.

1:50

The arbitration process provides for a fair salary settlement that will at the very least make Alberta teachers the best paid on average in Canada, which they already are, Mr. Speaker, and establishes a high-level review of longer term issues in education. That's what's important. We've committed to that. We want to achieve sustainability in education for future generations.

Maintenance Enforcement Program

MR. VANDERBURG: Mr. Speaker, in the past year ATCO Gas sold off its Viking-Kinsella natural gas fields and will be disbursing to ATCO Gas customers this month approximately \$405 million in profits from the sale. My question is to the Minister of Justice and Attorney General. I understand your department is making a court-ordered garnishee of these payments to divert into the maintenance enforcement program. Is that true?

MR. HANCOCK: Well, yes, Mr. Speaker. Anytime maintenance enforcement finds a source of money going to somebody who hasn't paid their bills, they garnishee it.

MR. VANDERBURG: Again to the same minister: how many of these court orders will be issued, and what will your department spend to collect \$200 to \$500?

MR. HANCOCK: Well, Mr. Speaker, they aren't court orders. They're simply garnishee summonses. We have a process to take them off the word processing machine. It's a matter of filling in the details as to who is being garnisheered and from what source. I don't know how many pieces of paper are involved in this, but it's simply a matter of maintenance enforcement sending the paper over to ATCO, saying: if you're sending money to these people, please send it to the court instead because we have a garnishee and they haven't paid their bill.

MR. VANDERBURG: My final question again to the minister: I just want to know what this will cost us per garnishee.

MR. HANCOCK: Well, Mr. Speaker, I don't know the exact cost that will be involved, but the bottom line here is that there is a considerable amount of money going out from ATCO Gas to Albertans. Most Albertans will not be affected by the action that is being taken by maintenance enforcement, but those Albertans who haven't paid their maintenance payments to take care of their children will be subject to a garnishee. We garnishee those funds wherever we can find a source of income or a source of funds that somebody is receiving if they have not made their payments to take care of their children. That's what maintenance enforcement is about. We make no apologies for that, and we will be garnisheeing those moneys.

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

Health Care Premiums

DR. TAFT: Thank you, Mr. Speaker. Based on the numbers from the Alberta School Boards Association, this province's school boards will be out of pocket up to \$8 million annually when health premiums rise. In addition, teachers will see up to \$3 million stripped off their paycheques every year because of premium hikes. To the Premier: how can the Premier justify an \$11 million claw-back of funds from classrooms and teachers?

MR. KLEIN: Relative to premiums, that issue will be addressed in the budget, Mr. Speaker. But to speak generally to the issue of premiums, premiums were introduced in this province to give Albertans an understanding that there is a cost associated with the delivery of health care services. It's not hidden in a payroll tax or other kinds of taxes; it's up front. Originally premiums were to cover 20 percent – two zero percent – of all insured services. They now cover 11 percent. What we're attempting to do in accordance with the recommendation in the Mazankowski report is bring those premiums in line with the true cost of delivering insured services.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. So what's the sense in paying provincial funds to school boards, only to strip those funds back from those boards?

MR. KLEIN: Mr. Speaker, it's not only school boards. If indeed we deal with this, everyone will be involved. This is not peculiar or specific to school boards. It is a fact of economics that we need to make adjustments to the health care premiums to reflect the true cost of delivering insured services.

DR. TAFT: Will the Premier admit that higher health care premiums are certain to have a direct impact on classroom funding?

MR. KLEIN: Mr. Speaker, any adjustment to health care premiums upwards will have a direct impact on the payroll of every single employer in this province that pays a portion of health care premiums. For those who don't pay a portion of health care premiums, of course it will have no impact. I would suggest that there are literally thousands of employers – businesses large and small, public institutions large and small – that pay all or a portion of their employees' health care premiums, and yes, they will be

affected. But don't try to intimate in any way, shape, or form that this is exclusive and specific to school boards. It's not.

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

Seniors' Benefit Program

MS KRYCZKA: Thank you, Mr. Speaker. Thousands of lower income Alberta seniors live better quality lives due to the provincial government's seniors' benefit program, which is one of the best in Canada. However, yesterday morning I learned that there is concern in Calgary that, to quote, seniors' benefits offices will be closed in Calgary, Red Deer, and Cochrane. My main question is to the Minister of Seniors. Is this rumour accurate, and if not, could the minister clarify what is happening, if anything?

THE SPEAKER: The hon. minister.

MR. WOLOSHYN: Thank you, Mr. Speaker. The offices will be relocated in Calgary, Lethbridge, and Red Deer. With respect to Calgary, we've entered into a contract with the Kerby Centre, and what was previously administered through a government office will now be handled in the Kerby Centre. They do an awful lot of good work with seniors, and we felt that it would enhance their operations. Certainly having a contract with Kerby is a benefit to all seniors in the Calgary area. There won't be any interruption of service. As a matter of fact, it will be improved.

In addition, we've also arranged with the Lethbridge Senior Citizens Organization a similar kind of arrangement where our office will be housed in their facilities, again with the intention of bringing the service closer to the user; namely, in both cases the senior.

In Red Deer we're currently having discussions with the Golden Circle Resource Centre to see if we can find some better way of delivering information in that city also.

The other service centres – namely, Edmonton, Stony Plain, Medicine Hat, St. Paul, and Grande Prairie – will remain for the time being as they are.

THE SPEAKER: The hon. member.

MS KRYCZKA: Thank you, Mr. Speaker. I do have a supplemental to the same minister. Could the minister inform us of the date that these changes will take effect and any other changes that seniors should know as a result; for example, a change in telephone numbers for seniors' inquiries?

MR. WOLOSHYN: The changes will be effective on April 1, and I would stress that the seniors, if they do want to make a call, stick with the provincewide seniors' information line. In that way, there won't be confusion with the numbers in the interim.

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

Children's Services Fatality Investigation

MS BLAKEMAN: Thank you, Mr. Speaker. In December of last year a child in the care of Children's Services escaped from his group home and later froze to death after a drinking party. My questions are all to the Minister of Children's Services. Why did the minister not hold a special case review of this teenager's death?

MS EVANS: Mr. Speaker, there will be, in fact, a special case

review of this teenager's death. Let me just cite further that there have been, I believe, allegations in this House before that there wasn't follow-through on behalf of this child when in actual fact the child and family services authority staff had contacted the RCMP immediately. This is, like all of the deaths of children, an absolutely tragic situation. It's a situation where supports were provided and where the child chose to make other choices on his own behalf. Again, some children that are severely at risk who have been apprehended, have been protected, have been cared for then find ways on their own to leave the group home, and it's most unfortunate.

2:00

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Well, given that this seems to be an issue, why does the department not have standards and procedures in place to protect these children who have a track record of running away? Why is this a surprise? Why isn't something in place?

MS EVANS: Well, Mr. Speaker, there are standards in place to protect children, and rarely but sometimes children will find their own means of being able to convince adult support workers that they are managing appropriately. This is a very frequent phenomenon associated as well with suicides, where children, once they've arrived at a certain decision, will put in things, little blocks, little ways of telling people that they're going to do something quite differently than they're going to do. They may illustrate for a period of time absolute trustworthiness and then break the pattern. It's something that they've already preplanned. In this situation we don't know all of the circumstances. It will be part of a special case review with a special case review panel.

Mr. Speaker, quite recently I've determined that we will look again at the special case review process to see if there are other ways of enhancing the process so that we can look at all of the practice issues concerned, involve the College of Social Workers where appropriate and look at expanding the role. It is something that has been reviewed for a period of time in conjunction with the Minister of Justice and the medical examiner as we look at the practices of the fatality inquiry and to see whether or not there are ways of reviewing all parts of the situation where we have the unfortunate tragedy of losing a child, to see if we can do better, learn more, and improve our practices throughout.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Well, thank you. Is one of the things that you looked at making a full public fatality inquiry automatic every time a child in care dies?

MS EVANS: Well, Mr. Speaker, it's very interesting that the hon. member raises this. There are parts of models throughout Canada that we're looking at, most particularly in British Columbia, where there are fatality inquiries involved with a much-expanded mandate for the number of children that die, not only children that may die during a period while they're in care but all children. For example, in Alberta that would include over 450 children if we looked at the situation of all children whose deaths have occurred and say: all right; what has happened in this particular situation? So prior to the Child Welfare Act being tabled in this House, something we intend to do hopefully in the next year or in the spring of next year, we will have examined that issue thoroughly. There is work being done currently in Children's Services to examine that issue and work

being done with the other cross-ministry initiatives that are part of how we look at taking care of children better.

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

Mountain Pine Beetle Control

MR. STRANG: Thank you very much, Mr. Speaker. Infestations of mountain pine beetle can devastate pine forests in western North America. In British Columbia the current pine beetle infestation is now the largest in B.C.'s history, affecting more than 600,000 hectares and damaging \$4.2 billion – and that's billion dollars – worth of timber. My question is to the Minister of Sustainable Resource Development. What steps is your department following to prevent the same devastating infestation in Alberta?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That is truly an important question because forestry continues to be an important industry here in Alberta. We do have a very efficient beetle monitoring system in place here in Alberta. We monitor beetle infestations in fact in B.C., the U.S., and also the national parks to determine the threat or the potential threat to Alberta. We also use some special traps to assist us in monitoring the numbers of beetles that may be entering our forested areas in Alberta. Also, we are currently planning control measures with Banff national park, and with their co-operation, of course, we hope to take actions that will slow the beetles' movement into Alberta this spring.

THE SPEAKER: The hon. member.

MR. STRANG: Thank you, Mr. Speaker. My first supplemental question is to the same minister. Can the minister tell the Assembly if these preventative steps are being done in time to control mountain pine beetle populations in the province of Alberta?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Yes, Mr. Speaker. If necessary, we can take extraordinary measures under the Forest and Prairie Protection Act. In fact, going back, by acting quickly, Alberta successfully dealt with a major outbreak in the southeastern slopes in the early '80s at a cost of around \$6.2 million. Our target is of course to control major outbreaks within one year of discovery. Currently there are no major infestations in the eastern slopes. This could change rapidly if Banff infestations are not controlled, and we will of course continue monitoring the situation.

THE SPEAKER: The hon. member.

MR. STRANG: Thank you, Mr. Speaker. My second supplemental question is to the same minister. How does your department know that its control activities are working?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. Just very briefly. We are focused in our efforts, of course. Alberta has been fortunate to have experienced only two outbreaks since 1985, and no sustained beetle populations were detected in the province until early 1997, in Banff actually. My department, of course, will develop an emergency process and response to the issue in order to deal with it.

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

Children's Services Standards and Policies

MS CARLSON: Thank you, Mr. Speaker. There are still many questions that the minister has left unanswered about the death of a teenager in Grande Prairie while in government care. My questions are all to the Minister of Children's Services. Why is it that the minister is taking more than three months to decide whether or not she should call a special case review in the instance of this death?

MS EVANS: Mr. Speaker, the hon. member opposite seems to create an impression that it's at the whim of the minister whether or not a special case review is called, and that's not the case. It is absolutely policy that the deputy minister, when the time is appropriate, engage in putting together a recommendation to the minister for the evolution of a special case review. Yes, it happens, and it's a matter of sequence when we've got all of the facts and everything ready to follow through with.

In some cases, Mr. Speaker, we're more expedient than in others. It depends entirely on some of the situations that are going on both within the authority and in the case that's involved. It's no mystery. There will be a special case review that will in fact provide recommendations back through the department as well as address the issues that may emerge as a result of the review of the authority.

MS CARLSON: Well, Mr. Speaker, maybe she can answer this question. Why did they take a child into care like this, who is a security issue and at risk for running away, when they can't provide those facilities? She has told us in this House that she is unable to provide those kinds of secure facilities.

MS EVANS: Mr. Speaker, there are some issues that relate to particular cases that are confidential in nature, and I will withhold response on any particular details. This is not unlike many of the other situations where tragedies occur, where there are some circumstances which cannot be divulged in the House. Last week we released a report with considerable portions of that report severed. It should be a clear indication under our laws and the protection of information that we do not release all of the details. However, I can assure the hon. member that we continue to work in the best interests of the children.

2:10

MS CARLSON: Mr. Speaker, the last report from this office showed that there were no standards. Is that going to be the outcome of this report as well?

MS EVANS: Mr. Speaker, the hon. member leads this House in a direction which is totally inappropriate. There are standards. There are standards that deal with private guardianship. There are standards that deal with tragedies that emerge that involve children. In the last-referenced document, which resulted in response to the deaths of the children from Slave Lake, there was an acknowledgment that in the case of private guardianship, it would be worthy of clarification. It did not seem to imply or it should not be taken implicit that in all of those areas – i.e., in private guardianship – we don't have policy and standards and that they are not throughout our ministry and perhaps even in other parts of that particular authority. That authority and that report identified one area, and to gather that information and infer that we do not have standards and policies throughout Children's Services is an absolute injustice to the people that know thoroughly that there are policies in place.

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

Teachers' Labour Dispute

(continued)

MR. MASON: Thank you very much, Mr. Speaker. Last week the Premier met with the president of the ATA in his office. It seemed at the time that a degree of agreement was achieved. Yesterday the Premier repeatedly quoted Mr. Booi out of context in order to justify his betrayal of Alberta's teachers. To the Premier: when the Premier agreed to refer the arbitration process to cabinet and to the Tory caucus, did he indicate to Mr. Booi that this process would goose-step over teachers' collective bargaining rights by taking away their right to strike?

MR. KLEIN: Mr. Speaker, what I conveyed to the two ministers involved and what I conveyed to caucus was an honest portrayal of what was conveyed to me by Mr. Booi. Again I find it very difficult to provide an appropriate and a meaningful answer to a question that had as its prelude such a vicious and unthoughtful prelude.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, I think we're getting somewhere.

Did the Premier tell Mr. Booi that the arbitration board will be legally prevented from approving any contract which would cost the government even a single nickel more than they've already budgeted?

MR. KLEIN: Well, Mr. Speaker, the arbitrator will make the determination. We provide in the budget what we deem as a Legislature to be appropriate for the operation of schools in this province – it's as simple as that – with the local jurisdiction ultimately – and this will be after this arbitration process takes place – to determine how those dollars are to be spent.

MR. MASON: Mr. Speaker, did the Premier tell Alberta's teachers that the process he had in mind would set up the government as judge, jury, and executioner?

MR. KLEIN: Mr. Speaker, you know, again I don't know what the NDs are striving to do, other than to denigrate really the decorum and the dignity of this Legislature by using such words as callous, pound of flesh, vigilante, goose-step, slavery, fascist, totalitarianism, you name it, and the list goes on and on.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Glenarry.

Charging Inmates User Fees

MR. CENAICO: Thank you, Mr. Speaker. It is reported that a county in Massachusetts, United States, is going to charge inmates \$5 a day for room, board, and three meals a day in county jails. With today's fiscal realities in mind my questions are to the Solicitor General. Will the Solicitor General examine this program to see if something similar could be instituted in Alberta?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Well, thank you, Mr. Speaker. I'd like to let the Member for Calgary-Buffalo know that officials in my department

will revisit the idea. I've been told that we examined it in the past, but due to legal opinions we received at the time, they felt that Alberta did not have the jurisdiction to charge these types of user fees.

However, I'd like to say that I'm interested in what the member is saying and in looking at new programs, and I plan to find out what's going on in the United States. I want to emphasize, though, that Alberta's provincial correctional centres are already the most cost-efficient in the country. We've had provinces visit us. Our offenders are at a cost of about \$86 a day, half the cost of the federal institutions and about \$40 to \$50 a day less than privatized facilities in Ontario. Mr. Speaker, I also want to emphasize that I'm going to be going to Ontario and looking at their privatized facilities.

MR. CENAIKO: Mr. Speaker, in the same county in Massachusetts inmates also currently have to pay for their own haircuts and transportation. Will the Solicitor General commit to looking to see if these can be implemented in Alberta?

MRS. FORSYTH: Mr. Speaker, I'd like to tell the hon. member that offenders in our correctional facilities already pay for their own haircuts. The conditions in our facilities are very spartan. We're not talking about Club Fed here. If offenders want Club Feds, they have to go to the federal institutions. Our facilities are clean but bare. The food is plain. There are no pool tables. There are no colour TVs, just the black-and-white models that one of our members brought in. In fact, I'm now looking at making all of our facilities smoke free.

MR. CENAIKO: My final question, Mr. Speaker, is again to the Solicitor General. What type of work are inmates required to do while in custody in provincial jails, if any?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. I can tell you that the offenders in our correctional facilities don't lie around all day unless they're sick or they're in court. All sentenced offenders are assigned to work crews. Our young offenders go to mandatory schooling or do various kinds of labour. Last year our inmate work crews provided more than 1 million hours of free community labour worth about \$6 million to Albertans. Our offenders cut firewood, clean trails, pick up garbage, all sorts of things. I want to emphasize that our offenders are not paid to do this work.

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

Children's Services Practices Review

MR. BONNER: Thank you, Mr. Speaker. In the recent case of the twins who died in Thunder Bay, the Minister of Children's Services said that there would be a review of staff accountability. Clearly, two staff members have already been held accountable and been given the entire burden of blame, but whether the minister herself will take any responsibility is still unclear. My questions are to the Minister of Children's Services. Will the minister make public the review of staff accountability, in particular the review of her own accountability?

MS EVANS: Mr. Speaker, we have been very accountable in this. We have been very transparent. We do not release the confidential nature of the human resource consultant review. However, in the

arbitration process which will follow, there will be some discussion about that. In terms of the recommendations in the special case review that deal with policy, throughout the 15 recommendations there is accountability. Regrettably children died, but we took action. We have been accountable.

MR. BONNER: Mr. Speaker, to the same minister: why are child welfare staff being blamed for failing to follow standards and procedures that aren't even in place?

MS EVANS: Mr. Speaker, I believe that all the releases and all the comments made by this minister on this issue were relative not to the standards but to the practice issues. The special case review precipitated some review following the human resource and practice issues. They were not policy issues. They were reviewed by two external legal people that were involved, one a human resource specialist. They were not deemed to be practice issues. In the words of Dr. Charles Ferguson you could have a million dollars and you could have all the policies in the world; the lack of sound decision-making relates to neither one.

MR. BONNER: To the same minister, Mr. Speaker: isn't it your job to make sure that proper standards and procedures are already in place?

MS EVANS: Yes.

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

2:20

Crop Insurance Fund

MR. SNELGROVE: Thank you, Mr. Speaker. The Alberta crop insurance fund is a fund that's built by contributions from the farmers, from the two levels of government. The fund started in 1994 with around \$88 million and went to \$408 million. The interest income on that fund last year was approximately \$24 million. The 30 percent reduction in premiums cost approximately \$23.7 million. Could the Minister of Finance tell us why she felt it necessary to cancel this very successful program which had attracted many farmers to it?

THE SPEAKER: The hon. minister.

MRS. NELSON: Well, thank you very much, Mr. Speaker. This is a very important fund that has been built, again, by a triparty agreement between the federal government, the province, and the producers within this province. It's built on an actuarial basis, where you would have a 25-year sound relationship within the fund to build up an asset base. Decisions on an annual basis as to what to do with the income earned from the fund are made either to enhance the fund, the benefits of the fund, or to look at reductions in crop insurance premiums. Those decisions are not made by the Minister of Finance but, rather, are under the jurisdiction of the Minister of Agriculture, Food and Rural Development, our Deputy Premier, and I'd ask her to supplement the answer.

MRS. McCLELLAN: Mr. Speaker, I dealt with this issue earlier in question period, on the decision to not proceed with the 30 percent reduction in crop insurance premiums this year. In that answer I did indicate that that reduction had been put in place in two crop years, the two past crop years, to offset higher input costs and low commodity prices. As commodity prices have increased, inputs

have settled and somewhat reduced. The decision was made not to proceed with the 30 percent reduction in premiums this year. However, as indicated earlier in my response – and I won't go through all of them today in the interests of time – we were able to provide some enhancements to the crop insurance program which had been indicated to us as important by the producers.

THE SPEAKER: The hon. member.

MR. SNELGROVE: Thank you. Could the ministers commit that the interest or the revenue income from this fund would stay in the fund to be used by producers in the future?

MRS. McCLELLAN: Mr. Speaker, I can certainly answer that question. All moneys that accrued to that fund are held in that fund and are available to ensure that there is a crop insurance fund available in times of call on that fund. So the fund builds over a period of years, as has been indicated. It is to be actuarially sound over a period of 25 years. Some years – and it can be successive years – there are calls on that fund. So it's important that we have a fund basis that actuaries tell us is the appropriate number to ensure that the insurance fund – it is an insurance fund – is there for producers when they need it.

THE SPEAKER: Hon. members, the time for question period has left us. However, the hon. Minister of Transportation wishes to respond to a question raised in the House the other day. As per our tradition, should I recognize the hon. Minister of Transportation, then the hon. Member for Edmonton-Glengarry, from whom the questions originated, would also have an opportunity for a supplemental.

The hon. Minister of Transportation.

Land Acquisition Negotiations

MR. STELMACH: Well, thank you, Mr. Speaker. With respect to the question asked to me by the hon. Member for Edmonton-Glengarry on Thursday, March 7, I would like to advise that negotiations for this piece of property, the campground that he had referred to, took place between Transportation officials and officials from the county of Barrhead. This is an important safety project to remove two high-radius S-curves and straighten out a section of highway 18 through the county of Barrhead. These negotiations were carried out by officials within the parameters of governing legislation, regulations, and operating policies of the government. The department gained four acres of land, which will result in the removal of three very unsafe approaches. The county gained three new approaches and reclamation of an oiled approach. Although the county requested 250 metres to be paved on an adjacent local road, we were unable to accommodate this request due to cost. The full settlement, including the four acres of land, two of which were an operating municipal campground, was an agreed-to amount of \$10,000.

If the Member for Edmonton-Glengarry has any further questions or wants a look at the plan, we'd certainly be able to invite him to the office and research it further.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you very much, Mr. Speaker, for this opportunity. To the minister: given that the province originally sold the land to the county for \$1 and bought the land back for \$10,000 plus three paved approaches, is this a fair bargain for the province in this negotiation?

MR. STELMACH: Mr. Speaker, the original transfer of the campground to the county of Barrhead took place back in 1996, with discussions initiating in 1995. That was at a time when the Department of Environment had to significantly reduce some of its operating costs, part of which was to divest themselves of campgrounds that were rather costly to operate. At that time, there was a significant deficit in the operating of this government. As a result, following those difficult decisions that were made in '94, '95, and '96, what has happened is that we have, of course, additional predictability and stability not only in this government but in its operations, which has now encouraged tremendous unprecedented growth to the province. Part of that growth is not only in people, but it's also in the number of vehicles. As a result, today, in 2002, we have more vehicles and highways. Some of these highways that conveyed less traffic certainly than they do today are now coming up with safety concerns, and we must address them and address them as quickly as possible so we ensure the safety of our traveling motoring public.

head: Members' Statements

THE SPEAKER: Hon. members, before calling on the hon. Member for Calgary-Fort, let me congratulate the following 23 members who on March 12, 2001, joined this Assembly. The hon. members are now celebrating their first year anniversary. To the hon. Member for Drayton Valley-Calmar, the hon. Member for Calgary-Shaw, the hon. Member for Calgary-Buffalo, the hon. Member for Lac La Biche-St. Paul, the hon. Member for Calgary-Bow, the hon. Member for Dunvegan, the hon. Member for Grande Prairie-Wapiti, the hon. Member for Spruce Grove-Sturgeon-St. Albert, the hon. Member for Edmonton-Glenora, the hon. Member for Cardston-Taber-Warner, the hon. Member for Grande Prairie-Smoky, the hon. Member for Calgary-Currie, the hon. Member for Edmonton-Castle Downs, the hon. Member for Edmonton-Meadowlark, the hon. Member for Edmonton-Norwood, the hon. Minister of Economic Development, the hon. Member for Innisfail-Sylvan Lake, the hon. Member for Edmonton-Calder, the hon. Member for Vermilion-Lloydminster, the hon. Member for Edmonton-Riverview, the hon. Member for Whitecourt-St. Anne, the hon. Member for Edmonton-Manning: you are no longer rookies; you've now been here one year.

The hon. Member for Calgary-Fort.

Day with a Doc Program

MR. CAO: Thank you, Mr. Speaker. First I want to thank the Calgary regional health authority for having entertained my request for participating in their Day with a Doc program. My thanks also go to the emergency staff at the Foothills hospital for donning me in a white coat and letting me play pretend doctor. The experience was informative and rewarding for me as an MLA, having hands-on experience. This is one of many of CHR's initiatives to share information and seek input from a variety of stakeholders toward ensuring the sustainability of CHR's world-class health care system.

2:30

I spent the whole afternoon in the emergency ward, starting out with a nurse at the triage desk. I felt the dedicated, professional work of the triage nurses in handling a continuous line of incoming patients. I shared the frustration of people waiting for their turn in discomfort and pain. I saw many ambulance staff who brought in patients and waited patiently for the opening of beds. Dr. Gil Curry allowed me to shadow him around from patient to patient. For the whole afternoon we were on our feet, walking from one case to another, and never sat down.

At times I had a chance to talk to patients themselves. Many patients were senior citizens with previous conditions. There was a mother with her newborn infant, a young worker with his hand nailed to a two-by-four wood block, a number of middle-aged patients with heart and lung problems. All in all, I sensed their confidence in our excellent health care system and our dedicated nurses and doctors, who were working tirelessly in an outstanding team spirit.

I am very pleased with the government's commitment to a sustainable health care system available to all Albertans. It is vital that the change process engages our stakeholders and partners in a rational debate through open dialogues and factual information. With our hands-on experiences I have no doubt that Alberta continues to have the best health care system possible.

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

Ministerial Responsibility

MS CARLSON: Thank you, Mr. Speaker. I rise today to talk about the importance of ministerial responsibility in a democracy. One of the pillars of democracy is accountability of the elected officials to the voters. At regular intervals MLAs are required to set their actions before the voters and ask for a mandate to continue. Within our democracy the bureaucracy is responsible for carrying out the policies of the elected officials. By its nature the bureaucracy is supposed to make sure that every person accessing a particular service is treated fairly, impartially, and without prejudice.

The bridge between the democratically elected officials and the bureaucracy is the office of the minister. The minister is responsible for taking the policies of the elected MLAs to her or his department and implementing programs that reflect these decisions. The minister must also answer to the Legislature when programs do not reflect the will of the elected officials and thereby the desires of the voters. The minister can take the credit for a well-run department and must accept responsibility when the desired outcomes are not achieved. Questions about the successes and failures in a department must start with the minister.

Staff in the bureaucracy are, like any employees in the public or private sector, responsible for their actions. They are required to follow operating policies and procedures and perform their duties to the best of their ability. Staff cannot be blamed for the absence of clear formal operating procedures and policies. Staff cannot be blamed for inadequate funding levels. Staff cannot be blamed for a lack of support resources. Staff cannot be blamed for unreasonable workloads. Staff cannot be blamed when ministries are judged first and foremost on their financial bottom line.

The minister must accept responsibility for ensuring that there are clear formal operating procedures and policies. The minister must accept responsibility for funding, support resources, and workloads. A minister must never scapegoat or blame. Nobody is claiming that it's easy to be a minister, but they are paid to do a job, and the Legislature and the voters expect it to be done.

Alan Anderton

MRS. JABLONSKI: Mr. Speaker, I rise to acknowledge the life and work of Alan Anderton of Red Deer, who was chair of the Persons with Developmental Disabilities Provincial Board until his untimely death on March 10, 2002.

Alan served two terms as provincial chair of the PDD board, chair of the Michener Centre Board, and on the family and social services advisory committee that recommended a PDD program like the one we have today. A motivator and champion of the PDD community,

Alan once said: I believe we can all make a difference and that making a difference is important. This man certainly made a difference to the PDD community in Alberta. His leadership and vision helped earn this program a reputation as one of the best in Canada and earned Alan the respect and admiration of many. Alan brought extensive knowledge and experience from several sectors – business, local government, and voluntary board work – that served him well as PDD chair.

A resident of Red Deer, he was well known as a man who cared about his community and his neighbours. He was elected three times as alderman and mayor of the district of Mackenzie. He also served as the chair of the regional health authority, hospital board, and on the national hospital accreditation committee. Alan held degrees in economics and commerce and an MBA and was a certified management accountant. He worked in the forestry industry, was a business strategist for a publicly traded satellite communications company, and owned and operated a distribution house in western Canada.

Alan Anderton was an Albertan who made a difference. He will be remembered by people from all walks of life, in particular the PDD recipients and families, who are able to live fuller, more satisfying lives in the community thanks to this pioneer and advocate. On behalf of the Legislature I offer our sincere sympathies to Alan Anderton's wife, Corinne, and their four children.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

Warner Civic Centre

MR. JACOBS: Thank you, Mr. Speaker. I rise today to recognize the people who live in the villages of Warner, Coutts, Milk River, and much of the county of Warner. This is a story of people working together to help themselves. It is a story about thousands of volunteer hours of labour and community fund-raisers and significant financial contributions from many local businesses and members of the community.

This is a story about people working together to renovate the Warner Civic Centre, which was built in 1957 and provided the only ice arena between Warner and Great Falls, Montana. The teams that play in this minor hockey league, consisting of several age groups, come from all over southern Alberta as well as from northern Montana. A couple of years ago some people in the community decided that their ice arena needed to be renovated, enlarged, and improved. They recognized the importance of recreation for their youth. This renovation will guarantee that their kids will have a good hockey facility for years to come.

This is a story, Mr. Speaker, of an effort by people to help the survival of rural Alberta. This story shows that people can work together to help create a brighter future for small rural communities.

On Saturday, March 9, 2002, I had the honour of attending the opening ceremonies to celebrate the completion of this renovation. The people have done a great job. The facility is something they can be proud of. There were hundreds of people in attendance from all over southern Alberta and northern Montana. The efforts of civic leaders and volunteers were recognized. I was able to bring greetings on behalf of Premier Klein and the Hon. Ron Stevens, Minister of Gaming, and presented a plaque commemorating the donation made under CFEP and the community lottery board, which, I'm happy to say, to me was a good use of lotto dollars.

Mr. Speaker, I commend the leaders and people involved in this project for their vision and effort. Thank you.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Finance.

Bill 17
Appropriation (Interim Supply) Act, 2002

MRS. NELSON: Mr. Speaker, I request leave to introduce Bill 17, the Appropriation (Interim Supply) Act, 2002. This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 17 read a first time]

head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to table an official letter of sincerest condolences to Corinne Anderton and her family on the very sudden loss of her husband and our good friend, Mr. Alan Anderton. As our Member for Red Deer-North indicated, Alan was indeed an incredible visionary, a tremendously committed hard worker on behalf of PDD, and a great servant to the public of Alberta. We shall all miss him, and we sympathize deeply with Corinne and her family on this sudden loss of a good friend, Alan.

Thank you.

2:40

THE SPEAKER: The hon. Minister of Government Services.

MR. COUTTS: Thank you, Mr. Speaker. I'm pleased today to table five copies of the Alberta Real Estate Foundation 2001 annual report. This is a landmark year for the foundation as they celebrate 10 years of service to the real estate industry as well as Albertans.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today to table the prerequisite number of copies of a letter from Brad Wuetherick, president of the Graduate Students' Association, in support of the student finance and loan amendment act, 2002.

THE SPEAKER: Minister of Learning, it would help, as well, if you would table the document you quoted from earlier this afternoon in the question period.

The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have three tablings today. The first is a letter from Cliff Hansen to the Premier requesting that the Evan-Thomas area be considered for protection. The second is a letter to the Minister of Sustainable Resource Development supporting the Chinchaga wilderness as an officially recognized protection area. The third tabling is two letters from David Donahue, who is also in support of conserving wilderness, particularly pointing out that clear-cut logging is destroying our wildlife and wildlife habitation.

Thank you.

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

DR. TAFT: Thank you, Mr. Speaker. I rise today to table background information on the costs of health care premiums to teachers and the impact that an increase in those premiums may have.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to table five copies of some background information on the costs of health care premiums to school boards.

Thank you.

Privilege
Misleading the House

THE SPEAKER: Hon. members, yesterday afternoon in the Assembly the hon. Member for Edmonton-Highlands rose on a purported point of privilege, and the chair advised certain directions that the hon. member might choose to take, including that of following Standing Order 15(2), where written notice would be provided. The chair did receive by 11:25 this morning a letter from the hon. Member for Edmonton-Highlands that he was choosing to proceed with a question of privilege against the Premier.

The chair will now recognize the hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. The Premier's statements made in this Assembly on February 28 in my view misled the Assembly with respect to the government's intentions regarding the teachers' dispute. I would submit that as we were misled, it interfered in a real and appreciative way with how we as the opposition conducted ourselves with respect to the government's potential actions and the legislation.

Now, Mr. Speaker, the clear distinction between what the Premier said on February 28, which I quoted yesterday, and the content of the legislation did not become apparent, obviously, until the legislation was tabled in the House yesterday. So I rose at that time, having quickly perused the legislation and realized that in fact the Premier's statements to the House in connection with that legislation were clearly misleading to us on this side.

Mr. Speaker, the argument will no doubt be made that this is simply a dispute between members as to facts. I would argue that the features of Bill 12, which were presented yesterday, are so grossly at variance with the Premier's statements that no reasonable person could conclude that the legislation was not punitive in nature.

So I would argue on that basis that my privileges and privileges of other members of the House have been violated by statements made by the Premier which were misleading to the Assembly with respect to the content, tone, and nature of the legislation tabled yesterday.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Privilege is about protecting the rights of members. The hon. Member for Edmonton-Highland's submission has absolutely nothing to do with protecting the rights of members and absolutely everything to do with him trying to characterize a debate that's going to happen and characterize a piece of legislation in a manner which is quite consistent with the characterizations that he's used in question period today and yesterday. If anything is offensive to this House, those misleading preambles to his question were.

To say that Bill 12, which is going to be debated fully this afternoon in this House and this evening in this House and probably tomorrow in this House, is a punitive piece of legislation is at best an opinion from that hon. member. I wouldn't even characterize it as a dispute of facts. It is simply his characterization, probably not his alone; I would guess that his seatmate may share his opinion. But I would doubt if anyone else in this House would characterize the legislation as punitive, regardless of what they think about its terms. [interjections] Regardless of whether they do – and some of the members opposite say that they might characterize it as punitive

– it would be simply that, an opinion. It's not a fact, and it's not even part and parcel or substance of the question of privilege.

The Premier, making his statement, which was a true statement, that this government will not be punitive to teachers, did not mislead the House, and to go one step further, that is not something which is the subject of privilege in any event. Privilege, Mr. Speaker, is a question of

- freedom of speech;
- freedom from arrest in civil actions;
- exemption from jury duty;
- exemption from attendance as a witness.

These are from the *House of Commons Procedure and Practice* book, which you so kindly gave to House leaders some couple years ago and admonished us to read on Saturday mornings. I think the only contempt here is that the hon. Member for Edmonton-Highlands has not taken your admonition to read the book.

There are questions of privilege when people are obstructed from doing their duty; in other words, if they can't attend or if they're frustrated in doing their duties. And I use that term in the legal sense, not in the sense in which the hon. member is obviously frustrated.

Mr. Speaker, there's clearly no issue of privilege today. The hon. Premier indicated in response to a question on February 28 that as a government we would not be bringing forward punitive legislation. The legislation with respect to teachers was tabled yesterday, and it's not punitive legislation, as much as the hon. member wants to characterize it as such. He can do so in his speech, which he's quite able to do later on today, and I'm sure he'll be giving a speech later on today. It does not in any way impugn his ability to carry on his duties as a member, and it's not a breach of privilege. It's not even a point of order. It demeans the concept of privilege.

THE SPEAKER: Hon. members, the chair does appreciate the hon. Member for Edmonton-Highlands advising the chair this morning to give the chair an opportunity to deal with the matters that have been contained in *Hansard*, and the chair is prepared to rule on this purported question of privilege raised by the Member for Edmonton-Highlands.

As the chair understands it, the member's purported question of privilege is that the Premier deliberately misled the Assembly in connection with comments he made about what would or would not be in Bill 12, the Education Services Settlement Act. The Member for Edmonton-Highlands raised this purported question of privilege yesterday, March 11, following the division on second reading of his Bill 203.

At page 235 in *Hansard* he indicates that he had just, quote, perused, end quote, Bill 12 and was raising the matter at the first opportunity under Standing Order 15(5). The chair invited the member to provide fuller written notice prior to today's proceedings and to give the notice to the Premier if he was to be the subject of the purported question of privilege, which the member has done.

The thrust of the member's letter, which he elaborated on today in the Assembly, is such that there were deliberately misleading statements giving rise to a prima facie breach of privilege.

2:50

First, the chair wants to emphasize that deliberately misleading the House is one of the most serious charges that can be leveled against another member. The authorities are clear that such a charge proceeds like a contempt, which in turn proceeds like a question of privilege. *Erskine May*, the 22nd edition, at pages 111 and 112, discusses this issue and states:

The Commons may treat the making of a deliberately misleading statement as a contempt. In 1963 the House resolved that in making

a personal statement which contained words which he later admitted not to be true, a former Member had been guilty of a grave contempt.

More senior members in the House may recall that the Profumo affair in the United Kingdom is the basis for the reference. I'm glad to see the Member for Edmonton-Castle Downs nodding in agreement.

The chair has also reviewed recent allegations in the Canadian House of Commons on similar charges and found that they were advanced as matters of contempt. As the chair indicated, an allegation of deliberately misleading the House is a very, very serious matter which should not be made lightly or for purely partisan reasons.

In this case the allegation made by the Member for Edmonton-Highlands focuses on a certain subjective interpretation of Bill 12. Such an allegation is at best a disagreement between members and hardly meets the test of a point of order let alone a contempt of the Assembly. Differing interpretations of bills are properly the subject of debate. It should not be necessary for the chair to remind members that it is the Assembly, not the government, that passes the laws of this province and is where the debates on those laws take place.

Accordingly, there is no prima facie question of privilege. As the chair has indicated before, questions of privilege should not be raised lightly. The rights and immunities as well as the responsibilities of a member are matters that should be treated with utmost seriousness and respect.

Speaker's Ruling Decorum

THE SPEAKER: Hon. members, that deals with that matter, but the chair does want to take an opportunity to ask hon. members to please recognize in the discussions and the intercourse that occurs here verbally between hon. members, regardless of whether or not it is a question being raised or an answer being provided, that the usage of certain words does have connotations which may not be what the hon. member using the word might necessarily mean.

Now, the chair doesn't want to replay or relive certain things, but all of us have individual backgrounds and heritage, and some words that may be used in a context by other members may have great offence for certain members of another heritage. If one is not careful about that, one may insult and humiliate and cause unfortunate castigations to another member that the originator of the statements may not want to have done. As an example, if you are a member of Germanic heritage, a Canadian albeit but a member of Germanic heritage, words such as goose-stepping, slavery, enslavement have certain connotations that when used in the year 2002 may cause reflections back to events of another century and another time and may not have been the intended usage of the originator of a comment.

Now, the chair has intervened in the past when some members of this House had raised utterances against other members, including: why don't you go back to where you came from? This is clearly out of order, clearly inappropriate, clearly offensive and not in keeping with the democracy that we have in the province of Alberta at this time.

So I would ask hon. members to be very cautious about the usage of their words. The English language is a very beautiful language, it is a very colourful language, and many words have multiple meanings. Yet the language has so many words that with a little bit of effort one can find a better usage of a word than perhaps we have experienced on several occasions in the past. This is decorum. This is what it must be all about for parliamentarians, and the standard

expected of us is a higher standard than would normally be expected in places other than this Assembly.

head: **Orders of the Day**

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

Bill 12
Education Services Settlement Act

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I'm standing today to move second reading of Bill 12, the Education Services Settlement Act.

I have moved many bills in this House. I have been in here for nine years, and each and every time I move a bill, I start with: it is with great pleasure that I move this bill. Mr. Speaker, I feel that this bill does not represent that. I feel that this bill represents a breakdown in the collective bargaining that occurred between the school boards and the Alberta Teachers' Association. This is the end point of a process that has occurred over the last six to eight months. This bill will be a onetime bill I hope. I hope that we can go back to the local bargaining process, to the process where school boards sat down with their local teachers and worked out agreements that were satisfactory to both of them.

In putting this bill forward today, as I've indicated in question period on several occasions, it comes about at the request of the Alberta School Boards Association as well as the Alberta Teachers' Association. Mr. Speaker, we are not proud of that. It would have been much better to have the agreements settled by the local people. In saying that, however, this bill is now before the Legislative Assembly, and there are some issues that need to be discussed. I will attempt to deal with them in a very general manner in dealing with the principles of the bill.

First of all, Mr. Speaker, I'll talk about the principle of fairness within the arbitration tribunal that is included in this bill. The Alberta Teachers' Association will nominate a member of that arbitration tribunal, the Alberta School Boards Association will nominate a member of that tribunal, and the government of Alberta will nominate the chairman of that tribunal. If there is a majority amongst these three that agree on a particular settlement or a particular binding arbitration agreement, that majority will rule the day. If there is no majority, meaning if all three have different opinions, then it will be the chair's duty to put forward the collective bargaining agreement that he so wishes.

Mr. Speaker, there are several other issues here, and there are a lot of things that deal with the arbitration process. There are a lot of issues around that. We feel that as much as possible we have taken it from the Labour Relations Code. We have attempted not to add in other things. I will not hesitate to point these out because I feel that they are the issues that were being discussed today in question period as well as with the Alberta Teachers' Association, the Alberta School Boards Association.

The first one, Mr. Speaker, is quite simply the principle that school boards can only pay a settlement that they can afford. The government of Alberta sets policies in this province. It is not the School Boards Association, it is not the Teachers' Association who set the policies of taxation, who set the policies of this government. Therefore, in this legislation is a section that talks specifically about school boards running deficits and saying that any arbitration settlement cannot lead the school boards to run a deficit. This is something that is in keeping with what the citizens of Alberta think,

what the citizens of Alberta realize, that running deficits, that taking the money out of the classroom to pay for this is not the way to go.

Mr. Speaker, there are also some other issues. One very important issue is the agreement that we thought we had with the Alberta Teachers' Association that I read to you today and indeed was even on their web site which basically established a commission to investigate teaching and learning conditions. As Minister of Learning I think that's extremely important. It has been 30 years since we had a full-fledged commission to take a look at the learning system. I believe that a lot of the changes that we have made in my term as Minister of Learning need to be evaluated. We need to have the external people come and take a very objective look at what is occurring. I have no problems in doing that because I know that our public school system is the best public school system in the world bar none. That's something that we should be very, very proud of.

Mr. Speaker, in saying that, I'll draw attention to the part of the bill that talks about pupil/teacher ratio, class size, as well as instructional time. These are three very critical issues that need to be discussed, and today, in coming into the Legislature, I was asked about these issues, asked if this bill stripped out these rights from contracts.

Today, as of right now, in the collective agreements there are three collective agreements that deal with instructional time, there are two collective agreements that deal with class size, and there is one collective agreement that deals with pupil/teacher ratio. That's out of around 64 different collective agreements that are around the province. We felt that everyone had to start on the level playing field when we have a very fair and open discussion about what is happening in our children's classrooms, about what is happening in teaching conditions, dealing with the needs that many members in this Assembly have brought up.

3:00

Special needs. Absolutely. A very important, important element about special-needs education is integration. What effect does integration have? Should we continue on with integration? Should we not continue on with integration? Mr. Speaker, these are very important issues. As I stated previously – and again there is much wisdom in what the ATA has put on their web site, where they stated: "Neither party can operate in a vacuum and expect complicated problems to be resolved during the heat of regular collective bargaining." There is no problem that is more complicated than that of special-needs education. It is something that I've committed to giving a thorough look at, giving a thorough review of, as well as anything else in the education system. We are coming to a point where we are looking at distance education. We are looking at different ways of ensuring that our children are learning. I fully concur with the element that this commission will be doing probably later on in the summer or fall. So again that was something that was agreed to by the Alberta Teachers' Association and the Premier and subsequently myself.

Mr. Speaker, there are also some issues in here about the right to strike. Well, what is in this bill basically states that the right to strike will be taken away until there is an agreement in place. There have been people that have talked about it saying that this makes it an essential service, that this takes away the right to strike. It is anything but the truth. There are 47 boards that are encompassed in this agreement, possibly less if there are settlements signed before five days after this has passed. There are 47 boards. There are another 17 or so boards that are out there that have agreements in place. Their right to strike has not been taken away. They have legitimate collective bargaining agreements. Yes, they can strike, and yes, they can do whatever they want when their collective

bargaining agreement comes up. So this does not take it away. It is a very common practice in binding arbitration – that is what we were asked to do – to limit both parties from either striking or locking out until the binding arbitration process is done. That’s exactly what this bill does. It also puts in a finite time frame, because that is another important principle. There must be a finite time frame to the arbitration, and the finite time frame is August 31 of the year 2002, at which time the arbitrations of the 47 boards must all be complete. Again a very important element.

Another element that is in here is that the contract will be two years. Mr. Speaker, I don’t think anyone in this Assembly or anyone in Alberta would contemplate being back in a position in September of this year where we again would have strikes. There have to be two years at least of labour peace so that we can continue bettering the education system, the learning system. In this bill is a clause stating that the binding collective agreement will be until September of 2003.

Mr. Speaker, we have attempted to narrow the focus of an arbitration settlement to salaries. We have opened up a debate that all Albertans will be having come this fall about the learning system, about conditions in the classroom, about classroom size, about special needs, and quite frankly about anything else that is raised in the learning system, because it is incredibly important. It is something that this government believes is one of the most important elements of any government, and I would daresay that all governments think of that across the country. So we are open to that, because we want to hear if there are better ideas, if there are better ways to do things. We will look at it, and we will be open minded enough to take that, but we cannot bias these talks by putting into the collective agreement issues that will be discussed.

Another point that must be made, Mr. Speaker, because they are questions that have been raised, is quite simply that if the school boards and the Alberta Teachers’ Association locals want to put it in as memorandums of understanding, as letters of understanding, they can quite simply put that in on instructional time. They can put it in on pupil/teacher ratio. They can put it in on class size. They can add it to the agreement. What this legislation is saying is that it cannot be part of the collective agreement until we have had a very important and very critical discussion about the whole learning industry, so to speak.

Mr. Speaker, I feel that, as I stated, in a perfect world I would not be standing here putting this bill forward because we would have labour peace, and we would have had a settlement signed by the two parties that are negotiating it, the school boards and the ATA locals. Unfortunately, through a lot of different events – and no one is completely, one hundred percent innocent in all of this – we have come forward and put this bill in to bring labour peace, to allow our students to stay in the classroom.

Mr. Speaker, just in closing, I want to say one really important thing, and that is something that we all have to think about. Actually, I’ve said more than one, but I will say the most important thing, and that is that the learning system is about students. It is about students first and foremost, and that is the most critical element. That is the element that this side of the House, this government believes in strongly and will do anything for, because the rights of a student to education are paramount.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I do agree with the minister on one thing, and that’s that it’s very unfortunate that this bill is in front of the House. It’s a shame. Shame on the minister

and shame on the government for introducing a bill that so viciously attacks a professional group.

They had the opportunity, Mr. Speaker. They had the opportunity, and they let it go by. They could have settled this dispute amicably. The president of the Alberta Teachers’ Association and the Premier met. The grounds for a good settlement that would have returned classrooms in the province to normal were set in place, and that was bypassed. What we have is this kind of a sham bill that pretends to be working in the interests of children and in all reality is a bill designed to crush a professional organization. What’s even more insulting is that the government distorts the teachers’ position and perspective by saying that this is what they wanted in Bill 12. Is that not the ultimate insult, to turn around and say to them, “Yes, we’re only doing this because the teachers wanted it”?

Mr. Speaker, there are a number of principles that underlie Bill 12, not many of them that are very pretty. The bill seems to say that a commitment to study schools absolves the government of the responsibility to be fair, a principle that I think most people would find very, very hard to support. The bill talks about a study, very briefly about a study, and then goes on to take away the rights of teachers and to restrict the kinds of negotiations and bargaining that will go on. It seems to me that it has things backwards. Certainly if the roots of the dispute are class size, if the roots of the dispute are 10 years of chronic underfunding, if the roots of the dispute are the loss of school board authority, their inability to raise resources, if the roots of the dispute are special-needs children being warehoused in classrooms because there are inappropriate resources, and if the roots of the dispute are that the government gave other professional groups double-digit awards, then why weren’t those issues addressed? Why do we put the cart before the horse? Why don’t we have the study and then the resolution? It’s incredible that the bill is presented and pretends to resolve matters in this way.

Another principle that the bill seems to support is that teachers talking to each other is harmful to the system. I think it has to be the first bill that I can remember being in this Legislature – and I’m sure it’s a rare thing in others – that tells individuals what they can talk about and who they can talk to. This is a bill that by definition restricts what teachers can say to each other. [interjections] Look in the definitions. Look under the definition of a strike. What does it say under the definition of a strike? [interjections]

3:10

THE SPEAKER: Hon. members, the hon. Member for Edmonton-Mill Woods does have the floor.

DR. MASSEY: Thank you, Mr. Speaker. Another principle that it seems to adhere to is that punitive arbitration will somehow or other improve the situation in the schools. We just heard the minister say that this is going to lead to peace and that two years down the road things are going to be better. This bill sows the seeds for labour unrest, for professional unrest for the next decade in the province. The two years are going to pass quickly, and if the calls that we’ve been getting from parents and from teachers are any indication, it’s not a matter that’s going to be dismissed that easily and dismissed with a bill such as Bill 12.

Another principle that the bill seems to support is that local bargaining is a complete failure and that the results of any agreements that are entered into with the teachers have to be tightly controlled and dictated by the government. Every move that the arbitrator and the negotiators make is restricted by this act. They are not allowed to talk about the very things that caused the strike in the first place. They aren’t allowed to talk about class size. They aren’t allowed to talk about special-needs children. They aren’t allowed to

talk about needed resources. Those things are all off the table. Mr. Speaker, they didn't have to be ruled out by the arbitration. They didn't have to be enumerated. The arbitrator could have been left free to suggest a strategy by which those kinds of things could have been resolved, and that didn't happen. Instead, we have this putting of the arbitrator in the box and constraining what they can do. The kinds of resources that they can use when they are trying to make agreements have been greatly restricted. A number of boards have situations where there's obviously a need for more resources. The arbitrator won't be able to comment upon that and certainly won't be able to take that into consideration when awards are made.

Unbelievably, the minister thinks that this bill is going to end up resolving the problems, and anything but that is the case, Mr. Speaker.

Going back to local bargaining for just a minute, I heard the president of the Alberta School Boards Association and her concern that local boards be able to settle with their teachers, that they have the freedom to work out agreements with their teachers. Well, it seems to me that both the Alberta Teachers' Association and the Alberta School Boards Association have lost that ability and that this has usurped their authority in terms of any kind of negotiations, any kind of settlement that they could come to locally. We are truly now into provincial bargaining, and any hope that they might return to the days when local agreements were made I think has vanished with Bill 12. Again the tragedy is that it could have been avoided, Mr. Speaker. We didn't need it. We didn't need Bill 12. Every opportunity was there for the situation to have been worked out. The kind of poisoning of the atmosphere in schools is going to ultimately not be in the best interests of children and students, and it's going to result in working conditions and in school situations where young people thinking of going into the profession are not going to want to join. It's going to make those teachers in the profession who can leave and who are ready to leave make that decision to get out much faster than they would otherwise have done.

A number of principles, Mr. Speaker, in Bill 12, all of them bad. The minister had the audacity to mention the word "fairness," that somehow or other this was a fair process. I can't quite understand how, having heard what he's heard in this Legislature since it resumed, having heard what he's heard from the Teachers' Association and the Alberta School Boards Association, he could possibly have believed that fairness is an underlying principle of this bill.

The other principles that are there, again, I think are really very questionable, and it's a sad day for the province, Mr. Speaker. It's a failure of the government to do the right thing, and it's particularly a failure of the minister who had the chance, who had every chance to make things better and failed to take advantage of it.

I think that with those comments, Mr. Speaker, I'll conclude. This is a seriously flawed process. It's an astounding piece of legislation, and when the history of the province and this government is written, it'll take its place alongside Bill 11. Thank you.

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

REV. ABBOTT: Thank you, Mr. Speaker. There are few things more essential to our success than education. Education gives us the power to improve ourselves, to reach our goals, and to fully participate in our communities. It benefits us as individuals and as a society.

In Alberta we understand the value of education, and we understand the value of our teachers. I still remember my first grade teacher, Mrs. Eldridge. I loved her, Mr. Speaker, and I am truly thankful to those great teachers who now teach my kids in Drayton Valley. Teachers are the cornerstones of our education system. We

could provide students with the best books, the newest technology, and the greatest facilities. We could give them all of this, and it wouldn't make any difference without a good teacher. Teachers make all the difference when it comes to learning. It is absolutely vital that we keep them in Alberta's classrooms.

Mr. Speaker, it is time to settle the disputes about salaries and benefits and ensure that Alberta's teachers are able to do their important work with children. This bill compares apples to apples as we look at teachers' salaries across the country. This bill ensures that the settlements are sustainable and affordable, and it calls for teachers to stay on the job while doing so.

Now, I believe in democracy more than anybody, Mr. Speaker. Last year when I sponsored the private members' bill called the Citizens' Initiative Act, I declared my absolute commitment to the one person, one vote cornerstone principle of democracy. I know that teachers have a right to strike if they so choose via the democratic process, and that happened. The teachers walked off the job to bring attention to the issues, and those very issues will be addressed.

This bill does not permanently remove the strike option nor does it declare teachers an essential service. It says that teachers cannot strike nor can boards lock out during the arbitration process, which is common practice in arbitration. Bill 12 will keep teachers in the classroom, it will resolve their pressing issues around salaries and benefits, and it will allow us to then take proper time to address teachers' other concerns in a thoughtful and constructive manner. As a former school board trustee I also know how important it is to review the education system in a comprehensive manner, and we will do that, Mr. Speaker. This bill says such in the preamble.

We have a great education system, and our teachers are a huge part of that. We need to move forward together. This bill does that, and therefore I am pleased to support it, Mr. Speaker.

3:20

THE SPEAKER: Hon. members, Standing Order 29(2) kicks in. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I would like to ask the hon. member if the provision of the bill which provides that no school board may run a deficit in order to make a settlement and the arbitration board cannot so order means that teachers are going to get anything more than the 4 and 2 percent that's already budgeted by the province.

REV. ABBOTT: Well, Mr. Speaker, I think that would be a question more appropriately put to the arbitrator. However, I do know that the taxpayers of Alberta are very happy to see that provision in the bill.

THE SPEAKER: Additional questions?

Then, hon. Member for Edmonton-Highlands, should I recognize you now for participation at second reading?

MR. MASON: That's suitable, Mr. Speaker. I'd be glad to speak now. I would be pleased to give my views on Bill 12 today. I begin by noting that the minister indicated that he gets no pleasure out of introducing this bill, and believe me, the opposition also gets no pleasure out of this bill. It's quite appropriate the minister ought not to get pleasure out of introducing this bill, because this bill is perhaps the worst piece of legislation to come before this House since before Bill 11 was introduced a couple of years ago. The minister also indicated – and I noted this with interest – that every party has some responsibility in bringing about the breakdown that has occurred that's given rise to this bill.

So what is the government's responsibility in that, Mr. Speaker?

Well, the minister didn't say nor has the Premier or the minister indicated any assumption of responsibility for this situation in their response to any of the questions put to them during question period or at any other time. It's fine for the minister to say in a very offhand and generalized way that the government bears some part of the responsibility – that's clearly what I infer from his statement – but he doesn't take the responsibility to take the responsibility, and that, I think, is some of the problem.

Let's go back to the budget a year ago, when for the first time the government included line items for wages only with respect to teachers. This was the first time it has ever been done. I hope and pray it's the last time it will ever be done, but the Premier has consistently argued that that was a guaranteed raise for teachers. In fact, the opposite is the case, Mr. Speaker. It was a ceiling, a cap, and a clear indication to boards that if they provided more money than the 4 and 2 percent, it must come at the expense of classroom conditions.

Now, the teachers have been very, very consistent and I think quite principled on the point that they do not want their wages and working conditions to come at the expense of the children in the classroom, yet the very situation that was created by the government set the stage for the entire dispute that has evolved and emerged subsequently, and that was the genesis of it. That is where this whole problem began, because the government said: this is how much school boards have to pay an increase. Of course, that amount was very, very substantially below other settlements that the government has agreed to – for example, their settlements with nurses, their settlements with doctors, their settlements with provincial employees – and need I say, Mr. speaker, regardless of their settlement for themselves.

So that created the seeds of the present conflict, and the government proceeded to water those seeds and encouraged them to grow and fertilized them. There was plenty of fertilizer applied to those seeds, and the discontent grew. We then had a situation where the Minister of Learning was constantly getting into verbal battles and jousting with the ATA, and there were antagonistic remarks made not only by the minister, but from across the ocean in Japan the Premier piped up about how good Alberta teachers had it relative to teachers in that country. You talk about comparing apples to oranges. Well, there's a very, very real difference.

Mr. Speaker, things continued apace, and the government got itself involved very directly, starting with that budget, between the school boards and the teachers. Now we hear in the House today that the government doesn't want to be involved between the school boards and the teachers and they think that the school boards should handle the whole issue.

To prove their point, instead of agreeing to an arbitration, which would put all of the issues on the table and which would be an unfettered arbitration in which the arbitration board could take into account the actual financial conditions of teachers and comparable wages and so on, there's an artificial condition that's placed on there in this bill, and that is the one which requires the arbitration board to not award any settlement which might have the effect of placing a local school board in a deficit position.

Now, what is that other than the government simply saying in legislation that they will not contribute one more nickel than they've already budgeted towards this teacher settlement? They're washing their hands of it, Mr. Speaker. They're saying: no; if the school board doesn't have the money, you can't give them a wage increase. When has that ever been a condition for arbitration, Mr. Speaker? When has that ever been a condition, that the school board doesn't have the money even though the province could supply the money and has saved \$50 million on the strike so far and has a massive tax

decrease for corporations coming up in this budget? Yet the arbitrator is in no position to award a settlement if the school board doesn't have the money, but the school boards don't have the money. The province has the money.

Therefore, what the government has done is indirectly imposed its wage settlement on the teachers through this so-called arbitration process. What it's really saying is: you get 4 and 2, like we said from the very beginning. You can't give more because the school boards don't have it, and if the province isn't going to put any more money into the settlement, then it's 4 and 2 because that's what the government budgeted.

We find this to be a deeply offensive bill. I want to deal with the language that has been addressed by yourself, Mr. Speaker, and by members opposite. We believe that this bill is authoritarian in nature. We believe that it is reactionary in content, and when we use words as you have described, it is not with any national connotation, but it is with a political connotation. The sense that governments have overridden the rights of their citizens in the past is an important lesson that we mustn't forget, and we must be able to recall some of the political history that's taken place so that we are not condemned to repeat the mistakes of others. Certainly if those comments were taken in any way as implying a national comment, then that was not intended, and I would be very sorry if anyone took offence because of that. We're talking about the politics of this, Mr. Speaker. That's the issue.

3:30

The government is using its majority to impose a settlement on the teachers. It is not allowing them to strike. It is stacking the deck in terms of the composition of these arbitration boards. Normally, Mr. Speaker, an arbitration board consists of one person representing the employees, one representing the employer, and they jointly agree on a third person, who is neutral, in order to chair it. But the way the government has structured this, there's one from the school boards, one from the government, and one from the teachers. So automatically the deck is stacked 2 to 1 against the teachers. They don't have a chance. Furthermore, if the minister doesn't like how their representative is performing, he has the authority under this bill to yank that person off the arbitration board so that it can get on with the business of delivering the 4 and 2 settlement that the government has wanted all along for teachers. It's taking away teachers' right to strike into the bargain.

Mr. Speaker, we view this particular bill with amazement, with great concern. We believe that it is an affront to the democratic traditions of the people of Alberta. We believe that this bill takes away rights, imposes conditions, and forces people to work for a fixed amount, whether they want to or not. Their only opportunity is to resign.

AN HON. MEMBER: Slave wages.

MR. MASON: The hon. member brings up the words "slave wages." Mr. Speaker, slavery is a term which means that people are required to work not of their free will and for whatever remuneration the employer cares to provide. They don't have a free choice. They can't bargain. They have to take the job. They have to work there. The only exception to that here, Mr. Speaker, is that the people have the right, I suppose, to quit.

I would remind members opposite that when the Nova Scotia government last fall attempted a similar move with respect to that province's nurses, the nurses resigned en masse. That put the government right behind the eight ball. The government quickly realized its mistake and corrected the situation. But it puts the

government clearly behind the eight ball in the contradiction that they're creating, because if the teachers or the nurses or any other employees won't work for what the government has to offer, then the government has a big problem.

The Minister of Learning indicated that this bill will bring labour peace for two years. Mr. Speaker, that is nonsense. You cannot order people to work under conditions and for wages that you set, take away their basic rights, and expect that you can call that peace. It's not peace. It's an enforced settlement, and there will not be peace. There will be, I'm convinced, ongoing dissent, ongoing disruptions, and I think that the government is living in a fool's paradise if it believes that it can achieve labour peace through this particular piece of legislation.

I want to deal also a little bit with the role that the government played once the strike had got under way. The government waited. We heard the minister say that he has to wait a certain number of days before he can make a case that there's actually an emergency and go to court and order the teachers back, so he waited. But the strike started in Edmonton and in other places before it started in Calgary and other places, so we had the ridiculous situation of the government going before the courts and arguing that an emergency had occurred in Edmonton because the teachers had been out for three weeks but that an emergency also existed in Calgary, where the teachers had only been out for a few days. Again the incompetence, the arrogance, and the lack of any conception of what it's like to collectively bargain were apparent, and the judge did what in my view was exactly the right thing. He threw the government's case out on its ear. What happened then, Mr. Speaker? The government had for a second time created a huge mess in this whole dispute and antagonized things even further. The government lawyers were virtually laughed out of court.

Then what did the teachers do? They said: "We have the right to go back on strike. The court has upheld our right, but we're not going to do it. We're not going to do it." Instead, they wanted to talk to the government and see if there wasn't some basis for an agreement that could be reached, and that was a good move. It seemed at first that the Premier was receptive to that move by the teachers. It seemed that we might be on the way to solving something and have some real labour peace. The teachers did not go back out. They behaved very responsibly. They sacrificed their own personal and immediate interests in favour of achieving a workable long-term solution, and they met with the Premier.

What happened then? Well, the Premier indicated that there would be an arbitration process, that the arbitration process would be along the lines that had been envisaged, but the bill is completely different, Mr. Speaker, and I think that it is a travesty and a tragedy.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, Standing Order 29(2) kicks in.

The hon. Member for Lac La Biche-St. Paul, followed by the hon. Member for Drayton Valley-Calmar and the hon. Member for Edmonton-Ellerslie.

MR. DANYLUK: Thank you very much, Mr. Speaker. To the hon. member of the third party: in your opinion, if the 4 and 2 guaranteed increase was a cap on salaries, then do you feel that the use of the additional 3 and a half percent put to the instruction block takes money out of the classroom if it is used for teachers' salaries?

MR. MASON: Yes.

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

REV. ABBOTT: Thank you, Mr. Speaker. In light of the recent ruling that you just made regarding respecting the rules and traditions of this House, how does the Member for Edmonton-Highlands justify citing such nonsense like the Premier's trip to Japan or references to slavery in a speech that's supposed to be about the principles of the bill.

MR. MASON: I'd be pleased to answer that one, Mr. Speaker. I cited the Premier's speech in Japan because I thought it was extremely inappropriate for him to intervene from halfway around the world by comparing Alberta's teachers to teachers in Japan. It was completely inappropriate.

In terms of slavery, I think I explained very carefully in my speech, Mr. Speaker, that the imposition of labour that is not voluntary under terms and conditions set by the employer, or the government in this case, is in our view a form of slavery. We used the term in its political sense and advisedly.

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

MS CARLSON: Thank you, Mr. Speaker. I wonder if the member could expand on how he believes the government has mismanaged this total process.

MR. MASON: Well, thank you, hon. member. I would be pleased to do that, because I wanted to come to the question of the teachers. The teachers met with the Premier and thought that they had an understanding whereby an arbitration process much broader than the one contained in this legislation would be used. Of course, they found out just on the same day as the bill was introduced that in fact there are a number of very, very rigorous constraints on the arbitration board and that they can't force the boards into a deficit position, which gets the government off the hook completely for contributing any further money, and furthermore that classroom conditions would be excluded from the arbitration, which they would not have been had it gone to arbitration in the normal process.

THE SPEAKER: The hon. Government House Leader, under this provision.

3:40

MR. HANCOCK: Thank you, Mr. Speaker. Given that the member has indicated that he believes that anything above 4 percent would have to come from the 3 and a half percent instructional block and therefore would be taking money from the classrooms, is the hon. member accusing teachers of having taken money from the classrooms in every other year that they've bargained since time started? Because there was only a per capita grant given before.

MR. MASON: No, Mr. Speaker.

THE SPEAKER: Hon. members, would there be additional questions? We still have time under this provision.

MR. CAO: Well, I would like to ask the hon. member regarding his previous statement, when he was asked whether taking 3 and a half percent out of the classroom is for the teachers. To the first question he said yes. Then in his next answer he said no. So can you explain which one?

MR. MASON: Yes. They're different questions, Mr. Speaker. Clearly, in the context of the government putting line items in place for teachers' salaries, the answer is that it should not come at the

expense of the other money because the government has made it clear to school boards that that money won't be replaced. Previously the whole system was quite different. The government would give a block. The negotiations would take place, and if there was a shortage in one year because of a settlement, the government would make it up in the next year. In the past even Conservative governments were considerably more generous than this one.

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

MS CARLSON: Yes, Mr. Speaker. I would like to ask the member if he could tell us what he thinks the government should have done.

MR. MASON: Mr. Speaker, I would begin by not including it as a line item in the budget, letting the local boards settle the dispute, and if there are shortfalls, then cancel the planned cut to corporate income tax and pay the boards the money they need to improve and resolve the dispute and provide good education to students in Alberta.

THE SPEAKER: The time has now left us in this particular provision.

I will now recognize the hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Edmonton-Ellerslie.

MR. LUKASZUK: Thank you, Mr. Speaker. I find it very difficult to not comment on some of the statements made by the previous speaker, particularly those that pertain to comparing this government and the members of this Legislature to other countries and other political parties of the past or present that can be described as totalitarian and promoting slavery.

[Mr. Shariff in the chair]

First of all, Mr. Speaker, all it does is show that the hon. member has a gross lack of insight into what it is that he professes. Second of all, I find that to be a personal affront and perhaps even an insult to many Albertans who indeed come from jurisdictions where such practices take place.

MS CARLSON: A point of order, Mr. Speaker.

THE ACTING SPEAKER: On a point of order, the hon. Member for Edmonton-Ellerslie.

Point of Order Allegations against Members

MS CARLSON: Mr. Speaker, I rise under 23(h), (i), and (j). We have just this afternoon received a ruling from yourself talking about the wise use of words and making allegations against other members. I do believe that that is exactly what this member then continued to do in his opening comments.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm hoping that you will not find a point of order there, because I listened carefully to what the Member for Edmonton-Castle Downs said in his opening, and I think his reference was simply to say that there was a ruling made earlier in this House with respect to not using certain types of words or phrases in this House that might connote some disrespect

or drum up ill feelings on the part of those who perhaps lived through a particular period of history. We all know that Alberta is comprised of people from many parts of the world, and for some those words that the Speaker referred to earlier in his clarification would indeed be offensive and would potentially create a lot of hardship and heartache. I don't believe that the hon. member referred to those words by name. I think he referred to them in a generic sense, and perhaps it might even have been based on some of his own personal experiences in his own family. From that standpoint I'm hoping you will not find it to be a point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona on the point of order.

DR. PANNU: Thank you, Mr. Speaker. I want to remind the House that this afternoon the Speaker made a very important and interesting observation with respect to the use of words: how they get heard, how they get interpreted, and how attribution of those meanings to particular persons can breach the order of the House.

Now, I just want to draw the attention of the House to the word "totalitarianism." Totalitarianism at one time was associated with Stalinism, with Maoism, with Hitler's fascism. Since when can the use of the word "totalitarianism" become offensive to people coming from these countries? In fact, people came here to an island of freedom, escaping totalitarianism. I don't understand.

The point is this, Mr. Speaker, that this impugns the use of words that are standardized – everyone understands what they mean – and people in this country have fought, given their lives against totalitarianism, against fascism. To say that using this word would be offensive I think is simply not appropriate, and I'll ask the member to take his word back and go on with his speech.

THE ACTING SPEAKER: The hon. Member for Edmonton-Rutherford on the point of order.

MR. McCLELLAND: Yes. Mr. Speaker, this clearly is debate. This is not a point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Castle Downs on the point of order.

MR. LUKASZUK: Thank you, Mr. Speaker. My comments were clearly directed at comments made earlier by the previous speaker. However, they were not intended to insult in any way or manner any member of this Assembly and particularly the member in question. If they have offended any member, I do indeed withdraw my statement.

Thank you.

THE ACTING SPEAKER: I hope that resolves the matter. Thank you.

The hon. Member for Edmonton-Castle Downs to proceed with the debate.

Debate Continued

MR. LUKASZUK: Thank you, Mr. Speaker. On the actual bill in question I rise today not only as a member of this Assembly but also as an educator and as a person who indeed holds teachers in very high esteem. I'm sure that every member in this House can think of at least one teacher that has in some profound way changed the course of that member's life. I particularly can think of my grade 12 or 11 high school English teacher, Mrs. Margaret Hogan, who

indeed has contributed to my completing university and perhaps even ending up here among the hon. members of this Assembly.

Mr. Speaker, there has been a lot said about Bill 12 by members of the opposite parties and perhaps even by the media that is not in this bill, but very little has been said about what actually is in this particular piece of legislation. Albertans indeed value education and the education system in this province and want to have a choice in its future. Students want to receive the best education possible, and parents want to see their children succeed. Those priorities are reflected in this bill, and I believe that they're shared among all of the members of this particular Assembly. As government we're here to support students and parents in reaching these goals. We are committed to our students. Their learning is one of our government's top priorities, and we are unwilling to compromise this.

The labour dispute in school jurisdictions, Mr. Speaker, has put education on the front pages, making this the right time to take a step back and take a good look at the bigger picture. Bill 12, the Education Services Settlement Act, puts the wheels in motion for a broad review of Alberta's education system, and this government has undertaken to review Alberta's education system. Over the next 18 months Albertans are going to have the opportunity to participate in dialogue about our system and directions for its future, and this may be a marvelous forum for the members of the opposition to actually produce some constructive criticism for a change.

3:50

Our system is already among the best in the world. We have a lot to work with and a great foundation to build on. Of course, before we get around to planning for the future, there are some very immediate issues we need to resolve right now. The Education Services Settlement Act will bring out resolutions to the ongoing labour dispute between teachers and school boards. Mr. Speaker, labour dispute between teachers and school boards: these disputes have gone on long enough. They can keep us from moving our system forward and can place students' learning in a precarious position. The hon. Premier has met with the Alberta Teachers' Association and the Alberta School Boards Association. They did agree that at this point binding arbitration is the best option for everyone involved, especially students. The arbitration process the government has established will protect students from further strikes or lockouts, and it will keep them protected for the full two-year term of the arbitrated settlement.

This is not anything new, Mr. Speaker. The binding arbitration process generally rules out strikes or a lockout while the process is under way, and then once contracts are in place, they are binding, making any job action illegal. This is not a loss or any threat to democracy. It is a standard process. The union and the school boards would have or should have known the terms going into this process. The tribunal will consider the immediate issues related to teachers' salaries and benefits. It will take into account local economic conditions and school boards' financial situations, and the tribunal's decision will be binding upon all parties. This is a fair and reasonable process. It will move us past the immediate issue of teachers' salaries and benefits and allow us to engage in a far more constructive discussion about our system and policy directions, like those that impact the classrooms.

Mr. Speaker, this is an important discussion. We need to approach it openly, with collaboration, and we need to take the time to do it right. It's a universal truth that keeping a sense of perspective in the middle of a disagreement is difficult. The issue can seem insurmountable, and the distance between two sides can seem a light-year away. The ATA's own position on this, as reflected in the position paper on their web site, is that

impending changes in education point out the need for teacher-board cooperation. Neither party can operate in a vacuum and expect complicated problems to be resolved during the heat of regular collective bargaining . . . Teachers can implement educational policies more effectively when they have helped to formulate them.

I hope that the ATA will read this legislation and take the opportunity to participate in the long-term review of education policy which is forthcoming, Mr. Speaker. As a government we are absolutely committed to keeping our system focused on students first. Bill 12 lives up to that commitment. My hope is that teachers and school boards across the province also put the interests of students first and work together towards a settlement.

Foremost as well, Mr. Speaker, my hope is that the parties in the opposition will also put the interests of the teachers as their priority and not attempt to score political points on an issue as sensitive as this.

Thank you.

THE ACTING SPEAKER: Hon. members, any questions or comments? The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I would like to ask the Member for Edmonton-Castle Downs what talking about Mrs. Margaret Hogan has to do with the principles of Bill 12, which is what debate is supposed to be at second reading, when Bill 12 is a strike-breaking, contract-stripping settlement act?

MR. LUKASZUK: First of all, Mr. Speaker, there is nothing strike breaking in this particular piece of legislation. Let the record show that. However, my mentioning of a previous teacher simply shows this government's and my personal respect for the profession of teaching, and that is what exactly is reflected in this particular piece of legislation.

MR. MASON: Mr. Speaker, I would like to ask the hon. member: when he asks the opposition to put the interests of teachers ahead of political advantage, just to paraphrase, how does he feel that the government is putting the interests of teachers first, ahead of their political advantage?

MR. LUKASZUK: Mr. Speaker, this member obviously was not listening again to what was being said. I clearly said that we should be putting the interests of students ahead of anybody else and not teachers. This member purports that teachers are more important in the system than students.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmor.

REV. ABBOTT: Thank you, Mr. Speaker. I was happy to hear the member's speech. He talked about himself as a former educator, and he also commented on the excellent education system that we have here in Alberta. Perhaps he could just expand on that a little bit, about why he feels that we have such an excellent education system in Alberta now.

MR. LUKASZUK: Thank you for that question. Mr. Speaker, I have the unusual privilege of being able to compare Alberta education to systems of learning in other countries, and I find it to be superior and second to none. However, is there room for improvement? Yes, there always is. I think this government and all the members of this Chamber are dedicated to continuously improving the system.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a question or comment.

MS CARLSON: Yes, Mr. Speaker. In response to my earlier question the Member for Edmonton-Castle Downs said that this was not a strike-breaking bill, but my question to him is that I'm wondering if he forgot to read one of the key highlights of the bill, which takes away the teachers' right to strike until August 2003.

MR. LUKASZUK: Mr. Speaker, I would be surprised that a well-seasoned member of this Legislature would be reading legislation of this type for the very first time. Every time there is binding arbitration, there are limits on strike during the arbitration and then during the settled agreement.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on a question or comment.

MR. MASON: Thank you, Mr. Speaker. I would like to just indicate to the hon. member, first of all, that he might want to take a look at the *Hansard* account of his last sentence tomorrow, that maybe he misspoke himself and he meant to say: the students.

The question I have for the hon. member, then, is how students' interests are protected when teachers are so clearly unhappy with the legislation and how the labour climate is going to be affected, in his view, over the next few years by this legislation.

MR. LUKASZUK: Mr. Speaker, I firmly believe that the best place for students is in the classroom, and that's what this government has been striving to do. I also believe that teachers, being professionals, will be able to put their personal feelings aside and continue to deliver the best education possible.

THE ACTING SPEAKER: Debate to resume. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am happy to have an opportunity to debate Bill 12, Education Services Settlement Act. I'm not happy to agree with the content of the bill nor with the process by which we have seen motions come forward in this Assembly, where this particular piece of legislation can be rammed through and debate, in fact, stalled. We have a bill here that takes away people's right to bargain. At the same time that the bill is introduced, we have the Government House Leader also taking away the right to debate if he doesn't like the length of time it takes or the essence of the content of the debate.

So this is a very lead-footed treatment of a bill that shouldn't really be required at this particular point in time. In principle I am completely opposed to the bill.

4:00

AN HON. MEMBER: It might insult speeders.

MS CARLSON: Well, that's true; it could insult speeders. Maybe I'll have to think about that and rephrase it. I'm sure one of these honourable gentlemen in here will be coming up with a question of clarification on that during my five minutes. I look forward to that.

What we have is the very first piece of substantive legislation come through this House that is going to be rammed down the throats of Albertans whether they like it or not in record speed because of the legislative processes that this government has also put into place in recent days.

When we take a look at the object of this bill – and perhaps that's

what the former speaker didn't do, because he seemed to miss the boat on exactly what the intent of the legislation is. So I'll lay it out carefully, and perhaps he can respond later on in questions. What it does is set out to force teachers to stay in the classroom for the next 18 months. That is strike-breaking by anybody's definition or terminology, Mr. Speaker. It is also, in fact, a process that is intended to break the kind of collective bargaining processes that we have seen come forward in past years.

The object of it is also to have them working under contracts that make no mention of classroom conditions, clearly, from everything we heard, a contradiction of what the Premier committed to when he talked to people from the ATA: put everything on the table for arbitration and suddenly changes his mind and claws back those issues that he doesn't agree with or doesn't want addressed at this particular time.

It's designed so that the government doesn't have to spend any extra money, because school boards cannot incur deficits as set out in this particular arbitration process. Do we want the government to spend money willy-nilly as they would say we do? That's absolutely not true. Mr. Speaker, we have a budget of over \$21 billion in this province for this past year, and this government can't make it work. What is wrong with their management processes? It isn't a matter of singling out individual groups and saying that they can't have any money. In fact, this government doesn't know how to manage, and they need to learn how to do that. They need to be able to put in frameworks where they can manage that money. Small countries run on less than \$21 billion a year. People with much greater populations than ours run on less than those kinds of dollars. This government just can't get it right and hasn't been able to get it right for the past decade, longer than the past decade in fact.

What we see in terms of background on this legislation is that we've got 48 different public and separate boards that have no contracts for the past year and for the upcoming year. This act applies to 47 of those school boards and the 48th, Elk Island, whose school board has not ratified the proposed contract, so they can become part of this arbitration process if the school wants to. We see this kind of interference coming forward right after we've seen what has been the largest teachers' strike in Alberta's history. Why a strike? Because we saw government interference at all levels in the beginning of the processes, when they should have just backed out and let the boards do their jobs. But that's not the way this government likes to do business. So what we have is a very punitive kind of bill.

It was interesting, Mr. Speaker, that when we earlier this afternoon heard the Member for Edmonton-Highlands bring forward a point of privilege, the discussion of punitive measures was hotly debated. The Member for Edmonton-Highlands stated what the Premier had said; the Government House Leader said not. I would like to agree with the Member for Edmonton-Highlands in stating that the government's comments made by the Premier were in fact punitive in nature. To back that up, I want to back us up into question period for just a minute. The Government House Leader said that there was nothing punitive about what the Premier said, yet today in question period the Premier said that teachers couldn't have the money assigned to them because they had gone out on strike.

Let's just set the stage for a moment on this particular issue if we could. I would refer all hon. members to the *Oxford Dictionary*, 10th edition, and the definition of "punitive," which says: inflicting or intended as punishment. Then I go to the Premier's comments today in response to a money question, and this is very important in terms of the principles of why this bill is good or bad, should be or shouldn't be supported, because what we have here is, in fact, a punitive bill. The Premier, in response to a question from our leader,

who wanted to know why the Premier wouldn't make the money that they had saved through the strike available to school boards – now, if we think about this, this money had already been allocated to school boards in this province to be paid out at set times during the year. That money was already budgeted for salaries of some kind. Be they teachers or aides, salaries was the allocation.

Now the teachers go out on strike. There are some cost savings there in this portion of the budget year, but the Premier says that instead of allowing that money to stay within the education budget, they are going to claw it back into the general revenue fund and use it elsewhere. So our leader asks why he doesn't make it available to education. The Premier clearly states, "Mr. Speaker, this government did not go out on strike." So, Mr. Speaker, I say to you that if that is not a punitive measure having been taken on behalf of this government, then the definition as explained to us in the *Oxford Dictionary* cannot be accurate.

I challenge what the Government House Leader said earlier in his response to the point of privilege here, because what we have seen by this government time and time again, particularly when it comes to dealing with teachers, is very punitive indeed. I think there can be no questioning that, and I am surprised that he would try to defend that.

MR. HANCOCK: Of course there could be questioning of that.

MS CARLSON: Well, if that's what you want to put on the record, then you get to ask me a question in a few moments, and that will be interesting to see. They take away the right to strike; they take away the money. What's left? [interjections]

Well, it is my opinion, there's no doubt, and I am certainly entitled to give that opinion in this Legislature and to speak on behalf of the teachers, many of whom I have had lengthy discussions with for many months now, many months prior to the negotiations actually starting, because the teachers in this province were a little wary of this government and the direction that they would go in, and they were right to have those kinds of concerns, Mr. Speaker. We've certainly seen them played out in all of this government's actions.

Late, late tonight, I am expecting, when we finally get to committee on this bill, Mr. Speaker, I will be discussing some of the points of the many people who have sent me letters, a few inches of them here – and these are the ones that I haven't tabled so far. I'll be reviewing those in committee, which I expect will happen quite a bit later this evening, not on the second day of debate, as is the normal course of action for the processes of debate policies in this government. This government wants to do all of these particular stages of the bill – and I know you're going to say that committee isn't a stage, but generally speaking it's been the practice of this House to have second reading on one day, give us an opportunity to go out and talk to the stakeholders and find out what their responses and feedback are, and then come back at another time, not even usually the next day, to deal with the bill in committee but, generally speaking, sometime in the future, so that this government can attempt to live up to its statements of being open and accountable.

You can't be open and you can't be accountable when you don't let the people of Alberta have their say on legislation and when we ram through stages of a bill like this has been . . . [interjections] Well, I see that there are a few members that don't like what I'm saying, and I eagerly anticipate their entering into debate on this particular bill. It would be quite outstanding to see that happen, but I don't hold my breath on that particular topic because it hasn't generally happened that we see many government members enter into debate. Certainly we have seen one teacher put his comments on the record, and I would expect that we would hear from every

single former teacher in this Assembly on this particular bill. At the very least they owe their profession the knowledge of how they stand on the bill and why they stand the way they do. At the very least they would have a professional courtesy to their colleagues to do that. So we would expect them to all get up and put their comments on the record.

4:10

In the few moments that I have left to speak on this particular bill, I would like to address one particular aspect of it that I find quite offensive in principle, and then later I will come back to this in some more detail. Mr. Speaker, I would refer you to page 3 of the bill, where we talk about interpretation. Particularly what I am concerned about is 1(1)(f), where it talks about the definitions of strike. This is in fact an impossible situation for people to work by and sets an interesting precedent for the government's own behaviour in other departments and other areas, which we will be pursuing in the future.

If we take a look at that particular section, it says:

(f) "strike" includes

(i) a cessation of work.

Well, they can't do that, of course, with the legislation we see here.

(ii) a refusal to work or to continue to work by 2 or more employees acting in combination or in concert or in accordance with a common understanding.

So exactly what does that mean in layman's language? It looks like the Government House Leader may have had a hand in helping to draft the legalese in this. What I see is that what we've got here is, as an example, a principal who instructs a teacher to perhaps supervise a lunchroom. Then in accordance with this, can that teacher go to a teacher colleague and discuss whether or not that person wants to do the supervision or whether or not they're not going to do it? In fact, they can't do that according to this legislation. If you take a look at this, it says, "A refusal to work or to continue to work by 2 or more employees acting in combination or in concert or in accordance with a common understanding." In fact, according to this particular piece of legislation, those two employees can't even talk to each other about what the issues are. [interjections]

Well, if you don't think it says that, then stand up and defend the legislation, because my interpretation is that that's exactly what it says.

We go on, and what does it say there, Mr. Speaker? [interjection] No. You see, that's the problem. That's a very interesting comment by the minister of health, who also happens to be a lawyer. They draft this legislation in the kind of language that's very hard for people to understand, and that is exactly one of the reasons why we want to be able to take this legislation out to stakeholders and give them time to have it reviewed and give them time to have it interpreted in terms that laypeople can understand. But not this government. They say, "No, no, no, no" and then ram it down everybody's throats. We have seen that time and time again with this government in different kinds of legislation that they've brought in here.

Let's talk about the notwithstanding clause. That was a perfect example. I saw every single lawyer on the front bench come in that day and say: there's absolutely nothing wrong with this legislation; we have reviewed it; it's great legislation. We send it out to the public, get it back in, and guess what? They were wrong.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar on a point of order.

Point of Order Relevance

REV. ABBOTT: Point of order, Mr. Speaker. *Beauchesne's* 459,

relevance. She's speaking about something totally different than Bill 12 here.

MS CARLSON: On the point of order, Mr. Speaker, he should have been listening to the debate. In fact, if we take a look at any of the relevance references that we would go to, being *Beauchesne's* or *Erskine May*, you will find that there is clear definition on relevance, and in fact it isn't easy to define. *Erskine May* clearly points out that it can often be a long and winding trail, taking some time to get to the relevance of the issue, which is in fact a particular tactic that the Speaker himself employed when he was a member of this Legislature.

In fact, I got to my point quite quickly in pointing out how this government has misinterpreted their own legislation on one particular matter. I could have gone to many other particular matters but chose not to. So there is clearly no point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Yes. Thank you very much, Mr. Speaker. I just want to indicate that according to *Beauchesne's* 459, cited by the hon. member opposite, it starts off with the sentence: "Relevance is not easy to define. In borderline cases the Member should be given the benefit of the doubt, although the Speaker has frequently admonished Members who have strayed in debate." Subsection 2 is also very interesting. It says that Standing Order 11(2) calls on the Speaker to bring to order "members who indulge in persistent repetition."

Now, I would think that if the hon. member has strayed in the discussion, it was no more than many other hon. members have occasionally strayed. I don't know what caused the hon. member opposite to rise on this point of order, but I suggest that it may be in order that we can prolong this debate on the bill.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmor rose on a point of order on *Beauchesne's* 459. This is a great learning experience for hon. members. I would like to refer the hon. member to the last sentence in that particular section, which says, "In practice, wide discretion is used by the Speaker and the rule is not rigidly enforced." However, it's important for everyone to try and focus on bills at the second reading stage. We are talking about the principles of the bill, and I hope that this resolves the issue. I don't see a point of order in this. Thank you.

The hon. Member for Edmonton-Ellerslie to proceed.

Debate Continued

MS CARLSON: Thank you, Mr. Speaker. I am happy to continue on with the debate. Unfortunately, with the new rules we only have 15 minutes to speak to the issue at second reading, and I have, in fact, a great deal more to say. I only just barely started to talk about my major concern under "Interpretation."

THE ACTING SPEAKER: As per Standing Orders the chair will now entertain questions and comments for the next five minutes. The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. Comments made by the hon. member from the opposition stated that the government can't get it right and also that the government can't manage. Without having a budget debate, all we hear from the party opposite is: spend, spend, spend. Could you please tell us how you

would reallocate funding to address your priorities? Where would you decrease and where would you increase?

MS CARLSON: Mr. Speaker, in response to the question from Lac La Biche-St. Paul I would state this: take a look at your own household budget. If you had \$21 billion to work with, you would be able to appropriately manage the money and follow through to the right programs, and that is exactly what we would do on this side of the House if we were in power.

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

MR. MASON: Thank you very much, Mr. Speaker. I'd like to ask the hon. Member for Edmonton-Ellerslie about her comments about the punitive nature of the bill. She referred to the Premier's comments with respect to the money that had been saved during the strike and the Premier's comments to that. Does she care to comment on what the Premier had to say about the withdrawal of the offer of the pension liability?

MS CARLSON: Well, of course I would like to talk about that. This is a clear tactic by the Premier time and time again to play to the optics of people in the province. What he puts out there are those feel-good, sound-nice messages, and he floats little trial balloons, but in fact when it comes down to the short strokes and he actually has to act on the information he put out there, he can't do it. He backs up, and he entrenches back into that very right-wing conservative mind-set which is not at all open and accountable to the way that business should be conducted in this province and is not, in fact, acting in good faith.

THE ACTING SPEAKER: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Speaker. The hon. member in her comments seemed to try and insinuate that the definition of strike suggested that two teachers couldn't talk together. I want to ask her where in the definition in section 1(1)(f) it says that the strike includes teachers talking together. In fact, does it not read that strikes include "a refusal to work or to continue to work by 2 or more employees acting in combination"? Where does it say that they can't talk about things?

4:20

MS CARLSON: Well, Mr. Speaker, these lawyers. You know, they only read half the sentence, and they don't complete the full thought. Let's go back to what it actually says and talk about it in complexity. So we talk about 1(1)(f)(i), (ii), (iii). We talk about there, just to complete the one that he was talking about there as he only read half of it, that it's "in concert or in accordance with a common understanding." How do they come to that common understanding if they don't talk? I would ask you that question.

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

MR. BONNER: Thank you. A question to the hon. Member for Edmonton-Ellerslie: how will passing this particular bill, Bill 12, enhance the learning environment for students in all of our schools?

MS CARLSON: Well, I would like to thank my colleague from Edmonton-Glengarry for the very good question, which is the exact response I hear government ministers give to their colleagues when

they lob them puffballs. So thank you very much for that. I have to say that it's already my second puffball in this Assembly, and I am very happy to have received it, but in fact just on the surface does it look like a puffball? In fact, there's a very important point to be made there: how are students' lives going to be improved by strike-breaking or contract-stripping? The answer is: they won't.

MR. McCLELLAND: In the opinion of the member opposite what is more pressing in this dispute, the classroom conditions or teachers' salaries?

MS CARLSON: No doubt, Mr. Speaker, the most pressing issue . . .

AN HON. MEMBER: A sign of intelligence.

MS CARLSON: That is the first sign of intelligence we've seen on this particular issue.

Classroom sizes are far more important. In fact, the most important part of this bill has been stripped out of it by the Premier.

THE ACTING SPEAKER: Hon. Member for Edmonton-Castle Downs, I regret the five minutes have lapsed. Debate will resume. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. In the 15 minutes that I have to speak to Bill 12 in second reading, I'd like to speak against this bill. In principle I do object to what's being brought forward. There are three areas that I would like to talk about: consultation, respect, and long-term effect.

Now, it's interesting, because I heard both the minister and the Member for Drayton Valley-Calmar talk about Albertans approving of what the government is doing here, and interestingly I don't think Albertans have had an opportunity to make any statements back to the government on any part of this process. So I'm wondering where the assumption is made that Albertans have given this government a mandate to break the strike of any teachers and to offer forward what's in this legislation.

Let's look at some timing here. You know, eight days ago things looked like they were going pretty well. Two days later, last Thursday, we had notification of this bill that's now in front of us. So when in there was the public supposed to know what was in the bill and be able to approve of it and give that mandate back to the government to proceed with this? There wasn't the opportunity to do that nor the time. We've had a guillotine of closure put in front of us on the Order Paper with a series of motions that make it very clear that the government has the power at any time to bring forward a time limit on how much debate is to be spent here.

Now, part of our job as representatives – or at least I consider it my job as an elected representative in this House – is to take legislation back to my constituents; to give them a copy of the bill or tell them how to get a copy of the bill, download it from on-line; get their feedback on it; bring forward questions that they have; ask the questions as part of the debate in the House; and again take that feedback loop back to my constituents so that they can give me some direction in how they think I should be proceeding with the bill.

But I am obviously not meant to have an opportunity to do that this time around, because it appears that this debate on this bill is to be finished either today or perhaps, by the grace of the House leader, tomorrow, which is a very short, almost impossible time for me to do any kind of a feedback loop with my constituents or with the Albertans that I'm in touch with. Again I question how the government expects that they have a mandate from Albertans to proceed with this legislation, to have brought forward what is in this legislation.

Now, I'm wondering what the hurry is, what the threat is that the debate has to be completed on this bill. The teachers agreed that they weren't going to go back on strike. That was quite clear. So why the urgency that this bill must be debated? Why do we have those guillotine motions in front of us on the Order Paper hanging over us like a scimitar to say that we can run through all three stages of the bill in one day should the House leader decide and that in each stage the amount of debate can be limited? What's the big hurry? What's the big rush? The teachers have said that they're not going anywhere. They said that they'd stay in the classroom, so why are we in such a hurry to race this through? It doesn't allow us to get feedback. It doesn't allow us to get input from our constituents or from other Albertans.

I think there's an additional point of interest in there, that the tribunal can, if it so decides, proceed in private or behind closed doors. This government has a great proclivity to making decisions and having meetings behind closed doors, and once again that works against the whole concept of public scrutiny for this process or public input, if you'd like.

As far as consultation with Albertans that empowered this government to bring this legislation forward, I severely doubt it. I'd be really interested to go out now and do focus groups and polls and other things and say: a year ago when so many seats went to the Conservatives, was this what people understood was going to happen? Did they think that they were giving a mandate to do this, to do Bill 12? Were they giving the government a mandate to do that when 70 percent of the people did not vote for the government that is now in power? Seventy percent did not vote for them. Albertans did not give this government a mandate to do Bill 12 at all.

Now, I'd like to talk about the relationship that the government has established with workers in this province and the concept of respect and value for workers. There have been a lot of nice words spoken very recently in this House about teachers and not so many before that, but overall I haven't really seen the government or government members walking the talk on that. So why should teachers believe that this is a good deal for them or that the government has the teachers' best interests at heart here? I don't see that, frankly.

Certainly in the past and even in the future I don't find that Alberta is a warm place for unions. To me that is reflected by the fact that even our Labour Relations Board has very much a vocal non-union person appointed to it. That labour board is supposed to be there strictly for union and collective bargaining processes, and we have a non-union person. That speaks volumes to me about the amount of respect that this government has for – I can see the Minister of Justice is getting really excited, and I'm looking forward to his debate on this subject. I'm sure he will have much to bring forward. I haven't seen a lot of respect, a lot of warmth for union workers in this province.

It's been interesting to me that in the private conflicts, this government has refused to entertain, would never dream of entertaining any kind of replacement worker legislation, which would have helped the private disputes settle sooner. Some of the very long-running labour disputes like Dynamic Furniture, *Calgary Herald*, Ziegler Lumber, even the brewery drivers this last summer went on for an awfully long time.

4:30

This government, boy, wouldn't do anything to help the workers in those strikes, but you come around to anyone that's being paid from the public treasury, yowza, we want that strike stopped now, says the government. I mean, they're standing in front of us saying: you've got to debate this entire bill in one day or we're going to stop

you; we're going to bring in closure. So I just find it really interesting that when it comes to how they treat their own workers, their own employees, or workers in the public sector, this government wants to have pretty tight control on them, but they're not interested at all when it's in the private sector. Those workers, forget it.

I don't think that there's an atmosphere of respect for workers here in Alberta at all, and it's long been said in certain corridors that this government would like to break unions. I sure wouldn't like to believe that that was true, that there was any kind of concerted effort on behalf of the government to do that, but neither do I see the corresponding respect for workers that would make me believe that there was no possibility of that. So I guess it remains on the table. Do the teachers feel respect from this government? Should they feel that this legislation was a good deal for them? I look at the Premier and the whole setup of who these teachers were negotiating with.

We have had a past example – and everyone seemed very happy about it at the time – of a discussion between a union leader and the Premier that settled the problem and settled the strike. Everybody was happy with what the settlement was. So we've already had that precedent put in place. Then we get to this strike, and the same sorts of things are mentioned, that certainly we have a government that comes forward and, I believe, interferes in the collective bargaining process by detailing in their budget what the settlement amounts were to be. How can you bargain at all when one side has already said, "That's it, and we're not moving from it"? That's not a bargaining position, and it's certainly not a collective bargaining position.

So that was already set out by the government, and obviously there was going to be some request that the Premier get involved in this. The Premier leaves the province for almost the entire time that the teachers are out, and while he's away, he takes an incendiary shot at the teachers via the international media. Now, he may not have intended for that to be as insulting as teachers found it, but I can certainly tell you that the feedback I got was that they were very insulted by what was said while he was out of the country.

DR. TAFT: How could he not have intended it?

MS BLAKEMAN: Well, I will give him the benefit of the doubt that he didn't intend that, but it certainly looked suspicious.

I think that the government set itself up to be the main negotiator when they set those amounts in the budget. They demonstrated that they had control of the money. They were the piper; the government was going to call the tune. Thus there's an expectation that the Alberta School Boards Association had little influence in this process at all and that the teachers should deal directly with the government, which is what they tried to do. As a result, what did they get? The government orders the teachers back to work, but that court order is struck down, and within a few days we have the legislation that is before us, which I do see as punitive.

Now, a couple of times questions have been raised about whether there's a constitutional challenge in this legislation, and it's centered around 1(1)(f)(iii), "a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer." I think that's very interesting, because this is in fact under a definition, but I think it cries out for more definition in itself. What do they mean by responsibilities? What is it that these people are restricted from not talking about or not acting upon or not discussing or not appearing to be in a concerted activity about? What responsibilities? What exactly is a concerted activity? Is that a heated discussion? Is it an exchange of paper, a letter going back and forth or an e-mail? Is it a physical activity where they're walking down the hall and discussing something? Perhaps even

having a fistfight, if we're going to define it that way. None of these things are very clear, and from that arises deep suspicions from people who at this point have no reason to believe that the government is interested in the best interests of these teachers at all. It just brings it more so.

I think the last thing I want to talk about is the long term. This does concern me. I had raised in the House and before constituents that young teachers – they have their BEd; they've got a couple of years of teaching under their belt – had made it quite clear to me, when I talked to them in the last year, that they would not be the next generation of martyrs to the teaching profession. That really distressed me. The story that one young teacher told me was that out of five friends who had all come through with their BEd at the same time and all got positions as teachers, he was the only one that was still teaching. The rest of them had been wooed away. Other employers really valued that BEd degree and valued the experience that they had as teachers and paid them significantly more. He was the only one left in the teaching profession, and he was beginning to feel a bit like he'd been had, that he'd made the wrong decision in continuing on to be a teacher, and he was not going to be the next generation of martyrs.

Now, I've just had an e-mail from another constituent that I've had ongoing correspondence with around this issue, and she said: that's it. She won't be back teaching again next year. She's not going to go into a classroom where she doesn't feel respected by the government. In fact, she was quite clear that her rights had been taken away.

I think that long term this is a problem for us. If we have a profession where the people that are in it feel that they're not appreciated, they're not respected, that they will get arbitrated, they'll get tromped on, however they're going to feel, people start not to go into that profession. We've experienced that in Alberta already with the nurses and what the government did to the nurses in the mid-90s. We're now in the position of having to pay bonuses and pay very healthy salaries to entice nurses back to Alberta to work in our hospitals again. We can easily go down that same road with the teachers. If we don't want them to work here and they feel that this is not a welcome place for them to be working, why on earth would you use that BEd and go into teaching?

Thanks very much.

THE ACTING SPEAKER: Any questions or comments? The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. My question was in regards to the statistics quoted by the hon. member opposite in which she said that 70 percent did not vote for this government, knowing full well that probably 80 percent did not vote for her party either. My question is: did the member use that 70 percent figure in a malicious and intentional manner, attempting to mislead viewers and listeners and this Assembly into thinking that 70 percent of the people did not support this government and so are in fact opposed to this party?

MS BLAKEMAN: No.

MR. MASON: Mr. Speaker, on a point of order.

THE ACTING SPEAKER: Hon. Member for Edmonton-Highlands, are you rising on a point of order in question time?

Point of Order Imputing Motives

MR. MASON: Yes, I am, with respect to that last question, Mr. Speaker. That question was clearly inappropriate. [interjections]

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Mr. Speaker, it's very inappropriate to ask a question which impugns the hon. member's motives in making her speech, and the citation is . . .

MS CARLSON: Standing Orders 23(h), (i), and (j).

MR. MASON: Standing Orders 23(h), (i), and (j). Mr. Speaker, I appreciate the assistance, because it was so clearly a misuse of the new rules. I knew that there was a citation that could be made, and I appreciate the hon. member helping me because I wanted to be very quick.

- (h) makes allegations against another member;
- (i) imputes false or unavowed motives to another member; [or]
- (j) uses abusive or insulting language of a nature likely to create disorder.

Mr. Speaker, I would submit to you that that last question was not only inappropriate and an abuse of the new rules but violates those sections of our Standing Orders.

4:40

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I've been in this House for almost nine years, and I've heard about every type of point of order that I think is probably imaginable, but this one is a whole other category. It's sort of similar to the attempt by this member for his point of privilege earlier.

The issue here is one of inappropriateness. Now, I know what the member is likely driving at, but I think that when the member reviews 23(h), (i), and (j) and when he reviews the Blues in particular, he will see that no allegations were being made, no abusive or insulting language was being used, no false or unavowed motive was being used, which is what 23(h), (i), and (j) talk about.

Having said that and in consideration of where the member was going, I think he should also understand very clearly that when a member, such as the Member for Edmonton-Centre moments ago, deviates a little bit from perhaps a point or tries to bring in some kind of an example to support a point, it has been the tradition of the House to allow rather wide-ranging latitude. But under the new rules we're allowed to question some of that latitude, and I think that is all that the Member for Calgary-Currie was doing: simply asking for clarification and perhaps even relevance. So I would hope that this misunderstanding would be cleared away that way.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on the point of order.

MS CARLSON: Thank you, Mr. Speaker. While certainly the rules of this Assembly allow for wide-ranging latitude, that does not include imputing motives, which was clearly where that particular member was going.

Just to correct the Deputy Government House Leader, he has been in this Assembly for over nine years, not less than.

THE ACTING SPEAKER: The hon. Member for Calgary-Currie on the point of order.

MR. LORD: Thank you, Mr. Speaker. On the point of order which the member opposite has raised, I guess I would have to first question: when is it incorrect to raise a question, a question only, in

this Assembly asking whether or not someone used a statistic in a misleading manner or whether they just misunderstood the use of the statistic. So I merely asked a question, and asking a question is not a statement of fact that could be used to impugn anyone's reputation.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on the point of order.

MS CARLSON: Yes. "Misleading" is specifically a *Beauchesne* disallowed word.

THE ACTING SPEAKER: Anybody else wishing to speak on the point of order? The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: There is a distinction between debate and a point of order. A point of order has to do with the orders, the rules, with which we conduct ourselves. Debate is when we have a disagreement of opinion. You're okay; I'm okay. No, you're not. Yes, you are. That's normal debate.

So this is clearly, in my opinion, for what that's worth, Mr. Speaker, a point of debate, not a point of order.

THE ACTING SPEAKER: The hon. Member for Calgary-Currie had the floor when he was asking a question to the hon. Member for Edmonton-Ellerslie. The hon. Member for Edmonton-Highlands rose on a point of order, and this has generated a very interesting debate. The chair does not have the Blues before it to be able to make a ruling and reserves to make a ruling later on.

May we proceed with the questions and comments.

MS CARLSON: A point of clarification, Mr. Speaker, under 13(6) of Standing Orders. It was the Member for Edmonton-Centre.

THE ACTING SPEAKER: I stand corrected. It was the hon. Member for Edmonton-Centre.

Debate Continued

THE ACTING SPEAKER: Questions and comments in whatever time is left? The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. The hon. Member for Edmonton-Centre mentioned a number of times the best interests of the teachers in her debate. I understand very clearly that as a member of the government I have the best interests of all the taxpayers at heart and especially the students of this province. So my question for the hon. member is: whose best interests are more paramount, those of the teachers or those of the students?

MS BLAKEMAN: When we're talking about Bill 12, it's clearly about the teachers, and that's why I'm addressing it about the teachers. This is not about the students. It's about the teachers. We're not legislating students here. We're legislating teachers.

MR. HANCOCK: Mr. Speaker, I'd like to ask the hon. member if she or any of the members of her caucus have ever read section 178 of the School Act, which indicates that the Minister of Learning must at law not pay to a school board money for teachers' or other employees' salaries when there's been a cessation of service and whether or not, having read that section, if they have, they would realize that that's a prudent section so as to not allow school boards to benefit from a lockout.

MS BLAKEMAN: I take it the member was using that as an opportunity to make a statement, and there's no question involved.

MR. MASON: Mr. Speaker, I'd like to ask the hon. Member for Edmonton-Centre if she believes that the government, having accrued additional money into general revenues, could, notwithstanding the act just cited by the Attorney General and Government House Leader, allocate the money towards education and specifically towards teachers' salaries.

MS BLAKEMAN: Thank you for the question. My understanding is that until the end of the month, which is March 31, the end of the fiscal year, departments are in fact allowed in many cases to move the money around in their department as they wish unless it's specifically enveloped. Therefore, with money coming out of the Department of Learning, one assumes that they could have reallocated it inside of the Department of Learning. The decision has been made by the government, as espoused by the Premier this afternoon, that the money was going to be removed from the department and put into general revenue. I think the money should have been reallocated inside of the Department of Learning.

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

REV. ABBOTT: Thank you, Mr. Speaker. My question to the Member for Edmonton-Centre is this. Your colleague from Edmonton-Ellerslie seems to think that a guaranteed raise is a punishment. Do you share this erroneous viewpoint?

MS CARLSON: A point of order, Mr. Speaker, under 23(h), (i), and (j). He is imputing motives, clearly, in terms of what I said earlier.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

**Point of Order
Imputing Motives**

MS CARLSON: Mr. Speaker, in the comments just made by the member, he is imputing motives in terms of what was said earlier.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar on the point of order.

REV. ABBOTT: Mr. Speaker, I think that if you check the Blues, it will clearly show that the Member for Edmonton-Ellerslie called Bill 12 a punitive action. Of course, with Bill 12 we know that there's going to be a guaranteed raise to teachers. So my question was simply one of logic. Does she think that a guaranteed raise is punitive?

THE ACTING SPEAKER: Hon. members, this is an opportunity for members to be asking questions and making comments on the debate that has occurred. The hon. Member for Edmonton-Ellerslie has risen on a point of order citing 23(h), (i), and (j). The hon. Member for Drayton Valley-Calmar has responded. I hope that members will read the Standing Orders very clearly. Section 23(h) states that a person can rise on a point of order when an hon. member "makes allegations against another member," 23(i) states, "imputes false or unavowed motives to another member," and 23(j) states, "uses abusive or insulting language of a nature likely to create disorder." I hope that hon. members will act as hon. members and will debate in this House with respect for one another and discuss issues that are before it.

4:50

Debate Continued

THE ACTING SPEAKER: I believe that the five minutes allocated for this section are over, and we shall resume debate.

MS DeLONG: Mr. Speaker, the past months have been difficult times for education in our province. In the face of ongoing disputes between teachers and their school boards, students have been left with uncertainty. Albertans have been through strikes and lockouts, they've seen collective bargaining in their jurisdictions stalled, and they've wondered how much longer this unrest and uncertainty will continue. With Bill 12, the Education Services Settlement Act, we can reach a conclusion. This bill will protect students from reoccurring job actions. It will bring a sense of security and stability back into classrooms, and it will start teachers and school boards on the road to reasonable and affordable settlements.

On the need to resolve these issues, the Alberta Teachers' Association and the Alberta School Boards Association agree. They agree that these disputes have reached a point where the best approach to resolving them is binding arbitration. ATA President Larry Booi describes this point as the edge of the knife. He says, and I quote: we are on the knife edge here; we can move forward and deal with some difficulties, or we can continue with the increasingly hostile and problematic situation. I think we're going in the first direction. This legislation is definitely going in that first direction.

Once these labour disputes are behind us, we can start looking ahead. This legislation focuses on the issues at hand, is student centred, and also looks to the future. In the preamble of this bill it lays the groundwork for a broad and very valuable review of Alberta's learning system. This commitment demonstrates that all issues will have a chance to be aired, salary issues through arbitration and other more complex issues through a broad review.

Bill 12 reaffirms our commitment to students. It moves us past these difficult times for our learning system, and it prepares us for the future. It also sets out a fair arbitration process for teachers and boards. The three-person panel that would be charged with finding settlement would include an individual appointed by the Alberta Teachers' Association, another appointed by the Alberta School Boards Association, and the chair appointed by Human Resources and Employment. Fairness is further demonstrated by the fact that both parties have the opportunity to present their perspectives to the tribunal.

The bottom line is that we can't allow this dispute to continue on indefinitely. The Education Services Settlement Act puts us on the road to resolutions and points us squarely towards the future. I think we all agree that this is the direction that we need to be headed in. Alberta has one of the best learning systems in the world. It's time for us to move past our current challenges and start getting ready for the challenges of the future together.

THE ACTING SPEAKER: Questions or comments?

Debate will resume. The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to speak on Bill 12, Education Services Settlement Act, in its second reading. It's a sad day when we in this House are in the process of taking away by way of this bill the right related to job action, that in our democratic society all of us enjoy. It's a right that's one of the fundamental human rights that every civilized society not only respects but puts in its constitution. Canada does do that. The Charter of Rights and Freedoms, that makes us all proud citizens of the democratic society, sanctions that right. The essence of this bill, the very fundamental driving principle of this bill, has to do with whether or not that right

must be respected, legislatively protected, and in practice not only tolerated but in fact celebrated as a profoundly important statement of democracy, democratic rights, and democratic citizenship.

That's what I find most offensive – most offensive – about this bill. Whether you are a teacher, whether you are a parent, whether you are a grade 12 student, whether you are a grandparent, all of you are challenged by this proposed law, this bill. This bill is an affront to the fundamental right, it's an affront to the conception of education in our society that is supposed to educate our young into becoming democratic citizens. Education in a democracy must be education for democracy. What this bill does, if it passes through this House, is make a clear statement to our grade 9s, to our grade 10s, grade 11s, and grade 12s, who are able to understand more profoundly the issues of democracy and governments and governance, that this right is no longer seen as a sacred right in this province. To withdraw, to retreat even for a moment from our commitment to fundamental human rights, to fundamental democratic rights, is to signal that what's happening here poses a serious threat to the future of democracy in this province. That is why this bill has the smell of totalitarianism, and I am opposed to totalitarianism.

I am opposed to totalitarianism, and I respectfully ask all of my colleagues in this Legislature to announce their opposition to totalitarianism. It is important for us, whenever we get a chance, whenever it's important, to stand up for our fundamental principles. That makes this Legislature an important institution in this society. It's only in places like Pinochet's Chile or in Samozza's Nicaragua that such fundamental rights are mocked and taken away, not in the kind of democracy in which we live, and that's the challenge. That's the challenge we face. That is what's most offensive about this bill, and that is why it's not only a matter of concern or should be a matter of concern to teachers. It's not just about the taking away of the teachers' rights or attacking their interests. It's a bill which has consequences for the future of democracy itself, and therefore all Albertans have a stake in whether or not this bill in its present form goes through this Legislature. I hope it doesn't. I will certainly do whatever I can to convince my colleagues in the Legislature as well as to send a message out to Albertans about what is really at stake. I ask all of you to vote against this bill when the time comes.

Let me look at the substance of this bill. What does this bill do? How does it threaten democracy? This bill already imposes on the teachers a unilateral arbitration process. Teachers already call it a tainted arbitration process, 32,000 of them.

[The Speaker in the chair]

Why do they do this? They do it because this bill, in contrast with the terms of reference of the arbitration process that were attached to the order in council – and they were passed by this government just 10, 15 days ago or two weeks ago – included in it the possibility that there'll be one independent arbitrator that the government appointed. Of the six terms of reference, the last term of reference – and the Minister of Human Resources and Employment would remember that because he was instrumental in making sure that the sixth term among the terms of reference was there, and I compliment him for that. He stood for that. It is that particular term of reference that has been removed from what the arbitration panel here in this bill can or cannot discuss and debate and do.

5:00

So this bill represents a dramatic reversal and retreat from what this very government two weeks ago wanted to use in order to bring peace and negotiated settlements to our schools, to our education

system, to the classrooms of this province. This bill is not about settlement. It's about unsettling everything that was contractually agreed upon and practised for years, and in any employer/employee relationships not only the words of the contract are important, but the unwritten understandings which both parties are willing to respect are just as important. What this bill does is simply throw away the work of years and years of negotiations which built constructive, collaborative relationships between the teachers as employees and school boards as employers and replaces that model of collaboration and reasonable negotiation with legislative dictate.

Just because the government is represented by 74 members in this House is no reason for this government to disrespect the very principles, the very practices, the very institutional arrangements which made the education system of this province one of the best in the world. Don't underestimate the significance of the collaborative model that governs the relations between the employers and the employees in this province over generations in building a good-quality system that we all pay lip service to. What this bill does is undo that very fundamental condition that must prevail if that education system is to remain excellent, if it is to continue to guarantee to our children the very best education that they're capable of getting.

That's what this bill is undoing, and I submit to you that that is why I will not be able to support this bill, Mr. Speaker. The Premier said – let me go back a bit, because we do need to put it in context. On March 1 the government release said the following, and these are the Premier's words. He said, "I can't negotiate a settlement to the teachers' dispute, but I'm willing to meet with Mr. Booi as he has requested and see if we can develop some options to bring the dispute to an end." The Premier goes on to say:

I appreciate and respect the ATA's decision to ask teachers to stay in class in light of today's court decision, and I hope that by all parties working together, we can ensure that students stay in class without further interruption. Achieving that goal is the priority [of this] government.

I just want to remind the House that that has been the priority of the teachers as well. That is why, although the government's order in council was struck down by the Court of Queen's Bench of the province, teachers decided to return to school, return to the classroom, because students' interests were also a shared priority for them. They agreed with the Premier.

Then in good faith they entered into negotiations with the Premier, and now they feel double-crossed and stabbed in the back. I think they are right about this. They have been betrayed. Their good faith has been spurned, and instead this bill now has turned towards punitive and vindictive legislation, that will not be forgotten by teachers and that will not be forgotten by the parents of children whose educational interests have been served with great distinction by the teachers of this province, Mr. Speaker.

Mr. Speaker, there are other provisions of this bill and principles underlying them that I would like to draw to your attention during the remaining time. This bill is highly objectionable because it restricts arbitration to only those things that have nothing to do with instruction as such.

Teachers have been concerned about the conditions under which learning takes place. It is those conditions that have been simply set aside, have been rendered unnegotiable by the provisions of this bill, and that's very, very, very unfortunate, Mr. Speaker, because if it is really the interests of the students that this bill is supposed to serve, then it is those conditions of instruction and learning that should have been put front and centre in this bill. Arbitration should have been about the creation and the negotiation of those conditions so that the quality of learning of our children would be protected,

would be treated as the first priority, and other things would be later. But that is not to be if this bill is to go through.

What else is wrong with this bill, Mr. Speaker? It ties the hands of the arbitration board. It asks them to look around and look at various contracts of unionized workers, non-unionized workers, other comparable professions and whatnot, and at the end, having said all that, then it says: but you can't give an arbitration award which will push a school division to a deficit situation. That is really hindering the ability of the arbitrator to really do justice to the inquiry.

Mr. Speaker, I'm happy to take some questions, so I'll sit down now.

THE SPEAKER: Hon. members, Standing Order 29 now is available.

The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. LUKASZUK: Could the member please expand on his manifesto and tell us what is so patently unreasonable or unfair with binding arbitration set in a bilateral agreement between the employee and employer?

DR. PANNU: There is no bilateral agreement here, Mr. Speaker. The ATA is saying that they are not party to this agreement. There is no agreement. They, in fact, are complaining that the agreement that they had entered into with the Premier has been violated and violated violently.

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

MR. HORNER: Thank you, Mr. Speaker. The hon. leader of the third party, I assume, agrees that teachers view the classroom conditions and integration and conditions of learning as the priority over and above even, in fact, salaries. In light of that, is he suggesting that he would deny parents, school boards, teachers, and all of the involved stakeholders the opportunity to review these items as opposed to simply sending them to an arbitrator and not having any involvement?

5:10

DR. PANNU: The arbitration should deal with things that the collective agreement between teachers as employees and school boards as employers have negotiated for the last 20 years. Why take an extremely arbitrary action to tell school boards and teachers, "You cannot continue to negotiate items and issues on which in the past you have achieved a very good agreement and worked collaboratively together"?

MR. McCLELLAND: Would the hon. leader of the third party refresh my memory, please? It seemed to me that when the Alberta Teachers' Association went to court and had the previous arbitration order overturned, did that arbitration order not have all of the other issues on the table that the leader of the third party would like to see on the table? Yet the ATA overturned it.

DR. PANNU: The ATA didn't overturn anything. It was the court that overturned the order in council, Mr. Speaker.

MR. LOUGHEED: Could the hon. member indicate – he talked a little bit in his speech about the importance of the teacher in the classroom – what he considers the most critical factor in a student's education?

DR. PANNU: Mr. Speaker, the question doesn't relate to the bill. I'm very happy to answer any question related to the content of the bill.

Thank you.

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

MR. HORNER: Thank you, Mr. Speaker. A little bit of a follow-up to my first question. Again, when I spoke with teachers and have continually spoken with teachers through the last six to eight months, special needs, classroom conditions, integration: those are the things that they tell me are more important to them than the salary. The parents also tell me that. All of these people want to have input, not just by an arbitration. I think it's something that all stakeholders should be involved in, not just the collaborative negotiation process.

DR. PANNU: I think, Mr. Speaker, I agree with the hon. member. It wasn't the teachers' choice to be thrown into the hands of the arbitrators. That was the decision made by the government. Teachers simply accepted what they felt they couldn't change.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Ellerslie.

MR. CAO: Thank you, Mr. Speaker. To the hon. leader of the third party. The president of the ATA was reported to say in the newspaper that

he doesn't like arbitration, binding on all parties, to end the dispute, but he feels it's the only fair solution to end the current deadlock and suggested that it might be led by a three-person panel, with one member chosen each by the teachers, the school boards and the government.

So this bill is all about that.

THE SPEAKER: Sorry. Time.

The hon. member.

DR. PANNU: Mr. Speaker, I wonder what the question is.

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

MS CARLSON: Thank you, Mr. Speaker. I wonder if the Member for Edmonton-Strathcona could tell us what he finds to be the most offensive part of the bill.

DR. PANNU: Mr. Speaker, I welcome this question. Taking away the teachers' right to strike, the most fundamental human right: that's offensive. Tying the hands of the arbitration panel so that it can't do anything is extremely offensive, and one other point . . .

THE SPEAKER: I think, hon. member, that our time has now left us for this matter.

Now the hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise this afternoon to enter into debate on Bill 12, the Education Services Settlement Act. I think this is a bill that, if every member of this House really had a choice, none of us would be standing to speak to today. We would have rather seen the process of settlement of contract achieved through the process of collective agreement between the teachers and the respective school boards. You know, this is the process

that's in place. This is the process that has followed out of over a hundred years now almost of development, what has been proven to be a very effective means to deal with both working conditions and a level of remuneration for individuals when they end up dealing with an employer. This kind of process has been developed over this period of time because what we end up with is the sense that if individuals don't get together in a collective way to deal with the negotiations, no kind of standardization or no kinds of conditions that affect everybody, as opposed to affecting the individual, can be put in place.

If we look at the position of the teachers as they entered into this negotiation six months ago, what we see is that they were making choices at that time to deal with both what is a fair mechanism and a fair level to determine their actual dollar value of pay, but they also wanted to deal with a whole broad spectrum of other issues that affected their ability to deal with a viable work condition. This, I think, was as much where the idea of collective agreements began as anything. It was for safety. It was for work conditions. It was for the ability of an individual to be heard. You know, this was the basis of the whole process of collective agreements. That's where it started.

It's more and more focused now on just the issue of what is a fair level of pay. But we have to look at it from the perspective of at what point does a contract relationship again enter into the conditions, where it's very important that we allow for a complete discussion of all of the aspects that are associated with the workplace from both the employer's and the employee's perspective, in this case the school boards at the local level and the local of the ATA. It's become very evident when we listen to parents, when we listen to teachers, and when we listen to citizens in the community who are involved in what's going on in their community. They've been expressing real concerns about the current status and the current conditions of our education system all the way from the macro perspectives that don't deal with this contract down to the specific issues that were really being addressed by the teachers and the school boards in the context of the aspects that are associated with this type of contract that started off six or eight months ago.

The main aspect here is: what is kind of the safety or the personal position of the teachers when they enter into the classroom? Stress causes a lot of concern for teachers; it causes a lot of concern for the students in the room. As we look at how to go about dealing with the process of trying to focus on education and trying to focus on learning for our students, we have to be able to make sure that in effect the negotiation occurs on all of the issues that are relevant to the ability of our young people to learn, to learn effectively and to learn to the fullest of their ability.

If we look at what's been happening in the process of this collective agreement, I guess this is kind of like: how did we end up standing here in the Legislature today debating Bill 12? It basically boils down to the fact that over the process of these contracts, the process that normally would have been in place was limited and was corrupted by outside influences, the first one being the comments that were made with respect to all public servants in the process of our preparing for the election that we went through a year ago. Basically, everybody who worked for the public service or in a public service role was told that they would be treated fairly, that they would be treated with respect, and that they would be treated in a sense equally.

5:20

Mr. Speaker, I don't think anybody at that point in time took that to mean that every one of them would get exactly the same percentage increase in salary, but what they wanted to see was that

they were treated in a way that showed their profession to be essential to this province and that their contribution in a professional way was valued. What happened was that the health care areas were settled significantly before the election with what in effect created benchmark expectations of basically settlements that would allow for those professions to recapture some of the remuneration they had that was lost in the '93 to '95 period, I guess, but it would also allow them to sense that they were in a profession valued by the province.

One of the big concerns that has come up in the process of this debate as I've dealt with people in the community has been the question: what's happening that so many of our teachers now are leaving the profession? Not because they're retiring but leaving because they're moving off to other jobs. What about when you go to the universities in this province? You find that 20 to 30 percent of the graduates out of the faculties of education are not actually going and taking jobs in the field of education. They're not taking jobs based on the expectation they had when they went into the profession, when they went into a university. So in effect they've had something happen to them that has diverted their attention away from where they set out to go, and this in a sense leads us to wonder what that was. Is it a sense that their chosen profession is not valued? Is it a signal that the pay package they receive inside that profession isn't competitive with others?

Mr. Speaker, I think it's important that we do look at the fact that in Alberta the government lays the claim on the table that the teachers in this province are paid as well as anywhere else in Canada. Yet what we see, in effect, is that because of the cost of living here, because of other factors of living in Alberta, the actual sense of achievement in terms of financial position by the teachers isn't at the same level as it is in other provinces. So we have to make sure that when we talk about things like, you know, they're paid the same as or at the top level of all Canadian teachers, yes. But what are their expenses associated with living here in Alberta? We have to make sure that we deal with this kind of thing from the perspective of fair treatment. [interjection] The member sitting next to me here just said: yeah, we've got the lowest unemployment.

Mr. Speaker, I'll tell you from the perspective of an economist that all that does is drive up wages. That doesn't mean that we can be satisfied with cutting back the wages of our teachers. We have to make sure that the marketplace has a place to function because if we don't do that, we end up with comments like we just heard, where people in effect are led to believe that because we have low unemployment, that means teachers can accept low pay. That goes against every aspect of labour market economics that you can ever find in a textbook, because when unemployment goes down, the rate of pay has to go up so that we end up with an aspect that gives fair treatment to individuals.

When they're dealt with under a collective agreement, we have to recognize the fact that these kinds of agreements carry over for what in effect is a two-year period. We have to make sure that a process is in place where those teachers have the ability to see a fair package over the whole life of that contract. We can't deal with it as of today; we have to deal with it in the context of the life of that contract. We see other provinces now starting to enter into negotiations with their teachers that will raise their salary levels above what we're offering our teachers after our settlement. That is in effect what we have to deal with in the context of the whole perspective. We have to make sure that they are put in a position where they feel that they are treated with value for the effort they put out.

The other thing, Mr. Speaker, that I wanted to get at as we go through this whole process is that for as long as we've had collective agreements in education, the process of discussion about classroom conditions has always centred around the context of negotiation with

the teachers. That's where it starts. I'm just as much in support of the idea that the school boards, the community, the school councils should have a lot of input into what constitutes the appropriate classroom conditions, but in many cases it requires the teachers to raise the issue so that we can in effect begin to discuss it at the local level. We shouldn't be dealing with this from the perspective of trying to make sure that we impose these kinds of conditions at a provincial level, that we make sure that they're excluded at a provincial level, and that's what Bill 12 is doing. It's making sure that the issues of concern to the communities are not brought into a fair discussion through this process. We want to make sure that in effect the communities are part of it and that we have in place through our legislation processes that in effect provide the opportunity to deal with classroom conditions. Elected school boards and school councils, that are available at each school in this province, are the ones who should be making those kinds of decisions about school conditions, not some arbitrary panel appointed by the Premier, who deals with a whole bunch of situations. [interjection]

We've got another comment from the bleachers here that talks about how this is not going to be an arbitrary appointment. We've heard nothing from the Premier yet that talks about how he will in effect be making these appointments to this commission. If we look at how he went through appointing individuals to all of the other study groups that he's had in place in the nine years he's been in power, he hasn't done it in a consultative way with the communities. He's done it as: let's ask for people to be appointed who support his

point of view. Mr. Speaker, that's not the way to deal with this.

We have a process in place to deal with classroom conditions. It's the school boards and it's the school councils, with input from the teachers, with input from the parents, with input from the kind of process they have in place. The member here says: they don't want it. I have yet to talk to anybody on a school board or a school council that doesn't want to deal with the issues of classroom size, support for teachers, and the number of aides for special-needs students.

What they're operating under, Mr. Speaker, is a condition of budget restraint from the government that prevents them from dealing with these issues the way they think they should. We've got to make sure that they have that flexibility to deal with those issues. We've got to make sure that they're in a position where they can bring forward constructive suggestions about how we deal with the process of developing a good education system for our students so that we end up with a true development of process, so that we end up in a position where we have to make sure that the process goes through and that the whole issue of education and learning is discussed.

THE SPEAKER: The Assembly stands adjourned until 8 o'clock this evening.

[The Assembly adjourned at 5:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, March 12, 2002**

8:00 p.m.

Date: 2002/03/12

[The Speaker in the chair]

THE SPEAKER: Please be seated.

Hon. members, before calling on the hon. Leader of the Official Opposition to continue his remarks in second reading, I'd like to recognize the hon. Member for Calgary-Currie to clarify a matter.

MR. LORD: Thank you, Mr. Speaker. I rise to respond to an objection which was received earlier this evening in regards to a question that I asked. I just wanted to assure the Assembly and you that the intent behind my question was not to impugn the motives of the hon. member opposite in statements that she made but merely to clarify the intent and the facts that were stated, and thus I apologize if she feels that I have impugned her motives.

Thank you, Mr. Speaker.

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

Bill 12
Education Services Settlement Act

[Debate adjourned March 11: Dr. Nicol speaking]

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

DR. NICOL: Thank you, Mr. Speaker. It's again just a chance to give me more opportunity to pursue some of the issues that I was talking about before in the context of, first of all, how we got into the position we're in, how some of what we're faced with now could have been averted but also to look at in effect what is an appropriate process and whether or not Bill 12 really deals with what could be an appropriate process.

The way we need to look at this from the perspective of the debate that is under way is to deal with, I guess, whether or not we could be in a position today where the collective bargaining process is progressing more in the context of the way it is intended under the law. Mr. Speaker, as I said at the start before the break, I don't think any of us is happy at being here today debating this bill. It's a set of circumstances that has precipitated it, and we have to look at this bill and whether or not we're going to support it in the context of: what are the outcomes that we can see from the process that is provided in the context of the arbitration outlined in Bill 12?

When we look at it from the perspective of where it goes in terms of the relationship to a normal process, it doesn't even follow what would normally be relevant under, say, an arbitration process that would be set up, you know, through the process that was started a couple of weeks ago with the government's back-to-work order, which in a way was precipitated by the emergency decision by the government which was later overturned. That arbitration process, which is set out under law, would have allowed for all of the aspects of the current negotiations to be on the table.

It's interesting, you know, as we look through the process and we look at kind of how the arbitration tribunal will be set up, the power that they'll have. I guess it starts in a very appropriate way in the sense that each of the bodies that is involved gets a chance to nominate an individual to the tribunal, but what the government has done in there is also taken the opportunity to be a little bit heavy-handed in the sense that if they don't feel the appointed or the nominated representatives are facilitating movement on the issue,

then they have a chance to in effect revoke that appointment and go through a process, I guess, of reestablishing or redefining the tribunal, which then creates a discontinuity in the discussions.

I guess I would hope that as that happens, we don't end up trying to deal with it in the context of being overly critical of the individuals that are appointed, because you know each one of them has to make sure that the views of the group they represent get expressed in the context of this dispute resolution and through this arbitration. If we look at it through different aspects and when we get down to kind of the ground rules under which the arbitration can occur, I guess we have to question why it is that the government in effect took off the table a lot of the aspects that are there in the context of the concerns being raised by the individuals in it, whether it's the ATA or the school boards.

If we try to determine the impact that this is going to have on the outcome, there appear to be some real difficult kinds of situations that come into it in the sense that the arbitrators or the panel, the tribunal, is going to have to be able to really delve into the operation of the school board to a degree that you kind of question the time frame properly allowed them. Basically, we're seeing in here that conditions that have to come up in terms of class size cannot be part of the negotiation.

Does this mean that the settlement can't result in an increase in class size, never mind the targeted or the preferred decrease in class size? Will that be part of it as well? If that becomes part of it, then in effect what you've done is limited the arbitration to the predetermined outcome that the government has. If you take into account the fact that school boards have to deal with the other salary settlements – and a number of the school boards I know tie in their support staff settlements to the settlements that the teachers get – what you end up with is the possibility of trying to deal with the process of: how do they settle it?

If the teachers get an increase, then the other staff get an increase. In many cases we've heard the 3 percent that was provided to the school boards called "available to negotiate with the teachers." It truly isn't, because it in effect makes sure that that part of the budget is tied into whatever settlement is there. So for a lot of those school boards basically the 4 and 2 that we've seen provided in the budget is going to be the only option that comes out, and if that's really what this act is going to do, it's going to really prevent any kind of appropriate spirit of the process to be conveyed into any kind of a solution beyond what was in the budget last spring. I think that that in effect makes this process overly restrictive.

We've seen some school boards across the province who have settled with their teachers, but they've done it on the basis of the fact that those schools did have a surplus position to carry themselves through this year. Then they looked at the business plans of the government and said, you know, "If we do this this year, use up the surplus this year, in effect we can then move into next year with a sustainable process with some adjustments," given the fact that they're looking at increases in the budget as prescribed in the business plans again for next year.

What you end up with is a real situation trying to deal with equity across the province, because what we in effect now have is that some school boards that had surpluses can deal with the solution that's going to be arbitrated, but does that also become part of the negotiation in terms of the previous settlements? What you're seeing in here are restrictions that will not allow a school board to either go into deficit or increase their deficit. Does going into deficit mean on an annualized basis so that they can't tap into the surplus they've got, or does it mean on an accrual basis so that they could in effect have access to that surplus for the one year?

You know, when we start putting words on a piece of paper, it's very difficult to see how these kinds of things can be operationalized

in the context of having the arbitration operate at each school board or for each of the contracts in an equal way. If what we're going to do is see some school board/ATA contracts allowed to be more flexible in the context of their use of a surplus or a projected other revenue, what we'll find is that in the end we have a lot of discrepancy across the province in terms of what the settlements will be. We also have, then, a different set of expectations that come about in terms of: how is the government going to handle this in the subsequent negotiations? What we'll have, then, after August 31, 2003, is a lot of catch-up that'll have to be negotiated into these contracts or a lot of equalization, not because of the market forces that would determine what is fair remuneration for teachers in that school division but because of outside, imposed intervention activities by the restrictions that are placed on the arbitration process through Bill 12.

8:10

Mr. Speaker, I think the thing that needs to be looked at here – and I hope that it eventually ends up getting looked at in the context of the commission or tribunal, whatever appropriate word gets attached to it when it gets set up. Very obviously, if some school boards right now are working with surpluses and others are either in a deficit or threatened-with-deficit position, then what we're looking at is a very strong signal that there are inappropriate allocations of resources from the Ministry of Learning out to the various school boards. Will the commission or the tribunal be authorized to look at the funding formulas that determine how dollars are allocated out to the various school boards? This, in effect, presents the umbrella under which the arbitration process can operate. Will we have adjustments made so that school boards that have rapidly increasing populations or a higher incidence of need for special support services in the classroom, whether it be teaching assistants or technology supports – will those be recognized in the funding formulas? Obviously, because of the way it works right now, the definition of that funding formula doesn't provide a fair allocation of the province's money out to the relative communities.

Mr. Speaker, this is one of the things that's wrong when we start looking at an absolute per-pupil grant, because what it does is it doesn't take into account the differences of the community, the differences of the growth in that community. We're always dealing one year behind for those communities that are growing very rapidly, and they end up having to deal with additional costs of that education system a year prior to the formula recognizing the fact that their population has grown. So we have to make sure that our funding formula in effect recognizes the fact that we're always dealing with a lagged-type operation. Even when we deal with the September 30 enrollment statistics as the basis for the grants, what you end up with is the fact that if you have a transitory community, a lot of people are moving into that community during the year and they end up with growth issues. I think that if we look at some of them, especially some of the new areas of Calgary or the new areas of Edmonton here, those create really severe restrictions on what can happen, especially when the budgets are allocated down to the school at a particular level.

So, you know, these are the kinds of issues that we have to look at in the context of: is this bill providing the flexibility that would give us an equitable settlement in an arbitration process? Mr. Speaker, I don't think it does. We've seen too many of the ways that the restrictions on this will end up with, basically, a constraint on the arbitration process that won't address the issues that were raised, whether it was by the ATA or by the school boards, in the context of their initial attempts at negotiation.

If we also look at, you know, the approach that's taken through

this arbitration in the context of if it gets buy-in from all of the individuals involved, in the contacts that I've had in the last 24 hours since the bill was introduced, basically I think everybody recognizes the fact that very few of the teachers are accepting this as being reflective of what they were expecting in the process. I've also had a couple of calls from individuals who serve on school boards, who are concerned about the limitations that it puts on it as well. So what we're seeing is that some of the voices that are out there saying that this is good or this is bad don't reflect the real operational aspects when you come to looking at it from the perspective of each individual school board and their local ATA they have to negotiate with.

The arbitration process that gets set out here focuses just on the money aspects of a settlement and effectively, as I've said already, backs the arbitration process into recognizing or accepting what is in the budget from last year as the final settlement for teachers, because the flexibility there doesn't allow for anything beyond that. But we also have to look at how the process will be set up to incorporate the other issues, because they can't occur in the context of just a pay package for teachers without looking at issues like class size as well. I think I've touched on it a little bit already, Mr. Speaker, in the sense that if a settlement occurs that is going to require extra dollars from the school board, the only way they can be prevented from going into a deficit position is by altering their class size. Is that going to be allowed or is that not going to be allowed under this arbitration?

In effect, are we just downloading the decisions about the base pay and the base pay structure to the school boards in saying, "You can't go into a deficit, so if the settlement is above what you have in your budget, you're going to have to adjust the classroom size"? Yet in the context of this bill it says that we cannot deal with classroom size, so I guess the question that comes up is: is classroom size not part of the negotiation from the proactive point of view of either the school boards or the teachers? Is it also restricted and prohibited in the context of a passive approach, where in a sense it precipitates out of the end solution?

I would really hope, Mr. Speaker, that if we're trying to make sure that this process deals with class-size neutrality in the arbitration process, it is neutral both ways in the sense that the teachers are not in a position where they can introduce their working conditions into this negotiation. But we also have to have it so that the arbitration process, through the restriction that's in this process about deficit financing, doesn't in effect force onto the teachers a negative direction from what they put into the process. In other words, we'll end up with larger class sizes to suit the arbitrated solution rather than smaller class sizes, which was part of the negotiation in the whole process.

I guess some of the other things in the context of the approach that was taken in this bill that really bother me are some of the interpretations or the allegations that are coming out about the freedom of different groups to react and participate in public events or public activities that associate with the debates surrounding the outcome or the process in the interim. Specifically, Mr. Speaker, I'm talking here about the restrictions in this bill that limit how people can in effect discuss or participate in processes that are involved in a decision by the administrator.

8:20

You know, if two or more employees refuse to comply with responsibilities assigned, if those responsibilities are in the context of this agreement or if they're part of an administrator's new approach to dealing with teaching, with the classroom assignments, with anything that in effect comes up through that school or the

school board management, this bill basically says that for the next year and a half teachers can't talk about that to anybody else, to another teacher. If one of those people that gets involved in that discussion then becomes . . . [interjection] Well, the member here says that it's mistruer, and I would like to have her stand up after my speech and explain where she says I'm misreading this. It says in there that "a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer" constitutes a strike under the definition of this act. [interjections]

MS CARLSON: Exactly. Read it. You haven't read it. You've been misled by your own members. [interjections]

THE SPEAKER: Hon. member, the hon. Leader of the Official Opposition has the floor.

DR. NICOL: If they get together and refuse to undertake an activity over the next year and a half, whether it's included in this agreement or not, they in effect are precipitating a strike in the definition of this act. To me, Mr. Speaker, that limits the ability of teachers within a school dealing with their school principal or dealing with their school council when they're asked to do something that was or was not directly involved in this negotiation. That in effect constitutes a violation of the conditions, the way I read it. In that context, I think it limits the possibility of any kind of constructive discussion about classroom conditions, about teaching conditions, about the approach that we have to open participation in our government, in our public services.

The end result, Mr. Speaker, is that we have to look at this from the perspective of: is it going to be enforced to the word, or is it going to be enforced to somebody's arbitrary interpretation of that? In other words, we're setting ourselves up for a whole series of different interpretations of it. You know, we've seen discussion arise now just by my standing here talking about it. If that can bring forward a set of discussions in the context of this debate, then what prevents that same kind of misinterpretation that the provincial Attorney General is talking about across there in the context of, gee, one school board or one school council or one school principal can have that same kind of misinterpretation?

All I'm dealing with is the process of how if we're going to have a clear definition and a clear delineation of where we want this arbitration process to go, then we'd better make sure that it's in the act. We'd better make sure that it's there so that everybody knows where the bounds of this are, where the bounds of these kinds of limits will take effect, or whether the bounds of these kinds of things will get the support of the government or not get the support of the government. We don't want to have to utilize the court system on a consistent basis to interpret how this act is going to be applied and what rights teachers have to deal with it.

You know, Mr. Speaker, it's interesting in the sense that there have been allegations that this has been directed at the teachers, yet there's no limit in this bill that I can see that limits two school board members from getting together and talking about dealing with the same kinds of concerns about the contract that the teachers are prohibited from talking about. So we've created this to deal with this kind of an approach, but it says two or more teachers, so it would in effect – all I'm saying is that that creates a discrepancy. [interjections]

Speaker's Ruling Decorum

THE SPEAKER: Hon. members, the chair has recognized the hon. Leader of the Official Opposition.

Now, to the hon. Member for Edmonton-Ellerslie, you're sitting proximate to a mike that is live, which means that whatever thoughts you might have to yourself unfortunately are conveyed to everyone else in the Assembly because the microphone picks them up.

So may I just encourage the hon. Leader of the Official Opposition to continue and everybody to listen.

MS CARLSON: I was just responding to the minister.

THE SPEAKER: Excuse me, hon. Member for Edmonton-Ellerslie. You don't have the floor. There's nothing to respond to. Do what you do in life. Recognize that the hon. Government House Leader is a man. Ignore him.

The hon. Leader of the Official Opposition.

Debate Continued

DR. NICOL: Mr. Speaker, is that the kind of advice you give to everybody when a man stands up to talk?

What we've got is a situation here where in effect any two or more people can get together from the administration side, from the school board side and not be subject to the restrictions of this act. But any two or more people from the teachers' side who get together to talk about the implications or to take action with respect to the implications of this act in effect are found in violation of the act. We've created a one-way scrutiny, a one-way penalty, Mr. Speaker, and that's not what we should be dealing with if we're trying to talk about fair representation, fair legislation, and reasonable responsibility in a democratic society.

As we go through and look at the other processes here that affect the principle or the operation of it, we get to the kinds of issues again that focus on the matters to be considered. I think the main part here that we have to look at is the approach that comes from trying to deal with aspects of job certainty and job conditions that in effect allow for the teachers of this province – you know, the approach of this arbitration affects them. I don't believe that what we're dealing with here is openness when we look at how this act and the process set out follow in the context of some of the aspects of the normal process of arbitration that would come up under the labour code, which normally would be the guidelines for any kind of negotiation undertaken by the teachers and their local school board as they look at it.

As we get to looking at the principle here, Mr. Speaker, I think we have to basically question whether or not this is going to create a good environment over the next year and a half. I've talked in that context about the sense of who can talk about what's happening. But also when we look at it in the context of how the teachers will be able to relate to the administration and relate to the students, anytime we now are going to have a school council come along and say "What do you think about changing some of the processes?" in effect what we're going to have is a situation created where an interpretation of this act and how this act will impinge on the ability of them to enter into a negotiation with the teachers to change their work process, their work commitment, their work direction, their work timing over the next year and a half will all have to be done within the context of this kind of evaluation, in terms of how it looks at or how it affects this particular piece of legislation.

In the end, Mr. Speaker, what I'm just trying to say is that I find the process that's outlined in Bill 12 to be very restrictive. We could have had a process put together that allowed for all of the issues that were raised by all sides in this to be addressed without having to be so restrictive and so limiting in the context of how we as legislators impose a settlement process on them. The end result is going to be

that we're going to have a lot of mistrust, a lot of questions raised about the intent, and how we deal with the process of getting any kind of a solution that serves the children of our province. We have to make sure that the school councils, the school boards, and the teachers have built into their commitment to learning the flexibility that will suit the needs of children within that school as individuals and as a classroom over the next year and a half.

8:30

This bill, Mr. Speaker, puts limitations on what the school boards could do in the context of their negotiations with teachers, puts limitations on what a school council or a school administrator, namely a principal, can do in the context of dealing with any kind of change in requests for teachers. I think that we've got to make sure, as we go through this process, that this bill develops more flexibility so those kinds of things can be addressed. We'll be addressing some of those kinds of things when we get to amendments to the bill, but in the meantime I think the thing we have to really look at is: is this bill in the best interests of kind of the overall relationship that we have in the education system in Alberta? I would suggest no, that we're really faced with an imposition here of a solution to a problem that could have been addressed through dealing with the process in an up-front way, dealing with the process in a way that was consistent and fit with the current parameters of the collective bargaining process and the negotiations that are built into it.

With that, Mr. Speaker, I'll conclude and pick up this debate in a little more detail when we get to committee, where we can talk more specifically about how we would like to see changes put into some of the sections. It's important, you know, that we do make sure that this bill doesn't limit what can happen in the context of settling a collective agreement with the teachers. It's an imposed arbitration that's going to really limit what issues can be addressed, issues that were important enough to the teachers that they felt they should have been brought up in the context of their negotiations for a new contract. By not allowing them to occur here, in effect the government has said: we don't think those are the kinds of issues that should be talked about today; we're going to talk about those sometime in the future.

Listening to the Premier today, it could be as much as a year and a half into the future before the results of the commission get brought forward. Knowing how things work, after that it'll probably be another year before anything can be done with the recommendations out of that commission or tribunal. What we end up with, then, is that in effect a lot of the classroom conditions that the teachers and the parents and the school boards are raising today won't be addressed for at least a year and a half or two years down the road if this bill is passed, and I don't think that's the kind of approach we want to take to education. I think we need to address those issues now, while they're critical, so that the students that are in the system today aren't disadvantaged through the process.

With that, Mr. Speaker, I think I'll let someone else have a chance to speak to the bill. Thank you.

THE SPEAKER: Standing Order 29. We'll go with the Minister of Justice, followed by the hon. Member for Edmonton-Rutherford, and did I see the hon. Member for Spruce Grove-Sturgeon-St. Albert?

The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I normally listen and did listen today to the hon. Leader of the Opposition's words with a great deal of interest. Even when I don't agree with him, I admit that he makes an awful lot of sense and clarity. But I want to ask if the hon. leader is aware that the section of the bill which defines

strike is almost a direct lift from the labour code. I quote the labour code, section 1:

"strike" includes

(i) a cessation of work,

(ii) a refusal to work,

(iii) or a refusal to continue to work,

by 2 or more employees acting in combination or in concert or in accordance with a common understanding for the purpose of compelling their employer . . .

The definition that's being objected to is a direct lift from the labour code.

DR. NICOL: Mr. Speaker, it's the idea that it gets imposed into this bill and the fine that goes directly to the teachers that make this an issue. We have to make sure that the issues that come out here are not punitive in the context of any kind of open discussion. The very fact that we've put it into this piece of legislation allows it to be brought forward and made part of a contract, and in effect it becomes a hammer within that contract, that anybody that wants to contain the development or to contain the discussion of two people can do it through that clause.

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

MR. McCLELLAND: Thank you, Mr. Speaker. Last week I'm sure I recall the leader of the Liberal Party supporting the Alberta Teachers' Association when they tried to have the arbitration overturned, and it was overturned. That arbitration included all of the issues that the hon. member has said should be on the table, so now when it's much more narrow arbitration on the table but with the specific intention to have all of the other issues dealt with in an exhaustive review . . .

THE SPEAKER: I think time – we've arrived at it.

DR. NICOL: Mr. Speaker, the problem is that what we were dealing with before was overturning a process of an imposed settlement, not an arbitration. What we're seeing here now is an arbitration that doesn't even fit the definition of a normal arbitration, where it usually takes into account all of the conditions that are on the table. This is not a fair arbitration under any kind of a definition of a labour code. I don't know how anybody can support it.

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

MR. HORNER: Thank you, Mr. Speaker. The hon. Leader of the Official Opposition commented that parents, school boards, and involved stakeholders want to be involved in the solution, and we agree on that point. They have been expressing their concerns, but it should be on a provincial basis, not on a regional basis. Why would you deny them the right to be a part of a provincial policy discussion regarding classroom conditions? It's an in-depth review of the policies of education, which should be by all Albertans and not individually from each division. The items should not be entrenched in employment contracts, and we need to remember who the managers of the system are.

DR. NICOL: I'm on record many times saying that this is the responsibility of the school board. It's done at the local level. We should not be imposing classroom decisions and classroom conditions at a provincial level on a local school board. That's who we give the power to, and they are responsible to their communities through their elections. Do we want to overtake their elections and

overturn the responsibilities and the commitments that they've made to their communities when they're elected to do this at their community level? I don't think so, Mr. Speaker.

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

MRS. ADY: Thank you, Mr. Speaker. The hon. member referred to the idea that he felt like a study would take too long, and I refer back to the California model, where they legislated class size and overnight they didn't have enough buildings or enough teachers and they were hiring first-year kids out of university. Don't you think that a study that took time to thoughtfully look at that and make those kinds of changes in a thoughtful way would be a better idea?

DR. NICOL: Mr. Speaker, the local school boards get involved in dealing with this. They have to make their decisions and make their allocations and resources on the basis of all of the resources they've got, whether it's dollars, whether it's buildings, whether it's support resources. They are the ones responsible for this. They should be the ones that do it. They should be the ones that make that kind of a decision in a collective negotiation with the teachers who provide the services and with the parents who have to meet the education needs of their community and their children.

THE SPEAKER: I'm afraid, hon. members, that we've arrived at 12 seconds. I think it's impossible to deal with.

Now, the next continuing debate. Did I see movement from the hon. Member for Edmonton-Gold Bar?

MR. MacDONALD: Yes. Thank you very much, Mr. Speaker. I, too, have a few comments regarding Bill 12, the imposed arbitration Education Services Settlement Act. It's a bad act by a bad government, a government that is completely out of touch with the citizens that a year ago elected them to this massive majority. Here, precisely one calendar year later, we have a bill that has been described as beyond punitive. It is vindictive. It's vindictive against the collective bargaining rights of teachers across this province. I even had a constituent phone me enraged about this legislation and compare it to the enabling act that was passed in 1933 in Germany. This was my constituent's comparison to this legislation, and that's how frustrated and upset that individual is.

8:40

Now, teachers across this province, Mr. Speaker – and I understand from earlier in question period today that there are 20 of them in the government caucus – want respect. They want respect from their government, and unfortunately they're not getting it. The teaching profession in this province is responsible for transmitting the collective knowledge of this community, this city, this province from one generation to the next. Perhaps the most important job in all of the province is the transfer of information from one generation to the next, and that's provided by the teachers. For this government to pass or to attempt to pass this legislation is wrong.

I think the best thing to do is to alert all hon. members in this Assembly, Mr. Speaker, about how this is going to destabilize not only collective bargaining in the education sector in this province but also in health care and also in the public service. Now, there are many negotiations going to be coming forward soon, and when a government bargains in bad faith, you're going to have trouble, and the government in this case has been directly participating in education bargaining. Half of the members of this Assembly, I'm sure, have had a look at the e-mail that was sent directly from the Deputy Minister of Learning to various school superintendents and

school boards across the province. That, in my view, is direct involvement, certainly the 4 and 2. Now there are people indicating that the 4 and 2 really meant a two-by-four, and that's what the government has hit the teachers with, hit their organization over the head with, a two-by-four, with this bill. We need to remind ourselves of the past, the difficulties there have been in negotiating contracts with health care professionals and with the public service. Now we see this, and I'm afraid the future does not look bright for the collective bargaining sector in this province.

How can anyone rely on this government any longer after the jurisdictional errors that were outlined in the reason for judgment by the Hon. Chief Justice Allan Wachowich, the jurisdictional errors that were described, and I would encourage all hon. members of this Assembly to read that decision. There was a great deal of insufficient information, as I understand it, before the Lieutenant Governor in Council. Now, when we think of insufficient information, whatever information there was or whatever information the Department of Learning has before them, in this bill we're no longer going to be able to have access to that. I don't understand why this wouldn't be available for the arbitrators.

Mr. Speaker, privileged information from the Department of Learning should be made available in this case. If we're going to have this imposed arbitration, why not have the government provide information which would be helpful to the arbitrator? Unless there is something to hide. Now, I heard an hon. member snicker. I'm sorry; there is the issue of class size that has to be dealt with, and there is the issue of the maximum amount of time a teacher may be required to instruct students. These are all outstanding issues. Now, the hon. Member for Edmonton-Mill Woods has certainly in a very determined and dignified manner brought this whole issue of class size not only before this Assembly but through all of the school districts in the province, and people are well aware. Whether this government wants to recognize it or not, it is an issue with parents, and it's an issue with the teaching professionals.

When we think of fair labour relations, we only have to look, Mr. Speaker, at the preamble of our own Labour Relations Code. This is completely forgotten in this bill. The individuals who were responsible for the drafting of this legislation certainly did not take into consideration the preamble of the Labour Relations Code, and for all hon. members in this Assembly I would like to bring them some familiarity with it. I would encourage you to please read this. The preamble talks about "a mutually effective relationship between employees and employers" and how critical it is so that Alberta will "prosper in the competitive world-wide market economy."

It is fitting that the worth and dignity of all Albertans be recognized by the Legislature of Alberta through legislation that encourages fair and equitable resolution of matters arising in respect of terms and conditions of employment.

Bill 12 is not respectful of that preamble.

Whereas the employee-employer relationship is based on a common interest in the success of the employing organization, best recognized through open and honest communication between affected parties . . .

In this whole series of negotiations in my view the government has not conducted itself in that described term.

Now we look further and we see other examples that could be very well used by the government. The hon. Minister of Justice said earlier in this house – and I'm afraid it is just not true what the minister stated regarding the definition of "strike" in comparison with the definition that's in Bill 12 and the definition that's in the Labour Relations Code. They're very different, and I believe the words used to describe it by the hon. minister were: an overly aggressive interpretation. That was the description that was provided by the hon. Leader of the Official Opposition.

One important point that the hon. minister did not clarify for the Assembly is the fact that in Bill 12 a strike is “a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer.” The section in the Labour Relations Code is much longer, to start with, and there’s no mention of the school principal in that definition. I can only conclude from this, and I say this with reluctance, that it’ll probably – time permitting, it could take five years – wind up as a court challenge finally in the Supreme Court. But of course we know, hopefully, that this bill will reach its natural life at the end of the summer of 2003.

But that is not true, and what this does is try to divide the ATA. This government has been trying to divide the ATA for years. I can’t understand why this government can’t be friends with the teachers of this province. Why do you always try to provoke the teachers? The principals and the teachers want to belong to the same bargaining group, or they want to belong to the same professional organization, and that is how it should be. This is divisive. This is very divisive, and it only brings me, Mr. Speaker, to this conclusion, and that is that it is another example of this government’s provocation of the teaching profession.

8:50

We all know that in April of 1999 a recommendation came from the Progressive Conservative policy convention that wanted to make teachers an essential service. I can only conclude from what has gone on in the last six months with these so-called negotiations that this lack of attention to detail with our public teachers across this province is because we want to provoke the public and have the public get upset with the teachers. I don’t think that we should put our parents or the province’s pupils after the policies of our respective political parties. Pupils and parents, Mr. Speaker, should come first.

Now, I go further through this document, and I don’t know where to stop in the 15 minutes. I sure wish I had 20 minutes, Mr. Speaker, but I only have 15 with the new rules in this Assembly. The schedule at the back – and the only reference in this bill to the schedule at the back is, of course, in the definition of “employer,” and that’s in 1(1)(d): “‘employer’ means an employer named in the Schedule.”

Now, when you see the list of school districts that were involved in the original back-to-work law that was struck down in the courts, the order in council, we have 20 districts, but in the schedule here I believe we have 45 school districts. So with one broad sweep of the broom we have put 25 districts in this schedule, and we have extended beyond the 22 districts to include the following, and I’m not going to name them in the interest of time.

My question to the government would be this. I’ve heard in the last six months that we support local bargaining. Well, why don’t you support local bargaining with these 26 districts? Why did you sweep them into this bill? Why did you not allow them to try to work out their difficulties among themselves? We all know that the best collective agreement is the one that’s mutually agreed to by both parties, not one forcing its wishes on the other. That’s what stable labour relations are all about, Mr. Speaker. This schedule: why would we do this? If you were having difficulty with the 22 districts that are listed in Chief Justice Wachowich’s decision, well that’s fine, but why add so many more?

There are over 25,000 teachers involved in this schedule and over 440,000 pupils. We can’t take democracy . . . [Mr. MacDonald’s speaking time expired]

THE SPEAKER: Thank you, hon. member. Under Standing Order

29 the Minister of Learning, followed by the hon. Member for Whitecourt-Ste. Anne.

DR. OBERG: Thank you, Mr. Speaker. Very quickly, is the hon. member aware that any local school board together with their local Alberta Teachers’ Association is able to have a letter of understanding, a memorandum of understanding, or a side agreement to the collective bargaining process which enables them to put in PTR, class size, hours of instruction: anything that they want. Is the member aware of that?

MR. MacDONALD: Yes.

MR. VANDERBURG: Mr. Speaker, I think the member is trying to mislead the public when he compares the legislation in front of us here tonight to the issues that happened in Germany some 60 to 70 years ago. My family lived through those times. The crimes against my family because of the acts of the day of the German government were very serious. You’ve insulted me, and you’ve insulted my family. You should be ashamed of yourself.

MR. MacDONALD: Mr. Speaker, I would remind the hon. member that in 1997 in this province in Fort McMurray the hon. Premier said this: I believe in free speech as long as you say the right thing.

Thank you.

MR. HORNER: Mr. Speaker, the hon. Minister of Learning has already mentioned that local bargaining units can bargain, can negotiate all of the items which the opposition is saying are not included in this binding arbitration, yet his only response was, “Yes.” There’s nothing that stops them from negotiating all of these other areas and side agreements.

MR. MacDONALD: Mr. Speaker, in response to the hon. member’s question I would advise him to please read section 38 of this bill, which is essentially an invitation to refuse to ratify collective agreements.

Thank you.

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

MR. HANCOCK: Thank you, Mr. Speaker. The hon. member in his comments went off on some remarks I had made to an earlier speaker with respect to the definition of “strike,” and he’s right: I didn’t read in the last part of that definition in Bill 11 because the last part of that definition in Bill 11 had not been referred to by earlier speakers. They had been specifically focusing on the part about the refusal to work by two or more employees and saying that that was not allowing two teachers to get together and talk, which is blatantly wrong.

MR. MacDONALD: Mr. Speaker, I’m sorry. I didn’t understand the question because I believe the hon. minister was confused between Bill 11 and Bill 12.

THE SPEAKER: The hon. Member for Edmonton-Riverview to continue with second reading.

DR. TAFT: Thank you, Mr. Speaker. There have been many fine points made by my colleagues through this debate in the last several hours, and some of them I would like to reiterate or reinforce, and perhaps I’ll be able to find some points of my own to bring into this that have not yet been considered. I was here listening when the

minister of education introduced the bill and indicated that he felt, I think, that all MLAs would agree that it would have been better to settle this labour dispute through negotiations. I'm sure he's right: we would all agree with that.

Today marks the first year that I've been an MLA. I go back through the first budget that we debated in this House, the first budget that I was involved in debate with, and one of the things that was immediately brought to my attention was this special line item that singled out schoolteachers for salary increases for the next two years, the now well-known 4 percent and 2 percent. There was a lot of debate over that. Why were teachers singled out and social workers or MLAs or nurses and anybody else not singled out? I watched and participated and probably wasn't fully aware at the time of the significance of that particular note in the budget, but what it serves to do for me is to bring to my attention how inflexible this government has been in its supposed negotiations in the education sector.

9:00

A year ago the teachers, as I understood it, were making requests or noises about wanting a settlement in the range of 20 or 22 percent or something, but we have seen them back away from that position. We've actually seen settlements in the range of 11 percent. The teachers have compromised. The teachers have shown a signal that they are willing to move. Yet we stand here today without any movement at all on the offer that's being presented to fund teachers' raises. So when I listen to the Minister of Learning talk about the importance of negotiations and how nice it would have been to settle this whole episode through negotiations, I can't help but think that there never really was a possibility of this being settled through negotiations, because I have seen no sign of good faith or meaningful negotiating occurring on the part of this government. So right away when I saw the minister introduce the bill, I found I had to disagree with his perspective on it.

If we go through the bill section by section – and a number of us have done so – I think it is worth really dwelling on a handful of particular points. Section 1(1)(f)(iii), on page 4, says that “a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer” constitutes a strike. I, for one, find that to be a heavy-handed and very restrictive statement to put into law. If we are talking here about two teachers working together or discussing the possibilities of what to do next in their labour disputes, I think we are intruding too far into the rights of respected professionals in this province and into the rights of teachers. I do reflect on the comments from the hon. Leader of the Opposition that it's curious how one-sided this bill is in that it doesn't apply that sort of restriction to anybody else involved in the negotiating process, simply to the teachers.

I also am concerned – and I think it reveals much about the intent of the government – when they talk here under matters to be considered in regards to the arbitration and the bill says, “The arbitration tribunal must be satisfied that an award can be implemented without an employer incurring a deficit.” Well, given that in all meaningful ways this government determines whether or not an employer will incur a deficit, this again seems like a derailing of any possibility of meaningful negotiations or negotiations in good faith with the teachers. It seems more and more to look like a setup for confrontation to me.

We could go on, section by section. The limit on contents of the collective agreement specifically prohibits the collective agreement, as I understand it, from addressing issues such as “the number of students in a class” or “pupil-to-teacher ratios” or “the maximum time a teacher may be required to instruct students.” Surely these

are reasonable things to be negotiating over. These are working conditions. What kind of arbitration or what kind of negotiation are we looking at when those kinds of issues are forbidden from the process by law?

So there are many specifics in this bill that are, I think, simply unacceptable, but we all know that, of course, this stage of the debate is to address principles. So let's go and look at some of the principles behind this legislation.

One of the principles, it seems to me, is the centralization of power. We are seeing a continuation of the ongoing process, that has driven this government for now many years, of bringing power into its hands, removing power from, for example, local property tax payers, people who are now expected to pay property taxes to cover education but have had their right to have any direct say over that removed. That money is taken away from the local property tax payer, comes into this government's coffers, not into the school boards' coffers, and then is redistributed at the whim of this government. So we are seeing there a centralization of power.

School boards, I don't think in anybody's mind, have anywhere near the local power that they once had or the local power indeed that they were intended to have when they were created. One of the principles that's very much at work here is centralization of power. Along with that, of course, there's a loss of local control. No school board here in this province really has the local control it needs, and certainly that local control is being diminished by this bill. I mean, these are boards now that will not be allowed to run any deficits. They will not be allowed to negotiate on particular and legitimate issues over working conditions. There is no true local leeway for the school boards. So we are seeing an erosion of the fundamentals of democracy, which is the right of people to control their own local lives.

We're also seeing here an ongoing principle, a tactic, perhaps – it's not a principle, or it stems from the principle of centralizing power – which is setting up a political buffer between this government and the issues, in this case creating a buffer out of the school boards. We've seen this sort of thing done over and over with, for example, children's authorities and regional health authorities and any number of other boards. I was discussing earlier today that this very issue was brought to my attention by a coalition of people around PDD boards. They ask: what's the point of the board? Well, the point of the board, it seems to all observers, is simply to be a buffer, to be a shock absorber between the real people of this province and the government. That is exactly what we are seeing here occurring, being foisted upon our local school boards, organizations that once had the heart and soul of the local community and now are no more than political buffers for this government.

Well, of course, we're seeing a suspension of the teachers' right to strike temporarily over the next 18 months or so in this bill, and I think we need to all be concerned that that is a development that may easily be renewed once it's implemented in this legislation. Maybe we'll be debating a bill a year from now to extend that suspension of a reasonable right to strike.

This bill, of course, ties the hands of arbitrators in many ways, as I have indicated, and I might as well . . . Oh, he's not here. I won't anticipate the question from the Member for Edmonton-Rutherford.

The arbitrator's ability to address this issue is very limited. All kinds of issues, as I've said, are no longer on the table, so what are we doing there to the collective bargaining process? We are weakening it. We are delegitimizing it. I'll talk later on during committee about the effects of this, I believe, on the whole collective bargaining process.

Finally, I'm concerned here about a principle of union-breaking, a principle of hostility towards unions. I stand here today not as a

member of any union. In fact, very seldom in my life have I ever been a member of a union, but I value unions, and I think we should all value unions. Over the last century unions have been vital in many of the advances that we consider civilizing improvements in our society. Whether it's reasonable working hours, whether it's worker safety or public education itself, those are all benefits to our society that have been brought forward largely through the efforts of unions. So I value unions, and I'm concerned in a province where unions already are in many ways relegated to a very minor status, but if we weaken them further we ultimately weaken the strengths of the ordinary citizens, of the working people of this province. That's a principle that I think is unworthy, and it's a trend in this government that I think is very worrisome.

Mr. Speaker, with those comments I'll take my seat. I'll save further comments for undoubtedly lively debate during committee.

9:10

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. I'm wondering: would the hon. member support a return to local taxation for schools, where we have the incredibly wealthy boards like Strathcona and Fort Saskatchewan being able to operate schools at a very high level as opposed to some of the poorer rural boards?

DR. TAFT: Mr. Speaker, when the first question was brought to me under 29(2), I indicated that I felt there were plenty of opportunities already existing for this kind of debate. I would engage that sort of question in committee, but I'm not going to participate in 29(2).

Thank you.

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

REV. ABBOTT: Thank you, Mr. Speaker. I'm just wondering why the hon. member opposite is refusing to participate in the standing rules. Why are these standing rules any different than the standing rules that we had last session that he participated in, and why are they any different from his Liberal cousins' in Ottawa, who have this very same provision?

DR. TAFT: He should know the answer.

THE SPEAKER: Standing Order 29 permits for two things: the raising of questions and the making of comments.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I was pleased to hear the hon. Member for Edmonton-Riverview talk about the tremendous contribution that unions have made to western society and also to Alberta, and I wonder if he could elaborate on many of the achievements that unions have provided to our modern society.

THE SPEAKER: Additional comments, questions? The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: I just think it's a sad day for democracy, Mr. Speaker, when we have members that were elected to this House that refuse to speak under the very Standing Orders that we have as a House passed.

MS CARLSON: Mr. Speaker, this provision, Standing Order 29(2), allows for comments, and it is certainly within the purview of any member of this Assembly to refuse to continue to support a Standing Order change that we did not support in the beginning.

MR. MASON: I would like to make a comment with respect to this. There is nothing in the Standing Orders which makes the answering of questions compulsory. There are no rules around it with respect to this as there are some rules with respect to the formal question period part of the Assembly. You know, if members opposite are experiencing frustration when they don't get their questions answered, welcome to the club.

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

MRS. O'NEILL: Thank you very much, Mr. Speaker. The member who just spoke made reference to the negotiating table, and he then made reference to the role of the government. My question is very direct to him. Does he know who the parties are who sit at the negotiating table?

THE SPEAKER: No additional questions, hon. members? The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. Again, it's a pleasure to rise this evening and to speak to Bill 12, the Education Services Settlement Act. It is quite surprising, it being the first substantive bill that we've had to deal with in the Legislature this year.

THE SPEAKER: Hon. member, please, can I do the really terrible thing by interfering and asking if I could have the indulgence of the hon. member to revert to introductions? Four speakers ago I was supposed to do this, but I kept recognizing a certain hon. member, and he kept asking questions. So would that be permissible with the Assembly if I revert to introductions? The time will be awarded back.

[Unanimous consent granted]

head: **Introduction of Guests**

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

MR. HORNER: Thank you, Mr. Speaker. I don't recall you asking for reverting to introductions before, but that's okay.

Mr. Speaker, it is my pleasure to rise and introduce to you and through you to all members of the Assembly a constituent, Lori Benner, who is a school trustee with the Parkland school division and is very interested, obviously, in our debate this evening. I would ask her to rise – she's seated in the public gallery – and receive the warm traditional welcome of this House.

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

Bill 12
Education Services Settlement Act
(continued)

THE SPEAKER: Hon. Member for Edmonton-Glengarry, my apologies. Please continue.

MR. BONNER: Thank you, Mr. Speaker. I will continue here. It is a pleasure to rise to speak at this time to what I believe are the principles that Albertans are indeed desirous of, and that is that we as a government bring integrity to the table during negotiations. Albertans realize that for harmony to exist after settlements in

contract negotiations, each side must believe that the process was fair and honest, that both sides were willing to work together to resolve the issues, and that compromise would be required by all parties. Unfortunately, Mr. Speaker, we see, as a result of that process not being followed, Bill 12. Bill 12 is a piece of legislation that I certainly cannot support.

AN HON. MEMBER: Is that a quote?

MR. BONNER: No. That was not a quote. Those were my own words.

I also noticed under Government Motions on the Order Paper, day 9, by the hon. Government House Leader: "Be it resolved that, pursuant to Standing Order 73(2), Bill 12, Education Services Settlement Act, may be advanced two or more stages in one day." Now, Mr. Speaker, on this particular point it gives me the whole idea and the evidence that the government is finding it very, very difficult to defend this particular bill in the format in which it is written. Anytime that we have to bring in a time-allocating device, such as a guillotine, to limit or end debate, particularly before we've even had an opportunity to start debate on a bill, then I think we have serious problems with that bill. When we listen to the comments of many of the members who have taken the opportunity to speak, we certainly do see that this bill is quite controversial.

Earlier this evening I had the opportunity to attend a science fair at Scott Robertson elementary school in the constituency of Edmonton-Glengarry, and I must say that I've had the pleasure and the privilege of attending those science fairs for the past five years. It was five years ago that the now principal, Terry McPherson, and a young teacher by the name of Linda Spielman came into this school, and together they thought it would be a good idea to have these science fairs. Now, then, before Mr. McPherson came into the school, all of the extra assignments, extracurricular activities in the school were assigned. His comments tonight were that the job got done but that it didn't get done very well.

In the five years that I've been attending these science fairs, I have noticed an incredible increase in the quality of the projects by the students. I've noticed an incredible amount of effort put in by the students. The participation by families at this event, Mr. Speaker, is incredible. This is what I think the hon. Lieutenant Governor meant when she read in the Speech from the Throne:

The government believes there is a great deal of goodwill on all sides. This goodwill guarantees that the long-term health of the public education system will be protected. Educators will be key to that long-term health.

Mr. Speaker, in talking with that particular principal tonight, he certainly was quite fearful of his role in this particular bill. He was quite fearful of that goodwill being maintained by teachers to participate in extracurricular activities, to walk that extra mile, that they've done so well. It always amazes me in this House how we will tell educators of the magnificent job they are doing, that when our students compete against other provinces, when our students compete against other countries, we have the best public education system in the world. Yet we are, with pieces of legislation such as Bill 12, tearing apart that education system. Why?

9:20

Well, I do want to say as well that the entire process that we now find ourselves in got off to a very bad start when the government made the unprecedented move of including line items in the budget that limited the settlements to 4 and 2 percent. While the Premier indicated at that time that this was only a starting point for negotiations and that it was time for teachers to receive fair compensation that would reflect their sacrifices over the years, his words did not

turn into action. This, Mr. Speaker, was at a time when the government was announcing unprecedented surpluses in this province, and we singled out this particular group of people to limit their salaries.

Now, then, the teachers had done their share in helping this government out when times were tough. I happen to have this in my hand here, and the source is Alberta Learning and Statistics Canada. From 1994-95 to 2001-2002 there was an accumulated percentage increase of 15 percent in teachers' salaries. This is by the government's own department. Now, if we look at the period of time that this was taken over, the eight years, we will see that this amount didn't even keep up to inflation. Is it any wonder that teachers are angry?

Now, as well, other conditions have occurred in the classroom over the last few years. We've certainly had the integration of special-needs children. When I was still teaching, Mr. Speaker, I happened to have the opportunity to have the integration of some special-needs students. They certainly do add, in some respects, to the classroom; they certainly do take away in others. I suppose I was one of the very fortunate teachers who had special-needs children in their class because they had a full-time aide. Yet when I speak with teachers in some of the schools in my constituency who have a little higher percentage of special-needs children, they have many, many concerns.

In one particular instance we have a Down's syndrome child in one of the classes that doesn't have an aide. We have a child with ADD who only has an aide half the time. We have children with many special needs who must be tested. Each one of those tests is in the neighbourhood of \$600, and of course the school must pay for that. So that certainly takes moneys out of their budget which could be spent for many different educational needs. As well, Mr. Speaker, the school pays for those tests. If that child happens to move to another province or if they get a child in from another province, then that testing does not flow through. What happens is that the testing must be redone. So we have those types of situations that are impacting classroom teachers in this province that we didn't have before we had full integration.

As well, I was quite interested this morning to hear some of the results from the last census. In Alberta we've had a 4 percent growth in population in the last five years. The majority of this growth is in urban areas, and a lot of this is because of an influx of new Canadians. Of course, when we start looking in the classroom at English as a Second Language and trying to help students in this situation, Mr. Speaker, again we put tremendous pressures on schools, and we put tremendous pressures on teachers in the classroom, who are already dealing with many different situations.

So when I see as part of Bill 12 that Bill 12 will limit the scope of the arbitrators of the collective agreements to salaries only, what I find disturbing is that when we talk about goodwill, such issues as class sizes, student/teacher ratios, or any other provisions dealing with maximum hours that a teacher may be required to instruct students – this is not a part. Again, I was paying close attention when it was discussed earlier that, yes, this arrangement can be between ATA locals and their school boards, but we are talking about school boards right now, Mr. Speaker, that are strapped for dollars. All of these issues, the issues that do promote goodwill, cost money. As well, we've seen that for school boards that have put some of these conditions into the contract, this has limited their flexibility and at times has cost school boards more money. Certainly these are issues that should be included when we do look at the collective bargaining agreement.

Now, then, Mr. Speaker, this piece of legislation is going to set back education in this province. There is absolutely no way that it will not. For the first time in this province we have had teachers,

many teachers, who are upset. I know that for anybody who was teaching in the '60s, '70s, or '80s, if strike was ever mentioned in the classroom, you would have a group of teachers who would absolutely refuse to go on strike. You would have teachers who would absolutely say that no matter what other people did, they were going to be in the classroom with those students. Unfortunately, when strike votes were taken around this province, that support for the students had been eroded. We have outlined a number of reasons here this evening as to why that support was eroded. We have looked at reasons why we are now in an adversarial position, why we don't have a position where there's co-operation. I know that this bill is not going to help the situations in schools, that this is a further hindrance.

I know that the hon. Member for Edmonton-Riverview certainly talked about union-breaking. I would have to say that when we get an adversarial position, we are looking at union-breaking. Many of the MLAs that just celebrated their fifth anniversary here a day or so ago will certainly remember that shortly after we were elected in '97, there was a situation at Gainers.

Thank you very much, Mr. Speaker, for this opportunity.

9:30

THE SPEAKER: Hon. members, Standing Order 29. The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. I've listened intently to the remarks by the member, and I heard him bring something up which I've heard before brought up by other members, and it has to do with reference to surpluses and the government could have spent surpluses on teachers and teachers' salaries. I'd just like to ask the member how it is that he would propose that ongoing salaries would be accommodated by onetime surpluses.

MR. BONNER: Mr. Speaker, one of the great difficulties that this government has had is certainly how to deal with our roller-coaster economy in this province. We do need predictable, stable, sustainable funding for all programs, and by implementing a fiscal stability fund as proposed by the hon. leader of our party, this could be accomplished.

Thank you.

[The voice vote indicated that the motion carried]

[Several members rose calling for a division. The division bell was rung at 9:32 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abbott	Hancock	O'Neill
Ady	Herard	Ouellette
Cao	Horner	Renner
Cenaiko	Johnson	Shariff
Coutts	Knight	Smith
Danyluk	Kryczka	Snelgrove
DeLong	Lord	Stelmach
Ducharme	Lougheed	Stevens
Dunford	Lund	Strang
Evans	Masyk	VanderBurg
Forsyth	McClelland	Vandermeer
Friedel	McFarland	Zwozdesky
Fritz	Oberg	

Against the motion:

Blakeman	MacDonald	Pannu
Bonner	Mason	Taft
Carlson	Massey	

Totals: For – 38 Against – 8

[Motion carried; Bill 12 read a second time]

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

[Mr. Tannas in the chair]

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

Bill 12 **Education Services Settlement Act**

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

DR. MASSEY: Thank you, Mr. Chairman. I am pleased to have the opportunity to look at Bill 12 in more detail after we had an examination of the principles of the bill earlier this afternoon. Where I'd like to start, of course, is with the preamble. It's a preamble that puts in place a commitment to examine the learning system in Alberta. This is one of the very first bills that our party under Laurence Decore put to the Assembly in 1993 and 1994. The kind of commission that we had in mind at that time was a much more comprehensive look at schools and schooling in the province than what is proposed here. This is much narrower, and I don't think it in any way is going to serve to make the public or the teachers feel better about Bill 12.

It is an examination. We need an examination of the school system top to bottom, and that has to include everything, and I mean everything, Mr. Chairman, including and most particularly the adequacy of funding and how the kinds of funding that schools receive is determined. It seems to most people involved that there is no rhyme or reason to the kinds of funds that are allocated to a school. Depending on the economic climate in the province, the percentage increase is jacked up a few percentage points, and when things turn sour in the market, that percentage becomes less.

There are a number of things that such a commission would have to look at: the objectives of our schools, what we expect from them, what kinds of priorities should be emphasized in our schools. But along with those goals the resources and the means of achieving those goals have to be included. Given the kind of climate that the government has created, this is going to take an extraordinary individual or group of individuals to head up, and it's going to have to be people who have the absolute confidence of teachers who have been so wronged and are so wronged by the contents of Bill 12.

The preamble and even naming it as a preamble, Mr. Chairman, I think relegates it to a minor position. Also, the kinds of items that are listed under it are much narrower than the kind of examination the school district and the parents that I hear from want and the teachers that I hear from absolutely need.

9:50

So it's there. It has no time lines attached. You can think right now in the present situation that if such a commission were appointed – I think I heard earlier that there wouldn't be any action on it till the fall. If the commission were to meet for 18 or 24 months,

that's another two years. Before anything could be acted upon, it would be two and a half, three years, and I don't think that's going to be very useful in trying to solve the present situation or do anything to dissipate the kinds of problems that Bill 12 is going to visit on the system.

I'd like to look at the section on definitions, Mr. Chairman. One of the very first calls I got this morning was from a principal, and that principal was upset about the definitions and how Bill 12 defines a strike. The bill says that a strike includes, one, "a cessation of work" – so if teachers stop working, that's a strike – two, "a refusal to work or to continue to work by 2 or more employees acting in combination or in concert or in accordance with a common understanding." So if two teachers are sitting in the faculty lounge and decide that they aren't going to take their youngsters on a field trip this year, on a visit to the museum, that can be considered a strike under this definition.

Further, the third definition goes on to say, "A concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer." One of the very first things the principal said to me is: this divides principals from their staff; they're inserting a clause that is going to make it difficult for that kind of collegial attitude that we have in our schools to operate; it's going to pit teachers against principals. Secondly, "2 or more employees": two or more teachers in a concerted activity can constitute a strike because they don't want to do what the principal says. I remember having great arguments with a principal, Mr. Chairman, about holding a spring concert and the whole staff in revolt and voting against it. We didn't want it. Under this clause, if that would happen in a school, it would be considered a strike. Not only would it be considered a strike, but later on in Bill 12 there would be a whole series of fines levied. "A person who is neither the ATA nor an officer or representative of the ATA who strikes or causes a strike contrary to this Act is guilty of an offence and liable to a fine not exceeding \$1000." So those teachers sitting in the faculty lounge deciding not to take their youngsters on a field trip could under this kind of definition be accused of striking.

The Government House Leader tried to tell the Assembly that that's exactly the same language that appears in the labour act, and that's not correct, Mr. Chairman. Under the labour act the clause goes on to say that they have to be meeting for a purpose to compel "their employer or an employers' organization to agree to terms or conditions of employment." So that meeting has to be to coerce the employer, and that's absent from this. This stands alone, and it's an incredible piece of legislation. As I said, it was one of the very first things I heard in a phone call from a principal from rural Alberta about his concerns.

It points out, I think, that another important aspect of the legislation is that it's not that reader friendly. This is legislation that applies to 32,000 teachers, to school boards across the province, yet you're going to have to have legal advice in terms of how it's to be interpreted, and I'm sure one of the very first things that the Teachers' Association is going to do is put out a companion piece from their legal staff saying: this is what this bill really means. I think that's unfortunate, and I think it attests to the hasty manner in which this bill was crafted and put together over the weekend. I think the mere fact that the Government House Leader didn't understand the clauses and how they could be interpreted or misinterpreted is evidence of that, Mr. Chairman.

I'd like to move from those definitions and look at section 4, and section 4 is really a very heavy-handed section. These are referring to the appointments to the tribunal. It says:

If in the opinion of the Minister of Human Resources and Employment a member of the arbitration tribunal is unduly or unnecessarily

delaying proceedings, the Minister may

- (a) revoke the appointment of the member, and
- (b) appoint another person . . .

So individuals appointed to these arbitration tribunals are going to be working under the heavy threat of the minister. If things aren't moving fast enough, if he doesn't like the way things are going, you're gone. "I'll get someone else to fill your place." I think it's going to make getting qualified people to serve on these tribunals a real challenge. Who's going to want to be an arbitrator and who's going to want to sit on a tribunal when they're placed under that kind of an axe by the legislation? Again, completely unnecessary in terms of trying to resolve the dispute.

I'd like to move on now to section 6(1) and the kind of criteria that have been laid on the tribunal, and this is one of the most offensive parts of the legislation. It's the part that coerces the tribunal to work in a particular manner in terms of determining what the wage settlements should be, and it enumerates the kinds of things that they have to look at. They have to look at "wages and benefits in private and public, and unionized and non-unionized, employment, including the wages and benefits of teachers in other provinces and territories of Canada." So the tribunal has to look across the country and see what other teachers are being paid. I suspect, Mr. Chairman, that a rather punitive tribunal could actually sit down and also look at private school teachers' salaries and determine those private teachers' salaries, which are usually in this province 30 to 40 percent less than those being paid in the public system, and justify an award or the decision they make based on the salaries and the salary increases that are being paid in the private schools.

It's interesting what's left out of it, where they aren't to look. It doesn't tell them to look at settlements in other sectors. It doesn't tell them to look at the double-digit settlements that medical doctors in the province received. It doesn't tell them to look at the double-digit settlements that the nurses received. No. It excludes those and confines itself to other public entities and to looking at factors like layoffs and working hours, et cetera. The whole section is designed to constrain and to make sure that the awards are minimal, and it may as well have come out and said that in plain language: make sure that whatever you award, it's the least you possibly have to, and use any kind of justification that you can find to make that award small. So it's a reprehensible section of the act, and again I think it just shows the depth to which the government will stoop to penalize teachers and poison the atmosphere in schools.

I look further on in the section. One of the other things that they have to consider is "the local economic conditions within the geographic [region] of the dispute." That is what has usually occurred in local negotiations, and the strength of local negotiations, Mr. Chairman, is that they have been able to look at local conditions. We had a group of teachers in to visit us from Fort McMurray, where the costs for accommodation are extremely, extremely high. It makes you wonder about the kinds of awards that are going to be made in Fort McMurray when the boards up there lack resources and the teachers are being faced with skyrocketing costs. We were told by this group of teachers that it's impossible for a beginning teacher to come to Fort McMurray and live alone in an apartment. The costs are such that the teaching salaries just don't accommodate that kind of expense. Again, this tribunal is going to be doing everything it can to make sure that only minimal gains are made by those teachers, and even with this kind of provision in the law they're going to have a very difficult time adjusting their awards to the local conditions.

10:00

I mentioned the business of looking at private schools. I'm amazed that it didn't actually make it into the act, Mr. Chairman. It

may again speak to the hurry with which the bill was put together. Section 6(2) I think is also a rather interesting provision. It says:

The arbitration tribunal must be satisfied that an award can be implemented without an employer incurring a deficit, or if the employer already has a deficit, without incurring any greater deficit, over the period during which the collective agreement has effect.

Mr. Chairman, this just leads to bad practice by boards. When I was on the school board in Edmonton, we had to come to grips with this. Previously, boards hid money in budgets to accommodate teacher increases, and it was buried all over the place, as I say, hidden so that should there be a contract agreed to with teachers, the board could then dig the money out of these hidden places and accommodate the raise.

When I was on the board, we decided we wouldn't do that. We decided that if we made settlements that were above the budget that had been determined, we would go into deficit and we would pick up that deficit the next year. With that, we opened the books to the Teachers' Association and the other groups that we negotiated with and said: "Look, here is where the money is; this is what we're spending. If we make an award, we're going to go into deficit." That was fine because that was open and it was accountable. I think everyone understood it, and it made sense. This doesn't allow that kind of openness to occur in negotiations.

I'm going through rather quickly. Another concern we have with this particular clause is the kind of on-again, off-again financing that government ministries receive. We've had the example in Children's Services of a budget being set, of people going out and contracting with individuals and then, lo and behold, two-thirds through the fiscal year the minister turning around and saying: now I need 1 percent back from everyone. Well, what's to prevent that same thing happening or, even worse, the boards saying at the negotiations: we're going to have to hold back a chunk of money in case the government changes its mind and comes after us for some money because they've mishandled the budget again. So it's a bad clause in a bad bill, Mr. Chairman.

I'd like to move to the judicial review. The legal language aside, Mr. Chairman, as I interpret this – and I stand to be corrected – really these clauses, particularly 13(1) and 13(2), severely constrain what can be challenged in the judgment of a tribunal. There are really going to be very, very limited conditions under which a group that has been offended by a tribunal judgment or decision can go to the courts and seek redress. Again, it speaks to the punitive measures in this legislation, and that's just completely unacceptable.

I have some further comments, but I think at this time, Mr. Chairman, I'll conclude and go on to those at a further time in the committee. Thank you.

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

MS BLAKEMAN: Thanks, Mr. Chairman. I've read through all of the e-mails and letters that I've received around this whole issue, which has now culminated in the presentation of Bill 12, the Education Services Settlement Act. So in Committee of the Whole, which gives me an opportunity to go clause by clause or to comment on particular words or phrases, I'd like to review some of the points that were brought out. In particular what caught my eye again was the preamble. It's specifically setting out what cannot be considered, and I think that the exclusion of these particular areas is important.

The preamble is talking about "a commitment to examine the learning system in Alberta." It then talks about that this "commitment to examine"

will include, but not be limited to, a study of the number of students in a class, pupil-to-teacher ratios and the maximum time a teacher may be required to instruct students enrolled in Kindergarten to Grade 12.

Now, that's an interesting one too; I've got to come back on that one.

Therefore these items should not be the subject of further negotiation or included in a collective agreement between the employers subject to this Act.

It's the exclusion of the discussion of those working conditions from this legislation and from what's being perceived by many as a legislation that takes away the right to strike. It's also taking away the teachers' ability to negotiate for their working conditions. It's exactly things like the pupil/teacher ratio that is part of their working conditions.

It strikes me that the government is trying to have its cake and eat it too in this particular circumstance. They want highly educated, motivated, experienced, high-performing teachers, but they don't seem to want to allow the teachers to have any say in their working conditions. I'm struggling to believe that the issues of salary and working conditions can be severed, and I don't think they should be severed.

My colleagues have spoken eloquently about the government's attitude towards unions. I attempted to but was not nearly as articulate as what I heard my colleagues from Edmonton-Riverview and Edmonton-Glengarry talk about. I think that taking people's right to strike or limiting what a dispute resolution is about does take away people's ability to negotiate their working conditions on a daily basis. The alternative to a collective bargaining process is to have the government or the government through the Alberta School Boards Association negotiate with every single teacher individually. Obviously, that's not an attractive proposition for the government. It's much more convenient that there's a large group of people that a deal could be struck with, and that's the end of it.

It has to be a fair process. If you're going to say, "You can't talk about how much money you're going to make," well, then you have to offer people a reasonable salary. If you're going to say, "You can't talk about the working conditions that you have," then those working conditions have got to be reasonable enough that nobody is going to want to talk about them or feel they have the need to talk about them.

10:10

As I went over those letters and e-mails and messages from phone calls in that file, a file about three inches thick now, a number of issues were brought up repeatedly by the people that were contacting me. Over a hundred of the contacts that I had, about a third of them, were from my own constituents, and the others were copies of correspondence from people living in other constituencies. A couple of themes emerged, repeatedly talking about young teachers leaving the profession and not coming back, taking their BEs and going away and working in another sector with them. As I mentioned in my debate during second reading, I think this should be a cause of real concern for us because we already know that we've got an aging workforce. We know we need young, vital people coming in, and the fact that we are scaring them away or making it unattractive for young entrants into the teaching workforce I think should be of real concern for us.

Another issue that's raised repeatedly is teachers paying for class resources from their own pocket. Unfortunately, I can remember my mother doing this, I can remember my aunts doing this, and now I read that teachers are still doing it, although it even looks to my eye like they're doing more of it, that they're paying more money out of their pocket for resources for the classroom. I know that the minister has said that that's not happening, but there's a disconnect many times between what this government says is happening and what we actually see in the classrooms. One woman said she'd just spent \$350 out of her own pocket. I believe her. I can believe that,

knowing the kind of money that my mother and my aunts and even my grandmother spent. Yeah, 350 bucks; it's easy to see.

Another theme that continually comes up is the need for parent fund-raising. In my schools in Edmonton-Centre, inner-city schools, the parents of the children there are immigrants or new Canadians. For the most part, they're working several minimum-wage jobs. There is no option of parent fund-raising there. They are working. So in fact the fund-raising that's done in my schools in Edmonton-Centre is done by the teachers. They run the fund-raisers; they raise the additional money.

Again another theme repeatedly raised is class size and how difficult it is to provide a quality experience and a consistent amount of time with each child in a class when the class size is too large. There's been much said about ratios and targets and all kinds of other things. I think the point, then, that really needs to be underlined is that we have to address that in some way, shape, or form. I would prefer a target. If it has to be firmer than that, okay; fine. To not address it is to allow things to get to a point where it is now, which I think is a problem.

Another theme that comes up is the lack of teacher aides or support for teachers in the classrooms when they're dealing with special-needs kids, mild- and moderate-needs kids, and with behaviour-challenged children in the class. I know when I went to school, I was in some very large classes.

DR. TAFT: Were you behaviour challenged?

MS BLAKEMAN: No. Yeah, I probably was behaviour challenged.

I was coming through in classes where there were, like, 36 in a cohort that I sort of traveled through elementary school with. That's a very large class, but there were no special-needs kids in those classes. There were no behaviour-challenged kids except, as my colleague from Edmonton-Riverview says, probably me. That's interesting because there are three MLAs that went through those schools, and they are all now in the Official Opposition, three good Liberals. I'm speaking of my colleagues from Edmonton-Ellerslie and Edmonton-Riverview and myself.

I'm sure it must have been difficult for those teachers dealing with a class of 36, but impossible to deal with a class of 36 that included special-needs kids, that included integrated kids that were coming in with handicaps or with developmental disabilities. No English as a Second Language kids. So in our open-heartedness and our desire to be inclusive, we've created a situation that requires support, and I think it's really unfair that we expect teachers to operate in large classes – 25, 27, whatever – having to deal with a number of kids that require an additional amount of attention, both for those kids and for the kids that didn't require special attention. They need a certain amount of time as well.

The final theme that came up over and over again as I went through all of those e-mails and phone messages and letters was the working conditions of the teachers.

I felt it was important that I put on the record those issues that people kept raising. You know, some of those letters are dated as far back as last spring. June 24 is one date I remember when teachers were starting to write and say: "You know, I'm really concerned about what's happening here. We need help. We need support. We need appreciation. We need respect for what we're trying to do here." I think my comments, when I was speaking in second reading, about a lack of respect for the workers and the professionals in our province are really coming home to roost with us.

This government does seem to struggle with respecting people that work for a union, and I think that's wrong. I'm not a member of a union, but I certainly have a lot of respect for what they bring to our

province and in fact some of the things that they've insisted on. I think if we trace it back, we'll find out that public education was something that was lobbied for by the unions. They wanted to see publicly funded, public education. Prior to that, education was privately funded. You could send a kid to a privately funded school. There was no public education system that was available for any kid to go to. That was brought to us as a result of lobbying from the worker class, the people that were involved in the unions, and I thank them for that. I don't think they should be reviled for the work that they do in this province. I think they should be respected for it, and I'm certainly willing to give them that respect.

So I wanted to make sure the comments and the themes of the concerns of all of those people who had so faithfully written to me and, I'm sure, to others and phoned in and sent letters got incorporated into this debate. Alberta is not a province where people get really involved. You know, I look up at the public galleries right now. I can't see into the members' gallery, but I don't think there's anybody up there. [interjection] No. I'm being told it's empty. So we've been joined by a few very hardy souls this evening. There have been a couple that have come in and out tonight. But for a bill that really is going to affect an awful lot of people, not only teachers in the profession but also parents, you know, we don't have anyone here watching what's happening in this debate.

Now, of course, with technology they could all be at home glued to their computer listening to it on live audio, and I hope that that's what happening. All of that is just to underline the point that Alberta is not a province where people jump up and down and get involved in protests very easily, but that doesn't mean that they're not concerned about the fate of education, that in fact they're not concerned about the outcome of this bill. I was impressed by the fact that we had so many letters and e-mails and phone messages from parents, from administrators, from teachers, from business-people, all of them commenting on how important education was, how valuable teachers are, and how much we need to support what they're doing and to respect the collective bargaining process. I know that not many people bother to write, but it's certainly important that we acknowledge their effort and the time they take when they do in fact do it. I wanted to make sure that was honoured, and I'm pleased that I've had the opportunity to do that, Mr. Speaker. I look forward to being able to rise and debate again on this issue.

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

DR. TAFT: Thank you, Mr. Chair. I will make a range of comments of different types here. One of the things that I think is important for us to consider is the background to this debate, an accurate picture, let's put it that way, of the state of education funding in Alberta today compared to the last 20 years.

I'm looking right now at a graph produced by an accounting professor at the University of Alberta that has adjusted Alberta per student spending on education for inflation. So this gives expenditures per student adjusted for inflation. That allows us to compare these reasonably over a long period of time. This particular graph stretches from 1981 to this year, and it shows that our funding this year is below every single year from 1983 until 1984. There's an 11-year period through the '80s and '90s in which we were spending more on education than we are today. Funding then trailed off very consistently or very considerably through the middle '90s, and then it sort of zigzags its way up a bit to today's level. But what we see there is a deficit in funding, in many regards, or a shortfall in the necessary funding over the last eight years when we compare the last eight years to the preceding 10 or 12 years. The people who have absorbed that reduction in funding are the teachers and the students.

As a result, I think they've carried that far enough, they have reached a breaking point, and the anger that's built up and the frustration that's built up in the education system is now spilling over into the labour dispute that we're seeing today.

10:20

When we look more closely at the bill itself, one of the things that really jumped out is the time frame of this bill, the fact that the bill runs through until I believe it's August of 2003. That raises the question: what then? What will we be facing 18 months from now in the education system? I think we can be certain that we'll be facing angry teachers. I predict – and I'm obviously on public record here – that we will be facing a bitter labour disruption 18 months from now in the education system as a result of this legislation that we're bringing in today.

MS BLAKEMAN: You don't think there'll be a huge injection of money and then an election and then they'll take it back?

DR. TAFT: No, I don't.

I think that this bill, that particular clause of the bill and this kind of time frame, sets up a situation that simply delays and inflames the hard feelings that have already developed over the last several years in education.

There are various other aspects of the bill that I think actually directly or indirectly devalue and degrade teachers in relation to other public-sector workers. No other public-sector workers have been forced into this sort of a situation. None of them have been restricted to such limited increases in funding. None of them have been subjected to being itemized in the provincial budget. None of them have been subjected to this kind of legislation, an arbitrary imposition and restrictions on the arbitration tribunal, that the teachers are being subjected to. So I can well understand that an effect of this bill is to make teachers feel devalued and degraded, and I think one effect of that's going to be to discourage new teachers from entering the profession. I think a subsequent effect or related effect is that it's going to dishearten veteran teachers.

The second half of today my constituency office received about 25 phone calls and e-mails, all of which expressed outrage on this particular legislation. I think that reflects the fact that the veteran teachers, parents, and the children in the education system are taking offence to this piece of legislation. I think it's fair to say, in fact, that this legislation does make a sham of any local bargaining process.

We can look at the experience in other sectors to see what this is likely to bring us. We can look to experience in the health sector to see where the education sector is likely to line up. Today we are short of staff in the health care sector. We're searching the continent for nurses, yet we were laying off nurses by the thousands just a few years ago. We are short of all kinds of other health professionals, people who were disheartened and left the province some years ago. I think there's a genuine risk that we're going to see that same pattern repeat itself in the education system. In the health care system the changes that were brought in through regionalization forbid the participation of anybody from the health sector, any doctors or nurses, from influencing them. We are going to see the same thing occur here, where teachers are not being invited to the table to negotiate or to work out the problems. In fact, educators are being frozen out of this process. We are shutting out the very people who work in the system and have the most intimate knowledge of how the system can be improved.

I've made a number of other comments earlier in the evening on this legislation. I will simply end with the question: what's the

hurry? Why are we rushing this through? Why are we being forced to fight line by line and clause by clause to buy a few minutes of extra debate on this legislation? The teachers are at work. The students are in school. The system is functioning. We do not need to invoke closure on this bill.

Thank you, Mr. Chair.

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

MR. MASON: Thank you, Mr. Chairman. I'd like to stand and talk briefly about the general clauses of this bill. I'd like to begin with a series of quotations, and I'm wondering if members opposite can identify who has made these quotations.

The first one, I think, is very interesting and very apt, Mr. Chairman: "Government is not reason; it is not eloquence; it is force. Like fire, it is a dangerous servant and a fearful master." Anybody have any idea who said that?

AN HON. MEMBER: Lenin.

MR. MASON: No, hon. member. It was George Washington, the other famous revolutionary.

Maybe the hon. member will know this one: "If you want peace, work for justice."

AN HON. MEMBER: Stalin.

MR. MASON: No. Pope John Paul II.

Mr. Chairman: "Never do anything against conscience even if the state demands it."

AN HON. MEMBER: Khrushchev.

MR. MASON: No. Albert Einstein.

Mr. Chairman: "One who uses coercion is guilty of deliberate violence. Coercion is inhuman." Mohandas Gandhi.

Mr. Chairman: "There is something within the human spirit that cries for and demands to be treated with basic fairness and justice. When such is violated, peace is undermined. Seeking justice for others is a way to peace." Myron R. Chartier. I've never heard of him either.

[Mr. Shariff in the chair]

Mr. Chairman, I want to come to the clauses of the bill. I'm going to be introducing a bit later some additional amendments with respect to this bill, but I want to touch very briefly on them now.

The bill is a collection of steps taken to step on the rights of Alberta's teachers under the guise, Mr. Chairman, of protecting students. In the discussion earlier on second reading we heard people posing the question: are you in favour of the teachers or the children? That is clearly a false dichotomy. That's setting up one against the other. We believe that dealing fairly with teachers, giving them good working conditions, giving them a fair remuneration, and respecting their rights is a key element in a strategy to help Alberta's students, and any member who tries to set the teachers against the students is doing a disservice to both, Mr. Chairman.

10:30

This bill contains any number of clauses which are designed to squelch the rights of teachers. Let's begin with section 3 of the bill under part 1, the dispute settlement process. That sets up the establishment of the arbitration tribunal. Now, we know very well,

Mr. Chairman, that normally in an arbitration process between two parties – and the government says that it wants this to be between two parties; that is, the school board and the teachers – both sides appoint a member of the arbitration panel, and those two members jointly select a third neutral party to ensure that the arbitration process is balanced. That is a time-honoured method of choosing an arbitration board, but the government is not doing it in that way.

We're hearing lots of rhetoric from government members and ministers that they are trying to follow the normal process of arbitration here, but it's not so, Mr. Chairman. It's clearly not so. They are going to have three members as per usual, but one will be selected by the teachers, one by the government, and one by the school boards. So one is set by the employer, one is set by the employer's employer, so to speak, and the other one is the teachers. So automatically the teachers are going to be outvoted on a 2 to 1 basis. Not only that, but if anybody gets out of line in the committee, the minister has the power to instantly replace them. So, clearly, the deck is stacked against the teachers in this so-called arbitration process.

That is not enough, however, for this government, Mr. Chairman. They have set a range of things which the arbitration board must consider. This government and this party in power have a long tradition of trying to stack arbitration by forcing them to consider things other than what is a fair remuneration for the work, but in this case the government has gone even farther and they will not allow the arbitration panel to recommend any settlement which might place a local board in a deficit position.

Given the budgetary system established for this round of negotiations, where the money set aside for the increases for teachers is clearly laid out in the budget, it means that in almost every case a demand which exceeds those amounts will place the board into a deficit position. Therefore, indirectly the government is doing what it couldn't do directly, and that is to impose a 4 and 2 regime on Alberta's teachers. So again, Mr. Chairman, we're seeing that the government is stacking the deck. This is section 6(2), and that is going to be the subject of one of our amendments as well.

Now, the next thing that the government has done is to ensure that it has complete control over any information that goes before the arbitration tribunal, especially as it respects government information, and who can appear. It says:

Despite anything in this Act, when a document is in the official possession, custody or power of a member of the Executive Council or of the head of a department of the public service of Alberta, but a deputy head or other officer has the document in the deputy head's or other officer's personal possession and is called as a witness, the deputy head or other officer, acting on the direction and on behalf of the member of the Executive Council or head of a department, is entitled to refuse to produce the document on the ground that it is privileged.

So here we go, Mr. Chairman. The government can withhold any information it wants from the tribunal, which is already stacked with its own appointee, which is already constrained by the limitations on what it can consider and is prohibited from placing any board into a deficit position. Now the government can keep secrets from the tribunal and doesn't have to produce their documents on how they've managed the whole matter with respect to teachers and their salaries.

Now, here's another one, Mr. Chairman, that really concerns us in the New Democrat opposition. Section 23 says that the collective agreement can't deal with

- (a) the number of students in a class;
- (b) pupil-to-teacher ratios or student-to-teacher ratios;
- (c) the maximum time a teacher may be required to instruct students.

Those are normally elements of working conditions and would normally be part of the collective bargaining. Almost in any area we would find that the employees have a right to negotiate their working conditions, and that includes such things as the number of students they have to deal with or the amount of time that they have to spend with them.

So what this really says is that the board can impose any length of instruction that's required, and it can't be arbitrated. Now, we hear informally from the other side that, well, there could be side agreements. I think the Minister of Learning alluded to this earlier today. There could be side agreements to deal with that, but since the arbitration can't deal with it and since they can't strike, what chance do Alberta's teachers have to actually get these things dealt with? I would suggest, Mr. Chairman, that it's between slim and none.

Now, of course, there's the required section ordering teachers back to work and cutting off their right to strike for the duration of this agreement. So, Mr. Chairman, it's very clear that Alberta teachers are being asked to enter these negotiations not with one hand tied behind their back but hog-tied completely, both arms, both legs, hog-tied and delivered up to the slaughter of Bill 12.

So, Mr. Chairman, I would like to, if I may, introduce an amendment, and I will read it as follows. I have copies that can be distributed to the members.

THE DEPUTY CHAIR: Hon. member, you will have to give a copy to the table as well as to all the colleagues. If you could just wait for a moment, please.

MR. MASON: Yes, sir.

THE DEPUTY CHAIR: Hon. members, an amendment is being moved by the hon. Member for Edmonton-Highlands, and we shall refer to this amendment as amendment A1.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much. Mr. Chairman, I move that Bill 12, the Education Services Settlement Act be amended as follows: section 2 is amended by striking out subsection 3, and section 23 is struck out. I'll just speak to that briefly.

Before I begin, though, I notice that the hon. Member for Edmonton-Castle Downs suggested that we ought to pull our chairs together with the Official Opposition, and it's apparent to me that someone that can't tell a quote from Pope John Paul II from that of Stalin couldn't be expected to tell the difference between New Democrats and Liberals either.

10:40

Mr. Chairman, I want to indicate that we have moved this amendment because it restricts the agreement from containing any provision that deals with class sizes, student-to-teacher ratios, or the maximum time a teacher may be required to instruct students. As I've indicated, these matters are clearly matters which affect the working conditions of teachers, and as such they ought to have a right to collectively bargain on these points.

Furthermore, Mr. Chairman, I'd like to indicate that we certainly have recognized that Alberta's teachers have made the quality of education a primary objective of their negotiations from the beginning. I think it's a credit to Alberta's teachers that that has occurred, and I believe that we ought to allow them to continue to negotiate on that basis. The teachers have refused on several occasions to sacrifice the conditions faced by their students in order to obtain a temporary financial advantage for themselves, and again I think that speaks well to Alberta's teachers.

We have heard, Mr. Chairman, and we know that not only do

parents actually have to fund-raise in schools for necessities, not withstanding the denials earlier by the Minister of Learning, but that teachers give freely of their own private personal time in order to add extra dimensions to schools, including extracurricular activities, including all sorts of things like sports, drama, and many trips that students and classes sometimes take. We've also learned during this discussion that teachers routinely use their own money to buy classroom supplies which are no longer available because of this government's constant cutbacks.

Mr. Chairman, I want to indicate very strongly that the New Democrat opposition feels that we should not be eliminating these matters from the arbitration process in favour of a vague scheme to study these questions. Given this government's track record, particularly with the Mazankowski report, we have no confidence that those issues will be fairly or adequately dealt with through the process the government has outlined.

With that, Mr. Chairman, I will take my seat and see if any other members wish to speak to this amendment.

THE DEPUTY CHAIR: Hon. Member for Edmonton-Highlands, just for clarification purposes, the amendment that has been moved has the signature of the hon. Member for Edmonton-Strathcona. For the record, I'm wondering whether you're moving this motion on his behalf or on your own behalf?

MR. MASON: I apologize, Mr. Chairman. Yes, I intended to move it on his behalf.

THE DEPUTY CHAIR: Thank you.
The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Chairman. I will speak to the amendment. Section 23 is a very important part of this act, and this is something that we will be talking about in the summer to fall with regards to our education commission, which is alluded to in the preamble of this act.

I must bring to the attention of the House the other factor in this, and that is that there are presently three boards in the province of Alberta out of the 64 boards that have the maximum time of instruction in their contract, there are two boards that have pupil-to-teacher ratios in their contract, and there's one board that has the student class size within their contract. So I really feel that by taking this out, what we've done is leveled off the playing field for a true discussion of these issues. These are very, very important issues to the future of education and the future of learning in this province. My government has given a commitment to fully investigate these issues, but we have to start off from a level playing field, and that's what's here.

The other thing I will say, Mr. Chair, is that there is absolutely nothing – nothing – stopping the school board and the local ATA, if they feel that PTRs are important, that instructional time is important – if both of them feel that way, they can put in a letter of understanding or a memorandum of understanding to the collective agreement. It is grievable. It is legally binding. It cannot be in the collective agreement, which is what this says.

We are all starting from a level playing field, and I would urge all the members of the Legislature to vote against this amendment.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 10:45 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Bonner	Mason	Pannu
Carlson	Massey	

Against the motion:

Abbott	Fritz	McFarland
Ady	Hancock	Oberg
Broda	Herard	O'Neill
Cao	Horner	Ouellette
Cenaiko	Kryczka	Renner
Coutts	Lord	Shariff
Danyluk	Lougheed	Smith
DeLong	Lukaszuk	Stelmach
Ducharme	Lund	Stevens
Dunford	Maskell	VanderBurg
Evans	Masyk	Vandermeer
Forsyth	McClelland	Zwozdesky
Friedel		

Totals	For – 5	Against – 37
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[Motion on amendment A1 lost]

MR. HANCOCK: Mr. Chairman, I would move that the committee rise and report progress.

[The voice vote indicated that the motion carried]

[Several members rose calling for a division. The division bell was rung at 10:58 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Abbott	Hancock	Oberg
Ady	Herard	O'Neill
Cao	Horner	Ouellette
Cenaiko	Kryczka	Renner
Coutts	Lord	Shariff
Danyluk	Lougheed	Smith
DeLong	Lukaszuk	Snelgrove
Ducharme	Lund	Stelmach
Dunford	Maskell	Stevens
Evans	Masyk	VanderBurg
Forsyth	McClelland	Vandermeer
Friedel	McFarland	Zwozdesky
Fritz		

11:10

Against the motion:

Bonner	Mason	Pannu
Carlson	Massey	

Totals:	For – 37	Against – 5
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[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: We'll recognize the Government House Leader before the report.

MR. HANCOCK: Yes, Mr. Speaker. I would like to seek unanimous consent of the House to waive the 10-minute rule and ring division bills for one minute on all further divisions this evening in committee or in the House.

[Unanimous consent granted]

THE DEPUTY SPEAKER: The hon. Member for Calgary-McCall.

MR. SHARIFF: Mr. Speaker, the Committee of the Whole has had under consideration and reports progress on Bill 12. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Motions**

Time Allocation on Bill 12

16. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 12, Education Services Settlement Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill at Committee of the Whole, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

MR. HANCOCK: Mr. Speaker, we've been in committee for more than an hour. I'd understood that there were amendments going to be put forward. Committee is a line-by-line consideration of the bill. After every speaker on the other side finished speaking, they finally moved one amendment. It's obvious that there's no intention to deal with this in a reasonable, straightforward manner. Therefore, it's necessary for us to ask that we move Government Motion 16 and pass it forthwith.

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

MS CARLSON: Well, Mr. Speaker, here we go. It's closure already. The first substantive bill. Let the record reflect that government members clapped and applauded for this particular motion, which is a closure motion.

DR. MASSEY: For shame.

MS CARLSON: That's right. For shame on every single member in this Legislature that supports this particular motion.

DR. MASSEY: Because they're overwhelmed by the opposition.

MS CARLSON: They are. I think that's a good point. They are overwhelmed by the opposition. After only one small hour of debate

in committee they feel driven to bring in closure on a bill that has yet to be put out to stakeholder groups for their approval.

Mr. Speaker, it's absolutely appalling that this is how they use their heavy-handedness to force legislation through this Assembly, particularly on this bill. What they're doing with this bill is that they take away the right to strike, and now they take away the right to debate. When do we see the potential for closure to be introduced with this particular bill? At every single stage before we've even started to debate the bill. The right to debate is taken away and coincides very well with the taking away of the right to strike and in fact, if we take a look at some of the clauses in this bill, the right to even assemble and discuss and debate.

So, Mr. Speaker, this government, who has this huge majority, is frog-marching this bill through the Assembly as fast as they can. Why? Because they don't want to send it out to stakeholder groups. What would be wrong with doing that? What would be wrong with sending a bill out to community groups, to parent associations, to teachers, to a variety of boards, to the trustees and finding out what they think of it clause by clause so that when they bring a bill in, they bring in a bill that's good and solid and doesn't have the kinds of clauses up for consideration as being questionable at least?

We see that my colleague, when he gets a chance to, before our small hour of debate is up, will be bringing in an amendment that will be dealing with what we think is a clause that does not allow teachers . . .

MR. HANCOCK: He could have done it an hour before.

MS CARLSON: Well, you know what? He couldn't do it in the hour before because it's only one hour and we haven't even had a chance to properly debate the bill in committee, never mind get to the stage where we talk about the amendments, Mr. Speaker. So I would suggest that the Government House Leader is completely incorrect and erroneous in that accusation he has made.

What have we seen in the past in this Legislature when this government frog-marches legislation through? We see mistakes, Mr. Speaker. We see them having to come back to correct legislation through amendments and behind closed doors through regulations. We have seen them withdraw legislation when they've done that in the past, and I would like to remind the Government House Leader of the notwithstanding clause, which turned out to be a huge public relations disaster for them and was absolutely the wrong kind of legislation for them to bring forward, yet to a person on their front bench they agreed and supported it when it came in. When there was a public outcry against it and a swelling of support against that particular bill, they had to make some drastic changes.

For people to be able to take a look at the legislation and bring their feedback into the Assembly and get it through their thick heads that there's something wrong with the legislation takes some time, and that means that we've got to have time to get it out to the community and get it back in. That does not mean that you bring it in at second reading in the afternoon, bring it in committee in the night, the next afternoon we see third reading, and it's over and done with. People don't have that kind of commitment to put towards screening legislation. People have jobs. They've got families. They've got outside commitments. They need time to think about the legislation, to send it out for legal review in many cases. That can't happen in less than 24 hours, which is what we see with this particular legislation.

11:20

So, Mr. Speaker, there is no doubt that we absolutely oppose any attempt by this government to bring in closure, particularly in the

heavy-handed kind of manner that we have seen it brought in this evening. We are happy to stand on these votes, because it's absolutely undemocratic what they're doing and certainly isn't the open and kind of accountable government that they state they like to bring forward. It just simply isn't true. It's a heavy-handed, steamroller approach that doesn't work for the people of Alberta, and it certainly doesn't work for the opposition.

MR. DUCHARME: Mr. Speaker, I'd like to raise a point of order.

THE DEPUTY SPEAKER: The hon. Member for Bonnyville-Cold Lake.

**Point of Order
Reflections on a Member**

MR. DUCHARME: It's 23(j). The Member for Edmonton-Ellerslie on two occasions during her debate referred to the government as frog-marching. Also, as the Member for Whitecourt-Ste. Anne indicated earlier, he felt that his heritage had been somewhat abused. At this point in time I would like to state the same and would demand an apology.

MS CARLSON: No problem, Mr. Speaker. He's got an apology and a withdrawal of those particular remarks if they offend him. Certainly there was no intent to offend in this particular instance, and if he could suggest some better terms that mean the same thing to me, I would be willing to take them under advisement.

Thank you.

THE DEPUTY SPEAKER: Hon. member, we have two people that have spoken to it and a withdrawal. There's no need for further debate on the point of order unless you have a new point of order.

MR. MASON: Mr. Speaker, if I can speak to the point of order.

THE DEPUTY SPEAKER: The person who occasioned the rise to a point of order has withdrawn the remark. That ends the matter for the time being.

[The voice vote indicated that the motion carried]

[Several members rose calling for a division. The division bell was rung at 11:23 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Abbott	Fritz	Oberg
Ady	Hancock	O'Neill
Broda	Herard	Ouellette
Cao	Horner	Renner
Cenaiko	Kryczka	Shariff
Coutts	Lord	Smith
Danyluk	Lougheed	Snelgrove
DeLong	Lukaszuk	Stelmach
Ducharme	Lund	Stevens
Dunford	Maskell	VanderBurg
Evans	Masyk	Vandermeer
Forsyth	McClelland	Zwozdesky
Friedel	McFarland	

Against the motion:

Bonner	Mason	Pannu
Carlson	Massey	
Totals:	For – 38	Against – 5

[Government Motion 16 carried]

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

[Mr. Tannas in the chair]

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

**Bill 12
Education Services Settlement Act
(continued)**

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

DR. MASSEY: Thank you, Mr. Chairman. I'd like to propose an amendment to Bill 12: that Bill 12, Education Services Settlement act, be amended in section 1(1)(f) by striking out subclause(iii). You have copies of the amendment. This is a clause that I mentioned in my previous examination of the bill in committee. What it does is take out the clause that says that a strike is deemed to be "a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer." It just doesn't make sense, Mr. Chairman.

11:30

THE CHAIR: Hon. members, just so that we all know it, the amendment as moved by the hon. Member for Edmonton-Mill Woods will be known as amendment A2.
Go ahead.

DR. MASSEY: Okay. Thank you.

It just doesn't make sense, Mr. Chairman. As the Government House Leader said, it was lifted from the labour act, but the lift wasn't in its entirety. The labour act has the reason that there has to be an effort by these two individuals to compel the employer to act in a particular manner. They're trying to coerce the employer. The labour act says that that's a strike and that they can't do that, but without that, it doesn't make sense. More importantly, it just is so out of tune with life in schools. The debates over school policy and school activities are constant. It's part of the give-and-take of making a school setting work. I can think of at least three examples from my own experience where this kind of a clause, had we been under this kind of arbitration and working under Bill 12, would have been considered a strike, and it would have been ludicrous.

I can remember a group of teachers objecting to being asked to teach French when they had no background in the subject and a principal saying: "Oh, yeah. You know, we can get you some books and some recordings, and you can do it." And the teacher said: no, I'm not going to do that. Yet under this clause that would be considered a strike, and they would be subjected to their fines. I can remember similar arguments over music and males on staff with no musical ability being asked to take music classes saying: no, we're not going to do that; we're not qualified. I gave a previous example of a school concert where a principal, because that particular principal liked to have a healthy bank account, decided we would have a school concert every year, and the staff said: "No. We've had enough of it." Ridiculously enough, that would be considered a

strike under this bill. So our proposal is that we'd get rid of it altogether, Mr. Chairman.

I guess one last observation is that it's potentially divisive, and I did have a call from a principal who objected to it, saying: you know, that really puts principals against teachers. It's contrary to the kind of climate that most principals and staff try to create in the school. This does nothing to enhance it and in fact has the potential to impede it.

With those reasons, I'd ask for the support of the Assembly, Mr. Chairman.

THE CHAIR: The hon. Minister of Learning on amendment A2.

DR. OBERG: Thank you very much, Mr. Chairman. What I will do is read two sections. The first section I will read is from the existing School Act. Under section 18

- a teacher while providing instruction or supervision must . . .
- (g) subject to any applicable collective agreement and the teacher's contract of employment, carry out those duties that are assigned to the teacher by the principal or the board.

That is in the School Act.

I will now read what is in the Labour Relations Code. In the Labour Relations Code in section 1(v) under the definition of "strike,"

- "strike" includes
 - (i) a cessation of work,
 - (ii) a refusal to work, or
 - (iii) a refusal to continue to work,
- by 2 or more employees acting in combination or in concert or in accordance with a common understanding for the purpose of compelling their employer or an employers' organization to agree to terms or conditions of employment or to aid other employees to compel their employer or an employers' organization to accept terms or conditions of employment.

Mr. Chairman, under section 1(1)(f) the definition of a strike in this act reads:

- "strike" includes
- (i) a cessation of work

Again this is directly taken from the labour act.

- (ii) a refusal to work or to continue to work by 2 or more employees acting in combination or in concert or in accordance with a common understanding.

Mr. Chairman, again this is directly from the labour act. If two or more employees refuse to work, that constitutes a strike.

- (iii) a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer.

As I have just stated under section 18(g) and will state again, Mr. Chairman: a teacher must

- (g) subject to any applicable collective agreement and the teacher's contract of employment, carry out those duties that are assigned to the teacher by the principal or the board.

Mr. Chairman, the section that the hon. member is wishing to delete is a combination of the School Act, where it outlines a teacher's duties and is basically saying that any concerted activity not to do their duties – not to do their duties – is constituted as a strike, and that is definitely under the Labour Relations Code as printed.

DR. MASSEY: You didn't read the whole thing.

DR. OBERG: Yes, I did. [interjection] No, I didn't.

THE CHAIR: Hon. member.

DR. OBERG: Thank you, Mr. Chairman.

So, Mr. Chairman, I would urge the Assembly to vote against this amendment for the reasons that I have given.

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

MR. MASON: Mr. Chairman, notwithstanding the comments of the Minister of Learning I would urge members of the Assembly to support the amendment. It is clearly in the context of this legislation going to be used as a sword of Damocles over the heads of any teachers who might wish to take exception to the direction that they're given and the labour climate the government is creating. This is open to abuse, and notwithstanding the fact that it is mirrored in current legislation, I think it is dreadful. Obviously we need to review provisions of existing acts if this is in fact the case.

I'm tempted to urge members to leave it in because I suspect, Mr. Chairman, that this particular clause may in fact offend the Charter of Rights and Freedoms and would give rise to a successful challenge of this legislation. So I think the government ought to be cautious in retaining this, but I certainly think it's interesting, and it's interesting to learn that it pre-exists in existing legislation. Quite frankly, I think this is extremely open to abuse, and to impose heavy fines because a couple of teachers may oppose unfair direction from a principal or other administrator – and that can certainly be the case – I think is wrong, and I support the member's amendment.

THE CHAIR: Are you ready for the question?

The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Chairman. I'd just like to make a comment here in support of the amendment as proposed by the hon. Member for Edmonton-Mill Woods. In looking at the Labour Relations Code and comparing it to section 1(1)(f)(iii), subclause (iii) in the Labour Relations Code specifically states:

- (iii) a refusal to continue to work, by 2 or more employees acting in combination or in concert or in accordance with a common understanding for the purpose of compelling their employer or an employers' organization to agree to terms or conditions of employment or to aid other employees to compel their employer or an employers' organization to accept terms or conditions of employment.

So if we're not going to include the entire section (iii) under the Labour Relations Code, then I certainly think that all members should be supporting the amendment as proposed by the hon. Member for Edmonton-Mill Woods.

Thank you.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 11:40 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Bonner	Mason	Pannu
Carlson	Massey	

Against the motion:

Abbott	Fritz	McFarland
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Ady	Hancock	Oberg
Broda	Herard	O'Neill
Cao	Horner	Ouellette
Cenaiko	Kryczka	Renner
Coutts	Lord	Smith
Danyluk	Lougheed	Snelgrove
DeLong	Lukaszuk	Stevens
Ducharme	Lund	VanderBurg
Dunford	Maskell	Vandermeer
Evans	Masyk	Zwozdesky
Friedel	McClelland	
Totals:	For – 35	Against – 5

[Motion on amendment A2 lost]

MR. MASON: Mr. Chairman, I would like to move on behalf of the hon. Member for Edmonton-Strathcona an amendment to Bill 12, that the Education Services Settlement Act be amended in section 3(2) by striking out clause (c) and substituting the following: “(c) appoint one additional member as chair of the tribunal whose appointment has been agreed to by the ATA and ASBA members of the tribunal, and.”

THE CHAIR: This amendment will be known as A3, should it ever be delivered.

MR. MASON: Mr. Chairman, if that amendment has now been distributed, I'd be pleased to speak to it. This is the amendment which fixes a major flaw in this bill, and the flaw is that it is a fixed game, as the president of the ATA has said. This is not a normal arbitration process. This is not the structure of a normal or a fair arbitration tribunal. This is in fact something that is designed, in our view, to fix the game against the ATA so that they don't have a chance. It's a bit like shooting fish in a barrel. The fish really don't have much of a chance in this kind of situation.

Now, I've listened with interest as the hon. Minister of Learning has said that the government wishes to extract itself from the relationship between the school boards and the ATA. Well, I can't think of a better way to do that, Mr. Chairman, than to remove themselves from the arbitration tribunal that's going to settle the issue. Obviously, with all of the other safeguards in place, the government is not at risk of losing millions and millions of dollars, because the rest of the legislation really prevents that from ever occurring. So why wouldn't the government agree that if you want an arbitration process that is in the least bit fair, it should be established on the same basis as a normal arbitration under the labour act?

I don't think the minister will be able to get up this time and point to a section in the labour act and say: we just pulled it out of the labour act; it's already the existing practice in these matters. If you're going to have arbitration, Mr. Chairman, the arbitration needs to be fair. That's already provided for in existing legislation. I see no reason to impose a government-appointed member into this tribunal, which can only have one effect, and that is for the school board member and the government member to gang up on the teachers' member and produce a result that's going to leave no one happy except of course the government, and that's not what arbitration is about.

Thank you.

11:50

THE CHAIR: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Chairman. I'll speak on two points with regards to this section. First of all and I think by far the most important thing I can say tonight is that this form of panel was suggested by Mr. Larry Booi, president of the Alberta Teachers' Association, to us, one hundred percent verbatim from what Mr. Larry Booi said.

The other thing that I will add to alleviate some of the hon. member's concerns is that it is a majority rule panel. So if the ATA and the ASBA arbitrators agree, then that will be carried forward. It is a majority rule panel.

Mr. Chairman, because this came directly one hundred percent from what the ATA had said, I would suggest that the Assembly vote it down.

MR. MASON: Just to briefly respond to that, Mr. Chairman, we don't know the context of the proposal from the president of the ATA. We do know that many things have changed since the time he came out of the Premier's office with a smile on his face. He's not smiling now, and that's not because he's changed his mind. That's because the government has changed the rules of the game. So to suggest in the context of this bill, which the ATA is vociferously opposing, that it came from the president of the ATA and it should therefore be no problem to members of this House to adopt it, I think, is clearly not a reasonable argument to be made.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 11:52 p.m.]

[One minute having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Bonner	Mason	Pannu
Carlson	Massey	

Against the motion:

Abbott	Hancock	Oberg
Ady	Herard	O'Neill
Broda	Horner	Ouellette
Cao	Kryczka	Renner
Cenaiko	Lord	Smith
Coutts	Lougheed	Snelgrove
Danyluk	Lukaszuk	Stelmach
DeLong	Lund	Stevens
Ducharme	Maskell	VanderBurg
Dunford	Masyk	Vandermeer
Evans	McClelland	Zwozdesky
Friedel	McFarland	

Totals:	For – 5	Against – 35
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[Motion on amendment A3 lost]

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

MR. BONNER: Thank you very much, Mr. Chairman. I would like to take this opportunity to speak to Bill 12 in committee, just a few comments in regards to the preamble. I certainly commend the government at this point for setting up a study of classroom conditions. I think, in looking at the classroom conditions, we have

to definitely look at the examination of all factors which are included in classroom conditions. Certainly the major reason that we are here today is the adequacy of funding for schools. This has not been a priority of this particular government and school boards since 1995. We certainly have not had long-term, predictable, stable funding, and it certainly has led to a number of situations in our classrooms. Particularly when we look at when revenues have dipped or available dollars just aren't there, schools have had to make cutbacks. These certainly affect the working conditions of teachers. It also affects the learning conditions of students.

As we look at this legislation, we certainly know that one of the areas that should be under examination here is the factor of the greater stress that has been placed on teachers because of their increasing role in the teaching of students of every imaginable ability and, as well, of students who do have special needs. I was very disappointed this evening when the Government House Leader brought in closure, Mr. Chair. There are quite a number of educators in the Assembly here this evening. Some of these educators have a long and distinguished career in education, and I certainly would have welcomed their input into this debate. I also think that many of them, if they had the time, perhaps might have. It is quite interesting to note that we have had a number of divisions here tonight, and constituents from these particular constituencies represented by former educators are going to be quite interested to see what part of the debate and how much of the debate their member participated in.

12:00

When we do look at Bill 12 under Committee of the Whole and we do look at the increased stress of teachers, I would hope that part of this study would include over the next 18 months, Mr. Chairman, just how many sick days are taken by teachers who are certainly going to be feeling increased stress because of this situation. I would also like this committee to look at how many teachers go out on long-term disability or on stress leave. I also think that another important factor here, Mr. Chairman, should be the number of new teachers who leave the profession. All of these factors are definitely going to impact education in this province.

I think that another issue that is not mentioned in here is having an adequate supply of textbooks so that each student has their own textbook when necessary.

As well, Mr. Chairman, in the preamble we certainly have avoided technology, and as we all know technology can be the black hole when it comes to eating up funds in schools. Certainly the amount of funding that is presently provided by the government does not anywhere begin to meet the needs and demands in schools today, so as a result we do have a tremendous amount of fund-raising that's taking place just to supply the essentials of education and not the extras.

One last point that the preamble does not address is new curriculum. Now, a number of years ago, Mr. Chairman, when we introduced a new science curriculum into our schools, teachers first of all were provided in-services, the textbooks were available to all students before the new curriculum was put into place in the schools, and all the aids that teachers required and all the supports were in place as well. I think that this is also another issue that could have been put into the preamble here that certainly would aid teachers in dealing with their everyday situations in the classroom and improving the learning conditions in the classroom as well as working conditions.

So with those few comments, Mr. Chairman, I will cede the floor to another one of the members. Thank you.

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

MS CARLSON: Thank you, Mr. Chairman. I am happy to be able to respond at committee to Bill 12, the Education Services Settlement Act. We have only 24 minutes left to debate this bill because of closure brought in by this government.

The first point that I wish to address here are some comments that were made earlier in the evening by myself. I talked in second reading about this government frog-marching this bill through the Legislature, and another member took offence at those comments and asked me to withdraw them, and I did, Mr. Chairman. I apologized for any offence, stating that it certainly wasn't my intent to personally offend anybody or any particular group with the words that I had said and then withdrew those words.

Having had some time to reflect and actually do some research on the definition of that word, I would have to say, Mr. Chairman, that I stand by my comments of not wishing to offend any person or any group by using that terminology but do regret having withdrawn that word for a variety of reasons which I will now indicate. If we take a look at *Beauchesne*, which is the parliamentary rules and forms that we use quite often in this Legislature, and we look at 489 under the words that have "been ruled unparliamentary for the following expressions," we don't see "frog-march" there anywhere. If we look, Mr. Chairman, at the freedom of speech . . .

MR. HANCOCK: There could be offensive words that aren't included in that list.

MS CARLSON: And that's true. There could be offensive words, but let me finish my comments, and then certainly the Government House Leader can comment.

If we then look to Freedom of Speech in *Beauchesne* – and I refer members to 75, 76, and 77, which are on page 22 and which come under the heading Privilege – "the privilege of freedom of speech is both the least questioned and the most fundamental right" of members. Then I would refer members to *Erskine May Parliamentary Practice*. Chapter 6 talks about the privilege of freedom of speech, where in the opening comments it states that

subject to the rules of order in debate . . . a Member may state whatever he thinks . . .

And I'm sure in this case they also mean she thinks.

. . . fit in debate, however offensive it may be to the feelings, or injurious to the character, of individuals; and he [or she, I'm sure] is protected by his or her privilege from any action for libel, as well as from any other question or molestation.

So then I would refer members to this small pocket dictionary, the *Collins English Mini Dictionary*, which has only 40,000 entries, which we know, Mr. Chairman, is not very many for a dictionary. What do I find under the terminology "frog"? What I see is: frog-march, a verb, force a resisting person to move by holding his arms. In fact, that was exactly my intent when I used that terminology in my debate before. This government is effectively taking teachers and frog-marching them through this legislation. So that was the intent of what I had to say earlier.

I will definitely in the future reserve my right to withdraw a comment until it has been fully researched because particularly this day in this Legislature we have seen members who support the government's position on this bill trying various tactics to limit the terminology and the words that we have used in this Legislature. I don't want to see that practice continue unless it can be defended with the kind of documentation that we have available to us.

So I will end my comments on that particular point because I have many other very important issues that I would like to address in the few remaining moments that we have, not the least of which, Mr.

Chairman, is the lack of entry into debate we have seen by members of this Assembly who support the government's position on Bill 12. What particularly concerns me is those members who in their lives before politics were, in fact, teachers. I believe and I'm sure that many teachers in this province also believe that when bills come before the Legislature that are particularly applicable to any particular expertise that people who have moved through their role in life, out of a profession and into politics and political decision-making may have had and may still have, it is fundamentally important for those parliamentarians to stand up and be counted and put their comments and concerns on the record in the Legislature so that those who are watching and are affected by the decisions made in this Legislature can see what their opinions were and can weigh those opinions based on their actions. What we have seen here today in this Legislature is very, very few government members actually get on the record. I count one, two, three, four, five in terms of those who participated. Too bad – isn't it? – that only one of those people speaking actually came from a teaching background.

12:10

So, Mr. Chairman, I would ask where the rest of the members in this Assembly were on the record. Why didn't Wetaskiwin-Camrose have anything to say about this bill? We have seen that the government has limited debate. We have only 17 minutes and some odd seconds left, and we see that he didn't have any comments. Why is it that . . .

MR. LUKASZUK: You used up too much time.

MS CARLSON: No, I didn't use up too much time. Your government limited the amount of time that we had to debate on this.

Now, we have one, two, three, four, five, six, seven, eight, nine, 10, 11 for sure members in this Legislature that came from the teaching profession and had nothing to say. I'm wondering why Edmonton-Meadowlark has had nothing to say on this particular bill. I am sure that he has many friends and former colleagues . . .

MR. HANCOCK: A point of order, Mr. Chairman.

THE CHAIR: The hon. Government House Leader is rising on a point of order.

Point of Order Imputing Motives

MR. HANCOCK: Mr. Chairman, under 23(h), (i), and (j), imputing motives and generally causing debate, the hon. member is supposed to be in Committee of the Whole and supposed to be discussing line by line the sections of the bill. Instead she's using the opportunity to lecture people about their duties as MLAs. The members of this House full well know their duties as MLAs and have spent a good deal of time over the last month and a half talking about this issue. They don't need to be lectured by the hon. Member for Edmonton-Ellerslie on their duties in the House. If she's complaining about lack of time, she should be getting on to amendments to the bill, which is what committee is for; otherwise, she's just wasting everybody's time.

THE CHAIR: Hon. member, on the point of order?

MS CARLSON: Yes, absolutely on the point of order, Mr. Chairman. Given the late time of this evening, the Government House Leader is a little touchy and is finding a point of order where there is none. Had he listened to my earlier comments on freedom of

speech in debate, it states that I may say what I think, "however offensive it may be to the feelings, or injurious to the character, of individuals." So I would state that, in fact, there is no point of order here, and he is simply venting given the late hour.

THE CHAIR: The chair would observe that an important point has been made, whether it's a full point of order or not, and that is that spending the time in committee, where you're supposed to be dealing with various aspects of the bill, and instead reflecting on why other people aren't entering into debate seems to me to at least bring question to the hon. member and her point. So I wonder if you could return to the bill or if you've completed your comments.

Hon. Member for Edmonton-Highlands, you want to speak on the point of order?

MR. MASON: No, but if the hon. member is finished, I would like to speak.

THE CHAIR: No, she's just sitting down so that the chair may amble on.

The hon. Member for Edmonton-Ellerslie on the bill.

MS CARLSON: Yes. Thank you, Mr. Chairman. I take your guidance on this. Certainly we had a visitor in the gallery earlier this evening who, on her way out of the public gallery, asked me how it was that particular members weren't speaking to this bill. I think that it's very important as a part of the outreach to people in the community and bringing back stakeholders' interests – and this particular person was a teacher – that we bring up issues that they have addressed, and one of the issues that was addressed was those who did not speak to debate. Well, in fact, the Government House Leader is trying to limit what I am saying on the bill.

When we are in committee we have a far-ranging debate. We know that there has always been a great deal of latitude given by the speakers and chairmen in debate, and I expect that to continue. I am nearly at the end of those particular comments.

AN HON. MEMBER: Good.

MS CARLSON: Well, they make the members uncomfortable, and that's good, because that was the intent. Certainly I am not going to be the only one asking those particular questions as people in the community review what was said in *Hansard* and who did and who did not participate in the debate, Mr. Chairman.

Debate Continued

MS CARLSON: I have many, many, many tablings that I would like to put on the record, but given the very short period of time – and I know that there are more amendments that are being put forward tonight, albeit we don't have an opportunity to fully debate them because of the time constraints and closure brought in by the government. [interjection] No. You know what? That's not good enough. In fact, we need more time than just the mover of an amendment to be able to come in here and give a very short summary. We need to be able to fully debate those. We need full participation by both sides of the Assembly.

MR. HANCOCK: So get one on the table, and let's get on with it.

MS CARLSON: We will, and if you were to stop harassing me like this, we would get to it a lot sooner.

In fact, because of the kind of feedback that we've had from

government members here tonight, we're not going to get to all of the amendments we have. Certainly we will be seeing some of those come up in third reading, I am sure, as many as are applicable. I'm sure that those that are not applicable in third reading will be tabled tomorrow, and all of that because this government chooses to bring in closure on a bill that has been debated for less than five or six hours in this Assembly.

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

MR. MASON: Yes. Thank you very much, Mr. Chairman. I would like to move on behalf of the hon. Member for Edmonton-Strathcona an amendment, that Bill 12, the Education Services Settlement Act, be amended in section 6 by striking out subsection (2).

THE CHAIR: When we receive it, this will be called amendment A4.

MR. MASON: And the clock will restart?

THE CHAIR: Hon. members, usually we give just a moment so that someone . . .

MR. MASON: Is the clock running while this is happening?

THE CHAIR: Yes, it is.

MR. MASON: Then I think I'd better talk, Mr. Chairman. The time is running out, and I have three amendments, and I'm feeling a little bit squeezed here between the government's imposition of closure and other members wishing to dwell at length on certain matters.

I will get right to the point, Mr. Chairman. This will eliminate the section of the bill that says that

the arbitration tribunal must be satisfied that an award can be implemented without an employer incurring a deficit, or if the employer already has a deficit, without incurring any greater deficit, over the period during which the collective agreement has effect.

This is clearly another attempt to load the deck against teachers.

You know, there is all kinds of hocus-pocus on the other side about how this kind of thing actually works. The suggestion was actually made by some members that, well, you know, teachers must have been responsible for deficits going back to the beginning of school boards, because until the government put 4 and 2 in the budget, it obviously had to come out of classroom costs or it had to have come at the expense of a budget. But it's absolute nonsense. The fact of the matter is that school boards always had reserves that were put in place in order to pay the costs of collective agreements, and if in fact those reserves were not sufficient, then they would actually go to the government and say in their next budget that they needed to have a certain amount, and the government always had to respond to the changes in the cost structure of schools and of education. The government always had to respond to those, and they're not just driven strictly by labour costs.

What the government is doing here is effectively saying that unless it's in the budget, the arbitration board can't give it to the teachers, and of course what's going to be in the budget of the school boards is exactly the line item that was given to the school boards by this government in its ill-considered budget of a year ago. So what the government is doing is playing on the public's response, the public's concern about deficit budgets, which rose to their heights under the Conservative government of this province under Mr. Getty. That's where the deficits were. There was no intervening period when there was some kind of socialist or Liberal government that ran up the deficits. It was this party that drove up the deficits in this province.

12:20

Naturally the public is very concerned about deficits, Mr. Chairman. So what are they doing? They are taking advantage of that and saying, "Oh, we can't give the teachers what they want because it would mean a deficit." What it does is it just gets the government completely off the hook financially for any further contribution to education in this province, and that is exactly where the government wants to be: off the hook for education. Well, I'm sorry; they're not off the hook for education because we're here to keep them on the hook.

THE CHAIR: The hon. Minister of Learning.

AN HON. MEMBER: You're not off the hook.

DR. OBERG: Yeah, but at least I'm not a hooker.

Thank you very much, Mr. Chairman. I'll rise to speak to this, and I'll take the Assembly back two and a half years. At that time, in August of 1999, this government, these people that are here, spent \$151 million to bail out the school boards' deficits, \$151 million. We will not allow that to happen again. We will not allow any arbitrator to put in any settlement that will cause the school boards to run a deficit again. That is completely unconscionable to the Alberta public. After that \$151 million – correct me if I'm wrong. I do believe there was an election after 1999, and what were the results of that election? I think we won.

This is a very important part of this bill. What this does very simply, Mr. Chairman, is put into this bill that any arbitrated settlement cannot exceed the school boards' ability to pay. We have allocated numerous dollars to the school boards, an increase of \$245 million this year alone, an increase of 8.4 percent to the school boards this year alone as opposed to 9.8 percent the year before. This is very important, because these school boards cannot be allowed to go into deficit again so we bail them out to the tune of \$151 million like we did the last time. Those are moneys that could be spent for other things. They could be spent in the classroom. They could be spent for more teachers. They could be spent for a lot of different things. That's the whole reason it's here.

Ask the people of Alberta if they think school boards should run a deficit to pay the teachers' salaries. Mr. Chairman, all I would say to the hon. opposition party is: take a look; listen to what people are saying. Maybe they're different people where they live. Listen to what the people are saying. The people that I talk to, the people that this government talks to do not want the school boards to run another deficit like they did. That is why this is in here. It's an extremely important part of this act, and I would urge all members of the Assembly to vote this amendment down.

THE CHAIR: The hon. Member for Edmonton-Highlands on amendment A4.

MR. MASON: Just to briefly respond, the minister is attempting to portray what is essentially a clause to keep teachers' settlements within the range previously set by the government as some kind of deficit prevention mechanism. Nothing could be further from the truth. Obviously, if a deficit is run, the government has a responsibility to provide the school boards with that cost so that there's not an additional deficit. I would contrast the minister's statement of the generosity towards bailing out school boards with corporate bail-outs such as Bovar and others, that made the bail-out of the school boards that he's referred to look like peanuts.

THE CHAIR: The hon. Minister of Learning.

DR. OBERG: Thank you again, Mr. Chairman. I'd like to reiterate that I do not feel that \$151 million is by any stretch of the imagination peanuts. It is taxpayers' dollars. It is people in this room who have paid those dollars; \$151 million is an awful lot of money.

Quite simply, what this section of the act does is limit the responsibility. It allows the school boards to be accountable. It allows for the sustainability of education funding through these arbitrated settlements. I don't think anyone would agree that an arbitrator should go to a school board and say, for example, "Well, we think that teachers should be paid 50 percent more; we think that the teachers should be paid 80 percent more." It has to be affordable. It has to be within the school board's budget, and quite simply that is what section 6(2) does. I will read it.

The arbitration tribunal must be satisfied that an award can be implemented without an employer incurring a deficit, or if the employer already has a deficit, without incurring any greater deficit, over the period during which the collective agreement has effect.

Mr. Chairman, there is one school board in the province that presently has a deficit, but they are in the midst of paying this deficit back. It has been extremely difficult for this school board, but they are doing an excellent job of paying back this deficit.

When I came in August of 1999 and we gave the school boards the moneys to pay off their deficit, that was the start of a new day for the school boards, and since that time they have not looked back. I think it would be a grave mistake for this Assembly to allow school boards to incur another deficit purely because of an arbitrator's settlement. Quite simply, that is what section 6(2) is saying. It is saying that it must be affordable, that it must be sustainable.

Mr. Chairman, the school boards are accountable to their electorate. They are democratically elected, and they're responsible to their electorate. Each and every one of us is democratically elected as well.

AN HON. MEMBER: They are taxpayers.

DR. OBERG: They are taxpayers; absolutely right. They are taxpayers, and they must be accountable.

THE CHAIR: I hesitate to interrupt the hon. Minister of Learning, but pursuant to Government Motion 16, agreed to March 12, 2002, which states that after one hour of debate all questions must be decided to conclude debate on Bill 12, Education Services Settlement Act, in Committee of the Whole, I must now put the following questions to conclude debate.

First the amendment as moved by the hon. Member for Edmonton-Highlands on behalf of the hon. Member for Edmonton-Strathcona, known as amendment A4.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 12:28 a.m.]

[One minute having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Bonner	Mason	Pannu
Carlson	Massey	

12:30

Against the motion:

Abbott	Fritz	McFarland
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Ady	Hancock	Oberg
Broda	Herard	O'Neill
Cao	Horner	Ouellette
Cenaiko	Kryczka	Renner
Coutts	Lord	Smith
Danyluk	Lougheed	Snelgrove
DeLong	Lukaszuk	Stelmach
Ducharme	Lund	Stevens
Dunford	Maskell	VanderBurg
Evans	Masyk	Vandermeer
Friedel	McClelland	Zwozdesky
Totals	For – 5	Against – 36

[Motion on amendment A4 lost]

THE CHAIR: The next question to come before us, then, is the question on the bill itself, Bill 12, Education Services Settlement Act. On the clauses of the bill are you agreed?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed?

SOME HON. MEMBERS: No.

THE CHAIR: Carried.

[Several members rose calling for a division. The division bell was rung at 12:33 a.m.]

[One minute having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Abbott	Fritz	Oberg
Ady	Hancock	O'Neill
Broda	Herard	Ouellette
Cao	Horner	Renner
Cenaiko	Kryczka	Smith
Coutts	Lord	Snelgrove
Danyluk	Lougheed	Stelmach
DeLong	Lukaszuk	Stevens
Ducharme	Lund	VanderBurg
Dunford	Masyk	Vandermeer
Evans	McClelland	Zwozdesky
Friedel	McFarland	

Against the motion:

Bonner	Mason	Pannu
Carlson	Massey	

Totals:	For – 35	Against – 5
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[The clauses of Bill 12 agreed to]

[Title and preamble agreed to]

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

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed?

SOME HON. MEMBERS: No.

THE CHAIR: Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report Bill 12.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 12. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

SOME HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: So ordered.

The hon. Government House Leader.

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

[Motion carried; at 12:40 a.m. on Wednesday the Assembly adjourned to 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, March 13, 2002**

1:30 p.m.

Date: 02/03/13

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon and welcome.

Let us pray. O Lord, we give thanks for the bounty of our province: our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all Albertans. Amen. Please be seated.

head: Introduction of Guests

MR. KLEIN: Mr. Speaker, it gives me great pleasure to introduce to you and through you to Members of the Legislative Assembly Mr. Tom Williams. Tom was my neighbour when we were growing up in Tuxedo Park in Calgary, and he's now a retired businessman who is a foster parent and devotes between 40 and 50 volunteer hours a week to the St. Francis Centre in Stony Plain. I would ask Tom to rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. It is indeed my pleasure to introduce to you and through you to members of the Assembly a group of constituents visiting us today from F. G. Miller junior senior high school. F. G. Miller junior senior high, located in the town of Elk Point, is not only where I attended school but also where my children were educated. F. G. Miller has had the distinction of being nominated two years in a row by the Fraser Institute for the W. Garfield Weston outstanding principals award. Student averages have increased dramatically and consistently over the last five years to the point where they are above provincial average for the standard of excellence in nine out of 11 diploma results. Today we are honoured to have the grade 9 class visit us with teachers Mike O'Neill and Rachel Germain. They are seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Speaker. It's certainly my pleasure today to rise to introduce to you and through you to members of this Assembly the grade 6 class from St. Mary's school in Taber, Alberta. They are accompanied today by their teachers Randy Spenrath, Patrick Pyne, and by parents Mr. Jim Bettcher, Mrs. Jane Bettcher, Mrs. Karen Capner, Mr. Bob Miller, Mrs. Leslie Oudman, Mr. Bernie Sekura, Mrs. Marianne Sekura, Mr. Fred Williams, and Mrs. Angela Haid. These kids and their leaders have traveled a long way under some adversity to be here today. I would ask that they rise in the public gallery and receive the warm greetings of this Assembly.

MR. OUELLETTE: Mr. Speaker, it's an honour to rise before you today and introduce to you and through you to the House two constituents of mine from Innisfail, Alberta, that worked very hard on my campaign. Also, Marg does a lot of work for the arts in Alberta. Would Mr. and Mrs. Marg Hallett please stand.

MS KRYCZKA: Mr. Speaker, I am very pleased today to introduce to you and through you to the members of this House Nola Bietz, who is a constituent of mine in Calgary-West and I know has at one

time worked for the hon. Jim Dinning when he was in government. Nola is the executive director of the Canadian Association of Petroleum Producers in Calgary. She's in the members' gallery, and I'd like to see the members of the Assembly give her our traditional warm welcome.

Thank you.

MR. JACOBS: Mr. Speaker, may I also rise again to introduce to you and through you to the members of this Assembly Mr. Delbert Beazer, councillor for the town of Cardston, who has joined us today in the members' gallery. I would invite Delbert to rise and receive the warm welcome of the Assembly.

head: Oral Question Period

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

Closure of Acute Care Beds

DR. NICOL: Thank you, Mr. Speaker. The government likes to use closure to limit debate in this Assembly. Now the government is using closure to limit access to hospitals in rural Alberta. My questions are to the Premier. Will you confirm that there will be acute care bed closures in rural Alberta in the coming year?

MR. KLEIN: Mr. Speaker, I can't confirm or deny that happening. I have no knowledge of any closures or potential closures in rural Alberta or anywhere else for that matter.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. How does the Premier justify the closure of badly needed beds at a time when Alberta's population is soaring so badly?

MR. KLEIN: Well, Mr. Speaker, if the hon. Leader of the Official Opposition could be more specific, that would be very much appreciated, because I have no idea of what beds he's talking about. [interjection] I'm being told to be careful?

If the hon. member can indicate to me where these beds allegedly are being closed, I'll have someone look into it, the minister of health in particular, or maybe the Minister of Health and Wellness can shed some light on the situation.

MR. MAR: Mr. Speaker, regional health authorities throughout the province are being given information with respect to budgets, and we're having those discussions now. Of course, the actual budget numbers will come out Tuesday next. Regional health authorities are doing their very best to try and meet the needs of the people that live in their respective areas. There are challenges, of course. There are many acute care facilities that are in rural Alberta, and I can give perhaps a couple of examples.

In the area of Lakeland earlier today myself and members of my department met with people from Lakeland regional health authority. They advised me that they serve about 90,000 people. There are 11 acute care facilities serving 90,000 people in that area. It is, of course, a very wide geographic area. In areas like East Central, Mr. Speaker, there are, again, roughly 90,000 people that are served by that regional health authority. There are 14 acute care facilities that serve that.

Mr. Speaker, the hon. Member for Redwater, of course, is intimately familiar with issues of the needs for long-term care facilities, and he's raised the question, I think legitimately, as to

whether or not the needs of people in certain parts of the province could be better met through better long-term care facilities as opposed to acute care regions.

So the discussion continues, Mr. Speaker, but to suggest that there are any acute care facilities being shut down is a completely premature speculation.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: do you support this kind of cutback in rural health care that the minister is talking about?

MR. KLEIN: Well, Mr. Speaker, the question is indeed perplexing, because as the hon. Minister of Health and Wellness pointed out, it's premature to speculate on the closure of any acute care beds in the rural areas or anywhere else in the province.

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

Leak of Budget Information

DR. NICOL: Thank you, Mr. Speaker. Parliamentary tradition holds that budget information is to remain confidential in order to prevent profiteering by the select few. Last month there was a leak indicating that the upcoming budget would include specific cigarette tax increases. This contradicts parliamentary tradition. My question is to the Premier. Why is this government leaking sensitive and privileged information that enables a select few to profit?

1:40

MR. KLEIN: Well, Mr. Speaker, we haven't leaked special or select information relative to a proposed tax on cigarettes, but relative to the specifics of the budget – and I'm sure the hon. minister can't be that specific – I will have her supplement.

THE SPEAKER: The hon. minister.

MRS. NELSON: Thank you, Mr. Speaker. I have to be careful of what I say because the budget is next week. There has been lots of speculation, and there always tends to be before a budget document comes out. To the specifics of what the hon. Leader of the Opposition was referring to, sometimes news stories tend to be wrong. Sometimes those that write those stories tend to be a little embarrassed when the actual real things do come forward. It's amazing. Until the documents actually come to this House, I would caution people from speculating as to what the numbers might be or not be, because I won't release those numbers ahead of time even though there's been lots of suggestion that I might clarify this or that. I just don't do that. So they won't be coming forward.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you. Again to the Premier. The minister says that it didn't come from her office. Where did this information come from? It's floating around Alberta, and people are going to profit from it.

MR. KLEIN: Well, Mr. Speaker, certainly there has been speculation vis-a-vis an increase in tax on cigarettes, and I would suggest that where the information came from initially is the Mazankowski report. Certainly recommendation 1 in the report alludes to wellness

and alludes very specifically to smoking and suggests, I believe, that there should be an additional cost associated with people who smoke.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Specific numbers were not in that report.

To the Premier: if there are any further budget leaks before the budget comes out, will the Premier assure this House that he'll fire the minister?

MR. KLEIN: No, I won't give any such assurances, Mr. Speaker.

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

Health Care Premiums

DR. TAFT: Thank you, Mr. Speaker. Last week the Minister of Health and Wellness refused to describe health care premiums as a tax on the basis that he is not "a tax lawyer." My question to the Minister of Health and Wellness: will the minister reclassify premiums as a tax when a recognized tax lawyer produces an opinion that premiums are indeed a tax?

MR. MAR: Mr. Speaker, the hon. Member for Edmonton-Riverview well knows that the purpose of question period is not to elicit opinions of individuals. My opinion on this matter is not the subject matter of question period.

DR. TAFT: Mr. Speaker, if you listened carefully, I didn't ask for his opinion.

Will the minister reclassify premiums as a tax when two tax lawyers produce opinions that premiums are indeed a tax?

THE SPEAKER: The hon. member.

DR. TAFT: How many tax lawyers does it take to convince the minister that premiums are a tax?

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

Teachers' Arbitration Process

MR. MASON: Thank you very much, Mr. Speaker. Yesterday the Premier whined about New Democrats using strong language to describe the government's attack on Alberta teachers. In fact, the whole Tory caucus got into the act, leaving us wondering if the PC in PC caucus now stands for politically correct. So today we are leaving aside the strong language and asking the Premier some straight questions in the hope of getting some straight answers. To the Premier: if the original arbitration process contained in the back-to-work order which was quashed by the courts was acceptable before the ATA won in court, why is it not acceptable today?

MR. KLEIN: Well, indeed, parts of it are acceptable today, Mr. Speaker, and I'll have the hon. minister supplement.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. The key component behind the PET is that we were in a situation where there

were some 20,000 teachers that were out on strike. We had to use the PET to put these teachers back in school so that the students could get back into the classroom, where they learn. That's the key component with this. With the PET the rules of arbitration are different than what we put in. When we put in a law, obviously, these are things that are strict, they're things that are controlled, things that are very specific. With the PET process it is outlined in the labour code as to how it must proceed.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Again to the Premier: given that this government withdrew their offer to cover teachers' pension liability because teachers dared to go on strike, why shouldn't Albertans see this biased and one-sided arbitration process now being forced on teachers as simply punishment for daring to beat the government in court?

MR. KLEIN: Mr. Speaker, I take strong exception to the words of the hon. member, that it is biased. An arbitration process is, indeed, not biased at all. As a matter of fact, the ATA is allowed to choose the arbitrator of its choice. The Alberta School Boards Association is allowed to choose an arbitrator, and the government of Alberta is allowed to choose an arbitrator. Nothing could be fairer relative to this process.

MR. MASON: Mr. Speaker, why won't the Premier honestly admit to Albertans that the government's tactics in this dispute are really all about power, about showing the teachers who's the boss?

MR. KLEIN: Mr. Speaker, that was a comment and an opinion, albeit false, on the part of the hon. member. This isn't about power. This is about students and looking after the welfare of students. That's what it's about.

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

Economic Outlook

MR. RATHGEBER: Thank you, Mr. Speaker. Finally some good news: Alberta is booming. Statistics released this week by Census Canada indicate that Alberta's population has grown by more than 10 percent over the last five years. This translates into a net migration of 140,000 people who have come to our fine province. My question is to the Minister of Economic Development. If the population is growing by 10 percent and if the economy is growing by 2.5 percent, which is still admirable, are we going to be able to continue to find jobs for these new Albertans?

MR. NORRIS: Well, at the outset, Mr. Speaker, I'd like to say that not only do I want to answer the question, but I'm honoured to answer the question. As the hon. member pointed out – this isn't good news; this is absolutely great news for Alberta. Because of the decision of our Premier and the class of '93 to signal to the world that we were going to be deficit free and debt free, Alberta has become the business centre of Canada and North America. As a result, the decision that was made in '93 has paid off in spades. Over the last 10 years we've had an average growth of 4.5 percent in our GDP. As the hon. member alluded, we have created over 300,000 new jobs, but they are sustainable long-term jobs, and this has caused a small problem but a problem that we're very, very pleased to have.

As the census shows, in answer to the hon. member's question, a large number of these employees are coming from other provinces. Our minister recognized that we needed to do something about this and last year in his budget freed up space for 2,000 additional skilled workers, Mr. Speaker. Recently he and I along with the federal government signed a protocol, which we refer to as the PNP, the provincial nominee program, which allows the Alberta government to take a far greater role in immigration.

I want to finish answering the hon. member's question by saying that in light of the current economic situation around the world, this is an absolutely phenomenal problem that Alberta is very, very blessed to have, Mr. Speaker.

THE SPEAKER: The hon. member.

MR. RATHGEBER: Thank you, Mr. Speaker. My first supplemental is to the same minister. If the federal Liberal government carries out its incomprehensible plan to ratify the Kyoto accord, does the minister share my concern that the effect on the Alberta economy may be comparable to the same Liberal government's 1980 national energy program?

1:50

MR. NORRIS: Well, that's a very interesting question, Mr. Speaker, and I guess I would probably not couch my language so much. I think this protocol has the ability of devastating the Alberta economy. Personally, as a Rotarian I find that there is zero fairness in this, and I'm appalled at the circumstances that have led us into this situation. We believe that if this protocol goes ahead as it is, it will have a similar effect as the NEP and could quite possibly devastate the increase in the boom we're speaking of.

My hon. colleague the Minister of Environment and my hon. colleague the Minister of Energy have both referred to it, and as Albertans we feel that we want to be part of the process. Alberta companies, as you know, Mr. Speaker, are some of the best in the world at dealing with environmental concerns, and this protocol going ahead the way it is does not address any of that. Our largest trading partner, the United States, as well as China and India are not signatories, and it puts Alberta at an extreme disadvantage. So I share my hon. colleague's concern and would answer him by saying that this protocol has the ability of devastating Alberta not only for this generation but for our kids and their kids, and we'll do everything to stop it.

THE SPEAKER: The hon. member.

MR. RATHGEBER: Thank you, Mr. Speaker. My final supplemental is to the hon. Minister of Finance. As we have 140,000 new Albertans who have come here because of our strong fiscal position and advantageous taxation policy, is the government firmly committed to maintaining the advantageousness of Alberta's taxation policy, notwithstanding opposition calls to defer corporate tax credits?

MRS. NELSON: Mr. Speaker, what's critically important is the Alberta advantage. A number of the components have been alluded to today, some of them being the ability to attract capital, some of them being the ability to have a framework in place in this province that is conducive to business development and economic development. Very important is the taxation framework that we have in the province of Alberta. We have prided ourselves on having the lowest overall tax framework in Canada, both personal and corporate, and we will continue to maintain that framework. What is key, though, is to make sure that we not only have the best framework in Canada

but that we have one that can compete with our neighbours to the south because that's where the competition is. So our corporate and personal taxes have to be competitive with that stateside. We will continue to move in that direction, and we will continue to be the only province in this country without a sales tax.

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

Fort McMurray Teachers' Negotiations

DR. MASSEY: Thank you, Mr. Speaker. New teachers in Fort McMurray can look forward to boarding with the principal or some other community member. Living costs rule out any consideration of their affording places of their own. My questions are to the Minister of Learning. Given that government employees were given a special living allowance, will teachers now receive the same consideration?

DR. OBERG: Mr. Speaker, I'm pleased to announce in this House today that the Fort McMurray Catholic teachers reached a tentative agreement last evening, and included in that agreement was an increase in their northern living allowance, quite a substantial increase.

DR. MASSEY: My second question is: how will the minister's so-called arbitrators provide any relief without putting school boards in debt?

DR. OBERG: Well, Mr. Speaker, I think we just saw an example of this last night when the board and the local ATA in a community like Fort McMurray got together and reached an agreement. I believe that potential is there for the arbitrators as well to go on an individual, case-by-case basis and get these agreements that are specific to local economic conditions. One of the main reasons we put in the arbitrators' parameters the local economic conditions was to deal with situations such as Fort McMurray.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister: will there then be new money should the arbitrator decide that in Fort McMurray such is needed?

DR. OBERG: Again, as I stated, last night a very good agreement was signed by the Fort McMurray Catholic schoolteachers, which both the local ATA and the local school board agreed to, Mr. Speaker. There were some very significant raises in it. There were very significant increases to the northern allowance, so obviously the money is there for that. It did not put the board into deficit. It did not put the board into debt in achieving that settlement.

THE SPEAKER: The hon. Member for Calgary-Shaw, followed by the hon. Member for Edmonton-Centre.

Equalized Assessment Policy

MRS. ADY: Thank you, Mr. Speaker. I have only one question, and it's for the Minister of Municipal Affairs. Can the minister assure both the city of Calgary officials and Calgarians that the government does not intend to remove a municipality's right to appeal their equalized assessment?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you very much. Not only do I want to assure the folks in Calgary but certainly members of this House and all municipalities that we have no intention of removing a municipality's right to appeal their equalized assessment, first and foremost. If I could, though, just for a moment, indicate that I spoke with Mayor Bronconnier yesterday afternoon, and I'm very pleased to read this morning how pleased he was with the manner in which the province is working in partnership with them. As I look around this Assembly, Mr. Speaker, there are over 26 MLAs here today that have served on municipal councils either as aldermen, as councillors, as Reeves, and for that matter, even as mayors. In fact, I see a former president of the AUMA here. Not only that, but in the free world we happen to have a Premier who used to be a mayor as well.

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

Public Safety

MS BLAKEMAN: Thank you, Mr. Speaker. The government wants to make prisoners pay for room and board as a way to be tough on crime, yet low-risk parolees will be seeing their supervisors less often, and now we hear that it's being contemplated that sex offenders will also be excused from meeting with their parole officers as frequently. My question is to the Solicitor General. Can the Solicitor General confirm that her department has plans to reduce the reporting requirements of sex offender parolees?

Thank you.

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Yes, Mr. Speaker. I'm pleased to answer this question, and I'm pleased to get the facts out. I met with the community corrections people. Our priority is to make sure that Albertans are safe. No, we are not letting sex offenders out early. They still will be considered a high-risk offender, number one. The probation officers determine what they will do and where they will go. So it's important to understand that the information the hon. member has is wrong.

MS BLAKEMAN: I'm asking about the frequency of reporting. Will there be a change in the frequency of reporting for sexual offender parolees?

MRS. FORSYTH: No.

MS BLAKEMAN: I'm wondering what other cuts in programs the Solicitor General is contemplating that could affect public safety.

MRS. FORSYTH: None.

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

Drought Assistance

MR. MARZ: Yes. Mr. Speaker, last year Alberta farmers suffered through a devastating drought, and in June of last year the government responded by putting in place the Alberta farm water program. This was designed to help farmers develop long-term water supplies on their farm as something very important to maintain their farming operations. However, the deadline for these projects ends at the end of this month, March 31. Many of the projects farmers wanted to construct have to wait until the spring thaw, and with this deadline

they'll be unable to complete these projects. So my question today is to the Minister of Agriculture, Food and Rural Development. Is the minister going to extend this project deadline?

MRS. McCLELLAN: I have reviewed the program most recently, and I can tell the hon. member and other members that as of March 8 we had approximately 3,570 applications. About 1,600 of those applications have been paid out, and we're receiving an average of about 30 applications a day. We do expect that to increase significantly as this deadline approaches.

Mr. Speaker, we are reviewing the program, as I said, on an ongoing basis and will look at the activity level. It is an excellent program. We have seen innovation from producers, from people in water co-ops, new ways of ensuring that we have long-term solutions to these. Without question, our government feels that it's been a very worthwhile program, and we'll continue to work with producers on the March 31 deadline.

THE SPEAKER: The hon. member.

2:00

MR. MARZ: Thank you, Mr. Speaker. In light of the fact that experts from Environment Canada, Alberta Environment, and your own department of Alberta Agriculture have all indicated that there's going to be another drought in 2002, could the same minister tell me whether there'll be any other programs to help farmers deal with this drought?

MRS. McCLELLAN: Mr. Speaker, we're certainly encouraged with the snowfall that we've experienced over the last two weeks. Whenever you have more moisture, it's indicative of perhaps and we hope more to come and that this cycle might be changing. However, we do know that in Alberta we will always have some drought on a regional basis. It is a fact of life in this province. So we've been working with Alberta Environment, the Prairie Farm Rehabilitation Administration, and of course our department to develop a long-term drought plan for the province. This plan would look at efforts that can be made to mitigate drought on an ongoing basis. We've co-operated with the federal government in putting more money into groundwater mapping and drought monitoring and exploration for water sources. We've made some improvements to our crop insurance program. We've provided a great deal of information to producers through Ropin' the Web, our web site, as to how you can sort of drought-proof your operation. We're aware that another dry year would be very difficult for producers, so we'll continue to work with them.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. The minister mentioned changes to the crop insurance program. Could she outline what exactly those changes are and how they will help farmers deal with this impending drought?

MRS. McCLELLAN: Mr. Speaker, some of the changes that we have made certainly came as recommendations from producer focus groups that have looked at the crop insurance program. We've made some changes in the protein coverage for durum and red spring wheat. We've separated the coverages for Argentine and Polish canola. We've introduced the provincial lack of moisture native pasture program, which uses actual precipitation as the trigger point. We've expanded the satellite imagery pasture program. We think that these programs are incredibly important, actually, to livestock producers as well as crop producers in this province.

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

Disabled Persons' Access to the Legislature Building

MR. MacDONALD: Thank you, Mr. Speaker. This government has forgotten about the homeless, the poor, the teachers, the children, the disabled, and the handicapped. My first question is to the Solicitor General. How are the needs of the disabled being taken into account in accessing this Legislative Assembly?

Thank you.

MRS. FORSYTH: Well, Mr. Speaker, that's a difficult question for me to answer, because I've had no complaints from the disabled to my department. As far as I'm concerned, their needs are being taken care of.

MR. MacDONALD: Again to the Solicitor General: given that perhaps there are no complaints because no one from the disabled community can get access to this building, why is there restricted access at the east wing of the building for the disabled who want to visit their Assembly?

Thank you.

MRS. FORSYTH: Mr. Speaker, as far as I know, there is, at the loading door, and we have provided a security person at that particular door for the disabled. I want to repeat: since we've put security measures into this Legislature, I have not had one complaint from the disabled. I know many of them, and I know they would call me.

I'll refer it to the Community Development minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to supplement as minister responsible for the Premier's Council on the Status of Persons with Disabilities and in general for people who have an unfortunate disability. As all members who were present in the House yesterday know, we had a former colleague who was here introduced, and I don't believe that he had any trouble getting into the building. If he did, then please let us know, and we'll look into it. Otherwise, as you well know, there are ramps. There are elevators. If there are some other suggestions for improvements you have, I'll be very happy to undertake them. We do have a Premier's council that looks after these types of issues and provides us with advice. We'd welcome and be receptive to receiving any positive comments in that regard that you might have. But there are no restrictions to that access.

MR. MacDONALD: Again, Mr. Speaker, to the Solicitor General: how is it that at the only handicapped entrance, at the east wing of this building, handicapped people must justify their disability or their handicap over an almost inaudible intercom and video camera? How is this not discrimination against Albertans?

Thank you.

MRS. FORSYTH: Mr. Speaker, you know, I don't know if this is politically correct, but he's blowing smoke. The Premier's council for the disabled meets here. We have wheelchairs. We have people with dogs. We have motorized wheelchairs. In fact, I ran into a couple of them yesterday, and they never complained.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Red Deer-North.

Debate on Bill 12

DR. PANNU: Thank you, Mr. Speaker. Before all the amendments could be debated last night in this House, the heavy hand of closure came down on a piece of legislation that clearly takes away the collective bargaining rights of teachers. The use of closure complements the nature of this heavy-handed legislation itself. Both of them take away people's rights. My questions are to the Premier. How can the Premier justify taking away our rights as elected representatives to fully debate and make amendments to important legislation?

MR. KLEIN: Well, first of all, Mr. Speaker, it's important that this bill pass quickly so that the arbitration process can begin. It would serve absolutely no one's interest to delay this bill, particularly the students'. As it has been explained to me, every member of the Legislature will have the opportunity, if they haven't already had the opportunity, to speak to this bill. I'm surprised that the ND opposition would be opposed to the use of time allocation. They want to see this resolved as much as anyone. It's better than closure. It's time allocation, which provides ample time to debate an issue. There's only so much that can be said, and what the opposition tends to do, unfortunately, from time to time is to say the same things over and over and over again. You know, make the point, sit down, and make a meaningful contribution. Surprisingly enough, they will find that it's time to take a vote.

DR. PANNU: Mr. Speaker, I want to repeat the question to the Premier. How can the Premier justify making a travesty . . .

Speaker's Ruling Reflections on a Decision of the Assembly

THE SPEAKER: Sorry, hon. member. Please take your chair.

I must point out to the hon. member the traditions of a parliament. I must quote from *Erskine May*, 22nd edition, page 380.

Objections to any reflection upon a previous vote of the House have been considered to be more significant, unless made for the purpose of justifying a motion that the vote be rescinded. Such reflections have been held to be irregular, because the Member is himself included in, and bound by, a vote agreed to by a majority. Reflections on the action taken by the Speaker, the Chairman of Ways and Means and the House upon a closure motion are not permitted.

The second citation is from the *House of Commons Procedure and Practice*, page 525: "Members may not speak against or reflect upon any decision of the House . . . Such reflections are not in order because the Member is bound by a vote agreed to by a majority."

I only interjected when the member said that he would raise a similar question again. The citations are from the history of parliaments and our parliamentary democracy. We're bound by the rules that we make for ourselves, hon. member. The subject of your question must be altered.

Debate on Bill 12

(continued)

DR. PANNU: Mr. Speaker, my question to the Premier: does the Premier think it's acceptable that four of our seven amendments were not debated in the House last night?

MR. KLEIN: Mr. Speaker, relative to the amendments and the manner in which those amendments were introduced, I think that the hon. Justice minister and Attorney General and Government House Leader will have some interesting comments to make on that matter.

2:10

THE SPEAKER: The hon. minister.

MR. HANCOCK: Thank you, Mr. Speaker. Members of the opposition and both opposition House leaders were fully aware of the schedule for debate yesterday and were fully aware, I believe, about the rules in Committee of the Whole and what Committee of the Whole is about. Committee of the Whole is for a section-by-section analysis of a bill. Often in this House we see that members of the opposition particularly and sometimes members of the government as well use Committee of the Whole for continuing discussion on the principle. Last night, notwithstanding that members of the opposition had amendments to put on the table and knew that we were spending a limited amount of time but a sufficient amount of time to debate the issue in committee, they proceeded to debate on the principle of the bill rather than putting their amendments on the table. I can't be held accountable for the way in which the opposition conducts their business.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Why is the Premier complicit in rushing this extremely important bill through the House, a bill which will have far-reaching consequences for the future of the public system in this province?

MR. KLEIN: Mr. Speaker, as I explained before, this government is interested in acting in the interests of the students. Again, if the debate is reasonable and if it's to the point and if it's succinct, because the bill is very clear in its contents, then this debate will be over very, very quickly, without time allocation. Again, it's important to pass this bill quickly so that the arbitration process can begin and we can see a resolution to this particular impasse. That's what it's all about.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Ellerslie.

Acquired Brain Injuries

MRS. JABLONSKI: Thank you, Mr. Speaker. In 2001 the Alberta Centre for Injury Control & Research published a summary of head injury and spinal cord injury in Alberta. In one year alone, 1997, there were more than 14,500 head injuries in this province, and many of those injured were left with an irreversible brain injury. Since disability due to acquired brain injury is not covered under the definition of persons with developmental disability, this is a special category of Albertans with needs. My question is for the Minister of Community Development. What has government done to serve the needs of Albertans with acquired brain injury?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Let me begin by just saying for the record our collective thanks to the Alberta Centre for Injury Control & Research in this important area. They do a lot of very good work to help reduce brain injuries and work on the prevention piece.

Now, in specific response to the member's question, there are a number of things that have been done since this recommendation was put forward by this minister a couple of years ago. To begin with, we conducted a public consultation on this matter. We held a brain injury forum. We did prepare a summary report of recommen-

dations from the brain injury survivor community, their families, and care service providers. A short while ago I also appointed an interim advisory committee to provide additional information and consultation in this regard. We've put in place a provincial training framework, and at the moment we are contracting with some agencies and co-ordinators on a regional basis to address these long-standing needs of acquired brain injury survivors. So we've done quite a lot. I realize there's more to go, but at least we're on the right track.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. Mr. Speaker, can the Minister of Community Development tell us how soon services for persons with acquired brain injury will be available?

MR. ZWOZDESKY: Well, Mr. Speaker, we are in fact putting a network of supports together right now. I've contracted now five agencies to work with 12 co-ordinators in various locations in the province, and we'll be starting that program more aggressively in a few weeks' time. We're well aware that there are some gaps, some fragmentations in this area. Alberta Health and Wellness has done a good job filling as much of that as they can, but there is a select group out there, adults in this case, who have an acquired brain injury that stems from an accident or a fall or perhaps a sports injury or a stroke or something of that nature, and they do need supports after they have accessed immediate health care assistance. They need support when they move back into their communities, and that is the part we're working on and will continue to work on very aggressively during this year. We'll also be putting in place a survivor's manual, and we'll be completing an inventory of community resources to assist the brain injury community.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. My final question is for the same minister. What is the role of the interim advisory council on brain injury?

MR. ZWOZDESKY: Mr. Speaker, this is a very important advisory council that was put in place by me last year. It's comprised of individuals who have a great deal of knowledge, a lot of expertise in this area, people who've been working in this area of brain injury for several years. Their primary role, of course, is to provide advice to the minister on brain injury initiatives. However, they're also helping guide the strategic implementation of some of those specific recommendations. In short, our plan here, through the advisory council and through our own resources, is to put in place a system that will assist brain injury survivors to live and enjoy our Alberta in their communities to the maximum of their abilities possible.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Castle Downs.

Chinchaga Wildlife Park

MS CARLSON: Thank you, Mr. Speaker. My questions today are to the Minister of Community Development, including parks and protected areas. Now that Grande Alberta Paper is out of the picture, will the minister reopen discussions on protection of the Chinchaga?

MR. ZWOZDESKY: Well, Mr. Speaker, the Chinchaga is a very beautiful area of the province that was looked at as part of the special places program. We did conclude that program very

successfully with the nomination of five final sites. I might tell you that in terms of special protected areas, Alberta now ranks either number one or right near the top. The five spaces that concluded it last year unfortunately did not include all of what the member is asking about, so if she has a specific point to follow up on it, I'd be glad to do that. We do have local advisory committees that provide advice in this regard, and we follow those to the best of our abilities.

THE SPEAKER: The hon. minister to supplement.

MR. SMITH: Mr. Speaker, may I just add that the Chinchaga has been a very prolific gas and oil producing area for the province of Alberta over these last 30 years since wildcat work has been done up there. This particular area has contributed measurably to the well-being of Alberta in the production of oil and gas, and it has been done in an environmentally responsible manner.

MS CARLSON: Mr. Speaker, back to the same minister: how can this minister and that minister claim that this area is protected when there seems to be absolutely no limit to the oil, gas, and forestry development that the government is permitting to take place?

MR. ZWOZDESKY: Well, Mr. Speaker, we can't designate the whole province. We've done an outstanding job, in my view, to take into consideration that balance that is necessary between honouring dispositions, contracts, and lease agreements that were in place and the concerns of local municipalities, local residents, and environmentalists and, of course, economic drivers for this province. So that balance has resulted now in about 12.5 percent – 12.5 percent – of the total landmass of this province being designated for some form of protection. We're very proud of that, and I know that international agencies have contacted us and thanked us for that protection.

MS CARLSON: Not good enough, Mr. Speaker.

As little spots of green separated by gas wells do not constitute a park system, will the minister establish a public process to develop a land use plan for the Chinchaga area of northwest Alberta?

MR. ZWOZDESKY: Not at this time, Mr. Speaker. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Calgary-Bow.

2:20

ATCO Gas Rebates

MR. LUKASZUK: Thank you, Mr. Speaker. [some applause] There's a Morse code of applause. My question is for the hon. Minister of Energy. Many consumers in northern Alberta will soon be receiving payments from ATCO. Although I'm an urban MLA, I must ask the minister: when are the cheques coming for southern Alberta consumers of ATCO?

MR. SMITH: Well, this has been a process that has been in play for a number of years with ATCO. This Viking-Kinsella gas field has a rich, rich history, Mr. Speaker. I believe it goes as far back as 1922 that that particular field was supplying natural gas to Edmonton, the second-largest city in Alberta. As the consumers and the utility companies moved towards full deregulation of natural gas and natural gas sales in Alberta, the sale of this particular field was an important turning point for deregulation to be achieved. In fact, the sale was put through the Energy and Utilities Board, and the commitment for ATCO to have specific cheques available for people

from the city of Red Deer north has been approved by the Alberta Energy and Utilities Board. They are now in the process of being mailed. I understand that the first piece, tranche, will be a credit on the bill with a cheque for the residual forthcoming, and I would direct not only the hon. member and his constituents but also others interested in getting their cheques to contact ATCO, the gas utility.

THE SPEAKER: The hon. member.

MR. LUKASZUK: Thank you, Mr. Speaker. A supplemental to the same minister: how was the sale of the Viking field approved?

THE SPEAKER: The hon. minister.

MR. SMITH: Thanks, Mr. Speaker. It's an important question because it does take into account the role of the Alberta Energy and Utilities Board. This board, that has done a very, very responsible job of developing Alberta's oil and gas interests over the last 50 years, operated both to ensure a supply of natural gas to customers in northern Alberta through the judicious use of this field but then also to evaluate this field.

The first agreement for sale was between ATCO and Burlington Resources, and it was for some \$450 million, Mr. Speaker. That was then tendered to the Energy and Utilities Board to see if that was a number that would offer sufficient benefit to the consumer. In fact, the EUB ruled that that was not a high enough number and directed the parties to return to the negotiating table. That activity resulted in a renegotiated sales price of \$100 million more, to the tune of \$550 million, for the benefit of ATCO consumers north of Red Deer.

THE SPEAKER: The hon. member.

MR. LUKASZUK: Thank you, Mr. Speaker. My last supplemental to the same minister. ATCO gas northern consumers have benefited from much lower gas bill prices in the past. Now, how will this sale affect those bills?

MR. SMITH: Well, that's a good question, Mr. Speaker. For those communities from and including the city of Red Deer and moving northward for the balance of the province, they will purchase gas now in the same way as ATCO sells gas in the south part of the province. In fact, with this, along with a couple of other decisions from the EUB about a cost allocation, soon Albertans will, as they can now in some cases, choose to buy gas from other retailers. So this has set the stage for ATCO, EPCOR, Enmax, and perhaps other companies who wish to enter this marketplace to be able to buy their gas from them. So ATCO north customers will receive a onetime payment, and then they will be on a level playing field with the balance of Alberta for the future purchase of gas.

Prescription Drugs

MS DeLONG: Mr. Speaker, my question is to the Minister of Health and Wellness. One of the most important cost drivers in health care is the increasing bill for prescription drugs. One of the ideas that has been proposed is joint or bulk purchasing of drugs by the provinces. Can the minister inform the House if this idea is being pursued by his department?

MR. MAR: Well, Mr. Speaker, I can say that this is a subject matter of some discussion among ministers of health when we gather from across the country, and the concept of joint purchasing among and between other provinces has been looked at and has been rejected by

provinces. What a study of the situation demonstrates is that there would be no further effective savings achieved by bulk purchasing because most provinces, if not all of them, already participate in some form of a bulk purchasing arrangement. Expanding that type of arrangement across a number of provinces would not yield any further cost savings.

MS DeLONG: Mr. Speaker, to the same minister: what efforts are being made to deal with the rising costs of prescription drugs?

MR. MAR: Mr. Speaker, there are really two strategies that we're looking at. The first one is to reduce drug costs by reducing drug waste. The second strategy is to always employ the least cost alternative that is effective for an individual. Both within the province and among and between provinces we are working on these particular strategies for reducing overall drug costs.

We're working with other provinces and the federal government to establish common drug assessment processes and look for ways to get faster approval of generic drugs to be purchased. These measures will help us have better information on the effectiveness of drugs to ensure that people only get drugs that will in fact work for them and will also support efforts to employ the least cost alternative. In Alberta we already have a least cost alternative pricing policy for generic drugs.

Finally, Mr. Speaker, in this province we have a prescription checkpoint program, which allows individuals to be prescribed a small trial size of a prescription. If at the end of the trial period they find that the drug is either conflicting with some other medication or is not effective for them, that will help us not buy drugs that actually don't work for an individual. They cannot continue to get the larger size and can just simply discontinue the trial size.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. The minister has answered my final question.

head: Recognitions

THE SPEAKER: The hon. Member for Highwood.

Hon. Tommy Douglas

MR. TANNAS: Thank you, Mr. Speaker. Today I wish to recognize the founder of medicare in Canada, the Hon. Tommy Douglas, by quoting from his concluding speech on medicare in the Saskatchewan Legislature in October of 1961.

I want to say that I think there is a value in having every family and every individual make some individual contribution. I think it has psychological value. I think it keeps the public aware of the cost and gives the people a sense of personal responsibility. I would say to the members of this House that even if we could finance the plan without a per capita tax, I personally would strongly advise against it. I would like to see the per capita tax so low that it is merely a nominal tax, but I think there is a psychological value in people paying something for their cards. It is something which they have bought; it entitles them to certain services. We should have the constant realization that if those services are abused and costs get out of hand, then of course the cost of the medical care is bound to go up.

I believe, Mr. Speaker, that if this medical care insurance program is successful, and I think it will be, it will prove to be the forerunner of a national medical care insurance plan.

THE SPEAKER: The hon. Member for Grande Prairie-Smoky.

Joanne Myrol

MR. KNIGHT: Thank you, Mr. Speaker. It's an honour to rise today to give recognition to a young lady from Sunset House in northwestern Alberta. Joanne Myrol is the recent recipient of a best new recording artist award, and she recently wrote home and indicated that she was on the beginning of a world tour with respect to her musical talents and abilities. I give her credit. The export products from Alberta are certainly more than meets the eye.

In Norway Joanne is working with Star-Music International. She has a gig on a cruise ship there and subsequently an opportunity with Universal Records. She indicates to us that they like the music and they've booked her for a summer in Norway. She is then off to Australia for quite a time, three months I believe. She writes back to her constituency and her friends and family in the Valleyview area:

I pray that this letter finds you and your loved ones in good health and good spirits. I miss you and think about you. Take care . . . and God Bless.

Love Joanne.

Thank you.

Mill Woods Cultural and Recreational Facility Authority

MS CARLSON: I rise today to recognize the Mill Woods Cultural and Recreational Facility Authority, better known in the community as MCARFA. MCARFA is celebrating 25 years of service to the community this year. This is another good-news story for Mill Woods. The MCARFA board are tireless volunteers and have an amazing list of accomplishments to their credit. Their projects have included the arenas at the Mill Woods Recreation Centre, construction and operation of the Mill Woods Golf Course, development of the outdoor track behind Holy Trinity and J. Percy Page high schools, and the Jackie Parker Park Pavilion. They have managed and raised funds for these projects in triparty agreements with the province and the city. On behalf of all of us who have benefited from their outstanding facilities and organizational abilities, we thank them for their commitment to our community and to our province.

2:30

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

Catholic Conference 2002

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to give recognition to the organizers, presenters, and delegates that attended the Catholic Conference held March 8 to 10, 2002, at the Edmonton Shaw Conference Centre, sponsored by the Alberta Catholic School Trustees' Association and Alberta Conference of Catholic Bishops. The theme was Witnesses to Love. The conference was opened by Archbishop Thomas Collins, Edmonton archdiocese, and concluded by Bishop Frederick Henry, Calgary archdiocese. John 13:34 exhorts us: love one another as I have loved you. Thus the community gathered in witness to our love of God, our love of each other, and to present Christ to the young as He really is.

Some 749 adult and 620 youth delegates heard a wide variety of speakers expound on love, life, and family and joined in the sacramental celebrations as they gathered around the table of the Lord to share in the Eucharistic meal.

Sincere thanks to the Reverend Fathers, sponsors, and organizers of a memorable conference.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

Paralympic Games

MR. LOUGHEED: Thank you, Mr. Speaker. As chair of the Premier's Council on the Status of Persons with Disabilities I'm pleased to rise today to recognize some of Canada's finest and most dedicated athletes who are competing in the 2002 Paralympic Games in Salt Lake City. The 2002 Winter Olympics are a tough act to follow, but for these Canadians the Paralympic Games are their chance to make their athletic dreams come true.

Most importantly, the games promote understanding and respect for people with disabilities. These are strong athletes who have worked very hard to earn a spot on Canada's Paralympic team. They are proud to represent their country, and they look forward to wearing a gold medal around their neck.

I am proud to say that there are seven Albertans competing this year. Two of them are already coming home with medals. Brian McKeever of Canmore won a gold in cross-country skiing, and Karolina Wisniewska of Calgary won a bronze in standing downhill skiing. These Canadian athletes have chosen to lead by example and not let their disabilities stand in the way of their dreams. They are focusing on their abilities, not their disabilities.

I'd ask all members of this Assembly to join me and our Minister of Community Development in wishing the very best to these Alberta athletes and to all of our country's athletes competing in the 2002 Paralympic Games.

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

Mike Hudema and Anand Sharma

DR. PANNU: Thank you, Mr. Speaker. I rise today to recognize two fine young students from the University of Alberta that I'm privileged to know, Mr. Mike Hudema and Mr. Anand Sharma. Mr. Hudema recently won the support of his peers and was elected to the position of president of the students' union council at the University of Alberta. Mr. Sharma, who worked with our caucus this past summer, won the position of vice-president external. Both of these young men campaigned on a policy of tuition rollbacks and a stronger political stance by Alberta students. The University of Alberta Students' Union will indeed benefit from the skills, passion, and dedication that Mr. Hudema and Mr. Sharma will bring to the executive. I applaud their commitment to serve their fellow peers and congratulate them on their success.

Thank you.

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

Tony Yusak

MR. MASYK: Thank you, Mr. Speaker. It's with great pleasure that I rise in the House today to recognize a great man and a longtime resident of the constituency of Edmonton-Norwood. Mr. Tony Yusak recently celebrated his 83rd birthday, on March 3, and he carries with him a long and distinguished record of community involvement and volunteer service.

Mr. Yusak has been a volunteer with the Balwin community hall for over 40 years, where he's a lifetime member. He spent the last nine years at the Balwin community centre running the crib social. I have not heard any comments concerning Mr. Yusak's retirement, and I must say that I do admire a man who displays this kind of dedication and longevity. Mr. Yusak is a lifelong member of the Edmonton-Norwood community league as well as a lifetime member of the Spartans men's club, which further displays his commitment to the community.

I would ask the members of this Assembly to join me in thanking this outstanding member of Edmonton's community and citizen of our province in celebration of his 83rd birthday. We can all take inspiration from your dedication, Mr. Yusak. I wish you many more happy years.

Thank you very much, Mr. Speaker.

head: **Tabling Returns and Reports**

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

DR. PANNU: Thank you, Mr. Speaker. I rise to table five different documents. These tablings include appropriate copies of the New Democrat opposition amendments to Bill 12 that were denied debate in the Assembly due to the antidemocratic actions taken by this government; in other words, the use of closure.

The first tabling is an amendment which would amend section 4 by not allowing the Minister of Human Resources and Employment to revoke the appointment of a tribunal member. The second tabling is an amendment to amend section 8 ensuring that an award of a majority of the tribunal was an award of the tribunal. The third tabling is an amendment to section 18 requiring the Crown in right of Alberta to pay the remuneration of all members of the tribunal. The fourth tabling, Mr. Speaker, would have amended section 19 by not allowing the Executive Council and others to refuse a provision of information to the tribunal. The last one would have amended section 28 by removing the punitive clause against the Alberta Teachers' Association.

Thank you, Mr. Speaker.

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

MR. MASON: Thank you very much, Mr. Speaker. I have three tablings today. My first tabling is a letter from Dan Huot addressed to the "Dictatorial Government of Czar Ralph" indicating that Bill 12 is a "mockery of democracy" and that it was shameful for the Conservative government "to stoop so far down."

The second tabling is a letter from Gerald Dumontier to his Calgary-Montrose MLA calling Bill 12 a farce.

The third tabling is a letter from Carolynne Bouey-Shank suggesting that the government agenda is simply to destroy the public education system.

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

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first one is a statistical analysis provided by Alberta Education, Alberta Learning, and Statistics Canada regarding the basic instructional grant and the comparison with the Alberta consumer price index between the years 1994-95 and 2001-2002.

The second tabling I have this afternoon, Mr. Speaker, is a letter dated March 4 that I received from the office of the Information and Privacy Commissioner in regards to Bill 11, the Energy Information Statutes Amendment Act, 2002.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. With permission I would like to table the required number of copies of a petition from approximately 420 teachers in Fort McMurray who are calling on the government to remedy the problems caused by the high cost of living in that city.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have four tablings. They're all with regard to the teaching conditions in this province right now. The first is from Karen Marciniuk, who has some concerns she shares with us.

The second is from L. Clarke-Lesiuk, who is very concerned about how teachers have been treated in this province.

The third is from Craig Mathieson, who is a teacher south of Calgary in a rural school district who is very frustrated and worried about the disrespect that our current government has shown towards teachers and education.

The fourth is from Gail Fournier, who is very concerned about inadequate support for Alberta's most precious natural resource, which is its children.

Thank you, Mr. Speaker.

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

DR. NICOL: Thank you, Mr. Speaker. It's my pleasure today to stand on behalf of 300 individuals from southern Alberta and table what is, effectively, a letter that they've written to the government asking for more support for persons with developmental disabilities, especially adults with these kinds of disabilities. They feel that the cuts that have been imposed in the last six or eight months have really hindered their ability to deal both with their own disability or with disabilities in their families.

Thank you, Mr. Speaker.

2:40

head: **Orders of the Day**

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

Bill 12 Education Services Settlement Act

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It's certainly a pleasure to be able to rise today, after a very long debate last night, for third reading on Bill 12, the Education Services Settlement Act. As I indicated yesterday I believe in second reading, my preference would be not to be here with this act as I do feel that it represents a failure in the collective bargaining process.

However, that being said, I think that this act does some very important things. Namely, it will ensure that our children are back in the classroom, and it will ensure that our education system will go through a period of stability now. Indeed, the Alberta School Boards Association today put out a press release praising the government for putting a period of stability into the education system. We're going through a tremendous number of changes in education right now, Mr. Speaker, and to add the trauma of collective bargaining, to add the trauma of potential strikes, having that looming on the horizon is certainly not something that is positive for our students.

So, Mr. Speaker, what this bill does, as I'm sure you know and as I'm sure everyone here is well aware, is put in place a binding arbitration process. It will lead to a contract. It also talks about a very important issue, which is the whole issue of a review of the learning system, the education system, where we can sit down and honestly and objectively take a look at what is happening in the education system, and perhaps we can get a better system out of it.

I think it's time we looked to the future. I think it's time we looked towards where we're going, recognizing that we want and do

have and will continue to have and will always have the best public education system in the world, which is extremely important. The education system is only the best in the world because of several very important components, and it's when those components work very well together as a very finely tuned machine that we get the best system in the world. Mr. Speaker, obviously I'm talking about the teachers, obviously I'm talking about the students, and obviously I'm talking about my department through curriculum development. Those are three critical areas. There are a lot of other players involved in the education system, but those are three extremely critical areas, and I hope that this binding arbitration, that has been asked for by the parties involved, will lead to once again having a working relationship where we can sit down and objectively talk about the issues that are facing education with the view that we will be moving towards an even better education system than we already have.

There are a lot of things in here. There are a lot of things that have been said. There are a lot of misperceptions out there; there's a lot of negativity out there right now. I guess one of the reasons that I'm standing here today is to appeal to the sense of moving on together. We are going to have a contract. It is going to be a contract that is brought down by a binding arbitration method that will involve three arbitrators: one picked by the ATA, one picked by the ASBA, and one picked by the government of Alberta. These three arbitrators will attempt to come up with as fair an agreement as possible for the teachers. We will have a larger discussion about such incredibly important things as class size, PTRs, hours of instruction, as well as numerous other things such as special education: inclusion or not. All of these things will be discussed, Mr. Speaker, and hopefully we will have a report out by the time the next contract rolls around so that we can do what is right for education.

Mr. Speaker, we all like to put down reasons and rationale as to where we are. I can truly say that without education I would not be in this Assembly; I would not be in the position that I'm in today. I believe very strongly in the public education system. I feel very strongly that education is going to be the way of the future. When and if our natural resources run out, education will always be there, and it's something that this government feels extremely strongly about.

Mr. Speaker, that is what is going to happen. We're going to have a full review of the education system. Through that review, because of this bill, we will have relative labour peace. We will be able to talk objectively, as it said on the ATA web site, about some of the very difficult issues that are in the education system, and we will be able to come up with solutions for this through, I'm sure, the learned minds around the province.

So with that, Mr. Speaker, I think we've had a good debate on this bill. Everyone here, everyone in this Assembly, knows the rationale behind putting this bill in. I truly, truly look forward to working together again with all of our educational partners for better education, for a better system in the future for our students.

Mr. Speaker, with that, it does give me great pleasure today to move third reading of Bill 12, the Education Services Settlement Act.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I think the remarks we just heard from the minister are so very, very telling and really, really make it abundantly clear why the school system has reached the kind of dispute it did, which resulted in strikes. There is such a serious disconnect between what the minister says and what the minister

does. I can't quite believe that the minister believes that this is going to bring stability to the school system. Anything but. All the minister has to do is to read his own e-mails, and he would know that that's not the case. How do you ram through a bill, a bill that does everything but strip a professional organization of their basic rights and does that for a two-year period, and expect that those people are going to turn around and provide you with the kind of stable service that you want? It's just incredible that that's the expectation.

The minister talked about components working well together. This is a minister that didn't even pick up the phone and talk to the association's president when things got to an impasse and there were strikes across the province. Where was the co-operation then? Where has the co-operation been since last April, when the government started the whole dispute by putting 4 and 2 as line items in the budget?

So to stand up today, after having engineered Bill 12, and to say that we're in this together and that co-operation is the word of the day I think is, as I said previously, quite incredible and I think speaks to why we're having the present difficulties and are going to continue to have difficulties in the school system. To appeal to people to now set this aside, forget about it – "We did what we did to you, we're going to now pick up, we're going to go on very peacefully now, and everything is going to be all right because I'm appealing for you to move on together" – is incredible, Mr. Speaker. As I said, it really points to why we are in the difficulties we are today.

The minister may have won the day with the bill, but he's lost the day in the schools of this province. The unfortunate part about it is that the very people that he keeps indicating he's working for, the children of this province, are going to be the ones that ultimately pay the price for his inept handling of the situation and this legislation.

2:50

At third reading of the bill, Mr. Speaker, we're supposed to look at some of the principles, at some of the assumptions, at some of the values, whose interests are served by the bill, and what are the kinds of gains and losses, to try to total that up and to bring things together. It seems that one of the very faulty assumptions under the bill – and we heard it again from the minister – is that arriving at contracts by any means is going to bring stability to the system. I think that assumption is blatantly unsupportable.

The process in Bill 12 that has been put in place is unfair. The process is biased. We've heard from arbitrators who are saying: lookit; you're going to be lucky to find arbitrators who will take on the task given the kinds of constraints that are being put on them by Bill 12. Any arbitrator going into a situation expects some flexibility, and this bill takes away any kind of flexibility by dictating the kinds of conditions by which the rulings, the judgments will be arrived at and the kinds of judgments themselves. You don't have to be a rocket scientist to know what the awards are going to be given the constraints under Bill 12. So that whole assumption that arriving at contracts through Bill 12 is somehow or other going to bring stability to the system is anything but true.

I think one of the other assumptions that is built into this – and I'm surprised at the School Boards Association's applause for Bill 12, if that's what it was – is that local bargaining is ineffective, that boards are not capable of arriving at contracts with the teaching force, and that because they are ineffectual and incompetent, the government has to step in with a piece of legislation like Bill 12 and put in tribunals and take over, virtually, the bargaining process from school boards. Having once been a trustee, Mr. Speaker, I would have been more than incensed if this kind of legislation had been

introduced at that time, and I think it's a sad day for local bargaining and it's a sad day for local control when Bill 12 becomes the law of the province. It says that school boards can't be trusted: they can't be trusted to come to agreements with their teachers; they can't be trusted to use their resources in a way that will arrive at agreements. I think that's blatantly untrue, and they're assumptions that just don't wash.

I think one of the assumptions is that you have to bias the outcomes of the arbitration panels in the government's favour, that you've got to build that kind of bias into it, and again you could ask why. Why is the government so fearful of the process, of the negotiating process in the first place and then the arbitration process in the second place? Why did they back away from an arbitration panel that did have support from teachers to a highly constricted process that barely deserves the name of arbitration?

I guess one of the other assumptions that the government has built into this bill is that somehow or other teachers have become the enemy and that they have to be punished and that their concerns about class size and their concerns about special-needs children and their concerns about classrooms can be washed away, that they aren't legitimate, that they're only really interested in money, that they have to be put in their place, and that they're working against the interests of children and the people of the province. I think that assumption has been behind a lot of the government's actions, and it's blatantly unfair, and I think it's blatantly untrue.

There are a number of other assumptions under the bill, Mr. Speaker, but I think some of those are the ones that are most troubling.

What are some of the values that the bill seems to support? Well, certainly expediency: let's get this through, let's get it done, let's not be concerned about what happens to the individuals involved, let's not be concerned about teachers, let's not be concerned about school boards, let's not be concerned by the huge number of parents who are concerned with what's happened, but let's get on, let's get this through, let's use every kind of legislative mechanism that we can to make sure that there's no time for the public to react to the bill, let's get it through fast, and let's make sure that it doesn't result in the same kind of protests around this building that were evident when we considered Bill 11, an equally poor piece of legislation. So expediency seems to have been a value that is imbedded in this kind of bill.

We heard the minister yesterday claim that one of the values that the bill supported was fairness. There's still no evidence. We've been through committee, and there's still been no evidence by the government or anyone that has talked to the bill that this can claim to be a fair bill. That is a shallow claim, if it is made, and it's certainly without substance. There's nothing fair about what has happened. The negotiating process has been interrupted, the rights of board members and teachers have been trampled on, and the result is what we have before us today. Fairness: is that a value built into the bill? No. And I think that there are going to be a huge number of Albertans who are going to be outraged at the unfairness of the provisions in Bill 12.

One of the questions at third reading is to look back and consider whose interests are served by the bill, and you can ask just exactly whose interests are being served. Is it the government's interest? Evidently it is because of the way they've pushed it through. They seem to assume that this has somehow or other solved the problem, that alienating the teachers is something that they can deal with, and that, in being able to do what they have done, their interests as a government are better served. I think that that's a question that maybe they will have to come back to in the future and reconsider.

Are teachers' interests served by this policy? Well, certainly not.

Anything but. The kind of outrage they feel, the kind of betrayal they feel, the kind of hurt they feel, and the lack of trust they feel in this government – the depths of that are quite amazing, Mr. Speaker, if the phone calls and the e-mails and the letters that our office is getting are to be believed. Even in Bill 11 there was never the kind of outrage that this bill has generated. At least it was never expressed to our office.

Parents. Are their interests served? Well, in youngsters being back in schools, I guess in some ways, yes, their short-term interests might be served. But are their interests served in the long run? I think not, Mr. Speaker. The kind of poisoned atmosphere that this has created and will continue to create in schools is not one that is going to be parent-friendly. The kind of hard work that parents and teachers and principals have done to create strong parent councils, to create school climates where the consideration of children and their interests is paramount has been destroyed by this bill, and I think you only had to hear the chairman of the public school board and the kinds of concerns that he expressed with the introduction of Bill 12 and his concern about what that was going to do to school climate and particularly what this bill is going to do between board and teachers and the kinds of relations that have developed there.

3:00

Are children's interests served? Again, certainly not. Of the kinds of things that this dispute was all about – class size, the number of resources available in the classroom, the kinds of personnel and resources that are available to work with children with special needs and children of varying abilities – are any of those things resolved? Not by this bill. I think the putting in of a commission as part of a preamble, not even part of the bill, shows the kind of weight that the government places on that kind of an investigation, and the narrowness of the commission, as far as it can be determined from the preamble of the bill, just points to the fact that the underlying issues of the dispute are still out there. Not only are they still out there, but they are now accentuated, and if they weren't clear in the public's mind before Bill 12, they're certainly there now. I do think that if you're looking at whose interests are served by this, then it's certainly not the interests of children and students.

Are school boards' interests served? Well, I know that there were colleagues of mine when I was on the board that would've been very happy with this kind of legislation, colleagues that did not believe in negotiating, that were much more comfortable with someone else taking the problem and solving it for them. But I think, Mr. Speaker, that those are rare among school board members, and most of them, a very, very overwhelming majority, are more than willing to take on the task of marshaling resources and putting in place programs and working with teachers to make schools the good places that they must be for children. So have the school boards' interests been served? I think not, and certainly in the long run it's going to be very interesting for the government to try to convert to local negotiations after all of Bill 12 has run its course. It's going to be a rather interesting exercise when they try to do that, because what this has done is destroy local bargaining.

As you look through at third reading – and we're looking at the principles and the impact of the bill and the gains and the losses and who benefits and for whom the bill works – I think that the balance column is pretty clear. For the government certainly there's the momentary gain. They've had their day in the Legislature, and they've done what they wanted to teachers. Some of them may consider that a gain, and that is, I think, very, very unfortunate.

For their losses, I think the losses that the government has suffered through this exercise are immeasurable, the loss of goodwill. You contrast the words in the throne speech, the empty rhetoric about

goodwill on all sides, and the loss of that goodwill is going to be felt in many ways, tangible and intangible. It's going to be felt, I think, immediately in the operations of the department itself, and it's going to be felt in the kinds of activities that the department tries to promote. It's going to be felt in schools, and it's going to be felt by parents, who have been very vocal about the inappropriateness of the kinds of things that this bill contains.

The benefits for the government. Well, I guess it gets teachers back in the classroom, and they have put the problem aside. It gets them out of a situation that they obviously couldn't handle. So I suspect that they'll consider that a benefit.

The big losers, of course, are teachers. The very kinds of things that they worked so hard for and over a 10-year period of underfunding have tried to cope with and that they brought to public attention through their strikes and through considerable financial loss through those strikes, those issues – they walk back into classrooms, and nothing has changed. Not a thing will have changed. There won't be fewer children in their classes. There won't be more help for special-needs children. There won't be more help for children of varying abilities. There won't be more computers. There won't be those textbooks that they need. Nothing will have changed since the day this dispute started, and that makes the teachers the big losers, along with children, Mr. Speaker.

In terms of the boards, again, some of them, as I indicated, may think that getting a contract this way is a gain, but the big loss is the loss of local control. It's a further erosion of the authority of boards to deal with local situations and to carry out the kind of mandate that historically has been the mandate of school boards in our province.

Again, for children the gains are minimal and the losses are many. Having their teachers unhappy, having teachers looking at every activity with respect to how much it is valued by this government is not going to be in the best interests of children and students, so they do lose.

With those comments, Mr. Speaker, I'd conclude. Thank you.

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

MRS. O'NEILL: Thank you, Mr. Speaker. As I've said before often in this Assembly – I'd like to say it again – I don't believe that the sky is falling, and in particular I don't believe that the sky is falling on our school system. I believe that good things are happening in our schools. I know that good things are happening in our schools.

With reference to third reading of Bill 12, I'd like to recall for a moment for everyone here some of the dialogue that I'm sure they have had with their constituents over the past several weeks, the past several months. I've had the good fortune to be in communication with a number of my constituents on this particular topic. I've also had the good fortune, Mr. Speaker, in my past life to have been a teacher. It's an occupation, a vocation that I truly enjoyed. There is nothing more exciting than knowing that you can contribute to a child's, a student's, a young adult's opportunity to seize life and to enjoy it with all their strengths and their imagination and their mental capability.

I've also had the opportunity to be a school trustee. This was an opportunity for me to be involved with the other members on my board in the governance of a particular school district that used to be called St. Albert school district No. 3. It has now expanded and includes Thibault school district from Morinville and is now called Greater St. Albert school division No. 29.

So, if you will, I would point out that I have been on both sides of the negotiating table. I have sat there and worked on behalf of negotiations for salaries, working conditions, and benefits for teachers. I have also been there on behalf of the board in working

for the betterment of the delivery of education in our school division. Both of these opportunities gave me the ability to assess a situation from two perspectives. Each time I was engaged in the process, I realized that good things are happening in our school districts, in particular in the school districts in which I worked and was a school trustee.

However, what I would like to say is that since the days when I was in the classroom and since the days when I was at the board table, much has changed in education. Much has changed in the way in which school boards deal with their budgets. The fact that they can no longer have local requisition and levy tax dollars for the betterment of their school district, of course, is a change. But I can also say that I was with those who advocated and worked very long and hard for an equity formula in funding for children around the province.

3:10

What I wanted to say is that the classroom is different today, the governing of school districts is different today, but that's not to say that the school boards and the teachers' unions have not worked hard to evolve us into a situation where we have in this province the outcomes of incredible student performance: international, sterling, high-quality student performance around this globe. However, over the past weeks we have also had the intensity of discussions that speak to the need for our schools, for our classrooms to have a further look at how we deliver education. How do we fund education? How do we look at education? How do we deliver individual programs to students with special needs? How do we tailor the curriculum to individuals' needs? How do we provide teachers with the opportunity to cover the curriculum that is beneficial for all, themselves and for the students?

So that has prompted what I believe is probably one of the key factors that my constituents, certainly the teachers in my community have told me that they want to see, and that is contained in the first line of the preamble: "Whereas the Government has made a commitment to examine the learning system in Alberta." The second paragraph speaks as to what that examination will include, but it is not limited by what is identified here in the preamble. That's an examination, a study, a project, a task force, a summit, whatever the modality is in which we will discuss education as we want it to be collectively in the future in this province, and is something that I look forward to. It's also something that all of the teachers who have spoken to me recently and indeed all of the parents and others who are nonparents but interested citizens watching their tax dollars being used very effectively and judiciously want to see: that the system is even further maximized with its potential.

So that, I feel, is the key part indeed to this bill, but there are a couple of other parts to the bill that I would like to just point out. Bill 12 seeks to find a path through an impasse. It is not something that is a bill that will be forever on the books. It is not a piece of legislation that looks to long-term legislation in order to tell school boards and teachers how to negotiate forever and anon. What it is: it's intended to establish the means by which we can create that path through the impasse that we have all identified as existing right now. Bill 12 does establish an arbitration panel, and it gives it terms of reference. This obviously is the way in which one approaches a difficult situation, an uneasy situation, a situation that has to be resolved. You attempt to find a way in which you can arbitrate, a way in which you can have parties agree to the outcome of the arbitration, and a way in which you can work through the circumstances that have been identified as what constitutes the impasse in order to look to the future to resolve it.

I'd like to point out that there is a window of operation, as I call

it, identified in this bill. It speaks about the time frame between August 31 of 2001 and August 31 of 2003. We are talking about a two-year period – many of our teachers are working right now without a contract; they are in negotiations – that when the arbitrated resolution comes, it will reach back to September 1 of 2001. But it does give us a framework or a window of operation where we can encourage both school boards and the local ATA bargaining unit to work with the arbitrator in order to resolve the situation in a way which is best for the students and, I would also say, which is best for the teachers, not all in the manner in which they would like to see it resolved immediately but a way in which they can have their salary negotiations dealt with and they can indeed play a part in.

The intent of Bill 12 is to, as I see it, bring clarity to a situation and also a uniform process for resolving the differences on the matter in each school division's salary negotiations. There are 47 school districts, divisions, school boards that are mentioned as part of the schedule attached to Bill 12. These are the school districts that we are speaking about. The other school districts, two of which in fact I have in my constituency, have been able to come together through the hard work of both the teachers' bargaining unit and the school boards' efforts, and they have resolved it by forming a memorandum of agreement that was ratified not once, not twice, but three times by both parties in my constituency. That is the solution to the circumstances as we find ourselves. I wish to applaud both the ATA local of St. Albert Protestant schools and St. Albert Protestant school board of trustees, who negotiated that agreement.

However, Bill 12 does not speak to that specific school division. It speaks to the other 47 to find a resolution as to how we can best serve the students, who have the right to be educated, and the teachers, who want the opportunity to teach in the classrooms, and I have no doubt of what they told me. They are interested in being in the classroom, in teaching and delivering the curriculum and all that that includes to the children who are entrusted to them. It also provides an opportunity for those who are on the school boards to work with an arbitrator to inform them of what that respective board's financial capacity is and to deal with the situation accordingly so that there is not a disadvantage in the future for their governance decisions.

I do not feel that this bill is in any way stripping away basic rights of teachers. It speaks to a circumstance that we all know is there. When parties have agreed to and signed off on a collective agreement, then there is not the occasion for strike action. So while the details here in this bill identify that those are the circumstances surrounding the agreements that will be binding by the arbitrated panel's decision, it does not in any way remove the teachers' right to strike. I would like to repeat that as often as I can because the members of the opposition and those opposed to this bill continually inject that comment into their discussions. It is not true. We have not removed the teachers' right to strike. What we have done is identified the circumstances under which Bill 12 will be operative.

I would also like to say that I feel in respect to the bill that its value is in the immediate resolution capability of the bill. It will bring a solution to an immediate concern that the teachers and others in my constituency have identified for me, but it will also bring a vision and the possibility that we will examine education and the delivery of education around this province in a very, very effective way. This is what the teachers have been telling me: we need to look at what the requirements are in the classroom these days; we need to look at why we spend so much time filling out forms; we need to look at how I can find the time and the opportunity and have the teaching environment to assist me in delivering the special-needs and the individual programs for children.

So I would say that I'm concerned that those who are opposing

this bill are creating a very negative climate, that could be carried into the classroom by those who are calling it all manner of names without really realizing what is the proper way in which one can resolve a situation as best one can.

3:20

In conclusion, I'd like to say that having spoken with a number of the teachers in my community, spoken with a number of the ratepayers in my community, I have heard suggestions and have been told that I should follow paths that each one of them feel would be the best way to resolve this problem. I have listened to them. I have come away from those discussions with a deeper understanding of the differences of the classroom of today and the classroom of the days when I was a teacher. I have an appreciation of the challenges that are before teachers right now, but I also can appreciate the fact that school boards and the local ATA negotiators need to find a way to resolve the situation so that we can get on with the business of looking at a future examination of how we fund, how we deliver, what we deliver, and who delivers education in our communities. I look forward to that, and when we do pass this bill, I'm hoping then that we will be able to deal with the circumstances that are present. The arbitration panel will look at the specifics of each individual board or division and the requests and the contract that is before the ATA local at that time.

Thank you.

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

DR. TAFT: Thank you, Mr. Speaker. I rise on third reading of Bill 12. The very first point I must make is to react with at least confusion to some of the comments of the hon. Member for St. Albert, who I think indicated that Bill 12 does not remove the right to strike from teachers. Is that right? I guess she's not listening. You said that it does not remove the right to strike. Okay.

[The Deputy Speaker in the chair]

Well, perhaps something was changed in debate last night. I'm reading right here part 25(7): "The ATA must not cause a strike and no person acting on behalf of employees or the ATA may cause a strike," among other things. So I guess I am reading the bill in a different manner, and my sense is very much that it looks to me like a bill in practice that removes the right to strike for teachers, at least until the end of the time frame covered by the bill. I think that's, of course, one of the most contentious and heavy-handed aspects of this bill.

This bill is still only in third reading and we can already begin to anticipate what the effects of it might be from some of the reactions that certainly we're getting and I imagine many members here are getting, a reaction that comes from constituents. Our e-mail system and phone lines have been extremely busy with calls. Undoubtedly many are from teachers themselves, some from parents, some from citizens in general who are opposed to what Bill 12 will be doing. They are supporting the teachers, and they are supporting their view of the public education system.

Indeed, this continues a pattern that's been evident in my office and I think perhaps in many MLAs' offices, a pattern of reaction that began from the very beginning of this dispute many weeks ago in which the calls supporting the teachers' interests have far outnumbered the calls opposing them and that, in fact, public opinion to a remarkable extent has stayed with the teachers. So that's one of the reactions I'm certainly getting in my constituency office.

I also think it's worth reflecting on what Bill 12 is likely to affect

when we look at the reaction in the media in the last day or so to Bill 12. I think it's well worth spending a moment on some of that reaction. An article from the *Calgary Herald* says: anger simmers over arbitration. It begins: anger continues to swirl around binding arbitration designed to settle the most disruptive teachers' strike in Alberta's history as provincial lawmakers debated legislation that has infuriated educators.

Another article from yesterday's *Calgary Herald*: bleak classroom life seen with frustrated teachers. This one actually quotes Alberta Learning and officials at the university, education professors, saying among other things that so many of the things that create and sustain the quality of the school system come by teachers working outside the narrow definitions of their jobs, and if they are upset and stick strictly to the wording of the law, the quality of the whole experience for kids will go down. I think that's going to be one of the effects of this bill.

Another headline in the *Edmonton Journal*, "It's your own fault, gov't tells teachers," as if nobody else had any responsibility for what has happened here, as if it were entirely the fault of the teachers. Again the *Edmonton Journal* yesterday: "Angry teachers feel 'bullied, betrayed' by province." Then we even move into a broader range of opinion here: "Arbitration breeds mistrust, experts say." I think it's important to quote this particular labour relations specialist here:

The government is saying, "Not only will we not tolerate the withdrawal of services by certain employees, we'll determine and set the terms of the contract." It really reduces bargaining to a fairly hollow exercise.

I could go on and on with reactions from the media, which coincide very much with the reactions I've been hearing from constituents. They are not sympathetic to the provincial government's position, and indeed perhaps the most dramatic case of that is a column written by somebody who's normally very sympathetic, Lorne Gunter. He, in fact, condemns the government's moves and says among other things: "I can't escape the thought that the government is making up its labour relations on the fly."

Then, of course, Mr. Speaker, we need to consider the reaction of the teachers. All of us know that certainly a very large majority of teachers are angry and outraged at Bill 12, not only the content of the bill but the manner in which the bill is being pushed through this Legislature, a manner which doesn't even allow us as opposition an hour's time to consider amendments or not even overnight to consult with interested parties, a process which has forced this bill into law within two days and a process, regardless of what legislation was in question, that is disrespectful of the democratic values that most of us are expected to cherish. But beyond that, of course, the teachers are angry at the contents of Bill 12. We've all gone through those at some length.

I guess one of the manifestations or one of the things that this bill represents is that this government is still prepared to pick winners and losers. It's a government that has said it was going to get out of that, yet it has waded into an area that involved teachers and schools and school boards and has interfered in the normal collective bargaining process to pick winners and to condemn certain parties to be losers. Clearly, the losers in this process immediately are the teachers, but I'm concerned that the losers will also be the students. Ultimately the losers could be all of us, because I think we are at a point here, a turning point in the history of Alberta's public education system. We may well end up with an education system that is permanently weakened by the events of the last few weeks and undoubtedly the events of the next several months. So one of the losers here, I think, ultimately may be society itself in Alberta.

3:30

But this is a government that hasn't lost its enthusiasm for picking winners, and I think the winners it chooses are indicative of the values that this government is slipping into. I think, for example, of a recent announcement that a half million dollars in taxpayer money is going to go to research coal as a fuel for power companies while at the same time these are hugely profitable power companies. Why are we subsidizing those hugely profitable corporations when we cannot settle with teachers? Why are we subsidizing the horse racing industry? Why are we picking that as a winner when we cannot settle with teachers? Why are we bringing forward very massive corporate tax cuts when we are not settling with teachers? Who are the winners here? Who are the losers? I think the values of this government are coming through loud and clear.

I think the values of this government are even more exposed by the intransigence of the position that they have taken from the very beginning, from almost a year ago: the 4 and 2, the line item in the budget, and the fact that there hasn't been any flexibility in that position. So, as a result, we have an eruption of anger, an eruption of hard feelings in the education system, and Bill 12 is simply going to enact those into law and guarantee that they continue simmering and indeed boiling over.

I have two children myself in public schools in Alberta, and one of them came home from school yesterday and said: Dad, boy, the teachers were angry at school. Then he said: "They weren't angry at me," as if he thought I might believe that he had done something wrong; "they're angry at the system." I think it's a shame that schoolchildren are going to their schools by the thousands in this province today and as a result of Bill 12 they are feeling and sensing the sense of anger that teachers are expressing. The teachers aren't going to take it out directly on the class. The teachers know full well that this is not the students' fault. But I think we can expect this special atmosphere, the sense of caring and community, and the commitment to going the extra mile, the going above and beyond the call of duty that has made Alberta's schools so special — we're going to see that diminished. It's a result, I guess, of the insult that Bill 12 represents to the teachers of this province and the people who believe in a fair arbitration process in a reasonable labour relations system. You can only insult people for so long before they will react, and we are going to see a reaction because of Bill 12.

If we look down the road 18 months from now, what are we going to see when this bill expires? Well, we'll see, I hope, a report from the commission that the bill establishes. Let's hope it's a constructive and well-thought-out and well-presented report. But beyond that, that report is going to be brought into a system in which the memories of teachers of Bill 12, of the days in which we're standing this week in the Legislature, will go back to these moments, and they will say: "We've been betrayed. We have lost trust; we have lost confidence. We don't want to co-operate. We don't feel we can co-operate with any sense of integrity with a government that is so off-kilter, so heavy-handed, so intransigent, so inflexible as this one." So what we're doing through Bill 12 is extending the confrontation, extending the anger, and ensuring that rather than calming it down and returning the schools to a healthy sense of community, they will continue to be hotbeds of discontent for months and years to come.

The central focus of schools must be children and their learning. We need to organize our schools so that teachers can concentrate on children's learning. We don't want teachers distracted by their concerns over labour relations processes, their concerns over whether they are treated fairly, whether they are respected. We need them to focus on children's learning.

I think we need to turn away from the view that seems so prevalent in our society today that schools are simply instruments or

tools for churning out economically productive units. I think we need to cherish the sense that schools teach people not simply skills but attitudes, abilities, capabilities to fulfill their lives and to act as democratic citizens as effectively as possible. I think we're losing that sort of spirit in the schools and that we will see as a result of Bill 12 a retracting by teachers into a teaching mode that simply cranks out children as if they were widgets in a system rather than treating them as cherished members of an educational community. We will all be poorer because of that. The next generation of citizens of our province and of our country may not have the same wealth of experience or the same depth of principles on which to draw as a result of Bill 12.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: I believe that there were one or more people who indicated a willingness to make comments or questions.

MR. MASON: Well, as the hon. member has indicated that he does not wish to take questions as a result of the changes to the Standing Orders, Mr. Speaker, I'll just make a comment and say that I appreciate the thoughtful remarks of the hon. member and agree with him. I also have been asked by my son about the teachers being upset at the government and am trying to sort out with him the difference between the government, the Legislative Assembly, and the opposition, that they're not all the same thing. But it is clear that already some programs have suffered as a result of this dispute, some of the intramural programs and so on, and the lion's share of the responsibility goes to the government.

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

MR. McCLELLAND: Thank you, Mr. Speaker. Since the member doesn't want to respond to questions, it does give members an opportunity to voice an opinion and make a comment, and the comment is that we've got to put the money issues aside and behind us to get at the real issues that underlie the problems that we've had that have been brewing for years. These problems are going to be addressed in the education review. You can't have both of them on the table at the same time because they get intermixed. So this is a very constructive, positive way to put this behind us.

It's almost as if we were to say, "All right; you and you get into that room and sort out that problem," and that problem is the money issue. It's not limited to 6 percent. The 6 percent is the floor. "You, you, and you get into that room, and you start sorting out the other issues that are behind the strike, the real issues in education that have been brewing for many years." Get both of them on the table, finish off the money issue, and then we'll solve the big problem.

3:40

DR. TAFT: I will respond because the Member for Edmonton-Rutherford, I understand, was the one who encouraged the introduction of 29(2).

I'd like to make an observation and encouragement that the kind of debate that occurs now could occur at any time in committee, yet last night the moment we broke into committee, it was like a party in here. There was no attention paid to debate at all. I wish we could have done it then.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands now wishes to make a comment?

MR. MASON: A further comment? Yes, if there's still time, Mr. Speaker, I do.

I want to indicate that I agree to a point with the hon. member that in fact there is a great opportunity for debate. I happen to enjoy the question and comment session. At the time, we denounced it as a nefarious government plot, but, Mr. Speaker, I have to say that as nefarious government plots go, it's one of the most fun.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford unless Edmonton-Riverview wants to respond.

MR. McCLELLAND: Thank you, Mr. Speaker. Questions and comments does give us an opportunity to engage in debate that otherwise may or may not be engaged in, and we can use it positively or negatively. Now, positively, we all have a responsibility – that's the royal "we" – to education and to educators in our province. We've got to somehow clear the air so as to be able to work together positively with educators, with the Alberta Teachers' Association, with their representatives, and this is the best method.

MR. LOUGHEED: I'd like to make a comment. It appears perhaps the public skepticism of the Member for Edmonton-Highlands has in fact been shredded.

THE DEPUTY SPEAKER: Now being out of time, we move right to the next speaker, the next speaker being the hon. Minister for Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker, for the opportunity this afternoon to rise and speak to Bill 12, the Education Services Settlement Act. Like all members in this House, I too have received a number of calls from teachers, from parents, a few from students and other members of the community. I should say that in almost every one of those calls there was something very helpful, as well as critical on occasion, but helpful by way of suggestions to address some of the difficulties that are before us, and I will get into some of those shortly.

However, I want to say at the very outset that I have great respect for teachers and for the teaching profession. [applause] Thank you for that applause, hon. members. It is a profession that I was a member of for many years. It's one that I enjoyed enormously and one I poured my heart into. Having said that, I also want to say that colleagues in government also have a very high regard, a high respect, and a very high value that we all place on teachers. We understand the importance of teaching, we understand the importance of our educators, and we're delighted by some of the results, in fact almost all of the results that we are getting.

Students are a number one priority. They are our future, and I have said in this House on many occasions that the children of this province are indeed our number one and most precious resource. Education goes hand and hand with that.

However, I also recognize that teaching today is infinitely different, Mr. Speaker, than when I or when you were in the classroom I'm sure. Having met with many teachers over the several years that I've had the privilege of serving in this Assembly, as well as with principals and others, I know that the stresses on teachers today, the expectations on teachers today, the conditions that teachers face today are infinitely different from a societal point of view as well as from a classroom point of view. We do not have the same, shall I use the word, homogenous types of classes that we once had because we are trying very hard to work with blended classrooms, to use integrated models that would have all individuals be seen and treated as equals with other classmates. That has

resulted in some interesting challenges, but I think we are overcoming them.

As we look at Bill 12, I think it's important, Mr. Speaker, to separate, therefore, what I will generically call classroom conditions from specifically wage issues in relation to our educators. Bill 12 in fact specifically outlines a process that will help school boards and their local ATAs reach these much-needed settlements so that we can all get on with the important part of the education system, from the point of view of students.

In bringing in Bill 12 and in establishing an arbitration tribunal, I think we'll do a couple of very important things in an umbrella fashion. First of all, we will do the separation of the two issues I just mentioned. The arbitration tribunal will specifically, on a case by case basis, have the ability to look at matters that relate to salaries and benefits, to look at local economic conditions within the particular area in question, and also to look at the school board's financial situation and ensure that no deficits result from the decisions of that tribunal. There are many other factors that likely will impact this area, and in the end I sincerely hope that the arbitration tribunal will come up with what will be fair and acceptable to all parties.

We have to remember that as important as teachers are, they are not the only part of the situation. We have also the concerns of local school boards, who want to maintain some flexibility with respect to local jurisdiction and decision-making. We of course have government as an important part of this as well. That three-person tribunal I know will do their best to come up with something that is amicable and acceptable to all. In the end, I hope that we can continue to boast that Alberta teachers, with whatever the settlements come out to be, will continue to be the highest paid instructors on average right across the country.

I think that speaks well to two issues that people have called me about. One is with respect to retention, and the other is with respect to recruitment. It's very, very important that we set a very positive atmosphere to encourage new people to come into this wonderful profession of teaching, and it's very important that we send the proper message to teachers who are there today that we want them to stay for as long as they are able.

The other part of Bill 12, which is alluded to very graphically in the preamble, talks about:

Whereas the Government has made a commitment to examine the learning system in Alberta; and

Whereas that examination will include, but not be limited to, a study of the number of students in a class, pupil-to-teacher ratios and the maximum time a teacher may be required to instruct students enrolled in Kindergarten to Grade 12, and therefore these items should not be the subject of further negotiation or included in a collective agreement between the employers subject to this Act and The Alberta Teachers' Association.

Whereas we have those two clauses in there, we have the ability to address some issues that have been bubbling for quite some time, Mr. Speaker, and it is high time we got on with addressing those issues in a very formal, a very effective, a very all-encompassing, and visionary way. Once we can get the wages part settled over here, we can get on with a blue-ribbon panel, or whatever it's going to be, to address that commitment that Bill 12 specifically enunciates.

We know that in different parts of this province we have some class sizes that are larger than one would like to have. We know that we have pupil/teacher ratios that are different in different parts of the province. It's time that we got all of those kinds of issues, as well as what are the essentials or the so-called basics of education, more clearly and more sharply defined. I think it's time we address squarely what it is that parent groups and local school councils can and cannot fund-raise for, and the list goes on and on.

3:50

My point in referencing those in relation to Bill 12, Mr. Speaker, is to simply state that those are not easily solved issues. They will take some time, but I am very confident that we as a government through our minister and with all of us contributing, including comments, helpful ones, that have been made from opposition members, will address those, but they will take some time. In the meantime we have to get on with settling what it is that will keep our teachers in the classroom, and that's what Bill 12 is all about.

I should say that over the past while, Mr. Speaker, I'm very pleased that we were able to increase the education budgets and to maintain flexibility with those budgets at the local level. This year the province will invest about \$3.7 billion on the K to 12 system. I know that support for public and separate schools grew by about \$245 million this year over last year. I know that we've provided a basic grant increase to the local school boards of about 3.5 percent, which translates into about \$115 million. And I know that in general our budget for education in the current year, which will end in a couple of weeks, has been in the neighbourhood of about 8.4 percent. Last year I think it was over 9 percent. We recognize that there are gross pressures, and we recognize that more investment is needed. By the way, Mr. Speaker, that doesn't include over \$1 billion that came out of the Infrastructure budget that was committed to the building of new schools. So we have addressed, within the fiscal capabilities possible, many of those issues, and I know there will be more.

I also want to comment very briefly on the importance of having separated the two issues and the ability for us to take the proper time needed to address the other so-called classroom issues. Some of those, obviously, will include looking at what other jurisdictions are doing. I'll just very quickly put a couple of things on the record for the preamble part of Bill 12.

I had a teacher who's a constituent of mine phone me and talk to me about his experiences as a teacher in Germany, where they actually have two different categories, if you will, of teachers. One group has a certain type of agreement where they're allowed to go on strike, and another category is not allowed to go on strike. Now, those are his explanations. There's more to it, but in simple terms there are different incentives for whichever category you might wish to go into. Another important point he mentioned to me was that apparently, according to the German model, a portion of a teacher's home is able to be written off as a tax expense because, as we all know, some marking, preparation, and so on takes place in the home. Certainly when I was a teacher, Mr. Speaker, I did probably more work at home than I did in the six hours of classroom time, and I don't think any teacher here would argue differently.

One other point that he mentioned with respect to the German model was with respect to personal purchases that teachers make. I know that when I taught English, French, Ukrainian, music, drama, and so on, it was frequently the case that I bought stuff out of my own pocket, not because I had to but because it suited my teaching style or it was something that I felt my class needed or because I had a special-needs student or whatever the case was. I didn't keep track of that. I never submitted any expenses. It was just something that I did, and I know teachers are doing that today in some cases. But in Germany they're allowed to claim that as a tax deduction. Now, that's an interesting concept. I'm not saying that we have to rush to either of those couple of doors as we do what the preamble of Bill 12 suggests, but it shows you that there are other models, that there are other issues out there in other jurisdictions that do require at least looking at.

I visit schools very regularly still. I hope to continue doing that. I'm well aware that teacher time does not start at 8:30 in the morning

and shut off at 3:30. I know teachers spend a great deal of time doing lesson plans to stay current. I know they spend a lot of time tutoring after hours. I know they spend a lot of time coaching and helping out with the year plays and otherwise assisting students with their learning. I would say that it's high time that we as a society took a longer range view of this and perhaps dispelled some of the myths that exist among certain members of society where they perhaps don't understand the teaching profession as well as some of us who were privileged enough to have served in it. I know that my day never started at 8:30 and it never ended at 3:30, and it wasn't exclusive to Monday through Friday.

So I'm pleased that once Bill 12 is all said and done with, we will see those issues addressed in a very long-range way. Nobody likes to see students out of the classroom when they're supposed to be in it. Nobody likes to see teachers striking. Nobody likes to see interruptions to the most important part of a young person's future. We need and we want good and excellent teachers in this province. We need to have encouragement for them. I just hope that they will have some faith in this process that separates the two issues, along with the guarantee, which is now going to be carved in stone, that the commitment we are giving as a government to look at all the other issues will also be addressed, and we will get that done.

Mr. Speaker, the collective bargaining process is a very important process. I was there; I was part of it for a number of years. I didn't like having even the thought of going on strike, and I perhaps today dislike it more than I did even then. Nonetheless, we don't want to interfere with local boards' autonomy and flexibility with respect to how they address their local budget needs.

There are some school boards in this province who, as we know, will run surpluses, perhaps year after year. There are others who are running deficits. There are some who are very comfortable with the size of their classes and so are their teachers, but there are others that are not. We cannot for example legislate a maximum classroom size, such as they have done in other jurisdictions and have said, for example, that the maximum number of students in grade 1, let's say, should be 18. What do you do with the 19th and the 20th and the 21st student? Well, I'll tell you what's happened in some cases, Mr. Speaker. They have not had the flexibility because of a legislated cap on class size. They have not had the flexibility they would like. So some of those students, unfortunately, could not attend that school and had to go to schools down the road, and that is true.

I do hope that we will sort this out, because I have great respect for teachers in this province. I want them fairly compensated, and I want the students fairly looked after as well.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands. Pardon me? You're asking a question, I take it.

MR. MASON: I am indeed. Thank you very much, Mr. Speaker. The hon. minister has said that it's important to set a positive atmosphere for teachers in order to retain and recruit teachers to the profession. I would like to ask: how does the present schemozzle do that – and I include more than the bill; I include the whole process we've gone through in the last few months – and how do you think the government has contributed to that?

MR. ZWOZDESKY: Well, Mr. Speaker, I think by guaranteeing a minimum – a minimum – of 6 percent plus giving school boards greater flexibility at the local level to augment that minimum 6 percent is a very positive thing. It took away a lot of the guesswork when that decision was taken, and at the same time it still allowed for an approach at the local level to come to an agreement. What is

unfortunate, however, is when you get a situation such as we read about in Medicine Hat and for a time in St. Albert, where unfortunately the teachers and the board made a decision and the people upstairs in the ATA couldn't bless it. That is unfortunate.

THE DEPUTY SPEAKER: The dictates of time.

The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. I think the minister opposite encompassed what Bill 12 is really all about in saying that the future of education is in the preamble and the past is in Bill 12, getting the issue of salaries out of the way so that we can get on to the future. As the minister responsible for persons with developmental disabilities in Alberta, the minister has an integral role to play in the forthcoming review. Could the minister advise us what his intentions are in that regard?

4:00

THE DEPUTY SPEAKER: The fine details of this kind of questioning have yet to be pushed at the corners of the envelope, and one wonders whether or not you can ask the minister a question that normally would be asked at question period. But anyway, hon. minister, if you'd care to answer that.

MR. ZWOZDESKY: Well, it's a very good question because it talks about the blended classrooms and the attempt at full integration that we've experienced over the last several years, which in theory and in concept is a very good thing. But there needs to be some additional emphasis put on teacher aides, for example, and funding that would go with that, because a lot of the students in the category of the disabled require one-on-one attention. So I'm glad that we were able to increase funding to that special-needs area over the last year or two.

THE DEPUTY SPEAKER: Thank you.

Further questions or comments? The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. I appreciated the hon. minister's comments also and have been listening with interest. With reference to class size, I would just wonder what his thoughts are on individual teaching skills and consideration of class size. Different teachers can manage better different numbers of students in their classes is what I'm saying. I know the universities have dealt with that challenge.

THE DEPUTY SPEAKER: Again the hon minister.

MR. ZWOZDESKY: Thank you. Well, I think the hon. member has indeed hit a very important point, and I think it talks a little bit about the homogeneity of classrooms, which were so different back when I was a teacher as compared with today. But it's true that some teachers feel more comfortable in a smaller atmosphere than do others. By the time you get to university, you could be lecturing 400 people. My concern in that regard would be directed more so at the primary grade levels, where I think it's important that we look at some kind of an acceptable average.

THE DEPUTY SPEAKER: Thank you.

We do have time, I think. The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. My question is directed to the hon. minister. My question would be this. About a

year and a half ago the minister of human resource development recognized the tremendous costs that are being faced in the unprecedented growth area of Fort McMurray, my constituency, where \$50 billion is being spent. It's the GDP of a small country. Relative to that, provincial employees in Fort McMurray get an extra \$400, and the question is: for teachers, doctors, and nurses, you know, what consideration can be given to that kind of pressure?

THE DEPUTY SPEAKER: The question has managed to squeak in in the total amount of time, which means we don't have any time for the answer.

We will now recognize the hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise this afternoon just to make comments at third reading on Bill 12. I think that as we look back on the process of what happened, as we deal with the final vote on this bill today, we have to kind of question whether or not the best interests of education, the best interests of children, the best interests of the province have really been served by the whole process. You know, we've spent a lot of time talking about the signals that have been sent and the commitments that have been made. I think it would be more appropriate to look at, in effect, what is going to happen now with the results of Bill 12 and what kind of a future we can look forward to in the context of dealing with education, dealing with learning, dealing with any kind of public service.

We had in place a process where local school boards had an opportunity to deal with their needs in the context of learning. They had a chance to negotiate with their teachers for a fair pay package to serve the model that the local school board had in place to deal with the delivery of learning, and then what we ended up with because of the funding model that was in place for that was a lot of discrepancies around the province. In the period of '93 to '95 the government intervened to try and provide some standardization or some equalization of that through the way they changed the funding of education, creating the education endowment fund and the per pupil grant for the school boards to deal with.

What in effect happened was that we pre-empted a lot of the freedom that school boards had to deal with their delivery models, to deal with the kinds of conditions that we hear talked about constantly as being part of what will be the end result of this commission that gets put in place. So what we had was kind of a process that started in '93, '94, '95, when we went to that equalized funding, that wasn't fully reflective of the geographic needs and the community needs of learning across this province. We want to make sure that the local communities, the school boards, the local ATA, and the parents through what used to be their parent/teacher councils and what are now the school councils effectively have a choice and have the freedom to develop a quality education system for the students in their community.

Well, as we went through this process, then, problems began to arise with the funding models. Problems began to arise because the integrity of that local process was being affected by a provincewide decision-making process of, you know, one per pupil grant to each of the schools. Granted, there were some different dollars out there for transportation or sparsity, but they were not adequate in the context of a funding formula. What we should have been doing as we moved from that '95 period up to today was looking at how adequately those formulas were working, making changes in how those formulas worked so that the dollars in the community were truly the number of dollars that were necessary to deliver quality education based on that community's input, so that we can in fact

then have an operational system that doesn't have the sense of a top-down dictatorial process.

As we look at that, we ended up last year with a situation where other public service bodies were asking for changes in their pay packages, changes in their work conditions, and because of circumstance and timeliness some of them were looking for their contracts at a time when the government had lots of money. Others such as the teachers are now looking to have their worth recognized, and the government says that there is no more money. Mr. Speaker, I think the thing we have to look at is that this, in effect, is compounding the problems that we started to develop in the process after the equalized funding program, because even though it did create more equity in the education system, it also created a lot of problems. Those problems were associated with the inability of the local community to deal with their own issues as they needed to.

So the government in its, I guess, blinded wisdom introduced into the budget last spring what in effect was a 4 and 2 wage settlement for teachers. They keep telling everybody that this was a minimum. But if they'd look at the fact that when they deal with the other 3 or 3 and a half percent that went out to the school boards over and above that, those dollars were committed to the other expenses of the school boards, and very few of those dollars could be put into a teacher salary settlement unless they had to make adjustments further in the delivery model.

Mr. Speaker, if there's anything I've been hearing as I've traveled the province in the last year, it is that we have to do something about class size, we have to do something about support systems for children with special needs as they enter the classroom, and we have to do something about the process of making sure that there is a local ability to determine how this learning model is developed. So what happened, then, was effectively the teachers were in a position where they couldn't truly negotiate the way they should have been able to.

4:10

What we then heard was: discussions went on, negotiations went on, offers were made, offers were rejected, and in the end we had a series of strikes across the province, co-ordinated at the provincial level by the ATA. In the end the government again stepped in. They've now stepped in with Bill 12, which, in effect, further confronts the impossible situation of how we deal with local control, local decision-making and provide the local school boards and the local of the ATA with the accountability that they need to the children and the parents in their community.

We keep hearing comments about this blue-ribbon study or this commission that's going to be put in place to deal with the future of our education system. Mr. Speaker, we have that. It's the school boards. It's the parents in the community. It's the school councils. It's input from the teachers. It's input from the students. That can be developed at the community level. All we have to do is to have the flexibility at this level. When they come up with a model that fits their needs, fits a provincial objective in the context of the importance and the relevance of learning, then we need to make sure that there is a process in place to fund that. If that means changing the funding formulas so that we can make sure that the geographic differences, the delivery differences, the demographic differences, all of the other differences that are associated with these communities get reflected at that local level, that's what we should be doing.

We shouldn't be forcing a public discussion on education at the provincial level, because we already have in place at the local level the means to deal with that kind of discussion. After all, we've given those school boards the authority and the mandate to be the decision-makers for their communities on what is appropriate education delivery, what are the resources that are necessary, what

is the community involvement. These are the kinds of things that we give to them through the School Act, and we have to make sure that they have a chance to truly exercise that authority that we've given them. We're going to be taking that away from them when we start now imposing on them some kind of a provincial study that's going to look at how they deal with the concepts of class size or how they deal with the concepts of delivering education. That should be done at the local level, Mr. Speaker.

We've got to make sure that what we have is a thorough commitment to that process, and by passing Bill 12, what we're basically saying is that no pay package can be negotiated at a local level that doesn't meet the provincial objects, doesn't meet provincial approval. By instituting some kind of blue-ribbon panel or commission, what we're saying is that the local communities don't understand their own education system, aren't capable of dealing with the issues that are important to their education system, and we're going to pre-empt the authority we give them. I don't think that's the kind of thing that we really want to have happen, because all we end up with is dealing with it.

Mr. Speaker, on a number of occasions we've asked for a provincial review of education funding, some kind of a commission at the provincial level that looks at: how do we deal with funding of education, how do we deal with the decision-making in education? That's a whole different thing than what we're talking about and what we're hearing the government talking about here. That, in effect, provides for a much better discussion about some of the issues that I've been raising, you know. Do we need to change the power of local school boards? Should they be given revenue-raising authority? Should they be given some kind of option to go beyond the per pupil grant? That's the kind of thing that we need to talk about, not whether or not we should at a provincial level impose standards that we have delegated to those local school boards.

This is the kind of environment that we're creating if we vote in favour of Bill 12. I don't think it's the kind of thing that we want to see, because what it does is it puts in place a precedent for every other kind of public service negotiation. Does this mean that the next time any other public servant group comes up and says, "We want to enter our negotiations," we're going to separate working conditions from the pay package in their negotiations? That's what this bill does. It basically says that teachers and school boards cannot talk about working conditions and the pay package in one and the same negotiation because the arbitrator can't deal with working conditions.

Does that mean that next year, the year after, when the nurses come up, when the public servants come up, nothing can be dealt with in the context of working conditions? Is that what we're going to be saying? We're setting a precedent here, Mr. Speaker, that to me is really critical in the context of how we look at the relationship between employees and the public. We have to be careful that we don't undertake in this process now approving something that in effect will become a fallback position any time a government decides that it wants to deal heavy-handedly with individuals in a particular work group.

We're doing it now in the context of teachers in this province. Mr. Speaker, it's not right. We shouldn't support this bill. What we should have done was supported a much more inclusive discussion at the local level in the context of how we finance properly the local school boards, how we encourage teachers to do the job they've done so well for our students in the province, how we encourage the communities to be active in participating in seeking solutions and dealing with developing the kind of education system that's important.

Mr. Speaker, I see this bill already causing ripples in our province

that I don't want to see happen. The e-mails that have been coming into my office, the phone calls that I've been getting are really very concerned about what's going to happen with this bill, what's going to be the aftermath of this bill. I'm getting calls from teachers saying: gee, I don't know if I want to be a teacher any longer. I had a communication with a student at university this morning basically saying that if this bill passed, in the next semester they had left before graduation they in effect were going to make sure that they were going to take courses that would give them the flexibility to seek employment outside the profession rather than become teachers in this province. That's the kind of thing that really bothers me in the sense that we're sending the wrong signals to the people of our province.

AN HON. MEMBER: Too bad they're fear mongering.

DR. NICOL: I hear the member across there saying that I'm fear mongering. But I'm not doing it; it's the messages that are coming from Albertans. If we in this Legislature don't have the right to stand up and communicate on behalf of our constituents, then I think we've really got a problem in this Legislature. I truly stand behind the fact that any member of this Legislature should be able to get up and say on behalf of their constituents whatever that constituent wants put into the record. I don't consider that fear mongering. I consider that being a true representative of my community, expressing the concerns that I've heard. In this Legislature I express the view of my constituency and I vote the way my constituency wants me to. Mr. Speaker, there is no question that the input from my community says: vote no on this bill. That's the message that I'm trying to put on the floor here today. I don't consider it fear mongering; I consider it doing what I was elected to do.

4:20

You know, Mr. Speaker, I hope that individual that made the comment a few minutes ago gives me a chance in the last five minutes of my speech, when you can stand and ask a question and we can deal with that kind of an issue. It is important that we basically do have the ability to raise the concerns, provide the observations that are being provided to us from our constituents, and deal with this in the context of what's best for Alberta.

Mr. Speaker, I was just about finished when that comment was made. I had another breath of air. What in effect I want to say is that this bill is setting a precedent in Alberta that I think is wrong. This bill is setting a precedent in Alberta that I think is going to lead us down a totalitarian, a heavy-handed type of government road. I don't think that's where we should be going. I think we should be promoting open discussion, open negotiation, and flexible solutions at the local level when we deal with all of the public servants. This bill, that's affecting our teachers in this province, is setting a precedent I think everybody should vote against.

Thank you.

THE DEPUTY SPEAKER: We have a number of people who indicated that they wish to speak. The first one is the hon. Member for Edmonton-Rutherford, then the hon. Member for Edmonton-Strathcona and the hon. Member for Lac La Biche-St. Paul, and, if there's time, the hon. Member for Drayton Valley-Calmar.

MR. McCLELLAND: Thank you, Mr. Speaker. Would the hon. Leader of the Opposition agree that the climate to settle the issues underlying the dispute would be better addressed with the money issues off the table?

DR. NICOL: No. This has to be done as a package. We can't deal with only one facet of what constitutes proper teaching conditions, proper learning conditions, and the relationship between a classroom and a teacher, between that classroom and the school, and between that school and the community. It has to be dealt with as a package, Mr. Speaker. We can't separate them out, because we have to create good working environments.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona. Question, comment.

DR. PANNU: Thank you, Mr. Speaker. My question to the hon. member and the Leader of the Official Opposition is this. In his closing remarks he characterized this bill as totalitarian, in essence. I wonder if he would like to say why.

DR. NICOL: Mr. Speaker, I see it as being basically heavy-handed and top-down decision-making, forcing a process that nobody wanted. Nobody wanted arbitration that didn't include all of the aspects of how we provide our education, our learning in the school environment. Effectively what's happened is that the government has gone out, talked on a broad base, narrowed the base, and tried to create a solution. That to me is not open government. That's not good government. It in effect doesn't create good working relationships with the teachers in this province, and it sends signals through all of this province that we are not willing to work with individuals, that we're willing to impose on them, that we're dedicated to imposing on them, that we're not going to allow them to basically deal with any kind of a solution that is jointly put together, and that's what we have to have.

I think I went a little over my 30 seconds.

THE DEPUTY SPEAKER: Considerably. However, we were having a timing difficulty.

MR. DANYLUK: I believe that teaching is a very credible, honourable, and prestigious profession. I have a lot of teachers in my family, and I really take offence at how, in my view, the hon. Leader of the Opposition makes the profession sound like a terrible profession. Students who have the passion for teaching should be encouraged, not discouraged and discriminated against as you do.

DR. NICOL: Mr. Speaker, what can you say to that? It's so wrong. It's so off topic to what I talked about. It's almost impossible to get that kind of question out of the comments that I put on the record today. I'm sorry; I don't even see where it came from.

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

REV. ABBOTT: Thank you. Mr. Speaker, the Leader of the Official Opposition mentioned the worth of teachers in his speech. My question: when the teachers of Alberta become the highest paid on average in Canada, which they will when this bill is passed, when this happens by August 31, 2002, will the leader of the Liberals and his party finally admit that this government recognizes the worth of teachers?

DR. NICOL: No, Mr. Speaker. What I will recognize is that they have basically corrupted everything that you teach in a course on labour relations that deals with how you set fair remuneration for an individual. There's more than dollars in the context of recognition of worth, and when we're dealing with it in this context, we have to

deal with the classroom conditions and the teaching conditions. The true pay of a teacher determines whether or not they're willing to stay in the profession and whether they're willing to enter the profession, not any kind of a measure compared to someplace else in this country.

MS KRYCZKA: I heard the member talking about consideration of financing and concerns with local school boards. When salaries are about up to 80 percent of an operational budget, would you agree with supporting a discussion on an HR philosophy of hiring a mix of levels of teachers, which is certainly more economical and can save a substantial amount of money than hiring the most senior teachers and no other variance?

DR. NICOL: Mr. Speaker, that's up to the school board. That's why we give them the authority to deal with it, and that's the kind of process that we have to put in place so that we have equitable solutions in this whole debate.

THE DEPUTY SPEAKER: Okay. Thank you.

Several people have indicated that they wish to speak. The hon. Member for Calgary-Shaw has been missed a couple times, and following her the hon. Member for Edmonton-Strathcona, then the hon. Member for Wetaskiwin-Camrose.

MRS. ADY: Thank you, Mr. Speaker. I wouldn't want to be missed. I felt very strongly that I needed to rise and speak today on this particular issue. I've only been an MLA for just a year and, I think, one day. I'm no longer a rookie.

AN HON. MEMBER: You're a pro now.

MRS. ADY: I'm a pro.

I felt that this was one issue that I did want to stand and speak about, because it's one that comes very close to the heart for me. I am the mother of four boys who are in the public education system in this province and have spent many years observing their schooling and aiding and assisting and watching them as they developed through that system. I'd like to begin today by praising those teachers that have spent time with my boys, because I know as a mother how difficult they have been at times. I've seen great patience, great dedication, people that sincerely cared and were there for my boys at times when I didn't want to be there for them. So I want to start there, saying that I do admire teachers and the job that they have done, in particular with my own family.

One of the things that's been disturbing to me is that much of the media focus and discussion around the teachers' dispute and Bill 12 has been around and centered on the disagreement and the challenges that are faced by the parties involved. I believe that like all things in life there are challenges to meet, but our learning system is still a very good one. I'm confident that we can work towards resolving these challenges. We do have a system that is collaborative, and if we start to work together, we can continue to create even greater learning opportunities for the kids that attend our systems.

That said, the current teachers' negotiations were clearly at an impasse, and we needed to find a solution so that we could move on to face these challenges. Bill 12, the Education Services Settlement Act, is an important piece of legislation that hopefully will allow us to do that. As you know, all parties agree that binding arbitration is needed to bring about a resolution, and I think this arbitration process is a sensible one. It allows all parties to present their cases and allow for fair compensation to teachers while maintaining accountability and flexibility of school board management.

We must also remember that the reason we have teachers and school boards is to deliver education to Alberta's students. Our first priority and our goal here must be that we ensure that students' education is not further compromised by contract disputes. Our government is committed to helping to resolve these disputes. Bill 12 ensures that teachers will remain in the classroom, and I think that's an important element.

4:30

This legislation will provide stability for students so that they can focus on their studies and successfully complete their school year. I know that Albertans value education and do not want further interruptions of this current school year. I heard from grade 12 constituents as they called me during the strike, as they talked about their frustration, their worry, and their anxiety over having their education interrupted. I've heard comments about heavy-handedness and how somebody didn't want this, but I'm here to tell you that students didn't want their education interrupted.

It reminds me of when I was in university. I was attending Brigham Young University at the time, and they were coming up with a new accreditation process for the university so that it would have a stronger accreditation across the nation. They brought in an independent board that wrote all final exams for all courses that we were taking that year. Now, this independent board didn't teach the course, didn't really know the course, but wrote a final exam. I took one of those exams and flunked it, and I remember at the time . . .

AN HON. MEMBER: Oh, not you.

MRS. ADY: Yes.

. . . just being dismayed that in a class that I was getting an A in, all of a sudden I flunked a final exam. So I went back to the teacher and I said: "What? I didn't even recognize the exam. It didn't seem to relate to the course. It didn't seem to be anything that we had studied that semester." He commiserated with me. The next week that question was asked of the president of the university, and he said to us at that time that the new accreditation process was like when the pioneers came across the plains: a few had to be sacrificed for the good of all. Now, I remember thinking: well, great; the university rises in its accreditation, but I just got sacrificed. My grades, my future, my GPA just got sacrificed for that. I did not understand that at that time. In fact, I kind of chewed on that one for a long time because it was very personal to me. Yes, it did improve the accreditation of that university, but I felt like a victim in the piece.

I'd like to tell you that kids whose education has been interrupted feel that way also. They do want us to make sense of this, they do want us to move on, and they don't want their year interrupted. So when people say that it's a minimal thing or a short-term solution, I'm telling you that getting those kids back into the classroom was I think an important thing, important to them and their future. So I'm glad that we were able to come up with a process.

As you know, there are other aspects to education delivery that are not addressed by the Education Services Settlement Act, and I believe this is also completely appropriate. I do believe they need to be separated and that you cannot handle in an arbitration process things that are bigger than an arbitration process. Any decisions such as classroom conditions that have long-term implications need to be examined thoroughly and cautiously. It is important that policy decisions bring us closer to our goals of educational delivery.

I think of the California model which I alluded to last night, where it was legislated that a class would be a certain size. Overnight they were scrambling to try and find enough relocatables to put on

schools because suddenly they didn't have enough classrooms. They didn't have enough teachers in order to handle this particular piece of legislation. They were hiring first-year university students to come and teach in those classrooms. So sometimes when you launch something that you might want to call a working condition and create legislation, you create ramifications that you can't see forward on yet. It needs cautious, reasoned approach. I think this bill allows that, and that's why I support it.

The government's commitment to review is included in the preamble of Bill 12. It allows for an exploration of the challenges that we face and provides opportunity to find real, effective solutions together. Now, I've been hearing some of the hon. members on the opposite side say that the preamble isn't that important and that it should be in the bill or that it's lesser. I'd like to read it just one more time.

Whereas the Government has made a commitment . . .
And that's a word that I honour, commitment.

. . . to examine the learning system in Alberta; and

Whereas that examination will include, but not be limited to, a study of the number of students in a class, pupil-to-teacher ratios and the maximum time a teacher may be required to instruct students enrolled in Kindergarten to Grade 12.

It says here that it "will include" but "not be limited to." I'm happy to hear that, Mr. Speaker. A broad-style review proposed by Bill 12 will give our learning stakeholders and Albertans ample opportunity to provide input into how they would like to see our learning system improved.

As I said earlier, I have four boys. Two of those boys were able to successfully navigate through the public system with no difficulty, but two of my sons have learning disabilities. They are coded mild to moderate learning-disabled students, and there have been at times difficulties for them in the classroom. We've tried very hard, with the help of teachers, to be flexible and to meet those needs, but sometimes I felt like inclusion was the thing that was the most difficult barrier for me to overcome in trying to get them the help they needed. So I am happy to see this review, and I am happy to see us have at least some flexibility as we look at these educational issues. I do think it is of the utmost importance.

Our students will consistently achieve high results compared to other jurisdictions and worldwide. One of the keys to our success is that the Alberta learning system is both collaborative and flexible. The review included in Bill 12 further demonstrates this goal of working together for the benefit of students. I wholeheartedly support the passing of this if it will bring us to the next point and help us get on so that Albertans recognize the value of this legislation and embrace it as an important step in moving forward. Our learning system has an even brighter future ahead, but we cannot do this quickly. It must be done thoughtfully and in a considered way that will be better for the students of Alberta.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Any questions or comments to be offered in this respect? No?

The hon. leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I take this opportunity to speak on Bill 12, Education Services Settlement Act, 2002. This number reminds me of another bill that became very controversial in this province and continues to cause a huge amount of concern to lots of Albertans. I mean Bill 11. So I wonder if there is some relationship between the numbering of the bill that was and the bill that's before us today, which will become law, if this government has its way, in the next couple of hours if not sooner.

I'm going to speak against this bill, Mr. Speaker, and it will

become clear in my speech as to the reasons why. This bill is one of the most coercive pieces of legislation that I've seen around. Coercion is a form of violence. What this bill does is institutionalize and legalize violence against teachers, who the members opposite can't stop praising for some reason, on the one hand, and then are ready to hit with a two-by-four on the head, all of them, in the same breath.

Bill 12 in section after section systematically strips away collective bargaining rights from teachers, rights that have been responsibly exercised by teachers for generations. It is also so unnecessary, Mr. Speaker. As recently as one week ago Alberta was on the verge of avoiding the kinds of bitter and prolonged disputes that have poisoned labour relations in provinces like Ontario and British Columbia. In B.C., for example, teachers have been on a prolonged work-to-rule campaign which has seen students in that province denied the opportunity to participate in extracurricular activities such as school sports, field trips, and so on. Unfortunately, as a result of Bill 12 this Conservative government is taking Alberta's public education system down the same sorry and unnecessary road.

Allow me, Mr. Speaker, to briefly review the events of the past week that have brought us to this very sorry day. On February 22 the cabinet passed an order which declared a public emergency and ordered teachers in 22 school jurisdictions back to work. The ATA immediately instructed its members to comply with the back-to-work order. Teachers were in fact back in their classrooms the following day, and so were the students. Instead, the ATA chose to test the legality of the cabinet order in the Court of Queen's Bench. On March 1, Chief Justice Allan Wachowich threw out the government's back-to-work order.

4:40

I wish to read into the record a brief excerpt from Justice Wachowich's judgment. In paragraph 40 of his judgment Justice Wachowich says:

I accept the ATA's submission that the Order in Council's repercussions go to the very heart of the teachers' livelihood and negate the teachers' ability to utilize one of the only economic levers they have in labour disputes in Alberta. In that context it is appropriate, in my view, to require the government to strictly adhere to the statutory requirements in the exercise of its authority through the Lieutenant Governor in Council.

I believe that members of this Assembly should reflect very carefully on Justice Wachowich's words. The hon. justice, both in the above paragraph and in other paragraphs of his judgment, is saying that withholding one's labour is one of the only economic levers that teachers or other workers have. Withholding one's labour in a legal strike is not something that should be taken away lightly.

However, taking away this fundamental right of teachers, which teachers have in the past used sparingly and responsibly, is exactly what Bill 12 is all about. It's shameful, Mr. Speaker, and I wonder how members on the government side can say that this bill provides a reasonable process for settling those disputes between teachers and the school boards.

Earlier today the Premier had the audacity to claim that Bill 12 was about students. All I can say in response to this, Mr. Speaker, is that that's a crock. What an absolute crock. Teachers are professionals. As professionals their relationship with their students is a relationship of trust. It's a fiduciary relationship. They must take responsibility for speaking out on conditions that in their judgment will do harm to students if not attended to. That's what the teachers have been doing both individually and collectively in this province, and that's why they're being punished. That's why they're the object of the vindictive legislative action that the government has taken against them.

If the government were truly interested in the well-being of

students, they would have accepted the olive branch extended to them by teachers last week. All that teachers asked was for a fair and impartial arbitration process. The ATA has simply asked the government to cut the terms of reference out of the back-to-work order and paste them into the legislative bill. They voluntarily agree to be bound by the decisions of an independent arbitrator. They even said that the choice of the arbitrator in the back-to-work order would be acceptable to them. Yet all of this goodwill was spurned by this government. Instead of choosing reconciliation, the government, through Bill 12, has chosen confrontation. Should Bill 12 be rammed through this Legislature, as it will be, it's clear to me now that students will be hurt. It's students' interests that will be jeopardized. They are being risked by this bill, by the decision of this government.

Another point, Mr. Speaker: one cannot make specious distinctions between the interests of teachers and the interests of students as if they are opposite to each other. The ability of teachers, the quality of teachers, the commitment of teachers is fundamental to protecting the interests of students, and it is those very abilities, those very rights of teachers that are jeopardized and attacked and being taken away by this bill. So as the rights of teachers are being taken away, it's not only the interests of teachers that are under attack; it's the interests of their students that are in fact under attack.

Let's just look at a single example of how Bill 12 will hurt this province's students. The ATA has said publicly that should Bill 12 be imposed on them, they will withdraw from all co-operative relations with the Minister of Learning. This includes the grading of diploma exams and other exams for students in grades 3, 6, 9, and 12. The ATA has the legal right to stop grading diploma exams for the Ministry of Learning. They are not in a contractual relationship with this ministry. How is this in the best interests of students or in the best interests of education in this province?

There's so much that's offensive and reprehensible about Bill 12 that it really is difficult to know where to begin. Let's look at the biased arbitration side of the bill. Bill 12 by its very nature makes a total travesty of anything that can reasonably be called fair and impartial arbitration. Normally in arbitration the two parties each appoint an arbitrator and then jointly appoint a third member, who often serves as chair. Occasionally, if the two parties to the dispute cannot agree on the choice of the third member, that appointment is made by an organization that is not a party to the dispute. Is this arbitration process followed in Bill 12? Absolutely not. Under Bill 12 the party that has the most at stake in the outcome of binding arbitration, namely the provincial government, gets to pick the chair of the arbitration tribunal. What a travesty.

Finally, section 4 of the bill allows the Minister of Human Resources and Employment to revoke the appointment of a member of the arbitration tribunal if the minister believes that the proceedings are being unduly or unnecessarily delayed. The minister can then appoint another person in that member's place. The result: an arbitration process, already stacked 2 to 1 against teachers, could become an arbitration process stacked 3 to 0 against teachers.

Let's look at the part of the bill that restricts the tribunal to salaries. Section 23 of Bill 12 says that any collective bargaining agreement in the 48 affected school jurisdictions cannot contain provision that establishes or in any way or manner deals with class size, student/teacher ratios, and hours of instruction. Yesterday the Premier admitted during his daily media availability that section 23 indeed strips out the collective agreements in at least three major school jurisdictions, including the two largest jurisdictions in the province; that is, Calgary public and Edmonton public. In some cases provisions covering such matters as student/teacher ratios have been in those contracts for close to 30 years. In one fell swoop of a

government bill, that will likely be passed into law today, provisions previously bargained for and entrenched in collective agreements are being erased, and the Premier dares to claim that Bill 12 isn't punitive or vindictive. This is reprehensible, and this is wrong, Mr. Speaker.

Bill 12 also requires:

The arbitration tribunal must be satisfied that an award can be implemented without an employer incurring a deficit, or if the employer already has a deficit, without incurring any greater deficit.

This section of the bill is wrong for several reasons, Mr. Speaker. It's the continuation of the government's imposition of wage controls on teachers, in particular the writing in of a salary item specifying a 6 percent raise for teachers over two years. This is a rather transparent attempt to implement a 4 plus 2 wage control solution through what's supposed to pass for an arbitration process. This section conveniently ignores the fact that the financial positions of school boards are a direct result of government funding or underfunding, more appropriately. In other words, teachers' salary settlements are being made subject to something over which they have absolutely no control and the school boards have absolutely no control. Talk about catch-22.

Finally, this section will inevitably lead to a patchwork quilt of arbitrated settlements across the province, depending upon the financial position of a particular school board in question. Teachers working for boards like Edmonton public, which has no surplus, or Calgary public, which has a \$20 million deficit, may be awarded significantly less than teachers in the Battle River school division, which has a \$5 million-plus surplus. Instead of a single, province-wide pay scale for teachers with increments based on experience and years in the profession and local conditions, we could end up with up to 48 pay scales across the province. How ludicrous and how arbitrary, Mr. Speaker.

Let me turn to the executive privilege section of the bill now. Section 19 of the act shows that Tricky Dick Nixon and his Watergate co-conspirators had nothing on the Alberta Tory government when it comes to invoking executive privilege. Section 19 says that not only are cabinet ministers able to claim executive privilege and not turn over the documents that might undermine the government's case, but deputy ministers or other officers are similarly entitled to refuse to produce documents on the grounds that they are privileged. The question must be asked: what exactly does the government have to hide that would require such a vast expansion of what's considered privileged information? In other words, the government is not required to provide evidence that could support the ATA's positions; for example, copies of memos, financial analyses, et cetera, that might tend to show that Alberta teachers are not the highest paid in Canada. These documents will be kept in a government safe somewhere, someplace, far from the prying eyes of an arbitration tribunal. Meanwhile, the ATA is not provided with similar protection if they have information that supports the government's or the school board's case. How typically stacked and one-sided, Mr. Speaker.

Punitive sections against the ATA are another prime feature of this bill. In addition to general offences and penalties set out in section 33 of the act with its \$1,000 fines on the ATA and \$10,000 fines for its officers, there's another section in the act which singles out the ATA and officers for punishment. Section 28(2) says:

Neither the ATA nor an officer of the ATA . . . or any other person acting on the ATA's behalf is to discipline, threaten to discipline or attempt to discipline an employee, directly or indirectly, because the employee is or was complying with or attempting to comply with obligations under this Act.

Isn't it interesting that this subsection only applies to the ATA and not to other parties, including the Alberta School Boards Association?

4:50

Mr. Speaker, turning to the education commission, so-called, the preamble to Bill 12 commits the government to an examination of the learning system in Alberta. From public statements made by the government, this examination is supposed to be completed by August 2003. I think a few things are mentioned there in that preamble. It seemed like a good excuse, then, to impose on teachers those conditions that are in section 23. In my view, this doesn't give me any assurance that the government is really seriously concerned about the concerns of Albertans widely to ask them what they think needs to be done in order to improve the education system.

I want to conclude, Mr. Speaker, by quoting briefly from an editorial by Licia Corbella that appeared in today's *Calgary Sun*. I want to emphasize that these are not my words but hers:

The provincial government can call an imposed settlement on teachers arbitration all they want. But naming it so does not make it so . . . Rammed through dictatorial legislation and an imposed settlement on Alberta teachers is still dictatorial legislation and an imposed settlement regardless of what Learning Minister Lyle Oberg and Premier Ralph Klein call it . . . Arbitration? Settlement? Negotiation? Resolution? In Klein's Alberta, that's doublespeak for To Hell With You.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Questions? We have the hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. The leader of the third party has spoken against this bill. I'm just wondering: how would you answer the many constituents of mine who have written, e-mailed, and called in support of our actions on Bill 12? Are the NDs saying that the voters are ignorant or that they don't count?

THE DEPUTY SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. I'm willing to answer the question from the 74th member of the first party here. Will he have the integrity to table those letters so that I could see them before I can respond to them?

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

MR. MAGNUS: Thank you, Mr. Speaker. I'd like to ask the leader of the third party a very simple question. Can he name a number of professional groups who get to pick the terms and conditions of their own contracts and their own workplace? I'd like him to name a couple of professional groups that do that.

DR. PANNU: Mr. Speaker, collective bargaining is a way by which those terms and conditions are determined, negotiated, and arrived at between parties in negotiation at the negotiating table. I ask the hon. member to give me one example of where this kind of totalitarian arbitration method has been used to settle disputes.

THE DEPUTY SPEAKER: Hon. Member for Edmonton-Ellerslie, are you asking a question, or are you wishing to speak?

MS CARLSON: I'm asking a question, Mr. Speaker.

THE DEPUTY SPEAKER: Go ahead.

MS CARLSON: I would like to thank the member for his comments

and ask him to comment on what we've heard some people in the communities say, that the education commission has been dismissed as an absolute farce. Could he comment on his opinion of that?

THE DEPUTY SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. When you look at the preamble and the language in it, the first three sentences in that preamble draw attention to a few of the matters that will be examined by the task force, but then quickly those very three sentences are used to justify why all matters except salary are to be taken away from the table in the arbitration process. That clearly indicates the intent behind the preamble.

Thank you.

THE DEPUTY SPEAKER: Hon. Government House Leader, a question?

MR. HANCOCK: Yes, Mr. Speaker. I'm wondering if the hon. member could tell us, notwithstanding that he dislikes the bill and the legislated arbitration process for settling wage disputes, if he does not think it would be more progressive and positive and moving forward to be positive about a commission on education reviewing all of the outstanding issues than to dismiss it as a farce.

DR. PANNU: The need for an education commission is obvious. There's no disputing that fact. But the preamble has very little to do with the recognition of that need and to establish the terms of reference for that commission, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands on a question.

MR. MASON: Yes, please. I would like to commend the hon. Member for Edmonton-Strathcona, the leader of the third party, for his excellent speech, Mr. Speaker, and I wonder if he could expand upon his comments about the importance of education in our society.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. leader on that tough question.

DR. PANNU: Mr. Speaker, I'm pleased to oblige my hon. colleague. Although I would much rather sit down and listen to some other speakers, I'm certainly happy to do this.

Mr. Speaker, education in a democratic society must have as a basic principle democratic experience for its students. This standard imposition of a totalitarian, dictatorial settlement on teachers sends a very wrong message to our students about the importance of democracy and their own obligations or rights as democratic citizens.

THE DEPUTY SPEAKER: Do we have time for more? The hon. Member for Edmonton-Ellerslie has tried several times unsuccessfully to get up.

MS CARLSON: Thank you, Mr. Speaker. I would ask the Member for Edmonton-Strathcona if he would give his opinion on how this piece of legislation works in with the concept of free collective bargaining?

DR. PANNU: Mr. Speaker, to mention this bill and free collective bargaining in the same breath causes me some concern. This bill has absolutely nothing to do with free and fair collective bargaining. It has everything to do with the destruction of the principles of collective bargaining in a free and open society.

THE DEPUTY SPEAKER: I think the time for the questions and comments and answers has concluded.

The next speaker on the list is the hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker, for the opportunity to speak to Bill 12, the Education Services Settlement Act. This bill responds to a unique collective bargaining problem that involves three entities: the Alberta Teachers' Association, the Alberta School Boards Association, and the government of Alberta. The government is the source of dollars, of course, for the operation of the education system, and therefore it's involved in that way. It has generally been agreed upon by the partners that it is time to use the arbitration process to settle the dispute as it relates to salaries, and that is what Bill 12 proposes to do.

I am satisfied that it was necessary under the circumstances to go the route of arbitration as it relates to salaries. While the issue of teachers' salaries is very important, the preamble of the bill deals with what I conclude to be much more important. These issues – classroom size, student/teacher ratios, instruction time, and other issues of great importance that I might add such as integration of special-needs students into the regular classroom, the changing role of the school board, and the funding formula for education – must be addressed, as the ATA, school boards, parents, and teachers have been telling us. These issues must be given much more time than what an arbitration tribunal would be able to adequately consider in just a short period of time. Therefore, it makes sense to me that issues other than those dealing with dollars should be handled in this way. Mr. Speaker, this is what was proposed or suggested through the Future Summit just a short few weeks ago, and I know that the ATA was involved in that recommendation as well.

5:00

The government in this bill is making a commitment to examine the learning system of Alberta. Mr. Speaker, I think that is good news. I hope that that opens the door for input from all stakeholders: the ATA, the Alberta School Boards Association, parents, students, business, MLAs, whoever. We will be building from a position of strength. Our record in education is very, very strong.

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Sorry to interrupt the hon. member. It's becoming somewhat difficult to hear the hon. member because there appear to be other communications going on at the same time, which must drive *Hansard* a little bit to distraction. I wonder if we could carry on those conversations outside.

The hon. Government House Leader.

Point of Order Member's Apology

MR. HANCOCK: Thank you, Mr. Speaker. On a point of order under section 23(h), (i), and (j). I'd like to apologize to the Speaker and the House for my interruption. I unfortunately had the need to respond to the Opposition House Leader, who was making comments about time allocation and bringing it in on our own members instead of just theirs. I was just advising her that time allocation applies to all members in the House and that last night she was lecturing members of this side of the House for not speaking and that her comments were entirely inappropriate. I do apologize for making that interruption.

THE DEPUTY SPEAKER: While the chair didn't direct the comments to the individuals involved, I'll accept your apology.

MS CARLSON: Mr. Speaker, if he had a chance to speak, then I get to respond.

THE DEPUTY SPEAKER: Well, in that in his apology he did refer to a conversation that he was having with you, do you wish, then, also to apologize for having this conversation?

MS CARLSON: Absolutely. Mr. Speaker, in responding to the Government House Leader's point of order, I certainly feel that it's important that I also respond, seeing as he named me in the point of order. Of course I will apologize for carrying on a side conversation while another member was legitimately participating in the debate.

It is very important to, I think, have an opportunity to clarify that point of order, as the Government House Leader did. It is very interesting to see that today we do have government members and supporters of the government position speak out on this bill, but it's interesting to also . . .

THE DEPUTY SPEAKER: Hon. member, that's really not to the point of order. That's continuing a debate. I think we'll now take Wetaskiwin-Camrose. Thank you, hon. member.

Debate Continued

MR. JOHNSON: Mr. Speaker, my last point was that the commission that is referred to in the preamble of this bill will be working from a position of strength. We have a very strong education system in this province. Public education is strong, but of course it can be made better. Considering the government's commitment to examine the learning system of Alberta, which I consider to be the most important part of this bill along with the content of Bill 12 to settle teachers' salaries, this course of action is reasonable in settling the immediate dispute and visionary in charting a bright future for what is already a very good system of education with outstanding teachers and outstanding leaders.

Thank you, Mr. Speaker.

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

MR. MASON: Yes. A question for the hon. member. If this indeed is outstanding leadership, how can the hon. member explain the very, very high level of voting for strike action and the very high level of discontent of Alberta teachers in light of this legislation?

MR. JOHNSON: Mr. Speaker, I was referring to the leadership in terms of our teachers. I was not referring to the Alberta Teachers' Association. I was referring to the leadership of this government, and I stand behind my words in terms of strong leadership.

Mr. Speaker, I had the opportunity a couple of years ago to spend some time in some European countries examining the education systems over there. When I came back home, I was very, very proud to say that I was very, very proud of our education system, and I've remained that way.

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

MS CARLSON: Thank you, Mr. Speaker. I will put the same question to this member that I did to the Member for Edmonton-Strathcona. How does he think that this piece of legislation fits in with the whole concept of free collective bargaining?

MR. JOHNSON: Occasionally in the free collective bargaining process impasses are reached, and I guess the solution when this

occurs is either mediation or arbitration. That just is a fact of life, and that is what has happened in this particular case. I think the action that is taken is the right action.

THE DEPUTY SPEAKER: Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. An additional question: how would this member respond to comments that we have been hearing from the public that, with regard to this bill, the education commission has been dismissed as an absolute farce?

MR. JOHNSON: Well, the education commission has not been formed. It has not been announced in terms of who might be serving on this commission and what might be involved, so to say that it's a farce is totally premature, I think.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmar to ask a question to the hon. Member for Wetaskiwin-Camrose.

REV. ABBOTT: Yes. Actually, Mr. Speaker, I have heard exactly the opposite from my public. What they're saying is that this commission could be the most important thing that this government does during this session. So I guess I would like the hon. member to expand on what he feels should be included in the commission.

MR. JOHNSON: Mr. Speaker, the last commission, as I recall, was the Worth commission of 1972, and that dealt with a lot of issues, including philosophical issues as well. I suppose that that could be the case here, that we could deal with philosophical issues, but I think more important are the issues that I just mentioned in my speech, including classroom size. I think the whole issue of integration of our special-needs students into the classroom is a huge issue, and I'd sort of like to see that issue dealt with. The role of school boards is another very important issue, and I could go on and on.

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

MS CARLSON: Thank you, Mr. Speaker. Earlier this member referred to the commission as being unformed and undecided in its nature. Then my question to him is: if there haven't been any parameters set for the commission, how can he feel comfortable voting for it in this particular bill?

MR. JOHNSON: I can feel comfortable because I feel there's a need for it.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands on a question.

MR. MASON: Yes, please. Mr. Speaker, I would like to ask the hon. member why he feels the government did not address the issue of education and the problems that exist through the creation of a commission some years ago when these problems were already being brought to light by teachers, parents, and the opposition.

MR. JOHNSON: Well, I guess what I would say in that respect is that everything that is done has its time, and it happens to be the time that that ought to be done. I think with all of the problems that have come forward at this time, it makes sense that there be a commission.

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to speak to Bill 12 at this time and address some comments about how important I believe it is that the students are back in class. I'd also like to address a few different issues, a few roles of different components of the education system. As an instructor in physics 30 I certainly recognized the comments coming forward from many constituents that are currently in grade 12 and some grade 11s, in fact, taking 30-level courses, and they were concerned about being able to complete the program, being adequately prepared for their postsecondary programs. For those students I thought it was really important that they be back in class. The three weeks that the students in my constituency were out were pretty well the limit, as far as I was concerned, for many of those diploma courses. Some perhaps could have been extended a little bit longer but not many of them. It was expected by the public that the students be back in class and that they stay in class for the rest of this semester as well.

5:10

Now, all the goals aren't going to be achieved that may be issues in education with the bringing forward of the arbitrator's report, whenever that happens, but this bill does lead towards some other solutions and towards the commission that's been talked about several times this afternoon.

I'd like to look at the current situation from a few different perspectives. One of the things that's been talked about a great deal is funding. A few of the constituents who phoned and talked to me about the situation over the past month volunteered their concerns about funding and talked about being willing to increase their property tax, perhaps, or income tax if that was the mechanism. They felt that there would be some increase that they would be willing to support. Generally speaking, people are not in favour of tax increases, and that was the majority of the kind of input I received.

When talking about property tax, if that was the mechanism to increase, we talked in terms of property taxes being about a third of the support for public education, and if they thought a 10 percent increase was appropriate for an increase in education funding, that would result in about a 30 percent property tax increase. When they evaluated, in some cases, what they were asking for in terms of funding increases and what it would cost in terms of property tax increases, if that was the mechanism, many people replied that perhaps the funding was adequate, and they didn't think that they were willing to increase their taxes at all.

It's interesting, in the kinds of numbers for expenditures, that in the public system there are about \$3.6 billion expended and around 600,000 students, and that works out roughly to about \$6,000 for every student. When I go and talk to students, I often use the example of the costs for the funding of government. With about 3 million people in the province and about a \$21 billion budget, the \$6,000 per person really strikes home to these kids and the adults that you sometimes have in the classroom. That's a huge cost for program expenditure per person – man, woman, and child – in our province.

Of course, the same works for the other numbers: with health care, where we're spending around \$6 billion with 3 million people, a couple of thousand dollars each for health care expenditures every year. Sometimes we're criticized that we're spending too much or too little, but I noted with interest the Member for Edmonton-Ellerslie yesterday talking about the \$21 billion being about an appropriate amount of expenditure and that she wouldn't see more being expended.

Some constituents would like to see some rearrangement of the

dollars. Those are certainly points for discussion. I note with interest over the past few months in reading the ATA newspaper that they focused 18 months ago exclusively on health care issues, and perhaps it's no wonder that health care received as much attention in budgeting over the past while. We found criticism at that time about legislation that was being brought forward, legislation and policies that are currently being adopted throughout Canada, and the discussion topics for all sorts of commissions like the Romanow commission.

I'm certainly looking forward to a study also to ascertain the legitimacy of a lot of different claims. For example, about three or four years ago it was commented that fund-raising per student on average in Elk Island public schools was about \$400, and the minister of education at that time refuted that claim and gave the example that those were dollars spent in the cafeteria and on grad fees and all sorts of other things. In fact, just the other day I received a letter from a constituent saying that in Elk Island public schools the fund-raising was something like \$285 per student. The same kind of rumours still persist. They're false, they're flawed, and they're completely misleading.

Another one would be the funding that exists, something like Alberta is 58th in I don't know how many jurisdictions in North America, 60 or something like that. I'm not sure what the extent was of the numbers, whether it included the Territories and things like that. But talking about converting Canadian dollars into American dollars, right away our expenditure per student would be less. The issue of capital debenture interest not being included in our education funding: it's misleading to talk in those terms, and the public doesn't appreciate it. That was obvious in their rejection of those kinds of claims in both the '97 and the 2001 elections. With respect to STR and PTR, sometimes it's not even appropriate to mention that. What's more important is the classroom experience that exists.

I was a little skeptical at one time, I will admit, that these settlements that could occur in Alberta would give us the highest salary in Canada for our teachers. So I got a whole bunch of contracts from Ontario and looked through them. In fact, when I look at the settlement for Medicine Hat, where the top salary for a classroom teacher would be \$71,000 plus, that's almost exactly the same, a little bit more in most cases, as most of the Ontario contracts that I was able to look at for this current school year. So although I was thinking that maybe that statement on the government's part wasn't correct, upon investigation it was found to be so. So those are the kinds of things we need to find out and resolve that skepticism.

Another area is the role of classroom composition. One letter from a person just recently complained that the government put special-needs students into classes to save dollars, and I don't think that's a correct recollection of how this happened. Inclusion trends certainly exist, and we're not likely to reverse inclusion unless there are better alternatives for those students. Those things have to be discussed and investigated.

I think, too, that we have to look at the role of the teacher. I think that teachers have assumed far too much responsibility, and it has been placed upon them by the public. An example of a letter to the editor in my local paper said something like: the teachers are the guardians of my children's future. I don't believe that to be the case; I thought it was the parents' responsibility first. The teachers certainly are part of the picture, but they aren't solely responsible.

Another person wrote a letter saying that your success or anybody's success as a businessperson or a pipe fitter or even a politician was a result of teachers. I think that's taking too much responsibility, because it also would speak to their responsibility in the event of failures of individuals in our society. The idea about a whole village raising a child certainly comes to mind here.

I've received calls also about graduation or commencement exercises, depending what they're called in the different places. I wonder how much of the school's resources should go to planning and programming and getting ready for this. I am certainly aware that in one school the time spent by the planner for this was taken out of the classroom time, and students were unable to get help because of all the time that was wrapped up in the graduation planning. Perhaps an event co-ordinator would be a more appropriate person to be taking on that role rather than a highly paid professional who is taken out of the classroom and given release time to do that kind of job. Some activities are complementary to classroom activities, and some are outside of the needs of the classroom.

Another concern I have is this competition that exists for students. It seems to me that it is valuable to raise the school's profile and prestige and the self-image, and that may have some value. But in doing this competition, we have a vast smorgasbord of courses. They're far too broad, and that results in great size discrepancies. Your academic classes can have 35, but then some of these options that are there to attract a few students and raise the profile of your school may only have a handful of students in them. That's inefficient, and it takes a huge amount of time to set this up and go through the process.

5:20

One thing that has to be realized: there are no more students. In spite of all the competition there are only so many students, and in fact there's no profit attached to having more students. If you bring more students into your school, you have equivalent costs, and the only thing that happens is extra time spent in trying to promote those different programs. In fact, when I was programming in '97 before the election, I had about as many different kinds of courses as I had students because of all the different modules that existed for the CTS courses. There were something in the order of 500 or 600 different courses that were offered. It was unmanageable in many ways.

I think, too, that we have to look at the role of the community. I think that the attitude towards schooling that society has is critical. I'll give you some examples of things that have concerned me in the past and, I think, things that continue to concern teachers. Attitudes like: it doesn't really hurt to miss a day or two of classes. That nothing much happens in there anyway seems to be the attitude. So if they miss and get behind, no big deal; they'll just catch up. That isn't the experience of the teacher that's trying to move students through at a uniform kind of pace.

Another attitude about options: they're not important, things that can be learned by students like woodworking and so on. Those are important. If they're offered, they should be considered important, or we should do away with them and reduce the exposure of the students to the school time. In fact, we could reduce the number of teachers at the same time if those aren't important. Either we have to make them so or eliminate them.

Other societal attitudes. "Girls don't do science": it's very discouraging that there'd be a low expectation for girls in the science classes. Or "You shouldn't get into the trades," not recognizing that those are the great entrepreneurial activities that exist. It's miseducation in many ways.

We did a survey, and 70 percent of the students in grade 10 thought they were going to go to university. So they took all these courses leading to university, but in the end only 30 percent of them went to university, and they ended up having in their course repertoire courses that weren't really valuable for the things they ended up doing.

Something along the line of "I was unable to do math, therefore

I don't expect my child to be able to accomplish those kinds of things" is an issue that has to be considered when the commission starts to examine it.

But, most important, I think we have to consider the role of the students themselves. There are many, many factors that determine academic success. I think the primary factor is the student. I think the teacher is really important. There are also all sorts of environmental factors that exist, whether it's the kind of atmosphere the student is growing up in, the kinds of expectations of parents, all of those kinds of things.

For me the naming of our department, the Ministry of Learning, is an important way to designate it. To me learning is an active process. It's not something that the teacher is responsible to shovel into a student, but rather it's the student's own responsibility to learn. It's the student and the family that are paramount in the process of education. Learning is what we want to achieve or the student is going to have to work towards. I do believe that that attitude is most critical. I think it's something that we can try to modify and work towards, and I look forward to this commission.

THE DEPUTY SPEAKER: I take it we have questions. The hon. Member for Edmonton-Ellerslie, followed by Drayton Valley-Calmar.

MS CARLSON: Thank you, Mr. Speaker. My first question for the Member for Clover Bar-Fort Saskatchewan is on his comments on a statement made by the Minister of Learning with regard to this particular bill, where the Minister of Learning is quoted as saying that the teachers got what they asked for.

MR. LOUGHEED: I didn't understand. Did you say that I commented that way or that the minister did?

MS CARLSON: The Minister of Learning did, and your feedback on that with regard to this bill.

MR. LOUGHEED: On the comments attributed to the minister, I guess in question period tomorrow you could ask him what he suggested. The teachers will go through the process and negotiations, and I expect that we'll have a satisfactory result in the end here.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmar, followed by Edmonton-Highlands.

REV. ABBOTT: Thank you, Mr. Speaker. I'd like to thank the hon. member for his excellent speech and just was very glad to see how he outlined the value and the worth of teachers in his speech as well as just some of the solutions that we're going to work towards as we proceed. My question is this. The member talked about his research on the Medicine Hat contract, I believe it was, and how they will now be the highest paid in Canada. I'm just wondering if he feels that that's at least one way that this government is recognizing the worth of teachers.

MR. LOUGHEED: I used the Medicine Hat collective agreement that was settled just as one of many. The Red Deer agreement and the St. Albert agreement I think will all fall in that \$71,000 range. But certainly there are many ways to recognize the teachers' accomplishments. Monetary is one of them. There are many other things that go towards that. All of society's attitude towards the respect that should accrue to teachers is important.

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

MR. MASON: Thanks very much, Mr. Speaker. I would like to ask the hon. member if he would stand in his place and assure the House that the teachers in his constituency support what the government is doing.

MR. LOUGHEED: I've received at this point, since Bill 12 was introduced, perhaps something in the order of 10, maybe 12 notes from teachers that would be resident in the constituency of Clover Bar-Fort Saskatchewan. Most of them were opposed, but by the same token I've received at least as many, or probably more, from other constituents who are really in favour of this bill.

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

MR. HORNER: Thank you, Mr. Speaker. I thought it was an excellent speech by the hon. Member for Clover Bar-Fort Saskatchewan. I would like to ask, based on his experiences in his past life as an educator, his views on the review of integration and special needs that we need to undertake and where in that context the review might go.

MR. LOUGHEED: I wanted to in my comments point out that this is an area that really has to be considered. It seems to be the focal point for much of the concern of teachers about the progress and, I

should comment, the concern of parents of other than special-needs students, the concern about the progress of the whole class and those students within the class. I think we have to look at inclusion and we have to look at some other models as well, things like segregation within a school and then inclusion in other activities.

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

MS CARLSON: Thank you, Mr. Speaker. In his comments this member indicated that an events co-ordinator is not a professional. Could he tell us how much he thinks such a person should be paid and how he would classify them?

MR. LOUGHEED: Well, in fact, one individual that I know spent a lot of time planning grads. When she retired, she became an events co-ordinator, a grad planner among other things. Because commencement exercises are something that are usually fully supported by the students through their grad fees, I think it would be appropriate that rather than taking funding for such things out of the school budget, that person could be paid out of the grad fees that are assigned to students that take part in the exercises.

THE DEPUTY SPEAKER: It being 5:30, Standing Order 4(3) indicates that the Speaker leave the chair until 8 p.m.

[The Assembly adjourned at 5:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, March 13, 2002**

8:00 p.m.

Date: 2002/03/13

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated.

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

Bill 12
Education Services Settlement Act

[Debate adjourned March 13]

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

MR. MASON: Thank you very much, Mr. Speaker. I'm very pleased to rise to oppose once again on third reading this travesty of a bill, Bill 12. This is a sad day for democracy in Alberta. This is a time, I think, when the Legislature stands on the cusp of making a mistake, a serious error that may well affect children, teachers, families, and labour relations in this province for many years to come. The fallout from this bill may extend over years and years and affect people in ways that the government doesn't even imagine.

The government has now brought forward Bill 11, and we know what that contained. Now we've got Bill 12. We can only shudder to think what Bill 13 will be in a year or two. The ability of this government to tear at the social fabric of this province is only limited by their ability to count. Let us hope that they cannot count past 13 or 14. Mr. Speaker, we have heard time and time again – 12, 13, 14. Each time the damage is greater.

I've listened with interest to government ministers and the Premier as they fall into their message box when they're challenged on this bill, when they've been challenged on their handling of the teachers' dispute from the beginning, going back a year ago to the budget where the 4 and 2, commonly referred to by the government as 6 because they can add but not that well, set the stage for this confrontation. But the government has gone into its message box time and time again in other ways.

The big message now that is repeated over and over by this government is that the government is doing this for the students, that the students come first. Oh, in fact, I believe that many hon. members opposite actually believe it, because it has been repeated so many times. But is that really going to be the case, Mr. Speaker? Is it really for the students? If it were for the students, then this government would not have cut 10 years ago so dramatically and deeply into our education system, to the point where we're still trying to fix the problem today. If it were really for the students, the government would have resolved issues relative to education long ago and not waited until they are forced to do so by a strike and then set up another committee to deal with it.

If the government were serious about students, they would have provided more funding for teachers and worked through the process that exists to resolve these disputes without letting it get to a teachers' strike which was unprecedented in its scale and its scope in this history of this province. Mr. Speaker, there has never been a provincewide teachers' strike of the nature that we have seen in this province. If the government were serious about students, they would have resolved these issues long ago as they went along. [interjection] There's one less. Perhaps if we keep going, we'll have a majority on this side.

Mr. Speaker, the government's message box is false. It's a false box. It's a logic box, not a message box. The other message box that this government is talking about – and we've heard this repeatedly from the minister and from the Premier in answer to questions – is that we are only doing what the ATA wants, what the ATA asked us to do. Well now, Mr. Speaker, I happened to pull up the web site of the Alberta Teachers' Association right here, and I have some interesting quotes from the president of the ATA.

One week ago teachers offered the premier a positive solution to the crisis facing public education . . . We did not seek any guarantees or set any preconditions. All we asked for was a fair, open and independent arbitration process based on the model established by the government in the February 21 back-to-work orders. Instead, the government has colluded with the Alberta School Boards' Association to bring forward Bill 12.

The Alberta Teachers' Association has clearly refuted the claims of the Premier and the minister and other members of the government and the government caucus that the teachers are simply getting what they asked for.

Now, another message box that this government has been defending and falling into is that issues other than wages will be considered in the education review. Mr. Speaker, you have to ask why it took the teachers' strike for the government to finally decide that they want to create some sort of blue-ribbon commission, some sort of panel in order to study the problems facing education.

I was first elected in the by-election in the year 2000, and at that time the issues around education were very, very pronounced in that debate. As I went door-to-door, Mr. Speaker, people were telling me and they were saying to the Conservative candidate and to the Liberal candidate as well that their children were not receiving the kind of education they felt they deserved. You had many classrooms where you mixed students who had special needs, yet the supports weren't there for the teachers. There was disruption that affected all of the children in the classroom, not because of integration of special-needs students but because the staff support simply wasn't there.

I can tell you, Mr. Speaker, as a father paying some attention to my son's homework in grade 9, that when I ask him to bring home textbooks, for the majority of courses they do not have their own textbook. They have a limited number of textbooks that must stay in the classroom. When I attended school and, I'm sure, when most members attended school, that was not the case in junior high. Every student was issued their own textbook that they could take home.

So there's a clear deterioration, Mr. Speaker, and we've heard as well the minister say in the past that nobody has to do fund-raising for essentials. We know from our own people that we talk to, our own constituents, that that's not so. The question remains, though, why parents have to do fund-raising at all for their education, why they have to do it at all. That's a question that I think needs to be raised: why parents are working bingos, why they're working casinos at all in order to pay for their education and to make up for the neglect of this government.

Now, we believe that this bill represents a clear abuse of the government's power. The provisions of the bill establish a biased arbitration tribunal. It restricts the arbitration to salaries only. It limits the salaries that can be paid to what the school boards can afford, thereby getting the government off the hook for any further financing. It suspends teachers' right to strike. It prohibits slow-downs. It affects 48 school boards, although only 22 were struck by job action. The government has short-circuited debate at every stage by imposing or threatening to impose closure. It imposes a B.C.-style contract that strips the rights that were previously bargained

for. It imposes punitive sanctions against the ATA. The government has misrepresented the ATA position. It protects the government from having to present evidence as to the facts and reports that were taken into account in making decisions. And it gives the Labour Relations Board potential clout over the collection of dues.

Mr. Speaker, in every respect this is a punitive and unacceptable bill and one which New Democrats strongly oppose and will continue to oppose. We support the action of the teachers against the bill and of the public against the bill, Mr. Speaker, and we oppose this bill. We believe that this marks a severe deterioration not just in labour relations but a severe downturn in the democratic process in this province.

8:10

Mr. Speaker, this government has had too much power for too long to remain modest, to remain restrained in its use of power, to remain in touch with the people. The government is arrogant, too powerful, and it is misusing its power to take away the rights of our citizens. It's not just a question of the government's neglect of education. It is as well an attack on what we consider to be basic civil rights of individuals, and that is the right to bargain collectively in our society, which we believe on this side and in our party to be every bit as fundamental a civil right as some members on the other side consider the right to property to be. That is why our party has taken such a strong exception to this bill. This bill cuts at the very core of our values, and we will continue to fight against this kind of very, very unacceptable intrusion into the rights of people that we represent.

Mr. Speaker, I want to give the House the benefit of a few more quotes from wise people, and I know that the hon. Member for Edmonton-Castle Downs will be careful before he again confuses the words of the Holy Father with Joseph Stalin. I want to start with a well-known quote by Wendell Phillips: "Eternal vigilance is the price of liberty." Mohandas Gandhi said: "Civil disobedience is the assertion of a right which law should give but which it denies." I also want to quote from Eugene Debs, a very famous labour leader in the United States in the late 1800s. He said:

The strike is the weapon of the oppressed, of men capable of appreciating justice and having the courage to resist wrong and contend for principle. The nation had for its cornerstone a strike, and while arrogant injustice throws down the gauntlet and challenges the right to conflict, strikes will come, come by virtue of irrevocable laws, destined to have a wider sweep and greater power as men advance in intelligence and independence.

Mr. Speaker, one of my very favourite quotes is from the Reverend Martin Niemoller, who was imprisoned in Germany during the Second World War. Before I finish with that quote, I was looking also on the web about the history of Martin Niemoller. When he was arrested, he was brought into jail – and he was a pastor, a Lutheran pastor – and there was another pastor, the prison chaplain, who met him there. He knew that this person was a stooge for the Nazis. This person asked him: Reverend Niemoller, what are you doing in prison? And what he said in response was: what are you doing out of prison?

Mr. Speaker, the famous quote.

First they came for the Communists, but I was not a Communist so I did not speak out. Then they came for the Socialists and the Trade Unionists, but I was neither, so I did not speak out. Then they came for the Jews, but I was not a Jew so I did not speak out. And when they came for me, there was no one left to speak out for me.

Mr. Speaker, we stand with the teachers. We stand with the children of this province against the arbitrary enforcement of unjust laws in this province by this government that's been in power too long.

Thank you.

THE ACTING SPEAKER: Hon. members, Standing Order 29: five minutes for questions and comments.

We'll resume debate. The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you very much, Mr. Speaker. It's indeed a pleasure to stand and speak to Bill 12 in third reading. I think that it's probably good to start with a small recap of why we're here at all with respect to this bill. We have to remember that not so very long ago we had well over 300,000 children that were not receiving their education and 21,000-plus teachers who were not teaching. From that point, of course, there was an attempt to declare an emergency, which was not successful. Then an agreement was discussed with respect to the meeting that took place between the ATA's Mr. Booi and the Premier as well as the Minister of Learning and the Minister of Human Resources and Employment.

I think it's important to probably go back and look at some of the things that were said at that time, because I believe that the comments of Mr. Booi are instructional.

We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike. We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

Mr. Speaker, that's exactly what the preamble in this bill essentially does. It provides hope to in fact identify and solve some of these long-standing difficulties. That quote was, by the way, from the *Edmonton Journal* on March 5.

The other side of this issue, and there always is another side, is that we have a union and we have an employer. In this case we have an association called the ASBA, that represents all of the employers. The ASBA specifically requested that classroom conditions not be included in the binding arbitration. Now, why do we suppose the ASBA didn't want those conditions to be in the terms of reference for binding arbitration? Well, because they know that this is not really about class size. It's really about the ability to manage and the control that a contract can have with respect to their ability to manage and do the best for the children, which they're elected to do.

The school boards are elected to manage; the ATA is not. School boards are responsible to their electorate; the ATA is not. I think that when you look at section 23 of this bill, you see that the exclusions from all of this are number of students, pupil/teacher ratios, and maximum time in a classroom. Those are exactly the conditions that, in my opinion, have led the board that I certainly understand and am closest to with respect to having done a fair bit of work with them over the last eight or nine years – and that's Calgary public. Calgary public is the only board that has a structural deficit. I say "structural" because I don't believe that with those kinds of contract laws as are in their contract, they would ever get out from under a deficit.

The result of in fact bringing all of these working conditions into contracts would be to have all of the other boards have structural deficits because they no longer have the prerogative to manage their staff. I'll give you an example. What organization can operate if the union tells them, number one, how many people they must hire; number two, where they can use them; how many they can transfer where they're needed in a given year; and the number of hours of work? If your client is going to be there 25 hours, but you decide that you're going to work 23, how does that work in real life? Well, what it means is that you have to hire one and one-eighth teacher per classroom in order to just cover the time that your client is there. So what does that do to costs?

8:20

I don't know how or when the ATA decided that all targeted

funding is projects. Now, that's an important thing to realize. I don't know who elected the ATA to make this policy decision that says that all targeted funding is projects, because what that means in reality is that AC funding, English as a Second Language funding, and special-needs funding all become projects that are not to be included in PTR. So what does that do to your costs? Well, in the case of Calgary public, by their own numbers it adds \$23 million to \$25 million a year to their costs. What could they do to class size if they could use that, if they had the freedom to manage their operation instead of intrusive clauses?

MS CARLSON: Point of order, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

Point of Order Relevance

MS CARLSON: Yes, Mr. Speaker, and I quote "Relevance," page 378 of *Erskine May*. As I read this bill, it is an Education Services Settlement Act. If we take a look at page 5, "Establishment of arbitration tribunal," it specifically excludes any discussions with the exception of the negotiation of wages. I believe this hon. member is not relevant in his discussion.

THE ACTING SPEAKER: The hon. Member for Calgary-Egmont on the point of order.

MR. HERARD: Yes. I believe, Mr. Speaker, that it's entirely relevant because it speaks to the underlying reasons why the employer, the ASBA in this case, did not want to have those clauses included. In respect to the hon. member, she's quite right: they are no longer included. But I think it's relevant to know why, because the public debate that's going on out there is in fact misrepresenting the reasons. So I think it's important to have that on the record.

THE ACTING SPEAKER: On the point of order, hon. Member for Edmonton-Ellerslie, I hope that the explanation given by the hon. Member for Calgary-Egmont clarifies. As all hon. members know, the chair has been fairly lenient and allowed a wide latitude for members to contribute in this debate. So the chair does not see this as a point of order.

Debate Continued

MR. HERARD: Thank you, Mr. Speaker. I'll continue.

I think it's extremely unfortunate that we are stuck in a system of collective bargaining that essentially creates confrontation. When you look at the collective bargaining process, is it ever in the public interest to be involved in a collective bargaining process where labour always has the hammer? I want to explain that, because it's extremely important in the context of what is happening here. When you have a private-sector strike, then the people have the ability to buy their products and services from a competitor. But when you have a monopoly public-sector provider, then there is no opportunity to get those services from other providers. Therefore, all that a public-sector union has to do is essentially withdraw their services long enough to cause the electorate to kick in the ace in the hole, which is the voter, and the voter always wins. We've had that happen in this province a number of times. We can look at some of the recent strikes in health care if we want examples.

So is it ever in the public interest for a government to be in a position where that is the kind of structure that they operate under?

In my view, that's one of the issues that really has to be examined for the future. We have 40 some odd years of experience south of the border with these kinds of issues. I think it's pretty clear that the literature would say that it doesn't work, and I think that we have a very good example here as well. When you get to that stage, facts don't matter anymore, because the wild card is the voter, and when the voter says, "Fix it," the voter wins.

Mr. Speaker, as a result of Bill 12, there is going to be a substantial process held, whether it be a summit or some other process, on issues like classroom conditions, that are very complex and deserving of a full review, where expertise from all sides can provide good counsel and arrive at some good solutions. I think that that's certainly preferable to simply accepting the opinion of a vested interest, the opinion of a union who has obvious vested interests. We have to look at this in a broader context. We simply can't accept one view of where the expertise lies with respect to class sizes and some of these other issues. I don't know why it is that the ATA thinks that they are the final word or the expertise with respect to all of these issues. They are a strong vested interest. They are an interest group, and I think they need to be recognized as such.

Now, Mr. Speaker, the most gut-wrenching part of all of this is the notion that somehow the people who were elected to this Chamber do not in fact respect teachers and their profession. I had the opportunity last summer of speaking to the ATA assembly in Banff – I think it was in July or August – where I dealt with this issue. I began by telling these people that in nine years of being in this Chamber, I can honestly say that I have never, ever heard a colleague bad-mouth a teacher or the profession. I can't say the same thing for the organization that represents them. One of the challenges that I gave with respect to why it is that teachers feel undervalued and not respected is that I asked the ATA to look at a scenario where essentially you reap what you sow in this life. I challenged them to look at everything that they publish in a 12-month period and show how much of that deals with the professional side of the organization and how much of that lifts the esteem of the public with respect to teachers instead of always dealing with the union side of the equation. [some applause] It was interesting enough, because the same thing happened there. That's probably the only place that they applauded in my speech.

I believe that you must celebrate – celebrate – the successes that our teachers are having in this province. You look at some of the things that are being done in this province with respect to the good things. You know, any kind of a summit has to look at what's good with the system too, not just what's bad, and there are so many good things to celebrate. I had the honour of attending the AISI conference, which showcased a hundred of the best AISI projects: phenomenal stories of wonderful things going on in education throughout the province. We never hear about that. We need to celebrate that. Why isn't the teachers' union doing that?

8:30

So, Mr. Speaker, in talking with respect to how the profession is in fact seen by others in this province, I think it's very instructive to look at what happens when a member of the College of Physicians and Surgeons speaks or publishes anything. It is always invariably going to be something that will enhance the view of a physician in our eyes. I can't say the same thing – and I don't want to pick on them, but when the AMA speaks, it's always, you know, underfunding and queues and all sorts of operational things. Well, I think that's probably a good reason . . . [Mr. Herard's speaking time expired]

Thank you very much.

THE ACTING SPEAKER: As per Standing Order 29 we have five minutes for questions and comments. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm interested that the hon. member asked the question: why do you never hear any good things about the education system from the Alberta Teachers' Association? I just happen to have their web site on the computer. It encourages high schools to feature a public education theme at graduations, asks school-based administrators to spread the message about public education at school councils in their communities. They want the teachers to join the Chamber of Commerce. Why doesn't the member actually look at what they're saying?

MR. HERARD: Well, thank you. Thank you so much for pointing that out. I guess it might have done some good. Back in July I don't know that you could have found those things, but certainly I appreciate any good word that the ATA does publish with respect to the profession, because to have an association that counsels kids not to go into education as a career I think is absolutely damning.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar with a question.

MR. MacDONALD: Yes, please, Mr. Speaker. To the hon. Member for Calgary-Egmont. In the speech that I just heard, there was an indication from the hon. member that we are stuck in a system that creates confrontation, and that is our labour relations system as we know it in this province today. Could the hon. member please tell me which province in Canada has the lowest number of days lost to job action of any in the country?

MR. HERARD: I'm going to take a guess. Because in Alberta everything seems to be a little bit better than anywhere else, I would suspect that Alberta is probably the place. Yes, I do believe that we are stuck in a system that breeds adversarial relations, where you have to be 100 percent on the side of the saints or you're 100 percent on the side of the devils. That's exactly what's going on with respect to this debate in terms of education.

MR. MASON: Mr. Speaker, just a comment to add to the list of things that the ATA is doing. They're inviting teachers to host a special dinner for MLAs, a free family swim, to set up a booth to promote public education, a forum on the theme of how we can improve public education in Alberta, special activities in support of public education to take place on World Teachers' Day, the Caught You Caring program in schools such that teachers can nominate other teachers who have gone the extra mile.

THE ACTING SPEAKER: The hon. Member for Calgary-Egmont to respond.

MR. HERARD: Thank you very much. Web sites are wonderful things. The fact of the matter is that I'm sure if you were to go to the Alberta Learning web site, you'd find all sorts of wonderful things as well. But you know what? It's the actions and it's what gets published in all of the daily and weekly newspapers that affect how people feel about their careers with respect to education, and it's not the niceties of the web site.

DR. PANNU: I wonder if the hon. Member for Calgary-Egmont would retract the statements he made about the ATA now that he knows what the ATA says about public education on its web site.

MR. HERARD: I'm just really pleased that it's starting to make a difference.

THE ACTING SPEAKER: The debate resumes. The hon. Member for Edmonton-Centre. The hon. Member for Edmonton-Centre had sent me a note.

MS BLAKEMAN: Okay. Yes. I was expecting to be in line after the Member for Edmonton-Gold Bar, but I'm happy to go now if my colleague will allow that.

MR. MacDONALD: Sure.

MS BLAKEMAN: Thank you. I'm pleased to have the opportunity to rise in third reading on Bill 12, the Education Services Settlement Act, and speak on the effect of this bill. In third reading we are speaking to the anticipated effect of the bill. There are a couple of areas I'd like to cover. One is around the effect on students or the concern for students, the effect on the stability, the effect on the education commission and the expected outcome of that. Then at the end I'd like to talk a little bit about the anticipated effect on democracy.

I think one of the things that's been clear, certainly from the correspondence that I've been receiving and that I've been reading from people across the province, and this isn't restricted merely to teachers, is that they feel there is a poisoned atmosphere – a strained atmosphere is another word I've heard – that's been put in place in this province as a result of the government's choices around how Bill 12 was brought in, the accompanying parliamentary processes that have been evoked in order to put this legislation through very quickly, that that has led to a very poisoned atmosphere not only for teachers and for education but also for others in the province. I think part of this is intended to put a chill on any other unions or members of unions who were considering bringing forward any kind of protest or action or saying to the government in any way: you know, we think there need to be improvements in this system, and we're willing to stand up and ask for those improvements. I think what we've seen with the heavy-handedness here is that it is intended to put a chill on any kind of democratic discussion from members of the public or from members of other unions.

I've been interested in the number of times both on and off the record that members of the Conservatives have talked about how this is really for the students. It seems to be that the only time I hear students talked about is as a sort of defence when they find themselves being accused of being dictatorial or heavy-handed around this: well, it's for the students. When I'm looking forward and casting forward to the effect that I think can be anticipated from the passing of Bill 12, I think this government has put in place something that is not going to be a lot of fun for students. Certainly we've got a very strict reckoning of what's expected from teachers. We have even a definition that they are to perform exactly certain responsibilities, although it doesn't list the responsibilities. I think that in the long run what we're going to get is a withdrawal of the free and voluntary services that were available for students, and that didn't have to happen. Certainly the teachers are well within their rights to do that, and I think they've been forced into a position of doing it by the government.

Now, the Member for Calgary-Egmont had spoken about the adversarial nature of this process, but truly I think people become entrenched in their corners, partly by the behaviour of the other party, and given what this government has done to teachers, I don't blame them at all for saying: "That's it. I'm not going to be spending any more of my time evenings and weekends doing this."

So I think the effect on students can be fewer opportunities after school, in the evenings, and on the weekends for athletics, sports teams, gymnastic teams, track and field, that sort of thing, and also in the arts for drama or the drama club or plays or choral concerts, things like working on the school newspaper or the school yearbook. I think all of the services for those could be withdrawn if they are in fact voluntary services from the teachers. Now, that all has an effect on the students. So the great concern that's expressed about students here: I don't know that it's been totally thought through what that effect will be.

8:40

I think if we really wanted to see a concern for students, then some time ago when we started to have people coming forward from the community with concerns about what was happening in our schools, what was happening to our students, we would have seen a more positive reaction from the government instead of this immediate entrenchment, backed into their corner, fighting away. I remember bringing forward tens of thousands of names on petitions from parents all over the province asking for the government to adequately fund new technology, expenses from curriculum changes, aging buildings, and textbooks, I think. I said it so many times in the prayer for the petition that you'd think it would just come out automatically. In fact, that was some two years ago that those concerns started to be brought forward into this Chamber. Did we see a positive reaction to that? No, we didn't, yet these were parents that had put together this petition and had taken it around the province. So if we were really concerned about students, I would think that we would have looked more at what could be done around infrastructure and maintenance.

Where are we with technology? I saw one teacher that was talking about how many computers they actually did have in their school for the children, and there was no way that the kids were going to be able to accomplish the mandate and curriculum in computer technology with the number of computers that they actually had in the school. I think they were given a budget of \$42 per student a year to come up with computer technology, and it was just impossible for them to provide the number of computers they would need.

One of the issues that I have raised consistently in the House that I'm not seeing addressed, if we're going to talk about concern for students here, is the Supernet project. Again, that runs the Supernet to the outside of the building, so if schools in other areas in rural Alberta or in small centres are going to receive the Supernet, it's going to run to the outside of their building, and the school is still going to have to come up with the money to run the wiring through the walls and up and down the hallways and into the classrooms and hook them up to the computers that can in fact take the technology that's being brought in through the Supernet. So that's a whole new series of computers there, plus the software that is needed to interpret that and to run with it. That's a whole series of funding that has not been addressed. The government is very quick to talk about how wonderful the Supernet is, but frankly it's not wonderful at all if it stops at the outside wall and never makes it into the school and there are not enough resources to actually implement it and make it happen. If we're going to talk about concern for students, I think that would be part of what we'd be looking for. So I've talked about infrastructure, and I've talked about technology.

Curriculum change costs. We at one time had some discussion in this Assembly about the costs of curriculum changes, and every time there was a curriculum change, teachers had to be sent out to an in-service. The school had to pay for a supply teacher to come in to replace the teacher who was out for an in-service on how to teach this new curriculum. Then there were all the changes in the resource

material, the textbooks and software for computers and audiovisual aids, that were needed to teach a particular new subject. Those are also I think a priority and a cost, and that's a part of what we need to serve our students, but I don't see that being talked about right now.

We've also heard quite a bit from parents about fund-raising and about textbooks. I know I had a letter from one teacher, that I tabled in this House, who was working with textbooks from 1962, I think.

AN HON. MEMBER: The year of the Cuban missile crisis.

MS BLAKEMAN: The year of the Cuban missile crisis.

That's all she had, and she couldn't get better resources than that. When we talk about the effect on students, I think there's a lot of other things that we could be putting a priority on here besides trying to hammer their teachers.

Now, I noticed that the minister this afternoon, when he was introducing this bill for third reading, said that he thinks Bill 12 represents a failure in the collective bargaining process. Well, I think this is what happens when the government tries to union-bash and when, in fact, they make a concerted effort to pervert the collective bargaining process. If there's a failure in the collective bargaining process, it lies firmly and right in front of the feet of the government, who were quite determined to make this process fail.

More interesting than that, I noticed the minister talking about stability, that he thought Bill 12 was going to create stability, which I find an amazing statement. I think that what we've had from the government action and certainly the public attitude and expressions made public by members of the government to the teachers and schools about education generally has created instability. Lots of others have talked about teachers withdrawing voluntary services; that certainly creates instability. So I think one of the effects of Bill 12 will be instability.

One of the other things that's been mentioned a number of times is that we won't be talking about anything else in Bill 12 except for legislating the arbitration process and getting the teachers back to work and that everything else will be discussed by this education commission. I think this is an attempt to sideline and downplay all of the other issues, some of which I have discussed earlier. I think it's not too hard for me to drag out my crystal ball and give it a dust off and put on my scarf and all of my bracelets and gaze into that crystal ball. What I should be seeing is that this would be something good. It's something that many different parties have called for. It's something the Liberals have been calling for for some time, something that the Member for Edmonton-Mill Woods has called for. It should be an opportunity to bring all those sectors together and to address a number of changes and a number of circumstances that have given rise to a need to bring changes into the education system.

When I look back at the government's ability to pervert a consultative process, I don't have to look very far. I can look at stacking participants like was done in the health roundtables in the early '90s, where people who had particular expertise in the field were specifically excluded from participating. I can look at the priority order that was given to public members who were brought into the growth summit. That order was reversed entirely. We had very near the top of the list, in the top five I think, people desiring a reinvestment in education and in health. Cutting taxes was about 62 out of 100, I think, on their priority list. And what did we get first? We had the tax cuts. Did we get the reinvestment in education and health care? I think some people would argue that they're still waiting for that.

I think the other thing that we can say will be an effect of Bill 12 has been a real shake-up of democracy in Alberta. The government's need to put through a bill like this in such an extraordinarily

short period of time – when they have 73 votes in this Chamber, they're going to be able to vote this through. Why do they need to bring in a variety of new parliamentary processes that they want to put in place so they can hang over our heads like a scimitar, a guillotine of time on seven Liberals and two NDs? We must be truly mighty in the opposition to frighten the government that badly that they have to call all of that parliamentary process into play to protect themselves. I think it will shake democracy. I hope it does. I hope other people take a look at what's happening in this House, take a look at the bully that this government has become.

Thank you for the opportunity.

8:50

THE ACTING SPEAKER: Under Standing Order 29 the chair will entertain questions and comments for the next five minutes. The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I've been listening to this Member for Edmonton-Centre here this evening. I have a question. I think we have to give our teachers more credit than has been given here this evening. I think my teachers in my constituency work very hard, but I heard the hon. member across using the word "students" five or six times. What is her opinion of students? I think students are very important. So are our teachers. I'd like to know whether she values our students.

MS BLAKEMAN: You know, I have questioned the purpose and the value of this Standing Order 29(2), and it's questions like that that really make me question the point of this. That's a ridiculous rhetorical question. He doesn't intend that that be answered. He's merely using it to try and make some bizarre point.

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

MR. MASON: Thank you, Mr. Speaker. I would like to ask the hon. Member for Edmonton-Centre what she thinks we could do at this point in the debate to salvage the situation.

MS BLAKEMAN: I don't have an immediate answer to that question. I think there's been a lot of damage done. I think there's been a lot of instability created, as I said. I think it would need demonstrated acts of very good faith by this government. I do not think that Bill 12 should go through. I think a starter in this whole process would be to withdraw Bill 12 and start over again in this process.

THE ACTING SPEAKER: There being nobody else wanting to ask a question, we shall resume debate. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It is with disappointment that I rise this evening. My disappointment is centred around this bill because Bill 12 is really an example of a government that is out of control. As I said last night, it is a government that just a year ago, a year and a day ago now, received this massive majority, and one cannot argue with democracy. The citizens spoke, but if this government were a runaway freight train, democracy was the brakeperson, and they jumped off.

Now we have this piece of legislation which in effect has not only taken away the democratic rights of teachers that were identified in the reasons for judgment of the Hon. Chief Justice Allan Wachowich in the Court of Queen's Bench for the 20 school districts, but there

are many, many more school districts. There are over 20; 25 to be precise, Mr. Speaker. We need to think about this and think about the repercussions of what exactly this bill means with its decision to take away teachers' right to strike, take away teachers' right to strike in all those school divisions in the schedule at the back of the bill.

Mr. Speaker, the bill is really setting the stage to have unsettled labour relations in this province probably for the rest of this legislative term. Whenever you order any group of citizens around, whether it's 30 or 300 or 32,000, in a manner such as this and you use closure to run this bill through the Assembly, you are setting the stage, unfortunately, for very, very turbulent relations. The ATA and the provincial government and the respective school boards have had a very, very good relationship. Contrary to what some hon. members seem to suggest, we are stuck in a system that creates confrontation. Well, certainly we are in a system that creates confrontation whenever we do things such as put a 4 percent increase as a line item in the budget for fiscal year 2001-2002 and an additional 2 percent in 2002-2003. That is confrontational. That's getting directly involved in labour negotiations. It's fine and dandy in one sentence to say, "Well, we're going to stay out of labour negotiations," but you have to mean it. When this government got involved, things went downhill, and they went downhill very, very quickly.

Now, we know what happened: the court action. It's been called certainly a bad move. It was certainly a bad move by the government. Their claims were quickly and decisively dismissed by Chief Justice Wachowich, and now we see the other side of the coin: well, we're going to get even with these teachers, and we're going to have a bill, Bill 12 here. That is beyond belief. I said last night that it was beyond punitive; it was vindictive. And we were assured in this House, Mr. Speaker, that there would be no punitive actions against the teachers. I believe the hon. Premier and the hon. Minister of Learning both assured the House, not only this member but other members as well, that there would be no punitive action. We look at the section dealing with offences and penalties, part 4, and certainly those measures are punitive.

Now, Mr. Speaker, when this happens, certainly parents are going to be worried, and pupils perhaps are not going to receive over the next couple of years a good, sound public education system because of the confrontation that has been set up by this government. Teachers want respect. First and foremost they want respect, and they're not getting it.

When we think of just how important this is and what happened, we have to look at the public education system and the number of collective agreements. Now, in the education sector, Mr. Speaker, only 5 percent of collective agreements were to expire between October 1 of last year and the end of March this year. This is the problem that the government ran into. This massive majority seems to have gone to their head.

9:00

MR. MASON: Say it's not so.

MR. MacDONALD: I'm afraid it is so. This massive majority has been reduced by one, but it certainly needs to be reduced very quickly by many others. If they're not satisfied with what has gone on in Bill 12, they can join the Liberal Party. They can certainly join the Liberal Party if they're not satisfied with the direction of this government. I see the hon. minister frowning, but it's true. They're welcome.

Now, Mr. Speaker, 54 percent of agreements covering almost 35,000 employees that expired before October 1, 2001, are in this schedule at the back of Bill 12. The majority of these employees are teachers. Now, there's certainly support staff that eventually will be

affected by all this, because they can no longer trust the entire system of collective bargaining in this province. Not only are we jeopardizing our relationship with teachers, but we are jeopardizing the relationship with a lot of other individuals whose workplace is governed by contract negotiations and, in the end result, a collective agreement.

Now, there's no doubt that Alberta teachers entered this round of bargaining seeking substantial wage increases. The Premier promised that since teachers shared in the pain, they were going to share in the prosperity as well. Teachers worked very hard and under some rather difficult circumstances in the last decade in this province. School conditions certainly were not the best. Not only were a lot of classrooms overcrowded, but the mechanical condition of the schools could certainly use repairs. Without the diligence of the teachers and the fact that many parents were quite willing to work to raise funds for the basics – by “basics” I mean library books and just the basic materials that students need on a daily basis in the classroom, and parents were fund-raising for this. Parents stepped in, but the teachers certainly did their part.

When the round of bargaining began last May, Alberta's economy looked strong. I would remind all hon. members of this Assembly that this fiscal year that is ending in the next couple of weeks is the second largest on record in the amount of revenue that this provincial government is going to collect. Other factors influencing the position taken by the teachers include compensation and increases for ourselves, the MLAs of this Assembly. We certainly last summer received a double-digit wage increase.

SOME HON. MEMBERS: Did you?

MR. MacDONALD: Yes, I did. Physicians, nurses, and even workers in the construction industry: everyone received a double-digit wage increase, everyone.

Now, what about the teachers? How fair is that, after we received our double-digit wage increase, for teachers to be locked into this line item of 4 percent and 2 percent? The reverse of that is the two-by-four, and that's what this bill is. It's a legislative two-by-four. [interjection] An hon. member said that it's a subtle means of wage control. Now, everyone knew that this round of negotiations could be and would be challenging, but there was no need for this, Mr. Speaker, these stop/start negotiations: “Well, maybe this is on the table; maybe it's not on the table. We're going to make a contribution to the pension liability.” This is a contentious issue with the ATA and its members. “Well, I said this; I said that. Well, I'm not negotiating; it's up to the school boards. Well, maybe I am negotiating.” It led to confusion.

The real public emergency, Mr. Speaker, before the government decided to use an order in council and order the teachers back to work, was not with the teachers. Unfortunately, it was the leadership shown by this government.

MS CARLSON: That is the public emergency; no doubt about it.

MR. MacDONALD: The hon. Member for Edmonton-Ellerslie is stating that there is no doubt that it is a public emergency, and that's the leadership, not only the leadership issue in regards to public education and issues surrounding that, but certainly in health care, in electricity, and many other issues that affect Albertans today.

We have been told that the government does not directly participate in education bargaining, but we see the result when the government does get involved. It's a complete collapse of negotiations. It has led to this imposed arbitration, the Education Services Settlement Act. That's what I call it. Unfortunately, Mr. Speaker,

you have 60 agreements between Alberta school boards and the Alberta Teachers' Association covering 32,000 teachers, and 51 of these agreements involving approximately 27,000 teachers are involved in this bill. The teachers have had their rights for no good reason stripped away. Now, the three largest school boards – the Calgary public, the Edmonton public, and the Calgary separate – are among those that are in this bill. When we think of what has been excluded here, Mr. Speaker – this is just a bill about wages. We must talk about what is excluded, and that is the number of students in a class, the pupil/teacher ratios, or student/teacher ratios, and the maximum time a teacher may be required to instruct a class.

Unfortunately for the members across, Mr. Speaker, I would like to inform them that there's a great deal of sympathy and support in the general public for teachers and their causes and for their diligence in standing up and protecting public education: reduced class sizes, the issue of underfunding in public education. The support for teachers is strong because of the well-publicized effects public education cuts have had on the working conditions of teachers throughout this province.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Standing Order 29, five minutes for questions and comments. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. My question under Standing Order 29(2). I noticed that the Member for Edmonton-Gold Bar was cut off in the last point that he was making, and I'm wondering if he could complete that point.

Thank you.

MR. MacDONALD: To the Member for Edmonton-Centre, Mr. Speaker. Not only do teachers enjoy the public's empathy, but they are generally perceived as being more credible than their government. Furthermore, it is a commonly held belief that this legislation, Bill 12, takes away the legal ability to strike, and this is unfair and is unduly compromising the bargaining position of the teachers in this province. This government has demonstrated an unwillingness to negotiate.

Thank you.

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

9:10

MR. MASON: Thank you very much, Mr. Speaker. To the hon. Member for Edmonton-Gold Bar: what are the consequences of the government taking away the right to strike of Alberta's teachers?

MR. MacDONALD: To the hon. Member for Edmonton-Highlands. Unfortunately, I regret to tell him that I'm afraid it's going to mean a period of very unstable labour relations in this province. I just cannot understand why the government does not show more respect for the teachers and all members of the teaching profession.

Thank you.

THE ACTING SPEAKER: There being no further questions, we shall resume debate. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. It's unfortunate that we have third reading of Bill 12, the Education Services Settlement Act, happening so quickly after the introduction of the bill, but I do have to say that I'm beginning to understand, Mr. Speaker, why the government is giving this bill what certainly is the bum's rush through the legisla-

tive process. We see a bill that was drafted over a weekend, presented to their caucus on a Thursday, given notice on a Friday, introduced on the following Monday, closure motions brought in to be available to use at their discretion in second reading, in committee, and in third reading, as they felt necessary. At the same time as they brought in a time allocation motion, they also brought in Standing Order 73(1) and (2), which allows them to do three separate readings on a particular day if they chose to.

So here we were, Mr. Speaker, debating the bill, completing debate in second reading, and completing debate in committee. And what did we have for a bill? A photocopy. It wasn't even until tonight, after we have nearly completed third reading of this bill, that we actually received the proper copy of Bill 12. So you talk about the bum's rush. Here we are nearly finished voting on the bill before we get the actual bill in our hands in this Legislature.

So I have to say to you: what do we have? We have one hour of debate in committee before closure is brought in. We get one more hour after that. We don't even get all of the amendments up. People don't have an opportunity to fully develop their concerns. Why did they do this? What is the big rush about this bill? The Government House Leader told me initially that the reason they had to bring in the three readings at one stage, a possibility, is because they needed to move quickly on the bill if the teachers went back out on strike. Well, the teachers in this process, I would put to the government, Mr. Speaker, have acted in good faith. They said they wouldn't go back out on strike, and they haven't done so, so there was no reason.

I see a member in the back row here chirping away about there having been five hours of debate so far on this particular piece of legislation in a day and a half – in a day and a half. When you talk about a substantive bill that makes substantive changes to the way things are done here – and anybody in this particular Legislature who thinks that strike-breaking or contract stripping is not substantive lives on the wrong planet. These are substantive issues, and they need to have not only extensive debate, but they need to have an opportunity to go out to the affected stakeholders, and there is no way in a day and a half that that can happen and that we can get any kind of effective and rational feedback. Why is it important to have that? Well, I'll talk about that a little bit later on.

What I do want to talk about at this particular stage, which is third reading, which is to be a review of the bill in the final form – so that's taking us through the process of what got us to the debate of the bill, what happened in second, what happened in committee and the effects of that – are the kinds of questions that are still out there and haven't been answered in terms of addressing this bill. The good news here tonight is that after talking for a short period of time yesterday in committee about the number of former teachers in this Legislature who had not taken the opportunity to speak to this bill, we have seen quite a few of them jump to their feet this afternoon and this evening to put their 2 cents' worth in. I applaud them for that, even if I haven't agreed with hardly a word they've said in this Legislature. I'm pretty sure that a great many of their teaching colleagues also don't agree with it. I would point out that . . .

MS BLAKEMAN: It was nice to get them on the record.

MS CARLSON: It was nice to get them on the record, but there are still a few of them out there, Mr. Speaker, who haven't stepped up to the plate yet.

MS BLAKEMAN: Who?

MS CARLSON: Edmonton-Meadowlark. That would be one of the ones who hasn't spoken yet.

MS BLAKEMAN: Why wouldn't he want to be on the record?

MS CARLSON: I don't know, and I'm sure that he has some good reasons to be on the record. I know that he still has a great many colleagues that are still friends at this stage. I don't think it's because he wants to take the time or show me up at all. I don't think that's at all what he is saying here. I think that it'll be interesting to see what his comments are on the record, comments that he can share with his friends in the profession.

MR. LUKASZUK: It's better to be silent and have people think that you're stupid than actually stand up and . . .

MS CARLSON: No, he doesn't have to be silent. He gets paid to do a job, and he gets paid to represent his constituents, and he gets paid to do it here on the floor of the Assembly, and we expect him to do that.

Yes, Mr. Speaker, I know that I should be speaking through you, and I apologize for reacting to the tittle-tattle that we hear from this side of the Legislature, but they're very provoking.

AN HON. MEMBER: Tittle-tattle?

MS CARLSON: Well, maybe that's what it is. I can see now that everybody's awake in here. There are any number of members who would like to speak, and you'll have your opportunity to do so here pretty quick. I hear lots of chirping out there now but not too many people rising to their feet in debate.

We've got a few other former teachers who haven't spoken . . .

MR. TANNAS: No.

MS CARLSON: Yes, we do, and wouldn't you know? The Member for Highwood. Hmm. That's very interesting, that he hasn't spoken yet. That may be all. I can't think offhand other than those two that I've mentioned, although we do have actually Edmonton-Castle Downs. [interjection] Yes, he spoke yesterday, and I remember listening to him. I remember that and the Member for St. Albert today. There were a few others that actually came up to scratch and some who weren't teachers, who support the government position. Fort Saskatchewan did speak this afternoon and answered some questions, so that was very nice to see that, although I have to say that of all the people who spoke in here, I disagreed the most with his comments. I'd like to put that on the record.

But there are still a number of outstanding issues that haven't been addressed here, and I would like to go back for a moment, if I may, Mr. Speaker, to an issue that was addressed yesterday in an amendment brought forward from my colleague from Edmonton-Mill Woods that was defeated, that really didn't get proper discussion because of the limited time that we had to debate the issue. I did not at that time have an opportunity to put my comments on the record, and I just wanted to make one quick point on that. He was asking to have deleted the section that begins on page 3 of the bill under interpretation, and that was 1(1)(f)(iii) that says: "a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer."

We heard a few examples yesterday of how that could be interpreted. For instance, a principal could direct some teachers to organize a concert and the teachers decide they won't do it. If the teachers who decide that they won't do it constitutes more than one teacher, that could also constitute a strike. We heard from the Government House Leader yesterday to begin with when he first heard the comments about this, prior to the amendment being

brought in, that this was an overly aggressive interpretation, and that's a direct quote from what he said, Mr. Speaker.

Then, later on, when the amendment was introduced, he said: No, no, no. That's a misinterpretation. So my question, Mr. Speaker, before we pass this bill this evening is: which is it? Is it a misinterpretation? An overly aggressive interpretation? This is the kind of problem we get into when we see legislation brought into this House in such a hurry. We have seen time and time again that this government hastily crafts legislation, hastily crafting poor legislation as a result and then having to change it later on. So that's certainly an issue.

9:20

Some of the questions that haven't been addressed here so far, that are still outstanding, that need to be addressed are some of the things that we've heard in the media and what we've seen in tablings. I still have a whole stack of tablings, Mr. Speaker, that I was expecting to get to yesterday in committee and was unable to because of the closure having been brought in. There are some questions that need to be answered before we have a final vote on this bill, and some of them are just the activities of ministers with regard to this bill.

We have quoted here in recent newspaper articles that there are at least two ministers of this government who are saying that teachers brought this legislation on themselves, and I think that those ministers should stand up, own up to their comments, and explain themselves. We have also seen many people who have a great deal of knowledge in this area say that the whole concept of this legislation destroys the concept of free collective bargaining, so that's something that's interesting.

We saw the Premier say that this government is interested in acting in the interests of the students, yet they have deliberately excluded from this arbitration issues like class size and pupil to teacher ratios and other outstanding issues. We need to know: why did the Premier assure teachers that they would be rewarded for their fiscal sacrifice and helping the government balance their books earlier in this decade? They took the rollback; the Premier promised to give it back to them. We saw other kinds of big settlements happening here, but teachers don't get their money. Why is that?

Why did the Minister of Learning insist that teachers negotiate with school boards and then wade into the discussion with the 3 percent pension offer in the middle of the negotiations, effectively neutering school boards? I think that's a question that needs to be answered. Why has the government shown such a blatant disrespect for teachers? Another good question. How does the government justify clawing back promised dollars to education? The \$54 million that was asked about in a question the other day makes a difference to teaching grants and to what they can do in this fiscal year, and they won't do that. Oh, Lesser Slave Lake is a former teacher, Mr. Speaker, and she hasn't spoken yet, and we want to know why that is. Another question: what is the role of trustees in this province now, as the government has made their roles irrelevant?

So I'll stop there, Mr. Speaker. I've got a whole bunch more to say, but I'll stop there on that part because I want to introduce an amendment. So I would ask that the clock stop now while the amendment is being distributed to members.

THE ACTING SPEAKER: Hon. member, you may proceed now.

MS CARLSON: Thank you, Mr. Speaker. While we were waiting for the amendment to be distributed, the Member for Edmonton-Calder wanted to know if this amendment was hastily drafted, and I said to him: not nearly as hastily as this poor government legislation was drafted.

What we have before us is an amendment moving that the motion for third reading of Bill 12, Education Services Settlement Act, be amended by striking out all the words after "that" and substituting the following: "Bill 12, Education Services Settlement Act, be not now read a third time but that it be read a third time this day six months hence."

Mr. Speaker, this is commonly known as a hoist amendment, and we feel that it is very important to be brought in at this particular time on this particular piece of legislation for two equally important reasons. The first is that this gives both government and opposition members time to solicit feedback from stakeholder groups around the province – I'll expand on that in a minute – and the second is that it gives teachers time to see if the government is acting in good faith with the education commission in dealing with the outstanding issues of class size, student population ratios, funding for basic supplies, evergreening of electronic equipment, and issues arising out of integration.

There is no doubt that this government has not built very much goodwill in terms of how they have walked through this process, and their education commission is being dismissed as an absolute farce by many groups in this province. Let's see if they're really going to follow through with their review this time and whether, in fact, they're actually going to implement anything. It hasn't been the case in the past. We need feedback from stakeholder groups in the province, Mr. Speaker, on this particular piece of legislation.

We have found time and time again that when this government hastily drafts poor legislation, there's something significantly wrong with it, not the least of which is that clause that we tried to amend out yesterday. We have seen examples – and I'll use Bill 15, I think it was, from two years ago, which was an environmental bill which this government swore up and down was good legislation. We managed to postpone that legislation from the spring session to the fall session, and they actually did their work then. They went out to stakeholder groups in the province. They talked about the legislation, found out that it was faulty, and came back and improved it. That's what we need here.

THE ACTING SPEAKER: This is a hoist amendment. Hon. members may be able to speak to the amendment now. The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. Before I get into the detailed discussion of Bill 12 and its amendment, I want to talk about education and teachers. I have no doubt that all of my colleagues in the House here, particularly on the government side, have high regard for the teaching profession, the teachers and educators, and we put great social value in education for our children and society in general. In fact, a large number of our colleagues here were teachers. Personally, I myself did teaching at colleges.

Mr. Speaker, let me cast my view worldwide and through the history of mankind a bit. If you ask me about the famous and valuable persons from Greece, the names of Socrates and Plato and Aristotle come first to my mind, long before the powerful king Alexander the Great or the wealthy Midas. If you ask me about the well-known and valued persons in China, the names of Lao-tzu, Mencius, and Confucius come first to my mind, long before any other contemporary of theirs. Why? Because they were teachers, albeit 2,500 years ago, and they still are.

So let me draw closer to my home, to me, within my family circle. Teachers have the highest respect. In fact, my father was an educator. My father-in-law was a principal. Many of my relatives were, are, and will be educators. In the cultural environment I was brought up. . .

THE ACTING SPEAKER: Hon. member, the hon. Member for Edmonton-Ellerslie on a point of order.

**Point of Order
Relevance**

MS CARLSON: Yes, Mr. Speaker. Relevance. I'm citing *Erskine May*, page 378. We are on a hoist amendment. Not a word coming out of his mouth so far has had to do with that particular amendment.

MR. STEVENS: Mr. Speaker, I've listened for the last couple of days to the opposition indicate that it's difficult to define relevance, and clearly, in listening to them for the last two days, that is true. What is also said by the opposition, which I fully agree with, is that one must be given an opportunity to develop a foundation in which you can then lead into the relevance of a debate, and I have no doubt that my colleague the hon. Member for Calgary-Fort has every intention of doing that.

THE ACTING SPEAKER: Hon. Member for Calgary-Fort, we do have before us an amendment that has been moved by the hon. Member for Edmonton-Ellerslie, and the chair assumes that the arguments that are being put forward will lead to discussions towards this amendment.

9:30

Debate Continued

MR. CAO: Well, thank you, Mr. Speaker. In fact, like an hon. colleague of mine just mentioned, I'm laying a foundation for the debate. You can only debate when you have a strong foundation. So bear with me. I would like to carry on.

This is about teachers, the value of teachers, and that leads to the amendment and the reasons for this bill that we are bringing forward. Once again, I want to tell you my personal story. I have counted the number of teachers and professors that I have had in my life. It's spread over three continents and over 25 years. I feel grateful and have fond memories of those years with my teachers. Without them I'm sure I could not have been the person I am today. Like the hon. Member for Calgary-Shaw talking about her children, we have three boys. They have grown up in Calgary. They are the quality products of public education in Calgary. As parents we put the highest value on education, and we have high regards for their teachers. I can say that. I still remember a particular Mr. Hehr, who was a teacher of our children over 20 years ago and who is now working with the Teachers' Association in Calgary.

Now, let me focus on the specific topic of the present moment, Mr. Speaker. May I quote several correspondences that I have just received from my constituents. From one teacher: "My day started at 7:15 am in planning and making contact with students."

MS CARLSON: Point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

**Point of Order
Relevance**

MS CARLSON: Thank you, Mr. Speaker. Once again on relevance. I have diligently listened to every word the member has spoken for the last two minutes, and while he says that he is laying the foundation for talking about the amendment, let me give him a little hint: all he has to do is say that in speaking to the hoist amendment, he needs to tell his story. If you just say that, you'll be relevant, and we'll be happy.

MR. HANCOCK: Well, Mr. Speaker, notwithstanding that it takes so little to make the hon. member happy, it's obvious that the speaker is dealing directly with the question of why it's necessary to pass the bill now as opposed to not passing it for six months. His reason in his argument has been very clear to me and I think to other members of the House. In his argument the reasons why it's urgent now are very apparent. He's speaking about the e-mails that he's getting from his constituents and the issues that are important to his constituents in education. So it's very relevant. Notwithstanding that, if it'll make her happy, I would urge him to say: I'm speaking to the hoist amendment.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre on the point of order.

MS BLAKEMAN: Yes. I agree, and I will join in urging the member to consider relevance in the presentation that he's making. The closest I can hear is that he's talking about a teacher that his children had 20 years ago. So if we are going to be relevant and we're going to be talking about why this bill should be hoisted for six months, I encourage him to direct his attention to the hoist amendment.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Mr. Speaker, on the point of order. I know that the hon. member is certainly talking about education as he understands it, and certainly I'm enjoying it. Certainly it's helping us to pass the time. That, to me, is an important thing in the present state of affairs, at least as far as the opposition is concerned. I'm a little perplexed about the points of order, because I think we should allow the member to continue to speak for his full 15 minutes, and I have many questions for him.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort on the point of order.

MR. CAO: Well, I was getting to the specific point. On the point of the amendment, I need to build some examples as a foundation.

THE ACTING SPEAKER: The chair has listened intently to everyone's comments and feedback, and I would like to give the benefit of doubt to the hon. Member for Calgary-Fort that his intent is to discuss the amendment that's before us.

The hon. Member for Calgary-Fort.

Debate Continued

MR. CAO: Thank you. I want to make it clear right now that what I'm doing here is talking about the amendment and building up the foundation for the conclusion.

As I said, I received correspondence recently, in fact yesterday, from a number of my constituents. From one teacher:

My day started at 7:15 am in planning and making contact with students. I taught classes from 8:50 to 11:45, then supervised the school's fitness centre through my lunch hour. I continued to teach with no break for the remainder of the school day. I spent 45 minutes working one to one with a few students, then went home for an hour. I returned to work at the Jack Singer Concert Hall to supervise the backstage area for a concert involving at least 350 students from our school and feeder Junior High schools. I left the hall at approximately 10:30 pm.

So that's from one teacher.

From another one:

I don't feel cared about or important anymore. I spend my whole day with children and nobody with the power to help cares to listen to my opinions about what those kids need. Think of it this way: one day one of my students might be your boss. She or he might be Prime Minister . . . do you want that person to be educated?

From another teacher:

I am a teacher with the Calgary Public Board. During my 20 year career as a teacher my focus has been to meet the diverse learning needs of children in my care. When resources were not available, like my other colleagues I found resources and paid for them with my own money. I have spent countless hours with fund raising activities such as helping with Casinos.

May I quote from another teacher?

I spend many hours supervising extra curricular activities such as intramural sports, drama productions, writing workshops and leadership clubs to name a few. I believe that as a teacher these extra hours are important learning opportunities for children as these activities provide lifelong skills.

My last quote is from a parent.

We would appreciate it if you guys in the government would get involved with this situation. Forget about the ego from both sides and settle this as quickly as possible. Our kids' education is in trouble. Thank you very much. I don't know how much more I can express my concern. But please, for the kids' sake, do something. Please . . . please . . . please.

For these reasons I support the two-pronged approach that was agreed to by the stakeholders; namely, the ATA, teachers' unions, and the Alberta School Boards Association. This two-pronged approach includes, one, a quick and onetime legislated binding arbitration to resolve the current contract salary impasse, and two, a comprehensive review of our education system in total and for a longer term to address the valid concerns that the teachers have voiced to me.

Now, my support for this two-pronged approach is also based on a publication from the ATA web page. Let me quote from the ATA web page.

March 1: Chief Justice Allan Wachowich overturns the back-to-work orders, ruling that the government failed to demonstrate that the strike was causing a public emergency in each of the 22 jurisdictions. The association asks teachers to remain in their classrooms. Premier Ralph Klein agrees to meet with ATA President Larry Booi.

9:40

AN HON. MEMBER: Who said that again?

MR. CAO: The ATA president.

March 4: ATA President Larry Booi meets with Premier Ralph Klein and subsequently with Minister of Learning Dr. Lyle Oberg and Minister of Human Resources and Employment Clint Dunford. The Premier agrees to bring to caucus and cabinet for discussion two potential approaches to resolving the disputes; (1) initiating an arbitration process and (2) establishing a commission to investigate teaching and learning conditions.

Yes, Mr. Speaker, Bill 12 is to help implement this new onetime process of legislated binding arbitration that was agreed to for this labour contract term. I'm told that for those unsettled and on-strike situations, the teachers' union locals and the local school boards can reopen their own normal negotiations anytime.

I am so pleased to agree with Mr. Larry Booi's quote in the *Edmonton Journal* on March 5 after his meeting with Premier Klein.

We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike. We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

Mr. Speaker, last February I attended the teachers' convention in Calgary. I spoke with a number of teachers about their excellent initiative and innovation. I shared their visions and some frustrations. I saw a range of products and services developed for teaching and learning. Certainly teachers and learners of today are far different from those in the days of Plato or Confucius. Certainly it is different from the days when I was in school or even when our children were in school. Societal changes along with the fast technical changes do require us to have a good close look at the problems, to make changes to our attitudes, and to update the ways of doing things. We urgently need to have a new vision of education that caters to the needs of the learners, the teachers, and the parents. So let's help the two parties settle the salary dispute quickly so that we can move on to the new and exciting phase of working together in the new review of the education system.

Mr. Speaker, for that matter, I conclude that we should not accept this amendment. Also, I just want to leave you with this. Confucius said 2,500 years ago: to make society prosperous, educate the people. May I conclude by saying: to make Alberta prosperous, let us focus together on Albertans' education.

Thank you.

THE ACTING SPEAKER: Under Standing Order 29, five minutes for questions and comments.

MR. MASON: Well, Mr. Speaker, I would like to ask a question of the hon. member and, first of all, congratulate him on building a 50-storey foundation and a one-storey argument. He indicated that the teachers had agreed to this. I'm looking at the teachers' web site, and they certainly don't seem to agree. I'm wondering where he gets the information that they've agreed.

MR. CAO: Well, I can provide to the hon. member the web page address exactly, but those messages I quoted exactly from the text on the web page.

THE ACTING SPEAKER: Hon. Member for Edmonton-Centre, did you have a question? Okay.

There being no further questions, we'll resume debate. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I would like to rise in favour of the hoist amendment proposed by the Member for Edmonton-Ellerslie, and I would urge all other members of the Assembly to vote in favour of this hoist amendment. Now, this hoist amendment is about time and two sides of that. We're asking for the hoist to gain time to allow a resolution to all of the issues that have been thrown up by this disruption and, as the Member for Calgary-Egmont put it, the adversarial nature of what has gone on in the last few months. Secondly, we're asking for the hoist because of time, and that is the short time lines that have been forced into place, that have been shoehorned in by this government. It doesn't allow for a review by stakeholders, a review by constituents and Albertans of what is being proposed in this legislation. So the hoist is definitely about time, because we have not had enough time and because we need time for everyone to have a look at this.

When I look at why we haven't had enough time, well, on March 2 there was a court judgment that said that the previous proposal, restriction put in place by the government was not acceptable. Then there was a great deal of speculation but no real understanding of how the government would proceed midweek. We had oral notice given in the House on Thursday the 7th that there would be legislation forthcoming – again no indication of what the legislation would

be. It was obviously drafted over the weekend. We had a first reading notice on Monday, and at the same time we had a notice of five government motions.

[Mr. Lougheed in the chair]

“Pursuant to Standing Order 73(2) Bill 12, Education Services Settlement Act, may be advanced two or more stages in one day.” Now, the purpose of that is to give the government the power to ram a bill through in one day, essentially, because generally we would not be able to have more than one stage of the bill in a given day.

In fact, when we look at the rules that are set out for the nongovernment bills, it's quite clear that they allow for up to eight days between the second reading and Committee of the Whole for a bill and a further four days between the end of Committee of the Whole and the bill being called forward for third reading. So there's a total of 12 days there in between when those stages of the bill have been complete, and I think that is in there exactly so there can be contemplation by stakeholders and members of the public outside of this Chamber and even additional contemplation by members of the Chamber itself. So there's a reason why that time factor is built into that. When we look at what the government generally does with bills, they're more or less following that same time line that's set out for the private members' bills. They don't have to stick to it, obviously, because it's government bills, but generally that's what they're following. So to have the government bring forward a motion that's going to basically try and force through the bill in one day I think gives rise to the need for a hoist amendment in itself.

9:50

At the same time we also had four other motions where oral notice was given for them. Essentially they were bringing in that time guillotine motion that's new to Standing Orders. Government Motion 14 was that once “an adjourned debate on Government Motion 13 is resumed, not more than one hour shall be allotted to any further consideration.” That was the guillotine on the motion previous to it. Motion 14 was putting a guillotine of one hour on any debate on Government Motion 13. Government Motion 13 was to have the stages of the bill all read in one day. So even in that, the government was not allowing any discussion of the draconian measures that it was taking to put this bill through. Then we have three more motions that are putting that time guillotine forward on each stage of the bill, so in second reading, Committee of the Whole, and third reading.

Now, as we know, yesterday these time guillotine motions were only used once, in Committee of the Whole, but certainly the government had inoculated itself to be able to use it by bringing forward the oral notice of these. Again that's an issue of time, the short amount of time that was allowed for consideration and all of the processes that were put in place by this government to make sure that they could control this legislation and make it go through in a very short period of time. I think a big part of this is to make sure that there's no feedback from the public on this, that the general public doesn't have time to find out what's going on and to start turning up at the front of the Legislature as they did with something like Bill 11 once they had caught on to what was going on there and they wanted to express their displeasure.

Another part of that is people's ability to send e-mails, phone calls, and letters in to their Members of the Legislative Assembly and get a response back from them. Now, the Member for Calgary-Fort did read out some of the e-mails or letters that he has received, and I think that time is necessary for others to read and comprehend what the public is telling them and what the teachers and what the

parents are telling them about the need for some rational thought on this and a little less of the hysteria that we've seen from the government, which sort of flails away putting stops in place at any possible opportunity for anyone else to express an opinion or to try and argue with what the government is doing.

[Mr. Shariff in the chair]

I think another reason for the hoist motion giving us an additional six months on this issue would be to get this proposed education commission up and running . . .

MR. MacDONALD: The Massey commission.

MS BLAKEMAN: The Massey commission, yes.

. . . and perhaps even, in the best-case scenario, be able to report back so we would have the information on what's been proposed or debated and contemplated by that commission in front of the Assembly when we are considering whether or not it would be appropriate to pass Bill 12. I think that a lot has been put onto that education commission through this bill and through what the minister and the Premier have been saying in context around Bill 12. There's a lot of weight being placed on this Massey commission, this education commission, and it is not being given an opportunity to be included in the discussion with what's in front of us. As a matter of fact, it's specifically excluded, and I think that's a mistake. I don't think you can look at these two things in seclusion.

So the time that is being brought forward to us through this hoist amendment is important to allow that commission to function and perhaps even report back. It can be looking at things like the issues around infrastructure. We've had schools that have closed across Alberta. Kids are now being bused to other schools because their schools have been closed, part of it due to infrastructure problems, part of it due to – what was that awful thing called? That ratio about use of space?

MR. MacDONALD: The utilization formula.

MS BLAKEMAN: Thank you. The utilization formula. That's very good.

I think that's part of what should be discussed by that education commission, because I think the government was finally starting to understand that that was not a useful measurement of how we were using schools and space in schools. So I think that should be added into what that education commission could look at.

On a lighter note I've noticed that a number of members in the Assembly took an opportunity during their debates on Bill 12 to reach back into their memories and reminisce about their early childhood teachers, and certainly I'm sure we would have more members up and reminiscing about the value that the teachers have had in their lives, given enough time to remember that. Indeed, we had the same thing brought forward by the Member for Calgary-Fort as he reminisced about his children's teachers.

I think we need the time that's given to us through the hoist amendment to look at the issue of funding for school boards. A big reason that we're in the mess we're in here is that the provincial government saw in its wisdom – well, it's not wisdom; it must be the opposite of wisdom – to take away the ability of school boards to requisition funds. That was done in '94-95, I think. So we have a situation here where we're supposed to have the teachers' union negotiating with the school boards for wage settlements and for improvements in working conditions, but in fact the school boards don't have the ability to say whether or not they've got the funds to

pay that. That purse is held by the government, and the government had already said that it was going to do 4 and 2, 4 percent this year and 2 percent next year, which isn't a position of negotiation. I think we need that six months to seriously go back and see whether there is room to put some requisitioning ability back into the hands of the school boards. I don't think it has to be a hundred percent. Certainly what some trustees that have talked to me have talked about was that even 3 percent would give them enough room to be able to react to local circumstances there, and I think that's a big part of what we're struggling with around this whole issue of settlements and negotiations and a collective bargaining process today.

You know, no matter how many times the government said that they weren't involved in this debate, that it was between the school boards and the teachers, it couldn't be between the school boards and the teachers because the school board didn't have the authority to come up with the funds to actually bargain into this process. So we certainly need the hoist amendment to be able to give us the time to resolve that.

I appreciate the effort that was put into bringing forward a hoist amendment by the Member for Edmonton-Ellerslie. The teachers have given us the room to be able to work with this. They made it very clear that they were not going to go back out of the classrooms again. They certainly could've, but they didn't. They said: no; we'll stay in the classrooms; we'll keep going with what we're doing; we need time for cool heads to prevail and for us to give a reasonable amount of thought and consideration to this. So we have the time for them to be able to coolly consider this, and the government insisting on trying to put it through is punitive. An ugly situation has been created here in Alberta, and it's been created by this government's determination that they are going to be right and they are going to force their opinion on everyone whether they like it or not. I don't think that's good governance. So we need this hoist amendment, and we need this time to think carefully and coolly about how we can resolve the situation and fix the damage that's been done here on all parts.

I appreciate the opportunity to speak in favour of the hoist amendment, and I urge all other members to support it. Thank you very much.

THE ACTING SPEAKER: Standing Order 29, questions and comments. The hon. Member for Edmonton-Highlands.

10:00

MR. MASON: I wonder, Mr. Speaker, if the hon. member could elaborate on the whole question of the space allocation formula and why that is so significant to this debate?

MS BLAKEMAN: This was a significant issue that seems to have taken a step into the background, but it was because of the way the school board was requiring that space be determined in the schools. It was basically taking every square inch of the school square footage and then dividing it by the number of pupils, but it wasn't done in a reasonable way. As a result of this utilization formula, a number of schools had to be closed, and that, I think, should be corrected.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar with a question.

MR. MacDONALD: No, Mr. Speaker, but I would like to continue debate.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands has a question.

MR. MASON: Just a comment. I appreciate the hon. member raising that question, because it is a serious problem. Schools are not allowed to include things like computer rooms, staff space, libraries, and so on in the allocation. The result has been that many schools in older communities are considered to be underutilized and are under pressure of being closed. It's just clearly another example of how the government just doesn't have it right.

THE ACTING SPEAKER: Anybody else rising with a question or comment? The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Mostly a comment, Mr. Speaker. I think that a lot of the comments which the hon. member has alluded to certainly talk about taking a lot more time to come to some sort of settlement, and that's not what we've been asked to do. We've been asked to take some action. We've been asked to get involved in a review of education. The longer we delay this, the longer we delay the review of education.

I see that as a positive move, that we should all work together and pass this bill tonight.

MS BLAKEMAN: I don't think that it can be said that the teachers in Alberta feel that they needed the government to move quickly and to put forward a piece of legislation like Bill 12 and shove it down their throats. I don't think that's the kind of time that teachers were talking about at all.

THE ACTING SPEAKER: Okay. We'll resume debate now. The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. The members of the opposition are really eager to hear from teachers, so they will have the opportunity to hear from me a second time. This hoist amendment is proof in the pudding that what the Liberal and ND oppositions are really after is to score some cheap political points on the backs of teachers and students.

MS BLAKEMAN: Point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre on a point of order.

Point of Order Imputing Motives

MS BLAKEMAN: Thank you. Standing Order 23(h), (i), and (j), imputing motives. I don't think that the Member for Edmonton-Castle Downs is correct in this Assembly in imputing motives to either the Liberal or ND members about why a hoist has been brought forward, and I would ask the Speaker to rule on that point of order, please.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on this point of order.

MR. MASON: Yes, please, Mr. Speaker. Standing Order 23(i) is the specific one that I think deserves your attention: "imputes false or unavowed motives to another member." Now, the member has just accused our party in this House of trying to score cheap political points at the expense of the students. I don't know about the motives of the other party, but they can speak for themselves. I can certainly say that from our point of view that is completely false. We are on principle very, very opposed to this bill and are doing

everything we can to oppose it, but it is for the reasons that we have stated in this Assembly.

Thank you.

MR. LUKASZUK: Two points, Mr. Speaker. First of all, my comments were clearly not directed at any particular member in this Chamber but rather at a political party. The sections that the members have quoted pertain to members as individuals and not to groups of members.

Second of all, if the members indeed find the statement offensive, I will withdraw my statement and replace it with "making political gains."

THE ACTING SPEAKER: The hon. Member for Edmonton-Castle Downs has withdrawn his remarks. However, I'll caution every hon. member that all elected members are honourable members. We abide by a Standing Order that we have all agreed upon, and I caution everyone to please respect every other hon. member of this Assembly.

The hon. Member for Edmonton-Castle Downs to proceed.

Debate Continued

MR. LUKASZUK: Thank you, Mr. Speaker. If indeed the well-being of our students and if indeed the work stability and the well-being of our teachers were the primary motives of the arguments posed by the members across, it would stand to reason that they would not introduce a bill hoisting this matter for six months but rather would urge the government to address the matters as fast as possible so that there is some form of resolution to the labour dispute with the teachers and the ATA and so that there is some form of stability among the student body in Alberta. That clearly is not indicative of this. What this hoist amendment would result in is allowing the members across to dispute this matter for six more months, hoping to have more comments recorded in *Hansard*, without any attainable outcome whatsoever.

Mr. Speaker, in this province we have top-notch teachers. I personally had the pleasure of handing out the excellence in teaching awards on a number of occasions, and many of my colleagues, other teachers, are recipients of this particular prestigious award. Even those who haven't had a chance to be recognized by this award, by this government and the employers, the school boards, are of no lesser standard. I know for certain that the majority of teachers, if not all, find that teaching is their main priority. Indeed, they do deserve fair compensation for the marvelous work that they do, but fair arbitration will arrive at that. After all, the arbitrators – there'll be three of them. They will be appointed by teachers, they will be appointed by the ATA, and the chair will be appointed by government, which is impartial in this process.

Mr. Speaker, teachers do deserve a fair settlement, and by this process they will receive it. However, it is important to resolve this particular matter of the labour dispute so that we can address the real issues, which some of the members have identified. If indeed the members opposite find classroom sizes, student/teacher ratios, to be problematic, why not allow the labour dispute to be settled and then focus on those issues by way of some form of committee, which this government has already undertaken to strike. Then they will have a meaningful forum in which they can contribute their comments and/or criticisms.

Mr. Speaker, these are delay tactics, and they are not aiming at achieving anything but placing more speeches, futile speeches, shall I add, into *Hansard*. I would urge all members of this Assembly to vote against this amendment. Bring back stability to the teachers'

employment, and reassure our students that, indeed, their learning is our and teachers' utmost priority.

Thank you.

MR. MASON: Mr. Speaker, the hon. member has suggested that the speeches that are being made in this place are futile. I wonder why he says they are futile and if he believes that his speeches are futile as well.

10:10

MR. LUKASZUK: Mr. Speaker, if my speeches were containing quotes of Popes and past Presidents of the United States, if they were containing allusions to frogs and other fowl, I would indeed consider them to be futile, but that was not the case.

THE ACTING SPEAKER: We will resume debate. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise to speak on the amendment as proposed by the hon. Member for Edmonton-Ellerslie. Just for the record this amendment reads: "Bill 12, Education Services Settlement Act, be not now read a third time but that it be read a third time this day six months hence." I think it is a very suitable amendment because we don't need to be using a massive majority like the one that was received by the current government a year and a day ago to ram legislation such as this through this Assembly.

Mr. Speaker, there is only one way to describe this, and it is this. We have taken away from thousands and thousands of teachers their right to strike until the end of August 2003. We have used measures that, to say the least, are vindictive if they're not punitive. This is not decisive action with this bill. This is divisive. This is a very divisive action, and this is why I would encourage all hon. members to support the amendment as proposed by my colleague from Edmonton-Ellerslie. This is not the answer to the problems with public education and the negotiations that are going on between the school districts, the elected school trustees. In fact, Mr. Speaker, I believe I can safely say that 100 percent of the visitors who are currently in the public gallery are elected school trustees. I can quite safely say that.

We need to set in place a process – there's no doubt about that – where the teachers and the school districts and their government, the provincial government in this case, can settle their differences, where they can settle their differences not only regarding wages but also class sizes and the underfunding in the public education system that has gone on. Mr. Speaker, these items are all related. The arbitration process that is to be set up – and the hon. Minister of Human Resources and Employment certainly has had a fair amount of experience in dealing with these processes, and I'm sure that the hon. minister has some concern about this. There have been other processes that have been discussed, but I don't know how this one will work. I'm afraid that if we do not accept this hoist amendment, we are going to sour labour relations in this province for an extended period of time and there are going to be no winners. There will be no winners in this.

Now, we have this restriction. We're going to have this arbitration on the collective agreement for teachers, and it is going to be restricted to salaries and salaries only, no other conditions. I consider that totally unfair. As I said before, we do not include class sizes. Let's, for instance, take the school in the constituency of Edmonton-Gold Bar which I visited during reading week. I visited two classes. This was an elementary school. Both classes had class sizes of over 30. [interjection] There were not, unfortunately, two

teachers. No, there were not. Arrangements were made after the first four weeks of the school year to have some additional aide time. That arrangement was appreciated, certainly, by many of the parents, but the parents are not satisfied with that class size. If we do not get a better way than this proposal, we are going to have long-term problems, whether it's the pupils, whether it's the parents, whether it's the teachers, or whether it's the school trustees, or all hon. members of this Assembly. There are still going to be very serious problems with our public education system.

Now, I heard other hon. members of this Assembly talk about this hoist amendment, and they stated that this government and they themselves had high regards for the teaching profession. This bill, in my view, does not demonstrate that. To move this bill with such speed through this Assembly – I'm sorry; I have to question the desire to state that this is best for the public education system in this province. I cannot accept that, Mr. Speaker, this approach of having confrontation and no negotiation with such an esteemed organization as the Alberta Teachers' Association, which has a long, long history in this province. If we're talking about the political history of this province, we should consider the role that the schoolteachers – and they're affectionately just called the schoolteachers – have had in the affairs of this province. Now, I understood yesterday from the Premier that 20 of the government members are associated with or are members of the teaching profession. When you add in the opposition members that have been involved with the teaching profession, well, that means that 25 percent or better of this Assembly, of the composition of the members of this Assembly, are teachers.

Now, perhaps after the teachers of this province see exactly what this bill is doing to their rights, they are going to take a more active interest in provincial issues, just like they did in the '30s and in the '40s, Mr. Speaker, and perhaps that is a good thing that will come from a bad bill.

In conclusion, Mr. Speaker, I would urge that all members of this Assembly support this amendment, because the focus of children must be channeled in school by teachers who are not only satisfied to participate in the profession but feel wanted and feel respected.

AN HON. MEMBER: Why don't you give them a hug?

MR. MacDONALD: Mr. Speaker, an hon. member said that perhaps the government should give them a hug. Well, I think if the government were to provide stable, fair, and impartial labour relations, that would be sufficient. If the government was to genuinely be interested in addressing the issues of class size and the chronic underfunding that's been going on – and I know hon. members are going to state that there has been over \$300 million recently reinstated in the budgets of classrooms across this province, and that's correct. In fact, I have the precise figure here: program spending would increase by nearly 20 percent, or \$854 million, over the next three years. The additional enrollments would be .3 percent. Now, that's a lot of money. It certainly is, but we have to be assured that this money is going where it is needed.

10:20

Mr. Speaker, there has to be money available to fix the mistakes of the past. We have to go back, whenever we're looking at this issue, to the reckless cuts that were made to public education. The money that has now been reinvested, I believe the term is, in public education is warranted. After what's happened, it's going to take good planning to stabilize the system, and this bill is not good planning. This bill is, quite frankly, destabilizing the system. By imposing these rigid rules through until the 31st of August 2003, it's

going to just make a bad situation worse. That's why I would urge all members of this Assembly to support the hoist amendment as proposed by the Member for Edmonton-Ellerslie.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Questions and comments? The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. In 30 seconds I'd like the hon. Member for Edmonton-Gold Bar to give me an answer as to: what will change in six months by delaying this bill?

MR. MacDONALD: Mr. Speaker, in response to the hon. Member for Redwater's question, this is not the way to have fair and impartial labour relations, by imposing this bill on over 30,000 teachers in this province and over 40 school districts. This is not the way to do it.

Thank you.

THE ACTING SPEAKER: Hon. Member for Edmonton-Highlands, you have a question?

MR. MASON: I wish to speak, Mr. Speaker, to the amendment.

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. Unfortunately, I cannot support the hoist amendment.

THE ACTING SPEAKER: This is the questions and comments section.

MR. DUCHARME: I'd like to speak to the amendment.

THE ACTING SPEAKER: There being no questions or comments, the hon. Member for Edmonton-Highlands had risen before, so I'll recognize him.

MR. MASON: Thank you very much, Mr. Speaker. I would like to rise in favour of the amendment to the bill to postpone consideration of third reading for six months. Why might that be? It is because we believe that this bill is of fundamental importance and will negatively affect the rights of employees in this province and also students. We believe that it has been cooked up in a very short time. We also believe that the government members do not yet realize the full consequences of the bill.

What we want is some more time for reflection on the part of the government and of the government members before the bill is pushed through. Any delay would be satisfactory. Six months is a long time. We'd settle for a few weeks. We'd settle for a normal course of legislative debate on this bill instead of the fast-track, two-day, closure enforced process that has been selected for this bill. So on that basis alone we think that it ought to be postponed. We have some confidence that members opposite, if given a chance to reflect, may in fact one day actually change their minds on something, and that would be good.

Mr. Speaker, if you'll allow me to build the foundation for my argument a little bit . . .

MS CARLSON: Fifty storeys?

MR. MASON: No. It's only going to be a couple of storeys, hon. member.

I have a letter here which I would like to read.

AN HON. MEMBER: From the Pope?

MR. MASON: No, it's not the Pope, but I would advise the hon. member not to guess, because he can get himself in a lot of trouble.

To Whom It May Concern,

Today I decided to walk away from a degrading relationship, a situation in which I have been shamelessly devalued and abused. For the past year and a half of my young life I have put in much more than my share of time, emotion, and creativity to try and make this relationship work. Nothing improved. Instead, I have listened as my efforts were insulted publicly by my partner. I have had necessary funds withheld from myself and from the children under my care. My confidence and ambition have been eroded to the point that I have trouble remembering why I began this relationship in the first place.

Nearly every sinew and fiber in my body tells me that I should leave. I know that I am intelligent, educated, inventive and bold enough to succeed without this abuse. I know that my health, both physical and emotional, will improve greatly when I sever ties with my partner . . . but I'm going to stay for three more months.

What could make me stay in this situation even a second longer? Why, the children of course. I have dozens of them, and I care about each one because I am a teacher. The abusive situation I find myself in is with a government that refuses to acknowledge the value of my students, the value of my consuming and difficult work, or the value of a properly funded and supported public education system.

I've heard some people say that my relationship as a teacher under this government will improve because my salary may increase a bit this year. They are wrong. Do teachers deserve more money? From the inside I can tell you that they absolutely do. However, I do not think that money alone will be enough to make me suffer through another year as difficult as these first two have been. If it is only money that is intended to attract me back to this profession in September then my days as a teacher are over.

I respect myself enough to know that I deserve an employer that does not force me to work without a contract, one in which my workload (read: classroom size and desperately needed support for students with special needs) is not too much for one very hard-working person. I deserve a job that is not singled out by my own government for ridicule, abuse, and insultingly discriminatory legislation.

It pains me to admit that, come June, I need to walk away from teaching in my own province. Maybe it will not matter to the majority government that one lone teacher has decided not to martyr herself for them again next year. The thing is, I don't believe that I am the only caring, exhausted, abused teacher ready to leave. Had the Progressive Conservatives chosen to address all the problems that have been festering in our public education system in the past ten years, I would have been willing to consider returning this September. But to come back to this educational system in the state it is now? You could not pay me enough.

Now, Mr. Speaker, I want to address the whole question a little bit more of this commission on education. Once again, the government is coming up with a commission at the same time as they're imposing a contract on the teachers, and this is something, I think, that members should consider in the six-month interim: that the issues facing education in this province are not new. What is new is that the government has suddenly decided that they've got to have a commission to deal with it. Why are they doing it now? Because they're not going to give the teachers the right to collectively bargain a fair contract. They're not going to give the teachers a fair deal. So in order to have something else to divert everybody's attention, they're all of a sudden going to set up this commission and take however long it's going to take to finally come and deal with the issues that they have known about for years. The timing is

highly, highly suspicious, Mr. Speaker. Extremely suspicious. It is nothing but a shell game. Oh, you want to deal with class sizes? Well, okay. Let's talk about teachers' salaries. No, teachers' salaries are off the table. We're going to have this process, and now we're going to talk about it. So the government keeps switching back and forth, and they never really address the issue.

10:30

Mr. Speaker, I have no faith that this commission is going to actually deal with the questions facing teachers in the classroom. I think that it is simply a diversionary tactic to try and get the teachers to go along with what's happening to them in this bill. So I think that it is very appropriate that we take some time to think this through because I'm sure that if we do think it through, some members opposite may reconsider the hot-headed decision to instruct the Premier to override his deal and his agreement with the Alberta Teachers' Association, which I think would have resolved things very satisfactorily in the long run. It might have cost the government a bit more money, but the children would have been a lot better off, and the Progressive Conservative Party would have been a lot better off in the next election.

MR. LUKASZUK: Thank you for your advice.

MR. MASON: Mr. Speaker, I'm pleased to provide advice to the Progressive Conservative Party because I do think that the 74 seats they managed to win in the last election have provided a certain sense of invulnerability, a bit like a teenage boy driving a speeding car. They think that they're invulnerable, that they'll live forever, and it's just not so. I think this government is probably in more trouble now than it has been in since the days of Premier Getty. Even their own supporters in the media are turning against them. We saw that with Mr. Gunter's column today.

In conclusion, Mr. Speaker, I think that we should pass the hoist motion. I would like to say that the government is hoisted on its own petard, except I'm really not quite sure what a petard actually is. I think that hoisting this bill and giving it sober second thought is exactly what we need to do in the circumstances. So with that, with considerable time left, I will take my seat.

THE ACTING SPEAKER: Questions or comments? We'll resume debate. The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. Unfortunately, I cannot support the hoist amendment motion on Bill 12, the Education Services Settlement Act, as moved by the Member for Edmonton-Ellerslie. To further delay this unfortunate labour salary dispute serves no purpose other than to allow emotions to continue to fester and to create further unhappy feelings between teachers, legislators, trustees, parents, students, and the public.

Having been educated in Alberta's public system, I wish to thank my past teachers for the role that they played in my development. Without their devotion and passion for teaching it's likely that I would not today be representing the constituents of Bonnyville-Cold Lake. Mr. Speaker, as a former school trustee and a parent of two children who graduated from our public system, I have the utmost respect and admiration for Alberta's educators.

Mr. Speaker, this labour dispute has gone on far too long. As I receive calls and e-mails, I soon see that this labour situation has turned rather emotional and very political. It's: "He said this. No, he said that. The comments were unfair. The comments were taken out of context." All that is being achieved at this point in time is that

the level of anger continues to grow, and that is not a useful purpose.

Let's allow the salary arbitration process to proceed. Let's move on to the next step, the education commission, where Albertans working together can address all the other education concerns facing our teachers and our students. Together we can continue to provide the best education for our children, our future, our prosperity.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Any questions or comments? There being none, we shall resume debate. The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I was going to speak to Bill 12 just briefly, but the hon. Member for Bonnyville-Cold Lake said exactly what I was going to say. I would like to identify his remarks and not prolong the debate by repeating them, other than to say that I think that there's an exciting opportunity here for Albertans, for teachers, for students, for all of us who are concerned about education in this province, and that opportunity is in the preamble to the bill.

The bill itself deals with the wage dispute. The issues that are really important – not that wages aren't important, because they are; and not that teachers don't deserve decent wages, because they do. They work long and they work hard. I come from a family of teachers, and I know that from personal experience. But the big issues that really concern most of the teachers that I speak to are the class size issues, the issues around the amount of time and effort that goes into it, the changes in education over the last 10 years with integration and inclusion in classrooms, with technology in classrooms, and those other issues which have really changed the nature of the workplace, changed the nature of education.

We've learned so much over the last 10 years about learning and about the styles of learning and about what it takes to teach and what types of learning there are. We need the commission on education which has been promised to examine learning in detail. Those are not issues that can be dealt with in a collective bargaining process. That's why we need this bill now: to get the wage issue off the table so we can get on with talking about education in a meaningful, broad-based way so that we can have the best possible education system so that our children can be the best they can be and go out into the world.

Mr. Speaker, I think we've come close to the end of this debate. I would ask for the unanimous consent of the House for waiver of the 10-minute bell rule so that we could have one-minute bells, because I'm sure that we will have a few divisions yet tonight.

[Unanimous consent granted]

DR. PANNU: Mr. Speaker, I'd like to briefly speak in support of the motion before the House.

MR. MASON: I have questions for the minister.

THE ACTING SPEAKER: I am sorry. The hon. Member for Edmonton-Highlands with a question.

MR. MASON: Yes. I would like to ask the minister why the government has taken so long to decide to create a commission on the future of education and why the timing has been chosen to coincide with this bill.

MR. HANCOCK: Well, I think that's a very important question and

well answered by Wetaskiwin-Camrose, I believe earlier today, when he said that all ideas have their time and their place. There has been discussion of a commission on education or something of that sort since early last year, in fact, coming out of the election, when so many people last year told us on the doorsteps that they were concerned about resources in the classroom and they were concerned about classroom size, those issues.

The Future Summit very clearly put forward discussion about the need for a commission on education, and the labour issue that we're going through right now has very clearly brought it to a head. The president of the ATA made it a suggestion and a very good one.

MR. MASON: Since the other minister who I'd like to ask the question of has not subjected himself to these questions, I'll ask this minister how long he thinks this commission on education is going to take to come up with its recommendations to the government.

MR. HANCOCK: Well, that would be asking for an opinion, but I'm happy to give him my opinion. The commission should take as long as necessary to thoroughly analyze the data, to look at all the issues very carefully, dispassionately, and nonpolitically and come to some conclusions and recommendations, which probably should be completed before the next contract is up so that it does not become an issue in the next collective bargaining process.

10:40

THE ACTING SPEAKER: Any questions or comments? The hon. Member for Edmonton-Highlands again.

MR. MASON: For the minister. I take from the minister's statement that it could be up to a year and a half, two years before this happens. Will the government in the meantime continue its policy of underfunding education?

MR. HANCOCK: Well, the hon. member would have to ask the responsible minister who will be presenting a budget next Tuesday as to what funds will be going to education, but I wouldn't agree with the premise that education is underfunded. I think we very clearly need to look at the way the resources are allocated and how we resource education and what changes have happened in education over the last 10 years, which will require a very thorough look. The contract should expire by August of 2003, as I understand it, under Bill 12, and therefore the commission should have its report in prior to that date so that we can get on with those issues.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands again with a question.

MR. MASON: Thank you, Mr. Speaker. I would like to ask the minister if this commission is going to have the same depth and breadth of public consultation as the Mazankowski commission did.

MR. HANCOCK: The commission hasn't been established yet, so we don't know its form as yet, but I would expect the minister of education would appreciate any advice that he might get as to how the commission should be formed, who should participate in it, and what issues it should discuss.

THE ACTING SPEAKER: We'll resume the debate. The hon. Member for Edmonton-Strathcona has been recognized.

DR. PANNU: Thank you, Mr. Speaker. I would like to speak in

support of the motion to hoist this bill and that it be brought back to this House six months from today. I want to just speak on a few points that I think are important to clarify.

First, this whole talk about the commission, a task force, perhaps a summit is all so fuzzy at the moment. It's a bit of a red herring when talking about and debating Bill 12. Let's talk about Bill 12 and why it is necessary to hoist it tonight and debate it six months from now. In the meantime, have some negotiations with the Minister of Learning and have some negotiations with the Alberta school trustees and have some contact with the ATA to resolve the issues. To simply ram this bill through tonight will solve absolutely nothing.

Two other points that I want to make. I was listening to the minister when he introduced third reading of the bill this afternoon, and I was quite taken by one particular comment the minister made. He talked about the fact that he wanted to remove the possibility of the trauma that collective bargaining is likely to cause in this province to parents, to teachers, to the public system. Trauma is a very medical term appropriately used by the minister, who has some knowledge of these issues. He didn't use this term three weeks ago, when he recommended to the Minister of Human Resources and Employment – at that time he called it public emergency. He got his hand slapped a bit by Chief Justice Allan Wachowich when he said that there is no such thing as a public emergency caused by the legal right to take job action by teachers in this province. So he has switched his language but obviously not his thinking about the matter. He hasn't learned anything from the decision of the court and the verdict of the court, so he now begins to use the word "trauma." The trauma that's going to come, Mr. Speaker, is going to be the result of the mad rush with which this bill is being put through this House tonight.

So I certainly would ask all members to reflect on this matter and give favourable consideration to the motion before us to postpone that day on which to make those decisions and in the meantime try to seek negotiations, consultations, and improve this bill. In that respect, we tried last night to do our best to take out the most odious parts of the bill and improve them by way of making amendments. Only three of our eight amendments were given the time, and then the guillotine was dropped and the debate stopped.

Debate needs to continue, and this motion before us will allow this kind of debate to happen, not only based on the specific proposal that the New Democrats made by way of our amendments, but lots of Albertans – members of school boards, teachers, parents, school council members – and everyone in this House will have the opportunity to engage in this debate and this discussion which is so necessary if they're going to fix the problems their system faces.

A comment was made this evening, Mr. Speaker, by the hon. Member for Calgary-Egmont. He expressed grave concerns about the problems that collective bargaining, when the right is exercised by teachers, creates for the system, for particularly our students and families and everyone else. I think he is out of touch. If he thinks that all members and all school boards are opposed to collective bargaining, he's absolutely out of touch. He's not correct in taking that position.

Thus today Don Fleming, the chairman of the Edmonton public school board, stated publicly that insofar as his experience in the public school board is concerned, there have been exceedingly cordial, collaborative, and constructive relationships between teachers, on the one hand, as employees of the school board and the school board members as elected employers of those teachers. This has happened because there has been decent recognition of the right for collective bargaining and the right for teachers to exercise their

legal right to strike. So the collective bargaining arrangements that are in place in this province have in fact worked, worked to the advantage of our students, worked to the advantage of school boards and teachers in being able to negotiate agreements that are acceptable, that have been constructive, that have been helpful to all parties, and that have best served the interests that the school system is supposed to address and serve.

Let's not proceed with this mad rush and turn this Legislative Assembly into an Assembly that issues decrees. I think this bill, if passed and rammed through tonight, will certainly be seen by a very large number of Albertans and almost all teachers in this province as a decree, not carefully thought out legislation that received the due debate that it deserves.

If this amendment were to be passed, it would also give time to the 16 members of the Tory caucus that the Premier continues to refer to as teachers, teachers in support of this bill. I'm not entirely sure how happy those 16 members of the Conservative caucus are who have in the past in one capacity or another served as teachers or in some capacity in the school system. I think they deserve an opportunity to reflect without being pressured by their colleagues and by their heavy-handed minister to buy into this rush for passing this ill-considered piece of legislation. MLAs who are represented in the caucus of the Tory party who claim to be teachers I think need to go back to the teachers, to their colleagues, to their peers and talk to them and come back and give some advice to the minister and to the caucus. Maybe based on that advice, we can improve this bill by the time it's ready to come back in six months.

So for these reasons that I've given, Mr. Speaker, I think it's important that all members support the motion before the House. Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. member? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Thank you very much, Mr. Speaker. I have a question, please, for the hon. Member for Edmonton-Strathcona. My question is this: in light of your remarks, do you think it's important that part of the solution to this problem is a recognition that class size is important and the pupil/teacher ratio is important?

DR. PANNU: Mr. Speaker, this bill is about contract stripping. This bill is about stripping contracts that have been negotiated with teachers earlier, and that is wrong. So surely any contract that's been negotiated, that's been arbitrated should include all the matters that concern parties at the table, which is teachers on one side and school boards on the other, and not be excluded.

10:50

THE ACTING SPEAKER: There being no further questions, we shall resume debate.

SOME HON. MEMBERS: Question.

THE ACTING SPEAKER: Okay. You're ready for the question.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 10:51 p.m.]

[One minute having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Blakeman	MacDonald	Pannu
Carlson	Mason	

Against the motion:

Ady	Goudreau	Maskell
Amery	Hancock	McClelland
Broda	Hlady	Melchin
Calahasen	Horner	Oberg
Cao	Hutton	O'Neill
Cenaiko	Jacobs	Ouellette
Coutts	Johnson	Rathgeber
DeLong	Knight	Stelmach
Doerksen	Lougheed	Stevens
Ducharme	Lukaszuk	Strang
Dunford	Magnus	VanderBurg

Totals:	For – 5	Against – 33
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[Motion on amendment lost]

THE ACTING SPEAKER: On the motion for third reading of Bill 12, Education Services Settlement Act, as proposed by the hon. Minister of Learning.

[The voice vote indicated that the motion carried]

[Several members rose calling for a division. The division bell was rung at 10:56 p.m.]

[One minute having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Ady	Hancock	McClelland
Amery	Hlady	Melchin
Broda	Horner	Oberg
Calahasen	Hutton	O'Neill
Cao	Jablonski	Ouellette
Cenaiko	Jacobs	Rathgeber
Coutts	Johnson	Stelmach
DeLong	Knight	Stevens
Doerksen	Lougheed	Strang
Ducharme	Lukaszuk	VanderBurg
Dunford	Magnus	Yankowsky

11:00

Against the motion:

Blakeman	MacDonald	Pannu
Carlson	Mason	

Totals:	For – 34	Against – 5
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[Motion carried; Bill 12 read a third time]

THE ACTING SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Notwithstanding the pressure from all sides to continue on with other business, I would like to move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 11:02 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

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

1:30 p.m.

Date: 02/03/14

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

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

Please be seated.

head: **Introduction of Guests**

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

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

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

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

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

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

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

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

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

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

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

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

head: **Oral Question Period**

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

Public Safety

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

THE SPEAKER: The hon. minister.

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

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

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

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

THE SPEAKER: The hon. member.

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

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

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

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

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

THE SPEAKER: The hon. member.

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

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

THE SPEAKER: The hon. member.

1:40

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

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

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

THE SPEAKER: The hon. minister.

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

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

MR. HANCOCK: Point of order.

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

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

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

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

Teachers' Arbitration Legislation

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

MR. HANCOCK: Not personally, Mr. Speaker.

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

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

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

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

THE SPEAKER: The hon. member.

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

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

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

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

THE SPEAKER: The hon. minister.

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

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

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

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

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

THE SPEAKER: The hon. member.

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

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

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

1:50

Closure of Acute Care Beds

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

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

THE SPEAKER: The hon. member.

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

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

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

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

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

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

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

Teachers' Arbitration Legislation (continued)

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

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

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

THE SPEAKER: The hon. member.

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

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

THE SPEAKER: The hon. member.

MR. HORNER: No more, Mr. Speaker.

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

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

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

THE SPEAKER: The hon. member.

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

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

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

THE SPEAKER: The hon. member.

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

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

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

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

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

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

2:00

Immigration of Skilled Workers

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

THE SPEAKER: The hon. minister.

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

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

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

THE SPEAKER: The hon. member.

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

THE SPEAKER: The hon. minister.

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

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

Gaming and Liquor Commission Employees

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

THE SPEAKER: The hon. minister.

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

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

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

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

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

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

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

Prior Access to Budget Information

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

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

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

THE SPEAKER: The hon. minister.

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

THE SPEAKER: The hon. member.

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

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

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

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

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

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

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

2:10

National Infrastructure Program

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

THE SPEAKER: The hon. minister.

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

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

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

Thank you.

THE SPEAKER: The hon. member?

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

Disabled Persons' Access to the Legislature Building

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

Thank you.

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

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

Thank you.

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

THE SPEAKER: The hon. member.

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

Thank you.

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

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

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

Programs for Abused Seniors

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

THE SPEAKER: The hon. minister.

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

THE SPEAKER: The hon. member.

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

THE SPEAKER: The hon. minister.

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

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

Softwood Lumber Trade Dispute

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

2:20

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

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

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

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

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

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

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

involvement Alberta industry has played in these recent developments?

THE SPEAKER: The hon. minister.

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

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

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

Closure of Acute Care Beds

(continued)

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

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

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

THE SPEAKER: The hon. member.

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

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

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

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

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

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

2:30

head: **Members' Statements**

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

Nokia Brier

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

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

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

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

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

Thank you, Mr. Speaker.

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

Teachers' Labour Dispute

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

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

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

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

Thank you, Mr. Speaker.

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

Teachers' Labour Dispute

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

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

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

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

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

Public Health Care System

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

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

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

head: Tabling Returns and Reports

THE SPEAKER: The hon. Solicitor General.

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

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

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

2:40

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

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

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

Thank you very much.

THE SPEAKER: Additional tablings?

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

head: Projected Government Business

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

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

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

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

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

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

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

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

Point of Order Allegations Against a Member

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2:50

THE SPEAKER: The hon. Solicitor General.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Privilege

Appointments to Electoral Boundaries Commission

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

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

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

Thank you.

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

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

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

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

head: **Orders of the Day**

head: **Government Motions**

His Royal Highness Prince Michael of Kent, KCVO

18. Mr. Hancock moved:

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

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

THE SPEAKER: The hon. Government House Leader.

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

3:00

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

[Government Motion 18 carried]

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

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

Bill 17
Appropriation (Interim Supply) Act, 2002

THE SPEAKER: The hon. Minister of Finance.

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

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

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

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

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

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

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

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

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

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

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

3:10

There certainly has been robust growth. I attended the EDE

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

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

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

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

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

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

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

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

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

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

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

MR. GRAYDON: Seventy four.

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

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

3:20

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

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

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

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

The hon. Member for Airdrie-Rocky View.

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

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

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

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

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

AN HON. MEMBER: Why not?

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

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

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

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

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

Thank you.

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

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

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

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

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

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

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

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

Thank you.

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

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

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

THE SPEAKER: Okay. The hon. Member for Edmonton-Glen-garry.

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

3:30

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

[Mr. Tannas in the chair]

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

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

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

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

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

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

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

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

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

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

3:40

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

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

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

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

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

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

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

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

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

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

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

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

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

3:50

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

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

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

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

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

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

MR. HANCOCK: Is only what?

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

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

MR. HUTTON: Context.

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

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

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

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

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

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

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

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

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

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

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

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

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

4:00

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

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

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

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

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

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

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

DR. TAFT: No, I would hope not.

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

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

Thank you, Mr. Speaker.

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

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

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

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

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

[Motion carried; Bill 17 read a second time]

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

Bill 1

Queen Elizabeth II Golden Jubilee Recognition Act

THE DEPUTY SPEAKER: The hon. Minister of Learning.

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

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

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

Thank you.

4:10

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

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

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

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

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

Thank you very much.

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

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

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

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

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

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

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

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

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

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

Thank you.

[Motion carried; Bill 1 read a third time]

4:20

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

[Mr. Tannas in the chair]

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

Bill 5 Interjurisdictional Support Orders Act

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4:30

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4:40

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

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

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

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

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

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

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

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

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

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

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

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

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

4:50

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

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

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

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

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

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

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

Thank you, Mr. Chairman.

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

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

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

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

THE CHAIR: The hon. Government House Leader.

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

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

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

Bill 4 Public Health Amendment Act, 2002

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

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

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

5:00

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

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

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

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

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

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

[Mr. Klapstein in the chair]

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

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

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE ACTING CHAIR: It's carried.

Bill 11 Energy Information Statutes Amendment Act, 2002

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

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

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

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

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

5:10

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

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

So you see, Mr. Chairman, what we're looking at is bringing all these acts – the Natural Gas Marketing Act, the Oil and Gas Conservation Act, and the Oil Sands Conservation Act – under one act and putting the time limits in there.

I guess the other points I have been questioned on are regarding the information on the Oil Sands Conservation Act from the aspect

of all the megaprojects that are going on in our province right now. What they're saying is that they felt that five years wasn't long enough. But we still have the five-year window, and if they have a hearing and they can display to FOIP after the five years that they've got the right information, FOIP can still overrule that after the five years if they feel that it's going to harm the industry by disclosing that information.

With that, Mr. Chairman, I move the reading on this. Thank you.

THE ACTING CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much. At this point in committee, Mr. Chairman, I have some remarks to make regarding Bill 11 if the chair permits. I of course was listening with interest to the hon. Member for West Yellowhead. I would like to formally express my gratitude to the hon. member and the members of his staff who were kind enough to give me and the Liberal researcher a bit of a briefing yesterday on this proposed legislation.

[Mr. Tannas in the Chair]

Now, I still have some outstanding questions regarding this legislation, and I certainly still have, Mr. Chairman, some significant concerns. I can understand the hon. member whenever he discusses the fact that we need to have a formal process to ensure that there is a system of confidentiality, whether it be trade secrets, whether it be information regarding specific costs. For instance, let's choose electricity generation. I can understand that. I can also understand that if an individual corporation in this province pays, say, \$1.2 million for a seismic survey in the Peace country, that is their money. If they spend it that way, that's fine, and that information is theirs, the results of that seismic survey. I can understand that, but when we look at what has occurred with the electricity generation distribution system in this province, I don't agree with this bill in regards to the changes to the Electric Utilities Act, and specifically it is section 70. It's going to be renumbered.

One is almost obligated to remind all members of this House, Mr. Chairman, that a negotiated settlement, as I understand it in its description in this bill, can be and is the rates charged to consumers for electricity. That could be an example of a negotiated settlement, and I don't think the process that's involved in determining the electricity rates should be exempt. It should be available, and I think it can be made available in the FOIP Act itself.

This hearing process that the hon. member discussed, as I understand it, can be secret for up to a period of 10 years. Now, in the time I have at this stage of the bill, I have certainly many issues, but that would be one of them. I think there has to be a transparency, Mr. Chairman, in all aspects of electricity distribution and generation in this province, and I'm not sure that we're going to get that transparency with this bill.

Now, I have a letter with me that I tabled earlier in the week, Mr. Chairman. It's a letter dated March 4, 2002. It's addressed to myself, and it's from the office of the Information and Privacy Commissioner. The office of the Information and Privacy Commissioner has certainly provided this hon. member with some information and some opinion in regards to Bill 11, and he writes:

There are several different kinds of information at issue in Bill 11. There may be a case for removing some of it, such as geophysical and geological information from the possibility of access than there is for removing other information, for example, royalty information. If I had to assign some sort of priority to these kinds of information, I would say that royalty information is the kind of information which most certainly should be subject to the FOIP act. After all, royalties are what Albertans receive in exchange for the

mining of non-renewable resources. Seen in that light, Albertans have a right to know what royalties are being paid, how the royalties are being collected, what royalties might be . . . forgiven and so on.

The philosophy of the FOIP Act is that accessibility and transparency bring about accountability and accountability makes for better government. It is with this in mind that I hold royalty information to be at the top of the list of priorities in terms of accessibility.

The Privacy Commissioner also states:

We have never been aware of any compelling arguments that harm would be so obvious and so constant that this kind of information should be entirely and permanently removed from the FOIP Act.

This is in regards to Bill 11.

5:20

Now, I think we have to think that with the appropriate section – and it's section 16 of the FOIP Act. If this information was made available through FOIP to the public, the information that's going to be in the Mines and Minerals Act, the Natural Gas Marketing Act, et cetera . . . In Bill 11, if this information was deemed confidential or sensitive or if it was of a proprietary nature after considerable expense through research and development by a corporation, that information, section 16 of the act – and I'm going to quote again, Mr. Chairman, from the letter that I have received from the commissioner regarding this matter:

I believe that the FOIP Act is structured in such a way as to be able to deal with the accessibility and to allow a case to be made to remove information from being accessible when certain harms could result. In this case, an oil company which felt that the disclosure of information which is subject to the act could object to the disclosure on the basis that disclosure would harm their business interests under section 16 of the act.

I tabled this document, I mentioned previously, this week in the Assembly, and this letter is from Frank Work, Acting Information and Privacy Commissioner. In discussions regarding this bill, I would encourage all hon. members to familiarize themselves with that specific letter.

Now, why we would want to make royalty information or forecasting royalty information exempt is beyond me when royalties are such an important part of provincial revenues. We have this Alberta royalty tax credit, which is forecast, I believe, to be \$124 million this year. One has to consider that. That's a significant amount of money, the \$3.7 billion or greater than that, that we're going to get in royalty revenue. We have to be able to examine that process, and Albertans have every right to know that information.

There are so many ways to consider accessibility and accountability, but we can't put the interests of the financial impact on producers in regards to this information ahead of the financial impact on the government. Whenever we talk about the government, we're also talking about all the citizens of Alberta who own those resources. Those resources and the return on those resources have to be for the maximum benefit of all Albertans.

There are many, many different royalty structures, and I was discussing this earlier. There's the natural gas royalty reduction. There's the petroleum royalty. There are royalties . . .

THE CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Gold Bar, but under Standing Order 60 the committee must report prior to the normal hour of adjournment. So we have to first of all move that we report this bill, progress thereon, and then rise, et cetera.

The hon. Government House Leader to report Bill 11.

MR. HANCOCK: Thank you, Mr. Chair. I would move that the committee rise and report bills 5 and 4 and report progress on Bill 11.

[Motion carried]

[The Deputy Speaker in the chair]

MR. KLAPSTEIN: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 4 and 5. The committee reports progress on Bill 11.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. on Monday.

[Motion carried; at 5:27 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, March 18, 2002**

1:30 p.m.

Date: 02/03/18

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Hon. members, would you please remain standing for the singing of our national anthem. Please join with Mr. Paul Lorieau in the language of your choice.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

Sergeant-at-Arms, please attend upon our royal visitor.

[The Sergeant-at-Arms left the Chamber to attend His Royal Highness Prince Michael of Kent]

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

THE SERGEANT-AT-ARMS: Mr. Speaker, His Royal Highness Prince Michael of Kent awaits.

THE SPEAKER: Sergeant-at-Arms, admit His Royal Highness Prince Michael of Kent.

THE SERGEANT-AT-ARMS: All rise, please.

[Preceded by the Sergeant-at-Arms, His Royal Highness Prince Michael of Kent and his party entered the Chamber. His Royal Highness took his place upon the throne]

THE SPEAKER: Hon. members, please be seated.

Your Royal Highness, we are both pleased and honoured to have you address this Assembly in Her Majesty's golden jubilee year. Would you please convey to Her Majesty on behalf of the members here assembled and of all Albertans our congratulations on the occasion of her 50 years of selfless service as Queen of Canada and head of the Commonwealth.

Sir, I would now invite you to give your remarks.

His Royal Highness Prince Michael of Kent, KCVO

Address to the Assembly

HIS ROYAL HIGHNESS: Mr. Speaker, I'd like to thank you and the Members of the Legislative Assembly of Alberta for your kind

invitation to address you today. I can assure you, Mr. Speaker, that I will convey to Her Majesty the loyal message of good wishes which you've expressed on behalf of the Assembly.

I have the fondest memories of my last visit to this province nearly 10 years ago, when I came to Edmonton for the Canadian Finals Rodeo and subsequently visited Calgary. I'm delighted to tell you that I was presented with my black hat before my white one. This time my stay will be brief, but I'm happy to be meeting such a variety of Albertans. Yesterday in Calgary I reviewed a joint services jubilee parade of hundreds of cadets. They, along with youth leaders from Edmonton area high schools whom I met at lunch today, promise a future for Alberta no less impressive than its past.

First thing this morning I visited the Salvation Army headquarters and then spent time with volunteers and veterans at the Colonel Mewburn Pavilion, and later on I will be fortunate to join your Lieutenant Governor in honouring bravery and dedication at a Lifesaving Canada awards ceremony.

The common element of each of these stops on my tour is service. Standing here at the heart of democratic institutions within Alberta, a province named after Princess Louise Caroline Alberta, the fourth daughter of the Mother of Confederation, Queen Victoria, I am especially pleased to be addressing you in the year when a second Queen of Canada celebrates her golden jubilee. Her Majesty the Queen is herself a great exemplar of service to others, and one of the themes of jubilee celebration throughout the Commonwealth this year centres on honouring our Sovereign. The unnumbered acts of kindness of the gift of volunteer hours may not be the stuff of headlines, but they're surely the basis of civil society and of the peace of mind and heart that so characterizes this Maple Kingdom.

By happy coincidence Canadians also celebrate this year the 50th anniversary of the appointment of Canadian Governors General. The first such representative of Her Majesty, The Rt. Hon. Vincent Massey, wrote that it is to the Crown we look "to encourage the spirit of nationhood and to warn against its neglect." The distinct evolution of the Canadian Crown points to the capacity of the constitutional monarchy to be a system of government that is infinitely adaptable.

In this federal system the Crown is actually an 11-fold diadem, assuring the provinces that they are as fully sovereign in their areas of jurisdiction as is the national government in its own compass of responsibility. The golden jubilee is not only a time to pay tribute to the Queen, to whom you and I are proud to give our allegiance; it also offers an opportunity for everyone to learn more about the way nation and province are governed and so to bolster patriotic sentiment with a grounded knowledge of the basis of Canadian parliamentary democracy, institutions, and symbols.

With identity rooted in knowledge and heartened by the beauty of mountains, prairies, and lakes, Fortis et Liber, strong and free, as the Alberta motto reads, will surely continue to be the proud and true boast of this energetic and loyal province.

Thank you, Mr. Speaker. [applause]

1:40

THE SPEAKER: Your Royal Highness, on behalf of all Members of this Legislative Assembly I thank you for your kind and thoughtful words. We wish you well on your tour of Canada.

THE SERGEANT-AT-ARMS: All rise, please.

THE SPEAKER: Hon. members, would you please join in the singing of *God Save The Queen*, led by Mr. Paul Lorieau.

HON. MEMBERS:

God save our gracious Queen,
long live our noble Queen,
God save The Queen!
Send her victorious,
happy and glorious,
long to reign over us:
God save The Queen!

THE SERGEANT-AT-ARMS: Order!

[Preceded by the Sergeant-at-Arms, His Royal Highness and his party left the Chamber]

THE SPEAKER: Hon. members, please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti.

MR. GRAYDON: Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you Diana Knight. Diana is the wife of the MLA for Grande Prairie-Smoky. She joins us today because of her deep respect and love for the monarchy and the special anniversary that we are celebrating today. So I would ask you to recognize Diana Knight, please.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce Mr. Bob Jackson, chair of the Aspen regional health authority; Mr. Bob Cable, chief executive officer; and Ms Debbie Pall with the Aspen regional health authority. Aspen health reaches into the constituencies of Whitecourt-Ste. Anne, Redwater, Athabasca-Wabasca, Spruce Grove-Sturgeon-St. Albert, and of course your constituency, sir, Barrhead-Westlock. Aspen is one of the most progressive rural health authorities in Alberta. They are seated in your gallery this afternoon, and I'd ask them to rise and receive the traditional warm welcome of this Assembly.

Thank you, sir.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm very pleased to introduce a young lady from Calgary who is visiting the Legislature for her first time today. She works part-time in the constituency office of Calgary-Foothills and attends the University of Calgary to become a teacher. I'd ask Michelle McCann to rise and receive the warm welcome of this Assembly.

MRS. McCLELLAN: Mr. Speaker, I'm very pleased to introduce to you and through you to members of the Assembly four special guests today. First is Joanne McDonald of St. Albert and her son and daughter, Brett and Jillian. They're accompanied by Joanne's mother, Brett and Jillian's grandmother and, incidentally, my aunt, Esther McDonald. I would ask that they all rise and receive the very warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to members of the

Assembly employees from Alberta Justice and from the Alberta Solicitor General's strategic management services. These individuals are here on the public service orientation tour, which I understand is being promoted and carried out by the Leg. Assembly Office and by your good office. These four people who are with us today should have not only the thanks but the sympathy of the House because they have to provide strategic management services not only to one department, the Department of Justice, but also to the Department of the Solicitor General, and to deal with two departments requires that much extra effort and perseverance. I'd ask Ms Leslie Noel, Mr. Walter Garcia, Mr. Steve Sinclair, and Mrs. Bobbi Lynn Schmidt to rise and receive the traditional warm welcome and the sincere thanks of this House.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. Today I have the pleasure of introducing four special guests, who are seated in the members' gallery. They are executive members of the French Canadian Association of Alberta: the president of the association, Mr. Ernest Chauvet, and the vice-presidents, Mr. Denis Lord and Mr. Ernest LeFebvre. The fourth person is the president of the Franco-Albertan Seniors Federation, Mme Therese Conway. These people are my guests today as a follow-up to the special celebration that was held this morning in the rotunda to mark the fourth edition of les Rendez-vous de la Francophonie, an International Francophone Day coming up on the 20th of March. Also seated with these guests is Mr. Denis Tardif, the director of the Francophone Secretariat. As I mentioned earlier, they are seated in the members' gallery, and I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. On this day after the glorious 17th it gives me great pleasure to stand here and introduce to you and to all members of this House 25 students who are visiting the Legislature from St. Albert. They attend Leo Nickerson school, and they are accompanied by their teacher, Mr. David Power, and a parent, Mrs. Cheuk Ng. They are seated in one of the galleries because they're going to be seated in the other gallery tomorrow, and I would like them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to the members of this Assembly two very special ladies. The first one is Edna St. Andre. Edna used to reside in my constituency in Dunvegan. She's from Girouxville. Edna has been a very, very strong advocate of people with developmental disabilities and has worked on that for well over 20 years. The second lady is my right-hand lady. She is my wife of over 28 years. They are in the public gallery, and I'd ask them to rise and receive the traditional warm welcome of this Assembly.

1:50

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. I rise today to introduce to you and through you to the rest of the Assembly 80 students and their teachers and chaperones that are with them. They represent Mills Haven school, a wonderful elementary school in Sherwood

Park. They are accompanied by Thelma Beatch, Irene Kolomijchuk, Colleen Alpern, Sigrid Brodeur, and Amanda Lechelt as teachers. Parent helpers are Brad Garneau, Jane Ternes, Chris Foster, Susan Hutton, Mrs. Gravel, Mrs. Elsey, Mrs. Townsend, and Mrs. Sinn. I would ask now that our delegation from Mills Haven school and those that are accompanying them please rise for the warm applause of our Assembly. They are seated, I believe, in both galleries.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to all members of the Assembly a constituent of Edmonton-Glengarry, Jimmy Ragsdale. Jimmy has a keen interest in politics, and he is here to visit us once again. So with your permission I'd ask Jimmy to rise and receive the traditional warm reception of the Assembly. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have two introductions today. First, I'm pleased to introduce to you and through you to all members of the House Lawrence Rockton, the founder and director of AISH & CPP in Action, a nonprofit group. Many of the members of that group and Mr. Rockton have been on the steps of the Legislature this morning to express their concerns to all of us. With the AISH rates being extremely low, they are experiencing poverty, loss of dignity and independence. Lawrence and many of his members are asking the government to increase their AISH benefits and index their benefits to the annual cost-of-living increases. I'll ask Mr. Rockton to please rise and receive the warm welcome of the Assembly.

Mr. Speaker, my second introduction. I'm very pleased to introduce to you and through you to all members of the House a teacher who's been educating our children for the last 23 years. Michael O'Neill teaches in Elk Point. Like thousands of other teachers in Alberta this teacher feels betrayed by Bill 12. He has taken a personal day off without pay today to register his protest with the government policies. I'll now ask Michael O'Neill to please rise and receive the warm welcome of the Assembly.

head: Oral Question Period

THE SPEAKER: The first Official Opposition main question. The hon. Leader of the Official Opposition.

Public Safety

DR. NICOL: Thank you, Mr. Speaker. On Friday, March 15, the Solicitor General insisted that all sex offenders should be classified as high risk and that if this was not the case, then probation officers were to blame, but a 1997 memo from Alberta's correctional services division clearly lays out conditions under which a sex offender could be classified as medium risk. In fact, an offender, now on probation, who committed several sex offences against young boys is rated as medium risk. My questions are to the Premier. Is this soft-on-crime policy driven by public safety needs or budget restraint?

MR. KLEIN: Mr. Speaker, the details of the question I'll take under advisement and under notice and discuss the question with the hon. minister, but in no way, shape, or form is this government's program intended to be soft on crime.

Basically, what we're trying to do and what the Solicitor General is trying to do is find ways to ease pressure on senior probation

officers who deal with high-risk offenders and put some of the less serious cases – and I mean far less serious cases – to so-called caseworkers. Mr. Speaker, I understand that that will be the subject of two pilot projects, one in Stony Plain and one here in Edmonton, I believe. I would ask the hon. leader of the Liberal opposition to wait and see how these pilot projects work out.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: has this soft-on-crime policy, allowing sex offenders out with minimum supervision, been approved by the Premier and cabinet?

MR. KLEIN: Mr. Speaker, there is no such thing as a soft-on-crime policy. You have to keep in mind that this Legislature and the laws of this Legislature deal with matters of summary conviction only and do not deal with matters of indictable offences, which are under the Criminal Code. So if the hon. member is talking about crimes as serious as murder or robbery or rape or other serious crimes of fraud, and so on, he's talking about an entirely other jurisdiction, namely the federal government.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: is it acceptable for the Premier's minister to blame probation officers when her policy is questioned?

MR. KLEIN: Mr. Speaker, the hon. Solicitor General is not blaming probation officers. As a matter of fact, she's trying to assist probation officers in the performance of their duties, and that's why she has established two pilot projects: to see if there are, indeed, more effective and more efficient ways of delivering programs and at the same time provide an adequate level of service for both serious offenders and those who are considered to be not so serious.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Ministerial Responsibility

DR. NICOL: Thank you, Mr. Speaker. When the Premier added four new ministries to his government a year ago, he assured us that quality control would be improved, yet last week the Solicitor General repeatedly gave the Legislature and Albertans inaccurate and contradictory information while blaming her staff for policy decisions. My question is to the Premier. Is this an acceptable level of performance under this mandate of improved quality control?

MR. KLEIN: Mr. Speaker, that question is subjective in nature. The hon. leader of the Liberal opposition has made a statement which I find not to be true. As I understand it, the question relates to a matter which, I further understand, is a matter of privilege in this House raised by another member of the Liberal opposition, and I would wait to hear the Speaker's adjudication on that particular application.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: will the Premier confirm that ministers of his cabinet hold ultimate responsibility for policy decisions?

MR. KLEIN: Mr. Speaker, ministers of this cabinet hold responsibility for undertaking and delivering the policies, but policy develop-

ment is far more complex than the ministers simply bringing forward a ministerial order. We have a system that is very democratic in our caucus, where things are first vetted through agenda and priorities, then to the standing policy committees, then on to cabinet, and then to caucus for a full discussion. Once the policy has been developed, it's up to the minister to make sure that that policy is carried through.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: what is the Premier going to do about this minister that's out of control and blaming her staff?

2:00

MR. KLEIN: Mr. Speaker, she's not out of control, not by any stretch of the imagination. The minister, with all due respect, is a wonderful individual, deeply concerned about matters of community safety. I would remind the hon. member, the leader of the Liberal opposition, that it was this minister who, I know, firsthand took it upon herself to travel with the Calgary Police Service, perhaps with the Edmonton Police Service as well, long before she was the Solicitor General, to get a firsthand look at criminal activity in both major urban centres. It was this minister who had the compassion to see the plight of young children who were being used – and I mean used and abused – by pimps and johns and to bring in very meaningful legislation, the Protection of Children Involved in Prostitution Act, Mr. Speaker. So he's talking about a minister who has tremendous compassion and, I would suggest, a great deal of respect and admiration for the principles and the letter of the law.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

Bill 12 Protest

DR. MASSEY: Thank you, Mr. Speaker. The Premier took comfort last week in noting that no one was protesting the passage of Bill 12. Last night 3,000 citizens held a vigil for the bill on the steps of this Legislature, and today teachers have withdrawn all voluntary services. My questions are to the Premier. Has the Premier taken any action to address parent concerns with Bill 12?

MR. KLEIN: Yes, Mr. Speaker, as a matter of fact we have. But to address the preamble, I'm not saying that there haven't been protests. Indeed, I get hundreds of letters, primarily from teachers, complaining mostly about teachers' salaries and, more recently, about classroom conditions and other matters associated with education. What are we doing about it? Well, relative to the salary issue, certainly some school boards have negotiated salaries that are deemed to be satisfactory to the teachers and the teachers' union, because settlements have been reached. Relative to those where it seems that there's an impossible impasse, those matters have been sent to arbitration. It's an arbitration that was agreed to by the ATA and agreed to by the Alberta School Boards Association.

Relative to the other issues, Mr. Speaker, the issues that are fundamental to the questions of education delivery, that will be considered by a blue-ribbon panel or commission or a summit or a combination of the two, but what we will do is give this whole matter a thorough and complete examination.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the Premier, Mr. Speaker. Parents are concerned with the punitive sections of Bill 12. Have you taken any action to address those concerns?

MR. KLEIN: Mr. Speaker, there are no punitive sections to Bill 12. There are sections in virtually every bill that we pass, because when we pass a bill, it becomes the law – the law – of the province. When you break the law, there are consequences, so the bill speaks to what may happen if you break the law. If you live within the law, there is absolutely nothing punitive about the legislation.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the Premier, Mr. Speaker: how many citizens must demonstrate and how many classrooms in this province have to be disrupted before the government abandons those clauses in Bill 12?

MR. KLEIN: Well, first of all, "before the government abandons those clauses in Bill 12?" What clauses? We have no intention of abandoning any clause in Bill 12, Mr. Speaker, because the law is quite good in its intentions, very good in its intentions, and really achieves, in my mind and in the minds of most who had the opportunity of meeting with Mr. Booi and meeting with the president of the Alberta School Boards Association, precisely what they wanted it to achieve.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-Bow.

Education Services Settlement Act

DR. PANNU: Thank you, Mr. Speaker. The chickens are coming home to roost on the government's decision to give teachers the legislative shaft through Bill 12. Earlier today the ATA announced that it is asking teachers to withdraw all services provided to the Ministry of Learning, including the marking of diploma and achievement exams. Students will suffer, and it's the government's fault. To the Premier: why did the government expand the definition of an illegal strike in section 1 of Bill 12 if not to punish teachers who withdraw voluntary services?

MR. KLEIN: Mr. Speaker, there is nothing in the bill that prevents teachers from so-called working to rule or withdrawing voluntary services. Absolutely nothing in the bill. There is nothing in the bill, by the way – and it's absolutely astounding how these things are picked up and are printed and broadcast as fact: it's a statement of fact that teachers no longer have the right to assemble. You know, I have read this with absolute amazement, and I'm astounded. Quite frankly, you know, I wonder if I did that when I was a journalist. Well, I found that very, very strange. When I arrived at High River the other night to speak at a constituency function, there were about 20 teachers outside who stampeded after me with placards waving and all kinds of nasty things written on them. That seemed to me to be a bit of an assembly. I said: you know, it's your right to protest.

The hon. leader of the Liberal opposition, or maybe it was the leader of the third party, alluded to 3,000 people, many of whom were teachers, assembling in front of the Legislature. Well, that was obviously an assembly. So it astounds me. Where are these people who say in one breath that it's against the law or that the government is prohibiting us from assembling, yet they take pictures of these assemblies? You know, go figure.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Why did the government put an extremely punitive provision in Bill 12 which empowers the

Labour Relations Board to override the ATA's authority to collect dues from its members if not to punish teachers who withdraw or threaten to withdraw nothing but voluntary services?

MR. KLEIN: I'm sorry, Mr. Speaker. I don't have the legislation in front of me, and I don't know to what section the hon. member alludes. Perhaps the hon. minister can shed some light on it.

DR. OBERG: Sure. Thank you very much, Mr. Speaker. Included in this legislation are some penalty clauses, but I will say at the outset that these penalty clauses have been directly lifted from the Labour Relations Code, which the Alberta teachers do operate under as well. So they are identical to what is in the Labour Relations Code.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Even at this very late hour why doesn't the Premier choose the path of labour peace by putting his punitive Bill 12 on hold and instead sit down with teachers to establish a fair and impartial arbitration process?

MR. KLEIN: Mr. Speaker, the arbitration process is fair. It is fair. I would remind the hon. leader of the third party that this is precisely what the union president asked for. This is precisely what the president of the Alberta School Boards Association asked for. The fundamentals are precisely what they asked for, and that is the truth. It amazes me that the hon. leader of the third party can't get that through his head.

2:10

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Centre.

MS DeLONG: Thank you, Mr. Speaker. I have received calls from some of my constituents regarding the Education Services Settlement Act. They're concerned that this legislation infringes on their teachers' basic right to strike. My question is to the Minister of Human Resources and Employment. Can you please clarify this?

MR. DUNFORD: Well, Mr. Speaker, the Education Services Settlement Act doesn't infringe on the teachers' right to strike. What is contemplated here under agreement by the parties is that there would be a binding arbitration process put into place. Anyone that has any experience, of course, with the Labour Relations Code would know and understand that when there's a binding arbitration in place, then it removes, for the instance that we're dealing with here, that particular right to strike. So job action cannot take place, then, while this binding arbitration is in place. The binding arbitration is going to lead to a collective agreement, and of course strikes are illegal when there's a collective agreement in force. So the basic right to strike is still there. A binding arbitration was asked for. A binding arbitration is in place. You can't have the ability to strike and a binding arbitration at one and the same time.

MS DeLONG: To the Minister of Human Resources and Employment: is it true that teachers cannot speak to each other about their current labour situation without risking a possible fine?

MR. DUNFORD: Well, as we've just heard recently, nothing could be further from the truth. There is nothing in the legislation that prevents the teachers' ability to assemble, and the Premier talked about some occasions where it's already occurring. Let me assure

the member and all the members here in the House and the Alberta public that's watching that teachers are free to talk about their current labour situation or any other topic.

MS DeLONG: To the same minister: whose responsibility is it to determine whether strike activity is occurring?

MR. DUNFORD: Well, in the unlikely event that job action might be taken, it would really be up to the school board as the employer to determine if they felt that concerted job action was taking place. They would then, of course, have to make an application to the Labour Relations Board, again, indicating that they believe that an illegal strike is taking place. It would be up to the Labour Relations Board to make that determination, and of course that's part of their responsibilities. It's traditional within this province. It's part of something the Labour Relations Board does on a continuing and traditional basis. So there's really nothing new here despite the attempts of the opposition parties and others to try to make it so.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Wetaskiwin-Camrose.

Teachers' Labour Dispute

MS BLAKEMAN: Thanks very much, Mr. Speaker. Teachers have no confidence in the Learning minister and will no longer support his ministry in any way, including marking achievement tests or diploma exams, preparing those exams, conducting field testing for exams, serving on any Alberta Learning committee, distributing any Alberta Learning material, piloting new curricula, and a whole multitude of other services. My questions are all to the Minister of Learning. Where is the minister going to go for help to complete these tasks?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Today we received formal notification from the ATA that services such as marking achievement tests, marking diploma exams, piloting new curriculums, field testing, these types of things, will be withdrawn by the Alberta Teachers' Association. I'd like to say at the outset that that's extremely unfortunate. I do believe that this will be to the detriment of students, and that is extremely unfortunate.

Mr. Speaker, when it comes to the actual question that the hon. member asked about marking diploma exams and marking achievement tests, we do have a considerable number of contingency plans under way. For example, where mechanical correcting can be done, that will be done. We are also looking at utilizing our existing staff and possibly some other staff in order to do it. I can assure Albertans that the diploma exams will be completed, that they will be marked on time, and that the students will achieve their final marks.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. What plans does the minister have to regain the confidence of teachers?

DR. OBERG: Mr. Speaker, the one thing that I will say as well – and I do believe that this needs to be said – is that the whole marking thing is not a voluntary process. The teachers are paid to come in and mark, but they have withdrawn that.

When it comes to winning the trust of the teachers, I think that's something that is extremely important. It's very detrimental when

the Minister of Learning and the Ministry of Learning lose that trust, but we will do whatever we can to bring that trust back, to move on with the learning system, to move in the direction that will make it a better learning system than it already is. Mr. Speaker, I must remind the Assembly yet again that this is the best public education system in the world bar none.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks, Mr. Speaker. Does the minister believe that a policy of poisoning the teaching atmosphere will help students learn?

DR. OBERG: Well, Mr. Speaker, I don't believe that a policy of poisoning the teaching environment will help students learn. Absolutely not. What happened, as the Premier has alluded to already, is that the Alberta Teachers' Association through the president, Mr. Larry Booi, came in and met with the Premier. As a matter of fact, I have the *ATA News* right here, which says, "ATA proposes arbitration to resolve bargaining impasse." It's on the front page of the *ATA News*. We have attempted to resolve the salary dispute that has been out there. We have put forward a blue-ribbon panel to discuss some of the larger issues around the learning system such as pupil/teacher ratios, such as class size, such as hours of instruction. These very important issues will be looked at, and we have given the Legislative Assembly the go-ahead on that.

Mr. Speaker, the other thing I will say is that we are looking at starting this on June 1 of this year. We're looking at having it completed by Christmas, or shortly before, of this year as well.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Riverview.

Education System Review

MR. JOHNSON: Thank you, Mr. Speaker. The consequence of the teachers' labour dispute is a heightened awareness of the many complex issues that are part of the learning system. More and more my constituents are seeking information on our learning system. Most recently I was asked questions concerning the role of school boards and their powers to collect taxes and what types of issues will be included as part of the broad review of the learning system as per the Education Services Settlement Act, Bill 12. My questions are to the Minister of Learning. Will the role of school boards be a part of this upcoming review?

DR. OBERG: Mr. Speaker, we are anticipating having an extremely broad review of the learning system. We're presently in discussion with many of the parties involved as to what exactly this review should entail. But in direct response to the hon. member, I would anticipate that it will include roles of the school boards, which may or may not include taxation as well.

MR. JOHNSON: Will taxation powers of school boards then be a part of this review?

DR. OBERG: Again this is something that we do need to look at. I will say that I am definitely not in favour of going back to the situation that we had before about 1995, where we had a situation that if the constituency had pipelines going under it, had a power plant in its boundaries, it would receive more assessment and therefore have more money for education. We had some situations where school boards were spending \$3,000 per student, while other

ones right across the line, right across the border, were spending \$18,000 per student. Through to the hon. member, Mr. Speaker, I don't believe that that's a situation we can allow to have happen again. However, the school boards presently have the ability to tax every three years. At the time of a municipal election they have the ability to put forward a plebiscite. Whether or not that is changed could certainly be an element of the review that we are looking at.

MR. JOHNSON: Finally, to the same minister: will supports for students with special needs be a part of this review?

DR. OBERG: Well, Mr. Speaker, we've done a lot with special-needs students over the past two years. We put in a full review with all the stakeholders, and they subsequently brought back 66 recommendations which we have accepted and will be implementing.

Mr. Speaker, I continue to hear stories from teachers and from parents about issues with special-needs students in the classroom. So I think that I can confidently say today to the hon. member that that will be one of the things we are looking at, because it is an issue that is being brought forward by teachers and is being brought forward by parents, and we need to take a look at it. It's a very important issue. There are definitely two or three or four different sides to this issue, and we do need to take a look at it.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-Buffalo.

2:20

Closure of Acute Care Beds

DR. TAFT: Thank you, Mr. Speaker. On January 12 this year the Minister of Health and Wellness said unequivocally – and I quote – that Alberta's public hospitals are not for sale to private interests. [interjections] I can see that many of his caucus agree. Yet last Thursday this same minister left the door wide open to the sale of public health care facilities in rural Alberta to for-profit corporations. To the Minister of Health and Wellness: does this minister deny to this House that he is aware of plans now being considered to close acute care beds in rural Alberta?

MR. MAR: Mr. Speaker, regional health authorities throughout the province are charged with the responsibility of running facilities, some of which are hospitals and others of which are long-term care centres and so on. What I indicated in this House last week – and it's been consistent throughout – is that we have in fact allowed the sale of hospitals to private interests in the past. I'm not denying that we've done that in the past. So for the hon. member to suggest that I've somehow denied that that's ever happened, I confess that that has been in fact the case. But what is clear from our legislation and has been from the outset is that there will be no operation of private, for-profit hospitals in the province of Alberta.

Now, Mr. Speaker, there may be reasons to dispose of an existing facility if it no longer meets the needs of a community and it may be sold, but it cannot be sold to a private interest and then operated as a private hospital, to be clear.

DR. TAFT: I think I need to repeat the question, Mr. Speaker. Does this minister deny to this House that he is aware of plans now being considered to close acute care beds in rural Alberta?

MR. MAR: Mr. Speaker, I'll be happy to entertain his question. However, I should note that regional health authorities are charged with this responsibility. The budget will be of course tabled by our

Finance minister tomorrow. I'm certain that regional health authorities will look at the dollars which are allocated to them. They will do the best job possible for the people that they serve in their respective authorities. That may involve the changing of facilities. It may include the disposal of facilities. It may include the conversion of facilities. This is all hypothetical. We know not now of such plans, but following the budget, things can change and things should always change. We have to have a stable health care system, but it should never stand still. Our health care system should always seek to make the best use of the money we allocate to it so that it reflects the needs of communities and cities and towns and rural areas throughout the province. That is what regional health authorities are charged with doing, and this government will do everything necessary to help RHAs achieve that mission.

DR. TAFT: Well, given the minister's sidestep, I'll get more specific. Will the minister guarantee that no public health facilities in Provost, Coronation, Castor, Hardisty, Killam, Daysland, Wainwright, or Galahad will be sold?

MR. MAR: I cannot give such a guarantee, Mr. Speaker. I've already indicated to him that there are facilities that . . . [interjections]

THE SPEAKER: The hon. minister has the floor.

MR. MAR: I've already indicated to him, Mr. Speaker, that there are facilities throughout this province under the responsibility of regional health authorities. Those regional health authorities make decisions. Some of those decisions are tough; no doubt about it. But the fact of the matter is that there are facilities that may be outdated and no longer have the ability to meet current medical practice. There may be examples where the needs of the community are more focused on long-term care as opposed to acute care. So I'll give no such guarantee. Regional health authorities do have that ability. They will however bring any such plans to the Minister of Health and Wellness for approval.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Gold Bar.

Budget Briefings

MR. CENAIKO: Thank you, Mr. Speaker. With regard to tomorrow's budget presentation it's my understanding that government provides budget briefings for various people on budget day. My question is to the Minister of Finance. Could the minister advise me of what groups receive these briefings?

THE SPEAKER: The hon. minister.

MRS. NELSON: Thank you, Mr. Speaker. The hon. member is correct; we do provide budget briefings. It's been a tradition in our Legislature, as it is in a number of others. We provide a very technical briefing for our media, and they're in lockup, in embargo, until such time as we stand and give the budget speech within this very Assembly. There are other briefings that are given to stakeholder groups. Some of the opposition receive technical briefings and knowledge of the budget but again embargoed. Quite frankly, they've been very successful over the years. I can't think of a breach that has occurred from the embargoes and the lockups that have taken place.

MR. CENAIKO: Mr. Speaker, my first supplemental question to the same minister: can the Minister of Finance explain why her ministry provides a special briefing for its stakeholders?

MRS. NELSON: Well, I think, Mr. Speaker, it's important that people who are reliant upon the budget process to operate within the province – groups such as municipalities, universities, and hospital groups – have the opportunity to have detailed technical briefings as to what is in the budget document ahead of time so that they can in fact follow through on it, because the very next day or even that evening they are bombarded with requests as to details on the budget information.

Once again I will say that these people are embargoed. They are in lockup, and we have not had breaches of information before that budget document is released through this Assembly.

MR. CENAIKO: Mr. Speaker, my final question to the same minister: do other provincial governments in Canada provide similar briefings?

MRS. NELSON: Yes, they do, Mr. Speaker. In fact, it's the norm to go through lockup on confidential documents, and I think it's been successful. I did try to look back to see if there had been difficulties. With all the speculation that does surround a budget document coming forward, there's quite often lots of speculation, but actual budget briefings usually are very straightforward and very secure.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Highlands.

Low-income Support Programs

MR. MacDONALD: Thank you, Mr. Speaker. Albertans eagerly await the results of the low-income review that began in June of last year. Some programs, like assured income for the severely handicapped and supports for independence, desperately need increased funding for individual payments to some of Alberta's most vulnerable citizens. My questions this afternoon are to the Minister of Human Resources and Employment. Is the minister planning on combining AISH and SFI into one program and one payment?

THE SPEAKER: The hon. minister.

MR. DUNFORD: Well, thank you very much. In fact, we did have a low-income review. We had an excellent group of MLAs that went throughout the province. They have not only sent in a report indicating what was heard from people throughout Alberta, but also, of course, they've made some recommendations. As far as the actual question, the response is still under consideration by the government, and when we do provide that response, of course the question would be answered then, at that particular time.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: how much will the minister be increasing the individual benefits for those who are clients of AISH and/or SFI?

Thank you.

MR. DUNFORD: Well, again the MLA committee that went out there – I don't know that they went to every corner of this particular province – did in fact hear quite a bit of information and tried to

provide it as best they could in terms of what they heard. One of the things they did hear, of course, was that in the levels of support, especially in the area of shelter rates, there is quite a difference throughout this province, Mr. Speaker, as you're no doubt aware. So, again, in terms of crafting and drafting the government response, we'll have to deal with that, then, at the proper time.

2:30

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: will the minister, then, guarantee these Albertans at a minimum that supports will not go down for any of the existing clients and that there will not be any change in eligibility requirements which would exempt any existing clients from receiving support?

Thank you.

MR. DUNFORD: Well, let me deal with it this way. One of the things that makes Alberta extremely attractive to other provinces and to people in other jurisdictions is that we're not shy about performance measurements. One of the things that this government does that's unlike other jurisdictions here in Canada is that we do have measuring up documents where we say to the people of Alberta, we say to opposition members such as yourself: here is how we are willing to be measured. One of those measurements, Mr. Speaker, is the fact that Albertans who need assistance will receive our help, and they'll get it in the sense of a hand up rather than a handout, because we believe that's the proper philosophy.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

Assured Income for the Severely Handicapped

MR. MASON: Thank you very much, Mr. Speaker. Any time someone rises in the Assembly to question or criticize the assured income for the severely handicapped program, the government retreats into its message box mantra that we in Alberta look after the people better than they do in other parts of the country. Now, whether that's true or not, it completely ignores the real issue facing those Albertans with serious disabilities; namely, that they are falling farther and farther behind the cost of living. It has been three years since the last increase in AISH rates. An increase is long overdue. To the Minister of Human Resources and Employment: will tomorrow's budget include increases of monthly benefit levels for AISH to help Alberta's severely disabled citizens catch up on the rising cost of living, and if not, why not?

MR. DUNFORD: Tomorrow the budget will come down, and he'll see his answer at that point in time.

MR. MASON: It was worth a try, Mr. Speaker.

How can the minister justify adjusting AISH benefits levels only twice in the last dozen years when benefits levels for federal CPP disability pensions are adjusted for inflation every year?

MR. DUNFORD: The AISH program was designed after quite an extensive public review, and I'm surprised at the tone of the member's questions, because most people would acknowledge, in fact including, I would say, many of the AISH recipients themselves, that we have a very good program in Alberta. It looks after the basic needs of most of the particular individuals, and when we do have an individual case where the current level of AISH support payments

won't provide for that particular need, then our staff works with that particular individual and we move them to another program where, then, we can get that assistance to them.

It's an excellent program, I think, by most measurements. Most people would agree – and I think you would yourself, too, perhaps away from this House – that it's a very, very good program and one worth supporting.

MR. MASON: Mr. Speaker, if that is indeed the case, then why doesn't this government establish a benchmark for monthly benefit levels to AISH recipients similar to the average weekly earnings index used to adjust MLAs' salaries so that severely disabled Albertans don't fall farther behind in their living standards? Why are we better than they are, Mr. Premier?

MR. DUNFORD: If I could answer that, although I'm not exactly sure if it was directed, I think that part of the low-income review is to look at all aspects of the AISH program. We have to look at benefit levels. We have to look at asset levels. We've taken some steps in terms of those AISH clients that actually want to work and can go out and work in a meaningful way. We've provided an opportunity for them, again, to do that, and we've reduced any sort of deduction we would make on that.

The member does bring up a particular situation that we have currently facing us that we're going to have to deal with, and that is: what happens to the eligibility of an AISH client when the Canada pension plan disability payment takes them beyond the \$855? Then it's not the income level that's of particular concern, but it's the loss of that medical card. I do agree with the member. We need to have a look at that, and that would be part of what the low-income review would contemplate doing.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Glenarry.

Foreign Animal Disease Control

MR. HORNER: Thank you, Mr. Speaker. Last week there was a rumour brought to my attention about a possible outbreak of foot-and-mouth disease in Kansas. I've since heard that the quarantine was lifted as results came back negative, but this does raise the alarming spectre of a possible foot-and-mouth outbreak in Alberta. My question is to the Minister of Agriculture, Food and Rural Development. Can the minister advise us on the current status of foot-and-mouth prevention in our livestock in Alberta?

MRS. McCLELLAN: Mr. Speaker, it is true that there was a quarantine in Kansas, and I think that raised the spectre of the devastation that could be caused by that disease if there were an outbreak. The United States and Canada have been free of that. What it does tell us is that the system works. The place was quarantined. The suspect came back confirmation negative, and that's good. However, we do have to continue to keep up our vigilance and our surveillance, and we're continuing to work with the federal government, the Canadian Food Inspection Agency, with municipalities, with our producer organizations to make sure that we are prepared in the event of an outbreak or, most importantly, on prevention.

We very recently had a foreign animal diseases emergency preparedness workshop, Mr. Speaker, and I'm pleased to say that as we speak, a detector dog and its trainer are working together in preparation to come to Alberta. They would be stationed at the Calgary airport. We are assured that this detector dog and its trainer

will be here before the G-8 summit and will be there to help ensure that we don't have any wrong products coming into our country that could pose a threat.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My supplemental is to the same minister. This is all good news, the things that she has brought up. However, could the minister tell us exactly what precautions will take place with foreign military coming into the province to train this summer?

MRS. McCLELLAN: Mr. Speaker, the federal government is currently working with the British military on new procedures for military coming in that will cover the disinfection of supplies, equipment, and clothing. Canadian officials will continue to inspect vehicles, and we'll continue to have disinfectant mats in place at our airports, particularly during the G-8.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. The minister mentioned the foreign animal disease emergency workshops, and I understand that a plan has developed from there. Will Alberta stakeholders be given the opportunity to work with the government departments on this support plan?

MRS. McCLELLAN: Absolutely, Mr. Speaker. It was important that we have producer and industry groups take part when we had our workshop. It will be very important to us that they continue to work with us as we move forward on this. If we did have an incident of any foreign disease coming in, it would be the producers and the industry organizations that would be on the front lines, and it's incredibly important that they are a part of that work.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Drayton Valley-Calmar.

2:40

Infrastructure Funding

MR. BONNER: Thank you, Mr. Speaker. Alberta's road construction industry has been told: sorry; there's no more money. Despite record spending on infrastructure last year, now the government is canceling and delaying projects because they are poor fiscal managers. Some of the construction companies have written to all members of this Assembly detailing the staff they are laying off because of this government's fiscal policies. My questions are to the Minister of Finance. Will you please explain your government's roller-coaster funding for infrastructure projects to Alberta companies that are forced to lay people off?

MRS. NELSON: Mr. Speaker, I think we've all had meetings with the association and have heard the concerns expressed by the association. Clearly, the association recognizes that we were in a position where we had to take corrective action last year, and one of the places where we did look at correction was in the Transportation and Infrastructure ministries. They were able to help us through some difficult times as the economy turned downward rather quickly. We have a budget coming forward tomorrow, and as I say, I'm sure that most members in this Assembly have met with the association, and the opposition will just have to stay tuned.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you very much, Mr. Speaker. To the same minister: why do you continue to reject calls from industry and the Official Opposition to provide stable funding for infrastructure projects?

MRS. NELSON: You know, Mr. Speaker, I've heard members opposite talk about putting in place different types of funds and fashioning them after this fund or that fund, but I would remind hon. members that these last three years in the province of Alberta we have experienced the highest revenue levels in the history of our province. If we had adopted the theory from the members opposite, instead of having dollars going into health and education and some of our infrastructure and transportation programs, we would have been in a position where we would have been pulling dollars out and putting them off into a fund for later on. Naturally, you contribute to these funds when you have additional record revenues; you don't do it when you don't have those revenues.

So, clearly, planning is very important. Our goal has been to free up what I have called the dead expense, which is interest expense on our outstanding debt. By taking a billion dollars out of interest expense, we have freed those dollars up forever so that they can be used in core programs and core priorities throughout the government's responsibilities.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister. The government's fiscal policies are costing Albertans jobs and causing cuts to essential services. Is it not time to change policy and implement a fiscal stability fund that will level out infrastructure investment and support small business and our essential services?

MRS. NELSON: Well, I don't know what page this hon. member is on, Mr. Speaker, but Alberta has just come out of a year where we've experienced – our Minister of Economic Development may want to supplement on this – the biggest growth in the economy of any place in Canada. We've had the highest consumer spending confidence in Canada. We have had the lowest unemployment in all of Canada. We have had the highest capital investment per capita in all of Canada. We've had the largest migration per capita in all of Canada of people coming to this province. It doesn't really get any better than what we have in the province of Alberta.

So we have to face some realities as a government. The support, Mr. Speaker, of Albertans and people outside of Alberta, as evidenced by their continual migration to this province, is that they support the framework that this government has put in place, the fiscal framework that provides for stability and a future and a government that does not intrude into the marketplace but in fact deals with the realities that are dealt to them. That's what Albertans want, that's what the people of Canada want, and that's why this province is still the envy of every jurisdiction not only in Canada but in North America. So stay tuned.

head: **Recognitions**

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

Les Rendez-vous de la Francophonie 2002

MR. DUCHARME: Merci, M. le Président. Du 11 au 24 mars 2002 on célèbre au Canada entier les Rendez-vous de la Francophonie. Durant cette période de 15 jours on célèbre les communautés francophones afin de promouvoir la langue et la culture françaises, tant par ses activités sociales et ses célébrations que par sa dimen-

sion humaine et communautaire. Les Rendez-vous contribuent à renforcer les liens entre les Anglophones et les Francophones du Canada et favorisent un plus grand respect entre ces deux communautés.

De plus en plus nos municipalités Albertaines se joignent aux Rendez-vous en tenant des cérémonies pour reconnaître leur communauté francophone. Parmi ces municipalités cette année on compte Edmonton, Lethbridge, St. Paul, Calgary. Félicitations à ces municipalités.

En guise de conclusion, M. le Président, vous me permettez un mot sur l'Association canadienne-française de l'Alberta. L'association a été fondée en 1926, et depuis son établissement l'association maintient un membership imposant, qui se chiffre aujourd'hui à plus de 7,000 membres. L'association a toujours encouragé le développement d'un réseau de bénévoles d'un bout à l'autre de la province, comprenant 10 régionales, un regroupement jeunesse fort et actif, une fédération des aînés, une fédération de parents, et de nombreux autres organismes et groupes.

Merci, M. le Président.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

W.R. Myers Rebels Boys' Basketball Team

MR. JACOBS: Thank you, Mr. Speaker. I rise to recognize and congratulate the W.R. Myers high school in Taber. This is the same school that a few years ago experienced a tragic event. But this is a happy story. On Saturday, March 16, the W.R. Myers Rebels won the 2002 4A boys' provincial basketball title. They defeated Lester B. Pearson high school 65-58 in a close, hard-fought game. Their head coach is Allen Matthews. The assistant coaches are Rob Rodgers, B.J. Bajowa, and Cory Matthews. The team is as follows: Brant Hansen, Justin Steed, Nelson Porter, Dustin Francis, Paul Garner, Mac Clements, Devin Bennett, Jon Harding, Jayson Barrows, Brandon Bullock, Henry Bekkering, and Brian Steed. The school and the community are extremely proud of the talent and commitment of these players. Also, we are grateful to the coaches, who have volunteered many hours to assist this team to attain this goal.

Again, congratulations to the players, coaches, and parents of these young men. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Randy Ferby Rink Men's National Curling Champions

MR. MacDONALD: Thank you, Mr. Speaker. I would like to congratulate yet another championship team from the Ottewell Curling Club in Edmonton-Gold Bar. Skip Randy Ferby along with Scott Pfeifer, Marcel Rocque, and the sharp-shooting Dave Nedohin repeated as Canada's men's curling champions yesterday before a crowd of over 15,000 in Calgary at the Nokia Brier. The Ferby rink joins a long, distinguished list of curlers from the Ottewell club who have excelled at the provincial, national, world, and Olympic levels. Credit should also be given to the alternates from all these teams, for we all know that curling is made up of a team of five. I wish the Ferby rink on behalf of all members of this Assembly good luck at the world championships, April 6 through 14, at Bismarck, North Dakota.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

U of A Golden Bears Basketball Team

MR. LUKASZUK: Thank you, Mr. Speaker. Yesterday in Halifax the University of Alberta's Golden Bears defeated the top-seeded Western Ontario Mustangs to win their third Canadian inter-university men's basketball championship. The Golden Bears, led by this year's coach of the year, Mr. Don Horwood, made their seventh trip to the nationals over the last nine years and their fifth trip to the finals.

The Golden Bears' success in men's basketball in Canada over the past decade is a result of hard work and a strong team commitment. Mr. Speaker, these players have shown that great achievement is usually borne out of great sacrifice and is never a result of selfishness. I would like to congratulate the U of A Golden Bears, their coach, and all students at the University of Alberta and wish them all much success in their endeavours.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

2:50

Randy Ferby Rink Men's National Curling Champions

MR. McCLELLAND: Thank you, Mr. Speaker. I join my colleague the hon. Member for Edmonton-Gold Bar as, once again, an Edmonton member of the Legislature rising with the privilege of recognizing the championship achievement of an Edmonton-based team, this time representing Alberta. The Randy Ferby rink, curling out of the Ottewell Curling Club, claimed the national men's curling title, winning the Brier yesterday in Calgary. Edmonton, Alberta, and all Canadians join me in congratulating the skip, Randy Ferby, and his rink: Dave Nedohin, Scott Pfeifer, and Marcel Rocque. Members of the championship rink were quick to point out that it was a team win, with every member contributing, every member supporting the others. It was their combined abilities that resulted in the championship.

Representing the people of Alberta, it is my pleasure and privilege to formally recognize the individual and team achievements of this remarkable rink. Well done. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

U of A Sports Teams

DR. TAFT: Thank you, Mr. Speaker. In a theme today, if Edmonton is the City of Champions, the University of Alberta is the university of champions. The U of A Golden Bears and Pandas teams dominate the Canadian university sports scene like Wayne Gretzky once dominated the ice surface, except that the Golden Bears and the Pandas don't just dominate in one sport. They dominate in almost all. In recent years the Bears and Pandas have won more national championships than I can list here in the time available. In recent weeks the Pandas ice hockey team won their second national title in three years and the Bears won the national volleyball title, and on the weekend just past the Bears won the national basketball title. Next week the Bears hockey team has a good chance of winning yet another national title.

I'm sure all of us join together in congratulating the U of A for being the university of champions and helping make Edmonton-Riverview, where the university resides, the constituency of champions.

Thank you.

head: **Notices of Motions**

THE SPEAKER: Hon. Member for Edmonton-Highlands, you have conveyed to the chair a document. Do you want to just give the members a brief notice of this? We'll deal with it at the end, before Orders of the Day. Just to advise that you want to rise on a point of privilege later in the afternoon.

MR. MASON: Yes. I do, Mr. Speaker.

THE SPEAKER: Hon. Member for Edmonton-Ellerslie, in the same way, you've conveyed to the chair certain written information at the appropriate time this morning.

MS CARLSON: Yes, Mr. Speaker. We will postpone our privilege motion until tomorrow.

THE SPEAKER: Okay. Thank you.

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

Bill 211
Marriage (Preparation Course)
Amendment Act, 2002

MR. YANKOWSKY: Thank you, Mr. Speaker. I request leave to introduce a bill being the Marriage (Preparation Course) Amendment Act, 2002.

[Motion carried; Bill 211 read a first time]

THE SPEAKER: The hon. Member for Calgary-Buffalo.

Bill 212
Traffic Safety (Seizure of Vehicles in
Prostitution Related Offences) Amendment Act, 2002

MR. CENAIKO: Thank you, Mr. Speaker. I beg leave to introduce Bill 212, the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2002.

Bill 212 will contribute to the overriding goal of decreasing the dangers of street prostitution and the victimization of young women by providing another tool for law enforcement agencies to improve the health and safety of Alberta's communities.

Thank you.

[Motion carried; Bill 212 read a first time]

THE SPEAKER: The hon. Member for Calgary-Fort.

Bill 214
Environmental Protection and Enhancement
(Residential Land Disclosure) Amendment Act, 2002

MR. CAO: Thank you, Mr. Speaker. I request leave to introduce a bill being the Environmental Protection and Enhancement (Residential Land Disclosure) Amendment Act, 2002.

Mr. Speaker, Bill 214 addresses and protects the health and wealth of Albertans in their residential property transactions.

[Motion carried; Bill 214 read a first time]

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

Bill 215

Fair Trading (Cost of Credit) Amendment Act, 2002

REV. ABBOTT: Thank you, Mr. Speaker. I request leave to introduce a bill being Fair Trading (Cost of Credit) Amendment Act, 2002.

Mr. Speaker, the intent of Bill 215 is to reduce the incidence of consumers assuming unsound loans by clearly identifying the APR and by encouraging the minister to establish consumer education programs regarding the cost of credit.

Thank you.

[Motion carried; Bill 215 read a first time]

THE SPEAKER: The hon. Member for Calgary-Currie.

Bill 216
False Claims Act

MR. LORD: Thank you, Mr. Speaker. I'm honoured to rise today to request leave to introduce a bill being the False Claims Act, otherwise known as Bill 216, for first reading.

[Motion carried; Bill 216 read a first time]

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Bill 220

Water (Transfer Prohibition) Amendment Act, 2002

MS CARLSON: Thank you, Mr. Speaker. I request leave to introduce a bill being Water (Transfer Prohibition) Amendment Act, 2002.

The intent of this bill is to eliminate a line from the current act which would allow for transferring water from the province outside of Canada.

Thank you.

[Motion carried; Bill 220 read a first time]

head: **Tabling Returns and Reports**

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited today with the office of the Clerk: return to the order of the Assembly MR2, asked for by Ms Blakeman on behalf of Mr. MacDonald on May 9, 2001, Hon. Mr. Smith, Minister of Energy.

THE SPEAKER: Hon. Member for Edmonton-Highlands, anything further?

MR. MASON: Yes. Mr. Speaker, I'm tabling five copies of postcards signed by 180 Albertans. These Albertans are asking the Premier and his cabinet to increase AISH benefits from \$855 per month to \$1,464 per month while "keeping intact a medical benefits package."

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have one tabling this afternoon, and that is a letter that I received at the constituency office. It is encouraging citizens to be quite aware of what supports there are for persons with disabilities in this province and what cutbacks have occurred.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With permission, I'd like to table the required number of copies of a letter from Hull Child and Family Services to a parent of a handicapped child. The letter states that due to the ministry's cost containment strategy, this child will no longer receive service.

THE SPEAKER: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Speaker. Sir, I beg leave to table the requisite number of copies of a letter I sent to the hon. Member for Edmonton-Highlands in response to Written Question 5.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'd like to table copies of a letter from Brian Hardy, who's the general manager of Brandt Tractor of Calgary. Mr. Hardy would like the government to reconsider its cuts to the Transportation budget so that businesses can sustain long-term growth.

Thank you.

3:00

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise today to table five copies of a letter from Mr. Alex Lockton, president of Top Notch Construction of Calgary. Mr. Lockton has written to all MLAs about the 78 Albertans he may have to lay off because of the government's roller-coaster funding of infrastructure projects.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I would like to table the appropriate number of copies of a letter from Mr. Mervyn Pidherney. Mr. Pidherney operates a road construction company and will not be recalling 87 people for this summer's construction season because of cuts to the Transportation budget.

Thank you.

THE SPEAKER: Additional members?

Then before proceeding to Orders of the Day, we have a question of notice provided to the chair under Standing Order 15(2) that arrived in the Speaker's office this morning at 11:15.

The hon. Member for Edmonton-Highlands.

Privilege

Appointments to Electoral Boundaries Commission

MR. MASON: Thank you, Mr. Speaker. Last Thursday I rose pursuant to Standing Order 15(2) on a question of privilege. At that time I indicated that contrary to the Electoral Boundaries Commission Act, section 2(1)(b), which says,

2 persons, who are not members of the Legislative Assembly, appointed by the Speaker of the Legislative Assembly on the nomination of the Leader of Her Majesty's loyal opposition in consultation with the leaders of the other opposition parties represented in the Legislative Assembly,

in fact the consultation with respect to the members, announced by you on that same day, had not occurred between the Leader of the Official Opposition and the leader of the New Democrat opposition. You indicated at that time that we ought to consult with the Leader of the Official Opposition and confirm if in fact that was the case,

and if it was, that we ought to deal today with the question of privilege. We have done so.

The leader of the New Democrat opposition spoke with the Leader of the Official Opposition on Friday, and the Leader of the Official Opposition indicated that in fact we were correct, that no consultation had occurred, in contravention of the act.

The leader of the third party and I also met with the Leader of the Official Opposition and the Official Opposition House Leader this morning. Mr. Speaker, I have to say that in both his conversation with the leader of the New Democrat opposition on Friday and our meeting this morning, we appreciated the forthrightness of the Leader of the Official Opposition, who took responsibility for the situation. Yet the question remains: what is to be done to rectify the failure to consult? The advice received by the New Democrat opposition suggests that a very strong case exists that the privileges of our party in this Assembly have been violated. Section 2(1)(b) of the Electoral Boundaries Commission Act states that there is a clear duty on the part of the Leader of the Official Opposition to consult with other opposition parties in the Assembly.

The purpose of the Electoral Boundaries Commission Act is a very important one with significant implications for all members of this Assembly. What can be more fundamental than the drawing of boundaries for electoral divisions that we as members represent? Electoral boundaries are redrawn at most every 10 years. In other words, the boundaries that are established by the commission that was just appointed last week will be in place for the next two or three provincial elections. Therefore, an Electoral Boundaries Commission plays an important role in the electoral process in Alberta and impacts on the representation of Alberta voters. With this responsibility comes the corresponding obligation to ensure that minority interests are considered and taken into account. This is one of the reasons for requiring that the Leader of the Official Opposition is to consult with leaders of other opposition parties represented in the Legislature before making nominations to the commission.

Maingot in his book *Parliamentary Privilege in Canada* says on page 13 that to constitute privilege, there must be an important obstruction to the member in performing his parliamentary work in either a direct or constructive way. Clearly, a failure to consult constitutes such an obstruction and interference. On page 14 Maingot says that the failure to obey the lawful commands of parliament can constitute a question of privilege. On page 15 Maingot notes that the parliament has the power to punish for these types of contempts.

Mr. Speaker, the House certainly has charge of its own affairs, but members should be aware that significant case law exists on what constitutes the duty to consult. In particular, a 1997 decision by the Alberta Court of Appeal in the case of Lakeland College Faculty Association versus Lakeland College points to the same conclusion. This case law concludes that consultation must be more than a mere formality. It includes a duty to seriously take into account the interest of the party being consulted. It imposes a duty to fully inform the party being consulted of its own position as well as to be fully informed of the position of the party being consulted.

The result, Mr. Speaker, is clear. The Leader of the Official Opposition is required by the act to act in a nonpartisan fashion and to make a nomination in consultation with the leader of other parties. In other words, the nominations themselves must represent the interests of all opposition parties, not just the party of the Leader of the Official Opposition.

Now, Mr. Speaker, in the letter to you this morning I had first suggested that as per 114(2) of *Beauchesne*, if a prima facie breach of privilege had occurred, that matter be referred to a standing committee of the Legislature. I've had the opportunity since to

discuss that matter further with the leader of the New Democrat opposition, and I would suggest, instead of referral to a standing committee, that you as Speaker, in recognition of the fact that requirements of the Electoral Boundaries Commission Act have not been met, rescind the appointments of the two persons nominated by the Leader of the Official Opposition and that a reasonable period of time, perhaps one week, be provided, during which real and meaningful consultation can take place between the Leader of the Official Opposition and the leader of the New Democrat opposition and that after this consultation takes place, the Leader of the Official Opposition resubmit the list of nominations to be appointed to the Electoral Boundaries Commission.

Mr. Speaker, in conclusion, I just want to say that we consider this to be a very, very serious matter. We do not wish to seek any sort of punishment in respect to the matter, but we want to see that our rights are in fact taken into account in the process. That is clearly envisaged in the legislation. The duty to consult is not in fact a mere formality.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. In response I would just like to kind of give a little background in terms of the process that I followed in making those nominations. This process started in the fall last year when we were in the process of negotiating the incorporation of the changes in the Electoral Boundaries Commission Act into the Miscellaneous Statutes Amendment Act. We were trying to set up a process that would allow for some open discussion, and at that point in time I had written a letter to the Government House Leader and Attorney General, who was sponsoring that piece of legislation, and asked basically for two things. The first one has nothing to do with this, so I'll deal with the second issue, on which I asked for clarification in the letter.

That dealt with the issue of the nomination of individuals to your office with respect to the act. This letter was sent over on September 14, and we were asking for what constituted the options available to deal with that appointment. The clarification that we got back basically stated: I think there is little room for an interpretation other than that you and your caucus name those two persons. Mr. Speaker, I proceeded then, because part of the discussion that brought this up was: what constitutes an official party within the context of the Legislature? That was the discussion behind the request to the Government House Leader and Attorney General about how we interpret the act.

3:10

In effect, then, I responded to your office with the nominations, using the process that was kind of implied in that message back from the Government House Leader and Attorney General, which basically said that, in his interpretation, I would be the one who would on behalf of the caucus name those two persons. I guess the approach that I took was to follow that, and no consultation was undertaken with any other political parties about the process. I ended up, then, this week, in response to a conversation we had on the phone and your subsequent letter, forwarding my letter to you with the two nominees on it, asking that you consider them for appointment.

Mr. Speaker, I undertook that process in the spirit of trying to expedite the movement in the last week or so as we were ending up with some deadlines. The process has to be finished within the time frame of 18 months underlined in the act. So, basically, I was acting under those two premises: that I had the authority to make those

nominations, and based on the clarification of the definition of responsibilities, I made those appointments to your office.

Thank you, Mr. Speaker.

MR. STEVENS: Mr. Speaker, we take no position with respect to the application per se other than to say that the membership of this particular commission has been established, that they have a time frame that must be met, that it's important that they get on with the business at hand, and that whatever transpires, it would be our preference to see the committee as struck continue with the work that they have before them.

THE SPEAKER: The chair would like to thank members for their contributions on this issue.

To review the matter. Last Thursday, March 14, the chair issued a news release appointing four individuals to the Electoral Boundaries Commission. Section 2(1) of the Electoral Boundaries Commission Act stipulates that a commission is to consist of "a chair appointed by the Lieutenant Governor in Council," two persons "appointed by the Speaker . . . on the nomination of the President of the Executive Council," and in clause (b),

2 persons, who are not members of the Legislative Assembly, appointed by the Speaker of the Legislative Assembly on the nomination of the Leader of Her Majesty's loyal opposition in consultation with the leaders of the other opposition parties represented in the Legislative Assembly.

Mr. Robert C. Clark was appointed chair by Order in Council 99/2002, issued March 12, 2002. The chair wrote the Leader of the Official Opposition and the Premier on March 13, 2002, asking for the nominees and reciting the appropriate sections of the act. The names of the nominees were received, and those individuals were appointed on March 14. It should be pointed out that the chair assumes that members are aware of their responsibilities and does not want to start a practice of cross-examining members on whether they have met the necessary preconditions on this or any other matter.

On the same day as the appointments were announced, the Member for Edmonton-Highlands stood in this Assembly and raised his purported question of privilege, based on his understanding that the ND opposition was not consulted about the nominees to the commission, as required by section 2(1)(b) of the act. As recorded at page 374 of *Hansard* for that day, the chair invited the member and his leader to have certain discussions about whether there was any consultation and, if not, to provide the appropriate notice two hours before the opening of the Assembly today, as required by Standing Order 15(2), which he did.

The chair must first consider whether the objection falls within the scope of parliamentary privilege. This is a very, very difficult question, on which long articles will surely and can be written. The question focuses on whether the Leader of the Official Opposition's statutory duty to consult before nominating individuals to the Speaker falls within the accepted categories of privilege or whether it constitutes a contempt. Let there be no doubt that in the chair's mind this is a very serious matter, whether it is technically a *prima facie* question of privilege or not.

During the debate on this purported matter few relevant citations were provided as to how this matter would breach a member's individual privilege or the collective privileges of the Assembly. In fact, the Assembly is not involved in the appointment process. The Assembly through the act has delegated that responsibility to the Speaker, who appoints people on the recommendation of the Premier and the Leader of the Official Opposition. A condition precedent for the nominations of the Leader of the Official Opposition is that they

must be done “in consultation” with the opposition parties represented in the Assembly. This, as has been identified today by the Leader of Her Majesty’s Official Opposition, was not done.

Well, the Assembly itself is not involved in the appointment process. Actors in the Assembly are definitely involved by virtue of their offices. Accordingly, while it is difficult to see how this would constitute a prima facie question of privilege, it is something that is appropriate to be brought to the attention of the Speaker, and there is no better place to do this than in the Assembly itself. In fact, the chair welcomes the opportunity for these matters to be brought forward in an open and in a transparent manner. Furthermore, if the chair did not address this issue, then it might invite the courts to become involved in the matter and in matters that seem more appropriate for the Assembly to consider.

On this specific issue the chair is not convinced that the omission by the Leader of the Official Opposition constitutes a prima facie case of privilege, but this does not end the matter. As the statutory requirement for the Leader of the Official Opposition to nominate individuals in consultation with the leader of the other official parties was by his own admission not met, the chair will today rescind the appointments of Mrs. Bauni MacKay and Mr. Ernie Patterson made last Thursday. These appointments are therefore a nullity.

The chair sincerely regrets any inconvenience or embarrassment to those individuals and to the chair and other members of the commission. However, in the interest of fairness and compliance with the legislation the chair must do so. In the interest of ensuring that the commission can commence its work on a timely basis, the chair invites the Leader of the Official Opposition to follow the statutorily required process and nominate two individuals at the earliest possible opportunity and to advise the Speaker as soon as convenient.

head: **Orders of the Day**

THE SPEAKER: Hon. members, the items of business that would normally be conducted this afternoon entitled Written Questions and Motions for Returns cannot be dealt with today as these items of business have not met the notice of requirement of Standing Order 38.

head: **Public Bills and Orders Other than Government Bills and Orders Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We’ll call the committee to order.

3:20 **Bill 202 Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002**

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Chairman, for allowing me to begin Committee of the Whole debate on Bill 202. I was very surprised and honoured that this bill passed second reading unanimously. I would like to thank all of the members of the Assembly for their support and ask for their continued support at this stage as well.

I believe that this bill is important for Alberta. It’s not a massive

change to our legislation, but it’s a small one that is sure to help our employees in the Department of Environment. Today I would like to talk about how the subsections of Bill 202 work on the ground level and in the field.

The support that Bill 202 received in second reading was of two sorts. On one hand, some members supported the bill as it stood. On the other hand, others wanted the word “must” in section 112.1(1) changed to “may.” The support of the latter group was conditional on this change. Mr. Chairman, I’ve considered the rationale behind this change, especially as it was explained by the hon. Minister of Environment and the Member for Airdrie-Rocky View, and I now beg leave to introduce the following amendment, that section 112.1(1) now read:

When the release of a substance has been reported under section 110, the Director may issue instructions immediately to the person responsible for the substance to restore the area affected by the release to a condition satisfactory to the Director.

There are several reasons why I’ve proposed this change. First, in second reading the hon. Minister of Environment expressed concern that the word “must” would create a make-work project for our Department of Environment. The minister noted a small situation where, in all common sense, no cleanup instructions would need to be delivered and asked a reasonable question: why should the department have to issue a letter in this situation, especially considering everything else they have to do in one day?

The Member for Airdrie-Rocky View raised an equally serious concern. She talked about her previous career in the biomedical waste industry and how companies were encouraged not to report spills because of the regulation and red tape tied up in dealing with a spill.

The implication was clear. Bill 202 as it stood was going to cause excessive red tape. This alongside the primary complaint from the Minister of Environment raises a concern. It is definitely not my intent to create legislation that would provide department officials with the incentive to shirk their duties, and I would certainly hope that this is not going on because of any laws that we have now. Red tape poses a tricky issue for any government but especially for a Conservative government committed to the maxim that small government is best.

Obviously, even Conservatives have to admit that some red tape is necessary. With regards to environmental concerns, a government cannot do its job without having a mechanism by which to hold those who have caused damage accountable for their actions. Whether we like it or not, that mechanism is red tape. The key here is whether we are tying people up in it or using it sparingly to guide their way. As a conservative individual I prefer to use it sparingly and only when it is necessary.

I introduced Bill 202 because I was made aware of too many cases where red tape became necessary. I have introduced this amendment because I see that the bill was targeting responsible Albertans that didn’t need to be targeted along with those who ignored the harm their actions are doing to the environment. Frankly, I have no problem with lassoing environmentally irresponsible people with red tape, but let’s also work with responsible Albertans who want to keep this province as pristine as possible. They don’t need our red tape.

I also would like to state that I agree with the minister that we have to be mindful of the employees’ position when coming up with legislation. We don’t want to force our employees to do things that they simply are not capable of doing because of time constraints. When we do this, we encourage shortcuts and run the potential of causing even more damage to our environment. The point is we have to worry about the workload that we put on our employees to

ensure that they can do the job we ask and that the job we ask them to do is the right job for them to do. Their job, in my view, isn't to check out spills from oil trucks that were cleaned up half an hour before they arrived on the scene, and having them waste their time on that paperwork is counterproductive. This is why I've introduced the amendment.

The point is to focus on the spills that need to be cleaned up, and I do believe that this bill with the amendment retains the power to do that. I suggest that it does because of section 112.1(2). I think that there has been a bit of confusion about what the "must" actually refers to. For example, the Member for Edmonton-Strathcona stated that he would like to see the "must" remain because "in far too many instances voluntary compliance just doesn't work."

I brought forward Bill 202 because, as the member stated, in far too many instances voluntary compliance just doesn't work. I raised it because in fact a constituent of my own found himself in just one of those instances. While we're not taking as strong a step by amending the bill, we are still taking a step. I would like to call all members' attention to the wording in subsection (2).

When instructions are issued under subsection (1) and the person to whom the instructions are issued fails to comply, the Director shall issue an environmental protection order to the person responsible for the substance.

There's no ambivalence here. If you are told to do something, you've got to do it. No ifs, ands, or buts. The amendment does two things. First, it says that if you are cleaning things up, we'll leave you alone. Second, it says that if you are not, we'll take you to task.

Much is still left up to the discretion of the Department of Environment. In order for section 112.1 to become active, the department has to issue a letter, and I have faith in our department to properly issue letters to polluters. More importantly, I have a lot of faith in Albertan property owners. Nobody cares about a piece of property more than its owner, and that's just human nature. If we pass Bill 202, we can point out to them that we have a section in our Environmental Protection and Enhancement Act that will work for them if a letter is issued to anyone who pollutes their land.

Now, I'm not Albert Einstein, but I am a property owner, and if my property were polluted and nothing was done about it, I'd sure ask the Department of Environment: "If section 112.1 becomes operable once you issue a letter, why haven't you issued a letter? Let's get things on the go here." I'd keep bugging the department until my problem was solved. I'd have faith in our department, but if they were not rewarding my faith with solid action, I'd be on the responsible director like gangbusters to get things done.

So while I've proposed the amendment, the crux of Bill 202 still remains. The bill still requires polluters to follow the instructions of any letter issued under section 112. If they do not, they are subject to an environmental protection order and the penalties that are associated with that. The meat of the law is therefore still in place.

In conclusion, Mr. Chairman, I would like to thank all members for their support in second reading. It's rare that we ever see such agreement in this Assembly, and I am humbled to be at the centre of it. I do hope that it remains through the committee stage. I would like to thank those who expressed concerns with the bill in second reading and sincerely do hope that the amendment has strengthened your resolve to vote in favour of Bill 202. To those who express worry over this amendment, I certainly look forward to hearing your thoughts on this amendment, both for and against. However, as I said to conclude the second reading debate two weeks ago, this isn't a giant step, but it is a concerted effort to repair what I see as a hole in our legislation. It's a conservative step but one that I hope members on all sides of our Assembly can see the logic of.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: Hon. members, the hon. Member for Red

Deer-North has introduced an amendment, and we shall refer to that amendment as amendment A1.

The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. On the amendment as before us there are a few points I'd like to address about the amendment. The Member for Red Deer-North said that this was a conservative step forward, and I would agree with her. We liked it a little bit better when it was a liberal step forward and stated "must" rather than "may," but it isn't that watered down that we can't support it.

AN HON. MEMBER: It's not polluted either.

MS CARLSON: Well, what we want is polluters to stop polluting. There's no doubt about that, and we've been advocating very strongly in that regard for any number of years.

The Member for Red Deer-North stated that she had faith in the department to properly issue letters to polluters, and so do we, Mr. Chairman. It's actually quite a good department overall. However, the biggest problem with enforcement in this province has not been the regulations and the goodwill and the letters going out. It has been the actual follow-up, and that's due to a lack of staffing, not due to a lack of intent in terms of what the department wants to do. So that continues to be a concern. I don't see that addressed here. Hopefully we will see that there is adequate follow-up in these instances, but that doesn't always happen.

3:30

The Member for Red-Deer North has been here now for just over a year, so she hasn't had an opportunity to see that most of the time the Official Opposition in this province does actually support what the government is doing. If we look at it statistically, I have to say that we vote 75 to 80 percent of the time with the government on issues of the day. When we step up to the plate and state that we see that there's something missing or wrong or that could be improved, certainly we're happy to very aggressively pursue that particular agenda. Sometimes the government actually listens and sometimes will adapt or adopt the changes that we recommend.

In this case, though, we've been quite supportive of this bill. As it has gone through, as I said, I'm a little disappointed that they changed "must" to "may," but when the minister stands up and says, "We've changed 'must' to 'may' or there'll be no 'must' in terms of supporting this bill," then the member did the right thing, because it's a step in the right direction.

So with that, Mr. Chairman, I will conclude my remarks and be happy to support this amendment.

THE DEPUTY CHAIR: The hon. Member for Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Chairman. I'm pleased as well to debate the proposed amendment to Bill 202 that's before us here in committee. I really think that this amendment as put forward by the author of the bill, my hon. colleague from Red Deer-North, is a thoughtful, insightful amendment. My colleague wants to change Bill 202 so it is workable not only in the best interests of our constituents but also in the best interests in our employees, and I strongly support my colleague with this intent.

Mr. Chairman, like the sponsor of the bill I believe that we have to look at the current abilities of the Environmental Protection and Enhancement Act to effect positive change and build upon effectiveness rather than detract from it. I believe that leaving in the word

“must” builds in a bureaucratic inefficiency that could in fact harm the environment in the long run. I really think that we have to look at the hard realities of the bottom line as well as a degree of reasonableness in how our staff members, who already, as was said earlier, work very hard in our best interests, function.

Our goal isn't to make the legislation so cumbersome that it requires unnecessary paperwork. People, I think, really should be allowed to do their jobs with the best interests of all Albertans in mind, and that's what my colleague is doing with this amendment, Mr. Chairman. She's permitting that to happen and allowing that to happen or working toward that intent.

To leave the word “must” would serve only, I think, to overutilize valuable manpower resources. In many cases that's not a required measure. It's not practical. This amendment gives the department the necessary flexibility to decide for themselves in any circumstances if further action is warranted. What a luxury to give to an employee, hon. colleague across the way, who said that there isn't follow-up, to allow the employee to actually follow through with what further action they see is warranted, and that's what this amendment does do.

The assertion that this would somehow limit the effectiveness of Bill 202 I find very questionable. The more legislation we have that micromanages the department, which is not what our employees are looking for, the more we're limiting their ability to prioritize department resources, to use good judgment, and to respect good faith arrangements with our public.

We have to recognize, Mr. Chairman, that our departments are trying to do the best job they can, and if we confine them to what they must do, we limit their ability to problem solve creatively, to save time, and to save ultimately taxpayers' dollars. But if we provide flexibility in the legislation, which is what my hon. colleague is doing with this amendment, then we can trust, I believe, that the spirit of the legislation will be followed.

The alternative is not trusting our employees to follow the spirit of the law, and that, I think, is just a formula for waste. We'd have to hire officers to ensure that other officers are following the letter of the law if it had stayed in, and you can see, Mr. Chairman, that taking, as my colleague said, the first step, saying that something must be done, leads to tacking on more and more staffing and monitoring requirements.

While we'd all agree that our environment deserves the best protection we can provide, we ultimately have to also expect voluntary compliance. Governments cannot be everywhere and do absolutely everything. We can only provide a framework to encourage compliance, and in my opinion that should not include an arduous process and a never-ending paper trail. By including the word “must,” we may be pushing levels of voluntary compliance and co-operation down while increasing the workload and reducing the productivity of our environmental officers, Mr. Chairman.

I'd like to give you an example of some of the other laws that use the word “may,” and I think that they're still very fair and evenly applied. If we look at the powers of officers under the Highway Traffic Act, nowhere in the text does it prescribe what the officer must do in the event of an infraction. In this case, the use of the word “may” allows the officer to use discretion, observe the situation, and then make an informed and rational decision about issuing a ticket, warning, or citation or arresting the violator. I hope I have that correct. We heard from our hon. colleague at a meeting that we were at here at the Legislature. Last week my colleague from Calgary-Buffalo said that in the previous occupation he had, that's what the officers do.

It really is ultimately an issue about trusting the officer to perform his duty in the best way he sees fit. The same is true, I think, Mr.

Chairman, for officers in our government departments. We need to provide the same kind of flexibility that would allow officers to perform their duties in the most efficient and reasonable way that they see fit. Rigid legislation would imply that extra staff is required to cross every t and dot every i, and I don't think that's reasonable. It would prove to be highly impractical, the very reason why I think that legislation should remain flexible.

Effectively, by saying what an officer of the government must or must not do, the legislation would be taking away, I think, the power of an officer's better judgment. Our departments are doing the very best they can to manage their time, to provide excellent service for taxpayers' dollars, and I know that we all believe that. Enabling them to use better judgment does not amount to a “loophole that you could drive a Mack truck through,” as the Member for Edmonton-Highlands so eloquently put it in earlier debate. There is no loophole, because the very capable staff in our departments are there to ensure compliance with the spirit of the legislation.

Mr. Chairman, the employees of the Department of Environment do work very hard to protect the air, water, and lands of our beautiful province, and implying that they require legislation that tells them exactly how to do their job I don't think is really appropriate. There are situations where legislative language has to be very firm, but I don't think this is one of them. This amendment to Bill 202 would allow the department to function with efficiency and discretion, and by telling the department what they must do, we are creating a situation where employees simply act without that discretion.

Mr. Chairman, the Environmental Protection and Enhancement Act has done so much to add to the Alberta advantage. One of the principles of the legislation when it was introduced was that it would offer substantial ease by combining four acts into one concise, targeted act, and this single act provides environmental protection to our province's land, air, and water, as I said earlier, and, importantly, one set of rules to govern them all. It's important that the rules in the act remain flexible to allow the department to respond to situations as necessity and good sense dictate and not as stringent or inflexible legislation would dictate. That is the point of the amendment to Bill 202, and changing the word “must” to “may” will not dull the edge of the proposed legislation.

As I said earlier, the changing of the word will serve to make the bill even more effective and not waste valuable departmental resources. I believe that it's very much a matter of philosophy, Mr. Chairman. The government has set a standard of less is more, and that is to say, as we hear many times in the Legislature, that less government is better. Albertans do want specific, targeted services. I think Albertans have come to realize that the government is here to assist, not to interfere where they're not wanted. If complaints come to a department, employees do their very best to investigate and resolve any problems as quickly and as efficiently as possible. Each and every government department is doing all it can to achieve this kind of efficiency, and it's important that legislation not block these efforts.

3:40

Mr. Chairman, this is a discussion about what the core businesses of government are and should be. Should we be a safety net to ensure that Alberta's environment remains pristine and beautiful? Absolutely we should. So while the goal remains the same, to protect our environment, we must approach the matter with some finesse and flexibility, and this is the difference between “may” and “must.”

I strongly encourage all members of the Assembly to support the amendment that my hon. colleague has put forward, and more importantly please support the overall bill, Bill 202.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Chairman. Not to sound redundant, but I would like to rise today and speak in support of the amendment to the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. The amendment that the sponsor of the bill has proposed here this afternoon speaks to the issue of flexibility, determining the wisdom of how staff should act in the face of a circumstance, and it also identifies the confidence that we should have in those who attend to a spill and are able to make the assessment as to whether it is or isn't being attended to and how it should be looked after.

The benefit, as I see it, of this amendment is that it will allow on-site staff that flexibility that I just mentioned. They will be able to see whether a cleanup process is under way. They will be able to then determine if that is adequate and is being addressed properly, and if it isn't, then they have the ability to call into force all of those resources that need to be done. The amendment also suggests that the department can allow that to continue, the inspectors, if you will, or the staff to continue with their work without having to be interrupted by the formality of filling out forms, of administration, of dealing with a process that perhaps would delay the immediate cleanup rather than having to look, respond, make a judgment, and encourage the cleanup as it would take place.

We all know that in looking at this amendment that is proposed, if a cleanup of a spill has not progressed to the satisfaction of the inspector, a letter can be issued that would ask the offender to do any one of a number of things. For instance, the letter could include that the request for cleanup and action immediately "measure the rate of release . . . of the substance" so that we would know what are the circumstances that are there. This letter could "minimize or remedy the effects of the substance on the environment" so you do get a proper assessment as well.

This letter could request the restoration of "the area affected by the release to a condition satisfactory to the Director," and in addition to that – again I'm pointing out that there are a number of recommendations that could be made – that letter could request that the site "monitor, measure, contain, remove, store, destroy or otherwise dispose of the substance," that all of those measures be looked at, to "lessen or prevent further releases of or control the rate of release of the substance into the environment." What I'm pointing to is that I believe the inspector who arrives on site and the team there can take a look at the particular site, again adjudicate what would be the most proper means to identify what is happening, and take action, if it isn't happening, to remediate the site.

The letter could also request the individual or the company responsible for the spill to "install, replace, or alter any equipment . . . in order to control or eliminate on an immediate and temporary basis the release of the substance into the environment." So, again, a proper understanding of what is happening on-site.

The whole purpose of this amendment is, quite simply, to suggest that the wisdom of those who are working on-site can be applied directly, immediately, and appropriately to the circumstances that they find as they observe the site, looking at the responsible protection of our environment that we all want so dearly for all of our sites, whether they be owned privately or whether they be part of another common usage, if you will, or rental.

Without saying much more, Mr. Chairman, I'd like to again highlight the fact that this amendment allows for flexibility of the staff who come on-site to recommend or to request or to encourage or to approve the process that is already in place, and if it isn't, then to take some action as it should appropriately be done. So I would encourage everyone in this Assembly to support this amendment to

the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar is rising on a point of order?

MR. MacDONALD: Yes, please, Mr. Chairman.

THE DEPUTY CHAIR: Go ahead.

Point of Order
Distribution of Private Members' Bills

MR. MacDONALD: Thank you very much. I rise for a point of order under Standing Order 72, printing of bills: "every Bill shall be printed and distributed to all members before second reading." Also for your convenience, Mr. Chairman, I would like to refer to *Beauchesne* 644(3): "no bill may be introduced either in blank or in an imperfect shape." It is my view that both Bill 212, the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2002, that was introduced earlier this afternoon by the hon. Member for Calgary-Buffalo, and Bill 211, the Marriage (Preparation Course) Amendment Act, 2002, by the hon. Member for Edmonton-Beverly-Clareview – now, the title page is Bill 211, but if you look in the inside, you have the amendment to the Traffic Safety Act, Bill 212, and I don't consider that to be suitable. It certainly is imperfect, as is Bill 211.

Now, we've had incidences here in the past, Mr. Chairman, where there was legislation introduced that obviously had not been read thoroughly by many hon. members of this Assembly, and I refer to the last term, with Bill 11. At this time I would seek direction from the chair, but in my view these documents certainly are not perfect.

Thank you.

THE DEPUTY CHAIR: The hon. Deputy Government House Leader.

MR. STEVENS: Well, this appears to be one of those cases where the point that the hon. member is making is self-evident from the documents he's referring to. The only comment I'd make is that we're in committee on some other matter, and I wonder whether this is the appropriate time to be raising this matter for your consideration, in Committee of the Whole. But certainly it does appear that the front page of those two particular acts is not in accordance with the body of them.

3:50

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. In response to the hon. Minister of Gaming and Deputy Government House Leader, I would like to say that it is my obligation to bring this to the attention of the Assembly as soon as possible. After question period today I thought I would read the legislation that was introduced by private members who are also members of the government caucus. It's my first opportunity to see this, and I think it's imperative that this be brought before the Assembly at this time.

Thank you.

MS CARLSON: Mr. Chairman, I would like to speak in support of my colleague from Edmonton-Gold Bar's point of order. There is no doubt that there are many precedents in this Assembly where we are expected to call to account members or positions taken or papers put forward by members at the earliest possible opportunity where

we see an oversight. Here we have not one but two bills which have been mixed up in the printing schedule and have escaped somebody's eyes when they were reviewing them. So I do believe that there is a valid point here, and it needs to be addressed immediately.

MR. STEVENS: The only other comment I would like to make, Mr. Chairman, is simply this, that this is highly unusual. The Queen's Printer is responsible for the printing of these documents. As you are well aware, we don't see them until they hit the floor of the House. It seems to me that, upon reflection, the wisdom of the chair and the Speaker's office will come to some equitable solution which will maintain the standing of these good bills.

THE DEPUTY CHAIR: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Highlands.

MR. LORD: Thank you, Mr. Chairman. I just rise to make note that I've already sent notice to you that the bills have been mixed up inside. So maybe to settle this point of order, I can assure the members opposite that this has been drawn to the attention of the chair, and I am sure that it will be rectified as soon as possible.

Thank you.

MR. MASON: The only thing I can add, Mr. Chairman, is that we think that in some way this must be related to government cutbacks in some fashion or another.

THE DEPUTY CHAIR: Hon. members, the chair would like to advise everyone on a couple of matters here. First, the appropriate timing for bringing forward a point of order would have been in Assembly and not in committee. However, having said that, the chair was made aware of the issue by the Member for Calgary-Currie. Upon reviewing both the bills that were tabled, bills 211 and 212, they were tabled with the Clerk in their appropriate format. However, the copy that was sent and circulated does have the misprint that has been identified. The appropriate people involved in the printing process have been advised, and the chair has been informed that a reprinted copy with the correction will be circulated in due course. However, for the record the official copies of bills 211 and 212 have been tabled as required.

Debate Continued

THE DEPUTY CHAIR: We shall proceed with the debate. The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Chairman. It is my pleasure to rise again and speak in this committee on Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. I support the proposed amendment to this act brought forward by the hon. Member for Red Deer-North that would have the perpetrators of environmentally harmful substances be forced to remediate the spill according to the directions set out by the Ministry of Environment. I also support Bill 202 because it would help speed up actions to be taken to contain and control the source and the movement of contamination.

Since the second reading of Bill 202 the member has amended this bill to reflect the current need for some flexibility when dealing with environmental cleanups. In second reading of Bill 202 it was stated in section 112.1(1) that "the Director must issue instructions immediately to the person responsible for the substance to restore the area affected by the release to a condition satisfactory to the

Director." The amendment to Bill 202 is that the director "may" issue the instructions immediately.

I agree with this amendment. I understand there is the need, when dealing with environmental spills and conditions, to ensure that they are appropriately cleaned up. However, the hon. Minister of Environment made an important point, that the words we use to legislate and regulate things in Alberta should be carefully considered so that they are not misinterpreted and are properly translated to regulate the way we mean it.

I agree, Mr. Chairman, that there is sometimes a need to be flexible. Though I agree with the amendment we are discussing within this committee, I have one small concern with it. I am concerned that this flexibility may be misused to allow people to delay their responsibility in cleaning up costly spills, allowing those who should have been reported to go unreported and slip between the cracks.

I continue to support Bill 202 because although it will be a small change, I believe it is a change that will make a difference. I believe if we work together as a government and as an Assembly to protect our environment, we can preserve the province for the health and enjoyment of our future generations.

No positive change is too small. I say this because I will be introducing a private member's bill that is complementary to this bill during this session – in fact, I have just introduced it this afternoon – which also proposes to make a positive change to the Environmental Protection and Enhancement Act. Though I would like there to be greater environmental protection developed in Alberta, I know that it should not impede Albertans' economic prosperity and that changes, especially ones that we can work with, cannot take place just overnight. Steps in strengthening the acts which protect our environment, such as Bill 202 and the bill which I have sponsored in this House, will help serve to create more responsible guidelines, strike appropriate balances, and enhance environmental stewardship.

As elected representatives I believe it is our responsibility to design the most effective legislation we can to protect the quality of life for Albertans. The health of our constituents is at risk when harmful substances are not remediated properly or with not enough efficiency to control the damage. We all know that environmental accidents happen. When spills occur, the contaminants released could travel to a number of places which could pose serious risks to Albertans.

I support Bill 202 because I believe it will help expedite the remediation process and cut back on the amount of time that spills are left to continue contaminating the environment. Spills that are left too long could make their way into the groundwater we drink, contaminate the soil our children play with, and pollute the air we breathe. Albertans face greater problems when spills are left for longer periods, threatening our health and creating health conditions that are developed over long-time periods of exposure. The longer that hazards and spills are left, the more contaminants will be inevitably spread, steadily becoming a more serious problem to the health of Albertans and our environment. Serious health problems may occur due to the long- and short-term exposure to harmful, hazardous substances.

4:00

Bill 202 provides greater protection against harm to the health of Albertans by placing greater assurance on quick remediation efforts to clean up any environmental hazards that could be in their communities. It is often difficult to assess all the subsequent effects which will take place after a spill occurs or if the spill is left for too long before the area is remediated. It is important to know that. Some hazards leak into the environment, whether they be on the

land, in the water, or in the air, and are not easy to detect without conducting many different tests. This is why I support the purpose of Bill 202. It will not allow spills which should have been remediated quickly to spread the other elements into the environment and cause greater damage to our land, water, and air.

The residential area of Lynnwood in my riding, Mr. Chairman, was contaminated through poor assessment and cleanup of oil refinery storage tanks. I have seen firsthand the effect of environmental carelessness on Albertans. Health concerns are always the number one issue that must be considered when discussing environmental accidents, because the health of Albertans is an important government priority.

Another consideration to be made is that remediation of spills is costly. It is most likely that the cost to properly remediate the land could increase exponentially if they are not reacted to within the appropriate time frame. Allowing spills to settle into the groundwater or to spread throughout the soil could easily turn into a greater expense and a much bigger problem with great responsible economic spin-offs through the greater environmental damage than the spill was in the first place. These increased costs usually do fall on persons or companies responsible for the spills, though there may be involvement by a resident or an Albertan that has been adversely affected by the irresponsible action to clean up the spills, because contaminants spread and can be ingested through contaminated groundwater, as could happen with petroleum tank leakage or spills, the inhalation of petroleum vapours from old oil storage and gas tanks. The monetary burden and time necessary to properly remediate the environment will become far greater than if it was addressed at the soonest possible moment.

Residents' lives may also be disrupted by remediation efforts. Everyone wants to see the accident fixed and the environment they live in restored as quickly as possible, but in order for some spills to be remediated properly, sometimes lengthy processes are necessary. The remediation processes are often extended, affecting the lives of the residents for longer periods, in some cases moving from their homes or having to cope for years with work crews. It's very inconvenient.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Chairman. It is my pleasure to speak in favour of Bill 202 in Committee of the Whole today and to address the small but important amendment that is being proposed by the Member for Red Deer-North. Before I begin, I would like to commend the Member for Red Deer-North on her dedication to this issue. I think it is marvelous that she has been taking a stand on behalf of our environment with this bill. Bill 202 is a very good, solid bill that will serve this province well.

I would first like to address section 257. Section 257 is very important because it legislates a review of the Environmental Protection and Enhancement Act every 10 years. I feel that this is a great step in the government ensuring that environmental law is kept current and updated. I believe that this section shows the commitment of this government to the environment and to keep up with our rapidly changing technology. It is a very valuable part of Bill 202, and I agree with the Minister of Environment when he said that all legislation should have a clause similar to this; that way we can be sure that all legislation is current.

I would also like to make a few comments in regards to the amendment proposed by the Member for Red Deer-North. The amendment is very simple but has far-reaching effects. By changing the word "must" to "may," we are giving directors the opportunity

to use their discretion when dealing with contamination. Mr. Chairman, let me give the committee an example. Let us imagine, if you will, the tanker truck carrying gas which is to be pumped into a tank buried underground. The gas is being delivered into the underground storage unit, and no problems arise until the gas line is extracted from the storage tank, where it breaks and a little gas gets spilled around the area. This is where the amendment can be seen as justified. This spill is inconsequential and takes only a couple of hours to clean up through the use of some rags and some dirt. The mess is cleaned up, very little damage is done, and the company moves on after they notify the Department of Environment of the situation.

Under section 112.1 as it currently reads in Bill 202, without the amendment a director would have no choice but to issue instructions immediately to the party responsible for the spill. By now, though, the spill is already cleaned up, and the director is wasting a lot of his and the company's responsible time. By having the word "may" instead of "must," the director can use his or her discretion in whether or not to issue instructions. In the scenario given, the director would simply note that there had been a contamination and then make sure that the company had cleaned up the site. They do the required work and be done with it: no fuss, no muss. There would be no need to issue instructions to clean up a spill if the contamination had already been dealt with. The word change in today's amendment enables the director to use discretion. The environmental directors are trained to use proper judgment, and they have the knowledge of the hazards and nonhazards that spills cause to make the correct decisions.

Mr. Chairman, the amendment to change the word "must" to "may" can be looked at as a resource saver as well. With the word "must" in the legislation that would mean that directors would be dealing with every single spill that happens regardless of size or consequence, therefore causing more bureaucratic red tape. Companies have a tough enough time as it is dealing with red tape, so I don't feel that we should be adding any more for them to have to put up with.

As the Member for Vermilion-Lloydminster mentioned in his debate in second reading, paperwork does not solve any environmental problem. The member was correct when he stated that the biggest problem that government has is that "we generate so much [paperwork] that we probably create more problems than we solve." This is probably what would happen if we did not accept the amendment that is being proposed today for Bill 202. Excessive paperwork leads to turmoil.

Mr. Chairman, the word "must" has to be changed so that the full extent of the bill can be realized. I do not feel that the bill is weakened because of this change; in fact, I believe it benefits all stakeholders. The word "may" will bring flexibility to the legislation. As was noted in second reading, there is no one solution that will fix all our problems with environmental contamination.

In second reading it was also addressed that we have to treat each spill differently. For instance, you treat contamination that happened last month differently than you treat contamination that happened 40 years ago. I believe that the amendment supports this. The word "may" will give a director the flexibility and authority to deal with each spill and contamination as he or she best sees fit.

As members of this government we should look for ways to make dealings with our departments and agencies as painless but as effective and efficient as possible. The Minister of Environment implied that the word "must" would complicate matters in the department by adding to the volume of paperwork. The last thing we need is a department confused and annoyed under the stress of more paperwork.

It is true that in most cases when a spill occurs, the perpetrators of the spill usually clean up the mess before any director from the Department of Environment can get to the site to check on the damage. If the word "must" was left in, then the director or inspector would have to go to the site more than once and also have to issue huge amounts of paperwork that will slow down the process and will not end up benefiting the environment at all.

4:10

Bill 202 is necessary, Mr. Chairman. Its objective is to strengthen existing legislation protecting our environment. Bill 202 reinforces the authority and the mandate of Alberta Environment by making those who pollute clean up after themselves. This should not even have to be debated. Companies should take and will take the onus to deal with the problems that they create. Bill 202 provides reinforcements to the legal framework of the legislation. The amendment to section 112.1(1) will go a long way in ensuring that companies do clean up their own messes and not have to dig their way out of a mountain of paperwork.

Passing the amendment to Bill 202 is imperative. It will allow the Department of Environment to act swiftly and decisively whenever a situation arises that requires the department to take action against polluters. It will enable the department to do this in a manner specific to each situation. The amendment will not tie the hands of the department; rather, it will give weight to the department's environmental regulations.

Mr. Chairman, I believe that this amendment will help this government further protect the environment without enacting unreasonable demands on the responsible corporate citizen. This amendment ensures that the companies that are law abiding will not be punished for their compliance with the current legislation. The amendment to Bill 202 would give directors the chance to issue instructions to those who cannot comply with the current regulations. The word "may" allows for discretion on behalf of the department, resulting in swift action by all involved.

The amendment to Bill 202 provides stakeholders in the industry an opportunity to work with each other to achieve the same goal; that is, to protect the environment while still developing the industry. Companies within the industry have shown us that they are responsible and that they will take care of their commitments to the environment. I hope that the Department of Environment, and Energy for that matter, will be able to work with the amendments proposed to the Environmental Protection and Enhancement Act.

Mr. Chairman, polluters do have a responsibility to clean up the messes they make. I believe for the most part that most companies, in fact the majority of companies, do clean up their messes quickly and without any funny business. However, there are the select few that do need to be watched. I believe that the amendment to Bill 202 will allow directors to keep an eye on those who offend and not allow those who don't clean up after themselves to get away with it. I urge all members of the House to vote favourably for the amendment and for Bill 202.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I will be very brief on this, but it's clear, having proposed what was a progressive environmental bill, that something has happened in order to gut the bill and make it largely ineffective, and that is the substitution of "may" for "must," which of course turns it into almost a nonstarter as far as we're concerned. We thought that this bill had merit, and it showed that there were considerable signs of life on the back-

benches of the Tory caucus. I think that there must still be life there, but somebody is trying to turn off the life-support machine here, and I think it's a shame. Obviously, some members on the backbenches of the other side have some good ideas, but they're being squelched. Here we see an example where a member put forward a good bill that had positive things. It was going to actually get tough on polluters. Instead of getting tough on polluters, now we "may" be getting tough on polluters, but it all depends on what side of the bed we got up that day, I suppose, or what the current political mood is with the government. Obviously this renders the bill almost without significant value, and I think it's a real shame. We were prepared to support the bill on the basis of its current wording, but with this particular amendment I don't think we'll be in a position to support the private member's bill, and I think that's too bad. We wanted to support the bill and swing our full weight behind it, and we would have done so.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Chairman. It is my pleasure to rise today in Committee of the Whole and speak in support of the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act. I would like to start by commending the sponsor for taking the initiative to propose these thoughtful and innovative reforms to an act that certainly affects the everyday lives of people in Alberta. I also would like to thank the members of the Assembly for their thoughtful discussion and input regarding Bill 202 in second reading.

Using the success and innovation that has taken place in our resource-based industries as an example, it is easy to see that the people of Alberta are willing to put in the time, thought, and money to ensure that the environment is protected to the best of our ability. Through their efforts our citizens have sought to strike some kind of a balance between success in industry and practicality. Bill 202 reflects Albertans' desire for balance between economic advancement and pristine environment. This bill provides this by enhancing the Department of Environment's ability to ensure that the cleanup of toxic substance spills is initiated in a timely fashion.

The proposed amendment that we are discussing today will lend a sensibility to the bill by allowing the department to use its discretion when issuing an environmental protection order. In addition, the proposed amendments to the Environmental Protection and Enhancement Act in Bill 202 will include a mandatory review of the act every 10 years. With continuous improvements and advancements in science and technology as well as changes in thinking that come about from the environmental community, a review such as this is a valuable inclusion in the act. If we can ensure that the latest ideas are reflected through our legislation, I think that would benefit all Albertans by maintaining our healthy environment while enhancing government accountability in environmental policy.

Mr. Chairman, the environment is something that we all must share. As a result, the responsibility is on all of us to share in protecting it. The Environmental Protection and Enhancement Act is the law that gives our government the power to manage and protect the environment. I believe that anytime we turn our attention towards improving this act as a Legislature, it is time well spent. In second reading members of this Assembly had an opportunity to put forward their ideas for improving this proposed legislation. The suggestions put forward by the members of the Assembly for Bill 202 displayed concern but reflected a general interest in this

proposed legislation. I believe that the amendment will give the Department of Environment the chance to employ a flexible, practical approach in the implementation of this proposed legislation. When the sponsoring member introduced the amendment, it conveyed her willingness to listen so that her idea could work well for Albertans and for government. I think that the flexibility of the word “may” as opposed to the more stringent application that would be applied with the word “must” provides a recognizable benefit.

4:20

Mr. Chairman, Bill 202 would essentially give the Environmental Protection and Enhancement Act sharper teeth. It would empower the government to better manage those polluters across the province who may not have caused damage that poses an immediate danger to the ecosystem but damage that may have the potential to cause significant environmental damage over time. Currently there is nothing in the act to force or enable the department to issue an environmental protection order upon report of a less-threatening spill. The director can only issue the order after the accused has demonstrated an inability or unwillingness to clean up the site. Therefore, the only way the enforceable time line for cleanup can be handed out by the department is through the issuance of an environmental protection order. Unfortunately, the only way a protection order can be issued is if negligence and ignorance have been practised by the polluter and they have not initiated the cleanup process. By giving the director the ability and discretion to take immediate action, Bill 202 will help to eliminate the wait-and-see policy currently applied to those polluters who feel that they can take their time with the environment.

Mr. Chairman, when Bill 202 was read a second time and debated, there were members on all sides who spoke on this bill and indicated to this House that they saw merit in the idea or felt that legislation of this type was necessary and, in fact, overdue. However, there were concerns expressed by many, including the hon. Minister of Environment, regarding the wording in section 112(1). Section 112 of the bill states that “the Director must issue instructions immediately to the person responsible for the [pollution] to restore the area affected.” What this means is that action on behalf of the Department of Environment must be initiated each time a spill of any magnitude is reported.

Mr. Chairman, if the word “must” is to remain in section 112, then every time an Albertan spills some diesel on a gravel road and reports it, Alberta Environment must present themselves at the scene and complete a report. Small spills occur in Alberta daily, and more often than not the person responsible has the ability and initiative to clean the site himself or herself without the help or guidance of the department. If the word “must” as currently included in the bill would require department officials to respond to all small and latent acts of pollution when such incidents are currently being taken care of and their presence is not required, then I would support its removal.

Additionally, it is the Minister of Environment who pointed out that the inclusion of the word “must,” which would require that action be taken every time a spill is reported, is overkill, which would create unnecessary paperwork and place a cumbersome burden on not only the officers in the field but also on the department office. Through his comments and the comments of others it became quite obvious that forcing the hand of the department to act on every spill would not be practical nor financially viable. This was reinforced by the minister’s comment about thousands of calls per year to the department to report rather benign toxic spills.

If by substituting the word “may” instead of “must” we can ensure that the spirit of this bill as intended by its sponsor is carried forth,

then I will gladly support the proposed amendment. I’m certain that the sponsoring member had no intention of creating a mountain of unnecessary paperwork for the department but only sought to protect the environment in a manner that makes sense to all parties involved. However, if the insertion of the word “may” will render the bill ineffective, then I am hesitant to support it. If by amending Bill 202 to include “may” and not “must” we ignore the problem that this bill was drafted to address, then I question the necessity and practicality of its inclusion. If the word “may” simply gives the director the freedom to implement the policy idea, driving this bill in a sensible way, then I support the amendment. If, then, the department is able to acknowledge when industry or individuals have actually undertaken efforts to clean up spills or pollution and this will save the department the hassle, then I think I am also satisfied.

With the proposed amendment Bill 202 takes a step to protect the integrity of the environment in a reasoned and intelligent fashion, and I urge members of this Assembly to accept it.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. In addressing Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, I’ve taken some time to go through the Environmental Protection and Enhancement Act itself, and I have listened, actually, with interest to some of the comments from a number of people in the Assembly and have appreciated those comments. I might as well begin with what appears to be the most contentious aspect of this bill, which is the amendment which strikes out the word “must” and replaces it with the word “may,” a move that clearly illustrates the power of language. We’re taking a four-letter word and replacing it with a three-letter word and fundamentally altering the power and impact of this bill in the process.

I’ve listened to the concerns raised by some members of the Assembly that by leaving the word “must” in there in a sentence that would read, “The Director must issue instructions immediately to the person responsible for the substance to restore the area affected by the release to a condition satisfactory to the Director” – the word “must” in there is crucial in that it does place an unequivocal requirement on the director to take action, to take a stand. While there are concerns raised – and I’ve listened to them here – that this is simply an increase in the burden of paper on the civil service, I think that’s a problem that’s probably quite manageable. Common sense will ultimately prevail. If a couple of litres of diesel oil are spilled in an area where there’s some soil and the soil is cleaned up, I have no doubt that the director would be able to issue a standard set of instructions, probably on a single sheet of paper, and be done with it. So I don’t foresee an unmanageable increase in the burden of paper as a result of having the word “must” in there. If I contrast the drawback of having any extra paper required with the drawback of amending the word “must” to “may,” I see much greater concerns with the latter, with bringing in the word “may.”

What that does, to me, is raise questions about the fundamental integrity, almost, of the position of the director, the fundamental obligation on the person in that position to protect the environment. It puts the person in a position where they may be open to the reality of the perception of pressure to make certain decisions, so whether it’s fair or not, it’s easy to imagine a situation in which a spill occurs and the director decides, under this amended version, not to issue instructions and, as a result, appears to be favouring a particular company.

4:30

I think that there are times – and protecting the environment is one of them – when we want to be clear and we want to be forceful and we want to be unequivocal, and bringing the word “may” into this

bill contradicts all those possibilities. I think the bill was workable and was strong and was desirable, and I think it is now no more workable and in fact may well be less workable. I can easily imagine directors now having to spend their time justifying to any groups why they didn't issue a report. So I don't think there's any benefit to the amendment, and it makes the bill weaker.

There are still some remaining strengths to Bill 202. I do like the fact that under the proposal to amend section 112 of the Environmental Protection and Enhancement Act, putting in subsection 112.1(2), if a director does choose to issue instructions to clean up the area and if the instructions are disobeyed, "the Director shall issue an environmental protection order." So that does give the director legal authority for following up with people who do not obey his instructions and in fact ties his hands to do so. I can see that being useful to the director as well as to the general public, so that's a step in the right direction in this bill.

I also like the notion that this bill will require a comprehensive review of the Environmental Protection and Enhancement Act within 10 years of it coming into force. Our concerns and our knowledge of the environment are changing year by year, and certainly 10 years is ample time for us to find out how the legislation is working and what its weaknesses are. Undoubtedly there will be extensive new knowledge on environmental problems and potentially environmental solutions, so I do think that a mandatory 10-year review of the act is a good idea.

So there are two good points that remain in Bill 202, but sadly perhaps the most important single point which would have required the director to act has been watered down to the point of it being entirely discretionary and, as a result, potentially useless. It presents a genuine dilemma of whether to support a bill that does a little bit good or to not support it at all and hope that a better bill might come forward. I guess in the end I probably will support it because one step forward is better than none, even though I'd rather have three steps forward. It's with a bit of disappointment, but I probably will support the bill, Mr. Chairman.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Chairman. It's a pleasure to stand today and speak to the Committee of the Whole in favour of Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. I'd like to begin by joining my colleagues in expressing my gratitude to and complimenting the hon. Member for Red Deer-North for her vision and insight in introducing Bill 202. This is a bill that will serve Alberta and Albertans well, not just today but also tomorrow. Bill 202 is a shining example of sound legislation, and with its proposed amendment it will also be practical and practicable legislation.

No matter how sound a piece of legislation might be, it will quite frankly be lip service at best and useless at worst if it cannot be implemented. The same thing if implementation becomes so cumbersome that it generates more paperwork, requires more overhead, or inadvertently creates an incentive not to adhere to the provisions of the law as it's written at all. Bill 202 with the proposed amendment will not fall into the category of lip service oriented legislation. It will not be excessively cumbersome to implement and will not provide a loophole through which violators sneak and disappear out of sight, and it will not give rise to excessive red tape. Bill 202, Mr. Chairman, will avoid causing all this while remaining true to its original intent: strengthening the existing body of law dedicated to safeguarding our environment.

Mr. Chairman, I don't think there's anyone among us here today who would actively support any form of environmental degradation. In fact, I know there's no one in this House today who wants to see our environment worsen. Common sense dictates that when a toxic substance is spilled on the ground or otherwise ends up somewhere it's not supposed to be, you clean it up. Most of us – and by that I mean most Albertans, indeed most people in general – know this and do this.

For whatever reasons some folks don't take the time or recognize that they have the responsibility to clean up after such accidents. Why they don't is beyond me. Perhaps they don't know the harm that can come from not cleaning up, perhaps they don't care, or perhaps they think in most cases that it's too expensive or just too much trouble. Who really knows just how expensive it is or how expensive it will be for the rest of us? For whatever reason, it's precisely because of such lack of responsibility and care that we have environmental legislation in place today, some of the best environmental legislation in the country I might add.

Perhaps if everyone took responsibility for their actions and cleaned up their spills, there'd be no need for environmental legislation at all. In a perfect world we wouldn't be here discussing this matter today. Alas, Mr. Chairman, ours is not a perfect world. We do what we can to get closer to it. I think Bill 202 is a good step, not just a little step, as my colleague the hon. Member for Red Deer-North keeps saying, but a good and solid step forward.

During second reading we were treated to a wide range of opinions on Bill 202. It seems to me that while all of us are here in support of the goals of the bill, concerns were raised by some about the manageability of the bill. In particular the hon. Minister of Environment and the hon. Member for Airdrie-Rocky View drew our attention to some very practical implications of passing Bill 202 without first amending it.

Mr. Chairman, the more I've thought about it, the more I've come to see and understand the wisdom of their comments. I believe that if we invest in the common sense of Albertans and have faith in their ability to know right from wrong, they'll pay us back by doing the right thing. We don't need to spell out every single little detail of what must be done. Albertans know what to do. There's not always going to be a need for the Department of Environment to supervise, let alone be present.

There are also practical reasons for why changing the word "must" to "may" makes so much common sense. As both the Minister of Environment and the hon. Member for Airdrie-Rocky View pointed out, you put the word "must" in there, and one of two things will happen. In the first scenario we end up with a situation where personnel from the Department of Environment must travel to each and every site where a spill has occurred. That's a huge cost, Mr. Chairman. After the spill occurs – that is, after the liquid or powder or whatever it is has spilled – it will have to be reported. After it's reported, someone will have to be dispatched to the site of the incident. Depending on where the site is, this may take some time. Then when they get there, they check it out, and they either have to clean it up or oversee the cleanup process, which we may infer here cannot commence until they actually arrive on-site and then head back to write up the incident report.

Presumably, Mr. Chairman, those who made the mess could have cleaned it up all by themselves much more quickly and in many if not most cases probably do without involving officials from the Department of Environment. I might add that for every call that requires department officials to make a trek to the scene of such an accident that really doesn't require their presence, well, there goes a few more tax dollars that we could have spent on something more important.

The other scenario I have in mind, Mr. Chairman, is one that I thought of after listening to the experiences of the hon. Member for Airdrie-Rocky View when she spoke about the life of the biomedical waste industry and how what constituted biomedical waste ranged all the way from body parts to finger paint. Well, that's quite a range, if you ask me. I have no difficulty imagining how mandating that every single spill from finger paint to whatever, something in between, that would have to be reported could quite easily lead to a situation in which companies where spills may occur with some frequency will be actually discouraging many people from reporting incidents of such spills. Why? Because of the red tape. The bureaucracy of such an endeavour will be staggering. If every single instance where a little spill occurs must be reported and documented, we'll have a situation on our hands that will provide incentive not to report it and as a likely consequence perhaps lead to an increase in the number of spills that aren't cleaned up at all.

4:40

Now, Mr. Chairman, this doesn't mean that the Department of Environment won't ever enforce regulations. Of course it will, and it has shown that it has in the past. However, using the word "must" can, as the hon. Member for Airdrie-Rocky View cautioned us, lead to situations where spills, whether serious or not, simply aren't reported. Conversely, use of the word "must" can in my mind quite easily lead to overkill and in the long term a depletion of departmental resources for that one incident that requires the department's maximum personnel, resources, and know-how. If we change "must" to "may," we bestow upon the Department of Environment the flexibility and discretion to apply the law on a case-by-case basis. Not all situations where a spill is a factor require the full force of the department.

Mr. Chairman, I'm in favour of protecting the environment and all in favour of doing everything we can to protect it. It's important not just for us but for our children and for our children's children that we establish safeguards and enshrine them in law to protect the environment. We have but one environment. It's not ours to do with as we please. At best we borrow it for the duration of our lifetimes, and it's our duty to leave it in at least as good shape as we first received it, so to speak. By changing the little word "must" in section 112.1(1) to "may," Bill 202 will become a very effective instrument in dealing with spills and the attendant cleanup efforts.

Furthermore, section 257 calls for a "review . . . within 10 years" and "every 10 years after that." Mechanisms like that are imperative to make sure that the legislation stays useful and valid and does what it is supposed to do.

Mr. Chairman, I'll conclude my remarks by urging all members of this Assembly to support the amendment substituting the word "may" for "must," and I also would like to urge everyone to also vote in favour of passing Bill 202. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I have a few comments at this stage of debate on the amendment as proposed to Bill 202. I will be brief, Mr. Chairman, but I would like to caution all hon. members of this Assembly about voluntary compliance. I'm afraid by striking out "must" and substituting "may" – well, this is another way of giving voluntary compliance a second or third or perhaps even a fourth chance.

With the protection of our environment I am a firm believer that the law has to be upheld; the law has to be spelled out. There are too many examples in this province, whether it be the Swan Hills waste treatment plant or whether it be Hub Oil and the consequent fire and

explosion in Calgary. Unfortunately, the city of Calgary grew at such a fast rate that it sort of grew up around this facility, which had been in place since before the Second World War, Mr. Chairman. There was no doubt in the documents that I received on that facility through FOIP that over the years there was soil contamination, there was groundwater contamination, and on occasion there certainly was atmospheric pollution by that facility. I'm afraid that now that the plant is gone, the site is still being used, as I understand it, for oil filter recycling. But this gets back as to what the Department of Environment can and should do. You know, we can all look at a five-gallon spill of diesel fuel as an example, but there are others that are very, very important, and that's why I would use the Hub Oil fire and explosion as an example of another facility that could have used very diligent enforcement by the Department of Environment.

The hon. member's original section 2 and the proposed section 112.1 I think is sufficient. At this time, because of what I have read about previous spills and vents to the atmosphere by industrial facilities, we should be very cautious, and we must give the director the authority to investigate.

With those comments, Mr. Chairman . . .

AN HON. MEMBER: Can you speak up, please? We can't hear a word you're saying.

MR. MacDONALD: If hon. members of this Assembly cannot hear me, perhaps they could have their conversations outside.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Calgary-Bow.

MS DeLONG: Thank you, Mr. Chairman. It's an honour to join the debate in Committee of the Whole for Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. The objective of the bill, brought forward by the hon. Member for Red Deer-North, is to strengthen existing legislation protecting Alberta's land, water, and air from hazardous spills. Bill 202 reinforces the authority and the mandate of the Environmental Protection and Enhancement Act by making those who pollute clean up after themselves not at some arbitrarily determined date but according to a time line established by the department.

Mr. Chairman, we all know that the environment is vulnerable, delicate, and not ours to do with as we please. At best we are only borrowing it from our children, and what we decide to do with it, either ensuring its beauty and health or allowing it to deteriorate, will affect future generations. Therefore, the laws and regulations established today, such as Bill 202, will go a long way to giving our children and grandchildren access to a clean, healthy, and inviting environment.

As legislators we cannot allow violators of Alberta's rigid yet fair environmental protection legislation to stall and procrastinate from their duty as good corporate citizens to clean up any messes that they have made to Alberta's environment. Any company doing business in this province must also be aware that Albertans care a great deal about their environment. This government is committed to ensuring that it continues to have some of the most stringent standards for environmental protection in Canada and in North America. I believe that Bill 202 reinforces this government's environmental mandate. As members of this Assembly we all know that any environmental issue is also a very emotional and volatile topic. Therefore, we must be extremely careful to create laws that preserve the environment and do not bog down the Environmental Protection and Enhancement Act with redundant paperwork.

Mr. Chairman, the amendment proposed today to Bill 202 would

help prevent the corresponding dangers associated with doing things too swiftly and too decisively. I strongly support the amendment which changes the word “must” to “may.” The word “must” obligates people working in the department to issue an order even if it isn’t necessary. During second reading the Minister of Environment explained that by the time people from the department check out a spill and assess the damage, the cleanup has already been completed. Under Bill 202 as it currently stands, they would have to go back, issue an order, and outline cleaning instructions, even though the work is already done.

There’s no real way of predicting the full impact of this bill until it has been passed and used by the department and affected industries. I’m worried that two very bad things could happen if this bill were passed without the proposed amendment. First of all, the department and this government could face a bureaucratic logjam. I worry about the additional administrative workload that would be placed on a department that already covers a wide range of issues and industries involving Alberta’s environment. The members in this House should not decide what constitutes a nonhazardous spill as well as the time line for cleaning the spill. These decisions should rest on the wisdom and experience of the hardworking employees in the Department of Environment. Those same experts, specifically the director, will be the ones responsible for carrying out the rules decided upon in this Assembly. We should be careful not to introduce procedures that result in more work. Substituting the word “must” for “may” alleviates this danger.

4:50

The other concern I had with Bill 202 in its current form is the challenges with enforceability. During second reading the hon. Member for Vermilion-Lloydminster explained how the desired result from this bill would be to give a person or a company the opportunity to take responsibility and action to clean up their spill. This way they can work with the department and hammer out a method and time line for cleaning up the spill. But, Mr. Chairman, if this desirable scenario fails, then the director can force the hand of the polluter. If the polluter does not achieve the objectives set out by the director, it is then the director’s duty to issue an environmental protection order under section 113 of the Environmental Protection and Enhancement Act. So if a spill occurs, the guilty party has two choices. First of all, they can clean up the spill immediately and be seen as good corporate citizens who care about the well-being of the environment and the health of the people living in the surrounding area, or they can delay efforts to clean up their mess, hide from their responsibility, and be forced by the department to be treated like children who refuse to pick up after themselves.

Mr. Chairman, effective enforcement of Bill 202 is only possible if the department is able to work within their budget and manpower resources. In other words, people must be able to do their jobs without being forced to swim through a sea of needless paperwork. To me the word “must” connotes a demand. It’s like saying that you must register your firearms regardless of how you store and handle your weapons. The word excludes any sort of negotiation and demands action, and as we know, you can’t shake hands with a closed fist. I believe the word “may” would preserve the effectiveness of Bill 202 while at the same time allowing people within the department to do their jobs.

Let’s remember two things while we debate Bill 202. First of all, the sponsor of this bill is not proposing overwhelming changes to the current Environmental Protection and Enhancement Act because, quite frankly, drastic changes are not necessary. This bill is simply tweaking the system to give people in the department the ability to move more swiftly and decisively on delayed cleanups. We must

also remember that this bill deals with nonhazardous spills. I agree that nonhazardous spills have an adverse effect on the environment, and I know that this government is serious about preserving the environment. I’m not trying to belittle the importance of a clean environment, but we must keep these two points in perspective before we go too far and pass legislation that has a detrimental effect on the Ministry of Environment and the Environmental Protection and Enhancement Act. Sometimes good intentions do not always result in the best solutions.

If passed, Bill 202 will go a long way to prevent delinquent spills and to hold irresponsible companies accountable for their actions. If the amendments were implemented to Bill 202, it would be a reasonably enforceable bill and one that I would support. Thank you, Mr. Chairman.

[Motion on amendment A1 carried]

THE DEPUTY CHAIR: The hon. Member for Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Chairman. I’m rising to propose a second small housekeeping amendment to Bill 202, and I’m making this amendment in consultation with my friend and hon. colleague from Red Deer-North. It’s hopefully going to be brief, I think.

You’ll note in this bill that if a polluter fails to comply with the directives that are issued by the Department of Environment, the department may issue an environmental protection order, but the overall act directs that environmental protection orders generally occur under section 113. In this act that we have, Bill 202, what’s referred to here are ones that would normally see environmental protection orders issued under that section 113, but when you look at the act overall and you read the legislation, you’ll see that Bill 202 doesn’t make any reference at all to section 113. So that’s why I think it would be helpful to state that the environmental protection orders would be issued under section 113 if polluters failed to comply with 112.1.

Therefore, Mr. Chairman – I know the amendment is being distributed here – I’ll read into the record exactly what it says when I get one.

THE DEPUTY CHAIR: The amendment that is being moved by the hon. Member for Calgary-Cross will be referred to as amendment A2.

MRS. FRITZ: Thank you, Mr. Chairman. So I’m moving, then, that section 2 is amended in the proposed section 112.1(2) by adding “under section 113” after “environmental protection order.”

As I said, this amendment is, I think, in the best interest of the bill overall. It’s in the interest of clarity, and I think that it would help people to understand where the bill fits into the Environment Protection and Enhancement Act. It also would assist our environmental directors with the administration of section 112.1 when Bill 202 is proclaimed.

Thank you, Mr. Chairman.

[Motion on amendment A2 carried]

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: On the bill as amended, Mr. Chairman, I want to compliment the Member for Red Deer-North on a good effort in bringing forward this bill, and I regret the amendment that essentially weakened her admirable piece of legislation. The hon. Member for Red Deer-North is a big improvement for that constituency.

[The clauses of Bill 202 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. STEVENS: Yes. Mr. Chairman, I move that we rise and report.

[Motion carried]

5:00

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration and reports with some amendments Bill 202. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

**Bill 204
Traffic Safety (Cellular Phone)
Amendment Act, 2002**

[Adjourned debate March 11: Mr. Herard]

THE ACTING SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It's my pleasure to rise today in response to Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, presented by my colleague from Lacombe-Stettler. I think the intent is noble. However, I am opposed to this bill.

For one, Mr. Speaker, the bill says that it's to ban the use of handheld cellular phones during the operation of the motor vehicle; however, hands-free phones would be permitted. Even looking at Bill 204, which is a proactive measure that says that it may decrease casualty collisions on Alberta roadways, the word "may" does not convince me that it will. It's not that I'm opposed to any traffic safety. I certainly am not. I did introduce the bill that allows red-light cameras in this province, and that has gone over as a good measure because it's for the safety of our motorists, but I believe that Bill 204 may be interpreted as an intrusive and unnecessary infringement on Albertans' freedoms.

Mr. Speaker, we look at distractions of the cellular phone. I must say that I've had a car phone in my car probably since they first came out, and it goes back to the Aurora-400, which is close to 30 years that I've had it in my car. I'll tell you that that phone is no longer in use; new technology has come out. We've had new cells

introduced, and of course we move along with new technology. I think that's great to see in this country, that there is technology movement.

We look at other communities, other countries. This province, when we look at the population that we have, is very small. The only state right now that has banned cell phones is the state of New York, but the population of New York is probably tenfold – I don't know what it is – tenfold of what Alberta has. I had the opportunity of being in Europe, in Italy, which has a population of 60 million people. The country of Italy is about the size of Newfoundland. Just about every individual has a cell phone, and the number of cars that are on the road, the autostradas themselves, where the speed limit posted is 130 but people are going at 160, 170, 180 kilometres per hour – the thing is that they don't have that law in Italy, and they have 10 times as many people, or double the population of all of Canada.

So, Mr. Speaker, I am certainly opposed to this bill simply because we already have laws in place that would allow a police officer to charge anybody under the traffic act with undue care and attention of a motor vehicle. I think that introducing this bill is a noble way of addressing some of the issues, bringing them to the forefront. However, I look at it as a cash cow, because all a police officer has to do is look and see if you've got a cell phone in your hand, pressed to your ear. He could stop you and charge you. I don't agree that we need to be that vigilant on every individual, because that's exactly what would happen.

When we look at if any accidents occur – and they could occur – is it a direct result of a cell phone? Just the other day I was driving and noticed next to me a driver driving his vehicle with a poodle on his lap, and the poodle was licking his face. Maybe we should look at banning that as well. How about coffee drinkers? How about smokers? All of a sudden a cigarette happens to fall in his lap, and he's looking down to see where that cigarette disappeared.

AN HON. MEMBER: How about coffee from McDonald's?

MR. BRODA: How about coffee from McDonald's – right on – or Tim Hortons or something that's really hot and it drops on your lap and causes an accident?

Mr. Speaker, when you look at some statistics here, just to read you an article that I've received, it says:

"From 1993 to now we went from 1.8 million cellphones in this country to 10 million cellphones and the number of collisions, traffic fatalities and injuries are down 10 percent in [the same] time frame," said council president Emile Therien in February following an accident [that happened] in Baltimore . . . an accident caused by a young driver using a cellphone.

Therien suggested that accident was probably due [more] to the driver's inexperience . . . [than it was to the use] of a cellphone.

So, Mr. Speaker, I certainly would encourage my colleagues in the House here to really think hard and look at the presentation of this bill and vote against it, not because I don't think that it has merit, but I still honestly do believe that it would be a cash cow. I think that right now we have too many infringements on our rights and that it only leads to more as we go along.

AN HON. MEMBER: What about farmers?

MR. BRODA: Next the farmers are going to be stopped on tractors because they're asking somebody to come and pick up a load of grain. The fellow is on his way already and has a phone to his ear, and they're beating the weather. He's driving along, and all of a sudden an officer is on the road and sees the fellow with a cell phone, stops him, gives a ticket. There was no cause for it. However, the bill would allow that to happen.

So, again, I would encourage my colleagues to not vote for the bill. With that, I will close and sit down and let somebody else speak, but certainly I would encourage everybody to not vote for the bill. Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I rise in support of this bill. I want to speak very specifically to the fact that this bill will allow us to be better drivers. It will encourage us to be better drivers, and it will make provisions so that we will live according to the law and drive according to the law, which is a safer, more expedient way of driving.

I'm a person who has used cell phones in the car. For years in my previous occupation, which was selling real estate, we relied heavily on them, and the Member for Redwater knows that very well. I, too, had one of those apparatuses that was so big they literally took up the other front seat in the car. Through my previous business I relied on using it, and certainly I rely on the use of it as an MLA. I can tell you that a cell phone in the car is a great way to be able to contact people as you move from A to B, from meeting to meeting. It's an opportunity for us to use the time in conversation and to cover business requirements.

5:10

I would say that this bill, in saying that it is legislating against the use of handheld cell phones in the car, is a very wise move. I can tell you that I am perhaps one of the biggest offenders. I don't use the head clamp or apparatus, and I sit there and I try driving with one hand and dialing with the other hand and try to read the number, and if I had some legislation, I would obey it. I was not a person who used seat belts before, but now I do. I am a person who does use a handheld phone, and if this piece of legislation passes, I won't use it. I will make sure that I use the hands-free one.

I don't mean to make this just a personal reflection, but I want to speak to the safety features that this bill points to. When driving in my urban community, certainly we do need to have both hands on the wheel. We do have to be alert. But if we were to suggest that we are going to be drivers who do not hold any conversation with anybody, then I think we are not being realistic. With this bill we can still speak to someone who is not just virtually sitting beside us, but we can speak with those whom we wanted to contact and make the best use of our time. We can do it with the hands-free apparatus.

As I would just wish to continue to speak on the telephone under other circumstances, again I want to mention the fact that a few other members have addressed other behaviours of hands-free or, if you will, activities with their hands when they are driving, and I would say that they are equally as dangerous. However, I would also say that since the hands-free and the mechanisms that the phone companies can provide us with in order to drive safely and at the same time return calls, speak to family members, identify what we need to do in preparation for perhaps the next meeting that we are about to attend – hands-free attachments to our telephone allow us that opportunity to communicate and to continue to communicate while we are driving. It is a great opportunity to do two things at once. However, if we are going to hold the receiver and dial up or

take our messages off and drive at the same time, then I think we as individuals need to have a piece of legislation that will give us guidance on this issue.

Having said that, Mr. Speaker, I feel that I would like to close debate on this issue, but in the meantime I would like to encourage everybody to vote in favour of this private member's bill.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: How much time do we have on this bill, Mr. Speaker?

THE ACTING SPEAKER: Well, the bill was moved by the hon. Member for Lacombe-Stettler, and she has to close debate.

MS HALEY: I think to adjourn as opposed to close, Mr. Speaker, because I, too, want to speak to this bill.

THE ACTING SPEAKER: I hesitate to interrupt, but under Standing Order 19(1)(c) I must now put the question on the motion for consideration of Her Honour the Honourable the Lieutenant Governor's speech.

head: **Consideration of Her Honour the Lieutenant Governor's Speech**

Mr. Horner moved, seconded by Mr. Cenaiko, that an humble address be presented to Her Honour the Honourable the Lieutenant Governor as follows.

To Her Honour the Honourable Lois E. Hole, CM, Lieutenant Governor of the province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank you, Your Honour, for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Motion carried]

head: **Government Motions**

Address in Reply to Speech from the Throne

19. Mr. Stevens moved on behalf of Mr. Klein:
Be it resolved that the address in reply to the Speech from the Throne be engrossed and presented to Her Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of Executive Council.

[Government Motion 19 carried]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Yes, Mr. Speaker. I move that we call it 5:30 and reconvene this evening at 8 o'clock.

[Motion carried; the Assembly adjourned at 5:17 p.m.]

Legislative Assembly of Alberta

Title: **Monday, March 18, 2002** **8:00 p.m.**
 Date: 02/03/18
 [The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Motions Other than Government Motions** **Financial Planning for Retirement**

502. Ms Kryczka moved:

Be it resolved that the Legislative Assembly urge the government to take on a leadership role to encourage Albertans of all ages to assume personal responsibility for planning their financial security in retirement.

[Debate adjourned March 11: Mr. Bonner speaking]

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure to rise this evening to continue debate on Motion 502. Now, when debate ended on the last particular opportunity, I was talking about the contradictions that do appear to be happening and how, although I support this motion, it seems that it is at odds with what we as a government are doing right now when it comes to planning for our financial future.

We have in this province experienced just some incredible years of revenue generation over the last three or four years. Last year we did have the biggest surplus we've ever had. This year we are forecast to have the second largest revenue that we've ever had. Yet we are making cuts to essential services. Earlier today in this Assembly I talked about the road builders of Alberta and how, because we don't have sustainable, equitable, and predictable funding, that particular group is going to have to lay off a certain number of their skilled labour. They certainly are going to have some of their member companies in financial difficulty because there is not sustainable funding. We are going to have a situation where until they see the budget tomorrow, they certainly are not going to be able to do their planning and prepare for the upcoming construction season. Now, one thing that we are fortunate for: the weather has certainly co-operated in regards to holding up the construction or early construction this spring.

But to get more to the essence of the bill and why I do support it, it was of great interest to me when I was doing some research to speak on this particular motion that approximately only 30 percent of Canadians contribute to an RRSP, and I pointed out in the debate last week that for those contributing to RRSPs, certainly the more they earn the more they contribute. So a greater percentage of Canadians at upper levels of income contribute to RRSPs than those at lower levels. That certainly makes sense because those people who are at the lower levels of income, although they are a greater percentage of the population, their precious few dollars are spoken for many different reasons, whether to run households or whatever.

I certainly do support the fact that we are urging Canadians and particularly Albertans to get involved in some type of savings for their future. I certainly am encouraging them to start saving as early as they can, because when they do start earlier, they're going to have much more in savings for when they do retire.

With those comments, Mr. Speaker – and I see my time is out – I will take my seat and let others continue. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Cross, in the few minutes remaining.

MRS. FRITZ: Thank you, Mr. Speaker. I'm very pleased to have the opportunity this evening to join the debate, even if it's a short opportunity, on Motion 502. I'd really like to commend the hon. Member for Calgary-West for taking the initiative to introduce this important, thoughtful motion.

Now, Mr. Speaker, some of the motions and bills we introduce in this House are aimed at effecting immediate changes which Albertans can and will experience in short order. Others operate along a much greater time line, and the intended results may not be felt for several years. The theory of Motion 502 is to help people in the long term, and it will have a very positive effect on people's lives. This motion is not dangerous. It is not scandalous. It is not a scheme, as the Member for Edmonton-Mill Woods would have had you believe, and the hon. Member for Calgary-West has good intentions in putting this motion forward. In general, current incentives and opportunities for savings are primarily present for those in middle- and high-income groups. Yet, as the hon. Member for Calgary-West told the House earlier, the ages of people retiring in 1966 were 58.5 for women and 61.4 for men, and the goal today for retirement for many is 55.

Mr. Speaker, my view of this motion is not, as the Member for Edmonton-Centre suggested, that it be enforced with punishment and fines. The beauty of this motion is that it is about educating people with financial planning for their retirement. It is a very positive motion, as it encourages people to be responsible and self-reliant, and the government's own research suggests that all Albertans could be doing more to save for their retirement. Moreover, anecdotal evidence suggests that Albertans need more information to help them to determine their financial needs and realistically plan for retirement. We can assist by taking on the leadership role necessary to encourage increased financial planning, and I am hopeful that doing so will not only have a beneficial impact on our province, but more importantly it will ensure that people have an excellent quality of life in their retirement.

It is for these reasons, Mr. Speaker, that I will vote in favour of Motion 502. To my hon. colleague from Calgary-West: I take my hat off to you for bringing this motion forward, and I would encourage all members in this Assembly to do the same and to support this motion.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: There being no other speakers, then, I will call on, in the few moments that remain and in the five minutes that is allowed, the hon. Member for Calgary-West to conclude debate on this motion.

MS KRYCZKA: Thank you, Mr. Speaker. First, before my own personal comments I would like to acknowledge and thank some of the many people who willingly assisted in providing information for the preparation of Motion 502: Frank Ostlinger, government members' research; Terry Chugg, assistant deputy minister, Department of Seniors; Bonnie Brooks, certified financial planner, CIBC Wood Gundy; Stephen Kushner, president, Merit Contractors Association; Joanne Abram, general manager, Alberta Insurance Council; Wayne Taylor, president, the Canadian Association of Pre-retirement Planners, or CAPP, Alberta chapter; and Mary Holder, lifestyle choice consultant with a professional retirement designation from CAPP. I also thank my colleagues who spoke to Motion 502: the MLA for Leduc, the MLA for Red Deer-North, and the MLA for Calgary-Cross.

To summarize briefly, Mr. Speaker, Motion 502 is all about preparing now for our future and maintaining at the minimum our present high quality of life of which we are so proud as our aging population increases as projected in the next 10, 20, and 30 years. Demographics is the driver, and it is a science. Seniors are now 1 in 10, or 10 percent of the population and by 2030 will likely be 1 in 4, or 25 percent of the population. Seniors are living longer, which raises very valid concerns. First of all, what kind of lifestyle do I really want when I finally do retire? Next, will I be able to save enough money? Lastly, will CPP and other pensions be adequate?

Alberta is seen as a leader in Canada in aging population work, Mr. Speaker. There are major reports: the long-term care review; the governmentwide study on the impact of an aging population; and presently the cross-ministry SPI, or seniors' policy initiative, that involves 18 government departments. These three initiatives support the need for Albertans to prepare for their financial security and that government should have a role to play. It is very important for us as government MLAs to realize that the government role Motion 502 advocates is not necessarily about more government money. In fact, there is definite potential for less government funding.

8:10

The government role is about policies and programs more than legislation and those programs communicated through the present government framework. It's about working with private and public sectors and with other levels of government, and it's about financial planning education using quality information, and government can lead by example and also can assist in a research dimension.

Before finally closing, I would like to recommend that government could innovatively address the needs of individuals with little or no access to private pensions or other retirement savings arrangements. I mention that Saskatchewan has the SPP, or Saskatchewan pension plan, which is voluntary and available to anyone 18 to 69 years old. Eligibility is not dependent on residency, income, employment status, gender, or membership in other plans. If and when this government should review the future of the Alberta heritage savings trust fund, a very small amount could start an Alberta pension plan, a plan that works for Albertans, but mostly it encourages lower-income Albertans to save for their future. Lone-parent families have the lowest median net worth, with an estimate as low as \$17,900. Alberta needs a flexible, portable, provincial plan that can accommodate their ability to make payments if and when they are able to.

In closing, Mr. Speaker, there are two key advantages or outcomes of Motion 502. Motion 502 would maximize the number of older Albertans who live in dignity, are financially independent, are both mentally and socially well as a result, and who are willing to use their life savings in order to give themselves a better quality of life. Motion 502 would minimize the number of older Albertans who depend on government assistance for income; for example, the Alberta seniors benefit as we know it today and other pensions.

Mr. Speaker, I urge all members of this Assembly to support Motion 502. Thank you.

[Motion Other than Government Motion 502 carried unanimously]

Free Admission to Museums and Historic Sites

503. Mrs. O'Neill moved:

Be it resolved that the Legislative Assembly urge the government to offer free admission to Albertans one day each month to the province's museums and historic sites.

THE DEPUTY SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It is my great pleasure to begin the debate on Motion 503 today. Those of us who call ourselves Albertans are truly fortunate people. These days when we hear others and at times also ourselves praise our province, we are perhaps more likely to think about things such as how well we have weathered the current economic slowdown and that we have the lowest unemployment rate in the country. Maybe we are reminded of the vast deposits of oil and gas with which our province has been blessed, or maybe we feel buoyed by the recent successes of trade missions to faraway nations.

There is, however, another reason why we are a fortunate people, and that is Alberta's history. I can think of few Canadian jurisdictions that have such a long and truly fascinating history as Alberta does. Quite frankly, ours is a spectacular history. Alberta's history, of course, predates the birth of the land now known as Alberta. It goes beyond the European settlers, the missionaries, and fur trappers who began the process of taming this wild land. The indigenous tribes who came before them weren't the first either. No, Mr. Speaker, to fully understand just how long or old our history is, we need to look at a time whose unit of measure is millions of years, not just one or two million years but about 75 millions of years ago. That's when dinosaurs roamed the earth, and many of them, like we do now, called Alberta home.

At that time, Mr. Speaker, much of Alberta was covered by river deltas, swamps, and flood plains extending east to a shallow sea, but as time passed, mud, silt, and sand were laid down in layers, and dinosaurs, ancient plants, and other animals died and were buried in the sediments.

In the Drumheller badlands, however, the layers that originally buried the Cretaceous sediments are absent. They were stripped off by Ice Age glaciers, which left their own layer of sediments. Floodwater from melting glaciers carved out the Red Deer River valley 10,000 to 15,000 years ago. The erosion continues, creating coulees, rills, sinkholes, and hoodoos along the river from the city of Red Deer to the Saskatchewan border.

Mr. Speaker, the Royal Tyrrell Museum in Drumheller is, of course, named after Joseph Burr Tyrrell. It is but one of many museums and heritage sites throughout our great province. A few weeks ago I spoke about our provincial heritage sites on CBC's *Provincial Affairs* program, and during the program I said that each of Alberta's many museums and historic sites tells a story of its own and that together they all tell the story of Alberta. They tell us the story of our ancestors, and one day they will tell that story to our children and to our children's children.

It is because I believe our museums, our parks, and our heritage sites are vital to Albertans and because I would like to enable as many Albertans as possible to visit these sites that I have decided to introduce Motion 503. It is imperative that Alberta's history is readily available to all Albertans. By offering free admission one day a month to Albertans, the province's museums and historic sites would become more accessible to a larger portion of Albertans. Through Motion 503 the government would be able to foster not only an increased sense of community and pride in Alberta but also a renewed interest in provincial history. Obviously the Alberta government has an interest in preserving the province's history. Indeed, the stated goal of the historic sites and cultural facilities branch of Alberta Community Development is

to improve the quality of life for Albertans through the preservation and presentation of, and promotion of appreciation for, Alberta's diverse natural, cultural and historical resources.

The government values these sites and has an interest in preserving our history for all time and for all Albertans. I believe we must also ensure that they are accessible to all Albertans and anyone else who's interested in our rich and varied history.

Mr. Speaker, what we're talking about here is enabling Albertans to gain access free of charge to the province's museums and heritage sites one day a month, 12 days each year. Twelve days out of 365 is not much. It represents about 3 percent. For those Albertans who due to economic circumstances might not otherwise be able to visit a museum or heritage site, one day a month would mean so much more. Indeed, for the institutions that would choose to offer free admission, Motion 503 could offer an opportunity to expand their markets by attracting segments of the population previously not in the habit of visiting the province's museums and historic sites.

The opposite view is that offering free admission one day a month would have a harmful impact on the institutions who would choose to do so. To me this is an overly pessimistic view. I prefer to take a more optimistic attitude and would like to suggest that by offering free admission one day a month, there will be a ripple effect that will be highly beneficial to patrons and the institutions alike. Quite obviously there will be no revenues from admission on the days when no admission is charged. However, people must eat, and if there is some sort of food service on the premises, it is likely that visitors would buy food and drink in the course of their visits. The income from food and beverage sales could more than offset the lost admission revenues. Moreover, when you consider how highly regarded our province's museums and heritage sites are, you know that people are going to have something to talk about when they leave. They're going to tell their friends and neighbours, and some of them will undoubtedly be intrigued enough to want to go to see for themselves what is so interesting, and they would pay admission. While visiting, they may also pick up a few souvenirs, further offsetting revenue losses.

8:20

Mr. Speaker, Alberta does have a unique and rich history, one which we can all experience today, millions of years after it first began, by visiting a local museum or historic site. Whether it is the dinosaurs from millions of years ago in Drumheller and Brooks or the Sixties exhibit at the Provincial Museum of Alberta in Edmonton or my favourite, Head-Smashed-In Buffalo Jump, designated as a UNESCO world heritage site in 1981, these and other museums and heritage sites and institutions are all part of Alberta's rich, unique, and vibrant history. We know their significance, their wonderment, and their magnificence. Let us make it possible for all Albertans to do the same and to make our past part of their lives. I ask for your support of Motion 503.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I appreciate the Member for St. Albert having put the time and thought into bringing forward this motion. I'll just read it into the record so I've got it in my *Hansard*: "Be it resolved that the Legislative Assembly urge the government to offer free admission to Albertans one day each month to the province's museums and historic sites."

I can appreciate that the Member for St. Albert would like to encourage more Albertans to go to our provincial museums and historic sites. They really are quite wonderful. I certainly haven't been to all of them – I think there are 270 museums – but the ones that I have been to have been pretty neat. Each of them in its own way has found a niche.

Now, what is interesting – and I did a bit of research and called around to a few sources to find out whether this was feasible and whether it was needed. The reaction that I got was that most museums and historic sites already have some sort of free day, that

was put through by their own board of directors or a decision made some time ago. So it's either a free day a month or a free day a week or an evening. I think at the Edmonton Art Gallery it was Tuesday evenings maybe.

So there has always been an understanding from the museum and the arts community that they wanted to be accessible to the general public and they didn't want to stop anyone from coming who really wanted to. There was always an opportunity presented for those that didn't have the personal finances to be able to pay the admission. Originally the admission fee was pretty low. It was 50 cents, \$1, \$1.50, and then it slowly had to get higher. I'm going to look at the current minister of agriculture and ask her to cast her mind back. I think we changed over the system to the friends-of groups, that that legislation was passed in 1998. No; she's not looking at me. I think it was in 1998 that in fact the management of our museums and historic sites changed through an act of legislation here in Alberta.

At the time I had a lot of concerns about it, and I still do, but essentially what happened was that the government used to run and pay for all of the sites that are there, and in this 1997 or 1998 legislation the management of the institutions was transferred to the friends-of groups. They would now be responsible for the hiring of everybody but the strictly technical staff. So, for example, at the Tyrrell Museum, which the Member for St. Albert brought up, the curator, the professional staff, would still be paid by the Department of Community Development, but everybody else, the people that take tickets and work in the gift shop and sweep the floors and do the bookkeeping, all of those positions would be paid by the friends-of organization, and the friends-of organization would take all of the revenue sources. So they took the gate receipts and the gift shop and the restaurant and the annual membership fees. Any of those possible revenue sources went to the friends-of, and that's how they were supposed to be able to pay for all of these other positions.

So there was sort of a downloading but also a switch in who was ultimately responsible for managing these organizations. Of course, at the point where the friends-of groups are responsible for keeping these museums open, they really had to be very tight about their revenue sources. The reaction I had back was a slight caution from some of them saying, "Well, how would we be required to do this, because these revenue sources are pretty important to us; for example, we wouldn't want to be asked to have a free day on, like, July 1," which is a big day for people attending these kinds of tourist attractions and family recreational opportunities. As I said, many of them have already set up and have been running – actually, ever since they started to charge admission, they've had a corresponding free day or free night or free part of the day where people could still get in and see the exhibit.

I'm hoping that when the member does her five-minute wrap-up – and I guess that would be possibly this week or, if not, next week – she can answer where the impetus for this motion came from. Was there a request from the community? Was there a particular museum that was asking her to do this? Many of the ones that I spoke to and even the umbrella organizations are saying: "It's already happening. We're managing it as it works for us. Why do you want to legislate it?" So that's the question there.

Again, I'll go back and look at the whole concept of management and money being earned. I'm looking to address a couple points that the Member for St. Albert made about expanding markets and revenue losses. Prior to the 1980s any of the museums and historic sites that we had had free admission. That's when these sites were really being developed. Some of them did introduce admission charges throughout the '80s, but as I said, there was always a corresponding time set aside where the admission was free. We have continued to charge admission fees, and those have increased.

I noticed that in one of the government documents – it could have been Measuring Up – there's actually a fee schedule where they're anticipating the increase in the admission rates for a number of their larger institutions and the family rates. I think that in a lot of cases the family rate would now be up to \$20 or \$25 for some of the larger institutions, and that would be considering that it was a family of at least four, and anything above that, then, makes it a deal. If you're under that, it's not such a deal.

Certainly some of the museums and historic sites have always offered discounts or incentives – two for one, or 50 percent off after 4 o'clock, that sort of thing – to encourage people to come in and take advantage of what they're offering. Again, they're wondering why there would be a kind of broad-brush approach suggested by the member when they're essentially already doing this or trying to deal with their finances. A number of them were really cautious about the effect on their finances, and when we now have these friends-of-groups that are responsible and have been put in a position of responsibility by the government, they're kind of nervous. They know that there's no more money coming. So, on the one hand, potentially if this motion were passed, the government would be telling them, "You're to give them a free day, but at the same time it's your responsibility to keep this organization or museum running in the black, and we're not going to give you any money if you're not in the black." So it puts them in a tough position. They would be mandated to give up some of their revenue, but they're still held responsible for not going in the hole. So you can see why some of them were a little cautious about this idea.

8:30

You know, I think everybody's first reaction to this is that people don't go to museums because it's too expensive and if we made them free or we made a free day, then more people would go. In fact, what I was getting back from some of the museum people was that there are these free days for people who really are too poor and who really do want to come, and they've always taken advantage of that. It seems to be more a matter of: do people have time in their lives to take the time out to go to the museum, whether it's an art gallery or the Red Deer museum? They've got a lot of great exhibits down there, really innovative ones, actually. I've driven to Red Deer to go to the Red Deer museum exhibits. It's very innovative programming there.

I went off on a tangent, and now I've totally forgotten where I was. I shouldn't get off on a tangent. Oh, time, do people have the time to go to these exhibits?

The second thing that was raised was transportation.

MS CARLSON: You've only 10 minutes.

MS BLAKEMAN: Only 10 minutes? Shoot.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's my pleasure to speak in favour today of Motion 503, provincial heritage sites accessibility. It's the intent of Motion 503 to increase Albertans' accessibility to Alberta's museums and heritage sites by offering free admission on one day of each month. By doing this, we can remove one of the barriers, the financial barrier, that keeps some Albertans from experiencing our rich and unique history. Equally important, it will also serve to get more people into our treasured sites and museums and revive those people's interest in the history of this province.

Mr. Speaker, I fully support Motion 503 because I think it gives this government a great opportunity to ensure that Albertans will realize the heritage of this province, especially, to me, the thousands of people that are moving into this province. It hopefully will encourage them to become more aware of this wonderful place.

I'm a proud fourth-generation Albertan. My grandmother was born in Edmonton in 1897 to parents who were here long before that. I was just recently reading some of Alex Mair's stories about Edmonton. My great-grandmother's name was Mowat, and it's going to be really interesting for me. It's a funny thing about getting older. You start to do this roots kind of thing, going back in history. During the Riel rebellion, when they were very nervous here in Edmonton about being attacked, a Mowat road by horse to Calgary to get the military up here. So I thought: my great-grandmother's name is Mowat, and this was a Mowat, and there weren't very many people in Edmonton at that time, so, my goodness, maybe it was my family that did that.

You know, people here don't know the history of this province, and that really saddens me. Also, as a longtime educator it's really bothered me that we haven't done enough in teaching our kids about the history of Alberta. So I think that this motion will serve to give the opportunity to educate Albertans on our beautiful province.

Alberta is a land of many tales, and I wonder how many in this room have read the McDougall diaries. You won't get over the excitement, the history, the tales. It just is riveting. And how many in here have read the biography of the great Chief Crowfoot? It again is an amazing story.

We're a land where once the dinosaurs ruled. The Member for Edmonton-Centre talks about Red Deer and the Tyrrell museum and where the First Nations people hunted and where the province began amidst great fanfare and triumph nearly a hundred years ago, where we held our heads high during good times and bad times and where we've risen above adversity. They talk about the Dirty Thirties – and I wasn't quite old enough to be there – to the world wars.

This is a rich province, a province rich in history, and I believe that we should offer 12 free days a year as incentive for people to get an experience of Alberta's past and to think about its future.

I was really interested in the hon. Member for Edmonton-Centre's comments about the number of museums and sites now that do have something in their programs during the year to give people an opportunity to experience some of these places, but through this legislation we can do more. Some argue that if we pass this motion, this will hurt revenue from museums and other sites, but I disagree with this argument. People who take advantage of the free day will spend money just getting to the destination, and if they have children with them, they're going to spend money on food and in the gift shop and so on. I believe they'll ultimately bring more business for the museums and heritage sites.

Mr. Speaker, I believe that offering a free day will be one of the best advertising ploys and moneymakers that our heritage sites and museums can use. On the free day hopefully someone will go to a museum or a heritage site who usually wouldn't go there. When they experience the museum or site, they're going to enjoy it, and they're going to share the experience with their friends and recommend that they go. Hopefully there's that kind of spin-off with the rest of it. Their friends are going to go, and it goes on and on and on. They'll have a remarkable experience whether it's the art gallery or one of the great historic sites.

I believe that our museums and heritage sites will become far more popular and successful because of Motion 503. I know that the hon. minister for economic development and tourism – we talk about this all the time. This will hopefully be fulfilling the Travel Alberta theme. Right at home here we're going to be visiting our sites

instead of leaving the province or going across the border to spend the Canadian peso.

Motion 503 gives Albertans the opportunity to develop a greater sense of pride for Alberta. That is to say, if a person goes to a historical site, for instance Head-Smashed-In Buffalo Jump, that person cannot leave the site without some sort of feeling of wonder and amazement. I wonder how many people in this room, in this Legislature, in this Assembly, have been to Head-Smashed-In Buffalo Jump.

Mr. Speaker, I think there are a lot of Albertans that do not take advantage of the museums and historical sites that are around Alberta. Motion 503 gives us an opportunity to get the word out to all Albertans that there are incredibly interesting places to visit in this province, and the knowledge that can be gained from them is immense.

I also feel that offering one free day a month will not only stimulate interest in Alberta's heritage sites and museums but also in the friends programs that are related to the sites. For instance, the Head-Smashed-in Buffalo Jump world heritage site has a friends society which raises money for the betterment of the establishment. The more people that belong to the society and contribute towards the site, the better it is for all organizations involved. If we encourage people to visit museums and heritage sites, more people will certainly become interested in joining the friends societies and contributing to the sites. This would increase the amount of funding that a site has to use for improvements. The benefits that could be reaped from such support could prove to be one of the best things that has happened to sites and museums around Alberta in a long time.

Funding for our museums and heritage sites is tight these days, especially with the economic situation as it is. Museums and historical sites need to get more people into their establishments so that interest will grow and the money will flow. The more people that experience our province, the better it is for our province. I believe that Motion 503 will be extremely successful in starting a new interest in our heritage and culture.

Mr. Speaker, there are a couple of other reasons why one free day a month would be beneficial. Some of the less fortunate people in society would be given the opportunity to take part in experiencing Alberta's rich history. I believe that a free day would bring in many people from all sorts of backgrounds, but I believe that most of the people who would take advantage of this day would be people who would not normally go to a museum or a heritage site, and these are the people we really want to come. That is one thing that we cannot lose sight of. Having one free day a month gives some people who might not be able to go on a regular day an opportunity to go out and see the history of our province. It gives all Albertans a chance to study our rich past and gives them the opportunity to ponder our future.

I would like to conclude with a quote from Confucius, "Study the past if you would divine the future." I am glad the Member for St. Albert is giving some the opportunity to study the history of our province. Thank you, Mr. Speaker.

8:40

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Calgary-Fort.

MR. BONNER: Thank you very much, Mr. Speaker. I'd just like to make a few comments about Motion 503, the free admission to the province's museums and historic sites. This is a motion that I can certainly support. When we do look at the whole issue of tourism in this province and the fact that we want tourism to grow in this

province to, I believe, somewhere around the \$6 billion range by the year 2005, then certainly we have to look at more reasons than just this motion as to why people are not visiting our museums.

One of the major reasons – and I think that if we ask the hon. member from Lac La Biche, he would certainly tell us in a second exactly what the problem is in this province. It's the fact that with so many of these sites we have to travel such enormous distances to get there. I think back to when I was a grade 8 teacher and earth science was a major part of our curriculum. It was a three and a half hour trip for us to take our students down to the Royal Tyrrell Museum, and I can certainly say that our biggest cost was not the admission price. It was transportation. Of course, any of you that have ever traveled with any children know that the food costs are enormous, and I'm sure the museum did very well when we were there.

The biggest costs here are certainly not the admission costs, and if this is going to enhance our museums, if it is going to keep our museums operating and running, if we are not going to have a situation like we have in Cochrane with the Western Heritage museum, then, Mr. Speaker, I have no trouble supporting this motion.

We do have some incredible, incredible sites in this province. Some of them are heritage sites, and when we couple that with the gems we have for mountain parks, then certainly we do have a bright future when we look at tourism. As well, when we look at tourism, the challenges that face our museums are the same challenges that face tourism. We have in this province a number of gateway cities where people enter the province, whether it's by plane, usually by car, sometimes by train, but once we get out of that Edmonton-Calgary-Banff corridor, then it becomes our great distances that are the major stumbling blocks to us attracting people here.

We also know that it is very difficult to attract new tourists from within the province. Therefore I think what I would like to see as well, Mr. Speaker – and certainly we will find out tomorrow in the budget – is whether in fact we are going to be committed in this province to tourism, whether we are going to be committed as a province to keeping these fabulous facilities open and operating and affordable for all people, not only our own citizens of Alberta.

There are just some incredible circle routes that we can have in this province, and there are more and more being developed all the time. It's amazing when I look at this that, for example, we don't see any mention here of, you know, tourism up in Fort McMurray, again because we don't have the infrastructure there.

AN HON. MEMBER: We do so. The interpretive centre is there.

MR. BONNER: The interpretive centre is very good, but again it certainly has not been developed to the point that it could be. And, you know, through the St. Paul-Lac La Biche area of this province we have incredible history. I think that Lac La Biche as a small community in this province probably has more firsts than any other small community. I think this is where the first grain in this province was grown if I'm not mistaken. So we do have a very, very rich history, but we certainly do, Mr. Speaker, have to be committed to preserving it, and if this motion in any way will help to keep those museums open, then certainly I would support it.

As well, we also have to realize that there are trade-offs whenever we do offer free admission. Like, we still have to pay the staff that is there that particular day. We still have to pay the janitorial services. We certainly have to hope that if the food facilities on those sites are busier, some of those profits do go back into the facility.

We have a lot of challenges in our tourism industry, and in order

for us to develop that industry, then we here in the Legislature have to be committed to putting those dollars in which not only are going to help sustain these facilities but are going to attract the necessary tourists to those facilities. So as I wind down my comments here on this particular bill, I would certainly hope that all members of this Assembly would support this bill. We have an enormously rich history, and apart from the Royal Tyrrell Museum in Drumheller, it is a relatively new history when we look at this province.

So with those comments I will take my seat and listen to other comments by other hon. members. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. I'm very pleased to have the opportunity to join the debate on Motion 503 this evening. As Albertans we are very privileged to live in a province of such unmatched beauty. My hometown is Calgary. To stand in the shadow of the snow-capped Rocky Mountains or to experience the tranquility of looking out over the rolling hills of the prairies as a chinook warms you makes you realize how truly fortunate we are to live in Alberta, to be Albertans, to behold the Rockies or to be swept away by the big skies of the prairies.

Mr. Speaker, this is only half of the story. The unmatched beauty of our province has a counterpart in Alberta's fascinating history. The more you think about it, you will realize our history is as diverse as it is long, as it is remarkable. The hon. Member for St. Albert has introduced a motion which I think is a wonderful initiative to enable more Albertans to experience our province's history. I applaud her vision and commitment to our heritage. We have a responsibility to make sure that our heritage remains vibrant. When a society's history becomes irrelevant to its citizens, it is all but a certainty that the society is headed for difficult times. To be without history is demoralizing for one. We all have a need to feel like we belong.

A week ago I had the honour of attending a luncheon hosted by the hon. Minister of International and Intergovernmental Relations to welcome diplomats from Estonia. I was told that one of the first things that the Soviet Union did upon invading the countries that became its republic was to Russify those countries. This was done by moving large numbers of Russians to countries like Estonia, Latvia, and Lithuania, for example. They brought with them their own traditions, their own cultures, and in many cases ran the local culture off the road, so of speak. Lest we think that such things have occurred only in faraway places, Mr. Speaker, we must acknowledge that many indigenous tribes of North America have seen their culture, their traditions at odds with the traditions and cultures of many settlers and emigrants from all over the world. Lacking the grounding that a strong culture provides can and often has left individuals twisting in the wind.

To look at the importance of culture in society from a different perspective, I have been told that in political science terminology there is even a term "Canadianization." No. I'm afraid, Mr. Speaker, that it doesn't have much to do with what makes something or someone more Canadian. *Au contraire*. It refers to the systematic weakening of a country's culture and traditions to the point where it can be said that a country is lacking a national or cultural identity of its own.

8:50

Thus, Mr. Speaker, I would argue that Motion 503 is a step away from the Canadianization of Alberta's culture and heritage. Motion 503 is a means by which to strengthen Alberta's culture, to make it more accessible. Indeed, Motion 503 is all about creating access to the past for as many Albertans as possible. By creating access, we

will also stimulate interest, and by stimulating interest, we will help build the community, our community. For some, admission fees are proving prohibitive barriers, thereby effectively preventing them from partaking of Alberta's unique and rich history. However, by offering free admission to Albertans once a month, the province will enhance people's ability to actively participate in the larger community. By enabling a large number of Albertans to learn more about Alberta's past, I firmly believe that Motion 503 would also help create a greater sense of community among our province's residents.

Mr. Speaker, a commonly voiced concern these days is how our society is disintegrating and becoming more fragmented. Some choose to talk about it in terms of family values, others talk about the loss of moral fibre, and yet others talk about how economics have transcended the family in terms of stature and importance. It may not be obvious immediately, but Motion 503 stands to counteract some of the ill effects of societal fragmentation. It offers a forum for a family to spend more time together while at the same time becoming active participants in our shared history as Albertans.

During the 2000-2001 fiscal year, which ended on March 31, 2001, the most recent year for which official figures are available, there were almost 1.1 million visitors to Alberta's historical sites and museums. During the period between April 1, 2001, and December 31, 2001, there were over 900,000 visitors, according to unofficial statistics. The Alberta government has an interest in preserving the province's history. In doing so, popular participation is invaluable. While the attendance rates are quite high for both museums in our province, it can be inferred that a large number of these visitors are from out of the province or from out of the country. I would like to see more Albertans and more non-Albertans alike go to our museums and heritage sites so that we can all see and learn more about Alberta's past.

Mr. Speaker, what the hon. member proposes in Motion 503 is a modest 12 days a year during which the provincial museums and heritage sites would not charge admission. I realize that it may cause some worry that such a free day will draw people away from the days when they would have to pay for admission. I don't wish to belittle such worries or concerns, but it is equally important to look at the bright side. All those people who previously might not have been able to visit the museums and the heritage sites will be able to do so. They will tell their friends, and friends will tell their friends, and so on. Word of mouth is really a cheap form of advertising, and there's bound to be a spillover effect. Quite frankly, not everyone will be able to go on the free day. Regardless of when people choose to go, they will perhaps pick up a souvenir of some kind or maybe they will visit the cafeteria for something to eat. Services like those will generate extra revenue and offset the losses, if any, the museums and heritage sites would incur as a result of having a free day each month.

Mr. Speaker, we are a rich province. We have the lowest unemployment rate in all of Canada. We have the strongest economy in all of Canada and the lowest taxes of all the provinces and territories. We have a history that is second to none. It is in our interest to have as many of our fellow Albertans partake in our rich heritage as can.

During her speech the hon. Member from St. Albert said something that really resonates with me. She said that each of Alberta's many museums and historic sites tell a story of their own and that together they all tell the story of Alberta and tell us the story of our forebears, and one day they will tell the story to our children and to our children's children. Mr. Speaker, what if our children or our children's children don't know the story of Alberta? If they don't know it, then who will tell them?

As a member of the Historical Society of Alberta and the Chinook

Country Historical Society, I don't want that to happen, Mr. Speaker. I'm sure that all of my colleagues in the Assembly feel the same way, so I urge all of you to join me in supporting Motion 503. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. It wasn't my intention to speak to this particular motion at this time, but Calgary-Fort has driven me to do so. This is a great warm and friendly, fuzzy kind of motion. Of course we want everybody to be able to enjoy all of the provincial facilities free of charge, but Calgary-Fort would let us think that this would solve some of the more significant problems we have in our society, and it certainly doesn't do that. I don't see how getting a free day will help fractured families heal themselves. What they need are good public transportation systems, a livable minimum wage, proper day care, life-skills training in how to get their families up in the morning, properly feed them, and shop for groceries. You have to address those kinds of basic issues first before we start to deal with some of the issues around fractured families. This is, from his perspective, a feel-good, bandage kind of solution, Mr. Speaker, that truly doesn't address the real issues, and like my colleague . . . [interjection] That's right. The government doesn't have to do anything. They can say that they've done something without actually having done anything, and that's mostly the route that they like to go.

My colleague from Edmonton-Centre earlier said that if being free meant something, then these galleries would be full, and we know, Mr. Speaker, from being here day after day, year after year that few people come to watch what must be the very lively entertainment provided by provincial politicians.

MS BLAKEMAN: You can see dinosaurs right here.

MS CARLSON: Yes, that's true. You can see dinosaurs right here for free. Some of them are gone now. I've seen many of them in my lifetime, though, Mr. Speaker; I have to tell you that.

While this is a good motion and has some merit for sure, Mr. Speaker, there are some real issues that need to be addressed in this province. I would have to point out that I do believe that this legislative time could be better spent dealing with the substantive issues that are there for people in this province at this time.

THE DEPUTY SPEAKER: I regret to interrupt the hon. Member for Edmonton-Ellerslie, but the time limit for consideration of this item of business on this day has now concluded.

9:00

head: **Government Motions**

Easter Recess

20. Mr. Stevens moved on behalf of Mr. Hancock:
Be it resolved that when the Assembly adjourns on Thursday, March 21, 2002, at the regular hour of 5:30 p.m., it shall stand adjourned until Monday, April 8, 2002, at 1:30 p.m.

[Government Motion 20 carried]

head: **Government Bills and Orders** **Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to now call the committee to order.

Bill 17

Appropriation (Interim Supply) Act, 2002

THE CHAIR: Before I call on any hon. members, I'd like to explain for the benefit of those who've been in the gallery for a little while that this is the informal part of the Assembly, so the rules are changed. You can see that members can move around wherever they wish, although we try and maintain, occasionally with some notable exceptions . . . [interjections] Anyway, as I was explaining to those who are supposed to know better and those who are now about to learn, we only have one member standing and speaking at a time and try to stick to that rule.

Are there any comments, questions, or amendments to be made with respect to this bill? The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman.

AN HON. MEMBER: Question.

MS CARLSON: Don't ask for the question this early, because we could go on for quite a long time on this particular bill if we're pushed on it.

MS BLAKEMAN: Every time you ask, it's another 15 minutes.

MS CARLSON: That's right.

Bill 17, the Appropriation (Interim Supply) Act, 2002, is an interim supply request. It's my first opportunity to speak to this particular legislation, Mr. Chairman. What we're looking at this year is a total amount being requested by the government to finish out their spending requirements for the year of \$4.090 billion. This is the second year in a row that this government has used this mechanism as a budgetary tool, and that's an issue for us in terms of the budgeting process. Last year they asked for, I believe at this point in time, over \$7 billion. Last year that was about 36 percent of their total budget.

The problem, Mr. Chairman, as I see it, is that the government's reliance on this kind of a mechanism is additional proof that the government cannot budget properly. Instead, it spends and then slashes and then spends some more. We are always being portrayed as tax-and-spend Liberals, but in fact we haven't been in government in this province since about 1917, and this government, who's been in government for now over 30 years, has a policy of cut and spend, which can be, I believe, worse than tax and spend, because at least tax and spend gives you some sort of a framework to work within. Spending like mad fools and then cutting like mad fools doesn't do anybody any good and certainly doesn't provide a stable fiscal framework, which is what we would hope that this government would look for.

While it is not our intention to hold up this legislation, because the government does need moneys to operate, we do have serious concerns regarding the need to resort to this type of budgeting mechanism again this year.

MS BLAKEMAN: They could have called us into session in mid-February, and we'd be done.

MS CARLSON: Absolutely. There's no doubt that with a proper planning process, Mr. Chairman, we would see a legislative recall much earlier in the year. In January, February we could easily come back. Everybody else after the Christmas holidays goes back to work the first or second week of January. Not us. This government has a habit of dithering when it comes to budget-making decisions,

and we've seen that particularly this year, when we're facing some budget cutbacks and a loss of their windfall revenue.

We saw last year the big payoffs coming because we were on the eve of an election, and the government wanted to look good and did so, but what's the excuse this year? Why another \$4 billion this year? What was wrong with the process, which I know they start in the early fall in terms of trying to build the framework for the following year and can't get it happening? Even this year we started the legislative session in the third week of February. Here it is coming into the third week of March before we actually see a budget coming forward. We have a two-week spring break now, and then there are at least an additional two weeks of budget debate, where we debate departments in the afternoons and in the evenings, so it's at least another six weeks before we get budget approval. If they would start the legislative session earlier in the year and properly manage their budgets so that they're ready to present at that particular point in time, then we wouldn't have to come back for interim supply.

Once again, when we see this bill come forward, what we have is really a distinct lack of explanation of how the new spending will contribute to meeting defined outcomes and performance criteria in the government business plans. We note that this is the particular concern the Auditor General has year after year, that yes, we've got outcomes and performance criteria built into the budget, but the government never meets those outcomes, or the performance criteria doesn't actually measure what it is that the department is doing. So it's like looking at the budget documents and then wondering which country they actually apply to, because it certainly isn't this province. There's a real disconnect between what they build into the budget documents and the actual performance of their duties. At some point you would expect that the government would actually hit some of the benchmarks, but it doesn't happen in most departments most of the time. So, of course, that's an issue for us when we debate this kind of stuff. We would hope that the government would get better at this. They've been doing it for as long as I've been in here now – it was '93 when they first brought it in – and are still missing the mark, Mr. Chairman. So we hope that perhaps we'll see some better performance this year.

We also will be having a new Auditor General come into place. I know that the Acting Auditor General follows the same mind-set that the former Auditor General did, and that's good. I thought that he did his work, for the most part, with a great deal of diligence and helped to push and sometimes drag this government to where it needs to go.

MS BLAKEMAN: Kicking and screaming.

MS CARLSON: Kicking and screaming often. No doubt about it.

Hopefully the person that they will be finding as the new Auditor General will have the same kind of mind-set and won't be intimidated or bullied by anyone within government departments and will take a look at defining the same kind of criteria and perhaps even being a little tougher. That would be excellent.

What we could have seen in the business plans and the explanation of how this spending could have been done was a plan in terms of how the government would sustain public health care. What we see instead is leaked information stating that hospital beds will be closed, especially in rural Alberta, sometime in the future, dates yet to be announced. The health minister dodged that question very effectively today in question period, but, Mr. Chairman, he won't be able to dodge it indefinitely, and at some point he's going to have to come clean and tell us exactly what's happening there.

9:10

What they could have done was told us how they were going to use this money to solve the problems in education. This is one that

this government is not going to be able to sweep under the rug, Mr. Chairman. I have never seen people so unhappy, and for people three years or four years before the next election to be coming forward at this point in time with lobbying tactics and election-readiness planning is quite a surprise. Also, I have to say, quite frankly, that it is quite a surprise they come from the teaching profession, because it isn't what we've seen. They haven't been all that tactical in the past in terms of election awareness and election readiness, but I think we're going to see some surprises there. It'll be interesting to see how they move forward with their planning and whether they can sustain the energy that they have right now. My money is on the teachers. I believe they have very long memories. I believe they are very good organizers. I believe that if I was on the government side of the House, I would be a little frightened of what could happen down the road.

What we could have seen in here, rather than just moneys being spent, was an actual plan of what would be spent on maintaining our infrastructure programs. We have talked repeatedly about setting up an infrastructure fund that would provide sustainable, consistent funding from year to year. The volatile kind of spending and funding patterns this government gets into because of the volatility of the kind of revenues we take in in this province cause havoc in private industry, and that kind of a structure ends up costing governments and everyone doing business with governments many more dollars than it should have to.

If we had stable, responsible spending, people and companies and municipalities could organize their own spending patterns and building patterns and growth patterns in sustainable kinds of frameworks that would exist more than 12 months down the road. That becomes very important when you're funding infrastructure because of the high cost and length of time it takes to put infrastructure in place in many cases. Instead of pushing down the boom or bust cycle that this government seems to be dependent upon and makes other groups dependent upon as well, we could have some stability. I would suspect to see some sustained growth resulting from that. I'm surprised, actually, that the Minister of Economic Development doesn't support that kind of a plan, because I know that he is certainly a huge cheerleader for Alberta and wants to see business grow in leaps and bounds. How can that best happen? By providing a framework for stable funding. So if he wants to see Alberta's economic growth be larger than what it has been and far outstrip what we've seen in the past year, then I would think that he would get on this particular bandwagon, too, because at the end of the day it will certainly make him look good.

MR. NORRIS: Well, we all need more of that.

MS CARLSON: Well, that's right. We do.

MR. NORRIS: That's a struggle at the best of times.

MS CARLSON: There you go.

So I think that this is a solution that that particular minister should be promoting and supporting at the cabinet table, and we'll see where it goes over the next couple of years.

There are some other areas that we should have seen the details on in this particular supply request in terms of where this \$4 billion is going. Certainly one of them that has been top of mind for many of us for the last couple of weeks is the tragedies that we've seen with our young people under provincial care. What we see is a change in mind-set, even in the past couple of years, to what we had in the last five years, Mr. Chairman, with regard to how this government measures performance. In the past we saw it measured by whether

or not they could balance the budget, but what we're seeing now is various departments being measured by how many people they take into the system on one end and how fast they can take those people and punt them out the other side. There's nothing wrong with the concept as long as the people going through the system get the kind of service, the kind of input, the kind of support that they require. What we're seeing is that government departments are kicking these people out and loose too quickly, that they're just running them through the system as if they were on a treadmill without ensuring along the way that needs have been met.

What does that mean, Mr. Chairman, when we talk about Children's Services? It means that when we pay managers and staff an incentive payment to kick kids out of the system, we are not necessarily meeting those people's needs. We're meeting the needs of the managers and the staff people who are receiving bonuses, because they're getting more money, but that shouldn't be the criterion those decisions are made on. It isn't how fast they get off the system; it's how effectively they are able to survive once out of the system. So if we haven't done the proper inputs, where we've given those people the skills to develop their lives outside of being supported by the system, then we've failed in the delivery of services to those people. So if you're going to pay people bonuses – and I am not an advocate of paying bonuses to people who work within government systems; I think that is contrary to what government services should be providing – clearly we need to change the framework under which the bonuses are funded. It needs to be not how fast they get through the system or how many you kick out of the system at the end of the month but how successfully those people re-enter a world that does not include the system, Mr. Chairman.

I think that is something that we definitely need to take a look at. Whatever they've done in Children's Services is showing to be becoming not only a total, dismal failure but tragedies in the making as we see children dying, freezing to death while in care. The other kinds of tragedies that are starting to slip through the system and the stress that some of the people working within the system are under in trying to adequately support these people is a sad statement on how this government is delivering services. I think that's something that needs to be looked at.

I sincerely hope that in this budget we're going to see tomorrow, we see those particular issues addressed in a way that can address some of the problems that we've seen within the system. If not, this government can be guaranteed that we will be on those issues and we will not let go of them until we see a change in mind-set. Something is definitely wrong in the Department of Children's Services, and this government holds the responsibility for the wrongness and also for solving some of those issues. I think that those are some of the places we needed to have had some explanation for when we took a look at the \$4.9 billion being requested and some of the places where we didn't see an explanation. So that's a problem.

What doesn't go away in interim supply are some of the same issues that are outstanding, Mr. Chairman, when we talk about budget. Particularly with this government, the problem that doesn't go away is the lack of budget management. We see this illustrated in a number of ways. One of those is by the amount of unbudgeted spending brought in through the supplementary supply estimates over the past couple of years. We had one of those just about a week ago, Mr. Chairman. The problem is that if the Minister of Finance doesn't have reasonable controls over the unbudgeted spending, then how can we really trust this government when they say that there is no more money? We saw money for nurses and doctors and politicians, but we don't see any money for teachers. What changed, Mr. Chairman, between yesterday and today?

9:20

Well, this government will tell us that it's the oil and gas revenues. I would state to them that it's their inability to manage. In fact, they will still have collected over \$21 billion in revenue for the course of the year. Twenty-one billion dollars in revenue to service just over 3 million people: that's a lot of cash. Clearly, there is enough money to go around. Clearly, if it's managed properly, there is more than enough money to go around.

Many of our government members are happy to state that they are fiscal conservatives. That's good, Mr. Chairman. I would say that I also am a fiscal conservative, because I expect to get a dollar's worth out of a dollar or a dollar's worth out of a dollarette, which is worth less than a dollar, and there's no reason why we can't get that kind of value for our money. Have we been getting it under this government's stewardship? I would put it to you and to the rest of the members of this Assembly that we have not. They have not gotten good value for the money.

What could they have in these budget processes that would help that? The same things we would put in place in private industry or not-for-profits, Mr. Chairman, things like efficiency audits. What is wrong with going through a department to decide how efficient it is? It isn't enough to say: my budget was X last year, inflation has increased by this amount, we've got a few new projects that we want to do, so what I need is this much more money. That's not the way to do it. The way to do it is to go through the department and say: are we being efficient in delivering the services that we're expected to deliver? What are those services? Clearly define them, and then follow the path of delivery.

What we had was a government who back in '93 just cut the money. It was like squeezing water out of a sponge at that time; they cut and shrank services down. But they didn't actually look for efficiencies. So what happened when a little money or a little water was poured back onto that sponge? It just alarmingly grew and became big and cumbersome again.

MS BLAKEMAN: Like a puffer fish.

MS CARLSON: Yes, like a puffer fish. Just like a puffer fish.

There were no efficiencies brought into that particular system. There are no economies of scale or efficiencies that we saw, just a huge expansion. So now people are screaming blue murder because budgets are being cut by 1 percent or whatever, but they still haven't got any efficiencies in place, Mr. Chairman.

[The clauses of Bill 17 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. STEVENS: Yes. Mr. Chairman, I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 17.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

**head: Government Bills and Orders
Second Reading**

**Bill 14
Gaming and Liquor Amendment Act, 2002**

THE DEPUTY SPEAKER: The hon. Minister of Gaming.

MR. STEVENS: Thank you very much, Mr. Speaker. It's my pleasure to rise today to speak to Bill 14 and to move second reading of Bill 14, the Gaming and Liquor Amendment Act, 2002.

Bill 14 proposes a number of amendments to the current legislation, the Gaming and Liquor Act, all of which add up to enhancing the integrity of gaming and liquor activities in Alberta. Mr. Speaker, integrity is paramount in my ministry. In fact, it's one of the key components of Alberta Gaming's mission, which is "to ensure integrity, transparency, disclosure, public consultation and accountability in Alberta's gaming and liquor industries." The theme of integrity ties in with our vision:

Supports the responsible use and enjoyment of gaming and liquor products, uses revenues derived from these activities for the benefit of all Albertans, and encourages service and competition in [Alberta's] liquor and gaming industries.

Mr. Speaker, the vision and mission of my ministry need to be at the core of everything that we do when we consider that gaming and liquor activities are big business here in Alberta. The third-quarter forecast reported government revenues of \$495 million from liquor sales in this fiscal year. It also reported that more than \$1.1 billion will be received by the government from gaming activities in the province and that all of these dollars will be used for charitable, nonprofit, public, and community-based initiatives through the Alberta lottery fund.

We've had liquor regulation in force in this province since the early 1920s. However, the introduction of the Gaming and Liquor Act represented the first provincial legislation to govern gaming in Alberta. Because of the fiscal impact of the two industries it's vital that the provisions of the act remain relevant and necessary to preserve and enhance the integrity of gaming and liquor activities. Albertans expect nothing less of us, and our commitment to this remains crystal clear.

Mr. Speaker, over the past five years the Alberta Gaming and Liquor Commission and Alberta's gaming and liquor licensees and stakeholders have operated within the legislative framework provided by the Gaming and Liquor Act and gaming and liquor regulations. For the purposes of the regulatory reform initiative the Alberta Gaming and Liquor Commission was required to undertake a complete review of the regulations. We also felt that it was an opportune time to review the act. By looking at the two together, we could ensure that the act and regulations continued to function together as the roadmap for gaming and liquor activities conducted within the province.

We also wanted to be sure that we heard from Albertans affected by our legislation, so last fall we conducted extensive consultations with all of our key stakeholders, ranging from police agencies to businesses in the gaming and liquor industries, regarding our proposed changes. We held an additional round of consultations early this past January. Where appropriate we incorporated the

feedback we received in the final legislative changes I introduced on March 6 as Bill 14. As a result of our consultations, we believe that the proposed amendments to the act consider both current industry practices as well as the changes that have occurred in the gaming and liquor industry since 1996. They do this while maintaining and strengthening integrity. I know I've said this before, but I just want to emphasize again how important this is not only to my ministry but to all Albertans.

Mr. Speaker, under the Gaming and Liquor Amendment Act we proposed a number of changes that not only clarify terms, roles, and responsibilities for licensees and the AGLC but also will help the AGLC to operate more efficiently and effectively. Most of the changes are relatively minor, almost housekeeping, if you will, but there are several important ones that I'd like to specifically highlight to the members of the Assembly.

First of all, the board of the AGLC currently has no express authority to ensure that charitable groups use the proceeds earned from conducting a licensed charitable event for the purpose that they've identified. The proposed amendment specifies that the board would be given the authority to direct groups to use their gaming proceeds in an appropriate manner if the board has reason to believe that the group has not or will not use the proceeds in accordance with their licence terms, AGLC policy, the act, or the Criminal Code. By making this change, the board will be able to ensure that gaming proceeds are spent only on approved charitable programs. This adheres to Alberta's unique charitable model for gaming, a model whose fundamental purpose is to benefit charitable, nonprofit, public, and community-based initiatives. I think we can all agree that this model should be placed on a high pedestal, and the use of the proceeds amendment forms the base of that pedestal.

9:30

A second change deals with minors found in licensed casino facilities, which is currently only an offence against the licensee. The proposed amendment would also add racing entertainment centres alongside casinos and would make it an offence against the minor as well. This is consistent with the liquor provisions of the act, which make it an offence against both parties if a minor is found in a licensed premise. Mr. Speaker, this change will reinforce our message to minors that they are not allowed to enter casinos or racing entertainment centres, and we believe that by making it an offence under the law, it will be a stronger deterrent for minors. This ties in with our vision of the responsible use and enjoyment of gaming activities in Alberta, and we will continue to be vigilant in our efforts to ensure that minors do not enter these facilities.

The third change I'd like to highlight is a provision to make it an offence for liquor or gaming facility licensees to permit an apparently intoxicated person to participate in a gaming activity. As with the provisions dealing with minors, Mr. Speaker, this goes back to the responsible use of gaming and liquor activities. There's nothing in the current act to prevent someone who has apparently had too much to drink from participating in a licensed gaming activity. It is, however, an offence for a licensee to sell, provide, or permit consumption of liquor by an intoxicated person in a licensed premise. The proposed amendment will ensure that licensees take responsibility for preventing apparently intoxicated people from gambling, while continuing to promote responsible alcohol consumption.

A fourth change to the Gaming and Liquor Act has to do with casino facility licences. Mr. Speaker, as it now stands, if a facility licence is suspended or canceled, there's a risk that the facility may close down. If a facility closes down, a large number of casino employees are put out of work, charities are disadvantaged, and the

government loses revenue. The proposed amendment would add provisions allowing the AGLC upon licence suspension or cancellation to apply to the Court of Queen's Bench to appoint a receiver to manage the facility's operations. This will prevent any unnecessary closure of casinos and will ensure that charitable groups continue to benefit from gaming revenues.

Mr. Speaker, another highlight is a change that was initiated by the liquor industry and is strongly supported by this government. Under the gaming and liquor regulation the board of the AGLC may not issue a retail liquor store licence to an applicant unless the proposed store is separate from any other business of the applicant. The Gaming and Liquor Amendment Act, 2002, will see this important provision move from the regulation to the act. This will ensure that the separate business provision is given a higher degree of permanence and profile, effectively reinforcing the government's commitment to our existing retail liquor store model. This model has proven to be extremely successful, so successful, in fact, that several other provinces are looking to Alberta as an example of how to privatize liquor retailing. With that kind of spotlight shining on us, we felt it was important to make our commitment abundantly clear.

Mr. Speaker, the last change I'd like to highlight is the reason this bill was introduced as a money bill on March 6. The AGLC is one of the very few commercial organizations operated within this government. The operating expenses of the AGLC are subject to an annual voted appropriation. This requirement can restrict the AGLC's responsiveness to changing market conditions and, therefore, could limit our flexibility to capitalize on unforeseen revenue-generating opportunities that may arise during a fiscal year. To allow us the ability to take advantage of these opportunities while maintaining our accountability to this Assembly and through it to Albertans, the Gaming and Liquor Amendment Act would allow us to use the revenue generated by the commission to pay its operating costs. All moneys paid out in this fashion will continue to be managed and accounted for in accordance with the Government Accountability Act and the Fiscal Responsibility Act.

As mentioned earlier, Mr. Speaker, gaming and liquor are big business here in Alberta. The revenues brought in by gaming activities are used to the benefit of all Albertans through support of charitable and public initiatives. Liquor revenues aren't as large as those from gaming, but our model of privatization has proven to be one of benefit to Albertans as well through increased jobs, product selection, and some of the best prices in the country. Going hand in hand with these revenues is my favourite word: integrity.

The gaming and liquor industries have undergone a fair amount of change over the last five years, and the proposed amendments are necessary to preserve and enhance the integrity of these two activities in Alberta. The Gaming ministry's mission and vision are clear, and Bill 14 will magnify that clarity with its provisions. Mr. Speaker, I encourage all of my colleagues to join me in support of Bill 14 and look forward to hearing their comments during the debate.

At this time, Mr. Speaker, I would move that we adjourn debate on Bill 14.

[Motion to adjourn debate carried]

Bill 16

Racing Corporation Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Gaming.

MR. STEVENS: Thank you, Mr. Speaker. I'm pleased to rise today

to move second reading of Bill 16, the Racing Corporation Amendment Act, 2002.

Bill 16 proposes a number of amendments to the current legislation, the Racing Corporation Act, and it is intended to give Alberta's horse racing industry an opportunity to restructure and revitalize itself.

Mr. Speaker, horse racing has a long and colourful history in Alberta, and the amendments to the Racing Corporation Act will serve to enhance the industry's ability to manage and promote itself effectively. The foundation of Bill 16 can be traced back to recommendations made by the industry in their horse racing industry review report. The bill now before this Assembly is a direct result of the industry collectively asking for legislative changes and government's willingness to support those changes for the betterment of the overall industry. With such a broad and diverse group of stakeholders affected by this legislation, I think it's important to note that all segments of the horse racing industry were part of the consultation process and that they collectively support the contents of this bill.

Mr. Speaker, in order to give the horse racing industry the framework it needs to succeed, Bill 16 acts on the industry's recommendations to change the framework that governs the industry while ensuring a smooth transition period going forward. Other changes in the legislation were initiated by government also in response to issues raised in the horse racing industry review report. These changes are focused primarily on increasing industry accountability and introducing performance measures to ensure positive future growth.

What it comes down to, Mr. Speaker, is that a strong horse racing industry has a rippling effect through the province, particularly within the agricultural community. Bill 16 is intended to provide industry the means to ensure that new and productive chapters will be written into the future history of horse racing in Alberta.

I would now like to highlight for the hon. members of this Assembly a few of the most important changes. Mr. Speaker, one of the main changes contained in Bill 16 is the renaming of the Alberta Racing Corporation. A change is often a refreshing exercise, one that signals a renewed sense of purpose and vision. To mark a new era of prosperity, the industry has requested that the Alberta Racing Corporation be renamed Horse Racing Alberta. This change goes deeper than simply renaming the corporation. Horse Racing Alberta will be an important new symbol that will represent a newly expanded, more effective governing body.

As part of the new governance structure, the board of Horse Racing Alberta would be increased in size from seven members to a maximum of 12. This increase would allow for input from additional members, from key stakeholder groups not currently represented on the Alberta Racing Corporation board. This would help create one industrywide organization that could act as one voice for the industry.

9:40

A final highlight from Bill 16 deals with reporting and accountability. Currently the Alberta Racing Corporation is required to submit an annual report to the minister, who must table a copy in this Assembly. The minister can also request other information. The changes proposed in Bill 16 would expand the reporting requirements to include ministerial approval of multiyear business plans and associated performance measures. These accountability tools coupled with annual reporting will serve as the new standard of measuring the vitality of the industry. Mr. Speaker, these expanded reporting requirements are necessary to satisfy the government that funds flowed to the horse racing industry as part of

the racing industry renewal initiative will be used for priority purposes and are measurably helping to achieve the results expected. Introducing these strengthened requirements also establishes planning and reporting standards similar to those required of government grant recipients and increases the organization's accountability for use of the funds provided.

Mr. Speaker, in closing, I would reiterate that these changes were requested by and developed in consultation with all segments of the horse racing industry. These changes are necessary to help industry promote and grow horse racing in the province, and as I said earlier, a vibrant horse racing industry has a trickle-down effect throughout the entire province. I would encourage my colleagues, all of my colleagues, to support Bill 16, for it is indeed a very fine piece of legislation.

With that, Mr. Speaker, I think it would be appropriate to adjourn debate on this matter.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. I move that the Assembly do stand adjourned until 1:30 p.m. tomorrow.

[Motion carried; at 9:42 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, March 19, 2002**

1:30 p.m.

Date: 2002/03/19

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Dear God, author of all wisdom, knowledge, and understanding, we ask Thy guidance in order that truth and justice may prevail in all of our judgments. Amen.

Please be seated.

head: **Introduction of Visitors**

MS DeLONG: Mr. Speaker, I rise with great pleasure to introduce to you and through you to the Assembly a very familiar face. This is not only a constituent of Calgary-Bow, but this is the former MLA for Calgary-Bow, Bonnie Laing. This very dear lady very ably represented Calgary-Bow for many years, and she also contributed to the well-being of all Albertans: through seniors, through treatments for addictions, and especially for the homeless. If Bonnie would please rise in the Speaker's gallery.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you to the members of this House 32 bright and curious grade 6 students from River Glen school in Red Deer. These students and their teachers are represented by myself because their school is in the constituency of Red Deer-North, but the majority of these students live in the county of Red Deer and are represented by the hon. Member for Innisfail-Sylvan Lake. Their teachers are Mrs. Dempsey, Miss Thomas, and Mrs. Pozzolo. Their parent helpers are Mrs. Vincent and Mrs. Courte. I would now ask these well-behaved young students to rise and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake.

MR. OUELLETTE: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly two constituents of mine, Charlie and Janice Moore. Charlie usually likes to introduce himself to the people as the old hillbilly from Pine Lake, but I would like to tell you that Charlie is anything but and is very active in our community. Charlie is the president of the Alberta Association of Agricultural Societies, a director of the Crossroads Gas Co-op, president of the Innisfail-Sylvan Lake Constituency Association, a past-president of the Crossroads Ag Society, and a current member of numerous other boards. Charlie and his wife, Janice, have a grain farm, and Janice has a cow herd. Charlie has always said: never take on any more work than your wife can handle. Janice does a great job of looking after the farm and the cattle. Charlie and Janice are very good neighbours and very good friends of mine. I would like to ask Charlie and Janice to stand and receive the warm welcome of the House.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I rise today to introduce to you and through you what might seem like a bit of a shock but a

lifelong friend of mine. We went through grade school and high school. We went to university in Antigonish, Nova Scotia, where the Hon. Guy Boutilier, Minister of Municipal Affairs, also attended. I see that my friend is here today. I'd ask him to rise, and thanks for being my friend. Phil Markovich, please accept the welcome of this House.

THE SPEAKER: The hon. Minister of Infrastructure.

MR. LUND: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce to you and to the members of the Assembly some 19 people from the property and supply management division, realty services branch of Alberta Infrastructure. These people do a tremendous job for the people of Alberta in the areas of maintenance in government-owned properties, the procurement and sale of surplus supplies, and real estate services. They are seated in the members' gallery, and I would now ask them to rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. It's with great pleasure that I am able to rise today and introduce a constituent of Calgary-North West who has become a very dear friend over these past few years. In the last year he has also been working in my constituency office three days a week. I'd like to ask Don Severs if he'd please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. Lest we think there's a conspiracy going on today, another good friend has joined us in the gallery – two of them – so that makes all of them. I would like my good friend Mike Magathan to rise and please enjoy the warm welcome of this House.

MR. MASON: Mr. Speaker, I'm pleased to rise today and introduce to you and through you a group of social work students from Grant MacEwan College. They are, I think, outstanding students who are about to set out on a career of helping people in this province. They've taken a tour of the Legislature and are in the gallery observing the proceedings of the House. They are accompanied by their instructor, Ms Kathaleen Quinn, and I would ask them to rise and receive the warm welcome of this Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Children's Services Funding

DR. NICOL: Thank you, Mr. Speaker. Yesterday the Official Opposition tabled a letter from the executive director of Hull Child and Family Services. This letter informs the parents of a special-needs child that all support for their child is being withdrawn due to cost containment measures. My question is to the Minister of Children's Services. Since last fall's budget cuts how many letters like this have left families with vulnerable children high and dry?

MS EVANS: Mr. Speaker, first of all, there are no children in this province that are high and dry. There is \$55 million for handicapped children's services in Hull homes. There are a number of realignments, redistribution of contracts and agencies so that we can

identify children with special needs and get them help with the right provider.

Mr. Speaker, not two weeks ago I met with some of the children in Calgary with special needs from the Alberta children and youth network. We reviewed some of the issues they had either with the care they were being provided with or with other circumstances that evolved to bring them to the attention of child welfare in the first place. We are following up on every single case, examining every single placement, every single contact the child has had and doing our very best to follow through on every single item for children who have had needs, who have expressed those needs directly to me, and we have made a commitment to follow up on each and every one of those.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My second question to the same minister: how can parents appeal these decisions given that Bill 9 will make this appeal process subservient to the minister's cost containment policy?

MS EVANS: Well, Mr. Speaker, such nonsense we're listening to this afternoon. Such nonsense. Right at the very beginning when we introduced Bill 9, the Bill 9 provisions are so that we provide a policy framework. We've given that understanding to all of the authorities, all of those people who are receiving children's services through handicapped children's services. In any kind of situation where there hasn't been policy, the panel itself is asked for some framework and some policy so that they are not all over the map in what they may or may not do.

Mr. Speaker, further, we have actually had people come to the Child Welfare Appeal Panel for very minuscule kinds of things that could be better delegated to supervisors or social workers on the front line, and it's time for that to stop. Simply put, it keeps people waiting too long. It keeps the process in a delay mode.

1:40

So, Mr. Speaker, there are needs for policy. We are working this year with those people that have children's needs in handicapped children's services. We've got an IBI review panel that has been structured to work on how the policy framework works for intensive behaviour intervention as well as some assessments of the Renfrew school and other handicapped children's services needs. So all of those policies will be in place, and no longer will parents be out there wondering how those things happen for them.

If I may, there are 85 cases that went to the Child Welfare Appeal Panel that received a total of \$3.5 million of extra services beyond what their director had assigned. We have no intent to take those services away. They are currently in place. They will stay in place as long as those children need the service.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister. I just heard you say, Madam Minister, that you were providing a process to make sure that they didn't get services from your ministry that could be available other places. Why is it that you don't advise them of those other sources of funding for their needs instead of dealing with it by just cutting them off?

MS EVANS: Well, Mr. Speaker, it's very difficult to look at a child and anticipate what their needs are and who should deliver that service. Throughout our service delivery system, some are delivered

through Health and Wellness, some are delivered through Learning, and some are obviously services delivered through Children's Services. Sometimes the stacking effect, if we weren't all co-ordinating our effort, could see a child seeing providers from each of the different ministries. So part of this is a matter of co-ordination, but in this review we have members of each of the ministry staffs that will sit on the review and make a determination of the appropriate policy.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. To the same minister: is it government policy to shortchange children now only to pay for it later, when the costs of providing them with service get higher?

MS EVANS: Mr. Speaker, when we had the cost containment measures last year, when we made reductions of 1 percent – let me go back to that \$647 million. We had reduced about \$6.7 million. We had then a certain amount of money that came back, \$4 million from the federal funding for children who needed additional supports, predominantly aboriginal children. We also received some revenue from the national children's benefit, another 1 and a half million dollars. There have not been the significant, draconian cuts that the opposition would have you believe in Children's Services. We have had some notices that we're going to do things differently, contracts that will be managed differently, different kinds of service delivery systems, but in total the bottom line is that the cost containments are furthest away from the child, and we are working very hard to make sure that no child at risk is in fact placed more at risk by any of the cost containment strategies that have been put in place.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Can the minister provide us with a clear policy on which services her ministry is cutting from children?

MS EVANS: Mr. Speaker, even if one was not prepared to believe the things that I have been saying for the past several weeks on Children's Services, look at the facts. The throne speech identified that Children's Services would be a ministry that would receive some additional resources or receive at least no resources less than the year before. To the hon. member opposite I would say: wait and see what happens in the budget for Children's Services.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: is removing those services that you've talked about consistent with your policy of trying to make cuts furthest away from the child?

MS EVANS: Mr. Speaker, I have not talked about removing services from children. I have been talking about working well with the child and family services authorities to realign service deliveries so we don't have circumstances with overlap in service delivery.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Windsong Child and Family Services Authority

DR. MASSEY: Thank you, Mr. Speaker. Caseloads in the Wind-

song children's authority are up 25 percent, and the minister responds by cutting their budget. My questions are to the Minister of Children's Services. Has the minister responded to the hundreds of Canmore citizens who claim budget cuts are hurting their children? Have you talked to those citizens?

MS EVANS: Mr. Speaker, throughout the past few weeks and months we've been working very closely with the Windsong authority. We have been providing additional dollars so that they would not be without resources to continue their child welfare management. Sometime in November, when I met with that authority, they indicated that they had made some severe reductions of the numbers that were on the caseload, and I questioned: how could that be done so quickly? What happened overnight that would enable you to reduce the child welfare caseload? They said that they'd found a number of different ways, so we've been working very closely with them to make sure that those children would not have any impediments in service delivery.

Relative to Canmore, the Canmore people who have been drawing very frequently their concerns to the attention of their MLA from Banff-Cochrane have been focusing on the outreach worker position that has been part of what we have funded within the school in Canmore, pointing out the importance of this worker in the child welfare delivery system. Mr. Speaker, we continue to work within that authority and with that school authority to, hopefully, at some point be able to come up with a concrete agreement so that midyear these kinds of things don't occur. We did add in fact some additional dollars to the Windsong authority so that they could make some accommodation for worker provision not necessarily through the school that would hopefully bridge the gap.

DR. MASSEY: Again to the same minister: has the minister told Lawrence Grassi middle school in Canmore that the school drug and alcohol counselor and the student outreach worker are unnecessary? Have you told them that?

MS EVANS: Mr. Speaker, the hon. member opposite makes the assumption that the minister directly relates to the school. In fact, the Windsong authority relates to the school, identifies priorities within their community, within the region, and works very hard to try and provide those services as a priority.

Let's come back to the fundamental reason that we have been faced with cost containment in the first place. That's because we have had a number of youth who are 11 years of age and older who have been, in my view, abandoned by their parents in terms of child welfare delivery and have placed an inordinate strain on this government to provide where parents have failed. Let's be clear. It is certainly a responsibility that the government backs up but one that the parents primarily have.

In terms of the alcohol and drug program, perhaps the hon. minister of health would wish to comment about the work of AADAC in that community.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister, Mr. Speaker: how does trying to off-load and download serve children in this region?

MS EVANS: Well, Mr. Speaker, we're not off-loading and down-loading; we're looking for new partnerships. Again, we'll have an opportunity later today to listen to the budget. I will then be very pleased to table with this Assembly tomorrow some of the very

things that are going on, currently under way, that will continue to help support communities in child welfare delivery.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-Fort.

Midwifery Services

DR. PANNU: Thank you, Mr. Speaker. The minister of health claims to favour a team approach in modeling all health professions in health care delivery, yet this government is well behind other provinces in the integration of midwifery services into the health system. My questions are to the minister. Why does Alberta continue to relegate highly qualified midwives to the margins through ad hoc funding arrangements and pilot projects?

MR. MAR: Well, Mr. Speaker, we are concerned with the integration of health care professions throughout a number of different professions. Midwifery is one of them. We, of course, have had some successful pilot projects. I look as an example at the midwifery project that was done in the WestView regional health authority, one that many members of this Assembly would be well familiar with. I would say that we have looked at the issue of midwifery. There are 23 midwives in the province of Alberta, not a great number. They do a good job. In order to integrate them more fully into the system, I think that we need to go through the proper process that we've established through the recommendations set out in the Mazankowski report. It's our intention to do that but not just with midwives. All health professions must be evaluated in such a way so that we get the best value out of all our health professions.

1:50

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Will the current funding for malpractice insurance for midwives, which will expire on May 1, 2002, be renewed and put on a more stable basis? If not, why not?

MR. MAR: Mr. Speaker, I don't think that I'm at liberty to speak to matters relating to the budget.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My second supplementary to the minister: when can the parents who choose midwifery services for normal childbirth look forward to having this important cost-saving service available in all health regions throughout Alberta?

MR. MAR: The interesting question here, Mr. Speaker – and I don't have a good answer – is: does this save money? We know from research done at the University of British Columbia that when you take a group of low-risk pregnant women, the outcomes for having those women looked after by midwives versus physicians is the same. There's no greater or lesser risk associated with the use of midwives. When it comes to women that are pregnant that are high risk, then it would appear that it would make greater sense to use physicians. The issue as to whether or not the employment of midwives in this area saves money is not one which is entirely clear yet and, of course, one that we would want to investigate further.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Riverview.

Education System Review

MR. CAO: Thank you, Mr. Speaker. We know that the Education Services Settlement Act outlines a binding arbitration process to settle the contract dispute between the employees and the employers; namely, the teachers' labour union and the school boards of trustees. We also know that the act includes a commitment to undertake a comprehensive review of Alberta's learning system. More and more of my constituents have expressed interest in this review and want information on the process. My questions today are to the Minister of Learning. What will the review examine?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. The hon. member is absolutely right; it is contained in Bill 12. We are presently looking at the terms of reference for this committee, but it is our anticipation that the committee will be an extremely broad-reaching committee that will look at all elements of the learning system in Alberta. There is no sense in limiting it at all, and indeed we'll look at everything. That's our plan at the moment, and we feel that the answers that will be brought back from this commission will be answers that will be beneficial for the total learning system, which is the reason we're doing it.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. My first supplemental question is to the same minister. Who will be involved in this review?

DR. OBERG: Again, Mr. Speaker, we are just in the process of lining it up, but I would anticipate that there will be ample opportunity for teachers, for students, and for parents to have input into this system. We have not decided who is going to sit on it. We have not decided who is going to be in the actual formation. Actually, everyone in Alberta, regardless of their political stripe, will have the ability to have input into this committee. Again, as I mentioned in the first answer, it will be a very broad-reaching committee, dealing with all issues, whether it's pupil/teacher ratio, class size, hours of instruction. Anything will be looked at.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. My last supplemental question is also to the same minister. When will the results of the review be communicated to Albertans?

DR. OBERG: Well, Mr. Speaker, we're looking at attempting to set this review up as soon as possible, and probably we're aiming at around the first part of June. We anticipate that we will have a report back sometime close to the end of the year. Whether it's January or December is difficult to say. Realistically, if there is legislation needed following this report, we would anticipate bringing it in in the spring of next year. I'm not attempting to prejudge this at all, but we do need to be careful. If there is legislation needed, there needs to be time to do it in this House.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Drayton Valley-Calmar.

Children's Services' Staff Bonus

DR. TAFT: Thank you, Mr. Speaker. There have been many serious problems in Children's Services, from a notable lack of policy to

toddlers perhaps being drugged in day care centres to children being left unsupervised in motels to a number of tragic and unnecessary deaths. Service contracts have been cut and staff squeezed to the breaking point. How does the Minister of Children's Services justify paying over \$700,000 in so-called achievement bonuses to managers while frontline staff and services are stretched to the limit and there are so many profound troubles in her department?

MS EVANS: Mr. Speaker, perhaps I'm hearing the hon. member opposite question whether or not the staff in Children's Services are doing a good job and are worthy of being recognized for doing the jobs that they have been doing. I heard right now somebody challenge that the people that are working so hard for children and caregivers are perhaps not getting remuneration. There have been many things and many challenges faced in Children's Services – I'll guarantee that – but they clearly have been met honestly and directly by people with integrity who have done the very best work on the front lines. The fact that we have children who are fragile is a regrettable thing. When they die, those tragedies affect every one of us in the system. We gather those facts with heavy hearts. But it certainly doesn't deny that the business we're in, doing child protection and working in the best possible way for the advocacy of children, is a difficult job and that the workers and the administrators and, yes, the leaders within our department are deserving of being recognized for the achievements they've made.

DR. TAFT: I'm sure that the minister knows that the bonuses go to managers and CEOs.

Given that over \$18,000 in bonuses went to the Slave Lake region last year, the same region where the Kerrigan twins were in care, how can the minister justify turning on her own workers when she was paying the region bonuses to achieve the results she asked for?

MS EVANS: If there's an oblique reference in the question, Mr. Speaker, to discussing further the cases at Slave Lake and the kinds of things that will be before an arbitration panel right now, I will not be tempted.

DR. TAFT: Well, then, will the minister continue to pay bonuses to authorities where children die unnecessarily in government care?

MS EVANS: Mr. Speaker, I've looked very carefully not only at the population increases but at the very tragic deaths of children within our system. As I've said previously, we receive the news about death within the system with a heavy heart. Essentially, there has been on an annual basis no disproportionate increase in the number of children in child protection, in child care, that have met with tragic circumstances. In other words, they are about the same this year as they were in the previous year. Perhaps, then, the hon. member is challenging whether anybody in Children's Services should ever receive a bonus. I'm very confused.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Gold Bar.

Highway Maintenance

REV. ABBOTT: Thank you, Mr. Speaker. We've been blessed with a lot of snow lately, especially at Drayton Valley-Calmar, which is great. However, the bane in this blessing comes in the form of snowplowing our primary and secondary highways. My question is to the hon. Minister of Transportation. Can the minister explain who is responsible for the plowing of snow on highways?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. The ultimate responsibility for removing snow on both secondary and primary highways rests with the Ministry of Transportation. However, the ministry has outsourced the maintenance of our provincial highways, maintenance I would describe as not only snowplowing but also crack filling, weed and grass control along highways, and the replacement of signs that might have to be replaced. The province of Alberta is divided into nine contract management areas. Those contracts hold those companies that won those contracts to the same provisions that we had when the government itself used to snowplow and maintain the highways. Each contract includes a blanket provision to ensure that the snowplows are out there immediately after a snowfall and to monitor, as well, snow removal and ice patches that may result from inclement weather.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. My first supplemental to the same minister: how are these contracts determined? In other words, does the minister take into consideration the amount of equipment, the age of equipment, and the safety of equipment?

2:00

MR. STELMACH: Mr. Speaker, as you know, the province is pretty large from north to south and east to west. Yes, there are the same provisions in terms of safety in all of the contracts, but we do know that in certain parts of Alberta there will be more snow, and as a result more equipment is necessary to handle the level of snowfall, generally speaking, historically. However, in some of the areas that have been mentioned before, we have actually had to move even additional equipment, with good co-operation between some of the contractors, to ensure that we do maintain one of the best levels of service possible.

THE SPEAKER: The hon. member.

REV. ABBOTT: Excellent.

Thank you, Mr. Speaker. My final supplementary to the same minister: are counties and MDs allowed to bid on road plowing for the provincial government, and if not, why not?

MR. STELMACH: Mr. Speaker, all counties and MDs are encouraged to work with the contractors that do have the contracts for snow removal and highway maintenance in the individual contract management areas, and there are examples where various counties have partnered with the contractors to ensure an even better level of service. I'd like to remind the hon. member and, in fact, the Legislative Assembly that outsourcing of highway maintenance has saved the department roughly 20 percent over the last number of years, and all those dollars are reinvested back into the provincial highway system.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Calder.

Absolute Discretionary Trusts

MR. MacDONALD: Thank you, Mr. Speaker. In Ontario a legal precedent was created for trusts for the disabled whereby certain assets, say from an estate, would not be considered an asset for the purposes of receiving benefits from the government under any

disability assistance programs. Technically known as absolute discretionary trusts, they are commonly called Henson trusts. The Ontario government worked beforehand to prohibit such actions and even pursued it in court and then appealed, losing each time. My questions this afternoon are to the Minister of Human Resources and Employment. What action has the minister taken in Alberta for AISH clients and their families in light of the Ontario Henson case? Thank you.

THE SPEAKER: The hon. minister.

MR. DUNFORD: Well, thank you, Mr. Speaker. The AISH program, of course, is an excellent program. We have areas of income that are exempt, partially exempt, and nonexempt, and of course we have provisions for trusts as well. As he's asking the question today, I would have to get briefed on where the Henson trust would stand in that matrix of examination, then, of whether or not a person is eligible for AISH. I, of course, will do that.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: given that answer, am I assured that the minister has not initiated action to provide that absolute discretionary trusts, or Henson trusts, are no different from other trusts so that benefits such as AISH can be withheld from individuals who have those trusts? Ontario did this very same thing, and they lost.

MR. DUNFORD: Well, as I stand here today, Mr. Speaker, I'm not aware of any sort of action that we've taken in this particular area, but that would be part of the examination, of course, that I would get into.

I just want to indicate to the hon. member and to other members that the AISH program is a very good program, and of course one of the things that we're trying to do is to look after the most needy people within our province. As this would relate, when you start getting into trusts and that sort of thing, certainly we'll want to have a look at it. Again, I think we need to be focused on the most unfortunate of us, not on people that have huge assets.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: has the minister's department prepared a legal case for withholding benefits from people in Alberta who hold Henson trusts?

MR. DUNFORD: I don't know what I can add to the previous answer. Again, it's part of the information that I've taken from the member. He provided me with a guest editorial from a publication just prior to question period. I've had a chance to quickly read it and, of course, will then seek more information.

THE SPEAKER: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Ellerslie.

Charles Camsell Hospital Site

MR. RATHGEBER: Thank you, Mr. Speaker. There exists within the Edmonton-Calder constituency a very valuable but vacant piece of real estate in the Charles Camsell hospital site. I understand that the province pays thousands of dollars with respect to this property for property taxes, heating, and other utility bills. My question is for

the Minister of Infrastructure. What is the government's plan with respect to the Charles Camsell hospital site?

THE SPEAKER: The hon. minister.

MR. LUND: Thank you, Mr. Speaker. Some years ago the Charles Camsell hospital ceased being an acute care hospital. We had an appraisal done on the facility back in '99. It was subsequently listed with a real estate firm for sale. About two years ago we had an offer with a number of conditions on it, and the negotiations have been ongoing. There have been three extensions put on the negotiations. Each time, incidently, the proponent put down a nonrefundable deposit. The most recent situation is that the conditions have now been removed, and by the end of May we will be closing the deal.

THE SPEAKER: The hon. member?

The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Highlands.

Meridian Dam Study

MS CARLSON: Thank you, Mr. Speaker. Recently Albertans were able to pay \$100,000 for the Environment minister to research return on investment for the Taylor dam, money that could have been used to research how much groundwater we really have or develop essential conservation programs. My questions are to the Minister of Environment. Why does the return on investment carry more weight in your department than baselevel research?

DR. TAYLOR: Well, I think, Mr. Speaker, that she needs to get her figures and facts straight before she goes on with any further questions. The cost of the study was \$100,000, and \$25,000 of that was paid by the Saskatchewan government because they were partners in this study. They recognized the value of doing that study. Essentially, what has happened is that this dam has been talked about since the 1920s in this province, and we never had any hard economic facts on the dam. This study provided those facts and quite clearly proved, even to people in southeastern Alberta, that the dam was not economically viable.

MS CARLSON: Mr. Speaker, I'll ask the question again, because he didn't answer it. Why does return on investment carry more weight than baselevel research, which is what we need at this time?

DR. TAYLOR: The return on investment certainly is an important issue, Mr. Speaker. I believe that the member asked about any further environmental research, but to do the environmental side of the study, we would have had to spend a substantially greater amount of money in a further study. Since the economics simply weren't there to develop it, then it makes no sense to do the further environmental study and spend the money.

MS CARLSON: Mr. Speaker, does the minister have any serious plans for water conservation, as this is an essential component of any water strategy that he may come forward with?

DR. TAYLOR: Mr. Speaker, finally we can agree on something. The member has raised a very valid point that we've already talked about. I've talked about it publicly, and she's obviously been listening to me to give me an opportunity to expand on the water conservation issues. We're clearly looking at water conservation. We are doing this water strategy. We had a meeting in Medicine Hat last night which 84 people from southern Alberta attended. We

had a meeting in Calgary last week. We had to turn people away that came to talk about water conservation and other issues, and we are establishing another meeting in Calgary to take account of all the people.

2:10

Certainly I'll give the member one practical example that people in southern Alberta are talking about. As you know, Mr. Speaker, we have pivots. Some urban members might not know what a pivot is, but a pivot is something that goes in a circle, shoots water up in the air, and waters a crop. One of the issues with pivots is that there's a lot of evaporation. If you go to something called a down-drip, that drops the water directly on top of the crops, you can save anywhere from 15 to 30 percent of the water that is being utilized for irrigation. So conservation is a huge part of what we're talking about, and I do thank the member for the excellent question.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Innisfail-Sylvan Lake.

MR. MASON: Nice pivot, Mr. Speaker.

Municipal Policing Support

MR. MASON: Mr. Speaker, a task force studying policing for the Alberta Urban Municipalities Association found that Alberta has the lowest level of support for municipal policing in the entire country. For the 63 municipalities that contract with the RCMP, these towns pay three-quarters of the cost from their own property tax base. Cities with their own municipal police force pay fully 100 percent of the cost of policing. My question is to the Solicitor General. How can the Solicitor General justify the richest province in the country spending the least amount of provincial dollars in support of policing services in our municipalities?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Well, thank you, Mr. Speaker. I appreciate the question. The report that he is referring to I haven't seen yet, and I'm not going to comment until I do see the report. But what I will say is that the police in this province are well qualified, professional, and probably do the best job in the country.

MR. MASON: Mr. Speaker, what does the Solicitor General have to say to those people in municipal government who believe that the government's posturing about getting tough on crime is a convenient cover for the lack of provincial financial support for municipal policing?

MRS. FORSYTH: Again, Mr. Speaker, the report he's referring to I haven't seen, but I don't believe for a minute that this government is posturing. Our police in this province do a great job with what they have, and I'm very proud to be part and parcel of them.

Thank you.

MR. MASON: Mr. Speaker, when, if ever, can Alberta municipalities look forward to a reinstatement of at least some portion of the community policing grants that were cut in 1994?

MRS. FORSYTH: Mr. Speaker, the grants that he is referring to under the municipal grants were taken away and went to unconditional municipal grants through Municipal Affairs, and I'll have the hon. minister speak to that.

MR. BOUTILIER: Thank you, Mr. Speaker. The hon. member is very correct. Ultimately, we thought that what was most important was to allow local municipalities to determine where they can best use the resources that we give through the unconditional grant, such as for policing.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Edmonton-Centre.

Fusarium-infected Grain

MR. OUELLETTE: Thank you, Mr. Speaker. My constituents tell me that feed shortages in southern Alberta have meant an influx of feed corn from the United States into our province. This feed is cheaper in most instances because it comes from a highly subsidized area. Fusarium can be prevalent in corn. Fusarium, if it enters this province, can be devastating to Alberta's crops. My question is to the Minister of Agriculture, Food and Rural Development. Can you tell me what the current status of fusarium-infected crops is in Alberta, and is the imported corn being tested for fusarium contamination?

MRS. McCLELLAN: Mr. Speaker, with your indulgence I would just like to take a moment to explain that fusarium is something that causes a head blight in crops. It thrives in very warm, moist conditions, and infected seeds or plant materials can spread during the flowering stage, especially in wet weather. It's important to know that because fusarium infestations can have a very serious impact on the quality of the grain, it is not accepted by milling plants and/or the malting industry and subsequently then becomes a source of feed grain. The danger in cattle feed is not as high because tests show that it mainly dissipates or is destroyed by the digestive system of cattle, so that is not as large an issue. However, what is an issue is if some infected grain might drop off a truck in transit or be spilled or left on the truck, and that raises the issue as to whether it causes a problem. To this point corn isn't tested at the border, and there aren't any restrictions on importing fusarium-infected grain. It's simply a matter of grading.

THE SPEAKER: The hon. member.

MR. OUELLETTE: Thank you, Mr. Speaker. My first supplemental question is also to the minister. Can the minister tell us what initiatives are under way to stop this devastating crop disease?

MRS. McCLELLAN: Mr. Speaker, I've had a number of meetings with producer groups and municipal districts on this issue. We've had a number of solutions proposed. One certainly was a zero tolerance policy to fusarium-infected grain coming into the province. One of the solutions might be a certification of grain, and that would require the seller of any grain to produce a certificate saying that it was fusarium free. I should point out that fusarium-infected grain has the possibility of coming in from Manitoba and Saskatchewan as well as the U.S.

We have spent about a hundred thousand dollars working with the Canadian Grain Commission and Ag Canada on a study as to what we could do on a testing program. Whether we could actually police that certification if we put it in place is the question that's at stake now. We're going to continue to work with those producer groups and determine whether indeed that would be a wise move.

MR. OUELLETTE: My final supplemental, Mr. Speaker: why are we allowing subsidized corn to enter Alberta in the first place?

MRS. McCLELLAN: Corn is a commodity that trades freely across our borders, unlike wheat and barley. Of course, we would like to see freer trade in wheat and barley and the ability for our producers of those products to move them freely across our borders. Unfortunately, that's not allowed under our marketing practices under the Canadian Wheat Board. However, Mr. Speaker, the fact is that because of drought in southern Alberta and certainly some parts of the U.S. there is a large demand for feed grains. It has put pressure on our feed grains, and our cattle producers and our feedlots have been forced to bring in corn from other areas.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-West.

Midwifery Services (continued)

MS BLAKEMAN: Thank you, Mr. Speaker. This government has spent 10 years and more than \$2 million investigating the integration of midwifery services into the provincial health system.

DR. TAYLOR: We already had this question.

MS BLAKEMAN: Wait for it.

Out of five provinces that regulate midwifery, Alberta is the only one that has failed to provide this birthing choice in its provincial health insurance plan. My questions are all to the Minister of Health and Wellness. Why is the minister willing to consider allowing nonhospital surgical facilities to perform insured services even if they don't save money, but he won't cover midwifery services until it is proven conclusively to be more cost-effective?

MR. MAR: Mr. Speaker, I believe that I've already answered this question in referring to the question of the hon. Member for Edmonton-Strathcona, the leader of the third party.

I have and I will table, Mr. Speaker, the study that I referred to earlier, which is entitled Outcomes of Planned Home Births versus Planned Hospital Births after Regulation of Midwifery in British Columbia. The lead researcher was Dr. Patricia Janssen of the department of family practice at the University of British Columbia. We are looking at this. I should note that in this particular study it does refer to the number of midwives practising in the province of British Columbia in 1999. There were 58.

Mr. Speaker, this is an area of great interest. Again, we do want to use our health care professionals to the full scopes of their practice. We are examining this particular issue. Of course, in response to the requests of midwives last year who were facing high insurance rates, we did respond positively to that. There are continuing pilots that go on in the province, but the issue as to whether or not the provision of birthing services is cost-effective as provided by midwives has not been satisfied.

2:20

MS BLAKEMAN: Once again I'll repeat the question for the minister. Why is the minister willing to consider allowing nonhospital surgical facilities to perform insured services even if they may not be saving money, but he won't cover midwifery services until it's proven conclusively to be more cost-effective? You're not being fair here.

MR. MAR: Mr. Speaker, with respect to the provision of services through private surgical facilities, we've relied upon the College of Physicians and Surgeons to indicate to us what procedures can safely

be done within a private surgical facility. I think research like that which I will table later on this afternoon may be helpful in helping us answer that first question: is this something that is safe to do in a nonhospital environment or without the need for a physician? Research like this will be helpful in answering that first question.

The second question though, Mr. Speaker, is: is it more cost-effective? We don't know the answer, but when she's comparing this particular procedure to services provided by private surgical facilities, we do know that the ability to use private surgical facilities does allow us to use our public hospitals better. So even if saving money is not part of the equation, it is a better use of our hospital facility resources.

MS BLAKEMAN: Further to something else the minister said to an earlier question, is the minister saying that 10 years of study on the integration of midwifery services was merely waiting for a process to be outlined by the recently released Mazankowski report? All those 10 years just for the Mazankowski report?

MR. MAR: I can't speak to the issue of the past 10 years, Mr. Speaker, but what I can say is that this that is an area of interest. It does fit within the recommendations set out by the Mazankowski report for us to consider new ways of doing things: being able to do them better, more efficiently; providing a better service at the same cost; providing better access. In the process that's been set up pursuant to the recommendations in the Mazankowski report, the 44 of them that this government has accepted and is moving forward on, the issue of should midwifery be covered in our health care system is a legitimate question that should be answered by our expert panel review committee and should be considered in the overall context of the health care system and not as a one-off.

Environmental Priorities

MS KRYCZKA: Yesterday as an MLA and a member of the Bow River Basin Council I attended the Calgary Renaissance Emerald Irish breakfast in Calgary with guest speakers our hon. Minister of Environment and Robert F. Kennedy Jr., an American environmental attorney. Considering Alberta's many achievements in the area of environment, the most recent being William M. Mercer's annual quality-of-life survey results with Calgary being declared the number one city in the world over 215 cities, I found it baffling that Mr. Kennedy would see Alberta as a place to save from polluters. In particular, I found it very strange when, according to his own admission, there are many very serious realities or problems at home in the United States. My question is to the hon. Minister of Environment. Can you explain what your department may learn from Mr. Kennedy's area of expertise as it addresses Alberta's environmental priorities?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Well, thank you, Mr. Speaker. Let me say first of all that I enjoyed the opportunity to talk to Mr. Kennedy and the people at the breakfast and let them know some of the good things that are happening in terms of environmental protection in this province. Both Mr. Kennedy and I agree that there needs to be a balance between the economy and the environment, and where we differ is in how you reach that balance. There's a recent study out by the World Bank and the World Economic Forum that clearly shows that the countries that have the highest GDPs in the world also have the highest environmental sustainability index, so the U.S. and Canada have the highest environmental sustainability index. Countries with

the lowest GDPs in the world have the lowest environmental sustainability index, so countries like Haiti, Ethiopia, and Eritrea are mentioned in the report and have very low environmental sustainability indexes. That very clearly shows that there is a necessary balance between the economy and the environment, and a healthy economy equals a healthy environment.

Now, Mr. Kennedy has a strong legacy in front of him, and he is an excellent storyteller, Mr. Speaker. In fact, he never lets the fact . . .

THE SPEAKER: Hon. minister, please. Please. There is such enthusiasm extolled by people who seem to serve as the Minister of Environment. However, what has any of this got to do with government policy?

DR. TAYLOR: Certainly I'm prepared to talk to that, Mr. Speaker.

THE SPEAKER: Well, that's the only purpose of the question period.

DR. TAYLOR: What I'm going to say, Mr. Speaker, is that Mr. Kennedy never let the facts get in the way of his good stories, and what we can learn in Alberta from Mr. Kennedy is that all Albertans need to be aware of their environment, that all Albertans need to be involved in protecting their environment as we go forward. Quite frankly, his horror stories and fear tactics only present the worst case scenario and . . .

THE SPEAKER: Thank you. Thank you.

MS KRYCZKA: My first supplemental is to the same minister. Given that Mr. Kennedy criticized the Alberta government for not protecting the environment by not enforcing our own laws, can you please explain what Alberta is in fact doing?

DR. TAYLOR: Well, I'm very pleased to go on record again with this, Mr. Speaker. Alberta is recognized as having some of the toughest and most stringent environmental laws in North America.

MR. CARDINAL: And a good economy besides.

DR. TAYLOR: As well as, as a member points out, a strong economy.

I'll just give you some statistics, Mr. Speaker. In 2000-2001 we initiated 5,800 charges and 107 administrative penalties under various provincial environmental legislation, and that resulted in fines of more than \$1.4 million.

Now, the goal is not to fine companies or fine individuals, because what that means is that there is a mess already there that has to be cleaned up. Our goal is to prevent the damage through education. Our goal is to prevent the damage before it happens so we don't have a mess to clean up. Unlike Mr. Kennedy, who is a very good purveyor of science entertainment, we are interested in science facts.

MS KRYCZKA: Thank you. My second supplemental is to the Minister of Agriculture, Food and Rural Development. Given Mr. Kennedy's emotional rhetoric and scaremongering about so-called factory farms, could you please tell this Assembly and all Albertans what the definition of a factory farm is and whether Alberta does have any?

MRS. McCLELLAN: Mr. Speaker, the term "factory farm" seems to be one that's popular to use in describing large operations. I

should just tell the Assembly that in Alberta we have quite a substantial number of cattle and hog operations as well as chicken, turkey, and dairy, and almost all of those are run by farmers and ranchers who are members of a community, who raise their children, do their business in those communities. We don't call them factory farms. They are family-run operations for the most part.

2:30

The one thing I would like to point out, Mr. Speaker, is that this government has taken three years to develop a policy to ensure that the intensive livestock, or confined feeding, operations in this province operate under clear rules that, one, protect the investment of the operator but most importantly protect the air, water, and soil. I remind our members that the people who operate these farms are the people who make their living off the soil, who breathe the air and drink the water and in my opinion are the best environmental stewards we have.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Banff-Cochrane.

Constable Christine Diotte

MRS. TARCHUK: Thank you, Mr. Speaker. I would like to rise today to join in solemn remembrance of an RCMP officer who was killed in the line of duty on Tuesday, March 12. Yesterday hundreds of police officers from across Canada, together with paramedics, firefighters, and other law enforcement officers, joined community members and grieving friends and family to pay tribute to 35-year-old Constable Christine Diotte, a dedicated officer, wife, and mother. After a service at St. Mary's Catholic church in Banff more than 600 law enforcement officers formed a procession in her honour with an RCMP helicopter flying overhead in tribute to her exemplary service to the RCMP and our communities. Christine was laid to rest in the field of honour at the Canmore cemetery, near her home, with full regimental honours.

Constable Diotte was investigating a rollover accident west of Banff when another vehicle lost control and struck her and her partner, Constable David Davis. Even though seriously injured, Constable Davis courageously attended the funeral and was helped by paramedics as he stood and saluted the passing motorcade.

Christine was a strong role model for youth and focused her career on drug prevention while serving for six years in Hinton and on the Bow Valley victims services unit and DARE program during her tenure at the Banff branch. Alberta has lost one of its finest young citizens, and for that we all share in the sadness of this tragedy. I know that the memory of Constable Diotte will carry on through those she loved, the lives she touched, and through the programs that she so passionately supported. As one of her colleagues stated so eloquently yesterday:

We are very thankful for the unselfish sacrifices Christine made in the service of her country, her determination, courage and personal commitment and enthusiasm she displayed in a job that she loved.

I would like to express my deepest condolences to the family of this great Albertan. My thoughts and prayers are with her husband, Mario, and daughters Ami and Gina during this very difficult time.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

National Farm Safety Week

MR. MARZ: Thank you, Mr. Speaker. I rise today to recognize and bring attention to the National Farm Safety Week campaign, running

from March 13 to March 20. This year the campaign will highlight the theme Livestock Handling Safety: Put Your Best Foot Forward.

Animal-related incidents account for about 30 percent of all injuries and deaths on farms across Canada. Alberta Agriculture, Food and Rural Development takes an active role in providing information and promoting farm safety year-round. Farmers are encouraged this week to take stock of their knowledge and expertise in handling livestock safely.

Other sources of valuable information and recommendations are the personal experiences of farmers from around the province. There's a dairy farmer in Camrose who sets a good example by ensuring that he is outfitted in the best of safety footwear after suffering a minor injury. There is also a farmer from High Prairie who leaves a note for his wife every day just so she knows where he is working on the farm in case of an emergency. Almost every farmer in Alberta could and should relay a safety-related story.

While we highlight safe practices during this national campaign week, we know that safety on the farm is a yearlong everyday necessity. The long-term strength of the agriculture industry and health of our farmers depends on it.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-West.

Calgary Aquamums Synchronized Swimming Team

MS KRYCZKA: Thank you, Mr. Speaker. I begin by sharing some personal thoughts I had while sitting in the Legislature last week. My thoughts were that in just 10 days my daughter Kelly would be leaving her husband and four young daughters for Christchurch, New Zealand, to compete with her team and duet partner in the 30- to 44-year-old category of synchronized swimming at the World Aquatic Masters Championships from March 28 to April 4 with a total of 2,800 athletes and that I wouldn't be going with her, but worse than that, I hadn't even considered what I might do to send her and the team on their way. I realized my commitment as an MLA, as with many of my colleagues, tends to distract us from relating daily to the very real lives of our families. But since then, I have acquired appropriate Alberta gifts, a very large Alberta flag, and those ever popular Alberta/Canada pins thanks to many colleagues. Maybe I'll just add some of mom's baked brownies.

Mr. Speaker, I do wish to recognize the Calgary Aquamums team, the masters' extension of the world renowned Calgary Aquabelles Synchronized Swimming Club. The team of eight are still very athletic women who have each made a personal commitment for the past year and a half to be reunited in a sport they all love. Raising children and doing community work or pursuing careers is very time consuming, but they have remained focused on doing something rewarding and fun for themselves.

Fourteen to 18 years ago as younger athletes they formally retired after competing and winning acclaim at provincial, national, and Olympic levels. They then got on with their lives with further education, careers, marriage, and children. But it was so exciting for me to join their families and their fans and to see them swim their competition routine Sunday evening at Lindsay Park centre.

After countless hours of practice but not as many as in the old days the return to superb fitness has indeed brought back the skill level that makes synchronized swimming such a beautiful sport.

I invite all members of this Assembly to join me in wishing the Aquamums team good luck at the World Master Aquatic Championships: Shirley Dawson, Carol Fitzsimmons, Raphaela Jablonca, Robyn Kaser, Myrna Kruger, Kelly Kryczka-Irwin, Michelle Paget,

Nicole Sadinski, and coach Kim Strachan. They leave in just three days.

Your families and many Albertans are very proud of you already. Good luck in New Zealand.

Rural Quality of Life

MR. MASON: Mr. Speaker, I rise today to talk about the quality of life in rural Alberta. As our caucus travels throughout the province, farmers and rural residents tell us that struggling to maintain their quality of life is becoming increasingly more difficult. Although changes in rural conditions have many sources, the Conservative government continues to ignore pressing concerns. Once more this government's relentless pursuit of profits before people has seriously jeopardized rural quality of life. In fact, recent census figures show that many towns and villages in Alberta are facing slowdowns in their population growth while others have had actual population decreases. What was once a noble tradition of living close to the land can now become a hazard to one's health, and it is our rural communities which will suffer.

Mr. Speaker, I recently introduced a bill to eliminate all but emergency gas flaring in this province thereby reducing the incidence of disease and contamination faced by Alberta farmers. Instead of showing their concern for farmers and their livestock, the members of the Tory government showed their preference for the energy industry. They defeated the bill, thereby protecting corporations from their need to meet environmental responsibilities.

The same pattern holds for intensive livestock operations. We know that developing these massive projects has the potential to bring in sizable profits, but we also know that ILOs post tremendous threats to the quality of our air and water. The government continues to promote ILOs at the expense of family farms and neighbouring communities. Interbasin transfers are only the tip of the iceberg when it comes to this government's plans to manage our water supply. The Conservative government's disregard for water safety means that what oil companies don't pollute ILOs will contaminate.

Finally, I would like to voice concerns about the accessibility of health care facing Albertans in small towns and on farms. Albertans are now discovering the very real threat of acute care beds being closed in rural areas. The shortage of medical services will only be exacerbated as the government pursues its commitment to introduce profits into our health care system. People who need health care will have to travel farther and pay more.

These issues will not simply disappear, though Alberta's family farms and rural lifestyle may. The New Democrats are committed to taking positive steps to maintain and enhance rural quality of life.

head: Introduction of Bills

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

Bill 19

Veterinary Profession Amendment Act, 2002

MR. DANYLUK: Thank you very much, Mr. Speaker. I am very pleased today to request leave to introduce a bill being the Veterinary Profession Amendment Act, 2002.

Mr. Speaker, this act would amend the provisions of the Veterinary Profession Act that govern public membership, investigation, discipline, and appeals proceedings for the veterinary profession in Alberta.

Thank you.

[Motion carried; Bill 19 read a first time]

THE SPEAKER: The hon. Deputy Government House Leader.

2:40

MR. STEVENS: Yes, Mr. Speaker. I move that Bill 19 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited today with the office of the Clerk: return to order of the Assembly MR 12 asked for by Ms Carlson on May 23, 2001, hon. Mr. Norris, Minister of Economic Development.

THE SPEAKER: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Speaker. Earlier in question period today in answering a question directed at me by the hon. leader of the third party as well as the hon. Member for Edmonton-Centre, I referred to a research paper that was done that is found in the *Canadian Medical Association Journal* dated February 5, 2002. It's entitled Outcomes of Planned Home Births versus Planned Hospital Births after Regulation of Midwifery in British Columbia. It is prepared by a research team that was led by Dr. Patricia Janssen, department of family practice, University of British Columbia. I gave an undertaking at that time to table the same, and I do so now.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have two tablings today. The first is on behalf of the Member for Lethbridge-East, who has copies of petitions that are requesting help in stopping "the funding cuts to supports for children and adults with developmental disabilities." There are 425 signatures on this petition, which brings the total to 725 including the tablings he made last week.

The second tabling today is the appropriate number of copies of letters from Ms Kiza Holstead of Edmonton, Mr. Herbert Kariel of Calgary, Miss Wendy Adams of Calgary, Mr. Torsten Buckholz of Calgary, Miss Madeleine Oldershaw of Calgary, Miss Weslyn Mather of Edmonton, Mr. Jorn West of Calgary, and Mr. Melvin Dunford of Calgary. These Albertans want the government to take appropriate steps to protect the Bighorn.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have five copies of a letter written by Denis Chalifoux, who's a resident of Spruce Grove. It's a very thoughtful letter, and he is concluding with:

This situation has extended far beyond the realm of the teachers' strike and is eating away at the core of our democratic society. I am appealing to you to do whatever you can to put a stop to this current rant against teachers.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to table for the information of all hon. members of this Assembly the actual posted pool price schedule from yesterday, March 18, 2002, of course, from the Power Pool web site. It indicates that last night at 8 o'clock the price of electricity in this province was 17.2

cents a kilowatt-hour. The temperature goes down; the price of electricity goes skyrocketing.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of some extensive analysis done by Mr. D.R. Hargrave of Calgary into the impact of the combined effects of the flat tax and the health care premiums, and it illustrates that the highest tax bracket in Alberta now is for people just over \$32,000 income a year for a seniors couple.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have two tablings today. The first one is a letter of resignation from Doug Heckbert of Fort Saskatchewan. He was a member of the Attendance Board of this province until March 12 of this year, and he resigned in protest against the ill-advised back-to-work order issued by this government, first, and then, of course, the provisions of Bill 12, which in his own words he finds "disgusting, pathetic and dictatorial." That's the first tabling, and I hope the members of this House would like to read that letter.

The second is a copy of a letter from one of my own constituents, Ms Elizabeth Wall, asking me to urge the government to make midwifery services a funded service under the provincial health care insurance.

Thank you, Mr. Speaker.

MR. MASON: Mr. Speaker, I'm tabling five copies of a report prepared for the Parkland Institute titled *Advantaged No More: How Low Taxes Flattened Alberta's Future*. The report is calling for a major rethink of economic policy, including the abandonment of the single-rate tax in favour of a more progressive taxation system, repeal of the province's Deficit Elimination Act, and creation of a revenue stabilization act.

THE SPEAKER: Additional tablings?

Hon. members, following brief comments yesterday and pursuant to Standing Order 15, the chair did receive from the hon. Member for Edmonton-Ellerslie an indication that the hon. member would like to pursue a purported point of privilege in the Assembly. I was advised yesterday of her intent to do it, but one of the hon. members who might be impacted by this purported point of privilege was unavailable, so we'll now proceed with it today.

The hon. Member for Edmonton-Ellerslie.

Privilege Contempt of the Assembly

MS CARLSON: Thank you, Mr. Speaker. I rise today on a point of privilege under Standing Order 15 on what we consider to be a contempt of the House. On the issue of contempt, Marleau and Montpetit's *House of Commons Procedure and Practice* says on page 52 of the 2000 edition that "any conduct which offends the authority or dignity of the House, even though no breach of any specific privilege may have been committed, is referred to as a contempt of the House." It also continues on to say: "Contempt may be an act or an omission; it does not have to actually obstruct or impede the House or a Member, it merely has to have the tendency to produce such results."

Erskine May, on page 111 of the 22nd edition, in discussing misconduct of members, states:

The Commons may treat the making of a deliberately misleading statement as a contempt. In 1963 the House resolved that in making a personal statement which contained words which he later admitted not to be true, a former Member had been guilty of a grave contempt.

Mr. Speaker, on Wednesday afternoon, March 13, the Member for Edmonton-Centre asked the Solicitor General questions about changes to how certain criminals, including sex offenders, would be reporting to probation officers. The Solicitor General answered that sex offenders would still be considered high risk, when a document from her office indicates that some sex offenders would actually be downgraded to medium risk. The relevant portions of the exchange from page 316 of *Hansard* are as follows. Edmonton-Centre's first question was: "Can the Solicitor General confirm that her department has plans to reduce the reporting requirements of sex offender parolees?" In her answer the Solicitor General said, "No, we are not letting sex offenders out early," even though that was not the question. "They still will be considered a high-risk offender, number one."

This is very important, Mr. Speaker. She said that "they still will be considered a high-risk offender." Yet a government document says: sex offenders and violent offenders shall be considered medium until initial classification; the decision to reduce supervision from medium for sex offenders and violent offenders shall be carefully documented and must be reviewed by the responsible branch manager/supervisor. Please note that it says "reviewed" and "documented," not that the decision shall be made by the branch manager or supervisor.

Section 2 of the Corrections Act, though, states:

The Minister is responsible for correctional services under the jurisdiction of the Government of Alberta and in particular for . . .

(b) the provision of probation and parole supervision and counseling services to offenders against the law.

So we state that this is clearly within her responsibility.

The Member for Edmonton-Centre then said in her first supplemental question: "I'm asking about the frequency of reporting. Will there be a change in the frequency of reporting for sexual offender parolees?" The Solicitor General clearly answered no.

On Thursday afternoon, March 14, three sets of questions were asked to follow up on the previous day's attempt, to offer the Solicitor General an opportunity to clarify her knowledge of the issue. Instead, the Solicitor General introduced more contradictions. On page 364 of *Hansard*, in response to a question from the Member for Edmonton-Centre about high-risk offenders, the Solicitor General stated: "The Solicitor General does not make the criteria for the probation officers." She continued by saying, "They are the [ones] that determine the reporting requirements, when they are required to report to the probation officers." Perhaps they determine what time of day, Mr. Speaker, but the minister, the Solicitor General, is the one who is responsible for the policy direction, as was clarified in a question to the Premier yesterday. Her comments, clearly, again are in contradiction with the Corrections Act, which the Solicitor General is responsible for. Section 2(b) of the act states that she is responsible for "the provision of probation and parole supervision."

2:50

In an answer to a follow-up question, the minister tries to displace responsibility. On page 364 of *Hansard* she says: "Parolees are a federal responsibility. We deal with probation officers; the feds deal with parole and parolees." However, in the context of what we were discussing and had raised by then in over three sets of questions, she

is wrong. The Corrections Act clearly states in section 4 when defining probation officers:

A probation officer . . .

- (b) is an officer of every court in Alberta insofar as that designation is consistent with the provisions of the Criminal Code (Canada) and this Act respecting probation or matters of a like nature . . .
- (d) is by virtue of that office a peace officer when appointed a parole supervisor under the Corrections and Conditional Release Act (Canada) . . .
- (f) shall supervise parolees paroled under this Act and placed under the probation officer's supervision;
- (g) shall comply with the instructions of the director of a correctional institution whenever that probation officer is attached to the correctional institution for the purpose of parole or probation investigations or for pre-release or community release or other program purposes that require the presence of a probation officer in the correctional institution.

The Solicitor General also told the House that "parolees are a federal responsibility." Still, it's clearly outlined in the Corrections Act that there is also a responsibility of the Solicitor General. Section 4(b) tells us that a probation officer is responsible for parolees and probationers. The minister is the one who is unwilling or unable to share this full information with the House.

Finally, when asked yet again about changes to the classification of criminals, the Solicitor General said quite clearly again that there was no change when, again, her own document shows that there was. In response to the question from myself that time, on page 364 of *Hansard*, the Solicitor General stated:

The sex offenders designated as high risk or high profile will be reporting with the same standards as they always have. Let me repeat that it's the probation officers that make that determination, not the Solicitor General.

Again, she has repeated two things that appear inaccurate to us: that sex offenders will report with the same standards – some maybe, Mr. Speaker, but not all of them – and also that she does not set the standards. It is within the responsibility of the Solicitor General to do so.

So based on this information and some additional information that I supplied to you yesterday, Mr. Speaker, in terms of comments made by the Solicitor General outside of this House, we find her to be in contempt and would ask you to rule on this matter.

THE SPEAKER: Hon. member, in terms of other, additional information, if the hon. member would table such in the Assembly at this time, I think that would be appropriate. All members should have access to such.

MS CARLSON: Thank you. I will do so, although I don't have the appropriate number of copies. We will make those shortly and table the information.

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. I welcome the opportunity to clarify my answers and provide the House with the facts. On March 13 I was asked if my department has plans to reduce the reporting requirements or the frequency of reporting of sex offenders. My answer was no. My answer was not intended to mislead this House. Most sex offenders are classified as high-risk offenders. In addition, many of these sex offenders who are serving a community sentence are on a conditional sentence rather than on probation. When I responded to the hon. member, I was referring to the sex offenders who fall into these categories.

Mr. Speaker, my ministry is planning a pilot project that would reduce the minimum mandatory reporting requirements for offenders who are on probation. All high-risk offenders on probation and all conditional sentence offenders are excluded from this pilot. For the purpose of reassuring this House, I would like to add that all young offenders who are under community supervision are also excluded from this pilot.

Mr. Speaker, the intent of the pilot project and of a second pilot project, that will use case aides, is to examine ways to give probation officers more flexibility to deal with growing caseloads. I should add that these suggestions were made with the input of probation officers themselves. I want to be clear that any offender considered by the probation officer to be high risk is not eligible for the pilot supervision standards. The proposed standards have not yet been implemented. We plan to introduce them in April for a six-month pilot in two of the 40 probation offices in Alberta, and their effectiveness will be carefully evaluated before we take any steps to implement them provincewide.

Mr. Speaker, I was asked why I have refused to hire 22 more probation officers. This is a target number for new probation officer positions that has been raised by the union representative. There is currently a governmentwide hiring freeze in effect. In addition, my ministry does not have the resources to hire more officers. While it is not possible to hire more probation officers, my ministry has reassigned experienced correctional staff into community corrections wherever possible. Over the past several years my ministry has reassigned 50 positions from correctional centres into community corrections. That practice will continue whenever possible.

Last Friday, Mr. Speaker, I met with probation officers in Calgary, and I made a commitment to examine the population in our correctional centres to see if efficiencies can be found to result in more transfers of correctional centre positions into community corrections. Clearly, since conditional sentences came into being in 1996, the trend in sentencing by the courts has been towards a greater emphasis on community corrections and less on incarceration. It is common sense that over time we will continue to deploy our resources in new ways to meet emerging needs.

Mr. Speaker, last week one of the hon. members asked if I had discussed at a meeting with probation officers changes that would drop dangerous criminals, including sex offenders, into groups that check in less frequently. My answer was no. My ministry has no intention to introduce such changes. As I have already said, the proposed pilot project will not change supervision levels of high-risk or dangerous criminals. I was also asked if the only criteria of these pilot projects is cost saving instead of the safety of women and children. I have already pointed out that high-risk offenders are not and never have been part of the pilot project. This pilot will not change the nature of the offenders who are already in the community by court order. Again, I must reiterate that as part of probation supervision, the pilot will not affect the mandatory minimum supervision standards for any offender who is assessed as a high risk, who is on a conditional sentence, or who is a young offender.

I would also like to point out that my ministry has a partnership agreement with the Edmonton and Calgary police services to monitor high-risk offenders. The hon. member also wanted to know whether other criminals with a history of violence – for example, offenders convicted of domestic violence or armed robbery – will no longer be considered high-risk offenders and will report less frequently. As I have stated, there is no plan to decrease supervision levels of offenders determined to be high risk. High-risk offenders are not part of the proposed pilot project. Mr. Speaker, for the record, I would like to table a letter from my ministry to all probation officers, dated March 7, 2002, that makes clear the proposed pilot project guidelines.

Mr. Speaker, I was also asked to provide guarantees that less qualified workers will not just rubber-stamp the files. Under the second pilot project I mentioned earlier, three case aides who are experienced correctional service staff will be transferred internally to community corrections. The intent of this pilot is to determine whether the use of trained correctional services staff who are hired to focus on specific lower risk cases will enable other probation officers to focus more of their time on high-need and high-risk cases. Mr. Speaker, this pilot, like the pilot on supervision standards for low-risk offenders, was suggested by probation officers. Until we have tried it, we will not know whether it will help address the problem of workloads. The pilot will also be carefully monitored and evaluated and will not be expanded to the rest of the province unless the results demonstrate that it has merit.

3:00

The hon. member contends that a document from my office indicates that some sex offenders will be downgraded to minimum risk. The document referred to is the Community Corrections and Release Programs Branch Policy Manual. The policy statement referred to has been in effect since 1997. The point in question in the policy manual reads: "All new probation cases, with the exception of violent offenders and sex offenders, shall be considered minimum until they are initially classified." Sex offenders and violent offenders shall be considered medium until initial classification. This is not a change to supervision standards. This policy has been in place since 1997. To make sure that we are absolutely accurate about this, I should mention that other sections of the manual were changed in 2001, but this particular section was not. The intent of the policy is to ensure that sex offenders and violent offenders who are sentenced to probation are seen by a probation officer for their initial assessment sooner than other offenders placed on probation.

Mr. Speaker, here is the process that's followed when someone is sentenced to probation. Anyone sentenced to probation is normally seen by a probation officer as soon as the court has signed his or her court order. At that time the probation officer explains the process and the penalties they will face if they do not abide by the terms of the probation. As I said, this normally occurs within a day or two after sentencing. The next step requires the probation officer assigned to the case to do an assessment based on the offender's crime and case history. As per the policy manual, all sex offenders and other serious offenders are classified as medium risk until the probation officer has assessed the offender's risk to the community as well as the offender's risk to his or her own person.

There is an important fact to bear in mind about offenders who are on probation or who have been given a conditional sentence. In both cases the court has determined that the offender does not pose such a risk to the community that he or she requires incarceration. Mr. Speaker, while we may not agree at all times that such sentences are properly handed down, the decision rests with the court, and the court bases its determination on the offence and the facts of the case. It is our job to manage this supervision within our community. In other words, the court has determined that the appropriate sanction for the offender is not time in a federal penitentiary and not time in a provincial jail. The court has determined that offenders on probation or on conditional sentence are a manageable risk within the community. Probation is one of the lowest levels of punishment available.

Let me explain how sex offenders on probation or conditional sentence in Alberta are supervised. An important fact is that sex offenders make up in total only about 5 percent of the probation officer's caseload, including offenders on conditional sentences and

probation. The same policy manual I referred to earlier indicates under standard 2 that "all offenders shall be classified and supervised according to the standards outlined in guidelines for offender supervision." These guidelines state the lowest allowable frequency of contact. Probation officers have the authority to require the offender to report more frequently if they believe it is in the best interests of the public and the offender. Once a probation officer has classified an offender and has specified the frequency of contact, the offender is directed to report accordingly.

The hon. member has pointed to the example of a priest convicted of sex offences against children who has had his supervision standards set at medium. Mr. Speaker, because of privacy concerns I cannot speak directly to that case. However, I would like to state that I have advised my department to investigate the case. In general terms I can say that when a sex offender has completed treatment programs and has lived up to the terms of his probation over an extended period of time, it is possible that this offender could have his or her supervision standards set to medium. If offenders abide by their probation orders and if their probation officer determines that their risk level has decreased, they could have their supervision levels reduced. I must emphasize that this should not happen without a thorough and careful assessment.

Mr. Speaker, it has been suggested that I have blamed probation officers for changes in supervision levels. Section 2 of the Corrections Act of Alberta says that the Solicitor General is responsible for providing probation supervision and counseling to offenders. However, probation officers themselves determine the classification and the reporting requirements of offenders on probation. The Solicitor General is not required to personally perform their duties. That is recognized in Alberta law, a principle known as the Carltona principle. This says that where the exercise of discretionary power is entrusted to a minister of the Crown, it may be presumed that the acts may be performed not by the minister in person but by the responsible officials in her department.

The criteria for classifying offenders as high risk have existed in policy for a number of years. Policy guidelines outline high-risk criteria as follows: a high potential for violent or suicidal behaviour, a medical or mental health history that indicates a need for special attention, or offenders whose crime by its nature resulted in widespread public concern. You will note that the term "sex offender" does not appear anywhere in these criteria. Yet, clearly, any or all of these criteria could apply to a sex offender. The policy also clearly spells out that probation officers are required, based on their professional judgment, to accurately assess and classify offenders appropriately and to determine which offenders are high risk. Mr. Speaker, probation officers are given their responsibility because they are trained professionals, and day in and day out they do a very good job under very difficult circumstances.

Finally, Mr. Speaker, the hon. member contends that I misled the House when I said that parolees are a federal responsibility. Part 3, section 24, of the Corrections Act of Alberta states that the National Parole Board has jurisdiction in Alberta under the federal act. Section 25 of the Corrections Act of Alberta enables the province to establish a provincial parole board. However, while Alberta has the right to establish a parole board, it has not done so. In addition, Alberta has not been responsible for supervising parolees since 1995. The federal/provincial community corrections exchange of services agreement between Ottawa and Alberta was terminated in 1995. While that agreement was in place, Alberta probation officers did supervise federal parolees. Since the agreement was terminated in 1995, Alberta probation officers have not been responsible for supervising federal parolees.

Mr. Speaker, I appreciate this opportunity to clarify my answers

from last week. I would also like to confirm for the members of this House that I intend to continue working with probation officers to address their workload concerns. For the benefit of Albertans as well as the members of this House I would like to reiterate my commitment to preserving Alberta's safe communities. I hope that my work on the Protection of Children Involved in Prostitution Act and on the national sex offender registry will go some way to reassuring this House of my dedication to working on behalf of women, children, and all Albertans.

3:10

THE SPEAKER: On this purported point of privilege, the hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. I wish to make a few comments on this particular point. The complaint made by the hon. Member for Edmonton-Ellerslie relates to questions that were posed on two days last week and is set out in a letter to yourself dated March 18, 2002. The hon. Solicitor General has just spent the last 15 minutes or so responding point by point to the various allegations that were made in general in that letter that you received and, from my perspective, has provided a great deal of information to the House that we heretofore did not have before us on a matter which by parliamentary standards is relatively unknown in question period or in debate in this House. I thank the hon. member for that.

It seems to me, Mr. Speaker, that the hon. Member for Edmonton-Ellerslie correctly stated the nature of contempt in referring to the various citations. The one point that was not underscored, which you do on a regular basis when matters of privilege or contempt come before the House, is that those matters are most serious and, indeed, are the most serious matters which we ever deal with. I would agree with the hon. Member for Edmonton-Ellerslie that deliberately misleading the House would be contempt, but I think that that is where we get into the facts of the case. The hon. Solicitor General, as I said, has spent some 15 minutes addressing the facts of this particular case on a point-by-point basis.

First of all, as you, Mr. Speaker, like to point out on a reasonably regular basis, all hon. members are indeed honourable, and at the outset of the Solicitor General's comments she quite clearly indicated that there was never any intention to mislead in the answers that she gave. Given the nature of question period, our responses are not complete, and indeed I would say that there is no way that anyone is expecting a complete response. What the hon. Solicitor General has done this afternoon is provide us with the complete response, which I'm sure has clarified matters, but from where I sit, in listening to the charge and in listening to the answers, it seems to me that that is in fact what this hon. member has been doing this afternoon. She has repeated and expanded upon the answers that she gave before to provide us all with a foundation of understanding on this particular point that will assist us going forward.

So, Mr. Speaker, the point of my comments on this issue is that, first of all, the hon. Solicitor General has indicated that her responses to questions and answers last week were not intended to in any fashion mislead the House, so there was no aspect of being deliberate. Secondly, the answers themselves, the elaboration, indicate a consistency with the response and would also be another ground for no basis of contempt being found this afternoon.

THE SPEAKER: Hon. members, I appreciate and thank all those who participated in this discussion this afternoon. There was a rather large-ranging amount of information, and I think that in fairness to all concerned, I will take the Blues, the text, study it this

evening and tomorrow morning, and report back to the House tomorrow afternoon with respect to this matter.

head: **Statement by the Speaker**

House Business

THE SPEAKER: There are just a couple of other points, though, that I'd like to make, totally unrelated to what we've just done. Yesterday six private members' public bills were introduced. The members who held positions 217, 218, and 219 have chosen not to sponsor private members' public bills this session. Accordingly, the next bill to be considered by the Assembly after Bill 216 will be Bill 220. The Member for Calgary-McCall has Bill 213 on notice but has not introduced it as of yet. Also, members will note that standing on the Order Paper are government motions 13, 14, 15, and 17, all relating in some way to Bill 12. As Bill 12 has now received royal assent, the chair will have these motions removed from subsequent versions of the Order Paper as they are now not capable of being moved.

Finally, when copies of the private members' public bills were distributed yesterday, the front pages of bills 211 and 212 were reversed by the printer. A point of order was raised about this obvious printing error in Committee of the Whole. Although the chair does not usually comment on what occurs in committee, on this rare occasion the chair will comment as the matter should have been raised in the Assembly in the first place. The printing error was quickly noted, and the printer ensured that replacements for bills 211 and 212 were available to the Assembly by the time the evening sitting commenced last night. It's the chair's understanding that the replacement copies were distributed at that time, and this matter should now be resolved.

head: **Orders of the Day**

head: **Government Bills and Orders** **Second Reading**

Bill 18

Social Care Facilities Review Committee **Amendment Act, 2002**

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you very much, Mr. Speaker. I'd like to make the following comments as we move second reading.

The proposed amendments will shift the focus of committee visits from inspections and investigations to service reviews. The definition of a social care facility will also be amended. The Social Care Facilities Review Committee reviews social care facilities in Alberta; in other words, a place operated by or receiving funding from the Alberta government, facilities such as family day homes, group homes, and alcohol and drug abuse treatment centres. The committee serves as a voice for clients. It ensures that the views of social care facility residents are heard and provides an ongoing mechanism for feedback. The annual report of the Social Care Facilities Review Committee provides a provincial overview of the committee's findings as well as a summary of its activities. It is tabled in the Legislature.

The intent of the amendments, Mr. Speaker, is to support government direction respecting the committee's new mandate. Consultation on the amendments has been done with the committee itself as well as other affected departments including Health and Wellness, Community Development, Human Resources and Employment, and the Persons with Developmental Disabilities Provincial Board. The current definition of a social care facility does not reflect the manner

in which services are delivered today. The amendments will update the definition to include only those facilities under the direct mandate of the Children's Services ministry.

If the amendments are passed, regulations will be developed to designate facilities under other departments to come under the jurisdiction of the Protection for Persons in Care Act. These changes are necessary, Mr. Speaker, because the committee reports its findings and makes recommendations to the Minister of Children's Services, and as a result it is appropriate that the committee visit only those facilities under this ministry's jurisdiction. The protection of vulnerable adults cared for in facilities has been ensured with the proclamation of the Protection for Persons in Care Act. I remind the House that amendments to the definition of facility will not be proclaimed until a regulation under the Protection for Persons in Care Act is developed.

Narrowing the definition of facility fits with the review committee's new mandate to carry out reviews instead of doing inspections and investigations. In fact, since the committee's inception in 1978 the committee has primarily conducted reviews as opposed to investigations. A review involves meeting with service recipients and their families to obtain feedback about their satisfaction with the services being provided. How a program is delivered and client satisfaction will be of paramount concern in the review process.

3:20

An amendment will be made for the Minister of Children's Services to retain authority to direct the committee to conduct an investigation. Through Bill 18 the committee's accountability to the minister will be clarified and strengthened. The committee will be accountable to the minister through the chair, and the minister may give directions through the chair regarding the committee's roles and responsibilities.

[The Deputy Speaker in the chair]

Another new addition will be that the committee must submit a report to the minister upon completion of an investigation or review. This will clarify the reporting requirement respecting reviews and investigations. These changes are necessary to address the issue of overlapping jurisdictions and to update the definition of a social care facility. I ask for your support of second reading.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to make a few comments about Bill 18, the Social Care Facilities Review Committee Amendment Act, 2002. At second reading we're concerned with the kind of principles that the bill is built on or, in this case, the amendment is built on. I think one of the major shifts is the shift from inspection to a service review. I think that that shift shouldn't be done without some questioning and without some concerns being raised.

The kinds of facilities that this bill refers to and encompasses are those that house children. As we know, because there are so many people involved in operating these facilities across the province, there's a wide range in the level of the service that's offered and there's a wide range in terms of the facilities that come under the purview of the act. We've had some rather devastating evidence of facilities, particularly day care facilities, not being adequate and the kinds of services available to children being less than satisfactory. There have been problems with medication, there have been problems with food, there have been problems with the facilities that have been provided for children, and there's a concern about the inspection role being downplayed and the total focus on service.

Now, one would hope that if the service review was being made, any shortcomings in terms of the facilities and any kind of a hard look at the facility itself would be done as part of that review, but there's still the concern that the inspection of the facilities will suffer. That rests, I guess, with another provision of the bill, and that is the loss of comprehensiveness. In the previous bill the direction to the committee was that they would visit each facility in the province from time to time, and that has been changed. The "all" has been taken out, so there's no assurance that at any time the facilities in the province will have been reviewed by the committee, and that has been raised as a concern to us by some of the advocates who are interested in these kinds of facilities. There has to be an assurance to the public that when there are children who are being financed by provincial government funds, those children and the facility they're in will be subject to inspection and that someone won't get away without having someone look at the facility at some time.

One of the other principles that seem to undergird the bill is the notion of the centralization of more of the decision-making into the minister's office. This has been a concern not just with this bill, Mr. Speaker, but with a number of actions taken by the ministry, and it finds itself evident in at least one other bill that's before the Assembly this session. I know the arguments are made in the interests of accountability from the minister's perspective, but I think it's viewed by some of those service providers as being a centralizing of power and a centralizing of decision-making that works against the interests of providing service to clients. So it's something that we've noted before and something that I think we have to be very careful of. I can understand the minister's concern. Certainly, the minister is held accountable when things go wrong and must feel at times somewhat put upon by being held responsible for actions that she doesn't seem to have any direct control over, but I think it still is an area where we have to proceed rather carefully to make sure that that gathering in of the power to the minister's office is really appropriate in trying to provide services for children.

I guess one of the other parts of the bill – and I would appreciate a response from the minister – is that the specific language about complaint-making has been dropped, and I wonder exactly what was considered in terms of a citizen who would like to make a complaint about a facility, a parent who has a youngster in a day care or who knows of such a facility. What is the process, and why was the mention of complaint-making dropped from this amendment? I think that that process has to be abundantly clear to people. Again, we've seen in this city day cares who come under severe, severe complaint from parents and from people interested for not providing appropriate facilities for children in terms of play areas and recreation areas and even the kinds of food that were served to youngsters. I think it's such an important issue that it has to be very, very clear to the public how such complaints are to be handled.

I think that with those comments, we'll be supporting the bill with some reservations, Mr. Speaker, and I'd appreciate, again, hearing from the minister. Thanks very much.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods has moved that we adjourn debate at this time.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: Hon. members, in order to allow adequate time to prepare for the Budget Address by the Minister of Finance this afternoon, the House is recessed until 4 p.m.

[The Assembly adjourned from 3:30 p.m. to 4 p.m.]

Transmittal of Estimates

MRS. NELSON: Mr. Speaker, I have received certain messages from Her Honour the Honourable the Lieutenant Governor, which I now transmit to you.

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: Hon. members, the Lieutenant Governor transmits estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2003, and recommends the same to the Legislative Assembly.

The Lieutenant Governor transmits estimates of certain sums required for the service of the province and of certain sums required from the lottery fund for the fiscal year ending March 31, 2003, and recommends the same to the Legislative Assembly.

Please be seated.

head: Government Motions

21. Mrs. Nelson moved:

Be it resolved that the messages of Her Honour the Honourable the Lieutenant Governor, the 2002-2003 estimates and business plans, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 21 carried]

MRS. NELSON: Mr. Speaker, prior to moving Government Motion 22, I now wish to table the 2002-2003 offices of the Legislative Assembly estimates as well as the 2002-2003 government and lottery fund estimates.

In addition, Mr. Speaker, I am tabling the government's consolidated fiscal and business plans for Budget 2002 as required under sections 4 and 7 of the Government Accountability Act. Budget 2002 also includes business plans for each ministry, which must be made public under section 13 of the same act.

head: Budget Address

22. Mrs. Nelson moved:

Be it resolved that the Assembly approve in general the business plans and fiscal policies of the government.

MRS. NELSON: Mr. Speaker, Alberta is a place like no other. We are an incorrigible lot, fiercely proud, compassionate beyond words. We deliberately face into the wind every chance we get. That description comes from a recent history of our province, but it rings through my mind as I stand here to introduce Budget 2002.

Throughout our history of ups and downs, booms and busts, Albertans have shown an uncanny ability to stare down the worst possible adversity. When the storms of challenge and change gust through our province, we do not turn our backs nor search for corners to hide behind. We face directly into the wind. We tackle our problems head-on. We make the right decisions, and we move on, deliberately, decisively, and with our eyes firmly fixed on building a better future for our province.

As I stand here today, March 19, it's a year ago today that my colleagues and I were sworn into cabinet. Little did I know what this year would bring: the worst drought in Alberta's recorded history, forest fires raging out of control throughout the summer, a dropping Canadian dollar and collapsing stock market, mounting expectations and increasing costs, dramatic drops in the price of oil and gas, and Canada joining the war on terrorism. For the first time in many, many years we watched as a group of fine Alberta men and women went off to war thousands of miles from home. This is a different place than a year ago today, yet we've made it through.

We've faced each one of these storms, made the right decisions, and kept Alberta strong.

Mr. Speaker, these are challenging times not only in Alberta but around the world. It's a time of uncertainty, a time when great optimism for the future is bounded by the shock of September 11, the reality of lower oil and gas prices, and uncertain markets in the United States, in Canada, and around the world. Alberta is not immune. As much as we pride ourselves on setting our own course, we are once again facing forces that simply are beyond our control.

While Alberta's economy continues to be strong, dramatic drops in the price of oil and gas translate directly into a huge hit on provincial revenues. The harsh reality is that resource revenues fell by 44 percent last year and are expected to fall again this year.

Faced with these challenges, this is the promise we will make to Albertans. We will keep our vow to balance the budget. Alberta's budget will be balanced this year and every year. We will not compromise the future of our province by spending money we cannot afford. We will not take the easy way out. Albertans will continue to pay the lowest overall taxes in the country, and we will not stray from our legislated commitment to pay down Alberta's debt. A debt-free Alberta is a dream that continues to be within our grasp as long as we stay the course and keep our eyes on that achievable prize.

With Budget 2002, Mr. Speaker, we will do what Albertans expect from a Ralph Klein government. We will face the challenges head-on, and we will make the right decisions. Our goals are clear: to keep the budget balanced in spite of substantial losses in revenue, to sustain our commitment to health and education, and to build a future that undoubtedly will be bright for our children and our province.

For Albertans watching and listening today, they will see a mix of three strategies in Budget 2002. For the first time in seven years our government will take deliberate action to raise revenues. This is a measure we do not take lightly, but we simply can no longer shield Albertans from the combined impact of higher costs and lower revenues. Personal income taxes will not go up, and there will be no sales tax in Alberta. At the same time, though, people will pay more for health care insurance premiums, a pack of cigarettes, a case of beer, and a bottle of wine. And if you speed, you'll pay more in fines. In total, these and other revenue measures will raise \$722 million. That money will go directly to maintain our priorities: a health system we can count on and a good education for our children. Even with these steps, total provincial revenues for 2002-2003 will still drop by 5.6 percent, or \$1.2 billion, compared with last year.

Secondly, we will deliberately trim our spending plans to meet the size of our pocketbook. Lower than expected revenues have brought us all back down to Earth. We will continue to spend substantially more money on health, education, and programs for children and Albertans who need our support, but those increases will not be as high as some would like or expect. We simply can afford no more.

Following through on steps already taken last fall, we will continue to defer, delay, and substantially change some of the funding commitments announced last year or in previous years. That means a number of major capital projects will be delayed until we can afford them. Planned reductions in corporate income taxes will be phased in at a slower rate. A number of programs will be reduced, revamped, or eliminated entirely. In total, spending in 2002-2003 will drop by 8.1 percent, or \$1.7 billion, compared to last year.

4:10

The third essential strategy is to never turn our backs on a proven formula for fiscal success. Alberta's tried-and-true formula includes balanced budgets, prudent forecasts, responsible spending, and

deliberately paying down the debt. The formula works, Mr. Speaker. It has become the hallmark of our government and the envy of every other province in the country.

That's the big picture. Now for some details. Mr. Speaker, 2001-2002 was a difficult and dramatic year. After basking in the glow of the biggest resource revenues on record just a year ago, the harsh reality began to hit. Albertans understand how volatile the province's revenues can be. They know that when energy prices go up, they can just as easily come crashing down.

Last summer we began to warn Albertans that the winds of change were coming. Oil and gas prices were declining. Then came September 11, an event so devastating that it sent shock waves around the world. Without knowing the full impact, we took action, anticipating the worst. We kept our spending in check and prevented any chance of falling headlong into a deficit.

One of the challenges we face in Budget 2002 is balancing two very important but contrasting facts: on the one hand, a strong Alberta economy and, on the other, dropping provincial revenues. There is no doubt that Alberta's economy is strong. Our economy grew by 4.5 percent last year, leading the rest of Canada once again. Nearly 44,000 new jobs were created in the province. Talk to people in towns, cities, and communities across the province, and they're optimistic about the future. Things are good. People are working. More businesses and individuals are investing in Alberta. All signs point to continuing growth in the province's economy. In fact, we expect another 35,000 new jobs this year, and Alberta's economy is expected to grow by 2.5 percent. That's outstanding growth, Mr. Speaker, in the face of turbulent times.

On the other hand, Mr. Speaker, the province's revenues show a starkly different picture. We're now facing a situation where the strong, positive outlook for Alberta's economy does not translate directly into rapidly growing revenues for the province. This time last year we anticipated that revenues would start to decline, but the shock was how fast and how deeply they fell. Weaker energy prices, lower investment income, and lower corporate tax revenue resulted in a loss of \$1.6 billion. To address that dramatic drop, our government is taking deliberate steps to raise revenues. We cannot and we will not force all of the adjustments on the spending side.

Health care insurance premiums will increase on April 1. Individuals will pay another \$10 a month. For families the increase will be \$20 a month. Mr. Speaker, if we want the best, if we want a high-quality, accessible health system – and we do – then we all need to share in its costs. The last time health care premiums were raised was in 1995, and at that time they made up about 16 percent of the spending on health. Since then, premiums have been frozen but health spending has increased by over 87 percent. With this year's budget premiums will now cover less than 13 percent of the cost of the health system. At the same time, we know that premiums hit some families harder than others. We will not pass on the burden of increasing costs to Albertans who can least afford it.

With changes in this year's budget over 440,000 individuals and families will benefit from the enhanced premium subsidy program. Our first priority is to help low-income families with children. With this year's budget 16,000 more Alberta families will pay no health care premiums whatsoever, bringing the total number of families who pay no premiums to almost 61,000. Over 28,000 families who paid the full premium last year will now only have to pay part of the monthly premiums.

Steps will also be taken to shelter low-income seniors from the impact of rising health care premiums. One hundred and eighty thousand seniors who currently receive subsidies will not be affected by the increases in premiums, and another 8,000 seniors will only have to pay a portion of the increases. Almost 165,000 Alberta seniors will pay no premiums at all.

Cigarette taxes will go up by \$2.25 a pack effective midnight tonight, and other tobacco taxes are going up as well. This is a dramatic increase. Mr. Speaker, it goes beyond any desire on our part to simply generate more revenue. If we can stop one young person from starting to smoke, if we can stop young people from becoming addicted to tobacco, we can save lives in the future. We'll create healthier Albertans, and we'll help reduce costs in the health system for years to come.

Effective April 1 liquor markups are going up too. The increases will bring our prices closer to those in our neighbouring provinces. It means that Albertans will pay up to 45 cents more for a bottle of wine, 60 cents more for a bottle of liquor, and about 40 cents more for a case of beer. This will add \$50 million to provincial coffers.

Taken together, these and other decisions in Budget 2002 will add \$722 million to provincial revenues. While some will undoubtedly question these increases, the objective is beyond dispute: to protect priority programs and to balance the budget.

At the same time, let me make one message very clear. We cannot continue the spending track we have been on, a track that showed overall spending increasing at a rate of almost 8 percent a year over the past five years. While this year's spending levels will be down considerably from last year, that's primarily because onetime spending commitments will end and debt-servicing costs are down thanks to our deliberate steps to pay down Alberta's debt.

Spending on health and education, on programs for children and those who need our support will continue to increase but at a pace we can afford. For 2002-2003 our first priority is to put Alberta's health system on a sustainable track for the future. As promised by Premier Klein, we will implement the recommendations of the Premier's Advisory Council on Health. Comprehensive health reforms will begin this year. Overall spending on health and wellness will increase by 7.3 percent, or \$468 million, by far the largest increase in spending in this year's budget. Regional health authorities will receive an overall increase of 6.7 percent.

In the coming years health budgets cannot continue to grow faster than long-term increases in provincial revenues. Targets for future increases will be limited to 4 percent, an amount we can afford on a long-term basis. Mr. Speaker, it's time to face reality head-on. All other areas have taken a backseat so we can continue to pay the growing price tag for health care. Things have to change.

4:20

Let me turn from health to one of the most important things we can do for Alberta's future, and that's to ensure that we have the very best educated young people. The young people in our schools, universities, colleges, and technical institutes will shape the future of the province. We owe it to them to make sure that they can compete with the very best in the world. In this year's budget support for basic and postsecondary education will increase by 4.7 percent. We'll spend just under \$3 billion providing basic education to children in schools. Another billion dollars will go to universities, colleges, and technical institutes to help ensure that our young people get the education and the skills they need to succeed and contribute to Alberta's growing economy. Funding for scholarships and student assistance will also increase in this year's budget. Over the next three years spending on basic and postsecondary education will increase by 12.5 percent.

Mr. Speaker, in order to channel funding into health and education, difficult choices had to be made. As a result, corporate tax reductions will proceed but at a slower rate and over a longer time period. On April 1 tax rates will fall by half a point to 4.5 percent for small businesses and 13 percent for other businesses. The tax threshold for small businesses will increase to \$350,000. The result

is that Alberta businesses will save an additional \$81 million in taxes.

We will also continue with plans to delay a number of capital projects announced last year. Over \$700 million in infrastructure spending was deferred in 2001-2002 alone. This year a further \$631 million in infrastructure projects will be put on the back burner until we can afford them. Later this month we'll look at the financial picture as the current year wraps up. If dollars are available, we may be able to advance additional onetime funding to support some infrastructure and transportation projects, but that's only if we can afford it. In the next three years our spending on infrastructure will drop to about \$1 billion a year.

Mr. Speaker, let's put this in perspective. In the last three years Alberta's spending on infrastructure – on roads and schools and hospitals and other projects – grew to more than triple the average of other provinces. Since 1999 our government has provided an additional \$3.5 billion in onetime accelerated infrastructure funding. That money supported highway construction projects and important capital projects for municipalities, school boards, health authorities, and postsecondary institutions. With the money already in their hands construction can proceed over the next few years. In the next three years we will spend \$1.7 billion maintaining and upgrading Alberta's roads and highways. This includes \$211 million in grants to municipalities.

Funding for community lottery boards will end March 31, and savings will be redirected to help support health and education. In future years the savings will go to existing foundations that support the arts and recreation, to the Wild Rose Foundation and to other community initiatives. These are difficult decisions, Mr. Speaker. We know the impact they have on communities and municipalities. In the longer term we are optimistic that municipalities and the government can work together to put important capital and transportation projects back on track, but this year's continued high levels of funding are simply not possible.

Mr. Speaker, in the face of difficult decisions in this year's budget Albertans understand how important it is to stay on track, to keep our eyes firmly fixed on a responsible fiscal course. As I mentioned at the outset, we do not know what tomorrow will bring. The office of the provincial Finance minister does not come equipped with a magic crystal ball. Those who dare to guess the price of natural gas for the next three years peg it anywhere from \$2.65 an mcf to \$4.60. Each 10-cent fluctuation means \$163 million more or less for the provincial coffers. Oil price forecasts range from a low of \$18 a barrel to a high of \$26.50. For each dollar difference we could gain or lose \$108 million.

Mr. Speaker, some would say: just wait and see; things will pick up. We can't. We won't take that risk. We can't base a budget on this week's oil price, and we will not put the future of essential programs and services at risk while we sit with fingers crossed wishing and hoping that optimistic forecasts will come true. This budget is based on the price of gas remaining at about \$3 an mcf and oil hovering around \$20 a barrel. Also, as required by legislation, we have set aside an economic cushion of \$724 million for this fiscal year.

Our tried-and-true fiscal formula is the right course to take. It may be cautious. It may turn out that there is more good news to come. But, Mr. Speaker, if we stick to this formula, we will in the long run have the first debt-free province in the country, we will continue to have the lowest taxes in Canada, and we will build a great future for this wonderful province of ours.

In the coming months we'll also have the advice of a new Financial Management Commission to guide us in decisions about how to shape the future fiscal course of our province. I'm proud to announce that David Tuer has agreed to chair the commission. We look forward to his work on this commission and the sound advice that I know they will provide.

Mr. Speaker, one of the toughest questions a Finance minister gets asked every year is: what does this budget mean for an average Albertan? It's a tough question because it sounds so simple. It's so important, yet it's difficult to answer in simple terms. To me the answer lies this year in these important points. It means that some tough decisions were made to raise revenues, scale back spending, and delay projects until we can afford them, but in return this is what we'll get: a sustainable health system with new ideas and new approaches, a good education for our kids, continuing programs for children and people who need help. Most of all, I know that Albertans understand that in the face of challenging times their government has made the right decisions.

I quoted Winston Churchill in my Budget Address last year, and his wise counsel deserves repeating this year. Churchill said, "There is only one duty, only one safe course, and that is to try to be right." Trying to be right is the key. There is no certainty given the times we're in. We cannot guarantee that we will be right, but we have faced the uncertainty head-on and preserved what Albertans value most.

Mr. Speaker, as I said at the outset, Alberta is a place like no other. We do not duck or hide. We solve our problems today rather than pass them on to future generations of Albertans. Once again with Budget 2002 we are facing into the winds of change, facing the challenges head-on. Whatever storms and uncertainty the coming months might bring, I have no doubt that this time next year Albertans will bask in the glow of an even brighter, more solid, and prosperous future for our children, like my son Troy, and grandchildren. Albertans have put that responsibility in our hands, and, son, we will not let you down.

Thank you, Mr. Speaker.

4:30

MS CARLSON: Mr. Speaker, I would now request that we adjourn debate on the 2002 budget.

[Motion to adjourn debate carried]

MR. HANCOCK: Mr. Speaker, I would move that the Assembly do now adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 4:32 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, March 19, 2002**

8:00 p.m.

Date: 02/03/19

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated. Before I recognize the hon. Leader of Her Majesty's Official Opposition, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

THE ACTING SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Yes. Mr. Speaker, it's my honour this evening to introduce to you and through you to members of this Assembly guests who are in the members' gallery here this evening. They are, first of all, Cub Master Lorna Stacey, the assistant Jason Stacey, and a further assistant Hussein Bhanji. There is a vice-chair as well, Terry Sokoluk; Dana Wannamaker, who is the chairperson; further assistant Salim Charania; Ken Seal; and Ron Boisvert. They are also accompanied by parents Gwen and Mark O'Henly and Dana and Carol Boychuk.

I would like also to introduce the members of the club: Josh Sokoluk, Jarrod Sokoluk, Kyle Wannamaker, Brent O'Henly, Andrew Seal, Dana Boychuk, Andrew Boisvert, Raheem Suleman, Nathan Sharp, and Caitlyn Wannamaker.

They are seated in the members' gallery, and I would ask them to please rise and receive a warm welcome.

head: **Government Motions**

Provincial Fiscal Policies

22. Mrs. Nelson moved:

Be it resolved that the Assembly approve in general the business plans and fiscal policies of the government.

[Adjourned debate March 19: Ms Carlson]

THE ACTING SPEAKER: The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I'd like to start by welcoming all the young guests to the Legislature, as the Member for St. Albert did. It's great that young people get a chance in the evenings to come out and see their government in action, I guess is the best way to put it. So thank you for taking the evening to come.

The opportunity that I get this evening to respond to the motion on the budget this afternoon gives me a chance to speak kind of in a broad way about the issues and the vision that this budget portrays for Alberta. As I listened to the Provincial Treasurer present the Budget Address this afternoon and in the little bit of time that I've had in the meantime to actually look through some of the departmental budgets and through some of the business plans, I guess the question that I keep asking myself is: what's the message that I would take out of this budget if I were an Albertan trying to get a sense of what was important for the government, what was the direction that the government was going to go? When I look at it, in trying to put together that message, it's done in the context of trying to determine if the kinds of messages that were delivered in the budgets in the last three or four years carry through into this budget, whether or not there's any kind of approach that is there.

Mr. Speaker, I guess if there's anything that comes up in it in terms of an action, the only action that seems to be consistent is the idea that the debt and the debt elimination is extremely important. A lot of the structure of the budget is designed to, in essence, again target a really high probability of increased budget surplus by the end of the year. The idea of having that budget surplus in it locks 75 percent of that into debt payment rather than into program delivery.

As we go through it, the other thing that comes up and that's important is that there's an inconsistency in this budget compared to what I was beginning to appreciate in some of the decisions that were being made in the budget the last couple of years, and that is the commitment to the people of this province, the commitment to the communities of this province. One of the things that really came out strongly for me in this budget, Mr. Speaker, was the fact that in the changes we look at in the budget, the real impact both positive and negative, and very small on the positive side, is really going to affect individuals in what I call the low- to middle-income range in Alberta. We talk about the importance of individuals having a chance to improve themselves, a chance to move ahead in Alberta, yet this budget in itself is really going to create some disadvantages or take away from a lot of those individuals some of the supports that were in place or were building in previous budgets.

We look at that in the context of the cuts to the support for housing, both through the seniors housing programs and the low-income housing programs. We look at it from the perspective of even a homeowner now at the low-income level. The government has increased the limit on taxation at the property level in support of education when they've been promising for years now that, if anything, they were going to try to phase out, maybe not completely but more and more, that reliance on property tax in support of education. This is what the school boards have been asking for. This is what the Alberta Association of Municipal Districts and Counties and the Alberta Urban Municipalities Association have been asking for, because local property tax is their only significant means to raise revenues. What we end up with now is that the provincial government has stepped back in and said: we're going to take more of that into the provincial budget. In effect, we're downloading to individuals who are property owners what should have been a revenue developed through the revenue generation capacity of the province.

If we look at that from the perspective of what it means to these individuals, we basically see a situation where some of them now are going to have to make choices again about owning property. Do they pay their property tax? Can they afford to give up a rental property and try and purchase a home of their own? Even if they are renters, the rent that they're going to have to pay is probably going to have to be adjusted by the landlord. This, in effect, really compounds on them because they've already been hit by the health care premiums, and they don't have the options to divert those, in many cases, through employment, having their employer pay for it. So, you know, they are the ones who are really feeling the burden of the increased revenues that the government is going to try and raise through this budget.

The impact especially of the tobacco and alcohol tax increases for the upper-income levels is much less significant not only because of the demographics; you know, a lot fewer smoke at the upper-income levels. That's a statistical fact, so in that sense there are fewer of them that will be paying the extra tax. But will it really change their habits at all? Only experience will show that, and we hope that some of the statistics that are out there will show a reduction in consumption. It will be important.

While I'm on the issue of these additional taxes, Mr. Speaker, I guess I really need to question where consultation fits in with action

in the sense that in the Mazankowski report there were very significant and very strong recommendations that the government increase the tax on cigarettes and use that revenue for new programs. I underline "new" because that was the strong emphasis of the Mazankowski report, that these revenues were supposed to be used for new programs to support tobacco reduction, to support healthy-living styles, to support the prevention programs in health care. If you look at the budget, the budget in those areas under the ministry of health didn't go up by an amount equivalent to the revenue that they report under the Ministry of Revenue in connection with those taxes. So, in effect, these taxes are not in response to the Mazankowski report. The Mazankowski report is an excuse or a reason or, in effect, gives the government permission to raise revenue to put into general revenue to spend anywhere they want, because the money didn't go where the Mazankowski report said that is should.

8:10

I hope the member over there is laughing at his computer screen instead of laughing at my relationship in terms of how the Mazankowski report has not been followed in that case, because it's very definite. If he looks at the numbers, he'll see that there is not an increase in those prevention programs equivalent to the amount of increase in revenue generated by those new taxes that are going to affect Albertans.

If we look at the health care premium tax as well, Mr. Speaker, what we have to look at – you know, there was a lot of discussion and we went through I don't know how many hours of debate in this very House about three years ago when we were talking about building up to and passing the legislation which came into effect a year ago that would put Alberta on a single-rate income tax system. How many members in this House stood up and talked about the fact that we have to have a taxation system that's fair, that we have to have a taxation system that is equal in burden on all Albertans? I can go back through the *Hansard* and pull out I don't know how many responses that we got from the Premier, from the minister saying that the mandate of this government was to make sure that taxes were fair for all Albertans.

Well, I have to ask: is a \$120 increase per year in health care premiums fair? Is that equitable? Does that create a sense of equality for someone who's earning \$25,000 compared to somebody who's earning \$250,000? They both have to come up with \$120. The burden falls on the lower income Albertan disproportionately to the philosophy that we heard this government talk about time and time again in the sense of how they had to have a tax system that equalized the burden for Albertans. What I'm seeing in terms of the actions is that fairness in the taxation system in Alberta means: "Let's reduce the taxes on individuals. Let's reduce the burden on individuals who have a high income, but let's not worry about it for individuals at the lower income level. Let's allow the burden, because we're using flat taxes down there. We're using head taxes. You know, each person pays a certain amount."

Mr. Speaker, I find that objectionable in the context of what the vision is that I think Albertans see for this province and the sense that Albertans have about their relationship to each other. The idea that people will pay in proportion to their ability is really critical, I think, for most Albertans, yet the health care premium deliberately is a regressive tax. It places a much greater burden on individuals with lower incomes.

Now, in the same vein, Mr. Speaker, or building on that, it's very, very kind of the government that they raised the level of exemption for some Albertans so that they no longer have to pay any health care premium, worked through the phase-in part of it. You know,

that in effect is helping out the people at the margin level, but for the low- to middle-income Albertan this health care tax is really an unfair burden, because they are paying, relative to their ability, a much higher part of that tax or of that revenue. We think we should be looking at it from the perspective of: is that the kind of message we want to send to Albertans? Is that the kind of message we want to relate to in the context of how we deal with each other in this province? What's fair? How do they fit in with everybody else? I don't think it's the right message to send, and I think the government should recognize that was a mistake, that they should be reviewing how it's applied.

There have been a number of cases that I've taken the opportunity in this House to talk about. What kinds of messages are sent through pricing mechanisms? The government keeps talking about – they want to make sure that Albertans understand that health care costs are going up. They want Albertans to understand that there is a cost to them of using the health care system.

Well, you know, once again, Mr. Speaker, what we have to do is emphasize the fact that no consumer economic textbook will tell you that a flat fee affects a consumer decision. It doesn't happen. In fact, if you read sociology textbooks or some of the socioeconomic research that's been done, you'll find that a flat fee, in effect, creates a sense of entitlement. In other words, these individuals, because they've had to pay the fee, feel that they get a right to use it. So they don't think about it. Should I do it? Is it right to do it? Do I really need it? They just say: well, I paid, so I've got a right to it.

Now, you know, that attitude also carries over to when you pay for it through your taxes. It's a hidden cost, but the impact of a hidden cost is less entitlement-creating than a direct you have to pay type of a situation. I think we're kind of fooling ourselves, Mr. Speaker, if we really believe that we're going to send any kind of a message to Albertans other than we're not fair in making our decisions here – we're willing to penalize individuals with lower incomes, make them pay a heavier burden of our health care program than individuals at a higher level – because that isn't consistent with the kind of message that the government put out in the budget or in the debate on legislation over the last two or three years.

I guess the other thing that really bothers me when I look at this budget is the focus on the community. We keep hearing individuals across Alberta say that the one thing they want is to have a sense of community, to have a sense that the government respects their community just like it respects them as an individual, yet when we deal with this, we see that the government really has moved in to affect the community again and affect the community in a negative way. What they've done, Mr. Speaker, is they've removed the community lottery board's funding from the community so that we, in effect, don't get community participation in deciding where those dollars go to support their community. What we've done is we've rolled all the money back into the CFEP program, where some process in Edmonton, some process totally detached from the community once again becomes the deciding body in determining what community activities, what community facilities, what community reward or feedback they get out of the lottery dollars that come into the lottery fund.

8:20

Mr. Speaker, I find that really inconsistent with the kind of message that I hear as I go across Alberta, where people are saying: we want a say; we want to build our community. This action to me really creates a sense that we're stripping from those communities a sense of individuality, that they can make the choice on their own. We've, in effect, taken away an empowerment that we gave them through that community lottery board.

When I look at what impact this budget is going to have on the communities, I kind of say: gee, where's it going to go? We're also reducing the infrastructure grants to the communities through the municipal funding. This, in effect, puts a greater burden on the communities to handle it, but in the budget and in the Speech from the Throne there is no discussion about how we are going to provide those local communities with alternate ways to fund, different ways to fund, increased funding powers, whatever little phrase you want to put to it. You know, it would have been nice to have seen some reference to: we've got to provide more flexibility for these governments if we're going to take away the support that we give to them as a community through funding programs at the provincial level.

Mr. Speaker, the main focus that comes up, I guess, is that if we as a provincial government are going to make decisions that affect the individuals in this province, that affect the vision that the people of the province have for their community and the relationship that community has to the province, then as a governing body we should be dealing with it more in the context of consultation, in terms of making sure that they feel part of the result and that they are being treated in a way that's in some way really quite equitable towards other communities.

If we look at the real issue that comes up in terms of a lot of the public programs, I have to question the government's motives a little bit in terms of accessibility for those programs, in terms of the concept of universality that we have for our public programs. We're seeing a lot of pressure being put on our public health care system and our public education system, and how is that going to in a sense create a strong commitment to those public institutions? In this budget again I see that health care is rising by about 7 percent. When you go through again and adjust it for demographics and costs, it really is just going to sustain our health care system. If we look at the education commitment, another one of our essential public services, we're going to be in a position where the commitments being made this year are going to be very difficult to carry through with next year.

There's little freedom in that budget to start dealing with some of the issues that have been legislated out of discussion for this year's contract. When you look at it in the context of a 4 percent increase, next year in the education budget it doesn't really provide for much flexibility when you look at salary negotiations and grid movements, supplementary staff, salary commitments. There's little, if any, freedom for the school boards to make any kind of commitment to classroom size, the support technologies or the support infrastructure that has been part of the controversy and part of the strike action by teachers and part of the requests from the school boards. They, in effect, want to have the flexibility, and this budget doesn't provide them with any kind of flexibility to address that. It's still a top-down driven budget.

We see that the government has actually reduced the budget in a number of the Children's Services authorities. If we're trying to create a sense of community, if we're trying to respect the mandate that was given by the citizens of each of these communities who created the business plans for those children's authorities when they were asked to create actions around the four pillars, we had to make sure that, in effect, they had a sense that they could drive their programs to meet their communities.

If there was really a process here that was saying that the community funding model that was being used at the provincial level to allocate the big budget down into the children's authorities, what we should have been doing was looking at saying, "Okay; we're going to change the formula," and the outcome would be a change in dollars. But if that's really the process the government went through, Mr. Speaker, I would have expected that as part of the

rationale for why some of those budgets at the children's authority level were being cut, there would have been an explanation that the formula was being changed. It doesn't show. So, in other words, this was just a claw-back by the minister to bring more of the dollars into the control of the provincial level process.

You know, even if we look at it from the point of view of consistency of programs, access to programs, if we're trying to give the communities a sense of determination, we shouldn't be doing it, taking it away, giving it back, taking it away, doing it again. That kind of budget doesn't create a sense of stability, a sense of opportunity where we can plan.

Mr. Speaker, if we look again at the messages that I started to talk about in the context of what I saw in the budget, I started off by talking about people in the province, what the budget would mean to people, and I found inconsistencies there. I found inconsistencies in the actions of the last three or four years and what this budget says about communities, but I also see some inconsistencies in the way we even deal with our own decision-making processes, because we don't deal with any kind of commitment to anything other than we have to pay down the debt and we have to make sure that we have a balanced budget.

But, Mr. Speaker, there are different definitions and different perceptions when you deal with how these processes should work and can work. What this budget tells us is it's just another budget that doesn't have any kind of predictability in it, that doesn't have any kind of sustainability built into it. Even in our discussions this afternoon we were told that, you know, we're almost at the end of the fiscal year but if we look like we're going to have much of a surplus built because we're now experiencing a little bit of an upswing in our oil and gas prices, if there's a little bit of a surplus before the end of the year, we'll spend it. I'm sorry, Mr. Speaker. What we should be trying to do here is put in place budgets that deal with critical decision-making. To say that if between the 19th of March and the 31st of March we end up with extra revenue, we'll spend it – what kind of plan is that?

8:30

It commits to my mind that the government doesn't have a plan, because if you can't put in place programs over the year that you've got the commitment to fund, then those programs, in what is in effect a 12-day window, in my mind and if I were Premier, wouldn't have priority to be funded in that short of a period of time. You can't justify that kind of spot decision-making in any kind of rational model of public finance. It just doesn't work, Mr. Speaker. We've got to make sure that if we go into budget processing, we do it in a way that in effect gives predictability, stability, and a rational reason for why we're spending those dollars. It just doesn't follow that we would be told this afternoon: well, you know, if any more money comes in between now and the end of the year, we'll spend it. That's what we were trying to get rid of from when many of us started in this Legislature in 1993. It was the idea that we had an obligation to spend money just because we had it.

I guess if there was anything said in all of the process that we went through today in learning about this budget, in getting information on the budget, that was almost as much of a surprise to me, Mr. Speaker, as some of the little line item changes that were in it. The line item changes don't really show or reflect the same kind of commitment to programs that I would have expected based on what we've heard either from the ministers in previous discussions in this session of the Legislature or in reports of their comments at meetings or speeches that they've given that we've read on their web sites. You know, there are so many of those little inconsistencies, but I'm not going to deal with a lot of those right now because those are, I

guess, the bread and butter of Committee of Supply. That's where we go to deal with the line item issues that come up. Tonight's the night to talk about the issues that are important to deal with: how we perceive the budget, how we want to make sure that the budget fits with a vision for Alberta.

This budget, Mr. Speaker, I think appropriately gives more money to health care. Whether it's enough we'll only see based on the day-to-day decisions that we see in terms of how those dollars are allocated. Is that 7 percent going to actually make it so that individuals can get better access to emergency rooms? Is it going to make it so that individuals waiting for surgery can have their waiting list reduced? These are the things that we've heard the government talk about for the last four years when we began to re-evaluate the health care system, that they wanted to make sure those things were happening. They haven't been able to do it up to this point. When we look at the money that we spend as a province and we look at the money that's spent in a lot of other provinces and compare the base public services – health care, education, support for individuals and seniors – we're not spending a lot more than other provinces in those areas. Yes, we're at the top end of most of those expenditure areas, but we're not spending any significant amount more than other provinces, yet we spend more per capita as a total of the budget.

So what we're in essence not doing that other provinces are doing is making those critical decisions, making the critical decisions about: how do we support people, and how do we support communities at a time like this? If that's what we have to start looking for, if that's how we have to start making our decisions in this province because we don't have the revenues to basically meet the needs and the essential services, I have to question, Mr. Speaker, what that reflects in the context of the management strategy and the delivery strategy that we've built as a government. I can tell you that a lot of questions are coming up about why it is that we have to spend the amount of dollars that we do and what kind of commitment we have to the communities.

I guess the other area that I skipped over when I was going down my page here – and I'm going to go back to it right now – is the issue when I was talking about communities. Mr. Speaker, I spend a lot of time in and I really value our rural communities. You have to look at kind of the different message that this budget conveys to rural Alberta compared to the message that has been there for the last couple of years, you know, at a time when the minister has talked about the possibility of a significant infestation of grasshoppers in a much-expanded part of Alberta, infestations in the same areas as last year again. We're hearing more and more about possibilities of another drought. Never mind the snow we've had the last couple of weeks; that's not enough to replenish much of the subsurface moisture for a lot of Alberta. If you get out into east-central, east-southern Alberta, the snow isn't even there to give them much promise of a crop. So what we've got to do is kind of question why the government is cutting back so much in support for the agriculture programs that are there. How is this going to affect the rural communities?

It was interesting when this came up in the briefing provided this afternoon. One of the responses was: well, don't worry about it; if a crisis develops, we'll just do a supplementary appropriation. Again, Mr. Speaker, is that good planning? Is that wise decision-making? I would say no, because what happens, then, is the debate at the time becomes contingent upon the ability to fund rather than the need for the program. We've got to make sure that when we go into these kinds of programs, especially when we're making a commitment to businesspeople in this province, if we're going to put in place a program that has public involvement, we have to have predictability to it so that they can make their decisions and either:

yes, we can count on it, or no, we can't. The idea that it's ad hoc, that it's contingent upon both revenue and need – all that does is create a real environment where squeaky wheels get support.

You know, if that's what we're trying to develop across Alberta rather than a rational approach to program development and program access, I think we better really evaluate what we're doing, because to me that is not good decision-making on behalf of the province. We should have programs that are in place – tight programs, strict programs, participatory programs – but programs that are there when they're needed no matter what, because if we don't do that and we go ahead and have the kind of ad hoc programs that we saw last year – and Mr. Speaker, they were needed last year, they were welcomed last year, but they were needed last year only because we didn't have programs last year that covered the broad base of potential options that we had to cover in our programs.

8:40

What we've got now is a situation where this year we're going into it again and we're going to get halfway through the year and if we've got a drought, if we've got a grasshopper infestation, if we've got any kind of problem that doesn't meet the minimal part that's defined here, we're going to find ourselves once again back here trying to deal with onetime funding in support programs. That's not good planning. It's not good support for the rural communities, and I think that we need to really look at whether or not we can make that commitment. Again, Mr. Speaker, I'll elaborate more on that as we get into the Agriculture, Food and Rural Development budget in Committee of Supply, and if I don't get the message out, we'll do it when we start debating the bills on appropriation after Committee of Supply, because, you know, this is something that we've got to start taking seriously as budget planners and program planners for this province.

We've got to be able to deal with stability, predictability, and the idea that what we do at this level has to and does impact the decisions of a lot of other Albertans, and they need to know in advance so that they can make the right decisions. They need to know so that they can build it into their planning cycles: either yes, they're going to have support, or no, they're not. But when we're telling them that if the need arises, we'll consider supplementary supply, that sends the wrong signal. If that wasn't the intention of the government, those shouldn't have been the comments made this afternoon.

I guess, you know, one of the main things that I find really troubling about this budget, Mr. Speaker, is the fact that it does appear to be really kind of patched together. There isn't a flow through the whole budget that says: this is what we want to stand for as Albertans; this is who we are as Albertans. I think that if we look at it from the perspective of where we want to go on it, that's kind of the theme that I will be trying to get out as we go through the debate in committee and in the appropriation bill. That's kind of the theme that I'm going to try and raise as we question this budget. What does this budget say about who we are? What does this budget say about who we want to be? What does this budget say about where we want to be 10 or 15 or 20 years from now? And you know what? I can't find an answer that's acceptable to me to any one of those questions in this budget or in the words that the minister gave this afternoon when she presented her budget address.

So with those few words, Mr. Speaker, I will take my seat and allow us to move to further debate on this, and we'll deal with some of the specifics when we get to Committee of Supply. I thank you for your indulgence.

THE ACTING SPEAKER: Hon. members, under Standing Order 29

we have five minutes for questions and comments for the Leader of the Official Opposition. There being none, the hon. leader of the New Democrats.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and use the 15 minutes that are available to me to make some preliminary and very tentative comments on this very important document, the year 2002-2003 budget. The annual budget reveals the choices that the government makes, the priorities that the government has. So in my comments I will try to draw attention to the nature of those priorities and why it is that we find those priorities extremely questionable and to draw attention to the lack of foresight, the lack of appropriate kinds of commitments that the government seems to manifest or express in this annual budget.

Mr. Speaker, the 2002 budget contains no fewer than 70 hikes in taxes and user fees, and in doing so, it really imposes a terrible burden on seniors and average Alberta families. This budget is not about keeping taxes under control, preventing them from going up, or reducing taxes. It is primarily a document which is about shifting the burden of taxes onto the backs of middle-income Albertans primarily, including seniors and, of course, hardworking families, many of which have both adults or parents working in order to make ends meet and to generate the incomes that they have. So it is this group that will bear the brunt of the shift in the burden of taxes that is built into this budget and its priorities.

Mr. Speaker, in my view, Budget 2002 is a train wreck. It is by far the worst budget that has been presented to Albertans during my five years in the Legislature. This budget is dishonest. It has twisted priorities, and it will hurt middle-income average Alberta families and Alberta seniors in particular. Budget 2002 is dishonest because it breaks every commitment that this government made during last year's election campaign. At that time, the Premier and the Finance minister promised that the only way taxes in this province were going was down, yet Budget 2002 contains no fewer than 70 hikes in taxes, premiums, and user fees.

The worst tax hike in the budget has to be the 30 percent hike in health care premiums. Make no mistake, Mr. Speaker: health care premiums are a tax. It is a particularly unfair and regressive lump-sum tax, a tax that proportionately falls on lower and middle-income earners, but it's a tax nevertheless. Let there be no doubt about it.

Government fiscal policy is about making choices, Mr. Speaker. The Conservative government is choosing to shift the tax load from profitable corporations and wealthy individuals onto middle-income average Alberta families and small businesses. To make matters worse, in addition to the steep hikes to health care premiums, the budget eliminates seniors' dental and eye care benefits. The ink on the Mazankowski report is barely dry, the so-called expert panel on delisting hasn't even been appointed, and the government snatches away seniors' dental and eye care benefits.

8:50

The question must be asked: why is the government targeting middle-income seniors with a combination of health care premium hikes and delisting of dental and eye care? These are seniors who have worked all their lives. They've paid their taxes. They've contributed to society, put some money aside in a modest pension, and hope to enjoy their retirement years. Now they are being hit, on the one hand, with service cutbacks and, on the other hand, with tax hikes. To add insult to injury, the government is using the \$23.7 million it will save by cutting seniors' health benefits, throwing another \$1.3 million into this sum, and using the \$25 million in total to start implementing the Mazankowski report. The Mazankowski report's core recommendations of delisting, user-pay schemes, and

further privatization are definitely not in the best interests of seniors or anyone else for that matter, yet cuts in their services are being used to pay for it.

This budget is about priorities. It's obvious that this government has the wrong priorities. Its priorities are twisted. The wrong priorities, Mr. Speaker. How else does one explain the doubling of the public subsidy to the horse racing industry in this province? In the year that will come to an end in less than two weeks, the public subsidy is \$15.9 million, just under \$16 million. In next year's budget the government is providing a public subsidy of \$33 million for horse racing. It's shameful.

Staying with Gaming for a moment, the government is eliminating the community lottery board grants. This program is likely the single largest source of funding for community-based organizations. These grants support many important core services for families and children. Decision-making was at the community level. That's likely one of the reasons that the community lottery grants were killed. In contrast, funding for the community facility enhancement, which is directly controlled by government MLAs, was increased. What a surprise.

This budget is bad news for low-income and severely disabled Albertans as well, Mr. Speaker. One year ago the government announced its low-income program review. This review, chaired by the Member for Edmonton-Castle Downs, consulted widely and heard a very clear message: low-income Albertans are falling further and further behind. Rents are going up, utilities are going up thanks partly to deregulation of power and the gas industry, and food is going up, yet monthly benefit levels for social assistance and AISH recipients have not kept pace. The low-income program review was supposed to report last October. The release of the report was continually delayed, and now we know why. It is because after raising their hopes, this Conservative government was once again preparing to crush the hopes of many of Alberta's most vulnerable citizens. Not only are there no increases in monthly benefit levels for social assistance and AISH recipients and no increases to widows' pensions, there are actually reductions in the skills training programs that low-income Albertans need to get jobs.

I really am disappointed, Mr. Speaker. Modest increases to enable low-income Albertans to live with some level of dignity are so overdue. AISH recipients have had only two increases in the past 12 years. Social assistance recipients, the vast majority of whom cannot work, had their benefits slashed in 1993 and for the most part haven't had an increase since. As legislators whose salaries are adjusted annually for inflation, we really ought to be embarrassed.

I want to talk briefly about children's services, Mr. Speaker, and remind members that children are poor because their parents are poor. I'm concerned about the reduction of almost 200 staff positions in the Children's Services ministry budget. I don't for a moment believe that all of these service reductions are in administration. Many frontline positions for those involved in child protection are being left unfilled. How many more Alberta children is this government prepared to put at risk through this reckless cost cutting?

Halfway through the past year the Conservative government imposed \$38 million in mindless cuts, mostly to early intervention programs. These deep cuts hurt children, despite the claims of the Minister of Children's Services. In Budget 2002 the funds for early intervention are being partly restored. This roller coaster of up-and-down funding must stop. Programs and services benefiting Alberta's children need stable and predictable funding.

I will turn next, Mr. Speaker, to the budget of the Ministry of Learning. It's going to be an extremely difficult year, especially in K to 12 education, where the government has gotten itself into a completely unnecessary war that it has declared on the province's

teachers. While the government claims that it has put the 50 million plus dollars it saved this year because of the teachers' strike into next year's school budget, how does it address the real problem of underfunding? The basic student funding for schools is going up by 3 percent next year, exactly the same amount as announced as the increase for next year in Budget 2002. What's missing, however, is the extra 2 percent for the teachers' salaries. It's mentioned there, but the whole issue of unsettled contracts is before us. How are the school boards going to cope with that mess that the government has created? Budget 2002 seems to have cut in education by 2 percent the funding promised last year in Budget 2001. This kind of fiscal slight of hand is definitely not the way to rebuild trust with teachers, with students, with parents, and with the school boards.

I want to conclude by touching briefly on the government's decision to significantly slow down the reduction in corporate taxes. I want to remind members that the New Democrat opposition has been calling for months for these corporate tax cuts to be canceled. We simply couldn't afford tax cuts of this magnitude at this time. It would have been irresponsible to have proceeded with these corporate tax cuts while hiking health care premiums and increasing a host of user fees for average Albertans. Can you imagine how much worse the tax hikes and service cuts would have been had the government not slowed down these tax cuts? Even here, however, the corporate tax reduction could have been done better had the government retained the small business tax cuts and not reduced the general corporate tax rate. They would have only given up \$43 million in revenue rather than the \$81 million in revenues that was given up in Budget 2002. The resulting savings of \$38 million would have meant that the government would not have needed to eliminate seniors' health and dental benefits.

There are so many other disappointments in the budget. There are actual reductions in support of seniors' housing, and there's no additional money for affordable housing. Budgets are about choices. This government has clearly made some terrible choices. I certainly will look forward to the opportunity in the coming weeks to make some more detailed comments on the budget.

Thank you.

THE ACTING SPEAKER: Under Standing Order 29 five minutes for questions and comments. Okay? We'll resume debate.

The hon. Deputy Government House Leader.

MR. STEVENS: Yes. Mr. Speaker, I wish to move adjournment of debate on this motion at this time.

[Motion to adjourn debate carried]

9:00

head: **Government Bills and Orders**
Third Reading

Bill 17
Appropriation (Interim Supply) Act, 2002

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. It's my pleasure on behalf of the hon. Minister of Finance to move third reading of this bill.

THE ACTING SPEAKER: The hon. Leader of Her Majesty's Official Opposition.

DR. NICOL: Mr. Speaker, I promise: no more than a couple

minutes. I just wanted to talk a little bit about the process of this supplementary appropriation in the sense that it goes back to what I was speaking about a few minutes ago in the context of: how do we deal with making sure that our budgets have a business plan that encompasses the entire year? I recognize that a lot of what we're dealing with here was kind of act-of-nature-type increases in our budget, but if we're trying to deal with proper expenditure planning, we should have in place the appropriate types of cost estimates for those programs so that they are actuarially sound and deal with them from that perspective. Then if we ever have to come back and deal with these kinds of onetime expenditures or additional top-up expenditures, as a supplementary appropriation is, it's easier to justify to Albertans in the sense that we in essence are experiencing a program that's totally out of bounds.

I think that in many cases last year in both of our supplementary appropriations we had dollars for fire fighting because it was such an unpredictable year, that probably fell outside of any estimate for an actuarial funding model. But if we had those kinds of models in place when we're dealing with this, we would probably be able to eliminate the need for this and then create more certainty in our budgeting practices.

So I'm not questioning the appropriations here and the fact that these dollars are necessary to sustain our province. I just wanted those comments on the record saying that there's a better way to do this and we should be looking at utilizing these tools so that, again, stability and sustainability can be part of the message we give to Albertans.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Deputy Government House Leader on behalf of the Minister of Finance to close debate.

MR. STEVENS: Question.

[Motion carried; Bill 17 read a third time]

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

Bill 3
Irrigation Districts Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Leader of Her Majesty's Official Opposition.

DR. NICOL: Thank you, Mr. Chairman. I want to just begin by making a couple of comments. During second reading on the Irrigation Districts Amendment Act, 2002, I'd raised an issue about the wording of the bill and its relationship to timing of a process that was described, and I mentioned this in the context of that debate. I want to go on record as saying that the Member for Little Bow, who was sponsoring the bill, contacted me. We talked about this at length, and through his expertise on this bill and knowing the workings of it, they worked through this amendment, sent it over, and said: will this amendment fit with what you had in mind when you talked in second reading? Yes, Mr. Chairman, it does. It gets appropriate scheduling in the process.

I think that it's a good sign that when there's a real issue that's raised, the members are willing to address it, and I would just like to

recognize the Member for Little Bow and his willingness to work with us to make this a much better bill. Also, Mr. Ring from the Irrigation Council reviewed it and made sure that it was consistent with the objectives of the Irrigation Council, and this is basically, I think, going to make the act better, because the public consultation occurs before a decision is started by the minister so that the minister has the information that will allow her or him at the time to make a much better decision. So, Mr. Chairman, I think this is the kind of thing that good legislative process is about.

Just in conclusion, the ability of the Member for Little Bow to help on this, to work with us, is greatly appreciated, and I hope now that everybody knows that we're all onside on this, we'll move ahead and vote for it because it makes the bill better.

Thank you.

THE DEPUTY CHAIR: Hon. members, for the record of the Assembly we shall refer to this amendment as amendment A1.

The hon. Member for Little Bow.

MR. McFARLAND: I would like to call the question. To repeat what the hon. Leader of the Opposition has said, this amendment that the hon. leader is proposing simply puts the public meeting before the plebiscite. He and ourselves agree that this makes it a better bill. As he indicated, we worked together on it, and I'm pleased to ask that the question be called on this amendment.

[The clauses of Bill 3 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

9:10

MR. STEVENS: Thank you, Mr. Chairman. I move that the committee rise and report.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration and reports with some amendments Bill 3. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Third Reading
(continued)

Bill 3
Irrigation Districts Amendment Act, 2002

MR. McFARLAND: Call the question.

[Motion carried; Bill 3 read a third time]

MR. STEVENS: Mr. Speaker, having made good progress tonight, I would like to move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 9:12 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, March 20, 2002**

1:30 p.m.

Date: 02/03/20

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Though we as legislators of this great province and its people are taken from the common people and selected by You to be architects of our history, give us wisdom and understanding to do Your will in all we do. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to introduce today Mr. Arnie Duncan, a teacher in Ministik school, and his class of grade 6 students. I see he's also accompanied by bus driver Martin Rozema, I'd mention, a former student from Ardrossan days. Would you please rise and accept the traditional warm greeting of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to the Assembly three Albertans. They are Mary Bell, Isabelle Foord, and Robert Keulers. They are seated in the public gallery. These three guests are members of the AISH Network of Alberta, a nonprofit society committed to improving the lives of people on AISH. They're also active in the Poverty in Action Society, Edmonton Working Women, Edmonton Epilepsy Association, and Catholic Social Services. They have given hundreds of hours of their volunteer time in improving the lives of their fellow citizens who have continued to fall through the cracks because of the provincial government's social and economic policies. I will ask now these three guests to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. It is indeed my pleasure today to introduce two senior citizens from the oil sands capital of the world, Fort McMurray: one lady who has given the Premier some valuable information on the china in his office as well as another lady who is a huge supporter. One of the ladies who is here today happens to be over 91 years old, and she truly is a queen of the north. I'd like to ask Olive Woodward and Betty Williams to stand and receive the very warm welcome of all members.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. Not to give the impression that there's a run on friends coming to visit this week, but I'd like to introduce to you and through you to the House the shining light of my family, my sister Colleen. We're a family of nine, and I would like her to report back to mom that some of us are doing okay. Would you please welcome my sister Colleen to the House.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm just delighted today to be able to introduce to you and through you to members of the Assembly Catherine Ryan. Catherine is a representative of the Alberta Council on Aging, and she's here today to observe the budget debate for the Seniors ministry. I would ask her to please rise and accept the warm welcome of the Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Provincial Fiscal Policies

DR. NICOL: Thank you, Mr. Speaker. The Premier promised Albertans that the only way taxes are going in this province is down. Yesterday he broke that promise. My question to the Premier: why has the Premier broken his promise to Albertans?

MR. KLEIN: Mr. Speaker, relative to taxes generally – now, we're talking about income tax and corporate tax, business tax, and so on – they are indeed going down. Indeed, there was a reduction, albeit a small reduction, in corporate taxes yesterday. Admittedly we did raise taxes on cigarettes and alcohol and some of the things that are deemed to be damaging to people's health, hopefully to help offset the costs of providing health services for the use or abuse of those products, and I see nothing wrong with that.

Relative to health care premiums, premiums are precisely that: premiums. You might note in the budget – and I'm sure the hon. Minister of Finance will supplement – that great strides were taken to protect those in low-income brackets and seniors, especially low-income seniors, from increases in health care premiums. As a matter of fact, one MLA reported today . . . [interjections] Mr. Speaker, will you please ask the hon. member who's, you know, lip-flapping over there . . . [interjection] I'm not testy. They don't like to hear the fact that about 440,000 Albertans will be relieved of higher premiums, and in fact some of those people pay no premiums at all.

DR. NICOL: My next question again to the Premier: Mr. Premier, how many times have you said that there is only one taxpayer in Alberta, only one pocket that that money can come out of? Health care premiums and taxes all come out of the same pocket. You've broken your promise to them that you wouldn't go into their pocket for money.

MR. KLEIN: Mr. Speaker, I'm not a masochist, you know, and I can tell you that. I'm not in the business for the big bucks. But we had to do what was necessary to face the financial realities of today. If the hon. leader of the Liberal Party will stand up today and say that he wants to reduce to the level they were before taxes on alcohol and cigarettes, let him stand up and say that.

DR. NICOL: Mr. Speaker, if I were Premier, I wouldn't be in this position right now and we wouldn't have had to raise those taxes.

Mr. Speaker, my next question again is to the Premier. When he put in place the single-rate tax, he promised Albertans that they would be treated fairly under our tax system. The taxes imposed yesterday discriminate against individuals with lower income. Why did he break his promise to Albertans?

MR. KLEIN: Mr. Speaker, first of all, thank heavens the hon. leader of the Liberal opposition is not in my position today.

Relative to this province's position, understanding that there was no increase to personal income tax – there was a decrease to

corporate income tax – in comparison to other provinces, Mr. Speaker, we are still the lowest taxed people of any jurisdiction in this country, and we plan to keep it that way.

MRS. NELSON: Let's be very clear. This last year, the fiscal year we're still in, we introduced a reduction in personal income tax of \$1.1 billion that we put back into the pockets of Albertans. When this hon. member stands up and starts to criticize it, he forgets that we also have no payroll tax, no capital tax, and no sales tax in this province. In fact, we're the only one in Canada without it.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. But we also are one of two provinces in Canada that have health care premiums.

To the Premier: what faith can Albertans have in this government when a promise that was central to their mandate is discarded one year into the term of office?

MR. KLEIN: Mr. Speaker, it wasn't discarded. Well, in one respect, and that is the sin taxes, the taxes on cigarettes and the taxes on alcohol. Premiums are premiums. If we didn't have premiums, then we would have to go to a payroll tax, which I would suggest is less flexible in terms of our ability to grant some 440,000 Albertans exemption to those particular premiums. Premiums also indicate to Albertans quite clearly that there is a cost to health care.

1:40

Mr. Speaker, I recall attending the Premiers' Conference where indeed the Premier of British Columbia indicated that because the Liberals in Ottawa have reduced health care transfers through the Canada health and social transfer to 13 percent, B.C. had to raise health care premiums. The Premier of Ontario said that in addition to a payroll tax they might have to introduce premiums – in addition to a payroll tax – for health care, and other provinces have indicated they might have to do the same thing. Health care costs are escalating at an unprecedented pace. The Mazankowski report recommended quite clearly an increase in health care premiums. It's no secret. This has been out there for some time. There have been figures that have ranged from 20 percent to 40 percent. Thirty percent is actually a saw-off, and it's an amount deemed reasonable. In terms of this government originally targeting 20 percent of insured health care services to be covered by health care, now we're at 13 or 14 percent.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Being out there doesn't make health care premium increases legitimate.

My next question to the Premier: given that you oversee the richest province in Canada, why is it that you had to break your promise and increase taxes?

MR. KLEIN: Mr. Speaker, the only area where we have actually increased taxes is on the so-called sin taxes. Again I challenge the hon. Leader of the Official Opposition to stand up and say that he as the leader would recommend to the government to reduce those taxes back down to where they were. I don't think he's going to do that, because he understands the principles contained in the Mazankowski report and the rationale behind an increase in those particular taxes.

Overall we have kept our promise. There was a reduction in corporate income taxes. If the hon. leader of the Liberal opposition

lived in British Columbia, he would be paying on average \$2,105 more in income tax; in Saskatchewan, \$1,642 – these are dollars out of your pockets – in Manitoba, almost \$1,900; in Ontario, \$1,121 more; in Quebec, \$1,400 more; in New Brunswick, \$2,486 more; in Nova Scotia, 2,400 and some odd dollars more; P.E.I., \$2,700 more; and in Newfoundland, \$3,251 more. So what is he complaining about, Mr. Speaker?

THE SPEAKER: The hon. member.

DR. NICOL: Thank you, Mr. Speaker. My final question to the Premier: given that Sheila Copps resigned after breaking her tax promise, will the Premier show the same integrity and resign?

MR. KLEIN: Mr. Speaker, Sheila Copps resigned because she did break her promise on a tax, and it was called the goods and services tax. With a big T. I would remind you that she ran again and got re-elected with a larger majority than she had the first time around, I think.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Glenarry.

Municipal Financing

MR. BONNER: Thank you, Mr. Speaker. It is clear today that when the Premier said that taxes were going down, he forgot to add: except for municipalities. Not only has the government cut jobs and services while raising taxes, a truly amazing accomplishment; they have continued to download their fiscal disaster on our cities and towns. As one observer noted: this isn't a stab in the back; it's a full frontal assault. My first question is to the Premier. Why are you dumping a fiscal nightmare, which has been created by your lack of vision, on our local governments?

MR. KLEIN: Mr. Speaker, the issue with respect to local governments isn't quite resolved. There may be other ways of skinning a cat. I can't be specific at this particular time, but I can tell you that the hon. Minister of Municipal Affairs is having ongoing discussions with the mayors of both Calgary and Edmonton. I heard Mayor Bronconnier and Mayor Smith on the radio today. Well, they may be a lot happier tomorrow; who knows?

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Again to the Premier: will the Premier explain to the mayors of Edmonton and Calgary why he chose to destroy their long-term infrastructure plans with yesterday's budget?

MR. KLEIN: Mr. Speaker, we haven't. You know, municipalities are political creatures much like the province or school boards or any other elected body. I know the problems firsthand relative to municipalities. I know that he had his head in the clouds many, many years ago, but I was dealing with an issue where literally thousands and thousands of people were laid off, primarily in the private sector. They lost their homes and their dignity because the price of oil took a sharp decline. I remember as the mayor being called up to Edmonton and sitting down with the former Minister of Transportation, since deceased, Henry Kroeger, a fine, fine man indeed, who laid it on the line. He said: Mr. Mayor, you have great plans for your city and you want to extend the northeast LRT, but I'm going to tell you that there is no money. Not a reduction in

grants but no money whatsoever. No money. And I said as the mayor: we'll go ahead. And we did it on our own. We did it.

MR. MASON: By borrowing.

MR. KLEIN: Yes, we did borrow, and interest rates were high. But I'll tell you what, Mr. Speaker; there was a problem in the city and people were looking for work and we kept people employed. We brought the project in a third under budget, but we did it on our own.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Minister of Municipal Affairs. You talk about partnerships with municipalities. Will you please explain to the House what kind of budget negotiations you were involved in with your colleagues to sell out our local governments?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you. It's indeed my pleasure to answer the hon. member in this way. I'm very pleased to say, first and foremost, that the Municipal Government Act of Alberta is viewed as the top piece of legislation in this entire country, and we've been invited to speak relative to that. What I would like to say, though, relative to the Municipal Affairs ministry is simply this: the conditional and unconditional grants of \$98 million that we gave out last year to municipalities will be given out again this year to the municipalities – \$98 million, 100 percent – because of the important partnership we do have with municipalities.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-Buffalo.

Provincial Fiscal Policies (continued)

DR. PANNU: Thank you, Mr. Speaker. Ralph's world, barely a year old, is crumbling around us, with big chunks falling on the heads of seniors and average Alberta families. Yesterday's budget contained no fewer than 70 taxes and user fee hikes, not the least of which is a 30 percent hike in the health care tax. To the Premier: what kind of government snatches away dental and eye care benefits for senior citizens in order to provide subsidies for the horse racing industry?

MR. KLEIN: Mr. Speaker, there is no such thing in this province as a health care tax. Unlike other provinces we don't have payroll taxes and we don't have other oppressive taxes to support a health care system. We have a system of premiums in this province to demonstrate to people that there is a cost attached to health. Those premiums were adjusted to bring them more in line with the reality of meeting the costs of insured health care services. There's been no adjustment since 1995. An adjustment, in accordance with the Mazankowski report, had to be made, and that adjustment was made.

1:50

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. What kind of government imposes 70 tax and user fee hikes on average citizens while, at the same time, corporations benefit from a further \$81 million in tax breaks?

MR. KLEIN: Mr. Speaker, the only taxation increase, pure taxation increase, was on things that are entirely optional: cigarettes, alcohol. What was the other one?

SOME HON. MEMBERS: Speeding.

MR. KLEIN: Speeding. That really is optional. Those are optional, things that people want. You don't speed; you don't pay.

Mr. Speaker, I would ask the hon. leader of the third party: is he willing to reduce to where the fines used to be the penalty for speeding? You know, I would ask him that. If he doesn't want to answer it here, maybe he'll answer it in front of the media. Does he then think that speeding is a good thing? Does he not think that it's fundamental to the principle that those who break the law and those who use the system should pay the real cost of either enforcing the law or providing a service? That is fundamental to user fees and to fines.

DR. PANNU: Priorities, Mr. Speaker. What does it say about the government's twisted priorities that a \$724 million budget surplus is deemed more important than providing a long-overdue increase in monthly benefits for social assistance and AISH recipients?

MR. KLEIN: Mr. Speaker, you know, this hon. member has been in the Legislature long enough to understand what the law is. It's the law that a cushion has to be provided. It is the law. Is this hon. member telling us now that not only is it okay to break speeding laws but that we should break legislative law as well?

Municipal Financing (continued)

MR. CENAIKO: Mr. Speaker, today the mayors of Edmonton and Calgary are stating that they may sue the province over fuel tax. My question is to the Minister of Municipal Affairs. What does this say about the relationship between the province and the two largest cities in Alberta?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Well, thank you very much, Mr. Speaker. Of course I'm very proud of the relationship I have with Mayor Bronconnier and Mayor Smith. I spoke to both mayors yesterday. In fact, we're going to be meeting again on April 4 with the hon. Minister of Transportation and my MLA colleagues as well as the president of the AUMA as well as the president of the AAMDC, Municipal Districts and Counties. The reason we're meeting is because we do have a good relationship.

Let me just for a moment say this. When I used to teach at the University of Alberta in the school of business, they said that one of the key characteristics of any organization is flexibility, the flexibility to respond to the environment in good times and bad times. I want to say that the money that we have advanced municipalities, both the city of Calgary and Edmonton, the \$255 million to Calgary and the \$182 million to Edmonton, for transportation was important.

What I would like to do is ask the hon. Minister of Transportation to supplement on this very important positive initiative that's taking place.

THE SPEAKER: Well, we'll go with the hon. Member for Calgary-Buffalo.

MR. CENAIKO: My next question is to the same minister, Mr.

Speaker. Can the minister explain how he sees his council being able to solve problems like this for the municipalities?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Yes. A very good question. As I mentioned earlier, the Municipal Government Act is viewed as one of the leading pieces of legislation in this country, and the minister's council on roles, responsibilities and resources, the first of its kind in the country – in fact, the Prime Minister's Urban Task Force has been inquiring about this positive initiative. What we see happening is that on April 4 we'll be meeting again with the mayors of Calgary and Edmonton. I think this dialogue is very important. We're going to continue to do that because as the environment changes, so does the relationship. One thing is for certain as we deal with both mayors: we're committed to serving that same taxpayer, because we are all not levels of government; we're all orders of government in serving that one taxpayer.

MR. CENAIKO: Mr. Speaker, again to the same minister: when will this government recognize the contribution that municipalities provide to the province and restore the funding to the appropriate levels?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you very much, Mr. Speaker. As the hon. Minister of Finance indicated yesterday, we have a fiscal blueprint that is so important relative to the future. But I think that what's equally important is that the province of Alberta has been able over the last four years – if I could use an analogy. When you buy a vehicle in the province of Ontario, say a \$20,000 or \$30,000 vehicle, you pay \$2,400 on provincial sales tax. You don't pay 1 cent in Alberta, and I'm very proud of that. So what we will be doing in the partnerships with the municipalities is continuing to dialogue on some of the good ideas we've got from those representatives. I think that partnership serves all taxpayers very well.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Peace River.

Health Care Premiums

DR. TAFT: Thank you, Mr. Speaker. The Premier promised Albertans that the only way taxes are going in this province is down. Yesterday he broke that promise. Perhaps for the next budget the Minister of Finance, instead of a new pair of shoes, should buy a new pair of flip-flops. To the Premier: what does this Premier say to Albertans when they elected members to his own caucus who ran on the basis that health care premiums would be eliminated and instead they have soared?

MR. KLEIN: Nothing has soared. The only thing that has soared is the tax on cigarettes, Mr. Speaker. That has soared; no doubt about it. If the hon. member wants to remove those taxes or bring those down to the level they were before, then I would say to him, as I said to the leader of the Liberal opposition, stand up and say so. Stand up and say: we want to bring taxes on cigarettes down so that cigarettes can become more accessible and readily available to all the young people, who later on in life might develop bronchitis or cancer or heart disease. You know, if he wants to stand up and say that, let him stand up and say that. That's the only tax that has soared, and I don't apologize for it.

DR. TAFT: I will stand up and say that I would like to eliminate health care premiums.

Given a 1996 cabinet decision that premiums would not be increased for seniors in the future regardless of any other increases to the public, how does the Premier rationalize to seniors who will not receive subsidies this broken promise?

MR. KLEIN: Mr. Speaker, seniors are protected, especially low-income seniors. Indeed, when we did the adjustments back then, we wanted to make sure that those seniors who could afford to pay would in fact pay and that those seniors who were having a tough time of it would be shielded, as they are today and as are other low-income people.

DR. TAFT: Given that an esteemed member of his own caucus says that health premiums are a tax every bit as much as income tax, does the Premier still cling to the ridiculous position that health premiums are not a tax?

MR. KLEIN: Mr. Speaker, a tax is a tax – as I say, a payroll tax. We could have gone that route, and I guess this is where the Liberals would want us to go. I don't know where they stand on this particular issue. If they would like us to have a payroll tax, or if they were the government, institute a payroll tax, maybe they can explain that to the media, or maybe the hon. member can stand up and explain it in the House. But I'll tell you that if we had a payroll tax, we couldn't have the flexibility to make the kinds of adjustments we made to protect and shelter seniors and shelter low-income families.

THE SPEAKER: The hon. Member for Peace River, followed by the hon. Member for Edmonton-Gold Bar.

Funding Formula for Regional Health Authorities

MR. FRIEDEL: Thank you, Mr. Speaker. My questions are to the Minister of Health and Wellness. In the budget tabled yesterday was a strong reminder that our government takes fiscal responsibility seriously. After a few years of high-rolling expectations reality can hit pretty hard. I fully support the concept of living within our means, but that should mean that everyone has to feel the pinch equally. There is, however, a significant appearance of inequity when the metro regional health facilities get an 8 percent, and in some cases plus, increase in their budgets, but the smaller boards only get 2 percent. I understand the basics of the funding formula, but these figures certainly put the issue of fairness to the test. I wonder if the minister could tell us just how much consideration was given to the concept that a basic level of health services must be provided to every region when this formula was first devised.

2:00

THE SPEAKER: The hon. minister.

MR. MAR: Thank you very much, Mr. Speaker. I can assure the hon. member that my department's funding formula for health authority budgets is designed to ensure that regions are funded according to their particular health needs. What we don't want to have is a one-size-fits-all budgeting process, and we don't. What we do have is a population-based formula that does take into account the health needs of a particular region. The formula includes factoring in the demographics of the region and the data on the actual health care utilization in that particular area. It does take into account changes to regional populations. It also keeps regional funding relatively stable to make regional long-term planning easier.

Through this process of budgeting, we believe that it will help make our health care system sustainable into the future.

I should note, Mr. Speaker, that the process that we have has been internationally recognized as a fair way to budget for health care. We are one of the few provinces across Canada that fully uses this type of budgeting process. It's worth noting that the budget to each and every each regional health authority across this province did receive an increase. The hon. member is correct that the increase was as small as 2 percent and as high as about 7.5 percent, but it is a fair process.

THE SPEAKER: The hon. member.

MR. FRIEDEL: Yes, Mr. Speaker. To the same minister: could he tell us how much consideration was given to the possibility that a reduction in the level of service in a smaller hospital might actually result in higher costs to both the system and the patient if they have to go to, say, a regional or a metro facility where the daily cost of a room is known to be higher?

MR. MAR: This is a very good question, Mr. Speaker. I should say that one of the challenges that smaller rural health authorities have is to try and retain people within their own regional health authorities. If individuals from smaller regions end up coming into the major metropolitan centres to get their services, the money for their treatment follows those individuals. Successful regional health authorities in rural areas have repatriated those types of patients to ensure that services are delivered right in their own communities, and I think that is a very important lesson for all regional health authorities that are trying their best to maintain a certain level of services within their area.

MR. FRIEDEL: Once more to the same minister, Mr. Speaker. I wonder if he could tell us what, if anything, is being done to ensure that a reasonable level of basic health services is going to continue to be available in the regions where traveling to a distant regional centre is not an acceptable option.

MR. MAR: Mr. Speaker, our starting point is this. If we went simply with a population-based formula without a recognition of some of these distance issues and these sparsity issues, if we went strictly on the basis of population, then there would be a number of regional health authorities that would have had significant decreases in the amount of funding available for them in the upcoming year compared to the previous year. So the fact that each and every regional health authority got some increase is a recognition of the need for stability with the current level of services, but we must compel and challenge our regional health authorities to do as much or more with what they're getting, with the inclusion of a small increase for each of them.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Bow.

Provincial Fiscal Policies (continued)

MR. MacDONALD: Thank you, Mr. Speaker. Last year the Premier was making many promises. This year the Premier is breaking many promises. In fact, the Premier promised that the only way taxes are going in this province is down. Now, my first question this afternoon is to the Premier. Since the Premier said that taxes would only

go down, why are vehicle registration renewals soaring in price by 27 percent?

Thank you.

MR. KLEIN: Mr. Speaker, that is to reflect the cost of doing business, and that's not a tax. Admittedly, taxes went up on cigarettes and alcohol. They did, and those adjustments were made and are complementary to the Mazankowski report, indeed were recommended in the report, at least as it relates to cigarettes. I don't know about alcohol. I think it's quite reasonable in light of society's concern about smoking contributing to increasing health problems and to the increasing costs of health care services. Relative to taxes, the only mention of a tax, other than on cigarettes and alcohol, was corporate income tax, and that went down, down, down.

MR. MacDONALD: Again, Mr. Speaker, to the Premier: since the Premier said that taxes would only go down, why are valid Alberta drivers' licences soaring by 38 percent?

Thank you.

MR. KLEIN: Mr. Speaker, that, again, is not a tax. That is the cost of doing business, and if he objects to paying the \$11.25, don't drive.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Let's talk about family vacations, then, with the Premier. Again to the Premier: since the Premier said that taxes would only go down, why are families paying a 200 percent increase in registration fees for the family camper?

MR. KLEIN: Mr. Speaker, again, those are user fees to reflect the cost of delivering the service. They are not taxes.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Mill Woods. [interjections] The hon. Member for Calgary-Bow has the floor. [interjections] Hon. members, please. Please, hon. members.

Speaker's Ruling **Oral Question Period Practices**

THE SPEAKER: This is called question period. I believe that starting this afternoon, in a few minutes from now, we are going to begin a process in this Assembly called the budget debate. I believe, if I look at the schedule, that it will go through to May 7. That means that the members of this Assembly will spend their time in this House on a daily basis, starting today to May 7, going through every conceivable line in a budget. Today is question period.

Injection Drug Use

MS DeLONG: Mr. Speaker, recently an AIDS group issued a news release claiming that barriers to methadone treatment for drug addiction are helping to sustain a public health crisis in our province. My questions are to the Minister of Health and Wellness. Can the minister tell this Assembly how large a concern injection drug use is in our province?

MR. MAR: Mr. Speaker, we know that 47 percent of new HIV cases in the first half of last year were from injection drug use. Addiction to injection drugs is a serious concern in North America. It is a serious concern in our province, sir. Injection drug use is not only

a tragedy, of course, for the individuals or the families involved but also for society as a whole, and it poses a serious health risk and expense to our health system. Every HIV infection averted decreases direct health care costs by \$150,000. The indirect costs averted are in the range of \$600,000.

MS DeLONG: Mr. Speaker, my final question is to the same minister. Since the human and health care costs of injection drug use are so high, can the minister tell us what the government is going to do to address the issue?

MR. MAR: Mr. Speaker, the Alberta Alcohol and Drug Abuse Commission, or AADAC, has been working for some time to address the issue of injection drug use, and AADAC's voluntary opiate dependency or methadone program has been operating in this province for nearly 30 years and has an active list of 330,000 clients. This department is currently providing some \$440,000 annually to support this program. We also contribute approximately \$120,000 for lab tests associated with the program, and there is consideration by AADAC at this time to working with stakeholders to explore the feasibility of expanding the methadone program into southern Alberta, sir.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Highlands.

2:10 **Provincial Fiscal Policies**
(continued)

DR. MASSEY: Thank you, Mr. Speaker. Albertans see no difference between a user fee and premiums and taxes. A year ago the Premier said that the only way taxes are going in this province is down. My questions are to the Premier. Given that the Premier said that taxes would only go down, why are traffic fines going up by 20 percent?

MR. KLEIN: Well, Mr. Speaker, it absolutely astounds me that the Liberal opposition would be opposed to increasing fines for breaking the law, a law that is there to prevent people from speeding so that they won't create accidents that kill and maim individuals. It absolutely astounds me that they would be opposed to an increase in a fine for breaking a very serious law.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the Premier: given that the Premier said that taxes would only go down, why are court fees increasing threefold and some as much as \$400?

MR. KLEIN: Mr. Speaker, the answer is the same. It's to reflect the cost of providing the service.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the Premier: can the Premier confirm that his tax increases will cost Joe Albertan a thousand dollars a year?

MR. KLEIN: Mr. Speaker, if you don't smoke, it won't cost you. If you don't speed, it won't cost you. If you drive, it will cost you a very, very small amount more, which, you know, will go into the general revenue account and will help us deal with some of the

problems of infrastructure and health and social services and education and all the other priority areas.

Mr. Speaker, I think fundamental to the question is how much money is still left in the pockets of Albertans as opposed to other jurisdictions. You know, if the hon. member believes that it's folly in Alberta to pay taxes, he ought to be in, well, New Brunswick. I'm assuming that this hon. member – and I don't know if he's married or not, but I think he is. If he and his wife, earning over a hundred thousand dollars a year, were living in Newfoundland, they'd be paying out of their pockets \$5,486 more than they're paying in Alberta. Now, you know, it amazes me that the opposition would lament and complain about how bad things are here in Alberta when in fact if he and his family moved to Newfoundland, they would be out \$5,486 just on taxation, not to mention the multitude of user fees that they have to pay in Newfoundland as well.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Olds-Didsbury-Three Hills.

Financial Management Commission

MR. MASON: Thanks very much, Mr. Speaker. Here in Ralph's world things are no longer excellent. Apparently, things have gone so far off the rails that Garth – I'm sorry – the Minister of Finance desperately needs some advice from a blue-chip panel on financial management. With the honourable exception of the former Auditor General of the province of Alberta, all members of this commission are businessmen with Tory connections. To the Minister of Finance: from amongst the 3 million Albertans to choose from, why couldn't the Minister of Finance find one qualified woman to sit on this commission?

MRS. NELSON: Well, the last time I looked in the mirror, Mr. Speaker, I'm a woman, and this committee is going to report through me. The Premier has put his faith in me to put forward a fiscal plan, and when I put forward the Financial Management Commission, I've asked people to come forward and give us some advice. I don't like to upset the hon. member opposite in the ND caucus of two, but the problem that you have is that the vast majority of the business community in fact do support the Conservative Party.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Now I know why they don't call it answer period.

Mr. Speaker, out of 3 million Albertans why couldn't the minister find one person who was not a white, middle-aged, male businessman?

MRS. NELSON: Well, Mr. Speaker, I asked people to come forward and volunteer to sit on this commission because of their background and their expertise. [interjections]

THE SPEAKER: Hon. members, the hon. minister has the floor.

MRS. NELSON: It's amazing, Mr. Speaker. They ask the question, but they don't want to hear the answer.

I've asked for this commission to come forward to review our policies on accounting and how we present our financial plans to this Legislature, something we did 10 years ago which was very successful when we were in an environment where we were running huge annual deficits and building our debt, which was accumulating at an unprecedented rate. I've asked for this committee to come

forward and have a look at our existing policies to give us some advice as to whether they are appropriate today. One thing I will say is that the Fiscal Responsibility Act, insofar as making sure that our budgets are always balanced, is not up for review. That will stay in place. But I've asked them to look at: are we dealing with issues such as capital in an appropriate fashion today? Is there a better way to deal with this, particularly if we enter into things such as public/private partnerships, and how would we deal with it?

The people I chose to go on this commission, Mr. Speaker, have had not only experience in the private sector but have been very creative in their own right, in their own corporate entities to put forward very successful plans, and I'm hoping we can draw upon that expertise. I've also included some retired people who have financial backgrounds, but also I've included the former Auditor General of our province so that he could in fact give an overview as to how this fits into public reporting and fits into the overall package.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, perhaps the minister will feel more comfortable answering this question. Out of 3 million Albertans to choose from, why couldn't the minister find one person who wasn't a Tory member, supporter, contributor, or backroom boy?

MRS. NELSON: Mr. Speaker, you just have to look at the distribution in this House to know that the vast majority of Albertans support the Conservative Party – they elected 74 members – and, quite frankly, the same with the business community, who has been very supportive of this party and of our Premier and of our government. So I didn't look for someone that supported the third party in this Legislature. I looked for people that were best qualified to do this job in short order. I've asked for them to come back and report to me by the end of June to give me some ideas of what we could in fact put in place, and I'm confident that they will give us the best guidance possible.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Ellerslie.

Agricultural Services Offices

MR. MARZ: Thank you, Mr. Speaker. My question today is to the hon. Minister of Agriculture, Food and Rural Development. The agriculture industry has been severely impacted over the last couple of years due to drought and low commodity prices in the grain sector, and although farmers have a very good record of adapting to the constant challenges in that industry, there are times that like other industries they need to look to government for some expertise and assistance. Agricultural district service offices have been there to provide a high level of service to farmers over the years, and now those same farmers are very concerned about the news of losing those district offices. My question to the minister today is: what specific services will be lost as a result of the restructuring of those 51 district offices?

2:20

MRS. McCLELLAN: Mr. Speaker, it is certainly our contention that services will not be lost in the agriculture sector, that in fact services will be increased and enhanced. The hon. member suggests, and rightly so, that agriculture is a very dynamic industry in this province. It is constantly changing, which in fact shows by its

growth in this province. In that change and in that growth so have the needs of the people in the industry, and how they access their information and make decisions has changed considerably. Our foot and phone traffic in our offices has changed. We know that to respond to the growing industry and to the development in the agribusiness industry, we have to change and grow with them. That is what these changes will accomplish.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Again to the same minister: given that in the past there were instances where municipalities actually provided space in their offices for district agriculturalists and other types of government services, will the minister give consideration to allowing ag specialists to relocate to municipalities if space is available?

MRS. McCLELLAN: Certainly, Mr. Speaker, collocations are an option we're looking at. We're probably exploring about 40 of those now out of our 51 offices that we presently have. Certainly through ag service boards, through research associations and forage associations a variety of ways that we could provide those services are being explored.

The other thing that we're going to do, Mr. Speaker, is that on April 2 we'll be opening an expanded call centre which will provide information by a person to calls for extended hours, and if that person cannot answer the questioner's question, they will be put in touch with a specialist or somebody immediately.

So we're exploring all options. I've invited the municipalities, the ag service boards to provide us with their intelligence on this, and I'm confident that with the partnerships we have out there, we'll provide better service to our agricultural industry.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Again to the same minister: with the seeding season just around the corner, can the minister assure farmers that no services will be disrupted during this whole reorganization?

MRS. McCLELLAN: Well, Mr. Speaker, certainly the reorganization won't be concluded by seeding time, but our expanded call centre will be in place. Our web site, Ropin' the Web, which is a very popular way to receive information, will be in place. Our publications continue to be in place. We have Ag Financial Services offices in many communities in the province, which have very knowledgeable people in them as well. So our intention is not to disrupt service to our ag producers at a very busy time of year.

Provincial Staffing Adjustments

MS CARLSON: Mr. Speaker, this government is spending more of Albertans' money in order to hire more people who will tax more Albertans more money. At the same time, the government will hire fewer people to provide fewer services to fewer Albertans. No wonder Albertans are calling in to talk shows in droves to complain that this government has ripped them off. My first question is to the Minister of Community Development. Why is this minister cutting 65 jobs at the same time that Revenue is hiring 28 more tax auditors?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. There are a number

of positions in Community Development that will be lost through attrition, and there are a number of other staff members, in some areas at least, who have asked for packages or early retirement. In the end, I think the hon. member probably knows that since the tragic events of September 11 we have done a lot of streamlining, and we're trying to make a better and more efficient operation throughout the department. But there will be some positions that have been vacant filled over the next little while as well, so there is a balance there.

MS CARLSON: This government cannot use September 11 as the excuse for every reason for cutting dollars in this budget.

To the Minister of Children's Services: why is this minister cutting 186 staff positions at the same time that Revenue is hiring 28 more tax auditors?

MS EVANS: Mr. Speaker, if I could just review, last year we had 475 new positions. During the past year there has been significant work, particularly in some of the child and family services authority regions. We have unfilled vacancies of about 160 at this moment, given some of the staffing realignments as well as some of the things that have been done in terms of our contract management. They are positions that are furthest from the child except where we have had difficulty retaining people to do the job, and they are positions which are not in any way putting children at risk. We believe that the staffing adjustments are very livable for this year. Through attrition we will also make sure that we are not going out and cutting, as the saying goes, any frontline staff or workers directly interfacing with children at risk.

MS CARLSON: Mr. Speaker, my final question is to the minister of agriculture. Why is this minister cutting 186 jobs at the same time that Revenue is hiring 28 more tax auditors? Who's speaking for rural Albertans over there?

MRS. McCLELLAN: Well, Mr. Speaker, I don't think I have to defend my position in speaking for rural Albertans out there. I'll let the actions deal with that.

However, on the issue of the 185 I would remind the hon. member – and I think she's been around here long enough to understand – that there is a difference in what is 185 FTEs or what is considered full-time equivalents.

Now, Mr. Speaker, I've stood in this Legislature and I know that it's not their norm to listen, but if they had, they would have heard that we are in the process right now of dealing with our staff. Under our labour agreements and out of respect for the valued work that our staff do in Agriculture, we will deal with them first. Some of them will choose to take voluntary severance, some of them will choose to stay in the job they are in, and some of them will choose to apply for another career opportunity.

Mr. Speaker, there will be changes. I have never made a secret of that. It is a restructuring that has been going on in Alberta Agriculture for the last three to four years. This is the last phase, and it is to represent the changing dynamics in the agriculture industry in this province.

head: **Recognitions**

THE SPEAKER: Hon. members, I would ask that you join with me in recognizing the seven hon. members I'm going to identify who were elected to this Legislative Assembly 13 years ago, on March 20, 1989. First of all, the hon. the Premier, the hon. Minister of Aboriginal Affairs and Northern Development, the hon. Minister of

Sustainable Resource Development, the hon. Minister of Infrastructure, the hon. Minister of Finance, the hon. Minister of Seniors, and the hon. Deputy Speaker. Thirteen years ago, March 20, 1989.

Now, today in Recognitions I have seven hon. members who've identified a desire on their part to participate. Something that is quite unique, though, is going to happen today, hon. members. You have been circulated remarks in English, and the remarks of at least five members will be in the original language of their birth.

So might I first of all call on the hon. Member for Calgary-McCall, who will give his remarks in Gujarati.

International Day for the Elimination of Racial Discrimination

MR. SHARIFF: Thank you, Mr. Speaker. March 21 has been declared by the United Nations as International Day for the Elimination of Racial Discrimination. Today a number of my colleagues are going to speak on this subject in the language of their origin. We are indeed very blessed to have such a rich diversity in our Assembly. [remarks in Gujarati]

In 1948 the world community came together under the auspices of the United Nations to proclaim the universal declaration of human rights. As the world struggled with the horrible experience of apartheid in South Africa, where innocent civilians were massacred because of their race, the United Nations once again, in 1966, declared March 21 as International Day for the Elimination of Racial Discrimination. From 1989 Canada has held this campaign on March 21 to raise awareness of racism and discrimination.

Since 1998 the Alberta Human Rights and Citizenship Commission has received over 80 cases annually citing complaints of racial discrimination. Despite the global efforts, this societal problem prevails in our midst. Together we need to work towards eliminating racial discrimination in our communities. [as submitted]

Thank you, Mr. Speaker.

2:30

THE SPEAKER: The hon. Member for Calgary-East will give his remarks in Arabic.

MR. AMERY: [remarks in Arabic]

The International Day for the Elimination of Racial Discrimination is observed annually on the 21st of March. On that day in 1960, police opened fire and killed 69 people at a peaceful demonstration in Sharpeville, South Africa. The Day for the Elimination of Racial Discrimination was proclaimed six years later, in 1966, and has been observed by the United Nations and member countries ever since.

The United Nations has targeted youth as the most important group that needs to hear the message against racial discrimination. The United Nations has brought forth a pledge for youth to help focus their goal of creating a society with equal opportunity for everyone. The pledge reads as follows:

As a young citizen of the world community, I stand with the United Nations against racism, discrimination and intolerance of any kind. Throughout my life I will try to promote equality, justice and dignity among all people in my home, my community and everywhere in the world.

These powerful words give youth a challenge to overcome the racism and a plan to act by. There are many opportunities to overcome racial discrimination in the world today, and this pledge recognizes that it all starts with the individual.

Today the push to end discrimination, prejudice, and xenophobia is more important than ever. Ending discrimination is key to achieving world peace and security, and tolerance is something that needs to be taught to our children. Some may say that Canada is too

remote to have any effect on the serious problems of racial violence in eastern Europe, the Middle East, or Africa, but each Canadian must do his or her own part in promoting the end of discrimination here at home as well.

For a future of true peace and prosperity, there cannot be any racial discrimination or injustice, and the International Day for the Elimination of Racial Discrimination actively attempts to change the world for the better. I thank all the members that are joining me in recognizing this important day.

Thank you, Mr. Speaker. [as submitted]

THE SPEAKER: The hon. Member for Edmonton-Castle Downs will give his remarks in Polish.

MR. LUKASZUK: Thank you, Mr. Speaker. [remarks in Polish]

Today is International Day for the Elimination of Racial Discrimination. This is a time to measure how far we have come, consider the obstacles that remain, and plan for how far we have to go in the fight against racism.

Canada has come a long way in eradicating racism and prejudice. Aboriginal peoples and immigrants play key roles in our economy, culture, and political affairs. Add as an example that I am of Polish descent and a proud member of the Alberta Legislature. However, as we reflect on this day, let's remember that much of the responsibility for eliminating racism lies with government. Legislation, education, and policies are the main tools to prevent discrimination in the future and build racial tolerance in the years to come. As Canadians and as Albertans we pride ourselves in being able to model to the rest of the world tolerance and acceptance of all.

Thank you Mr. Speaker. [as submitted]

THE SPEAKER: The hon. Member for Calgary-Fort will give his remarks in Vietnamese.

MR. CAO: Thank you, Mr. Speaker. [remarks in Vietnamese]

Mr. Speaker, the Alberta Human Rights, Citizenship and Multiculturalism Act states:

Whereas recognition of the inherent dignity and the equal and inalienable rights of all persons is the foundation of freedom, justice and peace in the world;

Whereas it is recognized in Alberta as a fundamental principle and as a matter of public policy that all persons are equal in: dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income or family status;

Whereas multiculturalism describes the diverse racial and cultural composition of Alberta society and its importance is recognized in Alberta as a fundamental principle and a matter of public policy;

Whereas it is recognized in Alberta as a fundamental principle and as a matter of public policy that all Albertans should share in an awareness and appreciation of the diverse racial and cultural composition of society and that the richness of life in Alberta is enhanced by sharing that diversity; and

Whereas it is fitting that these principles be affirmed by the Legislature of Alberta in an enactment whereby those equality rights and that diversity may be protected. [as submitted]

Those are the translated words from the Alberta law, but nothing is as true and proven as the fact that today in the Legislature of our great province we can hear many elected legislators speaking in many languages on the subject of human rights, citizenship, and cultural diversity in our blessed Alberta. It is a great honour for me to join my colleagues to speak in Vietnamese.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater will provide his remarks in Ukrainian.

MR. BRODA: [remarks in Ukrainian]

Thank you Mr. Speaker. I am very pleased to rise today and speak to you in Ukrainian. Today we have close to 300,000 people of Ukrainian origin in this province, most of whom are in the Edmonton area.

When our fathers, grandfathers, and great-grandfathers came to Canada, to this province, they settled in areas where other immigrants had settled. There were different ethnic groups: the French, English, Polish, German, Dutch, and so on. I know that when I started school, I could not speak English. My neighbours, who were French, also could not speak English. However, we played together and we respected each other. We learned to speak the English language. As a result, we learned to live and work together while maintaining our own culture, language, and traditions. This is what makes our country and this province a better place to live in today.

Thank you. [as submitted]

THE SPEAKER: The hon. Member for Edmonton-Ellerslie will give her remarks in English.

Albertans for a Wild Chinchaga

MS CARLSON: Thank you, Mr. Speaker. I rise today to recognize the outstanding work done by Albertans for a Wild Chinchaga. These Albertans have worked tirelessly to promote the importance of this northern ecosystem. They know that government's claims about having protected enough of the Chinchaga under the special places program is really just one more special excuse from the government. The government only protected the area that industry didn't want.

Albertans for a Wild Chinchaga have presented their case for protecting this area based on the needs of the animals and the plants, needs that must come before industrial and recreational demands. A protected area is more than little spots of green separated by gas wells. With Grande Alberta Paper finally put to rest, the government has a great opportunity to really protect the Chinchaga.

I congratulate the members of Albertans for a Wild Chinchaga and encourage them to keep making their voices heard.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona will provide his remarks in English.

Brian and Robin McKeever

DR. PANNU: Yes, indeed, Mr. Speaker. I am thrilled to rise today to recognize two great Albertans from Canmore. These two skiers, Brian McKeever and Robin McKeever, have brought considerable pride to Alberta. They represented Canada in the Paralympic Games held in Salt Lake City last week. They competed in four races and won two gold medals and a silver. Brian is the first Canadian male to win two gold medals during the same Paralympic Games.

Twenty-two-year-old Brian is visually impaired and his older brother Robin works as his guide. Proud of their New Democrat roots, these two brothers are not only accomplished athletes; they're also very active members of their communities.

Mr. Speaker, I would ask the Assembly to join me in congratulating warmly the McKeever family of Canmore for their great achievements.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to present this petition to the Assembly on behalf of Mr. Darby Mahon from the constituency of Edmonton-Gold Bar. Mr. Mahon organized this petition, and it is a petition to express opposition to the provincial government's public emergency declaration that has forced teachers back to work without a contract or settlement.

Thank you.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Bill 20 Justice Statutes Amendment Act, 2002

MR. HANCOCK: Thank you very much, Mr. Speaker. I request leave to introduce Bill 20, the Justice Statutes Amendment Act, 2002.

This bill, Mr. Speaker, proposes amendments to eight pieces of Justice legislation, including the Civil Enforcement Act, which are amendments relative to the review of the Civil Enforcement Act that were promised and required when that act was brought forward; the Interpretation Act and the Motor Vehicle Accident Claims Act, with relatively modest amendments; the Limitations Act, with an amendment which essentially will clarify when the limitation period runs against a child or with respect to a child and corollary amendments to the Public Trustee Act to make that effective; and amendments to the Fatal Accidents Act and the Survival of Actions Act to clarify issues with respect to claims that can be made in the event of the death of a loved one; and then, of course, the Provincial Offences Procedure Act, which will put into effect the provisions which were raised in the budget yesterday with respect to the increase of traffic fines and the ability of the department to retain those increases for the purposes of processing those fines.

[Motion carried; Bill 20 read a first time]

THE SPEAKER: The hon. Minister of Finance.

2:40 **Bill 21 Alberta Personal Income Tax Amendment Act, 2002**

MRS. NELSON: Thank you very much, Mr. Speaker. I request leave to introduce Bill 21, the Alberta Personal Income Tax Amendment Act, 2002.

[Motion carried; Bill 21 read a first time]

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. I would like to table a study and recommendation report from my constituent on the WCB tribunal for rehearing of claimants' cases.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have three tablings this afternoon. The first is the required number of copies of the program from the Canadian business leader award dinner held last evening, where Brian MacNeill was recognized as the 21st award recipient.

My second tabling is the annual review for the Alberta School of Business, where they are celebrating 85 years of excellence.

My third tabling is over 1,500 signatures from Albertans who wish the government to protect the Chinchaga wilderness area.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. At lunchtime today I was very pleased to attend an event, and I'd like to table five copies of the brand-new brochure on Edmonton's downtown churches. This was a partnership project from five downtown churches that have produced this brochure for everyone's information.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of 20 different letters written to either myself or the Minister of Health and Wellness from Albertans concerned about access to the drug cyclosporine for the treatment of aplastic anemia, and I am pleased to say that as far as I know, the department, working with the drug industry, has resolved their concerns.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to table this information for all hon. members of this Assembly. It is the actual forecast from the Power Pool for yesterday, March 19. Now, prices range here from 6.1 cents to, incredibly, at 8 o'clock last night 21.4 cents a kilowatt-hour for electricity. Temperatures go down; electricity prices go up in this deregulated market.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got one tabling today. I'm tabling a letter from Nicholas Chamchuk of Edmonton. Mr. Chamchuk is opposed to the increase in health care premiums, which he insists on calling a tax, and he's opposed to it because this premium will hit seniors and low-income Albertans "hardest and disproportionately." So these increases are opposed by Mr. Chamchuk.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm tabling today a letter from the Canadian Bar Association president, Virginia Engel, addressed to the Premier. In her letter she expresses concern over the lack of resources being allocated to the Department of Justice, causing serious deterioration in the operation of the justice system.

THE SPEAKER: Additional tablings? The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to table with the Assembly the 2000 annual report for the Alberta Veterinary Medical Association and also the 2000-2001 annual report of the Association of Professional Engineers, Geologists and Geophysicists of Alberta.

THE SPEAKER: Hon. members, before we deal with the next item of business, which would be a ruling with respect to the question of privilege, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: Introduction of Guests*(reversion)*

MR. SHARIFF: Mr. Speaker, for the record, I am pleased to introduce to you and through you to the members of the Assembly a group of 15 members of the Association of Professional Engineers, Geologists and Geophysicists of Alberta women's club who are visiting the Legislature today. Seated earlier on today in the gallery were Mrs. Sheila Mitchell, Mrs. Kathleen Brittain, Mrs. Mary Nichols, Mrs. Edith Barchard, Mrs. Mildred Dofka, Mrs. Susan Rudge, Mrs. Norma Robertson, Mrs. Marian Gray, Mrs. Anne Skone, Mrs. Betty Scott, Mrs. Hilda Ross, Ms Donna Watson, Mrs. Margaret Hiller, Mrs. Marie Slusar, Mrs. Frances Reynolds, Mrs. Marilyn Forbes, and Mrs. Herta Hooper. I would like all hon. members in this Assembly to recognize their presence.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Yes. Thank you, Mr. Speaker. I rise to introduce to you and through you to this House four guests who had a very interesting quilt on display in the Legislature rotunda this morning. Named the Heart and Hands quilt, it depicts the heartache caused when grandparents cannot see their grandchildren. It is my pleasure to introduce Florence Knight, national director of the Canadian Grandparents' Rights Association; Mr. Bill Miller, representing Grandparents Unlimited; Annette Bruce, representing the Orphaned Grandparents Association; and Mr. Rolf Sandl of Sherwood Park. Our guests are all seated in the public gallery, and I would like to ask them to please stand at this time and receive the very warm welcome of this Assembly.

**Privilege
Contempt of the Assembly**

THE SPEAKER: Hon. members, the chair is prepared to rule on the purported question of privilege raised yesterday in the House by the Official Opposition House Leader. Before doing so, the chair confirms that the hon. member has fulfilled the notice requirements under Standing Order 15(2) by providing two hours' written notice to my office, which was received at 11:30 a.m. on Monday, March 18.

The Official Opposition House Leader alleges in her purported question of privilege that the Solicitor General has deliberately misled the House in connection with statements made on March 13 and 14 relating to reporting requirements for sex offenders. As was correctly pointed out yesterday by the Official Opposition House Leader in citing *Erskine May*, 22nd edition, at pages 111 and 112, the House "may treat the making of a deliberately misleading statement as a contempt."

Members may recall from the chair's ruling last week on a similar issue raised by the Member for Edmonton-Highlands that the authorities are very clear that a matter of contempt proceeds in the same manner as a question of privilege. If the chair finds there is a prima facie question of privilege, any member may bring forward a motion not later than the conclusion of the next sitting day. The matter then rests with the House as to how it wants to proceed.

Before ruling, the chair would like to remind members that alleging that another member deliberately misled the House is a very grave matter. The chair takes an allegation of deliberate dishonesty very seriously. The test for determining whether a prima facie case has been made that a member has deliberately misled the House is outlined in Joseph Maingot's work *Parliamentary Privilege in Canada*, the second edition, at page 234.

Before the House will be permitted by the Speaker to embark on a

debate in such circumstances (i.e. find a prima facie case and permit a motion to be moved), an admission by someone in authority, such as a Minister of the Crown or an officer of a department, an instrument of government policy, or a government agency, either that a Member of the House of Commons was intentionally misled or an admission of facts that leads naturally to the conclusion that a Member was intentionally misled, and a direct relationship between the misleading information and a proceeding in Parliament, is necessary.

To be clear, members, it is not the chair's role to scrutinize the accuracy of every word and statement uttered in this House. When statements made by a member are so inconsistent as to lead to the natural conclusion that the member has deliberately misled the House, then the chair must find a prima facie case of privilege. The chair has carefully reviewed the *Hansard* transcripts for question period for March 13 and 14 and would like to highlight the following excerpts.

2:50

On March 13, in response to a question from the Member for Edmonton-Centre as to whether her department was planning to reduce the reporting requirements for convicted sex offenders, the Solicitor General made the following statement to the House as part of her reply, at page 316 of *Hansard*:

No, we are not letting sex offenders out early. They still will be considered a high-risk offender, number one. The probation officers determine what they will do and where they will go.

On March 14 the Solicitor General made the following comment on the same issue, at page 364 of *Hansard*:

First of all, most of the sex offenders in this province that are on probation, not parole, are considered high-risk or high-profile offenders. That categorization has not changed.

I further quote:

The sex offenders designated as high risk or high profile will be reporting with the same standards as they always have. Let me repeat that it's the probation officers that make that determination, not the Solicitor General.

It is clear that the answer offered on March 13 indicates that sex offenders are considered high-risk offenders and will not be let out early, whereas the answer offered on March 14 states that most sex offenders are considered high risk and that there would be no change in reporting requirements for those sex offenders who have that classification. Clearly, there is a distinction between the two statements. The question then becomes whether this distinction amounts to the Solicitor General deliberately misleading the House.

It would be difficult for the chair to conclude that a contempt of the House arises every time a minister misspeaks or misstates department policy. Exactness in all answers to questions in question period would also require exactness in all questions. This would seem to amount to an impossible standard of perfection that would certainly go beyond the standard expected in any Westminster-style parliament. It is the chair's view that the statements on March 13 and 14 are inconsistent, and it would appear that the answer on March 13 was a misstatement regarding department policy. However, it is difficult to conclude that this amounts to a case of deliberate dishonesty so as to meet the test of a charge of deliberately misleading the House, particularly given that we have the word of the hon. minister yesterday in this House that this was not her intent. Accordingly, the chair does not find that this matter constitutes a prima facie case of contempt.

Before we proceed to Orders of the Day, the chair would like to remind the members of this House of a few basic parliamentary principles that seem appropriate in light of what has transpired over the past few days.

First, one of the practices of this Assembly is to allow for

ministers to supplement or to provide clarification to answers in question period at a later date. It is unfortunate that the Solicitor General did not avail herself of this opportunity before the matter led to a charge of contempt.

Finally, the chair would like to remind the members of this Assembly that there is a concept of ministerial responsibility in the Westminster model of parliament. This principle is fundamental to our notion of responsible government, where the actions of the executive are scrutinized every day in this Assembly. The chair would like to quote the following passage from page 29 of *House of Commons Procedure and Practice*:

The principle of individual ministerial responsibility holds that Ministers are accountable not only for their own actions as department heads, but also for the actions of their subordinates; individual ministerial responsibility provides the basis for accountability throughout the system. Virtually all departmental activity is carried out in the name of a Minister who, in turn, is responsible to Parliament for those acts. Ministers exercise power and are constitutionally responsible for the provision and conduct of government; Parliament holds them personally responsible for it.

The chair is continuously hopeful that members of Executive Council will continue to heed this principle in responding to questions regarding their areas of responsibility.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. It would appear that in the drafting of the Standing Orders, there perhaps may be a misunderstanding with respect to the intention of the parties with respect to Committee of Supply on afternoons. I think it was the clear intention of all parties that Committee of Supply would last for the full afternoon and that the vote at 5:15 would conclude it unless it was earlier concluded by a lack of a member wanting to speak. I understand that the interpretation of the rules that we have been provided would suggest that a vote would be normally called after two hours rather than in accordance with that interpretation and that understanding that all parties I think had with respect to the way the afternoons would proceed.

Therefore, Mr. Speaker, after not less than two phone calls and not more than two voice mails of communication with members of the opposition, I would seek unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Seniors to go beyond two hours, with the vote on those estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

head: **Main Estimates 2002-03**

Offices of the Legislative Assembly

THE DEPUTY CHAIR: The first order of business is the 2002-2003 Offices of the Legislative Assembly estimates, and pursuant to Standing Order 58(8) we shall put the matter to question.

Agreed to:

Support to the Legislative Assembly	
Operating Expense	\$34,930,000
Office of the Auditor General	
Operating Expense and Capital Investment	\$16,716,000
Office of the Ombudsman	
Operating Expense	\$1,829,000
Office of the Chief Electoral Officer	
Operating Expense	\$1,760,000
Office of the Ethics Commissioner	
Operating Expense	\$372,000
Office of the Information and Privacy Commissioner	
Operating Expense	\$3,220,000

Seniors

THE DEPUTY CHAIR: The hon. minister.

3:00

MR. WOLOSHYN: Thank you very much, Mr. Chairman. If I may, could you go through those estimates in the language of your choice, which you so eloquently used a few minutes ago?

Good afternoon. I'm pleased to be the first one up for the estimates. For close to a year now the ministry has been, I think, very effective in providing support for low-income seniors and households in the province through our programs. The new fiscal realities, however, have required that we make sure that our ability to continue with these programs is maintained. As a result, you will notice that our business plan is extremely focused on setting a direction for the ministry in the future. I must say that fiscal responsibility has to remain extremely important in our process, trying to maintain the balance between the fiscal realities and at the same time delivering the maximum amount of support that we can to the people in need.

Our expenses this year are projected to be \$304.6 million, down from \$307.5 million in 2001-02. The reduction is primarily due to the ending of the healthy aging partnership initiative, the housing program. Additional funds have also been transferred to the ministry to cover increases in long-term care rates, optical and dental services for low-income seniors.

The Ministry of Seniors business plan is "closely aligned to the Government of Alberta's core businesses of People, Prosperity and Preservation." The goals of the government are to ensure that Albertans will be healthy, independent, and that those unable to provide for their basic needs will receive assistance. The foundation of the Seniors ministry business plan centres around three core businesses: to "provide financial support and information services to seniors," to "support provision and management of seniors, family and special purpose housing," and to "provide planning and policy development for seniors and housing."

The Ministry of Seniors identifies several goals that ensure effective delivery of our three core businesses and meet the corporate goals of the government business plan. The first goal under seniors' services is to ensure that "seniors in need have access to financial supports that enable them to live in a secure and dignified way." These supports come in the form of income assistance programs like the Alberta seniors' benefit program. This income-tested program provides financial assistance to lower income seniors through a monthly cash benefit. This month over 125,000 seniors in Alberta, or some 40 percent, received cash benefits ranging from \$10 to \$235 per month. The seniors' benefit budget for 2002-03 is \$154.1 million, an increase of \$5.7 million over this last year's approved budget. The increase is \$1.5 million to fund new seniors coming into the program, and the other portion was to increase the

amount of support to the people in long-term care when the long-term care rates were raised.

The seniors' benefit program is also used to calculate the full or partial exemption of Alberta health care premiums. Currently over 165,000 seniors, some 52 percent of the total, receive full exemption on their health care premiums, and over 15,000, or 5 percent of the total seniors population, receive a partial exemption. With respect to the increase in health care premiums, I can assure you today that the low-income or ASB seniors will be protected. The partial exemption will also be extended to an additional 8,000 seniors who are just above the current income threshold for premium exemptions.

The special-needs assistance is for people with extraordinary cost pressures. We have what is called a special-needs assistance program. This program continues to provide financial support through lump sum payments to seniors on the seniors' benefit program who are experiencing financial difficulties. In 2001-02 this program was budgeted in the amount of \$17.9 million. It will provide emergency support to approximately 9,300 seniors in Alberta. In 2002-03 the base budget remains the same. As we know, Alberta Health and Wellness has discontinued the extended health benefits program for seniors, and \$9.2 million will be transferred to our ministry to assist low-income seniors currently on the seniors' benefit with dental and optical services and to partially compensate for the elimination of the health benefits program. I might add that that program did have many weaknesses, and the average payout on it was roughly \$120 per person through Health, as I understand it. Hopefully, we can focus the money and get a bigger bang for our buck. The seniors' special-needs program will continue to be there for the people who need it.

I would say now that seniors who are on seniors' benefit and have emergency dental or eye needs should contact us through our information line, 1-800-642-3853, and we'll take applications. The program details are being worked on, and when they are completed, we will distribute them to the seniors on the seniors' benefit program. I might stress now that any senior who does have difficulty should not hesitate to call, and people will assess the situation and see what can be done.

The second goal of the core business is to ensure that "seniors and their families have access to information and educational material about programs, services and initiatives that are designed to enhance their well being." We do that through our seniors' information services. We're dedicated to providing provincewide "access to accurate, up-to-date, and relevant information" about government and community programs and services for seniors.

In housing, moving on to the second core business of the ministry: "Support provision and management of seniors, family and special purpose housing." The first goal of this core business is to ensure that "provincially owned and supported housing to meet the basic needs of low-income families and individuals, seniors and persons with special needs is effectively managed and coordinated." In compliance with the rent supplement program, we are committed to providing adequate social housing while adhering to fiscal responsibilities. That's through our rent supplement program, and you'll notice in the provincial budget that the rent supplement program remains unchanged at \$15 million. It will take some creativity to try and meet the needs that are out there, and I do realize that rents are increasing and whatnot, but we are trying to work on some kinds of different approaches to help meet the needs of the people who are seeking support. I might say that a tenant in the rent supplement program is subsidized on the difference between a market rent and 30 percent of the household income.

From the rent supplement program we go on to the second goal of the housing division, and that's providing housing services. This

goal is to ensure that "seniors, low-income families and individuals, and persons with special needs have access to a range of housing [that is] appropriate to their needs at reasonable cost."

With respect to homelessness, our first priority is "to ensure a range of housing facilities and support services are available to homeless people, including emergency shelters, transitional housing, and special needs initiatives." The provincial homelessness initiative will continue to provide the \$3 million per year of funding to the seven major urban centres to assist them in implementing their community plans.

3:10

Those community plans were accepted by the federal government. We use them provincially and federally, and they are being used as a model by the federal government right across Canada. These same community plans have made it possible for Alberta communities to access 38 and a half million dollars in federal funds through the supporting communities partnership initiative. With funding support from all levels of government these community plans are the new standard in this country and have resulted in an increased capacity in support of an additional 1,100 individuals in emergency shelters and transitional housing, but with the growth of the province we are still in dire need of some more work in this area.

With respect to the federal affordable housing program, we're working and negotiating and trying to finalize a bilateral agreement with the Canada Mortgage and Housing Corporation. If we are able to reach an agreement, we may be able to access about \$67 million in federal funds over a five-year period, which will go towards the creation of affordable housing in the province.

In recent years the province has directed its energies largely between seniors' housing through the HAPI and SSHIP programs, and in the past three years there has been approximately \$15 million go through the healthy aging partnership initiative, or HAPI, and the seniors' supportive housing incentive program, more commonly known as SSHIP. As a direct result of these two programs, over 1,600 new supportive housing units have been developed. This is resulting in some areas getting their waiting lists for nursing care cut down because this is directed towards assisted living, and it's having a pretty good result. We've only retained a million dollars in the budget for this program this year. That's due to the restraints. However, I am hopeful that as the fiscal situation improves, we'll be able to reinstate those programs. We certainly have the wherewithal to implement them if and when that should happen.

Planning and policy. The third and final core of the Seniors ministry is: "Provide planning and policy development for seniors and housing." The goal in 2002-03 is to develop policies and plans that "effectively anticipate and address the needs of seniors and Albertans in need of housing supports." As part of the cross-ministry sustainable health initiative our ministry will focus on the implementation of the recommendations made by the Premier's Advisory Council on Health as they relate to healthy aging and seniors' wellness and supportive living and long-term care. We'll also continue the work begun in 2001-02 to develop and implement a long-range plan for the aging population in Alberta.

While the coming year will be a challenge, there is much that we can be proud of as we head into the 2002-03 fiscal year. The Ministry of Seniors will continue to provide low-income seniors with the supports they need to age in a secure and dignified way. The Ministry of Seniors will also continue to work with its partners at all levels of government and with the private and nonprofit sectors to develop appropriate, locally based housing solutions to effectively address the needs of low-income Albertans. Through the business plan and budget I presented today, our ministry will continue to

ensure that both our present and future clients are afforded the opportunity to experience a quality of life to which they aspire.

Mr. Chairman, I'd like to have my staff stand up in the back. They come here because their coffee break is over. Would you folks stand up and receive the welcome of the Assembly, please? [applause] They're so enthused about you. That goes for the deputy minister on through to my EA.

I will say in conclusion that we'll take a choice. We'll answer questions, and if you have questions that need some research or they aren't legitimate questions on the budget, I'll have them back to you in writing. At this point I'll welcome any comments from other members. Again, I repeat, I may answer questions here or not now or may give them to you in writing if they're good questions.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chair. The minister and I didn't have a chance to work out a format for this afternoon. So just to let him know, I'm probably going to speak for about 20 minutes now, and then I have at least four colleagues that also wish to speak. Of course, I'll be looking for a second and third opportunity.

Now, there are moments when I find time in this Assembly truly Orwellian, and this is one of them. I appreciate that the minister believes in what he's doing and believes that what he has brought forward with this budget is really going to help seniors. That's certainly what he said, and this is the moment of Orwellian experience for me, because that's not what I'm hearing.

In response to a question that was asked in the House this afternoon, the Premier responded that seniors had asked for this, that they wanted to do their share. They had asked to take their share of the burden. I'm wondering – that may have been the case when the cuts first happened in seniors' programs in '93-94 – if the government has actually gone back and had other polls or other focus groups to ask seniors since then if this is really what they had in mind, if this is what they really understood the government was going to do to seniors as a group and as individuals once the seniors had agreed that they were willing to help the government get out of debt. That's not the response I get. They're pretty clear with me that they expected their contribution to the cause 10 years ago to be given back to them, to have those programs restored, to have the cuts restored. We don't see that here. We see further cuts and further change.

One of my first questions to the minister is: does the minister only see this Ministry of Seniors as responsible to and responsible for very low-income seniors? Does he not see a relationship between this ministry and all the rest of the seniors in Alberta? Does he see no need for a two-way dialogue or for any responsibility for programming there, or is it just low-income seniors?

Overall, this ministry is down by \$64 million, although to be fair, the actual programming dollars available for seniors is up by \$15 million. The housing has astonishingly been decimated. It's down by 49 percent, from \$160 million down to \$81 million, I think. So they've lost almost \$80 million into this.

Now, I also noticed that capital investment went from \$336,000 down to \$60,000, down by \$276,000. I'm wondering what this is. What is this amount of money going for? It may well be amortization or something, but I'd like an explanation and a breakdown, please. If it's more than one project, exactly what is it?

When I look at seniors services, which is vote 2 in the budget, I can see that there are incremental increases in every line item. So it has gone up a little bit in every area. The minister didn't give us the kind of detail that I'm looking for, so I would like an explanation for

what the increase in costs is for every line that I'm seeing under vote 2.

Now, under vote 2.2.1, the seniors' benefit, there's a small increase there of \$3 million. I think I heard the minister say that this was a volume increase for demand for the seniors' benefit program and also included the additional costs to the ministry of people receiving seniors' benefits who are, in fact, resident in long-term care facilities. So as a resident, for their room and board portion of their stay they have to pay, and in this case when they're receiving money from Alberta seniors' benefit, that in effect is subsidizing that cost.

I'm wondering why the project grants have gone down by \$50,000. Could we get a list of what those project grants went to in the past year and what the reasoning was for reducing them by \$50,000 this year?

3:20

Now, what has been really interesting is the changes to the special-needs benefit program. What we've seen is a program under the Department of Health and Wellness that was a universal program, available to all seniors – it didn't matter their age or their background or where they lived in Alberta or how much money they had; it was available to all of them – and that was the extended health benefits program. That program has been cut, and the \$23.7 million that funded it is gone, but what we do get is \$9.2 million turning up in the special-needs benefit pot. We didn't get an increase specifically in the special-needs benefit. What we're getting is another program that has to be administered by that particular program. So there's no extra money in special-needs benefits except that the special-needs benefit now has to administer some sort of extended health benefits program to very low-income seniors. But the rest of the seniors lost that program.

I'm just going to loop back quickly here to my first point, about how Orwellian this is. I don't think the rest of the seniors in Alberta agreed to have their extended health care benefits taken away from them. I certainly didn't see them in any of my travels standing up and going: "Please take this program away from us. This is a universal program for seniors. Please take it away and just offer it to low-income seniors." So I'm interested in what kind of research and backup data, focus groups, polling was done to back up the government's claim that seniors, in fact, asked for that.

Now, the housing is down by \$78 million, and my notes say: why? But I guess the minister has been very up front about it. This was the choice, it seems, of the ministry of where they were going to cut costs, and they took some \$80 million out of housing. Once again, I take a step back and go: really? Did the seniors in Alberta really want or did they really understand that what the government was going to be doing was not give them back any of the programs that have been taken away, not fund the programs better but continue to cut programs?

In particular, when I look at the number of seniors that are already living in subsidized seniors' housing – and I'll come to more detail on this program a little later on when I sort of go line by line – it seems to me that what we've lost here is money to build or money that would go into grants that would help to build more seniors' accommodation and more accommodation for social welfare housing.

You know, it's interesting. This last weekend the *Edmonton Journal* did a full double-page article on the Royal Alex emergency room and how busy it was, and several times in the article it said: "Well, you know, we just can't get people out of the beds upstairs because a lot of them are seniors who are waiting for long-term care beds or other appropriate beds or residences to open up for them.

We don't have those, so we can't move those people out. So we don't get access to those beds, and thus we now have people in the hallways."

I'm frankly astonished that this is the choice that the minister and the department, I'm assuming backed up by the government, would make when we know that this is such an issue in the health care field and the solution to it was accommodation for seniors, and they've decided not to go there. They've just cut it. It's not going to happen.

Now, to be honest, there is a little bit of money left there. So what are you going to use the money for? I'd like to know exactly what you're going to use the money for. I'd also like to know whether this money has been announced before, if it's part of an announcement that came out in a press release last year and this is just your incremental payment into a given project during this fiscal year. So I want to know what the money that's left in that pot is and what it's being used for. I think there's not very much. There's a million left in the seniors' housing incentive grant program, and there's a larger sum of money left in social housing. But I want to know specifically what those plans are for.

I'm interested in how the vision of having Albertans live in dignity with the best possible well-being and independence reconciles itself with the choices that have been made in this particular budget, where we now have to have already disadvantaged seniors who will have to know or find out somehow that to get their extended health benefits – glasses and dentures and things like that, even foot care – they will have to know to go and apply to the special-needs benefit program.

Now, in the past the special-needs benefit program hasn't exactly been able to turn on a dime, and I think at one point the minister was almost six months behind in processing claims. So what has the minister done to that department and the staffing there and the processing that's able to be done in order to handle an additional \$9.2 million of extended health care benefits that people are now going to have to apply for? I want to know what kind of public relations programs, promotion, and advertising programs the department is going to put in place to let those low-income seniors know that this is no longer a universal program for them. They will have to go through the department, phone the number that he mentioned in his response, fill out yet another set of forms, and get in line and wait to get these benefits that used to be a universal program.

One of the other things that I've noticed as I went through the government estimates for this particular department is key performance measurements. Now, I am really angry about this government's two-faced approach to performance measurements. We keep hearing that there's a business plan, we keep hearing that it's for three years, and I look down and what does it say? "Measure under development." Well, how long are you going to have these measurements under development? How on earth can you be measuring what your department is doing when you don't have a performance measurement? You know what? You didn't have one last year either, and you've managed to change performance measurements in this department every darn year. How can you possibly be measuring your outcome? You can't be. Now, the minister laughs. This is amusing to him, but I think it's important for people to be able to judge what the government is doing, and they have no measurements that the government is providing that they can look at from this department.

Even when we look forward into the future, what are the key performance measurements with a target of 2002-2003? "To be established." How long is this going to go on, Mr. Minister? This is what you presented last year. This is what you're presenting this

year. When are we going to see what your actual plans are and what your targets are and what your key performance measurements are? This government blabs on and on and on about how transparent it is and easy to understand and how open it is in all these performance measurements. You don't have the performance measurements. They're not there. Why not? Why is this at least the second year for this ministry? You've only been in operation two years. You've only presented two budgets. Why is this the second year that I'm looking and there are no key performance measurements?

When I looked under, you know, "percentage of eligible seniors receiving Alberta Seniors Benefit," the measurement is "under development," the target "to be established." Then the rest of our key performance measurements are going to be on satisfaction of people. We're going to do satisfaction polls again to find out whether the programs and services that the ministry is offering are effective. Why does this government keep choosing to do some sort of popularity poll, *People* magazine's fave of the week satisfaction review, to be able to judge its performance? Those are very poor performance measurements, yet those are the other ones I see. Either you don't have them, or it's some sort of popularity poll that's coming out.

Now, the minister touched briefly on the social housing agreement with the Canada Mortgage and Housing Corporation, and I think this is the question that I asked the minister in the House here 10 days ago or so in which there was \$67 million that was available for Alberta, but we have to put some money up. So where is that money in this budget that we're supposed to be putting up in order to qualify for this money? Are we just going to kiss this money goodbye and not have access to it, or is the minister expecting that this would all come to fruition next year, in 2003? Fine. I'm willing to accept that, but let's get the information on it. Although I will point out that waiting for the money until 2003, if that's what the minister's doing – that's another year that there have been no starts in housing for seniors, whether that's long-term care beds or whether that's specialized housing.

3:30

Here's another key performance measurement: "Satisfaction of housing clients with quality of accommodation, and services where appropriate." Well, the methodology was revised in '99-2000, so I don't have a lot to compare to. This is the other trick: either don't have a key performance measurement or keep revising them often enough that you don't ever accumulate enough data to be able to go back and look at whether there's improvement or not. I'm wondering with this particular key performance measurement why this is the choice of the measurement. Why aren't you measuring how many seniors need housing that got it? Why are we measuring the satisfaction of clients that got it? Why aren't we finding out how many need it that we're not able to serve? I think that would be a more useful piece of information to work with when we were looking at planning for future resources.

I can already see that my time is going to go very quickly, and I have barely stubbed my toe on the number of questions that I have for the minister. I will at this point recognize that he's not going to have time to respond to everything I've done plus what my colleagues would like to ask, so I would appreciate getting the responses in writing. I understand that I'm asking for the ministry to do work, and it's not easy to do a fast turnaround on these questions. But I'll be expected to vote on this budget on May 9, and I would really appreciate having the answers back to my questions prior to that.

DR. TAYLOR: How are you voting?

MS BLAKEMAN: I don't know how I will vote as far as the budget is concerned when I don't have the answers to the questions that I've asked. I want to see the kind of planning that I expect to see from this government with this kind of money, and I'd like to see those answers back before I have to vote. Don't you think that's reasonable, that I would have information?

DR. TAYLOR: Hurry up, Stan; get her those answers.

MS BLAKEMAN: Thank you to the Minister of Environment for his assistance in urging his colleague to get on with it here.

I'm assuming that the major strategy for 2002-2003 "Partner with Alberta Health and Wellness and Alberta Finance to support the cross ministry Health Sustainability Initiative" is where we see the transfer over of responsibility for the extended health care benefits. If that's not what's being talked about in this sentence, could I have an explanation, please, on what is being talked about, what the strategy there is hoping to accomplish, and, hey, what the heck, a performance measurement to go along with it?

When I look at the overall statement of operations by program, we have again disposal of capital assets. Could I get some information, please, on what was disposed of? That it made the ministry money, fine. I just want to know what it is that they sold off or got rid of. I think it's probably housing stock, capital gains of some kind, depreciation of some kind. Got to be something. We're talking \$12.6 million, so it's got to be something. Let's find out what it is.

Now, I'd also like an explanation, please, of why it's anticipated that the revenue for the Alberta Social Housing Corporation is going to drop by \$52.6 million. This must be a partnership or the government has – anyway, why aren't we getting the revenue? It's showing up in the books as dropping from a comparable forecast for the end of this year of \$129.5 million to \$76.9 million. How come?

I've just got a few seconds left. Maybe I'll break here. I'll see if there are any answers, and I'll let some of my colleagues get their questions on the records as well. I'll be back. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. WOLOSHYN: Yes. I normally would wait for all of this, but I think a few misconceptions have to be clarified. First of all, I never said, the Premier never said that we polled seniors and they asked for a reduction. That's an absolute statement that I cannot accept. However, having said that, I would not want to pay income tax, I would not want to pay property tax, I would not want to pay health care premiums, and neither would anybody else in this House.

DR. TAYLOR: I would.

MR. WOLOSHYN: He can.

The reality is that we are under some degree of financial stress, and we've tried to in the ministry target the people that are most in need.

When you speak of the extended health care benefit plan, I hope you are familiar with the plan. Here's what was eliminated. A provider for an oral exam charges \$55; we paid \$20. An X ray: we paid \$5 towards it. The administration of this whole plan was cumbersome. It is gone for all seniors. That's a decision made by Alberta Health, and as the Minister of Seniors we approached them for support. They were kind enough to transfer some staff to administer and some money over to the budget, and we will be reworking the plan so that it gets more money, less administration, and has a bigger bang for the buck.

Would I have liked to see it applied to all seniors? Yes. Is that

feasible at this time? No. So we will focus on the ones that are the most in need, the ones that we were supplementing before. I hope that misconception of the plan has some bearing on you. I believe from the information received from my colleagues in Health that the average payout was \$120 per year total. Eyeglasses – I could go through the whole plan, hon. member, but I won't bother.

Your question on the decrease in the income and expenditure on the line on the Social Housing Corporation is a good question. That's flow-through money. There are debentures, if you will, I guess, against the approximately \$2 billion worth of stock that the Social Housing Corporation holds, and Treasury determines how much is going to be a pay-down on it. They give that as income; we pay it down as an expenditure. So it's a flow-through.

That's one of the problems with this total consolidated budgeting that makes it appear that our budget has gone down considerably from last year to this year. Actually, that's not the case. It's just what was applied to it. You may want to know that we are involved with some 17 different agreements with Canada Mortgage and Housing that go back to 1972, and a lot of this triggers how those agreements work. But it's not a decrease nor an increase in the budget. It's a matter of how that's being addressed.

The other one. You're absolutely right; I did not put \$67 million in the budget for affordable housing. That's a five-year program. That's a program that, yes, we want to access. When we access it, I'll go through the proper channels to procure the funding that we would need for this year, and we don't know at this point what it will be because we don't know where it's going to go. We have some very strong positions on how we want that to be done, and it's not going to be just a simple grant. We have to ensure that those moneys give us the greatest number of units for the dollar, which will mean that we'll be working through the housing corporations. This program is tailored to each province or each province negotiates its own, so we have to work it in with our needs, and I'm hopeful that we will have some sort of agreement with the federal government at some point down the way.

Comments that we're not doing anything in housing I think are irresponsible. In the last three years there have been some \$50 million put into seniors' housing through the two programs that have triggered about an equal amount or more from the housing authorities, which has resulted in 1,600 additional units. Those are assisted-living units, which takes the pressure off of nursing units, which puts seniors in better care than they would be ordinarily. I think that's one heck of a good step.

3:40

When you go to the next portion and you look at what's happened in this province in homelessness in the last two years between ourselves and the federal government and collaboration between the communities, I think it's nothing short of remarkable, so good that the federal government uses our plans, our format across the whole country. The city of Grande Prairie, the hon. member who is there – their format is being used in rural Quebec, and Calgary is being used in all the cities. So for you to sit there and say that we're doing nothing I think is irresponsible or else you are totally uninformed. I don't mind your taking cheap shots at me, but be careful how much you shoot, because I have to react sooner or later.

With respect to your comments on this ministry not being responsible for all seniors, another irresponsible comment. We have the responsibility for all housing – homeless, social housing, seniors housing, and, yes, the seniors' low-income program. Where would you direct your attention? The affluent senior or the one in need? Where would you put your money? To the person who needs it or the person who wants it and may have other means to get by with?

We have chosen to direct our resources most appropriately to them. Would I like more in the program? Yes. Is it affordable at this time? No. Is it responsible to go and say we're going to get it? No.

I'm honest with you. We don't have a performance measure. I put it on paper. I don't make one up for you. Then you sit there and whine: why don't you have one? Give me a good one back that we can use. I don't mind. I'll take your suggestions if they're worth taking, but you read a document, you go through it – you probably don't even know that seniors are subsidized in their premiums as a couple up to \$44,000. There are a lot of people in this province who have families and who are paying full premiums, and they don't make \$44,000.

I'd like to say also that with health care premiums we've got some 400,000 people across this province who don't pay all or part of it. That's because we're trying to be sensitive to it. So, Madam Member, I don't mind answering your questions. If you have questions that are sheer questions on the budget, my staff will answer them out of *Hansard*. If they are ramblings on and criticisms with no merit, they'll go unanswered.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. I'm really interested in how keen the minister is to get on this side of the House and to put me in his chair. So I really appreciate his support in constantly asking me how I'd prefer to run his ministry and to be on that side. So thanks very much, and hopefully it won't be very long.

A couple of questions coming directly out of his responses to me, and then I'll let one of my colleagues up. I would be very interested in exactly what was covered under the extended health benefits program, which is now being cut. The minister mentioned two things. An oral exam: is he talking about a dental exam? Is that what was on the list that's now going to be cut? Let's see what it is that's being cut.

In fact, if the justification for losing this was that the ministry was paying so little money, then how much money were they paying? I guess what I'm going to be interested in here is: how much are seniors now going to have to pay out of their own pocket? On top of the health care premiums now they're going to have to pay what? According to the minister, an extra \$120 a year to make up for what the government was paying on average for the extended health care benefits. Well, the minister may think that that's a nominal amount of money and sniff at it, but I think that for a lot of seniors in Alberta that's a significant amount of money. So let's see what exactly was on that list and how much the government was paying for that they now say they won't be.

Finally, I'm really interested to hear the minister say that there are people that are making \$44,000 a year that are receiving a full or a partial health care subsidy that are seniors. That is really interesting. If he can table, please, some concrete information about that – I'm obviously not asking for names or addresses but certainly a profile that's going to give us exactly who these people are. I'd be most interested, because I think that if there's misinformation being flung about here, that might have been some of it being flung.

Thank you, and I'll return later for other questions.

THE DEPUTY CHAIR: The hon. minister.

MR. WOLOSHYN: Thank you, Mr. Chairman. Just to make it clear. If I did not say that it was senior couples with \$44,400 as of last year that received partial health care premium subsidy and downward to full, then that's the clarification: \$44,400 for senior

couples. Below that, they start to get support on the health care premium, and that will continue.

With respect to your other comments I'll just give you the printout from Blue Cross. For a complete oral exam – I assume it's a tooth exam; that's what an oral exam usually is – the cost would be \$55; the plan would pay \$20.84. For an X ray, \$15; the plan pays \$5.55. For cleaning below the gum line, \$74; the plan pays \$27.78. Complete upper denture may be up to \$650. I think that is low. The plan would pay \$246. For the partial standard lower denture, \$250; we would pay \$95. Then once every three years for single-vision glasses up to \$57, bifocals up to \$77.50.

Yes, I would like to have seen the plan perhaps enhanced or whatever, changed. What we're doing with it is we're going to focus the money so that the people who need it will get the payment that they require to meet the full service.

I think that's about what you had asked. We'll let other members have the floor.

THE DEPUTY CHAIR: The hon. Member for Edmonton Mill-Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the opportunity to make some observations and ask some questions about the Seniors estimates that are before us this afternoon. I would like to, I think, focus most of my remarks on the business plan that the ministry has put forward. I, too, I guess, am a little distressed at the rather primitive state we seem to be in terms of the department's development of performance measures. I'll be interested in the Auditor General's comments with respect to these performance measures, because I'm sure that his attention will be drawn to them.

The core business plan, number 1: "Provide financial support and information services to seniors." I was looking on page 331 at the kinds of goals, and I think that most of us would agree that they are worthy goals. I would like to ask about the kinds of measures that are being considered; for instance, 1.1.1, "work towards adjusting provincial income benefits for lower-income seniors, in particular to reflect the changing personal supports needs of seniors as they age." I think that's an important one in that it does get adjusted, and I would be interested in knowing how that's going to be done, what's being considered. Is it a basket of measures that the ministry is going to look at in trying to determine that level of support?

I think that relates to 1.1.2, the "development of a benchmark measure for 'sufficient retirement income.'" How are you going to go about determining what is sufficient income? How are you going to monitor that, and how will it change? As the minister knows, one of the problems with the social assistance plans and AISH is that it hasn't changed. So, hopefully, any measure that is put in place is one that will be responsive to changes in the cost of living and other expenses that seniors face.

In all of the performance objectives there are interspersed actions by the department, either agreements that they're going to be working on or plans that they're going to be working on or co-operative projects with other departments that they're going to be working on, so if I bounce around, it's because they are interspersed with those kinds of activities. Under 1.1.4, "simplify eligibility criteria and administration of Alberta Seniors Benefit to improve fairness and clarity of the program," again I think a goal that we all would applaud as worthy, I wonder if one of the criteria that they'll look at is adequacy. How adequate is the program? I think adequacy is as important in that program as it is in 1.1.5, to "improve the effectiveness of Special Needs Assistance for Seniors program" to make sure that those most in need are processed in a timely way. Again I think it raises the question of adequacy.

3:50

If there are measures being developed, I also think that it's important to look at the effect the programs and applying for those programs has on the applicants. I say that, again, from experience in our constituency office with people on social assistance programs and for some of them how very, very difficult it is to apply for assistance and the feelings that they get of not being worthy, that somehow or other it's their fault that they're forced into this position to ask for help. So I think that with how the applicants feel in terms of their treatment, doing it efficiently and quickly is important, but doing it with some compassion and some concern for the applicants is also important. There's a whole list of goals there, Mr. Chairman, that beg, I think, some performance measures, as do the rest of the goals.

If I look on page 332, in support of seniors, I look at 1.2.2: "To develop effective ways to ensure seniors, seniors' families, and seniors service providers are well informed about . . . programs." That, I think, for seniors is a particularly thorny problem. It's very, very difficult to ensure that seniors have the information that they should have to access programs. I was looking at the Ontario government web site and their business plan. I think it was the Ontario government. There's a measure that they use in terms of visits to the web site. They keep track of how many seniors log on to the web site. That is one measure that might be useful, but I say that knowing that it would be interesting to know how many seniors actually use the web to access information. Again I think it's a measure that gave them some indication of how widespread knowledge about their programs was and in terms of getting it to seniors.

I also noticed – I think it was again on that same web site – under 1.2.3: "Collaborate with other ministries and organizations to support provincial strategies to inform and educate seniors [et cetera] to protect themselves against fraud and other crimes." Again it seems hit and miss. The only time it really seems to be drawn to seniors' attention is when there is an actual case of fraud and it's reported in the media and becomes highlighted in their lives in that way. That's really a very incidental way to go about it. I wonder about the approach that was taken in Ontario, where they were actually using programs in schools to educate students about programs for seniors so that that knowledge would be in the family and the possibility of it being more widespread was made more possible. I thought it was rather a different way of trying to get information to seniors. But I think that whatever is put in place has to be systematic. It's not fair to leave it in terms of chance that seniors will be informed about ways that they can protect themselves against crime and that their personal safety can be enhanced.

The last one. I guess I look at the measure here, the "satisfaction of seniors with information provided." Again, you know, it's a satisfaction measure and somewhat important, but I think there are other measures in terms of actually affecting seniors and their lives in this performance section that are much more important.

Of all the actions in this ministry's mandate, I think those actions concerned with housing are of huge concern to seniors. In the last couple of years I've had the opportunity to look at a lot of seniors' accommodation, from what was available in Small Town, Alberta, to day care homes in this city to some of the private homes that seniors with means can access. One of the things that you come away from that experience struck by is the huge variation, the great variation in the living conditions for senior Albertans. You go from very, very cramped, one-room accommodations, where that room is shared with another senior, to suites where seniors are being able to subsidize and top up the accommodation. So accommodation for seniors is really an important issue. When they have to seek help,

for a lot of them it means breaking up their homes and disposing of furniture and then looking at an appropriate accommodation. For those seniors, cost and availability and quality are really very important, and my fear is that sometimes cost and availability overtake quality in terms of what's available.

I'm not quite sure how you get at that, but I wonder if the department has or keeps track of the kinds of housing stock. The plan says that there are 36,000 housing units and that those are across a range of accommodation, from self-contained apartments to cottages and lodges. I wonder: is there an inventory of that stock kept, and is there a monitoring of it to see how it changes over the years? Again I recall seeing in a business plan of another province a monitoring of the stock showing how different classes of that stock are increasing or decreasing and are available for seniors. So the whole look at the stock that we have available I think is appropriate.

One of the things – and it's mentioned in a couple of places in the business plan – is the proceeding to transfer or to try to move the housing solutions to community-based housing organizations. Is it the intent of the ministry that that's the preferred way they would like to go, that they would like that taken over by organizations or community groups?

I'm sorry; I'm sort of bouncing around. I'm still on goal 2, at 2.1.6: "Revise the Rent Supplement Program to ensure that rent supplements are targeted toward communities with the greatest need" and that they can be operated. I guess the question is: how will that be determined? Will there be some sort of a measure developed so we can see that that is actually what's happening?

At the top of page 334 there are some performance measures where we get again another satisfaction measure. I think satisfaction measures, particularly for seniors, are important in terms of how they feel about things, because at that time in their life many of them are very vulnerable, and how they are treated I think is extremely important. I wonder if there isn't need here for some cost measures. What is the cost of some of the accommodation that's being supplied and again the availability measure? How much is available in different classes?

That goes to 2.2.4 at the top of page 335, "to increase the supply of low-cost housing within the areas of highest need." What is the stock? How is it changing? What is the condition of that stock? I'm sure that the department probably has that information at hand.

4:00

I guess 2.2.5 would almost require the same kind of a measure or monitoring to determine, you know, what kinds of housing solutions, what kind of available housing is there in remote communities, including the aboriginal communities, and what is the state of the housing stock there.

The same for 2.2.6. I think it begs information and some benchmarks being set in terms of emergency shelters. I think we have that information on emergency shelter beds in the province. I'm not sure we do about transitional housing and special needs housing, whether they are designated as such. It would seem to me that the ministry in the next year, as they seem to be serious about taking on the task of developing some performance measures, could really develop a set of measures that would be useful not just in monitoring what was happening to the housing stock in seniors' programs but that could be used as a useful planning tool in trying to determine the future directions of the department and future budgets.

I think that with those comments, Mr. Chairman, I'll conclude. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. WOLOSHTYN: Thank you very much. I do appreciate your observations, hon. member. I'll see if I can cover in general terms most of the questions that you've asked.

You made reference to the community groups. We did go out and respond to the various urban areas as they were telling us a couple or three years ago that they have a better handle on their needs than we do. I didn't dispute that. I think that was accurate. I'll give you Edmonton. We worked through the Edmonton Housing Trust Fund, for example. As the identifiers with it we flow a couple of million dollars a year or whatever it is through them, and we rely on them largely then to pick, if you will, again with the federal government, which has been generous, the projects that go ahead.

I'll give you a good example. We have been through some joint ones. I believe it was Grace manor by the Salvation Army that was CHIP money, that was homeless money. They do hard-to-house seniors, hard-to-house other people, and they were meeting a need. So we do work with these groups. We do have to work with them. Consequently, they would have to show, for example, before they pick a project that it is needed and that there is some source of operational funding so we don't get a whole bunch of projects up there and suddenly no way to operate them, because then that creates its own set of problems. We've done that, and it's variable across the whole province.

We've got numerous housing authorities which have some of their own stock and administer our own. For example, there's a new project in Fort McMurray that we were partnering as a province with the Wood Buffalo housing corporation. I think we're tripling the number of units that will be available for social housing. I could be wrong on that. We're roughly tripling the number of units for social housing by supporting them in making a very large – forgive me; I've forgotten the name of the project – social housing project on something that used to be referred to as river lot 13. What we're doing there is we have worked out an arrangement with them where we will move our rent supplement program from the private ones to these units as they become filled up. We have worked out with them a level rent so it doesn't drive it out, and quite frankly it will triple the number of units.

We're also working on some other areas, and if this federal money comes through, we'll go into the affordable housing market.

So that's how we try to work with the community groups, and it isn't the same across the board. I will not go, if we get the agreement with the federal government, on a per capita arrangement or anything like that because we have to address where the need is greatest, for one, and, secondly, where the groups are most able to do what they're doing.

You highlighted one area that I'm not very proud of. I had the occasion to travel north with the hon. Minister of Aboriginal Affairs and Northern Development. We went to some remote communities with some people that were there, and quite frankly the housing conditions in some of these usually aboriginal, nonreserve communities are terrible. We have to do something there.

MS CALAHASEN: It's a shame.

MR. WOLOSHTYN: It is a shame. What was done previously in these sort of one-size-fits-all programs didn't fit. We need two things: first of all, we need a local solution, which may vary from community to community. We have to ensure that the people in the community do have a large input on what's there – and it may vary – and who occupies it. One aspect that is going to be somewhat of a change is that everybody who occupies will have to pay according to their ability to pay, as opposed to: we move in.

So I hope to get that. That will be largely contingent on if we can

do a couple or three or four things. And it's not very easy. You don't snap your fingers and have it happen, because some of these communities are also members of a larger housing authority. For example, in the Wood Buffalo regional municipality we have the Wood Buffalo housing corporation. They are responsible for Fort McMurray and outside.

So we have to get partnerships going along the way, but the main thing is that we have to get appropriate housing. Now, just to give you a good example of what appropriate is, in the 1970s somebody put trailers into some northern communities. They had plumbing in them. They had propane heaters. They didn't have any water to hook up to nor sewer to go to, so you have a place plumbed up with nothing to hook up to. Some of them still are not hooked up. What's worse yet, they're living in the middle of a good source of firewood and they've got a propane heater. So these are the kinds of stuff that when I talk about a community and what's appropriate, you know, it's not just: here, go build a house or haul a trailer out. So that's something that we're trying to work on, and that was a good point.

The other thing that we've worked on within the government to see what's needed – you know that a lot of our clients are on AISH, as you referred to. There's supports for independence, if you will, and the people on that. We have single families on there. So we do have a whole host of them. We've done some things, albeit we didn't publicize it too much. For example, we moved in a direction with the housing authorities that the rents must be set for a year for people in the rent-geared-to-income housing, the stuff that we own, simply because if they haven't improved their status during the year, I want that money they make to go towards improving their living standard, not to rent. However, if their income rises – and we have the formula of 30 percent – then the next year, for which I believe the cutoff is September, at that point they would be reassessed and their rent will go up accordingly.

You say: what if their income goes down? Then the onus is on the tenant to apply, and it's an automatic approval if your income goes down by more than \$35. Remember, it's 30 percent of your income, so it means a \$10-a-month rent. If it goes down more than \$35, they can apply to get their rent adjusted downward at any time. It can't go up; it can't come down.

We've taken and put caps on the seniors' rent-geared-to-income housing. The whole business of working with these authorities on the stock that we have, for example – we have a lot of stock. Some of it is in communities where they don't need it anymore. Because of agreements that we have with Canada Mortgage and Housing – and this is not laying fault; it's a reality that we're dealing with – we can't dispose of it very easily. When we dispose of it, I want to reprofile it, like you were indicating, where it goes into an area of need.

We have, for example, in Edmonton the Greater Edmonton Foundation, which administers our lodges and our rent-geared-to-income or self-contained seniors' apartments. They haven't moved into the assisted living concept. They're currently working with the Capital health authority and ourselves on a pilot project in a lodge that they replaced, the Ottewell lodge, to see if they can go into assisted living to some degree. Now, that's a big step for a lodge operator, but we do have a large number of people who are not appropriate in a normal lodge setting and are not appropriate for a nursing home. We're trying to fill the gap, and that's where a large amount is \$50 million. It's so low it's not in the newspapers every day. A lot of good work has been done there through authorities right across this province. A lot of it is turning up, for example, in the David Thompson. I picked up an article in the Red Deer newspaper where their waiting list for extended care has dropped in

a year from 102 down to 18. They attribute that directly to the fact that they've got some of these assisted living or supportive housing units that we worked with authorities to build. So there's a lot of activity there.

4:10

With respect to the room sizes, you're correct. You can go to different places and have different rooms. We've had the lodge assistance program in existence through what used to be public works and now is Infrastructure. Forgive me; I don't know the number per year, but they've upgraded lodges right across this province. You can go into a lot of them where they've taken and made the room sizes bigger, and yes, we're going away from the double-occupancy concept for a variety of good reasons: one, getting along, and room space also. You will find lodges that are smaller. The other interesting thing we found in a couple of lodges the authorities renovated is that people don't want to leave them. They don't want to go into better quarters. That's home. It was an interesting thing when you go and talk to them.

So we're continually trying to improve that business. We know what stock we have, and again we don't administer it, or very little of it, directly through the ministry. It's done by the housing authorities, and depending upon where they are and what their goals are, sometimes their desire to get into higher care may not be as great as I would like it to be, but then I can't fault them for that because they're staying within what they feel is appropriate.

I do want to add at this point, too, that the housing authorities in Edmonton and Calgary and other communities around the province do get significant support from the municipalities for the lodge programs, so it's a partnership right across the board. It's the housing authority; it's ourselves; it's the municipality. The housing authorities have done a very good job of administering those things, and as you know, they came into being in '92-93 or thereabouts. Prior to that they weren't there, and again it takes a little bit of creativity on the part of my staff to work with all these, because different groups want different things. There are different associations because they can levy that, and the different municipalities want to be in different housing authorities.

You also had a very, very good point when you referenced special needs and the hit on the people, the emotional impact, of having to ask for assistance. The staff that work with seniors are there only so long as they are compassionate, and I mean this quite sincerely. They are very, very good, and most seniors when they come to us are coming because they do have a very specific need. We may be the last resort, or are the last resort. They are treated with dignity. They are treated properly. Also, if they can't get out and they phone, we'll send staff out to their homes, so it's not a matter of you can't get in.

We've taken the initiative now to move some of our Seniors offices. I believe in Calgary we've got an arrangement going with the Kerby Centre because that's where the seniors seem to focus. In Edmonton the Standard Life building seems to be working quite well, so we'll leave that alone. We're working with a centre in Red Deer to see if they can help. In Lethbridge we've got an arrangement with one of the Lions' seniors' centres there. The whole reasoning behind it is that that's where the seniors congregate, and if we're working with communicating, if we have staff in place there, then hopefully the networking will go out and we'll get a greater number of them.

I do want to stress that when a senior makes an application – and yes, we have to have criteria or else there would be no limit on it – if they feel that they have not been treated properly, then we do have an appeal mechanism. Sometimes, although very rarely, because as minister I try to avoid that, if occasionally something else comes, I

don't make the decision. I'll ask the staff to review it and see. The staff have been very good at, yes, following the guidelines but sometimes using a bit of heart and seeing how it works out.

We've got just stacks and stacks of letters and cards from seniors who have received support from special needs, and those cards are very, very heartwarming. You know, whether it be with teeth or a furnace or a roof repair or a bed or a new stove or a washing machine, the list is endless. But to them, to their quality of life, when we say we want their quality of life to be improved, we mean it. Yes, you can get a microwave out of the seniors' special-needs program if you can't afford to buy one. People say: "What? A microwave? It's a luxury." Not necessarily. It may be the difference between eating cold food and warm food, and you don't necessarily use a stove every time you want to cook a meal, although I don't promote microwaves for everybody. A television set: people call that a luxury, but if you're still in your own home and you're the only person there, is that a luxury or is it a need? We will get those. We get some criticism of: where are you going there? But the staff that look after it I say are very, very good, and they look at each situation individually.

The other thing that's happened – and I'm very proud of this. We had a long waiting list and not through a whole influx of staff – although there's a little bit of an increase in that – but through a desire to fulfill life, we've turned the time around. For some time it took months. If the application is done up where it flows through properly, we can usually get a cheque into their hand in a three-week turnaround, which is quite remarkable. You'll find people for whom it's a month, five weeks, or six weeks if you have to go back and forth to get clarification, but it's there.

The biggest problem with the program is, however, that some people seem to think that it should have no criteria around it. "It's there. I want it. I deserve it." We can't do that. There are limits to it. As you noticed in my presentation, I indicated that this year we've helped some 9,300 people.

This ties back to the extended health benefits. We saw, for example, that a good portion – and don't ask me for numbers, because I can't give them to you off the top of my head. We were assisting a lot of the seniors' benefit people with supplements for dental work. Now, with this program, which we have modified, if you will, with the dollars that we get from Health and Wellness – and hopefully they'll be sufficient; I don't know if they will or not – we'll probably be able to give better service to the senior. If you were listening to what I read out to the hon. Member for Edmonton-Centre, there was always just one-third and two-thirds left over. So if you're broke, you don't have it. Then they would go through one program, come back to us. It was duplication; it was frustration. So although it appears as sort of, shall we say, a ripple, it may in fact – and we hope it will – be an improvement for the low-rent folks. Am I happy that the seniors above the thresholds won't get it? Of course not. But looking at the thresholds where they apply, we feel hopeful that it's not going to be too big of a financial thing.

There was another one. You had referenced the rent supplement program, and I think I explained that we do target that.

So, hon. member, that's roughly the way we go about some of those things. I do appreciate your comments. I think you've looked at the information well. I will not apologize for not having the performance measurements in place. I am very strict with the staff. If you don't have the tool that will give us the performance measure that we want at the end of the day, then let's not have any there and let's work on it until we get something. I can assure you that with the ones where we don't have it yet, we're working on them. So hopefully in time, whether it be next year or the year after – and I'm not going to promise that it's going to be next year – we'll have the

ability to measure our performance with the kind of accuracy that the folks in this Legislature deserve.

THE DEPUTY CHAIR: Hon. members, the chair just wishes to bring to your attention that as per Standing Order 58(3) the first hour is restricted to the hon. minister or a member of the Executive Council acting on behalf of the minister and members of the opposition. That one hour has now passed, so any other member wishing to speak may do so now. The hon. Member for Edmonton-Gold Bar.

4:20

MR. MacDONALD: Thank you very much, Mr. Chairman. I rise this afternoon to participate in the budget estimates debate on the Seniors ministry, and it is certainly a ministry which is very, very important to many Albertans.

At this time, Mr. Chairman, I certainly would like to express my gratitude on behalf of the constituents of Edmonton-Gold Bar for the co-operation and the diligence of the department in supporting the new Ottewell Place Lodge. There were a number of department officials present last fall at the grand opening, and I have heard from the residents and I've heard from management that it is an excellent facility. There was a lot of care and attention taken, I believe, in the design of this facility by the Greater Edmonton Foundation, but it would not have been possible without the support of this government and this minister, and at this time I would like to express my gratitude to the minister and his department.

Now, there's more work to be done with affordable, accessible housing for seniors, but I would encourage all the members of this Assembly, if they are interested, to please tour Ottewell Place. As I said, it is a well-designed facility, and the residents seem quite content with its layout. There are certainly other areas of the city and other areas of the province that need this, and again I would encourage the minister to make affordable, accessible housing for seniors his top priority, the top priority of the department.

There certainly are issues around the population and the aging of the population in this province. We are a young, vibrant province. There are demographic pockets within the province where there is a significant population that is 65 and over, but on average, Mr. Chairman, I remind all members of this Assembly that 10 percent of Alberta's population is 65 or over, so we do not have an aging crisis. An aging population is not driving up our health care costs. It is not ensuring that affordable housing is too expensive. None of those things.

There are pockets in the province in various constituencies, including the one that I'm honoured to represent, where it is above that 10 percent, but it is not the problem that some maintain it to be. If you compare us in this province to B.C., to Saskatchewan, to Manitoba, currently those provinces have over 14 percent of the population aged 65 and above. Here, again I emphasize, it's 10 percent and seniors cannot be blamed for our high costs of health care delivery in this province. We've got to make sure that when Alberta seniors need medical attention or care, they're not made to feel guilty about this. It's the furthest thing from the truth, Mr. Chairman.

I note that there was a study done, and it was released I believe 18 months ago. It was entitled *Alberta for All Ages: Directions for the Future*. This was a policy initiative, and I'm sure it is a document that is guiding the initiatives of the hon. minister and his staff. You know, it is fine to begin to prepare and plan for a population over the age of 65 that will be perhaps 14 percent of the total population, and it is my information that we're at least a decade out, perhaps a little bit more. It'll be the year 2015 before demographically, Mr.

Chairman, we have 14 percent of the population over 65. This sort of prudent planning I would certainly encourage the ministry to continue, to develop plans and prepare and use the document *Alberta for All Ages*.

Now, I would also encourage the minister to ensure that all our support programs are inflation-proofed, that they have a mechanism. I would like to see it reviewed annually. We certainly know that the cost of utilities, whether it be natural gas or electricity, the cost of apartments – as more and more people come to the city looking for work, costs are going up, and seniors' incomes are not going up at the same rate. I think this should be done annually. There should be a review of all benefits. It should be tied to the consumer price index, the inflation rate, or whatever. I would certainly encourage the minister – and it was reflected in a bill we had in the last term of this Assembly – that the disposable income of seniors should be set up so that it is rated at the inflation rate or consumer price index increases. I would really encourage the minister to have a look at that.

Now, anytime we talk about seniors, we need to look at what strategies are going to be put in place by the Seniors ministry to improve the efficiency and the consistency in the administration of the Protection for Persons in Care Act. Mr. Chairman, I believe that while the Protection for Persons in Care Act is well intentioned, well meaning, it is not adequate. I'm encouraging the minister in charge of seniors to have a look at this. As I understand it, last year the reporting line received 499 reports, to be precise, of alleged abuse. One-third of these reports were substantiated, and that is too many. That is too many. That's more than 130 cases across this province.

We need to have a look and a study to see if we can improve the Protection for Persons in Care Act. Perhaps it's time we had a uniform set of standards across this province for nursing homes. There should be a minimum set of standards, whether it's a private, for-profit or a not-for-profit facility, so that families can be guaranteed that their loved one is going to be cared for. This is an issue that I really think we should have a look at quickly. I would like to see it done immediately, but I realize that sometimes the wheels of government roll slowly. This is very, very important. As well meaning as the Protection for Persons in Care Act is, again I would stress that I do not believe that it is adequate. This, I think, is backed up by the fact that one-third of reports were substantiated. That's just frightening, that some of the most vulnerable citizens of this province are without protection.

Now, a number of strategies have been implemented in statistics on seniors, and at the risk of repeating myself, I would again remind all members of this Assembly that we do not have an aging crisis in this province, that our seniors are not driving up the price of health care and making it unaccessible, and that they are not a burden. They built the foundations off our current prosperity, and I think that should be reflected in government policy. There should be a set of rules in place for seniors that will not suddenly change on them and reduce their disposable income to the point where they have to worry and fret about making ends meet at the end of the month.

4:30

Now, this gets me to the Alberta seniors' benefit program. I believe as of last year there were 180,000 seniors receiving benefits from the Alberta seniors' program, and there were, as I understand it, about 125,000 seniors in the province who were not receiving the Alberta seniors' benefit. Of the 180,000 seniors receiving benefits, there was just a slight decrease from the previous fiscal year. But it is interesting to note that of those seniors, Mr. Chairman, 126,000 received a monthly cash benefit that averaged \$110 per month. I would be interested to know if the ministry has any idea of what

percentage that \$110 per household would be on a monthly basis if you were to compare that – what percentage would it be of the monthly budget for that household?

There were seniors who also received full subsidy of their health care premiums. Now, there are 126,000 seniors receiving full subsidy of their health insurance premiums. That tells me that household income is not adequate, that statistic alone.

I understand that all seniors eligible for a cash benefit received an increase of over 10 percent beginning on April 1, 2000. That was a result of a review of the benefit criteria. Is there going to be another review? I was encouraging the minister to do this annually. When is the next review going to occur? We need to, I think, encourage at this time the minister to improve the Alberta seniors' benefit program, because you look at the number of seniors who are receiving the benefit, and the program certainly is warranted. I think it's money well spent so that people can have a secure and safe retirement.

There were almost 11,000 applications for the special-needs assistance program for seniors, and that was a 43 percent increase in applications over the previous fiscal year. Now, this program provided benefits to almost 7,000 senior households, for a total expenditure of 13 and a half million dollars. Close to 8,000 seniors received support from this program, and it's interesting to note that the number of seniors is greater than the number of grants because couples submit one application. Benefits ranged from \$100 to \$5,000, Mr. Chairman, and the average amount per benefit was \$2,000. Whenever you see an increase of 43 percent from one year to the next, that is quite significant. There is a significant increase in the special-needs assistance grants this year. It's going from roughly \$16 million to \$27 million. What sort of an increase in applications does the minister anticipate for this year? Does this tell not only that minister and his department but all hon. members of the Assembly that perhaps there is a large gap in the income of some seniors for what they need to have a respectful, decent retirement and what they're currently living on? Now, if the minister could clarify that for me, I would be very, very anxious to receive his clarification. If at some point in the future the minister would like to correspond in writing, I can certainly wait for the answers.

In conclusion, I too have a few words. I must express my dismay and my disappointment at the Alberta Seniors' budget having lost extended health benefits, the universal program that provided over \$23 million in benefits to all seniors. Granted, in here there has now been a shift in this money; it has been reallocated to the special-needs assistance program. Now, I could be wrong and the hon. minister will correct me, but if there was this huge increase in the number of applications, is the minister not taking money from Peter, so to speak, to pay Paul? I hope not. I certainly hope not, but it is worth noting that \$9.2 million has been reallocated to special-needs assistance for seniors, and as a program, Mr. Chairman, people need it. I understand that there has been a \$14.5 million saving in benefits to seniors, but I just hope this isn't an issue of acceptability and that we are making seniors jump through hoops, so to speak, to get what they need to have an independent, respectful lifestyle. When we look at this and compare it or couple it with increases in health care premiums, I certainly hope that the hon. minister is going to get a chance to work in co-operation with the Health and Wellness department in that respect to ensure that the priorities are there and the commitment is there to provide for our seniors.

Now, in conclusion, Mr. Chairman, I would urge the hon. minister to continue to look under every available rock for money to provide affordable and accessible housing for our seniors population. I know the hon. minister is a very busy individual, but at some point, if he has not already had a visit, phone the Greater Edmonton Foundation

and perhaps visit Ottewell Place. This hon. member and the residents would be very delighted to see the minister pay a visit.

Thank you very much, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister.

4:40

MR. WOLOSHTYN: Thank you, Mr. Chairman. Hon. member, I do appreciate your comments and your observations on Ottewell Place. They're very accurate, and the Greater Edmonton Foundation has over the past few years literally replaced almost all of their lodges and upgraded them, Ottewell being the last one.

With respect to Ottewell, there's one further step, and I think I did mention it to the other member, but perhaps I didn't. We in consultation with the Greater Edmonton Foundation insisted that they not take down the old lodge and try it for some form of new program. They chose to enter into a pilot project of which we are supportive and a part of, financially and otherwise, with the Capital health authority to see how they may get into assisted living. The Greater Edmonton Foundation offers a whole host of suites, if you will, in lodges. A lot of their people really are at the need level where they could be in assisted living, yet they haven't crossed that threshold in a formal way. Hopefully, the experience in Ottewell lodge, the old one – you know where the site is; you've been there – will be that once they get it running, as it's not operational yet, we'll move it over and will be perhaps coming up with some creative things in other areas.

Your observations on the special needs are perhaps not quite accurate. The extended health benefit program is canceled, yes, and I went through it just a little earlier as to what was on there. The special needs per se is not going to \$27 million but is showing much of the transfer for teeth and eye glasses for the ASB, or seniors' benefit. The \$9.2 million is part of that special needs and that budget line, which bumps it up. Special needs as they were still stay at the \$16 million or whatever the number is there. So that doesn't show in your copy, but that's why the number is in flux. That is going to be set aside. The program is not developed yet, although we're not turning away anybody on the seniors' benefit plan – and I stress: on the seniors' benefit plan – who may have an emergent need for either teeth or eye care. They would qualify for special needs. But that will be set aside and administered totally separate so I don't lose one program or blend it into the other, and that's a concern that I have there.

With respect to the jump in applicants, there are two reasons for that. The first one is that we relaxed the criteria for accessibility for the special needs, and secondly, the program, as it continued, became more well known. Consequently, we had more applicants, and if they meet the criteria, we're trying to meet their needs, if you will. If you add to that the fact that they do get one time a year up to \$5,000 – some get the maximum; most do not. It's based on a specific need that they have, and they can apply every year. Yes, you are right. It is \$5,000 per couple. Per household is a better way of putting it. Rarely would you have that need. If there were two individuals in the same household who had a specific medical need, I know the staff would have a good look at it. So your observations there are good.

We have an ongoing review of our programs, and yes, I would like to tie it to some kind of a factor to go up. We did give it a pretty good boost there awhile ago, and when the fiscal situation is such that we can do it, we'll be looking at it again. In the meantime we want to ensure and monitor that it is working right.

The special-needs program does give us that bit of flexibility, and I might say that that program is the only one of its kind in the

country. I can say nothing but good about it, because people who are desperate and without income have a place to come. Generally, for the most part, as you know by the applicants versus the approvals, they know the criteria quite well and they do come away with assistance. So that gives us a bit of breathing room. The other part, as you know, is that when you go into COLA programs or whatever, they become universal. On a limited budget I am one of these people who want to target it more to the higher need, and that's why, for example, we're not going to get in a panic mode and just rubber-stamp a program that I wasn't too comfortable with and get it rolling along.

Now, when you say affordability – and this is one that we could have a good discussion on, I guess – the full premium subsidy for a senior couple is at the \$37,000 level. That's roughly what a first-year teacher gets I believe here and in Ontario. That's not that small when you consider the whole picture, so we're pretty generous here. But remember that the partial subsidy, albeit not as great as we'd like it to be, goes up to \$44,000. That will be a little higher now with this increase. I don't know what the numbers are yet. They'll be cranked out. So really when you look at where our efforts to help cut in, those thresholds are not that low. Would I like them higher? Of course I would. If I could lift them up tomorrow, I would. We're working on it. Maybe I'll get some leverage and get it up there. So we feel that perhaps it is hitting pretty close to the right balance.

I do have a concern, and I'll be very frank with you. When you get a threshold, you always have people on either side of it that may have a bigger need than is perceived. That's one thing that's giving us a concern. We're trying to work and identify if, in fact, they are there and if they are there what we can do about it. We know every household has a different set of standards around it.

Your comments about the seniors not being a problem I really appreciate. I'm going to take you along sometime to help me with my speech. I sincerely believe that you are one hundred percent correct. I'd go one step further: seniors are an asset, a current asset. I think that's one of the myths that goes around. Yes, if you get older, you may have more of a need for medicare than when you were young like you. I had that experience just lately. I'm damned glad we had a good health care system, or else you'd have a different minister. Overall, we can't attribute rising health care costs and all that to seniors directly.

One area that I think we'll be looking at as we're reviewing health care – at least, I hope we look at it – is the whole area of whether we can become more cost-effective. This is where we're getting into assisted living, getting the continuum from lodge to assisted living to nursing home. Nursing home care is quite high. I do believe a lot of the people in there could be better served in an assisted-living environment, where they have more independence. It's also more cost-effective, but you can't compromise medical care to cost. So that's one thing that I hope, in terms of the reviews that are going on, will be looked at. Maybe we can do some work there. We are targeting that housing. We are chiseling money wherever we can.

As you are likely aware, the whole area with the Protection for Persons in Care Act is administered by Community Development. We have a very close relationship with them, and we do investigate, if you will, virtually every case that's there. I have a much bigger concern over that. Some of it hit the media a little bit along the way. It's one thing to have an institution monitored. That's far easier than dealing with the situations where you have individuals who are subjected to abuse up to the point where we seem to require shelters for seniors and this kind of thing. This abuse – emotional, financial, whatever – is usually inflicted by somebody very, very close, a family member or a good friend. That's an area that really concerns me.

We've tried to collaborate and work with various agencies that are involved in other areas – seniors' fraud, that kind of thing – with the Calgary police, the city police. You've got the Wise Owl program, all sorts of programs that are coming out. They're to protect seniors in some way. We try to be supportive where we can, but we don't want to be intrusive because we don't want to wreck a good program by getting too involved in it. There is a lot of work going on. We are constantly trying to, you know, keep ourselves up to date and be as helpful as we can where we can.

Let's face it. I do have one problem when it comes to the abuse of seniors, and that's the lack of criminal charges being laid. That's something that I'll be discussing with the police, with my colleagues, and whatever. I don't know why that's there, but if we're going to stop the abuse, whether it be financial, out of some other province through the electronic media or not, we do have to have a mechanism of charges, some kind of retribution to have others dissuaded from doing the same kind of activity.

So, hon. member, I do appreciate your comments. We'll look through *Hansard*, and if there's something that we can give an answer to, we'd be glad to do it. Thank you very much.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

4:50

DR. PANNU: Thank you, Mr. Chairman. I want to note that I was reassured when the minister said that the seniors are an asset. Being one, it's good to hear that the minister says this. I hope he really means it too. Having said that, let me get down to a few questions that I have for the minister, but before I ask those questions, a few general remarks.

The minister and the ministry that he presides over are responsible for both seniors' services and, of course, the provincial housing programs for both seniors and nonseniors who need help. Overall, Mr. Chairman, the minister's good intentions notwithstanding, the current budget that we're discussing is bad news for Alberta seniors. Not all of this is contained, of course, within the Seniors ministry budget. For instance, a 30 percent increase in health care premiums is certainly quite serious bad news for seniors. The cancellation of eye care and dental care adds to this new burden for seniors. The accommodation charges for long-term facilities went up in this province by an average of 15 percent in January 2002. Looking at the numbers here, the budget doesn't really provide a commensurate increase in rent supplement, for example, which is reference 3.3.2, to help particularly low-income seniors who are faced with these increases. I'd like the minister to comment on this. Hopefully, he will comment on this.

There seems to be sort of a considerable robbing here of Peter to pay Paul in the budget. One example: the Alberta seniors' benefit payments are being increased to cover increases in accommodation charges in long-term facilities for some seniors, but the fact is that the middle-income seniors are being asked to pay more and more, including, of course, the new burden of health care premiums and the costs that they will have to incur now for eye care and for dental care. These are seniors who have worked all their lives and have paid taxes all their lives. They do look forward to a comfortable retirement. These seniors generally live on fixed incomes. The point has been made again and again, and I think all of us recognize this, yet more and more taxes, charges, and user fees are being imposed, which they have to shoulder.

The bottom line here, of course, is that the ministry's funding in Budget 2002 is being reduced from \$340 million in 2001-2002 to \$275.8 million in the current budget that we are debating. This is a

19 percent budget reduction, Mr. Chairman. When I look at the number of dollars that are being cut, it comes to about \$65 million, \$66 million less than was the case in last year's budget. I may as well pose this question here. Under Major Strategies and Budget Highlights for 2002-03 there is a statement there in terms of what the ministry proposes to do. I'm looking at one that says: "Finalize an agreement with the federal government that will provide access to approximately \$67 million over five years to assist Alberta communities in developing low-cost housing."

Now, there is some money there. My question to the minister is this. This money, I guess, became available last fall. What are the roadblocks in negotiating an agreement with the federal government on this? Would you please make clear where the problems lie, what the conditionalities are, whether or not it's the matching funds condition that stands in the way? If that's the case, please do let the House know about it. I'm curious. It's a substantial amount of money, and although it's over five years, it's something that certainly will go some ways in compensating for the budget cut here that the seniors are facing now in this year's budget.

Let me go on from there. The biggest single reduction as a result of this cutback in budgets is in the seniors' supportive housing incentive program. That is really one of the things that I worry about most. What are the consequences of this going to be for seniors, and in what particular areas? Referring here to line 3.4.1, the seniors' supportive housing incentive grants certainly have been more or less eliminated, from \$31.7 million last year to only \$1 million here. I'm asking the minister to explain why this is the case. Is it that the need has disappeared, or is there some other reason why this cut has been made?

While I'm on that data, I have some questions about line 3.3.2, rent supplement. It's the same as last year. With increases in the order of 15 percent or more even for the poorest of seniors, how is this amount likely to be adequate in meeting the dire difficulties that rent increases are going to pose to seniors who are going to look for adequate rent supplements?

Similarly, if you go to line 3.2.1, lodge assistance grants have also been frozen at last year's level. What are the consequences of freezing those lodge assistance grants? Lodges usually have our seniors who have the lowest incomes and very, very limited means to support themselves.

Then going down to line 3.5.4, social housing. The cut there is quite dramatic, from \$71.5 million last year to \$20 million this year. That really is quite a devastating cut, as I can see, knowing the needs that both low-income Albertans and seniors have for housing. I'm not sure how these funds were divvied up between providing for the needs of the homeless who are not seniors and seniors who need housing because of their situation of a low income and situations that border on poverty.

Mr. Chairman, there's perhaps one other question, if I can quickly go to that. Otherwise, I'm going to sit down and perhaps ask the minister to respond to some of these questions. Many other questions have been asked by other hon. members, so I won't repeat those. But these are some that I think perhaps need addressing here by the minister.

Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. WOLOSZYN: Thank you, Mr. Chairman. I'll just go through these as best I can. Line 3.5.4, that you're referring to: that's flow-through moneys that we get from Treasury to pay on the debentures outstanding on a \$2 billion portfolio, and that'll go up and down depending upon what the requirements are from year to year. That's

largely also governed by the 17 agreements we have with Canada Mortgage and Housing Corporation. That's flow-through moneys. You can't count that as an up or a down. Next year it may be up higher or down lower. I think a year ago it was 120 or something. That bounces all over the place, and that's just the way we have to present our budget. It sometimes does give people the wrong impression.

5:00

With respect to the lodge assistance grants I do believe that the grants, if you'll notice a little further, if my memory serves me right, went up last year. We subsidize occupied units, so consequently if there aren't going to be any more units, there isn't going to be a need for any more. So we can predict that one pretty close, and it arose from the year before as some more units came onstream. Although I'd like to see that one jump quite a bit because that would mean we've got a lot more housing onstream, that is not a problem.

The one that is going to be difficult is the rent supplement program. It has been a problem because of the rising rents. Now, what we have to do is – and you'll notice that although Alberta's economy is still pretty good, it's sort of flattening out – find a way where we can get more bang for our buck. The rent supplement goes into a private situation, as you know, and it supplements between 30 percent of the income to the market value. I don't like to be held too much hostage there. In McMurray, for example, it will be cutting in this spring, I guess. We'll have close to 120 units where we actually will triple our units there and have it for the same funding. There are some places where we're asking the people, the management bodies, to go see, rather than just automatically the rent goes up and we pay you, if they could find suitable accommodation. So whether it will create a problem down the way, I'm not sure. We're going to have to monitor that one very closely. We had troubles. I can anticipate some problems there, but everything doesn't work in a perfect world. We try to serve as many people as we can with it.

With respect to the two programs, the supportive housing, these were onetime funding programs. SSHIP came through Community Development. HAPI came through Health and Wellness and then was transferred to Seniors, where it was more appropriate, and those programs have been expended pretty well. They've run out. So it's not that anything dramatic happened. The money is gone. It wasn't replaced. We have a million dollars left, and that's why it went up from the high number down to a million dollars on that particular line, whatever it was, because we've left a million dollars in there carried over as a contingency fund for what might happen there. I'm hopeful that as things in the province improve and if we are able to access more money, we'll be able to go back in and get some more programs similar to SSHIP and HAPI, because quite frankly those have been very, very good programs. They've put units on the market. They've put them under the management bodies that looked after it, and those have worked very well. I'd like to see more of that happening, and I could say that it's a onetime thing.

You asked the question with respect to why we haven't signed off with the federal government. I'd ask you this question, and you can nod yes or no. If you were presented with a program that said, "We'll give \$12,500 and you'll give \$12,500 and we'll give it to a private developer and in 10 years he can own the building without any reference to the rent," would you call that affordable housing? Just a straight donation to developers. That's what was presented in August.

The ministers from across the country met with the federal minister, and I do have to say to the federal government that I did appreciate their co-operation. They went back and revisited the program and have indicated that they would work with each

province separately. Some went further. For example, I think British Columbia was on. They got some retroactive stuff because they were into it pretty big, and they're now a have-not province, as you know, so they signed on quickly. Quebec had some things going, and I believe they've signed on. The other two I'm not familiar with, but just to give you an example, Newfoundland and Labrador were not interested in any new units. They wanted repair money. Alberta supported their position. We don't need repair money, although we could use some. We need new units. We have to put the program together in such a way that it targets the areas of need. We don't want to have it per capita, and we want to ensure that if we need the affordable housing in Edmonton, in Calgary, or Red Deer, or wherever, that's where it goes.

There's also the other component to it, which we are working on with them. We want to work out a program on the remote housing side but also for the communities. Our definition of remote is something we're working on. We've drawn a line through the middle of the province, and it's anything north of this particular line.

Other programs – and this is not laying fault; this is trying to profit by previous errors – were just straight, unilateral programs. So now we've got housing, for example, where we're short in one community and want to dispose of it in another. Because of our tie-ins with Canada Mortgage and Housing and the agreements we have, we can't sell this house and take the money and put it over here very easily. Sometimes we can; sometimes we can't. We're trying to make sure we don't get into that kind of a situation again. I'm very optimistic that we will end up getting an agreement signed. I was hoping it would be done by now. When the agreement is signed, that's when the onus is on myself to take it through the channels of government to ensure that we do have whatever assets we need to match that. So, consequently, we are working on it. We want to get a program that is tailor-made for Alberta, and that's quite frankly what we're trying to do.

The other comments you had I don't think were quite accurate. The accommodation charges in the extended health facilities did go up, and they haven't been touched for five or six years. You know what's happened to room and board in between. It's a difficult thing, but I for one do not believe that room and board should be paid by Alberta Health, for example. We've directed the support to the individuals on seniors' benefits. Low-income individuals who can't afford the increases were helped. No problem. The ones who can afford it didn't get help. You have to appreciate that in their nursing care, they are also getting with that – and this is appropriate, and I support it a hundred percent – all their health needs, one hundred percent.

Some problems are created. I don't know what the solutions are, but sometimes you have the split, where one of a couple goes into care and the other doesn't, and we're looking at the effects of that, then, because that does have an effect, and we're aware of it. What the solution is I'm not too sure, but whenever those come up, we try and deal with them on a case-by-case basis. So that's where part of that problem is.

If you compare, for example, Alberta to other areas of the country, our extended care rates are still very, very low, and some places, would you believe, actually asset test them. I'm dead against that, although I'm in favour of income testing. Some provinces asset test before they help you out. I believe in the income test, which I think is quite fair, if you will.

So I think, hon. member, I did cover most of your questions, and, like you say, the capital programs we'll work on. When we get more money, we'll try and get them going, but so far we've had a pretty good run on them. We've just approved a series of projects, so we'll have a bit of a lag. If we get it fairly soon, we'll look at it, but we won't be hurt too badly.

DR. PANNU: Mr. Chairman, just a very short question I forgot to ask. It's an important one. To the minister. In my constituency we have a fairly large Francophone population, and there was an attempt made by the Strathcona community to set up a Francophone seniors' facility there. I did make a representation to you on that. I wonder if there is in the budget a particular line item or items that you can draw my attention to that might assist the community in moving forward on that project.

MR. WOLOSHYN: I'm familiar with the project that you allude to, and I must say that, yes, I do recall the meetings. We did help them acquire the land, and the way our programs work, which I stand by, they have to raise their portion, if you will, of the money before they can qualify. If we have another SSHIP or HAPI program and they've got their funding in place, certainly they'll be looked at like anyone else. We've had good successes with that, and they're working quite well. As a matter of fact, I'm scheduled to be meeting with that same group again fairly soon. They assured me that if we assisted them in the acquisition of the property – that was my previous ministry – they would have a stepping-stone for fundraising. We've done that. We've made it very easy for them, you know, around the whole business, as you're well aware if you've met with them, and certainly if there's a program in place and they meet the criteria, they'll be right up here with anybody else.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

5:10

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm aware that the vote gets called in five minutes, so I will come back during the debate of the appropriation bill with additional questions and comments for the minister, but just in the few minutes I have left, perhaps I can give him some questions that can be answered in writing.

In the debate on the Seniors ministry a year ago I was asking about funding for seniors' centres, and the minister said at the time that he was considering it. I'm wondering what happened to that.

I'm also interested in whether there's been any policy development or any cross-ministry work with the Department of Government Services on life leases or legislation for life leases or policies for life leases or any consumer awareness material being produced or anything for seniors, anything at all, around information for life leases.

Also, I notice that there's a change in the FTEs, the full-time equivalents. I'm interested in where those went, and I'd like a breakdown, please, of the subvote and the program, how many FTEs in each of those.

Additionally I'd be interested in how many or in what percentage of the new long-term care beds that the government was funding in this fiscal year and next, if the money is carrying over, the money went to private providers or private corporations as compared to the percentage of funding that went to public or nonprofit providers like Caritas, for example.

I'm wondering if there's any information the minister is able to share on the Polish heritage seniors' site, which is a mixed-use site just north of the Prince of Wales Armories in Edmonton-Centre.

I took the minister to task and he took me to task on the performance measurements that are listed. I've gone back and looked, and there are five performance measurements that appear in the documentation that has been made available to me. I notice that for two of the five there's no performance measurement and for the other three of the five they're measurements of satisfaction. So the minister takes umbrage at my points, but I will continue to make

them. I think it's important that we have something to measure against, and satisfaction polls aren't it.

I'm looking at your core business 1, "financial support and information services to seniors." It starts out by saying that "many seniors have private pensions, savings and other sources of income." I'm just wondering if in fact this has actually been studied by the department. Or are you using statistics from Stats Canada? How do you know how many seniors in Alberta have other forms of income? So if you can provide me with that information, please.

I'm looking at strategy 1.1.1, "work towards adjusting provincial income benefits for lower-income seniors." I'm wondering if this was in fact achieved or what work is anticipated. It says: work towards adjusting this. Are you anticipating achieving this within this fiscal year? What's the deal with that?

Under 1.1.4, "simplify eligibility criteria and administration . . . to improve fairness and clarity of the program," do you have a target or, hey, a performance measurement on what's a reasonable period of time to take to process these applications for Alberta seniors' benefit? I know there has been a struggle in the past with that. I'm interested if there's a target that the department is now working with or a target that they've set to process these in a certain period of time.

I will say, when I look at goal 1.2, "access to information and educational material," that this department does a good job. It does one of the better jobs of all of the departments in the government. Once seniors get pointed in the right direction and get the telephone number, when they phone, they get the information. It's there. They also produce a number of information pamphlets that are very helpful, and I've noticed that. Of course, I do a lot of work with seniors in my constituency, and that material has been helpful.

I asked about the funding of the seniors' centres already. Particularly when I look at goal 1.2.1, the strategies under that . . .

THE DEPUTY CHAIR: I hesitate to interrupt the hon. member, but pursuant to Standing Order 58(5) I must now put the following questions. After considering the business plan and proposed estimates for the Department of Seniors, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:
Operating Expense and Capital Investment \$275,654,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Shall the vote on the 2002-2003 offices of the Legislative Assembly estimates approved earlier be reported?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following departments.

Support to the Legislative Assembly, operating expense, \$34,930,000; office of the Auditor General, operating expense and capital investment, \$16,716,000; office of the Ombudsman, operating expense, \$1,829,000; office of the Chief Electoral Officer, operating expense, \$1,760,000; office of the Ethics Commissioner, operating expense, \$372,000; office of the Information and Privacy Commissioner, operating expense, \$3,220,000.

Seniors: operating expense and capital investment, \$275,654,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 8 p.m.

[Motion carried; the Assembly adjourned at 5:19 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, March 20, 2002**

8:00 p.m.

Date: 02/03/20

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: Committee of Supply

[Mr. Tannas in the chair]

THE CHAIR: I'll call the Committee of Supply to order.

head: Main Estimates 2002-03

Transportation

THE CHAIR: Comments or questions to be offered? The hon. Minister of Transportation.

MR. STELMACH: Well, thank you, Mr. Chairman, and good evening to everyone. Before we get into this year's estimates, I'd like to introduce our department staff who are with me this evening seated in the members' gallery and publicly thank them for the excellent work that they've done this past year. With us tonight is our deputy minister, Jay Ramotar; our assistant deputy minister of transportation and civil engineering, Mr. Rob Penny . . .

DR. TAYLOR: I don't have that many people in my whole department.

MR. STELMACH: Yeah, because you gave us all the responsibility without any money; that's why.

. . . Brian Marcotte, the assistant deputy minister of transportation policy and planning. Seated next to him is Mr. Gregg Hook, who is the ADM of transportation safety services. Next to him is Mr. Mitch Fuhr, who is the director of driver records. Next is Gary Boddez, who is chair of the Transportation Safety Board; Cheryl Mackenzie, the acting director of communications. Someone that's been very busy the last few days putting numbers together, our executive director of finance, Winnie Yiu-Yeung. Seated next to Winnie is someone who is familiar to many people in the Assembly, Mr. Tom Hong, who is the executive director of business management, and hiding behind him is my executive assistant, Ron Glen.

It is both a privilege and a pleasure to serve as Alberta's Transportation minister, even though many members of the media still refer to me as the Infrastructure minister, a portfolio that I haven't had for about a year. Hopefully, our media friends will get it straightened out before the next shuffle. I hope our Minister of Infrastructure, Ty Lund, hasn't minded me speaking on his behalf on a number of occasions. Seriously, I'm proud to serve as Transportation minister because transportation is so vital to Alberta's economy and quality of life.

I'd like to share a few facts about transportation and the department with you. Over 60 percent of Alberta's economy involves export trade, so a safe, efficient, and effective transportation network is essential if the province is to remain competitive. On average, transportation makes up about 16 percent of the final selling price of all goods and services and reaches 50 percent for some commodities. The province's rapid economic growth, of course, is accompanied by a significant population growth, and this growth means more traffic and more pressure on Alberta's highways.

With the transfer of responsibility for former secondary highways

and key primary trade highways through our cities the department now looks after approximately 30,000 kilometres of roads and about 4,000 bridges along the highway network system. The network has a total replacement value of about \$19.2 billion. Hence, transportation safety and transportation infrastructure are the ministry's main businesses. Alberta Transportation is committed to enhancing traffic safety, improving the province's highway network, and protecting Albertans' investment in the network.

Another core business involves supporting municipal transportation and water/wastewater infrastructure through grant programs. Alberta contains close to 135,000 kilometres of rural roads and about another 8,800 bridges, along with urban streets worth approximately \$17.7 billion.

A third core business involves managing the design, construction, and rehabilitation of major water infrastructure such as dams and canals.

To do all this, we employ roughly 820 people and have a total budget of just over \$893 million for 2002-03. The 820 people is a significant reduction, Mr. Chairman, from approximately 2,800 people in 1994.

The year 2001-02 was a very trying year for the department, and the upcoming year appears to have some challenges as well. I thanked the staff here with me tonight in my opening remarks, Mr. Chairman, and this is not just a mere courtesy. They have done an incredible job considering what has happened to the department over the last couple of years, especially this past year.

Alberta Transportation deferred roughly \$290 million in spending, which represents about 20 percent of the total 2001-02 department budget. When I appeared before you last year, I talked about a \$1.5 billion budget. A few moments ago I mentioned an \$893 million budget figure, which is about 40 percent less than 2001-02. But the department has a job to do, and we'll work hard to accomplish its goals with what's given.

Safety is Alberta Transportation's number one priority and a factor in everything the department does. To further this goal, the new Traffic Safety Act will be proclaimed into law during this fiscal year. The new act amalgamates four existing acts into one and will introduce the province's graduated driver's licence system. Graduated licensing puts restrictions on new drivers regardless of age to give them more experience in less demanding situations before giving them unrestricted driving privileges. Graduated licensing has significantly reduced collision rates for new drivers in those jurisdictions which have it. I'm confident the same will be true in Alberta. I believe that in Ontario the reduction is close to 30 percent, so that's a significant improvement. The department and our traffic safety partners are currently reviewing fines and penalties for various offences, some of which haven't been revised in over a decade, and this is the last piece of the puzzle in terms of developing the act's new regulations.

Staying with safety, the department will evaluate the fatigue management pilot program for commercial drivers and recommend further actions in this regard. Another initiative involves standardizing the process to license the inspection and repair of out-of-province and written-off vehicles by private-sector mechanics and facilities. Overall the department will spend \$24 million on transportation safety services.

Improving highway infrastructure and increasing safety go hand in hand. For example, an interchange reduces collision rates at an intersection by 45 percent on average, and twinning a highway reduces collisions almost 50 percent. Unfortunately, we won't be doing as much construction in the coming year. The department will spend approximately \$455 million on construction, rehab, and maintenance of highway infrastructure.

Now, about \$91 million of this will be spent on further developing the north/south trade corridor. That's about half of the 2001-02 total. The corridor will be a continuous four-lane link running from the U.S. border at Coutts to the Alberta/B.C. border west of Grande Prairie. We had hoped to finish the corridor by 2007, but the deferrals will push the completion closer to 2011. Since 1993 Alberta's trade with the United States and Mexico is up 300 percent and 400 percent respectively, and there's no doubt that there is need to complete this corridor.

8:10

The department also is implementing the strategic highway infrastructure program, or SHIP for short. SHIP is a cost-shared program equally with the federal government and will inject \$92 million over the next four years. Our share is around \$46 million, and that's into projects along Alberta's portions of the national highway system. That would be highway 16 and highway 1. The program agreement was signed in August, and the first project approved under SHIP is an interchange at Campsite Road and highway 16, near Spruce Grove. This is one of the most collision-prone intersections in the province, and we're confident the new interchange will reduce collisions significantly. Further projects under this program, SHIP, will be announced as they're approved, and again this is a partnership program with the federal government.

The upcoming year marks the first full year of responsibility for building and maintaining former secondary highways and key trade corridors through cities. Assuming responsibility for secondary highways essentially doubles our highway network system from about 15,000 to 30,000 kilometres. We will spend a hundred million dollars on these activities in 2002-03.

Now, the department also supports municipal transportation infrastructure and water/wastewater systems. The year 2002-03 is going to be a bit difficult for our municipal partners. We are reducing municipal grant programs to approximately \$114 million, and this will affect the cities transportation fund with Edmonton and Calgary; the basic capital grant for smaller cities; the SIP, or street improvement program, for towns and villages; the RTG, which is rural transportation grants; and the resource roads new industry program.

The wastewater partnership is not affected by these reductions. We will continue to administer the infrastructure Canada/Alberta program, or ICAP for short. It's again another program that's cost shared equally with federal and municipal governments and targeted to green municipal infrastructure programs such as water/wastewater treatment upgrades and improving energy efficiencies in municipal buildings.

The province of Alberta is the only province that has municipalities at the table to make decisions as to where this money will be invested, and we're very, very proud of that fact. Every other province has excluded municipalities in the decision-making process, and the provincial governments themselves were making decisions on where they wanted to see their money invested. In this province our municipalities are equal partners, and as a result our contribution is \$171 million over the next six years, but collectively with the two other levels of government we'll have invested \$573 million into green projects in the province of Alberta.

Now, we had hoped to advance most of our share over the first two years to encourage municipalities to undertake their projects sooner, but due to October's spending adjustments, projects will be funded on a progress payment basis similar to what the federal government is doing, and in this year for ICAP we'll provide \$32 million.

As I mentioned earlier, the department is responsible for the

design, construction, and rehab of major water management infrastructure such as dams and canals. We undertook that responsibility from Environment. We will spend approximately \$29 million on major water infrastructure during 2002-2003, but we will adjust our budgets to reflect need and emergency. So if there are some communities in the province of Alberta that don't have any water, especially the small towns and rural municipalities, we will certainly prioritize those projects as to the quality of the drinking water.

The final highlight is proclaiming the Railway Act and its regulations during 2002. This act and its regulations really mirror federal safety standards and will help to ensure the safe movement of products and people in Alberta's short line, industrial, and amusement rail systems. Even the small rail lines in Fort Edmonton Park and Heritage Park in Calgary are all regulated by the province for safety.

Now, Albertans have told us in the past that they don't want to see deficit budgets, and that is a challenge, especially in times of significant revenue drops. I believe that our department is doing its share to keep the province's books balanced. Many of the budget decisions mentioned will be painful, especially for municipal partners and partners in the road building and consulting and engineering industries. My hope is that revenues can rebound and that the department can get back to making an excellent highway system even better. After all, transportation is a huge part of Alberta's advantage.

That brings my comments to a conclusion, and I'd certainly be happy to answer any questions that you may have. For those that I can't answer this evening or if they're very detailed questions, we'll respond to the hon. members either in a written or verbal form at a later date.

Thank you so much, Mr. Chairman.

THE CHAIR: Hon. Minister of Transportation, one of the other ministers seems to be wanting to supplement your comments, and that's not allowed in supply. So we'll take the hon. Member for Edmonton-Gold Bar . . .

DR. TAYLOR: I'm just trying to help.

THE CHAIR: . . . without interruption, hon. minister.

MR. MacDONALD: Thank you very much, Mr. Chairman. I would like to at this time express my gratitude to the Transportation minister for the work that has been done to not only maintain but to try to improve the safety of Alberta's highways. However, it is unfortunate, I think, for public safety that the Transportation department had to take such a major hit on budget day, whether it's municipalities, whether it's the big cities of Calgary and Edmonton that were planning on expanding their LRT systems, or whether it be a rural area that is not getting road upgrades. I think that at this time we have to recognize that we have perhaps some of the best highway and road systems in Canada, but we also have to recognize that there is strain on the system, particularly in the cities. Now, as I understand it, the mayor of Calgary has been quoted as saying that it's a cannibalizing of city finances. That's the mayor's description.

MR. MASON: But he's a Liberal.

8:20

MR. MacDONALD: Not only that, hon. Member for Edmonton-Highlands, but he's very disappointed in this budget. This gentleman had plans to improve the infrastructure of his city, and it's not going to happen.

Now, we know what was promised earlier with gasoline taxes.

Both Calgary and Edmonton at one time were going to get 5 cents off the 9-cent-a-litre gasoline taxes. That was adjusted as a result of funding cuts. That was to be adjusted by 1.2 cents a litre, but now the rebate has been cut. That's a loss of millions of dollars that both Edmonton and Calgary were counting on. To just get the 1.2 cents now is a significant loss, and it is almost a social contract, I'm afraid, that has been broken. It wasn't a good budget for the motoring public.

Unfortunately, we have to consider what will happen in Calgary. First, let's take Calgary and the LRT extensions north and south. Well, certainly there are questions as to whether those projects can proceed, and Glenmore Trail and 18th Street S.E., Crowchild Trail and 50th Avenue S.W., and the Deerfoot Trail extension. Some people when I go to Calgary call it the Deerfoot 500, and I can see why. There's a story that is shared that a gentleman was visiting Calgary, and he was actually overtaken on the Deerfoot by a cement truck. This gentleman was doing 120 kilometres an hour, and the cement truck – voom. So the cement truck must have been very anxious to get to the construction site. Surely it must have been a house that they were building and they really needed that load of cement, but one would have to question public safety there. But the Fish Creek Bridge, the Elbow Drive and Glenmore Trail interchange: these are all projects where funding is now in jeopardy.

In Edmonton there are any number of projects that are in jeopardy. We need to consider that just on Monday city council here was going to go ahead with a \$109 million LRT extension, and the city of Edmonton was relying on \$75 million in gasoline tax rebate to fund the bulk of that extension. The city of Edmonton is very well managed. It's been very well managed for a number of years now, and there was no plan to borrow money or raise taxes or find private-sector partners. This arrangement of the 5-cent gasoline tax going to the municipalities was a sound arrangement, and I would encourage the department to restore that funding. Now, the hon. Member for Edmonton-Glenarry was questioning the Premier today regarding this issue specifically. As I understand it, there's to be an announcement maybe as soon as tomorrow, and hopefully the hon. member is going to get some answers to his questions. Also, whenever we think of Edmonton, I would actively encourage the minister to consider the Yellowhead freeway and accept full responsibility for the access to the city off the Yellowhead. That would be excellent for the city of Edmonton, and it's also an issue of public safety. There is need of extensive upgrades to that road through the city, and I would encourage, at this time, the province to have a good look at this.

Now, the department has taken significant hits, as I've mentioned, but when we look at the cuts to the roads not only in Edmonton and Calgary – we look at this budget that is close to \$900 million, and last year, in the election year, it was at \$1.24 billion dollars. I understand that all these projects are going to be deferred, and hopefully they're not going to be deferred until the next election year. There's the election season, and then there's the paving season. I hope this is not a trend that this government develops.

Mr. Chairman, over the next three years municipal transportation grants will decrease by 70 percent. Funding for local bridges is to be cut to \$9 million from \$14 million. There will be a \$7 million reduction in funding for repairs to provincial highways. The highway construction program will see a 53 percent cut, to \$99 million from \$212 million. The hon. minister was discussing the north/south trade corridor, and there will be a funding reduction, as I understand it, of close to 50 percent; that's almost another \$100 million decrease. So this means rural portions of the corridor won't be completed until at least 2011, and that is, I think, four years from the date that was indicated in last year's budget.

Onetime spending of \$631 million planned for 2002-2003 has been deferred. With these deferrals I certainly hope there's not going to be massive spending all of a sudden whenever the next election is on. It could be that we are lacking stability. I know the Alberta road construction companies have a considerable coalition developed. They're very concerned about this stop-and-start construction, and they would like to see it proceed in a smooth and orderly fashion so that not only can the government and the department plan, but they can plan as well, whether it be the acquisition of expensive machinery or whether it be planning their labour force. The availability of labour is always an issue, but it is an issue that I think we are blessed in having to deal with. It's a pleasant problem, if I could use that term, to have to deal with that, because it means that everyone who is willing and able can seek and find employment.

Mr. Chairman, I have a couple of questions before I sit down and cede the floor to another hon. member. One is in regards to the water management infrastructure. I believe the hon. minister noted that it was \$29 million. Is that for the next stage of the Little Bow project? If the hon. minister could answer that, it's referenced on line 2.4. I'm sure that is correct, but if you could confirm that, I would at this time be very grateful.

At this time I will cede the floor to a colleague.

8:30

THE CHAIR: Hon. Minister of Transportation, do you wish to respond to each member as it goes?

MR. STELMACH: I'm making notes right now, Mr. Chairman.

THE CHAIR: Okay. Thank you.

The chair would apologize to the hon. Member for Edmonton-Glenarry that he didn't call him first. That was my mistake. You are the critic for the Official Opposition, so I'll call you now, and following that, Edmonton-Highlands.

MR. BONNER: Thank you very much, Mr. Chairman. I would certainly apologize for being a little bit late for the minister's opening remarks, but I'd like to thank him for being present here this evening with all of his staff who have joined us to provide answers to the many questions that we do have in regards to Transportation. In light of the budget, he and his department face many challenges, and we certainly wish him the best, because of all the departments Transportation was one of the departments that was hardest hit by the cuts.

The reason I was late tonight, Mr. Chairman, was that I was at a DARE graduation, and it was at one of the schools in the northernmost part of my constituency. It's so far north that I was almost in the constituency of Redwater tonight. It was a beautiful program, and it continued for quite some time, so by the time I got out of there, I didn't have much time to get down here. I wasn't certain if the new fines were in effect yet, and I didn't want to test that, even though I know the department needs some extra money. So my apologies.

I'm moving along here, I can assure you of that. [interjection] No, they don't pay us enough. Actually, I'll retract that.

Moving right along here, Mr. Chairman, my questions to the minister on the first go-round will be on the business plan and the number of goals that have been set out. The first one of course is to "improve transportation safety." Certainly we all want to see safe highways. We want our families and friends and all others that leave home to return safely. I know that in his planning he has a number of objectives, this being one of them. So my first question would be that we are moving towards a graduated licence program, and I

realize that there have been problems in regards to graduated licences in other jurisdictions, primarily in the area of not having enough qualified people available to do the testing. I would like to know how this department is going to address that issue. As well, as we start a new program, certainly there is an education component that goes along with any new program. If he could outline to us just how that is going to be implemented and what the cost would be of the implementation and the education portion of the new program.

Mr. Chairman, in regards to safety, I know that the minister did do a study on fatigue management. He did it as a pilot program. If he could give us some indication as to when we can expect to see the results of that particular program.

Now, then, another situation has arisen in my constituency, and part of that is because we are fortunate enough to have two high schools in Edmonton-Glengarry, and of course with the number of students who become of age to drive, we have a number of driving schools in Edmonton-Glengarry. Some of the questions they pose to me are: how does the department audit these various schools to determine the quality of program that these driving schools have? As well, when it comes to testing drivers, are there any sorts of checks and balances that are incorporated as a follow-up on people that test for driver's licences now?

Part of my constituency of Edmonton-Glengarry is separated from Edmonton-Castle Downs by 97th Street, which is a major artery to the north through our constituencies and divides our constituencies, and certainly we do have a lot of traffic through there. As well, just to the south of my constituency we have the Yellowhead Trail, and certainly we get a tremendous amount of east-west traffic in that regard. When we are looking at this particular situation, Mr. Chairman, what we would like to know – there have been problems identified with trucks from other provinces entering the province, and when an inspection takes place and they are in need of repair, if the minister could give us some type of breakdown as to how many of these vehicles require repairs, what is done in regards to this. Do we have to take court action to deal with this problem, or is it dealt with on a compliance type of nature? People want to know and we always hear stories of just how unsafe our roads are, and we hear rumours about how unsafe our roads are. So, again, we would like to know from the department what they have found out about the condition of the trucks on our highways.

Now, as well, in regards to goal 1 in the business plan it has been indicated that just over 80 percent of occupants in vehicles are wearing seat belts. If we could get some sort of a breakdown as to the percentage of drivers wearing seat belts in urban areas as compared to rural.

Goal 2 in the business plan is to “improve planning of the provincial highway network.” Last year one of the goals of the department was to

evaluate long-term funding requirements for municipal infrastructure in conjunction with the Alberta Urban Municipalities Association and the Alberta Association of Municipal Districts and Counties.

If the minister could please provide us with the recommendations from this evaluation. I'm certain that it wasn't the major cuts that we saw today, but I know that those will be taken care of down the road.

Goal 3 is to “enhance operation and management of the provincial highway network”. I know the minister would like to get these projects back on course as quickly as he can. Are there any contingency plans as to, if there is surplus money, whether any, first of all, will be allotted to the projects that have been deferred? For example, a rumour that was floating around today was: if the Alberta heritage savings trust fund is liquidated to pay off the debt, there will still be in the neighbourhood of between \$6 billion to \$7 billion, I

would guess. Could any of that, would any of that, has any of that been designated towards our provincial highway network?

Goal 4 in the business plan is to “work with partners to provide quality transportation and water infrastructure.” The hon. Member for Edmonton-Gold Bar has certainly talked already about the drastic cut to the fuel tax-sharing rebate program. I know that we will have certainly in regards to this a lot more feedback from the various communities which were hit by this. So I will look forward to those answers and those that the hon. Member for Edmonton-Gold Bar has asked, as well as more information I know other stakeholders are asking the minister.

8:40

Now, last year the minister undertook to evaluate trends in rural transportation. If he could please share the results of those evaluations and let us know what type of action he'll be taking there.

Goal 5 was to “improve access to increase competitiveness in global markets.” I know that we want to promote the establishment of an efficient grain-handling and transportation system that is based on commercial principles. If he could please enlighten us as to how this particular plan is moving along. What objectives and targets has he specifically set for this project this year, and how much money is directed towards this project this year?

Goal 6, of course, is to “continue to develop organizational and service excellence.” If the minister could please inform us what competency model is going to be implemented for managers. Would this be on the bonus system? Would the minister please table a report showing all performance bonuses paid in his department and the criteria for these bonuses?

Now, then, Mr. Chairman, at this time I will take my seat and cede the floor to other hon. members. I will have some more questions later. Thank you very much for this opportunity.

THE CHAIR: Okay. The hon. minister is going to pass, so I'd call on the hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I appreciate the opportunity to rise and address the Transportation budget estimates for the year 2002-2003. I want to start with a few general comments about the budget, and I will elaborate more on this when I have an opportunity to respond to the budget in general.

I think that the difficulty we see in the Transportation department budget is, of course, connected to various financial matters that have transpired over the past several years with respect to the policy of the government, generally, towards revenue and expenses. I see that the reduction in the Transportation budget is severe and will have the effect of severely impacting the partners of the province. Those are in this case the municipalities, and I'll deal a little bit later with the question of the municipalities.

Mr. Chairman, I want to put on the record our concern with the dramatic reductions in this department's budget and the reductions in some other ones. We need to look at the causes of this a little bit before we can go on to talk about the estimates more specifically. One of the things that the government has been doing is spending the surplus in different ways. Following the program reductions in the mid-1990s, it created a lower level of expenditure, and the way the resulting sort of conceptual surplus has been dealt with was to invest those savings in various tax cuts. In particular, we have been on record as being opposed to the flat tax and to the significant decreases in the corporate income tax. What that's done is seriously erode the revenue capacity of the government and make it more dependent on oil and gas revenues than it was previously. We know that those revenues are volatile, and the result has been as we

predicted, but contrary to what was said by the minister at the time, Dr. West, the government cannot sustain program spending on a stable basis as a result of the erosion of its tax base. We've seen it in everything from highways to children's services. The results are very serious.

The other problem, Mr. Chairman, is that when the provincial government does get a windfall, as it did last year in oil and gas revenues, instead of putting it into some sort of stabilization fund, the government is putting it towards the debt, and 75 percent of the surplus goes towards the debt. That's part of the reason we're in the mess we're in today. The government is proceeding along a dogmatic path rather than a practical and enlightened financial path, and the result has been that that money is no longer available. That amounts to literally billions of dollars that is not available to meet the current demand because it has been applied excessively towards the debt. It's a little bit like doubling up your house payments on your mortgage and failing to fix your roof. You pay down your mortgage, but when it rains, the damage reduces the overall value of your investment. So you're paying off an investment, but at the same time that investment drops in value. We see the same kind of situation here. It's a one-sided approach to looking after the financial assets of the citizens.

Of course, the third issue, besides the taxes and the money going towards the debt, is the massive expenditure before the last election on various energy rebate programs. That amounts to, if you include the money that was raised on the auction for the PPAs, about \$4 billion of money that is also not available now when we need it.

So, Mr. Chairman, if you take all of those things together, you see a pattern of mismanagement of the province's finances in the billions and billions of dollars. That is one of the reasons why today, with a booming economy, with the most rapid growth and the lowest unemployment in the country, we have a budget like we have. There is no other reason why a province in this economic position should have a budget like the one that was presented yesterday, if it hadn't been for a very, very serious mess created by the stewards of our financial house.

Mr. Chairman, with those general comments on the state of affairs, I'd like to raise a few questions related to this budget. The first one is the reduction in the fuel tax revenue to municipalities. Now, it's not often that the current mayor of Edmonton threatens the government. He's not known for getting his back up. He likes to get along with this government, and I was very, very surprised to see Mayor Smith of the city of Edmonton actually threatening to sue the province of Alberta. That would be, I guess, a very unique situation. The fact is that up to \$115 million over the next three years intended for roads and light-rail transit won't be there. I appreciate the minister's wish to have a kind of transportation system that he can plan and sustain and is stable, but unless other people in the government and in the government caucus make the right decisions on an ongoing basis, this minister and every other minister will be unable to do that.

8:50

Now, we've already seen that in 2000 the provincial government pledged that both Edmonton and Calgary would receive 5 cents of the 9 cents per litre of provincial tax that's charged on gasoline sold within the borders of those two cities. For Edmonton it amounted to about \$68 million annually to spend on transportation projects of their choice, but last October the province announced a reduction to 4.25 cents per litre beginning in April, and that was going to cost Edmonton about \$10 million. In Tuesday's budget the government again reduced the city's portion of the tax further, this time all the way down to 1.2 cents per litre, and that will cost the city of

Edmonton, according to city officials, \$52 million annually. So it threatens things like the completion of Anthony Henday Drive – that's been delayed – delaying the outer ring road beyond 2006, and the plans to expand the Quesnell Bridge to six lanes. We all know, at least those of us who represent the city of Edmonton and, I'm sure, particularly those MLAs in the west end, the great problems that people have on the Quesnell Bridge and the traffic jams that apply there.

Now, the mayor of Calgary has also gotten into the act. He's not necessarily as close a friend of the provincial government as Mayor Smith is, but I think he's a prudent gentleman as well. He is also complaining very, very strongly.

I know that expansion of the LRT is threatened. As well, I know that for those MLAs in the northwest part of the city of Edmonton, including the Member for Edmonton-Calder and the Member for Edmonton-Castle Downs, I'm sure that they will be as concerned as I am that the new \$56 million interchange at 184th Street and Yellowhead Trail is likely to be significantly delayed. That, I'm sure, is going to create significant concern for the constituents of MLAs in the west end and the northwest part of the city, because we all know the traffic problems and the delays that are engendered because of the lack of a proper interchange at that location.

Mr. Chairman, I just have a few questions as well. One is that I'm curious about the Premier's statement today in question period that the mayors will be pleasantly surprised tomorrow. My question is: if there's a major financial announcement that's going to be made tomorrow to the mayors or at a news conference at Government House, why has that announcement not been included in this budget? That would be very, very curious and, I think, quite improper. If the government doesn't include major financial elements – all major financial elements – in the budget that's presented to this House, then I think there would be a very, very strong case for contempt of the Assembly.

So I'm very curious about the Premier's statement and curious to see what tomorrow will bring, because certainly if there's good financial news for the municipalities from the government that involves any degree of government expenditure, it ought to be included in this budget. I would appreciate the minister, if he's able, shedding a little bit more light on that mysterious utterance of the Premier. I think that there is quite a bit of confusion on the part of municipalities. I know that the mayors of the two major cities were contacted by the minister by telephone, but I think there's some confusion about the effective date of the reductions, and I'd be curious to have the minister clarify when the effective date of the reductions is going to be.

Mr. Chairman, I just want to close with some comments that, overall, the expenditure for transportation projects, both in the cities and in rural areas, is a problem. When the province and its economy is growing, to suddenly jam on the brakes on transportation when we already have serious transportation problems throughout the province and serious delays, serious congestion, and serious safety issues doesn't make any sense. It doesn't make any sense. It's counterintuitive to jam on the brakes on the spending for transportation infrastructure when the province is growing rapidly. It's less than farsighted. It is severely shortsighted, almost, you might say, willfully blind. I don't hold this particular minister responsible for this state of affairs, but I do hold the government over the past several years and its financial policies responsible for the state of affairs, and I look forward to the minister's response. I'd like to hear his point of view on how Alberta is going to manage with a booming economy and a shrinking Transportation budget.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I have a few comments tonight on the Transportation estimates as we see them before us. As I begin those comments, though, I would like to first acknowledge in appreciation the staff that's here this evening. It's nice to know that the department takes what we have to say quite seriously even if the government doesn't often do so. So thank you for that.

DR. TAYLOR: We do, Debby. We do.

MS CARLSON: I know particularly that you don't.

DR. TAYLOR: Oh, but I do. I can't believe you said that, Debby.

MS CARLSON: Well, I'll say it again if it would make any difference, but I doubt very much that it would, Mr. Chairman.

Transportation is an interesting study in terms of where it's going in terms of priorities with this government over the past few years. It's quite horrible, actually, to see the kinds of decreases that we've seen here in the last couple of years. There's no doubt that this government is quite happy to move forward with deferrals in significant areas to meet their long-term objectives, which seem to be solely focused on debt repayment. The problem with that, Mr. Chairman, is that we create a huge infrastructure deficit, which is not the kind of legacy that I think we should be leaving for this province, and is, in fact, very short-sighted in terms of the kinds of dollars we'll have to spend down the road in order to build the infrastructure back up to a manner that is sustainable and that will actually help support economic growth.

9:00

So I am wondering why it is that we don't hear some of the other ministers who will face the consequences in the longer term of not having proper infrastructure funding, like the Minister of Economic Development. He's happy to talk about all of the trade that we're experiencing outside of the province and the kind of growth in our economy, but that is greatly dependent on the kind of infrastructure we have built in Transportation and our ability to get our product somewhere else. We don't have any ports. We're a long way away from the major trading regions. We are in a central corridor for the north to the south, and that requires support. It requires infrastructure support, and we aren't getting it and won't be getting it. A 42 percent decrease is what we're seeing for the upcoming year, and we saw a decrease in the budget before that.

So it greatly concerns me, Mr. Chairman, that we are seeing the Premier meet his mandate of early debt retirement on the back of infrastructure funding in this province, and I would hope that we see a few ministers in his cabinet having the backbone and resolve to stand up and say that if we don't properly fund some of the basic services in this province now, we'll be facing huge problems in the future.

I have a couple of questions for the minister that I would hope we can get answers to in writing, because I think that they require some detail in terms of the response. We'd like to see him on the record and his department on the record in terms of how they feel about the fuel tax cuts to municipalities. We've heard quite a bit of dust being kicked up in the last 24 hours about this issue. It is a significant downloading of costs in my mind, and I would like to hear how the minister justifies it or, if he can't justify it, how he defended municipalities in terms of the kinds of dollars that they should be getting from the fuel tax cuts.

In addition to that, I'd like to hear the minister's position on the

fuel rebate cuts. We've had quite a few letters and meetings with operators throughout the province who depend on those fuel tax rebates in order to be able to make a profit, not a gouging kind of profit, but a minimal kind of return on their investment that is now in jeopardy. Some of these haulers – particularly I'm thinking of those in the forestry industry – are facing serious concerns about the future of their business and how they'll be able to support their business in the future. We know that what happens is that they have to cut back their bottom line to where their profit margin is reduced. They'll start looking for cuts in other areas.

So what does that mean? Do we start to look at more potential safety risks? Do we start to look at lower paid operators in the vehicles themselves, which generates a whole series of other problems? Lower pay generally means lesser trained, less experience. The potential for other kinds of costs to accumulate is huge, and potential disasters as well. Anybody who has watched some of those logging trucks roar up and down those hills and across bridges knows that we want those vehicles to be meeting the highest degree of safety standards and that we want really well-experienced, well-trained operators in those vehicles. I don't want to see anything jeopardizing that and particularly not the downloading effect of cost-cutting measures. So if we could get the minister to take a look at that.

When we see such significant cuts in a ministry, we have to wonder what it is that justified them. My question to the minister is: have they ever done efficiency audits within the department to see whether or not these particular cost-cutting measures actually meet their long-term criteria and the kind of benchmarking that they're doing in the business plans? It seems to me that you can't possibly cut 42 percent out of a budget in any given year and be meeting any kind of benchmarks or any efficiencies. There's a point of no return when you cut back in a particular area where you spiral down into inefficiencies and mismanagement through no fault of the staff, and we have seen examples of that in areas like Children's Services, where the cutbacks have created unbelievable kinds of problems in delivering services. My concern is that this could happen here as well, Mr. Chairman. So if the minister could address that, I would appreciate it.

I was interested to hear his comments stating that Transportation supports wastewater systems in the province, and I would like him to expand on this. I didn't actually realize this, and now that I know this, I will be paying a little closer attention to this from an environmental perspective.

He talked about a mandate of the department being improving energy efficiency and upgrades to buildings, and he stated in his comments that none of these kinds of programs will be affected by these cuts. It seems impossible to believe that that's true, Mr. Chairman, because in a department whose main focus is transportation and who is facing a 42 percent cut, it seems that something in this regard would be in jeopardy. So if we could get some information on that, on the programs themselves, on what it is they expect to be doing and how it is that these particular systems won't be affected by the cutbacks.

Also, if we could have a list of the green projects that they're looking at and what it was they were anticipating doing at the beginning of the year, before the beginning of January or last fall when they started the budget planning, as compared to what they're doing now given the direction they were given by the Premier to look at cutbacks in the department. He made some comments about that being stretched a little bit over time, so we would like some information on the justification for why those payments will be interim now and why they thought in the first place that the dollars up front would have been a really good idea. So if we could get that information, I would certainly appreciate it.

Mr. Chairman, I would like to refer back to a question that we heard in the House earlier this week. In fact, it was one of the silliest questions I've ever heard in this particular House, and it was certainly the biggest puffball of this session so far. That was the question that came from the Member for Drayton Valley-Calmar when he asked the minister if the minister could explain who is responsible for the plowing of snow on highways. The question itself was a very silly question, but the concern that I'm sure . . .

MR. MacDONALD: Snowplow know-how.

MS CARLSON: That's right.

. . . the member was getting at is a relevant one and something that we have discussed before in this House and that I have had a number of concerns about. The Member for Drayton Valley-Calmar should know very well that this government decided some years ago in cost-cutting measures to contract out the plowing of snow on highways. That contracting out itself was an area of contention at the time and, I believe, still continues to be an area of contention. In spite of what this government happens to believe, there are some things that government can deliver more efficiently, effectively, and cheaply in the long run, and it could be that this is one of those areas. We haven't seen any definitive numbers come out in terms of the cost savings related to customer satisfaction. I'm wondering if the minister can outline for us the number of complaints they get on the snowplowing and how the highways are maintained now since it has been contracted out.

9:10

There have certainly been many complaints coming to my constituency. My constituency borders Calgary Trail, which turns into highway 2, and it is an area of concern for many of the people who travel throughout this city. We get complaints from all over the place. I myself have seen on highway 2 snowplows driving in the wrong direction on the highway and in unsafe manners many times in the course of my travels. We hear all kinds of concerns from some of the outlying areas, particularly with regard to the timeliness of how often the snow is plowed.

The minister, in responding to the question, talked about the contractors having to be out there immediately after a snowfall and to monitor, as well, snow removal and ice patches that may result from inclement weather. So I guess the question here is: what does immediately after a snowfall mean, and how long do they have to clear off patches of the road? Certainly. . .

MR. MacDONALD: What happens if it's overtime on the day the snow falls?

MS CARLSON: That's right. Who pays for that? It's a very good question.

So the problem seems to be that there's a different interpretation of "immediately after a snowfall." There must be some sort of a framework that these contractors work within, and we would like to see that particular criteria that's given out to them. The minister talked about the contracts, that the companies who won the contracts are held up to the same provisions that we had when the government itself used to snowplow and maintain the highways. That may be what's written on the paper, Mr. Chairman, but it doesn't seem to be the actual practice. So if we could get some information on that.

Compliance, I think, is an issue here, so who monitors compliance? Who monitors the complaints, and what kind of standards do they really actually maintain as compared to what it was when the government was running that particular show?

The minister talked in his answer about the cost savings. He said

roughly 20 percent over the last number of years. So is that a 20 percent saving per year? Is that a cumulative effect? If we could get that information, I would appreciate it. He then went on to say that all those dollars are reinvested into the provincial highway system, but we know that isn't accurate, Mr. Chairman, because of the kinds of budget cutbacks here. So what actually happened to those dollars? Were those the savings that the government was looking for when they shrunk this department's budget? I don't think those dollars were reinvested. If they were, we'd like to see where, and I hope it's true that that's where the money went, because definitely road maintenance is a very big issue and is something that we hear a great deal about.

I know that a number of my colleagues have some other questions, so I will cut my remarks short now. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Chairman. I have a few additional questions for the minister at this time, and I'll start with the government and lottery fund estimates again for the Transportation department. I have a couple of questions. The first one is regarding line item 2.7.2, consumption of inventories. It's listed as a \$15.5 million amount. If the hon. minister could answer in writing, I would be grateful. Is that consumption of inventories only salt, sand, and gravel? [interjection] Okay. That's exclusive. That's the entire amount: just salt, sand, and gravel? [interjection] I'm sorry. Okay. Thank you very much, Mr. Minister.

If we could please get a breakdown on the premiums, fees, and licences. There is targeted, to be precise, \$14.46 million. What are all these premiums, fees, and licences that are collected as revenue by the department? I see a slight decrease from past years, and in light of what has gone on with Government Services and the skyrocketing fees or taxes that have occurred in that department, it's odd that one department would have less revenue from premiums, fees, and licences.

Now, Mr. Chairman, I have some questions regarding the Driver Control Board. I understand that there were 7,335 cases involving drivers applying to have their suspended licences reinstated. Is the minister anticipating an increase in the caseload for this year? Also, in regards to the Motor Transport Board there were heard before that board 8,981 cases with respect to commercial carriers not meeting Alberta safety fitness standards. If there are close to 9,000 semis in this province that are not meeting our safety fitness standards, if I am interpreting this right, what number is the minister anticipating for this year? Certainly I hope to hear back that it will be a decrease.

Now, I have some questions regarding the performance measure on the "mechanical safety of commercial vehicles." I understand that there are two parts to this. There is a vehicle that is inspected if it requires the attention of a licensed mechanic. I don't see the word "licensed" in there, and I would really like to see that next year in the hon. minister's report: licensed mechanic. These are big, complex machines, and I don't think just anyone should be working on them. Also, the "percentage of inspected vehicles." As I understand it, in the last recorded fiscal year that this occurred, 2000-2001, there were 447 inspections. It is noted that there were "nationally recognized criteria" to perform these inspections. Could the minister please share with members on this side of the House those nationally recognized criteria and why there were 64 sites across the province used to conduct these 447 inspections?

I'm curious to know why only between the months of June and November. Those are the good driving months in this province, and I would like to know why there would be no inspections – and please don't tell me that it's because the weather is cold and the inspectors

are delicate, because there are a lot of people in this province, whether they're farmers or working in the oil patch, conducting business between November through the winter months until the following June. I would be of the view that perhaps this inspection process is not really thorough if it's not done 12 months of the year.

Now, the next traffic safety measure that I would like to discuss this evening in budget estimates is the "involvement of drinking drivers in casualty collisions" in Alberta. I certainly hope, Mr. Chairman, that after the budget yesterday the minister is not relying on high liquor costs to deter and reduce drunk driving, because it is unfortunate. There has been a slight improvement in the number of fatal collisions that have occurred because of alcohol that has been consumed by the operator of the vehicle. Now, this has dropped slightly, but I think there can be significant improvement here. I would like to know what the hon. minister has planned to reduce this collision rate involving drunk drivers. Is it going to be a better driver education program or maybe new legislation that's tougher respecting impaired drivers? I think there can be significant improvement made to reduce the involvement of drunk drivers in fatal and injury collisions in this province. There seems to be modest progress, but I think that through work there can be more than modest progress made.

9:20

Now, Mr. Chairman, I have a few more questions. As I understand it – and I've been looking in the budget estimates, and perhaps I can be guided – there was an agreement for the infrastructure Canada/ Alberta program, called ICAP. This program was signed a year and a half ago, in October of the year 2000, and the program announced \$513 million to enhance the infrastructure in not only rural but urban municipalities in Alberta over the next six years. This is a program that is in effect, I believe, until 2005, our centennial year. Projects eligible under ICAP include green municipal infrastructure or water supply and treatment reservoirs and wastewater treatment facilities as well as infrastructure supporting transportation. Projects will be funded on a cost-shared basis that's one-third, one-third, and one-third. That's respective levels of government: federal, provincial, and municipal. I understand our contribution to this entire project was to be \$171 million. Can the minister explain, considering the tremendous hit that the department took with this budget, how much if any of that \$171 million budget will be jeopardized because of this boom/bust, binge-and-singe budgeting that we have experienced in this province?

This hon. minister may not be involved in this program, but I have a strong suspicion that the department is. Under the authority of the Government Organization Act the hon. minister is responsible for assisting in the provision of municipal water supply and wastewater facilities. I am curious as to what initiatives, in light of what happened in Walkerton, Ontario, the department is taking to protect our drinking water not only in Edmonton but across the province. It's very important, and we seem to forget very quickly just what a benefit a source of clean drinking water is, and we have such clean, affordable, accessible water in this province. In that way, too, we are blessed.

Now, my final question at this time for the Minister of Transportation. There are to be secondary highways, two-lane highways, to be acquired by the province. As I understand it, in this calendar year, in the fiscal year of 2002, Mr. Chairman, there are to be 11.12 kilometres of road acquired and to be maintained as well by the province. The province through the Ministry of Transportation assumed responsibility for the construction and maintenance. Now, where is this 11.12 kilometres of highway located, and is this deal going through?

Again, in conclusion, I would like to encourage the minister that now is the time to please the mayor and the councillors of this city, including a couple of former members of this side of the House, and help out with the management of the Yellowhead. Also, Mr. Chairman, I would urge – and it's only a little over a year ago that a new financing model was heralded for transportation for the cities of Edmonton and Calgary, and of course what was implemented was the policy of 5 cents per litre for all taxable gasoline and diesel fuel delivered for sale in both Edmonton and Calgary. This was to be provided to those two cities respectively in the form of grant funding. To provide this funding and then take it away is simply not fair after they had decided how they would like to spend it over a period of time. It's just not fair, and it is unfortunate that one level of government would have to go to court against another in this province. Hopefully it won't come to that. That was a program that everyone agreed on, and I think it should be reinstated.

With those questions, I will eagerly await written responses from the minister. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Chairman. I just have a few more questions here for the minister. Local governments were very pleased when the province assumed responsibility for secondary highways. I think it was a good idea. The problem we now hear, as has been expressed by municipalities, is that they put in their priority list as to which roads they would like to see paved, yet when the approval comes, their priorities are not being granted in the same order that they prioritized their wish list. So if you could please give us some insight into what happens once they have prioritized which roads they would like paved. What happens when those requests go to your department and then come back out to them?

Now, as well, I have just a few questions here that I'd like to ask tonight, particularly on program 2, construction, upgrading, and operation of transportation infrastructure. On line item 2.1, transportation safety services, how many cases were heard before the Transportation Safety Board in 2001-2002? Do you have any forecast as to whether the caseload is going to remain the same, increase, or decrease in the year 2002-2003? As well, I see that the Traffic Safety Board is getting a fairly good boost, from \$557,000 to \$785,000. If we could get some type of breakdown as to where these extra dollars are going to be spent by the Transportation Safety Board.

As well, we've been hearing more and more talk about requiring the use of electronic on-board recorders for commercial vehicles. Has any more thought been given to the use of electronic on-board recorders? We also think that this would be a great asset in encouraging the safe conduct of commercial carriers and drivers.

9:30

As well, if the minister could please also give us an update as to where we are in regards to the number of hours that can be driven by drivers per day and per week. Are these going to be increased? And what are the new regulations in regards to weight restrictions? What changes are going to occur in this regard?

Now, then, on line item 2.2, could the minister provide us with an update on the accident statistics on the north/south trade corridor?

One of the questions that I was very interested in today that I heard asked of the minister was this whole idea of toll roads. I'm wondering if this big announcement that cities are going to get tomorrow is going to include allowing them or forcing them to implement toll roads.

For line item 2.3 I just have a few questions. One of those, of

course, is that I see that – and I believe this is the first time that roads are being funded with lottery dollars. This seems quite ironic to me when we just saw in this budget that the community lottery boards were abolished – \$50 million that went directly into communities, where they have priority over how that money is going to be spent – and here we see in this year's budget \$15 million of new lottery money going into roads. Again, this reminds me of the onetime funding, part of the reason why we are in the situation we're in today.

Another area of concern is that when we look in the budget for resource roads, we see that the amount is going to be decreased from \$33 million to \$14 million. If the minister could provide us with a list of which projects are going to be cut and what industries these will affect. As well, have there been any negotiations and deals made with companies to have them build their own roads and perhaps get a tax break somewhere else?

Certainly, destroying the Alberta cities transportation partnerships by cutting it from \$125,600,000 to \$16,100,000 is totally unfair. The municipalities have been responsible and drafted long-term transportation plans. Now the government has put those in the shredder. Along with other tax increases this government has implemented, I think what the result of this is going to be is that certainly municipalities are going to face increased taxes.

I think with those and with the questions the other hon. members have asked of the minister this evening, Mr. Chairman, that concludes the questions that I have for the minister. Thank you.

THE CHAIR: I guess we'll call on the hon. minister for summation.

MR. STELMACH: Certainly. Having listened to all of the good questions from the hon. members and having heard that our members would like all of their questions responded to in writing, I will undertake to do that, Mr. Chairman, and will do it, of course, as expeditiously as possible.

I would suggest that we go to the vote. Thank you.

THE CHAIR: After considering the business plan and proposed estimates for the Department of Transportation, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment \$893,282,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the Committee rise and report progress and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Transportation: operating expense and capital investment, \$893,282,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

MR. HANCOCK: Mr. Speaker, in light of the fact that this is our first day in Committee of Supply and we've made marvelous progress, I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 9:38 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, March 21, 2002**

1:30 p.m.

Date: 2002/03/21

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Heavenly Father, as we conclude this week's deliberations and return to our constituencies, we pray that we will be renewed and strengthened in our commitments to better serve our constituency and all of the people of Alberta. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. As you and all members of the House are likely quite aware, today is recognized as the International Day for the Elimination of Racial Discrimination, and we do have one of three special guests here with us today to help celebrate and salute this occasion. Momentarily we will be joined by Charlene Hay, the program manager of the Northern Alberta Alliance on Race Relations, and also by Lan Chan Marples, a board member of that organization. In the meantime I want to introduce to you Mr. Nicholas Ameyaw. He is an education co-ordinator and consultant with our Human Rights and Citizenship Commission. I would ask Nicholas to please rise and accept our thanks for his excellent and outstanding work in this very important area.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. It is my pleasure this afternoon to introduce the president of the Alberta Roadbuilders & Heavy Construction Association, Mr. Allan Lowe. As well, he has with him Mr. Greg McCaughey, manager of Inland Cement, and Dennis Locking, manager of Volker Stevin Contracting, who is also one of my constituents. They are seated in the members' gallery this afternoon, and I would ask them to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to members of this Assembly a choir that was here in the Legislature at noon and was singing to members of the public that were in the Legislature today. It's a high school choir from Muenster, Saskatchewan, who has traveled from Muenster to Edmonton for a field trip. They had the opportunity to take in an Oilers game last night as well as visit West Edmonton Mall, and they came by the Legislature today to provide their singing expertise in the rotunda. They're located in the public gallery, and they include teachers Mr. Peter Penrose, Mr. Glen Hepp, 46 students from the Muenster high school, and parents Mr. Tom Gossner, Mrs. Theresa Wassermann, Mrs. Colleen Bernhard, Mrs. Cathy Moorman, Mrs. Janet Kiefer, and Mrs. Anita Renneberg. I'd ask them to stand and have the Assembly offer a warm welcome.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Yes. Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all members of the Assembly 15 guests, all of whom are seated in the public gallery. These guests are Alex Badre, Ghita Badre, Jette Badre, Kate Cartmel, Ashley Griffin, Margaret Griffin, Mary Griffin, Craig Harris, Rachel Harris, Amy Smale, Bobby Smale, Chris Smale, Christopher Smale, Devon Smale, and Coleen Taylor. It is Ashley's birthday today, and I take this opportunity to congratulate Ashley on her birthday.

These guests are diabetic children accompanied by their families, and the families are members of an advocacy group called Parents of Kids Experiencing Diabetes. I'd ask all these guests to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you so much, Mr. Speaker. It's a real pleasure for me today to be able to introduce to you and through you to the Assembly two young people sitting in our gallery up here. One of them happens to be my researcher, Matt Steppan – he's number two in command of our PC caucus research, just a really incredible young man – and his fiancée, Pamela. They're getting married this spring, and I would like them to stand and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. International Day for the Elimination of Racial Discrimination is such an important day that it warrants a double introduction. Our guests have now arrived in your gallery, and I'd ask Charlene Hay, the program manager, and Lan Chan Marples, board member, from the Northern Alberta Alliance on Race Relations to please stand, along with Nicholas Ameyaw, and receive our collective thanks.

THE SPEAKER: Hon. members, in the members' gallery today I have the pleasure of introducing to you three grade 6 classes from Westlock elementary school. I had a chance to meet with them earlier today, and they continuously invigorate one about the reality of the world. They're accompanied today by parent helpers Bonnie Arth, Tina Wold, Wanda Keyser, Tina Gatzki, Shannon Ching, Tami Hardie, Linda Bell, Val Quast, Shannon Ruth, Gerry Craig, Tammy Bell, and bus driver, Connie Lyons. I'd ask them to rise and receive the warm welcome of the hon. Members of the Legislative Assembly.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Community Development.

International Day for the Elimination of Racial Discrimination

MR. ZWOZDESKY: Thank you. Mr. Speaker, I rise to recognize the International Day for the Elimination of Racial Discrimination, which is today, March 21. This is a significant day, indeed, but the most important thing to remember about today is that the elimination of racial discrimination is much more than one single recognition or much more than a onetime special event. It is, in fact, a lifelong commitment that we can make that will help to make our own life and the lives of others better in our communities, in our province, and in our country.

Alberta is truly a remarkable province because of the diversity of people who live here. Whether our ancestors were among the

original peoples of Canada or came later, our heritage builds a landscape as diverse and rich as the province's geography. Albertans of all races, religions, and ethnic backgrounds contribute immeasurably to our communities, to the economy, and to the political, social, and cultural fabric of our society.

We all want and strive for a province where everyone is treated fairly. This means that we all need to work to develop a province free from racial discrimination. We have a challenge to teach ourselves and our children the skills and knowledge that will allow us to build a greater awareness for human rights and a culture totally free of racism and discrimination.

Through the Alberta Human Rights and Citizenship Commission and the human rights, citizenship and multiculturalism education fund the provincial government supports community initiatives that complement our own educational efforts to end racism and to uphold the fundamental principles of human rights for all. To this end, our government has supported many projects over many years, and during the last year these projects included such things as conferences, development of educational resource materials for schools, projects related to health care delivery, leadership programs for aboriginal and ethnocultural youth, and development of strategies on ways to prevent discrimination.

A few brief examples, Mr. Speaker, include funding provided for such projects to the city of Calgary Cultural and Racial Diversity Task Force, the Alberta Teachers' Association, the Alberta Network of Immigrant Women, Calgary regional health authority, Northern Alberta Alliance on Race Relations, Calgary Immigrant Aid Society, Alliance Jeunesse-Famille de l'Alberta Society, Boys and Girls Clubs of Edmonton, and the list goes on and on. These organizations throughout Alberta are the ones that are spearheading many excellent projects, projects that are committed to fostering racial harmony.

One such group, of course, is the Northern Alberta Alliance on Race Relations, some of whose members were just introduced in the Speaker's gallery. I commend NAARR, as they are colloquially known, and the many other individuals and organizations in Alberta who take daily action against racism and discrimination, help bring about change, and promote respect, dignity, understanding, and acceptance for all Albertans. I recognize also Dr. Celia Smyth, the chair of NAARR, for her excellent work in that regard.

1:40

Yesterday in this House, Mr. Speaker, in recognition of the International Day for the Elimination of Racial Discrimination five of our own government members spoke in the language of their birth – in Gujarati, in Arabic, in Polish, in Vietnamese, and in Ukrainian – as a symbol of the many languages that flourish and the many cultures that we so proudly embrace in this province.

In conclusion, Mr. Speaker, human rights, the prevention of discrimination, and the elimination – the total elimination – of racism are responsibilities for each and every one of us. Therefore, I encourage all members and all of Alberta's society to act very responsibly in this regard, and in the words of Mohandas Gandhi: "Be the change that you want to see in the world."

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I am pleased to be able to respond on behalf of the Official Opposition to the minister's statement on the International Day for the Elimination of Racial Discrimination.

To start, I'd like to highlight the events sponsored by the commu-

nity. There was a launch at St. Joe's high school, a family dance sponsored by Dickinsfield Community Partnership, a conference organized by Changing Together, A Centre for Immigrant Women, an interfaith prayer service at city hall, and events at the University of Alberta, NorQuest College, and Grant MacEwan College. Still to come are a visual art exhibit at the Edmonton Japanese Cultural Centre, and the annual Harmony Breakfast. Those, Mr. Speaker, are just the events in Edmonton. My thanks to the Northern Alberta Alliance on Race Relations for their organization and promotion of these events. The community is leading the way here.

I spoke at the Changing Together conference this past weekend, and participants challenged me on my asking them for patience and asking for the help of the community in making change. They were right. In only six short years in politics my version of a reasonable time to get things done has slowed to molasses. If I might make a few suggestions on how the government could show leadership in eliminating racism and welcoming new Canadians and immigrants: strengthen and update the foreign qualifications program, support programming like the Multicultural Health Brokers, give adequate funding to schools for ESL training, work with community-based nonprofits like the Mennonite Centre for Newcomers or the Catholic Social Services' settlement services to support the programs they already offer. Ask them what else is needed – they are the experts – and of course continue and strengthen the commitment to education on human rights. It is ignorance that causes much of the discrimination we see.

Colour Me Human is the theme this year, a challenge for all of us to be vigilant and to acknowledge our part in providing leadership and action to eliminate racial discrimination in Alberta.

Thank you.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Provincial Fiscal Policies

DR. NICOL: Thank you, Mr. Speaker. I'd like to congratulate the Premier for now holding the record on the fastest budget flip-flop. Perhaps the one-year budget should be renamed the one-day budget. My questions are to the Premier. What motivated this government to flip-flop on its decision to provide funds to municipalities? Was it the threat of a lawsuit?

MR. KLEIN: Mr. Speaker, there is no flip-flop or flop-flip. It was a decision that was made by the Treasury board to use the surplus from this year's budget, the 2001-2002 budget. It has nothing to do with the budget that was introduced by the hon. Minister of Finance just a few days ago. It refers to the 2001-2002 budget. There has been absolutely no flip-flop whatsoever.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Less than two months ago the Premier told teachers, parents, and children: get it through your heads; there is no more money. Yet today millions of dollars mysteriously appeared for transportation projects. How can Albertans believe anything you say?

MR. KLEIN: Mr. Speaker, this is to fulfill the final year of a three-year commitment to the municipalities. Relative to education in 2001-2002 there were significant increases to the education budget. In 2002-2003 there are further significant increases for education.

While those increases have taken place, unfortunately funding to transportation has been cut. There have been no increases. There have been reductions.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: what kind of budgeting process do you have that allows for such a huge amount of onetime spending 11 days before the end of a fiscal year? Where's the stability in this?

MR. KLEIN: Mr. Speaker, as I explained to the media yesterday – and the hon. leader was there – no one can predict, you know, with absolute 100 percent accuracy what the situation is going to be at any particular time. We saw a decline in revenues prior to September 11. Following September 11, the horrific events had tremendous impact not only on Alberta but on Canada and indeed the rest of the world, and adjustments had to be made. There has been a recovery, albeit slow, since that particular time, and it's anticipated that our surplus will be higher than projected when the fourth-quarter report is brought in at the end of June.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Heritage Savings Trust Fund

DR. NICOL: Thank you, Mr. Speaker. Yesterday's announcement of the Financial Management Commission clearly states that part of its mandate is to review the planning and strategy of the heritage fund. However, yesterday the Premier told reporters that the heritage fund is not on the table. My questions are to the Premier. Is this another flip-flop, Mr. Premier? Is the heritage fund up for discussion or not?

MR. KLEIN: In terms of this caucus, the heritage fund is not on the table. That's not to say it might not be on the table in future years. You know, there is nothing wrong with examining the future of the heritage fund. It's an ongoing function of the Minister of Revenue, Mr. Speaker, but I can tell the hon. Leader of the Opposition that it has never been brought to caucus in a formal sense, at least not in recent times, relative to what this government might do with respect to the future of the fund.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given that the Premier has blamed Mazankowski for his government's decision to raise the health care head tax, how can Albertans be assured that he will not blame the Financial Management Commission when he announces that he plans to liquidate the heritage fund?

MR. KLEIN: Mr. Speaker, I've heard of silly speculation in the past. You know, the media speculate all the time, but at least they do it in a reasonable fashion. This is the most unreasonable speculation that I've ever heard in my entire political life.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Is the Premier prepared to liquidate the heritage fund, that currently serves so many Albertans and is supposed to be for our children and grandchildren, just to establish his own legacy by paying off the debt nearly 20 years ahead of schedule?

MR. KLEIN: Mr. Speaker, as I said before, the heritage savings trust fund is not on the table in the formal sense relative to its future or its use. That's not to say that people are prohibited from coming forth with ideas on how the fund should be used or how investment policies should be changed.

I know what the Liberals would do. They would reorganize themselves into the RBP – that's the really big party – and they would spend the money and have a really big party. That's what they would do.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Workers' Compensation Board

MR. MacDONALD: Under this government, Mr. Speaker, payroll taxes in this province are skyrocketing. Health care head taxes are going up by 30 percent, while WCB premiums increased last fall by 27 percent, and there's talk of another double-digit increase this year. Businesses big and small can only handle so much of this government. To the Premier: will the Premier disclose to the House the retirement allowance paid to the recently retired WCB CEO, Mary Cameron?

Thank you.

1:50

MR. KLEIN: Well, Mr. Speaker, I don't have those figures at my fingertips.

Relative to the preamble to the hon. member's question, he alluded to businesses and others being hurt and so on. Well, I would think that the Investment Dealers Association of Canada represents many, many organizations and businesses and individuals who invest in businesses. The Investment Dealers Association says:

We are encouraged by Alberta's commitment to sound fiscal management in spite of the difficult economic conditions of last year. The prudent planning assumptions of this Budget, combined with an enviable record on tax reduction and spending control, are setting the stage for continued strong economic performance in Alberta.

Mr. Speaker, I would believe and I'm sure every reasonable thinking individual would rather believe the Investment Dealers Association of Canada than the Alberta Liberals.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the hon. Premier: given that your reported half million dollar retirement package is public information, don't you think it's fair that Alberta businesses paying these skyrocketing rates have a right to know what the retirement package is of the CEO of the WCB?

MR. KLEIN: Mr. Speaker, it's a matter that is adjudicated within the WCB. I would remind the hon. member that WCB moneys are not tax dollars. They are contributions paid in the form of premiums by businesses. Of course, there is a legislative responsibility relative to the operation of the WCB, but relative to personnel issues I don't get personally involved. Perhaps the minister can shed some light on this.

MR. DUNFORD: We don't get personally involved, Mr. Speaker, in that situation. The legislation contemplates that the board of directors will handle the operations of the WCB, which would include, of course, CEO salary and whatever sort of pension benefits would accrue from that.

MR. MacDONALD: Again to the Premier: considering that a little over a year ago the hon. Premier said that there might be room for political guidance over salaries and benefits and he also said that perhaps it was excessive, will he now take steps so that the retirement package of the next WCB CEO is made public before the contract is signed?

Thank you.

MR. KLEIN: Mr. Speaker, unfortunately, relative to various commissions, authorities, and committees that operate at arm's length from the government, we have no control over what those boards set and establish for their CEOs. But the hon. member is right: I have said that I'm shocked by some of the salaries that are being paid and some of the severance payments. They are far more than any MLA, including the Premier and the Leader of the Official Opposition, would ever get or even anticipate. I would appeal once again publicly in this Legislature to those agencies to be reasonable in setting salaries and to be reasonable in making sure that severance packages and payments are fair.

MR. DUNFORD: There would be a way for the hon. member, who is so concerned about this particular issue, to have some direct input where it would matter, and that is the fact that the WCB is going to begin to have annual meetings. Those will be open to the public, and certainly, then, the hon. member from Edmonton-Gold Bar or from any other place in the province would be entitled to attend that meeting and, of course, would be there to ask questions. So I think he can find the information that he needs at that particular time.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Castle Downs.

Municipal Funding

MR. MASON: Thank you very much, Mr. Speaker. Today's announcement of an extra \$155 million for municipal transportation projects has made a farce of this Finance minister's budget before it's even two days old. It's clear that this minister has presented a budget which isn't even worth the paper it's printed on. Albertans expect and demand a budget which is an accurate projection of revenues and expenditures, not a budget that is changed before the ink is even dry. My question is to the Minister of Finance. Why did the minister present a budget which not only misstated the amount of last year's surplus but also the amount budgeted for municipal transportation grants by \$155 million?

MRS. NELSON: Well, Mr. Speaker, on Tuesday we presented a budget in this Legislature. We clearly laid out a fiscal framework that has been applauded, quite frankly, as the Premier has already said, by the Investment Dealers Association of Canada and by another group of investment market players as well. The fiscal pulse group of Scotiabank said that "Alberta is perceived as the leader in fiscal repair among [all] the provinces." This was their quote on our budget. Also, the Investment Dealers Association said:

It is encouraging in this context to see that the government has incorporated prudent projections for economic growth next year and is contemplating further discretionary spending reductions to avoid a deficit and to continue on track with debt reduction. These commitments provide assurance of continued wealth creation, employment and sustainable economic growth in the province.

This budget was laid out, I believe, in a prudent and responsible fashion.

Today – and I hope the hon. member will understand – we're dealing with two different issues. Tuesday was the budget for the

next fiscal year, which starts April 1. Right now we're in the current fiscal year. Last October when we had to take corrective action and pull back \$1.26 billion, most of it came from Transportation and Infrastructure. At that time, we made the commitment that if in fact our fiscal situation for this current year – not next year's budget, which starts next month – improved, we would restore and proceed with some of those projects that were deferred or delayed.

Now, it's very important, Mr. Speaker, that . . .

THE SPEAKER: Hon. minister, it's three minutes that we're into this now.

The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. I would like to ask the minister when Treasury Board approved the reduction in cuts to municipalities and why the Finance Minister or the responsible minister, in this case Transportation, did not disclose these changes to the budget of this year, this budget, last night when this House debated the Transportation estimates.

MRS. NELSON: As I was saying, last October, when we made corrective action, was when we had to make the decision to pull back on transportation and infrastructure programs for this current fiscal year, which ends next week. We have now received some – some, not all – of the preliminary final revenue numbers for the fourth quarter of this current fiscal year. We had said – and I even spoke of this in my budget speech – that if in fact those numbers were positive, we would honour the commitment that we had made last October to restore some of those projects that were deferred or delayed.

Those particular projects, based on the preliminary fourth-quarter numbers – remember, I won't have the final ones for probably another 60 days – were approved at a Treasury Board meeting today, this morning. So last night the Minister of Transportation in the estimates could not have put that before the House because Treasury Board had not approved that. This was the first opportunity, Mr. Speaker, that the Treasury Board had to come together with these preliminary numbers to see the request and look at what could in fact be done to meet the obligation that had been put forward last October.

2:00

MR. MASON: Mr. Speaker, given that yesterday in this House this Premier said that the municipalities would be pleased by an announcement to be made today, it is clear that the government knew that they were going to make these changes to the budget yesterday. I asked the Minister of Transportation last night, and he didn't tell us.

THE SPEAKER: Okay. We've now been six and a half minutes on this little series. I've been trying to keep this at three and a half to four, so brevity, please. Other members have an opportunity to participate too.

MRS. NELSON: Mr. Speaker, let's be very clear. I believe that Alberta's municipalities, including the two major centres, will be very pleased that we are able to proceed with this funding so that they can get on with their projects. This will carry them through to March 31, 2003. That was what was deferred and changed last fall. That has now been restored. Our budget, that was filed on Tuesday, will hold for the balance of that budget process.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Edmonton-Riverview.

Steel Exports

MR. LUKASZUK: Thank you, Mr. Speaker. My first question is for the Minister of International and Intergovernmental Relations. At the beginning of March the President of the United States exempted Canadian steel imports from U.S. trade actions. As early as today other countries may be facing new import duties on steel in the United States. Can the minister clarify the situation facing Canadian and particularly Alberta steel exports into the United States?

MR. JONSON: Mr. Speaker, it is certainly correct that the United States government has imposed duties ranging from 30 to 8 percent on foreign steel coming into the United States. However, because of our membership along with Mexico and the United States in the North American free trade agreement, we are exempted from those duties. It is, I think, an example where the North American free trade agreement is working to our advantage in this province, and the sale of steel into the United States is continuing.

THE SPEAKER: The hon. member.

MR. LUKASZUK: Thank you, Mr. Speaker. My next question is to the same minister. Can the minister tell this House what actions the Alberta government has taken to safeguard Alberta's steel producers?

MR. JONSON: Mr. Speaker, the Alberta government has been involved in working with the Canadian steel industry, particularly the Alberta companies, to monitor this case and to make sure that as much as possible we would be exempted from these duties, and we have been. We've expressed our concern to the United States government. We've worked with the ambassador to the United States. I've written directly to him on this matter. In my correspondence I emphasized that the North American steel industry is an integrated market and that duties applied to Canadian steel would hurt the overall free-flow of product in this country and across North America and that it would also be a problem for U.S. manufacturers to not have that particular product available to them.

We've been in regular contact with the federal government. I've written to the federal Minister for International Trade on this matter. Overall our officials have been very much involved in contacts with the Canadian Steel Association, as I mentioned, and it's been a success story thus far in terms of our trading relationships.

THE SPEAKER: The hon. member.

MR. LUKASZUK: Thank you, Mr. Speaker. My last question is to the Minister of Economic Development. What is the overall value of Alberta's steel exports to the United States?

THE SPEAKER: The hon. minister.

MR. NORRIS: Well, thank you very much, Mr. Speaker. I'm delighted to answer this question. Given your earlier comments, I'll try and keep my answer short, but with so much good news to talk about, it's going to be very difficult. We have a thriving steel business in Alberta. In fact, AltaSteel, located in the hon. Minister of Children's Services' constituency, is a thriving business. They are a national leader in a rare grinding rod that is actually exported to the North American markets. In meetings with them yesterday, as a matter of fact, they wanted me to pass on their sincere thanks to the minister for his hard work and to this government for making the absolute best business platform in North America to operate from.

Because of that fact, the amount of exports is in excess of \$193 million and growing.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Meadowlark.

Health Care Premiums

DR. TAFT: Thank you, Mr. Speaker. The dictionary defines a tax as "a compulsory contribution levied upon persons, property, or business for the support of government." Let me repeat that: "a compulsory contribution levied upon persons, property, or business for the support of government." You can look that up in your *Funk and Wagnalls*. To the Minister of Health and Wellness: are health care premiums compulsory for Albertans above the low-income cut off?

MR. MAR: Mr. Speaker, health care premiums are levied against Albertans, except of course those who are exempt, and there are numerous people in such categories.

But I want to give this quotation from *Hansard*:

I want to say that I think there is a value in having every family and every individual make some individual contribution. I think it has psychological value. I think it keeps the public aware of the cost and gives the people a sense of personal responsibility.

I'll be happy to table that quotation. I should note that it was said in a Legislature, not in Alberta's but in Saskatchewan's. It was not said in 2002 but in 1961. It was not said by the Alberta Minister of Health and Wellness. It was said by Tommy Douglas.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. I'll take that as confirmation that it is compulsory.

Again to the Minister of Health and Wellness: are health care premiums levied upon persons and businesses for the support of the government?

MR. MAR: Mr. Speaker, it's clear that health care premiums are dedicated for the purposes of supporting our health care system in the province of Alberta. It is an important amount of money. For this year it will be approximately \$680 million on an overall budget of roughly 6 and a half billion dollars. It's an important contribution that Albertans make. If Albertans suggest that their health care system and if Canadians suggest that their health care system is valuable and important, then expecting a contribution from Albertans to support such an important system I think is a very good thing.

THE SPEAKER: The hon. member.

DR. TAFT: Thanks, Mr. Speaker. It's a remarkable announcement that they don't support the government.

In any case, will the minister agree that according to that dictionary definition, health care premiums are taxes?

MR. MAR: Mr. Speaker, this question has been raised by this member on a number of occasions. He has been reminded of the purpose of question period. It is not to engage in a debate over an opinion of what is a tax. It is for the purposes of asking questions about government policy.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Edmonton-Centre.

High School Credit Enrollment Units

MR. MASKELL: Thank you, Mr. Speaker. Thanks to the creation of the CTS program, schools have been able to layer one-credit modules on top of three- or five-credit courses. Schools are able to bundle one-credit courses into packages that would give some students credits for the time spent on such things as leadership programs, performing arts productions, and athletic activities. This allowed many new enrichment opportunities for students. Some students do earn as many as 60 or more credits in a single school year. I've received questions from my constituents and former colleagues regarding an article in this morning's newspaper about changes to the high school enrollment credits, especially for grade 10 students. My questions are for the Minister of Learning. Can you please clarify what changes are being made?

THE SPEAKER: The hon. minister.

2:10

DR. OBERG: Well, thank you very much, Mr. Speaker. The hon. member has raised a very important issue for us. What we see when we look across the province is some school jurisdictions that have an average of 33 credits for grade 10. We have other school jurisdictions that have an average of 47, and as the hon. member alluded to, there are roughly 200 students in this province who take over 70 credits per year. We felt that it's extremely important to give equalized funding to the school boards, especially for the grade 10 students. There was a very unfortunate story that came out in the newspapers today about capping it at 37 credits. That was not our intention at all, and if anyone anticipates that as being our intention, I will say definitely that it is not.

We are going to a per student grant that will be significantly higher than the grade 9 student grant, but we in no way want to limit the amount of courses that a grade 10 student can take, nor do we want – and I really hesitate to find a word for this, Mr. Speaker, because all of the school boards were doing it within our rules. I do, however, want to fix a situation where we saw a significant number of school boards receiving considerably more money for things that the hon. member has talked about: leadership courses, et cetera, et cetera. We will be going to a per student grant. The details of this will be worked out, but I really want to assure the House and I want to assure the general public that there is no cap at 37 credits.

THE SPEAKER: The hon. member.

MR. MASKELL: Thank you, Mr. Speaker. There was a concern from people that for grade 10 students it may be 37.

Again, what calculations will be used to arrive at the appropriate funding for students, Mr. Minister?

DR. OBERG: Mr. Speaker, an average high school student course load is 35 credits. We recognize that there are a lot more opportunities. We recognize that a full course load, to utilize all the time, would be around 40 credits. So we are going to take a look in the 35 to 40 range. It will probably be closer to 40 when we come forward with a per student grant. But the key component is that we are not limiting the credits to 37. We will be coming forward with a per student grant, and in all likelihood there will be two categories, a part-time student and a full-time student, whether or not it's 30 credits or less or some variation thereof. Again I really feel this is important. I want to assure the parents, I want to assure the school boards and the school districts that there is no cap at 37 credits.

THE SPEAKER: The hon. member.

MR. MASKELL: Thank you, Mr. Speaker. Again to the same minister: why are these changes necessary?

DR. OBERG: Well, I alluded to it a little bit in my first answer, and you actually in your preamble alluded to the issue as well. When I see grade 10 students funded to the tune of something like \$1,500 more purely because they're in one school jurisdiction over the other, I have a problem with that. When we see average CEUs in one particular area of the province at 33 versus the average at 47 in another for the same grade 10 student, I have a big problem with that, Mr. Speaker. What we want to do is bring forward a system that is fair to the school boards as well as to the student. What has occurred is in no way an indictment of the school boards nor the schools themselves, as they were completely within our rules.

The other very important thing that I will say, as well, is that this recommendation is in one hundred percent alignment with what the Alberta Teachers' Association put forward in their suggestions for the new funding framework, where they state: schools would receive an annual basic instructional grant for each full-time equivalent student enrolled in the first years of high school based on 38 credits. So, Mr. Speaker, the Alberta Teachers' Association were very wise in what they said, and we feel that this is an important element and an important way to go.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Innisfail-Sylvan Lake.

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. The Provost Senior Citizens' Society, Sedgewick school PAC, and the Wainwright Youth Initiatives Society have all benefited from locally controlled decision-making, a process which allowed communities to shape their future through allotment of community lottery board funds. My questions are all to the Minister of Gaming. Why have you stripped the funding and local decision-making power from communities?

MR. STEVENS: Mr. Speaker, when the hon. Minister of Finance a couple of days ago gave her budget speech, she indicated that there were some difficult decisions that were made in connection with the preparation of that budget. One of those difficult decisions was the discontinuance of the community lottery boards program. I would say that there's absolutely no doubt that the community lottery boards program, of which there are 88 throughout the province, has been doing good work in our communities, and the volunteers who are part of that particular program are doing and have done very good work. But as the hon. Minister of Finance indicated, the priorities of Albertans are also important. The decision was made that the funds with respect to the lottery fund would be prioritized so that Learning, Health, Children's Services, and debt repayment, which are priorities of all Albertans, would receive increased funding.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks, Mr. Speaker. Again to the Minister of Gaming: why have you cut the funding to community-based charitable organizations and failed to allocate it to any other locally controlled organizations when gaming revenues are increasing?

MR. STEVENS: Mr. Speaker, I'm very proud of the charitable model that we have here in Alberta. It's unique in all of Canada. In fact, I think it's important to spend a moment and talk about how

charities in this province benefit, because I think perhaps it's not a well-known fact.

There are two ways in which our charities benefit. One is through the charitable granting of licences. That would be for casinos or bingos or raffles or pull tickets. In 1996 that provided to Alberta charities something to the tune of \$109 million. In the last fiscal year, which was 2001, that was \$183 million. This year it's probably more likely to be \$190 million.

If you take a look at the funding for charities through the Alberta lottery fund portion, which is another component and which goes by way of grants to various foundations, five of which are in the Ministry of Community Development, one of which, the community facility enhancement grant program, is in Gaming, and you total that up with the charitable portion, some \$190 million, you have around \$275 million which this upcoming fiscal year will be available to charities in this province.

I would suggest to the opposition that they should check the other provinces and try and find someone who comes remotely close to providing the support to the volunteers in Alberta as we do.

MS BLAKEMAN: They fund them regularly up front.

Mr. Speaker, my third question is also to the Gaming minister. Given that this government goes on and on about getting decision-making out from under the dome, how does he explain this latest flip-flop in policy direction? Now you can have it; now you can't.

MR. STEVENS: The Alberta lottery fund was established as a result of the '98 gaming summit. What Albertans said to us is that they wanted us to establish a fund into which all government revenue from gaming would go so that there would be complete transparency with respect to how it was utilized. Albertans said to us that what they wanted was that the money would be spent on not-for-profit charitable community initiatives and that it would be spent on public initiatives. What has happened since that point in time is that all of the funds have been devoted in that fashion, and we have continued to maintain the trust that Albertans gave us in establishing that fund.

If the hon. members take a look at the lottery estimates, which are part of the material that forms the material on the budget, you will see that we continue to fund the community development foundations, that we continue to fund the good work that is done by our priority ministries such as Health and Learning and Community Services, arts and culture, and that we will be contributing approximately 25 percent of that particular fund in this upcoming year to the retirement of debt.

2:20 Industrial Development Regulatory Review

MR. OUELLETTE: Mr. Speaker, landowners have voiced concerns that it is difficult for them to understand and effectively participate in regulatory processes involving industrial development. They also feel like they get the runaround trying to find the right government department or agency that deals with this particular concern. The process they get caught up in can be both confusing and costly in terms of time and resources and might involve the Alberta Energy and Utilities Board, the Surface Rights Board, the departments of Environment and Sustainable Resource Development. Alberta Energy has in its current business plan a strategy to improve regulations and the approval process. Can the Minister of Energy clarify what is being done in this regard to help these landowners?

THE SPEAKER: The hon. minister.

MR. SMITH: Well, thanks, Mr. Speaker. I know that when we sit

and debate the budget and talk about estimates and all that – the hon. Member for Innisfail-Sylvan Lake has got to page 120 in the Energy business plan. He's got to goal 2.1, that says, "Advance the competitiveness of Alberta's energy and mineral resources," and it says, "Work with Alberta Environment, Alberta Sustainable Resource Development . . ." [interjections] No, no. Read the plan, guys. Just quiet down. Read the plan. It's a big book. You won't have any trouble with it. The print is small, though. It'll be tough.

Mr. Speaker, it says: to work with "regulations and approval processes for energy and mineral resource development, while maintaining and enhancing environmental and safety standards."

Mr. Speaker, the member makes a strong point. What we need to do is, one, look at it from the standpoint of efficiency. Those who spend some 20-plus billion dollars worth of capital in this province each year should have a regulatory agency that is as efficient as they are. Secondly, it's not a bad thing to innovate, to continue to find ways to be better, to be more efficient, and to be more responsive from a service perspective to those who interface with the government of Alberta and, lastly, to find always that appropriate balance between that of the landowner, that of the agricultural owner, that of the oil company, that of the environmentalist. That is one of the big jobs that we do as a government: find that right balance.

MR. OUELLETTE: Can you please outline for me, then, Mr. Minister, how you're going to achieve this?

MR. SMITH: Well, Mr. Speaker, we've worked hard on this initiative during the last 12 months with the departments of Environment, Sustainable Resource Development, and Agriculture, Food and Rural Development and the Alberta Energy and Utilities Board. The point man is one who knows a lot about this complex maze of regulations and one who has dedicated his career to balance. We've appointed Mr. Vance MacNichol, I think a name that's familiar to many around this House as a widely respected Albertan with extensive experience in the public and the regulatory sectors. The primary goal of the initiative is to ensure that all the parties can participate in this review so that we can find efficiency, innovation, service, and balance.

MR. OUELLETTE: Is this going to be a long, drawn-out affair? What is the time frame and expected outcome of this review?

MR. SMITH: We will move, Mr. Speaker, with dispatch and alacrity, and we see reporting back to this House in a 12- to 18-month time frame.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Currie.

Budget Surplus

DR. PANNU: Thank you, Mr. Speaker. Budget 2002, as presented by the Finance minister less than two days ago, said that the forecast budget surplus for this fiscal year, 2001-2002, would be \$35 million. Yet less than 48 hours later the Minister of Transportation and then the Minister of Finance say: oops, we have miraculously found an extra \$155 million to pay for infrastructure and get the cities of Edmonton and Calgary off our backs. Talk about fudge-it budgeting. My question, though, to the Premier: why won't the Premier fire the Minister of Finance for putting false information in Budget 2002, information designed to mislead Albertans by understating the size of this year's budget surplus?

MR. KLEIN: Mr. Speaker, finance ministers are usually fired for overstating a case; in other words, when you say that you're going to have no deficit, knowing full well that you don't have the resources, and you do run a deficit. That's when not only ministers but governments get fired. You know, it sort of happened in British Columbia, when statements were made that they were going to eliminate the deficit and that indeed was not the case.

Mr. Speaker, as I explained earlier in this House, no one can predict with a hundred percent accuracy what the surplus is going to be. World economic situations change almost on a daily basis. Budget adjustments are made virtually after every quarter. The Finance minister saw that perhaps the budget surplus is going to be larger than anticipated. She cranked up some figures that are estimates at this particular time, took that matter to Treasury Board yesterday and got approval to make the appropriate expenditures.

MRS. NELSON: Today, Mr. Premier.

MR. KLEIN: Today went to Treasury Board; I'm sorry. These are expenditures that for the most part should make the municipalities happy. The only people unhappy about it are the NDs.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. I wish the government could tell yesterday from today.

Why does this government show contempt for the Assembly by allowing debate on the Ministry of Transportation to proceed yesterday evening when the numbers contained in those estimates were clearly in error and the government knew it?

MR. KLEIN: Mr. Speaker, the debate that took place – and I assume it was the debate on the budget – was to debate the current budget, which is for the years 2002-2003.

DR. PANNU: Mr. Speaker, how does the Premier expect Albertans to swallow the \$722 million in tax and user fee hikes, including the 30 percent hike in health tax, now that they know that the government is hiding hundreds of millions of dollars of surplus from them?

MR. KLEIN: Mr. Speaker, I know that the hon. leader of the third party is a university professor, and, you know, that makes him smart and educated, but it does not make him a crystal ball gazer. I would challenge him today to stand up in this House and predict with a hundred percent accuracy what the situation is going to be a year hence. You know, not even Professor Pannu can do that.
[interjections]

THE SPEAKER: Actually, hon. members, the World Wrestling Federation event was in Toronto this past week. This is the Legislative Assembly of the province of Alberta.

The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Mill Woods.

Regulatory Requirements for Secondary Suites

MR. LORD: Thank you, Mr. Speaker. Homelessness and the lack of affordable housing continues to be a serious concern in Alberta. At the same time, there are many barriers preventing thousands and maybe even tens of thousands of private citizens in this province from being able to create an affordable housing unit such as a secondary suite in their own homes. If these barriers were to be addressed through policy changes, it would not only largely alleviate

the housing problems we now face, but it would also allow many Albertans to earn additional income, helping them with their mortgage payments and reducing pressures for government intervention in this area. My questions are to the Minister of Municipal Affairs. Is your department conducting any kind of comprehensive review or study to examine regulatory requirements for secondary suites?

2:30

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Yes. Thank you, Mr. Speaker. First and foremost, the safety of all Albertans is our main concern. Yes, we are doing a regulatory review. We're going to be consulting with many of our stakeholders, and at the end of the day we want to strike the right balance in protecting Albertans but, at the same time, alleviating some of the tremendous affordable housing problems we're having in the big cities and many other rural communities across this province.

THE SPEAKER: The hon. member.

MR. LORD: Thank you. Is the government going to be compromising the safety of Albertans if it allows this type of accommodation to be built?

MR. BOUTILIER: Mr. Speaker, absolutely not.

MR. LORD: Given that there may be residents who might have concerns regarding secondary suites, would the minister please elaborate on who is being consulted in this study?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Yes. Thank you, Mr. Speaker. That's a good question. In this regard we're consulting with municipalities: mayors and councillors and aldermen. We're consulting with reeves. We're dealing with developers, code-enforcing authorities. We're looking at a whole web of people that will play a part in terms of ensuring that safety. Let me conclude by saying this. It's presently known yet it's difficult to determine that many in the urban centres are having two and three families in the high-growth areas living in secondary suites illegally. We want to avoid that happening, so we're always looking at flexibility, ensuring the safety but also dealing with the demands of the ever growing number of people that are coming to Alberta and looking for the affordable housing that we provide in this province.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

Child Care Workers

DR. MASSEY: Thank you, Mr. Speaker. This morning child care advocates met on the Assembly steps to plead the case of pre-five year olds. They feel that the government has abandoned those who work in the interests of those children. My questions are to the Minister of Children's Services. How can the minister justify the miserably low salaries paid to so many of these caregivers?

MS EVANS: Mr. Speaker, a number of times in the House in the last six months this sort of question has come forward. We have concerns about the salaries that employers, not this government, are paying to the workers. For that reason, we've done a study through KPMG not only on behalf of day care providers but more recently

on behalf of family day homes. We do subsidize a significant number of parents and children – 12,147 children, I believe, last year and over \$50 million worth of subsidies. Rather than subsidize the day care operators and then trust them to provide those dollars for the staff, we provide subsidies through to the families to benefit their children and to allow the families to look for the very best possible care alternatives within the day care community. We are very sensitive to the issues that have been raised in the last six months. Adding the day home to this examination I think will give us a clear picture.

One more comment, Mr. Speaker. If people review these budgets for this coming year, they'll note that there are significantly more dollars in the early intervention portion of our budget for work with the early child care community to ensure that the best interests of the child are maintained, and we are looking very carefully at those issues.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister: what action has the minister taken to prevent the bleeding away of students from early childhood programs due to the poor conditions in the field?

MS EVANS: Well, Mr. Speaker, it's much more complex than attributing it to poor conditions in the field. It is part of what has been a very buoyant labour market in Alberta where people can choose to move to other positions. It's been problematic; there's no doubt about it. But it is not exclusively the problem of the government. When people make choices to move on or to gain additional training, that is in fact their choice. We continue to work to try and develop programs, and more recently I asked the department to look at whether or not we can provide additional training for day care workers throughout the province in conjunction with the training we provide for social workers. So we're looking at ways of improving the opportunities for people working in the child care industry.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister: what actions has the minister taken to ensure that graduates of those early childhood programs actually end up in child care situations?

MS EVANS: Well, Mr. Speaker, there are a number of things that we have done. As I've identified already in previous responses, I think that over the next couple of months, as we come out with more comments about our early child development programs in conjunction with communities, there will be more program announcements that will continue to support and make this industry more appealing.

Mr. Speaker, this is not a phenomenon that is targeted only in Alberta. Throughout Canada early child care workers have had a significantly lower salary scale than other areas, and I have great confidence in what one worker told me recently. She said: I'm not here for the money; I'm here for the love of the children.

THE SPEAKER: To the six hon. members who advised that they wanted to participate in question period today and were unable to get in, my apologies.

Hon. members, there's a mood in the House today. I think we'll just give 30 seconds for those who feel excited about being elsewhere to actually leave, and then we'll start with Members' Statements.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Calgary-Montrose.

International Day for the Elimination of Racial Discrimination

MR. PHAM: Thank you, Mr. Speaker. It is an honour to rise to recognize the International Day for the Elimination of Racial Discrimination, March 21. The United Nations first recognized this day in 1966, designated in memory of anti-apartheid demonstrators killed or injured in Sharpeville, South Africa, in 1960. Canada was one of the first countries to support this UN declaration, and it began recognizing this day on a national basis 13 years ago.

This issue is very important to all of us, because when a person is being discriminated against and prevented from reaching his full potential, we all lose as a society. In Alberta any form of racial discrimination is strictly prohibited. Legislation such as the Alberta Bill of Rights and the Human Rights, Citizenship and Multiculturalism Act are there to protect the human rights of all Albertans. Our government is very proactive in this area.

While it is our legal obligation to deal with any human rights violation in Alberta, we would prefer that none occur at all. That is why the human rights, citizenship and multiculturalism education fund was created. This fund provides financial assistance and works in partnership with community organizations and public institutions to ensure that everyone has access to social, economic, and cultural opportunities on a fair and equal basis regardless of cultural or visible differences. As chair of the committee I would like to thank the Premier, the Minister of Community Development, and members of the committee for their support. I would also like to thank the thousands of volunteers who have worked tirelessly over the years for a province free of discrimination, which all of us can proudly call home.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Teachers' Labour Dispute

MR. MacDONALD: Thank you, Mr. Speaker. Teachers are the backbone of our civilization. To many children teachers present the only hope for the future. The tireless efforts of teachers to improve the minds not only of students who are bright but also those who struggle ensure that all young Albertans get a chance to make a success of their lives. I'm sure that almost all Albertans recognize the enormous gifts to society that teachers offer day after day. That is why the government's attack on teachers in the form of Bill 12 is an affront to those who value the teaching profession.

2:40

Most Albertans would want to see a conflict with teachers resolved peacefully with goodwill on both sides, but the government has other plans. Most Albertans would want the government to improve the conditions in which teachers work, which are also conditions in which our children learn, but the government has other plans. Most Albertans would object to their fellow workers in the teaching profession having their democratic rights stripped away, but the government has other plans.

The government's plan for teachers and everyone involved in our schools is to demoralize them until their spirits reach their lowest point in history. The government's plan is to allow classroom conditions to deteriorate until even the brightest students will have to struggle to stay ahead. In short, the government's plan, if carried out successfully, is to turn the best public education system in Canada into the worst.

I would like to say that I applaud the efforts of any teacher to continue their dedication to children under such conditions. The

efforts of teachers will not go unnoticed by Albertans even if they go unnoticed by this current government.

Thank you, Mr. Speaker.

Tartan Day

MS GRAHAM: Mr. Speaker, on April 6, while the Legislature is in recess, Tartan Day will be celebrated across Alberta, Canada, and many parts of the world. April 6 is important to Scots, for on that day in 1320 Scottish nobles including four Grahams gathered at the Abbey of Arbroath in Arbroath, Scotland, where they pledged to defend Scotland from persecution and foreign domination. The declaration of Arbroath, which the nobles signed, is written in the form of a letter to the Pope, and it is now recognized across the world as one of the first expressions by a people of the rights of all humanity to a peaceful, productive, and secure life. It has become a symbol of freedom from oppression and of democratic government and was used as a model for the American declaration of independence. I've provided all hon. members with their own copy of the declaration. It is an inspirational document to read.

Tartan Day is also a way of recognizing the symbol of Scottish culture and Scottish clans. It provides an opportunity to honour the very significant contribution made by the Scots past and present to Alberta society. Mr. Speaker, our history, our politics, laws, institutions, academia, business, and industry have all been very positively influenced by people of Scottish descent.

Today I am wearing the new Alberta dress tartan, which was formally endorsed by this Legislature two years ago as an official symbol of Alberta. It is a district tartan, which everyone in Alberta is entitled to wear. Whenever I wear it, it is well received, and I thank the Member for Calgary-Glenmore for sponsoring this bill. I also wish to thank the former Member for Calgary-Bow, Bonnie Laing, for establishing the tradition of recognizing Tartan Day in the Legislature.

I ask all members to join with me in recognizing Tartan Day for the meaning it has for Scots and non-Scots alike.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

Civil War in Sudan

MR. BONNER: Thank you, Mr. Speaker. For nearly 18 years the government of Sudan has waged a brutal campaign of death and destruction. Over 2 million people have perished and 4 and a half million Sudanese have been driven from their homes, which makes them the world's largest displaced persons population.

Sudan's civil war and the Sudanese government's genocidal policies have taken a terrible toll on the civilians of that country. The situation is rapidly getting worse and must be seriously addressed before the scale of death and destruction increases. Until 1999 the government of Sudan was in default to the International Monetary Fund and other international lenders. In August of 1999 oil developed in south Sudan by foreign companies in a joint venture with the Khartoum government came onstream and has begun to provide windfall profits for the regime. Talisman Energy of Canada and the Chinese government's PetroChina are Khartoum's two major oil partners.

On November 8, 2001, in the Southern District of New York a class action complaint was filed against Talisman Energy of Calgary, Canada. The complaint charges Talisman with violations of international law for participating in the Sudanese government's ethnic cleansing of black and non-Muslim minorities in an area where Talisman is exploring for oil. In an article in the *New York*

Times dated March 17, 2002, President Bush last May called Sudan "a disaster for all human rights."

About two years ago the Holocaust Memorial Day and Genocide Remembrance Act was passed in this House. It urged Albertans "to consider other times and incidents of systematic violence, genocide, persecution, racism and hatred that call out to us from the past or continue today." Mr. Speaker, the heritage savings trust fund continues to invest in Talisman. When Albertans buy shares in a company through the heritage savings trust fund, it is taking partial ownership of that company. With ownership comes responsibility, including social and ethical responsibility. I believe we should support the Holocaust Memorial Day and Genocide Remembrance Act and establish a policy of ethical investing for the heritage savings trust fund. Albertans deserve to know that their money is not being used by companies engaged in unethical activity such as human rights abuses.

Thank you.

Speaker's Ruling Members' Statements

THE SPEAKER: Hon. members, I guess it is the day before a break in this Assembly or something, but one of the traditions about Members' Statements is that this was done as a result of a Standing Order modification in this Assembly by all members. The intent was very, very clear. In Members' Statements time a member would be given up to two minutes to express any views that they want on any particular subject that they want. It was also quite clear from the outset that there would be no points of order accepted, no points of privilege accepted, and it would be an opportunity for a member to voice their views as they feel it appropriate to voice them.

Now, it has actually worked quite well most times. In the past there have been members who have tried to rise on a point of order and interject, and the chair has said: no, there are no points of order accepted. From time to time there are some interjections from other hon. members. If an hon. member disagrees with what an hon. member is saying, take advantage of the next opportunity to rise and participate in Members' Statements. It would be quite accepted. If an hon. member feels that they're denied that and they're members of Executive Council, take advantage of the opportunity afforded under Ministerial Statements to make a statement. That is certainly a provision provided to anyone on Executive Council at any time.

head: Presenting Petitions

THE SPEAKER: I'm now going to recognize the hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Mr. Speaker. As chair of the Standing Committee on Private Bills I now request leave to present the following petition that has been received for a private bill under Standing Order 93(2): the petition of Bishop Victoria Matthews and David Phillip Jones, QC, for the Synod of the Diocese of Edmonton Amendment Act, 2002.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. Earlier today I introduced some guests. They're sitting in the Assembly in the public gallery. This petition speaks to their concerns and represents their interests. The petition is signed by 400 Albertans and reads as follows:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta to provide health care coverage for medical supplies for diabetic children under the Alberta Health Care Plan and provide financial assistance to parents to

enable them to meet their children's necessary dietary requirements and cover costs incurred in traveling to Diabetes Education and Treatment Centres outside their own communities in Alberta.

Thank you, Mr. Speaker.

2:50

head: **Notices of Motions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKEY: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(2)(a) to give notice that on the Monday when next we meet, I will move that written questions appearing on the Order Paper do stand and retain their places.

I'm also giving notice that on the Monday when next we meet, I will move that motions for returns appearing on that day's Order Paper do also stand and retain their places.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker. On behalf of myself and my hon. colleague the Minister of Sustainable Resource Development I am pleased to table five copies of a report called Compliance Assessment and Enforcement Activities. This outlines the assessment and enforcement activities that we engaged in last year. We laid almost 6,000 charges under our legislation last year, so it very clearly indicates that we are enforcing our legislation. I would encourage all members, particularly members opposite, to read this.

Thank you.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise today to table what is a letter, with multiple signatures on it, from about 600 people in southern Alberta who want to see increased support for persons with developmental disabilities. This brings to about 1,500 the total number of these letters that we've tabled in the Legislature to date.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a class action complaint between the Presbyterian Church of Sudan and Talisman Energy Inc., and this is in the United States District Court for the Southern District of New York.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have two tablings today. The first tabling contains five copies of 214 postcards addressed to the Premier and his cabinet requesting them to increase AISH benefits from \$855 per month to \$1,464 per month, keeping intact medical benefits coverage.

The second tabling is the February 2002 issue of the *Parents of Kids Experiencing Diabetes* newsletter. In this issue the Griffin family details their experiences with their diabetic child and how the Ministry of Children's Services appeal after appeal has failed to provide assistance to them.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to table this afternoon for the benefit of all hon. members of the Assembly the forecast and the actual price from yesterday, March 20, from the Power Pool web site for electricity costs in the province, and it's noted that at noontime yesterday the cost was 46.3 cents a kilowatt-hour and then at 8 o'clock last night it was 67.6 cents a kilowatt-hour. Surely these prices wouldn't be that unstable under a regulated electricity market. It indicates that as the temperature goes down, the price of electricity goes up.

Thank you.

head: **Projected Government Business**

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I wonder if the Government House Leader would share with the Assembly the projected government business for the week of April 8.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Well, as members of the House will know, during the week of April 8 we'll be seriously into Committee of Supply, as has been scheduled and noted on the Order Paper. For the purposes of projected government business I would advise that on Monday, April 8, under Government Bills and Orders at 9 p.m. for second reading bills 14, 16, 19, 20, and 21; in Committee of the Whole Bill 11; and as per the Order Paper.

On Tuesday, April 9, in the afternoon under Government Bills and Orders day 4 of 24 on the main estimates, with the department of health having been designated, and as per the Order Paper, time permitting. At 8 p.m. under Government Bills and Orders on that day in Committee of Supply the main estimates for Executive Council and as per the Order Paper.

On Wednesday, April 10, under Government Bills and Orders in Committee of Supply the main estimates as designated by the opposition, Children's Services, and as per the Order Paper. At 8 p.m. under Government Bills and Orders in Committee of Supply the main estimates for Economic Development and as per the Order Paper.

On Thursday afternoon, April 11, under Government Bills and Orders in Committee of Supply the main estimates as designated by the opposition, Human Resources and Employment, and as per the Order Paper.

head: **Orders of the Day**

Government Bills and Orders

THE SPEAKER: Hon. Government House Leader, did you want to do something?

MR. HANCOCK: Why, yes, Mr. Speaker. I would be pleased to ask that the House consider the same request we made yesterday afternoon until we can regularize the Standing Orders to deal with estimates in Committee of Supply as we have all agreed they should be dealt with. We ask for the unanimous consent of the House to do the same thing exactly that we did yesterday: to allow this afternoon's consideration of the estimates of the Department of Government Services to go beyond two hours with the vote on these estimates to take place no later than 5:15 p.m. as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: Committee of Supply

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

head: Main Estimates 2002-03

Government Services

THE DEPUTY CHAIR: The hon. minister. [some applause]

MR. COUTTS: Thank you very much, Mr. Chairman, and thank you to a couple of my colleagues here in the House for their support. It's a pleasure for me this afternoon to stand before this Assembly and have the opportunity to speak about the Government Services business plan and the estimates that are before it.

First of all, before I get into some of the details, I just want to take the opportunity to thank members of this House, particularly on the government side, for the time and the effort that they have put into the business plan that has helped us put forward the estimates of Government Services for 2002-2003. Their attendance at standing policy committee meetings and their attendance at other meetings has certainly helped us develop the way Government Services goes about and does its business. That support and their in-depth probing, their wise questions and support at the time is very valuable in helping to bring forward the business plan that we have.

3:00

I also want to extend my thanks to members of the opposition who have offered input from time to time to help us again in Government Services make the kinds of changes that are needed to make the service that we have available to Albertans a better one.

It's my intent today to provide an overview of our business plan and our financial plan, and then after the overview I'm certain that members opposite as well as, at an appropriate time, members from the committee can join in some questions, and I make this commitment: that for any questions that I can't answer or don't have time to answer today, I'll make sure that we go through the *Hansard* record and our department staff will supply the appropriate responses. That's a service that we've done in the past, and we will commit to doing that.

One thing we found out during our deliberations is that the Government Services' mandate is definitely a twofold mandate, and that mandate is outlined on page 234 of our estimates. We provide a great variety of licensing, registry, and consumer protection services directly to Albertans – that's directly to Albertans – and we also provide service improvement initiatives on behalf of the government of Alberta. So we have an internal service as well.

Specifically, our mission is to serve Albertans by "providing effective access to government information and services" but at the same time "protecting [people's] privacy and promoting a fair marketplace." Under licensing and registration services – that's our first and probably our most important goal – is to allow accessible and secure and competitively priced licensing and registration services to all corners of this province. Many of these services are delivered through neighbourhood registry agents or on the Internet, and we have a comprehensive accountability framework in place to ensure that service standards are achieved and clients are well satisfied. As a matter of fact, Mr. Chairman, our client satisfaction rates are very high, and they range anywhere from 80 to 93 percent satisfaction.

Recently, though, we have seen some news reports regarding forgery, and those were charges laid against registry agents' employees and particularly, just recently, in Calgary. These charges

involve three of approximately 1,000 employees working in our registry agents' offices across the province. It's very regrettable that these things do happen but also a very isolated incident. One of the things that we do in our registry system and with the people that we have working within the department is we have a policy of co-operating with our stakeholders, and in these particular instances we co-operated with the Calgary Police Service on investigations. For example, our system makes it possible to tell us and to tell the police exactly which drivers' licences were changed by the clerks in question.

Thankfully, identification fraud is not an extensive problem in Alberta, but it is true that we must ever remain vigilant. The time is right to upgrade our driver's licence, and I will be presenting some ideas to the ministerial task force and security for keeping Alberta's driver's licence secure. Indeed, we have already taken measures like freezing the date of birth field on records so that clerks cannot make changes without authorization.

Now, this action in itself is going to slow up some of the service delivery at our registry agents' locations, and I'm sure that as a result of that, our satisfaction rate will go down next year. But this is a necessary thing to do in trying to provide the best service that we possibly can for Albertans but also a safe service.

We're also looking, working with our stakeholders, at improving a hiring policy that would implement criminal record checks or security clearance checks on all registry agent staff, and we're doing that in co-operation with the Registry Agents Association. We've already had a number of meetings on how we could implement such a policy, and we will be definitely doing that in the near future.

Another significant change in the estimates for this goal involves fee increases for motor vehicle services. Motor vehicle fees have not been significantly adjusted over 12 years despite the 29 percent increase in inflation over this period. Consequently, the fees have not covered the cost of maintaining the motor vehicle registry system. The fees will amount to an extra \$45 million for 2002, which will bring Alberta's motor vehicle revenues closer in line with what's being spent in that area. Every effort was made to keep the new fees fair and equitable, especially when it came to services commonly accessed by Albertans. As such, although some of our fees admittedly are higher than the national average, many of our fees remain competitive or even lower. The cost recovery that we will achieve through these increases will free up dollars for other key priority items like health and education.

About \$13 million of those fees will also be used to begin important upgrades in three of Alberta's registry systems. As I have discussed on previous occasions, these systems are 20 years old, and upgrades must begin now to keep up with the growing demands as well as to continue to provide the key government programs and superior services that Albertans have come to expect. With the addition of this new funding, our registry and licensing core businesses consume 79 percent, or \$45.5 million, of our resources. However, it does generate revenue of \$305 million.

Our second goal, Mr. Chairman, is to inform consumers and businesses about the high standard of marketplace conduct. Our call centre and our investigators go out into Alberta and deal with issues ranging from unfair trade practices, home renovations, loan and collection practices, things like Canada 3000, travel clubs, charitable fund-raising, and landlord and tenant concerns. This year we completed over 1,800 investigations and recovered more than \$200,000 for Albertans. Our measure of success is based on client satisfaction, consumer education, and reduced telemarketing fraud. In particular, we have been very successful in keeping our customers happy, and we have attained over 80 percent satisfaction rate in this area. Consumer programs absorb 15 percent, or \$8.4 million, of our resources.

Our third goal, Mr. Chairman, relates to the One Window initiative, which we believe, when unveiled, will increase Albertans' satisfaction with their ability to conveniently and easily access government services without having to know which ministry to contact. Based on consultations, we will now be calling this initiative Service Alberta rather than One Window. When this is fully implemented, the Service Alberta system will allow services to be provided through the Internet, telephone, mail, fax, and over the counter and will ensure that all customers receive the same information. Key success factors will be Albertans' satisfaction with their access to services and our ability to ensure their privacy and security no matter which service channel they choose. In June we will introduce phase 1 of One Window, or Service Alberta, through the integrated web site and our call centre. Albertans' needs and satisfaction will be closely monitored and will guide us as we move forward. This initiative uses about 2 percent, or \$1 million, of our resources.

3:10

Our fourth goal is to deliver economical and efficient support services to all ministries of government through the Alberta Corporate Service Centre. In the upcoming year the Alberta Corporate Service Centre will begin to deliver services to such agencies, boards, and commissions. As well, ministries continue to increase the scope and volume of their service requirements, which is reflected in the increased budget for 2002-2003. Continuing to implement best practices and streamline the way services are delivered will be key to the Corporate Service Centre's success in achieving cost savings. To date these savings are at the \$17 million mark with a further \$4.2 million expected in 2002-2003. All of the Alberta Corporate Service Centre's costs of \$152 million are charged back to ministries, so the net expenditure is actually zero to Government Services, as is shown on page 232 of the business plan.

Other support services that we have, which take up our fifth and sixth goals, are to provide efficient access to information, to protect privacy, and simply to reduce government regulations. Key initiatives relate to the preparation of private-sector privacy legislation and the review of the FOIP Act. As well, we continue to work with an effective information management framework as well as promoting effective ways of managing records by providing advice on standards and best practices, training staff, and encouraging co-ordination between ministries, the Alberta Corporate Service Centre, and the Provincial Archives. Lastly, work continues to ensure that regulations in existence prior to January 1, 1996, are reviewed by the end of 2003. The priorities in both of these goals, 5 and 6, take up about 4 percent, or \$2.3 million, of our resources.

Mr. Chairman, that gives you an overdue overview – yeah, it is an overdue overview – of what Government Services does and some of the expectations for next year. In dealing with the financial restraints that we have in Government Services as well as the challenges that we have within the department to make sure that our service is safe and secure and that privacy is protected as well as making sure that the service is given to all Albertans as well as to ministries, I have to thank some people who helped me keep my job and put this together for me. These people work very, very hard on behalf of Albertans, and they're in the gallery today, and I just want to introduce the staff that helps me put this together.

My deputy minister, Roger Jackson, is right there in the middle of the first row, and right beside my deputy minister, Roger, is the assistant deputy minister of registries and consumer services, and I'll tell you: this lady certainly knows the registry system inside and out. She has been all across this province talking to registry agents and making sure that Albertans get the best possible, safe service that is

available, and that's Laurie Beveridge, our assistant deputy minister.

Just to my left, to Roger's right, is the senior financial officer and the one who keeps all the books not only straight for the department but also has the additional responsibility of the Alberta Corporate Service Centre, and that's Sue Bohaichuk, our CEO of financial services. In the second row there I see a lady who has been the managing director of the Alberta One Window project and has worked very, very diligently with very, very little resources but has come up with a phenomenal response to this One Window concept, and Service Alberta is a success only because of Wilma Haas and her staff. Wilma is up on it.

Of course, I talked so much about the Alberta Corporate Service Centre and the savings that we've achieved because of the insight of the CEO of the Corporate Service Centre, Dave Rehill, there in the back row too. Another Dave sitting right beside him is my executive assistant in office 203. If you need something, Dave Keto, my executive assistant, certainly looks after you.

With that, Mr. Chairman, I make the commitment that if I am unable to get all the questions answered this afternoon, if there's not enough time, we will certainly do our best to review *Hansard* and get back to the questions that come from the opposition as well as any member of the Assembly.

Thank you very much for your time.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I have prevailed upon my colleague the critic for this department to allow me to go first, because I just find this such an interesting department and there are so many pieces of legislation underneath it that really touch people's lives. So there are four areas that I'd like to touch on quickly and get some written responses back from you, because I don't expect you to know this off the top of your head.

There's an issue that has come up, and it's actually touching on two different pieces of legislation. What I'm looking for is whether there are any plans in the works to have a review, a public consultation, some research done to change the legislation. We're talking about a budget here. I'm looking to see if you're going to spend money around this issue, and I'll describe it.

ATCO Gas has offered a refund as a result of its sale of the Kinsella fields. When that refund goes to condominiums, which I have a lot of in my riding of Edmonton-Centre, and certainly the high-rise condominiums that have one meter and any condominium or high-rise apartment building that has one meter, they would have received one rebate cheque, which would have gone directly to the condominium board. What I'm hearing are a lot of concerns of owners that they are not able to have an open dialogue with their condominium board. People feel they should have had the rebate come directly to them, or if it went to the condo board, it should have been divvied up and a cheque gone to each of the owners. That's not what's happened.

So there's a question there about whether we could be looking at opening up the condominium act again – and I take a deep breath as I say this – to deal with the issue of the relationship between the condominium boards and the owners. One of the things I was talking about with someone this afternoon was maybe looking at having something in the act – and again you'd have to do the research on it – that would allow a certain percentage of the owners, if they got together, to call a demand meeting and demand a meeting with the condominium board, which would at least get them all in one room talking together. There really seems to be frustration and a lack of information from the owners in dealing with their own condominium board.

A further and an ancillary issue around that is the Societies Act. I have tracked this all the way through to the one person in your department that actually deals with the monitoring and enforcement of the Societies Act. Indeed, some of the condo boards that I was just talking about have constituted themselves as a society, and therefore they would fall under the jurisdiction of the Societies Act. But with the nonprofits again it's a question of the membership not being able to get their board of directors to respond to them. It's very frustrating when they do the right things. They go to the annual general meeting. They try and get something on the agenda. They try and have a look at the financial statements.

This is by no means happening with every nonprofit, but, boy, for the ones where it is happening, it sure affects their membership, and it really creates a very poisonous atmosphere. Again it's because people just can't get the information and can't compel their condo board to give it. Even if it's written in their constitution that they're supposed to supply this information, what does the group do if the condo board doesn't do it? And if you follow it all the way through to the lovely lady in your department, her answer is: I'm sorry; we do not monitor or enforce the Societies Act. So these groups have no recourse through the government, and seeing as the Societies Act is essentially a consumer protection piece of legislation, I hold the government responsible here. I think that they're letting down a large sector.

3:20

As we know, the voluntary sector, the nonprofit sector, is growing in Alberta and in Canada. It's huge. I mean, look at all the things that this government alone has downloaded onto the nonprofit sector. We really need to be giving these groups some backup and some legislative support, so I'm looking for the teeth here, and there hasn't been any so far. But when we look to the future, I seriously think that the minister's going have to get some teeth in there. So that was the condominium act and the Societies Act.

Third, when I'm looking at the fee structure, the planned fee changes, for increases, I wonder whether the minister had a legal opinion as to the Eurig decision. It was a mere few years ago that we were in this Assembly and having to respond to the Eurig decision. That is a decision that happened in Ontario in which the government was challenged as to whether the amount of money that was being charged for service was a fee or a tax. It was decided by the court that a fee is reflective of the administrative cost of delivering that particular service.

So, Mr. Minister, when I look at this and I see that the administrative cost of delivering a vehicle registration for a passenger vehicle is \$48, what is the minister doing to justify that it's going up to \$61? What additional administrative function is this department doing for that extra amount of money? What are we talking here? Thirteen dollars. Well, lots of people don't even make \$13 an hour, certainly not day care workers, who make 8 bucks an hour. So I think there is an issue here around the Eurig decision. I'm wondering if he got legal advice on this. If he did, I'd like to know what it is. I'd like to know how he's justifying these increases. Some of these are whopping increases. And this is supposed to reflect the cost of the administration, so this is the paper pushing that happens to register a vehicle. So we're going from \$48 to \$61 for a passenger vehicle.

Now my favourite. I own a snowmobile, as you know. I'm a snowmobiler. So when I look at motorcycle and off-highway vehicle registration, it's going from \$30 to \$36. What on earth are you doing for an extra 6 bucks a year for my snowmobile registration, which I can only operate in this country, if I'm lucky, four months a year? This is a rip-off. And I'm now registering two machines, 30 bucks twice: 60 bucks you guys are getting off of me

for two snowmobiles. What are you doing? It cannot cost you that much money. If we're just talking about paper pushing here, somebody that's taking a slip of paper and putting it in a computer or walking it across the hall or checking, whatever has to happen, then we're talking paperwork. Why does it cost \$48 for a car – well, this is the current rate – and \$30 for a snowmobile registration? It's paperwork. What additional paperwork are you doing for a car that you're not doing for a snowmobile? I'd just like to see the justification for that. [interjections] On behalf of snowmobilers everywhere.

MR. MacDONALD: Don't forget the trailer that you've got to pull the snowmobile with.

MS BLAKEMAN: Ooh, the trailer. You're absolutely right. Oh, yeah. This is where you're going get me again. It may be just a onetime fee, sir, but that onetime fee for a trailer pulled by a licensed vehicle is going from \$30 to a hundred dollars. A hundred dollars. I didn't pay a hundred bucks for my trailer. It's going cost me more to register it than it did for the actual trailer. I mean, come on. What is the justification to move from \$30 to \$100? Except that the government needs money, and they're going to try to get it out of people's pockets anyway they can.

The last thing I wanted to talk about is life lease. Now, the minister and I have talked about life lease in the past, and I'm wondering if there's anything in this budget that is going to give us additional information, any better consumer protection, any pamphlets that are going to be produced that are going to explain how life lease work or if, in fact, the minister is considering bringing forward legislation.

I really think we need legislation on this. Life lease is the fastest growing kind of home ownership in Alberta today. This really affects seniors. It's an area of tremendous potential for good, but it also has potential for a great deal of grief. It is a totally new concept in residential living, and people don't understand what it is. I really look to the government to be supplying the leadership here in consumer protection, in the legislation which would give us a very clear definition and a very clear outline of everybody's responsibilities. I think everyone does have responsibilities around this: the purchaser, or lender in this case, the developer, the managing company, everybody. But it's a tough one to get a handle on if you don't know it. I think we need the rules in place so that everybody knows how to play the game.

Those are the four questions and the four issues I wanted to bring up with the minister. I appreciate the opportunity to ask him these questions, and I would ask if he could please supply his answers in writing to me. Thank you very much.

THE DEPUTY CHAIR: Hon. minister, did you want to respond to these questions?

MR. COUTTS: Thank you very much, Mr. Chairman. I've already made an arrangement with Edmonton-Centre. I understand that she has an appointment this afternoon, and I've committed to providing her personally written responses to her very good questions.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I'll cover a handful of topics, as well, around which I have questions for this minister and his department. As with the hon. member who came before me, they touch on a fairly wide range of issues and areas.

The first one the minister himself referred to in his introductory comments in concerns over security and the heightened concern over

identity theft and identity fraud which plagues any electronic system now. I think every member here would appreciate information on the steps being taken to address that concern.

In particular, there are questions I would like to know more about concerning the vetting of employees working in these registry offices and the precautions taken to ensure that the people working in these offices are honourable, are people who are going to respect security provisions and have been thoroughly checked out for background checks. From time to time we in the opposition hear rumours of employees working in registry centres who may or may not be the kind of employee we want in these centres. So I would appreciate clarity and firmness on the precautions taken in ensuring that employees of registry centres and people working with data are acceptable and have been properly vetted.

I also have questions around the sale of data from registries or from other aspects of the government's information systems. I come to this from several years of reading in the area of electronic security and the sale of data and the use of data, for example, for the use of marketing. A recent case investigated by the federal government looked into a complaint from a pharmacist that every time he wrote a prescription, the information on that was stripped of personal identifying information. Nonetheless, it was ultimately sold to drug companies, who were then able to compile the data and see their market penetration for their various products by pharmacists and use it to market to their pharmacists. This particular pharmacist was very concerned about that. It's one small example of the huge market there is for personal electronic data. It's big, big business. Credit card companies are constantly mining people's data for very detailed information on their interests, their behaviours.

3:30

So one of the questions I have is: is any data that's collected through registries resold? Even if it's stripped of personal identifying information, is it resold, for example, to automotive insurance companies so that a particular company could see and track its product or the drivers in particular areas of the province, in particular towns, or particular areas of a city? That would be one example, but the bigger question is: is any data collected by the government resold? Do we have absolute assurances that the data collected through private registries is not resold? Could they also be reselling this data in the same way that virtually all pharmacies resell data on patients? That's I'm sure an area that would be of real interest and concern for all Albertans. It certainly is for me, and you may have a very clear and straightforward answer. Either way I'd like to know what it is.

That moves me into the topic specifically of health information. I've recently had a complaint to my office from an Albertan who is in a prolonged struggle with a private health clinic that is not releasing information to the patient on the patient's pathology. In other words, the patient has asked over a period of almost two years now for her complete file from this private dermatology clinic, and they have not provided it to her. She's very concerned. I think that illustrates one problem we have with the whole question of health information and health privacy. This turns to an ongoing concern that I have which wouldn't just affect this department but others, that the Health Information Act I believe does not provide the same standards of security and privacy protection for private health care operators as it does for public facilities. I am very concerned about that, and I know I'm reflecting the concerns of Albertans by raising that issue here.

So that addresses questions of data collection and security and employee vetting and so on. I'd like to move on now to the structure of what perhaps we should call the wholesale marketplace for

registry agencies; in other words, the mechanism through which agencies get contracts or are licensed by the provincial government to do the provincial business. The whole idea of a marketplace and the only way in which a marketplace works is if there's meaningful competition; in other words, in which you have many people competing to provide a service. I would hope that the provincial government as basically the purchaser of registry services, as I understand the system, from registry businesses ensures a very high level of competition so that registry companies A, B, C, D, and so on are all vying aggressively with each other to provide the best service at the lowest price to the department and through the department to all taxpayers.

I would be interested in indicators of effective competition such as how many agencies lose their privileges or their rights to provide their registry services in any given year. How competitive is the bidding process? What is the bidding process, or does it in fact end up being an ongoing renewal of a contract from the government to an agency? I'm afraid this would defeat the whole purpose of going to a private delivery system.

Related to that, I notice somewhere in the material the standard payments, I guess, or commissions provided to registry agencies for the services provided. So when somebody registers a car and they pay a fee, a certain amount of that fee stays with the people providing the registry and so on. I am curious to know if the department has ever done a business analysis or a business audit looking at the return on investment, or return on capital, that these private registries earn. Are these fees providing a very meagre return on investment to the companies owning the service? Are they providing a reasonable one or a very generous one? How has that been determined? I would be quite interested to know if the department has ever done a business analysis to ensure that they are paying a fair price and no more for the service.

[Mr. Tannas in the chair]

Now I would like to turn my attention to matters of consumer protection, and I'm looking right now at the government and lottery fund estimates for 2002-03 on page 235. Goal 2 refers to "informed consumers and businesses, and a high standard of marketplace conduct," which I think is a commendable goal, and I wish all success to the department in meeting that goal. It's a very important goal if we're to continue to have a properly functioning economy in Alberta.

I'm concerned that in one very, very major area of the economy the marketplace is not working very well, and that's in the area of retail electricity. I'm sure many, many members here have heard complaints that the retail market for electricity is not working. It may well be, in fact, that the wholesale market for electricity is not working either. The wholesale prices seem to have no direct correlation to the cost of producing the electricity. For example, the cost of producing electricity in this province is at most probably 3 and a half cents a kilowatt hour, yet we have power trading at the wholesale level yesterday at, my goodness, 40 cents a kilowatt hour or even over 60 cents a kilowatt-hour. So there's a huge gap between the cost of producing the power and the wholesale price, and that's a key indicator that the market is not working.

At the same time, one of the promises of this government in its move toward electricity deregulation was that there would be a meaningful retail market developed, yet all of us as MLAs I'm sure have had complaints that there is not an effective retail market. There's no meaningful competition between electricity retailers, and in fact there are only two retailers in the whole province almost. For most customers there are only two retailers, and there's very little

toe-to-toe competition between them. So I'm wondering if this department under its mandate to look after consumer interests, its mandate of consumer protection, and its goal of ensuring "a high standard of marketplace conduct" would ever or has ever looked into problems surrounding the markets, both wholesale and retail, for electricity. If so, I'd be delighted to see what steps to protect consumers are planned.

My last point is just a particular one that comes out of the minister's opening comments. He referred to the name change for the department's public access service from One Window to – what's the new name? – Service Alberta. I don't know if that's a good idea, a bad idea. I really don't know anything about it, but I'd be curious to know what the cost of that name change is and why it was regarded as necessary.

So with those comments, Mr. Chairman, I will wrap up and pass the floor to somebody else.

3:40

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Chairman. It's a pleasure to rise this afternoon and participate in the debate regarding Government Services. I listened with interest to the hon. minister's opening remarks, and I wish the minister well as various programs are developed in the department.

Now, there certainly have been considerable problems in that department. They have been very well documented, Mr. Chairman. There have been the recent problems, of course, with the registry system in Calgary. There was the police uncovering the phony ID scam at an agency in Calgary. Two registry employees at the same agency, as I understand it, were determining the market value in Calgary of fraudulent ID cards and drivers' licences. That's shocking.

[Mr. Lougheed in the chair]

There were, of course, two incidents in Edmonton here, I believe since the new year as well, so I can't accept the view that this is an isolated incident. We need, certainly, to get to the bottom of this. Identity fraud, in my view, is a problem when you look at what one could do, Mr. Chairman, and the value of a fraudulent card, whether it's an ID card or whether it's a driver's licence. An altered card could certainly be used to obtain a false identity, and this may enable a user or a carrier of that card to avoid being picked up on police warrants. I certainly would like to understand from the hon. minister what complaints or what reservations regarding the integrity of the system have been delivered to the department by various police forces, whether it's a municipal police force here or whether it would be the Royal Canadian Mounted Police.

Unfortunately, the events of September 11, Mr. Chairman, have also added a great deal of cause for concern. I would at this time also remind the hon. minister of the conference that's planned in June, I believe, at Kananaskis: another summit, a big summit, the G-8. Not only for security reasons but for the prudent use of tax dollars, I would much prefer to see this G-8 take place at a secure military base, whether it's Cold Lake or maybe we could even go south to Wainwright or to Suffield. I think it would be much easier, much cheaper to have such a conference at a military base in light of what happened in New York City in September.

[Mr. Tannas in the chair]

These fraudulent documents certainly could be used to aid in illegally crossing the Canadian border. I think that in light of security precautions that are needed in this country, if this is a

problem, then certainly it's probably a delicate, sensitive issue. Is the minister concerned about the deficiencies in this system that would allow people to gain access to this country and then under a new, false ID travel through to Coumts, at the border between Montana and Alberta, and gain access to America that way? With the deficiencies in our system, surely the minister is not going to jeopardize the fact that law-abiding citizens of this province and of this country can take Alberta drivers' licences – in fact, the Minister of Energy could cruise up to the border and probably be across the border in two minutes just by showing his Alberta driver's licence. That's something that we need to ensure that continues to be the way we do business with our neighbours.

Now, there's that security issue, but there's also the security issue for financial institutions. One would only think that if a person is going to pay up to \$500 for this false ID, the next step is obtaining credit cards. Yes, Mr. Chairman, credit cards. Then there's also the issue of taking the credit card and perhaps hiring a rental car, and this individual carrying the fraudulent card is perhaps a suspended driver. Now, you know, the fees – and I'm going to get to that in a minute. These are only examples of what can happen through the use of a fraudulent card.

I understand we're going to freeze the birth dates. This is a security precaution. The hon. member previous had questioned the security of the personnel involved and what sort of checks are being done. This is an ongoing problem with our registry system, and I'm afraid I can't be satisfied with the initiatives that have taken place. I would encourage the minister – and if it's a budget issue, which we will deal with later on this afternoon, relating to computer equipment to make the system secure, we need to hear from the department exactly how much money they're going to need. There was certainly some startling evidence left behind in last year's ministry annual report, and there were concerns raised not only about the security but the age and the condition of the equipment. This member is not convinced that these service contracts are the right way to go, and I'm going to get to that later this afternoon.

3:50

I'm just looking at the statement of operations of the department on page 239. We have been discussing in this Assembly and the public has been discussing the whole issue of the premium fees and licence changes and the skyrocketing costs and whether it's a tax or whether it's a fee or a premium, but we do know that it is very expensive. I believe there was a 50-cent per item increase in fees over Christmas. There was an increase in the transaction fees for registry agents during Christmas week. I saw that press release, and I thought that in light of the conditions, perhaps that was a prudent fee increase, but none of this money, as I understand it, is going into capital investment. Now, I could be wrong, and I would appreciate, if I am, a correction from the minister or the officials that are available from the department this afternoon. There's no doubt that the money has to go into capital investment, Mr. Chairman.

Now, another deficiency, as I see it, and another issue of concern is the land titles registry. This is supposed to guarantee the accuracy of property titles for all registered property in the province. I heard one of the researchers the other morning complaining. They had purchased a house, and the transaction was going so slowly. This individual and his family were quite excited and looking forward to moving into this house. At present the land titles system, the registry system, runs slowly and, I'm told, cannot handle many transactions during regular demand hours, during the hours from, say, 8:30 in the morning till 5:30 in the evening, Mr. Chairman, without risking system failure. I'm just going by what the researcher has indicated.

The researcher phoned the law office: how are things progressing?

“Oh, well, it’s not progressing as quickly as it should, but don’t worry. We will get everything in order, and you can certainly move into your house.” But whenever one is looking at the cost of this from the point of view of borrowed money – and sure, it’s only a week or it’s two weeks or perhaps at the outside three weeks – that money can add up. You know, that money can add up. I don’t know how diligent we have been. This is not on this hon. minister’s watch, but we have to get that system working better.

Should we expect to be able to maintain our current service level for turning around land transactions within, say, a day? I think that’s almost impossible, but certainly within three or four days. I think that would be better. A 24-hour period would be too much to ask. Now, if the data system were to crater altogether, I need to know if this government is liable or if they consider themselves liable for the losses that would be caused by the countless errors there would be. Who would be liable in this case?

Now, it is interesting to note that the land titles registry system safeguards over \$270 billion in real estate and other registered interests. I don’t know whether this is on a yearly basis, but the value of the land-related transactions exceeds, I’m told, \$17 billion. Last year – and we’re going to get to this, hopefully, later on – registry transactions themselves generated over \$30 million in revenue for this province, and that’s going to go way up, naturally. I think it’s going to go up close to \$70 million, \$72 million, as sort of a real target for this department. I’m told – and I’m getting this information very graciously from last year’s estimates, which the minister provided. I would appreciate this year a more timely response. I don’t think I got the answers to my questions until the middle of the summer. I would appreciate a faster response. There was a \$70 million figure or a \$72 million figure in there quoted as what was needed.

I’ll have to look here, but I’m sure it was a \$70 million figure that was needed to build a good, secure, safe, reliable system. We need to get this done. There were a lot of reservations expressed in the annual report about having money to do this, but we certainly need to get this done. Now, I would encourage the minister that before there are any further business delays, failures, and subsequent financial losses, a long-term replacement plan for the ministry, for the entire system, be a priority.

I don’t think that in light of all this information I’m much more comfortable and confident in the minister’s and his department’s ability to keep this information secure than I am with private providers. I know this government is into partnerships – some work out, and some do not – but I would like to see the minister and his department, them only, have complete control of this information. At this time I would urge the minister to reflect on that.

Now, of course, the third and largest registry system, Mr. Chairman, that needs replacing, as I understand it, is the motor vehicles registry. We’ve got the land titles and now the motor vehicle registry, which last year generated over \$200 million in revenue. Over 70 percent of all registry services delivered to the public are for motor vehicle transactions. Earlier I talked about – and I’m not going to go into that again – my reservations about the security of this system in light of what happened in Calgary. I understand there is a study under way to improve the security integrity of our drivers’ licences. I would encourage the minister to proceed with that very quickly.

Also, vehicle registrations and renewals to Albertans. Has the minister or the department studied the whole issue of vehicle identification numbers and what they’re worth on the black market? I was startled to hear that a VIN number could have a value in excess of \$2,500. Now, I don’t know if this is a widespread problem or not – and I certainly don’t have the time to research it very

thoroughly – but I would like to know what the department has done to ensure that a consumer, when they buy a used car, is not picking up a VIN number from somewhere else. I don’t know how widespread this problem is. Hopefully it’s not. Hopefully they are isolated events.

We also need to ensure with this motor vehicle registry system that police forces, whether they’re municipal forces or whether they’re the RCMP, have maximum guaranteed access, so to speak, to the system 24 hours a day, seven days a week, to conduct their investigations in a timely and effective manner. This has to be essential for law enforcement agencies. I hope these organizations don’t have the same concerns that I have. Certainly if there have been any concerns expressed about this system and the slow response times, I think the minister is obligated to share them with the public.

The motor vehicle registry system is also very important to the Minister of Justice. Alberta Justice collects over \$34 million, as I understand it, and it’s going to be a great deal more for overdue traffic fines. [Mr. MacDonald’s speaking time expired] I will cede the floor now to a colleague.

Thank you, Mr. Chairman.

4:00

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I’m pleased to have an opportunity this afternoon to take a look at the estimates for the Ministry of Government Services. I’d like to start with a comment about the business plans. Over the years we’ve watched the business plans evolve, I think we’d all have to concede that the business plan for this department is probably one of the best in terms of being able to read through, to take the goals and objectives and then to match them up with performance measures and then to have actual measures that you can understand and that make sense in terms of the goals. I think the minister should be rightfully proud of the work of his department in putting together such a good set of business plans. I realize that there are still gaps that they are trying to fill in the measures that they’re taking. You can compare other business plans. For instance, I may compare it with Seniors, which is a new department, but if you look at that business plan and compare it with this one, it’s a world of contrasts. This one is infinitely better. So I appreciate the information that’s provided for us in the manner that it is in this particular budget document.

I wanted to start with a number of items. I thought I’d start on page 192 and go roughly over the business plan and highlight some questions that I have and then if I have an opportunity – and I suspect I will, Mr. Chairman – later in the afternoon come back and ask some detailed budget questions.

One of the concerns I have is with number 1 on page 192, and that’s the business of promoting consumer protection. I asked the question with respect to seniors. Yesterday we looked at the Seniors budget, and on page 332 there’s a concern in the Seniors budget “with models to improve delivery of in-person and outreach information services to seniors.” My question: is there help from the Government Services ministry to a ministry like Seniors in putting together those models? It seems to me that it’s an area that’s becoming increasingly important in terms of trying to ensure that seniors not only know the kinds of services that are available to them from government but that they are also made aware of the kinds of things they should do to protect themselves in the marketplace. If those two efforts can be co-ordinated, I think it would benefit seniors. It’s really a difficult problem, because you have many seniors living on their own in quite isolated circumstances, and they depend primarily on radio or television for the kind of information that they receive and may not in some cases even have access to a

daily newspaper. So that targeting of seniors I hope would be a concern for the department in terms of protecting them from fraud and making them aware of the kinds of things that they should be doing so that they don't get into financial difficulty with firms.

Within that same item, goal 2, "informed consumers and businesses, and a high standard of marketplace conduct." With a growing economy in the province and businesses opening and closing, I think that this is an area that needs special attention. I've had some complaints from constituents about the unevenness or the differences, if you will, among merchandisers in terms of the return of merchandise. Some establishments make it abundantly clear that all merchandise is returnable. Others post signs indicating that they won't take back merchandise. Others say that they'll give you a credit but you can't get the cash back. So there are a lot of different ways of handling merchandise returns. The complaints I get are about firms that don't have the policy prominently displayed so that consumers know exactly what the situation is when they make their purchases. My question: has this been a concern raised in the department or to the minister? Is there anything that would encourage merchandisers to at least make clear to customers what their policy is?

On the same page, jumping down now to freedom of information and protection of privacy legislation. I have some questions here and some a little later about that. The result that they want is to have Alberta businesses "prepared for private sector privacy legislation." My question is: how is that being done? Just what are the kinds of steps that are being taken? Is there assurance that it would include all businesses, that there won't be businesses that will be bypassed in this effort and will be able to claim that they're unaware of their obligations under the legislation? I would be interested in knowing how the department is going about this particular task.

Page 193. My colleagues have already mentioned security concerns as they surround drivers' licences. We still get concerns in our constituency about high school students who have access to false identification in terms of purchasing liquor. I'm not sure how widespread that is, but it's a concern that periodically is raised and the response of underage purchasers in terms of how easy it is for them to secure identification that will allow them to go into a liquor store and make a purchase. I wondered what kinds of efforts the department is making with respect to that particular problem.

4:10

Page 194. The minister shuddered when my colleague talked about the Condominium Property Act and the possibility of reopening that and addressing some of the concerns, but I would bring to his attention again the huge problems that some condominium owners are facing. I brought to the attention of the department several years ago the problems that are faced by a complex in my constituency, where in a new building the floors started to rot, and mold invaded the lower floor suites. The homeowners were given really what could be nothing more than the royal runaround, and there was no recourse for them in legislation in terms of getting to the builder, the developer, or having the engineers take responsibility for what had happened. It was a whole series of breakdowns in the compliance system that led to this happening. City inspectors didn't catch the problems. The crawl space was one foot instead of the required four feet, and the drainage that was supposed to be in place was not there.

The bottom line was that these condominium owners were left with tremendous bills to have the problem rectified. They've been forced into the courts and the prospect of long, strung-out, and expensive court cases with the developer, the builder, some of the engineers involved, and even the architect. It's been a miserable

mess for people. In that particular case, some of those were seniors who sold their homes and bought into the project, have that asset but limited amounts of cash. The kind of money that they are being expected to put up, because the problem has to be addressed immediately – they can't wait for court awards – just means that they've had to end up selling the place at a greatly reduced market value from what they purchased it for, and they've ended their lives in really kind of tragic financial circumstances. So as I said, opening the act may not be the solution, but there has to be some remedy for consumers who in good faith make an investment in those kinds of projects and find themselves holding the bag in terms of the costs to repair what is really work that didn't pass the test.

The minister talked about Service Alberta and the change of name. Oh, I'm sorry; before I go there, on the same page, page 194, I'd like to talk a little bit about the "plain language information about marketplace legislation." Is there a linkage between this activity and the writing originally of a legislation? So much of the legislation that comes forward to us in the Assembly is obviously so legal-bound and not written for ordinary laypeople to read and understand and obviously, then, requires an interpretation. But I wondered if that couldn't have been eased in the first place if there was some pressure on the drafters of the legislation to make it plain language legislation.

I go back, as I've said a number of times in this Assembly, that that was a promise that was made by this government in 1992, I believe, before they were elected: once elected, they would focus on generating plain language legislation. I think that for some of this, that's where it starts. The legislation is so difficult for people to read that you end up needing a translation. If it can be translated, then why not write it like that in the first place?

I'd like to skip over, then, to page 197 and to some of the performance measures. We're beginning to generate a list of items that can be compared nationally in terms of our fees, and again it's good to see that driver's licence fees are below the national average. Those are again, I think, really useful measures.

We have a list of some of the other proposed comparisons that are going to be made: the collection agency, the prepaid contractor's licence, the direct selling licence. I wondered if there's going to be an effort to look at renewals for some of the other areas. Just what is going to be on the list? Is this the limited list here, or will there be other fees that will be compared? There's such a huge, huge number of fees now being levied by the government. They were in the back of a document that we had here the other day, and there are actually columns of them.

Page 198. I applaud the effort to try to address telemarketing fraud, but the question I keep getting – and I'm sure everyone in the Assembly does – from constituents is: how can we just control the number of calls that keep coming into the residence without having to resort to a silent number? Just the nuisance of having call after call from telemarketers is really becoming a problem for some individuals, and I wonder if there has been any thought of how that might be curtailed or if it should be curtailed. It's an annoyance, and I don't propose that it's nearly as important as trying to control fraud, but it's something that I think has really gotten out of control. It's nothing to sit down for dinner and to be interrupted three or four times by telemarketers seeking to sell something or to have you subscribe to something. So my question is: has there been any consideration of trying to control that kind of activity?

The minister talked about – it's not One Window – Service Alberta, the work that's going forward. A number of years ago when the government moved to the RITE telephone number, was there any kind of follow-up study to see how people reacted to that that would give any direction to the kinds of activities that are being

considered under Service Alberta? In the beginning, I remember, when the RITE phone system went into place, there were a lot of complaints, and I seldom get those anymore, but I wondered if there was ever an evaluation of the project and how it's going.

4:20

Page 199. I talked briefly about FOIP with respect to private businesses and what they're going to be responsible for and how they should prepare for it, but my question is: are there programs in place that give the general public a better understanding of what information they can legitimately receive under the Freedom of Information and Protection of Privacy Act? It seems to me, again, that I get calls from constituents who don't really have a very clear understanding of the kind of information that they can expect, and I wonder if there has been any kind of tracking in terms of people who are seeking information. Are they deterred for cost reasons? Are they being discouraged from proceeding? I have heard from at least one constituent that just sort of threw his hands up and said: "That's useless. I can't get the information. It's going to cost me too much money." I never did follow it up, but I wondered if that's not a concern. What is the public program that's envisioned to make sure that the public does know what their rights and obligations under that act are?

Goal 6 and the reviewing of the legislation. I have some questions about the secretariat and its relation to this. Is there any indication of how many regulations have been reduced?

THE CHAIR: The hon. Minister of Government Services.

MR. COUTTS: Thank you very much, Mr. Chairman. I want to take this opportunity to respond to some of the questions that have come our way over the last hour and 10 minutes here regarding the business plan and the budget that's being put forward. Many of the questions that have come forward are certainly questions that are legitimate in terms of our registry agents network and some of the functions that that network performs and how it does so on a safe and secure premise for making sure that Albertans get the delivery of the service but at the same time have their privacy protected.

As well, I got a distinct impression from some of the members opposite that there were some concerns about security and the possibility of fraud and forgery. Some of that fraud and forgery seems to stem from some indication that the people that are actually under contract with the registry agents contract with the department. There's some uneasiness there. There's also some uneasiness with maybe some of the employees that are handling the information and that type of thing.

All told, though, I want to thank the Member for Edmonton-Mill Woods for the compliment on the business plan. We've certainly tried our best in the department, and I do have an excellent group of people to keep the business plan as simple as possible and as straightforward as possible so that it's read by Albertans. Albertans should know exactly what's in a business plan and exactly how much that business plan costs to execute.

In particular, with the service that's being provided, it's important to point out where their money goes, because it's the dollars that they bring forward in licences, in the fees that they pay for those licences, that goes back into the delivery of that system. I think they want to know that their dollars are being well looked after and well spent and, at the time same, as the concerns that have come forward, that it's done in a safe and secure manner. That's exactly what we're trying to do in the department, is take a system that was 20 years old, upgrade it, make sure that it's safe and secure.

I believe the Member for Edmonton-Gold Bar asked me if I was

concerned. Yes. I'm always concerned. Every single solitary day that I wake up and come into this building, am I concerned about protecting people's privacy but at the same time making sure that the system is up and running? Yes, I am concerned, and that's why we've gone ahead and made the changes that we've had to make to make sure that our systems are going to be upgraded over the next few years. I'll talk a little bit more about that when I get to hon. Edmonton-Gold Bar's questions, and I hope to be able to answer some of his questions and alleviate some of his concerns about the future that I am taking and the department is taking in upgrading the system to make sure that it's not only safe and secure on the automotive side, but it's also safe and secure on the driver's licence side and the identification side.

I'd like to start off with the actual premise of a registry agent's office. The hon. Member for Edmonton-Riverview was concerned about the actual privacy within a registry agent's office and how the contracts are let and how we go about expanding on the system or keeping the system to the needs of the public, whether it happens to be in a major city where there's a huge population – and as cities now grow and expand, how do we make sure that the service is going to be available to those city folks so that they can get their licensing properly done? How do we also make sure that in a small town or rural area we keep that service going?

Well, agents are chosen through a tendering process. Our department goes out and does an assessment of what the needs are in a community. We constantly monitor that assessment of whether the community is being served well by the local registry agent, and we make a decision whether to expand that particular service to that area or not. We're constantly doing that because Alberta is continuing to grow. If we feel that we need an agency in another area, we go through a tendering process. We have, again, this expansion policy based on customer satisfaction. If the customers are satisfied and the volume of the transactions and the potential growth are all taken into consideration, we won't add on to our system. If a contract does get let, no, we don't have a termination date of that contract, but we do audit the activities of a registry agent. Every single solitary day their activities are audited and monitored, and we go in once a year and audit how the registry agent goes about and does its business. So there are strict controls in place at our registry agents' offices.

How do we choose a registry agent office? The registry agent must go through a criminal check. They must have a solid business plan behind their proposal if they set up a new registry agent office. They must have the finances in place, because there is a commitment on behalf of registry agents for compatible workstations to tie into our system so that the service they provide is congruent with what the needs are of that community as well as providing the service for the government.

Have we had difficulty in the past? We've only had three agents who have been terminated in the last eight years. That's a pretty good record. Now, when we see organizations such as British Columbia and Saskatchewan coming along and taking a look at our registry agent system in Alberta and they want to try and take the best of what we've got and try and provide it to their constituents in those two provinces, that tells us that we've got a very, very good system working here in Alberta. Again, a thousand employees are employed at the 228 agencies across Alberta.

When we have a problem, yes, we go in and we solve the problem immediately, and I think we showed that this last December with an agent who has been charged. Again, I don't want to talk anymore about that, but we acted immediately in that particular case.

4:30

The hon. Member for Edmonton-Riverview also talked about our agents' fees, and yes, we compare ourselves to other provinces. The

hon. Member for Edmonton-Mill Woods made reference to the fees in the back. They are there in the business plan for people to take a look at.

The Member for Edmonton-Riverview also talked about the retailing of electricity and asked, on the consumer protection side, whether our department got into dealing with wholesale and retail of electricity. Well, we don't actually get into that. On the consumer protection side, under the Fair Trading Act, we regulate the marketers of electricity and those electrical services. What we do is we regulate the marketers to a point where we say that if a marketer is going out to a community and wants to sell their product, they must be licensed, the company must have a million-dollar security bond, and they must comply with the 17-point code of conduct. When a marketer comes to your door or to your business, they must show identification and make timely and accurate and truthful comparisons in their presentations, and they must ensure that the data being used to support any of their claims is reliable. We have tip sheets available for what consumers might want to know about marketers.

That's the detail that we get into in terms of consumer protection. If we get complaints about marketers not following the contract lines or the contract regulations, then we do step in and make an evaluation, but we do not get into anything with the EUB, because they set the rates. Quite possibly, at another time the Minister of Energy can address that concern for you.

The hon. Member for Edmonton-Riverview talked about the cost of the name change for Alberta One Window, which we're now calling Service Alberta. The hon. Member for Edmonton-Mill Woods made a comment about this very thing, saying that the RITE line when it was first put in, you know, wasn't really serving the bill so much and was presenting some problems, but it has improved over the years. It's an amazing thing. When we're talking about Alberta One Window and how it has progressed, it actually has progressed from the evolution of the RITE line and how well the RITE line has been accepted by the people of Alberta. The cost so far has been about \$70,000 for this name change. Now, part of that was to go out and do some focus groups across this province. We went from the north right to the south, and that's where we found out what confidence people had in our RITE system.

As technology has progressed, we now can take that RITE system and we can put it on-line, but we can even make it better. We can even make it faster. We can make it available for people to get into a department, and they don't even know how it happens. When we unveil this over the next few months, we'll be doing some demonstration and showing how One Window can access a department without Government Services actually doing any of the managerial work of what people want to access. But we're just the facilitator. The \$70,000 that we put into changing the name from One Window to Service Alberta will be well received by Albertans because that's what they told us, and they also told us that that's the kind of service they wanted. At the same time, it doesn't make us exclusively go on the Internet. It also makes sure that we have that same access to those same program deliveries in all of the departments across government by fax or by phone or by mail. It's truly a very, very good service, and my compliments to my staff for making that happen.

I'll go on to some questions from Edmonton-Gold Bar. I just want to talk briefly about how the systems differ in our registry systems. The \$13 million that we have put into the budget to upgrade our systems for our registry agents – and I'll talk a little bit about this later – is strictly going to go to the upgrading of three items. Land titles and personal property will all be part of the first \$13 million. It will be a three-year program. We're only going to be allowed to spend that \$13 million on the upgrade to our legacy systems. We

can't spend any of those dollars on anything else in the department, and those dollars come to us through the increase in the fees that have just been announced and as part of a three-year program that we will continue with. Our first priority is the personal property and then land titles.

Not included in that \$13 million is the upgrade to our driver's licence or possible identification process that we're going through. That would be an additional cost that I will have to go to Treasury Board for in the future. But in order to know what you're going for, I have to know what kind of system we need to put in place, because we do have to upgrade our driver's licence system, our identification system. We've been discussing this with some companies that could provide us with the systems, and the bill is anywhere between \$15 million to \$25 million depending on what you want in terms of security features. That price doesn't even include anything like biometrics.

So we have to work with the Security Task Force, that is set up by the hon. minister of intergovernmental relations, and we have to know what their requirements are going to be not only on the national scale but also on the international scale. The hon. Member for Edmonton-Gold Bar is absolutely right that we want to make sure that the security system that is in place allows the folks that don't have anything to hide to get through the borders quickly and effectively, to get on and do their business, but also to keep the crooks out. So that's what we're working on. That system will be over and above the \$13 million. I want to make that very, very clear to the hon. member.

4:40

You know, in going about upgrading that system, we have to understand the incidence of forgery and fraud on our drivers' licences in comparison to all the transactions that we do across government in Government Services. We have to make sure that the numbers of incidents that are out there, although small – and just recently we've only seen two incidents, both in Calgary. They really and truly are small in comparison to all of the transactions that we do.

We need to make sure that as part of our security, particularly after September 11, those provisions that are required or needed after such an event come through and are done properly. We don't want to do our security system and have it not fit the bill both nationally and internationally and then have to go and spend money to do it right. If I'm going to do it, I'm going to do it right, and I'm going to do it right the first time.

That gives us about half of the answers. I'll be glad to stand and give the other half in just a few minutes, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Chairman. At this time I would like to express my gratitude to the minister for those timely responses.

Just before I get started, for the record, I believe the minister was indicating that there is going to be a \$13 million expenditure over a three-year period for \$39 million. [interjection] Yes. Thirteen million dollars per year for three years.

Now, it is, I believe, a necessary expenditure, and it is a problem that certainly this hon. minister did not develop during his watch at this ministry. I believe it has been inherited, shall I say, Mr. Chairman, and I wish him well in solving these difficult problems at this time.

We cannot discuss Government Services without recognizing that Alberta Justice also relies on a timely system to ensure that child

support is collected through the maintenance enforcement program. Driving convictions from Justice certainly are forwarded through the system, allowing for Alberta Transportation, another department – so all this is connected, Mr. Chairman – to administer its many traffic safety programs. High-risk drivers can certainly be identified, and we can make Alberta roads safer.

Now, we already discussed this afternoon the need for new equipment to create drivers' licences. If law enforcement agencies have concerns about security features, I would encourage them to bring them forward. Perhaps they're already working with the minister and the department – and I'm not aware of this – to reduce cases of counterfeit or fraudulent \$500 licences. It's pleasing to hear that there are going to be some real changes made in the department, but I wonder what's going to happen with the motor vehicle registry system.

You know, Alberta One Window changed their name to Service Alberta. I believe that this was an open window. There was this big commitment made in the throne speech two years ago that the common window would make it easy for Albertans to have access to services and, of course, to information. For the One Window system, now Service Alberta, when we consider the web service, the phone, the fax service, and the over-the-counter service, how were the electronic forms developed that are going to be used in the web service? These forms, as I understand them, can be quite convenient. Now, was there private-sector involvement in the development of these forms, or was it completely done within the department? [interjection] It was completely done within the department. So my next question in this regard would be redundant, and that was whether it was tendered. But if there was no private-sector involvement, then it was just done internally. I'll be watching to see how all this works out, because certainly there's going to be a further increase in Internet service. Hopefully we're going to get a chance through the hon. Member for Edmonton-Caldor, with the committee that that member chairs, to best see how to address the whole issue of electronic transactions, commercial transactions, and the FOIP Act, the Freedom of Information and Protection of Privacy Act.

I'm sort of looking forward to working on that committee because it's certainly going to give this member a chance to learn more about that issue. I find it quite complex, and it is something I'm looking forward to. Sometimes I think, in recognition of the committee and its work, that perhaps the suggestions of that committee should be given a priority with the ministry. Now, perhaps this has already been worked out; I don't know. But the Alberta One Window is a closed window now, and it's going to be Service Alberta. I'm going to have to reserve judgment on that, Mr. Chairman.

Now, at this time I have some specific questions regarding the premium fees and licence changes that are in the fiscal plan tables on page 60. The corporate pass here for museums and historical sites is a new initiative. If the minister could please explain – and if not today, then in writing would be completely acceptable; it would be no problem – why there's a wide range here in this fee or licence or whatever you would like to call it from zero dollars to \$10,000. I would like to know how this system is going to work. As I said, there's a wide range here, from a \$1,000 to \$10,000 in set price. Does this depend on the facility? For instance, at the Drumheller museum, do I just pay eight grand and I have access with my tour buses for the season there? How, precisely, does this work, and how is it determined what the fee is going to be? Because that's a real wide range, this business of a corporate pass for museums and historical sites. Perhaps it's a better question under Community Development, but was there any consultation regarding this with the Minister of Government Services? Was all this worked out in advance or is it simply an issue for the Minister of Community Development?

4:50

Now, the fees, premiums, and licences here. The name and address changes: this is again another new fee, \$13. Is this member correct in understanding that if I'm a student and let's say I move from Calgary Varsity up to the University of Alberta and I need to have a change of address for my driver's licence – certainly an insurance agent would probably call for that – that's going to cost me \$13? I would like to know how much money the minister is anticipating generating in revenue from this and if any concern has been expressed to the minister or to department officials regarding this fee being a disincentive to having accurate, up-to-date information on licences. Has any consideration been given to the fact that law enforcement agencies may not have confidence in the licensing system as a result of this? In my view, if a person is on a very modest budget and they move: "Well, my last address is good enough, thank you very much. I'm going to keep that \$13 in my pocket." Perhaps the gain of the government is not going to be worth the headache for the police forces. I would appreciate some answers regarding that fee.

Also, I would like details, please, on the commercial trailer. There is commercial trailer by weight and class 1 or class 3 public vehicles by weight, and precisely how much money is the department hoping to realize in revenue?

Now, there are many, many fee increases here that certainly are high, and in light of the time and the other issues that I have to discuss with this department at this time, I'm not going to go any further into the fact that there have been significant fee increases.

Mr. Chairman, the minister discussed earlier – and I appreciate the response that the minister provided to the hon. Member for Edmonton-Riverview. But last year when the ministry developed the electricity marketing regulation under the Fair Trading Act, this regulation, as I understand it, required the marketers of electricity to be licensed and set out disclosure and other requirements to protect consumers. Now, that's fine, and the tip sheet is a good idea. You know, improvements are coming there slowly. It was last year that members on this side of the House encouraged the Department of Energy to start publishing the daily costs of electricity, and that helped consumers make a reliable decision because they could see what the price of electricity was trading for. They just had to turn to their local paper on a daily basis and they could see any trends that were developing. A consumer can only make a decision, a sound decision, if they have all the information. The tip sheet is certainly a good idea, but I do have concerns regarding the electricity marketing regulation and this use of exit fees on power bills.

Certainly the minister had in my view a quick response to the whole issue of exit fees and natural gas marketers, and I appreciate the work that the minister did on that issue last year. At this time, in light of the electricity marketing regulation, I would like the minister and his staff to have a close study at the use of exit fees. I don't think they're fair on electricity bills. If one provider is going to give this price and another provider is going to give that price yet I can't shop around because of exit fees, I don't think that that is free enterprise. I would like to know what the electricity marketing regulation does or does not do under the Fair Trading Act in regards to that, because certainly, as I said, there was a quick response from the minister regarding the issue of natural gas and exit fees. As I recall, Mr. Chairman, I do not believe that the whole notion of exit fees for electricity or natural gas ever went forward. It was certainly proposed, but I don't believe it went forward.

Now, last year there was certainly a decrease in the revenue from land titles, and I would like to know from the minister what the projections are for the future regarding revenue from land titles transactions. When the minister tells the Assembly, Mr. Chairman,

that there is going to be this three-year program of \$13 million a year for personal property land titles, when we consider that Alberta Government Services and registries received \$1.5 million in supplementary funding one year ago – this additional funding, it is noted, was provided for critical infrastructure requirements for the land titles information system in Alberta One Window. Other initiatives, unfortunately – and this is last year, so it is quite interesting what has transpired here – had to be deferred because the cost of providing these additional services was not included in the ministry's budget.

Capital initiatives were deferred also to fund operational costs, and this is why I say that this minister has inherited some pretty big problems. At least you've got to give him credit for trying to deal with them, Mr. Chairman. I don't know if these sky-high fees are the way to do this, because certainly many of the consumers of the province that are going to be affected here didn't devise this system. We had no money for a lot of these initiatives that were needed, and the minister is playing catch-up now. But we had an increase of service contracts, and I wonder what we're going to do with these service contracts now. You know, there was in the past data processing with key expenses of over \$12 million, contracted services of \$7 million. I don't know what the minister has planned for this year, but in the year 2000 there was \$21 million, roughly, in service contracts. Last year that almost doubled to over \$39 million.

I want to know what the future holds for us regarding these service contracts, because certainly EDS seemed to be a big partner with the ministry. There was certainly note of this, and this was going to be a partnership that was to be developed. As I understand it, the information technology services have been outsourced for several years to EDS, which was formerly Systemhouse. How much of these service contracts are going to that one company? There were certainly indications that this was going to be a partnership that was going to be extended, and I'm just curious because there's a lot of money here at stake. I want to ensure that our tax dollars are invested wisely and prudently, because the total investment in this department to clean up this system or to make it safe and secure and reliable is \$70 million. That's a figure that I've been quoted here in the past, and that could include private partnerships. I want to know in this budget what sort of role these private partnerships are going to play, because certainly it is indicated that with computer hardware and software – the minister and his officials are absolutely right – the estimated useful life left is five years. So this cannot be delayed, Mr. Chairman. Other equipment has an estimated useful life of 10 years, but with this vital computer hardware and software five years is what's left in its service life. So I don't think we can wait any longer. At this time, before I go any further, I think that the land titles, motor vehicles, and personal property registries need the upgrading. It's proposed and the minister has . . . [Mr. MacDonald's speaking time expired]

Thank you, Mr. Chairman.

5:00

THE CHAIR: Before I recognize the hon. Member for Airdrie-Rocky View, might we have consent to briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE CHAIR: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Chairman. It's my

honour this afternoon to introduce to the House, to you and through you to the members of this Assembly, some guests who are in the Speaker's gallery accompanied by a number of citizens who are in the members' gallery as well. I would ask that the members rise as I introduce them, and then we could extend to them the warm welcome of this Assembly. Seated in the Speaker's gallery are His Excellency Gaston Lasarte Burghi, who is the ambassador of the Oriental Republic of Uruguay; His Excellency Branimir Stoyanov Zaimov, who is the ambassador of the Republic of Bulgaria; and His Excellency Harcourt Turnquest, high commissioner for the Commonwealth of the Bahamas. They are accompanied by Mr. Jerry Sherman. They are here in western Canada and certainly northern Alberta on somewhat of an economic development tour of Edmonton and area businesses, and they are accompanied by visitors in the members' gallery: Gordon McCallum, Cam Schnek, David Goodchild, Vic Viens, and Esther Viens.* I would ask them all to please stand and receive the warm welcome of this Assembly.

head: **Main Estimates 2002-03**

Government Services (*continued*)

THE CHAIR: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Chairman. I wanted to get up very briefly this afternoon and make just a few comments about this department called Government Services. One of my predecessors used to be the minister of consumer and corporate affairs years ago. Consumer and corporate affairs has now been rolled into Government Services. I guess if I had a question for the minister at all, it would be specifically with regard to consumer and corporate affairs and as to what role they truly play, whether or not it's something that we can look at to ensure that we have a place for people to go when there's a problem, if Government Services in fact is equipped to really handle that type of thing, and if he has any plans, to elaborate on that a little bit in the future.

The other comment I wanted to make is specifically with regards to registries and what an awesome job our registry companies are doing. I'd like to refer specifically to Airdrie registries and what a pleasure it is to go there. Whether it's a corporate registration I have to do or getting my car licence done or my driver's licence renewed, I go in there and there's maybe one or two people ahead of me in lineups and everybody's happy. The staff are just incredible. The proprietor of the business, Mr. Hamilton, is just running an incredible business there, doing a great service for the people of our community and surrounding area, and he would be reflective of the types of industry that we have all over this province on this.

I used to work in one, so I know this for a fact. In March when everybody got their demand to go in and get their licence plates renewed, we would have people lined up not just inside the government office. We would have people lined up outside the government office. You could just write off the entire day because you knew that getting your plates done on the last day – because that's when we all did it – was going to be a nightmare. You know, it was one of those, I think, incredibly great things that we've managed to do in the last nine years: changing that to something that's responsive. It's now got a corporate culture around it.

The fee increases that the minister has had to impose will allow those same registries to update and improve all of their computer systems, which is absolutely essential for their next step, and the security of the system is all tied into that.

I guess really, Mr. Chairman, all I wanted to do was to say that I think our corporate registry, our licence plates, all the things that they do are so superior to the way that it was. The minister, I know,

*These spellings could not be verified at the time of publication.

has worked very hard with these people in addressing their needs for a higher level of funding on their fees, and I'd like to congratulate him for that.

Thank you very much.

THE CHAIR: The hon. Minister of Government Services.

MR. COUTTS: Thank you very much, Mr. Chairman. In the few moments that we have left, I just would like to talk a little bit about some of the easier questions that were brought forward and give some responses. At the same time, I reiterate my commitment to all hon. members on questions. If we haven't fully satisfied you in my answers standing in the House here, we'll make sure you get a written response.

I think one of the most fascinating things when you're talking about consumer protection – maybe the hon. Member for Airdrie-Rocky View just mentioned it – is that sometimes you just don't know where to go if you've got a problem. Well, Mr. Chairman, that's one thing that Service Alberta is certainly going to help with by getting people to the point where they can actually access a department to find out what a program is, how they can get some help. If they feel that they have a question about the legitimacy of a business, they can call our call centre. We have a call centre that's up and running. It's state of the art. We have 20 people working in that call centre every day, and those ladies that work in that centre take over a thousand calls per day from Albertans on a whole series of things right from student loans to hospital questions to consumer protection, the whole bit. I don't have the phone number right in front of me, but it's a 1-800 number, and I'll certainly get it for all hon. members so that they can pass it along to their constituents and their constituency offices.

The comment made about our registry agents and the service that they provide: that service has just been enhanced. The hon. Member for Edmonton-Gold Bar mentioned about the \$2 increase that they got just the first part of the year. The \$2 increase is not a government fee. It's for registry agents to compensate their employees better, to pay their taxes, to pay their heat bills, that type of thing, because they are carrying on a business. That fee is charged and they get to keep that to operate that business, and they don't come back to government for anything else. That is one of the successes of our registry system.

The other thing that I would just like to briefly talk about. Some of the questions that were coming from the hon. Member for Edmonton-Gold Bar lately, in this last session, were on outsourcing and the one-window incorporated into that and whether we did any outsourcing. That was all done in-house with the help and the co-operation of other departments. The departments that were involved helped put Service Alberta together. Yes, in some of our other areas on the databases we do some outsourcing. But we don't exclusively do it with one company; we do it with a number of companies. That outsourcing has worked well for us, but most of the work is done in-house.

5:10

The Member for Edmonton-Gold Bar talked about the land titles registry and better turnaround. We're shooting for a 48-hour turnaround. All we have to do is verify that the information on the registrations of land is accurate. Some are easy; some are difficult. We don't always make our 48-hour turnaround. Some of that is because of all of the transactions that are coming forward in this robust economy that we have. It's difficult to tell whether the future dollars will be there, because it's done on a demand basis. So we have to have a system that is in place to handle the demand, and

that's why the upgrade is definitely going to happen on land titles as one of our first initiatives.

Stolen vehicles is a huge, huge issue. The member opposite talked about stolen vehicles, and that's been on the national agenda for many years. You know, we co-operate with all North American jurisdictions, and in this last year a committee was struck to help develop an action plan in Alberta. It's something that we're very, very concerned about.

The hon. Member for Edmonton-Mill Woods talked about protection for seniors in the marketplace. Our department works very, very closely with the Department of Seniors. We work together with other departments, on housing issues, certainly also with Aboriginal Affairs and Northern Development, to talk about consumer protection in those areas. We target together. We don't target separately, because targeting separately is a waste of dollars. We want to make sure that the message goes out from one location, and we work very, very closely. As a matter of fact, our call centre number is put on fridge magnets, and we sent these out to people across the province so that seniors and folks that are at home can see our call centre, and if they have any consideration about whether a telemarketer is a legitimate telemarketer, maybe the next day they can phone and give the details of that telemarketer to our call centre and we can investigate.

Just one quick thing about plain language. The hon. Member for Edmonton-Mill Woods talked about plain language. Our Fair Trading Act has been touted as the best in Canada if not North America. I think that one of the reasons is because it has to appeal to the business sector, and they're not all lawyers. We've tried our best to keep it in as plain language as possible and keep the legalese out of it, because it has to appeal to the business sector. One of our challenges is to get the content of that Fair Trading Act out to the business sector so that they know the legislation that controls them.

Mr. Chairman, in the last minute I just want to briefly talk about freedom of information and protection of privacy. There is a freedom of information and protection of privacy review going on at this point in time, and I'm pleased that the hon. Member for Edmonton-Gold Bar is looking at it as a challenge to bring up some of those concerns. I know that they're going out and doing some consultation at this point in time, and we look forward to participating in the upgrading of probably the best legislation on freedom of information and protection of privacy that there is in Canada. Alberta leads the way again in that area.

So with that, Mr. Chairman, I would like to reassure this House that I will make sure that anything that I haven't answered, I will answer with the help of my very capable staff, who I appreciate coming out here today and supporting our business plan and our budget and making sure that we provide as much information as we possibly can to the Assembly.

THE CHAIR: I now am required to put the following question. After considering the business plan and proposed estimates for the Department of Government Services, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:
Operating Expense and Capital Investment \$218,021,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Government Services: operating expense and capital investment, \$218,021,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that pursuant to Government Motion 20 we adjourn until April 8 at 1:30 p.m.

[Motion carried; pursuant to Government Motion 20 the Assembly adjourned at 5:18 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 8, 2002**

1:30 p.m.

Date: 02/04/08

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome back. I would ask hon. members to remain standing after the prayer and the singing of our national anthem.

Let us pray. Almighty God, from whom comes everything that is upright and true, accept our thanks for the gifts of heart and mind that You bestowed upon Your faithful servant Queen Elizabeth the Queen Mother and for the examples of life she brought forth in her words and deeds. Grant that we may have grace to live our lives in accordance with Your will, to seek the good of others, and to remain faithful servants during our lives' journey.

O Lord, bless our sovereign Lady, Queen Elizabeth II, and all who are in authority under her that they may order all things in wisdom and equity, righteousness and peace, to the honour of Your name and the good of all people. Amen.

I would now invite Mr. Paul Lorieau to lead us in the singing of our national anthem. Please join in in the language of your choice.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

Mr. Michael Senych **September 24, 1926, to March 27, 2002**

THE SPEAKER: Hon. members, on Wednesday, March 27, 2002, Michael Senych passed away suddenly. Mr. Senych represented the constituency of Redwater for the Social Credit Party. Mr. Senych was first elected in the election held on June 17, 1963, and served until August 30, 1971.

During his years of service in the Legislature Mr. Senych served on the Select Standing Committees on Private Bills, Public Accounts, and Municipal Law and Law Amendments. He also served on the special committees on Automobile Insurance and the Centralization and Consolidation of Schools.

With our admiration and respect there is gratitude to members of his family who shared the burdens of public office. Members of Mr. Senych's family are with us today in the members' gallery. Our prayers are with them.

In a moment of silent prayer I ask you to remember the hon. member Michael Senych as you may have known him. Rest eternal grant unto him, O Lord, and let light perpetual shine upon him. Amen.

Please be seated.

head: **Introduction of Visitors**

MR. KLEIN: Mr. Speaker, I am pleased to introduce to you and through you to members of the Assembly the hon. Premier of the South African province of Mpumalanga, Mr. Mahlangu. He is accompanied today by his wife, Mrs. Mahlangu, and a 17-member

delegation including several members of the Mpumalanga Legislature: the hon. Speaker, Mr. Lubisi; the hon. Minister of Health, Ms Manana; and the hon. minister of finance and economics, Mr. Mabena.

Mr. Speaker, Alberta and Mpumalanga have had a close friendship since 1996. Mpumalanga is working to establish strong management systems within its government while encouraging growth in its private sector. Alberta has been honoured to share its experience in governance with Mpumalanga during the past five years. I'll be signing a memorandum of understanding with the Premier later this afternoon that renews Alberta's friendship with Mpumalanga. I'm looking forward to our relationship expanding into new areas in the coming years including trade and investment.

I would ask that our honoured guests please rise and receive the traditional warm welcome of this Assembly.

MR. TANNAS: Mr. Speaker, I'm pleased today to introduce to you and through you to all members of the Assembly delegates from the Deutsche Bundestag, or German Parliament, led by President Wolfgang Thierse. The delegates are touring Canada as part of an official week-long visit, and we're honoured to welcome them to Alberta and to this Assembly. I'd like to wish our parliamentary colleagues an enjoyable and productive visit to our province.

Seated in your gallery, Mr. Speaker, is Mr. Wolfgang Thierse, President of the German Parliament; Dr. Ulrich Schoeler, chief of cabinet; Dr. Manfred Guenther, chief of protocol; Mr. Wolfgang Wiemer, director, press division; Mrs. Monika Koch, first secretary, head of the department for economic policy, science, and technology with the German embassy in Ottawa. Accompanying our distinguished visitors are Mr. Friederich Koenig, honorary consul for Germany; and Ms Regina Landeck, translator. I would ask our guests to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It's an honour for me to rise today to introduce to you and through you to members of this Assembly family members of the late Mr. Michael Senych, a colleague of ours. They are Michael's wife, Patricia Senych; niece Joanne and her husband, Albert Fedun, and their two children, Rana and Kayla; niece Gloria Loekie and her husband, Tim; niece Corinne Arsenault; Mrs. Senych's sister, Annie Rudnisky; and family friend Cindy Olchowy. They are seated in the members' gallery, and I would ask them to please rise and receive the traditional warm welcome of this Assembly.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you very much, Mr. Speaker. To you and through you to all members of the Assembly it's my great pleasure to welcome and introduce to the Assembly 86 students from St. Teresa Catholic elementary school. They are accompanied today by teachers Lisa D'Agostini, Ronald Boivin, Trish McGuinness, and Charles Stuart. Also accompanying the students are parent helpers Theresa Ness, Marie Reitzel, Patrick Omoe, Mark Day, Cindy Shearer, Patricia Hennig, MaryBeth Doiron, Ross Perri, and Jackie Wright. I would ask all of the students, the staff, and the parent helpers to please rise and accept the warm welcome of the Legislative Assembly.

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Well, thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to the Assembly staff of the Solicitor General's department who are members of the north and south Edmonton community correction young offender probation offices. Because of the numbers of the staff, I cannot introduce them individually by name, but we have here joining us today two managers, four support staff, 10 probation officers, two students of the Grant MacEwan correction service program, and one student of the University of Alberta criminology program. On behalf of the Minister of Justice and Attorney General I would also like to introduce to you and through you nine staff members from Alberta Justice.

Mr. Speaker, these people do a terrific job, and I'd ask them to rise and receive the warm welcome of the Assembly.

1:40

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. Through you and to you today it gives me a great deal of pleasure to introduce a constituent of mine, Andres Lineker. He's in your gallery today. Would you please join me in giving him the warm Legislature welcome he deserves.

THE SPEAKER: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly Mr. Bernie Hornung, president of the Wildrose Polio Support Society, and Mrs. Pat Laird, vice-president. Pat is also a member of the board of the Southern Alberta Post Polio Support Society. Today marks the beginning of Polio Survivors Awareness Week in Alberta, dedicated to increasing awareness of post polio syndrome among polio survivors and health care professionals. Mr. Speaker, our guests are located in the galleries, and I would ask that they please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to members of this Assembly seven remarkable women from St. Albert who are members of the IODE Ethel Cuts chapter of St. Albert. They are seated in the members' gallery, and they are Joyce Welsh, Arden Korchinski, Betty Walkingshaw, Margaret Clarke, Lynda Bradshaw, Val Braiden, and Kathleen Musgrove. I would ask them to please rise and receive the warm welcome of this Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Community Lottery Boards

DR. NICOL: Thank you, Mr. Speaker. Albertans have told this government time and again that if the government wants to take money out of the communities through VLTs, it must return some of that money to be used in ways that communities see fit. VLT proceeds are going up this year, yet funding for community charities is going down. When the government decided to disband community lottery boards because it had to make some tough decisions, it not only took away money from communities; it took away their power. My questions are to the Premier. Given that gaming

revenues are expected to increase by more than \$77 million this year, why did the government disband community lottery boards and take away \$51 million from our communities?

MR. KLEIN: Mr. Speaker, certainly media reports suggest that government is recommending or reconsidering the decision to end the community lottery board grant program, and some municipalities indeed have threatened to hold plebiscites to get rid of VLTs if the program is not reinstated.

First of all, there are no plans to revisit this issue at this time. As I indicated on Thursday before the break, if higher than expected revenues persist, funding for this program could be reconsidered at some time in the future under a different format. The Gaming minister also has pledged to look at the existing lottery-funded grant programs to see if some of the groups affected by the ending of the CLB program can be accommodated.

But I would remind the hon. member that lottery funds, including those lotteries that come from slot machines in casinos, the various lottery pull tickets, 6/49, VLTs, go to fund a lot more than community lottery boards: \$25 million in family and community support services for children; \$15 million to the Sport, Recreation, Parks and Wildlife Foundation; \$122 million to the Supernet project, which benefits all communities, particularly in the educational sector; \$10 million to seniors' lodges; \$3.1 million to achievement scholarships; \$500,000 for hosting the Arctic Winter Games; \$2 million to the First Nations development fund; \$25 million to the community facilities enhancement program, and that's \$25 million a year for each of three years; \$10 million to health service research; \$50 million to health care facilities; \$28 million in unconditional municipal grants; \$15 million to water management infrastructure.

DR. NICOL: Mr. Speaker, let me help the Premier. Was it a tough decision to allocate \$33 million for horse racing instead of maintaining the community lottery boards that fund scouts, victims' services, and kids' playgrounds?

MR. KLEIN: Mr. Speaker, that is another lottery program. I'll have the hon. Minister of Gaming respond to your question relative to the specifics of that program, and how we've come about it is not by taxpayers' dollars.

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The Premier is quite correct. This program has been in place since 1996. The funding for the racing industry is directly connected to racing entertainment centres which are connected with race courses and which have slot machines in them. It is part of the revenue from those slot machines which funds the racing industry, and I would point out that a significant portion of the funding from those slot machines also goes into the Alberta lottery fund to assist in funding many good projects for all Albertans.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: was it a tough decision to increase the commitment from the lottery funds on debt payment by more than 600 percent this year to \$320 million instead of leaving that \$51 million to support our scouts, our community playgrounds, and local community initiatives?

MR. KLEIN: I would remind the hon. leader of the Liberal Party that CFEP funds many of these projects, that the hon. Minister of

Gaming will be looking at ways to fund these programs that fall through the cracks, so to speak; you know, the smaller grant programs. There may have to be some adjustments to the terms of reference to the community facilities enhancement program, Mr. Speaker, but we won't let these small groups be ignored. We will look after them, just as we are looking after the needs of the rest of the community through a number of the programs I have already addressed, including the additional programs: \$36 million to the strategic and research investments program, \$35 million in school facilities – of course, they don't want that – \$10 million in postsecondary facilities; \$5.9 million to the health innovation fund. Yes, there is a substantial amount, about \$300 million, going to debt pay-down because this is what Albertans said they wanted. They said: get rid of the debt.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. A follow-up to the Premier: can the Premier tell us who he consulted with across Alberta to get their okay to eliminate the lottery boards and put more money into debt payment? Who did you talk to in the community when you developed this budget?

MR. KLEIN: Mr. Speaker, we sensed the priorities of Albertans. The priorities of Albertans are health, education, sound infrastructure, good fiscal and financial management, no deficits, debt pay-down, safe community, lower taxes. These are the priorities of Albertans, and the priorities of Albertans are also those that we identified in the budget with respect to the programs that are funded out of lottery dollars.

Mr. Speaker, I can tell you how the community lottery board program came about. A number of mayors wanted to meet with me in Bonnyville. I met with them, and they said, "Lookit, if you want our support on VLTs," understanding that there were a lot of plebiscites being contemplated at that time, the result of an initiative, we will put it, on the part of people who were really concerned about gambling, not about where the money was going – they wanted to get rid of VLTs, period. They said: if we had more local control over some of the money, we might not be as strong in our opposition to VLTs. We said: okay, we'll set up a system whereby there would be some local control over some of the funding. The mayors of course wanted the councils to be the keepers of that particular money so that they could perhaps dedicate some of those funds to potholes and other purely municipal services. We said: no; if it's going to be done, it has to be done in the community sense.

Hence, a committee was set up under the MLA for Lacombe-Stettler, who came up with a process to accommodate the wishes of the mayors, and as I understand, it functioned quite well. But when we were assessing our priorities in terms of where tight dollars should go – and this was predicated on the price of oil at the time and projections into the future – we determined that of all the priority areas for lottery money funding the community lottery boards were the least priority. So it was a matter of setting priorities.

Consultation? Tremendous consultation: 74 members of caucus, Treasury Board, cabinet, and now debate in this Legislature, Mr. Speaker. That's consultation.

1:50

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. A moment ago the Premier said that he was going to look after these small programs. He said

that he was going to look after them from this level. Why didn't he leave it at the community, where the community could make those decisions. Is this Ralph's world?

MR. KLEIN: Well, much better Ralph's world, I'll tell you, than Ken's world. I'll tell you that for sure, because Ken's world would be a world of deficits, a world of debt, a world of giving everything to everyone all the time, Mr. Speaker. That is Ken's world. Ask and you will receive. The more you stamp your feet, the more you yell, the more you scream, the more the Liberals will give. They want to be friends to everyone for all time, for all purposes. You name it, they will give it. I would rather be in Ralph's world, where we have to make tough decisions and live by tough decisions, than Ken's world any day.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. In Ken's world they'd look after the communities, and they'd let the communities have a choice as well.

Out of the lottery fund, Mr. Speaker, why is it that only 6 percent of the gaming revenues are going for charities and for not-for-profit community groups, and 26 percent is going for debt payment? If you said that you believe in the communities, why are you not giving them more money than that?

MR. KLEIN: Mr. Speaker, this goes back again to when there was a tremendous amount of controversy over VLTs, in particular, which are a main source, by the way, of lottery revenues. We listened, and we took a lesson from people like Mr. Rohr and Mr. Gray in Calgary. We said: yes, it is a problem. We capped them at 6,000, put more money into antigambling or gambling education programs. But they also said that there was also a feeling in the community – and we felt that quite strongly – that community dollars ought to go to community programs, yes, but that a large percentage of those dollars should also flow to high-priority areas like health and education and infrastructure. We listened to the people who said that to us, and we have done precisely that.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. Albertans have been very loud and clear in their objections to the loss of the community lottery boards, the loss of money coming back into communities from gaming revenue and local decision-making. Overall, this government continues to budget less and less money for Alberta's nonprofit associations, communities, and charities. My questions are to the Premier. Is the government refusing to reinstate the community lottery boards with their full \$53 million budget intact despite the damage done to communities by the cuts?

MR. KLEIN: Mr. Speaker, I don't think that that much damage has been done, and if there's any damage or any organizations that fall through the cracks, we will have a discussion as to how those organizations can be accommodated, those small organizations: pipe and bugle bands and, you know, various sports teams and so on. We will do our best to make sure that they are accommodated.

Relative to community programs, Mr. Speaker, I would remind the hon. member that \$25 million, including a considerable sum to the hon. member's constituency, goes to community programs through CFEP. Significant dollars, about \$15 million annually, goes to the Sport, Recreation, Parks and Wildlife Foundation. That's a

community program. Three point one million dollars goes to achievement scholarships. I don't know how much goes to the Wild Rose Foundation; that's another one. [interjection] About \$6 million to the Wild Rose Foundation. So there are numerous community programs that are supported by lottery funds; the community lottery board was one of those programs.

Relative to all the programs that are funded, I will have the hon. Minister of Gaming, the hon. Minister of Community Development, the hon. Provincial Treasurer supplement my answer. I'm sure that they can provide . . .

THE SPEAKER: Well, actually, there is a process under the Legislative Assembly for review of the estimates, including a review of the lottery fund estimates.

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. To the Premier: given that the existing lottery programs are already oversubscribed, I'm wondering where in the budget this new program is that would have a local decision-making component to it in which these groups would be looked after. Where is it in the budget?

MR. KLEIN: Mr. Speaker, it's not in the budget because the CLB program has been canceled, but we're saying that we will revisit the CFEP program. We will look at how these organizations can possibly be accommodated, maybe by the movement of funds within the lottery program, but we will find a way. We aren't going to let these organizations down. Yes, some will be refused. Some were refused under the CLB program. Some were refused under the CFEP program. Unfortunately, they don't qualify, and those are decisions that had to be made by the community lottery boards. Those are decisions that have to be made by MLAs, including opposition MLAs, who all share in the community facilities enhancement program. So, yes, tough decisions will still have to be made, but we will try to accommodate as best as we possibly can those communities, associations, and endeavours that are indeed deserving.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you, Mr. Speaker. Again to the Premier: if the Premier is anticipating putting more money into CFEP or AFA or Sports, Recreation, Parks and Wildlife or any of the other programs he's just rolled off, why doesn't he just put the money back into the community lottery boards, reinstate it?

MR. KLEIN: Mr. Speaker, it's a priority. I'll answer the hon. member's question with a question. Do you want to take \$35 million out of grants for school facilities and \$10 million out of grants for postsecondary facilities? Do you want to take \$122 million out of the Supernet project? Yes, that's what they want to do. Well, let's say 122 less 50. Do you want to take that out of the Supernet – that's 72 – to leave it with only \$72 million? Well, you couldn't even start it for that. Does she want to take \$25 million a year over the next three years out of the community facilities enhancement program? Do you want to take \$36 million out of the strategic and research investments program? They've been crowing and talking about, you know, the lack of funding for family and community support services for children, yet in the same breath they're saying: well, just take \$25 million out of family and community support services for children.

2:00

Mr. Speaker, they stand up there and they say one thing, you know, criticize us for one thing, and then when we do it, they have

to find something else. They can't be pleasant about this at all. They've always got to find something to complain about. If you do it right over here and affect a program over there, then it's a problem. Their greatest resource is the columnists who say: oh, my gosh, this government is beating up on the poor little pipe and bugle bands and so on. Well, we aren't. We will accommodate these programs.

AN HON. MEMBER: How?

MR. KLEIN: She says, "How?"

THE SPEAKER: Please. Please. Hon. members. Thank you very much. We've had about 22 minutes now discussing something that has been designated for future discussion in the Legislative Assembly, and if all members would look on page 17 of the Order Paper, you'll see that the Department of Gaming has been designated.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. When it comes to transportation grants, the government flip-flopped. When it came to course options for grade 10s, the government flip-flopped, but when it comes to community lottery grants, which fund vitally needed programs in almost every Alberta community, the government stands firm. To the Premier: why has the Premier and the entire Tory caucus turned its back on community programs throughout Alberta?

MR. KLEIN: Mr. Speaker, that goes to "how." As I said before, there is the opportunity to move dollars within the lottery programs and to amend the terms of reference of CFEP to accommodate some of these programs. As I've always said, there's more than one way to skin a cat other than the Liberal or the ND way, and that is to simply throw money at it, and when you can't throw money, I'm sure that they would love to buy a printing press and just print it, because that is the way they deal with virtually all situations.

Mr. Speaker, is this hon. member saying that we ought not to fund the municipal transportation programs? If he is, say it to the media. Stand up and say it to the media, that we take \$50 million out of that program and put it into the community lottery board program. That's what he's saying. Well, maybe he would like to say it to the media after this session.

MR. MASON: Mr. Speaker, to the Premier: how can the Premier tell organizations such as the Forestburg Learn & Playschool Society, the Hardisty Healthy Communities, the Killam public school, the Killam and District Playground Committee, the Wainwright Association for Community Living, and the Wainwright Children's Centre that their programs are no longer worthy of government funding?

MR. KLEIN: Mr. Speaker, first of all, if the hon. member will provide me with that list, I'm going to find out if they received any CFEP program funding, but I'm going to ask him a question. If he's honest, he will say whether they received CFEP program funding. Right? Now, if he's not being honest, then he'll refuse to answer. He'll invoke the privilege of the House.

Secondly, have they written the Minister of Gaming, in light of the current situation, to find out if there is any possible way or if there are other programs? Has the person talked to the local MLA, who will be a Conservative? You know, those who are complaining have obviously talked to the hon. Member for Edmonton-Highlands, who hardly knows where Forestburg or Wainwright is. He only goes

out there when it's politically expedient, Mr. Speaker, but I'm sure this is a discussion we will have with the local Tory MLA once he's elected after 8 o'clock this evening.

MR. MASON: Mr. Speaker, I'll be pleased to table this document, which the Premier should have read because it's a government document. Has the government read this document which is called the community lottery board grant program, which has a list of 2,984 programs that are no longer funded by his government? Has he read it? Here it is.

MR. KLEIN: Mr. Speaker, this government has been in existence now for almost 100 years. It's not surprising that something like 2,000 some odd programs have come and gone. Times change. This government changes to meet the changing tides of time. The NDs don't, haven't ever, and never will.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Mill Woods.

Teachers' Withdrawal of Voluntary Services

REV. ABBOTT: Thank you. Mr. Speaker, I have received several phone calls from my constituents regarding the decision by teachers to cancel extracurricular activities for the remainder of this year. Now, this includes all after school sports and drama activities, and in some cases it is even stopping parent councils from meeting as they have no staff reps available. This action is nothing less than a punishment to students, and the teachers' union is hurting kids by suggesting such draconian measures. My questions are to the Minister of Learning. Is this something that is outlined within teachers' contracts?

THE SPEAKER: The hon. the minister.

DR. OBERG: Well, thank you very much, Mr. Speaker. Just in starting my answer to that, I would completely agree with the hon. member that students are being hurt by the decisions that are being made. When it comes to the school council, under the School Act a teacher is mandated to be on the school council, and they do have to be there. So whether or not they have volunteered, whether or not they are actively on there, the school board has a responsibility to place a teacher on the school council. So in direct answer to the hon. member's question, yes, they will continue and, yes, there is a teacher that has to be on there.

The withdrawal of teachers' services is a very unfortunate event, but it is something that is being looked at. We are attempting to find a solution to this problem. But the bottom line, Mr. Speaker, was when I read on Saturday about the child with cerebral palsy who was not being dressed. Quite frankly it sickens me, and we are going to find solutions to this.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. Again to the Minister of Learning: is this an issue that can be resolved through the Education Services Settlement Act?

DR. OBERG: Mr. Speaker, it is not an issue that can be directly solved through the Education Services Settlement Act. We will have a place under Bill 12, under the Education Services Settlement Act, that will put in place an arbitration process that will solve the salary issues. When the contracts are settled under the arbitration, it

hopefully will lead the teachers and the Alberta Teachers' Association to stop this nonsense that is going on with the teachers' services on the extracurricular side.

REV. ABBOTT: My last supplemental to the same minister: what alternatives are available to students to try and keep these activities going? For example, does it mean that graduation ceremonies will be canceled?

DR. OBERG: Mr. Speaker, over the last week there was a newspaper story or a television story that said that volunteers – that's parents – could not be involved. That is not true. The liability of the school boards does cover parent volunteers, volunteers who want to coach, volunteers who want to help, and from what I understand in talking to a lot of schools around the province, a lot of parents are digging in. They're helping their kids because their kids are important to them, and they're helping in such situations as graduations. So in direct answer to the hon. member, that is what is happening around the province today, and I would encourage that to continue until we can put this very unfortunate thing to rest.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Wetaskiwin-Camrose.

Teachers' Arbitration Process

DR. MASSEY: Thank you, Mr. Speaker. The atmosphere in schools across the province has been poisoned by Bill 12. Even with very wise leadership and the best goodwill we can muster, returning our schools to normal is going to be a huge task. My questions are to the Premier. Will the Premier begin the task by removing the financial constraints imposed on school contract arbitrators?

2:10

MR. KLEIN: Mr. Speaker, I'll have the hon. Minister of Learning supplement, but the financial constraints are reasonable. They're reasonable to everyone but the Liberals. The Liberals believe in deficits. They obviously believe in deficits. Make no bones about it. Because by removing the financial constraints, we are saying that school boards can go into a deficit position. This is a law that we've even imposed on ourselves, that we can no longer have deficits. Why would school boards have deficits? The only ones, the only people and the only organization, that want a deficit are the Liberals. Let's make that quite clear, and that's the only financial constraint.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Under section 6(2) of Bill 12 it states that the school boards will not incur a deficit or where there is a deficit, they will not incur a further deficit. It is our understanding through our legal counsel that that quite simply means that at the end of the day they cannot have a negative sign on their bottom line. How they arrive at that – the arbitrator has a lot of room to determine how that arbitration settlement will be performed. We are convinced through our legal counsel and I understand that the Alberta Teachers' Association is convinced through their legal counsel that that is what the implications of section 6(2) mean. Quite simply, at the end of the day the school boards cannot have a negative sign on their balance sheet.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Given that someone has to start if goodwill is going to prevail, will the Premier help the

situation by restoring the working conditions that were wiped out of contracts by Bill 12?

MR. KLEIN: Mr. Speaker, we have committed – and I think it's a major commitment – to undertake a review through a commission or a blue-ribbon panel project to look at all these issues but to take our time and to look at these issues in a realistic sense, not the one-size-fits-all approach that the Liberals seem to think is going to work; in other words, arbitrarily. It's 17 children per classroom; that is the ratio. That is cut and dried for the Liberals. What happens to the 18th person? I think the hon. minister of education has asked that. What happens to the 18th person? Is that person bused off?

There is no consideration amongst the Liberals for the socioeconomics, the demographics of a particular area. We've got to look at that. We've got to look at the issues of sparsity and distance, the whole issue of transportation, the issue of English as a Second Language, the issue of special-needs kids, those who are physically and mentally disabled. We have got to look at a host of issues, a multitude of issues, but we've got to do it in a reasonable, thoughtful way, not in the knee-jerk Liberal kind of way but in a thoughtful way, Mr. Speaker.

The issue that we can resolve – and we can resolve it quite easily through arbitration – is the salary issue. Once that issue is off the table, Mr. Speaker, then we can really set our minds, including good-thinking Albertans, to the blue-ribbon panel or the commission to address some of these long-term issues that speak to the fundamental problem of sustainability.

DR. MASSEY: Thank you. Again to the Premier: will the Premier foster goodwill by ensuring that the arbitrator appointed by the government will be truly impartial?

MR. KLEIN: No doubt about it, Mr. Speaker. Our arbitrator will be impartial. We have asked the Alberta Teachers' Association to appoint an arbitrator of their choice. We have asked the Alberta School Boards Association to appoint an arbitrator of their choice. I can think of no more an impartial process than the one that we have put in place relative to the selection of the arbitrators.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Gold Bar.

Chronic Wasting Disease

MR. JOHNSON: Thank you, Mr. Speaker. Chronic wasting disease is an animal disease that affects deer and elk, both wild animals and those raised on game farms. Up until recently the disease had not been detected in Alberta. However, the Canadian Food Inspection Agency has determined that an elk raised on a game farm in northern Alberta was infected with the disease. I believe both Alberta Agriculture, Food and Rural Development and Alberta Sustainable Resource Development are involved in dealing with this issue, along with the federal government. My first question is to the minister of agriculture. What does the discovery of chronic wasting disease in our province mean to Alberta's game farm industry?

MRS. McCLELLAN: Mr. Speaker, it is a fact that for the first time a positive case of chronic wasting disease has been found on a farm site in our province, and this is indeed very, very unfortunate. However, the important thing is that we have a system in place that will deal with this issue in the best way possible. First and foremost, the member is right: the Canadian Food Inspection Agency as an arm of the federal government under the health of animals branch will take the lead in this. They do have a process: one, immediate quarantine of the site; secondly, they will be sharing the information,

of course, with affected persons. They will be following and monitoring with us the movement of any animals, a surveillance of all herds, and of course the disposing of animals in the infected herd. These are very concrete steps that are designed to stop further cases from happening, and we think this is very important.

The other thing that's very important in this province is that we have had an import ban on cervids since 1988, and we've had a voluntary surveillance program in this province since 1996. We've tested more than 4,000 animals in this province. Of those, more than 4,000 animals have tested negative, and in that testing we have now found one positive. So we're going to continue to work with the industry to ensure that we can prohibit the movement of this disease.

MR. JOHNSON: My second question is to the Minister of Sustainable Resource Development. Since the discovery of chronic wasting disease in a game farm animal may also have consequences for Alberta's wild deer and elk, what steps are being taken to test for the presence of the disease and prevent its spread?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a good question. The chronic wasting disease has not been found in the wild in Alberta. My department has a strong surveillance program for wild deer and elk, and more than 12,000 animals, in fact, have been tested since 1996 and were all found negative so far. Our surveillance program was even expanded in the year 2001, and the fish and wildlife staff harvested over 200 deer along the Saskatchewan/Alberta border. Again there was no trace of the chronic wasting disease. The 200 deer were also negative.

Mr. Speaker, we continue to work with hunters also, who have been of great assistance since 1998. They have been voluntarily submitting deer and elk for sampling and testing. My department is now working with the Canadian Food Inspection Agency to get a better understanding of this particular case and what the concerns might be regarding the wild deer and also the elk in the area.

THE SPEAKER: The hon. member.

MR. JOHNSON: Thank you, Mr. Speaker. My final question is to the Minister of Sustainable Resource Development. Will the discovery of chronic wasting disease have any influence on the government's current review of a proposal for establishing cervid harvest preserves?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much again, Mr. Speaker. That's a very, very important and timely question. Jointly with Agriculture, Food and Rural Development we are indeed preparing a review of both the pros and the cons of cervid harvest preserves in Alberta. The Alberta government is definitely paying attention to the presence of the chronic wasting disease that was recently discovered. It will take, of course, the CWD into account as it considers the proposals for hunt farms in Alberta. Our government will certainly be weighing the pros and the cons in the process.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Buffalo.

2:20

Labour Relations Board

MR. MacDONALD: Thank you, Mr. Speaker. The Labour Rela-

tions Board, according to the minister's latest annual report, is an independent and impartial tribunal. All parties, if we are to have stable, balanced labour relations in this province, should have confidence in the members of that board to ensure its independence and impartiality. My first question is to the Minister of Human Resources and Employment. What is the minister doing to ensure the independence and impartiality of the Labour Relations Board when a current appointed member of the board advocates changing the labour law on behalf of his own special interest?

Thank you.

MR. DUNFORD: Mr. Speaker, one of the things that we try to provide in this province, of course, is openness and accountability, but also we want to provide the opportunity for people to express their particular views. What we have here in this particular situation, if I can read somewhat between the lines of the question, is that for the Labour Relations Board we do appoint people that have an interest from the employer's side and we appoint people that have an interest from an employee's side. To my knowledge, I've never denied a party from either interest group the fact that they could come and see the minister, they could make representations on any topic, whether or not they also happened to be a member of the Labour Relations Board.

MR. MacDONALD: Again, Mr. Speaker, to the same minister. Just this past January Mr. Stephen Kushner, a board member since 1999, stated, and I quote: we've seen a tremendous number of injustices in terms of the operation of the current labour code, end of quote. In light of these inflammatory comments, what steps will the minister take to ensure that the board remains independent and impartial?

Thank you.

MR. DUNFORD: Well, again by the very definition of how we bring people to the board – and I've actually tried to work with various stakeholders and interest groups around the province, whether it be the Labour Relations Board, whether it be the Appeals Commission, whether it be the Workers' Compensation Board, to perhaps not be so focused all the time, always having to get so wound up by the fact that we must have an employer interest represented or we must have an employee interest represented. I get very little help from the hon. member on this issue, as a matter of fact. So what does he expect, then, in turn? These are people that represent particular interests. Some of that's going to flow over into what they say in the public. The important thing is that when that member of the Labour Relations Board is acting at a hearing there be impartiality, and I believe there will be.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: will the minister terminate Mr. Stephen Kushner from the board to ensure that it remains independent and impartial?

Thank you.

MR. DUNFORD: Well, certainly not on the basis of a question from the hon. member during question period when he has the benefit of saying whatever he wants here on the floor of the House. But if any member, whether it be somebody that's of an employer interest or somebody of an employee interest, is shown to be not using their impartiality requirements and responsibilities at a hearing, then of course we will deal with that as it comes up. So to answer the specific question: no, I will not.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Riverview.

Bighorn Wildlife Recreation Area

MR. CENAIKO: Thank you, Mr. Speaker. The Bighorn area is a large and intact wilderness. It contains irreplaceable wildlife habitat, watersheds, and recreational areas. The Bighorn wildlife recreation area was designated in 1986 by the government of Alberta. Most of the area is designated as a prime protection zone under the eastern slopes policy of 1977 to 1984 and the integrated resource plan of 1986. This prime protection zone was created to protect watershed and aesthetic resources from industry and motorized use and to provide nonmotorized recreational opportunities to Albertans. My question is to the Minister of Sustainable Resource Development. Allowing motorized recreation into the prime protection zone will downgrade the protection that the eastern slopes policy is supposed to provide. What is the basis for downgrading the prime protection zone?

MR. CARDINAL: Well, Mr. Speaker, I just want to indicate to the member that, yes, the Bighorn area continues to be a very important part of Alberta's landscape. It covers approximately 4,000 square kilometres, in fact. It has a wide range of different uses and interests from environmental and recreation to industrial. As the member stated, most of the area is under the prime protection zone of the eastern slopes policy which was developed in the '90s. What is important to mention, though, is that in this area there are competing demands, and that seems to be the big concern. That is why the government took positive steps lately and developed the 15-member public committee in addition to six government department officials. Basically what this committee will do is find a balance between the interests of users for the region. I have faith in this working committee that they'll have the appropriate number of public meetings and appropriate number of consultative processes in order to arrive at a good plan so we can have a balanced approach toward these uses.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My first supplemental question is also to the Minister of Sustainable Resource Development. The government is conducting an access management planning process for the area. His department has allowed five advisory group meetings and only one public meeting for making decisions that may overturn the eastern slopes policy, that was based on very extensive public consultations. Is this government willing to extend the planning process so that the advisory group can make sound recommendations?

MR. CARDINAL: Yes, again I'm very confident that the time will be allowed for this advisory committee to make the appropriate recommendations that are necessary so there can be a balance between environment, industrial, and recreation uses. We will allow the time that is necessary. After all, the process of land use in that particular region has been studied for a long, long period of time. It's not only last year. It's been going on for years, Mr. Speaker, and we have the capability, I know, to develop a good access management plan in that area.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My final question is to Minister of Economic Development. What work is your ministry undertaking for recreational use in this potentially unprotected area?

THE SPEAKER: The hon. minister.

MR. NORRIS: Well, thank you very much, Mr. Speaker. At the outset we recognized in the department what a glorious opportunity for tourism and recreation this offers Alberta. As a result, we're working with the local advisory board. We're also recognizing the need to establish with other departments how the land is going to be used. So we're in a joint ministerial meeting to discuss how that land is going to be used, and to that end we're looking at also establishing a possible snowmobile committee to review that in light of the amount of excellent trails there are in the area. We'll be looking to set that committee up in the next couple of months.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Strathcona.

Hospital Closures

DR. TAFT: Thank you, Mr. Speaker. Does the Minister of Health and Wellness have any knowledge of planned announcements by rural regional health authorities to close health care beds?

MR. MAR: Mr. Speaker, let me say, first of all, that health care is this government's top priority, and the 7 percent increase in health spending reflects that. It is a little premature to be talking about whether there will be bed closures or conversions in regional health authorities anywhere in the province. We know that regional health authorities are currently working on developing business plans that will show how they will best use the dollars that they have allocated to them to meet the needs of their particular constituents. Every regional health authority in this province, every one of them, got an increase this year in the current budget. All of them got an increase to reflect their growth, 1 percent as a minimum, and some got more.

2:30

Now, Mr. Speaker, about half of the increase to the Department of Health and Wellness budget, \$247 million, will be going to regional health authorities. We will be reviewing the business plans that RHAs put together. We'll be looking at available facilities that are currently in place to make sure that they're being properly utilized and meeting the needs of the community.

So, Mr. Speaker, as we've often said, it is not just a question about how much we spend but, more importantly, how we spend it.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Given the choice of the word "premature," will the minister reassure this Assembly that no requests have gone from the government to any regional health authorities to delay announcements of closures or cuts until after today's by-election?

MR. MAR: Mr. Speaker, I gave regional health authorities a certain amount of time to prepare their business plans. They've asked for more time to prepare. The government has not asked them to delay those business plans. We've asked them to bring them forward as soon as they are available. So we have not given a direction for them to delay the preparation of their plans.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Will the minister repeat to this Assembly his public commitment of just three months ago that, and I quote, Alberta's public hospitals are not for sale to private interests?

MR. MAR: Mr. Speaker, I have answered this question. This hon. member has a terribly short memory, I'm afraid. I would refer him to *Hansard* when he did ask this very same question earlier in this session. My response at that time was that there have been public hospitals that have already been sold to private interests, but they will not be operated as private hospitals, just to make that perfectly clear. He would be well aware of facilities like the Grace hospital in Calgary, the Holy Cross hospital in Calgary, as two examples, and previously the Camsell hospital here in the city of Edmonton. They have been sold to private interests. So I will not give him an assurance that that will not happen again, but I can assure him that in accordance with our legislation those privately owned facilities will not be used as private hospitals.

head: Recognitions

THE SPEAKER: The hon. Member for West Yellowhead.

Ken Lamouche

MR. STRANG: Thank you very much, Mr. Speaker. It gives me great pleasure today to rise and recognize one of West Yellowhead's constituents, Mr. Ken Lamouche. Mr. Lamouche served our country as a member of the 2nd Commando Airborne regiment for more than five years. His unit was part of the United Nations peacekeeping mission in Cyprus.

On March 21 of this year Ken was honoured with a Canadian peacekeeper's service medal and a Nobel peace certificate. This award came into being in 1997 and is awarded to all Canadian military, RCMP, and foreign affairs personnel who have served on peacekeeping, peace enforcement, and/or observer missions. He was also presented with an eagle feather, a powerful symbol of respect in the aboriginal community.

I would ask all members to join me in recognizing Ken's contribution to Canadian peacekeeping missions and wish him continuous good health and happiness.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

Ann Keane

DR. TAFT: Thank you, Mr. Speaker. Yesterday I met a woman who has a remarkable dream. Her name is Ann Keane, and her dream is to run from St. John's, Newfoundland, to Vancouver Island. She is a mother of two and a registered nurse with many years' experience. She is also an accomplished runner and hopes to average 50 miles a day on her cross-Canada run.

Ann's hope is that her run will encourage people to raise their eyes and open their hearts to the opportunities we all have to reach out and make this a better world. She will be raising money for the Canadian Association of Community Care and for the Hope Foundation. Ann's support is already building. An RV is being donated for the entire trip, she has a volunteer driver, the Royal Bank has arranged for donations to be made through a web site link, and a major shoe store is supplying shoes for her entire trip.

Ann leaves for St. John's this weekend and will start running next week. I'm sure that the entire Legislative Assembly of Alberta joins me in wishing this vivacious and determined woman the very best.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

Michael Senych

MR. BRODA: Thank you, Mr. Speaker. Once again it's an honour

to rise today and recognize a very special individual, the late Michael Senych, who passed away March 27, 2002, in a tragic automobile accident. Michael was a former MLA, teacher, principal, and most recently mayor of the village of Thorhild. He was very active in the community: involved in upgrading the rodeo grounds, renovating the community centre, making Thorhild the sunflower village. He has left a legacy, most recently the addition of 14 assisted living beds to be constructed at the Newthorad Lodge. He was a member of the Long-term Care Review Policy Advisory Committee, which I had the pleasure of chairing.

Michael was a positive thinker, a leader, a good friend. He will be missed not only by the community but all those who knew him. Thank you, Michael.

THE SPEAKER: The hon. Member for Calgary-West.

Spring into Spring Extravaganza

MS KRYCZKA: Thank you. Mr. Speaker, I'm very proud to recognize in this Assembly today the recent hugely successful eighth annual Spring into Spring Extravaganza, a performance held at the prestigious Jack Singer Concert Hall in Calgary. Who created this success? Well, nearly 500 senior and junior high school musicians or students performed in the program, students from schools in my constituency of Calgary-West: Ernest Manning high school, A.E. Cross junior high, and Vincent Massey junior high.

Ernest Manning high school is very well known in the Calgary school system for its successful music program, and the accomplishments are achieved through talent, hard work, and teamwork by many people: music directors, administration and staff, students, and the music parents' associations.

The eighth annual Spring into Spring Extravaganza was a truly unique collaborative event, an evening of exceptional entertainment by many talented musicians from the community and from three schools in that community performing in an incredible venue. My sincere congratulations for a performance superbly well done.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

Success by Six

MR. McCLELLAND: Thank you, Mr. Speaker. I'm very pleased to recommend to you and to other members and to recognize a marvelous production by Success by Six. The best recognition I can give to this booklet which has to do with measuring the economic and social status of children in this area is to read from the introduction to Edmonton's Children: Let's Start at the Very Beginning, a very good place to start. Our city's future depends upon the community's ability to nurture healthy and well-educated children who will grow up to be well-adjusted adults, productive workers, and responsible citizens. Success by Six champions the cause for all children in Edmonton, urging this community to do everything in its power to give all of our children the best possible start in life.

I would commend Carol Gilfillan and all of the community leaders of the Edmonton area for putting this wonderful booklet together, and I commend it to all members of the Legislature.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

Mill Woods Cultural Society of Retired & Semi-retired

DR. MASSEY: Thank you, Mr. Speaker. The Mill Woods Cultural Society of Retired & Semi-retired does an outstanding job of serving

the social needs of senior immigrants in southeast Edmonton. The 19th anniversary of the society's founding is being celebrated this year.

Since inception the society has been blessed with outstanding leadership, and there has been great support from the community. The centre thrives on the work of volunteers. Some of those volunteers were honoured at founding day celebrations this past weekend. From caretaking services to help with filling out forms, volunteers have made the centre work. A visit to the centre finds new Canadians going about activities in dress that somehow seems symbolic of their new lives: turbans and tennis shoes. Seminars, self-help programs, and peer assistance keep a growing number of seniors busy.

The centre has been so successful that current and proposed programming can no longer be accommodated. A three-acre site has been secured for a new building. The original modest investment of lottery funds in the centre has paid off a thousandfold in enriched lives for seniors. The society exemplifies the best in people helping people.

We wish the president, Gurmail Singh Deol, and the society every success as they work to make their slogan Aging Gracefully with Dignity and Fun a reality.

2:40

head: Presenting Reports by Standing and Special Committees

THE SPEAKER: The hon. Member for Banff-Cochrane.

MRS. TARCHUK: Thank you, Mr. Speaker. As chair of the Select Special Auditor General and Information and Privacy Commissioner Search Committee I would like to table five copies of part 1 of the committee's report, recommending the appointment of Mr. Frederick James Dunn as the Auditor General for the province of Alberta effective June 1, 2002.

Thank you.

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a series of tablings today. The first is five copies of a letter from Anne Farris of Calgary, who wants the government to designate the Bighorn wildland recreation area as a wildland park using the 1986 boundaries.

The second is the appropriate number of letters from Bob Bartlett of Calgary and Ms Christyann Olson, who want the government to take appropriate actions to protect the Bighorn.

The following letters, two of them, from Christina Chase-Warrier and R. Goth, are both very concerned about how education is now being funded by this government.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I have three tablings. The first is the required number of copies of a letter from Wynn Kline addressed to the Member for Calgary-Bow. Mr. Kline worked on this member's election campaign and expresses dissatisfaction with the way the government has handled the teachers' dispute.

The second is a petition signed by 59 Albertans concerned with the arbitration process that has been put in place and wanting immediate action to address classroom conditions to be undertaken and the funding of education to be improved.

The last one is a similar petition asking for the government to address the problems of underfunding of education in the province.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have three tablings this afternoon. The first one is a letter that I received from Mr. Hardy, the general manager of Brandt Tractor Ltd. in Calgary. This company is expressing their concern about the reduction in provincial government funding for highway work, which will undoubtedly put a substantial strain on their business and also on their employees.

The second tabling I have is an open letter to the hon. Minister of Human Resources and Employment and myself from a gentleman named Mr. Paul Bokowski, and Mr. Bokowski states that "the marketplace effectively controls the unionized sector just like the non-union sector."

The third tabling that I have this afternoon, Mr. Speaker, is a petition supporting public and separate school teachers, and it states to all hon. members of this Assembly and the Premier and the Prime Minister that public education is very important. This petition is organized by Mr. Darby Mahon of Edmonton-Gold Bar.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks, Mr. Speaker. I have a series of tablings today. The first is from Karen Pirie from the Women's Centre in Calgary noting that the "community lottery board grants have paid for much needed equipment, printing a book, a communications audit and materials," and other critical programs and asks for restoration of the community lottery board program.

My second tabling is from Wendy Passmore, the artistic director of the W.P. Puppet Theatre Society, also in Calgary. With her concerns she's looking for the government to make "financial decisions that benefit all Albertans" and to restore the community lottery board program.

My third tabling is from Melody Jacobson. She works in one of the arts organizations in Calgary and is asking the government to rethink the decision to close the community lottery boards.

Finally, an e-mail from Dave Robinson, an aspiring Calgary filmmaker who is expressing his dismay at the actions of the government in taking away the community lottery boards.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a report from the Students' Union of the University of Alberta called Students' Union Undergraduate Survey 2001. It's a very impressive document, and among other things the results of the survey indicate students' satisfaction with the students' union and widespread concern that tuition is unaffordable for many students and that the cost of education is a significant problem for a large portion of university students.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table a letter from a school principal. Her name is Charlotte Corothers, and she has addressed this letter to her Edmonton-Whitemud MLA, declining her MLA's invitation to attend a meeting of principals of schools located in the Whitemud constituency. This principal feels dismayed and betrayed at the failure of her MLA and his government colleagues to take a stand on the issues confronting education, the democratic

process in resolving labour disputes, and the misuse of power in the form of Bill 12.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I have two tablings today. The first is a letter addressed to the Premier from Jim Wiesner, a senior in Edmonton. Mr. Wiesner is very concerned with the adverse impact that the 30 percent health care premium increase and the elimination of eyeglasses and dental programs will have on many seniors.

The second tabling, Mr. Speaker, is for the Premier's benefit. It is a list of the 2,984 organizations whose grants have been cut under the community lottery boards grant program.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. I'm tabling the required number of copies today of a petition from West Yellowhead teachers requesting funding from the government for their employers, the school boards.

Thank you.

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. With your permission, I would like to table a petition signed by Patricia Lemire, a constituent, for the Operation Drivesafe program to reinstate access to the provincial motor vehicle operators' list.

Thank you.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given on Thursday, March 21, it's my pleasure to move today that written questions appearing on the Order Paper today do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given on Thursday, March 21, I would now move that motions for returns appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Public Bills and Orders Other than
Government Bills and Orders
Third Reading**

Bill 202

**Environmental Protection and Enhancement
(Clean-up Instructions) Amendment Act, 2002**

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. Thank you for allowing me to begin third reading debate on Bill 202.

The support that Bill 202 has received from all sides of the Assembly has been exceptional. In fact, it has shown me several positive things about the environmental views held in this Assembly and where we need to go with regards to environmental law in this province. By this stage, Mr. Speaker, the bill itself is fairly well known to all members. The bill states that if directors in the Department of Environment issue instructions to polluters and if those instructions are not followed, the department must issue an environmental protection order to the polluter.

2:50

The amendments introduced in Committee of the Whole provide both clarity and flexibility to Bill 202. They make the bill less imposing to the Department of Environment but also keep the bill an integral tool for property owners to fight pollution on their property. By passing this bill, we will be saying to property owners that this government takes their property rights seriously and will act to ensure that their grievances are settled fairly. Mr. Speaker, I believe that this bill represents a step in the right direction for environmental law and perhaps opens a door towards a new way of thinking about how we should legislate environmental law.

Mr. Speaker, the scope of environmental problems often causes people to throw up their hands in wonder. When we realize that an action taken in Edmonton has the ability to affect ecosystems halfway around the world, we start to see that environmental pollution is a global problem with untold implications. It is said that when a butterfly flaps its wings in Tokyo, people in New York are affected.

It's fairly common for a lot of people to turn away from problems that seem too big, especially when those problems do not affect them. However, the problems still remain. It's usually when the problem affects us that we sit up and take notice and say, "Wait a minute; that's not right." As I said in the Committee of the Whole, that's just human nature. It isn't the job of a legislature to change human nature, Mr. Speaker, but it is our job to understand it and to make laws that benefit all of us regardless of human nature.

Mr. Speaker, it is time to look at environmental laws that protect private property rights. One of the best ways to protect all of our environment is to give people the tools to protect their own property. This means having mechanisms like those called for in Bill 202, but it also ought to mean more. I encourage all like-minded members of the Assembly to look into this area to see where we can take it not only to protect property rights but also to protect the environment.

Now, I'm not the type of person who believes that government can or should be all things to all people, but I do believe this: it is the government's job to protect the property of its people whether they own a small plot of land or thousands of acres, whether they make a lot of money or very little. Saying that Albertans can ask their government to look into environmental concerns and saying that this government will act on their behalf in situations of concern is simply doing our job. We will be saying that our government believes strongly in the right of citizens to expect compensation or redress if their property is unduly harmed by other citizens. When the property of any Albertan is harmed, especially through careless or negligent practices, our government must provide the tools for resolution. This is an important step, Mr. Speaker, and one that we as an Assembly should be proud to take.

Mr. Speaker, the condition of the environment will be a source of major debate throughout the next century and beyond. The statistics are exceedingly clear. The world's population is growing at an exponential rate, and as such we cannot help but use more of our

natural resources and more chemicals to increase food production and to meet our daily needs. This in itself is not a bad thing. The history of man is one of using the Earth's resources for our needs to make our standard and quality of living better.

Scientists have noted that perhaps we ought to exercise more restraint to conserve our resources over the long term so our impact on the environment is minimal and our resources are here for our children and grandchildren. Perhaps they are right, but these are philosophical battles that won't be solved by the passing of a small piece of legislation like Bill 202. Rather, they will rage on and on as an important debate over the next decade. But what we can do by passing 202 is ensure that this government and property owners can work together to protect the environment and to clean it up.

In closing, Mr. Speaker, I'd like to thank all members for their support of 202. Bill 202 requires immediate containment of a spill and then timely cleanup. This is a small step in legislation but a giant step for those who are affected. This cleanup legislation will help to protect private property and give private property owners a tool to help force the cleanup of their property and neighbouring properties. Alberta will once again lead the way in environmental protection and in supporting private property owners. I encourage all members to vote in favour of Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We are generally in favour of this particular bill. We were a little more in favour of it when it didn't have quite so much flexibility built into it in terms of the process where companies now "may" conform rather than "must" conform to some of the new rules. But it's certainly a step in the right direction, and we applaud that.

I listened with great interest to the comments from the Member for Red Deer-North when she talked about a new awareness of environmental views within the Legislature and some of the perspectives she put forward. She talked about the government's job to be protecting property. I am sure that when she talks about property, her views extend to air quality and water quality, so I look very much forward in the near future to this member's comments on our water bill, which certainly will talk about preserving water quality in this province, and I will be very interested in hearing what the member has to say in terms of the Kyoto protocol and what steps this government should take from a leadership position to ensure that CO₂ emissions globally are reduced to the best extent possible. So I look forward to many environmental debates in the future, some of which I'm sure we'll share some common concerns on.

With that, I will conclude my remarks on this bill, and we will be supporting it.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I'm very pleased to have the opportunity to rise again to add my voice to support Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act. As Bill 202 has wound its way through the process from first reading to today, third reading debate, I have grown increasingly enthusiastic about this bill. Let me take a moment to explain why I believe in this bill. This may seem a bit elementary, but sometimes the best way to go is back to basics. All bills are aimed at accomplishing something whether we like the purposes or not. Sometimes we like the bill; sometimes we don't.

Sometimes we like the idea but not its application or the manner in which the bill seeks to accomplish its intended purpose. Sometimes we don't like the bill although we like its purpose. We might, for instance, agree that the bill highlights something that we feel is a very real problem, but in spite of that we do not feel that it's the government's role, right, or duty to enact legislation that would affect the matter.

However, Mr. Speaker, Bill 202 is a bill I genuinely like. Not only that; I believe in its purpose, I believe in its mechanisms, and I believe that it is our duty as elected representatives of all Albertans to enact legislation that will serve all Albertans today and tomorrow. Bill 202 will do that. It will enshrine in the body of law the very important principle that if you make a mess, you clean it up. If you pollute the environment, you take steps to undo the damage before it leaves permanent scars affecting all of us. At the same time, Bill 202 will not become such a cumbersome piece of legislation that it will cave in under its own weight.

The amendment to the bill that changes the word "must" to "may" is a small change involving two short words, but the effects of this change will go a long way towards accomplishing the goals of the bill without stifling progress in other areas, including the very area in which the bill will have the greatest impact. Mr. Speaker, it's very satisfying to me to know that we are all together on this one and that we all share a concern about the health of the environment and that we must make sure we remain vigilant when it comes to establishing means of environmental protection. Where we differ is in the method of enforcement.

Accordingly, we have discussed the implication of using either "must" or "may" in the bill. Those who favoured retaining the word "must" speak of loopholes that will be sealed by the use of the word "must." No more Mack trucks going through those holes; that's for sure. On the other hand, those who supported amending the bill by substituting the word "may" for "must" pointed out that too strict a wording might lead polluters to actively circumvent the law.

The consequences of too strict wording may be that people who cause spills might, quite frankly, be encouraged not to report them. As well, we've heard the argument that if every spill must trigger a departmental action, well, we won't be talking about just the obvious toxic substances but also everything from body parts to finger paint. Not only would this fail to consider Albertans' common sense, but it would also generate a bureaucracy and a paper trail that would be so costly that there may not be sufficient resources, whether in terms of funding or personnel, should a spill of real consequence ever become reality.

3:00

Let me say this right now. There is no question that when a spill occurs, it must be cleaned up. There also is no question that if someone spills a toxic substance and then fails to clean it up, he or she must be held accountable. But let me conclude my remarks by stressing that it is never a good thing to try and cover up toxic spills. In the court of public opinion – and lest we forget; the public is increasingly concerned about preserving the environment – shirking one's responsibility is a public relations disaster waiting to happen. I can think of few areas where the public's outrage and fury would exceed that which would be sparked by a polluter's effort to conceal his or her own misdeeds. Therefore, I believe that Bill 202 in its amended version is the right way to go for Alberta. It is the proper means by which to strengthen Alberta's environmental legislation and is the kind of legislation that will cause any would-be polluters to think twice before he or she decides to walk away from a spill that must be cleaned up or else.

Again, Mr. Speaker, I wish to congratulate and thank the hon. Member for Red Deer-North for her vision in introducing this bill,

and I urge all of my colleagues in joining me to support her. Thank you.

THE SPEAKER: The hon. Member for Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Speaker. I, too, am honoured to join the debate in third reading in support of Bill 202, the Environmental Protection and Enhancement Amendment Act, 2002. I also, like the former speaker, would like to thank the hon. Member for Red Deer-North for her work and perseverance in putting this bill forward, because ultimately it truly does protect the environment. That is just a wonderful goal, and that's what this bill will be doing.

The objective of this bill is to strengthen existing legislation protecting our land, water, and air from hazardous spills. Bill 202 will reinforce the authority and the mandate of the Environmental Protection and Enhancement Act by making those who pollute be responsible for cleanup not at some arbitrarily determined date but according to a time line that's established by the department.

Mr. Speaker, the amendment to Bill 202, which was passed in Committee of the Whole, will help prevent the corresponding dangers associated with doing things too swiftly and too restrictively. I strongly supported the amendment which changed the word "must" to "may" when I spoke to it in Committee of the Whole. The word "must" obligates people working in the department to issue an order even if one isn't necessary. But I'd also like to remind members in the Assembly of the comments that were made by our Minister of Environment during second reading when he explained that by the time people from the department check out a spill and assess the damage, the cleanup may have already been completed. Without the amendment to Bill 202 our staff would have to go back, issue an order, and outline cleaning instructions even if the work had already been done, and that just simply does not make sense. I'm certain that most companies look after environmental mistakes whether they are hazardous or not, and most companies have trained staff and safety plans in place to deal with situations, but I'm also sure that they hope that they never have to use those.

Mr. Speaker, businesses have developed innovative technology and pollution prevention techniques that help protect our environment. However, accidents do happen, and more work can be done by the government to help preserve our environment and maintain its natural value. The passing of this bill with the amendments prevents a bureaucratic logjam by preventing an additional administrative workload that would be placed on a department that already covers a wide range of issues and industries involving our environment. I agree with members in the Assembly who have spoken to this, those that believe we should not decide what constitutes a nonhazardous spill nor the time line for cleaning up a spill. The decision should rest on the wisdom and experiences of the hardworking employees in the Department of Environment.

Those same experts, Mr. Speaker, specifically the director, will be responsible for carrying out the rules decided upon in this Assembly, and we should be careful not to introduce procedures that result in unnecessary work. Bill 202 is not proposing to reinvent the wheel, nor is it proposing wild and radical reform to our current and effective Environmental Protection and Enhancement Act. In fact, I'm quite confident that the amendments to Bill 202, which were passed in Committee of the Whole, will not cause any undue administrative hardship on our government, directors of the act, or industries that work on or around the environment.

Alberta's Environmental Protection and Enhancement Act does currently have a process to deal with industrial spills, but as the law stands right now, if a spill does not pose an immediate threat to the environment, the violator does not have to take responsibility until

an environmental protection order has been issued. That can take some time, and during that time the condition of the land can deteriorate.

The goal of increasing the efficiency of Alberta's environmental protection legislation proposed in Bill 202 adds a small yet important element to an act that already manages a staggering number of environmental issues. The desired result of Bill 202 is to give a person or company the opportunity to take responsibility and action to clean up their spill. This way, they can work with the department and work on a method and time line for cleaning up that spill, but, Mr. Speaker, if this desirable scene fails, then the director can force the hand of the polluter. If a polluter does not achieve the objectives set out by the director, it is then the director's duty to issue an environmental protection order under section 113 of the act.

Mr. Speaker, the effective enforceability of Bill 202 is only possible if the department is able to work within their budget and manpower resources. In other words, people must be able to do their jobs without being forced through a sea of needless paperwork. With the passing of this legislation, it would be cheaper for a business or individual to clean up a spill as soon as it happens rather than wait and do it later. The longer it takes for it to be cleaned up, the more likely the possibility the violators will be fined and still remain responsible for the initial expense of cleaning the spill, and as the spill spreads as a result of neglect, there is more for the company to clean up. They are obviously better off by cleaning the spill immediately and avoiding any dealings with the director of the department or this government.

Mr. Speaker, the Member for Red Deer-North through the sponsoring of this bill is not proposing overwhelming changes to the Environmental Protection and Enhancement Act, because quite frankly drastic changes are not necessary. This bill is simply enhancing the system by giving people in the department the ability to move more swiftly and decisively on delayed cleanup. We must also remember that the bill deals with nonhazardous spills, and I agree that nonhazardous spills have an adverse effect on the environment, and we must be serious about preserving the environment.

So, Mr. Speaker, in having spoken to third reading with this bill, I would like to thank the hon. Member for Red Deer-North. I agree with her, as she said to you earlier in her debate, that this is an important step, that it will protect the environment, and I would urge all members of the Assembly to support third reading of the bill.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I'm pleased to rise today to speak in support of the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002, upon its third reading in the Assembly. I would like to express my gratitude to the Member for Red Deer-North for the dedicated effort she has put forward to guide this bill through the legislative process to its present stage.

I think there are many others that would agree with me when I say that Bill 202 has changed for the better now that it has passed through the Committee of the Whole. As you may recall, the merit of this idea was quickly realized on all sides of the House. There were one or two details that were in dispute. Now that we have taken the opportunity to listen to the ideas from the members of this Assembly and applied them to the bill, we emerged into third reading with a solid and agreeable piece of legislation.

Mr. Speaker, I'd like to talk briefly about what it is that the Environmental Protection and Enhancement Amendment Act seeks

to achieve and why that is important. This bill takes an important step towards a cleaner environment for Albertans. It proposes to limit the ability of polluters to drag their heels on cleanup efforts on contaminated land. Currently the department has to wait until the polluting party has displayed an inability or lack of desire to clean up a spill before it can issue an environmental protection order thereby forcing the hand of the polluter to act.

We heard several times over the course of the debate that this bill will give the department a bigger and swifter stick to use against negligent polluters. We heard from the Minister of Environment that he was in favour of the idea but wanted to avoid redundant inspections and unnecessary paperwork for his department's staff. Through debate and amendment in Committee of the Whole I believe that we as an Assembly have tried to accommodate both of those desires. When I look at Bill 202 now, I feel confident that we have achieved these goals.

3:10

There are several benefits to passing the bill that would ensure that the environmental cleanup is carried out quickly and efficiently under the department's direction and guidance. First, Mr. Speaker, quick cleanup is required if environmental and monetary costs of a reclamation are to be kept to a minimum. If pollution is allowed to cycle through the ecosystem, it can spread to unexpected and unwanted places. This creates higher costs in terms of both the potential for serious environmental damage and higher costs due to an extension of the reclamation area.

Second, through the amendments that Bill 202 proposes, the value and the environmental integrity of property in the province will be further protected. Property owners can rest assured that their property will be cleaned up quickly and efficiently if somebody else contaminates it, nor will they have to worry about the threat of neighbouring pollution spreading onto their property.

Third, this legislation will help protect small business owners who have property that is being contaminated by other persons, companies, or larger corporations. By amending the act, section 257 would ensure that costly legal channels can be avoided, because the department can issue an order of action immediately after the contamination has been reported. However, the bill is flexible enough to let responsible groups and companies clean up spills on their own.

Fourthly and finally, Bill 202 would require the government to open the Environmental Protection and Enhancement Act every 10 years for review. This amendment will ensure that the government can apply the most recent and relevant policies and ideas regarding environmental science to the act. This policy reflects proactive thinking and is sure to provoke thoughtful environmental policy discussions on a regular basis.

To conclude, Mr. Speaker, I would like to reiterate my support for Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act and urge members of the Assembly to join me in supporting this bill. Through supporting this legislation, we can ensure that Alberta is a leader in environmental protection, cleanup, and policy today and in the years to come.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's my pleasure to rise to support Bill 202, the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002. We have all had an opportunity to provide input and even amendments to this bill, and I believe that after several drafts of Bill 202, we have chosen the appropriate words for this legislation.

I am pleased to have seen so many members rise in support of

such legislation. As a growing and developing province I firmly believe we must work together to build a positive system that ensures we are protecting our province and environment for the future. I also believe that we have to make sure that the parameters we set for ourselves help us attain our goals. I believe the debate and discussion on Bill 202 has allowed the hon. Member for Red Deer-North to decide the most appropriate wording for her bill yet remain within the spirit and parameters of what she wanted to accomplish.

I support the amendment to Bill 202 debated in Committee of the Whole that changes the wording in the amendment to read that the director may issue instructions for environmental cleanup. Several colleagues stressed during the committee debate that in order to make the amendment to the Environmental Protection and Enhancement Act most effective and work to our benefit, we must be able to work with some measure of flexibility within the parameters we set. I agree that the amendment to Bill 202 will provide the flexibility for our directors to make the decision on whether or not instructions are necessary to clean up an environmental spill. One hon. member mentioned that it would be inefficient use if officials were sent to investigate each reported spill. If we allow some flexibility, spills that do not require emergency instructions or can be cleaned up without any instructions will not require needless paperwork.

Mr. Speaker, I believe that with the new amendments made to Bill 202, it contains the best wording to ensure that spills are cleaned up and remediated in the most efficient time. I support the purpose of the bill, which is to make positive steps forward in protecting and acting responsibly towards our environment. I believe the amendments to the bill will enhance our ability to react appropriately to environmental spills.

Mr. Speaker, it is my belief that Bill 202 will help the remediation process in Alberta. In order to make positive changes through the Environmental Protection and Enhancement Amendment Act, we need to make sure that the legislation will actually do what we need it to do. I believe it will. As Alberta continues to grow and thrive as a province, I feel that it is important to make positive steps to ensure that the future of our environment will also continue to thrive. We depend so much on our environment, not only for the resources it provides us but the important contribution it makes to the health and recreational enjoyment of Albertans. I believe we must continue to make positive steps which complement the growth of our province. We should look for the best ways to balance the growth that we continue to enjoy by seeking efficient and effective legislation. Such improvements will show Albertans and the rest of Canada that Alberta is committed to maintaining the high-level environmental standards that we are known for.

I believe in the spirit of Bill 202: to provide greater environmental protection in Alberta. I also support the purpose of the bill: to make remediation time in our province more efficient. I also support the amendments to the wording of Bill 202 which allow for expert judgment and opinion on whether or not official involvement and directors' instructions are necessary.

I feel that this bill is important for Alberta and will truly help our environment as we continue to grow. I encourage all of my colleagues to acknowledge its importance as well and join me in supporting Bill 202.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. I would like to begin today by commending the hon. Member for Red Deer-North for bringing this legislation forward. I appreciate the tremendous amount of work that it takes to bring a piece of legislation like this before this House.

Having listened to the comments made by hon. members during the second reading as well as in Committee of the Whole, I believe that this legislation which is now before us today has much improved since it has exited the Committee of the Whole. As legislators with good intentions it is sometimes easy to overlook the importance of small words such as, for instance, "must" and/or "shall," but the impact of those words can be rather substantial in the implementation of the legislation. Mr. Speaker, the distinction between an act stating "must" rather than "may" entails the difference between an environmental official having to initiate a lengthy and time-consuming environmental investigation and an environmental official using common sense and/or his own discretion and good judgment to deal with situations at the local level. That only makes sense.

The amendments made to Bill 202 during Committee of the Whole recognize this distinction without compromising the spirit and the intent of this particular legislation and the sponsor's intent. That intent, Mr. Speaker, seeks to empower the Department of Environment to address local spills and less serious threats in both a timely and efficient manner. It allows the official on the scene, who is in the best position to judge the potential impact of any spill, the opportunity to determine whether or not he should issue instructions to clean up. If the situation has been adequately looked after, then the Environment official need not do anything further. However, if instructions need to be issued and are not followed, then the environmental protection order needs to be issued and the situation is dealt with accordingly. As legislators we need to develop environmental laws that respect the varying nature of environmental hazards and the unique circumstances that individuals and groups may find themselves in, but we also must be firm in our demands that once instructions from the officials in charge have been issued for the cleanup of a site, those instructions must be followed and carried out.

3:20

Mr. Speaker, this province can afford to be accommodating in looking for workable solutions for all parties involved in this sort of matter. Indeed, the records show that when spills do occur, most offenders act in a reasonable and responsible manner to ensure that the mess is indeed cleaned up, but this province must also be vigilant in ensuring that time and co-operative nature are not left open to abuse. Bill 202 with its amendments reinforces the principles. It empowers local officials to do their job and use their own good judgment. It does not overly hinder officials with unnecessary bureaucracy every time a spill happens, yet it also enforces the idea of environmental protection by clearly requiring the issuing of protection orders when cleanup instructions are not followed. As I said earlier, that simply makes sense.

As the hon. Member for Red Deer-North has indicated, "if Bill 202 is passed, Alberta once again will be seen as a national leader in balancing the needs of the environment with the needs of Albertans, property owners, and businesses." I believe that this is legislation that all hon. members can in good faith support. It reaffirms the environmental legacy of our forefathers by protecting the land for future prosperity. I would encourage all hon. members to support this particular bill and make the Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act a reality.

I thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's my pleasure to rise in the House today and speak in third reading regarding Bill 202, the Environmental Protection and Enhancement Amendment Act.

We have heard the many different arguments covering the many different aspects of this bill over second reading, the Committee of the Whole, and now in third reading, and I feel that this bill is appropriate in that it will address most of the concerns that Albertans have on both sides of the issue.

Bill 202 puts the onus on the polluters, Mr. Speaker. If someone makes a mess, they'll have to clean it up. Simply put, the department has the power to make contaminators responsible for their actions, and that seems to me how it should be. Through Bill 202 and its amendments contamination will be dealt with through the proper channels and will be dealt with quickly and without excessive red tape. So this bill is actually environmentally friendly in two ways: it deals with contamination issues quickly, and it'll save trees. Under Bill 202 an Environment official must issue an environmental protection order if his written instructions to a polluter have been ignored. The bill allows for the use of a protection order but also allows for common sense and the discretion of the director to prevail.

Mr. Speaker, Bill 202 is about accountability. It is about holding those who have disregard for the laws of this province responsible for their actions. Bill 202 is a small, progressive step forward for the Environmental Protection and Enhancement Act.

I would also like to point out another very important part of this bill. This bill requires the Environmental Protection and Enhancement Act to be reviewed every 10 years. I think that all new legislation should have a clause stating that it will be reviewed within a certain time frame. This way we can show Albertans that we will keep our legislation current and relevant.

Mr. Speaker, Alberta is growing at a fantastic rate. We must ensure that this growth is done in such a way that it is environmentally sustainable and done in an environmentally friendly way. Bill 202 ensures that the Environmental Protection and Enhancement Act will continue to protect human health and the environment for generations to come.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Red Deer-North to conclude the debate.

MRS. JABLONSKI: Thank you, Mr. Speaker. I would like to first of all thank everyone who has supported Bill 202.

By amending section 112, Bill 202 severely limits the ability of polluters to delay cleanup action. It forces them to follow the directions of the Department of Environment. This is a great first step in protecting our environment. Bill 202 would help Environment officials to convince polluters to remediate sites quickly and prevent polluters from delaying cleanup efforts. This increases the likelihood that releases will be contained and unable to cause further damage.

Mr. Speaker, I ask that everyone vote in favour of Bill 202.

[Motion carried; Bill 202 read a third time]

head: **Public Bills and Orders Other than Government Bills and Orders Second Reading**

THE SPEAKER: Before calling on the hon. Member for St. Albert to continue the debate on Bill 204, this is private members' afternoon, so there's a bit of private members' advice that I'm seeking from the Assembly at this point in time.

Now, hon. members, there has been a long-term tradition with respect to the decorum in this Assembly. As time has come and

there have been ebbs and flows, certain things have been allowed to be happening in this Assembly and certain things have not. As an example, at one time, the time when I certainly sat in this Assembly, it was okay to have a cup of coffee at certain times of the day in the Assembly. You could do other things too. In fact, you could even smoke cigarettes in this Assembly at one time. Then the pendulum swung all the way, so now what we have in the Assembly, of course, is water. That's what hon. members can have in the Assembly: water.

Now, in the last couple of weeks we spent a little time trying to find you an alternative form to the terrible kind of coffee you used to drink in here, so you may notice that out there there are some new coffee machines. There is nothing that could preclude the having of a cup of coffee in the Assembly if the members wanted to have that, but I wouldn't want to say that we would change the decorum without seeking input from the members. After Orders of the Day were called, would any member object to seeing another member have an alternative to water in front of them?

AN HON. MEMBER: What's the alternative?

THE SPEAKER: Well, the alternative would be what is available: the coffee and the tea and the cocoa and the hot chocolate and soda water. One has to remember here about decorum. So it would have to be a common vessel that people would put the liquid in so that you wouldn't get, you know, that this has become the Coca-Cola/Pepsi kind of conflict. [interjections] Please work with me on this slippery slope. Would any hon. member have any difficulty with another hon. member having a cup of coffee in the Assembly after the point in time we call Orders of the Day?

HON. MEMBERS: No.

THE SPEAKER: Is there anyone who would object?

Okay. Let's proceed, then, and after Orders of the Day members can have such a thing in here. It may take a day or two for us to work out the common vessel that everybody would put the liquid in. In the meantime, you know, I don't want to say that we've got the different kinds of debate going on with different kinds of vessels.

Okay. That's understood then? Sergeant-at-Arms, you understand that? You will not evict a member. Pages, you'll now have to acclimatize your fingers for carrying something warm from time to time. Should there be a spill, please look to the nearest hon. member to assist you with the cleaning up of such things.

3:30

Bill 204 Traffic Safety (Cellular Phone) Amendment Act, 2002

[Adjourned debate March 18: Mrs. O'Neill]

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. In the few remaining comments that I would like to make about Bill 204, I would like to remind all members that we're not speaking about drinking coffee while driving, but instead we're talking about handheld cell phones. With that in mind, I'd like to urge everybody in this Assembly to consider the fact that it's the handheld telephone that the Member for Lacombe-Stettler is proposing in her bill be disallowed while driving the car.

[Mr. Shariff in the chair]

I would note that in the news most recently, one of the councillors from the city of Edmonton, Dave Thiele, has indicated that while he is in favour of the provincial initiative as proposed in Bill 204, should it not proceed, he would be looking into proposing such a bylaw before Edmonton city council. My point in noting this is the fact that I think it would be a lot easier to administer and it would be a lot safer if we blanketed the province in support of this bill against handheld cell phones while driving. I would point out again that this is not limiting someone's ability to communicate via the telephone in the car should it be a hands-free one.

With that, I would urge everybody to apply some reason to their vote in favour of this bill and to say: let's avoid the hazard that is presented to us when you try to dial numbers and to respond to voice mail by using the handheld telephone while driving. So I'd urge everybody here in this Assembly to vote in favour of Bill 204.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to speak in favour of Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, 2002. I do so with some apologies, because I suspect that like many members of the Assembly, I too have used the cell phone on occasion in my car. I think I'm getting better now and ask people to give me time to pull over when I receive calls, but I recognize how dangerous it is. If you look at the appalling loss of life that we suffer in Alberta on our highways, if there is anything that we can do to make driving safer, I think it's incumbent upon us to do so.

In looking at the research behind the use of cell phones, I was drawn to the backgrounder put out by the Canadian Automobile Association in November of 2000. One of the pleas that they made in that backgrounder was that any legislation should be evidence based. That is, they would like the legislation based on sound research, and I think that that's a reasonable request. They also went along to provide an interesting set of statistics from the provinces and nationally on cell phones. In response, for instance, to the question, "Do you have a cellular phone?" 59 percent of Albertans that were polled responded that, yes, they did have a cell phone. That's compared to only 47 percent nationally. So Albertans, if you can believe this survey, are high owners of cell phones. When they were asked the question, "How often do you use your cellular phone while driving?" the responses were that 52 percent said they rarely used their cell phones while driving, 20 percent said some of the time, 2 percent said most of the time, and 1 percent said all of the time. So it's somewhat encouraging that over half of the drivers don't actually use cell phones while they are driving.

When asked their opinion on whether or not talking on the phone distracted from careful driving, 89 percent of Albertans who were surveyed indicated that, yes, it did detract from driving. I think that that's something we all know and have worried about, those of us that have used cell phones, and it's good that that recognition is there.

They further asked about the idea of pulling over and stopping when you need to use a cellular phone, and again the vast majority of Albertans said that that was a good idea; 88 percent of them agreed that that's what should happen. If you're going to use a cellular phone, then you should pull over and use it while you're parked.

The other idea that's mixed in with the bill is the distinction that's being made between cell phones, handheld cellular phones and hands-free cellular phones. You get quite a discrepancy between the two in terms of what people believe. There seems to be much more

support for hands-free cell phones and their use. For instance, when they were asked, "Should only hands-free cellular phones be authorized for use while driving?" 54 percent agreed with that, and only 32 percent disagreed. So when it comes to hands-free cellular phones, there seems to be a great difference of opinion. As to whether there is more distraction with a hands-free phone, again there seems to be agreement by 70 percent of Albertans who were surveyed that a handheld cell phone is much more distracting than is a hands-free cell phone.

I think that whether we like it or not, phone communications from automobiles are going to be here to stay, and I say that having looked at some information from the States, where the Ford Motor Company I think have already announced that they are going to be putting universal cell phone capabilities in their automobiles, that they're going to be putting connectivity hardware into their cars that would allow owners to buy an aftermarket device or to use a factory-installed telephone as a hands-free option. So it looks like the automakers, who I'm sure have their pulse on public opinion, are going to take some actions that will certainly encourage the use of hands-free telephoning. I think, going back to the plea of the Canadian Automobile Association, that it would be useful to have evidence on the use of hands-free telephones and the kinds of accident statistics on the use of those devices before either legislation is undertaken or indeed before the automakers on their own decide that they're going to proceed.

I mentioned the Canadian Automobile Association statistics. There are other statistics around, a couple of more informal surveys that were taken in the States, and some big differences in whether or not handheld cell phones should be made illegal in terms of the age of the participants and in terms of their income. If your income is more than \$50,000 a year, according to an ABC news poll, then you're much more likely to favour the use of handheld cellular phones, as are younger people, people ages 18 to 34; 42 percent of them in the ABC poll supported the legal use of cell phones. So a difference in terms of income and a difference in terms of age. It's interesting that 18 to 34 year olds are the group that have a high accident rate, and they are supportive of something that could be even more distracting to their driving.

So I think that with those comments, Mr. Speaker, there's a lot to be said. There are differing opinions. A number of states have already moved to pass similar legislation, and I'm pleased to support Bill 204 and the cell phone legislation for Alberta.

Thank you.

3:40

THE ACTING SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I appreciate very much the opportunity to be able to rise today and address private member's Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, 2002. I promise not to take very long because I know that many people want to speak on this issue in the time remaining.

It won't be a huge surprise to many of my colleagues to know that I'm opposed to this bill. I lean just a little bit more to less laws as opposed to more laws because no matter what you do or how you do it, at the end of the day you cannot legislate common sense. Passing a law that duplicates another law that is already on our books is not logical. The law that I'm referring to is driving with undue care and attention. This law encompasses many of the dumb things that we tend to do as drivers, that we do from time to time on the roads. It gives the RCMP and the city police many opportunities to remind us of our responsibilities and obligations when we're out on the highways driving.

The Canadian Wireless Telecommunications Association

indicated that education is the single most important aspect of dealing with concerns such as using handheld phones, and I agree with them. However, they also indicated that a recent report prepared by the Commonwealth of Pennsylvania Joint State Government Commission on Driver Distractions and Traffic Safety, that was published just last December, found that of all of the distractions identified as primary causes or contributory causes of crashes in Pennsylvania during 1999 and 2000, cell phones represented 5.2 percent of those distractions over that two-year period. Outside objects, persons, or events by far were the bigger problem, and I think that that was also confirmed at the University of North Carolina in a study commissioned by the American Automobile Association.

To go back just a little bit, I have raised two children complete with all of their antics in the back of my car when I was driving. I've driven their basketball teams, their volleyball teams, and their football teams. I'm one of those incredible sinners that has actually eaten in my car while driving. I've listened to my radio. I even rolled up my windows and sang with my CDs, Mr. Speaker. Yes, I've even answered the telephone. But I'll tell you, compared to snow, ice, blowing snow, dust storms, and other bad drivers who were not necessarily on a phone but were just acting like idiots, they got my attention an awful lot more than the person that I saw using a handheld cell phone.

My cell phone is installed. It has always been installed right from the very first day I got it, and I think that people logically and intelligently and rationally should be looking at ways of doing that. I don't believe that we need to pass a law to force them to do it.

It was always against the law in Alberta to drink and drive, but nothing impacted alcohol consumption and driving the way the commercials that AADAC and Mothers Against Drinking Drivers did when they did their advertising work in the province of Alberta. That had a much bigger impact on people in helping to bring home the seriousness of issues like that, and I believe that education is the answer here.

I also want to point out just a couple of statistics. You know, we talk about how terrible everything is and how dangerous it is to be a driver in the province of Alberta, but let's just get a little bit real. Passenger and motor vehicle registrations increased every calendar year from a total of over 889,000 vehicles in 1977 to just under 1.3 million vehicles in 1983. As of March 31, 2001, there were over 2.2 million motorized vehicles registered in the province of Alberta. I think you have to appreciate the magnitude of that. It has tripled in that period of time. I'm not advocating collisions and death here, Mr. Speaker. I'm just merely pointing out that in 1977, when we had 889,000 vehicles, 576 people were killed on the highways in Alberta, which is a horrendous tragedy. In 1974 my father was one of those statistics, so I do know the impact of road problems. In the year 2000, Mr. Speaker, with 2.2 million vehicles registered on Alberta highways, there were 364 fatalities, and I think that's pretty phenomenal, showing that traffic safety is a big concern of Albertans and the Alberta government on the way the highways are built.

A lot of things have improved, but so have drivers. You know, I guess sometimes when you have 2.2 million people driving those 2.2 million vehicles, from time to time things will get in your way, whether or not it's a cell phone or an elk or a moose coming out on the highway up at Lesser Slave Lake, which has happened to many people, or whether it's driving in that Ponoka/Innisfail block, where, for whatever reason, if the weather is going to be bad anywhere, it's going to be bad there and it's going to be on the highway, where you can't see where you're going or what you're doing. My cell phone is the least of my concerns on those days.

I'd really be grateful if this Assembly decided to opt . . .

MR. STEVENS: Because no one wants to talk to you on those days.

MS HALEY: Nobody wants to talk to me. This is true, Ron. It's because of my charming personality.

The truth is that we don't need another law. We have a law – it's called driving with undue care and attention – that the RCMP can enforce now if people are not driving properly on the highway.

Thank you very much, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Glenarry.

MR. BONNER: Thank you very much, Mr. Speaker. I would also like to make a few comments in regards to Bill 204, the Traffic Safety (Cellular Phone) Amendment Act, 2002. I would like to compliment the Member for Lacombe-Stettler for bringing forward this piece of legislation. It certainly is a reasonable piece of legislation and one that I will speak in favour of and support.

Now, then, what we're talking about in this bill is the distraction factor. It is the distraction factor of using a handheld cell phone. Common sense suggests, Mr. Speaker, that talking on the phone can distract a driver from the all-important task of driving safely. Research seems to indicate this, and there is a growing number of studies at universities, government labs, and corporations in the U.S., Canada, and around the world that show that drivers' reaction times do in fact slow down and that their judgment is impaired when they are using a cell phone while driving.

As well, Mr. Speaker, I have a press release dated June 28, 2001, indicating that New York state became the first state in the nation to ban handheld cell phones while driving. Now, I'm sure that if we looked at the population of New York state, we'd find that they have a greater population in New York state than we do in all of Canada. It's quite interesting to see the parallels in their legislation with ours that's being proposed in Bill 204. The highlight, of course, in their legislation is that it requires drivers to put down their cell phones and pay attention to the road.

"This new law will help make our roads safer and save lives,"

Governor Pataki said. "Too many families have suffered the tragedy of seeing a loved one injured – sometimes fatally – in an accident caused by someone who was driving while using a cell phone. This law will help to decrease confusion and increase safety for all who travel on New York's roads."

Mr. Speaker, an article in the *Globe and Mail* on February 5, 2002, indicated that five were dead after an SUV driver on a cell phone lurched over a median and landed on a minivan driven by some Quebeckers. In that particular case five people died, and I think, as well, that it forced everyone to take another look at this whole issue of driving and talking on the cell phone.

3:50

I see that in the New York legislation they also had some public awareness associated with their bill. The law included a warning period and a waiver provision as follows. The first provision was:

Between November 1 and November 30, law enforcement personnel may stop motor vehicles and issue verbal warnings to motorists driving while using a hand-held cell phone.

A second provision here was:

Between December 1 and March 1, 2002, the courts may waive fines if the motorist is able to supply the court with proof that he or she has purchased a hands free telephone or device that enables a hand held telephone to be operated hands free. This waiver provision only applies to a first offence.

So, again, certainly New York has taken a great leadership role in the whole idea of not using handheld cell phones.

The whole idea and suspicion about cell phones in cars were first studied five years ago, and the results of those findings were published in the February 1997 *New England Journal of Medicine*.

That study was conducted, Mr. Speaker, in Toronto, and they looked at 699 drivers who owned cell phones and had been in collisions. This particular study, the first one, concluded that when a phone was used while driving, the risk of a collision was between 3 and 6.5 times higher than when a phone was not used. It also concluded that the relative risk was similar to that of driving with a blood-alcohol level at the legal limit and that cell phones that allowed hands-free operation offered no safety advantage.

Now, then, certainly there have been a number of other studies that have looked at this whole idea of the distraction factor, and some of those have come up with very interesting findings as well. Last year a Cambridge Basic Research study found degraded steering performance among subjects dialing a phone manually but no such effect when the subject used voice dialing. So, again, evidence that would support this bill. About the same time, researchers at Miami University in Ohio concluded that the intensity of a conversation wasn't a special issue, although merely using a phone created longer braking reaction times.

Other studies, Mr. Speaker, have outlined the characteristics of the phone-and-drive population. These studies have found that some individuals are clearly better at multitasking than others. As well, these studies found that some get better with practice, though signs of impairment may only diminish rather than disappear. Finally, some of these studies have indicated that on the whole drivers under the age of 50 are less impaired by multitasking challenges than are drivers aged 50 or over.

Now, then, *Consumer Reports* also did some tests on the use of cell phones when people were driving, and their conclusion was: "Our evaluations demonstrate that talking or dialing the cell phone does affect driving behaviour to varying degrees."

So certainly, Mr. Speaker, if our goal here is to pass legislation in this Assembly that will make our highways safer, then I think that this piece of legislation here is a very, very good first step. I think that we can also strengthen this legislation as we move along, and I would urge all members of the Assembly to support this legislation, which will continue to allow persons to fully operate a cellular phone, car phone, portable computer, or fax machine that has a voice-activated or speaker system.

So with those comments, Mr. Speaker, I'll cede the floor and listen to other members who wish to join the debate. Thank you.

THE ACTING SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker, for giving me the opportunity to speak to Bill 204. I believe that it is time we had a law like Bill 204 in Alberta, and I commend the Member for Lacombe-Stettler for introducing it into the Assembly.

I can tell you as a former police officer that there's nothing worse than seeing a horrific collision scene whatever the cause. If the drivers and passengers aren't dead, they're usually beaten and quite bloody by the impact of two vehicles colliding or one vehicle smashing into another object. Fortunate and rare are those who can walk away from a collision unscathed, Mr. Speaker.

For those of you who have never experienced anything like this, it is very gruesome and often very tragic. Senseless vehicle collisions are something that we should never have to see, but the world is such that often we do. It goes without saying that the less collisions we have in this province the better, and I support Bill 204 because it will result in less collisions and, in the end, fewer needlessly injured or killed Albertans.

What Bill 204 proposes to do is make it illegal to use a handheld cellular phone while driving. Mr. Speaker, statistical and scientific evidence in study after study testifies to the fact that using a cell

phone while driving is distracting, and study after study shows that distraction and human error are the leading causes of accidents on our roadways.

Mr. Speaker, the United States National Highway Traffic Safety Administration has reported that at any time 3 percent of motorists are using cell phones while driving. There are a full 3 percent of people on the road who are not paying full attention, and it's also an easy 3 percent that we can target with this legislation. We can say: drive safe or pay the penalty.

The study and investigation of the safety implications of wireless communications in vehicles indicates that cell phone use while driving significantly increases the dangers of a collision. It's stated that the overwhelming majority of handheld cell phone users were in the striking vehicle and that the use of cell phones in cars increased the risk of driver inattention. Other studies indicate a strong correlation between motor vehicle accidents and cellular phone usage in vehicles. When a prestigious journal like the *New England Journal of Medicine* reports that cell phone usage increases the likelihood of a collision by 4 percent, then it is incumbent upon those of us in this House to seriously consider that information. Driver inattention due to cell phone usage is therefore a serious problem, Mr. Speaker, and one that we ought to legislate because it makes sense to do so.

When we endeavour to make laws in this Assembly, especially those that govern personal behaviour, the primary question we ought to ask is: does this law accord with common sense? We don't want to make laws that in the end are going to either force Albertans to change their behaviour for the worse or force Albertans to change their behaviour for no discernible reason. Statistics show that using a cell phone while driving is a major cause of motor vehicle collisions, and because this is the case, then anyone who is thinking properly is not going to use their handheld phone while driving.

Some members may object on the grounds that a law like this is paternalistic. I have two replies to this objection. First, one of the target demographics we're going after here is new drivers, teenagers. We expect that new drivers do not have much experience behind the wheel and therefore may not see the inherent danger in talking on a cell phone while driving. As we drive more and more, we see more and more collisions and have more and more close calls. We start to appreciate the benefits of safe driving habits. Mr. Speaker, I believe that this bill would protect these young drivers.

Secondly, I know that when I'm on the road, I sure don't want the person in the car behind me talking into his cell phone. It's foolish of that driver to do so, and it endangers my life. So if that person is selfish enough to endanger my life, I don't mind being paternalistic towards them if it's the only way they'll act safely.

4:00

So in the end, Mr. Speaker, what Bill 204 does is reinforce the idea that Albertans ought to respect each other and should not endanger each other. That doesn't seem so bad; does it? Further, are we really inconveniencing people that much by asking them not to use handheld cellular phones while driving? Are they really going to tell us that their need or desire to hold a phone outweighs the risks that they pose to other Albertans? I'm as much for individual freedoms as the next guy, but that would be plain selfish. Perhaps a better idea would be to take those Albertans and have them witness a collision site, then ask them if their ability to hold a phone while driving is all that important. I suspect they might change their tune.

[The Deputy Speaker in the chair]

Mr. Speaker, these are just some of the reasons that I ask all

members of this Assembly to put down their cell phones and vote for Bill 204. Japan has done it, Switzerland has done it, and even the state of New York has done it. It's about time Alberta did it.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. It's my pleasure to join in the debate on Bill 204. I'm very wary of supporting this bill, and even after hearing the comments from my colleagues around the table, I have decided that I will not support the bill. I do not want to needlessly tread on the freedom of Albertans or cause unnecessary costs or inconvenience to the people living in this province. But I do have to say that since the debate has started, I am more careful how I use my cell phone while driving. That's my personal choice, and I think that we should leave it that way.

It has been said many times that we have to address the larger issue of driver distraction. Addressing it piecemeal will leave some extremely distracting drivers' behaviours unchecked while we outright ban activities that cannot be proved as a cause of accidents, such as handheld cell phones. We have to be certain that a ban on cell phones is not based on a few scraps of anecdotal evidence or outdated study that is admittedly inconclusive. It's a fact that the responsible use of a cell phone is no more distracting than adjusting a radio, lighting a cigarette, or eating a candy bar.

I believe that Bill 204 sets a dangerous precedent for laws that imply that this Assembly knows what's best for Albertans, particularly when the law is based upon conjecture, scant evidence, and a bandwagon effect following other jurisdictions far removed from Alberta, like Japan and others that my colleagues have talked about here earlier. I'd think it would be extremely hasty to start interfering with behaviours of drivers that have a tiny effect on their performance behind the wheel.

Mr. Speaker, there are better ways to enhance the safety of our roadways than holding drivers to an arbitrary law that has not proven to save lives or prevent accidents. Bill 204 goes much further to undermine personal choices of motorists than it does to enhance safety, and this is why I oppose it. Although I value the safety and health of Albertans, these things must be balanced with freedoms, personal choice, and personal responsibility. We don't ban hockey or basketball even though there are thousands of injuries every year, and we shouldn't restrict cell phone use either. To me it's about respecting the fact that life is risky business unto itself, and that has to be managed and balanced by an individual, not by legislation.

I want to read a comment that came to me from an Albertan. He was so opposed to this bill that he took the time to write some comments, and I want to read from the e-mail that he sent to me.

I am writing to object to any proposal to limit the use of cellular phones in automobiles.

First, let me assure you that I do object to inappropriate use of these devices in automobiles. However, I am adamant that it is bordering on foolish to bring in such narrowly focused legislation. If government is going to start legislating what can or cannot be done while driving an automobile, let's get [the real issues on the table].

Let's consider a few of the other activities that produce accidents or near-misses while driving. I have witnessed the following:

- Rolling a cigarette
- Lighting a cigarette
- Eating
- Applying make-up
- Shaving

- Blow drying hair
- Reading a map
- Loading [a CD]
- Dealing with unruly children
- Heated discussion with a passenger.

The list goes on and on . . . I'm sure you get my point. Do you think that legislating against any of these specifically will accomplish anything? I doubt it.

Thank you for your consideration.

Just a point that I wanted to let you know, that there are Albertans out there that talk about this issue as well.

Finally, I ask my colleagues to respect the free will and good sense of Albertans by voting against Bill 204.

THE DEPUTY SPEAKER: Hon. Member for Edmonton-Rutherford, why I hesitate is that there are several members who are claiming to speak ahead of you. You've stood up twice in a row here and are the only person on my list, so I will recognize you, for sure.

MR. McCLELLAND: Well, thank you, Mr. Speaker. I was driven to stand to join this debate because someone had to answer to the drivel that came from just opposite a minute ago. I didn't want to join in the debate, but I was forced to when the member opposite was talking about putting makeup on when he was driving. [interjections] No wonder he wasn't speaking on his cell phone.

In any event, thank you, Mr. Speaker. It's a pleasure to join in this debate to speak in favour of Bill 204. Now, there may be a few people who may hear this and say: well, gosh, I guess the thing that he's going to do on his way home is stop and pick up a hands-free. I guess I will be forced to do that, because although I know it's hard to believe, I may have been seen from time to time speaking on a cell phone. I may from time to time have been seen speaking on a cell phone. I volunteered to speak on this bill because I know that it is a distraction, and I personally have been distracted from time to time speaking on a cell phone, so I thought it was a pretty good idea. It's a pretty good idea not just in this jurisdiction, but there are many jurisdictions all over North America who have recognized this as a potential problem as well. As a matter of fact, in the city of Edmonton Councillor Dave Thiele brought before city council here in Edmonton a bill which would have the effect of banning cell phone use within the city limits of Edmonton, and that was put on the back burner pending the wisdom of this Chamber, of this Assembly's decision on this very issue.

So it would ban the use of handheld telephones. It wouldn't ban the use of telephones that were so-called hands free. Now, yes, obviously you're driving along and some people smoke and some people are eating french fries. People do all kinds of things when they're driving. Why would banning handheld cellular telephones be any different than any of the other distractions that come along when people are driving? Well, I guess, to be fair, there are some things that are certainly more distracting. Perhaps this is one of them. As a matter of fact, I've seen people driving reading maps. I've seen people driving along actually reading a newspaper. [interjection] Novels. Another person has mentioned a novel. So there are many things that we as drivers may or may not do which are safe and which may not be safe.

The use of handheld cell phones I think is – that is not to say that all the rest of the things that we do when we're driving are okay – a little bit different, and it's not the same as listening to the radio, because depending upon what the conversation may or may not be, there are different levels of concentration required in communication through a cell phone. So what's at issue here is not really so much whether or not someone lighting a cigarette is distracted from

driving because they lit the cigarette. Their brain is not engaged in lighting the cigarette. It's a reflex action. It's just something that they're doing. There are those who might say that by definition if you're lighting a cigarette, your brain is not engaged. But if you're having a cup of coffee as you're driving along, it's a reflex action, or if you're eating french fries or something, it may be a reflex action.

4:10

However, let's just presume that that telephone call is your stockbroker, and your stockbroker is telling you: you remember when I suggested you buy the Nortel shares a few months ago? It's hard not to be emotionally engaged when there's something emotionally engaging on the other end of the telephone call. So that's why I was moved when my hon. colleague from Whitecourt-Ste. Anne, a man known far and wide for his common sense, his wisdom, and his knowledge – I was so disappointed and so surprised to see him standing speaking against this. As everyone in this Chamber knows, there are different dimensions of mental engagement in various life activities.

So that's why I would urge members present to vote in support of this bill. While it certainly isn't going to save the day – it's not going to prevent people from being distracted – it is a step in the right direction, and it is a step that has been recognized by many jurisdictions all over North America and, indeed, all over the world where accidents happen as a direct result of inattention. Everything that we can do to prevent inattention is going to be a positive move and a step in the right direction.

With that, Mr. Speaker, I'll take my place and invite others to respond.

THE DEPUTY SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's so nice to be able to bring the discussion back up to a level of common sense after the dip we've just suffered. Let's be very, very real about this. If anything, it will make the art of enforcing driving harder to do: "I wasn't talking on a phone, officer. That's why I ran into the tree. I'm okay. I'm an idiot."

The hands-free bill is a smoke screen. It's nonsense, folks. The telephone call is the disruption, not whether you're holding a phone here or not. How would you justify the cost to this government alone in converting all of their vehicles? Which minister is going to stand up and pick up that tab? What schools should we shut so that we can all drive safely? I mean, it's just nonsense to use the argument: well, the city of Edmonton might pass it if we don't. Boy, they have been leaders in common sense; haven't they?

Let's just think about this. It is against the law now to drive at any time without using undue care and attention. It's against the law now. You don't have to prove they were talking on a phone or not. Would it be against the law to hold your phone here if it were shut off? Well, I mean, how could a policeman tell? How could they possibly know? Who is going to volunteer, "Yes, officer, I had my phone off, and I was just holding it here so that I couldn't see all the expensive billboards and advertisements that we put along our highways to distract you"?

There are a million things out there. The idea that somehow we're going to make the roads safer in any way, shape, or form by adding hands-free to a list of laws that thick – people don't always use the proper care they should when they drive. That's their fault, not ours. That's no one else's. They have to be responsible for what they do for whatever reason. If someone is driving with a hands-free unit and crashes, is he not just as guilty as someone driving with one up

to his ear? Of course they are. Sometimes we have a tendency to forget that we have to make laws that are somehow enforceable. This is not in any way, shape, or form enforceable. It's just another way to make people think that we have nothing else to do up here but discuss other big issues. When we went door-to-door, was anyone saying to you, "As soon as you get the square dance in there, then look after them cell phones"? Not a chance, Mr. Speaker. This issue is a response to an unfortunate accident, which is not the reason to make laws. We talk about making laws because of close calls, and I can assure you that if it weren't for accidents, most of us wouldn't be here, but it has nothing to do with hands-free cell phones.

So, Mr. Speaker, I would ask everyone to come to their senses, consider this institution as an important one, one that should pass enforceable laws. Thank you.

THE DEPUTY SPEAKER: Well, it was not necessary to interrupt the hon. member because time has run out.

The rules provide for five minutes for concluding comment by the mover or someone on behalf of the mover. Now, Edmonton-Norwood, were you trying to signal me that you were doing that?

MR. MASYK: No, Mr. Speaker. I was just trying to build on some more wisdom from the members for Vermilion-Lloydminster and Whitecourt-Ste. Anne. Just build on that wisdom.

[The voice vote indicated that the motion for second reading lost]

[Several members rose calling for a division. The division bell was rung at 4:17 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Bonner	Herard	O'Neill
Carlson	MacDonald	Pannu
Cenaiko	Massey	Stelmach
Forsyth	McClelland	Tannas

Against the motion:

Abbott	Horner	Melchin
Ady	Hutton	Norris
Broda	Johnson	Renner
Coutts	Lord	Snelgrove
Danyluk	Lougheed	Stevens
Doerksen	Lukaszk	Strang
Friedel	Lund	Tarchuk
Haley	Magnus	VanderBurg
Hlady	Masyk	Vandermeer

Totals:	For – 12	Against – 27
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[The motion for second reading of Bill 204 lost]

4:30

Bill 205 School Trustee Statutes Amendment Act, 2002

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It's an honour to begin second reading of Bill 205, the School Trustee Statutes Amendment

Act, 2002. Simply put, the intention of this bill is to clarify the circumstances under which the majority and possibly the entire board of trustees can discuss significant budgetary items and vote on them.

[The Deputy Speaker in the chair]

I would like to begin by explaining the three things that this bill is proposing to do and then elaborate on how these amendments will clarify the rules surrounding the governance model of Alberta's education system. First of all, Mr. Speaker, Bill 205 would ensure that individuals who would face a pecuniary conflict of interest in the course of their duties as school trustees are more than advised from seeking nomination.

Secondly, Bill 205 would also narrow the scope of individuals who are deemed to share a pecuniary interest with an employee to the employee's spouse. As an example, the School Act currently identifies a trustee's children, parents, the parents of a trustee's spouse within this category. This bill proposes that it be only the employee's spouse.

Third, at the request of those who are currently associated with ASBA, this bill identifies the requirement for disclosure by trustees after their election.

I am proposing the specifics of this bill with a perspective I gained through my experience as a trustee and as a teacher. The Alberta government through the School Act delegates authority for the governance of education to locally elected school boards for the benefit of students. Decisions made by school boards include adopting an annual budget to the school system, planning and setting priorities for the jurisdiction in light of available resources, making policy to guide the administration and employees towards district goals, adjudicating in policy disputes, and communicating with the community and staff on behalf of the jurisdiction.

In order to be nominated as a school trustee candidate, individuals should be able to perform their duties as school trustees to the best of their abilities and with the minimum possibility of conflict of interest in pecuniary matters. Mr. Speaker, this government depends on the wisdom and effort of trustees to offer the best opportunities for the schools in their jurisdictions.

Decisions involving the allocation of money are among the most significant and are often the most contentious that a school trustee faces. From my experience as a trustee and in consultation with other education stakeholders I know the work involving a school jurisdiction's budget comprises approximately 75 percent of the duties of a trustee. It is impractical for school trustees to frequently excuse themselves due to conflicts of interest from discussion and voting on these matters. It is also unfair to leave the weight of a decision resting on the shoulders of the less than complete complement of trustees at the decision-making table.

Conflicts of interest involve the abuse, actual or potential, of trust that people have while acting in their duties as elected officials. A school trustee may excuse herself or himself from the budget process if it is deemed that they have a conflict of interest. The problem with the current system is that a local board can shrink from nine members to two members simply because seven of the members have a child, a mother-in-law, or another relative who may be impacted by their decision. Bill 205 solves this issue by restricting people who would face these conflicts of interest from seeking nominations.

The School Act would be amended so that individuals who are employees should not be allowed to seek nomination for a school trustee position, which is an employer position. Bill 205 proposes that if a person is an employee of a K to 12 school jurisdiction, a private school, or a charter school, that employee should not be able to seek nomination for trustee.

The most common way people avoid conflicts of interest is to excuse themselves from the decision-making process. Trustees who have been deemed to have a conflict of interest simply step outside and refrain from discussion on contract bids or budget matters. The problem with the way the School Act, as it stands now, is interpreted is that trustees must excuse themselves if they have a relative employed in a local school jurisdiction. Although I'm sure this opinion was applied with the best of intentions to reduce the possibility of trustees with conflicts of interest, the scope of the deemed conflict, in my opinion, is far too broad.

Sections 62 and 73 of the School Act set out pecuniary interest prohibitions for trustees. Generally, those prohibitions are that a trustee may not take part in school board business if the issue being discussed is one which would monetarily and directly affect the trustee, the trustee's spouse, the trustee's children, whether minor or adult, the trustee's parents, or the trustee's parents-in-law. A trustee with a pecuniary interest in these circumstances cannot participate in collective bargaining, which includes sitting on the bargaining committee, discussing or voting on budget allocations, or voting on the ratification vote. The problem right now is that there are growing numbers of trustees who are not able to participate and are therefore unable to perform the duties they were elected to fulfill. As a former trustee and now a member of this Assembly I have seen instances where this loophole has diminished the effectiveness of local boards.

In cases where a trustee has a pecuniary interest in a matter, she or he is required to disclose the nature of the pecuniary interest before any discussion of the question takes place, abstain from discussing the matter, abstain from voting on any question relating to the matter, and in most cases leave the room until the discussion and voting on the matter are concluded. The trustee's abstention and disclosure of pecuniary interest are recorded in the minutes of the meeting. In practice this has led to cases in which the majority of a school board must disqualify themselves, and decision-making, particularly regarding bargaining for collective agreements, is left in the hands of one or two board members. Not only is this unfair; it is also restricting to the local school district.

What I am proposing in Bill 205 is that anyone who is an employee in a K to 12 school jurisdiction, charter school, or private school would be automatically disqualified from seeking nomination. The amendments proposed in Bill 205 are in the best interests of Alberta's education by continuing to allow effective trustees to perform their duties and thereby allow entire boards rather than a few members to make collective decisions.

One of the duties outlined in the trustee code of ethics is to resist every temptation and outside pressure to use their position as a school board member to benefit either themselves or any other individual or agency apart from the total interests of the school jurisdiction. Bill 205 proposes to help ensure fairness in Alberta's education system by restricting people who are employees in the K to 12 education sector from seeking election to be an employer in the education sector. This bill is here so that the expertise, the wisdom, and the vote of all trustees are at the table when making important decisions for Alberta's education system.

Bill 205 would further enhance the performance of Alberta's school boards by ensuring that all members of the board participate in the major policy and budgetary discussions and votes. Bill 205 also narrows the scope of a deemed pecuniary conflict of interest from most family relatives simply to an employee's spouse.

Mr. Speaker, to assume that an employee has a conflict of interest because their adult child, parent, or in-law is employed in the education system somewhere in Alberta is debatable. Based on my experience as a trustee and through consultations with other school

board members, an employee with a spouse in their local education system is in a tough spot by having to balance the needs of their family with the needs of the school jurisdiction they are representing. I believe that having a spouse in the education system remains the only valid conflict of interest designation.

Mr. Speaker, as all members of this Assembly know, Albertans take their children's education very seriously. I believe we should continue to build on the effectiveness of Alberta's learning system.

4:40

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to speak against Bill 205, the School Trustee Statutes Amendment Act, 2002. It's very unfortunate that this bill is before the Assembly at this time. I think that it's being interpreted, and rightly so, as another slap in the face of the teachers and their families in this province. That the Assembly would single out a group of citizens and their spouses for disqualification is unfortunate. I think part of the problem is that it takes a very, very narrow view of the role of a trustee, and I'm surprised that the mover of the motion has not recognized that in bringing forward such a bill.

Trustees do many things. One of the most important tasks that they take on is the setting of school district priorities, and that, I think, is the core of their work, the setting of priorities and then trying to put in place programs and resources that will make those programs and those priorities a reality. Those priorities are what really drive the budget. Those priorities can be wide ranging. They can affect the budget in a number of ways, and certainly they have a great impact on the spending pattern of the board, but to exclude people from that discussion I think would be a mistake.

I served on boards where we had the spouse of a teacher. I served on a board where we had an ex-teacher of the school district, a disgruntled ex-teacher as a member of the board. I've observed boards elsewhere who have teachers from other jurisdictions on them. When I was on the board in Edmonton, one of our trustees sought legal advice about teachers sitting on the board and was advised at that time that legally it was not possible to exclude them. Not only was it not possible, but it was probably not very wise. I think that to exclude teachers and the kind of advice that they can bring a board is certainly shortsighted. I think that the contributions that teachers have made to trusteeships across the province have been great contributions, and to deny the school boards that possibility would be a mistake.

If you look at whose interest underlies the policy, I think you come up with some interesting answers. Just exactly whose interests are being served by this bill, and is it the interests of children and their classrooms? I don't think the answer to that is yes. I think that the boards would be poorer by not having the advice of teachers and former teachers as at least a possibility on their boards. I can't think of any members of the community who are more interested in schools and learning and education than that particular group of citizens, and it seems to me that the interests that are served by this bill are very narrow and that there may be motives other than making the boards' work easier behind the bill that we have before us. I think that the losses, as I've said, in not having those individuals on boards would be great, and the loss would be in our school programs and for the children, ultimately, of this province.

The problem that the bill I think pretends to solve is not nearly of the magnitude that the mover would have us believe. The school boards have been operating in this province for over 120 years, and to my knowledge this has not proven to be a significant issue. It's

been raised from time to time but never, I believe, to such an extent that taking away the rights of a class of citizens has been seriously entertained by any of the trustee associations. I think that the whole notion that we could go after a group of citizens because of their professional association is a dangerous one, Mr. Speaker, and I urge members of the Assembly to defeat Bill 205.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glenora, followed by the hon. Member for Edmonton-Strathcona.

MR. HUTTON: Thank you, Mr. Speaker. It is a pleasure for me today to join in the debate on Bill 205, sponsored by the hon. Member from St. Albert. I believe this amendment to the School Act will accomplish many goals towards reaffirming the public trust in school boards while also making them more effective instruments of local school governance. Conflicts of interest, in particular pecuniary conflicts, are not to be taken lightly. The public interest and especially the interests of our children is something that should be held in extremely high regard. While I recognize that school trustees of this province have proven themselves to be trustworthy, community minded, and strong supporters of our education system, there must be safeguards to remove any potential conflicts from their field of view.

What Bill 205 aims to achieve is the removal of conflicts of interest from school boards at the time of their very inception rather than on a situational basis in their day-to-day business. Bill 205 will accomplish this by amending the School Act to ensure that individuals with any pecuniary interest be disqualified from seeking election as a trustee. In this way members of our communities would not be placed in a situation of conflict of interest. I believe it is a sensible precaution that employees of a school district be disqualified from school boards that could later be making decisions about those persons' pecuniary interests. While guidelines already exist by which individuals must recuse themselves from any decision in which they have a pecuniary interest, this practice is beset with problems.

First, I believe, and most importantly, that the trustee isn't able to do his or her job to the fullest extent possible. There is potential for individuals to be absent from many negotiations, standing votes, or deliberations of school board business dealings because they must recuse themselves from the proceedings. They still get paid, but they can't participate. This is ridiculous and is the exact scenario that Bill 205 is seeking to eliminate.

The second problem that the school boards have to face is an ethical one. Whether a trustee is part of a particular proceeding or not, he or she will still be a member of the board. This counts for something. The rest of the business conducted by the school board could affect situations where the trustee must recuse himself. I'm not saying that this happens in all cases or even in any case at all, but there is a potential for this to occur with the current system. Bill 205, proposed by the hon. Member for St. Albert, would eliminate much of the possibility of this happening.

The worry that some may have with Bill 205, although I do not share it myself, is that it would be eliminating candidates that have the greatest amount of expertise in educating our youth. Those persons with direct pecuniary interest presumably have a great deal of experience with the operation of district schools. I wouldn't argue the validity of this point, but I will dispute its relevance. The function of school boards is not to educate but to manage education. There is a world of difference.

4:50

The decisions of a school board, while having an effect on the student, are essentially business and policy decisions that can be

easily handled by a community leader from a different field of expertise. It is unfortunate that the very expertise that educators have also affects their pecuniary interests and therefore their ability to do an effective job as trustees. While it's reasonable to trust their ability and their ethics, as we have for many years, it is unreasonable to say that other members of the community are not just as capable. Particularly when other nominees for the position face no conflicts of interest, it is arguable that they are far better suited to the position of a trustee.

Bill 205 seeks to eliminate the common problems by a two-pronged approach. A second element of the bill would limit the scope of individuals who can be considered to have direct pecuniary interest and the trustee's spouse. Formerly the parents and the children and the spouse and the parents of the spouse had pecuniary interests which caused a trustee to recuse himself or herself from the business of the school board. This is somewhat excessive and very much to the detriment of the board's operations. We cannot expect an optimal level of operation if some of the individuals on the board must intermittently recuse themselves from the business of the day. In some documented cases school boards have had half of their trustees removing themselves from negotiations on account of their direct and related pecuniary interest. This leaves the school board unable to make decisions that represent the entire community. This completely undermines the purpose of having elected boards in the first place.

Mr. Speaker, this bill is a major amendment and would bring the School Act into the 21st century by making school boards adhere to a higher ethical standard. It is time that we recognized the unnecessary potential for conflicts of interest on school boards and do something substantial about it. Conflicts of interest is serious business and can have major impacts on the efficiencies of public office. I know that there is plenty of good faith in this Assembly and that each of us believes in the good intentions and upstanding conduct of fine professionals that work for the school boards around the province. Nonetheless, the perpetual instance of having to recuse oneself from the negotiations of a school board truly limits the effectiveness of these individuals. It must be frustrating that an individual cannot affect the very system that they are elected to govern. I would wonder if that alone does not present a temptation for a trustee to become indirectly involved in matters that they must continually recuse themselves from.

While trustees must remove themselves from the discussion surrounding any personal conflicts of interest within board meetings, they can freely discuss board business. This presents a potential ethical conflict for which there are no safeguards and I think is a serious concern. I am not saying that this happens but only that it could happen and in fact quite easily. This situation presents an opportunity for an individual to seek election with the direct intent of furthering their pecuniary interest through an abuse of their influence as a trustee, which, while sounding quite Machiavellian, still isn't beyond the realm of possibility. I've heard it said that just because you're paranoid, it doesn't mean that they're not after you, and I think that it applies here.

We must establish safeguards against this abuse of public interest, which is exactly what Bill 205 proposes to do. The private sector has amply demonstrated time and again that conflicts of interest can happen anytime anywhere. One needs to look only as far as the Enron scandal to see how a few individuals with pecuniary interests ruined a company and sent waves rippling through the economy. The same was true of Bre-X in '97, which caused markets to tumble around the globe, or the savings and loan scandal of 1984, which ended up costing the U.S. government and investors more than a trillion dollars.

Now, we're not talking about that kind of money here. We're talking about something much more important. We are discussing the future of Alberta's youth and the faith trusted in our public offices. If we cannot establish meaningful standards to ensure that the public interest is upheld, then we are opening up a whole world of undesirable possibilities. Bill 205 closes that door.

Mr. Speaker, thank you for the opportunity to join in the debate on Bill 205, which I support without reservation, and I urge all members in this Assembly to do so as well. It is a strong bill with a well-thought-out idea and takes a commonsense approach to solving some of the challenges facing school boards in Alberta. This is an out-of-the-box idea for the new times and challenges that we face as a province.

I thank the hon. Member for St. Albert for bringing it forward, and thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you. I rise to speak on Bill 205, School Trustee Statutes Amendment Act, 2002, moved by the hon. Member for St. Albert. I'm going to argue strongly against this bill. A previous speaker, the one who just preceded me, made a reference to the 21st century and argued that this bill will bring the existing legislation to the standard of the 21st century. I submit to you, Mr. Speaker, that exactly the opposite is the case if this bill passes. It's undemocratic in nature. It takes away the right of citizens freely to choose who should represent them as school trustees on school boards. It is to tell them that we know better than them as to who is best qualified to represent them and their interests and the interests of their children on the boards of trustees. It's an arrogant piece of legislation. It's an insulting piece of legislation because it expresses mistrust, deep mistrust, in the ability of citizens freely to choose the people that they want to represent them. It's creating fire walls around the rights of citizens to exercise their very democratic rights and make their judgments based on their own experience. They are being told what's good for them, and that's what I find so reprehensible about this bill.

This bill, Mr. Speaker, joins the company of some other bills in this Legislature passed recently, certainly one, in attacking a particular group of citizens among us, citizens who are well educated, citizens who are dedicated to providing learning opportunities and learning experiences to our children. The very citizens to whom we want to be able to entrust the interests of our children as teachers are the ones who are being excluded. A proposal is being made by this bill to exclude them from being able to offer themselves to be nominated for school boards and to be elected. Not only does this bill prevent school employees, the vast majority of whom happen to be teachers – not only teachers, but the vast majority of them happen to be teachers – from being nominated and elected to school boards and becoming trustees and taking on those very significant responsibilities on behalf of their communities, on behalf of children, on behalf of their own children and families, but it prevents them from running for this position anywhere in the province. What is the problem? It's a problem that's been created as a straw man by this bill, by the proposer of this bill, to be solved by legislation that's not needed. Where is the crisis? Where have we heard from Albertans that this is such a serious problem that somehow we have to protect them from their ability to make their own judgments and screen out people that they don't want to elect to these school boards?

If you extend this logic of conflict of interest, Mr. Speaker, look at ourselves. Look at ourselves as MLAs. How are we going to protect Albertans from our own judgments with respect to our own

salaries and benefits and pensions and all? We make those decisions ourselves. Isn't there a direct pecuniary conflict of interest? Yet we place ourselves above our own electors, our constituents. We presume arrogantly – at least this bill certainly makes that assumption – that we are above everyone else, that Albertans should trust us with our judgments, with our integrity, with our impartiality. But we in turn, then, want to disenfranchise tens of thousands of them just because they happen to form a certain category of people in the province, a category of educational workers that somehow some people in this Assembly – unfortunately, it seems, at least if you look at the recent record, the majority in this Assembly – find somehow suspect in terms of their intentions, in terms of their abilities, in terms of the value of the service that they render to all of us on behalf of our children and in the interests of our own well-being in the future.

5:00

It's a bill, Mr. Speaker, that must not pass this House. It's a bill that deserves to be defeated in this House. It's a very regressive piece of legislation. It will encourage young Albertans, men and women, who aspire to become teachers to think twice, because for them to choose to be a teacher may then mean to choose to lose some of their rights as citizens, that you are going to be barred from running for an important public office because you have made a choice to be a teacher. Who would want to become a teacher if he or she, a talented young person, knows that this is the cost that will be associated with his or her decision to become a teacher?

I think it's a bill which is not needed. No evidence has been presented or produced that suggests that there's a problem to be solved and that this bill will solve it. This is a bill which instead will in fact create new problems in terms of the recruitment of talented young people into the profession of teaching because the teaching profession somehow no longer is a profession that enjoys the support and the trust of the majority of the members in this House. I cannot be associated with that kind of view of teachers and their ability to make judgments which would be cast in doubt. I cannot associate myself with that kind of view of the situation, Mr. Speaker, so I will encourage my colleagues in the Assembly to dispassionately look at this bill, to look at the assumptions underlying it, to look at the sort of ideas that seem to be driving it. It's not an evidence-driven piece of legislation. It's not a bill that rests its case on evidence that's before us which compels us to take action. Not a word has been said about this.

Insinuations have been made that some trustees may find themselves in a situation where they have this conflict of interest that they have to face and confront. We want to protect some Albertans who have direct knowledge of the education system, who have not only expertise but have passion to serve their system. We want to protect the system from that class of individual, and these happen to be employees of the school boards. I think it's a baseless assumption. It's a terribly negative way of looking at the relationships between us as citizens and our institutions in which we serve, whether it's the Legislative Assembly, to which we get elected to serve, or whether it's the school board on which we sit to make decisions.

I want to rely on the good judgment of my constituents to see whether they consider me properly qualified to represent them in the Legislature. When it comes to conflict of interest, we have put in place in this Assembly ways to protect Albertans from the problem of conflict of interest, which necessarily arises because all of us have interests. We bring them into the Assembly, but we also know how to control them.

So, Mr. Speaker, I oppose this bill, and I ask other members to also speak out against it. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you very much, Mr. Speaker. I'm very pleased to have the opportunity today to speak to Bill 205, the School Trustee Statutes Amendment Act, 2002. I'm very pleased to see that a sensitive matter such as that addressed by Bill 205 is before this Legislature, so I wish to offer my colleague my congratulations for doing so.

Mr. Speaker, I'd like to mention that Bill 205 is the product of the hon. member's past experience as a school board trustee and chairperson of the St. Albert school district No. 3 and as past president of the Alberta School Boards' Association for Bilingual Education. Bill 205, in other words, isn't a mere outgrowth of someone's imagination. It's not just something that the hon. member has heard about, but it's a reflection of her experience and expertise. She has firsthand knowledge of this matter. Now, I know this hon. member's dedicated service and commitment to public education, and I find completely abhorrent the suggestion from members of the opposition that her actions can be in any way an attack on teachers. Give your heads a shake.

Mr. Speaker, we live in an age where we place a premium on accountability. The buck stops here could almost be any politician's motto. But part of any such commitment must include a commitment to steer clear of any conflicts of interest, both those that are real and those that are perceived. As public servants we have to adhere to certain laws and regulations in order to avoid finding ourselves in a conflict of interest situation. We are, of course, not alone in having to observe such laws and regulations. There is a longtime prohibition on what's often called insider trading on the stock market, for example. Physicians can't accept money from drug companies to prescribe particular drugs to the exclusion of others. Quite frankly, even referees in the NHL can't referee games where the teams and the referees are from the same cities, and the same goes for off-ice refereeing staff as well. So we have a lot of examples of concerns of potential conflicts of interest in our society.

Mr. Speaker, school boards are no exception in this matter. Bill 205 takes a two-pronged approach to streamline the circumstances and conditions under which an individual can become and serve as a school board trustee. First, it narrows the limits on who may serve as a trustee, and secondly, Bill 205 sort of nips in the bud any candidacy that might otherwise be plagued by conflicts of interest and particularly those of a pecuniary nature.

Being a school board trustee is a task that carries with it significant responsibility. To be sure, Mr. Speaker, it's a voluntary engagement, but beyond that, the person who is elected to the school board is entrusted with nothing less than creating and administering the best possible learning environment for our children. We already know that for a job fraught with such a high degree of responsibility, the pay is lousy. Trustees tend to be compensated for only the time spent in meetings. So why, then, would someone want to be a trustee? This is a job that not only involves a lot of responsibility, but it also involves making tough decisions, decisions which from time to time a lot of people will not like.

5:10

The reasons why someone would run for a position as a school board trustee are probably as widespread and as many as there are trustees, Mr. Speaker, but I think that, aside from the strictly personal ones, there is a core value shared by all trustees: they really care about public education, and they are really concerned that children in public education get the high-quality education they deserve. True, to be a school board trustee does not empower someone to shape the curriculum, nor does it bestow upon someone

the responsibility to determine how knowledge is transmitted from the teacher to the student. That said, school board trustees are given wide latitude in several arenas within the framework established by Alberta Learning, and chief among them we find policymaking, communication, and finances. The public is most keenly aware of the work of school board trustees when their local school board votes on a budget. However, they do not make budget decisions in a vacuum. In a sense it's fair to say that the school board trustee acts as referee when it comes to the budget. Teachers and principals have their particular areas of concern and parents have theirs. To mitigate, the trustees come and visit the schools, ask questions, hold public meetings, and then make their decisions on what gets funded and by how much. It is here that Bill 205 will have a most positive impact.

Mr. Speaker, by establishing restrictions on who may serve as a school board trustee, Bill 205 would also limit the number of occurrences where due to pecuniary interests a trustee must recuse himself or herself from deliberations. Moreover, Bill 205 would establish parameters around the specific kinds of circumstances that would automatically be deemed to be in conflict for reasons of pecuniary interests. These parameters would not restrict the current provisions that trustees must disclose any pecuniary interests which might constitute a conflict of interest. However, the proposed amendments would provide clarity by describing certain situations that would be presumed to be in conflict of interest for reasons of pecuniary interest such as the situation where a trustee or his or her spouse is employed on an ongoing, permanent contract by any school district in the province.

Clarity, I think we can all agree, Mr. Speaker, is good and particularly so when it might help us avoid conflicts of interest or perceived conflicts of interest. Quite often it is how a situation is perceived that will yield a certain result, much more than the situation in actuality might. Considering that trustees of school boards tend to wear three different hats – those of policymakers, communicators, and those in charge of purse strings – it is vitally important that they and their on-job performance be perceived as squeaky clean. There's no room for misguided perceptions. We all know that regardless of how ill-informed a perception might be, it will usually stick.

I say this, Mr. Speaker, because I want to emphasize that it's my firm belief that the vast, overwhelming majority of school board trustees in our province are fully ready, willing, and able to separate themselves from the decisions they have to make and any personal benefits that would incur were they to make a particular decision in a certain way. I just don't believe that our school board trustees operate in such a manner, but someone else might. They might perceive that to be the case, and perception is often reality, whether we like it or not.

Breach of public trust is a very serious matter. It's not acceptable for anyone who holds an office to treat lightly the trust and confidence which the public has bestowed on them. We need not look any further than ourselves to know just how unacceptable that is. That's why, Mr. Speaker, it's imperative that all of us who hold public office at whatever level avoid conflicts of interest, real and perceived, whenever possible. In the case of trustees of school boards, the code of ethics of the Alberta School Boards Association states unequivocally that a trustee will resist every temptation and outside pressure to use his or her position as a school board member to benefit either himself or herself or any other individual or agency apart from the total interest of the school jurisdiction.

Mr. Speaker, our constituents, may they be young or old or in or out of school, deserve to have the protection that is afforded by Bill 205, and I urge all my colleagues to vote in favour. Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. It's my pleasure to speak against this particular bill before us in the Legislature. It's a very tough time to be a teacher in this province. I have quite a bit to say about this particular bill, and most of it has been supplied to me by people who are completely outraged by the legislation before us at this time.

Mr. Speaker, there are a couple of points that I think we need to make right off the bat, and one is in terms of what's happened to school boards and what's continuing to happen when we see this kind of legislation before us. We see them being stripped of their ability to govern and to have any rights for decision-making. What we have seen just in the last very short while with regard to school boards is that they've lost their right to tax and they've lost their right to choose their own CEOs, in this case the superintendents. Now they can't put these people in place without actually having ministerial approval. Now we have a private member's bill before the Legislature that would take away the right from people to decide who could actually sit on their boards and make the decisions. This is very punitive in nature and simply unworkable.

It was interesting to hear the Member for Calgary-Egmont's comments when he said that he found it abhorrent that any members would say that the sponsoring member of this bill, the Member for St. Albert, would be putting forth an attack on teachers. Well, Mr. Speaker, I find it abhorrent that we could think that this was anything but a direct attack on teachers. That view isn't just shared by me. I would refer all members in the Assembly to the news release put out by the Alberta Teachers' Association dated the 4th of April where it talks specifically about Bill 205 and how this is an assault on the right of teachers, and this assault continues. In the news release they refer to the private member's bill being introduced by the Member for St. Albert, and that what it would do is

strip employees of school boards and their spouses of their right to run in trustee elections anywhere in the province and, upon proclamation, would force the resignation of democratically elected school trustees.

I didn't see the Member for St. Albert address that specific issue in her discussions, and I hope that we'll see it specifically addressed before the vote comes up on this bill.

The press release goes on to say that this is likely to be debated this week, which it is, and a particularly offensive provision to the ATA is the part of the bill that states:

A person is not eligible to be nominated as a candidate for election as a trustee of a school board if on nomination day the person is employed by

- (a) a school district or division,
- (b) a charter school, or
- (c) a private school,

in Alberta.

It goes on to talk about other provisions of the bill preventing persons "who might, by virtue of being related to a school employee, have occasional situational conflicts of interest from running for a position on their local school board." It states:

If the Bill was proclaimed law, currently sitting trustees affected by the Bill would be removed from office immediately because section 82(1) of the School Act prevents anyone who ceases to be eligible for nomination from remaining as a trustee.

Well, the Member for St. Albert is stating that that isn't the case, and I wonder what correspondence she has had with the ATA to tell them that that isn't the case, and if she could share that correspondence with the Assembly at this time, we'd certainly be interested in seeing it tabled.

5:20

Mr. Speaker, the ATA president, Larry Booi, goes on to say in the press release:

“Let there be no mistake . . . O’Neill’s bill is targeted primarily at teachers. It goes well beyond what is required to avoid conflicts of interest and makes anyone employed at any school in Alberta ineligible to be nominated or serve as a school trustee in any jurisdiction anywhere in Alberta, not just in his or her employing jurisdiction. It is a crass attempt to remove a basic democratic right from an entire class of citizens and would ultimately restrict the freedom of choice of all voters.”

So I think that very succinctly lays out the problems with this particular bill and certainly politely states the position of many of the teachers that I talked to over the weekend who were completely outraged by this coming forward.

I had occasion over the weekend to talk to a former member of this House, the former Member for Spruce Grove-Sturgeon-St. Albert. Colleen Soetaert, as many in this Assembly will recall, is herself a teacher and her husband is also a teacher, and they were particularly upset by the kinds of implications that would be felt in the future by this particular piece of legislation. One of the interesting points that Colleen brought up was: who better than those closest to students and who are experiencing classroom situations and changes than teachers and those related to teachers to bring forward the concerns and identify the issues and know the kinds of pressures on the system and have the knowledge and background to make budgetary decisions? And I agree with her. I think we are doing people in this province, particularly students, a grave disservice if we take away the rights of those people to participate at this level of government.

The only thing that the Member for Calgary-Egmont said that I agreed with was that trustees are underpaid for the kind of work they do. I believe that to be true. They work very hard, and they have some tough decisions to make, and they have in their interests the

best interests of students and the future of our province when they make decisions. For us to continue to undervalue that kind of participation or label those who can and cannot participate in that process certainly is a basic democratic removal of rights, in my opinion, and it is completely unsupportable.

I think it’s very interesting what we can see here in terms of what kinds of precedents may be established because of this. What other kind of legislation will we see in the future if this particular piece follows? It stands to reason that if teachers or those who have teaching spouses are suddenly disallowed from participating as trustees, are we going to see the same kind of conflict of interest bill come forward for health authorities; for example, nurses, doctors, those in related professions? That will severely impact rural Alberta, where certainly many of the people who participate at that level are directly related to people in the health care industry. So I wonder how that kind of legislation would go forward. The Member for St. Albert is assuming, when she goes forward with this particular bill, that people in those positions won’t act with integrity and won’t remove themselves from the decision-making process, and I find that to be completely offensive.

Mr. Speaker, given the hour, now I would like to adjourn debate on this particular bill.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would now move that we call it 5:30 and that we adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:25 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 8, 2002**

8:00 p.m.

Date: 02/04/08

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Free Admission to Museums and Historic Sites

503. Mrs. O'Neill moved:

Be it resolved that the Legislative Assembly urge the government to offer free admission to Albertans one day each month to the province's museums and historic sites.

[Debate adjourned March 18: Ms Carlson speaking]

THE DEPUTY SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to take a few minutes to discuss Motion 503 tonight. This motion is brought forward by the Member for St. Albert, and although I applaud the member for her initiative, for the very forthright attempts to help Albertans appreciate the wonderful history and character that are so prevalent in our museums and historic sites, I'm afraid that I'm not able to support the motion because frankly I don't think that the motion can possibly accomplish what the member is trying to accomplish here.

Let me give you an example. Many of the members may or may not be familiar with my past career. Prior to coming into this House and joining the members, I made my living in the flower business. I sold flowers, a very perishable product, Mr. Speaker. My grandfather also was in the flower business. I grew up in the flower business, and I learned a lot from my grandfather. One of the things that my grandfather always made abundantly clear to me is that if you give it away, they won't appreciate the value. I can remember many times going down to my grandfather's greenhouse, and on the grading room floor there would be hundreds and hundreds of roses. When you're a little kid, I mean, flowers are flowers. Most of those roses were actually quite nice, but they were culls, and that's exactly where they deserved to be: on the grading room floor. They were very beautiful flowers with minor little flaws, and those were culls.

We put them on the floor, and we didn't give them away; we didn't sell them; we threw them away. Once in a while we would have a sale. We didn't sell the culls, but we might sell the next-to-bottom culls. At that time we called them design grade. They were the worst-grade roses that we sold, and we would sell them once in a while, maybe once or twice a year – that's all – and the rest of the time even those ones went into the garbage. The reason we did that is because we wanted people to appreciate the wonderful quality that we grew. We were known as having quality product, not quantity of product, and the only way you can do that is to maintain those high standards.

Now, you might ask me, Mr. Speaker: how does this relate to museums in Alberta? Well, I'll tell you how it relates to museums in Alberta. When people see something for nothing, they believe that it's worth nothing. I don't think that's the impression that we want to leave with visitors in Alberta. I would suggest that unless you're prepared to spend far more than what you might possibly forego in lost revenue, this scheme would accomplish absolutely nothing. Probably three-quarters of the people who would show up at the doors of our museums would know nothing about the free day deal and would have come anyway, and it's sort of like winning the

lottery: it's their little bonus for today. Many of the rest of the people who might be there because you've got a free day would be like many Albertans: a bargain is a bargain, and they're going to take advantage of it not because they can't necessarily afford to pay regular admission but because they appreciate a good bargain when they see one. My grandfather, God rest his soul, would have been right at the front of the line. He was the same guy that taught me all those lessons about the flowers.

What I think we have to see in all this is like with my grandfather. When my grandfather gave away flowers, he gave away the best flowers that he had. He gave away lots of flowers, but he gave away the best flowers that he had, and he made sure everybody knew that they were free and that he was giving them away. He did it highly visibly. In fact, he would buy advertising to let the world know that he was giving away his flowers. That's I think what would have to happen if we were going to have free admission to our museums. There's no point in having free admission to our museums unless we're going to advertise to the world and let them know that we're doing it.

Frankly, when we do that, we've heard many, many arguments throughout this debate about how that could possibly jeopardize the ability of these facilities to maintain operations. Unless the government – and I don't recall seeing a line item in the budget that would indicate the same – is prepared to compensate the individual friends of those that operate many of our historic sites and museums, then we are compromising their ability to provide the best and to provide the quality that we as Albertans and as members of this Assembly are so proud of. There is no doubt in my mind that the quality of the programs at our facilities is second to none, and I don't think that we should do anything in this Legislature that would compromise that quality.

So for a number of reasons, most of which relate to my grandfather and all the good things that he taught me, Mr. Speaker, I will not be supporting this motion this evening. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton Gold-Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It is a pleasure to rise this evening and speak to Motion 503 as presented to the Assembly by the hon. Member for St. Albert. I initially had reservations about this motion, but whenever one considers the increase in museum and historical sites that have occurred in the last budget that was tabled, I think the hon. member may be onto something very worthwhile, and it certainly has merit.

I don't know whether the hon. member has traveled to Paris and has seen the citizens not only of Paris but of France, Mr. Speaker, who attend on Sundays free of charge, as I understand it, the Louvre. The nation is very proud not only of their museums but also the contents of the museums. It is noteworthy that there are large, large crowds on Sunday afternoon of Parisians and citizens from France making day trips to the museum. If we could as a result of this hon. member's motion do the same thing for Alberta's museums and historical sites, then I certainly think it is worthwhile, and I would urge all hon. members to support this motion as presented:

Be it resolved that the Legislative Assembly urge the government to offer free admission to Albertans one day each month to the province's museums and historic sites.

I would also encourage that that day be just like what the French have done, and that is to have it on Sunday, sort of a family outing.

Whenever we look at the fee increases that have been imposed with the budget, Mr. Speaker, we see that for museums and historical sites for an adult it's going from \$10 to \$15, so parents could

save themselves \$30 by visiting on Sunday to, for instance, Drumheller. They could drive to Drumheller and, contrary to what the hon. Member for Medicine Hat said, support the local economy by providing a day visit to a location such as Drumheller. A \$30 savings in admission fees would go a long way toward gas even at the current high prices of a trip from, say, St. Albert to Drumheller and then return. This is very worthwhile. And corporations, I note in here, to my astonishment, can have now up to a \$10,000 fee, but that's getting off the subject of this motion, Mr. Speaker.

I would encourage all members again to have a look at this in light of the fact that family passes or family packages are going from \$20 to \$40 for a museum. If we were to have this free on Sunday, I think it would certainly add to quality time for all Alberta families and increase not only the public interest but also the number of Albertans that attend or visit our museums and historic sites.

8:10

Now, we all know, Mr. Speaker, that public funding of museums and historic sites has gradually reduced over the past eight years, and these agencies have had to seek private sponsorships and alternate sources of funding. I understand that there have been attempts made to locate alternate sources of revenue for the provincial museum, as I spoke earlier, in Drumheller. Fees went up last year. They're going to go up again this year, and I'm afraid that this increase in fees may restrict even further those who attend. On Sundays or on one day each month, if seniors or other low-income Albertans simply could not afford to attend and receive the benefits of what was once accessible public educational, recreational resources, then we should support the hon. Member for St. Albert's motion.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you very much. In closing debate . . .

THE DEPUTY SPEAKER: Sorry, Edmonton-Rutherford. The Standing Orders provide for five minutes for the sponsor to close debate on motion.

MRS. O'NEILL: Thank you very much, Mr. Speaker. I just wanted in conclusion, in urging everyone here to support this motion, to reflect on the fact that the reason I introduced this motion into the House here and to the Assembly is the same reason for which I know a number of the other members introduce motions, and that is at the request of a constituent who has brought a matter to us. The origin of this motion was that I had a constituent – I still do – who lives in St. Albert who arranges trips for seniors, mainly seniors who live in seniors' housing in downtown Edmonton. This person said that it would be of great benefit to them if they could make trips to the Provincial Museum or day trips to museums in St. Albert, for instance, although that's free, and other communities on a specific day and plan it around days that might perhaps be days that are admission free in order for them to participate and to enjoy all of the artifacts and all of the learning, all of the repository of our province's history as they are portrayed in the museums and as they tell tales of our historic sites.

So it was in response to that constituent's request that I proposed Motion 503, but I'd also like to say that it's because of all of those kids who love the bug room at the Provincial Museum, for instance, and who love to go back to it as often as they can. For many of them and their families constant return trips are quite financially demanding on the family. Or the dioramas at the Provincial Museum, for

instance. There is an awful lot that can be gleaned from that for individuals who like to return there each time. If we provided them with one day a month, then I'm sure that they would be hooked on them. As we say in private business, sometimes you need to have a loss leader in order to attract people to a facility or to your store, in an individual business' perspective, in order for them to see what riches are there, what top quality is there, how valuable those artifacts are that we would never throw on the floor as not being perfect, and we would never discard them. I know that in all of our historic sites and museums those top-quality artifacts are only of the highest value for the enjoyment and wisdom of viewing and understanding by the citizens of Alberta and, indeed, any visitors.

I'd also say to those individuals who would arrive at the facility on the day it is free that if it were a bonus and they could afford to, they could always throw their voluntary contributions into the boxes that are there. There is nothing stopping them. In fact, there's almost a hands out: if you wish to make a donation, if you're capable of making a donation, if you would like to contribute to it, please do so.

The other thought that I want to leave with everyone here in the Assembly is that when people return frequently to a facility, particularly of the quality of our historic sites and museums, they begin to take proprietorship, assume those rights, if you will. They then begin to say: this belongs to us; we're part of it. Then they change that sense of proprietorship that they have in knowing them and promoting them, so if you have visitors, families, friends, neighbours, you can talk to them about what riches reside and are kept so carefully in our museums and what stories are told by our historic sites. You want to take your friends, you want to take your family members there to enjoy them, and this would be the one initiative which would enable people to say, "Oh, I couldn't maybe otherwise," or "I didn't know about it, but if I'm able to go to a facility that is financed by my tax dollar," so it's really not free, "I would go there on the day that I didn't have to pay admission, I would find out how valuable and how wonderful a place it was to be, and then I would make sure that I had others come with me."

THE DEPUTY SPEAKER: Thank you.

[The voice vote indicated that Motion Other than Government Motion 503 lost]

[Several members rose calling for a division. The division bell was rung at 8:20 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Ady	MacDonald	Massey
Evans	Magnus	Masyk
Horner	Maskell	McClelland
Jablonski	Mason	O'Neill
Lukaszuk		

Against the motion:

Blakeman	Friedel	Rathgeber
Boutilier	Graydon	Renner
Broda	Herard	Snelgrove
Cenaiko	Hlady	Stelmach
Coutts	Johnson	Stevens
Danyluk	Jonson	Strang

Ducharme	Lord	Tarchuk
Dunford	Lund	VanderBurg
Forsyth	Melchin	
Totals:	For – 13	Against – 26

[Motion Other than Government Motion 503 lost]

8:30 **Student Loans**

504. Mr. Snelgrove moved:
 Be it resolved that the Legislative Assembly urge the government to study the student loan system in place in Alberta.

THE DEPUTY SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. I guess I approach this motion a little differently than most. I don't know what the answer is. Most of the time we have people bringing motions in, saying: this is a solution to a problem. It's a very complex problem, and so I think that's why it's so important we have this discussion. I do know that the current system seems to put more of an emphasis on how you get signed up and in than on what you're taking. For example, this is a student assistance application, and with the exception of number 2 on it, that says, "What's your student number?" there's nothing else that even asks them: "What are you taking? Are you going to be able to pay for it when you're done? Do you understand what costs may be a result?" This is what we ask the students when they leave. I think we've got the horse and the cart backwards here.

I think it's important that we spend the time with students before they sign up for an education that could be costly and maybe not exactly what they've bargained for. I just want to bring some examples to you from some of the questionnaires they've had students fill out. Aside from some of the other obvious ones, transportation costs are different. I mean, we have in our application: what do you drive? Quite honestly, that doesn't matter. If we're dealing with education, let's deal with education. I think that what someone drives is not that relevant if they're maybe a single mother living in Tofield and trying to drive into NAIT every day as opposed to someone living at home taking a bus. They're completely different. I mean, you're going to have huge expenses, and I don't think it would be very wise to have someone having to drive a vehicle worth less than \$5,000 for an hour each way on the highway to fit some form. It doesn't make sense.

The other part – and I'm sure it'll come up with some of the speakers – is how we limit access to it. I don't believe that because you are a small business owner or a farm owner and it shows that you have assets, you should be required to pay 100 percent of your son's or daughter's education in that your business or your farm may not be able to produce enough cash flow to sustain that. There are many cases where four or five children are on a farm and simply can't pay, yet because they have the assets, they are deemed to be able to provide for that.

One of the questions from the evaluation, Mr. Speaker, was whether a university degree was required for the job they got. Thirty-two percent of the people said no. Now, it's still a pretty good percentage to say that 63.7 or 64 percent said yes, but I think that 32 or 33 percent is a huge number that have gotten themselves into an education that by their statements isn't required for what they're doing.

They asked many what they were doing with their job. Many of them said that this was only a stopgap. They were going to do this

job for a little while, and then, they felt, due to the increasing information technology and highly competitive labour market, they were likely to come back to school and thus subscribe to the notion of lifelong learning, which is fine provided the system affords them the opportunity to obtain their education.

Some of the other statistics I think are very interesting. When they asked the people the relevance of their course in education, 33.9 percent were satisfied that what they took was what they needed; just about 50 percent weren't. When you get into the engineering field, 53 percent were satisfied; only 7 percent weren't. There's a whole list, but I think that students should know when they're signing up for these courses what the previous classes have learned and what they've done with their education from that point on.

They asked, "To what extent did your program of study provide you with improved chances of a good income?" I mean, that's an important question. We're talking dollars and cents here, an education that people try to make a life out of. In environmental design 74 percent of the people said that it had no effect or was neutral. Only 15 percent said that what they took had some relevance to what they did. You know, that's an astounding number, and I really think students signing up for that course should know that. No way would I say: look, because you can never get a job in that field or it's never going to pay that well, you can't take it. Far from it, but I think they should be aware of what the students ahead of them have found, what effect it has had on their lives.

"When you decided to enrol in your program, how important was it for you to acquire the skills needed for a particular job?" In the education field 76.2 percent said: very important. Then you drop down to the humanities. Only 10.2 percent said that it was important. In medicine 92.3 percent said that it was important. These numbers are there. We know what we're doing with these questionnaires. Let's let the students know. I think it's more important that we sit them down and say: we agree that an education is an investment, but maybe you should be making a better choice of investment. Bankers will take collateral and your education can be your collateral, but if you're putting your collateral in something that can't get you a job, you're going to have a hard time paying back your investment.

"How satisfied are you with the pay in your current job?" they asked them. When you look under the column of Very Satisfied, out of the dozen or so occupations or professions that they asked about, only one of them was over the 20 percent, 24.5 percent, and that was in general studies. Now, that goes differently than what you would expect when you look at the other information that, you know, this was relevant, that was important. Yet when it comes to if they are satisfied with the pay they got, which probably boils down to one of the most important aspects, only a quarter of them thought that was enough pay. When you get to the humanities, only 11 percent; education thought only 10 percent. I guess that's not a surprise, then.

"How related is your current job to the subject area knowledge you acquired?" In the humanities only 9.9 percent said: very related. I mean, it changes up and down. Medicine, 93 percent again. These are important numbers. If the course isn't targeting what the students need to know to do their job, then we've either got to change the course or let them know that some of the programs aren't relevant anymore. Education, by and large, hasn't changed a great deal over the years other than how we present it.

I just think we're working at it from the wrong end. We spend hours in the spring and summer with students out of school coming into our constituency office complaining about this application form. It doesn't fit what they need. Now, somehow we want to be committed to education. Well, then, we ought to have the time to sit

down and talk to the students involved and to the parents ultimately who are paying for it and say: what do we need to do to make it fit your goal? I would love to see a plan that allowed students to sit down, to look at the course they're taking, to understand that they're going to have to pay back the money loaned to them but that they're only going to have to pay it back when they're earning enough income to do it.

8:40

Several other countries have investigated this: Australia, New Zealand. Unless the student gets to a certain level of income, they're not required to pay it back. Quite honestly we don't do ourselves a favour by putting someone into the poorhouse or by trying to take the meagre bit of income they're making at the start. So if they're aware that they're maybe not going to have to pay interest provided they're working in Alberta, have a degree or a diploma from an Alberta institution, then that's an investment we've made. Pay us back our loan over five or six years, and go on with raising your life. Be a contributor to Alberta. There are many numbers of ways, Mr. Speaker, that we can approach this.

I don't know. I don't think we need more money into the system. We spend a good proportion of Alberta's dollars on it, but I think we need to target them a little better, and I think we need to target them from the student perspective and from the perspective of: are we getting the educators we need for the next decade and for the next many decades down the road? I think we only do ourselves a favour by informing the students before they sign up as to what they're signing up for and what their potential income and expectations are.

So, Mr. Speaker, I look forward to the discussion here. Many of these people have a lot more experience in this field than I, and I would like to hear from them on the motion. But I would say that we don't want to go out of here tonight with 0 and 3, so keep that in mind when you vote.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm rather flabbergasted at some of the statements I've just heard, but I'm going to support the motion because I think it's badly needed for a lot of reasons other than the reasons that the mover of the motion gave us just a few minutes ago.

I think that if any study is done of the loan system, one of the prerequisites is that there be a large number of students involved and that it be evidence based, that there be a gathering of what the loans program actually does and means to students and that that evidence be very, very critical in any changes that are proposed to the loans program. I believe that the government has made some recent moves that have been beneficial and have certainly been supported by students. The move to have the provincial government . . .

THE DEPUTY SPEAKER: Thank you, hon. Member for Edmonton-Mill Woods.

Hon. members, I wonder if we might have permission to briefly revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. A good friend of

mine has joined us in the public gallery this evening. He's a constituent of my friend the Member for Edmonton-Norwood, but he manages a tavern in my constituency, and as a result he and I have had very many colourful political conversations. I'd ask my friend Bruce King to rise and enjoy the warm welcome of this Assembly.

head: **Motions Other than Government Motions**

(continued)

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I think that the students have applauded the government taking over the management of the loans program and are happy with that change. Now, that's an administrative change that they've been very supportive of, and it's very minor, I think, in terms of the kinds of changes that have to be instituted to make the loans program the success that it should be.

I think that there are a number of things that need to be examined. The whole notion that student debt is fine and yet public debt is bad irks a number of students. They feel that this is the lawmakers saying and acting one way when it's in the area of government finance, and then when it's their personal finances, those principles are abandoned. So I think that whole notion of the principles that underlie the loans program and the assumptions about students and the debt loads that they may sustain needs to be examined.

I think that one of the results of the current loans program and trying to make more loans available and trying to increase the loans amounts is that it takes the pressure off institutions and, ultimately, the government for controlling tuition. The reaction to students is that when tuition increases, we'll increase the loan limits and make them more easily available. It does take that pressure off in terms of controlling tuition costs, and I think that's an unintended consequence of the present loans program. The present loans program – and I've said it a number of times before; there's fairly good evidence around – frightens students from low-income families away from institutions such as our universities. The sticker price shock: they see the cost of the tuition, and they see large, large loans needed to cover those costs over the years. If you come from families of modest incomes, where huge debts are not even possible and are frowned upon, then you tend to choose postsecondary programs that are short and that are cheap, and that's hardly the criterion, I think, that we would want students using in selecting programs.

I think that there are some assumptions about family relationships that students continually point out are no longer true. A number of students 18 and 19 years of age are no longer living with their families. They're independent. Some of the assumptions that we make about parents and the obligations they have to support their students in postsecondary institutions work a hardship on students who don't have that kind of a relationship. So I think that the study that's proposed here is welcomed, and I hope that one of the things that would be done, should the motion pass, is that there would be a really close examination of some of the assumptions.

The economy has changed dramatically over the past number of years. The days when you and I, Mr. Speaker, could earn the money during a summer break to cover our tuition and our school costs for a year are long gone. It's just no longer possible, given the costs of education today. I think that in some cases we pretend that those conditions still exist. The student population has changed. I know that at the University of Alberta there are certainly more mature students attending that institution, and the whole nature of viewing the student population as mostly made up of post grade 12 graduates who immediately proceed to a postsecondary program is one that needs to be re-examined.

The mover of the motion really talked about two things that I think are quite different. One is the very specific items related to the loans program, but the second one was more philosophical, and that's embedded in sort of our notions of what education is for, why you proceed with further education. Certainly high on the list of most students' ranking would be: to get a job. But that isn't true for all students. I think that even for students that are very interested in getting a job, there are secondary motives, and that's wrapped up in what it means to be educated. To be educated, I think most would agree, you go past learning the specific skills for a particular profession and you taste the liberal arts. You take a wide range of courses, and you look for experiences that will broaden you as a human being. You learn to appreciate literature and the fine arts. That's all part of being a well-educated citizen and an informed citizen. So to make the assumption that the only motive for going on to further education and for putting yourself in debt for that education is to secure a job is an erroneous assumption, and I would hope that any study did not proceed with that as the basic underlying motivation.

8:50

The Member for Edmonton-Riverview tabled a study from the students' union earlier this afternoon that had relevance for the motion that's before us. It indicated that 50 percent of the students had been turned down for student loans because of the expectations from their parents. So I think that there already exists a wide range of studies and information about loan programs locally and nationally and internationally, and before any study would proceed, I think it would be necessary for that information to be gathered up and reviewed and put in some sort of form so that it would inform the investigation into the loans program.

I support the motion. With the mover's last comments I was heartened, and I look forward to his support when we get to Motion 576, which is our motion which would have a loan repayment plan that allows for repayment of a student's loan according to that student's ability to earn after they're out in the field.

So with those comments, I'd conclude. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker, for allowing me to enter debate on Motion 504, which has been proposed by the Member for Vermilion-Lloydminster. Motion 504 calls for a review of the student loan system in Alberta. I think that any review of the loan system ought to look at the job market facing students when they leave their postsecondary institutions for the world of work.

First, Mr. Speaker, if there's some way that we can make it easier for Alberta students to access student loans and then get them into the workforce to pay them off, then I'm all for it. A better educated workforce means good things for every Albertan, and that's what student loans help to provide us. The student loan system for the most part has worked. Indeed, throughout Canada more and more of our young people have found their way to universities, colleges, and technical schools of one sort or another. This has made Alberta more educated, more affluent, and a better place to live. We have a population with the know-how, skills, and brains to compete with any jurisdiction in the world.

Mr. Speaker, while universities are places to prepare students for work, they are also places for the expansion of young Albertans' minds so they can pursue any career they choose to make a go at. In this light we ought to see student loans as both tools to help out the economy and tools which help individual Albertans improve

themselves and, in turn, improve our whole province. Really, Mr. Speaker, that's what this is all about: our young Albertans getting the education they need to become responsible citizens and the best educated workforce in the world.

It has become clearer and clearer that in order to have a great society and a great economy, we need all sorts of Albertans from diverse backgrounds with diverse interests and diverse educations and to pool these talents and resources to make this province a better place. We need to encourage all of our young people to get some education beyond their high school years. We saw just last session that Alberta is facing a shortage of tradespeople. This can be helped by encouraging our students to enter the trades.

We're even seeing that economic development is encouraging immigration to Alberta to fill open positions necessary to the development of many sectors of our economy. I'm all for immigration, but it would also be good to see bright young Albertans fill these positions. The more we train our young people and the more we make the postsecondary education system accessible to them, then the more these jobs will be filled by our young Albertans. What I'm trying to say, Mr. Speaker, is that education is the key to our success. Accordingly, any idea asking that we reform our loan system to make it easier for deserving, capable, and intelligent young Albertans to enter the education system is, at the very least, worth consideration.

Before I close, Mr. Speaker, I'd also like to address one more point on Motion 504. I've heard from many constituents that our young people are afraid to go into debt to get an education because of complications with paying off that debt once they are done with their studies. Alberta students are luckier than most. They can go to school, get an education, and then enter a thriving and robust job market, but we should not assume that all our graduates find jobs right away. We've all heard the stories of students having to work at minimum wage jobs after graduating because they couldn't find meaningful work in their field. These stories are not always myths, and that's why a lot of students are wary of getting into debt that they won't be able to pay off for years on end.

Perhaps while we're having this discussion we should also be talking about ways to help students land those jobs after they graduate so that the debt doesn't pile up astronomically. For example, while we're batting around ideas, why not consider making it mandatory for students to put in so many hours of volunteer work for a registered nonprofit agency if they want to access a loan? I suggest this for a few reasons. First, when you talk to most employers and employment counselors, they'll stress the importance of a degree or college diploma but will also say that employers are looking for people with real skills picked up in the world of work and volunteering. Requiring students to put in volunteer hours to qualify for a student loan helps them gain the skills needed to get that job. Further, volunteer work makes our communities better. We would see an initial return on our investment in our students. This is just one idea. I'm sure there are several arguments against it, but while we're talking reform, let's look at every angle we can.

I support this motion and urge all members of this Assembly to do so as well. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre in the minute and 49 seconds remaining.

MS BLAKEMAN: Thank you for just clarifying my parameters.

This is a very interesting motion that's been brought forward by the member opposite, and as I listened to him, he put a lot of weight on the student survey in relation to the motion he was bringing forward. I wish he had given a bit more information about that – I

guess at this point I'll go and look it up myself – because it wasn't always clear why certain reactions have been received in response to the questions, and I understand that this was done sort of as an exit poll by students at the University of Alberta. For example, saying that a course was not useful in a given pursuit of some degree. Well, how was it not useful? Was it that the information wasn't going to further achieving that particular degree? Was the course an outdated requirement? How was it not useful? I needed a bit more information there.

I have a lot of students from the University of Alberta, Grant MacEwan College, NorQuest, and NAIT that live in Edmonton-Centre, so the issue of student loans and student finance is a really big one for my constituents. There are a couple of areas that I think we need to explore there. One is what I believe is an outdated notion of family, that assumption that families are going to save up and somehow pay for a young person's education. In my experience that is just not happening anymore.

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. member, but the time limit for consideration of this item of business on this day has now concluded.

MS BLAKEMAN: I will continue this next week. Thank you, Mr. Speaker.

9:00

head: **Government Bills and Orders**
Second Reading

Bill 19

Veterinary Profession Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 19, Veterinary Profession Amendment Act, 2002.

I would like to acknowledge the significant contribution of the veterinary profession in the development of these proposed amendments. Representatives from the Alberta Veterinary Medical Association worked closely with the staff of Alberta Human Resources and Employment to identify these amendments and improve the Veterinary Profession Act.

The Alberta Veterinary Medical Association supports the amendments proposed by this bill, and I would like to introduce three gentlemen if I can: first of all, Duane Landals, the registrar for the Alberta Veterinary Medical Association; also Clay Gellhaus, the deputy registrar, also from the association; and Adrian Pritchard, who is the senior legislative adviser for Alberta Human Resources and Employment. In addition, stakeholders from the government, private industry, other professional associations, and academic institutions also support the proposed amendments.

The proposed Veterinary Profession Amendment Act was developed to improve the quality of veterinary service in the province by improving the regulation of professional veterinarians. Ensuring the highest standards of veterinary practice contributes to the protection of Alberta's agricultural livestock and domestic animals. The proposed Veterinary Profession Amendment Act has 22 sections, which are modeled on the public member, investigation, hearing, appeal, and record retention provisions of the Health Professions Act.

Section 1 provides the authority to amend the Veterinary Profession Act.

Section 2 specifies the officers and committees authorized to

investigate and consider complaints, clarifies the meaning of unprofessional conduct, and clarifies the definition of veterinary service to include administration and the sale of drugs.

Sections 3 and 4 specify the information and the tabling requirements for the Alberta Veterinary Medical Association's annual report to the Minister of Human Resources and Employment.

Section 5 specifies the percentage of public members appointed by the Lieutenant Governor in Council to serve on the association council and committee.

Section 6 requires the appointment of complaints and hearings directors and specifies the composition of the association's complaint review committee and hearing tribunal.

Sections 7, 8, and 17 replace the term "Discipline Committee" with the terms "Complaints Director," "Complaint Review Committee," and "Hearing Tribunal" where applicable throughout the act.

Section 9 requires regulations to be "approved in principle by a majority" of the association's membership and enables the council to make further text amendments provided they are "consistent with the approval in principle."

Section 10 specifies the association council's bylaw-making authority with respect to the administration of the complaint review committee and the hearing tribunal.

Section 11 replaces the word "Discipline" with the phrase "Professional Conduct" as the heading to section 26 of the act.

Section 12 defines "document" to include information contained in "written, photographic, magnetic, electronic or other form" for professional conduct investigations and hearings.

Section 13 replaces the word "Complaints" with the phrase "Complaint Process" as the heading to section 27 of the act.

Sections 14 and 15 replace all references to the "Registrar" with "Complaints Director" in investigating complaints and allows the latter to undertake investigation if there is reasonable suspicion of unprofessional conduct without a formal complaint being made.

Section 16 replaces the disciplinary sections of the Veterinary Profession Act with new provisions governing investigation, hearing, and appeal of the professional conduct issues and provides for the use of alternative complaint resolution in such matters.

Section 18 provides new provisions to assess members' incapacity, provide access to and maintain records of member information, and refer complaints to the provincial Ombudsman.

Sections 19, 20, and 21 provide transitional provisions to the Veterinary Profession Act and consequential amendments to the Pharmacy and Drug Act and the Ombudsman Act to allow the proposed amendments to come into force. Section 22 specifies that this act come into force upon proclamation.

In conclusion, Mr. Speaker, the amended Veterinary Profession Act establishes clear accountability requirements and provides authority for the Alberta veterinary profession to respond to public expectations through more transparent and consistent professional conduct requirements.

Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I listened with a great deal of interest to the hon. Member for Lac La Biche-St. Paul in the summary of Bill 19. I now would like to express my gratitude to the hon. member and particularly his staff, who made every effort to consult this member regarding Bill 19, the Veterinary Profession Amendment Act. This bill, as I understand it, is certainly going to introduce changes to the existing legislation similar to what has been done to other professions as noted: the Health Professions

Act, the Regulated Accounting Profession Act, and of course most recently the changes that occurred to the forestry professions.

As I understand it, this bill most closely resembles the Health Professions Act in its changes. The changes being made deal with a broad collection of items pertaining to the governance of the profession including, as was noted, public membership on the tribunals and review committees, investigations and discipline, as well as with the appeals proceedings or process. It introduces, as I understand it, a process for filing complaints, an investigative process, and an alternative complaint resolution process. There's also an issue here of appeals to the court, the Court of Appeal.

Currently, Mr. Speaker, there is a single discipline process that determines whether an issue goes to a hearing or not. This was determined often by only a few people: the investigator, the registrar, and the legal counsel. Now issues will be heard by a number of veterinarians and members of the public. There is a provision for 25 percent of members on either the hearing tribunal or the complaint review committee to be members of the public. It is noteworthy – and perhaps we can discuss this in committee – that there is a certain number set aside for farmers.

Now, I would be interested to hear other hon. members of this Assembly if they have any views on this. This new approach certainly allows for public representation that will provide a fresh approach to balance or counter the veterinarians' obvious professional inside knowledge that has been gained over years of study and practice. Also, the committee or tribunal will not have exposure to an issue before it hears it, so its general approach will be much less biased and will also take on a much fresher perspective. As well, a greater number of people involved in the process will provide for fair reviews and take the pressure off a few select people.

Possibly, from what I can understand in reading this, the biggest highlight in Bill 19 is the opportunity to mediate or have the alternative complaint resolution process that was described by the hon. member earlier. Previously, as I understand it, the Alberta Veterinary Medical Association has been accused of being overly hard on members. There was a strict formal process that often led to issues going to court, and there will now be a chance with this legislation to mediate in a more informal process where there might be more opportunities to resolve issues with a great deal less cost and hopefully a lot less frustration.

9:10

This bill has been in development, as I understand it, for over two years now. It was actually anticipated last year but was not introduced, apparently because of great differences in what was the expected intent of the bill and what was actually prepared. The bill was certainly drafted in consultation with the Alberta Veterinary Medical Association. There was a task force dedicated to the task, as was previously described, and as I understand it, the association has no outstanding contentious issues with this legislation. I will save my comments on the section-by-section analysis, Mr. Speaker, hopefully for committee, but the Alberta Veterinary Medical Association has been contacted by a researcher with the Official Opposition, and the association is confident in this legislation. They were a part of the drafting process and have no outstanding contentious issues left with the legislation, and they are certainly supportive of the legislation. They also, as I understand it, acknowledge the work that has been put into this bill by the hon. Member for Lac La Biche-St. Paul and his staff.

At this time I see no problem supporting this legislation. However, I do have one comment in conclusion, and that is that I would be most anxious, if the former Member for Vermilion-Lloydminster

was currently in the Assembly, as to just what exactly he would have to say about this legislation.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 19 read a second time]

Bill 20

Justice Statutes Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Calder on behalf of the hon. Minister of Justice and Attorney General.

MR. RATHGEBER: Thank you, Mr. Speaker. I am pleased to rise on behalf of the hon. Minister of Justice and Attorney General for Alberta to move second reading of Bill 20, the Justice Statutes Amendment Act, 2002.

Mr. Speaker, this bill deals with eight pieces of justice legislation ranging from civil enforcement to the administration of traffic ticket fines. While many of the amendments to these acts are of a housekeeping nature, there is one aspect of it that has caused concern for some Albertans, and I would like to address these amendments in a little bit more detail. That involves amendments to the Survival of Actions Act. These amendments are proposed changes to the Survival of Actions Act and to the Fatal Accidents Act.

First of all, I would like to assure the House and all members that these amendments are not designed to unduly lessen or limit the amount of damages that families who have lost a loved one can receive. In fact, one of the amendments in the Fatal Accidents Act will actually increase the amount of compensation granted to family members who have lost a loved one. However, there has been some confusion as to what the amendments to the Survival of Actions Act will mean for those left behind after an accidental death. When it comes right down to it, this amendment does nothing more than clarify the original intent of the act. The Survival of Actions Act was designed to grant damages to the estate of a deceased person. By definition, an estate includes assets that one leaves behind at the time of death. Therefore, an estate cannot suffer damages because of lost future earnings.

Mr. Speaker, when the act was enacted back in 1978, it was thought that the loss of future earnings was understood not to be an actual financial loss, which is what is covered under the act. For example, if a vehicle is destroyed in a motor vehicle collision that caused the death, there is an actual financial loss. It is an asset with a defined market value. This changed after our Court of Appeal ruled in the case of Duncan estate and Baddeley. The Court of Appeal held in that decision that the loss of earning capacity was an actual financial loss under the act, and it's been interpreted as such ever since.

However, Mr. Speaker, this is not the case in other Canadian jurisdictions. In fact, British Columbia, Saskatchewan, and Yukon have legislation that specifically disallows claims for loss of future earnings, and the Nova Scotia Court of Appeal also recently found that loss of potential earnings is not "an actual pecuniary loss to the estate" and is therefore not recoverable in a Survival of Actions Act claim.

Duncan and Baddeley and a study by the Alberta Law Reform Institute were both carefully considered by the Nova Scotia court when it reached its ruling. The Alberta Law Reform Institute study recommended that our law be amended to reflect the original intention of the act and reflect what is happening in other provinces. We have accepted that recommendation and have put forward this amendment in response. Once again I would like to emphasize that this change will not – and I emphasize "will not" – limit a family

member's right to sue for compensation arising from the death of a loved one who would have provided for that family. This function remains under the Fatal Accidents Act.

Under the Fatal Accidents Act Bill 20 also puts forward amendments to that legislation. There are two aspects to the proposed changes to this act, Mr. Speaker. The first deals with a constitutional matter raised by the Court of Queen's Bench regarding children who can be compensated under that act. The act initially only allowed minors or unmarried children who had not reached their 26th birthday to be compensated for the loss of a parent. The court determined that limiting the age of a child is not appropriate under the Canadian Charter, and this amendment is designed to address this issue. The proposed amendment would redefine which children can be compensated under the act as being minors or any child living with a parent who is unmarried and does not have a cohabitant regardless of age. This amendment will particularly benefit adult children with disabilities who are being cared for by a parent. Other amendments to the act will, as I had mentioned earlier, increase the compensation granted to family members for losses suffered as a result of a death.

We know that there is no possible way to put a dollar figure on the emotional loss felt by the family members of a deceased loved one, but the Fatal Accidents Act recognizes that people suffer grief and loss of companionship, guidance, and care and as such should be compensated for those losses. In fact, we are proposing that this entitlement be increased from \$43,000 to \$75,000 for adult survivors and from \$27,000 to \$45,000 for each surviving child. Mr. Speaker, family members do not have to go through the emotionally draining process of having to prove these damages in a court of law. In addition, as I said earlier, family members will also continue to be entitled to sue for damages to themselves over and above this amount, including future lost income of a breadwinner, for example. While there's no way to replace or truly compensate for the loss of a deceased loved one, I believe that the amendments to this act are indeed an improvement over the current legislation.

Next I wish to address amendments to the Civil Enforcement Act. Mr. Speaker, back in 1996 the Civil Enforcement Act came into force. This act provided a more effective process for the collection of judgments and privatized the sheriffs' offices in Alberta. As part of the process a review took place three years after the act came into force. The amendments that we're putting forth are a direct result of our stakeholder consultations.

9:20

One amendment of note requires bailiffs entering a residence without court order to obtain the permission of an adult who resides at that residence. This makes it clear, Mr. Speaker, that a bailiff cannot enter a person's residence through an unlocked door or by getting permission from a child or visitor. The remaining amendments clarify the legislation and improve the operation of the act.

Bill 20 also proposes to amend the Provincial Offences Procedure Act. Mr. Speaker, as the hon. Minister of Finance announced in Budget 2002, government will be increasing fines under the Highway Traffic Act by 20 percent, which increases became effective April 1, 2002. The government has decided to do this to address the rising administrative costs faced by Alberta Justice in processing traffic tickets. During the last seven years the number of traffic tickets has gone up by nearly 50 percent. In fact, there were 1.3 million traffic tickets processed last year alone.

Currently municipalities receive 100 percent of the ticket revenue for Highway Traffic Act offences which occur inside their boundaries. To offset the rising administrative costs the department faces in processing these tickets, the Provincial Offences Procedure Act is

being amended to allow the department to keep a portion of the revenue collected for these offences. The dollar amount going to the municipalities will not change. They will still see the revenue from the tickets that they did before the 20 percent increase. For example, Mr. Speaker, prior to April 1 an individual charged with going 15 kilometres over the speed limit in Edmonton or Calgary would pay a fine of about \$57. Currently this full amount is retained by the municipality. With the increases on April 1 a driver ticketed for going 15 kilometres over the speed limit would be charged \$68. Alberta Justice will retain \$11 for administrative costs while the respective municipality would still receive the same \$57. I would just like to note before moving on that even with these increases, traffic fines in Alberta remain among the lowest in Canada.

Bill 20 also proposes to amend the Limitations Act and the Public Trustee Act. We are proposing amendments to the Limitations Act, specifically how the act deals with limitation periods involving minors. Currently, Mr. Speaker, the act makes distinctions between minors who are in the custody of a parent or guardian and minors who are not. As the act reads now, the limitation period runs against a minor if and only if they are in the actual custody of a parent or a guardian. This means that if a parent or guardian fails to start legal proceedings before a relevant limitation period expires, an injured minor could lose the opportunity to be compensated for that injury. However, under the proposed amendment limitation periods will not run against any minor until the age of majority is reached unless a potential defendant activates the limitation period by delivering a notice to proceed to the minor's guardian and also to the Public Trustee. As soon as the notice to proceed is delivered, the limitation period begins to run unless otherwise ordered by the court. If the minor has a guardian, the Public Trustee must then make inquiries regarding the guardian's ability and intention to act in the minor's best interest. After making these inquiries, the Public Trustee could then decide to leave the matter in the hands of the guardian or act on behalf of the minor with the guardian's consent.

We want to take reasonable steps to ensure the limitation periods will not run against a minor after delivery of a notice to proceed unless there is someone who is able and willing to act in that minor's best interest regarding the claim. Therefore, if the Public Trustee is not satisfied as to the guardian's ability and intention to act in the best interest of a minor or where there is no guardian, the Public Trustee may apply to the court for directions. The court could then direct the Public Trustee to act on behalf of the minor to pursue the claim or direct the Public Trustee to take no further steps in the matter. Mr. Speaker, if the court directs that no further steps be taken by the Public Trustee, it could either order that the limitation period will start to run or that it will remain suspended even though a notice to proceed has been served.

Because the Public Trustee will incur costs in responding to notices to proceed, potential defendants who deliver a notice to proceed will be required to pay a prescribed fee that reflects the Public Trustee's costs. In addition, Mr. Speaker, where the Public Trustee does pursue a claim on a minor's behalf, the Public Trustee will be entitled to be compensated out of any money recovered for the minor. This compensation will be determined by regulation.

I would just like to add that the legislation will not change with regard to any actions against a parent or a guardian or in cases of sexual assault. In these cases, the limitation period will not run until the child reaches the age of 18.

There is also one other minor housekeeping amendment to the act, and we'll be making some corresponding changes to the Public Trustee Act, Mr. Speaker.

We're also proposing amendments in Bill 20 to the Interpretation Act. These changes will allow a person to continue a hearing or

investigation if their appointment to a board or a committee expires during the course of the hearing or that investigation. It will also ensure that appointments and delegations remain valid after the name of the ministry or office which made the original appointment changes. For example, Mr. Speaker, if the name of the Ministry of Justice and Attorney General was formally changed to be the ministry of the Attorney General, any appointments and delegations made while the ministry was Justice and Attorney General will still be valid.

Finally, Bill 20 proposes to amend portions of the Motor Vehicle Accident Claims Act. This act provides a mechanism through which victims of uninsured drivers or drivers that leave the scene of an accident and cannot be determined thereafter can receive compensation for their injuries. This act will be amended to allow lawyers for the government to question owners as necessary when there is a dispute as to whether an operator of a motor vehicle had the owner's permission to be driving. This change will only apply where consent to drive is an issue in the litigation.

Mr. Speaker, there are also a couple of housekeeping amendments to this act, including one that addresses the fact that while the administrator of the act is involved in lawsuits through the operation of the statute, he or she has no personal knowledge or documents about any accident or any personal injuries arising out of those accidents.

Mr. Speaker, in conclusion, these amendments are all designed to improve the administration of justice in the province of Alberta whether by clarifying legislation where necessary or by providing improved compensation to those who have lost a loved one or suffered actual loss. I encourage all members of this hon. Assembly to support Bill 20 at second reading.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. Well, it's spring and the Department of Justice is doing a little spring cleaning. They're gathering together all the bills that they've been meaning to get to and give them a good shake and a little bit of a dust up and in some cases a bit of spit and polish, and in other cases they're kind of throwing out the stuff they should have thrown out last year. So what we've got here in this Justice Statutes Amendment Act is actually amendments to seven different statutes. So they are getting busy here. It's always nice to see when the government is busy.

MR. NORRIS: Doing Hancock's dirty work.

MS BLAKEMAN: Oh, I see that the Minister of Economic Development is managing to heckle enough. I'll be interested to see what he's got to say in the debate.

One of the things that I'd like to note here is the recent changes to the Standing Orders. We used to have 30 minutes to debate any omnibus bill like this one, where we're changing more than three statutes. With the changes in the Standing Orders that has now disappeared. We're limited in second reading, which is debating on the principle of the bill, and in third reading, where we're talking about the effect of the bill, to only being able to speak 20 minutes. That gets a little difficult when we are talking about amendments to seven different statutes. You won't even be able to get in three minutes on each statute in that 20 minutes, so we're going to have to spend more time in Committee of the Whole on this one. So I will likely run out of time, and I will have to return and unfortunately try and finish some debate on principles of the bill in Committee of the Whole.

9:30

So seven different bills we've got here. We've got the Fatal Accidents Act, the Interpretation Act, the Limitations Act, the Motor Vehicle Accident Claims Act, the Provincial Offences Procedure Act, the Public Trustee Act, and the Survival of Actions Act. Now, a couple of these acts have received media attention. They have some controversy attached to them. In fact, we actually saw the Survival of Actions Act before us in a previous Justice Statutes Amendment Act in 2000, and there was such a controversy raised at the time that in fact the Survival of Actions section was deleted from the Justice Statutes Amendment Act at that time. Now we have it back again. So those two that are coming in a pair that are controversial are the Fatal Accidents Act and Survival of Actions Act.

I think there are a couple of other areas that we need to be aware of. The Member for Edmonton-Calder has done a good rundown on the government's spin on these documents, and I think it's worth while kind of clipping that out and sticking it to your bulletin board, because in some cases it's fairly accurate and in other cases it's pretty imaginative. But, you know, it's spring and colourful and get a new hat and all of that sort of thing.

I think we need to look carefully at what's being proposed when we start talking about the pairing of the Limitations Act and the Public Trustee Act. In some cases there is an attempt to ensure that minors are being looked after, but I think there's also a potential here to squeeze children or to squeeze their guardians or protectors to get an action moving because whoever wants to commence the action doesn't want to wait until the minor has achieved majority age. I'm going to bring some questions forward on that for the government side to answer for me a little later.

The other section that's being amended here that I think bears greater scrutiny is the Civil Enforcement Act, which actually has a long list of changes, many of them quite minor, but some of them I think should be highlighted if for no other reason than that people are aware. I mean, Civil Enforcement affects just about everybody in Alberta, much more so than the likelihood of, for example, Fatal Accidents or Public Trustee. So I don't want to let that bill kind of slide through without some observations being made and perhaps some warnings happening as well.

When I actually start to look into these bills and the statutes that are being amended here with a bit more vigour, I'm going to start, because I know I'm going to run out of time here, with the more controversial ones, and those are the Fatal Accidents Act and Survival of Actions Act. I can come back later in committee, and it's also possible for people to refer to the comments that have been made by the Member for Edmonton-Calder in introducing the bill on behalf of the Minister of Justice as to what is the history of coming to this point.

Essentially what we have here is that the Fatal Accidents Act is looking to increase the amount of damages paid to a spouse or cohabitant of a deceased adult or to the parents of a deceased child, to raise the amount that's in the legislation now at \$43,000 to a \$75,000 amount, to increase the amount of damages paid to a child for a deceased parent from the \$27,000 that is currently in the legislation to \$45,000. Now, in essence, once you've borne the proof necessary here, then that amount of money is paid over. It's not necessary for people to go to court and prove a whole series of criteria to be eligible to receive this money. It is written in the legislation as money for bereavement and I think was originally intended – it was quite a minor amount when we first started, about \$3,000 – to cover ancillary funeral expenses, perhaps some money for grief counseling of some kind. It was a fairly minor amount, and it has accelerated quite a bit to the point where we're talking about a \$75,000 and a \$45,000 settlement. In essence, this should be

helpful to people who are placed in this awful situation, because they do not have to go to court. Once they have met the criteria that's set out in the legislation, they have qualified for it, and they don't have to go to court.

This does amend the Fatal Accidents Act so that the parents can collect damages from the death of a child and a child can collect damages from the death of a parent, regardless of the child's age, when the child is living with the parents and is unmarried and doesn't have a cohabitant. So, in other words, an adult child who's living at home would be captured by this change. As I said, these are damages for grief and loss of companionship, guidance, and care, and they don't have to be proven. Now, as was very carefully laid out by the Member for Edmonton-Calder, this does not preclude a survivor suing for other damages over and above this amount because the person who died was the breadwinner and others were dependent upon their income. They can sue, and that has not been removed from what's being considered here under this act. That seems to be a point of misunderstanding that we see.

Now, the Survival of Actions Act has got a long, sort of convoluted history of common law and other things, but essentially what I see the government trying to do is clarify that only the actual financial loss is covered by the act rather than the potential loss of future income. Essentially this does bring Alberta into line with other western jurisdictions and is appropriate.

This is interesting. I noticed in Saturday's *Edmonton Journal* there's this entire one-page ad in the back of the B section. That's a lot of money to buy a full-page ad in the back of a section in the *Journal*.

AN HON. MEMBER: Seventeen hundred bucks.

MS BLAKEMAN: Oh, I'm sorry. Somebody knows how much money it is. Seventeen hundred dollars. I was told that was much more.

So there are certainly people that are willing and wishing to get engaged in a protracted and public battle over changes to these two pieces of legislation.

I had to take a step back, because I'd commented on the Survival of Actions Act the last time it was up in 2000, and I've changed my mind since then in considering other things. I think that the right to sue is a very important part of law, but we in Canada have a different approach to what we would generally be suing for. I think what we're trying to do here as legislators is to write legislation that allows people to look after themselves and allows them to take steps, whether that's buying insurance premiums or life insurance or car insurance, in a way that allows them to look after themselves as best as possible. Where there is a failing of someone to do this, then, yes, we need some sort of legislation that's going to lay the ground rules for who ultimately picks up the tab, but we don't really want the tab to be borne by the taxpayer unless absolutely necessary.

What I think doesn't sit right with me is the opportunity for a windfall that's being contemplated by some people engaged in the public debate over this bill. Well, what do you mean by a windfall? I think when you start talking about the loss of future earnings of a young person, for example, who died, that is going to certainly come into play for those people who would be dependants. So you've got a breadwinner and a spouse or cohabitant and their offspring or children, and if they're dependent upon that money, then they need to find some way to recoup that. There's nothing that's happening here that would prevent that.

9:40

Where I start to struggle with this is where people want this act to

be used as a venue for a larger statement, a punitive statement, on the loss of a family member, and that turns into, I think, in some instances a windfall where there are – how do I describe this? – too many ifs that just don't make sense to me. So if we have a situation, which is what's being proposed by some groups and some individuals, where the Survival of Actions Act is not changed and we have a parent, for example, who could sue an insurance company on behalf of an adult child who had died in, let's say, a traffic accident and they're suing for potential lifetime earnings, there's a gap in logic to me here that doesn't make sense. There would have to be an assumption that, one, that young person would have made an extraordinary amount of money; two, that young person, then, would have predeceased the parent who's now suing for this lifetime of earnings; and three, the young person would have willed that money back to their parent.

So all of those things are going to have to be assumed inside of this kind of action, and what's the point of this? The parent was not the dependant. The parent was not dependent on these earnings, and if they were, there are other ways to go about this that are being offered by these changes or are still offered outside of these changes through litigation through the courts.

I'm not comfortable going against the government in this case. I think what has been put together when we're talking about the Fatal Accidents Act and the Survival of Actions Act – I'm comfortable with what is being proposed by the government here. I'm comfortable that we are looking for the best way to help people look after themselves and, failing that, to have a set of ground rules that people can follow in order to try and find some assistance, and then we know that failing all of that, in fact there are social service programs that could kick into place to assist people.

It does not sit right with me that we would abandon this plan and look for something that in fact would be giving individuals who are not dependent on the earnings of someone who had died an opportunity to either cash in on future earnings or, secondarily, use this as a way of sending a message; for example, if it was a drunk driver that had killed a young person and using this as a way to send a message to drunk drivers: you shouldn't have done that; that was a bad thing to do. I think that if that's what people are seeking, then we need to be looking at pursuing the federal government to make changes in the Criminal Code so that we have either different charges or laws or penalties for people who drink and drive. If that's what we're trying to achieve, there are other ways to achieve it, not through refusing to amend the Survival of Actions Act.

Part of what bothers me about this is that I think to not correct or not amend the Survival of Actions Act as is being put forward here, we end up moving into a more litigious rather than a less litigious state for Albertans. Increasingly we're trying to get people to not have to use the courts to resolve their problems. There's great encouragement to use mediation or arbitration. There are agreements that are being worked by lawyers outside of court for divorce at this point, which seems to be a very successful program. So we're trying very hard to move away from putting people into that adversarial courtroom.

With that also comes a lot of cost. Now, that's not to say that we shouldn't take advantage of everything that the courts have to offer us if we need it, but in this case I don't think we do, and I don't want to see us get more litigious. I've always had a concern that women already have difficulty accessing the court system and justice, and I don't want to see anything that makes it more difficult for women to do that. So I think that's a real concern here.

I think that we also run the risk of much higher costs for everyone. When we start getting into these future earnings of people, you get economists and actuarialists and all kinds of administrators involved

in trying to figure out how much this person might have earned had they lived X period of time before they were deceased so that they could give this money to their parents. I mean, it really does start to drive the costs up. And why? The insurance companies aren't going to pay these costs. It's going to be paid by you and me and everybody else that's, you know, on the roads or involved in whatever activity through an increase in premiums. It's not going to come out of the profits of the insurance companies. Let's be realistic about that.

Now, I'm aware that I didn't even get to most of the things that I wanted to talk about, and already my time is coming very short. I think I'll just try and recap briefly, then, before I get cut off.

I think that we do want to support this amendment for the Survival of Actions Act. It is following a recommendation that came from the Alberta Law Reform Institute. That is a credible and independent agency that has recommended many changes that we have been happy to support in this Legislature. Obviously at this point some people disagree with its findings, but I have found them to be quite credible in the past. I think that the amendment does bring Alberta in line with the approach that is taken by other provinces, and I'm happy with that position. I think that there has been an attempt by the government to balance and respond to public concern around cutting off this loophole in the Survival of Actions Act by substantially increasing the compensation that's available under the Fatal Accidents Act.

I'll have to return to this in Committee of the Whole. There's not enough time now for these omnibus bills. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I will endeavour to give some comments to the Justice Statutes Amendment Act, and I appreciate the opportunity to do so. This is, of course, a bill which amends a number of other acts. One of the main functions of this bill is to help Alberta Justice bring its legislation in line with that in other jurisdictions.

Currently section 5 of the Survival of Actions Act indicates that an estate or someone working on an estate's behalf can sue for financial loss when the accident was caused by someone else's negligence. The Duncan versus Baddeley decision in 1997 found that actual financial loss included loss that an estate would have earned and that anticipated income can also be calculated for people who have not yet entered the workforce. Duncan's estate – and he was 16 at the time of his death – was awarded \$425,000. Nova Scotia, Prince Edward Island, and Yukon are the only jurisdictions where the law has allowed such awards. Yukon has already amended the legislation there to prevent similar awards, and Nova Scotia might be making some similar adjustments.

There are several particular concerns regarding this legislation, and Alberta Justice has indicated that they feel that there is no role for punitive awards in civil law. I think that this is the nub of the case, Mr. Speaker. If there is a need for punitive action, then it should be dealt with in criminal law, according to Alberta Justice. The argument is also made that awards of this size are merely a windfall for the family of the deceased and have no real compensatory value. The amount given to the family of a fatal accident victim has been increased to assist in paying for the grief counseling and other grief-related costs.

9:50

Now, of course, there are a number of groups that are not in favour of this direction, and the most prominent among them are

those who are lawyers involved in accident law. They of course stand to lose a considerable amount of money, which is often based on a percentage, if they can't get a portion of a large settlement. Now, that's not necessarily our concern with respect to the bill, Mr. Speaker, but we had understood from the minister that Mothers Against Drinking Drivers, or MADD, had been consulted. We understand that they have been, but they don't seem to us in our conversations to be particularly satisfied with the results of the limited consultation that has occurred. The position that they've taken in discussions with them is that the amount that a family receives when a loved one is lost should be decided on a case-by-case basis through the courts and not determined in legislation. So I think that there's a concern there, Mr. Speaker.

The question really comes down to whether or not there should be a punitive role in civil law or if all elements of that ought to be dealt with strictly through criminal law. Opponents have argued that the value of the life of a child can't be determined by an arbitrary amount through legislation but should be decided on a case-by-case basis in the courts, and they believe that this is not a windfall but fair compensation determined fairly through the judicial process. I think that the argument is made, as well, by people who oppose this bill that the main beneficiaries of the legislation will be the insurance companies, who will have to pay much smaller claims in some cases. We are generally of the view, I think, that appropriate legislative guidelines for compensation aren't necessarily a bad thing.

One of the things that the act amends in the Limitations Act and the Public Trustee Act is a time limit on how long a person can wait before they take legal action against another person. In the case of a minor the limitation does not begin until that person reaches the age of consent, and this legislation removes "minor" from the definition of a "person under disability" and establishes a section for minors. Basically it allows someone to start the clock if they feel that they may be a potential defendant in a case. They can file a notice with the Public Trustee or with the guardian of a minor, and that means that the decision to pursue a legal action is not postponed until the minor is an adult but is placed in the hands of a guardian where present. This change would mean that potential defendants aren't kept in limbo waiting for a claimant to reach adulthood before a potential action is taken.

According to the amendments, the Public Trustee must ensure that the claimant's guardian understands the process and the decisions they need to make. The trustee must also ensure that the guardians are giving the issue serious consideration. If the guardian is not meeting their obligations, the trustee may apply to the Court of Queen's Bench for direction. Now, the Public Trustee has expanded responsibilities. We think that particularly in this case it may in fact be a reasonable step to take, to place some reasonable time limits on the taking of actions on behalf of a minor. So that would be a piece that we could support.

Now I want to talk a little bit about the Motor Vehicle Accident Claims Act change. The amendment makes it clear that when the owner of a motor vehicle and the driver of that motor vehicle at the time of an accident causing injury or death are not the same person and if there's a question as to whether the driver had the consent of the owner to operate the vehicle, the driver and the owner have legally adverse interests. It also makes clear that the officer appointed by the minister to administer the Motor Vehicle Accident Claims Act cannot be examined in court. This doesn't represent any change in the current policy, Mr. Speaker, and we don't have any difficulty with this particular clause.

Now, there are some highlights I wanted to talk about in the Survival of Actions Act. Section 8(2) removes the clause allowing the actual financial loss to be awarded as damages. This is the clause that allows large settlements based on anticipated income.

The Fatal Accidents Act: section 2(2) increases the award for grief from \$43,000 to \$75,000 for children who were killed and increases the amount given to children of people who are killed in auto accidents from \$27,000 to \$45,000. We support this particular change, Mr. Speaker.

The Limitations Act: section 4(3) amends section 5 of the act. Clause 5.1(3) allows a potential defendant to cause the limitation period to run against a potential claimant; in other words, starting the clock, as I referred to earlier. That's also something we would support.

So, Mr. Speaker, I'm just not going to carry on with any great comments other than to say that the general approach and thrust of the bill is something that we feel we can support. Thank you.

Mr. Speaker, I would move that we adjourn debate on Bill 20.

[Motion to adjourn debate carried]

Bill 21

Alberta Personal Income Tax Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Finance.

MR. MELCHIN: Thank you, Mr. Speaker. I'd like to stand and move second reading of Bill 21, the Alberta Personal Income Tax Amendment Act, 2002, on behalf of the Minister of Finance.

Just a couple of things with regards to this bill that we're debating. This makes several changes that really incorporate changes to the federal legislation to make them harmonious and compatible with the federal legislation. The proposed amendments do make several changes to the single-rate tax, including providing a lump sum adjustment to individuals that claim this adjustment on their federal tax return. For example, if an individual for whatever reason received CPP disability payments as a lump sum for past years, the amendment gives the individual the option to average that payment over the missed years or pay taxes based on the lump sum amount, whichever is preferred. It's an amendment that ensures that Albertans who are in unfortunate circumstances are treated fairly by the tax system.

The bill also clarifies that existing provisions to adopt previously announced tax policy changes will remain consistent with the terms of the tax collection agreement.

Another component of this legislation, one that has received a great deal of attention since the release of Budget 2002, is the provision for the NHL players' tax. The NHL players' tax levies a 12.5 percent tax on all NHL players who play games in Alberta. It was an initiative as a result of extensive consultation with both NHL teams in Alberta. The proposal is for a tax on NHL players who contribute to the team's long-term viability, and it does this at no risk or cost to Albertans and Alberta taxpayers.

Mr. Speaker, I'll close my comments on Bill 21, the Alberta Personal Income Tax Amendment Act.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

10:00

MR. MacDONALD: Thank you very much, Mr. Speaker. This bill tries to accomplish two main things. It certainly adds a subsection to section 6 of the original act, and it also adds the preliminary regulations for the new NHL players' tax. Now, the formula for calculating the tax owed by these individuals is contemplated, of course, under subsection (6) and division 2 of the act, and that is dealing specifically with the amount of tax that is payable. The subsection adds a provision for taxing Canadians from outside of

Alberta who did not live in Alberta during the calendar year but did live within Canada during that period. These individuals no longer lived in Canada by the end of the calendar year. As I understand it, they were not resident in Canada on the last day of the calendar year but did have business income in Alberta during the taxation year. Now, the formula for calculating the tax owed by these individuals is consistent with the existing formula for calculating the tax of an individual who was resident in a province other than Alberta or a territory in the last day of the calendar year and had business income in Alberta. The other formula is contained in section 6(3).

It appears that the bulk of the remaining amendments are modifications to the existing regulation for the purpose of incorporating this new change throughout all relevant sections of the act, to clarify the language of the act, and to make it consistent, as I understand it, again with the federal act.

Now, the other major amendment involves the introduction of the NHL players' tax. The NHL players' tax is an attempt by this government to provide funding for Alberta's two major professional hockey teams without involving direct taxpayer money. This is coming forward at the same time as we eliminated the \$53 million for the community lottery boards. Some would say, Mr. Speaker, that hay is for horses, but lottery board money is also for horses, because we certainly didn't forget about the horse racing industry when we eliminated or severed the actions of those boards in the community. But here we are, and whether it's a 50-goal scorer from Calgary or a 51-goal scorer and counting or just any other hockey player, there is an attempt being made to assist professional hockey in this province.

Now, I'm not going to discuss this evening my preference in all of that, and that is that if we're going to assist professional hockey, we should have the same perhaps shared revenue for minor hockey. The 51-goal scorer from Calgary certainly came from St. Albert and was very active in minor hockey there, and we have to ensure that there is a supply of professional players not only to stock NHL teams but to carry this country's flag in Olympic tournaments. However, one just has to look at the Calgary newspapers. Not so much in Edmonton where we have a much larger season ticket base, but in Calgary there is considerable dismay among many of the hockey fans in that city that the Flames may burn out or be extinguished and go somewhere like Portland, Oregon, one city that has been mentioned as a possible location. But with this bill and the amendment that's going to fall under part 1 of the Alberta Personal Income Tax Act, NHL players who provide a service to their team in a hockey facility in Alberta will have the income they earned for that activity taxed at a rate of 12.5 percent. This tax is expected to generate a total of about \$6 million per full year, and it is to be split evenly, as I understand it, between the Flames and, of course, the Edmonton Oilers.

Now, administrative costs of this, I understand, are roughly \$150,000, and these costs will be withheld from the teams to cover the cost of implementing the tax. This is to ensure that no Alberta tax dollars will go towards the teams directly. The hon. minister can inform the House of this, perhaps at committee. To conform with NAFTA, the North American free trade agreement, all NHL players must be subject to this tax, including those players in Alberta. However, most players will have the ability to deduct this tax from the tax they pay wherever they are residing. Mr. Speaker, as of yet there does not appear to be any objection to this tax from either the NHL or the NHL Players' Association. A similar tax exists in 13 of 24 American jurisdictions with NHL hockey teams, but this is the first such tax in Canada.

Now, the Americans, Mr. Speaker, I would like to remind all hon. members of this Assembly, have some unique ways of taxing and

financing their professional hockey franchises. Dallas, for instance, with that fancy new stadium I understand is paying for part of it with a tax on rental cars in the Dallas-Fort Worth area. I asked this Texan how long he expected before they would pay off the new arena. He said: "Not long, but it's not the local folks that are going to be paying it. You all come to Texas; you all come to Dallas-Fort Worth and rent a car. You're going to pay for our arena." I found this a different way of financing an arena. Not only was this gentleman from Dallas, but he was a fan of the Dallas Stars. In fact, he was visiting this fine province and took his entire family to the Saddledome to see the last game between the Dallas Stars and the Flames. He marveled at the Saddledome, and he marveled at the LRT that had been made available to whisk him to the event. He was quite impressed with Calgary, this gentleman.

However, Mr. Speaker, other Canadian jurisdictions with NHL teams will no doubt be looking to Alberta's experience before deciding to implement their own version of this tax. The Vancouver Canucks certainly have lobbied the British Columbia government to implement such a tax, but that government has adopted a wait-and-see approach.

Now, the benefits of this tax are that Alberta teams get badly needed revenue without having taxpayer money put towards the teams. The players themselves will typically not see a difference in their taxes unless they are from a no-tax jurisdiction like Florida, in which case they will have to pay the tax. But given that they're not paying tax in that jurisdiction anyway, hopefully it will not be a big issue, and I'm certain Pavel Bure is not going to complain because he's with the Rangers now, right?

There appears to be general support within hockey circles for this plan as a way to help maintain the financial health of Canadian teams during this low-dollar period in Canada versus the American dollar, but I don't think this is a permanent solution, Mr. Speaker. I think the league is going to have to decide themselves as to a formal means of revenue sharing, similar to what the NFL does, if they want to protect small market teams. I certainly hope that professional hockey continues to flourish and to prosper not only in Edmonton but in Calgary as well.

10:10

In conclusion, again I have to say that it's quite ironic that we are debating this Bill 21, the Alberta Personal Income Tax Amendment Act, and making these arrangements for million dollar athletes at the same time as canceling the community lottery boards, \$53 million, and some of this money would be going to small town arenas and to hockey associations from all across the province, not only hockey associations but I would assume curling associations as well, Mr. Speaker. I just find this quite ironic, and I'm not sure if this bill is an indication of a government that has complete control of its fiscal agenda.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to speak to Bill 21, and I want to focus a little bit on the NHL players' tax that this bill deals with. I have a little bit of related experience in this matter, being part of the city council that negotiated the deal with the owner of the Oilers at the time, who was Mr. Pocklington, a well-known Tory, by the way. [some applause] Well, you can applaud, I guess.

I found the parallels to this kind of interesting, because when it became apparent that Mr. Pocklington at that time wanted to get

financial support from various levels of government and in particular from the city of Edmonton in order to maintain the team and to make the changes to the coliseum, there was a big debate, a public debate, that took place about whether or not public tax money ought to be going into professional sports and trying to balance the priorities for tax money with the desire on the part of many people to keep the team in Edmonton. I'm sure that wouldn't be much different if that debate began in the city of Calgary. As we've seen, it's quite possible for Canadian cities in small markets to lose their hockey teams. We've seen that in Quebec City, and we've seen that in Winnipeg, and we could in fact see it with one or both of the hockey teams in Alberta some time in the future, and that's something that needs to be taken into account.

So it's laudable that the government wants to do something to keep professional hockey in Alberta, and it's a very interesting approach that they've taken by proposing a tax only to be paid by professional hockey players, many of whom are very, very wealthy people and all of whom are well compensated for their efforts. So there doesn't seem to be a political downside to a tax like this because you're not taxing ordinary Albertans, and the government can't argue, as it does, that it's not really a tax that affects everybody, because we all know the Premier's promise not to increase taxes on Albertans and how well he's done at keeping that particular promise.

Mr. Speaker, the interesting thing is that we found at the time that the city of Edmonton had the authority to levy a ticket tax. This would be a tax that could be added to the cost of each ticket sold in the Edmonton coliseum, and that money could be used, then, to compensate for changes to the coliseum, improvements for sky boxes and a number of other things that the team wanted. What happened was that there was really an argument about whether it was a tax, because you're taxing people who use the coliseum. There's a similar argument here. Is this in fact a tax, because it only is applied against professional sports people who come to play in our province?

One of the things that we determined at the time was that regardless of who is taxed, whether it's the general public or not, if the jurisdiction, in that case the city and in this case the province, uses its authority to tax, it is in fact a tax. So the question is: what do you get for the money? It's not a question of you can't possibly ever use tax money on these kinds of things but of what you get in exchange for providing public tax dollars. Even if it doesn't come out of my pocket or some member's pocket opposite, it still is our tax money, because our political jurisdiction has used its taxing power in order to get the money.

Should we be giving tax dollars to private businesses is really an interesting question, and I'm sure that it's interesting for many members on the opposite side as well. What was done at the time was that a deal was negotiated with the owner in exchange for the financial contribution that the city would provide using its taxing powers. That deal included a very strong contract that actually required the team, should it ever be offered for sale, to be offered first to local buyers. A ceiling price was set, and I believe that \$75 million U.S. was set as the ceiling price. This was based on the argument that we ought not to be giving public tax dollars to a private business unless there is a public benefit received in return. This is, I think, the important distinction that allowed many people to actually hold their nose and support the arrangement that was made.

In fact, when that arrangement was made and Mr. Pocklington signed the deal, little did we realize that within just a very short period of time he would be trying to sell the team, just within a few years. An attempt was made to sell the team, and I still remember the headlines in one of the local papers, a giant headline saying: sold. As far as they were concerned, the deal was done, and that was

certainly what Mr. Pocklington was suggesting and what he hoped, but in fact what happened was that the deal held up, and the team was not sold to Texas. The team stayed here, and that is because there was a solid agreement. In fact, the lawyers became involved very strongly in order to enforce the agreement because there was a serious attempt to sell the team, and Mr. Pocklington brought the owner up from Texas and had him convinced that he had the authority to sell the team. In fact, he did not, and the agreement held the team here.

Now, I think, Mr. Speaker, that the former mayor of Edmonton, Jan Reimer, who negotiated that deal, has not received her fair share of credit. If it had not been for her perseverance and her ability to negotiate where other, previous Tory businessmen had failed, that team would have been long gone. People around here don't want to accept that because it doesn't fit with their version of reality, but in fact that is what the reality is. I think that it's interesting that where a number of senior people involved in the business community with well-heeled Tory connections had tried and failed to make an agreement with Pocklington that would have kept the team here, this woman mayor of Edmonton successfully outnegotiated Peter Pocklington, and the team is still here to this day as a result of it. I think that is a little piece of history that people over here don't care to remember.

So I think it's very interesting, but the reason that I'm going on at some length about this is because I want to come back to the use of public tax money that is provided for in this particular act. Here, again, the government is using its tax power to collect money, albeit from professional hockey players who aren't here, and I'm not objecting to that part of it, hon. Minister of Economic Development. It still becomes the taxpayers' money, and what do we get in return for the subsidy? The arrangement currently in place that has kept the team here will run out within a few years. What has this government of sharp businesspeople done to ensure that when we provide financial subsidies to a private business from the taxpayer – even if it's professional hockey players, it's taxpayers – to make sure that that team stays here when that agreement runs out?

10:20

Mr. Speaker, they haven't done anything at all, and I can tell you that while the team may have been sold for \$75 million U.S. – and that was the capped price in the arrangement and that's the price it sold for – it can be worth considerably more in a larger American market. The same is true of the Calgary Flames. Their potential sale value in an American market is considerably higher than their value here, so what is going to keep them here? Certainly not this government. This government is quite prepared to hand over tax money collected from professional hockey players to these teams with no strings attached, and that's the problem with the bill. That's the problem with the government. They are prepared to give money

to their buddies, but they're not prepared to do anything for the long-term future of hockey in this province. I think that's a shame.

So we could be talking about Bill 21, the Alberta Personal Income Tax Amendment Act, but what's contained in the bill, Mr. Speaker, is more than anything a fantastic lost opportunity. Here's an opportunity to be proactive, to work with the hockey community in both Edmonton and Calgary to provide long-term futures for those teams in these two cities, and yet the province is just ignoring the opportunity as if it weren't there. It's not that on the basis of principle they're opposed to handing over money to private businesses. Just look at the subsidies that they provide for the private horse racing industry at the same time as they cut Children's Services and other needed programs. They've cut community lottery funding to nearly 3,000 organizations, and at the same time they have not sworn off handing over money to private business. So that's not even consistent with a true Conservative philosophy. I think that it's a shame that they're prepared to be involved in the business of business. Despite their constant promises to swear off it, they keep coming back to the stuff. They can't give it up. It's one of the biggest unspoken secrets in the province that this government is still in the business of business, and it can't get out. I'm saying: well, you know, maybe you can do something to make sure that professional hockey, which provides so many benefits to both cities, could stay here. I think that it's a shame that they haven't taken advantage of that opportunity, and that they've been shown up by the former mayor of Edmonton.

Thank you, Mr. Speaker. I move that we adjourn debate on Bill 21.

[Motion to adjourn debate carried]

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: The chair would observe that perhaps a number of members need to read the rules of procedure and courtesy in the House. One of those rules is walking in between the person that may be speaking and the person that's in the chair. Another one would be to be busily engaged in reading newspapers, which has long been banned.

The hon. Deputy Government House Leader.

MR. STEVENS: Thanks very much, Mr. Speaker. Given the hour, I'd like to move that we adjourn the Assembly until 1:30 tomorrow afternoon.

[Motion carried; at 10:26 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 9, 2002**

1:30 p.m.

Date: 02/04/09

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. O Lord, grant us a daily awareness of the precious gift of life which You have given us. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNEN: Thank you very much, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to all Members of the Legislative Assembly some distinguished guests who are seated in your gallery. This afternoon we have representatives from PNWER, the Pacific Northwest Economic Region. For your information and that of all members, this is a statutory public/private partnership composed of legislators, governments, and businesses in the northwest states of Alaska, Idaho, Montana, Oregon, and Washington and the western Canadian provinces of British Columbia, Alberta, and Yukon Territory.

Joining us for discussions with members of both the public and private sectors here in Alberta over the past couple of days are the president of PNWER, Representative Jeff Morris from Washington State Legislature, and Vice-President Barry Penner, MLA from the province of British Columbia Legislature. They're accompanied by Matt Morrison, executive director of PNWER, and Sukumar Periwal, who's with the intergovernmental secretariat with the government of British Columbia. Mr. Speaker, I'm very proud to introduce colleagues of mine in PNWER, and I would ask them to rise in your gallery and receive the warm welcome of all members of the Assembly.

head: **Introduction of Guests**

MR. KLEIN: Mr. Speaker, I'm very pleased to introduce to you and through you to members of the Assembly four special guests from Ulan Bator, Mongolia, today. The senior officials from the city of Ulan Bator and the government of Mongolia are here to view firsthand some of our cold-climate facilities and technologies as they relate to urban development since Mongolia has similar climatic conditions to Alberta. An Alberta firm, Challenger Geomatics, is undertaking an urban development project in Ulan Bator which will provide basic infrastructure and services to urban poor. These visitors are here in Alberta at the invitation of Challenger. They are Mr. Badamjunai, Mr. Bat, Mr. Surenbayer, and Mr. Byambadorj. They are accompanied by Mr. Al Zaver from Challenger Geomatics. I would ask that they all rise and receive the very warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker. I'm very pleased to introduce to you and to the House a number of staff members we have observing the process so that they know actually what happens in here on occasion. We have staff members from both SRD,

Sustainable Resource Development, and Environment. I hope I get their names pronounced correctly. They are Tanya Berube, Karen Henderson, Marlene Bruyere, Barb Ootes, Kent Ziegler, Jane Shaheen, Neville Ferguson, and Linda John. I'd ask them all to stand and please take the warm welcome of the House.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is also my pleasure to rise today and to introduce to you and through you to all the members of this Assembly 60 visitors from the Calmar school. They are seated in the public gallery, and their teachers today are Jeanette Wilson, who is the mother of one of our pages, and also Andrea Cameron. The parent helpers today are – and you'll have to work with me here; my Ukrainian is not very good – Lynn Frank, Denise Van Meter, Darcie Kison, Darlene Chimera, Len Yamkovy, Dennis LaForce, Jenny LeBlanc, Sherrie Birch, and Doreen Fitzowich. I'm going to ask all these grade 6 students and their parents and their teachers to rise and receive the warm welcome of the House.

THE SPEAKER: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly Dr. Merv Warren Hislop. For the last 12 years, sir, Dr. Hislop has served Albertans as the Mental Health Patient Advocate until his retirement in February of this year. The Mental Health Patient Advocate assists patients and their families to understand their rights and addresses their concerns about care and treatment issues. I want to thank Dr. Hislop for his dedicated and outstanding service to Albertans in this capacity. His work has made a positive difference in the lives of many patients and their families. Dr. Hislop is accompanied today by his daughter, Mylene McIsaac. They are seated in the members' gallery, and I would ask that they please rise and receive the traditional warm welcome of this Assembly.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Community Development.

Yom ha-Shoah

MR. ZWOZDESKY: Thank you. Mr. Speaker, today I invite all members of the Legislature and indeed all Albertans to reflect on and to remember Yom ha-Shoah, Holocaust Remembrance Day. This day is recognized worldwide as a time to remember the senseless, tragic, and systematic annihilation of millions of European Jews between 1933 and 1945. It is also a time to remember other victims of genocide, of hatred, and of discrimination in many countries, victims from the past and, unfortunately, even in the present day.

In 2000 the members of the Alberta Legislature unanimously passed the Holocaust Memorial Day and Genocide Remembrance Act, as championed by our colleague for Calgary-Glenmore, now the hon. Minister of Gaming. Through this act we make this recognition day a formal and fitting way for Albertans to never forget the enduring lessons of the Holocaust and of other terrible and senseless acts which make us realize that democratic institutions and values are not automatically sustained, that they need to be appreciated, nurtured, and protected; that silence and indifference to the suffering of others and the infringement of civil rights in any society serve to perpetuate the problems; and that acts of genocide are no accident, that they occur because individuals, organizations, and governments made choices that not only legalized discrimination but allowed prejudice, hatred, and mass murder to occur even as I speak.

The Alberta government through this act and through this day of recognition applies the lessons of the Holocaust to human rights in our province. Within my ministry of Community Development, the Human Rights and Citizenship Commission upholds these principles, and the human rights, citizenship and multiculturalism education fund provides moneys to community groups working to combat discrimination. As the act states, Holocaust Remembrance Day provides Albertans with the opportunity “to reaffirm their commitment to uphold the human rights of [everyone] and to value diversity and the multicultural richness of Alberta society.”

Earlier today I issued an information bulletin commemorating the Holocaust Memorial Day and Genocide Remembrance Act. Tonight, at the invitation of the Jewish Federation of Edmonton and my longtime friend of some 20 years, Gillian Horwitz, I will be attending the memorial service at the Jewish Community Centre along with the MLA for Edmonton-McClung, now the hon. Minister of Economic Development, and numerous other colleagues.

Mr. Speaker, I would urge everyone to reflect on this occasion in their own way and through their own particular method of observance.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I rise to respond on behalf of the Official Opposition to the minister’s statement on Holocaust Remembrance Day, which we observe today. As an individual I don’t know how to respond. How does one begin to mark, to observe, to uphold such a day of remembrance? It overwhelms me. But in this Legislature just over a year ago, in December of 2000, we passed the Holocaust Memorial Day and Genocide Remembrance Act to give Albertans a day on which to focus on what happened more than 50 years ago. My colleague Karen Leibovici, then MLA for Edmonton-Meadowlark and now a councillor for the city of Edmonton, gave a remarkable speech. In it she dramatically described in detail what happened in the extermination camps and repeated the phrase: “I have told you this story not to weaken you but to strengthen you. Now it is up to you.”

1:40

So now it is up to us. What do we do? Well, to quote Alfred Defago, Swiss ambassador to the U.S. in 1997,

We must honour and do justice to the victims of the Holocaust and their heirs. It is imperative that their dignity be restored to preserve our own dignity. We realize that the first step in securing a better tomorrow is coming to terms with our past.

Okay. We can do that. I can and you can learn the stories, research the history, be vigilant, and live our daily lives so that the horror Karen described will never be forgotten and never be repeated.

Thank you.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Community Lottery Boards

DR. NICOL: Thank you, Mr. Speaker. Yesterday, after saying that the community lottery boards would not be reinstated, the Premier said, “If there’s any damage or any organizations that fall through the cracks, we will have a discussion as to how those organizations can be accommodated.” There is no need for these discussions since the Premier already has a way to do that. It’s called the community

lottery boards, that were in place, and the only reason that the cracks need to be filled is that this government refuses to do the right thing and fund this valuable program. My questions are to the Premier. Why is this government searching for alternative ways of distributing lottery funds to communities when the community lottery boards were already doing a good job?

MR. KLEIN: Mr. Speaker, I might add that while the hon. leader of the Liberal opposition is almost completely right in his assertion, he is not absolutely correct. I said: those who are truly in need of support. Truly in need of support. I’m sure that we can find a way to look after those organizations.

One of the problems, of course, with parallel organizations – that is, an organization that is parallel to CFEP – is that there was a considerable, I understand about over 50 percent, amount of so-called double-dipping; in other words, people applying to CFEP programs and then applying to the community lottery boards for additional funding. It all came out of the same pot, ostensibly. But fundamental to the issue is the issue of identifying priorities, Mr. Speaker. I went through yesterday what this government considers to be the priorities relative to programs that should be funded through lottery funds, and I can go through that list again today.

Thank you. I see that you had enough yesterday, Mr. Speaker, and maybe the members of the Liberal opposition did as well, but it’s a matter of establishing priorities. We determined what the priorities are, and as it turned out, CLBs were near the bottom of the list.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: why is this government looking to lump the work formerly done by the community lottery boards under the community facility enhancement program, which deals with the construction or renovation of community facilities as opposed to small group program support and services?

MR. KLEIN: Mr. Speaker, nothing is carved in stone, and we will have an examination of all lottery-funded programs. As a matter of fact, part of the Financial Management Commission’s mandate is to look at that, and part of that examination will be the CFEP structure and whether that structure can be changed or modified to accommodate some of these groups that, well, for lack of another phrase, slip through the cracks.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. How can the Premier justify forcing small groups in search of small amounts of lottery money for things like children’s playgrounds, computers, sporting equipment, and the hiring of youth outwork researchers with large projects like the Edmonton police helicopter?

MR. KLEIN: Mr. Speaker, yes, CFEP does indeed accommodate some large projects but accommodates many, many small projects. I’m so happy that the hon. leader of the Liberal opposition alludes to playgrounds, because I’ve been involved in my own constituency and I’m sure that many other MLAs have been involved in their constituencies in funding through CFEP playground development both on schoolyards and in city-owned, publicly owned, playgrounds.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Government lottery revenue is on the rise, and the Premier seems to have sensed that the fine work done by the community lottery boards is not a priority of Albertans. Instead, we see \$320 million going toward accelerated debt repayment when we know that taking \$50 million out of that payment would not have had much of an impact on the remaining \$6 billion in debt. Therefore, there must be some other reason why this government has decided to eliminate the community lottery boards. My questions are to the Premier. Is it the government's fear of adding another budget flip-flop to its record that is preventing it from doing the right thing by reinstating the community lottery boards?

MR. KLEIN: Mr. Speaker, contrary to the impression that the opposition Liberals are trying to leave and contrary to the impression that we read about and hear about through the media, there have been no government flip-flops relative to the budget. There is no flip-flop relative to community lottery boards. There was no flip-flop relative to transportation funding for municipalities. That restoration of funding comes out of last year's budget, and if you need further edification and a clear and concise explanation, I will have the hon. Finance minister explain once again.

MRS. NELSON: Mr. Speaker, I'll take hon. members, particularly from the opposition side, back to October 18, when we came out with an economic statement of reality after there had been a tremendous change in the economy globally. Alberta was the one government in Canada that led the way by making a correction of \$1.26 billion to our last year's budget. At the time, we said that because of the opportunity that was there to delay and defer some capital projects in Infrastructure and Transportation, we would be able to fit within our new forecasted fiscal realities. We did say at the time very clearly that if in fact our fiscal situation changed for last year, the first projects that we would look at would be those that had been deferred or delayed. Clearly, that was the case, and we honoured that commitment.

Now, the difficulty that the members opposite have is that we brought down a budget just over two weeks ago. We were approaching the end of our fiscal year, at which point we were able to look at some preliminary fourth-quarter numbers for last year – fourth-quarter numbers; only preliminary – and we were able to honour the commitment we had made in October, that we also mentioned in our budget speech, that if we were able to do that, we would restore those grants, which we in fact did do, Mr. Speaker.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. I'm not even going to touch that. There's so much in it.

My next question again is to the Premier. Was part of the decision to terminate the community lottery boards based on government MLAs wanting to receive more credit for the distribution of government funds?

MR. KLEIN: Mr. Speaker, again, this was the subject of tremendous debate in caucus, cabinet, and Treasury Board. In the face of a tough budget – and it was a tough budget; there was plenty of warning from the Minister of Finance that the budget was not going to be pretty – some tough decisions had to be made. Community lottery boards, in light of the ability to finance certain projects through CFEP and other lottery programs, were deemed not to be as high a priority as other programs that are funded by lotteries.

1:50

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: is it the position of this government that if communities do the things that they see best and the government cannot take direct credit for a program, then that program is not worthy of funding?

MR. KLEIN: Mr. Speaker, the matter of credit, I think, is so far down the road. I've often said that I don't want as my legacy and I'm sure that other caucus members don't want as their legacy plaques on buildings and monuments created to the government. The legacy I want to leave is sustainable health and education and good infrastructure and a debt-free province. Yes, it is nice from time to time to be able to participate, and I think I've participated in maybe one a year – one a year – cheque presentation to a community organization that is doing good work, that has matched those dollars, that has put in sweat equity and has created something very, very nice and very beautiful for the community. For the most part I just simply don't have the time to take credit for these cheque presentations, but I'm sure that the Liberals with all the time on their hands take every opportunity to take all the credit they possibly can for cheque presentations.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Glengarry.

Municipal Funding

MR. BONNER: Thank you very much, Mr. Speaker. At the recent AAMD and C convention municipal leaders expressed concern about fulfilling their five-year business plans when the provincial government changes every three to five days – their words; not mine. The municipalities have a straightforward request: stable, equitable, predictable, long-term funding arrangements. My questions are to the Premier. How does cutting community lottery boards without consultation or warning support the call from mayors and reeves for stable, equitable, and predictable funding?

MR. KLEIN: Mr. Speaker, I would be very, very concerned and I'm sure the hon. member would be concerned if in fact community lottery boards made up part of any municipality's business plan. I remind the hon. member that when I met with municipalities back in Bonnyville about four years ago, precisely the councils wanted to have control. They wanted to be formed as community lottery boards; in other words, the councils would become the community lottery boards. I said at that time: "No. No, because we do not want these funds to be used for municipal purposes. We don't want them to be used for potholes and street maintenance and other things that you might deem to be important but which should be supported through the general property tax revenue and other forms of municipal revenue streams." So if municipalities brought CLBs into their planning process, that would be wrong.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Also to the Premier: how does a \$45 million property tax grab in your budget help mayors and reeves deal with the tax increases and service cuts caused by downloading?

MR. KLEIN: Mr. Speaker, relative to the very complex issue of taxation I'll have the hon. Minister of Municipal Affairs reply.

MR. BOUTILIER: Thank you, Mr. Speaker. What should be mentioned in the comments made is this. This year the \$45 million will be going towards a commitment of this government towards education property tax is what it is. It's interesting to note, though, that what was failed to be mentioned was that last year \$135 million, in fact, went back to municipalities, and over 85 percent of those municipalities returned it to the rightful owners, the taxpayers.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Premier: how does increasing Albertans' property tax bills by \$45 million and pulling \$51 million in funding for community programs, a combined total of almost \$100 million, support municipal leaders and our communities?

MR. KLEIN: Mr. Speaker, again I'll defer to the hon. Minister of Municipal Affairs.

MR. BOUTILIER: Yes, Mr. Speaker. What's so very, very important, number one – and many of the council members and Reeves that I spoke with, the over 1,200 at the AAMD and C, talked about saying this: "We're in this together. We're working with municipalities." Furthermore, they said this: with the provincial government they appreciated the reduction of \$135 million last year in the tax room, that they were able to pass on to the citizens. What was also important was this: they said, "We're willing." We're continuing to work with the strong relationship that we have with AAMD and C and the AUMA. Because we have that relationship, we're able to work together and, as we say, be in the barrel together as we get through these tough times, and that's exactly what we're doing with our communication.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Currie.

Teachers' Withdrawal of Voluntary Services

DR. PANNU: Thank you, Mr. Speaker. Alberta's students are understandably upset about the cancellation of extracurricular activities and the dumbing down of diploma exams, just two of the negative fallouts of Bill 12. In Alberta students also know who is to blame for the sorry state of affairs. They clearly blame this government for this mess. That is why students, proud of their democratic heritage, are bringing their protests to the steps of this very Legislature. Students are hoping that somebody over here is listening. My questions are to the Premier. Why does the government believe that its war on teachers is more important than students being able to participate in school sports and other extracurricular activities?

MR. KLEIN: Mr. Speaker, we're vitally concerned about the welfare of all students in this province, and we're particularly concerned about their access to extracurricular activities. This has nothing to do with the arbitration process. It has to do with an attitude, an attitude that prevails unfortunately amongst some, not all but some, teachers. That is unfortunate. It has nothing to do with this government. This government has given no direction whatsoever to the ATA, to the teaching profession, or to the school boards to cut extracurricular activities. As a matter of fact, we're saying exactly the opposite: do what you must do, and do what you can do as teachers to accommodate the students.

Mr. Speaker, this is very important, because the hon. leader of the third party alluded to kids storming the Legislature, or words to that

effect. Well, today the hon. Minister of Human Resources and Employment took it upon himself to call in some of these kids, you know, maybe some of the leaders of the group, the organizers, and to say quite frankly to them: "Lookit, we will give you our side, but please go back and talk to the ATA, talk to your teachers, talk to the school board. Do what you have to do as students to get all of the facts." Perhaps the hon. minister might share with this Legislature the results of that meeting.

MR. DUNFORD: Well, thank you, Mr. Speaker. I did in fact have three students into my office. We had a discussion for probably about 40 minutes, I think, although I'm not sure it was being timed. Very articulate young people. We talked about Bill 12, of course, and their impression of it, and hopefully I was able to provide some insight to them now on that. We talked, in fact, about some of the other issues that were current in this dispute; certainly the wages and where we were working to bring teachers at or near the top of their profession throughout this country. We talked about the commission that's going to be set up and how it will look at classroom conditions. They asked whether or not the government was committed to such a process. We got Bill 12 out. We showed them the preamble of the bill, where the government is clearly committed to that kind of a process. You could see as we discussed that that sort of the heat was reducing inside the room. What is so tremendous about young people is that if you talk to them straight and if you give it to them straight, they'll understand, and that was the upshot of this meeting.

2:00

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. The Premier is in a state of denial. Why does he refuse to recognize what's obvious to students themselves; namely, that the cancellation of sports and music programs across the province is the fault of this Conservative government?

MR. KLEIN: Yes, Mr. Speaker, I am in an absolute state of denial. I deny; I deny; I deny. I deny that this government has anything to do whatsoever and I deny that this government is in any way responsible for the cancellation of extracurricular activities by teachers.

DR. PANNU: Thank you, Mr. Speaker. My last question to the Premier: instead of dumbing down diploma exams, why doesn't the Premier do the right thing; namely, repeal Bill 12 and replace it with a fair and impartial arbitration process?

MR. KLEIN: Mr. Speaker, the arbitration process is fair, and it certainly is impartial, with the government choosing an arbitrator, the ATA choosing an arbitrator, and the ASBA choosing an arbitrator. What can be fairer than that?

Mr. Speaker, I take strong exception to the phrase "dumbing down." I heard the hon. Minister of Learning on the radio this morning talking about the kind of examination he had to take as a physician. The hon. leader of the third party should know – he's a university professor – that these exams are structured to ask hard questions, particularly of medical students who put the lives of people in their hands. He indicated that the test that he took – as a matter of fact, nearly all the tests he took were multiple-choice tests.

Mr. Speaker, this kind of examination has to be given to students because of the reluctance of some teachers to mark exams, but I can tell you that since yesterday Alberta Learning has received over 200 inquiries from individuals interested in marking diploma exams.

These individuals have indicated that they have a university degree or past teaching experience. Alberta Learning will be reviewing their resumes and confirming their qualifications as potential markers for the June exams.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Riverview.

Amendments to Survival of Actions Act

MR. LORD: Well, thank you, Mr. Speaker. Today I rise in regards to some ads that I've seen in local newspapers that I found very disturbing. These ads, which were apparently placed by a local injury law firm, basically accused this government of being unconcerned about the tragic deaths of young children killed in car accidents and of quietly passing legislation to limit the amount of money that parents might be able to claim if their child were to be accidentally killed in a traffic accident. My questions today are to the Minister of Justice and Attorney General. Can the minister explain what changes are under consideration that might limit the financial compensation paid out to families in these situations?

THE SPEAKER: The hon. minister.

MR. HANCOCK: Thank you, Mr. Speaker. The member is obviously referring to Bill 20. Far from being quiet about passing legislation, the provisions that are in Bill 20 with respect to the Survival of Actions Act were introduced in this House some two years ago, and then when issues were raised about those provisions and concern was raised by some members of the community about those provisions, the provisions were held and not passed at that time. We then engaged in discussion over the past year and a half and have now brought them back. So far from being quiet, it's been a very thorough process.

Mr. Speaker, family members have always been entitled to compensation for losses suffered as a result of a deceased loved one, for great loss of companionship, guidance, and care since the initial passing of the Fatal Accidents Act. Families do not have to prove those damages. They're statutory damages, and in fact if liability is not an issue, they don't even need in many cases to engage a lawyer to get those entitlements.

Under the amendments that are being brought forward under the Fatal Accidents Act, we're increasing the amount of damages for pain and suffering, for grief, and loss of companionship. [interjection] It's not on the Order Paper today, so it's quite in order to deal with this question. The increase in entitlement is from \$43,000 to \$75,000 for adult survivors and \$27,000 to \$45,000 for each surviving child.

The reason for these changes, Mr. Speaker, is precisely as a result of the consultations and discussions we had with parents who were concerned about the changes in the Survival of Actions Act. As a result of those discussions, we moved forward to deal with the real issues, making sure that there's immediate compensation so that people can deal with their pain and suffering and their grief in a timely manner, and we're also moving into others areas to deal with that.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. I'm wondering how the minister would respond to suggestions that the financial awards granted to surviving family members are an important deterrent which ensures that the offender receives more than a slap on the wrist in cases such as drunk driving.

MR. HANCOCK: Mr. Speaker, that's a very important point, because in Canada, and certainly not in Alberta, the civil law has never been intended to be a deterrent factor. The civil law is in fact intended to be a way to compensate people for financial loss and put them back into the position they were before. The criminal law and other laws are there for deterrent factors, and if we're going to deter drunk drivers, which we should, we should be doing it under the provisions of the criminal law and driving laws and those sorts of areas. In fact, the Minister of Justice, the Minister of Transportation, and the Solicitor General have agreed that we need to work together to enhance our fight against impaired driving, but we shouldn't change the civil law and bring a punitive element into the civil law so that we have the runaway court cases that they have in the States in order to seek that purpose in this country and this province.

THE SPEAKER: The hon. member.

MR. LORD: Well, thank you, Mr. Speaker. I think the minister has adequately addressed my concerns, so that's all my questions. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Red Deer-North.

Out-of-country Patients

DR. TAFT: Thank you, Mr. Speaker. The possibility has been raised that regional health authorities may be allowed to attract U.S. citizens to use our health care system as a way of raising revenues. This is happening at the same time that rural Albertans are facing hospital closures, bed closures, and barriers to using urban RHAs. My questions are to the Minister of Health and Wellness. Why is the government's committee on alternate revenue sources looking at bringing in U.S. customers at the same time urban RHAs are tightening their boundaries to rural Albertans?

MR. MAR: Mr. Speaker, we will be prepared to consider all alternatives that can improve our public health care system either in terms of the quality of the services that Albertans receive or in terms of improving access to those services. We don't know what the results of an investigation looking at bringing in U.S. customers to use our health care system will be. Perhaps it makes sense; perhaps it doesn't. But surely to goodness everybody in this House can agree that we should look at ideas. We should consider all ideas and then make our proper evaluations about what will work and what will not and discard that which will not work and employ that which will.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Given that this initiative would require an excessive capacity in the Alberta system unless Albertans were going to have to wait longer, is the minister aware of some excess capacity in the system that everyone else is unaware of?

MR. MAR: Mr. Speaker, I can say that there are many, many facilities in this province that perform outstanding services that are delivered to Albertans, but we can also say that there are outstanding facilities, recently built in some cases, that are not utilized to their full capacity. We have many facilities, for example, in an area like the East Central regional health authority, a place that services a population of approximately 103,000 people and has 14 acute care facilities. We want to make sure that we use our facilities as best as possible, to fully utilize them to ensure that we are operating not

only an effective system, which we are now, but also an efficient system.

Mr. Speaker, this is a challenge for regional health authorities to find ways to employ excess capacity. In some cases it may make sense for facilities to be converted into different types of use. Many regional health authorities have already done that. They've taken acute care facilities, turned them into long-term care facilities, and it better meets the needs of the people that live in those areas.

2:10

DR. TAFT: Will the minister rule out the possibility that rural hospitals could be closed and then sold and then reopened as surgical facilities to handle foreign patients?

MR. MAR: Well, Mr. Speaker, this hon. member asked the question yesterday, and I'd refer him to yesterday's *Hansard*, issue 16 of the 25th Legislature, Second Session, dated April 8. He did ask the question whether or not facilities in rural Alberta could be sold to be used as private hospitals. I indicated to him that the answer was no; they would not be used as private hospitals.

However, his question today is slightly different. He is asking whether those facilities – and it could be in rural Alberta; it could be in urban Alberta – could be sold to operate as private surgical facilities. The answer, Mr. Speaker, is that they already have. That has already been the case, where we have sold in the past buildings that were previously operated as public hospitals to private interests that are being used as private surgical facilities. So if he's asking will we prevent that from happening in the future, the answer is no.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Gold Bar.

Long-term Care Programs

MRS. JABLONSKI: Thank you, Mr. Speaker. Two years ago the David Thompson health region had 102 seniors on the waiting list for beds in continuing care facilities. As of this month there are only 10 seniors in the entire region on the waiting list. The senior health region vice-president for David Thompson health region, Denise McBain, said, and I quote: the waiting list this year is unprecedented in our region. The waiting list for 10 seniors is all thanks to the dedicated work of the David Thompson health region staff in co-operation with provincial government programs. My question is for the Minister of Seniors. How was the provincial government able to assist in reducing the long-term care waiting list for the David Thompson health region?

THE SPEAKER: The hon. minister.

MR. WOLOSHYN: Thank you, Mr. Speaker. When I heard the news, I was also extremely pleased that David Thompson health region seems to have achieved our goal and that is accommodating seniors at all levels. We can attribute the success of David Thompson to two programs that the province has had: the seniors' supportive housing initiative program, commonly known as SSHIP, also the healthy aging partnership initiative. Through these two programs approximately \$50 million has been dedicated to various housing authorities, both the public and also private nonprofits, which resulted in some 1,600 assisted living beds being created.

With respect to David Thompson specifically, communities that participated were Red Deer, Eckville, Olds, Lacombe, Sylvan Lake, and I believe Rocky Mountain House. So, Mr. Speaker, I can say that their success is attributed directly to our housing programs, which emanated, I might add, out of the Broda report.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. To the same minister: how can you continue these very successful programs with no money available in the budget?

MR. WOLOSHYN: I can't. But, Mr. Speaker, there is \$1 million allocated as a contingency for the program, and I am very, very hopeful that as our fiscal situation in the province improves, our regular process programs such as SSHIP may be resurrected. I certainly hope they will be.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. To the same minister: will seniors in Alberta then be able to count on enough long-term care beds and assisted-living beds for the future?

MR. WOLOSHYN: Through the Broda report and the impact of aging reports we are trying to get a handle on the situation with respect to that issue. I would like to say that in some areas, as is indicated in the David Thompson, it's under control. Other areas are not quite so fortunate, but at the end of the day, through good planning and a prudent allocation of resources I would hope to say that down the line seniors in this province will be properly looked after.

Workers' Compensation Board Health Care Spending

MR. MacDONALD: Mr. Speaker, last Halloween Alberta businesses got a scary trick from the WCB when it was announced that employer premium rates were increasing an average of 27 percent in 2002 in large part because of rising medical costs. Well, after receiving some information from the WCB through freedom of information, it is clear why. At the same time that public health care expenditures by the WCB dropped as a portion of health spending from 26 percent in 1997 to 19 percent in 2001, total health care spending ballooned by a shocking 78 percent. My first question is to the Minister of Human Resources and Employment. What studies have been done to justify the increasing use of expensive private health providers, that has resulted in an even greater increase in health spending by the WCB?

MR. DUNFORD: Mr. Speaker, the question that he is raising is a matter of operations of the WCB, and it is appropriate that that question be directed at the chairman or a member of the board of directors of WCB. WCB is an employer-funded insurance plan. It's there for the benefit of employers and employees. The board of directors that is in charge, then, of the operation of the Workers' Compensation Board has an act in this Legislature that they're required to follow. But any question like that, in terms of the operation of it, if you wish to write me directly, then I'll be glad to pass it along to the board chair, or because we're in Alberta and because we're open and accountable, if the hon. member wants to send a letter directly to the board chairman, he's perfectly entitled to do that.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: has the minister shared this appalling, expensive data with his Health and Wellness colleague, who is so bent on doing the same thing to our province's public health care system?

MR. DUNFORD: There's often a challenge in question period, as Mr. Speaker is no doubt aware, but when you attach dots in the way that has just been exemplified, I find it advantageous perhaps now to simply revert to my earlier answer. That is that his concerns need to be directed at the board of WCB.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. To the Premier this time: since it took only five years for the WCB's health costs to double as they moved from public health care providers to private ones, how long will it take for the same effect to take place in our province's public health care system? Is this the reason for the 30 percent increase in health care premiums? Are you already anticipating this?

MR. KLEIN: Well, Mr. Speaker, we anticipated this some time ago, and that's why we commissioned the Mazankowski report. That's why the Premier's advisory council on health care reform was undertaken. That's why we're undertaking the recommendations of that particular report, because not only are we anticipating those costs doubling unless we take very dramatic steps to bring those costs under control, but they have doubled – doubled – over the past five years already in the public health system. [interjections] There are moans and groans over there. That is the simple fact of life. This is bigger: double. You know, in 1995 \$3.1 billion to over \$6 billion today. To me that's double. That's double, and we don't want that to happen. That's why we're taking steps right now to achieve sustainability in the publicly funded health care system.

Thank you.

THE SPEAKER: The hon. Member for Peace River, followed by the hon. Member for Edmonton-Centre.

2:20

Energy Prices

MR. FRIEDEL: Thank you, Mr. Speaker. My questions are to the Minister of Finance. Recently we've been hearing that countries like Iraq are planning to reduce the amount of oil that they export, and some people have speculated that this could raise the price of oil and create a bit of a windfall for Alberta. On the other hand, I understand that the prices of natural gas are dropping, and one might expect that at this time of the year. So it seems that these circumstances could possibly offset each other. I wonder if the minister could tell us whether the current volatility in the prices of gas and oil are within the range that has been estimated for our current budget predictions?

MRS. NELSON: Mr. Speaker, this is, I think, a very important question in that we are in a situation that is very volatile within our resource revenue base. Last year when we compared the estimate to actuals from the previous year, we experienced well over a 40 percent reduction in resource revenues in one year. We're forecasting this year that we could very well experience somewhere to the tune of another 30 percent reduction in resource revenues.

Now, all that being said, as we know, in our budget we forecast for \$20 a barrel for our crude oil, and we have been seeing some shifts take place to show that there is volatility within that marketplace. We've had swings in this past year from \$17 a barrel all the way up to \$30. Of late, of course, with the aggression that is taking place in the Mid East, we do see some impact of an up and down, that provides additional vulnerability to a volatile market to begin with.

Just a little point of trivia, Mr. Speaker, and you would remember

this because you were in this Legislature when it occurred. When Desert Storm was starting to move forward, if you look historically at the impact that that had on the marketplace on oil, prior to the actual Desert Storm war breaking out, the oil prices spiked up dramatically, and then once the actual war occurred, prices dropped down just as dramatically.

Now, insofar as the natural gas goes, Mr. Speaker, natural gas naturally is a North American phenomenon. It's not influenced to the same effect as oil is because oil is worldwide. Again we have seen swings occur this last little while in natural gas. I will remind hon. members that we are ahead of budget on our natural gas prices, but we have seen in just this first nine days of this fiscal year a 40-cent differential in gas, and when you consider that a 10-cent change is about \$160 million, if you have 40 cents, then you're looking at a fairly substantive swing, albeit we are ahead of budget.

THE SPEAKER: The hon. member.

MR. FRIEDEL: Thank you, Mr. Speaker. To the same minister, and this will be my final question. Given the volatility in energy prices that she's just spoken of, could the minister tell us if there are any other additional risks that we might want to know about pertinent to the fiscal plan?

THE SPEAKER: The hon. minister.

MRS. NELSON: Well, thank you very much. We always have to be cognizant of what's happening worldwide because we really have no ability to predict that or to have an influence on the world marketplace. So we do have to watch that, and I know that our Minister of Energy has a whole group that watches this every day throughout the day and reports back to us. We have been applauded for being prudent in our forecasting at budget time. In fact, Mr. Speaker, the CEO and president of the Investment Dealers Association of Canada, Joe Oliver, said that "the prudent planning assumptions of this Budget, combined with an enviable record on tax reduction and spending control, are setting the stage for continued strong economic performance in the province of Alberta." So I think that staying the course and watching how this evolves is the prudent way to go, and we do have the benefit for all members of quarterly updates so that as we move forward, we can see where the revenue forecasts are going.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Highlands.

Bingo Associations' Revenue

MS BLAKEMAN: Thank you, Mr. Speaker. The most recent budget shows how the government loves to write numbers, erase numbers, and generally change its mind every few days. It's not enough that they have cut community lottery boards, an important source of funding for many local groups, but now electronic bingo and keno games are being introduced, and the government wants to use them to hold back more profit for itself and less for the bingo associations. My question is to the Minister of Gaming. Why is the government planning on changing the return to bingo associations to only 15 percent of the money raised from electronic bingo and keno games?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The process that we've gone to over the last two years is to consult with stakeholders,

including the bingo associations, as to how we may bring in new ideas to improve all forms of gaming in the province. In the case of the bingo associations, they asked to have an opportunity to introduce electronic gaming into the bingo associations, and we have agreed with that. We are prepared to work with them in introducing those. They'll be voluntary. There are certain rules with it, but as I understand it at this point in time, the bingo associations are prepared to proceed with the introduction of electronic keno and electronic bingo.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Is the minister saying that the bingo associations asked the minister to cut their profits?

MR. STEVENS: Mr. Speaker, I believe that what I said was that the introduction of an opportunity for the bingo associations to have electronic gaming as part of the mix in the bingo associations was something that they asked for, and because they asked for it and we thought it was a good idea, we have put rules in place to allow that to proceed.

MS BLAKEMAN: Does the minister believe that it is fair to offer the associations 35 percent of the profits from some bingo games and only 15 percent from others?

MR. STEVENS: Like all matters within the Ministry of Gaming, Mr. Speaker, it's important that we consult with our stakeholders with a view to coming up with the right solutions, and in this particular case members of the AGLC are continuing to work with members of the bingo associations to ensure that the right mix is in place.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-West.

Provincial Fiscal Policies

MR. MASON: Mr. Speaker, in the last eight years actual government revenues have exceeded government estimates in its budgets by a total of \$21 billion. The government lowballed revenues by an average of more than 2 and a half billion dollars a year. If that was a onetime occurrence, it would be understandable, but this is a clear pattern that is far from being mere fiscal prudence. Rather, it is clear that this is a deliberate strategy to justify spending cuts and tax increases while creating the false impression that the government is successful as a financial manager. How can the Premier justify hiking health care premiums 30 percent, thereby imposing tremendous financial hardship on middle-income families, small businesses, and seniors, when he knows that this government is hiding a huge budget surplus?

MR. KLEIN: Well, Mr. Speaker, like other budget decisions this was a tough decision as well, but, quite simply, the recommendation was made in the report of the Premier's Advisory Council on Health, chaired by Mr. Mazankowski. It's quite clear that when premiums were introduced, they were to cover 20 percent of insured health care services. That dropped to about 11 percent. We're now up to about 14 percent. It's deemed to be an appropriate number, relative to the cost of premiums, to provide insured health care services.

But relative to the fundamental question is the question of fiscal management, and that's what it's all about. Is this hon. member standing up and saying that it's better to proclaim during the budget process that we're not going to have a deficit and end up short and

end up running into a deficit? The Minister of Finance doesn't simply look up into the sky and pull some numbers from the air. Well, it's unlike ND and Liberal accounting principles, and clearly the people in Wainwright saw through those principles last evening.

2:30

When we go through the budget process, there are some givens. We have a good estimate as to what we're going to receive through corporate and personal income tax, what we're going to receive through fees for services, what we're going to receive through premiums, but we don't have a firm grip on what we're going to receive through royalty payments and stumpage fees and so on and those other factors that depend on the economy. The minister spoke quite eloquently about the volatility of the economy. So we consult with organizations like the Canadian Association of Petroleum Producers, other associations, and major industrial leaders, and we ask them: what is an appropriate figure to budget for oil and gas? And on the basis of that sound advice and tremendous research we set a figure for budget purposes. That's how it's done.

MR. MASON: Well, Mr. Speaker, we had to give him a chance to talk about the by-election, but we know that 55 percent of the people voted against his government. I think that one of the reasons is that they want an answer to this question: how can the government say to Alberta communities that there's no money to fund community lottery boards when the provincial government gaming revenues are underestimated year after year?

MR. KLEIN: Mr. Speaker, again, and as I've said so many times in this House, it was a matter of setting priorities. I went through a list of those priorities yesterday in this Legislature. I talked about our commitment to family and community support services for children. That is a priority: if he doesn't think it's a priority, stand up and say so. We see as a priority sport, recreation, parks, and wildlife foundations: if he doesn't think that's a priority, stand up and say so. One hundred twenty-two million dollars to the Supernet: if he doesn't think that's a priority, stand up and say so. Ten million dollars to seniors' lodges: if the hon. member doesn't think that's a priority, stand up and say so. Three point one million dollars to achievement scholarships for young people: if he doesn't think that's important, stand up and say so. Two million dollars to the First Nations development fund: if he doesn't consider that a priority, stand up and say so. Twenty-five million dollars annually to the community facilities enhancement program: stand up and say if you don't think that that's important. Fifty million dollars to health care facilities: do you think that's important? If you don't, stand up and say so. Thirty-six million dollars to the strategic and research investments program: very important. Universities, all our research institutes, those things that generate economic diversity in the province: if it's not important to you, stand up and say so.

THE SPEAKER: Actually, the time for question period left us about three minutes ago, but we'll just wrap this up now. Hon. member.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to stand up and tell the Premier that I do believe that seniors' eye care and dentures are worth spending some money on. How can the Premier justify taking away these services to Alberta seniors when he knows that this budget has underestimated oil and gas revenues once again?

MR. KLEIN: Mr. Speaker, I'm going to have the hon. Minister of Seniors respond, but I can tell you generally that our programs for

seniors are amongst the most generous if not the most generous in Canada. Relative to the specifics I'll have the hon. minister respond.

MR. WOLOSZYN: Thank you, Mr. Speaker. I would like to point out that the program that he is alluding to was a very weak program, and a choice was made to redirect a good portion of the resources into a seniors' benefit special-needs area to assist the lower income seniors. I'd also like to point out that the seniors still have the universal program that covers the majority of their prescriptions, ambulances, also some other areas within that. So to indicate that we have taken away all the health care from seniors is strictly erroneous.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Calgary-East.

Teachers' Arbitration Process

MR. AMERY: Thank you, Mr. Speaker. A few days ago at 6:40 a.m. I received an e-mail from one of my constituents, a Brenda Newton-Wakely, and she expressed several concerns with regards to the teachers' wage arbitration that I feel needed to be addressed here today. I rise today out of respect for my constituents' right to voice their concerns. Her concern includes the binding arbitration of teachers' salaries; specifically, that a school board cannot be allowed to run a deficit, that there will be no additional tax dollars, and that the PTR is not being included in the collective bargaining agreements. She believes that the arbitration process will not, because of these factors, result in a fair settlement for teachers nor in fundamental improvements in the education system. She also feels that the current funding formula is unfair and inadequate and insists that teachers receive salary increases in excess of 12 percent to maintain parity with other professionals in the province.

Mr. Speaker, I wish to reassure the teachers in my constituency, of whom Ms Newton-Wakely is one, that teachers will all receive a significant raise in pay and remain Canada's highest paid teachers. Additionally, the Ministry of Learning has taken an extremely proactive measure to ensure that PTR and other classroom issues are being addressed. This government is a strong supporter of teachers, and we have many teachers in our caucus that all do their best to represent the interests of the education system. We value our teachers, and we want nothing more than for the arbitration process to end in a sustainable and equitable settlement for both school boards and teachers as well as students. I consider it of extreme importance that their views be heard in this Assembly and by our government, and I want to say that I have certainly heard their message. I will continue to represent the views of my constituents and thank this particular constituent for very clearly outlining her concerns. It is my hope that the current labour dispute is resolved fairly and we maintain long-term sustainability, accountability, and excellence in the education system.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

Lew Hutchinson

MR. JOHNSON: Thank you, Mr. Speaker. Agriculture is truly a major contributor to the economic and social lifeblood of this province. It contributed in excess of \$18 billion in economic activity this past year, yet we do not honour or recognize enough those who work so hard or give of themselves so freely so that those who follow are more successful as a result of their unheralded efforts and leadership. We can never do too much to recognize and honour these leaders or, better yet, our unsung heroes. Some try to do this.

The Alberta Agriculture Hall of Fame and the 4-H Hall of Fame each in their own way attempts to do this, and they do a very good job, but it is never enough.

Camrose and district has its own agriculture hall of fame, the agricultural wall of honour. When the county of Camrose held this year's inductions into the agricultural wall of honour on March 8 at the Camrose Regional Exhibition centre, they chose to induct Lew Hutchinson, a man whose name is synonymous with agriculture in Alberta, for his outstanding leadership and commitment to agriculture.

Lew Hutchinson homesteaded on the banks of the Battle River near Duhamel in 1900 and began his farming life promptly thereafter, developing an Aberdeen Angus purebred herd and raising high quality Suffolk sheep and Berkshire hogs. In addition to his farming activities Lew was an active and effective participant on numerous agricultural boards and committees. In 1923 he helped launch the Alberta Wheat Pool and served on its board for 30 years. He was president of the Alberta Federation of Agriculture from 1941 to 1946, chairman of the Advisory Committee of the Canadian Wheat Board as a representative of the Alberta grain producers, and a representative of the Alberta barley producers on the national barley commission. He was president of the Alberta Swine Breeders' Association for two years and president of the Alberta Aberdeen Angus Association.

Lew and his wife, Barbara, raised a family of 10 children. The Lew Hutchinson family has been an integral part of agriculture in Alberta for over 100 years, and family members continue to contribute to Alberta agriculture even on the original homestead near Duhamel in my constituency.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

2:40

Women's Movement

MR. MacDONALD: Thank you, Mr. Speaker. In the last 35 years the women's movement has been very effective in generating sound social policy and influencing all governments in a positive way. The women's movement has successfully eliminated sexism in many sectors of society including the media, education, the sciences, and the legal profession. It has also started to break down established patriarchal power structures that serve to oppress and control women.

A brief review and a reminder to all hon. members of this Assembly of the achievements of the women's movement in the past 35 years includes the following. In 1971 the Canada Labour Code is amended to give maternity leave to female federal government employees. In 1974 women become eligible for enlistment in the RCMP. In 1977 the Canadian Human Rights Act forbids discrimination on the basis of gender and ensures equal pay for equal work. In 1982 women's equality rights are entrenched in the Canadian Charter of Rights and Freedoms. In 1983 the Canadian Human Rights Act is amended to include provisions on sexual harassment and to ban discrimination on the basis of pregnancy and marital status. In 1985 the spouse's allowance is extended to widows and widowers aged 60 to 64. The Indian Act is amended to restore the status and property rights of aboriginal women. In 1993 stalking becomes a criminal offence. In 1995 intoxication in crimes of violence including sexual assault is removed as a basis of legal defence.

I encourage all hon. members of the Assembly to reflect on these past achievements. We now need to develop policies and programs to reduce family violence and sexual assault and increase employment income security programs.

Thank you, Mr. Speaker.

Alex Janvier

MR. DUCHARME: Mr. Speaker, on Sunday, March 10, the 2002 national aboriginal achievement awards were presented in Winnipeg, Manitoba. I am pleased to inform the House that this year's recipient of the lifetime achievement award is from Alberta: the renowned and admired Dene artist Alex Janvier from Cold Lake.

Recognized as an artist, educator, mentor, activist, and much more, Mr. Janvier has been at the forefront of aboriginal art in Canada for over 40 years and has works in at least 30 corporate, public, and government collections, including the Canada Council art bank, the Montreal Museum of Fine Arts, Shell Canada Resources, the Glenbow Museum, the National Gallery of Canada, and the Department of International Trade. Described as an original member of the Native Group of Seven, he is the first aboriginal person to use the language of modern art to tell his story and has sought to represent the fullness of life in his paintings. Janvier is an ambassador of aboriginal art with paintings exhibited in Canada, the United States, and Sweden. His 450 square metre mural *Morning Star*, that graces the dome of the grand hall of the Canadian Museum of Civilization, is a masterpiece.

Janvier is a giant of his time and has served as a major influence on the new generation of aboriginal artists. I invite Alberta to join me in congratulating and honouring one of Alberta's and Canada's greatest artists, who resides in the constituency of Bonnyville-Cold Lake.

Thank you.

head: Presenting Reports by Standing and Special Committees

THE SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Mr. Speaker. In accordance with Standing Order 94, the Standing Committee on Private Bills has reviewed the petition that was presented on March 21, 2002, and I can advise the House that the petition does comply with Standing Orders 85 to 89. That is my report.

THE SPEAKER: Would all hon. members in favour of the report as presented by the hon. Member for Calgary-Lougheed please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. The report is carried.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 182 Albertans. They come from Edmonton, Duffield, Wabamun, and other places in the province. The petition was signed by these Albertans urging the government "to not delist services, raise health care premiums, or introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Revenue.

Bill 22 Tobacco Tax Amendment Act, 2002

MR. MELCHIN: Thank you, Mr. Speaker. I request leave to introduce Bill 22, the Tobacco Tax Amendment Act, 2002.

The amendments in this bill will legislate the increase in tobacco tax rates as announced in Budget 2002. In addition, several amendments are proposed to help prevent tobacco smuggling from gaining a foothold in Alberta. This action is in response to the recommendations from the report A Framework for Reform and is part of a comprehensive tobacco reduction strategy.

Thank you, Mr. Speaker.

[Motion carried; Bill 22 read a first time]

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. Today I rise to table the appropriate number of copies of two documents. The first tabling is a letter from the treasurer of the Western Walleye Council, Mr. Terry Welty. This letter is to inform the Members of the Legislative Assembly that there is a petition available that now has almost 6,000 signatures from Alberta fishermen who are concerned about the collapsed status of walleye in most Alberta lakes and are requesting that the government of Alberta stock walleye in select lakes using fingerlings from stable lakes and the Cold Lake hatchery on a perpetual basis.

The second tabling is on behalf of the Member for Red Deer-South. I am tabling the appropriate number of copies of a petition with 466 signatures that urges the government of Alberta

to use the power it has to amend the Planning Act and the Municipal Government Act to give municipalities authority to henceforth prohibit all performances in live peep shows that, in any form or manner, expose to the view of any member of the public, the genitals, buttocks, or female breasts.

As well, it urges the restriction of alcohol sales in said establishments.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of the 2001 annual report from the Edmonton Arts Council. This was presented at their annual general meeting on April 3 of this year. The annual report is detailing the distribution of the city of Edmonton funding for the arts and also goes into detail on programs that are offered, like Tix on the Square and the artist trust fund awards.

My second tabling is a letter from Ken Cameron of Calgary, who is writing to me about the community lottery board and asks us to work hard for the restoration of the community lottery boards "so that VLT and gambling revenues can be put back to work directly in the community."

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings today. The first one is a petition that was organized by Mr. Darby Mahon of Edmonton-Gold Bar, and it is supporting public and separate school teachers in their struggle against the provincial government.

The second tabling I have is a letter regarding Bill 207, the Alberta Personal Income Tax (Tools Deduction) Amendment Act, 2001. This is a letter stamped from Johnson Onesty Automotive Ltd. on 70th Avenue and 50th Street in the constituency of Edmonton-Gold Bar, and the gentlemen that work in that shop are encouraging the government to have this act proclaimed.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to make four tablings today. I'm tabling the appropriate copies of four letters each expressing disappointment and outrage at the way the government is handling the dispute with teachers. The first tabling is a letter from Dan Huot of Calgary to the Premier. The letter says that Bill 12 is a "mockery of democracy," and "it is shameful that a group of so-called leaders of . . . this government have to stoop so far down."

2:50

The second tabling, Mr. Speaker, is a letter from Mary Ann Kurucz of Calgary, who expresses her outrage at the government's "high-handed, arrogant and brutally-repressive action in handling the labour dispute with teachers."

The third tabling is a letter from Linda Leiren from Sexsmith addressed to the Minister of Learning. She is disappointed with the way the government has treated the Alberta teaching profession.

The fourth tabling, Mr. Speaker, is a letter from Frances Shultz addressed to the Premier expressing her concern with the government's display of school bully tactics towards the teachers.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I have two tablings today. The first is a letter from Don Fleming, the board chair of Edmonton public schools, addressed to me. Mr. Fleming is deeply concerned with the recent increase of 30 percent in Alberta health care premiums as this increase will add "a direct expense to Edmonton Public Schools of approximately \$390,000 for the 2001-2002 fiscal year and a projected expense of \$935,000 for the 2002-2003 fiscal year."

The second tabling, Mr. Speaker, is a document from me in response to the Premier's challenge yesterday in question period in which he suggested that community organizations in Forestburg, Hardisty, Killam, and Wainwright that I referred to might be double-dipping with CFEP grants. The document shows that none of these organizations that I referred to received a CFEP grant in the year 2000-2001.

MR. McCLELLAND: A point of order, Mr. Speaker.

THE SPEAKER: Yes. The hon. Member for Edmonton-Rutherford on a point of order.

Point of Order Member's Apology

MR. McCLELLAND: Mr. Speaker, in checking *Hansard* I noticed that I had referred yesterday in debate to comments from the hon. Member for Whitecourt-St. Anne as "drivel," and I wish to unequivocally and totally withdraw that remark. Even in jest I should not have used that term, and I apologize and withdraw that remark.

MR. VANDERBURG: I accept.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: I think we'll recognize the hon. Government House Leader at this point in time.

MR. HANCOCK: Thank you, Mr. Speaker. Prior to calling the Committee of Supply, after continuing communication on this issue with the Official Opposition and the third party I seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the department of health to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

Health and Wellness

THE CHAIR: Are there any comments or questions to be offered with respect to these estimates? We might call on the hon. minister to begin this afternoon's deliberations.

MR. MAR: Well, thank you, Chairman. It's my pleasure to present the Alberta Health and Wellness budget for 2002-2003 for your approval. This is a transition year for health care in Alberta. This year we take control of health spending, and hence we will move forward with prudent increases that respect our fiscal reality and are sustainable over the long term.

This year, Chairman, we take health care into a deliberate and planned process of change based on more than a dozen years of public consultation that culminated with the Premier's Advisory Council on Health report. Our business plan for the three years to 2004-2005 integrates our action plan for reform. The Health and Wellness budget supports the business plan with the largest ministry budget and the largest single increase in the government.

The budget I present today represents almost 36 percent of all government spending. In 2002-2003 Health and Wellness will provide \$6.8 billion to support our public health system. For this fiscal year our public health system will cost the public purse almost \$19 million every single day. That is \$468 million, almost half a billion dollars, more than last year and represents an increase of more than 7 percent.

There is an understandable concern over the size of this increase for public health care. The province's revenues are expected to be down and other public needs also demand attention. However, a public health system demands public funding. There is only one source of public funds, and the only options for health care are federal transfer payments, taxes, and premiums. Given our lower revenues, other public priorities, and our commitment to an Alberta tax advantage, we turned to health premiums to increase public funding for health care.

Premium increases of just \$10 a month for singles and \$20 a month for families will raise \$184 million to offset the increase in public health funding. Premiums paid by the people we expect to attract to the province of Alberta this year will generate an additional \$10 million. I would like to remind the committee that this is the first premium increase since 1995. During the same seven years public health costs increased by almost \$3.2 billion.

Higher subsidy thresholds will protect more lower income Albertans, including an additional 8,000 seniors, and a new category of subsidy recognizes the additional financial pressures on families

with children. We did not focus solely on raising funds. We also moved to reduce costs on the very basic and very fair principle that health benefits should be based upon need and not upon age. We eliminated the extended health benefits program that applied to all seniors. To meet the optical and dental needs of lower income seniors, we moved \$9 million from this previous program to Alberta Seniors. However, those that can afford it now will pay for their own optical and dental services. We transferred the balance of \$15 million saved to regional health authorities.

That outlines the money coming into health care. Now I will look at where the money is going. There are good reasons for the size of the increase for Health and Wellness. Compensation for physicians goes up \$177 million this year to \$1.4 billion. That is the cost to keep our skilled physicians in Alberta and to attract more doctors. Blood products will cost \$16 million more for a total of \$120 million this year. Tobacco reduction comes at a cost: \$8.75 million in the first year for AADAC to co-ordinate a provincial tobacco reduction strategy. Acting on the Premier's Advisory Council on Health recommendations will cost \$25 million in year 1.

But the biggest factor in rising health costs is our growing and aging population. The population growth that will fill the 35,000 jobs our economy will create this year also means more patients for Alberta's health system. Health care services are driven by population numbers and needs. We allocate funding to health regions using a population-based funding formula. The formula also considers differences by region in the needs of a higher seniors population, more lower-income families, or the lesser needs of an affluent and younger age group. On top of this, we allocate funds for nonpopulation-based items to cover expenses like operating MRIs in regions that have them and funding to rural regions to compensate physicians who are on call.

3:00

In Budget 2002 every health region receives a minimum increase that reflects its population growth plus 1 percent for inflation. Regional allocations differ widely based on local population growth, demographics, and the impact of services provided to residents outside their region. The bottom line is that health authorities will receive over half the total increase in health funding this year, \$247 million. The Capital and Calgary regions also receive an increase of \$21 million, or 5.3 percent, in funding for provincewide services for specialized care like heart and neurosurgery provided to all Albertans. In all, Alberta's health authorities will receive over \$4.2 billion, almost two-thirds of the total health budget.

Even so, Mr. Chairman, regions across the province have been quick to tell us that maintaining facilities and services at current levels will be a challenge. If ever we needed any further evidence that our current health system is unsustainable, it lies in this reality. Some people have the notion that sustainability is making sure that the same services continue to be available, but it is actually about making sure that the necessary care continues to be available. Alberta's health authorities understand this. They've accepted the need for reform in this time of economic constraint, and I applaud their willingness to manage care and look forward to receiving their business plans.

Our own business plan sets a direction for health reform while assuring Albertans that our vision, mission, values, and principles remain unchanged. We remain committed to the principles of the Canada Health Act. We will continue to help citizens of a healthy Alberta achieve optimal health and wellness.

Goal 1 is to "lead and support a system for the delivery of quality health services." The first strategy is to implement our plan for health care reform. I will appoint an expert panel soon to review the

scope of publicly funded services. My department will work towards a 90-day guaranteed access for selected procedures. We will work with the regions and health professions to implement new models of service delivery like primary health care reform. Together we will better align physicians' services with regional service delivery and remove barriers to practice for other health professionals. We will expand Telehealth and begin to implement electronic health records, conscious of the need to protect the privacy of personal information. Success will be measured by reducing wait lists and wait times for certain procedures by ease of access to services and the quality of care that Albertans receive.

Goal 2 encourages and supports healthy living. This, in my view, is the key to sustainability. It is the first theme in the Premier's Advisory Council on Health report. We will set 10-year targets for key health indicators. We will monitor and evaluate cervical cancer, newborn metabolic conditions, chronic and communicable disease management. We will work to reduce tobacco use and promote healthy aging. We will measure our success by Albertans' health status, by reducing injury and suicide rates, and by the rates for breast cancer screening, childhood immunization, and smoking.

Goal 3 supports and promotes a system for health with an emphasis on accountability and electronic access to health information. Under goal 3 we will integrate mental health services into the regions and achieve the potential of information technology. The MLA Task Force on Funding and Revenue Generation will identify and address barriers to cost-effectiveness and regional revenue generation.

Strategies under goal 4 will optimize the ministry's effectiveness in how we respond to Albertans and how we work across government on joint efforts like the Alberta children and youth initiative and aboriginal policy initiative.

Reform recognizes the realities of a changing world. Today we realize the remote reality of a terrorist attack. Our business plans include strategies to develop an Alberta plan for emergency preparedness and response to chemical, biological, radiological, and nuclear threats to public health and maintain a plan for the resumption of business in the event of a public crisis.

To conclude, medicare was founded on a vision that no one would ever have to choose between buying groceries or seeing a physician. No family would ever be bereft of a loved one for lack of medical attention. No one would ever face bankruptcy over personal health costs. Budget 2002 and the reforms it supports remain true to that vision. This is a year of transition to a more sustainable health system but one that serves the spirit and purpose of the original long into the future.

Members of the committee, I ask for your approval for the Health and Wellness budget for 2002-2003. Thank you.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I appreciate the comments of the Minister of Health and Wellness. It is a huge department, and it is, as I think we all know, the one that consistently comes in as the highest priority and the area of greatest concern for citizens right across the province. I appreciated the minister's opening comments. I will be putting out a series of questions, and I fully understand that most of them will require a written response. There may be some, though, that the minister is prepared to respond to just on his feet here in the House, and I'll ask him that from time to time. If he's prepared to do so, that'd be great, and if not, I'll accept a written response.

The discussion of the budget I think has to begin with an examination of the budgeting process, and a concern that is simply inescap-

able to me – and perhaps the minister can either help me understand it or else give indications of how the department might be addressing it – has to do with the timing through which the budget is developed. So we are today, on April 9, debating the budget, yet the regional health authorities, which account for two-thirds of the budget, are still submitting and preparing their business plans. The question to me is: how does the department go about preparing its budget when the regional health authorities, which account, as I say, for two-thirds of the expenditures, haven't submitted their business plans and their budgets to the department?

I may well be missing something here, but it would seem to me that if we rearranged the timing of the budget process so that the regional health authorities were expected to submit their budgets to the department perhaps by the middle of November or something like that and feed into the department's budgeting process in a more timely manner so that we're not caught in this position of debating a budget for which a huge chunk of the variables are not clearly settled – I don't know if the minister would be prepared to engage me right now or respond right now to the idea of rearranging the timing of the budget process so that the RHAs fed into the process in the fall rather than, say, in April or May. I'd appreciate that.

MR. MAR: Mr. Chairman, this is a comment that was made by the Auditor General when reviewing the operations of the Department of Health and Wellness, wherein he noted that the budgeting process for the provincial government actually was much earlier than the submission of business plans by regional health authorities. In fact, on previous occasions business plans would not be submitted by regional health authorities until half of the fiscal year had already expired, which didn't make the business planning process for regional health authorities particularly useful.

We are correcting that, Chairman. We do work very, very closely with the regional health authorities in assembling our budget, and we have a fairly good idea of what it is that RHAs require. Because we work closely with the RHAs, while we do not release specific data to the RHAs, our budget is assembled based on input from RHAs, and they do prepare business plans with multiple scenarios that may accommodate a zero percent, a minus 5, a plus 5, and so on. So regional health authorities will be submitting their business plans later on this month, and it much more closely coincides with the budgeting process set out for the overall government's spending plans.

3:10

DR. TAFT: I appreciate the minister's response there, and I would just throw it out for his and his department's consideration that they may well want to request the responses from the RHAs even earlier in the year. While the period of limbo, as it were, is smaller than it once was, it's still the case that we are debating budgets, and the RHAs are submitting business plans well into their fiscal year. I'm glad to see that we're headed in the right direction, and I encourage the department and the minister to carry on further along that direction.

The symptoms of the shortfalls of the timing right now I think do turn up in a number of the responses by the regional health authorities to the provincial budget. I fully understand that there's a lot of politicking going on here and negotiating through the media and I'm sure through the back rooms over what the RHAs should get as their budgets, but there is a clear sense that a number of the regional health authorities were caught somewhat by surprise by the budget that we are debating today and are looking at having to close beds or reduce services or even lay off staff and, of course, are unhappy about that and will be and already are letting all of us know about their unhappiness.

I am also concerned that the bases for the budget increases are not entirely fair, again recognizing that this is a tough negotiating process the minister and the department are engaged in, but when most of the regional health authorities are allowed only 1 percent for inflation when we all realize that even the general consumer price index measure of inflation is running at 2 or 3 percent, then that is in effect a cut. It's a cut of 1 or 2 percent, and that will translate into reductions in the regional health authorities.

I also am concerned that, strictly speaking, using the general consumer price index as a measure of inflation is not as good a measure as we should have of inflation in the health sector. The CPI can be broken down further into different subsectors, and one of those does relate to health. I'm particularly concerned that because of the very generous labour settlements of a year or two ago, the actual inflation rate in the health sector is much greater than 1 percent in Alberta. I would support the minister and the department in meeting the cost of inflation in the health sector in Alberta, not just a 1 percent inflation allowance. Otherwise, again we are effectively asking the health authorities to cut their services. This is particularly a problem because the settlements for labour were undertaken by the provincial government, and it therefore seems to me to put an onus on the department to provide the RHAs with enough funding to fully meet those labour requirements.

I'll also make another general comment, and that is a concern that I have and others have that the department itself is not muscular enough. It does not frankly have enough staff, enough budget to hold all the regional health authorities accountable as strongly as they should be held accountable. Well, I'm the opposition health critic, and if the minister were ever to come forward and say, "You know, I need more people in my department and I need more money, because for us to have a strong health care system in Alberta, we need a strong central voice to hold it all together," I would support that. The minister knows that I feel that we are more or less spending enough on hospital services and on physicians' services to have an effective health care system, but I am concerned that in important ways the regions, especially the two big urban regions, are running the system more than they should be. There's a sense in which the tail wags the dog. So I would be quite prepared to support any initiatives by the minister and his staff to strengthen their own department to hold the RHAs accountable. I've had some chats with the regional health authorities, and they will admit that that's probably a legitimate concern. We need the centre of the system to hold.

The minister in his opening comments described this as a transition year and as a year to take control, and I think building up his department is a way to do that. The department staff are now – I could be corrected on this – I think in number less than half what they were eight years ago, and that is a huge hit to take. I am concerned that we have in some sense 17 minidepartments out there, and that's not the way we want to go.

The comments the minister made on premiums as a way of bringing in revenue. He knows our opposition view on the premiums, and I won't belabour him with those again, but I think I can speak for all the opposition that we would prefer, clearly, to have seen the premiums phased out over the last few years. There have been a series of tax cuts brought in by this government over the last five or six years, and I think it's regrettable that this wasn't one of the taxes that was cut as opposed to some of the other taxes that were cut. So if in the future the minister or the government were to bring forward steps to reduce and eliminate premiums, we would wholeheartedly support that as an initiative.

The minister's comments on the budget also raised a question for me – I should know this, and I don't – on the funding formula

through which the regions are funded. I'm not aware if that's public or not, and if it is, I'd be curious to know how it's worked out. I know that last year, last July, there was a \$200 million adjustment made to the budget just six or seven weeks after we voted on it to adjust for a larger population and inflation. I assume that that formula has been sorted out in advance, but the funding formula that allocates the money to the different regional health authorities – if that's public, I'd be interested in seeing how it works.

With those general questions, then, I'll move to a series of more specific questions. I think we might as well start with the regional health authorities. They persistently get the most attention. Maybe they get more attention than they should, but that's how it goes, so I think I'll start there. Our assessment is that about seven of the regional health authorities are likely to run deficits or, to offset deficits, will be undertaking layoffs or program cuts in the proposed fiscal year. I assume that the minister and the department are very much on top of the RHAs' plans, so it would be useful for us to know in advance – and maybe we could even work with the minister on this – which RHAs will be undertaking cutbacks or layoffs or which ones will be running deficits and how they will be managing those deficits. There are, I believe, provisions under legislation for RHAs to actually issue debt instruments, debentures or bonds or that sort of thing. I don't know if that's ever been contemplated or if I'm understanding the legislation correctly. But if that's not allowed, then how would an RHA run a deficit? How would they manage that? As I said, it would be useful to know as soon as possible how many are expecting to run deficits.

3:20

Going back to the inflation issue, the 1 percent for inflation, I would be curious to know and I'm sure the RHAs themselves are curious to know: why did the minister and the department settle on 1 percent for inflation, knowing full well that inflation is running higher than that? If there was some rationale for that, I'm sure we would all appreciate that.

Reviewing the department's budget today as opposed to how it was presented quite a number of years ago in some ways is more frustrating than it used to be because it isn't clear as a province how much we are putting into labour costs in the health care system, how much we're putting into capital costs in the health care system, how much provincewide is going into long-term care, how much provincewide is going into acute care. It's somewhat more difficult to follow with the development of the regions. If the minister could provide a breakdown of how much of each regional health authority's budget goes to labour costs, that would be helpful, and even more so, how much goes to different subcategories, the biggest one, obviously, being the registered nurses but also the LPNs and lab techs and so on.

Of course, I'm sure I'm hoping for too much here, but it would be interesting for us to see the trends in those areas over the last several years. How much are expenditures on RNs changing – I assume they're going up, but I could be wrong there – in the regional health authorities? Are we seeing costs driven a tremendous amount by increases in RN salaries, or in fact is that a misperception? Are they being driven by other considerations? Of course, what's the mix between RNs and LPNs and so on?

We'd also be interested to know the population projections for the different regional health authorities, because as the minister made clear in his opening comments, population growth is a major, major driver of costs in some of the RHAs, in many of the RHAs. The projections used by the RHAs or the department would be useful to know. This may be an area – maybe this is happening – where the RHAs and the departments could work together. Do we have 17

different offices around the province and each RHA doing population projections, or do we have one in the department doing provincewide population projections for each RHA? I would prefer the latter idea, where there was a branch of the department doing that work, and maybe it is happening that way. If it's not, I'd be curious to know, and I'm of course curious to know what the projections are.

The year of transition, that the minister referred to, will apply to nothing more than it does to the mental health sector. As we watch the provincial Mental Health Board and its services being integrated into the different regions, the complexities of that process are enormous, and it would be useful to know – and the minister may be able to comment on this right now – how the budget for mental health services is going to be integrated into the RHAs. Has that already happened, and are those plans in this budget? Is it being phased in over a couple of years?

Do you want to respond to that now? Thank you.

THE CHAIR: The hon. Minister of Health and Wellness.

MR. MAR: Thanks, Chairman. As hon. members of this House know, one of the recommendations set out in the Mazankowski report that the government is embarking on and implementing is the regionalization of mental health services into RHAs. Perhaps I should say by way of background that the reason why the Mental Health Board was set up at the outset was to ensure that money that was dedicated to mental health was in fact spent in that area and not hived off to go to supporting acute care or some other important priority but was in fact kept in the area of mental health. It would be our intention that there would be some role for an agency to ensure that money that is given to regional health authorities for the purposes of delivering mental health services in regions is in fact spent in that area, so there will be an accountability function that will be required.

I should also note, Mr. Chairman, that there are probably some services that would not have happened in this province in the area of mental health but for the Mental Health Board, and perhaps telemental health would be one good example. So there may be some requirement still for certain types of mental health services to be governed by a provincial agency that would look after two things: one is those services which should be provincial in nature and also to ensure that there is an accountability that regional health authorities spend money devoted to mental health on those programs.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. Thank you, Mr. Minister. There's an issue that was brought to my attention on the weekend, and again I felt like I should know it and I don't. I know there's a section in the business plan on aboriginal health, but it would be useful to know how services provided to status Indians off reserve, say in hospitals throughout the province, are funded. Are those services billed back to the federal government, or are they handled some other way? I don't think that's itemized in the budget, and frankly it's unclear to me how that particular issue is handled. There was some concern that the provincial government was being required to pay the full cost of health services to treaty Indians when those individuals sought health care in provincial facilities. Again, maybe the minister can correct me on that now, or maybe he needs to get back to me. I don't know the answer.

MR. MAR: I'll get back to you.

DR. TAFT: Okay. Thanks.

I'm going to return for a minute to the issue of premiums, because we might as well get more detailed information on that if it's at all possible. There is, as the minister knows, widespread concern among businesses and among municipalities and universities and school boards and so on that they face a direct cost increase because of the rise in health care premiums and the fact that they pay those premiums on behalf of their employees. So it would be very useful for us to learn how much in health care premiums is collected by the province, first of all, from itself, as it were, from its own employees, from postsecondary institutions, from the regional health authorities, and from the school boards. You can well see why the regional health authorities, for example, are concerned about this, because in effect, when they're paying an increased premium on behalf of their staff as a result of provincial government budget, it's a cutback for them in practical purposes. So it would be very helpful, I think, for the public to know and for all of us to know how much public money from universities, RHAs, municipalities, school boards, and the government itself is flowing back into government coffers, sort of moving money from one pocket to the other pocket without really a very clear purpose.

3:30

There are always of course concerns over the cost of collecting premiums and the impact of the very substantial premium increase on the number of people who will be defaulting on their premiums. If I were to dig through the numbers here again, I know there's a projected significant increase in the default on these premiums and the cost of collecting them. I can't lay my hands on that right now, but that's an area of real concern, and it would be interesting for us to know how much it is costing the government to pursue the premiums that are not paid through collection agencies and so on.

I've supported this minister and I will continue to support this minister and the government on the tobacco reduction strategy. I think it's commendable; I think it's a step in the right direction. I've taken some flak and probably all MLAs have taken some flak from tobacco users who are unhappy, but I think it's the right direction to take, and I think all of us in the opposition will support the government on this initiative. One of our members, I think the only one who used to be a smoker, has recently quit, so we are very supportive of that. She – I'll give you a clue – quit before your step, but she probably would have quit even more enthusiastically when the price went up.

But to be specific, how are we going to know if this program is working? What are our benchmarks to know whether the tobacco reduction strategy is having the effect we want? Are there some measures that have been established to determine whether the tobacco reduction strategy is having the effect we want, and of course is there any sense of the financial implications of those benchmarks being achieved? The tobacco industry has argued that in fact they're doing taxpayers a favour by killing off people who, if they lived longer, would need more health services. Of course, the humanity of that argument is a huge issue on its own. Has the department looked at all of the long-term cost implications of reducing the number of smokers in Alberta? I would be interested in that, and I'm sure many of the supporters of the government's tobacco reduction strategy would like to see that as well.

I think I will stop there. I've got many other comments, but I don't want to monopolize the whole afternoon. I could carry on for quite some time yet, but there may be other members of the Assembly who want to engage in discussion with the minister on the budget, so I'm going to take my seat, Mr. Chairman, and give someone else the floor.

MR. MAR: I can make a few comments in reply, Mr. Chairman.

I've carefully taken notes here, and I know that members of my department are doing the same in the galleries, and I will certainly take the opportunity to review *Hansard* to fill in any details that I may miss. Of course, some of the replies to these questions are not immediately at my fingertips, and I will take the time to review it and provide responses by written correspondence in due course.

Perhaps the one thing that I will touch on, Mr. Chairman, is the tobacco reduction strategy. I think that it is of important note that the first recommendation set out in the Mazankowski report is to promote wellness, and there can't be a more important area to act upon than the area of reducing tobacco use.

Tobacco use is the number one avoidable cause of death in Canada and here in Alberta as well, and I think it is important to note that the name of this department is the Department of Health and Wellness, not simply the department of health. It's for that reason, Mr. Chairman, that we are being aggressive in our tobacco reduction strategy, and we are using our very best efforts to rely upon credible sources of information to structure our strategy for reducing tobacco use in this province. We have looked at, for example, the Center for Disease Control based in Atlanta, Georgia, and I think to summarize, if I may, the types of programs that have been found to work to reduce tobacco usage is that simply increasing the cost of tobacco is insufficient as a long-term strategy. Simply having cessation programs and support and education by itself has not been demonstrated to be a long-term successful strategy. But those two working in combination have been found to be successful, and that's the reason why we have increased tobacco taxes and put in just under \$9 million for our programs that will help educate particularly young people on tobacco use.

The interesting question that was asked by the Member for Edmonton-Riverview: how will we know that this is successful? We see in other jurisdictions where this type of two-prong strategy has been applied that there has been a measurable reduction in the number of people who smoke, and that is, I think, a good surrogate for other things which are ultimately the outcome that we seek, which is better health. Reducing the number of people smoking is a good surrogate for improving overall population health, and that, of course, is the endgame. So I think, Mr. Chairman, it may be difficult in the medium- or short-term to measure the health effects of smoking cessation, but reducing the number of people who actually smoke will be a surrogate that over the medium or longer term will demonstrate itself to result in better overall population health.

Mr. Chairman, we are going to be relentless in this effort to reduce tobacco use, particularly among young people, because our health care system in the long term cannot afford, cannot be sustainable, cannot deal with the number of people who will be using our acute care system with smoking-related diseases unless we do something today about the 23 percent of high school aged children in this province who smoke, and it is for that reason that we are aggressive on this and hope that that cohort of young people can lead much healthier lives than lives that are damaged terribly, at a cost that is difficult to measure, from smoking-related diseases.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Chairman. Thank you, Mr. Minister. I'll shift gears a bit. If we go to the business plan of the department, it talks about a target of reducing wait lists for long-term care, and I'm on page 206 of the business plan. You don't particularly need to look it up. It's a pretty straightforward target and a commendable target. I'm sure the minister is aware that the delay in people getting access to long-term care has all kinds of repercussions. It has

repercussions through the community and for families who are struggling to look after people who should really be in facilities, it has repercussions for home care services, and it has serious repercussions for emergency wards. I'm sure the minister has been in a number of emergency wards touring – I don't mean as a patient but just in his role as minister – and has undoubtedly encountered patients who have been held in emergency wards for 24 or 48 or even 72 hours waiting for a bed. These are typically elderly patients who are there because of a fall or some other problem, and there is nowhere for them to go from the emergency wards.

3:40

The objective of reducing the waiting list for long-term care is a crucial one, and it would be useful for us to know how the minister and his department plan to meet that particular objective. I've already said it once today, and I've said it many times before. My sense is that we're probably spending enough on hospitals and doctors, but I'm not sure that we're spending enough as a society and as a government on long-term care. One of the ways we can improve the operation and the functioning of acute care hospitals is by actually spending a bit more on long-term care facilities so that we can place long-term care patients who are in hospitals and in emergency wards much more quickly in facilities where they need to be served and will be better served; i.e., long-term care facilities.

So I think this is an objective or a performance measure that will have huge benefits for the whole health care system and ultimately for all Albertans, and I would encourage the department to focus on that one and, indeed, to seriously consider increasing its financial support for long-term care in this budget and certainly in future budgets. There was a time when it was quite easy to track long-term care spending provincewide through the budget and through the financial reports of the government. It's become much more difficult now, but I'd like to know how that particular objective is going to be met. I would, as I say, support the minister if he were to seek more funding for that area of health care.

The concerns over drug costs is another area where I'm not convinced that we've actually budgeted enough. I don't know if the department is yet looking at a comprehensive pharmacare program, but there is a clear sense I have that we may be able to save money as a society by increasing the amount we spend as a government on pharmaceuticals. In other words, all health care spending comes down to coming from one pocket. It comes out of our pockets as individual Albertans, and I'd rather pay 80 cents out of my pocket as a taxpayer than a dollar out of my pocket as a marketplace consumer for pharmaceuticals. So if the department were to consider in its budget programs that lead us towards a comprehensive pharmacare system, I'd certainly be very interested in supporting those if they made sense, because I do think that they could ultimately save money and they could save money in more ways than just controlling costs.

One of the concerns that I hear repeatedly – and it's supported to some extent in the research literature – is that once patients are discharged from hospital and they go home and they are then responsible for their drug costs, they reduce their drug consumption. They will often, for example, cut their dosage in half because they can't afford the full cost of the drugs. Then, of course, they don't recover the way they should, and they end up back in the health care system. So that's an area where I think we could really take a tough and creative look at what we're spending on health care in this province.

Health care budgets, as we all know, are driven more by labour costs than by anything else, and there has been some controversy over the settlements of 18 months ago or so with the doctors and

with the RNs and the cost implications of those. As we move now into a whole new round of labour negotiations that will unquestionably have an immense impact on the budget, I'd be very interested to know what role the minister or his department will be playing in upcoming labour negotiations between the health authorities and unions such as AUPE or the Health Sciences Association of Alberta or the United Nurses. How active a role does the department plan to take in those negotiations, and is the department prepared to meet the additional obligations the RHAs will face when those labour settlements are finally agreed to? If they aren't, then the RHAs are caught in an unacceptable bind. So some information on that would be anticipated. I'm sure that for negotiating purposes the province's position won't be made particularly clear to me, and I understand that, but any indicators would be useful on that.

Another area where there is concern – and I frequently get questions on it – is the area of overtime expenditures. It would be useful for the province to actually make clear both in its budget and then in its final accounts how much is spent on overtime through the regional health authorities and potentially through the department itself but, I think, especially through the regional health authorities. Certainly I've received questions often wondering how much is spent on overtime, and there have been informal indicators to me that overtime expenditures are very high because we are short of staff. So it would be useful to know how much is budgeted for overtime costs and what steps are being taken to reduce those, because those are frequently unnecessary costs. They're certainly in the long term a cost we would want to bring under control.

[Mr. Lougheed in the chair]

Now I'll shift to questions on something the minister knows is near and dear to my heart: the issue of contracting out services and potentially the role of the private sector in providing health services to Albertans.

DR. TAYLOR: You've had a change of heart, and you're going to support it.

DR. TAFT: I have had no change of heart on this particular issue, so I will remain vigilant in watching over how it plays out and what it costs Alberta taxpayers and what it costs patients in terms either of extra fees or in terms of issues around reduced services or potentially better services, although I'm a skeptic on that front.

I'll begin again by comparing a financial presentation of information today with that of, say, 12 years ago. There was a time when some private expenditures were actually itemized. For example, the allocation to private nursing homes was a separate item in the provincial financial statements. It no longer is, and I think it should be, and I think it should also be in the budget. How much of our \$6.8 billion is going to private, for-profit providers of long-term care, of home care, and of other services? It used to be made very clear in the financial statements, at least for long-term care, and it no longer is, and I would like to see that. I'm also interested in knowing, of course, any cost-benefit analyses the department has done.

The minister has mentioned a couple of times recently in response to my perhaps repetitive questions the example of the Holy Cross hospital being, you know, a private, for-profit facility that's operating on a contract to the public system. Have there been cost benefits done of that facility, and what do they show? How much is the cost of cataract surgery at that facility compared to cataract surgery, say, at the Royal Alex hospital in Edmonton or the Lamont hospital or other public facilities?

3:50

On page 202 of the business plan there is actually a statement about – I'd have to scan through the page – the minister partnering with the private sector perhaps more and more. What does the minister envision and what does the department envision in terms of that public/private partnership? There is a strong lobby for public/private partnerships driven, of course, by the private partners, both the consulting firms and the companies themselves. On the other hand, there is evidence from Australia, Britain, and the United States, where these have been undertaken and evaluated, that they're not a particularly good idea and that they lead both to higher costs and reduced services. They also are frequently the cause of huge scandals. There are huge scandals in both the U.S. and Australia involving public/private partnerships in the health sector right now. So what is the minister's vision for the partnering with the private sector that's outlined in the business plans here that come along with the budget?

One of the roles, I guess, inevitably, and a justifiable role certainly in some cases, of the department is promotion and advertising, but it can become an expensive role, and it's not always clear what the benefits of the department undertaking advertising and public relations are. There was a news release, for example, issued a few months ago that the department was undertaking a million dollar public relations plan with its Health First initiative. How did that work out? Did that come in on budget, under budget? Is that turning up in this budget, or was that covered under last year's budget? How much was spent on TV and radio and print and so on? How much was handled through the Public Affairs Bureau? Were the Public Affairs' expenditures on that separate from and in addition to the department's, or how did they work out? What are the plans for the current year in terms of promotion and advertising? Will there be more promotion and advertising undertaken in conjunction with the Premier's Advisory Council on Health?

That moves us to the issue of the Premier's Advisory Council on Health itself. The budget has a wonderfully round figure in it of \$25 million exactly for expenditures relating the Premier's Advisory Council on Health, but it's not very clear what that \$25 million is going to go for. In fact, I don't think it's at all clear. How was that figure arrived at? It's such a marvelous number. It's amazing to me that it looks like it was pulled more or less out of thin air and that it was a pretty wild ballpark, but I could be wrong on that. Sometimes numbers add up to even figures like that. What will be spent on implementing the recommendations from the Premier's advisory council report, and how will it be spent? Is it going to the various implementation committees? Is it going to background research? Is it going to a lot more promotions and advertising? Does the government have any mechanism in place to measure the outcomes for how this money is being spent? How do we know that we're getting value for that \$25 million? Do we have any mechanism in place to tell us that, yeah, that was well spent or that we could do that better the following year?

I've gone nearly my 20 minutes again on this round, so I think that I'll take another pause in the action and again see if anybody wants to engage in the debate. Thanks.

THE ACTING CHAIR: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Chairman. I would like to rise today and make one or two observations regarding the study the committee is undertaking on the health estimates, particularly as it pertains to challenges that are being faced in rural Alberta by the costs that are being incurred by hospitals and regional authorities there and the revenue they're receiving.

[Mr. Tannas in the chair]

During the last couple of weeks I've attended several meetings in my constituency of elected officials and others, and because of the fact that the constituency I represent doesn't have a large population increase, their increase in funding is not very substantial. It's around 1.9, 2 percent, and that increase is not beginning to deal with the additional costs that the authority has incurred because of salary increases and other costs that have been incurred in the past year. So the fact that the Chinook regional health authority is going to be short a considerable amount of money, probably in the neighbourhood of \$11 million, even after the increase in funding from the department – this is causing a lot of frustration among the people in rural Alberta, specifically in southern Alberta, as to the effects that budget reductions could have on the communities that will be impacted. There are several good-quality rural hospitals in my constituency, and they are all worried about what effect budget reductions might have.

For example – and this is in the southern papers this morning, I notice, so I will make this comment and ask the minister if he would care to respond to the question – at a recent meeting of the mayors and reeves in southern Alberta they apparently passed a resolution asking for the University of Lethbridge to undertake a study to see if there are other ways that could be found to address the funding challenges being faced by hospitals, regional health authorities, et cetera. They simply are frustrated by the process that we either have to close hospitals or reduce staff or whatever, which will impact communities and will impact health care. So they're trying to think a little bit beyond the normal discussion and have come up with this proposal.

They're doing this simply as a response to the pressure they're feeling from the people in the communities which will be impacted. If you live in a community that's a hundred kilometres from a regional hospital and then if you're serviced in that community by that hospital and you live another hundred kilometres from that hospital, putting you 200 kilometres from a regional hospital, and there's a fear that your hospital is going to be closed, even though you are only an eight-bed hospital, you can understand the frustration that's felt by people who will be impacted by a closure or a reduction of a small rural hospital. This creates a lot of tension among people and a lot of fear and a lot of frustration and a lot of wonderment.

Now, I understand the challenges faced by the department of health, and I'm not advocating that we spend a great deal more of our budget on health. But I'm wondering if there are other ways that we could look at reducing health costs, making the system more efficient, and specifically if the minister would care to respond to the idea of the mayors and reeves to go to the University of Lethbridge or some other facility to ask for help in looking at ways to make the system more efficient. Also, they obviously would look at more time to respond or to set their budgets should such an event occur.

So I raise the concern that's being raised by many people in rural Alberta: the impact that reductions are going to have. Their population increases haven't been great, so they're not going to get large increases. They're dealing with some severe budget constraints. Health authorities are being challenged. From the point of view of rural Alberta are there some other ways we can look at here to alleviate the problem, and specifically what about the study that's being proposed by the mayors and reeves? If the minister would care to respond, I would appreciate it.

4:00

THE CHAIR: The hon. minister.

MR. MAR: Thanks, Mr. Chairman. I was aware of this meeting that the mayors and reeves had from the area that is served by the Chinook health region, and I can say that, first of all, I am very understanding of the concerns of Albertans, not just in the area represented by the hon. Member for Cardston-Taber-Warner but throughout rural Alberta. I understand the concerns that Albertans have expressed during this time when health authorities are trying their best to decide how best to use their budgets.

Mr. Chairman, we need not fear change. There can be new ways to deliver services that will continue to meet our health needs. I might make this observation about regional health authorities that serve rural Alberta: those that have been successful are those that have managed to keep people in their area, getting service in their area, or, in fact, reverse the trend so that people from larger centres come to rural areas for services.

It is perhaps not a complete analogy, but the owner of a small department store, a Saan store, in a small town in rural Alberta came to me and said that the ability to operate a hospital facility in a small rural area was not unlike trying to operate a Saan store and that if people in the local community did not shop in their local Saan store and instead came to places like Calgary to do all of their shopping, then ultimately there would be no viability in operating the Saan store in this small rural community. Similarly, he concluded that for those regional health authorities that have facilities in places perhaps like Cardston or Milk River or Taber or Warner, there would have to be some way of repatriating people from that community to make sure they got services, because the money that is provided by the health system in Alberta follows patients to where they receive their services.

So, Mr. Chairman, I acknowledge that there is some angst, again not just in the area served by the Chinook health region but in other parts of Alberta where there are many facilities but perhaps not as many people. We have to ensure through our process that any changes that we make at the RHA level will continue to ensure that access to appropriate health care services by the right person at the right time and in the right place is delivered by regional health authorities.

So the need for a financial review, in my view, is not required. I would have to be satisfied that Chinook was not managing its finances appropriately or that its current funding would not support its existing services. The chair, of course, of the Chinook health region is the hon. Jack Ady, a former Member of this Legislative Assembly and a former minister of the Crown. The fact is, Mr. Chairman, that we do need to make changes. Providing greater funding through our funding formula would simply in my view delay the need for real change in our system so that in the future we can continue to provide the right services in various parts of the province in an affordable way.

It actually brings me a bit, Mr. Chairman, to the question which was raised by the hon. Member for Edmonton-Riverview about the funding formula and how it works. It is a population-based funding formula. It recognizes that there are greater costs associated with dealing with lower income individuals and also greater costs associated with dealing with older people in the population, but if we were to get away from that basic funding formula, it would lead to a very strongly disproportionate amount of funding following patients to where they actually receive their services. This funding formula was extensively reviewed, I think most recently by our former colleague in this Legislature the hon. Bonnie Laing, who proudly served the constituency of Calgary-Bow for many, many years.

So, Mr. Chairman, I do acknowledge the concerns expressed by the hon. member. I do believe also that regional health authorities

are engaged in the idea of solutions that will address the kinds of concerns that he and others have expressed.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: All right. I'll carry on then. Another question around waiting lists comes up. I talked a little bit about my thoughts on the long-term care waiting lists and the importance of addressing that and essentially a need for the budget to expand. The business plan also calls for a decreased wait list for MRIs, and I would voice a word of caution around unlimited enthusiasm for MRIs. I think it's a technology that is extremely useful as long as it's properly used, but I am concerned that there are pressures building in the public and perhaps in the medical community for an MRI for unnecessary things: you know, I need an MRI for this, or I need an MRI for that.

I'm concerned as well – and I have had this issue put to me – that there is a vested interest in some subsets of the medical community in maximizing the number of MRIs that are done, and we may want to turn to disinterested sources for an assessment of how many MRIs per thousand population or whatever measure we want to use are really necessary and at what point it simply becomes extravagant.

Of course, we would all support reduced MRI waiting lists for those that are genuinely necessary. There were times a couple of years ago when this was a real problem in Alberta, and I commend – boy, I'm in a good mood today I guess – the government for taking steps to address that issue. I now think we have an opportunity to really evaluate how much further we need to go with MRIs, and I would encourage the department to get an independent view of how many MRIs we need.

Moving through some of my notes here, again reflecting on the minister's opening comments that it's a year of transition and the initiatives taken in reaction to the recommendations of the Premier's council, I was a little bit surprised, if I'm reading the budget correctly, to see that the budget for strategic planning services in the department is dropping. It's not a big drop, but I am concerned that the ability of the department to plan for the whole health care system is, if anything, insufficient. So when I see the budget dropping, even if it's only by 1 or 2 or 3 percent, it concerns me that we may be being penny-wise and pound-foolish.

4:10

There is a profoundly important role to be played by strategic planning services, and I think we really could be shortsighted if we reduce that area too much, if I'm understanding the budget correctly. It raises the question – and I would be interested in knowing this – of what role, if that's been sorted out, strategic planning services will play in implementing the changes that will be entertained under the Premier's Advisory Council on Health in its report. Is the strategic planning services branch supporting the activities of the implementation committees, or will they be responding, or do they have any role at all in implementing the Mazankowski report?

I was also a bit surprised to see the expenditures under health information and accountability services dropping. I think this year's budget is \$3.3 million lower than last year's, about a 7 percent drop. I'll admit openly that I'm of two minds on the whole issue of health information and how to handle that. It's quite possible to pour tens of millions of dollars down a sort of electronic sinkhole and never get any value for that. At the same time, it is widely recognized that we need to improve our health information systems, and that may well be a key to improving the effectiveness of the health care system and to controlling costs.

So I'm curious to know the explanation for the drop in the budgeted amount this year for health information and accountability

services. It's still, of course, a significant amount of money, \$43 million. How is that allocated? What are the details on that? How much of that money goes towards permanent salaried staff? How much goes towards contract positions? What are the outcome measures that we will be looking at to know if we've achieved some value for our investment in that area? As I said, it's almost a stereotype or a cliché to talk about computer systems that waste money, so I want to be cautious here, but we can underspend as well as overspend.

I'm also concerned around who ultimately owns the material that's generated under the health information services area. I don't mean the contents of the information; I mean the software. If we are contracting out for major software development in that area, will we as a province own that ultimately, or is the software going to remain in the ownership of the software development companies? That would be important to me.

I'm also concerned – and I've heard this as a real concern from both the RHAs and from researchers, and the minister may well have too – that health information that is collected by the RHAs and provided by the RHAs ultimately, I think, to the department then is sent to a private third-party provider that I think is based in Montreal, and then the RHAs have to pay to get that information back, and researchers have to pay even more to get that information back. I may be misunderstanding the situation, but it has been made very clear to me that health researchers who are looking at the trends in health care spending and health status of Albertans are actually facing huge increases in the costs of their data now that it's being handled by a third-party private provider. I've heard the same thing, that RHAs who turn this information over on a free basis are now having to pay for it from private providers. So how is that handled in the budget, and what precautions are we taking in the future to reduce and eliminate those obstacles to really understanding what's going on in our health care system?

I could carry on, but again I don't want to monopolize the whole afternoon, so I'll take my seat. I don't know if the minister wants to respond.

THE CHAIR: The hon. minister.

MR. MAR: Thank you, Chairman. Just a couple of comments in response. One that piqued my interest in particular was the comments that the hon. member made with respect to MRIs and trying to determine what is the right number. He correctly pointed out that it's possible to both underspend or overspend, and trying to find the right number of applications of this important diagnostic tool is a very difficult issue. His comments were quite constructive in this regard and thought provoking. I might suggest that one of the things we should be considering when looking at any procedure in our health care system, not only diagnostic tools such as MRIs, is this question. As a first inquiry, is it medically necessary? Then the second inquiry would be: is it medically beneficial? Now, I don't know if there are many people who would argue that an MRI would be a medical necessity, but whether it is medically beneficial in every circumstance is, I think, an open question.

Perhaps I can illustrate by a particular example. An individual goes into a sports medicine clinic and has an injured knee, and the physician examines this person's knee and concludes that it is one of two things: it is either torn cartilage or it is arthritis. Now, the particular circumstances of this individual are that the individual has no family history of arthritis and he's relatively young. He's in his mid-30s, let's say. The physician says: "Well, we can give you an X ray, and that will confirm that it's torn cartilage, because it's not likely that it's arthritis since there's no family history of arthritis and

you're very young. But if you want to rule out that it is arthritis, then we can get you an MRI as well." I think we could probably agree that if an X ray was given and it was determined that it was in fact torn cartilage and not arthritis, then we wouldn't need to go the further step of ordering an MRI as well. So an MRI for examining knees may be a medical necessity, but for that particular circumstance it may not be medically beneficial. It may not disclose any further information than we could determine from another type of diagnostic test.

So in looking at all of the procedures that we do in our health care system, we should evaluate, first of all, whether they are medically necessary but also whether they're medically beneficial in all circumstances. That may lead, hopefully, to a better utilization of important resources, be they MRIs or any other procedure that we would choose to give.

With that, Mr. Chairman, I'll take my seat again.

THE CHAIR: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Chairman. I appreciate very much the opportunity to be able to just make a few comments on the Health estimates. I guess I want to preface my comments by saying that I understand the line item in the budget and the way that it's laid out, but from just an average Albertan's perspective, if you were picking up this business plan and you were going to try as an average Albertan to understand the magnitude and the scope of what close to \$7 billion does in the province of Alberta from a health perspective, you probably wouldn't get a sense in here of some of the marvelous things that are being done, the number of surgeries that are being performed, the number of utilization visits to a doctor. I think we're at 30 million visits a year to doctors now. You wouldn't get a sense of how many doctors there are, 5,000, or if there is a growing number of doctors. You may not be able to find the issues in areas where we still need to improve.

4:20

You know, I don't mean it in a disrespectful way, but I think that this business plan could be enhanced a lot by putting some of that type of information in here. Even though I do know that it falls under regional health authorities, it's just that from an Alberta point of view, if you wanted to take this out and show it to your constituents, you wouldn't be able to just say to them that there are so many hospital beds or so many long-term care beds. I don't know, Minister. I'd just be really grateful if you could consider looking at some of those items for next time as a way to sort of enhance the information that is available to Albertans on a subject that's so incredibly important to all of them.

I know that for the close to 50,000 people that live in my riding, from a health care facility point of view Bethany Care has a long-term care centre there. They do a wonderful job, but it's only one. I have a community health facility that people can go to for public health care services, but I don't have a hospital, with 50,000 people. It is an issue in Airdrie, and for the last year and a half there's been a lot of study going on, Minister, with regard to what Airdrie needs and how best to serve those needs.

One of the issues that the Calgary health authority did come up with was a DAT centre, a diagnostic and treatment centre, for the south and for the north, and I've heard that it's delayed and then not delayed and then delayed again. Minister, I know that you and I share a common boundary for our constituencies. I know how much your riding has grown, and I know how much my riding has grown. We've probably got between the two of us well over 120,000 people in there with virtually no access to anything. I'm wondering if you

can give me some insight as to where you think the regional health authority is on that issue, because I know it matters. It's very near and dear to the people that live in my area who cannot figure out why they don't have a hospital when I try to explain that we've got a regional system. It's imperative that we do a better job of just getting something done for them, for your area and for mine. That Harvest Hills area is huge and is still massively growing. So I'm hoping maybe you could shed some light on that as well.

As for the rest of my constituents, I guess they would like to know at some point in the vision for health care in Alberta on accessibility how you see us dealing with the 24-hour care issues where we don't have access to a hospital. The health phone system: are we making some progress on those types of issues? I know that this maybe doesn't fall specifically in your business plan, Minister, but once again I just wonder if you could give me some insight as to how you see us handling these huge high-growth issues in some parts of the province.

Thank you very much, Mr. Chairman.

MR. MAR: Chairman, these are important questions to be asked and have been asked by Members of the Legislative Assembly, on both sides of the House I might add. How will we deal with issues like primary health care reform? How will we deal with 7-24 care?

Let me make the observation, Mr. Chairman, that in the current iteration of the health care system we do not have enough physicians, we do not have enough nurses, but that suggests to us that there are two things we can do. We can either increase the number of doctors and physicians and nurses that we have, or we can make better utilization of the existing pool of such resources that we currently already have. I think that in looking at primary health care reform, in looking at how we will deliver health care in the future, it may not be in places like hospitals. We may be able to use technology in a manner that is much more effective and useful.

I will share another perhaps imperfect analogy but a story that is worth while repeating, I think, and that is of a friend of mine who is well known for his love of horses. He happens to live in the province of Ontario. He's a minister of the Crown there. He took his horse, who had an equine bone spur, to the local veterinarian. The veterinarian took a diagnostic image of this horse's foot, and he took a digitized image which he sent digitally to one of the world's leading experts on equine bone spurs, who happened to be in the state of Texas. The veterinarian in Texas looked at this bone spur and phoned back to the veterinarian in Mississauga and said: here's what you do, and here is how you do it. The total cost for this treatment and diagnosis was \$1,500. This minister of the Crown from Ontario said: I hope that someday people will have the same access to affordable high-quality health care that my horse does.

Mr. Chairman, the growth in areas like Airdrie-Rocky View is mirrored in other parts of the province. I can't help but be reminded of the hon. Member for Calgary-Shaw, whose riding in the south end of Calgary is extremely large and growing rapidly. The idea is that we do need to meet people's needs. Whether those needs will be met by a physician in a clinic or in a hospital or whether they will be met in a different manner, such as the diagnostic centres that the hon. member raised in her comments, I think that is an open question. I think that regional health authorities are working hard looking at different ways of meeting people's needs. Of course, this province is well known for its innovation. It's not an overstatement to say that people have traveled from all over Canada and other parts of the world to look at centres like the Northeast community clinic here in the city of Edmonton or at the Eighth and Eighth centre in the city of Calgary. These are innovative ways of delivering health care. Also, another good example would be the 24-hour link line

that has been set up by the Capital regional health authority. That link line now serves not only the city of Edmonton but Peace River and the Mistahia health region, which includes Grande Prairie. It has demonstrably reduced the number of unnecessary visits to emergency rooms in the jurisdictions that it serves.

Mr. Chairman, I can say that we don't have all of the answers as to how we deal with the kinds of pressures outlined by the hon. member, but I do believe that we are taking steps in the right direction and that we have a good sense of what our health care system is going to look like five and 10 and 15 years down the road. There will come a day when, if you are injured while on the highway in Pincher Creek, an emergency medical technician will by wireless communication be able to access your health record if you are a resident of the city of Calgary, find out that you are a diabetic, that you are on certain types of medications, that you are allergic to certain types of things, and govern the treatment accordingly. Your health record would be available to other providers of health care to you so that we know that you won't be given drugs that will either cause an allergic reaction or conflict with another medication that you already have. Your diagnostic tests will be available on a secure-access system so that a radiologist can take a look at your diagnostic image regardless of where they are in the province of Alberta. These things are ways that we will be able to improve access and quality of our publicly funded health care system in a way that will be, I believe, an envy to other jurisdictions throughout the world.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. This is a massive budget that Health and Wellness has, and it certainly does reflect the priority that Albertans have for their health and for their quality of life and, as well, their concerns, particularly concerns when health care is going through a transitional period. It seems that we have been going through this transitional period for the last eight or nine years. Certainly I think that all Albertans would love to have that sense of security, that sense that somebody has taken control and that the public health care system will be there for them when they need it.

4:30

Now, then, I was looking at the business plans on page 205, and I noted that "Alberta Health and Wellness welcomes the opportunity to lead the cross-ministry Health Sustainability Initiative in 2002/2003 by developing, in partnership with Alberta Seniors and Alberta Finance," and we are looking here at "a government-wide strategic framework to enhance the sustainability of the health care system into the future." What I would like is if the minister could provide us with some of the details on this cross-ministry health sustainability initiative in 2002-2003 and if he could further elaborate on what performance measures have been laid out for the initiative and what part of the plan is in place.

In moving forward to page 206 of the ministry business plan, I notice that one of the goals and strategies here is to decrease the wait list, certainly a target that Albertans would want to see, that all of us would want to see, because there is nothing worse than waiting for medical attention. So if the minister could please outline in the business plan how the decreased wait list for long-term care facility admissions is going to work.

Now, then, as well on page 206, according to the business plan, "the Ministry collaborates closely with health authorities, agencies and other stakeholders," and it goes on to say that it also "demonstrates leadership in setting direction, policy and provincial stan-

dards.” Can the minister give us concrete examples of where the ministry has provided leadership to RHAs, how they collaborate with the RHAs, and how this whole issue, that some of our RHAs are predicting that they will be running deficits, can be addressed?

As well, when we were looking at the ministry’s business plan, the ministry is prepared to “establish more clearly, the accountability for health authorities and health providers for service provision, governance and management.” If the minister could please outline what concrete steps he is prepared to take to accomplish this goal beyond “the introduction of multiyear performance contracts and targets” suggested in the business plan.

Now, another area of concern that I do have, Mr. Chair, is with health care insurance premium revenue write-offs, and I notice here that in the year 2002-2003 the estimates for these write-offs are somewhere in the neighbourhood of \$41.3 million. In the year 2001-2002 the forecast was \$32 million, and the budgeted amount in the year 2001-2002 was \$28.8 million. So, again, we are noticing that write-offs are expected to be 29 percent higher than last year’s forecast. They are also expected to be 43 percent higher than last year’s budget. I know that the minister has already indicated that he did not see Alberta families having difficulty paying the premiums. Would he further elaborate on why we are looking at more than \$41 million in expected write-offs this year?

As well, Mr. Chair, if the minister could please inform us if the department has done any analysis of what effect the 30 percent increase in health care premiums will have on premium revenue write-offs. I’d also be interested if the minister could provide a detailed breakdown of the administrative costs of the administration and collection of health care premiums for 2001-2002 as well as the estimated cost for 2002-2003. If this information could include but not be limited to manpower costs, materials, supplies, equipment and postage, computing services, money paid to external collection agencies including the number of cases referred to external collection agencies, banking services, and income verification. Also, could the minister provide a copy of any directives or guidelines given by the Department of Health and Wellness or any other Alberta government department to external collection agencies who have undertaken the task of collecting overdue health care premiums? My final question in regards to health care premium revenue write-offs is: what is the number of cases of unpaid health care premiums that were written off in the year 2001-2002?

With that, Mr. Chairman, I’ll give some other member the opportunity.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I’m happy to continue in the vein that my colleague was speaking, and that’s with regard to health care insurance premiums, particularly the revenue side I would like to take a look at. First of all, I’d like to ask a general policy question, and then I have some specifics on the actual budget items. It’s my opinion that health care premiums as a user fee are a tax, and it would be my opinion and that of my colleagues in the opposition that this kind of a tax is a regressive tax and impacts low-income and middle-income people significantly harder than it does others in our society. So, in general, I would like the health minister to explain how it is that he feels that they can justify taxing people for health care.

Now, I have heard him say in this Assembly and elsewhere that he believes that Albertans need to appreciate some form of the cost of health care services, and I would suggest to him that we used to have a system in this province that worked very well at letting Albertans know how much their health care cost, and that was a yearly billing

summary, that went out to them, that was the summary of the costs incurred on their behalf and on members of their family’s behalf for health care services used throughout the year. That was not a bill but a statement and listed those costs associated with their uses, and I felt that that was a very good way of bringing home to people in the province the kinds of benefits that they received through a universal health care system. I think that if you want to bring home the actual cost to people, that’s an excellent system to use.

If I remember correctly, that system was discontinued because of the costs incurred in sending the statements out, but it would seem to me that that was a small price to pay for keeping people fully informed of what the actual costs were. For instance, if you just had a few doctor’s appointments during the year or nothing, you would have very limited costs, but if someone in your family had received extensive care for some reason – had heart attacks, strokes, extended hospital visits – people got a full appreciation for the costs associated with providing that kind of service, and I think that that’s a benefit.

On the other hand, what we have now is a premium that is at best a token premium in terms of covering the costs of health care services provided. It’s a premium that is more heavily borne by those of lower income. Now, I know that the lowest income members of our province can apply for and receive subsidies or partial subsidies, but it doesn’t cover the working poor or the middle class in the province, and it significantly disadvantages, I believe, young families who are trying to get ahead in this society and often bear a high proportion of health care costs and other operating costs.

4:40

If the minister can explain to us his philosophy and his government’s philosophy in terms of continuing to pursue health care premiums over and above what he has stated in terms of their just bearing some costs of the services provided, particularly in view of the fact that we’re one of only two provinces in this country to pass on that cost, particularly in view of the fact that I would believe that we are the wealthiest province in this country and wonder why that’s the kind of cost we would pass on.

In addition to that, I’m interested in knowing what the administrative costs of providing that particular service are and, as my colleague from Edmonton-Glengarry stated, the collection costs and the number of delinquencies we have and exactly what they do to pursue those costs. I’ve heard of people being pursued by credit collections agencies, but I’ve also heard the flip side, where people have gone for absolutely decades without paying this service and have no intention of ever doing so. So if we could have some information on that.

Then with the addition of the latest increase in costs for Alberta health care premiums we’d like some descriptions of how those costs are being borne by different sectors of our population and industries and organizations. Also, the rationale for increasing those costs without having any direct consultation with those parties who would be directly affected; that being individuals, companies. There are a number of organizations throughout this province representing groups of businesses and organizations who I’m sure would have dearly loved to have been consulted about the potential for an increase and could have discussed with the government their rationale for going there and also express to the government the kind of burden that increasing those premiums would be for them. So, in that vein, I would like some specific answers, if I could.

Let’s talk about Alberta businesses first. If I remember correctly, about 40 percent of businesses collect health care premiums on behalf of their employees and also pay their premiums or some share of those premiums, not the least of which is ourselves. We pay a

portion, and the Legislative Assembly pays a portion. So could the minister tell us how much Alberta businesses will have to pay for health care premiums in 2001-02 and 2002-03 so that we can get some comparison figures there? How much information does the department of the minister actually keep on the premiums that businesses pay in Alberta, and what's the cost of collecting that data? We'd also like to know that information. What was the total cost to the government itself? I see what the costs are for myself over the course of the year, but if we were to include all the members of the Assembly and the various government employees, let's take a look at what that costs. Were government departments given an allocation in this year's budget to cover those increasing costs? Nobody in the private sector was, so I'm wondering what happens there with the government.

For people who have organizations who have fixed their budgets in advance, this kind of an increase can be substantive and is a curve ball that many of them wouldn't have been expecting. Is the minister collecting data on how much postsecondary institutes have had to pay for health care for their various employees last year as compared to this year? How about RHAs? Could we get the information on that? That one should definitely be available.

I just heard from the ATA recently about the increase in costs that they're going to bear as a result of this change, and in a climate where they feel that they have been unfairly treated by the government and where they have certain restrictions on how their operating funds are administered, they now also have to carry the additional burden of health care premiums. I don't see the number readily at hand here, but if I recall, it was in the order of 300,000 to 400,000 additional dollars just on the increase in the premium. So if the minister could explain to us the rationale behind how he would expect them to pay for those increased costs. That amount of money is a significant number of teachers in the province or a significant number of textbooks. The pie is only so big, and they have to make some choices. We'd like to know how the minister would expect them to make those choices.

When we talk about answering the question of how much is spent in administering the health care premium department, particularly on the collection side, we'd like a specific breakdown on that, the number of employees and mailing costs. Exactly how are collection costs handled? Are they handled within the department? Are they subcontracted out to collection agencies? How long before delinquent accounts are sent out or sent to the collection component? What is their success rate? How much specifically do you write off in the course of a year, and are there two sets of write-offs? Sometimes organizations will write it off the instant they send it to a collection agency and then recapture whatever is collected into revenue. If that's the case, we would like that kind of breakdown done there too.

I would think that when the government came up with the idea of increasing health care premiums, there were some sorts of studies or work done in order to analyze the affordability of the increases in the premiums. If that information is available, would you share it with us, please? If not, would you tell us why that work wasn't done? Have you done in collaboration with perhaps Treasury or any other departments impact assessments regarding the impact on the economy and on businesses from the increase in health care premiums? Regressive taxes like this take money out of the economy and act as a destimulant, and we would certainly hope that the government acknowledged that and accounted for that when they went forward with this kind of increase, and we would like access to that information. If they didn't do this, we would like an explanation of why. I think that it is not responsible for a government to only look at their own short-term goals of meeting budget requirements but that they have a more long-term objective and should have

a wider vision in terms of the impacts the decisions they make have on the people as a whole and on the economy in general. So if we can get that information.

That was all in program 2, and I would like to go to program 3 for a few minutes, if I may, Mr. Chairman, and talk about the Alberta Alcohol and Drug Abuse Commission.

It's very interesting to see the changes in this commission over the years that I've been in this Legislature. Initially the mandate of the commission was to deal with primarily alcohol and some other kinds of substance abuse. We have seen a very huge increase in gambling addictions over the years, which does seem to have a direct correlation to the open-door policy that the government has to gambling in the province now. So I'm wondering if they are tracking the increase in the addictions by type over the course of the years and if they compare that to the increase in gambling revenues and if they have drawn any correlations from that. If that information is available – and I want more than just a three-line answer. I would like access to some of the documented research. If you could tell us where we could find that, that would be very helpful.

4:50

Interestingly enough, AADAC finished last year under budget, 3.8 percent below budget, and if we could get some explanations as to why that was. I know that over the last year or so there have been some reorganization in terms of centralizing some of their centres, and I would like to know how that is done, if that's been a success or not. I know that initially some of the treatment centres were located in other regions of the city for a few reasons: access for people who lived in those particular areas and also because a lot of people that lived in large urban centres didn't want to have to come downtown for treatment due to many factors, not the least of which was that people whom they knew would see them and create other social problems for them. So if we could get some information on how that centralization has worked and how it's going in rural Alberta. Mr. Chairman, we'd like to have some of those answers. Has regionalization worked in that area? Are people getting access to treatment that need it? I'm sure they must be tracking the stats in the rural areas in terms of increasing or decreasing problems, and if you could share that information with us.

When we see such a significant decrease in funding like this \$1.75 million – it's not big in terms of the global budget for health but big in terms of this department – it usually means that there was some sort of reduction in services or programs. If that was the case here, would the minister please share that with us. What are his expectations for this department in the future? Is it looking at increased costs, or does it look like they're going to be holding the line? If so, then what would be the justification for that? What do they determine to be success rates in terms of people who access the programs and who successfully complete the programs, and how many people repeat within the system and over what course of time? That would be very good information for us to have.

I wonder if the minister can also explain why the government doesn't increase funding for gambling addictions by an amount equal to the percentage increase in gambling revenue. It doesn't seem fair that as gambling increases in the province, it hasn't kept pace with the treatment. So if he could explain that.

When I look at the stats, we're receiving an increased amount of revenue and not a parallel kind of increase in funding for treatment facilities. Often we've heard in this Assembly ministers of health talk to us about how we've always had gambling in this province with bingos and so on and that the opposition has been on the bandwagon about increased funding for gambling addictions because gambling addictions have increased is just a smoke and mirrors exercise. In fact, if we take a look at the relative addictive factor of different kinds of gambling, we will find that forms like bingo are –

I won't say far less addictive, but it takes a person playing bingo a much greater time to become addicted than it does for someone playing a VLT.

All statistics I have looked at would state that the difference is phenomenal, that due to the very fast payoff and the sensory input of VLTs, people become addicted much quicker. It's pretty hard to spend the same amount of money on bingo as you can drop in a VLT machine in an evening. What we've seen as a result of that is people with just absolutely horrendous stories and living horrendous lives who have VLT addictions and end up spending a great deal or all of their paycheque there. The outcome of that is not only the gambling addiction but the side effect of all the social costs. We see the increased social costs. We see family breakdowns. We see neglect of families in terms of being able to provide the basics of food, shelter, clothing, school supplies. So there's a big cost.

Many studies have indicated that the costs to treat the side effects of gambling are \$3 for every \$1 that's collected by the government in revenues. So I would like to know what the minister's opinion is of that, and has he seen any parallel funding programs or support programs in the other areas – the children's services area, the housing area, education – to support the increased costs that we have seen from gambling?

In the time that I have remaining, Mr. Chairman, I would just like to talk about this government's tobacco reduction strategy. We saw a significant increase in costs for cigarettes. We've received lots of feedback. I'm sure that every member of the government has as well from those people who use the system. I'm not a smoker, and I'm happy to support programs that eliminate smoking, and I'm happy to see that the amount of smoking in public areas is being reduced. But for those people who are smokers and who are addicted to smoking, we see this significant increase in costs come about without any significant increase in support or help for those people to kick the habit. So is the minister addressing that? He didn't in the budget, but perhaps he has some plans that he could announce soon with regard to that.

Thank you.

THE CHAIR: The hon. Member for West Yellowhead.

MR. STRANG: Thank you, Mr. Chairman. It's a great honour today to stand and speak to the Committee of Supply on Health and Wellness. I guess a couple of items I'd like to display and get some answers on. Number one, I realize that with the Mazankowski report we have to make change. I looked at the aspect of change within my area, and what I've done is I had a meeting on April 3 to talk about the aspects of health and wellness within the rural setting. I had people from Jasper, Grande Cache, Edson, Hinton, and the Yellowhead county to discuss what was transpiring. I had very able people from the Department of Health and Wellness that gave us the outline of the 10 different facets that we're looking at for the total of 44 recommendations in the Mazankowski report. We broke up into different groups so that the people in the group would have a chance to discuss each one of the different items in there.

We assembled in the afternoon to talk about the different areas, and it was interesting to see how each person made their presentation, and then we culminated in the afternoon to look at the aspect, number one, of how we would rate each one of the different facets. It came up very strong. Number one was that we have to have sustainable funding while we're in the transition of change, because they wanted to make sure that was understood first. So I guess that was really the strong point that came out of it.

I guess the other thing that was sort of a strong understanding was the aspect of developing a rural health strategy. As you realize, we

in rural Alberta don't feel that we are going to get the same services that we get in the Capital or the Calgary region. We realize that we can't do heart surgeries and that in our area, but I think we're looking at the core services. As you look at our region and if I go to the extreme western part of my region and you take the municipality of Jasper, what happens in the two strong seasons – the summer and winter seasons – in that community? That community doubles in population, sometimes even more, where we're getting really high in population. We have the need for that, so we've got to try and compensate for that. We have other areas in our region where we have the aspect of industry. We have a lot of oil and gas in our area. As you realize, with the way the basins are in our region, because they're drilling along the eastern slopes, they're very deep holes. Therefore, they're there for quite a while. It's a vulnerable industry.

5:00

We have the forest industry, which is also very highly mechanized now, but we need the core services in our area. I guess the other thing that I really want to stress is the fact that we have to have these core services in our area because then we don't entice industry to move into the area. As you realize, a lot of our industry is based on resource sectors, so we need that type of system set up.

I guess the other thing that I would like to really stress and stress fairly strongly is that if you take a look at our region, there are a lot of areas where we have operating rooms. We have the aspect of some surgeons in our area, but I still believe that doctors in the city of Edmonton, being that we're in close proximity to them, have the latitude to come and utilize our facilities, and patients I think are willing to travel to do that. Out of my group when we were discussing this, there was sort of agreement with one of the groups that came up that they'd be willing to travel for two hours to get services. So I think that's something that we have to really look at.

I guess the other thing that I really want to stress and to try and get an understanding of, if I may, is on ambulances. As you realize, in some of our regions we have foreign doctors, and because of the College of Physicians and Surgeons they're not allowed to practise some practices because they've got to keep up the accreditation. So there are some areas in West Yellowhead, namely Grande Cache, where nobody is allowed to have a baby. They have to either go to Grande Prairie or they have to go to Hinton. But these doctors have the accreditation from their other countries, and I fail to understand why we can't streamline something along that line.

I guess the other thing I'd like to stress and stress fairly strongly is the aspect of looking at some system on telehealth. You know, in the rural area I think we have to have people take ownership of aspects of their health. They have to look after their health. So if there is some way that we could get that in the rural area, they'd be able to get out and have the people take ownership of their own health.

I guess the last thing that I want to talk about today is the aspect of long-term care. I know we've all got different names, and I wish that we would take the initiative and get the proper definition on this. For long-term care in the region of Whitecourt-Ste. Anne and in the region of West Yellowhead we're going to have two facilities built. Hopefully they're going to be open this fall, but with our process that we have, we won't have any money to operate them, and that's operating capital. So I'm just wondering what we're going to do to try and derive a system so that we can go ahead and have that type of a system set up so we can facilitate these facilities when they're open. As you realize, with long-term care and what's transpiring in our region now, we have a number of lodges. What's happening with the lodges is we're having long-term care people in those lodges, whereas they should be in a long-term care facility.

Hopefully, when this fall comes, we are going to have those facilities to transfer them to. I think we have to have more of an insight on the aspect of total health, and we have to sort of co-ordinate it more.

I think that with those few remarks at this time, Mr. Chairman, I appreciate the time you allowed me. Thank you very much.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I just wanted to cover a handful of other points. The population health area is one. Again, it would seem to fit in with the priorities that the minister has struck and with some of the recommendations in the Mazankowski report that we support, yet I see that there is a drop in the budget for the population health branch of the department. So I'm interested, given that, I assume, that's a priority, in why we are spending less on it. Maybe I'm mistaking its function or mistaking priorities. That's one issue I'm interested in.

Another one has to do with practitioner services, especially the whole issue of alternate compensation strategies. This is a huge area, as the minister knows, a billion and a half dollars, and it has jumped significantly. So it's one that I'm sure is going to cause a lot of concern in terms of containing the expenditures in this area. I know that the minister has laid out a target – I'm not sure if it's in the business plan – of 50 percent of physicians being paid through alternate compensation strategies within three years, I believe. It's a very, very ambitious target. You know, we've supported an increase in alternate compensation strategies for physicians but nowhere near the ambitious level that the minister has laid out. We're wondering what provisions are in this budget and what strategies will be used over the next three years to implement that target. What are the cost implications? There are arguments to be made that in fact it could increase the costs of physician services. So some greater detail on how this budget and the business plans advance that goal would be very helpful to all stakeholders.

The minister in his opening comments talked about the elimination of the extended health benefits program and the transfer of \$9.2 million to the Seniors department to offset some of that elimination. I'm wondering if the department has done any assessment of how many seniors will be affected by the elimination of that program. We'll be spending roughly \$15 million or \$16 million less. How many seniors will be affected? Frankly, what will the impact be on other programs? Will we see some of the people who are now short of services costing us more in other areas of the health or government expenditures?

Finally, my closing comment will address ambulance services. Ambulance services and the ongoing debate over how to best handle ambulance services are, I'm sure, for all of us a priority. There is a drop in the expenditures on ambulance services proposed in this budget. It's about, I think, a 3 percent drop, and I'm wondering how that's being achieved. Is that because of an efficiency, or is that because of some change in demand? What's the explanation for that drop in ambulance services?

Actually, I'm sorry. I did have one other comment here. For the Health Facilities Review Committee, of which I was actually a member at one time for eight years or maybe even nine years, way back, last year's budget was \$560,000. The forecast for this year is an increase, up to \$630,000, which is about an 11 percent rise. We're looking at dropping back to the \$560,000 in this year's estimate. I'm curious to know what the explanation is for that up and down or down and up pattern. Is less being spent, or is it being spent more efficiently? Are the committee's activities properly explained and properly accounted for here, or will we be seeing a rise in their expenditures before the budget year is over?

So with those comments I thank you, Mr. Chairman. I appreciate

the attention of the minister, and I've appreciated your back and forth comments here. I think they're constructive, and I hope our comments have been constructive too.

Thank you.

5:10

THE CHAIR: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Chairman. I have appreciated the constructive comments made by all members of the Assembly who chose to rise to speak this afternoon. I confess that I'm ill able to write as quickly as the people from my department, and I am perhaps even less able than the people who work for *Hansard* and have recorded comments by all members. I will, as I undertook at the beginning of today's session, review the comments made by all hon. members, and where I have not replied, I will do so in writing in due course.

Thank you, sir.

THE CHAIR: After considering the business plan and the proposed estimates for the Department of Health and Wellness, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$6,795,313,000
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THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the Committee of Supply rise and report the estimates of Health and Wellness and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Health and Wellness: operating expense and capital investment,	\$6,795,313,000.
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THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 8 this evening, at which time we'll resume in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:15 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 9, 2002**

8:00 p.m.

Date: 02/04/09

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

head: **Main Estimates 2002-03**

Executive Council

MR. KLEIN: Mr. Chairman and hon. members, I am pleased to appear before this committee in my capacity as the minister responsible for Executive Council to discuss the 2002-2003 business plan. There are two main programs under Executive Council. The first one, of course, is the office of the Premier and Executive Council, which includes administrative support to the office of the Lieutenant Governor and the Alberta Order of Excellence Council and the Public Affairs Bureau.

Mr. Chairman, I'd like to begin my remarks with an overview of the goals and plans for Executive Council. The goals for Executive Council for the upcoming business planning cycle will continue to be the effective co-ordination of the government's overall goals and strategies and to maintain open communications with Albertans. Much of the work done by Executive Council focuses on teamwork, on ensuring that all government ministries are working together to achieve effective results, particularly in those areas that Albertans have identified as priorities.

Executive Council is also responsible for the Alberta Order of Excellence, which recognizes Albertans who have made an outstanding contribution to the province. Of course, the Lieutenant Governor serves as chancellor of the order.

Another Executive Council responsibility is the protocol office. It used to be under international and intergovernmental affairs but now is under the auspices of Executive Council. This office works to co-ordinate visits from senior international officials and dignitaries. A good example just recently was the delegation today from Mongolia and yesterday from Mpumalanga and various delegations that we've received over the past two or three weeks, including the president of the German Bundestag and many others. So we receive many, many delegations, and the protocol office performs yeoman's service. Of course, Executive Council will continue to ensure that that work is done in the most effective, efficient, and economical way possible.

Relative to the Public Affairs Bureau, Mr. Chairman, a co-ordinated, effective, and efficient service to Albertans is also a focus for the Public Affairs Bureau. The business plan for the bureau identifies four main goals. The first goal is to "increase communications with Albertans in the areas they identify as top priorities." I needn't tell this Assembly what those priorities are: certainly health, education, infrastructure, safe communities, and the list goes on relative to core government businesses.

The second main task is to "make government information more accessible to Albertans."

Third, the bureau strives to "improve the efficiency and coordination of communications across government." That is to make sure that we all know what one another is doing.

Fourthly, to "deliver products and services that allow us to meet or exceed revenue projections" and of course the needs of our customers, and those customers are, indeed, the people of Alberta.

With each of those goals you will find initiatives that bring

effective, co-ordinated, and efficient communications to the forefront.

Initiatives listed under goal 1 highlight the work done in partnership across government to deliver priority programs including cross-ministry initiatives such as the aboriginal policy framework, the Alberta children and youth initiative, the economic development strategy, and the health sustainability initiative. Goal 1 also highlights communications efforts in a number of other priority areas such as fiscal reporting and taxes, workplace safety, education, infrastructure, transportation, and justice. The business plan offers a summary of some of the areas where the bureau's communications staff are assigned to ministries. They will focus their attention on matters pertaining to those particular ministries. This includes ensuring that priority initiatives and announcements are communicated to Albertans in a clear, comprehensive, and timely manner.

The bureau also participates wherever possible in key administrative initiatives such as the Alberta One Window initiative, the corporate human resource development strategy, the Alberta Corporate Service Centre, and the corporate information management and information technology strategy.

Mr. Chairman, I'd like to turn now to initiatives listed under goal 2 of the business plan. These goals are designed to both ensure that communications staff have the tools they need to communicate effectively and give Albertans quick and easy access to information. One of these tools, Mr. Chairman, is the Internet. As little as five years ago I don't think anyone could have guessed just how far the Internet would expand in terms of becoming a primary communications source. I'm pleased to inform members that even I have become a regular Internet user. Believe it or not, I said that this is the one thing I would never do, that I would never learn how to run one of those machines. I refused even to find out how to turn one on, but since I did turn one on and since I've learned a little bit about it, I have found it to be an incredibly valuable resource. Believe me, if I can do it, then I believe anyone can. So Albertans are proving that point. Today Alberta is the most wired province in Canada, with more than 60 percent of households using the Internet compared to 48 percent Canada-wide. Actually, we're a world leader when you consider that the Internet household rate in Alberta is higher than the average rates in the United States, Europe, and Australia.

The government is responding to that trend with projects like Supernet, some of the funding for which is coming from lotteries, and with an increased focus on Internet and electronic communications. Bureau communications staff have a role to play in that process as they help ministry clients improve and develop the Internet resources they have to offer Albertans. Bureau staff are responsible for maintaining and designing the Alberta government home page. This fiscal year the page received some 4.7 million visits. That's up from 4.3 million visits last year. That's an incredible number of visits by people who want to know what's going on in various government departments.

Bureau staff will also assist in the development of the Alberta One Window project, which is a project I mentioned earlier. The goal of Alberta One Window is to create a single point of access to government information.

Another direct source of information for government is Alberta Connects, and this is a program that includes both toll-free telephone and Internet resources to ask questions and to comment on government plans, various initiatives, and programs. Again, Albertans are showing an increasing interest in this direct form of communicating. For example, questions and comments through Alberta Connects online are up 60 percent from the year 2000-2001, and yes, even the opposition can use Alberta Connects. It is a wonderful way of getting factual information.

Bureau staff will continue efforts to increase public awareness and use of Alberta Connects as well as another staple communications resource, which of course is the RITE telephone system. This is a system that I think was put in place either in the early '80s or the late '70s, and it proved to be then a tremendous resource for Albertans to reach their MLAs and various departments of government, and it is today even with the advent of the Internet and other communications machinery. The RITE line is a toll-free, provincewide gateway to the Alberta government. Albertans can call RITE to be connected toll free to a government office. If they don't know the number of the office they need, any member of the public can call the toll-free RITE line for assistance from the operator. Last year some 1.3 million callers did just that, and their questions were answered by an operator at RITE's Edmonton and Calgary offices. Initiatives in this business plan will continue to build on RITE as a resource, including making RITE directory listings more efficient and more effective and ensuring that the RITE system is able to respond effectively to caller traffic.

8:10

Another central communications resource for Albertans is the Queen's Printer bookstore. The public can use the bookstore to access government legislation and other publications either on-line or through two locations in Edmonton and Calgary, and like other areas covered in the 2002-2005 business plan, the bookstore will focus on improving efficiency and effectiveness while ensuring that Albertans have easy access to the information they need. This includes looking at the possibility of making the *Alberta Gazette* available on-line, and believe me, it's a lot to read. I don't know why anyone would want to read it – no offence to the lawyers in our caucus and across the way – but it could be interesting reading for someone. It is there, however, in hard copy, and it is there on-line.

Improved efficiency will also come from combining the Calgary offices for RITE and the Queen's Printer bookstore. This move will reduce staffing by one temporary and one permanent position while allowing for more efficient staffing of both services. The change will not reduce customer service in either area.

Mr. Chairman, I'd like to conclude my remarks to the committee by giving a brief summary of the projected spending for Executive Council for 2002-2003. We're now in the estimates portion. Total spending for 2002-2003 for Executive Council remains at approximately \$15 million, almost precisely where it was last year, give or take a couple of thousand dollars. As I just mentioned, the estimates also show a reduction in total FTEs for Executive Council. This includes the reduction of two positions from combining the Calgary RITE and the Queen's Printer bookstore offices as well as one position in print services that transfers to the Alberta Corporate Service Centre. I mentioned earlier that the Calgary reductions will not affect client service levels. The same can be said in print services. In fact, moving print services from the bureau to the Alberta Corporate Service Centre will allow for better co-ordination and integration with other purchasing services provided through the centre.

So, Mr. Chairman, that concludes my remarks on Executive Council's business plan for 2002-2005. I'd be glad to answer any questions or to hear any comments my colleagues in the Legislature may have. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I'm pleased to be here this evening to discuss the estimates for Executive Council and would certainly like to thank the Premier for his attendance this

evening. He has an incredibly busy schedule, and it's very good to see him here to listen to comments and to answer questions that we have on his department and to have him commit an evening. I know that it would have been more convenient for him to be available in the afternoon, but we try to save most of the afternoon department estimates for some of the larger and perhaps more controversial departments. So thank you for giving up one of your evenings.

In addition to thanking the Premier, we really need to acknowledge the Premier's staff, many of whom are here. Once again the Public Affairs Bureau has had a year of performing miracles, and I think that it's a department of wizards. We just wish that we had them on our side because they seem to be able to spin the government out of some of the most difficult areas.

AN HON. MEMBER: It's called telling the truth.

MS CARLSON: Well, given some of the missteps and how you still come out smelling like a rose, I've got to say that somebody there is helping you out, and I think it's the people sitting up here behind me this evening. So great job. If you ever decide that you want to see a change in government, we'd love to have you for just like two or three months. Then we could do some remarkable changes.

AN HON. MEMBER: Oh, quit dreaming. Quit dreaming.

MS CARLSON: Well, you know, they're pretty good. We think we have some real good ideas, and if they had some actual content to work with, imagine what could happen.

MS CALAHASEN: They do have content. Look at this.

MS CARLSON: Yeah. It's a little shaky, though, sometimes; I've got to tell you. [interjections] They're all awake now. You've got to admit that there have been a few missteps the last little while which are reflected in the polls, so that's interesting. [interjection] Well, yes. Let's talk about it. If you want to talk about the most recent by-election, the government . . . [some applause] And congratulations to your new member, who we will soon see joining us here in this Assembly. You can bet that we will be keeping track of those promises he made, if in fact he can actually deliver on them. I heard lots of those promises, and I tell you, he's going to need lots of help from you guys. So it will be interesting to see what happens over the next year. Particularly what I liked was the one where he said that if the Premier didn't listen to him, he was going to have at least 500 of his constituents phone directly and write letters to the Premier to say that he should acknowledge what he's talking about. So that's going to be very interesting. [interjections] Yeah, you all do that. I don't think so. Oh, this is part of the 4.7 million visits?

AN HON. MEMBER: That's the RITE line.

MS CARLSON: Now I get it. Well, good luck, you guys. It doesn't seem to be working. I don't think it's going to work too well for him either. Anyway, it will be interesting to see as we grade him on his performance in terms of compliance with promises, but of course he will have an excellent department to go to to help him communicate to his constituents why he can't actually deliver. So that will be interesting to see.

You know, when we talk about the missteps that we've seen the government go through lately, it's interesting to see the way the communications were delivered. I'm surprised that the dollars for Infrastructure that were given to Edmonton and Calgary within 48 hours of the budget having been announced were done in that

fashion. I know, I understand the accounting principles in terms of why you did it very well, but what I don't understand is the communication plan that was used there, because clearly you knew ahead of time that there was a pocket of money. It makes me wonder if you weren't just waiting to see where the greatest problems or issues would be for the budget before you announced them. I would have thought that a good communication plan would have announced some days before the budget that there was a pocket of money that was going to be available at the end of the fourth quarter and that you would be assigning it to whatever. So it's interesting to see that you handled it the way you did, because it certainly did look like a flip-flop.

That was, I think, on your part unfortunate. People didn't like that too much. It does tarnish the credibility of the government to some extent. It also enhanced a belief in rural Alberta that this government has a highway 2 mentality, where they focus on those large centres that are on the highway 2 corridor and areas closely surrounding the highway 2 corridor and forget about the rest of the province. We heard a lot of that in the by-election, and it was reinforced by the way the money was distributed there. So I wouldn't mind having the Premier comment on that and on what kind of a communication strategy he thinks he'll implement in the future to address that problem, because I tell you, it was a very real concern. Those 3,000 government supporters that stayed home in the by-election were pretty vocal about their concerns.

8:20

There's also a boondoggle that it will be interesting to see how this government spins out of. Yes, a boondoggle, and that would be the Supernet. The Premier talked about that as being one of the great bonuses for the province, and I think the concept was a great idea, but the fact is that it's already obsolete. If you talk to many of the centres who have the Supernet in and accessible now, they're not using it, because it isn't the fastest or the best technology. I know that my colleague from Edmonton-Centre wants to particularly address that issue, so I will leave it for her more complete review. I expect that as we're probably going to recess quite early this spring, we will have quite a bit of time in the latter half of this spring and this summer to do some research. I know the Supernet is on my list to take a good look at, because I don't think we got the bang for the buck on that one. I would expect that your Public Affairs Bureau is going to spend some time developing a strategy to communicate how you could waste so many dollars on something that's obsolete and that in fact people aren't utilizing to any great effect in their regions. So it will be interesting to see how that goes.

I'd like to spend a few moments, if I can, on the Auditor General's report. This is the annual report from 2000-2001 that I'm taking a look at. When I went to take a look at this book, I was a little surprised that there is even anything more than a very cursory mention of Executive Council. The department is primarily a communications department, it seems like there wouldn't be all that much for the Auditor General to comment on. Surprisingly, there was an ongoing issue that the Auditor General referred to again that I would like the Premier or his staff at some point in time to comment on in terms of whether they've got full compliance, and that was with regard to academic health recommendations that were repeated in that year. The Auditor General talked about repeating "recommendations concerning academic health, previously reported under the Ministry of Learning" and repeating them here "because it is unclear [to the Auditor General] who should be responsible for implementing them."

That in itself is somewhat interesting because the Premier referred in his opening comments to one of the key mandates of this depart-

ment being to ensure that there is effective co-ordination between the departments themselves so that everybody knows what's going on. Yet the Auditor General, who has a very key part in overseeing and being the watchdog of government, was unclear on who should be responsible for these particular recommendations, having gone to the Ministry of Learning and not having been able to have them satisfactorily complied with.

So in terms of the Council of Academic Health Centres of Alberta under the byline of governance and accountability, we have the Auditor General's recommendation 9 for this time period where he recommended that

Executive Council assign responsibility for implementation of our prior year recommendations that:

- those who manage and fund academic health activities acknowledge the full scope and magnitude of those activities and the consequences for the accountability of academic health centres
- the entity or entities responsible for academic health, and their mandates, roles, and accountabilities be clearly defined and, on this basis, the appropriate organization and governance structure be established.

So that's the recommendation, and he goes on to spend some time explaining the recommendation.

He talked about these having been included in the '98-99 annual report. In the annual report in '99 they were recommendations number 18 and 19, and for the universities of Alberta and Calgary in the last year's annual report, 2000, that was recommendation 39. He went on to state that "in both years the government accepted the recommendations," which is good. That's the first step in terms of compliance. But he goes on to state that he's repeating them again because he had "evidence of only limited progress in addressing the major risks in academic health." So that's quite interesting, that two years running we've got a series of three recommendations that were accepted in principle and then not fully acted on. Then to the extent that the Auditor General took those recommendations out of Learning and put them into Executive Council, which is the Premier's responsibility and really the communication arm of the government, that is interesting in itself. To me that indicates that the Auditor General found this to be relatively serious in nature, so I think it certainly warrants some concerns, and we would like to know how far along Executive Council is in being able to meet this particular recommendation. More than just accepting it, what actual actions have been taken, and is there full compliance at this time?

The Auditor General went on to talk about academic health as a partnership with a variety of councils and centres, medical facilities, academic physicians, and health authorities. He lists what they actually do and then goes on to talk about the serious risks that academic health faces. Those of us who knew this Auditor General knew that he was soft-spoken and not given to using strong language, particularly in the recommendations, unless he felt that there was some serious deficit. And when he goes on to say "serious risks," then we know that he more than perhaps other people should be taken very seriously and that he saw this as a concern that should be addressed.

When you go on to read the concerns that he listed, you'll see that they're the kinds of concerns that were very fundamental to his understanding of the necessary elements that government needs to have in order to comply with the kinds of outcomes that he expected from a government. One of those was a lack of understanding among stakeholders of the scope of academic health and a lack of transparency of funding. So both are quite interesting and quite serious in nature: the scope of academic health and the lack of transparency in funding.

Now, lack of transparency is a serious problem when you talk

about governments, and this Premier has made a commitment to transparency in government throughout his mandate. It's interesting to see here that this wasn't a problem that was fixed during the course of the audit, which sometimes can happen. Transparency of funding was in fact a problem carried on for three years. So I hope that particularly that issue has been addressed, and we would expect some sort of answer to that.

Now, any of these answers the Premier may or may not be able to give tonight. Some of them are technical or more detailed in nature, and he may or may not have the actual information at his fingertips. We would be quite happy to have the information come to us in writing at some time in the future.

The Auditor General also listed lack of information on the financial status of these centres as being a problem, and that is surprising as well. I remember when I was first elected to this Legislature and my very first question in Public Accounts was to the education minister of the day. I asked him what his budget was, and that initiated quite a bit of to-and-fro between him and his senior staff because apparently when he came back to respond, he said that there wasn't really a budget. I said: "No, no. You didn't understand my question. What was your budget for the past year?" He said to me: "No, no. You didn't understand my answer. There was no budget." Well, this government – I have to give it credit – has come a long way from those days. We see budgets coming forth. We don't see budgets that last for a full 12 months. There are all kinds of surpluses built into the budgets and re-evaluations of how expenses are compiled, and what I would consider to be serious issues, but there are budgets and there are business plans, and that's a step forward. So it's interesting to see that in this particular area the Auditor General recommends that there was a "lack of information on the financial status of the centres." So we hope that that has been rectified and look forward to the answer on that.

8:30

"Inequities in physician remuneration." That's quite interesting as well. When we see human resources being a large component of this government's functions – and certainly there is some spillover of that in this particular department – it's very surprising to see that there are inequities in remuneration, because I would have thought that there would have been standard kinds of grids and information that was accessible that would ensure that these things were done in an equitable fashion. Not in this case, I guess, and we hope that that's also been rectified. If we could find out what exactly was the basis of the former problems in this area, that would also be helpful to us.

The fourth point that the Auditor General lists here, the final point, is: "dependence on external funding of activities that generate administrative infrastructure costs." We would like some explanation of that, Mr. Chairman, and also some information on whether or not this dependence on external funding is still there, what the reason was for having that, and what has happened as a result of that. That's very interesting information here, and we hope that it's been rectified this year.

The Auditor General went on to talk about the estimates of the 1997-1998 cost of academic health at \$350 million, 70% of which was ultimately funded in various ways by the Province. Accountability for the use of this substantial amount of public funds is seriously lacking.

He goes on to talk about how some of the issues "have progressed" but that in fact "no one has assumed leadership" in this area. So we would like some information on what's happened there. Because of the lack of leadership which he expected, I believe, to have come from either the council or the Learning department, he has kicked the concern up a notch to Executive Council and addresses the

recommendation to all the stakeholders through Executive Council. So I'm sure that the Premier has seen this and has made some progress in terms of this issue.

Also, very interestingly enough, the Auditor General had a reservation of opinion on these financial statements "because capital assets costing less than \$15,000 are expensed and are not recognized as assets in the Ministry financial statements." That clearly is a breach of generally accepted accounting principles, so we have a few questions on that. Why does the department do that? Does it continue to do that? Can we have a list of the kinds of assets that normally would have been expensed rather than capitalized and some overall justification for their having done that? It seems very strange indeed. It's been a tradition not to really have capital investment in this department, but clearly there should have been.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre. [interjection] According to the Standing Orders, the first hour is allocated to a member of Executive Council and members of the opposition. In the second hour every other member is able to ask.

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman, and thank you very much, Mr. Premier, for appearing and being present for our questions. I appreciate the time you're taking out of your schedule. I know it's a busy one. I will join my colleague from Edmonton-Ellerslie in welcoming and thanking the staff that's appearing in the gallery. They're a great bunch and they always do their work with good humour and great skill, and I appreciate that both as an MLA and as a citizen.

Now a couple of different areas that I would like to touch on. I'm hoping that I may be able to return after some other speakers and ask additional questions, but for now what I'd like to do is talk about the responses to the Auditor General's recommendations. I'd like to talk about the performance measurements and the targets that are set out, some discussion on the Internet and the web sites that are available, some points raised about the Public Affairs Bureau, and also your human resource strategy.

When I look at the Budget 2002 Fiscal Plan document, at the very back is the response to the Auditor General from the government, and when I look specifically at recommendations that were targeted to the Executive Council, I find a couple. Two of them are under Cross-Government. I know that my colleague has already detailed what the concerns were that were raised by the Auditor General, but here I'm looking at what the government's response has been to that, and I'm looking for a bit more detail on what's being anticipated here or in some cases has in fact already been completed.

The first recommendation on cross-government standards for business cases was that "Executive Council work with other ministries to develop standards for [their] business cases." This is usually the sort of "what if?" worst case scenario, and one of the examples I've used in the past is around the Supernet. You know, what happens if in all of your plans for the Supernet, the company that was going to run the wire or implement it all of a sudden went bankrupt and wasn't available to do the work? What was the business case that was developed to deal with that kind of scenario so that the government wasn't out too much in its planning or its money and everyone else wasn't inconvenienced? The government response in fact says that this recommendation has been accepted and that "standards will be developed and implemented with the assistance of the Deputy Ministers by March 2002." So in fact, according to this document, these standards for business cases have already been developed, and I would like to hear what they are. If that is too much detail to be asking for or to be expecting the

Premier to know off the top of his head, I'd be happy to receive that information in writing.

Likewise, the other cross-government recommendation that was made also pertains quite specifically to Executive Council, and that was that

the Deputy Minister of Executive Council, the Alberta Corporate Service Centre and Ministries take immediate action to develop and sign service level agreements that detail the services to be provided by the Centre, the associated costs and performance measures.

In fact, again there is a response from the minister. It says that the recommendation was accepted and that "revised service level agreements will be in place for 2002-03." So is that work in progress, or has it happened? What exactly is it?

Now, when I look further under specific recommendations that were made regarding Executive Council, there's really only one here, although it's a fairly intense recommendation from the Auditor General. Again, my colleague from Edmonton-Ellerslie has gone through this, so I really want to concentrate once again on the government's response to this. In fact, the government did accept the recommendation from the Auditor General, which is: "Responsibility for implementing these recommendations will be assigned and prior year's recommendations will be implemented by March 31, 2002." So, again, the work's been done. It must be available to the Premier and/or his staff at this point. Could I find out what that was exactly and what's come out of that? Again, it's certainly acceptable to respond to that in writing as it may be some detailed plans.

8:40

Now the performance measures. I've become a performance measure keener since I came here and once had a very good session with the Auditor General's staff, who were very good in explaining to me what we were trying to attempt by using performance measurements. I have to say that this government does provide an example for other governments both in Canada and elsewhere in the world in its attempt to move to an accountability model. Where performance measurements in fact are set out, there are targets to be achieved. My concern in what the government has done to attain this is that it's sort of ground to a halt. It came out of the gates, out of the chute in the mid-90s developing all of these performance measurements and targets and objectives. All of that was wonderful, but then nothing has ever proceeded beyond it. Performance measurements are difficult animals to get right, and they do require quite a bit of revision and evaluation and retesting, monitoring, and adjustment as they go along. Everywhere I look I see the same thing. The first performance measurements came out and, essentially, stopped. There doesn't seem to have been any attempt to fine-tune this in any way.

One of the methods that the government uses repeatedly that I find less than useful is this use of satisfaction polls, which does not provide us with the real information about whether the service that is trying to be provided in a given ministry is achieving what was set out. It's merely a measurement of whether somebody thinks they're satisfied. Well, you can set it up that anything is satisfied.

I was particularly surprised when I looked under the Public Affairs Bureau core businesses and found that I think every single one but one is satisfaction based. So under the core business of "help government ministries communicate with Albertans," we have a couple of goals, and the measures are "public satisfaction with government communications in priority areas" and "government client satisfaction." Again, this isn't really telling us whether there is good communication with Albertans. There has been some sort of survey, some kind of opinion poll that says: are you satisfied? Well, that's not giving us good information to work from, and I was disappointed to see that in fact that's still happening.

When I look further at how the targets are working under your key performance measurements, in fact I can link it to the same core business and goal. We had a target that was developed in '99-2000. The actual in that year was 66 percent, and again this is a sort of satisfaction level. The following year it dropped by some six points. For the following years, 2000-01 and 2001-02, the target was 75 percent. We don't have a forecast here on what was expected to have been reached by the end of the 2001-2002 year, and then we just continue to have the same target of 75 percent.

So I'm seeing that all the good work that was started to try and develop a measurement and evaluation system has sort of ground to a halt. You know, you had one measurement, the next year the actual dropped in percentage points, and then there's just been a straight, you know, going from 58 percent in 2000-2001 to a target of 75 percent from then on. Why was that done? Why is it considered that it could go from 58 percent to 75 percent and then stay there forevermore? What was being done? It's not a useful measurement, I think, for either the department or for the public to be looking at what's happened, and I don't find that satisfaction polls are ever useful. If we're really trying to measure whether there's good communication out into the public, helping the government ministries communicate with Albertans, well, are we looking at how many Albertans actually know what goes on in a given area? Are we finding out whether Albertans are having difficulty accessing anything, and therefore what could be done to make that access easier or better rather than just saying, "Are you satisfied with this"? You know, you give me enough incentive and I suppose I'd be satisfied with just about anything. If you phone me at suppertime, I'd be satisfied right away if you'd just get off the phone and let me go back to my dinner. So I'm urging the Premier with this department under him to go back to work.

MS CARLSON: What kind of polling should he have?

MS BLAKEMAN: Well, I don't think it should be polling. I think what needs to happen – and this is a long and I'll admit that it can be a very painful process in trying to develop a useful measurement tool. I don't think that opinion polls are a useful measurement tool for how a given ministry is doing its work at any time unless the goal of the department is to have, you know, a satisfied public, and even that doesn't tell you what they're satisfied about.

There are some interesting choices that are made here that aren't explained, so maybe I could get some explanation about the choices that were made. You notice that the RITE telephone system and the Queen's Printer bookstore measure is "linked to core business two and goal two . . . using the RITE telephone system to access government and obtain information" and also rates the ability to access information and materials provided and the "value of products sold" through the bookstore. Okay. So we go from 96 percent in the year '98-99. It drops to 95 the following year, goes back up to 96 – and that's an actual – and then it's targeted at 98 percent. Well, what does the ministry expect to do to raise itself by that 2 percent? That's not explained, and why 98 percent? If you're going for 98 percent, go for a hundred. I mean, there's just a lack of follow-through here. That's what's bothering me. You know, a lot of work was done and a lot of people worked really hard to develop a business plan approach to government in this province, and I'm looking for the follow-through that would give us the really useful tool in the end.

I could go through each one of these one by one, but I don't think that's useful at this point. I think I've made my point, and I'm sure that the Premier will get back to me, and I'm going to move on to some of the other areas that I had concerns with.

The Premier spoke about the Internet, and I'm wondering just on the record whether there are any consultations or plans or departmental work groups that are considering Internet regulation. I'd be interested to know what progress has been made on that, what kinds of considerations have been made by the government as to how it wishes to license or control the Internet. Maybe it's not interested at all. In that case, I'd like to get that on the record. As part of that and probably linking it across government way with the Department of Gaming, has there been a consideration about controlling of Internet gaming? I attended a conference on gaming indirectly sponsored by the government in early March, and there was a lot of talk there about Internet gaming. Of course, it's not tied down to any spot on terra firma, so how does one regulate it? Nonetheless, there are a number of countries now that are actively looking at how to regulate it just because it has such an effect upon its people, and some, in fact, have regulated it.

8:50

Now, the second thing I want to talk about – and again this was brought up by the Premier – is the Supernet. I'd be really interested in seeing a more full-blown report on the Supernet, because I'm getting increasingly suspicious. This whole project is beginning to look very large and very white and probably with a long trunk and a small tail, and it might even be particularly fond of peanuts. I am deeply suspicious about this one.

There are a couple of points around this. For starters, something that I had pointed out right from the beginning is that the province's commitment was to run the Supernet to the outside wall of the municipal buildings, libraries, schools, et cetera, throughout Alberta. That has always been a problem, because with the corresponding cuts to the municipalities, to the school boards, to the libraries, to the RHAs, none of these groups had the ability, had the extra cash to be able to take the wiring from the outside of their walls, drill through the walls, up the stairs, down the corridor, and to the computer. Then you have to start looking at the additional cost of the computer that's going to be of the technology to match the Supernet, and then you're going to have to have the software programs that go with it. So even at this point, if the Supernet's little wires were tickling the outside walls of a library somewhere in Irma, the library doesn't have the money to be able to make this work. So how effective is that?

MS CARLSON: Even if they could, it's better accessed by cable now.

MS BLAKEMAN: And that's the second part. My very clever associate from Edmonton-Ellerslie is just pointing out to me that there is now a real issue about whether the Supernet is obsolete in fact, whether we're not being better accessed through a cable system. At this point I guess my question is: how much money have we spent on this? I have serious doubts that the little wires are ever actually going to connect to any other little wires, so the whole Supernet will have been a very expensive . . .

MS CARLSON: Job creation program.

MS BLAKEMAN: Well, job creation, and I would have said public relations campaign as well with no concrete outcome.

I know that the government would not have gone into this without expecting to complete it, and obviously they were very proud of the whole concept of this, but I've been asking these questions. This is my third year now, and I have serious doubts as to whether we're ever going to see this.

DR. TAYLOR: I answered them in your first year, and you're still asking them.

MS BLAKEMAN: No, I didn't get an answer the first year. As usual we have the Minister of Environment loving to heckle into the debate without ever actually getting up. Actually, in about 10 minutes, as soon as I finish speaking, he will be able to join in the debate, and I look forward to what he has to bring to it.

So I would like some answers and some overview about what is happening with that Supernet. Is there a way to save it at this point? Can there be another way of approaching this, or has a whole bunch of money been spent and nothing is going to come of it? There were a lot of promises made. I think it is a good idea, and I think that in a province where we have concentrations of population as we do but then we have very vital centres out there in the rural areas that we want to communicate with and we want to have working with us and up to speed, so to speak – I don't want to see this project fail, but I have the feeling that it's going to. So could I get some information about that, please?

The Premier mentioned high usage in Alberta. Now, I've recently heard 61 percent. I'm not sure if I heard that from the Premier tonight but high usage definitely. Is the Premier aware of whether that high usage is in fact individual households or whether it's just usage, period, in the province? I wonder, given the amount of high-tech business that we're encouraging in the province and also the number of computers that must be used in those office towers in Calgary directing all that oil around . . . [Ms Blakeman's speaking time expired] I will come back and finish this.

THE DEPUTY CHAIR: Hon. Premier, would you like to respond at this stage?

MR. KLEIN: Well, Mr. Chairman, some questions I can respond to, and others will be dealt with either in written form or when the appropriate ministers appear before Committee of Supply.

Relative to the so-called highway 2 mentality – although it has nothing to do with my estimates – no such mentality exists other than perhaps someone driving down highway 2, and if they get locked into a mentality relative to the highway, I guess that's one of the manifestations of driving, but it has nothing to do with politics whatsoever. If you will look at the 74 members of this caucus, they come from all corners of the province, and very few of them are along highway 2. As a matter of fact, they're all over, in every corner of the province. You know, I could say the same about the Liberal caucus. With the exception of one they must have an Edmonton mentality, because they're all confined to Edmonton. No, Mr. Chairman, we don't have a highway 2 mentality. We have an Alberta mentality. An Alberta mentality. That's why we're the government.

Relative to Supernet, I alluded to Supernet as a magnificent project to wire the province. The hon. minister will be appearing, as I understand, before the Committee of Supply and has indicated to me that he'll be very happy to answer all of the questions that have been asked relative to this particular project and respond to the allegations, I believe unfounded in many cases, with respect to the value and the worth of the Internet project. I'm sure that the opposition Liberals will have patience and await his reply.

Relative to the Auditor General's comments re the academic health issue, I have the report of the Auditor General here. It's quite detailed and it's quite lengthy, but I will undertake to get a written answer.

One interesting observation that was made alludes to the Public Affairs Bureau and their measuring of outcomes and recording the

levels of satisfaction. It actually started in about 1998, and we started to do that as the result of the Liberal opposition of the day accusing the government of having no record or no list to show a measure of outcome, so this was developed. Indeed, it is very, very telling if you take some time to read the figures, especially going back to 2000-2001, and I'm talking about key performance measures relative to "public satisfaction with government communications in priority areas." Those priority areas are health and education, infrastructure, children's services, and so on, a number of other core businesses.

Mr. Chairman, this is very, very hard to assess, because everything that we do in this Legislature – in the Legislature – is political, and everything that we attempt to do is opposed. There is something very, very interesting in these figures, and figures are worth while if you take the time to read and interpret those figures. It says that in the year 2000-2001 there was 58 percent satisfaction with government communications in priority areas. One of those areas was health. I would remind the Liberal Party that in the year 2000, heading into the 2000 election, there was probably one of the most massive, deliberate campaigns of misinformation that I've ever experienced in my political life relative to Bill 11. Yes, we tried to get the facts out. We tried to get the truth out. We used all the mechanisms that were available to us to get legitimate facts out and bring some legitimacy to the argument. The emotional claptrap – I can't think of any other word – of the Liberals and the NDs was hard to overcome, but if you look at what happened as we neared the 2001 election, people started to believe. Of course, the manifestation of it all, of the misinformation campaign and the manifestation of a good, true, honest campaign of solid information, was the election in March of 2001, when this government got 74 out of 83 seats. That is effective communication, and that is the way you read figures. No wonder they don't like these figures, because those figures decimated the Liberal Party in 2001 to seven members. So the figures are valid. I can understand why they don't like the figures. I mean, if I were sitting over there, I wouldn't like the figures either.

9:00

Relative to the question vis-a-vis the Internet and Internet regulation, again, it's not in my estimates, but one of the hon. members alluded to it. We do indeed have consumer protection legislation as it relates to products advertised on the Internet and purchases made through the Internet. I understand from the hon. Minister of Government Services that the legislation that was developed in Alberta is being used as a template for similar legislation being enacted across this country, Mr. Chairman. I'm told that we do have more than adequate legislation and regulation in place to protect consumers from Internet scams.

So those were all the questions that were asked, and those are all the answers I have to provide. Thank you.

THE DEPUTY CHAIR: Hon. members, for the rest of the hour any other hon. member of this Assembly is able to stand up and ask questions, and the hon. Member for Drayton Valley-Calmar has indicated that he wishes to speak.

REV. ABBOTT: Thank you, Mr. Chairman. I was just going to make a few comments on the record with regards to some of the comments from across the way. First of all, I'm glad that we also have this opportunity to rise and to talk in Committee of Supply and especially to address the areas of Executive Council. I would agree that it's great to see the Premier here tonight, and it's just too bad that the Leader of the Official Opposition isn't here as well.

MS BLAKEMAN: Point of order.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre is rising on a point of order.

Point of Order Referring to the Absence of Members

MS BLAKEMAN: Thank you very much, Mr. Chairman. I am aware that you may not have caught that, but certainly it's well known that in this Assembly we don't comment on the presence or absence of any given member. Perhaps he could be corrected.

REV. ABBOTT: Mr. Chairman, I apologize. That was completely uncalled for. Oh, look; he's coming into the Assembly now as we speak.

THE DEPUTY CHAIR: The hon. Member for Drayton Valley-Calmar has apologized. You can proceed now, sir.

Debate Continued

REV. ABBOTT: Thank you, Mr. Chairman. I think it would be important, though, to point out that as the Premier talked about the \$15 million budget and how that has either stayed the same or actually decreased, we see that there are a lot of efficiencies happening within the Executive Council. We see that as the efficiencies are happening, the satisfaction levels are going up. In fact, the members across the way did mention the excellent work of the Public Affairs Bureau. They mentioned what a good job they're doing, and I'm glad to see that they could mention that, because the fact of the matter is that most of what we hear from across the way is very, very negative. In fact, in the last year I have to stress my disappointment in how all that seems to happen, especially during Committee of Supply, is that all we hear is negativity and all we hear is just endless, endless talk about nothing. It would be nice to have an effective opposition that would bring up some serious points so that we can answer some of these questions.

But getting back to the topic, the performance measurements, as you can see, are very, very, high. That's one of the things that I really like about this Executive Council business plan here as I look at it. All the departments strive to meet the highest performance measurements. As we can see, over the past three years, the ones that we have recorded here, they've been able to meet those. These three-year plans also are something that I know the constituents of Drayton Valley-Calmar are very interested in. They like this. They like to know where the government is going. Again, it seems that we have either met or exceeded in many cases the performance measures that have been laid out.

I look into the estimates here in the area of goal 1, to "increase communications with Albertans in the areas they identify as top priorities," and see the eighth bullet, where it talks about:

Continue the dialogue with Albertans on all priority areas related to kindergarten to grade 12 and post-secondary learning; work with student groups to improve awareness, access to and planning for post-secondary supports; improve information provided to parents related to curriculum and other areas.

It's great to see this, and it's great to see this government and this Premier committed to education.

I know that this topic came up this morning in some of our discussions, and the Premier outlined the fact that he has completed his grade 12, that he's completed his college, that he's now in university, and that he personally is committed to improving his own education. In fact, he's even proven that in his great abilities that he has displayed and demonstrated in his use of computers, Mr.

Chairman. It's excellent leadership that I know many Albertans are following. I know that, again, the people of my constituency are glad to know that our Premier is committed to high-quality education and that he himself is a part of that process.

Mr. Chairman, I'm going to end with just a general comment on being wired, saying that our province is 60 percent wired. Again, I know that that leads the country. To hear that 4.7 million hits on the government web site through Alberta Connects and through the Public Affairs Bureau, et cetera, have happened is something great. I know, again, that it's the Premier's office that is leading the way in making those connections available, and as the Premier alluded to, the only highway 2 mentality that he holds is the two-way street on communications that he has very excellently outlined for us this evening.

So, Mr. Chairman, in conclusion I'd just like to say that I hope we don't hear further unfounded and unsubstantiated negative comments from the Liberals, because we know exactly where those are leading, and we know exactly what they have done for them in the past.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: Hon. Member for Edmonton-Centre, are you rising on a point of order?

MS BLAKEMAN: No. I don't think that's necessary at this point.

THE DEPUTY CHAIR: The chair recognizes the hon. Member for Edmonton-Centre.

9:10

MS BLAKEMAN: Thank you very much. Well, that was very sweet from the Member for Drayton Valley-Calmar. I actually thought the Premier was doing very well in defending his department. I didn't think that he really needed a champion, but it was darn nice of the Member for Drayton Valley-Calmar to get up and just try and pitch strikes for his boss. [interjection] Yeah, hat tricks and flip-flops. That'd be interesting to see.

Well, just a couple more points that I wanted to make or questions that I had around what the Premier had raised already. I think we're doing very well as a government and as a Legislature with the information that we're putting out on the web sites. I know there's great competition between the different ministries about who has the better web site, and there are pools and bets and all kinds of things that go on about who has the best one. Fine. I'm finding this very helpful both in my constituency office and in being able to refer my constituents to get direct information off various ministry web sites. I think we've actually done a pretty good job in that.

I particularly am using and enjoying and very proud of what we've done on the Legislative Assembly web site. For the first time constituents, citizens in Alberta are now able to have a look at bills that have been proposed in the House within a 24-hour time period. They can go to the Assembly web site and pull down that menu and download and print off any bill that has been brought forward in the House, that has been tabled in the House, which is excellent.

I think one of the most important things that we do in here is find out what our constituents are thinking, what's important to them, and to get their feedback and establish a feedback loop with them about new legislation that's being proposed in the Assembly. This is excellent. I'm able to phone or send out an e-mail to different groups that have expressed an interest to me on a given subject in the past and say: "That bill is up now. It was introduced today. Go to the Assembly web site." They can print it off themselves and then e-mail me their feedback on it, which is excellent.

I'm certainly supportive of any attempt to get the *Alberta Gazette* on-line. I realize that this is not a particularly easy task. One of the issues that I have brought up many times in the past here and will continue to bring up is how difficult it is for citizens to access and to understand what's happening with orders in council and particularly with regulations being introduced and changes in regulations. If you're not part of this Assembly – and I think probably even for some people that are part of this Assembly – being on top of when regulations have been changed that affect the interpretation of a given statute is very hard. I think that to have the *Alberta Gazette* on-line would be a very valuable service, and I certainly encourage the department and the Premier to pursue that.

Two other points I wanted to touch on briefly. Another very useful program that Public Affairs Bureau had was the calendar that they produced, the special-days calendar. I notice that it's no longer going to be produced by Public Affairs Bureau. Now, perhaps I've missed this and it's gone to another department or someone else is doing this, but the last time I downloaded it, which was a couple of days ago – it used to come through visitor services – there was a little note on the bottom that says that Public Affairs Bureau is no longer doing this. This is the one where it says: this month is national lung cancer month and daffodil month, this day is soil conservation day, and this is such-and-such a week. I certainly used it a lot. It was a very valuable source also for other groups to be able to quickly access all of these bits of information about what special day it is. That seems to have disappeared, so I'm wondering why. Maybe I was the only person using it. I'd be interested in knowing if the service has been cut. If it has, why? What was the usage of it? If it went somewhere else, where did it go? I haven't been able to discover that.

Now, the last point I wanted to talk about. When we look under goal 3, "improve the efficiency and coordination of communications across government" – I'm on page 152 of the business plan – the second bullet is talking about building "on the human resource programs and supports available to staff" and achieving "goals set out in the Corporate Human Resource Development Strategy," and this is including the Alberta government ambassador program, training, and the corporate executive development initiative. I'm wondering if the Premier can expand a bit on any new initiatives that are taking place under this section, or is this carrying on with what was put in place previously?

I know that we're in an odd situation in that we need good people in our civil service to support the work that we're doing but more importantly to support and provide the programming and services to the citizens of Alberta, and at the same time the government is fighting against an impression that the bureaucracy is not an efficient deliverer of service, that there's red tape. You know, there are all kinds of negative connotations involved with the civil service there. So, on the one hand, we know that we need really good people, but it seems to have a very bad reputation right now. We've also lost, you know, the government has cut, a lot of staff positions. The Premier himself was just talking about dropping one or two FTEs, full-time equivalents, in this budget year. So these programs are put in place to start to turn that around and to highlight the good work that was being done. I'm looking for an update on this. Are we looking at any new initiatives here, or is this a stay the course sort of year that we're in right now?

Under the core businesses and goals that particular goal ends up with government client satisfaction as the measurement, which again is one that the target for 2001-02 to 2004-05 is 75 percent, and once again it's some sort of satisfaction poll, so this is not, I think, as useful as it could be both to the government department and to the public that is interested in monitoring this.

So those are the additional questions and points that I wanted to raise with the Premier, and I'm perfectly willing to accept the responses in writing.

Thank you very much.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. It has been terrific to watch the debate so far. I'm sorry that I was a bit late. I was at a meeting at a school in my constituency. Actually, it's in one of the wealthiest neighbourhoods of Edmonton, and they were struggling over how they're going to afford computers to hook up to the Supernet when it arrives. So, anyway, I did miss . . .

MR. KLEIN: What school? I'm going to go there and find out.

DR. TAFT: The school is Laurier Heights.

MR. KLEIN: I'll make a note of that.

DR. TAFT: They'll be delighted actually. They asked me tonight to raise the issue, so I am delighted. I'll contact them tomorrow.

MS BLAKEMAN: Instant turnaround.

DR. TAFT: Yeah, that's performance. Thank you, Mr. Premier.

I'm not sure how we got into the Supernet discussion. I won't dwell on that, but it's a good concept. I, like my colleagues here, am concerned about the execution, and I'm hearing worries about how it's going to come off, but I'm sure that we will be reassured.

It was interesting also that the Premier raised Bill 11 from a couple of years ago and the role of the public communications branch in that and the expenditures and how the government was able to maintain a 58 percent approval rating, I think, throughout that process. I would be delighted to learn, if we can go back there, what the expenditures of the government were on its whole campaign around Bill 11.

9:20

MR. KLEIN: Nowhere near the expenditures of the unions, the Liberals, the NDs, and all the friends of who, what Title, and where and why.

DR. TAFT: Well, the people being held accountable tonight are the government. At least, we're trying to hold the government accountable. So that's one of my questions. I didn't initially raise Bill 11, but I'm interested in it. I always will be.

I'm now switching to the business plans, and just a few things have caught my eye as I've gone through the business plans for the Executive Council. On page 151 there is goal 1, which is to "increase communications with Albertans in the areas they identify as top priorities." The third bullet talks about:

Assist in the communications and promotion of key economic development plans included in the government's Economic Development Strategy, such as industry diversification.

We're all, I think, concerned about diversification in the Alberta economy and our dependence on the oil and gas industries for government revenues and for job creation in general. I'm concerned about the accuracy of some statements from time to time that have been raised on this issue, and I'm thinking back to a couple of very bold government statements made last year in terms of the idea that the Alberta economy was no longer reliant on the petroleum industry for stability, that we had outgrown the petroleum industry, and that it was no longer the core of Alberta's economy. In fact, I think that

recent events have shown that it is. So I would encourage as much accuracy and precision as possible in the implementation of that particular goal.

Moving through some of the other issues here. I'm sure that the Premier still has a southern office, but I don't believe that there are any details broken out for that office in the budget here. So I'd be interested to know what the expenses are for the Premier's southern office, what they're proposed to be for this year, how that would compare to last year, and, along that line, how many FTEs were employed in the southern office last year as compared to how many are planned to be employed this year. Just to get a little bit more detail.

As well, on the issue of detail and clarity I haven't gone and compared it to every other department, but I suspect that it's the case. Every other department has a line item for the deputy minister's office in that department, but the estimates on Executive Council do not have details on the chief of staff office for the Premier. So it would be useful to have that information, and it would be consistent, then, with all the departments across the government. That would be a bit of useful information.

There's also curiously – surely it's the smallest number in the entire set of estimates. Under Revenue, page 175, premiums, fees, and licences for 2000-01 actual were \$1,000. I'm just curious to know how the Executive Council would earn \$1,000. Then the other category under that is Other Revenue, which is estimated at being \$2 million for this year. Other revenue: other compared to what? There's no other here. We have no clue at all on page 175 what's included in other revenues. Normally other revenue is sort of a catchall after listing several categories. When other revenue is the only category, then it's just a very curious kind of entry. So if the Premier could tell us what other revenue is, that would be useful.

I think that that's enough. My remarkable colleagues from Edmonton-Centre and Edmonton-Ellerslie have carried the debate very effectively, and if we get answers to questions we've had, I'm sure we'll be delighted. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Chairman. I thank the hon. member for his questions and his comments.

Mr. Chairman, relative to oil and gas I have said on many occasions that our dependency on that resource is reducing and that we are no longer as dependent on oil and gas today as we were perhaps 10 or 15 years ago, when it used to account for about I believe it was 40 percent of the province's total revenue. That's down now to about 20 percent, and there has been tremendous diversification. That's not to say that oil and gas is not important to the economy. Indeed, it still is the engine that drives the economy along with agriculture. These are the two primary industries in the province of Alberta. But we are moving and making great strides to diversify our economy, including the oil and gas industry, by adding value to oil and natural gas products. The petrochemical industry: if you go through Joffre and see what's happening there or Fort Saskatchewan, if you see what's happening in the oil sands, you will see tremendous diversification as it relates to cogeneration relative to the development of power.

Oil and gas are extremely important to the province, but there has been tremendous diversification. Yes, relative to the revenues it still has tremendous impact, especially gas, and we saw the effects of that last year in particular, maybe a little over a year ago, when the price of natural gas went to I think an all-time high of about \$10. So it has an impact on the economy, and it has an impact on our provincial budgeting, but we are diversifying, and we're doing it, I think, very effectively.

I'm so happy that the hon. member got around to the estimates, because that's what I thought Committee of Supply was all about: the estimates. He did ask relative to the southern office and who works there. I can only speak to the Executive Council staff. I do know that we donate a portion of the building as a government – and I would hope that the opposition has no problems with this – to the Calgary Homeless Foundation. They do very effective work out of that building. I know that the Alberta Economic Development Authority is headquartered at McDougall Centre, again under the Department of Economic Development.

I know that there are some support service people there at McDougall Centre relative to the staff of Executive Council. There are five people who are directly under Executive Council: the executive director, of course, Gordon Olsen; a secretary, Joyce Austin; receptionist Lea Roberts; a secretary, Helena Gryckiewicz; and a communications manager, Jim Law. All the rest are assigned to various departments including, I believe, Queen's Printer and some other storefront services and government services that are run out of McDougall Centre but are under the control and direction of other departments and ministries, Mr. Chairman.

9:30

With respect to the office of the Premier, the 2002-2003 estimate numbers detailed by type of spending are as follows: for the office of the Premier including the protocol officers – and I mentioned the protocol officers that have moved from international and intergovernmental affairs to Executive Council – there was a total of \$3.6 million in salaries, wages, and benefits; \$870,000 in supplies and services; \$141,000 in financial transactions and other items. That includes the Premier's salary plus payments for agenda and priority members Carol Haley, Janis Tarchuk, and Yvonne Fritz. These are three private members, one of whom, of course, is the whip. It's been a dramatic change relative to how we deal with agenda and priorities. For the first time we've incorporated private members into that very important part of the planning process.

There are also salaries that have to be paid for the office of the Lieutenant Governor: \$140,000 in salaries, wages, and benefits; \$115,000 in supplies and services. Three full-time employees are assigned to the Lieutenant Governor's office.

The Public Affairs Bureau of course has a much larger budget: about \$8.2 million in salaries, wages, and benefits; \$2.2 million in supplies and services. That is for 127 full-time employees.

I don't have a breakdown relative to the salaries for each and every specific employee, including Mr. Elzinga – I know that the hon. member alluded to Mr. Elzinga – but I don't think that that's a problem. Virtually everyone's salary in government is public. At least I think it is; is it not? But I can tell you that in the Premier's office we have Mr. Elzinga; Joan Zowtuk, who is the secretary; the executive assistant to the Government House Leader, David Gillies; the deputy chief of staff, Jamie Davis; special assistant, Pam Livingston; director of my scheduling, Heidi Inkpen; my administrative assistant, Nargis Zaver; secretary in my office, Colleen Marouelli; receptionist, Colleen Borden; receptionist, Lynn Hall, who has been here, well, certainly since the days of Lougheed and maybe even before that. The list goes on and on and on. I mean, I could read the list.

We have people, of course, in the correspondence branch. We have people in the Premier's communications branch, including the director, Gordon Turtle; the assistant, Marisa Etmanski; the assistant, Linda Bates; and co-ordinator, Joanne Rosnau. The Calgary office I already alluded to. Then in the Executive Council's office there's also the Deputy Minister of Executive Council, Julian Nowicki, and the list goes on and on there. He's got 15 people working under

him. Then in protocol, of course, there are six individuals. I don't have the breakdown and the salaries for each and every one of these.

What is the \$2 million in revenue? I'm advised that it's sales from the Queen's Printer's various publications. The \$1,000 in fees – I wish someone up there could write a little bit better. I have no idea. I'll tell you what. I'll just hand it over to you, and you see if you can decipher it.

Is the 60 percent Internet usage figure individual households? Yes, it is households. I can read that. Sixty percent of households use the Internet in Alberta. Okay. Thank you; I can read that. This other one, I can't make out hide nor hair, but obviously there is an answer to the \$1,000. So I'll get someone to write clearer, and we'll get you a better answer.

I think those are all the questions, and I tried to answer them to the best of my ability. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. We'd like to thank the Premier and his staff for some of those answers which were quite complete and some which we expect to be more complete as time progresses.

You know, I can't stand here, Mr. Chairman, without responding to some degree to the Member for Drayton Valley-Calmar's comments.

MR. KLEIN: Oh, okay. I've got the answer on that.

MS CARLSON: Would you like to stand up and give the answer now, and then I'll carry on?

MR. KLEIN: I don't know if you're going to like the answer. I finally figured it out. We earned this money through fees that were paid through FOIP requests and primarily by the Liberal opposition.

MS CARLSON: There goes our research budget. You're right; we don't like that answer very much. I certainly will include the fee schedules as a part of the FOIP review that we're currently undertaking. Certainly there's somebody else that you can get the money from, you know. [interjection] Oh, you know, that's actually a very good question. In fact, my colleague from Edmonton-Centre raises a very good point.

AN HON. MEMBER: That's a first.

MS CARLSON: Well, she raises a lot more good points than you do, but that's another topic which is good for at least a 20-minute debate.

While we really wouldn't want to say that we're all that similar to the government in the way we operate, for money transfers it is the same organization. So when you transfer from one party organization to another, it's a transfer technically, not really revenue. So that should probably be clarified in the statements.

A follow-up question on those statements too. That Queen's Printer revenue: is it on a cost recovery basis, or are there profit margins built into it? Now, I know from the FOIP requests that while we feel that the fees are often exorbitant, they aren't cost recovery for the most part. But in terms of the other revenue that was generated there, if we could have that question answered.

Before the Premier could figure out how to read the notes, I was just going to refer back to some of the comments made by Drayton Valley-Calmar. We are definitely going to put him on the Christmas list for a pair of pom-poms. In my experience watching what goes

on in this Legislature, that kind of cheerleading is not an instant move up to the front benches. He's trying hard, but I'm not sure how successful he's going to be. [interjection] Yes. Well, that's right; he really didn't need to defend the Premier. The Premier did a very good job of that on his own, including one of his occasional pastimes, Mr. Chairman, which definitely would be Liberal bashing. Some of the stuff that he said was in terms of everything that happens in here is being in opposition, and Drayton Valley-Calmar picked up on that by saying that we didn't have anything good to say. Well, in fact, we did have some compliments in the first parts of our discussions where the Premier and his staff and the department were deserving of them. In fact, I would like to remind the Member for Drayton Valley-Calmar that we have brought forward some very good ideas in this Legislature over the years.

AN HON. MEMBER: Name one.

MS CARLSON: Well, let's talk about a stability fund for one of them. Let's talk about Alice Hanson's bill that ultimately got passed as a government bill in this Assembly. Let's talk about freedom of information, which was the Premier's very first bill in one session. Let's talk about things like benchmarking, which was first part of Laurence Decore's political platform. Let's talk about some of the things that this government has entertained over the years, like talking about best practices and efficiency audits. Those were the kinds of ideas that came from the Official Opposition. So everything that we say isn't in opposition. In fact, you know, if that's your belief, we're going to keep a little closer track and remind you of every time we vote with the government, because according to the calculations I have here, 75 to 80 percent of the time we actually vote with the government at the end of the day on the bills.

9:40

What do we bring forward? The concerns that we hear from people and efficiencies and ways of improving. How do we make them heard by this government? Sometimes you need a two-by-four to hear any opposition, and we have often seen – in fact, there was just an ag bill that came up that we passed in the last week before we recessed for the spring that our leader made an amendment to and that was accepted by the government and was passed under his name. So don't say that all we do is oppose what happens in here, because our goal is to strengthen what happens, and in fact most of the time we end up voting with these folks, except when they are completely out of line on some of the issues. Then it is our responsibility to keep their feet to the fire and to bring up dissenting views in the province. I bring that up because the Premier talked about it, and it certainly is within the mandate of the review of estimates to respond to any statements made by the ministers or the Premier or comments in rebuttal.

I do have a whole list of questions that I wish to get through before our time limit is up here for this evening, so I'll start with them, and then I intend to come back to some of the comments that were made, not the least of which is those satisfaction polls, which still seem to be of concern. The web page visits and the protocol office are some other issues that I want to talk about.

First of all, one of the things that we saw in program 1 is a title change from the office of the Premier/general administration to office of the Premier/Executive Council. It's not often that titles are changed like that. Does this mean that there is some internal change in focus? What would the reason be for having done that? So if we could get that.

The Premier kindly provided some detail in terms of salary expenses, but there's quite a bit more there that he didn't have and

that we would appreciate receiving in writing at some point, and that's the gross operating expenses of \$4.616 million that is directed for the Premier's office and Executive Council. So we got some breakdown of wages, but the other items within that framework we would like to hear about, specifically travel expenses, advertising, telephone and communications, contract services, professional technical labour services, data processing services, hosting, and other purchase services.

The Premier talked about the movement of the protocol office out of international and intergovernmental affairs, and it's probably a good idea. Drayton Valley-Calmar, are you listening? I said it's probably a good idea to have done that. No doubt, visiting dignitaries would always want to meet with the Premier. That's the main focus of their coming here: to meet with the government. They also like to come and see what's happening in the Assembly. I know that the number of visits increases significantly when we are sitting, and likely it is better handled through Executive Council instead of through international and intergovernmental affairs. But I don't see any specific dollar allocations there or staffing. I'm assuming from that that the staffing requirements, the additional roles, have just been absorbed into the existing complement. If that isn't the case, could you let me know? Do those costs come under hosting, or are they combined with some other expenses? If we could get a breakdown of those, that would be helpful for us.

In terms of really understanding what goes on in the office of the Premier, it would be helpful for us if we could know the types of weekly and monthly reports that are prepared, particularly with regard to tracking the views of Albertans, particularly on the key hot buttons, which for as long as I've been elected certainly include public health care and public education. Also, in terms of private clinics and private hospitals policy and tax reform, that would be information that would be helpful to us. Now, we know that there is a lot of correspondence with the Premier on these issues and that there are a lot of phone calls. We know from the feedback we get that people aren't always satisfied. They seem to think that the correspondence goes into some big room where the door is opened, the correspondence is tossed in, and the door is quickly shut, and that's the beginning and end of it. Lots of the comments we get back are that the information doesn't seem to have been responded to. So if we could get some comments on that. Does the Premier reply to every letter that's sent to him, or if not, is it tracked in some fashion? Is that information shared with the sender of the letter? Also, the same goes with phone calls.

It's interesting to note that the Premier talks about – and we see it documented – the high satisfaction levels. Particularly, the Premier talked about – I believe I wrote this down right – 58 percent satisfaction, with one of the areas being health. We get lots and lots of complaints from people who say that they can't get through on the phone lines or that sometimes the people who answer the phones are rude. I was going to say not polite, but I think rude is even a nice way of saying what people share with us. They get handed off, and they're not satisfied with what happens there. Clearly, there's some sort of a communication glitch in that office. So if we could get some information on how that is handled. Do they have a phone bank for times when hot issues are the topic of the day, when there may be an overflow of calls or communications? Anyway, if you could give us some detail on what happens there, how that's handled, and how those particular complaints fit into the client satisfaction criteria that the government has developed. When we see those numbers, there seems to be some disconnect between what's recorded and what we're hearing. You know, even if we're only hearing from 1 percent of the dissatisfied people, that's quite a few people. So if we could get some information on that.

In addition, some more detail on the steps that are taken by the office to follow up or respond to concerns that are expressed by Albertans through monthly and weekly reports. It seems to us from questions asked in the Assembly and information available out in the general public that there was inadequate tracking of correspondence received regarding the year 2000's Bill 11 as well as the policy that was released prior to the bill's introduction. It's still an issue of importance to people, and there don't appear to be any documentation or records from the Premier's office regarding the correspondence received. Now, maybe there is, and you just don't want to share it with us. Let us know, at least.

The Premier referred to the vast amounts of money that were spent by various groups in the Bill 11 debate for what he said was misinformation. Well, of course, from our perspective there wasn't a great deal of misinformation there, and I have to tell you that between our offices and our party less than \$100,000 was spent on the total information we had. This government keeps opposition in this province on such a tight financial leash that we can hardly breathe, never mind have access to dollars to mass any kind of huge marketing campaigns. That has been the sole ability of the government with their advertising budgets. So, once again, I add my voice to the voice of my colleagues who have asked for some detail on how much money was really spent there in communications.

9:50

So let's talk about communication from here and all the cross-communication that was done through a variety of departments, because no doubt this is a David and Goliath situation in this province in terms of the ability to spend dollars on marketing. We know in this time that we live in that to have your voice heard requires a lot of money and a lot of marketing expertise, both of which are in short supply on our side and in large supply on that side. So I certainly am not very pleased with the Premier's comments on how much money was spent. I have no clue how much was spent by other people, but I know that from our perspective it was very, very, few dollars.

Could the Premier or his staff tell us how much of the \$4.6 million in expenses will be allocated to policy co-ordination and business planning? You know, if there is a shortfall in this government, it certainly is their ability to do long-term strategic planning and to do the follow-through. We've heard some comments about that in terms of meeting the benchmarks in the business plans, and definitely this department, that is so good at communicating, I think could do a great service to the government in general if they were also to put a little heavier focus on strategic planning, implementation, co-ordination, and actual business planning, business planning in terms of business models, not the framework that this government has built that doesn't actually have the accountable benchmarks and benchmarks that are tied to actions that are implemented by the government, which has of course been an ongoing concern of the former Auditor General as well.

Also, I am wondering if there are any dollars allocated specifically to supporting standing policy committees. That's always a contentious issue with us. We believe that standing policy committees should be all-party committees because committees that are paid by the taxpayers of the province should be open, accountable, and accessible to all elected officials, as they are in other jurisdictions and certainly at the federal level. The outcome of that is policy that can only be strengthened, because we do sometimes have some good ideas. Anyone in a business planning model will know that when you surround yourself with people who think like you do, you don't always get the very best results. You need a little contention. You need the occasional dustup. You need somebody to challenge the

thinking processes. The outcome of that is much better policy and, I would think, a more effective government. It isn't like we would be able to overturn any government decisions – we would be so few in numbers – but what we would be is another thought process at the table. Instead, this government chooses to run the standing policy committees like extensions of their caucus, and if that's what they want to do, then people on those committees should not be paid. That is just a flat-out abuse of taxpayers' dollars, and they need to change it. If you want them to be internal caucus policy development committees, then don't pay the people on those committees with taxpayer dollars. Pay them out of your own budget if you want to but not from taxpayer funds. So that's, I think, my point on that.

The Premier answered the questions that I was going to ask about the office of the Lieutenant Governor, and I thank him for that. Also, I think he answered how much is allocated to the chief of staff for his office. I know he talked about salaries. Is that public information? If so, we'd like to know it.

Some more questions on the chief of staff. Does the chief of staff have the same rein and responsibilities that a deputy minister has? If not, what exactly would those responsibilities be? How, in fact, does the Premier define the role of the chief of staff, and what is his mandate?

I'd like to spend a little bit of time talking about the Premier's Advisory Council on Health. This year that controversial report was released talking about the introduction of changes to the health care system that certainly will see a promotion of privatization and a downloading of costs on individual Albertans. Some of that we saw already implemented in this budget. But in spite of the huge impact that this is going to have on Albertans over time, we don't really know very much about the council and its proceedings, so could we have a breakdown of the costs to Executive Council regarding the selection, proceedings, research, and public relations for this advisory council on health? We know the costs to the department of health, but we don't know them in terms of this department. So if we could have that.

Also, will the Premier provide a breakdown of the costs on this council for any outside firms hired or retained by Executive Council to provide services of any kind for this council? We would like copies of any polling, focus group testing, or public relations exercises conducted by or for the Public Affairs Bureau regarding health care in Alberta and copies of correspondence between Executive Council and members of the Premier's Advisory Council on Health, including its chair, Don Mazankowski. Now, of course, the problem is that you're never going to give it to us, and we're going to have to FOIP it, so we're going to be transferring moneys back into your department. But it's fair to ask for this information, it's fair for the government to provide it, and we would hope that that would happen.

Could we also have a copy of the goals, mandate, and directives given to this council by Executive Council? It would be very helpful for us to know that. We need a breakdown of any work – a cost breakdown is particularly what I'm looking for – done by the Public Affairs Bureau for either the Premier's Advisory Council on Health or the Alberta government's Health First initiative.

THE DEPUTY CHAIR: We have three more minutes left. Does the Premier wish to make any remarks?

MR. KLEIN: Well, I can just make a few remarks relative to my chief of staff, Mr. Elzinga. I've already alluded to his salary. I just don't know what it is, but I'm sure it's public information, as are the salaries of all senior public service employees.

Relative to his duties the list is almost endless, Mr. Chairman. He

looks after just about everything. You know, as much as I appreciate the public service and have great appreciation for public service employees, people don't know them. They don't know the public service employees like they know the Premier's office, and that's why I get stacks and stacks of mail. They don't write to, I would even say, the Liberal opposition as much as they write to me, and I deal with literally a dozen or more issues, different issues, entirely different, each and every day. I can't possibly – there simply isn't enough time – address each and every one of those issues personally.

So Peter and I go over the list of issues. He then contacts the appropriate person within the administration, within the minister's department, or perhaps the minister directly or the minister's executive assistant to make sure that there is follow-up and there is action on these concerns that are brought to my attention. In addition to looking after the concerns that I bring to him, there are countless hundreds of people who have access to Peter who phone him directly and say: "Can you check this out on my behalf? Can you do this on my behalf? Can you do that on my behalf?" So I would like to see anyone in the Liberal opposition come up with any person who works half as hard as Peter Elzinga on behalf of the people of this province to address their concerns.

Relative to the other issues, Mr. Chairman, I could go on at great length, you know, with respect to the Premier's Advisory Council on Health and some of the issues and questions that were brought up by the hon. member, but they will be well recorded in *Hansard*, and we will attempt to get her the appropriate answers.

Thank you very much, sir.

THE DEPUTY CHAIR: After considering the business plan and proposed estimates for the Department of Executive Council, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:
Operating Expense \$15,044,000

THE DEPUTY CHAIR: Shall the vote be reported?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

10:00

THE DEPUTY CHAIR: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Chairman. I move that the committee rise and report the votes and request leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Executive Council: operating expense, \$15,044,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Second Reading

Bill 14
Gaming and Liquor Amendment Act, 2002

[Adjourned debate March 18: Mr. Stevens]

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm rising to speak in second reading on Bill 14, the Gaming and Liquor Amendment Act, 2002. I will be speaking on the principles of what's being brought forward in this bill. I haven't decided yet whether or not to support the bill. There are certain sections that I do support. There are other sections that I have some real concerns about. I have sent the bill out into the community and through the various stakeholder groups to see what they have to say about it. Some of that I've received back. So I will be putting forward some questions, and I'm sure that the minister will make note of them and get me a response as soon as possible.

There are three issues in this bill that I want to talk about tonight. The first is around some of the sort of housekeeping changes that are being brought forward here, and some of those have come about basically through experience with the Gaming and Liquor Act up until now, just things that we've learned or that operators have learned or the AGLC has learned while this legislation has been operational, and therefore the changes are being asked for as a result of that. I think there's also an expansion of gaming here, and I also have a concern and some questions about moving away from a charitable model.

It's put out here that the changes that are being brought about by this bill are a result of the gaming review that was held by the department. I'm still interested and still awaiting a more thorough list of exactly who got consulted with. I've been told things like, you know, bingo groups but without being told where they were or who they were. I know it's of interest to me. There's some controversy in what's being proposed here, and I am aware of people in Edmonton even – some of them would argue one way and some would argue the other. So I'm interested in the choices that the minister has made here.

I hear the minister say repeatedly that the government is controlling gaming and it's making changes to control gaming, but really what I see are changes being made to expand gaming and not to control it at all. Perhaps that's just a difference of opinion on wording that the minister and I will always have. We'll see by the end of this bill.

Now, the sections that are the sort of we've learned from experience and want to change and update some of these are around things like minors and licensed facilities. I've got a couple of questions around the issues being brought up here. One of the ones that we've already heard and that was in the press release from the minister when the bill was introduced was that the staff would be held to a certain standard about not serving intoxicated persons. I actually had someone phone me and say: why is the staff being held to a different standard in this case than in any other case? Now, this is not about minors drinking but about intoxicated persons in gaming facilities. Why are these staff in the gaming facilities being held to a different standard about serving intoxicated persons than would be the staff, for example, in a pub or a bar? There is a different

standard here. Why is there a different standard? Was that intentional or was it accidental on behalf of the ministry?

We also have some sections about permitting minors to be in licensed facilities like a casino or a racing entertainment centre. I want to come back to this definition of a racing entertainment centre. That's partly arising because we can't seem to quite decide what we want to do about minors and gaming. On the one hand, we seem to have a desire from some charitable groups that they want to be able to have minors as volunteers, for example, working their bingos, but then there's an abhorrence generally to exposing children to gaming. So, in that sense, we still look upon gaming as not a good activity or not a healthy, positive activity for children. I think it speaks volumes that charitable groups would still be looking to have minors working at their bingos, for example, because they really need the volunteers, that they're so desperate for volunteers and to keep their charitable status and to get that money coming in through the bingos that they would have youth on the floor.

An issue that has come up under this that was a real problem for some of the people I've spoken to is the whole thing of paying gaming workers, in essence, in the bingos. I know that that's been discussed by the Federation of Community Leagues. I've heard from some small theatre groups as well. An artistic director phoned me and said: "Why should I have my staff, who should be working on plays, out there working a bingo all afternoon once or twice a week trying to raise money when they should be in the theatre doing what they're actually trained to do? Let me hire and pay a worker five bucks an hour to be working these bingos and raising the money." On the other hand, I have the Edmonton Federation of Community Leagues saying: you know, this is money out of our pockets.

If this is allowed to happen, the feeling was that it would very quickly move to an accepted standard that there would always be more paid workers on the floor and that this could amount to a substantial loss of the revenue that the bingo associations would be taking in. We're talking millions of dollars, \$6 million to \$10 million, up to 20 percent of the total profit of all of the bingos in Alberta if we looked at using the figures from 2001, which were \$51.1 million estimated profit on bingo in that year.

10:10

So I'm looking for a bit more detail from the minister on why that choice was made. Knowing who was lobbying him from both sides on that, why did the ministry make the choice they made to go that direction, and what do they think the long-term effect of that is going to be? For some groups who don't want to end up paying all of their floor workers, will they be able to maintain five years from now that way of doing things?

I'm just going to go back to the clauses that are in here about the workers in the casinos being held to a different standard than other food and beverage workers; for example, those working in a bar or a hotel or a restaurant. I'm wondering if there's an expectation, then, that there would be some other kind of law come into play here. What are the enforcement provisions that it's anticipated will go along with that? In other words, what citation is the police officer going to be able to give when they walk in there to deal with this episode after it's gotten out of hand? You know, who's going to get charged here and under what provision? Also I'm interested in how the enforcement is going to be paid for. Is it going to be paid for by the casino? Is it going to be deducted off the profits prior to the division of the profits between the casino and the charity? How is it anticipated that this is all going to be paid for?

Now, the minister and I both attended a conference on gaming that was put on by the Gaming Research Institute five weeks ago here in Edmonton. I know he wasn't able to attend the whole conference,

but there was quite a bit of discussion about how little effort and staff power and financing we put into inspecting and monitoring our casinos. One of the major examples that was made was that New Zealand, for example, has an entire police detachment on-site. They also have a full contingent of gaming inspectors that are on-site in each of their casinos, and this can amount to up to 60 people that are looking at all of this. Maybe we're innocent or naive here in Alberta that we haven't looked at that. Are we being naive? Certainly there are examples in other parts of the world that we can look at, and they definitely have a lot more on-site inspection and enforcement than we do. Why are we making different choices here?

So I talked about some of the housekeeping changes and some questions that I had there. They don't all seem to be as innocent and straightforward as I was led to believe. I'd like to talk a bit more about expansion of gaming and moving away from a charitable model, and I think there are a number of things that come into play under this. One of the first things that I started to notice was the extension of hours in the casinos. Because we are supposed to have a charitable model in Alberta, that means that our nonprofits and charities supply volunteers to be the workers in casinos and bingos. That was an onerous enough task, to round up 60 volunteers from your group that could go in over a two-day time period to work a casino for you, but you raised a lot of money.

Now, it has pretty much always been the case that the waiting list between casinos was two years and sometimes more, so you had a lot riding on your one casino. When I saw that we were expanding the hours that the casino was open from midnight until 2 – and I think we're now up to 3 o'clock in the morning – I think this was to me marking the beginning of moving away from a strictly charitable volunteer model, because it became increasingly difficult to get your membership, those average citizens in Alberta, to volunteer practically all night long to work in your charitable casino. Really, especially for those people that were in the count room, which was often a dozen people, they didn't start counting until the casino closed, and if it closed at 3 o'clock, those people weren't walking out the door until 5 a.m. At the time I thought: hmm, I wonder if this is a way of pushing everyone towards having completely paid staff, because we just won't be able to muster the volunteers. Charities are still mustering the volunteers, but it is much more difficult than it used to be. You're practically having to ask someone to take the day off work in order to work those night casinos for you, so it's becoming even more of a donation from your supporters.

I'm putting it on the record that I have a suspicion that a negative outcome of all of this could be a couple of years down the road when the government turns around and says: well, you know, your group doesn't really have that many volunteers that are on the floor anymore; therefore, we think you shouldn't be getting as much of the proceeds out of this casino or bingo as you were. Certainly that comes into play with what's being put into this legislation, where we have the likelihood of the bingo workers being paid staff. Now, it's saying that the key workers will still be from the volunteer organization, but for those of you that have worked the bingos, we're talking about a paymaster here and probably the bonanza chairperson, and that's likely to be it. Those are the two people that are supposedly overseeing the money sort of coming in and out there.

That's a real fear for me, that my friend with this small theatre who wants to hire people because his own staff are needed to make the plays is therefore going to pay people 5 bucks an hour to work his bingos for him. Five years from now he's told: well, sorry; you used to make \$1,500 a casino, but we're only going to allow you to have \$750 now because it's not really a volunteer casino because you don't really have your volunteers out on the floor. I'm looking for an assurance on the record from the minister that that is not

anticipated in a long-term plan. I think that if we're really going to stick to a charitable model and the minister really means it, he can put it on the record that there's no anticipation that things would flow in that direction, because to my eye they are flowing in that direction.

Another part that comes up in this legislation is the granting of facility licences. Now, previously those facility licences were very clearly granted to the bingo association, which was a conglomerate group of every club or nonprofit association or charity that joined together to form a given bingo association. But it was the bingo association that the licence went to. Therefore, all of those groups were in on the decision-making. That was appropriate, and the groups were willing to carry that workload. We're now anticipating in this legislation – and when we get into Committee of the Whole, I can talk about this sort of clause by clause – allowing the granting of that to an individual. In other words, you could have a manager or one club only that would be able to control the facility, and there are concerns being raised from the community about that.

10:20

Now, when we talk about control, one of the things that I've seen happen here – and it's been much in the media in the last few days, so the timing of this bill is most interesting. I thank the minister for delaying the debate on it so that we could in fact incorporate what is happening with the community lottery boards into this debate, because in fact the two do mesh here. We go back and look at what resulted from the 1998 municipal plebiscites around removal of VLTs from the community and the corresponding commitment from the government that there would be local decision-making and an amount of money returned to 88 regions in Alberta so that they would get some of the money that was being vacuumed out of their communities coming back to their communities by way of these community lottery board grants. I think that now that those community lottery boards have been completely cut in this budget, it does bring what's in this legislation into an entirely different light, because I think this does uphold my concern that we're really talking about expanding gaming and expanding gaming revenue for the government rather than controlling it on behalf of the citizens.

I'm going to run out of time right away, and I'm most interested in continuing this discussion. I will look to speak more on it in Committee of the Whole. Twenty minutes isn't enough to deal with this bill.

What I'm really seeing the minister do is not so much controlling gaming in the case of VLTs but expanding the opportunities for it. His response to the gaming review was to move VLTs from less well-producing locations into higher producing locations. This was his example of how he was controlling VLTs. That really lit the lightbulb for me about how this particular minister's take on controlling gaming was going to play out, which is why I'm looking for the assurances on the record. I'll return to this.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am quite happy to have an opportunity to respond to Bill 14, the Gaming and Liquor Amendment Act, 2002. It's nice to get this bill up and debated so that we can have some of the issues brought about and discussed in the Legislature.

Every time I see a bill that has to do with gaming and liquor, then I have some concerns, Mr. Speaker, because in the years that I've been in this Legislature, gaming revenue has contributed an increasing percentage of the revenues that this government uses to

operate their budgets on. In fact, I believe it's reached such a percentage that it's an irrevocable piece of the inflows of revenue. We couldn't reverse the decisions in here even if we wanted to, and there is really a very good argument for reversing some of those decisions.

Liquor is the same thing. You know, we've seen some dramatic changes occur in this province since '93 both with regard to how gaming is organized and how liquor is organized in the province. I'll be the first to admit that I opposed liquor deregulation when it was first brought forward and the first to admit that in fact we were wrong about that. It's worked out quite well. I was very concerned at the time that the cropping up of all of these small liquor stores in the province would deliver unreasonable expectations for the business owners, because there would be a huge influx in the marketplace and I was very worried that they wouldn't have enough revenue generated in order to be able to stay in business over the long term. That turned out not to be true. It seems like Alberta has an unlimited capacity for corner liquor stores, and in fact they are on practically every corner. Certainly in my constituency this is true, and that leaves open a number of concerns in itself.

Talking about the changes that happened at that time, one of the biggest concerns that we faced and is still a concern for me is that in the course of privatization a number of the provincially owned buildings were sold for much less than their value. There were concerns raised at that time about who profited from that. Who was in line to be able to pick up those buildings at bargain-basement prices? For the most part, it seemed to be people who were a little better connected than others who got that first priority.

That raises a concern always when you talk about gaming or liquor revenues. Traditionally in a North American model these are the two areas that have historically been open to the greatest amount of abuse and have opened the most number of doors to criminal activities and those kinds of revenues. So we must always be vigilant when we talk about these issues, Mr. Speaker, to ensure that any changes made to legislation increase the degree of scrutiny, increase the reporting abilities, increase the legislative arm in these areas rather than decreasing them. This is an area where an eagle eye is required at all stages so that we can prevent the kinds of abuses that we have seen in these two industries in many jurisdictions and I daresay in this jurisdiction as well.

So every bill that comes before this Legislature dealing with gaming or liquor, particularly dealing with both, deserves the highest degree of scrutiny from this Legislature, and I would certainly hope that we are going to see the kinds of points raised that would parallel my thinking on this by other members in this Assembly. It has become the habit of all private members to participate to some degree in debate, and this is a bill where I very much look forward to seeing that kind of debate proceed, because it is an area that we very definitely have to be vigilant in our scrutiny of because there are some fairly substantive issues being discussed here, not the least of which are the offence provisions. I think those look like they're actually a good idea.

I'm not quite as thrilled with the new definition of the video lottery terminals, slot machines, and other gaming machines as gaming terminals. It's one of those situations where you wonder what the end intent is.

I still am a little unclear about the objectives that the government had in the changes they made for the Alberta Gaming and Liquor Commission to become part of the Ministry of Gaming and it acting as an agent of the government of Alberta now with both a board and a corporation. Is this operating like a Crown corporation would? They're stating that it's accountable to the Ministry of Gaming, but traditionally when we've seen other entities like this, the government

has taken a very strong stand in terms of ditching any responsibility when problems arise, and problems always do arise. So is that the intent in going into this kind of a model? I think that that's a question that should be answered.

I would also like to know the criteria under which the board were named, because as I look at this list, Mr. Speaker, they look to me like a very interesting list of people who are friends of the government. It's not that they may not be qualified for the positions that they're fulfilling, but I certainly would like to see the criteria that existed for their recruitment. If we're going to have such a very important board overseeing what are logically going to be huge dollars and important decision-making occurring over the next few years, I think that it is incumbent upon this government to have ensured that the people who will be making these decisions are well qualified in terms of having the right kind of technical background to make the decisions. I know from reading this list that most of the people, I believe, have the expertise in terms of the size of organizations that they were with and the level of decision-making they had in previous lives, but it's a little bit of a concern for me on the technical side. So if the minister could provide that information to us in writing, it would be very helpful.

10:30

I'm not clear on the exact mandate of the board and the corporation, and I would like a little more information on that. As well, why a corporation? It's not a usual kind of framework to build. We're more commonly used to the delegated authorities, and this is a little different setup, so I'm wondering if the minister could comment on that.

Now, second reading of a bill is reading in principle, so the majority of the . . .

DR. TAYLOR: Please, Debby, please.

MS CARLSON: You get a full 20 from me tonight. There's no mercy on this bill. It's a big bill. I guess a full 15 actually. Being the second speaker, you get five minutes to ask me questions, so I look forward to anything you have to say on this. [interjection] There you go. Then I'm sure that my colleague is also quite interested in participating on this particular bill.

DR. TAYLOR: Do it tomorrow.

MS CARLSON: Well, you know what? I'd love to do it tomorrow, but in fact your House leader didn't keep his agreements last night, is not keeping them this night, so we're here as long as it takes.

THE ACTING SPEAKER: Hon. member, please speak through the chair.

MS CARLSON: Yes. I'm sorry, Mr. Speaker. I was provoked but felt that it was really important to outline some of the reasons why we are here so late this evening through no fault of our own. [interjection] That's right. A deal is a deal. When we make a deal with the House leaders, we expect those agreements to be kept. When they are not, the only recourse we have is to extend the debate, so you're the lucky people today.

What happened last night, Mr. Speaker, was that the government was supposed to adjourn debate on a bill that our leader was the critic for and didn't do that, so that opened it up for further debate and further discussion, and it was greatly prolonged. [interjection] That's exactly right, and that's why we're staying here extra long tonight. So you can take it up in your caucus meeting.

Back to the issues of this particular bill that we're not very happy with or have some concerns about and feel should be debated at greater length. The first one that I would like to address is one of the issues that my colleague from Edmonton-Centre talked about, and that was to deal with the changes with the charitable models. I'd say particularly to deal with casinos but also to deal with bingos.

We've seen that gaming here in this province has shifted very far away from the charitable model that was one of the reasons for the initial introduction of gaming in this province in the manner in which we see it today. This government stated that by bringing in casinos and expanding bingos beyond the church basement kind of variety, we would be opening up a revenue stream for nonprofit organizations and for schools and for organizations like that to generate operating funds. This revenue stream would be something different and separate from what was currently available through government funding and would give an opportunity to those organizations who wish to fund-raise to do so by providing volunteers to provide basic services.

While some churches and other organizations decided that they would not participate at the casino and bingo volunteer level because they felt that there was a conflict of interest for them in terms of living off the avails of gaming, which I don't disagree with, in fact most organizations found that in order to get any kind of revenue stream, they just had to participate, so this occurred. In the initial stages casinos were windfall revenues, because by having 30 or 40 workers for two-day shifts, that were relatively reasonable shifts – you showed up at 11 on one day and you were gone by 2 or 2:30 at the outside on that night; most organizations ran two shifts of workers for two days – you could generate a lot of money, \$60,000, \$70,000.

Bingos, similarly, were about a five-hour commitment from volunteers. You show up with 20 volunteers, they work the floor for the five hours, and your organization could generate a minimum of a few thousand dollars to a maximum sometimes of \$15,000 or \$20,000, so that was a great way of getting dollars into the hands of organizations at a grassroots level. But what has happened over time is that this government has expanded the number of licences to such an extent and expanded the scope of gambling in this province to where it really doesn't have the same kind of benefit for grassroots organizations anymore.

I was just at a meeting of the Presidents' Council of Mill Woods Community League last week, where a report was given. It was a report that was given on behalf of the Federation of Community Leagues of Edmonton, where they stated that in a review of bingos in the greater Edmonton area, bingos had in fact become not profitable, that by the time the organizations got in and reimbursed workers for their food and their share of expenses, as has been dictated by the rules and regulations, there wasn't any money left over. So these volunteers are working for nothing or sometimes going in the hole and sometimes with very small profits. It's really because of an oversaturation of the market. It's just a supply and demand problem. Plus, people are gravitating towards the satellite bingos because those are the big payoffs. [Ms Carlson's speaking time expired] Not done. I have to come back at committee.

THE ACTING SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'm delighted to speak to this bill. I know that other members of my caucus would like to address it as well. They were here last night when it was on the Order Paper, and I hope they'll have a chance again to speak to it at this reading.

Well, we might as well start at the beginning here. The bill has a

new definition of VLTs and slot machines and other gaming machines as gaming terminals. Anytime we see a change of language like that, the question is why and what's the necessity of it. What's being achieved by the changes in the provisions making it an offence on the part of licensed facilities to allow intoxicated people to gamble? It makes provisions for minors to be fined for being on casino or racing entertainment premises, and it ensures that retail liquor store licences are separate from other businesses. There's also one other interesting aspect to this act, which is the addition of a privative clause.

There are aspects to the bill that are probably well worth supporting. It's just a matter of fleshing those out and understanding them and making sure that the public has the opportunity to have their say on it, to review the debate and decide on how things have been handled.

10:40

There's a lot of background to this particular bill. Going back some years, of course, gambling has been for many decades, I suppose, a very controversial issue in this province. The controversy around it has risen dramatically in the last eight years as the gambling industry has expanded and as we've seen casinos and VLTs and all kinds of other facilities grow across the province in our cities, in our towns throughout the province.

As a result of that growth, there were several plebiscites on the removal of VLTs. In 1999, of course, this all ended up, I suppose predictably enough, in the courts. The court cases have ended up delaying the enactment of the plebiscites. Communities that have voted on the removal of VLTs have not had their wishes fully recognized because action was taken in the courts, and the results of that action, as I understand it, are still pending. So there has been no decisive action on VLTs and the removal of VLTs as a result of the local plebiscites. That sort of turmoil sets the stage for this bill and for the ideas and principles and rationale behind the bill.

Now, among the many issues stimulated or raised by the bill, I'll just go through a handful this evening. One of the most serious has to do with the law-and-order approach that the bill proposes for controlling what occurs around gambling machines and who's allowed to play them, what condition those people need to be in when they play them. In particular here I'm referring to the sentiment, one might put it, of saving intoxicated gamblers from themselves. I'm sure all of us here probably have seen people sitting in lounges or restaurants playing gambling machines and drinking alcohol at the same time. Undoubtedly there are many situations in which the gamblers are not as sober as they perhaps should be for putting their loonies one after the other into these machines. So I can well understand the sentiment of controlling the amount of alcohol consumed and the level of intoxication achieved by gamblers in gambling facilities. So I think that's a step in the right direction with this legislation.

I also think that controlling the access that minors have to gambling is the right idea, and fining minors who are caught on premises or caught gambling is certainly worth serious thought and worth more debate in this Assembly. It's a curious reflection of the ambivalence we have as a society towards gambling that we don't allow minors, we don't encourage minors to be gamblers. I think it's an acknowledgment that gambling is at times a problem, certainly a problem for many adults, and if we aren't careful, it becomes a problem for children as well. Children who are exposed to gambling at a young age probably – I haven't seen the research on it – I would think have a higher rate of gambling problems as adults. Certainly there's a concern with that. Children who smoke, children

who consume alcohol or drugs: it may well be – the AADAC people could advise us on this – that the same pattern holds for children who gamble.

The fact that we're having to bring this into legislation raises the question about possible changes in the face of gambling in Alberta. As gambling becomes more widespread, are we seeing more social problems with it? Are we seeing more people gamble when they're intoxicated? Are we seeing more minors trying to get into gambling establishments to play the machines? Is there a trend there that we are trying to stop, or are we moving quickly enough through this legislation that the trend never really got under way? In either case, there are steps I think that we could all probably endorse and support. So good ideas here.

It would be useful as backup to this legislation – and maybe it has been undertaken by the minister, by his department, by AADAC, or by other groups – to look at the social costs of gambling – the costs on families, the costs on communities – and whether this legislation is going to reduce those costs or have any effect on those costs and what we're trying to achieve through this legislation in terms of those costs. Do we have any background research or business plans that are laying out benchmarks that we're hoping to reach through this legislation in terms of reducing the social costs of gambling?

There's also the notion here that we are taking steps maybe not to protect people and maybe not to protect minors or protect society but mostly to protect a revenue stream from unsavory public attention, the kind of unsavory attention that gambling was getting a few years ago in this province when there was so much controversy over VLTs. So are we really here motivated by preserving and protecting a stream, an immense stream of money, or are we motivated by building a better society? I think that our motives are important as to how we approach these issues and how we enact this kind of legislation.

There is no mention in the bill and I'm not sure that there's any provision at all in the bill for allocating a percentage of revenue to addressing some of the social problems or personal problems that are caused by gambling. Those are some concerns in terms of the revenue stream coming from gambling.

The minister as a lawyer undoubtedly will have a much more extensive knowledge of the nature of privative clauses than I do. My knowledge is limited to a very limited bit of reading, but my sense is that the nature of that sort of a clause is to try to hive off an activity or an area from intrusion from the courts and to set a particular area aside and protect it from the inquiries of the courts. I think that we need to be careful of that. I think that it's probably worth reading into *Hansard* a few statements on privative clauses. The addition of a privative clause in legislation is cause for concern. Quoting *Halsbury's Laws of England*:

Statutory provisions giving jurisdiction to inferior courts, to government departments or to bodies created ad hoc must be strictly construed, and the procedure prescribed must be exactly followed where it is important to do so having regard to the general object intended to be secured by the statute.

10:50

So I think it's incumbent upon this government to justify, hopefully through engaging in debate in this Assembly, the necessity of this sort of a clause in this legislation. In fact, there are many words written on privative clauses. Again quoting here:

It is no secret, the effort has been ongoing for quite a number of years now, legislatures have attempted to shut out the courts [in particular areas] claiming, in certain matters, full power for [themselves].

In other words, the Legislature wants to set aside an area, saying:

this is ours and ours alone, and the jurisdiction of the courts should be limited. This sort of thing is done by inserting a privative clause in the legislation.

It is a clause which forbids the court to involve itself in questions of what is right and what is wrong, where a resolution can be had from the mechanism which exists in the legislation itself.

For example, a statute might establish an arbitrator such as a board or a tribunal.

Now, I'm sure in some cases this is justified, but the courts historically have never liked such clauses and for probably understandable constitutional reasons. After all, the Constitution in many ways is a balancing act, a set of rules that is intended to create a constructive tension among different institutions in our society: on the one hand, the Legislature; in another area, the judiciary; and in a third area, the administration. Those institutions should be, as I say, in constructive tension, and when you have one of them trying to close itself off from that tension, from accountability, from balance, from the others, then we may find that the fundamental principles of a functioning parliamentary democracy are threatened. So we need to be very careful about privative clauses.

Again quoting from some rulings relating to privative clauses, "There can be no doubt that a statutory tribunal . . ." [Dr. Taft's speaking time expired]

THE ACTING SPEAKER: Any questions for the hon. Member for Edmonton-Riverview?

MS CARLSON: Mr. Speaker, my comment to the Member for Edmonton-Riverview is that I'm sure he is unaware that the Minister of Gaming is in fact invoking closure on this bill by demanding a vote at second reading this evening. It is a substantive bill. All of our members wish to speak to it, and in spite of it being on the Order Paper many times over the past few weeks, this is the first opportunity to speak to it, and the Minister of Gaming is demanding a vote on it this evening.

THE ACTING SPEAKER: A question to the hon. Member for Edmonton-Riverview from Edmonton-Centre.

MS BLAKEMAN: Yes. I, too, am wondering if the Member for Edmonton-Riverview is aware of the situation that has occurred tonight. There's a strong difference of opinion here, with the Minister of Gaming insisting that . . .

DR. TAYLOR: Are you suggesting that he's not bright enough to be aware of it? He's got to be a genius.

MS BLAKEMAN: I'm sorry; perhaps you could help him then.

What's at dispute here is that essentially the minister is insisting on closure and only allowing three members of this caucus to speak in second reading to this bill. In the past anyone that has ever wanted to speak would be allowed to, and this is being cut off tonight. In private conversation the minister has indicated that he felt that I was delaying this bill coming up, but I've already sent him information that shows that in fact it was on the Order Paper, and I was here and ready to speak to it. So I think that this is a very bad

sign and another form of closure that the government and their ministers have decided to use.

THE ACTING SPEAKER: The hon. Minister of Gaming to close debate.

MR. STEVENS: Thank you, Mr. Speaker. First of all, I'd like to thank the hon. members, all of them that chose to speak this evening. I appreciate that not all of them did, but they obviously chose to remain in their seats notwithstanding the urging of the hon. members for them to rise. So I can only assume that they'll have an opportunity in one of the later sessions. I do however appreciate the comments that the hon. members have made, and I intend to respond to those in my opening comments in the next stage, Committee of the Whole.

At this point in time I would ask that we proceed with the vote on second reading.

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 10:57 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Ady	Horner	McFarland
Amery	Jacobs	Melchin
Broda	Johnson	O'Neill
Calahasen	Jonson	Rathgeber
Cenaiko	Knight	Renner
Coutts	Lord	Stelmach
Doerksen	Lougheed	Stevens
Ducharme	Lukaszuk	Strang
Dunford	Lund	Taylor
Goudreau	Maskell	VanderBurg
Graham	McClelland	Yankowsky

Against the motion:

Blakeman	Carlson	Taft
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Totals:	For – 33	Against – 3
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[Motion carried; Bill 14 read a second time]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. Given the hour I move that the Assembly stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 11:10 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, April 10, 2002**

1:30 p.m.

Date: 02/04/10

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Welcome.

Let us pray. O God, grant that we the members of our province's Legislature may fulfill our office with honesty and integrity. May our first concern be for the good of all our people. Guide our deliberations this day. Amen.

Please be seated.

head: **Introduction of Visitors**

MR. JONSON: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly the new Chinese consul general in Calgary, Mr. Xizhu, and his wife. They are accompanied by the vice-consul general, Mr. Tian Yuzhen. Alberta has long been one of Canada's most active provinces in China. China and Alberta have a mutually beneficial relationship covering a wide variety of areas from trade and investment to culture and education. Nearly 150,000 Albertans are of Chinese descent, and they make tremendous contributions each day to our province. The Chinese consulate in Calgary does a great deal to advance Alberta/Chinese relations and to support the province's Chinese community. We have had an excellent working relationship with the consulate ever since it opened in 1998, and we're looking forward to continued strong relations under the leadership of Mr. Xizhu. I would ask that our honoured guests please rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you. It's my pleasure today, Mr. Speaker, to introduce very good partners of this province, and they're the executive of the Alberta Urban Municipalities Association, known as the AUMA. Today we have in the Speaker's gallery, your gallery, the president. He is the mayor of the city of Leduc, George Rogers. As well, we have the vice-president and director of towns, Mayor Ernie Patterson from the town of Claresholm. As well, we have the vice-president and director of cities, Alderman Bob Hawkesworth from the city of Calgary. I would also like to make an honourable mention of a former mayor who recently was tragically killed, as we all know, in the village of Thorhild. He, of course, was a very avid member of the AUMA executive, Mayor Michael Senych, and he was the vice-president and director of villages on the executive. I would like to ask the distinguished gentlemen to all rise and receive the very warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Infrastructure.

MR. LUND: Thank you, Mr. Speaker. It is a great deal of pleasure for me today to introduce to you and through you to members of the Assembly some 45 very enthusiastic, brilliant young people from the elementary school in Bentley. They are accompanied today by their teachers Mr. Merv Leidl and Mrs. Diane Scarlett and also parent helpers Pat Wiggins and Rod Koetke. They are seated in the members' gallery, and I would ask that they now rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Assembly three distinguished guests representing the Alberta College of Social Workers here today, no doubt, for the fact that we're presenting the Children's Services budget in Committee of Supply. May I introduce with pleasure Mr. Jake Kuiken, Mr. Arnie Thiessen, and Mr. Rod Adachi. If they would rise and the Assembly please duly recognize them for their work.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Speaker. It's my honour today to introduce to you and through you to members of this Assembly two wonderful citizens of St. Albert, Maura and Aidan McGarrigle. They are wonderful musicians. They play at church and in pubs and a number of other places around. They are also wonderful volunteers in our community. They are seated in the members' gallery, and I would ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Assembly Ann Keane, who is seated in the gallery. I'd like to ask Ann to rise. Ann is leaving this weekend for Newfoundland, where she will begin a run across Canada to be completed on Vancouver Island at the end of August. Ann will be raising funds for two charities, but it is her underlying purpose that is so inspiring, and I quote from her web site, powerofpeoplerun.com: to raise the awareness of Canadians that they have a choice in every moment to help make this world a better place or not. Please join me in offering Ann best wishes.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Child Pornography

MR. HANCOCK: Thank you, Mr. Speaker. I rise today to speak about a very troubling issue. As Justice minister I take great pride in the work that this government does to ensure that our communities are safe and our children have every opportunity to grow into well-rounded and contributing members of our society. Two weeks ago, while this Assembly stood in recess, the British Columbia Supreme Court made a ruling in a child pornography case that I found deeply disturbing, as I'm sure did most Albertans.

The case involved a man who had previously fought for the constitutional right to possess child pornography right up to the Supreme Court of Canada, which thankfully ruled against him. At the time, however, the Supreme Court of Canada outlined various examples of defences that caused us concern and one which the man subsequently availed himself of in his defence. I must say that this man is a man whose actions and views on child pornography are upsetting and abhorrent to most, if not all, Canadians. We had faith that the court system would rule against him and demonstrate to the accused and to all Canadians that child pornography in any form is unacceptable and has absolutely no place in our society, but sadly, Mr. Speaker, that was not to be the case. The defendant, although found guilty on two other counts of possession of child pornography, was acquitted of two charges that related to his writings. His legal arguments were based on exceptions in the Criminal Code which

state that an individual may be found not guilty if materials are deemed to have artistic merit.

This is a decision that surprised me as Attorney General and shocked and upset me as a father. The broad interpretation of artistic merit suggests to me that this legislation has weaknesses that may not allow us to protect Canadian children to the best of our ability. Although the decision is not binding in Alberta and has only persuasive value in cases before our courts today or in the future, it does set a dangerous standard. Possessing child pornography is not a victimless crime. It degrades, dehumanizes, and sexually exploits children. The demand for child pornography leads to its continued production and distribution, and to suggest otherwise is naive and absurd. The idea that possession of one's own pornographic writings is harmless, especially in this electronic age of easy transmission and where publication of material on the Internet is difficult if not impossible to control, simply ignores modern realities.

Some say that we must be careful not to restrict freedom of expression. I say that if there is any place that cries out for society to say no, it's in the area of child pornography. We do not accept, Mr. Speaker, the concept that people should be free to defile children either physically or in writing. We do not accept the concept that there can be artistic merit in the victimization of children, and we do not accept the concept that the intention of exciting or titillating a passion for that which is illegal, immoral, and in all fashion and form reprehensible to a civil society is acceptable in any form, even if it is based on the rather far-fetched notion that the creators of such offensive material will not share it with others and will keep it only for themselves.

I want to remind Albertans that the prosecution of child pornography offences is an essential part of Alberta Justice's responsibility to protect children and promote safer communities. Our committed and professional team of Crown prosecutors will prosecute these cases to the fullest extent of the law.

1:40

A similar defence, Mr. Speaker, based on artistic exceptions outlined in the Criminal Code could be made here or elsewhere in Canada. While prosecutors could argue against such a claim, it's ultimately up to the court to determine whether materials have so-called artistic merit. This government will not wait for similar court rulings elsewhere in the country that may further weaken our ability to protect Canadian children. As Minister of Justice and Attorney General I have written to the federal Minister of Justice and have urgently requested a nationwide examination of the child pornography provisions of the Criminal Code to help ensure that they reflect the values of Canadian society and protect the interests and safety of Canadian children. I have already assigned staff from my department to examine all available options and alternatives and report back to me. I intend to bring forward for discussion with my provincial and federal counterparts some viable options as soon as possible.

In my letter to the federal Justice minister I also renewed Alberta's request to raise the legal age of consent for sexual activity from the present 14 to at least 16 years of age. This is a request, Mr. Speaker, that we have made persistently. In fact, a motion making the same request was passed by this Assembly in March of 1999, and we've taken that request forward to the government each and every time we've met as Justice ministers. I am convinced that raising the age of consent will provide yet another tool to ensure that our children are protected from sexual predators, and I will continue to push for this change in the law.

Protection of society's most vulnerable members is our most important duty as a government and as a society, and ensuring that

our children have the opportunity to be the best that they can be is our primary function. It is only through the protection of our children and the promotion of their successes that we can defend against and defeat so many of the ills that exist in our society, be it poverty, domestic violence, or criminal activity, and which cost our society enormously both in human and economic terms and serve to clog our courts and our prisons.

Mr. Speaker, the government of Alberta will do everything it can to protect the children of this province and this country. That is a commitment that we make proudly to the members of this Assembly and to all Albertans.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. On behalf of the Official Opposition I'm pleased to respond to the minister's statement. The Official Opposition joins the Minister of Justice in a call for a national review of the child pornography laws to help ensure that they reflect the values of Canadian society and protect the best interests and safety of children. We believe that keeping children free from harm by protecting their innocence and safety must be primary principles governing the laws of this land.

The issues raised in the Sharpe case need public discussion. His acquittal on two charges related to his writings based on artistic merit has raised some serious questions. Do we as a society support artistic merit as a principle that should take precedence over harm that may be done to children? As a father and as a grandfather I can appreciate and share the minister's anger and outrage. However, as with most questions that appear before the courts, issues are not always as black and white as they initially seem. For instance, should possession of *Romeo & Juliet* be a chargeable offence? *Juliet*, after all, was a minor.

The current child pornography laws were hastily written prior to a federal election. Expectations that they would subsequently be reconsidered in the light of the Charter of Rights and Freedoms and be amended, if needed, have not been realized, and we think they should be. Canadians need to clearly settle any perceived tension between children's rights and adult freedoms on the side of children. The government has rightfully called for a national debate.

Thank you, Mr. Speaker.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Swan Hills Waste Treatment Facility

DR. NICOL: Thank you, Mr. Speaker. My first question is to the Premier. Do Alberta taxpayers own the Swan Hills waste treatment plant? Yes or no?

MR. KLEIN: Yes.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given that Bovar was paid to take the plant off the government's hands and now it's back in our hands, will the Premier bring that deal and the arrangements that have been made with Sensor before the Assembly and the people of Alberta?

MR. KLEIN: Mr. Speaker, this is a somewhat complex situation relative to the ongoing operation of the plant. There are reasons to

keep it open and to keep it operating. One of those reasons is the collection of toxic garbage here in the province of Alberta, which would otherwise have to be gathered up, containerized properly, and shipped to some other waste disposal plant at taxpayers' expense. We would try to charge, certainly, the creators of this garbage to the best of our ability, but you have to understand that there are many circumstances, many instances where we can't track down the original owners or the people originally responsible for the pollution violations or the creation of this toxic waste.

Relative to the details and the complexities of the negotiations and the ongoing operation of the Swan Hills plant, I'll have the hon. Minister of Infrastructure respond.

THE SPEAKER: The hon. minister.

MR. LUND: Thank you, Mr. Speaker. Over the last year we were attempting to sell the plant. We had a call for proposals, but at the end of the day we were concerned that, in fact, as the Premier has indicated, it was very, very important that that plant continue to operate and be there for the destruction of waste within the province.

When you look at what the plant has done over time, it has basically cleaned the province of PCBs. We have a lot of other very toxic materials like dioxins and furans, and this plant is a location where they can be handled. When you look at the industry that's within the province, there is always going to be a generation of materials that we are very concerned that they don't be land filled, that they be treated in a proper manner. It's really interesting when you look at the capacities of that plant. It is the only plant in North America that can handle and completely neutralize and destroy these toxic materials – the only plant in North America. So it's really a gem for the province, and it's something that we need to maintain and protect.

As far as Sensor is concerned, we have an operating contract with them. We are going to be going out for a long-term operator contract, and we will be, probably in May, putting forward the calls for proposals for that operator.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My question didn't deal with the technical aspects of running the plant. I asked the Premier: will you bring the financial commitment of this province in operating the Swan Hills plant before this Legislature?

MR. KLEIN: Mr. Speaker, I have no problems providing that information. As a matter of fact, if the hon. leader of the Liberal Party wishes to bring forward a motion for a return, I'm sure that the hon. minister will provide him with all the information he seeks.

MR. LUND: Well, Mr. Speaker, certainly the budget process demonstrates what the commitments are, but those kinds of details of the costs and the return that we are getting for the destruction of the toxic materials, we have no problem with bringing those forward.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. My next question is to the Finance minister. Have provisions of the Financial Administration Act been changed to allow for the government to get involved in this plant again?

1:50

MRS. NELSON: Well, Mr. Speaker, we have been involved in this

plant for quite some time, right from the very beginning of 1984, when we first made the decision to deal with the disposal of hazardous waste within the province of Alberta. We recognize that the plant has done I think a top-rate job in the province, as was enunciated by the Minister of Infrastructure, and we are committed to making sure that we have an environmentally clean province here in Alberta. Is the plant costly? Yes. Would it be costlier if we didn't do this? You bet it would. We have to have a clean province. We have to have economic development go forward in an environmentally friendly way. This plant ensures that that occurs. There isn't another facility like this plant in North America, so we have to be able to dispose of hazardous wastes.

The Minister of Infrastructure has already explained that with the nature of the development that occurs within this province, there is always going to be the concern over the disposal of waste, so we have a facility that we are proud of, that has done the job, that has virtually made us PCB free in this province, that has given us the enviable position of all other jurisdictions of economic development within Canada and North America. So we are involved in this plant, yes. We have had outside operators, yes. We will continue to be involved with this plant to make sure that it does in fact dispose of hazardous waste from the province of Alberta.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Minister of Finance: will you bring the financial dealings of this plant before this House, as required by the Financial Administration Act?

MRS. NELSON: I believe that the Minister of Infrastructure has already answered that question, Mr. Speaker.

DR. NICOL: Mr. Speaker, I did not hear from any of the three people that have answered a response to this question: will they bring it forward? Mr. Premier, will you commit to having that material brought to this House?

MR. KLEIN: Mr. Speaker, I think that we did answer the question. We said that we would make all the information that we can available to the Legislature. I asked the hon. leader of the Liberal Party to bring forward a motion for a return to outline specifically and precisely what information he requires, and we will answer that motion to the best of our ability.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. In June 2001 Sensor Environmental, the company currently running the Swan Hills Treatment Centre, spilled between 200 and 300 litres of PCB-contaminated water. The report on this incident says that recommendations for improvements would be made. As this information was filed with Alberta Environment, my questions are to that minister. Why did Sensor only receive a warning letter for this spill?

DR. TAYLOR: Well, Mr. Speaker, we have a number of procedures that we do follow under the Environmental Protection and Enhancement Act, and one of the things that happens depends on how a company responds to the spill. If they notify us, as is appropriate, and if they clean up the spill, as is appropriate, we have a number of actions that we can take. One of those actions is sending a warning letter, and that's the action we took.

MS CARLSON: When will information be available to this Assembly and to Albertans about further action that they're taking with Sensor on this particular incident?

DR. TAYLOR: Well, it's my understanding that at the present time the spill has been cleaned up to an appropriate level. I will check on that and make sure that that is in fact the case and will then inform the member appropriately.

MS CARLSON: My final question is to the Premier. Mr. Premier, this plant is an environmental and financial nightmare. There is better, less expensive technology available. When will you close the plant down and stop Alberta taxpayers from subsidizing PCB imports from other provinces?

MR. KLEIN: Quite to the contrary, Mr. Speaker, the plant is an environmental asset. To put it into perspective, throughout this province we have landfill sites. We have municipal landfill sites and we have regional landfills. The Minister of Environment knows all about this. These are facilities to collect garbage. The Swan Hills plant is a facility to collect garbage and dispose of a very special kind of garbage in a very specific and controlled manner. No other jurisdiction in this country has a plant of that nature, perhaps even in North America. Quite simply, if we did not have the plant to dispose of that very toxic, very special garbage here, we would have to, as I said before, gather it up, put it in special containers, find a way to ship it outside the province at great cost, and have it destroyed elsewhere. What better opportunity than to have the facility right here to make sure that this province can be free of toxic and dangerous waste? It's an asset, not an environmental nightmare.

DR. TAYLOR: I might just add to my comments. I can tell the member that the spill that did occur was under a collecting pad, and it has been 100 percent cleaned up. It was spilled by Bovar. Bovar has been charged, and Sensor has cleaned up that spill 100 percent.

MR. LUND: Well, Mr. Speaker, leading from the question that the hon. member asked, you know, I find it so frustrating when she pretends to want to protect the environment. The Premier has clearly stated how important this is to make sure that our environment is kept clean. And as a matter of fact, if you want to talk about the cost, for every \$250 in our department only \$1 goes toward the Swan Hills plant. Now, if that is too much money to spend to keep our environment pristine, then I'm sorry; I don't agree with you.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Edmonton-Meadowlark.

Royalty Rates

DR. PANNU: Thank you very much, Mr. Speaker. There has been recent criticism of Alberta's royalty rates for our nonrenewable oil and gas resources. Some have suggested the need for a public review of this matter. Despite its claims to be out of the business of business, the government continues to operate a royalty tax credit program that exclusively benefits a single industry; namely, oil and gas companies. The government also gives away hundreds of millions of other revenue dollars every year to various royalty reduction programs. My questions are to the Premier. Why has the government failed to conduct a thorough public review of provincial royalty rates and policy to make sure that Albertans are receiving a fair economic rent for their nonrenewable resources.

MR. KLEIN: Mr. Speaker, I'll have the hon. Minister of Finance

supplement my answer. The Minister of Energy is not with us today and perhaps can reply more appropriately at a later date. I'll take the matter as it pertains to the Minister of Energy under notice.

With respect to royalties and with respect to an ongoing review, this is a subject of ongoing review. It is reviewed, I believe, on an annual basis and perhaps even more often with the Canadian Association of Petroleum Producers. There are analysts within the Department of Energy and, I'm sure, within the Department of Finance who are continually reviewing the fairness and the appropriateness of royalties that are paid by the oil and gas companies. Relative to whether they're fair and the process for review, I'll have the hon. Minister of Finance supplement.

MRS. NELSON: Well, Mr. Speaker, actually I'm delighted to get up and supplement the answer. I did have some background in this area at one point when I was in the private sector and then when I was in the portfolio a few years back.

The royalty program in Alberta is a program that brings in roughly between 25 and 35 to 40 percent of the revenue base for the province of Alberta. This is a very important program, because it's a program where we charge on average just over 21 percent to companies to contract to us to produce the natural resources within the province. This program is reviewed on an ongoing basis, but obviously with the activity level that is in place in the province of Alberta today and has been here for a number of years and seems to increase, the framework that has been put in place is one that is working. In fact, the development and the drilling activity continues to increase on a year-to-year basis.

2:00

The hon. member alluded to a group of royalty holidays. There really is only, I believe, the one royalty holiday that still exists, and that is the pure exploration holiday for one year. The other holidays have been eliminated because the framework is conducive to development, not to holidays. The program is very fair. It brings in the lion's share of the revenue base for the province, and it's been most successful. Quite frankly, for a province of this size to have drilling activity anywhere between 12,000 and 14,000 wells in a given year is a phenomenal testament to the structure that's here.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My second question to the Premier: why does the Premier believe that a royalty policy review and a rate framework should be developed behind closed doors in government or corporate boardrooms while freezing out the owners of Alberta's oil and gas resources, namely every Alberta citizen?

MR. KLEIN: Mr. Speaker, that's hardly true at all. The negotiations are taking place with industry, with associations representing industry, like the Canadian Association of Petroleum Producers. The amounts that we collect from royalties are reported in various budget documents.

I think that what the hon. leader of the third party is alluding to is this report by the Parkland Institute, and what he's driving at is that royalties are less today than they were during the 1970s. But what this think tank failed to take into consideration, Mr. Speaker, was the simple fact that oil and gas production back in the '70s was a lot simpler then. There was a lot more oil and gas, and it was a lot easier to get at than the kind of technology that is being used today to go in and drill tertiary wells, to use horizontal and slant-hole drilling, to develop the technology that is needed for tar sands development.

Mr. Speaker, the costs today to recover oil and gas are far different than the costs were back in the 1970s. This is why there is an ongoing examination, an ongoing review, and an ongoing assessment as to what is fair for industry and what is fair for government. That's what it's all about, and the royalty regime we have in place today is fair to everyone.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Parkland Institute enjoys a high reputation and great support from lots of Albertans.

My question to the Premier, the last one: what objections does the Premier have to conducting an open, thorough, public review – public review – of the policies that he's so ready to defend in this Assembly?

MR. KLEIN: Mr. Speaker, the public review is done about every four years or so. This is when the people come to the polling booths to elect a government that will represent their interests. And guess what? They elected 74 of us and two of them.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Edmonton-Centre.

Teachers' Arbitration Process

MR. MASKELL: Thank you, Mr. Speaker. I've received many calls from my constituents, from former teacher colleagues, and I've heard many comments from the media stating that the arbitration process listed under the Education Services Settlement Act is unfair. My question is to the Minister of Human Resources and Employment. What is he doing to ensure that the process is fair?

MR. DUNFORD: Mr. Speaker, I should mention in beginning that I, too, have received the same types of calls, and because of the situation I think it was incumbent upon us as a department to be very, very careful throughout this entire process about making sure that we can be as fair as we possibly can to all of the parties concerned.

Now, just before question period today I made the announcement of the tribunal panel that will be looking into disputes between school boards and teachers, and I'm pleased that we were able to name a Mr. David Jones as the third arbitrator and the one appointed by the government. Many within the sound of our voices today and perhaps members even here in the Legislature will be aware of Mr. David Jones. He has impeccable credentials as an arbitrator, has extensive experience, and in fact has dealt with teacher disputes in the past. We also announced today the other two members of the tribunal, and I would want to indicate to all members that the Alberta School Boards Association has named a Mr. William Armstrong as their arbitrator, and the Alberta Teachers' Association's nominee is a Mr. Lyle Kanee, a lawyer here in Edmonton.

MR. MASKELL: Mr. Speaker, again to the same minister. I've also heard concerns that Bill 12 places unfair restrictions on the arbitrators. How could the minister allow these terms to exist in the legislation?

MR. DUNFORD: Well, Mr. Speaker, all of us I think have been troubled by comments that somehow the arbitrators' hands would be tied, but I would just want people to know and understand that it would be perfectly reasonable even in a private-sector dispute that no arbitrator is going to assign an award under a binding arbitration

situation that is going to put that employer into bankruptcy. It just simply doesn't happen. So I can say, then, that they will deal with the wage issues in what I believe will be a fair and proper manner, and then as far as the classroom conditions are concerned, we're all aware that through a request from the ATA and a request from the School Boards Association, we're going to deal with pupil/teacher ratios and other matters that deal with the classroom in a commission that should be up and running sometime this year.

MR. MASKELL: Again to the same minister. I've heard you say that there have been settlements since the legislation was introduced. How has Bill 12 affected the teacher wage settlement?

MR. DUNFORD: I think it's fair to say, Mr. Speaker, that first of all the passage in the Assembly of Bill 12 but also then the announcement that an arbitration panel would be put together has stimulated in some cases local negotiations. After all, this is really what all of us want. We want as many of the local agreements as we possibly can have to be done at the local level, and the announcement today of the arbitration tribunal does not stop that kind of a process. I would hope that any member in this Assembly that's still receiving calls about whether or not local boards and whether or not local ATA union representatives can get together to continue to negotiate local agreements – I want to assure them that, yes, they can. I think Bill 12 and the arbitration panel has actually been a stimulus to the situation. Seven months of activity and what did we have? Maybe five agreements. We've had nine more agreements since the announcement of the arbitration.

So, again, the arbitration panel is going to be there to deal with the salary dispute of the teachers. They'll go dispute by dispute by dispute, but there's nothing today that would prevent any of the school boards, any of the ATA locals out there from getting back to the bargaining table and doing their own deal.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-West.

2:10 Lottery Funds for Community Development

MS BLAKEMAN: Thank you, Mr. Speaker. My questions today are to the Premier. Does the Premier think it's important that communities have a direct say through local decision-making in decisions on how lottery funds earmarked for community development are spent in their community?

MR. KLEIN: Yes, I do, Mr. Speaker. That's why we have programs such as the community facility enhancement program and Wild Rose and a number of other lottery programs: the Alberta Sport, Recreation, Parks and Wildlife Foundation, various ag boards, and so on. All of these are community-based organizations that gather to determine what they need for their communities and then set out to raise the money, making applications through CFEP and some of the other lottery programs, approaching various components of the private sector to match dollars, and getting community members involved in providing sweat equity and various other kinds of donations to the particular project.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you, Mr. Speaker. Again to the Premier: well, given that those foundations that he mentioned do not have local decision-making as a part of their process, can he ensure that an open and transparent process would be used to obtain direct input

on funds under a new CFEP program? Or will the decisions be made under the dome or with a bureaucrat?

MR. KLEIN: Mr. Speaker, as the hon. Minister of Finance would say: hello? Do you think that this government goes out and says to a community, "You need a playground," or "You need an ice rink," or "You need this," or "You need that"? No, we don't. You know, it comes from the community. These are community organizations that get together and say: "We need a community hall. We need an ice rink. We need a playground. How do we go about getting it?" Well, they check the various sources of information and they find that there's a program under CFEP. They find that there's a program here. They find that perhaps they can hold a bingo or have a casino. They find that they can get various members of the community together to provide sweat equity and maybe some materials and some talent. That's how the decisions are made. When it comes to government, we say: "Lookit, are all these things together? Is the community involved? Will there be private-sector dollars? Is there going to be a sharing?" On the basis of that, we make a decision as to whether they will get a grant under various lottery programs.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. When these groups apply for these grants, Premier, who makes the decision? It is not a locally based decision. Who makes it?

MR. KLEIN: Mr. Speaker, there is a criteria, and the criteria is really quite simple. The hon. member should know what the criteria is because her constituency is involved, as is every other constituency in this province. The criteria is that if there are matching dollars and the project is deemed to be of community benefit, then it usually is approved.

THE SPEAKER: The hon. Member for Calgary-West, followed by the hon. Member for Edmonton-Gold Bar.

Seniors' Extended Health Benefits

MS KRYCZKA: Thank you, Mr. Speaker. Because many seniors by and large live on fixed incomes, except for those who continue to pursue employment, many seniors become concerned whenever the government makes changes to any programs for seniors. I have received many calls of concern from seniors in the past three weeks regarding the increase in health care premiums and the cancellation of the extended health benefit program. My question is to the minister of health. Why did the extended benefit program end?

MR. MAR: The extended health benefits program provided very limited coverage for eyeglasses and the costs of dental services and dentures to seniors regardless of their income level, and in developing our budget this year, we were always compelled to examine the effectiveness of each area of expenditure including extended health benefits. We determined that the funds, which were in the magnitude of \$25 million, that were in the program for EHB would be better used and more effectively used if given to regional health authorities to help them provide services within RHAs. But we did recognize, Mr. Speaker, that lower income seniors would continue to need assistance in the coverage of costs associated with dentures, dental care, and eyeglasses, so we did transfer \$9 million and three staff to the Ministry of Seniors to help them administer assistance for dental and optical costs for lower income seniors. Finally, I note that we've also adjusted the time line for the end of the program for

denture work that was started prior to the budget to the middle of April, as completing this work takes longer than the completion of other services covered by extended health benefits.

THE SPEAKER: The hon. member.

MS KRYCZKA: Yes, thank you. My first supplemental is to the Minister of Seniors. With that transference of dollars, what is the possibility of adequate replacement assistance to lower income seniors, in particular, with these optical and dental needs?

THE SPEAKER: The hon. minister.

MR. WOLOSZYN: Thank you, Mr. Speaker. We've always been aware that dental and eye care is a serious wellness issue for seniors. Obviously, if you don't have good eyesight, you can end up getting injured. If you don't take good care of your teeth, you have other health problems. So we have been supplementing the extended health care program up to this point. As the minister of health indicated, it wasn't a very broad coverage, and it did receive an awful lot of support. We are currently working on a program that hopefully will adequately take care of the needs of seniors who are on the Alberta seniors' benefit program to ensure – and I stress to ensure – that their dental and eye care needs are met.

THE SPEAKER: The hon. member.

MS KRYCZKA: Thank you. My second supplemental is back to the Minister of Health and Wellness. Can the minister explain why continued funding for chiropractic and podiatry services to Albertans is under consideration?

MR. MAR: Of course the government has accepted the 44 recommendations of the Mazankowski report, the report prepared by the Premier's Advisory Council on Health. One of the recommendations laid out in that report, Mr. Speaker, was to establish a permanent expert panel to review and make recommendations to government on what services and treatments should be publicly funded. I think it's worth noting that chiropractic and podiatry services are outside of the Canada Health Act but like many other health services are covered by the Alberta health care insurance plan.

At this time the Department of Health and Wellness is reviewing applications for positions on the expert panel referred to in the Premier's advisory council, and I hope to announce the composition of that panel soon. When it is composed, the panel will consider all health services currently covered under the Alberta health care insurance plan, and that will include chiropractic and podiatry.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Whitecourt-Ste. Anne.

2:20

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. The economic losses suffered by Albertans due to electricity deregulation continue to climb. My first question is to the Premier. Does the government consider electricity a good or a service?

Thank you.

MR. KLEIN: We would consider it a good service.

MR. MacDONALD: Mr. Speaker, I would call it now, with deregulation, a good expensive service.

Again to the Premier: what is the government's policy on electricity exports to the United States?

MR. KLEIN: The policy is quite clear. It's being developed; in other words, the details are being ironed out. Fundamentally, the policy is that power can be exported to the United States providing all the regulatory requirements are met and providing the needs of this province are met. In other words, only surplus power can go for export, Mr. Speaker.

MR. MacDONALD: Mr. Speaker, again to the Premier: who is to pay for future expansion of our transmission system within Alberta?

MR. KLEIN: Mr. Speaker, those who generate and sell the electricity would be responsible for the transmission of that electricity and the construction of the lines.

THE SPEAKER: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Riverview.

Softwood Lumber Trade Dispute

MR. VANDERBURG: Thank you, Mr. Speaker. My first question is for the Minister of International and Intergovernmental Relations. Industry representatives from the forest industry in Whitecourt-St. Anne have been very involved, and after several months of negotiations talks to settle the softwood lumber dispute between Canada and the United States broke down. As a result, the U.S. Department of Commerce has made final determinations in its countervailing and antidumping investigations of softwood lumber. Can the minister tell the House what this means for Alberta's softwood exporters?

MR. JONSON: Mr. Speaker, we are extremely concerned about the rulings of the Department of Commerce in the United States regarding our Canadian lumber producers' exports. Their determination that there are subsidies involved in the production of our lumber and timber products in Alberta and across, of course, the whole country is a national issue.

I would however like to indicate in direct response to the member's question that at this particular point in time there will be no direct duties charged against the companies involved, albeit they do have to post bonds to indicate that if and when those duties click in, which now is scheduled to be, depending on the final determination, in mid-May, they can in fact pay the duties that will be charged.

I think the overall impact that this will have on the industry will of course be very negative. There's no doubt about that; there's no getting away from that. But the specific impact will depend upon markets within Canada at that particular point in time, the size of the potential final duties that will have to be paid, the number of housing starts that are taking place within this country, and what other markets there are for wood.

So we have here, Mr. Speaker, a very serious situation, one that the government takes very seriously and is doing further work on, but that's the situation as we see it right now.

THE SPEAKER: The hon. member.

MR. VANDERBURG: Thank you, Mr. Speaker. Again to the same minister: can the minister tell the House and the industry players in this province what the province is doing to find a solution to this dispute?

MR. JONSON: Well, Mr. Speaker, we are continuing to work with

our own lawyers as well as with the Alberta industry to defend further against the U.S. industry's subsidy allegations. We are co-operating with the federal government and through the federal government and also directly with the other provinces in terms of continuing to work on this matter and continuing to work on an overall strategy. We are assisting the federal government in its World Trade Organization challenge, and we are also working with respect to the submissions and information that we provided to the North American Free Trade Agreement Panel in May.

MR. VANDERBURG: Well, I guess, Mr. Speaker, that doesn't quite answer the question. Specifically I'd like to know: what are the next steps? What can I go home this weekend and tell my industry players? What are we going to do next?

MR. JONSON: Mr. Speaker, I do certainly appreciate the seriousness of the situation for the hon. member's constituency as it is a centre of lumber production. We are working with the industry. We will be following up on an industry meeting that, as I understand it, took place a few days ago where some 50 different companies or people involved in lumber production were involved. We will be taking the views from that particular meeting into our further discussions with the other provinces and the federal government. We will be looking at a further strategy in this regard. I have already mentioned that we will be pursuing our appeals to the World Trade Organization, et cetera – I won't go through the whole list again – because there are avenues of appeal beyond the determinations being made by the United States Department of Commerce, and of course we'll be making representation to the panel under the Department of Commerce process. We'll be making further submissions there before they make their final determination.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Highlands.

Rural Health Services

DR. TAFT: Thank you, Mr. Speaker. This government seems to be particularly tough on regional health authorities in rural Alberta. Several rural RHAs are facing bed closures, layoffs, or worse. To the Minister of Health and Wellness: why is the government cutting rural RHA budgets by only allowing 1 percent for inflation when inflation clearly is more than double that?

MR. MAR: Let me say first of all, Mr. Speaker, that health care is the top priority of this government. The 7 percent increase in the budget just recently tabled reflects that. I think, as I've said earlier in replying to the hon. Member for Edmonton-Riverview, that it is too early to talk about whether there will be bed closures or conversions in rural facilities throughout the province. Health authorities are working on their business plans. I expect those business plans to be in by the end of this month. I believe the 29th of April is the date that's been set. We will review those business plans. We will make sure that available facilities are being used appropriately in meeting the needs of communities.

Mr. Speaker, the overall message is this: health care is not simply about how much money you have but how you spend it. I have confidence in the regional health authorities throughout this province, both in urban and rural areas, to do the right things. Where there are underutilized facilities, then perhaps those facilities can be converted into long-term care.

The hon. Member for Redwater prepared a report, that is referred to as the Broda report. It has a number of important points and

recommendations that can be applied by regional health authorities for meeting the real needs of the people that they serve.

Mr. Speaker, we will move forward on the Mazankowski report and its recommendations. We can maintain the quality of health care in this province, improve the access, and we can do it in a way that will be sustainable for now and into the future.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Again addressing the issues of rural RHAs. Given that high ambulance costs, which are a fact of life in rural Alberta, contribute directly to RHA deficits, why hasn't the department made the commitment to rural Albertans to fully cover ambulance services?

MR. MAR: Mr. Speaker, I am reminded by the hon. Minister of Municipal Affairs that a good report is forthcoming. Right now ambulance services in this province vary dramatically. Some are very excellent. Some are less than average. The issue of ambulances and many other issues faced by rural health authorities speak to the need for collaboration and innovation in both the services that are provided and the delivery of those services.

MS CARLSON: Answer the question, Gary.

MR. MAR: Well, Mr. Speaker, the hon. member of course knows that I am answering the question. We are working with an important committee, that will be chaired by the hon. Member for Edmonton-Glenora, on collaboration and innovation so that the services that are required in regional health authorities in rural Alberta do meet the needs of people that live in those areas. We are focused on making sure that we make the best use of the facilities and the resources and the dollars and the people that provide important services to Albertans in health care.

2:30

THE SPEAKER: The hon. member.

DR. TAFT: Thanks, Mr. Speaker. How does the government expect rural RHAs to cover the higher costs of labour contracts that the government itself negotiated when its funding increases to them are so low?

MR. MAR: Mr. Speaker, last year, in order to allow regional health authorities to cover the cost of increased contracts, the base budgets were added to, and the amount that was added was \$200 million on a onetime basis. That \$200 million has been annualized and is now part of the base budgets for regional health authorities, and that is what will cover the increased costs associated with those contracts.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for West Yellowhead.

Natural Gas Venting

MR. MASON: Thank you very much, Mr. Speaker. During the recent Legislature debate on Bill 203 government members engaged in a great deal of self-congratulation about the reductions that are being achieved in gas flaring in Alberta. But what these members may not be aware of is that while gas flaring is being reduced, the venting of gas, which is far more serious, is going up sharply. In fact, there has been a 50 percent increase in the venting of gas between 1999 and 2000 so that the increase in the volume of gas being vented more than fully offsets the reductions in gas flaring. To the Minister of Environment: how can the minister stand idly by

while the volume of gas being vented in this province is going up by 50 percent in a single year?

DR. TAYLOR: Well, in the first place, Mr. Speaker, we are not standing idly by, and I want to correct that assumption. We do have an ongoing working group that is working with the EUB and other stakeholders. In fact, it's being worked through the Clean Air Strategic Alliance group. That's a nongovernmental group that's made up of industry, that's made up of environmental groups, and it's made up of government representatives as well. There's an ongoing working group that is looking at and investigating this whole flaring/venting issue.

It is correct, Mr. Speaker, that a lot of work and a lot of reduction has been made in the flaring part of it. For instance, in 1997, I believe it was, the goal through the CASA, Clean Air Strategic Alliance, process was to reduce that amount of gas that was flared by 25 percent, but in fact by the end of 2001 that had been reduced by 50 percent. So what it clearly shows is that the Clean Air Strategic Alliance process works.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Could the minister, then, tell the House what, besides studying the issue, they are actually doing to reduce the amount of venting taking place, which is a far more serious thing than the flaring of gas?

DR. TAYLOR: Well, I'm not sure that his assumption, again, is correct, that one is more serious than the other. We've had very good success in reducing flaring, and there's an ongoing working group with industry and CASA looking at ways of reducing venting as well. In fact, this government is spending in the neighbourhood of \$14 million looking at the effects of flaring and venting on animals and humans as we go forward. So this government has committed resources to this, and the CASA working group will continue to work on this process.

MR. MASON: Well, Mr. Speaker, I would be very interested in the minister answering the question and telling us what exactly is being done – actually being done – to reduce the amount of venting of natural gas. The minister also should be aware and I would like his comment on the fact that natural gas is a far more aggressive greenhouse gas than CO₂.

DR. TAYLOR: Well, the member has pointed out something that is crucial: natural gas is a greenhouse gas, and we need to control it. But one of the difficulties, Mr. Speaker, with the federal government's approach to it in the Kyoto agreement is that Kyoto only looks at CO₂. CO₂ is not a pollutant. So we need a broader mandate, and this has been the Alberta government's position on Kyoto. It needs to have a much broader mandate and needs to be technologically driven as we go forward. The venting issue will be dealt with in the same way the flaring issue was dealt with. It will be reduced, and it will be done through the use of technology.

head: **Recognitions**

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

Her Royal Highness Queen Elizabeth the Queen Mother

MR. LUKASZUK: Thank you, Mr. Speaker. Today I would like to recognize the passing of Her Majesty Queen Elizabeth the Queen Mother. Yesterday the Queen Mother was honoured at Westminster Abbey, and many Albertans along with millions of people from

other Commonwealth countries joined the royal family in the loss of one of the bravest, strongest, and most dignified women of our time.

Canadian Military Contributions

MR. LUKASZUK: Mr. Speaker, as we join Britain in the mourning of our loss, let's also remember the loss of 3,600 Canadians at Vimy Ridge 85 years ago. On April 9, 1917, 10,000 Canadians were part of the British army that captured Vimy Ridge, a hill in the north of France, during a horrible snowstorm. The Canadian troops captured more land, guns, and prisoners than the British during their earlier attempts. Although Canada suffered great sacrifice, the battle at Vimy Ridge remains one of the proudest moments in Canada's military history. Canada's military contribution continues today as over 2,000 brave men and women join a coalition in Afghanistan to help a country torn by war to repair and rebuild itself. I would like to thank them and all the men and women that are in Afghanistan on our behalf and wish them a safe return.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

Grandparents' Rights

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to recognize the work of the Canadian Grandparents' Rights Association, the Orphaned Grandparents Association, and Grandparents Unlimited. These organizations exist for the purpose of promoting, supporting, and assisting grandparents and their families in maintaining or re-establishing family ties and family stability where the family has been disrupted, especially those ties between grandparents and grandchildren.

On display in the Legislature rotunda on March 20, 2002, was their current project dubbed the Hearts and Hands quilt, also known as the Heartache and Tears quilt, consisting of some one hundred 14 by 14 blocks and growing. Squares with hearts represent children who are denied access to their grandparents. Squares with hands represent grandchildren being raised by their grandparents. Attempts to rectify this sad situation have been made by different levels of government including the Alberta government, but the heartache continues, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

The Holocaust

DR. PANNU: Mr. Speaker, during the Second World War a wave of mass murder swept across Europe. By the end of World War II the death toll had risen to approximately 6 million people, mostly Jews, which included 1.5 million children who perished at the hands of the Nazi murderers. When the war ended, those who survived were released from the concentration camps or came out of hiding. To survivors the Holocaust remains real and ever present. Their stories continue to be told. Year-round we try to teach and inform others about the horrors of the Holocaust. We confront the questions of what happened and how and why it did happen. We attempt to fight against ignorance with education and against disbelief with proof. One day a year we make a special effort to remember. The purpose of the Holocaust Remembrance Day is to ensure that the horrendous crimes against humanity committed during the Holocaust are never forgotten and its relevance for each new generation is understood. We stand in remembrance of the deceased and the survivors.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

2:40 World Lebanese Cultural Union

MR. BONNER: Thank you, Mr. Speaker. Last month I was honoured to attend the official opening of the office of the World Lebanese Cultural Union, Edmonton chapter. The Edmonton-Glengarry constituency is the home of many people of Lebanese descent, and we are delighted to learn that the Edmonton chapter of the World Lebanese Cultural Union chose to locate their office here. Congratulations are to be extended to President Samir Bleibel and Vice-President Samir Sleiman and to all members.

One of the objectives of the World Lebanese Cultural Union is to encourage sports, cultural and educational activities amongst their youth. There are a number of schools in Edmonton-Glengarry where students have the opportunity to study in Arabic as well as English. The community is in the process of having Arabic recognized by Alberta Education. Much work has already been done completing the translation of that curriculum into Arabic. Last fall at Killarney junior high school the Lebanese students and their families hosted a lunch featuring their ethnic food. The lunch was an outstanding success and gave students with different backgrounds an opportunity to learn and share in some very delicious culinary delights.

Mr. Speaker, in closing, let me once again congratulate the Edmonton chapter of the World Lebanese Cultural Union. I am certain that it will be an instrumental key in uniting the Lebanese community in Edmonton.

Thank you.

THE SPEAKER: The hon. Member for Calgary-West.

Calgary Aquamums Synchronized Swimming Team

MS KRYCZKA: Thank you, Mr. Speaker. Three weeks ago I applauded in this Assembly the commitment of the Calgary Aquamums master synchronized swimmers and wished them well in the world aquatic championships in New Zealand, March 28 to April 4, 2002. Today, well, I'm back and I'm proud to recognize the terrific results of this Calgary contingent, who had the largest synchro group of 14 swimmers.

The team won gold in the 35- to 49-year-old category. The duet of Kelly Kryczka-Irwin and Carol Fitzsimmons won gold in the 40- to 49-year-old category. Carol Fitzsimmons won solo gold in the 40 to 49 age group. Kelly Kryczka-Irwin won solo tech gold in the 40 to 49 age group with Carol Fitzsimmons second and Raphaela Jablonca third. Michelle Paget won solo gold in the 30 to 39 age group and Robyn Kaser was second. Compared to an Olympic competition, I'm told, this championship was lots of fun, proving to these wonderful athletes that there is life after family. Arriving home last weekend, everyone is still pretty keen and looking at the Worlds in Rome in 2004. Well, why not, when the Swiss complimented Carol and Kelly with: "Why don't you guys come over," meaning compete, "in the Swiss open this summer with no age restrictions?"

Congratulations, athletes, on your success in New Zealand. And by the way, the family won't let them go.

Thank you.

Bill Hunter

MR. SNELGROVE: It's not your aptitude, it's your attitude that gives you your altitude in life. Those words were the guidelines for a truly great Canadian honoured here in Edmonton last night. Mr. Bill Hunter, Wild Bill, as he was rightfully known, is truly one of the most remarkable people that this community, both sport and

business, has ever known. Mr. Hunter has previously been awarded the Order of Canada and was inducted into the Hockey Hall of Fame. Mr. Hunter's loyalty and commitment to those he knew is legendary. I could not begin to cover all of Mr. Hunter's adventures in this short time. However, I cherish an autographed copy of his memoirs, and I recommend it to all. Mr. Hunter played a huge and colourful part in Canada's hockey history.

Mr. Speaker, there is probably no greater honour than to be honoured by your friends, as Mr. Hunter was last night. I would ask you and all hon. members to join me in recognizing a truly wonderful man, a great Albertan, a proud Edmontonian: Mr. Bill Hunter.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

Dr. Dwayne Elaschuk

MR. JOHNSON: Thank you, Mr. Speaker. Today I rise to recognize the late Dr. Dwayne Elaschuk, a veterinarian and friend of the entire community of Camrose and beyond. Dr. Elaschuk was inducted into the county of Camrose's agricultural wall of honour on March 8 for his contributions to agriculture in the Camrose community. He was an avid supporter of agriculture and was actively involved with the Camrose Regional Exhibition and the Canadian Bull Congress. A scholarship fund to honour Dwayne's memory was established at this year's Canadian Bull Congress. Also, the Dr. Dwayne Elaschuk perpetual 4-H bison trophy has been created for the 4-H winner in the bison class at the annual Wild Rose Classic Bison Show and Sale. This year Dr. Dwayne Elaschuk was selected as the veterinarian of the year by the Western Canadian Association of Bovine Practitioners. Dwayne Elaschuk's commitment to excellence, which showed in all aspects of his work and life, and his legacy will live forever through those who had the privilege of knowing and working with him.

Thank you.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition asking this Assembly "to urge the government of Alberta to not delist services, raise health care premiums, introduce user fees or further privatize health care." This petition is signed by 204 seniors and other residents of this great city.

Thank you.

head: Introduction of Bills

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

Bill 23

Municipal Government Amendment Act, 2002

MR. VANDERBURG: Thank you, Mr. Speaker. It's an honour for me to request leave to introduce Bill 23, the Municipal Government Amendment Act, 2002.

The bill provides a standard of good faith for protection from liability for municipal officials, employees, and volunteers and municipal boxing and wrestling commissions. The bill also introduces changes that will enhance and improve the equalized assessment process and assessment audit system. Mr. Speaker, the bill is based on consultations with stakeholders and recommendations of the equalized assessment panel.

Thank you, sir.

[Motion carried; Bill 23 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that Bill 23 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

Bill Pr. 1

Synod of the Diocese of Edmonton Amendment Act, 2002

MR. MASKELL: Mr. Speaker, I request leave to introduce a bill being Bill Pr. 1, Synod of the Diocese of Edmonton Amendment Act, 2002.

[Motion carried; Bill Pr. 1 read a first time]

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I have one tabling today. It's a letter from Mrs. Joan Trettler, chair of the board of trustees of the St. Albert Protestant school district. The letter expresses some concerns regarding the Education Services Settlement Act.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I've two tablings today. The first is a letter from Marilyn Marks with the Alberta Grandparents' Association addressed to Minister Hancock in which she appeals to him to "help bring the focus of grandparent access forward, by strengthening the Access Law Legislation, so children won't continue to be used as pawns."

My second tabling is a letter directed to the Premier from Christine Cook, who is stating that it's "morally unacceptable to pull [the community lottery board] money out of the communities who create effective programs with it" and urging the government to "honour the promises" and reinstate the community lottery board with an increase.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table appropriate copies of a letter written by Ms Sandra Tessman, manager of Diamond Spring Lodge and Golden Villa Apartments located in Redwater. This facility is managed by the Sturgeon Foundation management, which looks after seniors' supportive housing for moderate- to low-income seniors. The letter is calling on the Premier to reconsider his decision on the community lottery board funding and reinstate the funding programs.

Thank you, Mr. Speaker.

THE SPEAKER: The Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. Today with your permission I would like to table five copies of 33 letters addressed to the Premier. The individuals signing these letters are joining the War Amps in their request for reinstating their access to the motor vehicle operators list.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Consistent with the practice of the last few days with respect to the Committee of Supply I would seek unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Children's Services to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

2:50

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03**

Children's Services

THE DEPUTY CHAIR: As per our Standing Order the first hour is allocated to the minister and members of the opposition, and thereafter any other member is able to raise questions.

The hon. minister.

MS EVANS: Thank you, Mr. Chairman. Actually, I'd like to clarify. My intent is to speak for probably about 15 minutes. I would be pleased to entertain questions as our House procedures apply and will just try and make this a brief summary so that we can have some dialogue, hopefully meaningful to the House.

I would like to discuss the accomplishments of Children's Services in the past fiscal year and our budget for 2002-03 and our business plan for the coming year. The past fiscal year has been challenging for Children's Services. We persevered, made some hard decisions, and brought in a balanced budget.

I want to clarify some misconceptions about our fall cost-containment strategies. We did not cut our budget. In fact, at the end of the year it remained at \$648 million throughout 2001-02 with the exception of the 1 percent reduction mandated across government. Now, the 1 percent reduction mandated would have reduced that \$648 million, but during the latter part of the fourth quarter, we added moneys from the federal government for aboriginal children's services as well as some allocation to help offset the teachers' strike, et cetera. However, Mr. Chairman, there was an adjustment, in fact, in our service delivery to offset any expected deficit so that we would come in on target, and that projected overspending totaled \$32 million in child and family services authorities across Alberta.

So, in fact, we did achieve our fiscal accountability, and many of the programs that were thus reduced were programs that we believe could be delivered in a different fashion. At all times during cost containment we kept the impact on children and families foremost in our minds. So the program changes were made as far as possible from the child at risk and truly at high risk.

In the last fiscal year we named 16 Great Kids from across Alberta who were honoured for their outstanding achievements. We heard from 700 children and youth who shared their dreams about Alberta's future as part of the Future Summit, and the ministry received and implemented all recommendations that were made after the tragic deaths of twin babies.

Headed up by the MLA for Calgary-Buffalo, we started a comprehensive review of Alberta's child welfare legislation that will lead to further improvements in our welfare system. This hasn't been done for over 17 years. The review team has already crossed the province hearing from many stakeholders and the public about what is working well and what solutions, in fact, could be available for issues that currently surround child welfare.

The second Children's Forum drew a thousand Albertans together last fall and heard again from a cross section of people about ways to improve services for children, youth, and families. These ideas are being implemented into our business planning process. Thanks to the work of the MLA for Red Deer-North we are also addressing the needs of youth who require ongoing supports as they go into adulthood. I am most proud, Mr. Chairman, of the work of that particular member, who has gathered together a group of vibrant young people who delight, in fact, in their regular meetings with the hon. member and provide us some policy advice on everything from mentoring to transition from youth to adulthood. I'm pleased to be a partner with her in trying to effect the most positive policies.

Mr. Chairman, children are a priority for this government, and this year's budget will in fact indicate that. As we heard in the budget announced by the Finance minister on March 19, the Children's Services' budget for this fiscal year is \$675 million, a 4.2 percent increase from the budget last year of \$648 million. With the additional \$27 million this year Children's Services will be making further investment in Alberta children and families. Regional child and family services authorities will receive \$517 million, an increase of \$6 million, or 1 percent, over the last year. But not all authorities will receive funding increases in the next year. Based on last year's experience, we have reallocated funding to address issues in some regions where more services are necessary and some cases require extra resources.

Mr. Chairman, an example I should point out right now is present on the consolidated financial sheet, which might show that, in fact, it appears that we have reduced the funding for women's shelters and shelter support in the province. This is not the case. There are reallocations within this budget. In fact, in that particular area, if you took a look at the functional delivery costs, there will be \$14 million delivered for shelter support and support within communities of women who have suffered in violent situations along with their children who need supports. Child welfare will receive a \$23 million increase, children with disabilities a \$7 million increase, a 36 percent increase in family and community support services for local prevention programs.

Mr. Chairman, I truly wish that the people in this House were listening to me, because I'm going to provide something that would be in part a response to what has been said for the last several days about community lottery boards. We have increased to full funding the amount of dollars that are coming to family and community support services. Many of those 15 million additional dollars will serve to fund programs, especially those in early intervention and prevention that may have been funded previously by lottery dollars. So while there's been a lot of crying about lottery boards, we're doing something about it, and people have completely ignored that amount of money in this year's budget.

The \$15 million, I believe, added with the dollars that are complementary amounts from local jurisdictions, will see that local authorities are better able at the municipal level to look at issues that surround the family. We have targeted to have approximately 2,402 full-time equivalents in our budget compared to 2,588 in 2001-02. I must stress that this reduction of 186 full-time equivalents will come largely through attrition, and there will be no reduction in social workers or frontline staff anticipated in this coming year.

We will spend \$14 million on family violence, as I have reiterated, and we've added a new line to the budget: governance for child and family services authorities. Two million dollars will be spent on CFSA governance this year. Previously these dollars were in the category of program support, and they have now been isolated for improved disclosure of our costs. Community capacity building has been added under family and community support, and we have recategorized it and taken it out of the support area. Community capacity building adds to our integration pillar and puts money into partnerships with community stakeholders. There is a \$2 million reduction in the ministry's support services budget. So with these reallocations there are additional dollars supporting communities and supporting frontline workers.

3:00

The lower spending on ministry support services will predominantly come through reductions in technology projects. The change is part of our aim to refocus corporate activities on those that directly support the regional delivery model and eliminate duplication.

Because of the way the estimates are presented, what the numbers may not clearly show is that for the coming year we've moved a number of programs that were previously retained in the department's budget to the child and family services authorities. These include fetal alcohol syndrome, child financial support, mentoring for parents and home visitation, and early childhood development. In that case, we've moved \$11 million to the regions, retaining \$10 million in the department. Mr. Chairman, we will ensure that the dollars that are moving to the authorities will be wisely spent through our monitoring and our mentoring processes.

While the 2002-2003 budget for Children's Services has increased by 4.2 percent, the ministry must be more efficient than ever with its dollars because of the current challenging economic climate. We've received significant budgetary increases through the years, but we're continually challenged to ensure that the at-risk child receives protection services within the funding we receive.

In the next fiscal year we will continue focusing on protective services, on frontline services, and a key, Mr. Chairman, will be our Alberta response model, an initiative that looks to the future, helping at-risk families but ensuring as much as possible that children reside in permanent, nurturing homes. We will be working on family preservation, family reunification, and where children are most at risk, working hard to make sure that there are permanency plans for those children.

Through the Alberta response model we will utilize community-based resources. We will in fact use these resources through FCSS and also through a number of local providers. With a renewed emphasis on adoptions we hope through this model to increase the number of children who are placed in permanent, nurturing homes. Cases where the risk to children is higher would be investigated under the existing strict investigative process. Implementing a model that will require the participation and efforts of many people, we expect to have strong staff training programs this year for all of the staff in the 18 child and family services authorities. With guidance and dedication these boards, I know, will govern and work hard to make sure that the implementation plan is smooth.

Through our other initiatives in the Child Welfare Act we will engage in significant dialogue with our authorities and with Albertans. A recommendations document regarding the review of the act will be circulated to stakeholders later this year. New child welfare legislation will be drafted in the last six months of this year and, I expect, will be very positively received because of the amount of consultation.

Mr. Chairman, the hon. Member for Calgary-Shaw has done a

yeoman's job in following in your footsteps to make sure that the social care facilities in Alberta are reviewed and judged in concert with our partners. I'm very pleased with the activity of the hon. Member for Calgary-Shaw, who has continued to keep us well informed, to keep the ministry informed, and closed the loop on some of the investigations so that in fact we may be able to see improvements in those facilities. She is also working with the hon. Member for Edmonton-Meadowlark to determine whether or not in the partnership of reviewing health care facilities our government can make improvements in our efficiencies.

Mr. Chairman, our new youth in transition policy framework, again under the MLA for Red Deer-North, will guide our cross-ministry program, developing policies and programs for youth progressing to adulthood. Mentorship and other ways to ensure that youth will continue to receive the support services they require will be part of the program this year.

Children's Services will develop a message that will ensure that only safe levels of alcohol use come when people are not pregnant. Our message is strongly that prenatal alcohol use is not safe. It is best to use no alcohol at all. That message will be carried not only to pregnant moms but, because of the new research, to those that would be fathers of children and make sure that young men and adults of all ages understand how critical the use of alcohol is and that it should not be used during times of gestation. We will continue to spread that message.

Our business plan has had some fine-tuning since we first established the ministry in 1999. Our vision is that Alberta in the future will be "an Alberta where children and youth are valued, nurtured and loved, and develop to their potential." We believe that Alberta should be child friendly for families, children, and youth, and we believe, Mr. Chairman, that everybody in Alberta deserves to live in a situation where there is no violence, where there is no abuse. This year I personally accept a challenge with other partners to reduce the amount of violence and to work with other ministries to really focus on the detrimental circumstances that Albertans find themselves in when family violence impacts our communities.

There are five goals, eight strategies, and 13 performance measures for this year. Our goals:

- Children and youth will have a healthy start in life and the supports they need to reach their potential . . .
- Families will be safe, healthy, and able to promote children's development.
- Children in need will be protected and supported by permanent, nurturing relationships . . .
- The well-being and self-reliance of Aboriginal children, families, and communities will be promoted, supported and comparable to that of other Albertans.
- Communities will have the capacity to plan and deliver services that promote the well-being of Alberta's children, youth, and families.

As we promote the well-being of Albertans, our core business and key program areas do include the how-tos of this ministry: early intervention programs, early childhood development, child care programming, and resources for children with disabilities. As we work to keep children, youth, and families safe and protected, we will also work very hard and strive with all of our energies on the Alberta response model to transform child welfare, to protect families, to protect children involved in prostitution, and to promote healthy communities.

Mr. Chairman, the future is bright for Children's Services. Our budget has increased by \$27 million. We will be working closely with our partners to improve services. We will implement early childhood development and early intervention programs and strengthen child care programs, and we will continue to transform

child welfare and improve the outcomes for children. We will promote the abilities of families to provide safe and nurturing environments for children, and we will advance the well-being and safe reliance of aboriginal communities.

I'm looking forward to the coming year, and I'm delighted at the mirth and enthusiasm of the members of the House as they joyously applaud the work that I will do this year and that they will do on our behalf. [some applause]

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. It should be noted that the applause came from the government benches. I just want that on the record.

I'm delighted to have the opportunity to ask some questions of the Minister of Children's Services. To start off with, three initial questions. First of all, to thank the minister for the consultation she engaged in in terms of the Alberta response model. I brought back the two videotapes that she shared with me and the documents outlining the basis, as I understand it, for the Alberta response model, which are the projects in San Diego and the Toronto drug court. So I thank her for that information, and I'll return those tapes.

3:10

I think there's need for clarification in terms of the department's financial situation. There seem to be two messages that are out there. One is that the cuts, no matter what they are, do not affect frontline service, and if that is the case, then the question that I've had asked of me is: was the department so bloated that it could take a 1 percent cut and then a reduction of 186 people in this year's budget? I think there needs to be some clarification, and I'm not sure that even the language is helping by using words like "cost containment." I'm not sure it's quite clear to people exactly what's happening, so I would appreciate sort of a global statement from the minister in terms of the department's finances. How can the cuts continually take place – I know there's been money put back in – but not affect frontline services to children?

A second really general query is for information about the Alberta response model. I don't pretend to know about the San Diego model or the Toronto model other than what I've read and seen on the video, Mr. Chairman, but it seems to me that one of the characteristics of those models was that it wasn't top down, that it was bottom up, all the agencies being involved in developing the model and bringing it forward as the model that would be used. There are all kinds of questions about the Alberta response model that are raised in the estimates. It's mentioned a number of times, and the minister mentioned it in her remarks, but what exactly is the Alberta response model? How does it differ or does it differ from the San Diego model and Judge Milliken's court? Does it differ from the Toronto model? What are the departments and what are the other agencies that are going to be expected to take part in the Alberta response model? Where in the budget will the responsibility for the model lie? Is it with the department, or is it with the regions? I think we need to have that clarified, because it's not clear where that model is going to be driven from. And what are the implications for the regions, particularly some of the regions that are taking reductions in their budgets this year? Again, I would appreciate and I think Albertans would appreciate knowing exactly what the Alberta response model entails, how the agencies are going to be involved, how it's going to be financed, and where authority for the model will reside. So that's sort of the second general area that I think would be useful to have the minister make comments on.

The third area is early childhood development, and this, I guess, arises out of some specific concerns, and that's in terms of day care and day care workers and what's happening to the preparation of day care workers and to the personnel working in day care centres across the province. There are a number of people who have characterized early child development with respect to day cares in the province as being in crisis. Students are leaving the programs in the colleges. It's hard to attract new students. Workers in the field are being paid minimum wages, and it's very, very hard to convince someone that they should go and take a two-year program to send them out to work in a day care where they end up having to work two jobs just to pay the rent and the food bills. It's an important question and one that I would appreciate the minister's thoughts on.

So in those three general areas, Mr. Chairman, I would appreciate some comment from the minister.

We then have, of course, some specific questions. I guess one is the budget itself and the business plan and where exactly we're eventually going to end up in terms of performance measures and the objectives that we find in the plan. In previous budgets there was a great deal made of the four pillars, and it seems to me that in the past year those pillars, at least a couple of them, have been greatly weakened. I've listened to a number of community groups who feel that early prevention and intervention have really suffered in terms of what's been done to those programs, and I've heard from the aboriginal community that the hope to improve services to aboriginal children and their families has also been badly hurt. In fact, I had one individual call and say: you know, really there has been no work in these two areas, and they have been severely curtailed and hurt by the actions of the department in the last year. So what is the importance of those four pillars? Are they really the four pillars that support the department, or have they been changed? Has the government, as it seems at times, really retreated into intervention, where there has to be police intervention before the department feels any responsibility for being involved? So, again, a question about the business plan. I know it's hard to come up with performance measures, but it's equally hard for people to judge the budget when they constantly change. Is the implementation of the Alberta response model going to mean that next year we're faced with another set of performance measures in the budget?

I'd like to start asking a few specific questions of the minister, and they're those that are concerned with the Children's Advocate. Funding to the Children's Advocate will decrease by 15 percent in the 2002-2003 budget. That budget goes from \$2,122,000 to \$1,800,000. I guess the question is: why? It's a department that puts out an annual report that I'm sure causes the minister some great unease, and I would hope that the valuable service provided by the Children's Advocate is not going to be undercut because of that. I think that if we are really and truly interested in serving the children of the province, it has to be an independent advocate and one who is free to speak and to reiterate the kinds of things that he or she hears, an advocate that can speak and be the voice of the children in the system who are not being served well.

It seems that there's been the review, and the advocate is in limbo or worse. Again, I would ask: has the minister considered making the advocate an officer who reports to the Legislature, much as the Ethics Commissioner and the Chief Electoral Officer do? Ultimately, that independence from the department seems to be the only way we can really ensure that the office is going to be independent. Is the minister not concerned that a budget reduction such as the one that we have in front of us for the Children's Advocate is going to have a chilling effect on the advocate and cause the advocate to question even more closely the things that he reports on because of the notion that you must not bring forward things that might

embarrass the government? I hope that's not the case, Mr. Chairman.

3:20

It seems really a curious juxtaposition of budget items. There's this cut of 15 percent to the Children's Advocate, and then there's an increase for accountability and provincial standards of 48 percent. So how do you account for those two amounts and the spending that has been allocated to those two items? These questions arise under program 1, Mr. Chairman, of the ministry support services.

A general question before I leave that: is the increase in the overall budget going to keep pace with the expected increases in child welfare caseloads this year? Is there some evidence we can have? On what basis were budget decisions made so that we can be assured that they will actually keep pace with increases in the child welfare caseload?

Going back again under program 2.1.2, Alberta response model implementation, and some specifics to that. How many full-time equivalents are going to be required to implement the model? In terms of the implementation, is there any assurance that it's going to be more successful than the Health and Learning initiative, where there is still great difficulty having both departments come together and work in the interests of children? There's been a lot of money spent on planning, but the actual impact on children's lives I think has been fairly minimal at this point.

With the ministry's overall reduction of the 186 full-time equivalents, where are the people that are going to implement the Alberta response model? Where are they going to come from? What about the children's authorities? Is there money in that model, or are they going to have to redeploy resources? What exactly is the impact on the children's authorities, and what are the other departments that are expected? Where is Justice in this model? Are there moneys budgeted in other departments, for instance in the Justice department, to help implement the model? What about in Human Resources and Employment? Are there moneys in that department to implement the model? I guess the basic question is: is there a cost sharing that's being undertaken?

I didn't see it in the materials that the minister shared with me, but one of the comments I did read was that the model used in San Diego needed more money for resources, that it was more costly to run the model than it was to stay with the former practices. Now, I think that there were savings claimed in terms of the amount of time that families stay in the system, but as I read the report, it seemed to me that the implication was that there had to be very generous resource allocations put in place by a number of departments and agencies to make sure that those programs worked. If there is information on the implementation of those programs recognizing the differences between Canada and the United States, I'd be interested in seeing that.

I guess there are questions about the Child Welfare Act review and the \$350,000. Why is that kind of money being spent when we're having changes introduced in the Legislature before the review, the consultations are over? We've had bills come to the Legislature that one might have thought would have awaited the report and the recommendations of the review. A further question: when can we expect the recommendations of the review to be made public?

I think that for the first round those are some of the questions that I'd be interested in hearing a response to from the minister. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister.

MS EVANS: Thank you very much, Mr. Chairman. Let me give a

few remarks and try and capture some of the issues that have been raised.

In the very first instance let me talk about the ARM, or the Alberta response model, because I think it's something that I should clarify for the House and see if I can do it thoroughly enough so that it'll address a number of the issues that the hon. member opposite raised both at the beginning of his remarks and later in his remarks. The Alberta response model is in some communities defined, for example in Texas, as a flexible model, which means that there's not simply one way to address all of the intakes of child welfare and that every child is being dealt with flexibly in a different fashion. In Missouri it's called a dual response model. In California it's called a differential model. What it really means is an attempt by the intake worker to identify what the risk is, the risk assessment for each individual child that's coming into the system. So if there is low risk, if in fact they deem that the child, number one and the most paramount thing, is safe in their current environment, then supports are provided to the family – parent supports, parent training, children's supports – through the school, through the kind of community network that we hope to build capacity within communities.

That's why one of our pillars is community based. That's part of our CFSA, our child and family services authority, accountability: community based. So we build the capacity in communities, something we've been doing since May '99, when this ministry came in, and something that the family and community support services will continue to do this year with the dollars that are there for early intervention: the home visitation, the early intervention that will occur even before children might come to risk, the kinds of identification of hazards or barriers to the safety of the child to the capacity of the family to do things in the right way. Many of the dollars spent on early child development will be part of building family capacity to cope so that in the very first instance, when somebody reports that an investigation should be undertaken on behalf of a child, we hope that most would be found to be low risk that we could easily accommodate.

The Alberta response model will look at the moderate risk, where social workers, trained psychologists, and other professionals would have required visits in the home, again working at keeping and nurturing a family to be better suited to accommodate parenting needs, looking after them, and providing supervision and monitoring, working in family case conferencing to add additional support so that the child would not be removed from the home. It would be much like we've done where we remove the perpetrator of violence under a different piece of legislation, to try and remove the hazards under one piece of legislation dealing with family violence. Here we would be trying to add to support children who are at moderate risk where we believe that they were safe in their homes but where home services to support that home, to support parents would be necessary. It would be a very schooled, disciplined approach of working with that family within the home. High risk children where the child's protection is so paramount would be removed from the home at the outset and protection services provided, we hope, with a concurrent plan or a plan that will help work with that child and also work with that family.

3:30

Something that has been drawn to my attention several times this year is that often if we remove a child, we simply warehouse a child for the family's convenience without working on that child's family environment to see if we can save that child's family home. For example, in the Toronto model in the drug courts of Toronto they work actively on both the family as well as the person that has been abusing themselves with drugs. Well, we would like to work on

protecting the child, give them nurturing but also work on the family home so that they just didn't simply continue perhaps to abuse drugs or to abuse themselves in other ways with alcohol and then come back to court in six months and we continue to keep a child in family protection and in foster care or in group residential homes.

Mr. Chairman, one of the parts of the Alberta response model that's most exciting is that we will review many of the cases we've got. Last year we had over 15,000 cases, about half of which were in homes other than their family home. This year we have about 14,300 cases, I believe, as we speak, and we will look at what the options are for children that are currently in care. So there'll be sort of a dual focus: trying to focus on those that we're taking into care if they need to come into care and focus on the ones that are already in care.

I am not suggesting for a minute that we're going to adopt all of the other models we've seen across America or in other provinces, but one thing that intrigues me is that in America all of the states function with a requirement for family reunification within a shorter period of time. I don't want to fast-track and put children at risk for a fast track, but in the United States a reunification is at a one-year level. They say: insist on one-year reunification. I think it behooves us not to reject that out of hand but look at whether or not the planning for the child in the longer term improves if we try to improve those families and get the children back in those homes if they should be back in those homes. If not, we work on finding a permanent place for that child, kinship care perhaps, but a permanent loving home. Every child deserves one adult that loves them and cares for them and is their advocate at all times, Mr. Chairman.

That's why we have some optimism that the ARM model in various forms across North America is currently showing better results. We protect children well. When I see at the end of the day that less than 15 percent, in some areas less than 10 percent, even graduate from school or graduate from another postsecondary institution and yet they've been in our care for sometimes 10 and 12 years, then like the young child in a safe house who had been prostituting herself for years said to me: you have to work harder; you should have been stronger and more tough on my mom so she didn't get away with bad behaviour for a long period of time.

The Alberta response model will in part save families, Mr. Chairman, and that's a good part of what we'll do. We will provide for the hon. members opposite more information on the ARM model because we believe and are very optimistic that we will see improvements in the child welfare delivery system through training our workers and through what's happening already in this capital region as I speak with region 10 and the Ma'Mōwe child and family service authorities. They are embracing the opportunity to look at different ways to deliver child welfare.

Mr. Chairman, I was asked about the 186 workers. Were we bloated? No, we weren't, but we had some cases where we could become much more efficient. Even prior to the end of this past year at about the 1st of March I understand that there were positions that were unfilled, it's true, that we may still choose to fill now that the freeze is off, but we're going to analyze very closely where the workers need to be on the front lines, and I will try and provide a more detailed evaluation of it. In some parts of the city of Edmonton, for example, there were certainly a larger number of workers than there were, for example, in the way that child and family services were delivered in Calgary. So through management of the various contracts – and as the hon. member opposite knows, agency supports have a huge amount to do with how child welfare is administered. So I'll try and provide quite specifically for the Ma'Mōwe child and family services how we are trying to organize ourselves to do better.

In terms of the day care supports in this budget there are supports. Some of these supports, if you stay tuned, will come through in our policies that will be delivered later. We're looking right now not only at the KPMG report that has been raised in this House for not only day care but family day homes, but we're looking at other programs to do in co-operation with universities and with other nonprofit agencies and with other agency supports for training, nutritional supports, for additional supports for day care. Ultimately, Mr. Chairman, I hope to look at accreditation as a model to respond to some of the concerns that people raised with me relative to day care.

I want to talk a bit about the four pillars. I think that this is essential. We have not weakened the four pillars. If anything this year we have devoted more to First Nations' aboriginal child and family services, and I'm loath to understand quite specifically what might be the problem. We've worked to strengthen them where necessary. We've resumed what had been delegated authority in at least one case. But if you really take a look at the four pillars – community-based, early intervention, improving aboriginal services, and integrated services – they focus a lot on how we do things. We think that a lot of how we do things is coming along pretty well, but what we do in the management of Children's Services – the crisis protection, the family reunification, or the maintenance of family services, the permanency planning – is part of the focus of what we're undertaking in this business plan, and that's why the objectives may appear to be altered slightly.

On the matter of the advocate we see a realignment of advocate staff. We have already asked the question of the hon. Minister of Infrastructure about collaborating on moving out of two facilities here in the city of Edmonton, moving staff out of Hilltop, relocating into the one facility in Peace Hills Trust Tower, and looking throughout Alberta in co-operation with advocate staff at other ways to work on tutoring people for natural advocacy and changing the advocate's role somewhat to provide more frequent reporting, more frequent dialogue with the directors at the local level, to tutoring advocacy for families and community services, and to increasing the work with the children and the families in various communities, targeting where we really have caseload needs. But we do not necessarily anticipate that the caseloads will increase if the Alberta response model works well, even if we have an increased child and family population in Alberta.

Mr. Chairman, I'll just talk a bit about the dollars for the act review. That accommodates staff. In this past year we've had some 30 staff from across Alberta and child care providers from agencies that have sometimes donated their services, but somehow right now as we wrap up and use our staff and Justice staff and other people together, we just wanted to anticipate that we had sufficient dollars to follow through and do that as well as possible. But we have had changes coming prior to the tabling of the new act because we believed that they were vital. I'm going to be talking with the hon. members opposite about another change that has to be made where we see some sense of urgency in the need to do that.

3:40

In support for the AR model those dollars are built into the authorities in their training dollars as well as built into the department. We have at least \$2 million in the department to accommodate that, and under our assistant deputy minister I know we'll do it.

Mr. Chair, I'm fascinated by the level of understanding that my colleagues in the House have and the three or four other members that have joined us this afternoon.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman, and I thank the minister for those responses. Just a couple of questions that arose out of her comments. There has been a reduction in caseloads from 15,000 to 14,300, and I wonder if the minister could share with us what accounts for that reduction in caseloads given the material that's out about the increase in poverty and the other kinds of social indicators that would lead one to expect that the caseloads might be rising.

[Mr. Tannas in the chair]

I'm still not clear on the Children's Advocate. If I understand what was being said, there's going to be more frequent reporting; there's going to be targeting of youngsters and resources put in to try to solve the problems. If that's the case, then why are there reductions? Why would that not cost more? Or are those reductions just entirely wrapped up in physical facilities and savings on rents and leases? It doesn't seem to quite fit. Again, I would be interested in the minister's response to making the Children's Advocate independent and reporting directly to the Legislature, giving the assurance, then, that the advocate is truly free to represent the interests of young people in the province.

Those are the general ones that came out of the minister's response. Another specific one though – and I must be a little slow, even slower than usual this afternoon, Mr. Chairman, but I can't quite understand how the ARM program is now going to be implemented in children's authorities when you look through and a number of those authorities have had reductions in their budgets. It seems that they are going to be asked to do more to take on an innovative project, yet they are going to be given fewer resources to do that. It's also interesting that some of the authorities that are receiving less money are ones that were in financial difficulty at the end of last year.

So I think there has to be some sort of public reconciliation in terms of how we are going to be able to do more and spend less. I think it has to be addressed, particularly when, as the minister has said, the benefits from implementing the ARM program are not going to be immediate; they're going to take some time before we actually see that happen.

And again the question about the other departments being involved, Justice: are there dollars salted away in the budgets of those departments to help with the ARM project? Does that account for being able to spend less in Children's Services, because the slack is being taken up in one of the other departments? I would appreciate some comment on that.

The minister indicated that caseloads were being reduced, and I guess I've already asked the question. I'd be interested in what accounts for that reduction.

I'd like to ask a question under 3.0.2, the financial assistance to communities and organizations. Why has there been a 100 percent increase in funding from lotteries to line 3.0.2, financial assistance to communities and organizations, as this is where some of the money is coming from, and what additional projects or services are going to be provided by the extra \$25 million that have been allocated in lottery revenues?

I have a question under the key program area looking at children involved in prostitution. Why did the department cut its funding last year for the Crossroads program? Is Crossroads going to have the support that they need this year to deal with the initiative? It's a program that I know the government is proud of having instituted and has certainly said is a high priority, but the concern is: does Crossroads have the resources to do the job that's expected of them?

I have a question again about the AR model. Is it intended that there will be mandatory drug treatment for parents in at-risk families

who are known to have drug and alcohol problems? Is mandatory drug treatment going to be part of the program? Maybe the minister can expand on what is intended. Will the department enforce drug treatment on parents by permanently removing children from parents who don't comply?

I guess it's the punitive measures that we see in the San Diego and Toronto models. Are those same punishments going to be meted out on parents in Alberta? There was a bit of a dichotomy when you watched the videotapes on the San Diego and Toronto programs. In one program they were interviewing some of the mothers who said that previously they had been sent to jail and that's where they learned their bad behaviour. That's where they learned to do drugs and where to obtain them. Yet the other program uses two- or three-day jail sentences as one of the punishments for parents who don't comply. So it seems to be counterproductive to try to help them and then send them to the very place where they learned the behaviour that's getting them into trouble. I wonder how our ARM program, the Alberta Response Model, is going to address that problem.

The minister talked about the realignment of services, and this is under item 1.1.4. Are the services for children with disabilities going to mean a reduction in support or in some cases a complete termination of support for these children? Handicapped children's services has been drastically reduced in its support for children. Does this new strategy intend that responsibility is going to be downloaded to other agencies? Just exactly what is going to happen? As the minister knows, parents with children with disabilities are greatly alarmed and have held meetings in the province to express their concerns with the reduction. I hope, again, that realignment isn't a fancy word for reduction, that those services those youngsters need are actually going to be there, if not from Children's Services then from somewhere else, and that before any realignment is undertaken the services are in place so that those children do not suffer.

3:50

Last year there was a goal, 1.2, that said that the ministry was going to "provide a continuum of services to support and promote the well-being of children, youth and families." This goal is included in performance measure B, "Percentage of families accessing Handicapped Children's Services who report the services are having a positive impact on their family." This was a new measure, so baseline data were still being developed. So I'd like to know what happened to the measure. Why has it been dropped, and did the department actually develop data for the performance measure? If it did, what has happened to that, and why don't we see that here? It would seem to me that it's certainly an important measure in terms of the department's performance.

There's a question under 2.1.1. Performance measure C is: "Percentage of children reported to be at-risk who received supports through community resources and did not require child protection services." The target is: "Caseload growth contained, and reduced by 5%." It seems to me that there's again a contradiction. If the ministry is trying to reduce child welfare caseloads, then why hasn't there been an increase in the support to the early prevention and intervention programs? It goes back to the basic problem, and when the 1 percent cross-ministry reductions of last fall were put in place, there seemed to be a retreat by the department. We all have heard from a number of agencies in this local area who had their programs changed or cut by the ministry at that time. Again I think it's at the root of the feeling that the early intervention and prevention pillar of the ministry is being undermined and that there would be those in the department happy with that and with the notion that intervention and apprehension when children are at high or moderate risk is

where the department should put its resources rather than into prevention and intervention. So it's a question that I would be interested in the minister responding to.

Under program 3.2.3, where the intent is to develop a provincial strategy for involving the private sector in addressing the needs of children, youth, and families, I wonder if the minister can clarify the kinds of plans to involve the private sector in providing those services to children, youth, and families. When she comments on those plans, would she clarify what has happened to day care in the province and whether or not that involvement of the private sector has been beneficial? So what involvement now is anticipated, and how has the involvement of the private sector in day care affected the province's programs there?

I really did appreciate the minister sharing with me the San Diego and the Toronto models, but I wonder if there are models from any other jurisdictions that Alberta has looked at in terms of addressing the needs of children, youth, and families and the involvement of the private sector. Again I guess my question would be the motivation. Is this an attempt to save money? If it is, you know, will it improve services, and is there evidence elsewhere that would back that up? If there are examples that we could look at from elsewhere, we'd greatly appreciate that, Mr. Chairman.

So with those questions I'll wait for a response from the minister. Thank you.

MS EVANS: First of all, on the matter of the advocate some of the cost reduction would be implicit in a move or a consolidation here to one office, but there are other implicit reductions implied with the way we're going to do work. We've got a situation now where annual reports have been published, but rather than waiting for an entire year to have those reports, it was my belief that a frequent dialogue between the advocate and the director as well as back to the ministry, quite specifically to the minister, would ensure that on cases which have been identified as delicate or have any problems associated with them, we could grasp the situation immediately and ensure that resources are in place to work on those particular cases. A good part of the time this happens, but the Advocate has advised me that not always has it happened. So we're trying very hard to work through a new process – and it's not complete yet – of putting advocates in more close contact with directors at the local level.

A comment about a reduction of \$300,000. Here is no different than some of the things we're doing in the departmental budgets where the departmental staff have had to tighten their belts so that we don't impact the ones out in the field as much, so I've asked for the Acting Children's Advocate to come back with the impact. We're looking quite specifically at the Alberta Youth in Care Network to see if we can fund some of that from the local level, from the child and family services authority. I met with Youth in Care, for example, in Calgary, and I think the responsibility for some of those networks to share in local CFSA funding – that amount is about \$90,000. There may be other agency and local support for that funding, which would account for a portion of it. So we are working very hard to see if we can accommodate some realignments of funding for the advocate.

Will we have supports from Justice and other ministers on the AR model in the cross-ministry initiative? Absolutely. I can see a lot of support but more of a resource support. This year, for example, one of the things that will be very interesting to track will be the Zebra initiative that's opening this month here on the top of Pacific Plaza, which will put our police, our social workers, and other child care professionals in a training facility together, and hopefully with a one-process intake, talking about their issues. We can do things with that co-operation that will find some benefits not only to the AR

model but to the cost efficiencies of doing our program, again on the front lines, to make sure that there is an interaction. We're going to track that very closely, and I am pleased that our local authority here is very interested in it.

Why have the caseloads reduced right now was part of the question. I can't answer that in all situations. We had a situation where we had over 450 children that were over 18 years of age. So we have worked with other ministries to make sure that all of these children are being managed in some fashion in the appropriate place with the appropriate ministry, and a lot of what has been done has not necessarily implied that government is no longer looking after those children but that other responsibility centres, quite specifically Human Resources and Employment, are picking up responsibilities for children elsewhere.

PCHIP funding is as it was. Will Crossroads continue to be used? When we looked at Crossroads during that period of cost containment, there wasn't one in there that was of the age of a child, but we have absolutely guaranteed that if there are children that are prostitutes in these facilities, there will be a substitute facility found, and I can get more clarification from Calgary to see what is currently happening from Calgary Rocky View's perspective in the contract management of Crossroads. But there were far too many in Crossroads at one point that were really adults, and I know there were some young mothers as well that needed supports, and I'm assured that they will be finding substitute placements for them.

Essentially, although we've explored the mandatory drug treatment programs in Toronto, I would advise this Assembly that probably the models that our model most closely affiliates with are the differential response models in California, the flexible response model in Texas, and the Missouri model. I have just recently got information about those models that I will share with the hon. member.

4:00

I should point out that the services to children with disabilities did have increases this year. I mentioned in my speaking notes about a \$7 million increase, and I should mention further that on page 83 of the business plan it shows the program going from \$55 million last year to \$62 million in the budget this year. For people who have been concerned about Bill 9 and the change in the policy direction that we believe has to happen before we have people coming to the Child Welfare Appeal Panel, I commit to the hon. member that it is my intent that we put policy in place before we start managing to channel people off and say that they can't do anything to appeal. That's not the intent of this. We want to make sure that they have an opportunity for appeal. With that expert panel that is just getting its sea legs, there has been some work done by the experts, if you will, already on it. But the work we're doing on the IBI and the autism and some of these special needs for children with disabilities is something that I think you'll see some improvements and some clarification with before we start making changes. So that's going to be a work in progress this year, and I can assure this Assembly that we've no intent to take that family in need, that child with special, unique disabilities and not serve them as much.

We have some very happy situations that I will share; for example, one in Rosecrest, where we're seeking alternate ways to fund drug therapies and other resources for children. That is something where just recently we found a huge cost saving because of some other networks.

You've asked about the private sector. The private sector that I see working with this ministry this year will be supporting us in fetal alcohol syndrome supports. We've got huge interest in working with Children's Cottage and Kids Cottage here in finding respite for

children in care when the families need that support, and that's one of the ways we've planned to work with the private sector.

Further than that, we're looking at enhancing something we started in the business plan last year, and that is research capacity. I don't know how we'll fit in with this childhood cancer research that has been announced just in the last couple of days, but it's our intent to work towards some kind of capacity building in checking on things like better ways of doing things.

I recently advised some members of the House that currently, for example, for fetal alcohol syndrome they can take a baby's first bowel movement, the meconium that comes when the baby is first born, and analyze that tarry substance and find out what the mother has ingested for the 20 weeks previous, whether she's smoking or whether she has been drinking. Today they can go further than that. They can take a hair from a woman's head while she's pregnant and determine what she has been having for food for a longer period of her gestation.

Some of these kinds of cutting-edge research things will help us all in the practice of looking after people, mothers prenatally and so on. That's where I see the private sector getting involved and funding some exciting research opportunities.

You've asked on line 3.0.2 about financial assistance to communities and organizations. That increase to the FCSS funding model is for the prevention programs which will help us with the AR model, which will help us maintain low-risk families with community agencies. Today, as we speak, we have a prevention panel mirroring the FCSS groups through members of the public and child and family services authority members: quite specifically, counselors from Calgary and from down in Lethbridge, a former president of FCSS, as well as two members from our CFSA's from Lethbridge and from Diamond Willow. Those chairs are working on how we use these prevention moneys to build capacity in communities on the low-risk side. In total we've moved up from \$53 million to \$70 million for community capacity building, and I think that that's a step that hopefully is in the right direction.

On the day care I can only say to the hon. member opposite: please stay tuned. I know we've heard from almost a thousand people on day care, but I haven't got that through the process yet of our standing policy committee because the family day home part of the study was later, and we've done some checks and balances. But I'm confident that through our early child development funding there will be some opportunity to follow through.

I know that hasn't perhaps addressed all of them. There were two more issues. You asked about 2.1.1. This caseload reduction we believe will happen and is already showing opportunity as we work with families at the local level. You know, quite frankly, to the hon. member opposite, when you add somebody to our caseload rolls, it isn't necessarily a success story. It identifies a failure on several levels, not necessarily a government failure but a failure by the family and the community and the extended family to help. So I'm hoping that our caseloads can reduce, and that's perhaps modest, but I think we will at least achieve that this year.

Then on 1.1.4 I hope I've clarified that \$7 million that you identified from that line for the resources for children with disabilities and my intent not to pursue anything punitive on the policy side until we're absolutely sure that we've got a policy and that families are comfortable that we are not leaving them high and dry with their individual cases. I really don't want to see handicapped children or families go through any more temerity than they do with those issues.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I'd like to speak to the main estimates on Children's Services as part of the Committee of Supply debate in the Legislature for the year 2002-2003. I at the very outset want to caution or alert the minister to the fact that I may be repeating some of the questions that have already been addressed. I was away for part of the time that the hon. Member for Edmonton-Mill Woods was on his feet and asking questions. So in case some questions are simply repeated by me, feel free to draw my attention to it and say to look in the *Hansard* tomorrow, and I'll be happy to do that.

Mr. Chairman, looking at the Children's Services business plan here and some reference to the goals of the department and then the program delivery models, under program delivery of course the thing that comes to notice immediately is that programs will be delivered based on four basic pillars, as it's called: "prevention and early intervention, integration of services, community-based delivery of services," and the fourth one is "improved services to Aboriginal children." Quickly just to make some general observations starting with the very last of the four pillars, "improved services to Aboriginal children and families" is certainly one of the four pillars of program delivery, yet I notice that in the regional authorities' budgets the Metis settlements item suffers quite a dramatic reduction. The Assembly of First Nations is really way down. The Metis settlements are down by 15.09 percent; that's the reduction there. So I hope the minister will help me understand the relationship between the stated program delivery objectives and modes and these particular reductions that come to quick notice under the Metis settlements, quite a substantial reduction of a little over 15 percent.

4:10

In the case of the Assembly of First Nations, this really needs an explanation. Maybe there's different money coming from elsewhere. It's an 86.2 percent reduction according to my numbers here, unless I'm totally out to lunch here. Alternatively, there's a huge increase in the services on First Nations reserves. So some explanations on what this means. According to my calculations here, there's perhaps a fifty-fold increase on that item in the budget, for services on First Nations reserves, as I see it here in my papers.

One other number here that I'll just ask the minister to perhaps make a few comments on has to do with the Ma'Mōwe Capital region. In this region we know that because of particular patterns of population and in-migration, the number of aboriginal families and children continues to increase quite rapidly and already has one of the largest numbers here. The budget is almost frozen at last year's level. There's a very, very minor increase, less than one-third of a percentage. Given the rate of inflation and the probable increase of the target population, this increase seems to in fact mean fewer dollars available, unless the minister can perhaps argue that in the cost-containment strategies that she has, some of these programs can be delivered more cheaply than has been the case in the last year, not in the long run but this year as compared to last year.

The other question that I have related to the three sort of main core business statements. The core businesses are first stated, of course, as "promoting the development and well being of children," and early childhood programs are one of the bullets under 1.1.1, "to better meet the developmental needs of children." When I look at that worthy goal and go down to early childhood spending in, first of all, the overall program expenditures, there is a reduction of close to 9 percent from last year to the current budget year for which we are debating the estimates. Then you look at the early intervention spending by regional authorities, and out of 18 children's services regional authorities, 15 show a decrease in budgetary allocation from last year to this year. The Ma'Mōwe Capital region again is an

interesting case. The reduction is close to 14 percent, 13.89 percent to be precise, compared to last year. There are some others that of course have seen much more dramatic decreases. In Diamond Willow – I suppose this is the area north and east of Redwater and that region – the reduction is minus 46 percent, a 46.2 percent reduction from last year.

So, as I said, in terms of the general picture it's clear that 15 of the 18 regional authorities responsible for providing children's services have had their budgets reduced for this coming year, and some of the cases that I mentioned clearly suggest very dramatic reductions. The Metis settlements here, with respect to early intervention spending, will see their budgets reduced by 24.95 percent, which is close to a 25 percent reduction, in early childhood intervention. So my question is: how does this square with the first major goal, which I call the business goal, which is quite worthy? I'm sure the minister will take time to comment on that.

[Mr. Shariff in the chair]

Then under core business 2 on page 77 I notice that starting with 2.1.5, coming down to 2.1.7 and so on, there's a focus on addressing the challenge of family violence. Again, when you look at the program spending commitments made by the department, the prevention of family violence budget is reduced by 14.77 percent from the year 2001-2002 to 2002-2003, the current year of the estimates which we are debating right now. While a fairly high priority is given in the strategy to dealing with family violence as part of the goal of keeping children, youth, and families safe and protected, how is this reduction to be explained in terms of the quite clear statement made on page 77 that this is one of the key strategies that will be used to make children safe, make youth safe, and make families safe and remain protected?

So there's a mismatch here, as I see it, between the priorities given to certain goals and the associated fairly dramatic reduction in the dollar resources to address those very services. I do notice – I must be evenhanded here – that there is quite a bit of an increase in the family and community support services. Perhaps that is where the funds have been transferred to, but I need some explanation as to how those will be accessed and will still be available for addressing the prevention of family violence.

Similarly, the child care program reduction in the budget is quite dramatic: 10.9 percent in terms of my calculation. I just want to share with the minister what I heard firsthand from visiting some child care facilities in Grande Prairie just a few months ago when I was there. I was asked to meet with this group on their insistence; I didn't seek this out. They were bitterly complaining about the lack of resources and the low rates that they have to pay to their workers and the difficulty that they have in attracting and keeping committed and skilled child care workers in the day care area. So that reduction, again, doesn't seem to jibe with the business goal that we have under goal 2.

4:20

Under core business 3 – I'm moving quickly to that one – we have the key focus on aboriginal communities, on helping these communities “develop the governance, organizational, accountability, and service delivery capacity to promote the care of their children, youth, and families.” Again, I draw the attention of the minister, I guess, to the Metis settlements, you know, the budget reduction which was quite dramatic, and I want the minister to perhaps comment on, again, that reduction on the one hand and the key focus of core business 3 on generating those capacities and helping those communities to develop those capacities there.

Under core business 3 I want to quickly draw the minister's attention to 3.2.3, the private sector. There's a reference there to “develop a provincial strategy for promoting the involvement of the private sector in addressing the needs of children, youth and families.” I thought that there's already a fair bit of participation by the voluntary nonprofit private sector in this area. What exactly does the minister have to say about 3.2.3 that is new, that would be different, that would be in addition to or on top of what's already being done?

The overall reduction in early childhood intervention programs, Mr. Chairman, as I see it, is close to 18 percent, 17.56 percent. Close to one-fifth of the budget is reduced in this area. We see in the program delivery strategy early childhood intervention and prevention as two of the four pillars, yet we see a rolling back of the budgetary commitment to strengthen those two pillars, if what is said in the first part, where goals are stated and strategies are outlined, is to be taken seriously.

I think that maybe I will stop at this point and hopefully will get another opportunity later on to ask some more questions. Thank you.

MS EVANS: Mr. Chairman, would you care for me to respond?

THE DEPUTY CHAIR: Hon. minister, you are recognized.

MS EVANS: Thank you. With some of the issues that have been raised, there may be reference points in the previous notes. The one that I would draw your attention to would be, really, how we do things and what we do. How we do things seems to be identified with the four pillars when you talk prevention, early intervention, integration, and so on. It talks about a method of improving service. But what we do is protect children, emergency protection of children, taking them in in crisis, family preservation, reunification, and permanency planning. So I won't repeat that, but I will go through the notes and give you some of my comments on a couple of areas.

First of all, the Metis settlements had an increase this year over last year's forecast. On page 57 of the estimates it was \$3.89 million forecast for last year, and budgeted for this year is \$3.927 million. So perhaps if you'd just make note of that. That's on page 57 of the estimates.

In terms of First Nations I want to just talk a little bit about one particular issue. We have noted that the federal government has made available over a million dollars' worth of programs. If we work this year – there are still moneys in the departmental budget – with each one of those agencies out there, with the reserves, and with the Metis settlements for the grants that they are lawfully entitled to that are coming from the federal government, particularly First Nations people, we believe that we can work them through the grant forms and help them achieve those funds that they are entitled to from the federal government. We will not drop them. We are going to work very hard with each of the reserves to make sure that they move from some dependency on provincial funding to some of the dependency they rightfully should have on the federal funding. We know that and they know that, but they just haven't all made the conversion to it. But there's no reduction in the funding.

Where the four regional authorities did have some reduction this past year, some parts of reductions are a function of the funding model not being correct. Some had huge anticipated surpluses proportionate to the service they were providing. Some relate to the mobility of families. In some cases with aboriginal families it relates to the moves from reserves to the city of Edmonton, for example. So I can assure you, hon. member opposite, that there's no reduction in funding. It may be reallocated elsewhere. I do have

some sympathy with all hon. members opposite because for over 20 years I have reviewed budgets in government that seem to move things from one post to the other, so it sometimes becomes very difficult for everybody to follow. I can assure you that in the areas of all of those goals, as a general principle there are not reductions. There may be reallocations elsewhere.

Let me explain on the early intervention, for example. If you reference page 83 of the business plan, there's a budget of \$51 million, which is compared to the 2001-2002 forecast of \$36 million, on early intervention. So that amount of money combined with the \$15 million that we have allocated to family and community services – you noted that our community support has actually increased from a total of \$53 million through CFSAs and FCSS to \$70 million. We are working in partnership with the FCSS and CFSAs to develop community support to accomplish the early intervention. There are actually more dollars there that have come in large part from reallocations within the department and also the new money that we received. As you know, we received some additional dollars, \$27 million more this year.

So we've actually significantly increased and substantively made a commitment to prevention and early intervention. Part of the money, when you used to see it, \$21 million last year, was some \$11 million to the authorities and about \$10 million being retained in the department to be allocated to early intervention projects as the approvals come in various communities and as projects improve. Although it's taking a while to illustrate that it's out there, it's in those parts both on page 83 of the business plan and in the workings of FCSS building the community support. To the hon. member opposite, we can provide that detail later if that's not obvious.

Under family violence I want to assure you that when we first canvassed the authorities for supports to shelters, they did not account for all of the funding that comes through under early intervention. So although the line item in the budget talks about \$11,161,000, there's actually a total of \$14 million that's being spent directly on programs related to family violence for the shelter supports as well as for other child welfare programs.

When I visited shelters, some of the complaints were that they couldn't be sure that they were already accessing some of the agency supports that were in communities. The other thing that we're doing is we have been working with the association for shelters on a database program so that there's not all the fuss there used to be in collecting data about what happened to women coming to shelters. If I can just put it plainly, if a woman comes in with her two children but that leaves an extra bed in the room, then that bed can't really be occupied by somebody else, and we're looking at changing those formulas. That's working well, and another thing that's working really well right now is our work with the RCMP in trying to find better ways of working on family violence. So I assure the hon. member opposite that we are working on family violence.

4:30

Day cares I've mentioned previously, but stay tuned. There is work that will be culminating in some initiatives I hoped to bring before this House in the very first few weeks of this year. It's just taking a while to make sure it's all together. I have made some reference points in response to the hon. Member for Edmonton-Mill Woods previously on some specific things that we're doing right away.

I hope I've addressed goal 3. You've got 3.2.3, the money there for the private-sector donations that hopefully will be coming into research, something that we talked about last year that we were exploring with Innovation and Science, something we continue to explore as we look at projects in Alberta hoping to prompt and

provoke other private-sector people to become involved, certainly with fetal alcohol syndrome. We have a working group now that's working private sector/public sector for supports and respite, and I know that's in previously. So goal 3 relates to increasing our research capacity and comments that I've previously made.

So on all areas that you've asked about, I think I can safely say that there are no reductions; there are reallocations through different line items in the budget. If you have further questions after you review the *Hansard*, I'll make sure that we sit together and review them so that, Edmonton-Strathcona, you have that information.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. I appreciate the minister's activity and engagement in this debate this afternoon. There are just a couple of kind of sections that I want to concentrate on that the minister is aware are a keen interest for me, and they, of course, are around the violence initiatives and specifically shelters for abused women and sometimes their children.

I noticed in the minister's note that she was talking about \$14 million allocated to it. If I could just get a description of whether this is an increase? No, it can't be an increase.

MS EVANS: It is.

MS BLAKEMAN: Okay.

I'll just outline the questions for you. I think I also heard her say off-the-cuff in her remarks that there was \$5 million specific to the shelters. Can you detail for me what that's for: whether it's staff increases, are there strings attached to it, is it to deliver programs that they didn't have to deliver before, or is it just a straight cost-of-living increase in their expenses?

I guess part of that discussion is this kind of a two steps forward, one step back perception of the funding in this department over the last year or 18 months. The minister and I have had previous conversations about whether the women's shelters would be required to take the funding cut. She was adamant that they wouldn't be, but I had returned to her saying that in some cases it was being reported to me that they were being pressured to volunteer to take this. Again the minister is very quick to get on it and say, "No, that shouldn't be happening," and I appreciate her action on that. But if it did happen and if they did volunteer, then is this \$5 million, if that's the amount, bringing them back to where they were before, or is it genuinely an increase, or is it just restoring them to where they were?

I'm also wondering specifically what is the update on the – I worked on this forever; why can't I remember it? – Protection against Family Violence Act. Oh, there, I had it. I noticed that goal 2.1.5 is "increase stakeholder awareness" about the act and the "family violence prevention strategies." Now, I know that after the first year there was to be a sort of review and adjustment, and I've never really heard what happened there, and it's now under the minister's care. So I'm wondering if I can get an update on whether there have been any changes in implementation, lessons learned, where resources are allocated. Of course, I don't expect her to necessarily know that off the top of her head. I'm happy to take that in writing, as with any of the answers to any of the questions I'm giving her today.

There's also under 2.1.6: "Together with Health and Wellness and other partners, develop and implement treatment programs for children who witness family violence, victims of family violence, and perpetrators." So, again, I'm sure this is part of the \$14 million, but how is this program going to develop, who is going to deliver it, how many staff are assigned to it, what's the resource pot of money

they can pull from, what's the program expected to look like, how long is the time line for it, and what kind of evaluation process is in place for it?

Strategy 2.1.8 is sort of a very open-ended goal: "Work with Justice and other partners in the reform of family law." Now, I'm wondering if this is in anticipation of the review and changes in the family law statutes that we're expecting to be working on this spring and maybe into next fall, and particularly, then, I'm interested in what the department is bringing into the discussion.

I'm also aware that the Alberta Council of Women's Shelters did a survey and a response document around the federal initiative that was recommending changes that went forward to the Minister of Justice some time ago now, a year or more than a year ago. So there's a whole package of questions that I'd like to get answers for around the violence initiatives.

The next sort of cluster of questions I have – and it would almost be helpful to have a little diagram, the two steps forward, one step back, two steps forward diagram, to help understand where the money came in and went out to. I know that the minister spent a lot of time this afternoon explaining that, but if I might make a suggestion, that sort of thing might be a helpful promotional tool for her at this point. I did phone around to some people I know that work in this area over the last couple of days saying: you know that this budget debate is today and were there any last minute things they wanted me to bring up? And one woman just said, "This is such a bad day, Laurie." She said: "I honestly don't understand what's going on here. I don't see where the money is going. They say that there's an increase; I can't find anybody with an increase. Where did the money go?" And I couldn't answer that question for her.

Now, I know the minister has been trying to do that in a sort of piecemeal way here, but even just listening to the comments, I'm trying to add and subtract here. Essentially in 2001-2002 we had a \$648 million budget. Then there was a 1 percent cut of \$6 million to offset the deficit that could have been coming, which brings us to \$642 million. Well, then when the minister starts talking about the budget being increased this year to \$675 million and that being a 4.2 percent increase, I go: no, not from \$642 million. No, no. I finally figure out that it's a 4.2 percent increase from the original budgeted amount, and this is where people start to get confused, because they're just going: "Look; this is how much money I have this year; I know that. How much money do I have next year?"

What was the original budget just doesn't connect to them anymore, and to be truthful, a couple of years down the road that budget amount will not even appear in any of these documents because we start showing actuals once we have them. So that's a bit confusing for even laypeople like me that are trying to work our way through this and, I'm sure, frustrating for people in the business.

4:40

Then I'm looking farther down, and it talks about regional authorities getting \$517 million. I'm not sure if these are my notes, but it says: increase of 1 percent. But I'm going: 1 percent of what? You see what I mean about two steps forward, one step back, two steps forward? I think the minister is moving the department forward, but it is so confusing with the comings and goings and transference. Maybe this is her big year to move everything around, but, you know, here's another example of where it gets crazy-making. Not all authorities are getting an increase, but some programs they deliver may get an increase. I think I know what she's talking about there, but other people hearing that go: well, how is that possible?

I know what I was going to ask. Okay. We've got a number of programs that were paid for under the department that are now being

paid for under the children's authorities. Like, fetal alcohol syndrome, child financial support, mentoring for parents and home visitation, and part of early childhood development used to be paid for out of the department and are now being paid for by the children's authorities. Is that money contained in that \$517 million that is extra money going to the children's authorities? So if Mistahia is getting an extra \$517 million, is that \$517 million also paying for their assumption of the delivery of the fetal alcohol syndrome program, the child financial support program, the mentoring for parents and home visitation program, and a portion of the early childhood development program? That's where I'm starting to get confused.

On to a new topic. At one point the minister talked about capacity building, which is a phrase that we've been using in the voluntary sector to describe helping agencies working in that area to give themselves a technological and equipment base that allows them to sort of work in the modern world; let me put it that way. So capacity building may include under those definitions things like buying computers and software programs to help a nonprofit group in the community get onto the Internet or be able to do a mail merge program so that they could be in touch with their membership base in a more organized and timely and expedient fashion. I'm just wondering if the capacity building that the minister referred to is the same thing that I just described. Or is this a different kind of capacity building than what we've been talking about across the nation for strengthening and supporting voluntary organizations that are delivering all kinds of services?

I'm going to sit down and let the minister have a stab at that, and then if there's time, I'll maybe have another go. Sorry. Actually before I do that, I just want to bring up homelessness and rent costs. In my constituency of Edmonton-Centre we have a lot of people that live in apartments, a lot of people. Probably 80 percent of my constituents live in some kind of apartment complex, whether that's a high-rise or a fourplex or one of those ones that has three floors and 20 apartments in it. There are not many children, but I'm really seeing everybody that's in these, especially in the rental accommodations, struggling because the cost of rent has gone up so much. One-bedroom apartments have gone from \$590 to \$900. This is not fancy. It's an okay building with okay security in an okay location. When I start to see seniors and families that are having to move to lower quality to find reasonable rent, I really start to worry.

We don't have a lot of resources for kids in my constituency. I know that there are other constituencies that would have the same issue, but I know mine, so I'll talk about mine. So moving kids to an even less secure area and an area that has less access to recreational opportunities, even a bit of green space, which can be a problem in my constituency, is I think impairing quality of life for those kids and who knows what else: recreational opportunities, health, fitness, all kinds of things. I recognize that the minister is not responsible for housing, is not responsible for homeless initiatives; nonetheless, it affects children.

I'm making a plea for the minister to be aggressive in any cross-government initiatives that are worked on around housing. The provincial governments must take an aggressive role here. To say that the private sector is going to come forward with affordable housing, especially for the hard to house, is not going to happen. It has not happened. All we're doing is putting more people into less safe conditions, and that includes families with children. So I have to make that plea, and I would include seniors as well, because seniors are part of families. They're somebody's grandparents. It's particularly frightening for them.

I notice that the minister is involved in a cross-government initiative, the health sustainability initiative and the seniors policy

initiative. The ministry is now supporting this seniors policy initiative for strengthening “collaboration and coordination of initiatives to improve the health and wellness of Albertans, and the sustainability of the health care system.”

Well, I sure think a place to live, a safe place to live, a reasonably priced place to live that isn't taking 60 percent of your take-home paycheque is a priority, and I would urge the minister to be very aggressive in working on that.

Thanks for the opportunity.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I just have one question, and I'm not entirely sure I can give complete information to the minister to address it. I have in my notes here under regional health authority budgets that at the end there's a reference to the almost elimination of a program of community response teams. Was there a special budget item last year which provided that money? It looks like it's on the way to being completely eliminated. My calculations tell me that there's close to a 93 percent reduction in it. It caught my attention because it raised the question of: how do you develop local community-based capacities who are responding effectively to crises that may arise if you take resources away from community-based response teams? So that was my question.

Thank you.

THE DEPUTY CHAIR: The hon. minister.

MS EVANS: Thank you, Mr. Chairman. Perhaps just quickly. The community response teams were a pilot project to support some things that were going on in northeast Calgary, putting teams together. I think that the initiative continues. I couldn't identify quite where under community support, because we moved there from \$53 million up to \$70 million, but I can assure you that it hasn't been cut, hon. member.

I then go to the hon. Member for Edmonton-Centre. The increased funding for family violence has moved from last year's budget at \$13.627 million – actual spent was \$12.8 million – to \$14 million. Now, I must give credit to the hon. member opposite who has had a passion for families affected by family violence and who has made it very clear to me that we're on the same page on this issue, because we both want to get something done to resolve the issues. We really see that lots of times shelters have had checkered levels of support wherever they are in the province. So we have been working with the executive director of the Alberta Council of Women's shelters, who is currently not available, as she may know, for some dialogue. We have been working with that association to find out whether or not ultimately the funding should rest with the child and family services authorities or whether it should be dispensed from the department centrally to the authorities. In some places it's working exceptionally well. For example, in Lloydminster it's working exceptionally well, but in other places it doesn't work as well. So before we get into a knee-jerk reaction, we're going to look at how we can handle that. In some places local authorities have been giving wonderful support to the children in the programs, and as you know, we've had double the number of children, regrettably, as the number of women.

4:50

The Health Canada study by Nico Trocme has illustrated that violence regrettably is on the increase, a rapid increase, something that affects children and brings children into child welfare, a most

regrettable situation. So a lot of the dollars this year in our discussions will be to ensure, to guarantee, that those children get some programing supports and that people won't just meet with a mother on her exit stage left and assume that the mother will have the capacity to follow through with those children. So we're going to target those children in that area.

A lot of it isn't etched in concrete simply because we are still working with one of our staff members at a very senior level to make sure that we work on this family violence initiative in a way that really sorts out all of the best ways it can be done. Thanks in part to the hon. member opposite we are making some differences. I did not in the cost containment agree to any reductions to that particular area because of the impact of family violence on children and families and, in most cases, women that may be suffering abuse. So that's one of the areas. I just want to make sure that I identify my concurrence with the hon. member opposite about that very thing.

In the issue of our involvement with family law, there are many things, as you know, where there's an overlap, when there's joint or shared custody, mediation, child support. With the work that we're doing right now, for example, with the medical examiner – and the Children's Advocate has been represented as well as our department on fatality inquiries – are we examining the way that we should the death of a child? I want to look again quite seriously at our special case review process, again not with the attitude of reducing the importance of looking into it but making sure that we're getting some value for the exercise that we're going through. You know, the fatality inquiry could teach us a lot. The special case reviews can teach us, and I think we should learn from them. So we are doing some of that work with the Department of Justice, and we are working, of course, on the violence initiatives with the Solicitor General. So I'm quite satisfied with that.

I will ask the department to provide in writing, on your question about the 1 percent overall to the authorities, some clarification of my earlier remarks about the funding model and the alterations in the funding model, where the needs are, and also to assure you, hon. member, that there are additional dollars put in there. For example, last year we retained moneys within the department to pay for salary adjustments, and then this year those are accounted for quite differently in the authorities' budgets, but then we've taken other responsibilities. So rather than do the shell game with you, I would rather make sure you get a clear identification of those things as it pertains to each authority, and I think that that would be something all of the hon. members would like some anecdotal explanation of so that it helps identify where they are.

Fetal alcohol syndrome, an increase in our budgeting there. Probably the one thing that across North America we're beginning to be looked at as leaders on is the work we're doing with the communities on FAS building. When I was recently in California and in Texas, they asked us for our materials on that. Our staff have been invited to Denver, Colorado, to speak. In western Canada, from Manitoba eastward, and now northward with the Yukon, we seem to be gaining some prominence because we're working and building that capacity.

Can I just simply conclude by assuring the hon. member opposite that on homelessness the Minister of Seniors responsible for housing is being very aggressive, perhaps behind the scenes to some degree right now, on the initiatives for low-cost housing for families in need and affordable housing. I totally concur. With a buoyant economy once again, in the city of Edmonton particularly, the squeeze on housing is huge, and I hope we can gain some supports. Certainly poverty is one of the issues – and I acknowledge that – that presupposes the stresses that sometimes lead to other family problems on the social index and sometimes, not always, lead children onto our caseloads, and that's tragic.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you. Sorry; I forgot one ongoing issue with me that I always check in with you on. That is the issue about the tag-behind wages. I don't know if the working committee is still in existence, but there certainly was a committee from the nonprofit agencies that were, I think, actively meeting with members of the minister's staff. We keep trying to get those folks caught up, and every time there's an improvement in the wages for the unionized workers, then the gap between those workers and the people in the community agencies that are doing exactly the same work gets worse again. Then there's a great deal of lobbying for two or three years until there's a 2 percent increase back for the community groups, who now close the gap a little bit, and then the union people get another bargaining unit happening, and on they go. The minister doesn't have to answer it now. I know there are other people that want to get up, but in writing if I could get some update on where we are in that tagalong process. Okay?

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. Before I start on some other questions, just to clarify on the handicapped children's services. The question that I had was that a number of parents have suffered reductions of service. I heard from, for instance, a parent who had lost the respite service that she had, that that had been cut. So I wasn't talking about budget cuts. I was talking about what has actually happened to the services to handicapped children, and that's been my concern. We've attended one meeting in Calgary and another here with parents of handicapped children who have had a reduction in their service, and it is a great concern. So that's what I was talking about, not a budget cut.

I'd like to go back for just a minute to the minister's comments about the reduction in caseloads and 450 of over 18 year olds being no longer served by Children's Services. I find it, you know, quite surprising that there were that many, but I also remember, as the minister does, that we attended a rally on the steps of the Legislature attended by many of the 16, 17, 18 year olds and then some 19 year olds that were very concerned about the kind of service they were receiving and the fact that many of them complained that at 18 they were suddenly cut loose whether they were prepared to be independent or not. So I was pleased to hear the minister say that Children's Services has arranged for other agencies to take up the slack to ensure that these young people are not left on their own just because they happen to have reached the magic age of 18.

5:00

It does raise for me some of the questions that that particular group raised at that rally and that we've heard from since. I guess I would like some comment from the minister in terms of placements, not just for 18 year olds but for all children. What kind of progress has been made in securing more placements for children? I know it was mentioned last year. It's a constant concern of the department. We had the unfortunate case of the youngster in Grande Prairie who was housed in a motel. My question is: what progress has been made? Has the problem of temporary placements and more permanent placements been addressed so that it is becoming less of a problem to people who have to end up putting children in a placement other than their own home? So I'm concerned about placements, Mr. Chairman.

The lack of permanency planning was also raised by those youth.

Some of them weren't even aware that they had a case plan. That whole notion of permanency planning – and I suspect that the minister will respond that the ARM project should help alleviate some of that, but there are still going to be hundreds of youngsters that have to be dealt with immediately. What kind of progress has been made in making sure that there is a plan to have the children permanently placed and, with respect to young people, that they are aware of that plan?

One of the other questions that was raised, Mr. Chairman, was the refusal to support adolescents who are in custody under the Young Offenders Act and not allowing them to look to the Children's Advocate for assistance. Has there been any thought given to expanding the mandate of the Children's Advocate so that the needs of those particular children could be met?

Adoption of First Nations children. I've spoken about this on several occasions, that the requirement for chief and band council approval results in many children not being placed in adoptive homes. I wonder if there has been consultation, if there have been moves made to make the placement of aboriginal youngsters in adoptive homes easier and to get rid of the kinds of barriers that have prevented that from happening.

The youth that we talked to were concerned about mental health assistance, and the Alberta children and youth initiative addresses that in part, I think, but that concern in terms of help with mental health problems and not being able to get the kind of service that they need in a timely fashion was a concern of those young people. I wonder what kind of action the department has taken to assure those youth that they in fact can get the kind of support they need.

There have been problems in the past with court delays, and I think it contributed to permanency planning. Again I'd like to know if the department has addressed it and what kinds of solutions they have been able to come up with.

The minister mentioned the child death reviews and, you know, what do we gain from those reviews. I think it's a good question. I also think that the question of independence is really important in terms of those reviews. The processes that are internal to the ministry are fine as far as they go, but it seems to me that there is a need for an independent, comprehensive body to review the deaths of children with the goal of trying to reduce the incidence of child fatality. The case of the twins up north I think brought to the fore the kinds of problems that the lack of an independent panel can present.

The Children's Advocate is one mechanism for youth to provide feedback to the department in terms of the services that they're receiving, but I wonder if the minister has considered other ways that they can receive feedback from children in the system so that the system can ultimately be improved.

One of the other problems mentioned was the gaps in the education system for young people. Abused and neglected youngsters just are not served well by conventional school programs, and it was something that I've raised with a local school trustee. I know that the minister was made aware of the problem, and I wondered if there's been any action taken to try to make sure that alternative programs are in place for those youngsters and that the kind of flexibility they need is there so they can continue their education.

The boundary issues between regional authorities still are with us. We hear again of pressures and disputes between authorities in terms of them providing services for students. Again my question would be: what kinds of provisions are being made to make sure that those disputes don't actually interfere with the kind of help that a youngster or a young person might need from the department?

The medicating of children in care has been raised as an issue. It was actually in a day care. Again what kinds of measures have been

put in place to assure the public that medications are not used in a way that they were never intended in terms of children and their behaviour and that there isn't an inordinate use of medication as a management tool?

I guess the last one that I would comment on at this time, Mr. Chairman, because I'd like to leave the minister a few minutes to respond, is the problem of staff turnover. We've touched on staff several times this afternoon, and the minister in previous questions in the House has talked about staff. I wonder exactly what is the situation in terms of turnover and what kinds of measures are being put in place to attract and to keep the best social workers, the best workers working with young people that we can.

So I think that with those, Mr. Chairman, I'd conclude. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I've just got a few comments today. I would like to thank the Minister of Children's Services and her staff for being here today and realizing the great work that they do in a very difficult ministry, particularly when they're dealing with some of our most vulnerable people in this society. I know that earlier last fall I had an opportunity to bring a special case to her attention where a couple had three children with special needs, and they were having a lot of difficulty in doing cross-departmental work. I know that in that particular case the minister was able to help them, and if she could elaborate on how, for other families that require that cross-departmental work, those issues can be smoothed out and the road can be much easier for them.

5:10

I had the opportunity to listen to Jesse Jackson speak, and he was telling us that the poor people in the United States today are not the new Americans, that they're not our seniors. They are mothers with young families. So this whole poverty issue is not only an issue here in Alberta. It's also quite frequent in the States. As part of that, I think it is because we do have lone-parent families. I see that in Alberta we do have – and this was in the year 2000 – approximately 105,000 lone-parent families, and a staggering 86,000 out of that number were mothers, female parents. Again I can see that a huge part of the job that you do have is tracking fathers for support payments or whatever.

Now, then, as well, I go on and I see that we have a breakdown of lone-parent families in the whole of Canada, but I don't have any for Alberta. I was wondering if the minister can provide me later on – I don't expect it today – with a breakdown of lone-parent families by age and, as well, if the minister has any statistics whatsoever on a breakdown of the socioeconomic standing of the various families that she does deal with.

So with that, Mr. Chairman, I'll take my seat. Thank you.

THE DEPUTY CHAIR: Hon. minister, we have about two more minutes if you'd like to make some response.

MS EVANS: Thank you very much. If I may, there are many references that I will not be able to expand upon in two minutes, and I don't want to give short shrift to really critical issues.

I think that at page 57 I should have noted that the child response teams were there, but I didn't provide that information earlier. On court delays that may be happening and on other issues relative to the chief and band and council approval, I will certainly provide more detail. In terms of the processes for child death reviews, again I will provide a briefing note.

The authority boundary issues, again we can talk about that, although those have been ironed out in some cases much more satisfactorily.

I want to make one comment about the issue of medicating children in care. The hon. Member for St. Albert has been dealing with a horrific case where somebody that I would deem to be an absolute rotter has been bringing children into a place that has not been licensed for day care and has been anticipating that nobody would catch her at it. This may have happened in other situations, and to some degree everybody should know that it's buyer beware and that they should check and follow through and find out when people present themselves as child care professionals licensed to do the work they do. They should absolutely make sure that they check with the local children's authority, phone the RITE government number, find out if they're registered, if they're licensed, because unscrupulous people will always make us look bad to the public. We do not condone nor should medication ever be given without parental and doctor's permission.

THE DEPUTY CHAIR: I hesitate to interrupt the hon. Minister of Children's Services, but pursuant to an understanding agreed to unanimously by the Assembly earlier this afternoon, I must now put the following question. After considering the business plan and proposed estimates for the Department of Children's Services, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense	\$673,068,000
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THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the Children's Services estimates and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Children's Services: operating expense, \$673,068,000.
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THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.
The hon. Government House Leader.

adjourn until 8 this evening, at which time we'll return in Committee of Supply.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we

[Motion carried; the Assembly adjourned at 5:18 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, April 10, 2002**

8:00 p.m.

Date: 02/04/10

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order. For the benefit of the members as well as those in the gallery this is the less formal part of the Assembly, and if you happen to look at your sheet and you can't spot the people, that's because other than those who are speaking, they are free to move around the Chamber, and they sometimes do, to the chagrin of the chair. We'll go by the usual rule; that is, we only have one member standing and speaking at a time if we can do that.

Before we commence our evening's deliberations, may we have consent to briefly revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

MRS. McCLELLAN: Mr. Chairman, members of the Legislature, I'm very pleased to have the opportunity tonight to introduce to you and through you to the members of the Assembly a group of very special guests, the members of the Alberta Irrigation Projects Association. Since its beginnings in 1946 AIPA, as we fondly know it, has promoted the best use of water resources in our province. It represents 13 irrigation districts in southern Alberta and has an indirect membership of about 6,000 persons.

Today they work with all levels of government to ensure that we are well informed and well versed and make good decisions on water-related issues. They certainly foster a very healthy environment and not only encourage but implement technologies that maximize the benefit of the water that's available to us in southern Alberta for the benefit of all Albertans.

Mr. Chairman, we have a number of members with us. I would like to introduce each one of them individually, but I think that in the interests of time and the estimates that we're going to debate here, I would introduce their chairman, Mr. Keith Francis. I would ask all of our honoured guests and Mr. Francis to rise and receive the very warm welcome of this Assembly.

head: **Main Estimates 2002-03**

Economic Development

THE CHAIR: Thank you. Are there any comments or questions to be raised with respect to these departmental estimates? We'd ask the minister if he would care to begin the evening's discourse.

MR. NORRIS: Being new to this business, Mr. Chairman, I heard the question called, so I'll call for the vote, I guess.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

You've changed your mind, hon. minister?

AN HON. MEMBER: Flip-flop.

MS CARLSON: Just one more, Mr. Chairman: nothing less than we would've expected.

MR. NORRIS: Well, with that rousing introduction, Mr. Chairman,

I'll start my remarks, and I'll offer my thanks and welcome to the irrigators' association. I know that they are probably going to be hanging on every word. I do want to thank them sincerely for what they do for the province. As Economic Development minister I know their work is vitally important, and I join the minister of agriculture in welcoming and thanking them.

Before I begin, I'd like to introduce some individuals who have joined us here tonight. Whether they want to be introduced and agree to let it be known that they associate with me is up them, but they're up in the gallery. I'll introduce them and ask them to stand and be recognized: our deputy minister, Mr. Barry Mehr; next to him, our finance director, Mr. Jim Bauer. Next to him is Mr. Rick Sloan, our ADM. Next to him is Rory Campbell. I'm really not sure what he does, but he always shows up on the trips. Protocol. And, of course, next to him is somebody who's in training, Sasha Angus. Behind him, hiding because of obvious reasons, is Duane Pyear. If you would please extend the warm welcome of the House. I want to thank them sincerely for what they do for the department and for the fact that I still have a job this year. That's outstanding, fellows. I appreciate it.

As you're aware, Mr. Chairman, Alberta Economic Development is the lead marketing arm of the government of Alberta. Our mandate is to promote the continued development of Alberta industries, international trade, and investment and to market Alberta as the tourism destination it should be. Today I will briefly report on the state of Alberta's economy and discuss our department's 2002 business plan and the budget.

Last year, as we know, Mr. Chairman, Alberta's economy was incredibly strong. Our overall GDP for 2002 is expected to remain high, and Alberta will have one of the country's strongest economies once again in the year 2002. We performed extremely well, particularly after September 11. I know that this speech is not going to be what people want to hear tonight, so I'm just going to talk about what we're doing in Economic Development and then answer any questions that people have.

Mr. Chairman, the Department of Economic Development's main focus is to promote what is, as we all know, the best economy in Canada and certainly North America. To that end, we have core businesses which we focus on, and to that end, we have strategies which are linked to our core businesses. It's vitally important for this House to know that Economic Development provides the support and the strategic alliances that businesses in Alberta ask us to provide, and we do that through a number of ways. We do that through our foreign trade offices, we do that through our regional offices, and we do that through our Edmonton and Calgary offices, which are solely mandated to respond to businesses in Alberta and their requirements. Through our programs we attempt to identify the regions of the world that have the most to gain from dealing with Alberta, and we target those areas on a regular basis through trade missions and trade offices.

Further, Mr. Chairman, we have recognized the industries in Alberta which are the true economic drivers of the province, and we continue to support those, and we look for emerging industries and ways to help them develop within the framework of Alberta. It's very, very important for the House to know that the Economic Development department is there to support Alberta businesses. We recognize that they are the ones who are driving the economy, they are the ones who create the jobs and the wealth, and they are the ones that deserve not only this government's support but this government's respect. To that end, we try and give it to them on a daily basis.

SOME HON. MEMBERS: Hear, hear.

MR. NORRIS: Thank you for not being asleep.

The other issue that I'd like to address, Mr. Chairman, is the issue of tourism in Alberta. I would like to discuss tourism for a few minutes because in my estimation the province of Alberta can do nothing more vitally important to diversify its economy than to recognize the value of tourism and the importance of what it can bring to not only the icons of Alberta tourism but to rural Alberta. To that end, our department works very, very diligently with the other departments that are involved in the tourism industry and the stakeholders to work out plans to continue developing and growing the tourism opportunities in Alberta.

Mr. Chairman, our budget is before you in the House tonight. I'm very proud to say that we responded to the events of September 11. We followed the Finance minister's guidelines, and we have put together what we believe is a strategic budget focusing on our strengths and helping the industry where we need to. But I'd also like to point out that within the framework of this budget there are a number of opportunities for Alberta to continue diversifying, and we continue to look at ways to do that. Some of those are our regional alliances, which are, simply put, economic regions throughout the province that encourage regions to focus on the strengths of particular areas of the province rather than the individual cities or towns. That is a very big, successful program, and we're going to continue that in order to help rural development.

I'd also like to point out that in light of September 11 and the comments of the President of the United States our department and certainly myself feel that Alberta is about to get ready for a rocket ride for the next 20 years. Anybody who heard the comments after September 11 about Fortress North America and President Bush looking for a continental energy policy surely must have been as excited as we were to understand that that indicates that they do not want to have an insecure supply of oil. They will look to North America to do it, and they will come to Alberta, Mr. Chairman; there is no doubt about that. When they do, we had better be ready for it, because it's going to be a great 10 or 15 years.

8:10

With that, Mr. Chairman, I will close by saying that it is an honour to be part of this department. It's an honour to have the ability to point out the strengths of Alberta's economy, and I'd like to point out something to the House that I think is very, very important. The position that Alberta is in now in the nation of Canada is due to Premier Klein and the classes of '93 and 1997, who had the courage to put Alberta on a course that is different than any other province in Canada, and it is not a fluke that we have the highest employment, the most development, and the highest immigration of people. It is amazing what you can hear when you travel around the world about Alberta, and I'm going to do my best to continue to promote that to not only the people of Alberta but the people of Canada and the world.

With that, I will close, and thank God we live in Alberta.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. It's a pleasure to be able to speak this evening to the Economic Development estimates for this year, 2002-2003. I, too, would like to welcome our guests here this evening to watch the antics of the Legislature. They seem to be in quite high spirits this evening. It's not always like this, but for some reason they're . . .

AN HON. MEMBER: It was until you started speaking.

MS CARLSON: It was until I started speaking. Now everybody can go back to sleep, yes. Well, that's good. It's a little easier to actually talk and get to the points at hand when some of them over there are sawing logs.

I would also like to thank the staff for being here this evening and thank them for a job well done over the course of the year and particularly thank Rory Campbell for what he puts up with with this particular minister. It's a little tough to keep him on task; I know that. You certainly all have my deepest sympathies at moments.

There's no doubt that this minister is – how to say this diplomatically? – one of the best cheerleaders that this ministry has had certainly since I was elected in '93, and certainly since this time last year I would evaluate his performance as being slightly better than unspectacular.

MR. MAR: It's happy hour.

MS CARLSON: Well, it isn't happy hour in here, Minister of Health, I'm sorry to say.

AN HON. MEMBER: The sky is falling. The sky is falling.

MS CARLSON: No, no. I'm not saying at all that the sky is falling. Far from that. In fact, this is a ministry that I like, and you know that I like it because I seldom have questions to ask about this particular ministry. In general, they work within a reasonable framework and don't do that bad a job. But, you know, in terms of the minister himself and the direction and the leadership that he shows, it's very cheerleaderlike in fashion. And good. That's what this job is in part. But it is also more than tub-thumping and chest-pounding, Mr. Chairman.

This is a key ministry for this particular government in defining strategic . . . [interjections] It is. I agree totally: this is a key ministry. If we look at what has happened historically in this ministry since '93, which is when the big round of changes happened in terms of how the government defined its policy and implemented it, Economic Development used to be what I would call a cornerstone ministry, one of the ministries in this government that had, I would say, huge power, big dollars, and lots of say in decision-making and how things happen. When the cuts after '93 happened, we saw it actually become a shell ministry. Most of the resources were sucked out of it. It had a framework, but it didn't have much meat to it.

There were some concerns that they were just treading water, not because of lack of desire on behalf of the staff but really because of lack of resources and lack of focus from the government and emphasis on this as a driver. Given all the costs that were happening in that time period and the focuses that were on other areas, particularly health and education, Economic Development I believe was essentially left to its own devices. Oil and gas were going to continue to do well, forestry was mapped out, tourism was growing, and they could hold their own during that time period. In fact, that was the time period that the Member for Edmonton-Glenora was with the department. I know they worked hard during that time period, but there was a little bit of lack of support, I believe, from the front bench for Economic Development.

We've seen a change happen recently, I would say not directly attributed to this minister. Certainly at the time when he became the minister, there seemed to be a change in focus. It was, I believe, seen as once again a cornerstone kind of ministry and given a little bit more substantive credibility, perhaps you could say, at the table in terms of government decision-making, and the focus was changed to see that there was a need for leadership in this area. If we were

going to stay as one of the most viable economies in North America, then some focus had to be placed here. I think that's good. I think that's a positive change in direction, and I'm happy to see this happen.

I still don't see here though, in a general sense, that there is an overall focus on developing a long-term, integrated, strategic direction in this ministry and between this ministry and others that are directly related, which include most of the ministries represented by this government. I'll get to some of the minister's comments in a minute, but even his comments would tend to make me believe that this government has quite a short-term vision, that they're looking for a quick fix in where they go in Economic Development, some quick winners that they can put little gold stars on and say: look what a great job we're doing. What we don't have is the five-, 15-, 20-year plans that show Albertans and the globe how we are going to continue to be economic development leaders across industries and across ministries. That's what I'm looking for from this department. I think it's possible to do this, and I think it's possible for this minister and his department to be able to develop this and to push this government into global leadership. We have some unique opportunities here in the kinds of cash flows we have and in the kinds of development we currently have in some cornerstone industries, but we're in danger of becoming dinosaurs in some of those areas and of not taking the kind of strategic lead that we could if we don't see some plans develop.

I'm hoping that the minister will respond to my comments, and I'm pretty sure that if he does this evening, he's going to say that we do have objectives and strategies and benchmarks and performance measures, and that's true. The business plans were a good step in that direction, and setting out the goals as they have is a good perspective to have. However, what we have still is a bit of a lack of integration in these areas. This government likes to take a business model, and in this department particularly I think that's probably a good idea, but to take a business model from beginning to end is really the goal. You can't just take the headlines of a business model and think that that works.

We have some lack of integration. We have some performance measures that don't actually measure the kinds of outcomes that need to be measured, and some of the inputs don't tie into the performance measures. We've seen over the years that the Auditor General has commented on this. So I would like to hear from the minister what it is that he plans to do in terms of tightening this up. Perhaps you have this in the department and what we see here is just a summary within the business plans, but I need to see some more detail, some more substance. So I want to know what the minister and his department are doing in that regard and some of the outcomes. We get here under performance measures "goal" and "objective": Good. "Performance measure" – yes – and "type of measure." But we don't actually see here the outcomes and the areas that you're working on for improvement and the areas where you have exceeded your own goals in terms of performance, so if you could just deal with that a little bit, I'd be very happy.

8:20

I'll just deal now with some of the minister's opening comments. He talked about this department being the leading marketing arm of Alberta. Good, I think, and necessary, but I don't think that that's the only mandate of this department. Marketing is one aspect. You have to have the substance leading up to that in order to be able to deliver in a long-term perspective. I don't always see this happening here, and that's mostly, I think, a lack of integration between departments. I'm thinking particularly of Agriculture and Sustainable Resource Development and Environment as the areas that I

think aren't fully integrated with this particular department. Maybe I'm wrong, and we don't get the information. The minister can clarify that.

He stated in his opening comments that his focus is on international trade and development and on Alberta as a tourism destination: all very laudable goals; no doubt about it. International trade and development is particularly important as we are really an export province, and when we have these dollarettes instead of real dollars to deal with, really a key component of our economic wealth is to ensure that we're maximizing our abilities as exporters. Part of the problem with that is that for decades now we've been lead exporters in either raw resources or very close to raw resources, and while I see some changes over the years in some of these areas, particularly forestry and oil and gas, I see that we still primarily are exporters of raw goods rather than finished products. So if the minister could elaborate on what undertakings he has in his department to change that kind of a focus, I'd be very happy to hear. It's been an ongoing problem for this province. It's really easy to put those logs on a truck and ship them to another province, to another state, or to another country. It's not quite as easy to figure out how we can economically and competitively produce finished goods, but I think that's part of the future.

What, particularly, is this department doing in terms of looking at replacements in our economy for oil and gas? Now, I know the former energy minister told us many times – I'm referring to Steve West here – that in spite of what all the naysayers said, every time we run down to the last 25 years of oil reserves, they find more oil in this province, and we're going to have it forever. He said the same thing about gas. I think in the past it's been very true that we've heard the doom and gloom and then the next thing you know, people have found new reserves and we've got more capacity. But I think technologies have improved by this date to where we have a much more accurate inventory of our reserves in the province at this stage, and we can clearly say that they aren't limitless in supply, particularly gas. We're in shallow wells for the most part over the most part of this province now, more expensive to drill and with fewer reserves.

So I look to Economic Development to start to talk to Albertans and lead us in a direction where we see replacements in our economy for those particular commodities as part of our revenue base, albeit we won't be in any serious problems for 15 or 20 years in this particular area. We need to have some focus, and now is the time to be thinking of those kinds of directions. I'm sure that the minister has considered this and is working on it in some capacity, and if he could share that with us, we would be very pleased.

This is a serious question. We have some interest groups who are particularly interested in how the government sees in the long term replacing oil and gas revenues. I would hope that while you may have some comments with regard to that this evening, we'll get something written in response to this, because I'll be taking that information and sending it out to the groups and letting them know that this was in response to questions asked in estimates. So the better it is, the better you look.

The minister in his comments talked about this being the best economy in I think he said North America. Certainly it no doubt is. It's a very strong economy. We've got lots to work with here. During the good times I think we need to ensure that the goal is to not only capitalize on that but to build for the future, and I think I've heard the minister speak often enough to know that he agrees with that.

The minister talked to some extent about foreign trade offices, and we'd like some more information on those. We've seen a change in how foreign trade offices were managed since I came into the

Legislature. I think during the early '90s and the early '80s they were glorified retirement positions for preferred friends of government. I'm not sure a whole lot got accomplished in them, and we had a lot of investment in bricks and mortar. We saw that change, which is really good news. I see a bit of a swing back to opening up more trade offices, and I'm not opposed to that. We just want to make sure that we're getting some bang for our buck. So if the minister could tell us which offices in the last year they've opened, which they've closed or are contemplating closing, and how they're measuring success in those offices. I know that they've looked at some new kinds of innovative strategies in the opening of the offices. Could he talk about those in terms of where they're located, how they're costed out, and what kinds of dollars are allocated to them?

Particularly I'm interested in what the outcomes are. How do you measure success? Now, I know there's a component of that that's really tough to measure. Often those offices are an entry point for people trying to do business in the country or those trying to export out, and some of those results are somewhat intangible and sometimes take a long time to measure. I think there is a value to having that service there, but there are some measurements. We'd like to know what you're using and how you develop criteria for whether an office is meeting its mandate and how successful they are. What are the criteria that you develop for deciding that offices are no longer viable?

This is more than just, I think, providing support for trade missions, although those are valuable. Could we know which trade offices have had trade missions through them and how many have had measures of success afterwards, after the trade mission has left? Do developing businesses continue to go through the trade offices, or do they just use them as initial contact sources? It could be both. That doesn't have to be so detailed, Mr. Minister, if you don't mind, just some general overviews. In fact, probably just what you could talk about in that regard would be satisfactory.

Mr. Minister, you talked about emerging industries and that you're helping them to develop. Could we have some detail on exactly what that means? Helping emerging industries can mean many things to many people. Does it mean that there is capital support, operating support, services support, training support, initial research support? Some of those details would be helpful in terms of knowing how much this ministry may be deciding to get back into the business of supporting business. It has been our position for a long time, for as long as I've been looking at policy directions, not to support businesses in a large way that may create an unlevel playing field for them in the industry. So we would hope that that's not what the minister meant, that there's a different kind of support being offered here. What we have found traditionally and what particularly have been the outcomes with this government's relationship with business is that by supporting them in any kind of an overt financial or even marketing sense, the businesses become uncompetitive and end up in the long term failing or continuing to require government subsidization, and what that does is hamper the Alberta economy and create undue hardships for other businesses who are in the same market and are trying to succeed. So if you can talk about that a little bit.

8:30

Mr. Minister, you talked about diversifying the economy. Very good. And you talked about the value of tourism. Also very good. However, we do know that with tourism it can be a huge draw to a region, and we certainly get a large share of the tourism draw in Alberta. That's all very good, and I certainly support that as an industry initiative. However, in the long run . . . Oh, I'm out of time. Thank you. I'll come back and finish this thought and some others.

THE CHAIR: The hon. Minister of Economic Development.

MR. NORRIS: Thank you very much, Mr. Chairman. I would like to commend the hon. member for her questions and for the general tenure of her conversation. It appears that while they are opposition members, we agree on the direction that Alberta has to take, and I believe that her comments about our department being much maligned and underfunded are inaccurate. I believe that we have enough resources to do what we need to do, and we'll continue to fight for more where we see the need for them.

Her comments about the province being in virtually the same place as it was 10 years ago with respect to oil and gas could be nothing further from the truth, Mr. Chairman. The diversification program is working, and I will provide her with the documentation and the facts and figures to support that.

She had talked about a five-, 10-, and 15-year plan and the absence of it, and I would like to respectfully disagree with that. We do have a plan. It's called Get Ready Alberta. I'll send her the information regarding that, but it's basically talking about the need for postsecondary education, continuing the skill level of Alberta employees, and making sure that Alberta technology is where it needs to be. To that end, my hon. colleague the Minister of Innovation and Science is overseeing the Supernet, which, according to *Time* magazine, is one of the most brilliant government innovations of the 20th century, and that's another way the Alberta government continues to lead.

With our main value-added strategy that you referred to, I would like to point out that we believe she's exactly right, and to that end we are working currently with four other ministries, most of the ones she referred to. Once again I thank her for being ahead of the curve, and our theory is to continue to build on what we need to do to sell the products at the highest end of the value chain. As the hon. member is probably well aware, commodity prices over the last 20 years have remained relatively flat, while value added has gone through the roof. So that is where our focus is. I can certainly share that information with her.

She referred to our oil and gas reserves being in short supply. Well, I would like to suggest that the hon. Member for Fort McMurray would disagree vehemently with that. The latest estimates based on the total world requirements of oil put the oil sands able to supply us with 200 years' worth of supply. So I don't think that's a problem, but it's clearly something that we want to continue to get away from as we have in the last 10 years.

She referred to our trade offices very glowingly, and I want to thank her for that. I believe nothing is more important when you have a good product than getting out there and letting people know. We have a hiring policy that is extremely strict. These are not patronage appointments in any way, shape, or form. The people have to have a minimum five years' business experience, have to be fluent in the language of the country they're in, and they have to go through a hiring policy that is extremely open and transparent. I'll share that information with the member as well. As a way to keep the cost down, we try to collocate with the federal government wherever possible, such as in the Munich office, which we just opened, and we are attempting to do that in Mexico City and London, England, as well. Why we target those markets is because we respect that they are the biggest sources of foreign investment and trade in the world, and that's where we need to be.

I guess in closing I would like to thank the member for her comments and reassure her that we are not in the business of being in business, nor do we ever intend on being there again. That's clearly an economic pitfall waiting to happen. What we do try and do is to continue having a broad-based low tax. We have the lowest

corporate taxes and the lowest personal taxes. I know it makes certain hon. members of other parties squirm, but we believe firmly that if you leave money in the pockets of those who know how to generate it, guess what? They're going to generate more of it. These are long-term sustainable jobs. These aren't government-made projects, and we encourage the Alberta businessman to continue to set up here, risk his hard-earned capital, because it's the best place in the world to be.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I'm pleased to have an opportunity to address the estimates of the Economic Development department this evening. I'll start off with a few rather simple questions, I guess, and that is asking for some explanation in terms of the changes in categories in the government and lottery fund estimates.

If you look at last year's budget under Department Summary, the four categories were ministry support services, market development and investment attraction, tourism marketing and development, and economic policy and planning. This year the categories have different names and also a difference in some of the numbers that have been carried over. I wondered if the minister could explain the kinds of changes that have occurred to result in the categories being what we see before us.

I look at last year's budget in the minister's office, and under program 1, performance management, was an item of \$912,000, and it doesn't appear under Ministry Support Services in this year's budget. We still have communications and the deputy minister's office and the minister's office, but we don't have finance and administration, nor do we have performance management.

I raise the questions partly because one of our tasks is to try to track the changes in department spending. We have the same difficulty when categories are changed that have been highlighted by the Auditor General in terms of being able to make valid comparisons when the way that information is reported keeps changing. So I would appreciate some comment on the reason for the changes, and I'm sure that there are a number of explanations for the changes that have had to be made.

I have some specific questions, Mr. Chairman, and would ask the minister if he could provide an update on the implementation of the Get Ready Alberta strategy on page 133 of the estimates and would ask the minister if the department has considered what has happened to the work environment with respect to learning and teachers in terms of drawing and attracting teachers to the province. It seems to me that there's been such a change in the climate that attracting teachers is going to be difficult, and I wonder if that has been a concern of the department. In terms of our high school students, when they start contemplating the future and their options for the future, what kinds of concerns does the department have about retaining those students in the province, and what is being done to help those students at the present time? Is the Economic Development department concerned with promoting Alberta to prospective teachers as a place to live and work? What kinds of things can be done to ameliorate the effects of the current labour disruption?

8:40

Getting ready for the future apparently starts with the youngsters, according to the Get Ready Alberta year 1 report. The best preparation for Laura, Max, Jennie, and all Albertans comes with a healthy start and a good education. We see our youngsters on the steps of the Legislature these days. How is that helping them get the start,

and how does it show the kind of leadership that is talked about in terms of a cross-ministry economic development strategy at the present time? So a number of concerns, and it may not be a concern of the department, but it's something that has been raised with us as a concern for people interested in the field.

There are some specific questions I'd ask while I'm on page 133. What exactly does the \$3 million for strategic economic leadership get us? How is that money spent, and what is the advantage of that for Albertans? What exactly does the \$8 million for industry and regional development buy us? How are those funds going to be instrumental in helping the economic development of the province?

The department talks about responsiveness and effectiveness being enhanced, and again it would be helpful if we had some specific examples that we could draw upon.

Those are the initial questions I have, Mr. Chairman, but I would be interested particularly in the change of categories in the budget documents.

THE CHAIR: The hon. minister? No.

Okay. The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I'm pleased to rise tonight to speak to this department, and I even wore a special tie to recognize the sartorial habits of the minister. It's no match for his ties, but it's as good as I can get.

I'm wondering if we might be able to engage briefly in some discussion on, oh, philosophical or strategic issues around economic development. The budget is significant, certainly. In the overall scheme of the total provincial expenditures it's relatively small, and it is, I believe, a bit difficult to follow trends over the last few years and compare this year with previous years because of significant changes in the budget. There is one I would like to ask about a little later. Perhaps what's most valuable this evening is to address issues that underlie the challenges and opportunities for economic development faced by this department and by the province as a whole. I recognize that the minister may not be able to respond here verbally, but if he is, I'd appreciate that and we can engage constructively in a discussion.

The first sector around which I'm sure we all have some concerns is forestry, the risk that the province's forestry industry will be and in fact is being hit hard by the dispute with the United States. There's a risk, in fact, that I think within weeks we may be seeing significant layoffs in the forestry industry, and I'm wondering if there are strategies in place and if the minister might be able to share those with us. I recognize that some of those strategies may be confidential for negotiating purposes, but at least to the extent that they fit into this budget and fit into the plans underlying this budget, I'd be curious if the minister has any comments on that particular issue.

Do you want me to go through four or five areas, and then I'll open it? We can pop up and down and keep the bloods flowing. Thanks.

THE CHAIR: The hon. Minister of Economic Development.

MR. NORRIS: I don't think he's here tonight, Mr. Chairman. Recognizing I'm insignificant, but it's Economic Development.

THE CHAIR: That's what I said.

MR. NORRIS: Community Development.

THE CHAIR: Well, I beg your pardon.

MR. NORRIS: Well, they're already telling me that it's a small department.

THE CHAIR: But a mighty voice it has.

MR. NORRIS: Mr. Chairman, there's a recurring theme here about how small our budget is, and like I tell my wife recurrently: good things come in small packages. So I don't know what their concern is. We feel very adequately funded, in response to the member's comments, and are proud of the resources we're given.

With regard to forestry the member has raised an excellent concern. Forestry is indeed our fourth largest industry. It employs over 54,000 people. It has approximately \$7 billion in gross revenues, which is extremely significant given the member's comments earlier about diversification. Our strategy at this point is to deal with the Minister of International and Intergovernmental Relations on every aspect that we hear from industry – and we do hear a lot – relay it to his department, which is the lead department, and let him continue the good work he's doing with the Minister for International Trade, Pierre Pettigrew. All of the tariffs that are being suggested have not come into effect, and we continue to work hard to make sure that they are changed prior to their coming into effect.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman, and thank you, Mr. Minister. The next sector I'd like to address is one that's come up many times in this Assembly and it will continue to for years, I'm sure, and it has to do with electricity, two different angles relating to the electricity sector. One has to do with the concern over prices: prices to industry, prices to consumers. This is, I'm sure the minister would agree, a fundamental building block for Alberta's industry for value added or indeed for any industry.

Electricity has historically been one of Canada's real competitive advantages and one of Alberta's real competitive advantages: the ability to generate and deliver low-cost, reliable power. The last two or three years in Alberta have seen a lot of turbulence around the electricity industry and around prices in particular. The wholesale spot market at least continues to be very volatile for electricity in Alberta, and I worry about that as a threat in a sense to Alberta's ability to attract and hold onto certain kinds of energy, major energies that are heavy consumers of electricity such as some high-tech industries. I know you're not the lead minister on this, but it seems to me to be an economic development concern. So I'm not sure if you have comments on that or if that fits into your strategic plans here at all.

8:50

The other question that comes out of electricity is the issue of exports. Now, we're all in favour of exports, most kinds of exports anyway, from this province, whether it's oil or gas or grain or forestry or manufactured goods. I think there are, however, different kinds of concerns around electricity exports, and I'm a skeptic myself of the value of developing electricity into an export commodity. Again, if the department is involved or not in plans around that and if they fit into this strategic plan and are supported in the budget, I'd be interested in the minister's comments on that.

MS CARLSON: And convince us that we're wrong.

DR. TAFT: Yeah, he can try to convince us that we're wrong if he thinks we are.

THE CHAIR: The hon. Minister of Economic Development.

MR. NORRIS: Thank you very much, Mr. Chairman. It seems to me that last year at this time when I was honoured with this portfolio, the discussion of electricity was relentless, and at that time I believe the hon. Member for Edmonton-Ellerslie was predicting that businesses would be leaving in droves. Well, a year later we know that that's not true, and we have factual evidence, which I can present to her, that says that Alberta continued to have the highest net migration of businesses into the province of anywhere in the jurisdiction of Canada. They understand, as I said then and I will continue to say now, that the Alberta advantage is made up of many things, not the least of which is electricity.

I'd like to point out some of the aspects of the deregulation program that have been remarkably successful. Because of deregulation we now have a viable wind power industry that's forming in southern Alberta. We now have numerous players who would not have looked at Alberta prior to that bringing in more supply. I don't know whether the hon. member opposite believes in supply and demand, as I do, but it drives market prices down. That is a fact of life, and it's happening in Alberta.

I would also like to remind the hon. member that with regard to this specific situation our Premier has stood in this House numerous times and has said: electricity as an export is not on the table until all of Albertans' needs are met. I would also like to remind the member that part of the problem that was created this time last year was that the province of British Columbia, who exports electricity for profit, seized that opportunity to make Albertans pay very dearly because they were in a position to do so.

So I disagree. I believe that electricity, when Albertans' needs are met, is an outstanding opportunity and will continue, as the member has suggested, to diversify our economy. What could be wrong with that?

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. One of my fundamental concerns with exporting electricity from Alberta is the environmental impact, because as the minister knows, we generate that power mostly through burning coal, and like it or not, there are serious environmental issues there. Nonetheless, we'll move on to the next sector.

I did take note and support the minister's comments on tourism. Through the '70s and '80s tourism was a top priority for this government, and I think it is again now. That is important. I think we all support that.

My questions have to do again with strategy around developing tourism. There were undertaken in the '80s a series of dramatic projects to boost the tourism infrastructure, the tourism magnetism of this province. I'm thinking of events such as the Winter Olympics in Calgary. I'm also thinking of permanent facilities such as the Tyrrell Museum of Palaeontology, the Remington carriage museum, the other equivalent facilities like that, Head-Smashed-In Buffalo Jump and a number of others. Certainly some of those, the Tyrrell museum probably leading the way, have been responsible for attracting hundreds of thousands of visitors a year to this province. Are there plans or strategies in place to continue with that sort of infrastructure development in the province, and if there are, can the minister share any of those with us?

MR. NORRIS: Well, I would at the outset like to thank the hon. member for recognizing what I believe our department has recognized, that tourism is one of the cleanest and certainly most reliable and renewable resources Alberta has. As I say when I tour around the province, it's my personal belief that God was smiling when he

made Alberta, because there's not one part of this province that doesn't offer a tourism opportunity and isn't beautiful.

Tourism is the fifth largest industry in Alberta, as the hon. member probably knows. It employs over 110,000 people, and it generates over 4 and a half billion dollars in receipts. I don't disagree with the hon. member that it may be time to look at new destinations. I know that the hon. Member for Drumheller-Chinook knows full well what a difference the attractions you were referring to, the Tyrrell in Drumheller and Head-Smashed-In, have made to the region. [interjections] On highway 9.

What we are attempting to do now through a strategy that is in place in our department with a cross-ministry initiative is identify where we can find some opportunities to develop, and we will be continuing to do that over the next two years. I can share that strategy with the hon. member at the appropriate time.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. The next sector, the largest and dominant sector in the Alberta economy in my view, the sector that separates Alberta, say, from Manitoba, is the energy sector, the petroleum industry. Despite our efforts at diversifying the economy of the province, the economy here is still driven by the energy sector, and I think that the boom or the surge in the economy that we're experiencing in the province is a direct result of the energy sector.

We need to divide that into different components. Obviously there's oil and gas, but there's also the oil sands here. My concern is that conventional oil and gas reserves are declining steadily. I don't think there's any way of denying that, despite the looks from the Treasurer opposite. I think the trend lines on conventional oil are clear, and they've been steadily downward for certainly over a decade, and gas reserves are also nearing a peak and are expected to begin diminishing in the near future as well. I think we all share the concern that while the oil sands are practically limitless it seems, the conventional petroleum reserves are not. Indeed, we've been in a position in Alberta where revenues to the province from gambling have passed those from conventional oil some time ago.

[Mr. Klapstein in the chair]

We talked earlier about the Tyrrell museum and the importance of that place for the Drumheller area and the whole river valley through that area. If you tour that river valley, as you drive down the highway, say, from Drumheller to Dinosaur park, you will go by a remarkably large number of abandoned coal mines, coal mines that were flourishing in 1950. I think that there were over 100 coal mines in the Red Deer River Valley in the Drumheller vicinity in 1950, and by 1965 there were less than 10. The problem wasn't that the coal ran out; the problem was that the demand shifted from coal to diesel for the railroads.

One of my concerns is that we at some point, because of technological developments, could face the same situation with demand for liquid petroleum. At the same time that President Bush of the United States announced the desire for a continental energy policy, I think he made provisions for something like an \$800 million investment in alternate fuels. I see that as a potential threat to the economy of this province, and I'm really looking here for, again, a philosophical or strategic reflection from the minister, recognizing that undoubtedly the lead minister on this is the Minister of Energy. Nonetheless, this is an Economic Development concern of profound magnitude for our province. Has his department got strategies in place? Are they working with other ministries to look at issues around the decline of our energy reserves or the potential that they

may be made simply irrelevant through new technologies that don't need that sort of resource?

9:00

MR. NORRIS: Well, again, Mr. Chairman I'd like to thank the hon. member for the opportunity to have a broad-based philosophical discussion if that's what he wants to engage in. Conventional supplies may well indeed be dwindling. I'm sure the members for Calgary-Varsity and Calgary-Foothills would know more than I about that, and we can certainly talk further about that. I can tell you that the Member for Fort McMurray will, I'm sure, back me on what we referred to earlier. I guess what I would point out and one of the reasons I'm very proud – and I don't want to risk offending the hon. Member for Edmonton-Ellerslie by being a tub-thumper or a chest-beater. Is that what it was? I believe that Albertans are extremely resilient and have proven to be over the course of the hundred years that we have been in operation. Our department to that end continues to talk to other ministries on a regular basis and has seconded a member to our department now for a specific value-added strategy.

The premise of the value-added strategy is broad based on all of the top 10 industries in Alberta. It doesn't focus solely on oil and gas or agriculture or forestry or tourism or petrochemicals or environmental services or any of the others but on all of them. The idea, as I said earlier in my opening remarks, is to find the resources and the strategic direction to say what we can do in environmental services, for example, which started out 10 years ago as a virtual nonindustry and is now a \$3 billion a year industry and world respected. How do we encourage those industries to continue recognizing Alberta as the place to do business from? Our value-added strategy, which I will share with the member, addresses all of those concerns on a very broad base. So if conventional oil and gases do dry up, because we know they will at some point in time, I'm not as worried that we are not replacing them with other industries.

One of the ones that I'd like to touch on that I feel very passionate about is the aerospace industry. Unfortunately, due to federal intervention certain parts of the country have continued to get an extremely unfair advantage in the aerospace industry, and I don't think I need to go into those areas, because you probably know them well. But the Alberta government and our department now are focusing on the aerospace industry that is centred in and around the Calgary airport, which is a huge economic driver, but also around the Edmonton airports and saying: how can we develop the platform that will make the Boeings and the Spars and the Airbuses of the world want to use our strategic hub and our low dollar, et cetera, to service the American market? To that end, SAIT has made an announcement that they have set up a school that will address that exact thing. It's a \$12 million initiative being set up at the airport in Calgary, which is remarkable by any stretch. It's a North American first, and it is being put there solely to address the aerospace industry's needs and to develop that to take it from a 10th place, \$1 billion a year industry to maybe a fourth or a fifth and to start value-adding and continuing the diversification.

So I think I will share those comments verbally and get you the written information that you are asking about.

DR. TAFT: Thank you. I appreciate that. One last question. I'll go from one extreme to the other, so will go from the strategic discussion we've been having to a particular line item. I might not have heard my other colleagues mention it, but I want to make sure the question is raised. I'm on page 134 of the estimates. Ministry revenue takes an enormous rise, if I'm reading this correctly. The estimates are – oh, okay. Sorry; I can sort this out myself. It looks

like you're getting a very substantial contribution from the lottery fund, \$14.1 million. I would be interested to know what that's being used for, and is that one time only or is that going to be ongoing?

MR. NORRIS: That represents the tourism initiative. The \$14.1 million is community lottery funds for tourism. I'll get a further answer for that.

THE ACTING CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you.

MR. NORRIS: Stand up.

MR. MASON: I can't even get started without getting heckled by the minister.

MR. NORRIS: I love you, man.

MR. MASON: It's tough love, though; isn't it?

Mr. Chairman, I appreciate the opportunity to speak about the estimates of the Economic Development department and to speak to issues raised by the minister. I appreciate his forthrightness and his being prepared this evening to operate on a fairly interactive basis. That's much appreciated and I think certainly makes it a more meaningful kind of process than it sometimes is.

I wanted to talk about five major areas and to ask the minister to respond as he sees fit to each of them at the end. The first one is the whole question of value-added as a concept for economic development. That means, at least to me, that to the extent possible, we do the processing, the manufacturing, the secondary and the tertiary processing here in Alberta. In my view, that will do a better job of creating long-term and well-paying employment for Albertans than simply exporting raw product.

There are a couple of areas that I'm particularly interested in. The first one is forestry. I wonder if the minister could comment on initiatives to increase the value-added component of forestry in this province and to ensure that to the extent possible we are exporting products with the highest level of finishing possible and what the government and his department are doing to enhance those opportunities for our province.

The area that gives me, I think, the greatest concern, Mr. Chairman, with respect to value-added is in the whole area of exports of natural gas. We know that that's a very limited commodity, but there was a policy change a number of years ago with this government that allows the export of natural gas in its raw form from the province. Previously government policy under Premiers Lougheed and Getty required that many of the components of natural gas that are useful in building petrochemical and pharmaceutical industries and so on had to be stripped out and retained here in Alberta. I noted that the Minister of Energy a few months ago was making comments about the potential for a natural gas pipeline from the Northwest Territories and Alaska coming through Alberta and his desire to see those very same chemicals taken out of the gas so that they could support a petrochemical industry in Alberta. But we're not doing as we say in this respect, and I wonder if the minister could comment on that.

I note also – and I'm sorry I don't have the name of the gentleman – that a number of months ago there were some public comments made by a senior executive with Celanese to the effect that they will not necessarily be able to sustain their industries in Alberta if they can't maintain a long-term supply of the appropriate raw materials, which in their case come from natural gas. So it seems to me, Mr.

Chairman, that in respect to this policy – and I appreciate that it's not directly under this minister's control, but I'd be interested in his comments – it certainly seems to me that what we're doing is exporting jobs by not insisting that the components of natural gas that are useful for petrochemicals and pharmaceuticals be retained here in Alberta in order to support those industries taking place here. I'd indicate also my view that something like a pharmaceutical industry is something that can be sustained in Alberta over a long period of time because transportation costs are relatively low given the nature of the product and the high value that it has.

9:10

I want to talk secondly about sustainability, and I want to come again to natural gas and to forestry. Some figures that I've seen recently indicate that in terms of proven reserves for natural gas we now stand at less than 10 years. The construction of a number of pipelines, particularly the Alliance pipeline, has allowed the export of raw natural gas from this province at an ever accelerating rate, and this quite frankly is a concern. It's not that we shouldn't be exporting gas and shouldn't be making money for the Alberta economy by doing that, but we need to take a look at how it occurs over a period of time and how quickly we allow that to occur and what we have in place for when the natural gas runs out. It certainly seems to me that while there may be more gas discoveries – and I'm sure there will be – it becomes more difficult and more expensive to find, and eventually you do tap out all of the practical reserves that may yet be discovered.

This is important also because natural gas revenues form such a very significant portion of government revenues. We talk about oil, but what we really need to understand is that the natural gas royalties form the lion's share of the royalty revenue for the province of Alberta, so there's also a government revenue issue associated with this. I'd be very interested in the minister's comments about whether or not we are depleting our natural gas reserves at a very, very high rate, what we're going to do when that happens, and how we will be able to sustain a petrochemical and a pharmaceutical industry in the province once the natural gas is gone.

The third area I wanted to talk a little bit about has been touched on already by the hon. Member for Edmonton-Riverview. That has to do with electricity, and this is a serious concern. I appreciate the minister's comments that we're able to sustain wind power, for example, but the primary reason for that, in my view, is that we have now sustained higher prices for electricity in Alberta. I certainly support wind power, but I concur with the comments of the Member for Edmonton-Riverview that long-term higher electricity prices are a disadvantage to the Alberta economy and that we would be better off maintaining a regime that can supply steady amounts and appropriate amounts of electricity at a relatively low price. I think that would really enhance the viability of Alberta's industry and enhance its competitive position. So even though the minister has already commented on that, I think it would certainly be nice if he'd elaborate a little bit on whether or not he believes that in the scheme of things – and I agree with him that there are a number of factors that you need to take into account – electricity is essentially the lifeblood of a modern economy and that to maintain it in a relatively low-cost environment is very important.

The fourth thing I would like to raise, Mr. Chairman, is the whole question of the education and research institutions in our province and their relationship to economic development. Certainly we've moved well past the time when we were merely hewers of wood and drawers of water, but if we're going to continue in that direction, there needs to be a closer relationship between our research and our education facilities and our economic development activities, and the

commercialization of research I think is an important part of that. So I'd be interested in the minister's reflections on where we're going and where we should be going in that respect.

The fifth point that I'd like to raise, Mr. Chairman, has to do with participation of Albertans in economic development. There are a couple of areas that I would like to raise, because one of the things that is occurring in this province is that there is a growing polarization between rich and poor. As a whole the province is becoming richer; there's no question of that. The economy is strong, and if oil prices bounce back, as it certainly seems they're going to given the situation in the world today, then that will continue. But there is still a serious problem with poverty in the province, and there is a significant sharpening of the contrast between rich and poor in our province. It's not limited to Alberta, but clearly the government's policies have not overcome that tendency, and I would like some comments with respect to that.

One of the ways that I think that can be achieved is through the encouragement of small businesses and businesses in the home. It's well known that a large majority of jobs are created by small business. So I would like to know specifically in the various sectors what the minister is proposing or his department is doing in order to facilitate small business participation in the economy, because in a very real sense, Mr. Chairman, that means the participation of Albertans in their own economy in a very significant way. It's something that I think should have a higher priority. At least in the documents that I've been going through from the ministry, it's primarily a sectoral approach – agriculture, tourism, and so on – but not as much as I would like to see about how we specifically target opportunities for small business people and people working in their homes within each of these sectors. I'd like to know if the department has specific sector-by-sector plans to promote small business.

I would also like for the minister to address the question of aboriginal participation in the Alberta economy. There is some mention of it in terms of cross-ministry initiatives in this report, but I certainly think that there's a lot that has been done but more that could be done. I'd like to get the minister to respond to how successful the province has been in encouraging participation of aboriginal Albertans in the economy, and if he can give us some ideas in terms of numbers, it would be very useful.

[Mr. Tannas in the chair]

So just in conclusion, Mr. Chairman, I think that there are a number of areas which require more detail, and they are: the role of value-added and efforts to increase that, the sustainability of key sectors of the economy, the infrastructure in order to support an economy and provide a price structure that allows Alberta industry to continue to remain competitive, the integration of our education and research institutions with Economic Development, and the issue of the equitable participation of all Albertans in the economy that we have.

With that brief summary, Mr. Chairman, I'll take my seat, and hopefully the minister can enlighten me.

THE CHAIR: The hon. minister.

MR. NORRIS: Thank you very much, Mr. Chairman. I will be delighted to respond to the hon. member's comments. Whether we ever agree or not remains to be seen, but actually one of the delights and beauties of being in politics in Canada as opposed to some jurisdictions in the world is that you and I can agree to disagree until the cows come home, and we probably will. But it's the democracy that we love and support that allows us to do it. I for one am very

proud to be able to say at the end of the day: we may never agree, hon. member, but that's the way it is, and that's just fine. So I'll answer the questions that you pose to me and appreciate the opportunity to do that.

9:20

I believe that the first thing you touched on is forestry. I would like to again at the outset say, as would the Member for Athabasca-Wabasca, who is far more knowledgeable in this than I, that forestry is vital to the province of Alberta and to its success. But we do not want to be shipping out wood when we can be shipping out furniture; you're exactly right. To that end, I will refer again to our value-added strategy, which talks about working in conjunction with industry rather than imposing certain ideals that we have. We do have and have had several workshops. I'll be attending one in May in Jasper to discuss with the forest industry what they feel we can do as a government to facilitate that and then try and continue formulating that in our value-added strategy, recognizing that there's absolutely no such thing as a quick fix. If the market that we on this side of the government believe in dictates that we are not going to get involved in subsidies – some of the hon. members encouraged us not to earlier, so I appreciate that – we are going to let the market decide. I know, given that, that Alberta businesses will rise to the challenge and get to the value-added stage that I think you and I both want. It is part of our value-added strategy, and I will be able to share that with you further in a written summation if you wish.

You've talked twice about natural gas. Once you spoke about it, then you went to something else and came back. So I'll address natural gas and your concerns in a very broad-based response. The current reserves for natural gas will certainly last longer than you and I will be in this building and, based on certain track records, maybe longer than both of us. Having said that, we are looking at ways to continue to bring natural gas in to feed the petrochemical industry that you referred to. You continued to refer to a pharmaceutical industry. Maybe you know something I don't, but I believe that you probably meant petrochemical.

The interesting thing about natural gas is that it is a commodity that is traded where it comes out. It's not like oil, which is a commodity that has a world value. So what the government of the day did to encourage the establishment of the petrochemical industry was the right thing to do at the time. What we can never do, nor will the Alberta government do – and I'm sure the former Minister of Energy will support me on that – is legislate where people can and can't sell their product. I think you're referring to the Alliance pipeline, which took natural gas resources out of Alberta into the mid-west United States. That was a market decision made by the producers, supported by the NRCB. The Alberta government had intervention status in that, and that went ahead.

Now, what I was referring to, hon. member, is that the massive gas finds that are in northern Alaska have to come down to the lower 48 somewhere. Because the infrastructure is there, just in and around Edmonton, what our job to do with the producers – and that's what I was doing in Dallas when you referred to that comment – is to make sure they understand that in Alberta we have the infrastructure they need. These are not plants you can set up on a whim and with \$100 million. These are several billion dollar plants. We have them all here. Our job is to tell them that and to make sure they understand that and that we have no sales tax, the lowest personal taxes, and the lowest corporate taxes so that the market itself is driven into Alberta. That is how we are going to ensure that those industries continue to flourish for many years past our tenure here.

You had referred to a specific company, and I know the company. It's located in the hon. Minister of Children's Services' riding. I

would be very remiss and it would be inappropriate of me to comment on a specific company and their business decisions. I don't know what went into how they made that decision. I don't know what their infrastructure is like. I don't comment on their business decisions. I know that similar industries are not having that concern because the price of natural gas, as you know, has come down dramatically since the time last year when that was a concern. But we will monitor. You're absolutely right: it's a feedstock, and we need to do what we can.

Electricity prices are not causing an unfair advantage in Alberta. There is no evidence of that. In fact, the evidence is all to the contrary. As I said, businesses have moved in on a net migration basis far higher than anywhere else in Canada, and there's a reason for that. Are we concerned about where electricity prices might go? Of course we are, the same as any other industry and the feedstocks that are required. But as I said earlier in answer to the hon. Member for Edmonton-Riverview's question, the deregulation in our estimation has allowed a freer market to continue to produce more electricity. More supply means cheaper price.

You have raised the concern of environmental standards, and I'd like to take a moment to talk about what I believe are some of the best environmental practices and standards in North America, which are right here in Alberta. We believe that the Alberta-based businesses are using best technology and are trying to get to a cleaner burning situation. As the hon. member must know, we have some of the highest emission standards in all of Canada, so I don't share your fear that using the natural resources that we have, which are natural gas and coal, to produce electricity will cause as much environmental damage. In fact, I disagree that they will. The evidence doesn't support that.

One of your comments that you and I can agree on tonight wholeheartedly is that educational institutions are not only an integral part of a community, but they are vital – absolutely vital – to economic development. We have to look at outside-the-box thinking and talk about them as a part of the community, which is a massive economic driver as well as a good source of education, a good source of diversification, and a good source of producing skilled labour. To that end, you're probably well aware that the University of Alberta was just awarded the nanotechnology centre for all of Canada, which is a marvelous thing. I alluded to SAIT having a breakthrough at the Calgary regional airports. There are a number of success stories. My department has got educational institutions on the radar and will continue to promote them in any way, shape, or form that we can. You are absolutely correct on that.

With regard to how we treat the rich and the poor in this province, although it does not fall under my ministry – it would certainly fall under the Minister of Children's Services or human resources far more – again, I could not disagree with you more. The tax treatment that we have is broad based and by far the fairest for not only low-income earners but the highest. I would remind the hon. member that the tax cutoff for low-income wage earners is the highest in Canada. It does not get any better than in Alberta. You can make the most money before paying taxes in the lower brackets than anywhere else in Canada. We have support systems that everybody in Alberta knows and respects, and we do take care of our poor. I believe, like all members on this side, that society isn't measured by how it treats its wealthy; it's how it takes care of those who can't help themselves.

There is probably one fundamental place that you and I will disagree, and that is that everybody has the opportunity to survive and succeed. It is not the government's place to promote that, and that's where we will always disagree. If you want to do something in Alberta, you have the ability to do it, and if you believe that

somebody attempting to raise themselves up should be taxed or brought back to a lower level to help people who aren't doing that, then we'll always disagree. If you are talking about people who will never have the opportunity to earn money, yes, we are on the same wavelength, and I again believe that our province treats them as well if not better than anywhere in Canada. I would disagree with your contention that the rich are getting richer and the poor are getting poorer, because the very fact of the matter is: without people who are generating income, you have no social services. Period.

The government can't print money unless it goes into a deficit or debt, and we're not going to do that. You've heard that over and over again. So the only way that social service programs are supported in this jurisdiction is by people who want to go out and risk capital and generate wealth, and that wealth is then taxed and put into social services. And guess what? Per capita we spend about as much as we need to to provide the services, and we're all very proud of that. So you and I will never agree on that point, and we can talk about it endlessly if you'd like.

I can tell you right now as a former small business owner that this was the best place in Canada to do business and I was happy to pay my fair share, and I emphasize the word "fair". It has nothing to do with taking the incentive out of my getting up and going to work to make sure that people who don't want to are leveled out. On that one we will probably never, ever agree, but again the beauty of this House is that now we agree on something.

More than you would ever know, hon. member, small business is indeed the backbone of the Alberta economy, so much so that 95 percent of all businesses in Alberta qualify as small businesses. As I said, I'm a former business owner myself, which qualified as a small one, and I understand that those are the people that get up every morning and create real jobs and they create tax dollars and they create employment opportunities. To be supportive of that, we have a number of initiatives, not the least of which are our regional offices which are centered around the province. There are 10 of them, and we encourage businesses who have any concern, large or small, to access those offices. There are a number of support mechanisms that they have the ability to use, and those are free of charge. Those are free of charge because they are supported by the business community that pays the taxes to provide those services. So you can go into Grande Prairie or Fort McMurray or Carstairs or Cremona, and you'll have access to this kind of information.

9:30

The second thing I'd like to point out is our economic alliances, which we're very proud of. We have some very good ones. They are now being recognized as a model around the province. What they do is encourage regions to band together and promote the strengths of the region. Most specifically, the recent one that we signed off was Wetaskiwin-Millet. It may sound very odd being that Wetaskiwin is with Camrose as a provincial riding, but Camrose and Wetaskiwin are very different. Wetaskiwin and Millet are very similar. They formed an economic alliance, and now our department can go and help service those small businesses in that area.

We have a web site that is free of charge to anybody in Alberta. They can access it whenever they want, and it's full of information for small businesses.

The final thing that I'd like to point out to the hon. member is that our department does actively support the Business Link, which is an initiative supported by the federal government, the city of Edmonton, and ourselves, and we believe that it's an outstanding resource place for businesses to come and get access to information, education, and resource tools to help them grow their businesses. We will

never pick winners and losers, but we will certainly put in as many pieces of the puzzle that they need to continue succeeding.

Again, as I said at the outset, I thank you for recognizing in this Chamber that we can certainly agree to disagree. If I haven't answered any of your questions here, please contact us, and we'll get the written answers to you.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. I just want to briefly correct one misapprehension that the minister seems to be under, and that is that we in our little corner of the House are advocating that when someone starts to get on their feet economically, we want to tax them back down. That's certainly not anything that I said. It's fine if the minister wishes to disagree with me on things that I've actually said, but he shouldn't be disagreeing with me on things that I have not said.

The last point that I want to make, Mr. Chairman, is with respect to the polarization between rich and poor and the levels of poverty and so on that are existing in the province. These are not matters of opinion. It's not a matter of my opinion or a matter of the minister's opinion and that we can disagree as hon. members. There is statistical evidence that clearly indicates that this is in fact what's happening.

Thank you.

THE CHAIR: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thanks, Mr. Chairman. I'd just like to make a brief comment and ask a question of the minister. First of all, I'd like to commend the minister for his enthusiasm for his portfolio. He has a great subject. Alberta is a great place and truly is a place that we should be grateful to live in, and I commend the hon. minister for his enthusiasm for Alberta and for the way he promotes economic activity here. I also appreciate very much the stand he takes on free enterprise and keeping government out of business and creating a climate for people to want to do business and invest their money and keep this province going. I totally agree with him on that and commend him for that.

Many things have been covered tonight, and I don't want to take more time on other areas, but I notice that one of the goals is to "increase participation of Alberta communities in regional economic development." That caught my interest because I represent a riding that is a rural riding, and I sense the frustration in rural Alberta with trying to create economic development and create jobs and keep people in the communities. Many rural communities are really struggling to maintain their population base and are looking at ways to stimulate economic activity. I know they're looking to us as governments to try to help them solve the problem. I was interested recently to learn of a project in southern Alberta. It's called Mounties to Mountains, and it's a group of communities that are getting together to try to encourage regional economic development.

So I guess my question to the minister is: could you expand a little bit on this goal about increasing economic development on a regional basis? What are some of the things you have in mind, and what are some of the things we can do to sort of stimulate more activity in some of the rural communities that are really struggling to remain viable?

Thank you.

THE CHAIR: The hon. Minister of Economic Development.

MR. NORRIS: Well, thank you, Mr. Chairman. At the outset I

would like to thank the hon. member for his comments, but I must remind the House that the class of '93 under our Premier set up a place that . . .

AN HON. MEMBER: How long is your tie, buddy?

MR. NORRIS: I'll take that question under advisement and get an answer later.

I would like to remind all members that because of the courage and guts of the classes of '93 and '97 we are in a position where I can join this team and have the honour of promoting Alberta as the economically viable and wonderful place it is. I don't think any of us in this House or on the opposition benches should forget the courage that it took to turn around the good ship Alberta and put it in the position that it is in now. Reports continue to come out, as recent as yesterday, Mr. Chairman, that Alberta has not only weathered the storm but is an economic elephant in the face of all economic challenges that were faced. I do thank the hon. member for his comments, and I will continue to be positive because it's a very easy thing to be positive about. The Alberta advantage is real.

With regard to his question about rural Alberta in my mind nothing could be more important for our department to accomplish than a successful and tangible rural development program. As we all know, there is very little oil on Jasper Avenue, and I suspect that except at Stampede time you probably won't see a lot of cows wandering around Stephen Avenue Mall in Calgary. Those resources that we cherish and love so much are all in rural Alberta, Mr. Chairman, and unless we recognize and get a handle on that, the fact that rural Alberta is somewhat disadvantaged, then we will have a big problem on our hands 10 or 20 years down the road.

To that end, in answer to the hon. member's question, the regional alliance theory is one that is taking hold in that it allows us to maximize our resources. As I said, certain regions have certain similarities that they can group together and promote. In the hon. member's area the Palliser Economic Partnership is in place and by all accounts is thriving and working very well, similar to the Central Alberta Economic Partnership, which is the hon. Minister of Innovation and Science's riding, and PREDA, which is the Peace region district, which of course takes in all of northern Alberta. These alliances have proven to be successful in that they allow rural Alberta access to information they might not otherwise have, and I will certainly get more information to the hon. member about how they work and how they might benefit his rural communities.

Two other things I would like to mention. The hon. Member for Edmonton-Ellerslie alluded to it earlier, that our department does cross with many other ministries, and one that I'm very proud of the work we're doing with is the hon. minister of agriculture's department. To that end, we are now working on what we are trying to call a blueprint strategy for rural Alberta, whereby any small business or any business existing in rural Alberta can call our department and have access to a very simple plan in order to either start or promote an existing business. I'm told by my deputies and the deputy of Agriculture and Rural Development that they are proceeding at a great pace on this, because we both recognize the vital importance of it, and I will be delighted to give the member some more information about that.

The other thing I was going to mention, the final point – I alluded to it earlier, Mr. Chairman – is that I sincerely believe that tourism is sadly overlooked as a vital part of rural development. We all recognize that people come to Alberta for the beauty of the mountains and the excitement of West Edmonton Mall, but our challenge is not to let them go into British Columbia, as they are doing at a great pace, but to keep them in Alberta.

One of the ways we're doing that as a department is through the promotion of rural Alberta destinations and circle tours so that when you come to Edmonton, we can prepare a three-day trip that may take you to Cold Lake or Grande Cache or Bonnyville, or if you go to Calgary, you'll certainly go to Drumheller. You may end up in Chinook. You may end up in the Crownsnest Pass. But this is all rural development, because they have to have services once they get there, and that's part of the overall tourism strategy that I and my department will be bringing forward hopefully in the next month or two to address the need for recognizing tourism as a rural development tool. I will share that, as well, with the hon. member.

9:40

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. We certainly appreciate the participation of the minister in answering the questions this evening in some detail and as we ask them. I have a couple of questions that I would like him to answer in that fashion, and then after that I have a whole series of questions that don't actually need to be answered tonight but that we would hope would be answered in writing at some point in the future by his staff. In addition to that, it looks like we might not get to all of the questions. If we don't, could we send them to your department and have them answered in a timely fashion?

MR. NORRIS: In the spirit of co-operation that is floating through the House tonight, Mr. Chairman, I would be delighted to answer any questions that are appropriate and that I have the ability to answer. In the event that I don't, I would invite the hon. member to come down to my office, check out my collection of ties, and we can talk further.

MS CARLSON: Mr. Chairman, I don't know if I want to co-operate quite that far, but I thank him for the offer.

MR. NORRIS: It's all about the love.

MS CARLSON: Well, maybe on your side, but let me tell you, there are some fences.

Mr. Chairman, one of the questions I have that we would like the minister to answer tonight is on tourism, and he spoke about it just a little bit a moment ago talking about circle tours and other regional alliances. We still often hear in this province that the majority of the tourism support and the focus in the province is on the Banff-Calgary region and that southern corner. I know that those are top-of-mind areas for global visitors, but of course we have other great, outstanding areas in this province. Could he tell us what the vision is for the department in terms of the entire province and how they see changing the balance, if that's part of the focus?

MR. NORRIS: Yes.

THE CHAIR: Pardon me, hon. Minister of Economic Development. I appear to have two ministers who are anxious to either answer the question or to ask a question. The hon. Minister of Municipal Affairs has tried a number of times to get in.

The hon. Minister of Municipal Affairs.

MR. NORRIS: I know where you live, Guy.

MR. BOUTILIER: Thank you, Mr. Chairman. I'm so glad the minister does know where I live, but I would just like to echo the

comment the other day in question period that I am the Minister of Municipal Affairs, not of Community Development or anything of the sort.

I would like to pose a question to the hon. minister. In his budget it's been my observation in the last year, during his time as minister, that the energy and enthusiasm that he's brought to the ministry are important in this way. The people that work within his department, traditionally government, have taken the attitude that economic development is just simply government's responsibility and that we have to protect it and take care of it. I heard the minister on numerous occasions say that economic development is everyone's business, and that, I believe, is so important in the spirit of how we work together in partnership. So I just want to say that the dollars that are used in partnership with those many stakeholders are important if it is intended within his upcoming budget this year to continue to build on that partnership, to stretch a dollar where other sector people, such as private, such as public/private, are participating in economic development initiatives.

THE CHAIR: Hon. Member for Edmonton-Ellerslie, I don't know that that answers your question. It may be just something on the side. Do you wish to ask a further question, or should I go to the minister?

The Minister of Economic Development.

MR. NORRIS: Well, in response to the Minister of Municipal Affairs I would like to thank him for his comments and remind him of our glorious days at Saint Francis Xavier University, where we both shared an awful lot of enthusiasm but fueled under different circumstances, Mr. Chairman. He, also, has not lost his energy and his vibrating personality, and that's wonderful to see.

Where I think I can answer the minister's question is that most if not all of our tourism initiatives are matching dollars, and that is a very valuable point he's brought up. It is not the government's job to promote or handpick industries, nor is it the government's job to be in the business of business. As I alluded to earlier, we do provide tools to business and industry and hope that they utilize them. I again thank him for his comment and his undivided attention.

With regard to tourism the hon. member has touched on something, as I said earlier, that is very near and dear to my heart. To that end, I asked the hon. Member for Edmonton-Glenora, who has a wealth of information and experience in tourism, to chair a committee that was struck in the summer of 2001. They were challenged with going out to the stakeholders in Alberta and finding out what works in our tourism and what doesn't, and to the government's credit the STMC, or Strategic Tourism Marketing Council, which was set up by the current Minister of Finance, then Minister of Economic Development, is working extremely well.

In order to equalize what's going on in the province, we have set up what are called tourism destination regions, of which there are six: northern Alberta, central, mountains, Edmonton, Calgary, and southern. Each of those regions receives \$300,000 as part of our budgetary expenses, and with that money they are encouraged to promote tourism in their regions and develop tourism initiatives so as to equal out the perception that the mountains, Calgary, and Edmonton are getting the lion's share of the money. That's one way we are leveling out that playing field.

The other way, as I said, is in our new tourism initiative that we are bringing forward. Part of that component is rural tourism and agritourism, which is something that I think is going to be the wave of the future, and our department will continue to equalize the money that is coming in, as you suggested, from the mountains. But at the outset, in conclusion to your question, I would suggest that

any marketer, given what we have in Alberta, would never, ever ignore the mountains, nor would they ignore Calgary and all it offers, nor would they ignore Edmonton, and we would be at our own peril if we did. What we have to do is emphasize what's outside of those centres, and that's what we'll try and do.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I think that was an excellent answer offered by the minister, and we're happy to see that he's progressing that way. I now know which meeting it was that I accidentally walked into some months ago that the minister was chairing.

I have a question that I would like him to answer on the Kyoto protocol and that whole issue of CO₂ emissions. Is this ministry providing any support on the government position on opposing the Kyoto protocol, and does the minister see the economic benefit of promoting trading credits and permits, and is his ministry doing anything . . .

MR. HLADY: It's a trick question.

MS CARLSON: No, it isn't actually a trick question at all. I would believe that his answer to the first one is no and the second one is yes.

Thank you.

MR. NORRIS: Mr. Chairman, as the hon. member probably quite rightly knows, this matter does fall under Energy, but I am delighted to talk about it. I don't think there has been a more foul and unfair proposal brought forward on the province of Alberta since the national energy policy, and it's time that we discussed this in an open and frank fashion.

At the heart of this Kyoto protocol there is an unknown quantity called tax credits. Our biggest trading partner in the world is 400 miles to the south of us. It's called the United States of America. They have no intention whatsoever of signing on to this protocol, leaving us at a massive competitive disadvantage, because they see the inherit folly in this whole protocol, which is that it's inherently unfair, Mr. Chairman. If you have any hard and fast evidence other than theories that have been put forward, the government of Alberta is as diligent as any other government in the world in protecting their environment. I have kids. I know most of the hon. members do. We have no desire to ruin our environment, but there is an economic challenge associated with the Kyoto protocol that will devastate Alberta quite simply.

Our challenge right now is to find out what the federal government is doing very benevolently on our behalf without telling us, and to that end I am going to be meeting with some of my counterparts in Ottawa in two weeks to try and get answers, because this protocol does have the inherent possibility of devastating Alberta. Let's not be foolish about it. What it does is it establishes tax credits, but we have no explanation of how to trade them. It talks about sinkholes, but we don't know what they are, and they're racing ahead to sign this protocol without even consulting with the lead ministries, which are certainly Environment and Energy, and secondarily my ministry.

9:50

So my role right now is to push as hard as I can for Alberta industry, which drives this glorious province, and say that this protocol is wrong the way it is, absolutely wrong. Until it's fair, I will continue to encourage all government members not to look forward at this protocol but at a made-in-Alberta or a made-in-

Canada solution that works with our biggest trading partners, the United States and Mexico.

I would like to remind the hon. member that of all the greenhouse gases in the world, Canada is responsible for 2 percent. Of that 2 percent, Alberta puts in its fair share with Ontario and British Columbia and other industrialized provinces. What this protocol overlooks is that China, the world's biggest polluter, India, the world's second biggest polluter, and South America, the world's third, have no intention of signing on to this.

So all you're doing by encouraging that is penalizing Alberta businesses and redistributing wealth. If that's a solution to emissions, it's an illogical one. This has nothing to do with curbing those countries' emissions. It has everything to do with forcing Canadian businesses to revert to emission levels that were prior to 1990 and are not sustainable. So if you want my direction on what we're doing, we're going to fight it every step of the way.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. A follow-up question to that is: what does the minister see as the solution to containing emissions? I'm not saying even reducing but containing them globally? And a second question: what will be your participation in the G-8 summit this June?

MR. NORRIS: Well, I thank the hon. member for that question. What I see is what I continue to see as I travel around Alberta: to encourage Alberta businesses to lead the nation in best practices. In regard to the emissions, when we are talking about coal, as I talked about earlier, we do have the highest emission standards in Canada. We will continue to encourage the study and the research of clean-burning coal or, as our Premier likes to call it, coal by wire. There are a number of ways to get to that point, and I would favour a model that the Americans have proposed: rewarding businesses who fuel the economy rather than penalizing them. To that end, I will be looking at their model and trying to bring forward some ideas on that.

With regard to your comment about the G-8 summit our involvement will be to ensure that the tourism opportunities in Alberta are not limited to Albertans, because they are taking place in our national parks, that are controlled by the federal government. That's of vital importance. I noted recently that numerous opportunities are going to be closed down because of the G-8 summit, so we are going to be working with our federal counterparts to see how we can alleviate that. As a method of marketing Alberta we have made an arrangement with the federal government to have displays on hand at the G-8 to talk about Alberta and its obvious advantages and opportunities, and that will be our involvement in the G-8 to date.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I would like to return to a discussion that the minister and I had in our earlier comments about their long-term strategic planning. When I talked about having a five-, 10-, 15-year plan for economic development in Alberta, he referred me to the Get Ready Alberta paper that was produced. What I have before me is the Year One Report to Albertans. So, Mr. Minister, if there's more information available on this program, I would be interested in seeing that.

In terms of this being a long-term strategic direction, I think it's a good opener. I think what you've come forward with here is a good idea, and the goals are excellent starting points, but they are, in fact, just starting points. They talk about "unleashing innovation"

and the goal being “Alberta is a world leader in innovation, research, development and commercialization of new ideas.” It’s an opener. It doesn’t tell us where you expect us to be. You list what we’ve accomplished in one year, but you don’t tell us where you expect us to be as a province on these particular issues in five years, 10 years, 15 years, or 20 years. I’m hoping that that is the intent here, that you’re going to go there and you can share that information with us.

The same, Mr. Chairman, when we talk about all the rest of the very excellent goals here: leading in learning, competing in a global marketplace, and making Alberta the best place to live, work and visit. Exactly what are the benchmarks that you’re measuring success by? If you could share those with us, I would be very appreciative of that.

Particularly under the “leading in learning,” in the list of the major first-year accomplishments, you talked about “increasing the number of participants in training and employment programs who felt they learned new skills to 88%, up from 83% in 1999.” A great goal but could we have some more specifics? Where are these people coming from? How many of them are retraining? So how many people are cycling through the training programs more often? Is this specifically aimed at addressing the shortage of skilled labour that we have in this province right now, particularly with regard to the trades? I see that you have listed in your core businesses as one of the current challenges, “workforce and skill shortages”. I think we need more information than just what is given here.

If you could answer those few questions briefly, we will submit the rest of the questions we have, which are more specific, itemized questions on the budget, and conclude our remarks for this evening.

THE CHAIR: The hon. minister.

MR. NORRIS: Thank you very much, Mr. Chairman. As we conclude this session, I would like to thank all the hon. members opposite for their hard-hitting and insightful questions. I certainly appreciate the chance to talk about this ministry, as I do agree with the Member for Edmonton-Ellerslie. I see it as being one of the most vital to the continued success of this province and the diversification of our industries. I want to thank her specifically for her enthusiasm in the questions.

With regard to Get Ready Alberta I can certainly provide you with more information about our value-added strategies, but one of the main areas that I see that we have to focus on – and it’s something that the dean of business and current president of the Edmonton Chamber of Commerce focuses on on a regular basis, a man who I have a good deal of respect for, and that’s once we have come up with new technologies, how do we capitalize on them and bring them to market? To that end, we are working with the Minister of Revenue, the hon. Member for Calgary-North West, with his department, with Innovation and Science, with ASRA, and other stakeholders, including Calgary Inc. and Economic Development Edmonton, to come up with a long-term sustainable plan for venture capital in Alberta. That doesn’t mean the government is going to fund that program. That won’t be happening, but we want to work on ways to facilitate that and let other people know what’s going on here. I see that as being vital not only in the two- to five-year term but in the long term in order to establish industries that might not otherwise come to Alberta.

One of the things that is a five-, 10-, 15-year program is the Supernet. I alluded to that earlier. I see it as being an absolutely dynamic economic development tool. This brings world-class information to any neighbourhood in Alberta.

AN HON. MEMBER: Right on.

MR. NORRIS: You guys are awake. Outstanding.

It’s something that every province in Canada is not only envious of, but I noticed that the former Minister of Industry, the now retired member for Newfoundland, tried very hard to get the federal government to see the wisdom of what Alberta is doing and failed miserably. I was saddened by that, because I think a national Supernet would have been an outstanding initiative, but I guess his leadership aspirations weren’t strong enough to carry the day. However, it is a wonderful idea, and it’s something the federal government should look at, because the Alberta government believes in it sincerely.

The benchmarks that we look at are, I guess, the same as any small business would look at. At the end of the day you take all your resources and you look at how you spent them and you see what kind of return you got. Our return quite simply is an increased population base due to people wanting to come in, the most new jobs established, and I’ll get the exact figures for you if you wish. The number of bankruptcies is on a severe decline, which we’re very proud about, and the fact that more people from other parts of Canada and the world are migrating to Alberta tells us that our strategy is not only working, but it’s flourishing. So I think we’re on the right track.

I appreciate the hon. members’ comments about how we might make it better. I’m sure the hon. Minister of Children’s Services would have more to comment on about poverty and how we deal with it. I think we do an outstanding job, and I want to commend her on her work. As far as the information that you require and the written questions, I would be delighted to answer any that you have at the appropriate time you bring them forward.

With that, I’ll conclude my comments, Mr. Chairman.

10:00

THE CHAIR: Are you ready for the question? After considering the business plan and proposed estimates for the Department of Economic Development, are you ready for the vote?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Operating expense and capital investment to be voted . . .

MR. MASON: Do you not want to find out if there’s anyone opposed?

THE CHAIR: The time, hon. member, is one minute from being up. It’s more of just a pro forma question, “Are you ready for the vote?” so that everyone has their attention focused on the estimates.

So if you want to know whether anybody’s opposed: anyone opposed?

MR. MASON: Opposed.

THE CHAIR: So noted.

MR. MASON: Thank you.

Agreed to:
Operating Expense and Capital Investment \$51,377,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

MR. HANCOCK: Mr. Chairman, I would move that the committee now rise and report the estimates of Economic Development and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Economic Development: operating expense and capital investment, \$51,377,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Second Reading

Bill 18
Social Care Facilities Review Committee
Amendment Act, 2002

[Adjourned debate March 19: Dr. Massey]

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I have been in consultation with the minister over the repeal of section 13 of the act, which is the complaint officers section of the act. It's section 13 and it's also section 8. I believe that the minister has an explanation that would account for those two sections being repealed.

MS EVANS: Mr. Speaker, I'd be very pleased to do it. The sections . . .

THE DEPUTY SPEAKER: If I'm not mistaken, the hon. member did move second reading on this bill.

MS EVANS: Yes.

THE DEPUTY SPEAKER: Before I can recognize you, then, I must say, "The hon. minister to close debate," at which time anybody that wishes to speak to it might stand.

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I've looked through Bill 18 with some interest and reflected on my experience many years ago on the forerunner to this committee, another committee which still exists, the Health Facilities Review Committee. When the Health Facilities Review Committee was first struck – and I'm thinking 1973 here – it had a massive mandate.

Speaker's Ruling
Decorum

THE DEPUTY SPEAKER: There seems to be some confusion. This is not committee. This is Assembly, and we don't get to wander around and speak any number of given times. I know it's late and we've had a lot of fun, but we'd like to hear at second reading the hon. Member for Edmonton-Riverview.

Debate Continued

DR. TAFT: All right. Thank you, Mr. Speaker. As I was saying before I was interrupted, I was reflecting on the history of this particular committee, the Social Care Facilities Review Committee, and the fact that it arose more than 20 years ago, I would say, as a sort of offspring of the Health Facilities Review Committee. The Health Facilities Review Committee had an immense mandate, which was frankly unmanageable. This committee was struck, and I think the original chairman, Dr. David Carter, went on eventually to become the Speaker. He was, I believe, the first chairperson of this committee and pursued its mandate at the time with great vigour. I think it would be interesting for the minister to talk to him about the amendments here in Bill 18.

These committees were set up to act, in effect, as Ombudsmen for, on the one hand, the health care system and, on the other hand, the social care system and were given the job of visiting social care facilities, in this case throughout the province, a vast range of facilities. Certainly at one time they were unannounced visits, and if there were concerns, either they came through the visit or they came through complaints. The committee was fully empowered to investigate those in lieu of the Ombudsman, because certainly the Ombudsman is precluded from investigating the health care system, and that may be a restriction that applies in social care facilities also.

These committees took their mandates extremely seriously and worked very hard at their job, and I'm sure that the current members do as well, but I am concerned when I look at Bill 18 that the capacity of this committee to fully investigate complaints and, indeed, to initiate investigations on their own may be restricted. I am frankly concerned that the independence of these committees, which was cherished when they were first set up, is being compromised and eroded steadily. For example, provisions in Bill 18 that seem to bring the committee under the tighter jurisdiction of the minister concern me, and I'm thinking here of section 3: the following is added after section 5, is how this reads.

Directions to Committee

5.1(1) The Minister may provide directions to the Committee, through the chair, relating to the Committee's duties under section 7.

(2) The chair of the Committee shall ensure that the Committee complies with any directions provided by the Minister under subsection (1).

Now, I recognize that there's room for interpretation with that, but I am concerned that it could have the effect of limiting the committee's independence or initiative from the directions from the minister, and that was not the initial intent. The initial intent was to allow for significant independence from the government for these committees. These committees report – or at least they originally did, and I hope they still do – to the Legislature through the minister, and that was to recognize in part that they are viable, important third-party eyes and ears and minds on our social care system and our health facility system. So that section concerns me, and any reassurance the minister may be able to give us either in response now or during committee would be much appreciated.

10:10

I am also concerned under section 7 of this bill that section 13 of the original act is repealed. That section 13 that's being repealed – and I think it's worth reading this into the record – reads:

- 13(1) The committee may designate
- (a) a member of the committee, or
 - (b) with the approval of the Minister, an employee of the Government who is under the administration of the Minister,
- as a complaint officer.
- (2) The complaint officer shall on behalf of the Committee
- (a) make preliminary inquiries, or
 - (b) if directed to do so by the chair of the Committee, make investigations
- into complaints received under section 8 and report the results of the inquiry or investigation to the Committee.
- (3) Members of the Committee at the request of the chair of the Committee may assist the complaint officer in the carrying out of the complaint officer's duties.

A profoundly important role for this committee, and I don't know why that section is being struck, but frankly it worries me.

I reflect again on my own experience in the sister committee to this, in which at times completely unannounced – and the Minister of Health and Wellness may be interested in this also. If we had concerns about a facility, we would team up with staff of the department, experts in diet or nursing care or administration, and at times land in large numbers on a facility unannounced and do an absolutely sweeping and comprehensive investigation. If that power is lost as a result of Bill 18, then I will forcefully oppose this bill.

Any response the minister can make tonight or at a later date to those concerns I look forward to keenly. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Minister of Children's Services to close debate.

MS EVANS: Thank you, Mr. Speaker. I hope I will be able to satisfactorily address the concerns raised by the members opposite. I was not planning to speak long, but I'm going to just redefine why we're doing this. We're making these amendments because we will shift the emphasis for the committee from inspections and investigations to service reviews, and we will do that because the Protection for Persons in Care Act is the piece of legislation that conducts investigations. They are, under our definition, required to conduct investigations, and if these amendments are passed, regulations will be developed to designate facilities under other departments to come under the jurisdiction of the Protection for Persons in Care Act.

The original reason why we started refining the definition was because the Social Care Facilities Review Committee was reviewing facilities that were not under this minister's direct line of authority. So the separation here will in fact compel that health care facilities will be reviewed by the health care facilities committee and social care facilities under the social care facilities committee and be a review as opposed to investigation. That has been something that will then see the consolidation of investigations under the Protection for Persons in Care Act, which is required to do that.

In the manner of complaints, complaints that might initiate a review are taking place regularly. Complaints about day cares and complaints about the quality of service delivery in women's shelters have come forward. We've had a number of complaints, and then the Social Care Facilities Review Committee is required to follow up on those complaints, but they do not do the type of intensive

investigation which is done under the Protection for Persons in Care Act, which I know from my time in a previous ministry generates huge files with very qualified investigators. These, if you will remember, are people appointed from the public who will represent all parts of the province, who are good people, who are acknowledged to be able to do reviews but are not given the special investigative training that is given in our legislation under the Protection for Persons in Care Act, which has very definitely got a more onerous set of criteria for investigation.

If I may just go one step further, I think that the concern under section 3 about the minister – while the minister may provide directions to the committee, it was noted that there was a gap in that the committee may never report back all of the reports to the Legislature. There was nothing that actually compelled the committee to bring forward reports, and the beauty of having reports come back, at least to the minister, is that then we can follow through and ask the person or persons that may be doing things inappropriately in facilities to take corrective action immediately. Under the capable chairmanship of the Member for Calgary-Shaw I am religiously receiving reports which I am funneling right back through the deputy minister to the chief executive officer and getting corrections made. I have myself initiated two requests for review of day cares which I considered less than capable of serving the people.

Mr. Speaker, I hope that these clarifications will at least assure the hon. members opposite that the current legislation does not today reflect what is actually happening in the review, which are simply reviews, and that vulnerable people will be protected under the Protection for Persons in Care Act and that the regulations will be developed prior to the proclamation of the facility portion of this legislation. Narrowing the definition of "facility" fits with the review committee's new mandate, and in fact since the committee's inception, since 1978, it has primarily conducted reviews as opposed to investigations.

A review involves meeting with the service recipients and reviewing the information and making observations about their satisfaction with the services involved. So in my view it does not deal with some of the other issues like the capacity of the facility to provide the services. In some cases we have reviewed facilities which may have very satisfied customers – i.e., parents for their children – but the facility itself may be wanting under our licensing regulation.

Through the new amendments we hope that this committee will be able to be clear about its mission, will in fact still receive complaints and act upon those complaints, will report regularly to the minister and that those more detailed investigations under the time of the proclamation of the Protection for Persons in Care Act dealing with the regulations to the facility definition will then see this enacted under the narrower definition of "facility".

With that, I would move second reading.

[Motion carried; Bill 18 read a second time]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:19 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, April 11, 2002**

1:30 p.m.

Date: 02/04/11

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you so much, Mr. Speaker. It's a great pleasure for me to be able to introduce to you and through you to the Assembly a young man who ranches with his family just outside the Coronation area. They have cattle and horses, and right now, I guess, there are some water problems out there, so there are not many cattle roaming around. Hopefully the snow will help.

He's also an educator, Mr. Speaker. He has an honours degree in philosophy along with his education degree. In the last while he's been teaching out in a small school called Byemoor in the Byemoor area. He's been teaching grades 3 to 9 math, grades 5 and 6 social studies, grades 4 to 9 phys ed, as well as computers. In his first year of teaching he was one of six Alberta teachers nominated for the first year of teaching award under the Edwin Parr award, which is an award in excellence. It shows how well rounded he is as a person, as a teacher, and as he will be as an MLA.

I'm absolutely delighted to introduce to you, Mr. Speaker, Mr. Doug Griffiths, the new MLA for Wainwright, who will be sworn in and will be able to join us down here on April 29. Just to finish that, he's accompanied by my administrative assistant, Loretta Fontana, who will be showing him around this afternoon.

Thank you.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. Indeed, it's my pleasure today to introduce through you to members of the Assembly a young man from Fort McMurray who is studying at Mount Royal College in Calgary. He has visited every constituency in this entire province of Alberta, and it's my pleasure to introduce him as the new president of PC Youth of Alberta. I would like to ask Blake Robert from Fort McMurray to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's indeed a pleasure today to introduce, as I have for about the past nine years, a school group who left at 7 o'clock this morning to be here with us. The students and the parents that are with us today are from Hazel Cameron elementary in Vulcan. They have been up here, as I indicated, for years in the past, went to the trouble of fund-raising to get to be here, and mysteriously two days after the passage of a certain bill in this House had their school trip canceled. So today, regardless of money, regardless of the funds that they fund-raised,

five of the parents and eight of the students took it upon themselves to come up as part of their social studies class to see the Legislature and take in the Alberta science centre. I would ask that the five adults that I will now introduce – Mrs. Deb Hyslip, Mrs. Debra Wyatt, Mrs. Janice McCallum-Campbell, Mrs. Louise Markert, Mrs. Jane Machacek – and the eight wonderful students from grade 6 at Hazel Cameron elementary, who are in the public gallery, receive the warm welcome of this Assembly and our thanks for coming up here.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. It's a real privilege today to stand and introduce through you to the members of the Legislature a young man that's become involved in politics. He's attending his first question period. He's a student at Grant MacEwan College, but he's very active in the Redwater constituency and has just been elected as a director of the Alberta Young Liberals. His name is David Cournoyer, and I'd ask David to stand and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Calgary-East.

MR. AMERY: Thank you, Mr. Speaker. It's indeed a pleasure to rise today and introduce to you and through you to members of the Assembly a guest from Lebanon who happens to be a former teacher of mine. Mr. Sayah is here with his wife, Mrs. Sayah, to attend the graduation ceremony of their son Dr. Sayah, who just graduated from the University of Alberta with a PhD in chemistry. Along with Mr. Sayah, Mrs. Sayah, and Dr. Sayah is a relative of mine who is a well-known Edmontonian, Mr. Kelly Tarrabain. They're all in the public gallery, and I would ask them to rise and receive the warm welcome of the Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Swan Hills Waste Treatment Facility

DR. NICOL: Thank you, Mr. Speaker. Yesterday the Premier confirmed that Alberta taxpayers now own the Swan Hills waste treatment plant, a plant that was previously owned 100 percent by a private company. The terms of the Financial Administration Act are very clear. Before getting back into the business of being in business, the government must bring the deal before the Assembly. My questions are to the Premier. Why has the government failed to comply with the letter and spirit of the Financial Administration Act?

MR. KLEIN: Well, Mr. Speaker, I'm sure that we have abided by the spirit and the intent of the Financial Administration Act. I guess this whole matter could be dealt with as a subjective matter. I consider the plant and many others consider the plant to be a utility, although we try to find a way to operate it in concert with the private sector as efficiently and as effectively as we possibly can. The simple fact is that there is garbage to burn, very, very dangerous garbage, to get rid of, to destroy, to completely kill, and that's what this plant does.

Mr. Speaker, there is a cost to garbage. This hon. member in the city of Lethbridge pays municipal taxes – taxes – to have his garbage collected and taken to a landfill site. [interjection] Absolutely. Everyone in this room does the same thing. The problem with toxic waste – and it was identified – was that there was no process other than to gather this waste, put it in containers, and ship it someplace else. So in 1984 it was decided that Alberta would look after its own

waste. It would set up a process, a plant to deal with toxic, dangerous, dirty waste. I look at that plant, the Swan Hills plant, as a utility to save and protect the environment.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. It's still owned by the government.

Will the Premier commit to bringing the Swan Hills deal before this House for full public debate, as required by the Financial Administration Act? We have to have that public debate to comply with the law.

MR. KLEIN: Well, Mr. Speaker, I believe that I addressed that question yesterday when I indicated to the hon. member that if he wishes to submit a motion for a return outlining the kind of information he wishes to receive relative to the finances of the Swan Hills waste treatment plant, then I would invite him to put forward such a motion.

DR. NICOL: Mr. Speaker, yesterday I was asking for the financial information. Today I'm asking for the government to comply with the law. Will you bring that purchase back to this House so that we can debate it according to the Financial Administration Act? Follow our own law.

MR. KLEIN: Mr. Speaker, we took it back. Relative to the intricacies of the sale or the acquisition or the reacquisition, I will have the hon. Finance minister and the hon. Minister of Infrastructure respond.

1:40

MRS. NELSON: Mr. Speaker, when we entered into the arrangement to deal with hazardous wastes in the province of Alberta, we were on the frontiers in this area, and we were going out into a new venture that would deal with something that had never been dealt with in North America before. So to put forward a facility of this nature was breaking ground in every respect. When we made the deal for someone else to operate and take over the facility, there was a clause in the agreement that always anticipated that there had to be a relation back, if there were difficulties, to the Crown, because it was the Crown's initiative originally to move into this arena. So there is no conflict with the Financial Administration Act, because this was always part of the original agreement, and that's where it came back to the Crown.

Now, once again, let's be very clear: this is the only facility of its kind in North America. When someone talks about the financial burden of this facility, let me tell you very clearly that in a province like this, that deals with the type of development we have in the province of Alberta and the intense capital development that has taken place in this province, if we did not have the ability to dispose of hazardous waste right in our own backyard, we would experience far greater financial difficulties than anyone could well imagine, because there isn't another facility in North America. So this actually saves us money.

THE SPEAKER: The second Official Opposition main question. The hon. Leader of the Official Opposition.

MS CARLSON: Point of privilege, Mr. Speaker.

THE SPEAKER: Point of privilege. Okay.

Tools Deduction Legislation

DR. NICOL: Thank you, Mr. Speaker. Last year Members of this Legislative Assembly passed a bill that would provide tax savings for tradespeople. Now likely thousands of tradespeople are finding that as they do their taxes, there is no such tax credit on this year's tax form. The government has decided not to proclaim the bill which would make it the law. My question is to the Premier. How many hardworking Albertans are being declined a tax cut that they were expecting this year because that bill hasn't been proclaimed?

MR. KLEIN: I'll have the hon. Minister of Finance respond.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm sorry; I didn't hear the full gist of the question, but I understand that it had to do with the trades tax bill that was put forward last spring. The hon. member is quite correct that it has not been proclaimed. We're still assessing that bill, and when we're ready, we'll move forward.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Minister of Finance: is the reason it hasn't been proclaimed this year because you needed the revenue to balance the budget rather than give the tax cut that you promised?

MRS. NELSON: Well, Mr. Speaker, when you put forward legislation, you have to do an assessment on the impact of it, and we clearly have been in that process, so we're not in a position to move forward at this point.

DR. NICOL: The House committed to providing this tax cut. Why is it, when they made that commitment almost a year ago, that the people who benefit from it haven't been given the opportunity to exercise that option? They need to be able to count on using bills that are passed in this House. To the Minister of Finance.

MRS. NELSON: Well, Mr. Speaker, I believe that our whip has corrected me and informed me that the bill was actually passed in November, so it hasn't been proclaimed as yet. I think Albertans expect us to take the time to evaluate these situations before we move forward on them, and that's the process we're in.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Teachers' Withdrawal of Voluntary Services

DR. MASSEY: Thank you, Mr. Speaker. As a result of Bill 12 many schools in the province are in turmoil. Students are disappointed, teachers are disheartened, and parents are frustrated. My questions are to the Minister of Learning. To restore extracurricular activities in schools, will the minister (a) call the president of the ATA to work out a solution, (b) widen the arbitration to include all the issues in the dispute, or (c) do nothing?

DR. OBERG: I'll take (a).

DR. MASSEY: To avoid frustrated parents withdrawing volunteer services in schools in support of teachers, will the minister (a) provide boards with money to negotiate fair settlements, (b) provide school boards with resources to reduce class sizes, or (c) do nothing?

DR. OBERG: I've already taken (a).

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. My third question to the minister: to heal the rift between the teachers and the department, will the minister (a) amend Bill 12, (b) speak to the teachers' general meeting next month, or (c) do nothing?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. I'd love to take (b), but they told me I couldn't come to the meeting.

THE SPEAKER: The hon. leader of the third party.

Bill 12, Education Services Settlement Act

DR. PANNU: Thank you, Mr. Speaker. Frederick B. Henry, the Roman Catholic bishop of Calgary, has released a pastoral letter criticizing Bill 12. The pastoral letter, copies of which I will be tabling at the earliest opportunity, condemns Bill 12 in the strongest possible terms. My questions are to the Premier. Why did the government enact the legislation that Bishop Frederick Henry describes as "so punitive and insensitive that it will take a herculean effort to revive teacher morale and repair the damage it leaves in its wake"?

MR. KLEIN: Mr. Speaker, I guess Bishop Henry is entitled to his opinion. The way he outlines it is:

The President of the . . . (ATA) meets with the Premier and seemingly achieves through a direct meeting with the Premier what the ATA had not been able to get at the negotiating table, i.e. arbitration of all outstanding issues.

That is not true. Bishop Henry was not at the meeting. I know exactly what happened. Notes were taken. I'll be glad to provide Bishop Henry with those notes. There was agreement on a process for arbitration.

Then he says:

Within days the Alberta School Boards Association . . . meets with the Premier and persuasively argues for the exclusion of any consideration of classroom conditions and the limitation of wage increases according to a board's ability to pay.

There was no persuasive argument for the exclusion of anything. There was a straightforward, down-to-earth discussion with the ASBA. It stands to reason, if I'm going to meet with the ATA, that I would meet with the other side.

Then it goes on to make the assertion, uninformed, that "the Premier either spins or reneges on the agreement with the ATA." That is absolutely false, and for a man of the cloth to make that kind of statement is wrong. It is fundamentally wrong.

Now, relative to the issue: how many Catholics are in this caucus?

AN HON. MEMBER: Quite a few.

MR. KLEIN: Okay. Do you agree with the assertions of Bishop Henry?

SOME HON. MEMBERS: No.

MR. KLEIN: No. Well, then, that answers your question.

THE SPEAKER: The Minister of Learning.

DR. OBERG: Thank you, Mr. Speaker. I will add to what the Premier has already stated. We will be addressing a letter back to

Bishop Henry, explaining what is wrong with his letter. It will also be CCed to the Alberta Catholic School Trustees' Association and Archbishop Collins in Edmonton. I will be demanding that he send this letter to the parishioners that he distributed his letter to.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My second question to the Premier: why did the government enact this divisive and one-sided legislation, that the Roman Catholic bishop of Calgary describes as pitting the Alberta Teachers' Association and the Alberta School Boards Association against one another, all the while ensuring that the government's underfunding of education continues unabated?

MR. KLEIN: Mr. Speaker, again, the bishop is entitled to his opinion. I don't agree with his opinion in any way, shape, or form. That's exactly what it is, because he said, "Many of you have been asking for my reaction," which I take as a synonym for opinion, "on Bill 12. Now that we have concluded our Holy Week observance, I am prepared to offer a few reflections for your consideration." Reflections, opinions – opinions that, by the way, are not shared by any of the Catholics in this caucus and certainly are not shared by me.

1:50

THE SPEAKER: The Minister of Economic Development to supplement this answer?

MR. NORRIS: Yes, Mr. Speaker. I have to rise as a devout Catholic all my life . . .

THE SPEAKER: No, please.
The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My final supplementary to the Premier: why did the government enact this legislation that the bishop of Calgary says unfairly excludes from arbitration issues like pupil/teacher ratios, which certainly impact the workplace?

MR. KLEIN: Again, Bishop Henry doesn't obviously understand the complexities of this particular issue. One size does not fit all, Mr. Speaker, and there needs to be a long-term, detailed examination of this whole issue of pupil/teacher ratios, of sparsity and distance, of special-needs kids. A plethora of issues need to be examined in a straightforward and honest, open manner, and we need to take some time. By the way, I invite Bishop Henry: Bishop Henry, please, in the spirit of God and the Catholic church, will you participate with us to come to grips with what we do to make education sustainable rather than sending out these kinds of missives based on misinformation?

THE SPEAKER: To the Minister of Economic Development: if there was a point of privilege and the Minister of Economic Development would like to rise at the conclusion of question period, I would recognize him for such.

The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Glenarry.

Anthony Henday Drive and Deerfoot Trail

MR. McCLELLAND: Thank you very much, Mr. Speaker. Over recent weeks there has been much public speculation as to the construction schedule of both the Deerfoot Trail and Anthony Henday Drive. I'm wondering if the Minister of Transportation

would set us straight on exactly what is happening concerning the construction timetable of the Anthony Henday and of the Deerfoot Trail?

Thank you.

THE SPEAKER: The hon. minister.

MR. STELMACH: Well, thank you, Mr. Speaker. In response to the question, the schedule for the Anthony Henday, which is part of the north/south trade corridor, is to have the Anthony Henday open to traffic by 2006. It will not be fully completed by 2006 because there will be a few interchanges to go in, but it will be open to traffic by 2006. The reason we'd like to expedite that is to work in co-operation with the city of Edmonton. The city has a number of major projects, as well, that will tie into the Anthony Henday. One of them is on Whitemud Drive. So once Anthony Henday is open to traffic, then they can start with their project on the Quesnell Bridge, I believe, and another project on Whitemud.

With respect to the Deerfoot extension, the bridge over the Bow and the Dunbow interchange are nearing completion. They'll be completed this construction season, and we will cap all of the grade. So then there's just a small area of the Deerfoot extension that isn't completed yet, but we've heard that the negotiations are now complete between the city of Calgary and CARMA. So that project will proceed. I'm not quite sure if they will be able to do it and start it in 2002, but certainly by 2003 we'd like to see that completed, the Deerfoot extension. The interchanges on the Deerfoot: we will expedite and try and do them as quickly as possible and ensure that all of them are done within a reasonable time frame.

MR. McCLELLAND: With regard to the Anthony Henday and the Whitemud freeway, why would we build the Anthony Henday without interchanges if building the Anthony Henday with interchanges would negate the necessity of widening the freeway?

MR. STELMACH: What we want to do is ensure that the Anthony Henday is open to traffic. The interchanges will be built, again, in co-operation with the city, because they have to move a fair amount of traffic, and they won't have a road to do it once they start their project on the Whitemud.

MR. McCLELLAND: Now to the same minister the really difficult question: who's going to pay for what?

MR. STELMACH: The Deerfoot and the Anthony Henday are fully the responsibility of the government of Alberta. We've also assumed full responsibility for the maintenance on the Deerfoot, and we will do the same on the Anthony Henday as part of the north/south trade corridor. The full cost of the construction will be borne by the province of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Drayton Valley-Calmar.

Children with Special Needs

MR. BONNER: Thank you, Mr. Speaker. During question period on March 6 the Leader of the Official Opposition told the ministers of both Learning and Children's Services about a mother whose autistic child needs intensive behavioural intervention. Like many other parents this mother has been told by the Child Welfare Appeal Panel that her case is not in its jurisdiction, which means that her child has been denied the appropriate support. The Leader of the

Official Opposition also wrote a letter to the ministers of Children's Services and Learning to ask whose jurisdiction it is to address this case. To the Minister of Children's Services: why in over a month has the minister not responded to either a question or a written letter so that this mother of this child gets the help she needs?

MS EVANS: Mr. Speaker, we have actually been putting together the terms of reference with the expert panel and only this past week appointed a chairman. That has not been announced yet, but I can certainly announce today that Dr. Margaret Clarke has agreed to chair the expert panel. The information has been provided to the families, to the best of my knowledge, that we will be reviewing not only the programs for autism but all of the strategies for intensive behavioral interventions. There will actually be a thorough review.

And if I may take this opportunity, Mr. Speaker, yesterday in the House I advised that in terms of children who are receiving supports, resources for children with disabilities, the budget figure has increased from \$55 million to \$62 million. We are in fact providing more funds. Should there be some failure for this communication to reach the hon. member opposite, I apologize and will look into that. But clearly we have been advancing the case of children with special needs. It has taken some time because we were looking for some very well-placed people, knowledgeable in the industry but able to provide a thorough degree of input in our assessments, so that we can do this job properly.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Minister of Learning: why in over a month has the minister not responded either to a question or a written letter so that the mother of this child gets the help she needs?

DR. OBERG: Thanks. I believe that the Minister of Children's Services has just answered that question.

THE SPEAKER: The hon. member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Riverview.

Diploma Exams

REV. ABBOTT: Thank you, Mr. Speaker. I have received some calls from several members of my constituency, including students who are concerned about the upcoming diploma exams. Some who are writing the tests next week are concerned that the written sections of the biology and social studies exams have been removed, saying that this will not be as fair an assessment compared to last exams because they are better at the written portion of exams. Now, I've also heard from other students who say that these multiple-choice only tests will be easier and, therefore, are not fair to past writers. My questions are to the Minister of Learning. Why have these adjustments been made, and how will they affect students' marks?

DR. OBERG: Thank you very much for that excellent question. First of all and very briefly, the reason these adjustments have been made is because we had a very difficult time arranging for markers due to the Alberta Teachers' Association boycott of the Department of Learning. Mr. Speaker, what we have chosen to do is take out the written portion of the biology 30 and social 30 examinations – this accounted for roughly 30 percent of the exam – and we have replaced that with multiple-choice for the April examinations. The people in my department are one hundred percent excellent exam writers. They have been doing this for a long time, and they have

assured me that these exams, for those people who are wondering, will be just as tough, will not be easy. I feel that it is something that, unfortunately, we have to do. Diploma exams are necessary. If the ATA had not withdrawn their services, we wouldn't be doing this.

2:00

REV. ABBOTT: Well, as the Alberta Teachers' Association has encouraged teachers to withdraw their services from marking provincial exams, then who will mark the April diploma exams?

DR. OBERG: Mr. Speaker, in every discipline other than English 30 they will be mechanically marked, meaning that on the multiple-choice exams the marking will be done through a computer. For English 30 exams we do have roughly 50 to 60 exam markers who have qualified with our certification, and these are the people, whether they're from our department, whether they're from outside – we have some retired teachers; we have some PhDs from the universities – who have consented to mark. I even understand that there are some people in this very Legislature who are teachers who have consented to mark. I think that that's extremely important, and we are going to get through this. I continue to hope that we can go back to the situation we had which made us the number one jurisdiction in the world, the number one public education jurisdiction in the world, and I continue to hope that we go back to that.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. My second supplemental – and it's very important – to the same minister: considering the changes to the biology and social studies exams, will Alberta postsecondary institutions be accepting the grades from these exams?

DR. OBERG: Mr. Speaker, we have made contact with 18 of the provincial institutions, colleges and universities, and each one of these 18 institutions will be accepting the exams. We have not made contact with the four private university colleges yet. However, we anticipate that that will be occurring within a day or two. The quick answer to your question is, yes, they will be accepting them.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for St. Albert.

Ambulance Services

DR. TAFT: Thank you, Mr. Speaker. It's been almost one year since the committee reviewing ambulance service was created. According to internal government documents, its report is already completed and its recommendations have been forwarded to the relevant ministers. My questions are to the Minister of Health and Wellness. How much longer must Albertans wait for this report?

MR. MAR: Mr. Speaker, the report prepared by the hon. Member for Calgary-*Buffalo* is an extensive one, and it does require some amount of effort for the three ministries that are affected by the recommendations in the report to deal with it. Those three departments are the Department of Human Resources and Employment, the Department of Municipal Affairs, and of course the Department of Health and Wellness.

We are in the process of examining it. There are some difficult issues to deal with because there is a patchwork of ambulance services across this province. Part of the difficulty is that some municipalities provide an excellent ambulance service and others don't provide any at all. One of the challenges, Mr. Speaker, will be how to ensure that whatever changes we make preserve the best of what we have and improve those areas where we are lacking.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. I can't imagine why the report has to be kept secret in the process.

Is the government prepared to act on the report's recommendation that ambulance services be funded provincially?

MR. MAR: Mr. Speaker, indirectly now they are, through grants to municipalities. Municipalities make the decisions as to what services they provide. To the best of my recollection – and perhaps I can be supplemented by the Minister of Municipal Affairs – the total bill that is covered by municipalities for ambulance services is in the range of \$40 million.

MR. BOUTILIER: Mr. Speaker, I would also like to indicate that in speaking to the Member for Calgary-*Buffalo* and also the Member for *Innisfail-Sylvan Lake*, one thing was for certain: they have spent so much time traveling this province consulting with our municipal stakeholders on this very important issue.

DR. TAFT: Well, I'm delighted they've done that. Why don't they release the report?

What is the government's position on the report's recommendation that ambulance services be subject to compulsory arbitration?

MR. MAR: Mr. Speaker, having not gone through the entire process of formulating our response to recommendations in the report, I can only say that the report has been well prepared. A great deal of work has been put into it, a great deal of effort by the members for *Innisfail-Sylvan Lake* and *Calgary-*Buffalo** but also by many stakeholders throughout the province. Much work has gone into this, but we have not yet formulated our response to the recommendations, so I cannot reply to that particular request of the hon. member.

THE SPEAKER: The hon. Member for *St. Albert*, followed by the hon. Member for *Edmonton-Ellerslie*.

Provincial Water Strategy

MRS. O'NEILL: Thank you very much, Mr. Speaker. People in my constituency are raising concerns about some of the recent media reports from Saskatchewan as well as from our own Minister of Environment that one possible way to better manage the safety and sustainability of our water supply is to increase the price people pay for water licences and water usage. My question is to the Minister of Environment. Is the province considering any policy which would substantially increase the price of water in Alberta?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. Well, the simple answer to that is no, but I would just comment a little further and say that right now when people pay their water bills, whether they're for irrigation or in the city, they typically pay a conveyance fee. It's a conveyance fee to get the water to their house or to their irrigation farm. It is not a price on water. Typically, there is no price on water at the present time. So that answer still remains no.

As you know, Mr. Speaker, we have this water strategy that has been quite successful in attracting comment and discussion at a number of public meetings around the province. In fact, we originally scheduled 12 meetings. We've now had to schedule up to 15 meetings due to the demand for these. One of the issues that has

been raised by people at these meetings – it's not government policy – is that one could encourage conservation by putting some kind of price on water, but that's being raised by the public who are attending these meetings. This is not a government policy.

MRS. O'NEILL: While I understand that we're currently involved in the process of developing a provincial water strategy, is there currently any situation in the province where water is bought and sold like any other commodity?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes, Mr. Speaker. Last year in the irrigation districts there was a trading of water, if I can call it that. As you know, Mr. Speaker, the irrigation districts, such as St. Mary, are granted one licence, and then they manage that licence inside the district.

To grow potatoes you need roughly 20 inches of water. Well, last year, for instance, St. Mary could only provide you 10 inches and me 10 inches, so what they would do is I would come to you, Mr. Speaker, and say, "Can I buy your 10 inches of water from you so that I can grow potatoes and you can grow a dryland crop?" You would kindly agree to that because of your kind nature, and then water traded in our area for up to \$150 an acre.

MRS. O'NEILL: Well, if water is treated essentially as a commodity in irrigation districts and through water co-operatives, what is to prevent this practice from leading to water exports or the buying and selling of water to the U.S. or other countries?

DR. TAYLOR: Simply put, Mr. Speaker, we have a law in Alberta that prevents the selling of water outside Alberta. It would be impossible for us to do. There's a law against that.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Highlands.

Calling Lake Fishing Zones

MS CARLSON: Thank you, Mr. Speaker. The Official Opposition is on the record in several debates over many years demanding that the government take responsibility for fish stocks. Not surprisingly, at the 11th hour they are now making some attempt at action. The recently announced plan is for Calling Lake to be divided into fishing zones, with fishing being permitted only in the south end of the lake. This is quite typical of this government's policy: lofty goals but short on details. My questions are to the Minister of Sustainable Resource Development. Who is going to paint the line on the water so anglers know when they are in the north half of the lake and when they are in the south half? How can this ever possibly be enforced?

MR. CARDINAL: Of course, Mr. Speaker, only the Liberals would see something that negative in the very positive, innovative process that we are looking at. We know that there is a lot of pressure on the fish stocks in Alberta. We have only a thousand lakes that are fish-bearing lakes. We have 800 commercial fishermen that fish over 34,000 100-yard nets, and that is very hard to manage.

AN HON. MEMBER: How many, Mike?

2:10

MR. CARDINAL: Thirty-four thousand 100-yard nets. It's a \$5 million industry.

Then, on the other hand, we have the sports fishing industry,

which licenses over 300,000 fishermen. That's a \$350 million industry. Our economy is growing. Our population is growing. The demand is getting greater for our fish stocks, and we need to be very innovative in how we manage our lakes.

The specific project in Calling Lake is new and innovative. We're looking at how we can protect and enhance natural spawning grounds instead of depending on the fish hatcheries that are there. Although the fish hatcheries are doing a good job also, we feel that natural spawning grounds are probably the ideal way to enhance the fish stocks in those lakes, and that's exactly what Calling Lake is about.

At the suggestion of some commercial fishermen that are elders in the area to look at an innovative way of closing a portion of the lake by marking at the shorelines where the closure will take place and where it's going to be open – Mr. Speaker, it's an innovative way where natural spawning and stocking will take place. It's a good area also for nesting grounds for birds. Ducks Unlimited, in fact, yesterday said that they were fully supportive of that particular plan.

MS CARLSON: Mr. Speaker, this minister's own biologists don't agree with this plan. Why is he going ahead with it when his own technical staff tell him that it can't work?

MR. CARDINAL: Well, Mr. Speaker, we have over 2,000 staff in my department, and they do a heck of a job in managing our resources. Because there's some much pressure on our natural resources in the area of fisheries now, we have to be more innovative. It's something that hasn't been tried, but I know that the process has been tried in other jurisdictions, probably not in the inland lakes. Therefore, this plan will work.

THE SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker. Can the minister tell us how many staff will be working to enforce and monitor this plan?

MR. CARDINAL: Mr. Speaker, of course, we are restructuring in our department, and we have over 100 conservation officers that can monitor this process. It's not a problem.

One thing to keep in mind. With these new processes in place, Albertans themselves will monitor the process. In fact, more than 99 percent of Albertans, I believe, are very, very honest. They wouldn't purposely break the law. They will no doubt follow what we've laid out.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the Member for Red Deer-North.

Low-income Programs Review

MR. MASON: Thanks very much, Mr. Speaker. The minister of human resources has been sitting on the report and recommendations of the low-income programs review since last October. He's been promising to make them public almost as long. Implementing the approved recommendations from this review is a key strategy identified in the ministry's business plan. My question is to the Minister of Human Resources and Employment. Why does the minister continue to suppress the report and recommendations of the low-income programs review, especially in light of his repeated promises to make them public?

THE SPEAKER: The hon. minister.

MR. DUNFORD: Thank you, Mr. Speaker. The MLA committee that was placed in charge of this exercise chaired by the MLA for Edmonton-Castle Downs did an excellent, excellent job, a very extensive review into all of the situations as they deal with low-income supports to Albertans, and has put together two reports. The first report is entitled *What We Heard*. Of course, upon its release that will provide, then, the opportunity for feedback to all of those various groups that did provide input. I understand that it was something like 6,500 Albertans who provided input, so it'll be very important for Albertans to see that the kinds of things that they had to say were in fact reported.

The second report is entitled *What We Recommend*. That is now the recommendation of that five-person MLA group. Again it'll be my responsibility to make sure, then, that we provide a government response to the recommendations of those reports.

The member is probably aware that there's an internal process that any minister of this government must go through. We are presently involved in the various stages of that internal process, and the member and other Albertans will see the reports imminently.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. How does the minister, then, expect this House to debate his budget estimates, which include the business plan, which includes reference to these reports, if we have not yet seen the report? How are we supposed to do that this afternoon, Mr. Minister?

MR. DUNFORD: Oh, I'm sure they'll find a way. We'll make sure that we provide as much information as we possibly can in terms of the questions that individual members might want to raise, and certainly as a minister I'll feel obligated to try to provide you with as much information as I can. Of course, at this point I'm not in a position to table those two reports.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. It's a breathtaking disregard for the rights of this Assembly. What possible explanation can there be for this government's failure to publicly release the recommendations of the low-income programs review other than that the government has obviously decided to do squat for low-income people in Alberta and they want to keep that a secret as long as possible?

MR. DUNFORD: I think that on the floor of this House it's quite appropriate for members to speculate in whatever manner they wish. Again, I think we would revert to the situation of 6,500 Albertans who in fact took the time to make comments about the low-income support system that we have here in Alberta, which by the way, Mr. Speaker, is very extensive. In fact, we have some areas of support for low-income Albertans that are the . . . [interjections]

THE SPEAKER: The hon. minister has the floor.

MR. DUNFORD: Well, I'm sure the hon. Member for Edmonton-Strathcona in his time at university dealing with classes, when he tried to provide information, tried to provide some education, probably got interrupted a time or two as well, and of course the situation is happening here again today.

But a very extensive report, excellent recommendations, a process to be going through, and that's exactly what I'm doing. Now, I was designated, Mr. Speaker, this afternoon. Had they really shown the

concern that they wanted to make sure that the report was there, I have answered in question period previously that the release of those reports was imminent. There is a long period of time allowed for the debate of the estimates. You could have just as easily put me off for two weeks, but I'm here today and I'm prepared to stand in front of anybody in this House and defend the estimates, because what we're doing for low-income Albertans is right and it is proper.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Gold Bar.

Violent Offenders

MRS. JABLONSKI: Thank you, Mr. Speaker. Sending violent offenders to jail for a period of time while their victims suffer a lifetime of physical and mental damage does not balance the scales of justice. The taxpayer is also a victim when they're required to pay for the offender's unproductive time while in jail and for the medical costs of the victim. My question is for the Minister of Justice. Should violent offenders be made to pay financially through some mechanism for their victims who suffer so badly that they become dependent on health care for a period of time or even for a lifetime?

MR. HANCOCK: Well, Mr. Speaker, under the Criminal Code there are provisions for offenders to pay restitution to victims of their crimes. Most often that's used in the area of property offences, but it can also be used in cases of bodily harm if that bodily harm and the damages caused can be ascertained easily. In addition, of course there are civil remedies that people have available to them, but that's not usually that productive because, I would hazard a guess, in most cases where serious and violent crimes occur, the people that are incarcerated have few resources and certainly don't have any income available to them while they're in jail.

Now, it's important to point out, however, that we do have in Alberta a great program operated by the Solicitor General, and she may wish to comment on our victims of crime fund which victims of crime can apply to for compensation. The money that goes into that fund of course comes from the surcharge on fines and penalties that are assessed. I know that's being reviewed, and the Solicitor General may want to supplement. Of course, she has also indicated that she is reviewing corrections services, and there may be some provision there for having offenders in our jails at least work and earn an income. But I think the biggest problem with the concept, while it might be an appropriate concept, is that prisoners would have to have resources in order to compensate victims, and too often that's not the case.

2:20

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. My question refers more to the restitution to the taxpayer rather than to the victim, so my supplemental is: does retribution for a crime served through jail time paid for by the taxpayer while offenders are not required to pay any maintenance for their victims result in a fair and equitable justice system?

MR. HANCOCK: Well, there are many aspects, Mr. Speaker, to the concept of justice, and while we may be straying into the area of opinion here, in terms of policy it is our policy to make our communities safer by locking up violent people and by locking up the people who commit serious and violent crimes. Now, while most often the case that those would be in federal penitentiaries because on the provincial side we only have prisoners who serve two years

less a day, it still remains the same. The question is whether it's useful because the prisoners don't necessarily have the resources. If they do have the resources, in Alberta – and the hon. member will remember that last year we did pass an act in this House, the Victims Restitution and Compensation Payment Act. Under that act we do have the ability to take the proceeds of crime or to take property, with due process of the court, from a criminal and have it applied to a victim or have it go into the provincial coffers for other use, which in some small way does compensate the taxpayer for some of the activity that has happened.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Clover Bar-Fort Saskatchewan.

On-the-Job Training Programs

MR. MacDONALD: Thank you, Mr. Speaker. This past January the Minister of Human Resources and Employment was made aware that over 34,000 taxpayer dollars were funneled between 1997 and the year 2000 into Wrenchmen Automotive, a business with alleged links to the Hell's Angels. The money was provided through training-on-the-job programs operated under the Canada/Alberta agreement on labour market development. The Liberal leader wisely asked the minister to conduct an investigation into this matter. All my questions are to the Minister of Human Resources and Employment this afternoon. Why do the public accounts show that in 1999 only \$10,700 was provided when training-on-the-job contracts released through FOIP show that \$20,460 was the amount allocated for that year?

MR. DUNFORD: I would ask the hon. member, with the information that he has for his question, to either send it over to us directly and we'll look into it, or if he wants to write a memo about it, that would be fine. We'll be glad to look into it. I, of course, don't have the information in front of me to be able to respond to the question.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: how many other problems have been identified with money provided under the Canada/Alberta agreement on labour market development for programs that are similar to this one?

MR. DUNFORD: Well, he's asking, Mr. Speaker, about other problems. One of the things that has been ongoing within our department for quite a period of time in terms of the labour market development agreements has been working with the Auditor General in terms of the audit itself and to try to provide some management tools under the ongoing contracts. We of course have been making some strides in that area. I think that in any reasonable review of the Auditor General's reports over the last number of years that I've been responsible for this ministry, we see the acknowledgment of improvements in that particular area.

Again, in terms of his actual question, though, about the number, I sense that there's another shoe to drop here with the next supplemental question so would just simply ask him again: to provide whatever information that he is requesting, simply send us a request for that.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: given that the Alberta Liberal leader, as I said before, wisely asked the minister to have the Auditor General conduct an investigation into this matter, when will the results of that investigation be made public?

MR. DUNFORD: Well, the hon. leader of the Liberal Party is in fact a wise person, and it's not unusual in any sense that he should ask a wise question. I suspect that there's been some benefit now due to the hon. member for having phrased the question in that particular manner.

Once again, it looks like he has some good information there, and I think we need to get the situation resolved, because we've been working very, very hard on these agreements, and we need to make sure that we're all the way home on that.

THE SPEAKER: Hon. members, prior to the recognition of the first of several hon. members to participate in Members' Statements, might we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. In the gallery today we have a class of schoolchildren from my constituency, the Dr. Gerald Probe school. It's my understanding that there are 47 students accompanied by six parents and an undisclosed number of teachers. I would like for you and for all the Members of this Legislative Assembly to show a warm welcome to those people that we have here today from Lethbridge, Alberta.

head: **Members' Statements**

THE SPEAKER: The hon. Member for West Yellowhead.

Edson Atoms Edson Credit Union Canadians Edson Legion Sabres

MR. STRANG: Thank you, Mr. Speaker. I'm very pleased to say that Canada's national sport is alive and well in West Yellowhead. During the week of March 16 the Edson Atoms earned a hard-fought-for silver medal in the Sturgeon-Pembina atom B2 league playoffs in Sangudo. This medal is a tribute to their never-quit attitude and good sportsmanship.

On the same weekend the Edson Credit Union Canadians won gold in their tournament at the Sturgeon-Pembina atom B league playoffs. They were undefeated in tournament action in Linaria.

Last but not least, the Edson Legion Sabres scored the winning goal on home ice on March 24 and won the provincial midget A tournament. As a number of players will be moving on after this season, the hometown win was an added bonus for them.

The game of hockey provides our young people with the opportunity to learn and practise leadership, teamwork, and discipline. All these young people have been outstanding ambassadors for the West Yellowhead region. I am pleased that they were representing us.

I would ask all members to join me in recognizing these Alberta athletes, their volunteer coaches and managers, as well as parents, families, and friends who support them all. Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

Provincial Fiscal Policies

MR. MASON: Thank you very much, Mr. Speaker. The Tory government pretends that it knows what it's doing when it comes to fiscal management. However, Tory fiscal management is just that: a game of pretend. Their philosophy is based on helping those who don't need assistance while abandoning those who do.

One needs simply to look at the recent budget fiascos to understand their style of management. Days after unilaterally breaking an agreement with Edmonton and Calgary regarding transportation spending and only after the real threat of litigation, the government magically found \$155 million to make the problem go away. Days later, after poisoning relations with Alberta's teachers, the Learning minister claimed that there was not enough money in the kitty to allow ambitious grade 10 students to take as many courses as they would like. After a justified public outcry the money suddenly reappeared. In a true insult to Albertans this government conveniently doled out \$4 billion in utility rebates mere months before the last election.

2:30

I don't want to give the impression, Mr. Speaker, that these were isolated slipups on the part of the government. In fact, the problem is much more entrenched. In an eight-year period the government managed to misestimate revenue by over \$21 billion. This is a deliberate policy allowing the government to plead poverty in the early part of the term and to appear as financial geniuses for finding hidden surpluses year after year. By giving away \$1.5 billion in tax breaks to the richest Albertans and \$1 billion in tax cuts for already profitable corporations and, worst of all, by consistently underestimating revenue, this government has put important core services at risk.

When the New Democrat opposition asks about education funding, transportation funding, and support for important programs like the community lottery board, we are consistently given the same response: wait and see if oil and gas prices stay high, and then maybe we'll throw a bone to Alberta's families. Should grade 10 students check the business section of the morning paper to see whether commodity prices are high enough to pay for their education? Should Albertans plan family outings . . . [Mr. Mason's speaking time expired]

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

National Wildlife Week

MS CARLSON: Thank you, Mr. Speaker. Climate is Changing; Help Wildlife Weather the Storm. That is the theme of this year's national wildlife conservation week. As legislators it is very important that we take the time to consider how the policies, regulations, and laws that we discuss in this Assembly affect wildlife. We are all aware of the balancing act required in Alberta. We have a wealth of oil, gas, and forests that can and do provide immense material wealth. We also have ecosystems that can be quickly destroyed by irresponsible development, emission levels set according to profit margins, and inefficient use of water.

Alberta is also facing the challenges of the Kyoto agreement. To

address climate change and help wildlife weather the storm, the government must be committed to policies that are grounded in scientific studies. We need research that takes into account baseline levels and cumulative impacts. Short-term results are important, but we must realize that industrial and commercial developments will continue to impact the environment long after we have left this Assembly.

The effects of climate change and increasing temperatures have been documented in Alberta wildlife. The increasing temperature and decreasing levels of water in our lakes and rivers are affecting fish stocks. When fish stocks decline, the ecosystem of the body of water changes, and the effects spread to birds and other animals that feed off the fish. Shorter, drier winters are also causing havoc in our forests. While some people see forest fire as only a loss of merchantable timber, there are also animals that die as a direct result of the fire or indirectly as a result of lost habitat. Alberta's fossil fuel economy has a significant impact on climate change.

It's time for investment in new technologies and new ideas. Climate change is real, and we have to accept some responsibility. The laws of this Assembly must not focus only on dollars and economic growth. Our decisions affect water levels, air quality, and wildlife habitat. National wildlife conservation week gives us an opportunity to broaden our perspective and consider more fully the impacts of our decisions.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

Drayton Valley Thunder Junior Hockey Team

REV. ABBOTT: Thank you, Mr. Speaker. I rise today to recognize the solid efforts of the Drayton Valley Thunder junior hockey team, who last night defeated the Grande Prairie Storm to win the Alberta junior A hockey championships four games to zero. Led by the solid goaltending of rookie goaltender Clint Chalmers and high-scoring veterans like Jade Galbraith, the Thunder walked into Grande Prairie and beat the home team by a score of 8 to 3. Before playing Grande Prairie, Drayton Valley beat teams from Fort Saskatchewan, Sherwood Park, and Olds to earn the right to play for the championship.

As the MLA for Drayton Valley-Calmar I want to extend my best wishes and congratulations to coach Ian Kallay and all of the members of the Thunder, who have represented Drayton Valley admirably over the course of this year. The team has only been in existence for four years, and although it is comprised of players from all over the province and one from as far away as Anchorage, Alaska, our whole community of 6,000 people has taken these guys in as their own, and they have responded by bringing a championship home to Drayton Valley.

I also want to note that this past summer the Drayton Valley council agreed to join the International Association of Character Cities. Drayton Valley is the first community in Canada to join this association. Right here we have a fine example of a group of young men who have shown character and determination by winning the Alberta junior A championship, and their season isn't over, Mr. Speaker. Beginning April 19 in Drayton Valley, the Thunder will play the British Columbia junior champions in the best of seven series for the Doyle Cup. Then when they win the Doyle Cup, the team will travel to Halifax in May to compete in the national junior A championships.

I again want to congratulate everyone involved in the Thunder organization and ask all members of this Assembly to cheer them on as they do Alberta proud.

Thank you, Mr. Speaker.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 500 Albertans requesting the Assembly to urge the government "to support the establishment of Chinchaga Wilderness as a legislated protected area."

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I would like to present a petition signed by 115 residents of Edmonton, many from the Edmonton-Highlands constituency, petitioning the Legislative Assembly "to urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: Notices of Motions

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday I will move that written questions appearing on the Order Paper do stand and retain their places.

I'm also giving notice that on Monday I will move that motions for returns appearing on that day's Order Paper do also stand and retain their places.

Thank you.

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. As promised earlier this afternoon, I'm tabling appropriate copies of the pastoral letter by Bishop Henry of Calgary. It's a reaction to Bill 12.

I have two other tablings, Mr. Speaker. Both of these are letters written on April 10 and addressed to the Premier. They come from Fort Macleod, one by Harry Urwin and the second one by Georgina Lawrence-Donald, both expressing grave concern about the rumours that the Fort Macleod hospital either might be closed or the services might be severely curtailed. They're appealing to the Premier to take action on it and make sure this doesn't happen.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm tabling five copies of a letter from the Edmonton Community Lottery Board addressed to the Minister of Gaming. The board is urging the minister to expeditiously process the funding applications which have fallen through the cracks, and they are identified as the Citadel Theatre, the Kenilworth facility upgrade for the ice arena, and the Edmonton Police Service for a police gym.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have three tablings this afternoon for the benefit of all hon. members of this Assembly. The first one is a notice to all Workers' Compensation Board employees on how to proceed to join a union, the

Canadian Union of Public Employees. This is a meeting that's going to take place at the Inn on 7th, quite handy to the WCB headquarters.

The second tabling I have this afternoon is another proclamation, a letter regarding Bill 207, which was the Alberta Personal Income Tax (Tools Credit) Amendment Act, 2001. It is urging cabinet to have this act proclaimed immediately, and it's signed by Bill Fraser, Kevin Johnson, and several other individuals.

My third tabling this afternoon, Mr. Speaker, is copies of a petition that has been organized again by Mr. Darby Mahon of Edmonton-Gold Bar. It is a petition supporting public and separate schoolteachers in their long, extended contract negotiations with their provincial government.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I have, with your permission, two tablings this afternoon. The first is a letter from Joanne Cuthbertson in Calgary-Currie to the Premier indicating her concern with the cynicism that's growing among Alberta parents with children in public schools based on the lack of government action to resolve the issues that face public schools.

The second is five copies of a subsequent letter from Joanne Cuthbertson to the Premier indicating her dissatisfaction with the circumstances that continue for our children and their families and teachers in Alberta schools.

2:40

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. On behalf of the Leader of the Official Opposition I would like to table the appropriate number of copies of a petition supporting services to persons with developmental disabilities in Alberta signed by 60 people who live in Calgary and other parts of southern Alberta.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have a number of tablings today. I'll go through as quickly as I can. The first is a letter from John Reid of Calgary directed towards the Premier regarding the dissolution of the community lottery boards. He notes: "Not only is the Alberta Foundation for the Arts underfunded . . . now the government deletes this other positive program that at least allows non-profits to buy hard cost items."

The next tabling is from Shauna Kennedy, also of Calgary, directed to the Member for Calgary-Buffalo. She asks him "to take immediate action to help reverse the decision to do away with the [community lottery boards]. They are vital to the survival of the many organizations, including EMMEDIA," all contributing to the Alberta advantage.

The next is a letter that's directed to the Alberta Council on Aging from Edwin and Chris Callaghan. They note that the recent elimination of the extended health benefits for seniors wasn't much, but it helped reduce their bills, and this is going to leave them without any resources.

I have the correct number of brochures from the Candora Society of Edmonton, who spoke at the rally today for the community lottery boards. Candora stands for Can Do in Rundle and Abbottsfield. These are communities in Edmonton.

Finally, Mr. Speaker, I'd like to table five copies of a media release from the Edmonton Community Lottery Board announcing the dissolution of their board effective May 31 and regretting the withdrawal of the program.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have one tabling today, and it's done with permission. It's a letter from a constituent who is a tax adviser, and it comes with attachments expressing serious concern about public confusion over Bill 207, the Alberta Personal Income Tax (Tools Credit) Amendment Act, 2001.

Thank you.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to table today a letter addressed to me from Mrs. Joan Trettler, who is the chair of the board of trustees of St. Albert Protestant schools, in which she asked me to table this letter with respect to the concern around Bill 12.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. On this glorious Alberta day I rise to table the appropriate number of copies of excerpts of a speech yesterday from the president of IBM Canada, who has chosen Edmonton and Alberta to set up their e-business. I'd like to read a small excerpt of why they made that decision: what stands out is the many ways in which . . .

THE SPEAKER: Hon. minister, if you're tabling it, there's really no need to read anything. All members will have a copy.

Thank you.

MR. NORRIS: I will table it because they chose Alberta because of the positive business environment.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a letter received from one of my constituents, Angie Stober. She outlines her unequivocal support for the government's position on dealing with the pending arbitration process. Interesting reading.

head: **Projected Government Business**

THE SPEAKER: The hon. Official Opposition House Leader.

MS CARLSON: Thank you, Mr. Speaker. We would ask that the government share next week's projected government business with us at this time.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. As all members will know, we will continue throughout next week in Committee of Supply, but to be more specific: Monday at 9 p.m. under Government Bills and Orders Government Motion 23 with respect to the confirmation of the appointment of the Auditor General; then under second reading bills 22, 16, and 20; Committee of the Whole, Bill 11; and as per the Order Paper.

On Tuesday, April 16, in the afternoon under Government Bills and Orders in Committee of Supply the main estimates of Sustainable Resource Development will be considered, and then at 8 p.m. under Government Bills and Orders in Committee of Supply the main estimates of Infrastructure. Time permitting, Bill 23, Bill 16,

Bill 20, and others as per the Order Paper may be considered.

On Wednesday, April 17, under Government Bills and Orders in the afternoon, day 11 of 24 of Committee of Supply, with the Department of Energy being considered. At 8 p.m. under Government Bills and Orders, again in Committee of Supply, the main estimates of Agriculture, Food and Rural Development. Time permitting, second readings of bills 21, 23, 24, 25, and as per the Order Paper.

On Thursday, April 18, in the afternoon under Government Bills and Orders, day 13 of Committee of Supply main estimates, with the Department of Environment presenting their estimates and thereafter as per the Order Paper.

THE SPEAKER: Hon. members, the chair was advised earlier this afternoon, as all hon. members will appreciate, that the hon. Member for Edmonton-Ellerslie wishes to rise on a purported question of privilege. Hon. members might follow under Standing Order 15.

Privilege

Contempt of the Assembly

MS CARLSON: Thank you, Mr. Speaker. I am rising on a point of privilege this afternoon against the Minister of Finance and the Premier under Standing Order 15. More specifically, we believe that a contempt of the Assembly has occurred by the Minister of Finance because she was responsible for the Financial Administration Act and by the Premier because as President of Executive Council he is ultimately responsible for noncompliance with legislation. He has also exhibited full knowledge of this noncompliance over the past two days of questions to him on the Swan Hills waste treatment plant. The contempt that we will be discussing is a breach of the Financial Administration Act, specifically section 42, with regard to the operation of the Swan Hills waste treatment plant.

The Financial Administration Act in section 42(2) states that the government may not purchase shares or enter into a joint venture or partnership unless that transaction is specifically authorized by an act or a subsisting regulation that was in force before the commencement of that section. We have seen no regulations come through, nor has the Premier or the Finance minister referred to those in any questions asked of them. Shares include "any equity . . . or interest in the capital, property, profits or earnings of a corporation."

The Special Waste Management Corporation Act was repealed in 1997, and under the Interpretation Act a bylaw is not considered to be a regulation. In dealing with this point of privilege, there may be some discussion about a bylaw giving them an exemption from bringing this deal before the House, but according to the Interpretation Act a bylaw is not the same as a regulation, so this particular loophole does not apply in this particular case. The government is also prohibited under section 42 of the Financial Administration Act from bringing an appropriation bill or estimate that would involve the Crown entering into a joint venture or share transaction unless the transaction is authorized by the act. We'll see that in the last two years of budget estimates it has occurred where there have been line items speaking to dollars in the act.

We've heard arguments over time by the Premier saying that there is nothing he can do about the amount of money required to pay down the debt each year because it is written in law. Well, the Financial Administration Act is also law. In section 42 it states that before getting back into the business of being in business, the deal must be brought to the Assembly for full debate.

We have included in our package both to you, Mr. Speaker, and to the Government House Leader a great deal of information laying out the history of this plant and instances that we believe justify that this breach has occurred going back as far as the year 2000 in

October. There's a press release in here talking about reaction to Bovar's announcement for the plant that would be given back to the government for \$1. It's our opinion that when that transaction occurred, we saw the first breach happen.

2:50

We asked for independent audits. We talked about at least \$442 million in Swan Hill losses. We gave the government other options for dealing with the hazardous waste treatment plant; specifically, seven of them. In *Hansard* of last year, in May of 2002, we again raised questions about this and the finances of the Swan Hills plant, and we asked for information to a written question, which was then denied to us by the Minister of Sustainable Resource Development.

There have been recent articles in the newspaper about this particular facility being back in the business. Specifically, as part of a budget of tough choices, the government has chosen to include \$26 million for operating expenses and \$2 million for capital investment in this plant. Clearly a breach under the act. Articles in newspapers have attributed the following information from the spokesperson for Alberta Infrastructure, David Bray: that the government would not release quarterly figures for the plant and that the government does not have an obligation to release information because the plant was privately owned for a number of years. These are indications that the government is now back in the business, which has been also confirmed by the Premier in his responses to questions yesterday. Any losses or profits resulting from this are borne by the taxpayers, and they have a right to full disclosure in terms of what's happening and a right to decide what has happened.

We see the annual report for 2000 stating that despite significant cost reductions and the campaigning of the Swan Hills Treatment Centre, there was not sufficient hazardous waste flowing to the centre to maintain it as a viable operation. They go on to talk about how waste is handled and that the facility operated on an as-needed basis, further evidence of the need for a full debate of the issue so that the people of the province can decide if the government should participate in this business in accordance with the act under discussion.

In summary, Mr. Speaker, our key points are that the financial viability of this plant has long been in question; Albertans are split on the issue. The government has resisted attempts of the Official Opposition to obtain information about this operation, having said several times, on one hand, that they would provide it and then denying it. Taxpayers are already into this deal for over \$500 million including cleanup costs. It is our role as Official Opposition to examine government operations and policies and offer alternatives. Without full disclosure we cannot perform our elected function. The responsibility of the Premier is to uphold his own laws, which means, in this particular case, bringing the choice for this decision, to be in business or not to be in business to operate this plant, before the Legislature so that we can have full and open debate and so that the people of the province actually know what is occurring and can participate on a fully informed basis, where they can let their views be known to all of us.

The Minister of Finance as the minister responsible for the Financial Administration Act has a responsibility to bring this forward. We believe that the terms of the Financial Administration Act are clear in this regard.

The Special Waste Management Corporation Act was repealed in 1997, so we believe that a breach has occurred twice: once when the government took back ownership from Bovar and again when they went into an agreement with Sensor Environmental to operate this and to continue to fund this plant in this province. They've tried to consider some corporation bylaws as regulations in this case. We believe that under the Interpretation Act the bylaw is not considered a regulation. Under section 42(3) the government is also prohibited

from bringing in an appropriation bill or estimate that would involve the Crown entering into a joint venture or shared transaction unless the transaction is authorized by an act. For two years now there have been line items in the Infrastructure budget for the operation of the plant, and I refer you specifically to this year's budget, program 2.1.12. These line items were not present when Bovar had 100 percent control over the plant. The reappearance of this budget item indicates that the government is back in the business of being in business.

Lastly, I would refer to a statement made by the Premier in 1996 regarding the spirit of the act, where he stated:

We're tying our hands . . . because [this] government is now out of the business . . . of loans, guarantees, and investments to business, period . . . From now on if any of these kinds of deals are to be made, they must be made right here in the Legislature and before the eyes of the public.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. Government House Leader, as the details of this point of privilege have just begun to unfold in the last couple of minutes and as the individuals who are cited in this point of privilege are not here, perhaps the hon. Government House Leader would want to wait until Monday before making a formal response. But if he wishes to proceed now, that's fine too.

MR. HANCOCK: I was prepared to make a few comments but was going to ask precisely for that. This is a very detailed question of privilege. While I'd be delighted to deal with some of the issues that have been raised off the cuff, it would be more appropriate, because of the nature of the question raised, to be able to deal with it fully and completely in a discussion on Monday.

THE SPEAKER: Agreed.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, after continuing communication on this issue with the Official Opposition and the third party, I would first seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Human Resources and Employment to go beyond two hours, with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03**

Human Resources and Employment

THE DEPUTY CHAIR: As per the Standing Order the first hour is allocated between the minister responsible and opposition members, following which any other member will be able to rise and speak to the estimates.

The hon. minister.

MR. DUNFORD: Thank you, Mr. Chairman. I, of course, am here this afternoon to present the 2002-03 estimates for Human Resources and Employment. Now, this ministry has four components. We have, of course, the department itself, Human Resources and Employment, but we're also responsible for the Alberta Labour Relations Board, the personnel administration office, and the Workers' Compensation Board. Now, ladies and gentlemen, I'm asking for \$1.061 billion to support the work of the first three entities. The WCB is entirely financed by employer premiums and is not a part of these budget estimates.

First, the Department of Alberta Human Resources and Employment. Within this department we have three components: people, skills, and workplaces. Our first range of programs is people investments, and you can see that in program 2 of the estimates document. Expenditures will be about \$742 million, about 4.4 percent more than last year, and that is about two-thirds of the department's overall spending. Supports for independence come into this area. The SFI program provides financial benefits and helps people get skills and experience for work. It provides earning exemptions to ensure that people are better off working. Twenty-eight thousand families need supports for independence to cover their basic living costs, but let me tell you about some of these people.

3:00

In central Alberta this year a financial benefits worker received a call from a client that she had served actually a number of years earlier. The caller was actually hiding in a rural area. Her husband was in jail, and she had no food. She had been abused. The worker dealt with police, victims' services, a landlord, community agencies, and others, and within a month her client had a new, safe place to live. Now, this woman still has a long way to go, but she has a chance now for a new life.

It happened in north Edmonton as well. A client receiving supports for independence believed she could not work because she had poor physical health. She attended a HOPE workshop provided by career and employment counselors, and it helped her see her possibilities instead of her limitations. She is now enrolled in call-centre training and is looking forward to starting employment. We helped this client get a new lease on life, and I'm sure that the chairman that today is overseeing these activities would appreciate stories like this, based on his background of an extensive career in social services.

People in need can also include people with disabilities. The assured income for the severely handicapped, well known as AISH, is among the most generous programs of its type in the country. The caseload has been rising by 7 percent a year, about 2,000 people, as a result of a growing and aging population. In the year ahead we will provide about \$361 million in financial and medical benefits to about 30,000 Albertans, and this is an increase of \$26 million. Even with fiscal restraint across government our programs protect Albertans who need it most, and we will always give people a hand up, but we are prepared to consider whether we can spend resources better. We have asked Albertans whether social programs are doing all that they could be doing. This spring the government will respond to recommendations of the MLA committee that reviewed low-income programs, and I'm sure that the hon. members here in the House today representing the third party will be glad to get up and question me at some length on those particular areas.

We have also told eligible families about the Alberta child health benefit, a program for low-income working families. It provides premium-free medical benefits for children. Prescription drugs, basic glasses, dental work, and diabetic supplies are covered. Each

child receives about \$260 a year in medical benefits. This, by the way, is less than one month's welfare benefits, so their parents do not need to quit their jobs to go on assistance to meet medical needs.

Another important program is family maintenance. It helps single parents and parents in blended families get child support orders or agreements. Receiving child support payments can mean the difference between a family being independent or needing to turn to the provincial government for support. Last year the program helped 23,000 clients. Programs like family maintenance and the child health benefit are triple wins: wins for children, wins for parents, and wins for taxpayers.

The second area that is key, in our view, is the skills investment area. These are programs that help move people into workplaces. There are nearly 1.7 million Albertans working. Unemployment rates are at about 5 percent. Average weekly earnings continue to rise, and employers are finding it a challenge to attract all of the skilled workers they need. This year my department will devote over a quarter of a billion dollars to ensuring that there are trained people for jobs and jobs for people.

Those investments include the skills development program. Let me tell you about a 21 year old in Red Deer. She had dropped out of school in grade 10. She was unemployed. She wanted to do better and started with academic upgrading. It was quite a struggle for her, as you can imagine. In fact, staff even helped with tutoring so that she would get through her grade 12. She then registered at Red Deer College. She'll be graduating from the legal assistant program this year and is assured of getting a good job. The skills development program gave her a second chance.

There are others who want a first chance. Many Albertans with disabilities will tell you that their biggest barrier to employment is not their disability itself but the attitudes of other people about their disability. Let me tell you about a college graduate in management studies and rehabilitation practice. She is a full-time employee with the city of Edmonton, and she's blind. The disability-related employment supports program – the acronym for that is DRES – provided \$7,000 worth of computer hardware, some software that reads aloud, and a scanner. That sum, equal to eight months of AISH benefits, has actually helped her move into the workforce, and of course she's not on AISH. This year we will invest \$7.3 million in DRES and the supports for associations that help people: people with disabilities who want to work and employers who see ability first and disability second.

Now, yesterday I was presented with the minister's Employability Council report – this was chaired by the hon. Member for Olds-Didsbury-Three Hills – and we'll be responding to its recommended strategies. We will help people get the skills and experience they need to be successful.

The summer temporary employment program will provide summer jobs to about 3,800 Albertans. Under the \$113 million labour market development agreement with the federal government Alberta delivers career services to employment insurance clients. That agreement helped a man in Donalda who had been laid off from the oil industry. The self-employment program meant that he could get employment insurance benefits while he started a new business. He built a plasma welding and creative metal fabrication company. He is now patenting a new invention, has two full-time employees, and subcontracts to several shops in the area.

In a network of offices across the province we help people who visit our labour market information centres, career development centres, and Canada/Alberta service centres. These offices help people be successful at work with a seminar on how to find a job or information on why one career path suits one person better than another career path might.

We're running an ad campaign right now called Click, Call, Come in, to show the many ways you can get information about careers learning and employment. People can click on our ALIS web site. I have a sweater that has that web site down a sleeve. Unfortunately I'm not able to wear it today, but for the information of all members, that web site is www.alis.gov.ab.ca, or any member of the House that's thinking of a career change can call the career information hot line at 1-800-661-3753 or come into our offices across the province. So there you have it: click, call, come in.

We have another way for people to get service. Now, listen to this. We actually go out and talk to them. Careers in motion is a career-related motor home, like a bookmobile, only built for looking for work and training. Originally the vehicle was an air quality testing unit used by the Environment department, and we've all seen that unit up and down the highways in Alberta. Well, now it's going to have a little different look to it. It was purchased by our department. Clients in the Slave Lake Alberta Job Corps repaired and refurbished the unit. The exterior was painted and covered with decals last month. So if you're on Alberta highways this summer and you see a big multicoloured vehicle with the stickers "geologists rock" and "I heart resumes," meaning of course "I love resumes," our staff inside are going to help people be successful at work. We're really excited about the ability of this government to get out from under the dome and to get out to where Albertans are and carry these services to them.

3:10

Now, we also provide skills to Albertans, and we are also part of Alberta workplaces. Employment standards ensure that employers and employees have balanced rights and responsibilities. We received an e-mail three weeks ago from an entire family. Their son had not been paid wages he was owed. Employment standards investigated, and the teenager now has the money that he had earned. He also has an important life lesson: family and government can work together and solve problems.

In employment standards and other workplace enforcement areas of the department our approach is to first educate and then enforce a regulation. So we want to first educate, then regulate. Our officers are in restaurants, retail outlets, autobody shops, factories, and hotels across the province. They provide training on how to calculate overtime and holiday benefits or how to arrange shifts in compressed work weeks or how late a 16 year old can work at a gas station. Employers and unions who receive training and information from our staff have said that our officers helped clarify their obligations and ensure a better workplace. We will devote \$4.4 million to employment standards initiatives this year so that we can continue to help people and workplaces be fair.

We also want Alberta workplaces to be safe. This year's business plan sets my personal challenge to Albertans: reduce the workplace injury rate by 40 percent over the next three years and keep 15,000 lives from shattering. I have talked with families who lost a parent to occupational disease, and I've talked with families who lost someone because of what somebody called an accident. We're going to remove the word "accident" from the English language as far as we in Human Resources and Employment are concerned. There are no accidents. All workplace injuries and fatalities can be prevented.

I am challenging Alberta workers and employers to change. I've asked for advice from 15 Alberta businesspeople and employee representatives about how to make their work sites safer. They will send me a proposal shortly. I am asking members today for their ideas. On May 8 at the workplace safety 2.0 forum in Edmonton I will ask more than 100 Albertans what they are prepared to do to make workplaces safer. The target is clear: reduce injury rates and save lives.

The final component of our workplace investments is labour relations. Mediators are on call, ready to help with formal labour negotiations, and our facilitators are involved in helping make workplace relations more balanced and productive. Let me tell you the difference a facilitator can make. A transit worker was injured and could not return to his old job. He identified a position he would like, but the employer did not agree. The case ended up as a human rights complaint against the union and a grievance against the employer. A facilitator was called in. He identified some common ground and showed that the worker, union, and employer all had different understandings of the employer's duty to accommodate. With the facilitator clarifying each group's obligations and some additional information about the identified position, the grievance was resolved. The case did not progress to an outright battle, and the worker is back on the job. It was a win/win scenario for both the worker and the employer.

The second component is the Alberta Labour Relations Board. It uses dispute resolution practices as part of its daily routine. These efforts result in fewer disputes going to formal hearing, which lowers costs and makes for a better result. Last year 53 percent of applications were resolved without formal adjudication.

The third and final component of the ministry is the personnel administration office, or PAO. It is the government's central human resource agency. PAO's budget of \$8 million supports the work it does to build a strong public service.

As an employer we face the challenge of changing demographics. About a third of our employees are over age 50, and many are near retirement. We must ensure that we have employees ready to replace those who retire, employees who have high skill levels, solid knowledge bases, and a commitment to ongoing development. As we come out of the recent hiring freeze, we are focusing our efforts on recruiting and retaining skilled workers, knowledge transfer, and succession planning. We want to bring new people to the public service like students and recent graduates. Our internship program provides opportunities to these individuals looking to begin their careers.

The Alberta public service offers incredible potential for growth and development along with challenging and interesting work. We continue to have a positive relationship with the Alberta Union of Provincial Employees, and we are in the first year of a new three-year agreement that expires in 2004. Our employees value their work. Our most recent survey shows that 84 percent of staff are satisfied with their jobs in the public service.

We place great importance on providing the supports our employees need to acquire and develop the knowledge and skills to do their jobs successfully. We involve our employees in our business planning process and help them to understand how their work contributes to the achievement of the business plan goals. We keep our employees informed about changes that will impact their jobs and work, and we provide expected outcomes on the employees' work and recognition for their contributions.

In a recent briefing the Conference Board of Canada stated that the impact of leadership cannot be understated when building a strong public service. They go on to cite the Alberta example of the deputy-led corporate human resource development strategy as the leading practice in this regard. We have a proud reputation here in Alberta of setting our own course and leading the way. The members of our public service have risen to the challenges placed before them, and today we are respected as one of the best public service organizations in the country, an honour that has been hard earned.

The Ministry of Human Resources and Employment has been an active part of thousands of Albertans' lives over the year and will

continue on in the year ahead. We make a difference to individual people every day in communities across the province.

I look forward to hearing any comments and questions from hon. members about these estimates. For any budget-related questions that I don't answer today, I will provide the Legislature with written answers.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's a pleasure to participate in the estimates debate this afternoon regarding the budget for this fiscal year for Human Resources and Employment, or as an AISH client at a rally I attended at a church a couple of weeks ago stated, "It's the Department of Human Resources and Nonenjoyment," because AISH levels are far too low, and there has not been, certainly, an adequate adjustment made to compensate for inflation in the last number of years.

The hon. minister has pointed out that it's a program that is unique, but it certainly is not the only program of its kind in the country. We need to improve it.

At this time, as I understand it, Mr. Chairman, the debate this afternoon on the estimates is going to – if you could clarify for me, I would be very grateful. The debate is going to be a number of questions, and then the hon. minister is going to provide answers, and if not, there will be written answers at a later date. Okay. Thank you very much.

3:20

It is a very important issue, and the poor and the powerless are also an important part of the fabric of this society, of this province. We have to address the benefit programs for SFI and AISH. There were questions earlier and there have been persistent questions by all hon. members regardless of their political affiliation about just exactly what's going to happen with the low-income review. We need answers now. Last fiscal year there was actually money that went from the hon. minister's department back into the general revenue fund, and I think that is just a shame. It is acting in a manner that I do not consider responsible, because there are many people who need an increase in their SFI rates or in their AISH rates. They need it now. They don't need to wait any longer for this low-income review. I don't know what else it's going to tell us. The minister spoke about the market basket initiative, I believe, and I'm going to be very anxious to see what the afternoon's debate brings us in answers.

Now, low-income Albertans have opportunities to improve their financial situation and attachment to the workforce; there's no doubt about that. On page 271 of the estimates under 2002-03 Key Initiatives, it states, "Implement approved recommendations from the MLA Committee to Review Low-Income Programs." Spending in this area is only going up \$15.4 million, or 2.1 percent, and this is comparing total program spending on page 263 of the estimates for program 2, and it's called People Investments. When we use the words "people investments," let's not forget the poor and the powerless.

This amount is going up, as I said, \$15.4 million. What impact will this increase have on the program? How much of this increase is simply going to be lost to inflation? Inflation was discussed in question period yesterday afternoon, and it was recognized at over 2 percent. How long has it been since many of these individual programs offered, such as AISH or SFI benefits, have seen an increase in the amount provided to clients? We've all received a wage increase in here. I can look at the productivity rate of Albertans in here, in *Measuring Up*, in the 2000-2001 annual report.

Our workforce is skilled and productive, and it's good enough for us to tie our wage increases to this. Why do these citizens of this province have to wait and wait and wait for a review? I don't think it is, as Alexander Mackenzie would say, responsible government. I'm not talking about the Prime Minister; I'm talking about the blacksmith.

Now, will the minister, Mr. Chairman, be implementing any increases to any benefits provided to other Albertans in this fiscal year under his Department of Human Resources and Employment? Also, what has happened to the idea that came up last summer – we touched on this briefly a moment ago – about seeing increases in some areas for benefits to accommodate exceptional costs of living in those areas? Certainly I believe the AUPE – it is recognized by many, including the hon. minister, that they have a very solid relationship built up, a mutual respect and trust, which is an excellent reputation whenever you're dealing with collective agreements, and I would like to think that that relationship will continue to be built on mutual respect and trust. I would urge that respect be shown for the Alberta Teachers' Association, the same way the government respects the AUPE. Now, that certainly needs to be done. At this time in the afternoon I'm not going to get into that because I want to first off deal with this issue of – I believe the needs of the poor and powerless are not being met.

Does this budget acknowledge any changes coming from the recommendations from the low-income review, or will there be supplementary estimates for those changes? Certainly if we as hon. members of this Assembly are going to enjoy compensation levels that are rated to some sort of productivity gain, perhaps it's time to take SFI rates and AISH rates – perhaps it's going to be in the recommendation. Perhaps those rates should be indexed to the increase in the cost of living, because the cost of living in some of our major centres, Mr. Chairman, has certainly gone up with electricity deregulation.

You know, candle power has taken on a whole new meaning in this province since people have had to pay the deferral rates and pay these new costs, these added costs to their electricity bills. Something I would urge the hon. minister to do is to take these programs, these income-support programs, and index them to the cost of living.

Natural gas is another issue. It's another costly bill at the end of the month for people who are living on very, very modest income; \$855 a month does not go very far.

Now, my next question to the minister would be: why were the changes not implemented for this budget year? We've had the low-income review. If it has not, why not? We often hear, Mr. Chairman, that with Alberta's economy in such good shape demand is down for many of these programs. But what are the numbers as far as applications for assistance compared to the actual number of cases that exist? It would be interesting to see if the decline is in the number of applications or the number of approved cases. Or is it a combination of both?

I have one more question at this time before I cede the floor, I believe, to the hon. minister. There has been a significant decline in the number of SFI files. I believe that before the draconian cuts started, there were 90,000 files in the province, and now we're down to between 24,000 and 27,000 files, roughly one-third of what there were before. How many of those files or individuals that were named in those files have turned up in this Canada/Alberta labour market agreement under some sort of continual or perpetual training scheme: I'm going to ABC college for six months to learn how to write a resume, and then I'm going to the next place to learn how to conduct myself in an interview, and I'm on this sort of treadmill? How many of those files have wound up – because these are very expensive programs, like \$100 million a year roughly. This is unique in an agreement between provinces and the federal govern-

ment, this Canada/Alberta labour market agreement. If the minister's department has done any study on this, I would be interested to know where those folks have wound up.

Now, at this point, Mr. Chairman, I believe I will cede the floor to the hon. minister. Thank you.

MR. DUNFORD: Well, I appreciate the opportunity to respond at this time. If our list gets too long, you know, I'm going to end up doing all of the speaking, and really I think it's important that we hear what hon. members are concerned about.

3:30

Not in necessarily any particular order, but I do find the last question of significance. We will make sure that we record in *Hansard* that that specific question has been asked because I'd like to have the answer myself and don't have it here today, but we'll see what we can find.

If there is anything that motivated me to see a restructuring of family and social services and career development, it was this very item that the hon. member is on, because even though this government, as any government, ultimately will be evaluated by what they do for the poor and the powerless – and I do like that phrase. Just to digress a minute, the rich and the powerful can always look after themselves no matter what government does. As a matter of fact, governments spend a lot of their time like they're in a big checkers game because we make a move and then people respond, and then of course we have to make another move.

But as it relates to the poor and the powerless, what we're onto here is a significant motivation for why we have now in this province a Department of Human Resources and Employment. Now, I don't think anybody would deliberately play any sort of a game with an Albertan that needed support, but let me tell you about the two different interests that were in existence in this province when we had family and social services and we had advanced education and career development operating somewhat as silos.

There is no question that it is an honourable intention for a government and for a society to have low numbers of welfare clients, because we want people not to have to rely on that type of support. Everybody wants to be independent themselves. They want to look after their family themselves. We don't even dispute that. We accept as a reality that they, the poor and the powerless, and we, the middle class and the representatives of the people, and the rich and the powerful all want the same thing: they want independence for themselves and for their families. So an honourable motivation for family and social services was to reduce that 92,000 as low as they could possibly get it. As a matter of fact, I think the numbers – well, I'll tell you what. The number that is being forecast now for the end of '01-02, which we've just passed, is actually 26,830, so let's use that number.

This was an honourable, honourable activity for family and social services. They want that number down, but if they can't get them into the workplace, where are they going to put them? Well, they can put them in training programs, because then, under the way we do our statistics, they would not be on welfare. They would be in training programs. So there I am as the minister of career development and here we have people, then, that are being recommended to us, and what do we do with that? We have a motivation, if we're going to spend taxpayers' money on training programs, that we won't just be training for training's sake, that we'll be training so that people can actually get employment. Like, what a concept. So what we would be doing in career development is saying: "Well, look. We will provide contracts for private providers." And this is where most of it happens, through private providers. "We will

provide contracts, but we will want outcomes." Unlike the federal government, which is involved in inputs, in Alberta we are always outcome based, and we want 70 percent of the people that go into our employment training programs to have meaningful employment six months after they are finished that training program.

It's getting back to what the hon. member was asking about, but now do you see what might be a conflict there? If I'm a private provider and I know that my contract is based on getting 70 percent of my clients into the workplace, I might be just a tiny bit selective on who I'm going to take into this particular area. There was how the silos were working. And, ladies and gentlemen, if you don't need any other reason in the world as to why we have a Human Resources and Employment ministry, it is for that very reason.

We now have those people. There cannot be any sort of ping-pong even contemplated, because if they are our clients, if they come to us in a mode of needing low-income assistance, if they come to us in a more traditional welfare situation, we now have not only the resources, but we have the talent within our department. We now have the skills, we have the knowledge to start moving them through into training and into the workplace, and we don't have to cross department lines. It is all up to us. So we will take full responsibility for the numbers of Albertans that come into our programs and for the numbers of Albertans who move on with their lives, and we hope that we will make a meaningful difference in the lives of thousands of Albertans, because now there are no governmental structural impediments to having that happen.

I hope that long after I'm gone from this ministry, every member in this House will see the significance of what was done in May of 1999 by bringing the adult social services, by bringing the career development, and by bringing the labour portions of government services under one umbrella. I think it was an excellent move, and I can't tell you how honoured I've been to be its first minister.

AN HON. MEMBER: And a good one at that.

MR. DUNFORD: Thank you for that.

I would hope that successors would be just as passionate as I am about this particular mandate.

In terms of the low-income review, yes, those reports are waiting. One of the things that we're dealing with as we're now moving through the system – I have a philosophical opposition to labeling people and then sending entitlements. I wonder why we would do that. Why wouldn't a government see people as a collection of individuals? Why wouldn't we do that? Why wouldn't we be interested in taking each individual as a person or as a family and look at what are the particular needs that they should have. Why should we be forced into saying that you are an AISH person or you are a this person and then you get these entitlements? So we were looking at that.

By the way, because there have been rumours out in the community at large, AISH is a program that this government is very, very proud of. There are no changes contemplated to AISH as we're standing here speaking. So all of those who will be reading *Hansard*, for those members today that send *Hansard* out to their constituents, I hope that they're hearing what I'm saying. I don't know where and how it ever happened that people would have to be so terrified that they would be phoning our office in a hysterical state trying to reach members of government, phoning MLAs' offices, talking to me directly as the minister responsible and talking about how the AISH payment was going to be reduced to \$600 a month. I have no idea of where that got started. And I want to say here as strongly as I can that if there's any member in this House that either started that rumour or even portrayed that rumour, they ought to be

ashamed of themselves. Now, I don't know that it happened, but I expect every member here today to walk away from this debate saying that they heard the minister say that there is not going to be a decrease in the AISH payment. Okay? Do you hear me? [interjection] Well, hon. member, if I'm making you feel uncomfortable, that's simply too bad. I don't know that the \$600 came from this room.

3:40

AN HON. MEMBER: It came from your department probably.

MR. DUNFORD: No, I don't think so, because the department would know and understand.

So I expect every one of you hon. members who have a list of constituents that phoned you and pleaded with you to do something about the \$600 to phone them back and say that you were able to do something for them, that the minister is not going to reduce it.

I'm taking up too much time here, but I want to just indicate that with the low-income review, look at the numbers, understand that we're still in a downward trend in terms of caseloads, understand that we are increasing the budget, and then understand that we are going to be looking at a system where we can provide the assistance that we need for Albertans who need our assistance. I believe that the hon. member talked about shelter rates in his comments – we'll check *Hansard* to make sure – but we are as aware as anyone else about the differences that are happening throughout this province. Fort McMurray is one situation; Calgary is another situation. We're starting to see some pressure in my own community of Lethbridge. So we know that shelter rates have to be looked at. We're anxious for a market-basket measurement because now we will finally have a logical and a reasonable gauge by which to start to compare what it actually costs for a person to have to live in a particular community. Thank goodness we will be finished, hopefully, with that low-income cutoff nonsense that's gone on for too long, where people have been able to bash whatever government is in power, not just ours, and simply use a LICO system as the definition of poverty. Can you imagine how ridiculous a low-income cutoff is in Oakville, Ontario? I mean, half the people, then, are in poverty in one of the richest communities in Canada. So out with LICO and in with market-basket measurement.

The rest of the questions, of course, we'll deal with as best we can.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Chairman and the hon. Member for Edmonton-Centre, for letting me proceed here. I'd like to express my appreciation for the minister's comments and indicate that I think that a certain amount of progress has been made since the days of the mid-1990s and the cuts that took place then and the changes in policies that occurred then. We're no longer in the position of giving people on social assistance one-way bus tickets to British Columbia, and we're beginning to deal with some of the issues that exist within this department.

I want to say generally, Mr. Chairman, that I believe that it's the objective of government and the objective of this department – or it ought to be – to allow people to live in relative comfort and dignity when they become dependent for whatever reason on government assistance. I also agree that it is an objective and ought to be an objective to help people to become independent of assistance where that is possible and where it is not possible, to avoid any sort of discrimination against those people or single them out in any way but recognize that assistance is necessary for them to have a productive life and simply get on with it and not in any way denigrate them for being in that position.

I want to talk a little bit generally about some of my experiences working in municipal government and for the last year and a half as an MLA for an area that has a fairly high level of poverty, that has significant numbers of low-income people and people who are on assistance. One of the things that I concluded a number of years ago working with these communities is that a community approach is a very good one to take and, in fact, that programs ought to be enabling people to become independent and productive. There have been a few that I've seen in which people are encouraged to set up their own small business or their own business in the home, and they have been given skills and resources that allow them to work cooperatively with partners in the community.

One of the other things that I think has been very significant, Mr. Chairman, in a number of places, including such places in the United States, is dealing with the question of housing and providing people with equity in housing. I know that our rules currently do not allow that, but one of the ways that people become independent is if they're given a stake in the community in which they live, and one of the best ways to do that is through allowing them to provide some equity in their housing situation. I don't think that that's part of the current government thinking at all. I think, in fact, that the philosophy has traditionally been that if you're dependent on government assistance, we shouldn't be helping you to buy a car or a house or any of those other things, that that's not the responsibility of the people of Alberta. But I think it has to be framed, in a way, as what's the best long-term interest of the individual and the people of Alberta, and that is to help people get on their feet.

I would just make those comments generally, Mr. Chairman. I'm not maybe a traditional New Democrat in some senses in that I believe that government welfare programs which create long-term dependency are not desirable, but allowing people to create some equity in their lives is probably one of the most effective ways to help those people become independent of government assistance. On the other hand, I want to say that when people must, of necessity, be dependent on government assistance, then that assistance must not be at a level which produces indignity on the part of people. I think that some of the rates that we are paying in social assistance are continuing to have that effect. They continue to be, in our view, far too low to allow people to live at or above the poverty line. So that is a continuing problem as far as we are concerned.

Now, I know that the minister has talked about the market-basket measure, and I think that that's an interesting approach and something that I think we need to look at fairly seriously, but I want to raise the question of the caseloads and the reductions of the caseloads and ask the minister what the reason is for the reduction. Is it entirely due to the improvement or the continuing strength of the economy, or are there reasons why people who might be dependent on social assistance in Alberta would choose to leave the province as a result of deficiencies there?

I want to talk a little about labour, and I want to go back to the pastoral statement if I can just find it here because I thought that the bishop had some interesting points. I don't think that this is subject to dispute by the Premier or members opposite, because I think the bishop certainly understands the church's teachings, at least. It says:

In its social teachings, the Church firmly maintains that labour unions have an essential role to play in preventing the violation of the dignity of human work and serving as a mouthpiece for the struggle for social justice. Without unions, working people frequently have no voice in society.

3:50

He goes on to say:

Through labour unions, workers are also able to press for changes in public policy and participate in a broader social movement for the

building of a just society. In effect, the Church maintains that labour unions are an indispensable element of social life. No one may deny the right to organize without attacking human dignity itself. The right to organize also includes the right to assembly.

I wonder if the minister can share with us whether or not that is consistent with the department's philosophy relative to labour.

The labour movement in our province continues to maintain that Alberta has amongst the least favourable labour relations climates from their perspective and the least favourable labour legislation anywhere in the country. I wonder if the minister could share with us any plans he may have to assist unions to increase their ability to improve the lot of their members, and that includes the ability to organize unorganized workers in this province.

One of the key indicators in any society, in taking a cue from what the minister said, is how society deals with its poorest people. I agree with that, but I also say that in a practical way, the most effective way historically to improve the lot of the poor in society is indicated by the level of unionization that exists in that society, and Alberta has amongst the lowest levels of unionization in Canada. So, clearly, if we really want to make sure that everybody participates in the economic advantages of Alberta, one of the indicators we should be looking at is the extent to which the workforce is unionized, and we should be looking at ways to amend labour legislation and practices in order to facilitate the organization of unorganized workers.

I want to ask specifically the minister if there are plans to amend the Labour Relations Code and whether or not the minister will be bringing forward legislation to bring Alberta's labour legislation into line with the Supreme Court decision regarding second-party picketing.

Mr. Chairman, that's maybe it for me at this point. I have a couple of questions about the Workers' Compensation Board before I take my seat. I see that \$6 million has been budgeted for the appeals for Workers' Compensation Board that wasn't budgeted for last year, and I'd like to know if that's for the review of lengthy cases and why the WCB isn't paying for these appeals itself. I wonder if it maybe ought to be doing that.

So with that, Mr. Chairman, I just want to come back to the issue I raised in question period today, and that has to do with the low-income review. I guess my problem is that if recommendations in the low-income review have an impact financially on the department's budget, then we ought to see that. I'd like to know if, in fact, this budget reflects changes or anticipates changes as a result of the low-income review and provides funding for changes and, if it does, then why we are dealing with that without the review being released. If not, then of course I'd like to know why not. But, basically, I'd like the minister to stand up and release the two reports. I'd be very interested to see them.

I continue to get calls on a regular basis to my office, Mr. Chairman, to the minister, about these reviews, and lots of people have put a lot of stock in them and a lot of hope for themselves and their families in these reviews, and I don't want to disappoint them. They are certainly getting increasingly impatient about waiting for them, so I would encourage the minister to release them as quickly as possible and to share with the House before we vote on the estimates any elements of those reports which have a bearing on the budget.

Thank you, Mr. Chairman.

MR. DUNFORD: Edmonton-Highlands in his opening remarks touched on the substantive but also the fundamental debate about how a government needs to provide for its citizens. I'll put it this way. His view is one of the positions that's taken in the debate when

he used the terms "comfort" and "dignity." No one wants to argue that any person shouldn't have comfort and shouldn't be dealt with in a dignified way. What it denotes, however, is that the government, then, is obligated to provide to all of its citizens a quality of life type of support.

The other part, then, of that debate is the fact that many people view support for its citizens to be of basic needs, to make sure that the basic needs of the individual or of the family are provided for. That's a continual debate. The debate will go on long after the Member for Edmonton-Highlands and I have both drifted off to whatever our next careers are going to be, but it is essential and fundamental, of course, to the argument. I think there's obviously not only personal philosophy that is involved in that, but there are, you know, the political philosophies that are in there as well.

Certainly he talked about housing, and that is again one of the challenges that not only our department has but certainly the Department of Seniors. I guess he has already had his estimates; hasn't he? I haven't read *Hansard* yet to see all of the answers that he provided in estimates, but I'll need to do that. Again I think there was an acknowledgment about the market-basket measurement and perhaps some interest in how that will work.

The hon. member also made a very profound statement, and that is that long-term dependency is not desirable. In that, we share. Now, whether he's not a traditional socialist and I'm not a traditional capitalist or not a traditional conservative or whatever, we agree. We agree on that specific point. So always the challenge as you look at the level of benefits is: is the benefit enough to provide for the basic need and yet not providing, then, the sort of long-term dependency? It's a challenge; there's no question. It's a challenge, and we're out there every day trying to do that, and of course we face the scrutiny and then also at times the criticism of people that don't see that we have that sort of situation in balance.

As far as Bishop Henry's statement, you won't have any trouble with me in recognizing the fundamental and significant role that trade unions play in a democracy. You'll find me defending, you know, the right of people to bargain collectively. I won't waiver from that sort of thing, but if you expect me to hand it to them on a plate and to make it easy for them, no. No, we're not going to do that. There's work that any labour union organizer has to go through, just as the person that tried to put that business together, tried to find a product or a service and put his house probably on the line, put probably time with his family on the line so that he could go out and not only provide a living for his family or her family but also, of course, for other families that were through the employees. So that work and that effort and that collaboration with all of those people deserves some sort of recognition as well. So union organizers out there, do your work. We're not going to stand in the way of it, but we're obviously not going to give you, you know, a gold-plated methodology, I guess, in order to be signing the people up.

4:00

In terms of the actual question, though, about amending the Labour Relations Code, the current business plan is that sometime this summer I'll put together an MLA committee, and they will go out and they'll talk to the stakeholders about whether or not there are precise sections of the labour code that need to be, one, reviewed, and then, secondly, would need to be amended. As you might expect, I've been getting lobbying from various groups on both sides of the employer/employee spectrum and some allegations or assertions of problems that are out there, but we've also been receiving significant requests from stakeholders: "Don't touch it. It works fine. Look at the results of the labour relations in Alberta. Look at the low amount of productivity that's lost due to strikes.

Look at the high number of negotiations that are resolved right at the local level. Look at the high number of mediation successes, and of course look at the high number of successful arbitrated awards.”

[Mr. Tannas in the chair]

The \$6 million that now shows up in the estimates from WCB is there because a year ago the Appeals Commission was kind of attached to WCB, and they sent their budget to WCB and received the resources, then, that they needed to run their operation. The hon. member is aware that during this fiscal year we will be taking the Appeals Commission and moving it over under the umbrella of the Human Resources and Employment ministry, but we will also be levying WCB for that particular fund. We don't have that legislation in place at the present time, but that bill is going to be introduced imminently.

Low-income review. The answer is, yes, there are changes that are contemplated within the low-income structure as to how we go about using building blocks to provide benefits for people. But to the best of our ability in looking at it, we can provide for any of those prospective changes, which have not been approved at this point, but we'll be able to accommodate them within the budget estimate numbers that you are seeing in front of you today.

There was a question about a decrease in caseloads. You know, because of freedom of information and protection of privacy and just common decency and courtesy as well, we don't have good tracking mechanisms for people that leave our caseload. We're not going to be putting any electronic bracelets on anybody. So they move off our rolls, and in many cases we know that they've gone into the workforce directly. If we've moved them along from social assistance to the training providers in career development, we can perhaps track them a little longer and a little better, but if somebody stops filing for assistance under SFI because they have won the lottery or have found a job or whatever, we don't have a good way of tracking that as yet.

With that, Mr. Chairman, I think I've covered most areas.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. There are five issues that I just want to raise with the minister. I'm aware that we don't have a lot of time to debate this afternoon, so I'm more than happy to receive his responses in writing, but I will warn him now that toward the end of my remarks I'm going to talk about the document produced by his department called Culture Steps Forward. So if he wants to have his staff supply him with information on this, I'll be talking about it toward the end of my remarks. By the way, I do appreciate having staff from the ministry here with us today, a big help to the minister, I know. They do very good work, and I appreciate what they are trying to do for all Albertans.

The minister asked if perhaps I would have been responsible for rumours about the AISH rates being cut. I usually regard this minister as quite a reasonable man, but I have to say that that was uncalled for and an unreasonable statement to make. I don't know of any MLA that would willingly frighten their constituents in that way . . .

MR. BONNER: The most vulnerable.

MS BLAKEMAN: No doubt. Vulnerable constituents.

. . . and then spend hours on the phone and in person trying to reassure them that the government wasn't out for them personally. I'm not going to cause myself that kind of work, Mr. Minister, and I'm sure you understand that.

What I really do see that is driving these concerns and this eruption of activity from people covered by the AISH program is fear. They are already struggling on a number of fronts, or they consider themselves to be struggling on a number of fronts, and rumours get going: “There's this MLA review that was out there. Why aren't they responding back? Why aren't we hearing? It can only be bad news, blah-blah.” Off they go from there, and there's no stopping them. I agree with my colleague from Edmonton-Highlands. The faster the government will produce that report and release its response to it, the better for all of us. I will join in encouraging that that happens. I'll leave it at that. It's of great concern to people that are on AISH, and they need to know what's happening for their own lives, for stability and for planning purposes. The government is a big one on talking about planning but doesn't seem to understand that those affected by their programs also need to plan. So the sooner we could get information about that and what's being contemplated, the better.

The next subject I want to talk about is housing. I know that this is not an issue that falls under this minister, but his department is offering programs that certainly have a housing benefit component to them. I will make a plea to this minister to press his colleagues who may be in a position to assist with housing for hard-to-house individuals, any kind of affordable housing. Most of my constituents live in apartments, and we are really experiencing a difficult time right now. That rental housing market was depressed for a long time. Now they're doing very well. Rents are rising steeply and regularly. I have constituents who are phoning me, telling me that their rents are going up every three months and sometimes jumping substantially. The example I've used before is jumping from \$590 to \$900 for a senior couple in an apartment. This hurts, and it's very difficult for people on fixed incomes or low incomes to plan how they are going to find an additional whatever that was, 310 bucks, out of nowhere every month. So anything this minister can do in talking to his cabinet colleagues to encourage the government to come up with innovative ways to work with other partnerships – I don't care what kind of partnerships – to get new housing would be appreciated.

These are dire circumstances for many people, and it does not work for the provincial government to say: “Well, we can't participate in that,” or “We don't believe in it,” or “We don't like it,” or whatever, because the private sector will not build affordable housing. We've given them the time to do it. They've had 10 years to do it. They don't do it because they can't make money. They're a private sector. They're there to make money. I don't blame them for that, but what are we going to do in that gap where we're looking for housing that's affordable for the people buying or renting it? We have the responsibility there because it won't fall to anyone else, and no one else will pick up the slack. So a little plea there.

Third thing. When the minister and I met in Public Accounts earlier this spring – is that possible?

4:10

MR. DUNFORD: It seems like a year ago.

MS BLAKEMAN: It does.

I asked the minister some questions about programs that his department might be providing specific to women, and I think he thought I was joking. I wasn't. Every year I ask the minister responsible for women's issues what programs he is offering for women, and every year I get referred to other government departments, one of which is the Department of Human Resources and Employment. So on the record, about this budget we have in front of us, I'm asking the minister again: what programs are either

specific to women or are structured in such a way as to be understanding the specific barriers in front of women and helping them to leap over those barriers?

MR. BONNER: In lone-parent families women outnumber men.

MS BLAKEMAN: Thank you. I'm reminded by my colleague again about the situation – I'm sure the minister's aware of this – of the lone-parent families headed by women. They're placed amongst the poor. They hold the highest percentage as a group. I'm urging the minister to take me seriously. I know it's easy to come back and say, "Well, the government doesn't believe in being gender specific, and all programs are gender neutral," but let's get real. We know that different programs affect men and women differently, and I'm prodding the government a bit here.

Now, I'd like to turn to the document *Culture Steps Forward*. I would like to say that I think some pats on the back are due to the department for taking the initiative on this project. It's no surprise to the minister that I come from the arts sector. Everything in here I've probably personally experienced, and culture is an important sector for this province. We struggle sometimes in getting recognized outside of the boundaries of what is Community Development. If nothing else comes out of this report – and I hope much will – I can tell you that it's been a tremendous confirmation for people in the cultural sector that they are worthwhile Albertans to be recognized by another department and to be taken seriously.

Now, there are a number of questions, of course, that are going to come out of this, and I'll launch into that. I'd like to get the minister on record, and I don't know if he can give this to me verbally. In writing, as I said, is fine, and then I'll just ship the answers out to the people that I'm corresponding with.

So, first of all, the obvious question: has there been an official departmental response? I don't think so. I'm not aware of one, but if there has been one, then where is it? Could it be released publicly and when? I'd be interested in knowing what the department has learned from this. This is more or less a straight reporting back of what happened in the process, but I'm wondering what was learned by the department, and hopefully further by the government, that it can use and work into future plans.

Now, a big part of being an artist in Alberta is being self-employed and the intermittence of that employment. People aren't aware that in Alberta our artistic companies – our ballet companies, our operas, our symphonies, our theaters – don't have enough money to be able to employ a company of people that are paid year-round. Therefore, every cultural worker gets a gig for a very short period of time. For example, if as an actor you would be successful in auditioning for and getting a part in a play, you would then have probably three weeks of rehearsal, two to three weeks of performance, and then your job is over and you start over. You're back out on the streets or you go back to the restaurant where you work as a waiter, and you look for the next job. Of course, we plan ahead and we try and line up a whole season's worth of work and all of that sort of thing, but the truth is that it's a very intermittent work schedule for us. I've talked a lot in this House about how the artists subsidize the arts in Alberta, because of course they do go back to work in a restaurant because they've got to pay their rent, and that in itself is keeping that person available to us to continue to give us the benefit of their art rather than them just leaving for Toronto where they could work full-time. So the artists do subsidize the art.

One of the things that's been identified in this report is the difficulty of securing access to group health, disability, and life insurance. Even a small family-run business can probably score some sort of plan, maybe even through the Chamber of Commerce

or through some other grouping together. Even a company with just a few people working for it can get access to some sort of plan to get disability insurance or life insurance at a reasonable rate because you're going at it as a group. But for an individual artist, which most of our cultural workers are, they have no access to that, so they're paying 100 percent of health care premiums and things like that: full rack rate, to use a phrase used in the hotel industry. The disability insurances are beyond us. They're simply beyond us. It's too much money. You know, it's coming in at \$50, \$60, \$75 a month. We just don't have that kind of money. So there is no disability insurance, and if you're a designer, as my friend is who fell off a ladder and hurt his back, he had to get his friends to come in and finish his work for him because there is no disability insurance for him. We live in terror of getting hurt because there's nothing to help us there. As we get older, it becomes even more serious for us because the likelihood that we would get injured is more severe and it would have longer lasting effects.

So I'm looking to see whether anything has been looked into as a result of this identification of that access to some kinds of insurance schemes. Has the department done any research? Is it likely to do any research? Does it care? Having identified and heard this information, what are you going to do with it? Can you report back to us on that?

Your department offers – you did talk about it with a great deal of passion and body English – skill development programs. One of the other issues that's arising for us is that we actually are a highly-skilled cultural sector. Many of us have bachelor degrees and master degrees in what we do, but when we look at skill development and lifelong learning, your programs don't help us because of a couple of reasons. There's actually a pretty clear quote here. You've got a quote on page 39, footnote 28.

There are other programs offered by Alberta Human Resources and Employment for which self-employed culture workers may be eligible that will be treated in the section "Careers in Culture." However, the majority of ARE funding is dedicated to programs supported by E.I. funding.

I hope the minister is aware that cultural workers don't qualify for employment insurance. So that right there cuts cultural workers out of any program you offer where you have to have E.I. qualifications. We don't get it because we're self-employed workers. We can't even buy into it if we wanted to buy into it. They won't allow us to. We are actually an identifiable sector under employment and revenue.

4:20

So what has been done or what would your department consider in looking towards accommodating people in this sector who did want to work with midlevel skill development? We are not entry-level workers, but if we wanted to upgrade – for example, when we look at some of our administrators, we're falling behind because our companies generally would have paid for professional development, but in this day and age that's the first category that goes out of the budget. As you know, our cultural money, the AFA money, has been frozen since 1988, since before the creation of the current foundation. So our operating funds that are coming through there have been frozen for a long time. We can't pay our own people for skill development or professional development. So even in comparison to other nonprofit sectors and volunteer-based sectors, we can't keep up. There's another area that your department could be helpful in. If like me, for example, someone moved out of strictly arts management into nonprofit-sector management, that would be more difficult for someone to do today because their arts management skills are going to be not as up to date as someone outside of that sector. Am I making sense? Okay. Good. So that was that program.

I must be really close to the end of my time here, and I just want to make sure that I ask the question and put on the record that I'm interested in what the philosophy of this department is. There were obviously philosophical choices that were made to group together what's grouped together under this department. This minister has been in it long enough and obviously has a very clear guiding light for where he wants the ministry to go. So aside from all of the well-written bureaucratese descriptions that you get, those lovely things on web sites that say that this is what our department does, I'm interested in the longer, farther reaching discussion about why you made the choices to put these groupings together. What are you contemplating by doing that? It seems to say that we only value people that work, and if you don't work, then we'll help to make you work. And if we can't help to make you work, then we really don't like you. Now, that is being terribly exploitive and full of hyperbole, and the minister understands that, but you see where I'm going. It's the choice in grouping together the programs you grouped together when we had the change in ministries. You've had it running long enough that you must know why you did it and whether it's working. I'm interested in why, so if I can hear that.

I must be close to my time. Okay. I'm going to go back then. If I've got a couple of minutes left, I'm going back to the Culture Steps Forward document. We know that it costs much less money to create a permanent long-lasting job in the cultural sector than it does in industry or commerce, significantly less. I think the last time I looked at the numbers, it was \$40,000 to create a job in the cultural sector and \$200,000 in manufacturing or industry or something. So I'm looking again for what strategy the minister is looking to employ that might work in conjunction with his colleague the Minister of Community Development to look at job creation. This government has made the choice to put a lot of money into developing innovation and science, technology, agriculture, and rural development in the short time I've been in this Assembly. It's been a concentrated effort, and a lot of money and resources have been directed there. Would you consider directing even a fraction of the same amount of attention, money, time, and resources to the cultural sector, knowing that you get such an incredible payoff? And that's just in job creation and employment.

Our money stays here. Cultural money stays in the community. We're not paying people who leave here. We're not paying people who can even afford to take a holiday outside of here. So our money really stays in Alberta and contributes to the local economy, going round and round. I'm pushing the minister on this, but, boy, there's an opportunity here, and I would like to see the government and the minister take it.

Thank you very much for this time, and I'd appreciate the minister responding to me in writing.

THE CHAIR: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Yeah. I'll just take a couple of minutes. We will respond to most of that in writing.

A reference was made to our officials in the gallery, and I have not introduced them at this point. So I'll now do that, if they could just sort of wave when I say their names. We have Dan Thompson, with our department as director of budgets and forecasts; Ellen Hambrook, who is director of business planning, performance measures, and corporate projects. Lorne Saul-Demers is acting director of human resource policy and consulting with the personnel administration office. Mary Anne Wilkinson is acting executive director of corporate human resource development with the PAO.

Just quickly on the philosophy of the department. If I direct you

to page 270 of the document and you look at our vision, we have six words there. It's the '02-03 government and lottery fund estimates. You know, Churchill one time apologized because he only had a couple of days to develop a speech, so he went on to give a 20-minute speech. He said: if you'd given me two or three weeks, I could've gotten it down to two or three minutes. It takes a lot of work to get something concise, and we hope we have with our vision: "Alberta works because we invest in people." Our mission: "To provide a continuum of services and information that enables individuals to succeed in the changing workforce, fosters safe and healthy workplaces and assists people in need." So that's part of the philosophy.

I want to advise the member that I'm probably going to try to utilize some of her talent, skills, and knowledge because she did raise the issue about EI funding as part of a gateway or a selection process for many of our labour development agreement programs. This is something that the federal government has put in place. Provincial ministers from right across this country, despite whatever sort of political affiliation, I believe are unanimous. I can't think of a jurisdiction that is offside on this. We are lobbying the federal government to remove that restriction. There are all kinds of people that are here within our communities, within our province that aren't eligible for employment insurance. The hon. member has indicated an excellent area that we could probably develop as a further argument as we lobby the hon. Minister of Human Resources Development Canada. While I can't say that I've ever been an artist and I'm certainly not an actor – I mean, what you see is what you get – I do know of the huge economic development that is involved in the arts and culture in this particular jurisdiction. The employment being generated by the arts is huge. So I do agree, and yes, we will respond to these questions.

The last point: I want to apologize if my comments about AISH rumours were directed at anyone inappropriately. Please forgive me for that.

4:30

DR. PANNU: Mr. Chairman, I've been listening to the minister carefully. I commend him for his sort of congenial forthrightness and refreshing candour. I hope these remarks on my part earn some brownie points later on with him, but we'll see.

I want to just raise a few questions in a few minutes. The minister, in responding to the hon. Member for Edmonton-Highlands, tried on the one hand to acknowledge that human dignity is important, that not only should we deal with people in need in a dignified manner but also do whatever we can to make sure that they can maintain their human dignity while they live under circumstances which we recognize need our assistance and help.

In that context, the minister referred to basic needs as a criterion, and I agree with him. The notion of basic needs itself – I hope the minister will agree with me – varies, of course, from society to society. We need to ask: what are the basic needs in our kind of society? What is the level at which we should consider those basic needs met? Although in a generic sense having a roof over one's head, having something to eat, and being able to meet other basic needs such as clothing and health – those are normal, generic things, but the levels at which these needs are recognized as important varies. We live in Alberta, and there, of course, the notion of comfort comes in, which is variable. You took some mild exception to the notion of comfort. I don't think you meant to say that people who come to the government of Alberta for help under conditions that we recognize are legitimate should be left in a state which is not comfortable.

The market-basket method, Minister, that you mentioned is

certainly one that needs to be, I think, looked at, because it does provide some flexibility. You referred to Fort McMurray and Calgary and perhaps even Lethbridge, and there may be other places. Grande Prairie, I think, is another one of those spots where there are pressures and problems. So long as the market-basket method is used to move away from a one-size-fits-all approach, I would welcome it.

I do have a few questions which I want to pose to the minister related to the move to the MBM model. The budget documents draw attention to some changes in the average monthly caseloads for the supports for independence program, and I think there are reductions anticipated here. My question to the minister is this: are these anticipated reductions in supports for independence in any way related to the use of the MBM, that shifting to the market-basket model might lead to redefining the cases and thereby lead to some reductions? Or should I assume that there is no connection between the commitment being made here to move to the use of the MBM and the reductions? I would like the minister to explain what the grounds are which have led him to anticipate these average monthly caseload reductions in supports for independence.

The second question related to this is: is the market-basket method or model going to be used as well in the case of AISH rates of payment and determination? You did, Minister, try to disabuse anyone who was listening inside the House and outside of the alleged rumour that the rates might be cut to \$600 a month, and you said no to that. But my question to you is: is it likely that if the market-basket model is applied to AISH recipients as well, that might mean a reduction of payments to these recipients depending upon which communities across the province they live in? So that's a specific question related to the possible impact of the MBM application to AISH recipients.

The second question related to AISH. Surely you were, I think, quite forthright in suggesting that the \$600 a month rumour is baseless. I welcome that from you. I hadn't heard about it, by the way. I wasn't aware of this rumour going around, but I do have a question. I think there is an anticipated increase in the number of AISH cases in your budget over the next three, four years from 26,700 to 33,200, and the increase between the year that has just passed into the new year, this year, 2002-2003, is estimated to be an increase of 2,025 cases. This is in the business plan on page 220, I think. In light of this anticipated increase in the business plan, what's likely going to be the impact of this increase on the AISH payments to recipients? Can you give us any indication that the AISH payments will increase at least to keep pace with the increase in the rental situation and the inflationary pressures that people, whether they live on AISH or live on larger incomes, have to deal with? That's my second question related to AISH.

The one question, I guess, which my colleague from Edmonton-Highlands asked the minister – but you perhaps weren't able to answer it – is a question on labour legislation changes in light of the Supreme Court's decision having to do with secondary picketing. Are the labour laws of the province of Alberta going to be brought in line with the decision of the Supreme Court, and if so, are you planning to proceed with it during this current year? That was just a thing overlooked in your notes. That's the question that I have for you. I hope you will address it this time around.

Of course, you know, your philosophical position that any Albertan who is able to work or who may be presently on assistance should be encouraged in every possible way to move away from that dependence to becoming independent income earners – there's no dispute over this, I think. I think it's a laudable goal. It's an important goal. It's one way in which we can help people regain their dignity, maintain it, and enhance it by becoming independent

income earners. I fully agree with that goal, but people who work and yet remain poor and need assistance remain in a situation in part because of some of the policies that your department and this government have with respect to our minimum wage.

4:40

With the minimum wage the level at which it is, an Albertan who worked, say, at the level of the minimum wage, if he worked 50 hours a week, not 42 and not 46 and not 38 but 50 hours a week, and worked for 50 weeks out of 52 weeks a year, worked full-time – and we know that people who work on minimum wages don't have that privilege of working full-time all the time – he would make a maximum of \$15,000.

Now, there are lots of Albertans, usually young, some without very productive skills, but they get help and learn some skills. Then they find themselves in a situation that regardless of how hard they work, they remain in need of assistance. Dependence doesn't go away because they're ready to work, able to work, committed to work, and do work. Is there any, first off, acknowledgment that there may be a relationship between the persistence of dependence and the legislated level of minimum wage, either as a regulatory consequence of legislation – in other words, the relationship between government policy and minimum wages and living in poverty in spite of working hard? What's your answer to it? Is there any consideration to looking at that relationship and then addressing it in a way that is positive and provides incentives to people who move away from dependence on assistance, go into the workforce, go into the labour market, to stay there and feel encouraged by their income to continue to work hard and become responsible for meeting their own needs and maintaining their dignity and maintaining their families?

So those are some of the questions, Mr. Chairman, that I have for the minister. Perhaps he'll be kind enough to address them.

MR. DUNFORD: In light of the number of speakers that still want to get on to this afternoon's discussion, maybe I'll just cherry-pick a little bit here. Of course, we'll respond to the other ones in writing.

The market-basket measurement will not redefine the criteria for being eligible for assistance; okay? I believe that was your question: whether we would be using that to redefine how you actually entered. Where the market-basket measurement will come in won't be a redefining of whether you qualify, but if you do qualify, it'll talk about what level of assistance you should require. Of course, market-basket measurement will not be involved in any reduction, then, to AISH payments.

In terms of the secondary picketing, that would be one of the areas that the MLA committee would be mandated to go out and hear reports on. I have had a briefing about the recent court ruling, but I don't have it with me in my documents. At least I can't put my hands on it. So I'll have to respond.

Just to spend a minute or two on the minimum wage, and I believe that this is one of the most misunderstood programs that we have in our area. Certainly anybody can read what the minimum wage is, but what we have in Alberta is something like less than 2 percent of the workers actually on minimum wage, and when we investigate that area, we find out that most of them are students. I think, to our benefit, that at the last refinement of the minimum wage here in Alberta we removed that discrimination between an adult and a student or however we made that determination. Now there is only one minimum wage level. Most of the people that are working for minimum wage in Alberta today, as we are speaking, are young, single, and students. If, in fact, we have constituents in your area –

and I certainly have constituents in my area – that are working at minimum wage, here's where we can start to kick in, then, some of the other benefit levels that we have. If somebody is a family member that's trying to provide for their family, well, then, we have supports that can bump up that particular level of earnings that they have, and if they happen to have children, we have an excellent, excellent program of providing medical and dental and school benefits and others, you know, to that particular family.

In my view, it doesn't present the whole picture when one just looks at the minimum wage. I think we'd look at minimum wage as one more low-income support level for Albertans. I can't prove this, because I don't have the empirical evidence in front of me, but if you take a look at youth unemployment rates and level of minimum wage, it seems like there might be some correlation. Now, I know I'm treading on difficult ground here because I can't prove it, but if one were to forget simply other economic and sociological values and variables that might be in play here, if one just looked at youth unemployment and minimum wage across Canada, you find something very, very interesting, and that is that where the highest minimum wages are, you have the highest youth unemployment levels. So is there a message there? We're not sure. Somebody some day should really take a look at that.

What I'm proud about in Alberta is that we have less than 2 percent on the minimum wage. And let's not forget this is starting; it's a minimum by definition. We get people into the workforce. Employers take a chance on them. We find that many of them within a very, very short time receive increases, move up and start to receive benefits and then move on to the career. There's always an argument around minimum wage – I understand that – but you won't find me as a representative of this government and a person concerned about the development of employment opportunities not really considering very, very carefully any proposed change to minimum wage.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I'd like to add just a few comments and questions this afternoon for the Department of Human Resources and Employment and say how pleased I am to have the opportunity to ask a few questions of the minister and his department. When we look at the overall budget for the department of over a billion dollars, it certainly is a lot of public money. It's a lot of public money to spend on some very important groups, programs that affect some of the most vulnerable members of our community.

I have a number of areas here that I would like to touch on, and these are primarily concerns that constituents have forwarded to me. I know that they've also forwarded them to the minister, and he's been very good at supplying them with answers, and they do let me know when you answer. So Gary and Robert say thank you even if they don't agree with your answers.

4:50

Of course, one of the areas that they're most concerned with are the benefits in AISH and how these have not increased over the years. Certainly it is a program that they are totally dependent on and a program where they feel very, very susceptible if there are changes, if there is a reduction in those changes. It certainly has had a huge impact on them in the last year, probably two years, with the housing situation as it is in Edmonton, where we have had rents going up every three, six months, and it's biting more and more into what they have. So at some point some of these people are having to make the decision as to whether they maintain their medications

to the level they would like or, you know, eat properly and eat well-balanced meals. Of course, if they do have the complication of, for example, diabetes, where they do have to eat a very restricted diet, then it certainly adds more and more stress in their lives.

As well, what happens here is that in some of these cases these people are also receiving Canada pension plan benefits, and they are supplemented by AISH. Now, then, what is built into the Canada pension plan is an inflation factor where these recipients get more money. They're very concerned that when they get more benefits with their CPP, in fact the amount from AISH is clawed back so that, in effect, they don't see any increase at all. So could the minister inform us as to whether there are any proposed changes which would stop this clawback in their AISH benefits when they do get their increases in Canada pension plan?

Another area that I see here is that supports for independence is decreasing 5.7 percent, or \$17.2 million, from last year, and the department has stated that this reduction is because fewer households are expected to need the support. Could the minister please just outline how they did their projections and how we expect fewer people to require supports for independence?

Just a few more questions in regards to those people who are on supports for independence. Could the minister also indicate how he will be accommodating the increasing costs of medical benefits for some of these people and what changes those individuals who are on supports for independence are likely to see in the coming year? Will the supports for independence be increased to a significant amount that will reflect at least a portion of the costs that these people will be incurring in the coming year?

Previously we have seen a drop in what was actually used in the resources allocated for SFI compared to what was budgeted, and what I would like to ask the minister: was that because there ended up being less of a need, or is it possible that some people who could have qualified did not apply? Is it possible that because of the situation that these people find themselves in, they are not aware that they could have the benefit of this program? Has the department ever looked at how well it is making its programs, such as supports for independence, known to those who may potentially need it?

I do have some other areas here that I would like to talk about, and certainly one, Mr. Minister, is this goal 4, "Alberta has a fair, safe and healthy work environment." We certainly know that when we have a huge influx of workers, it does provide quite a number of challenges not only for our communities but for safety in our workplace programs. Certainly, because of the great influx of construction workers into the province, we have people who are working in jobs that they're perhaps not as well trained for. We also see where contractors are asking people to take on roles that perhaps in a situation where there wasn't such a demand for workers, they might not be asked to be doing these things.

So when we are looking at this whole area of safety, this idea of compliance by companies, compliance for workers to follow safety codes doesn't seem to be filling the bill, because the number of injured workers continues to climb during this era of rapid economic expansion. The number of injured workers certainly grows at a greater rate. Is it a possibility with occupational health and safety that we will be seeing more inspectors out in the field that will be looking at this particular situation?

As well, could the minister please provide us, if he has these figures, with the safety records, for example, of unionized members versus members that are in CLAC as far as accident rates go or union workers versus non-union workers or even CLAC versus non-union workers to see which group is the best trained and which does have the safest working conditions?

Now, as well, one question a number of injured workers through-

out the province have been asking me is on the whole idea of the changes that are going to be taking place in the act and where the appeals process is going to be moved: totally away from WCB, and for lack of a better term, where it's operating now at an arm's-length distance, it's going to be moved under the ministry. At one time, if my understanding is correct, appeals used to come to the minister's department. I stand to be corrected if this information is wrong, but their concern was that if in fact there are those cases which occurred before the present system was introduced, does the department have a fiduciary responsibility to these people? Does the government have that responsibility, or does that still fall back to the WCB.

[Mr. Lougheed in the chair]

I know that the hon. Member for Edmonton-Gold Bar has a few more questions, so at this time I will take my seat and wait for some answers. If you'd like to answer some now or see what the minister would like to do.

Thank you very much.

THE ACTING CHAIR: The minister.

MR. DUNFORD: Okay. Thank you. I'll try to be quick, because I know there are still more speakers.

The member began by indicating that this was a lot of public money, and I do agree. If I want to be defined in a number of ways, I hope that one would be a compassionate person, but the other one obviously would be that I could be defined as a steward of taxpayers' money, because I take that very seriously.

5:00

A previous member had noted how we had lapsed money. That is not inconsistent with my experience and my record as a minister of a portfolio within this government. I think I've been able to do that every year except perhaps in one occurrence. Not that we're trying to do that on the backs of anyone, but it's more important that we have sustainable funding. When we find opportunities, then, to lapse dollars, it is really usually because of some onetime occurrences rather than any decreases of benefits. We simply haven't decreased those benefits.

I want to focus this time, though, first of all on some of the workplace areas rather than on the earlier ones. We can answer those in writing. Under legislation before 1988 the actual appeal of a WCB decision went through an appeal mechanism that was actually the board of directors of WCB and not the department. The reform or the revisions in 1988 set up this Appeals Commission, but it was still bolted onto the WCB system. The reforms now of 2002 are going to unbolt that Appeals Commission and move it into this area.

In terms of workplace health and safety, 26 percent of the injury incidents at the workplace are workers in the first six months of their employment, and a full 40 percent are within the first year. So the hon. member is onto an excellent area here about new and inexperienced workers. I would want the hon. members, however, to know that we are currently involved with a workers' compensation partnership where we are focused on a huge educational campaign for this particular group. Now, I haven't heard the ads on the radio, but I know that there are ads for the radio. It's just that I don't happen to listen to the same radio stations that young workers listen to, so I'm not necessarily hearing them. There are posters, and it's called: Pick out the New Guy. Of course we show, then, a pictorial arrangement that clearly indicates the target audience that we're looking for.

In terms of compliance, we will not be adding more inspectors, but through changes within our administrative and our procedural areas we've actually reduced the office time that our inspectors have to spend. So they are in the field on a higher percentage of time basis, and we have substantially increased the number of inspections over the last little while.

[Mr. Tannas in the chair]

I'll have to read *Hansard* to understand the references to union versus CLAC and union/non-union and CLAC/non-union. You know, with the Christian Labour Association – not to presume what the results might be – I would expect that any organization that has CLAC as their employee representatives probably would have a good safety record just from: would it not be Christian to, of course, have a safe workplace health and safety area? I don't know what those numbers are, but we'll certainly be looking into that.

On that, maybe we'll allow, then, any other speakers to use the remaining time.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I have still a few questions for the hon. Minister of Human Resources and Employment. Before the time runs out in a few minutes, I would like to comment for the record that the minister certainly has worked very hard at improving some of the deficiencies that were in the department which the hon. minister inherited.

Now, certainly there needs to be more work done with employment standards: some of the chronic violators, repeat offenders. It is no way to save a dollar by not paying young Albertans, in particular, the money that they have earned, and it is not fair to other small businesses that do. It's not a level playing field when one company is violating the Employment Standards Code. How can a company that is not and is paying overtime wages and vacation pay and whatnot to all its employees – it's very difficult to compete whenever someone else is cutting corners like that. I would encourage the minister to continue to ensure that employment standards are enforced.

Again, with the minimum wage, I think it should be reviewed annually, just the same as with my pay and that of all other hon. members of this Assembly. Our compensation levels are reviewed annually. Why can't we do the same thing for the minimum wage?

In the time that I have, I have to mention the youth employment rate and this initiative that was discussed with a great deal of fanfare by various government departments to prepare for growth, building Alberta's labour supply. I will have to remind at this time all hon. members of the Assembly that youth unemployment – I believe this is the bracket between the ages of 16 to 24 – is 10 percent, whether it be in the female or male category. I think that the female category is slightly lower than the male category, and this is too high when you look at the unemployment level of the rest of the workforce. It is double, as a matter of fact, and we need to get those people in that age group active in the workforce, active in training programs. I don't necessarily agree with this notion of fast-tracking people into this province at this time for skills that are in short supply. I think we should be first trying really hard to train those people. I can understand certainly if every rock is overturned in pursuit of these valuable employees, but I don't think that's been done. Certainly in the First Nations population across this province there are large pockets of high unemployment, and I would urge that in the next year the government explore that, Mr. Chairman.

Now, I have to get my items that I want to discuss here in priority

in the time I have. I receive complaints constantly from across this province in my job as an opposition critic about the claw-back of the Alberta child health benefit. I see on page 220 of the Human Resources and Employment business plan, where there is information on the caseloads, that the caseloads for the Alberta child health benefit will go up by 10,000 from roughly 70,000. Oh, it's more than that. It's up to 84,000 for the fiscal year 2004-2005, and that's a significant increase. I'm not satisfied that that is prudent. That is federal money, and it's been redistributed, Mr. Chairman, and I don't know how this is working. With this increase in the number of files or the number of caseloads, how is this going to be financed? Who is going to lose, and who is going to gain? If I could have that question answered, I would certainly be very grateful.

5:10

Now, for the labour relations review that's going to go on and is going to be struck, I would urge the hon. minister to take members of the Official Opposition and put them on that committee. Let's have an all-party committee on this labour relations review. Certainly it won't be as long in reporting as this low-income review. I think that this should be an all-party committee, particularly after what's happened with the teachers and the major falling out, the major deterioration in the relationship between – I don't believe it's this minister's fault, Mr. Chairman; I certainly do not – the Alberta Teachers' Association and this government. I think it's shameful and that it was not necessary. If we're going to have a look at the labour code, perhaps if this was an all-party committee, it would be a way of somehow starting to rebuild that faith in the system. We can all look at the proclamations about how fair and impartial the Labour Relations Board is. It's the mission statement; it's the goal. It's a good goal, but it's going to be difficult if there's going to be no balance on this committee. I'm sure the hon. Member for Edmonton-Glengarry is going to be very anxious to serve on that committee.

Now, for the safety review that is also going to be initiated for this year, I would encourage the minister to work very hard at that. The hon. minister has a very important goal, which is hopefully achievable. In the past there has been an initiative to start the call centre up the street here so that individuals can phone in if they have any concerns or questions about occupational health and safety law and regulations. It's a good product, but I think it's poorly marketed. It's a matter of marketing that call centre so that each and every worker in Alberta knows about it. Now, how that is going to be achieved I don't know, but I would encourage the marketing of that call centre. The hon. minister was talking about a web site or stickers. We could work with the sector of the economy that rents industrial tools and have a sticker not on every tool that would be rented but certainly on some of the tools that are rented on construction sites. So if a person picks that tool up in the morning, they're going to see that, whether it's a web site or a 1-800 number, and if they have any questions, they can call about occupational health and safety regulations and laws. There has to be a better way, because if we can reduce workplace accidents – fatalities are another matter – perhaps we can do something about the WCB. You know, a 27.4 percent increase in premiums in one year, then a double-digit increase previous to that, and who knows what it's going to be next year: that's too much. That is too much. I think we can work and we can improve the system.

The hon. member spoke about something that's dear to my heart, random independent inspections. I'm not going to be too critical, but certainly this minister on his watch I believe has increased

enforcement of his rules and regulations through the courts, and I would encourage him to continue to do that regardless of the cost. It is necessary and has to be done, and it sends such a strong message. When the new CEO of the WCB signs a contract, it should be a public document so that we know what the compensation rate and the severance package will be, Mr. Chairman. That's very, very important.

THE CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Gold Bar, but pursuant to the understanding agreed to unanimously by the Assembly earlier this afternoon, I must put the following questions. After considering the business plan and proposed estimates for the Department of Human Resources and Employment, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$1,061,451,000
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THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chair. I would move that this hardworking committee now rise and report the votes and request leave to sit again another time.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Human Resources and Employment: operating expense and capital investment,	\$1,061,451,000.
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THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's been a very good day and a very good week, and in light of the hour I would move that we now call it 5:30 and that we adjourn until 1:30 p.m. on the following Monday.

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[Motion carried; at 5:18 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 15, 2002** **1:30 p.m.**
 Date: 02/04/15
 [The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon and welcome back.

Hon. members, would you please remain standing after the prayer for the singing of our national anthem.

Let us pray. Dear God, author of all wisdom, knowledge, and understanding, we ask Thy guidance in order that truth and justice may prevail in all our judgments. Amen.

Now, would you please join in the singing of our national anthem in the language of your choice as we are led by Mr. Paul Lorieau.

HON. MEMBERS:

O Canada, our home and native land!
 True patriot love in all thy sons command.
 With glowing hearts we see thee rise,
 The True North strong and free!
 From far and wide, O Canada,
 We stand on guard for thee.
 God keep our land glorious and free!
 O Canada, we stand on guard for thee.
 O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. At the end of the question period this afternoon I will rise on a point of order regarding the comments made by the Minister of Finance on Thursday during my question.

head: Introduction of Guests

MR. KNIGHT: Mr. Speaker, it gives me great pleasure to rise in the House this afternoon and introduce some special guests from the riding of Grande Prairie-Smoky. I would like to introduce to you and through you to the members of this Legislature a group of 13 students from Crooked Creek Christian school along with teacher Mr. Trevor Penner and parents and helpers Kathy Penner, Terry Virtue, and Fred Wiebe. I would please ask the members to give the traditional warm welcome to this group situated in the gallery.

THE SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you very much, Mr. Speaker. It is indeed a pleasure for me to introduce two sets of guests to the Assembly here this afternoon. First of all, in the members' gallery there is the van der Ahe family from the Edmonton-Calder constituency. I first met this family last February during the election campaign, and subsequently they have attended all the town hall meetings that I have held in the Edmonton-Calder constituency. I'd ask Martin, Marianne, Jessica, Michelle, and Jason to rise and please receive the warm reception of this Assembly.

Secondly, Mr. Speaker, in the public gallery I have two visitors this afternoon: Karen Simmons Sicoli and her son Matthew Sicoli. Karen has been recognized for the work that she has done in raising autism awareness in the province of Alberta. In fact, she has a book that she's published called *Little Rainman*. She is the mother of an autistic child, and she's the recent recipient of the Edmonton Smart City award. I would ask Karen and her son Matthew to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It is my pleasure to introduce today on behalf of the hon. Member for Edmonton-Rutherford some visitors from out of province. They're the guests of Louis St. Laurent school on the south side. The school is the Alexander Galt regional high school from Lennoxville, Quebec. There are 32 students and two teachers, Mr. Chris Obermeier and Ms Jodi Coleman. Would our guests please rise and accept the warm welcome of the Assembly.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Swan Hills Waste Treatment Facility

DR. NICOL: Thank you, Mr. Speaker. On Thursday the Finance minister made some very interesting comments in this Assembly. My first question is to the Minister of Finance. Based on her answers from Thursday, will the minister tell the Assembly what financial difficulties the province would experience with the Swan Hills waste treatment plant operating about half a year to treat the imported waste at the expense of Alberta taxpayers?

MRS. NELSON: Well, Mr. Speaker, clearly the Swan Hills waste disposal centre has been such a phenomenal asset for this province. If we had not dealt with the disposal of waste in Alberta for the last number of years, the buildup on the environmental impact would be fierce. We dealt with this head-on by putting that facility in place. It's the only one of its kind in North America.

When I talk about a huge cost, I talk about the cost to the environment, that Albertans would not tolerate the buildup within this province. That's why that facility is so critically important to this province. The Minister of Infrastructure alluded to it in his answer, that this province is basically PCB free, and it would not be that way if we had not built that facility and had it available and at our disposal.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given that the plant accepts waste from other jurisdictions and is operating at taxpayers' expense, why are Albertans subsidizing the treatment of someone else's toxic waste?

MRS. NELSON: Well, Mr. Speaker, insofar as the regular operation of the facility, I'll ask the Minister of Infrastructure to respond.

MR. LUND: Mr. Speaker, that question and comment are somewhat misleading. I think that if you knew how the plant operates and how important it is that the diet of the plant be regulated, you can easily understand how in fact bringing in some waste could very well more than offset the cost of treating. That's quite simple. By looking at the heat units within a certain type of material that's coming into the plant and then looking at some of the material that's coming from Alberta as waste into that plant, you can easily see how, often, bringing that in and making sure that the chemical reaction, the maximum value of that reaction, is obtained and the heat units that a certain material will generate on its incineration, how that affects the other products that are being put in there that don't have those heat units.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Minister of Finance. Bovar's annual report for 2000, which is a public document, shows that 64 percent of their revenue from treating toxic waste came from dealing with waste from outside of Alberta. Does the Finance minister support Alberta tax dollars being used to clean up someone else's waste?

MRS. NELSON: Mr. Speaker, again I'll ask the hon. Minister of Infrastructure to comment on the regular operations of the plant. Let's keep in mind, again, that that plant is there, first and foremost, for the disposal of hazardous waste in the province of Alberta. With the type of industry that we have and the industrial development that is taking place in this province, along with the medical hazardous waste that goes through, we are very fortunate to have that plant. Again, I'll ask the Minister of Infrastructure to supplement my answer on the daily operations of the facility.

MR. LUND: Mr. Speaker, I think it's really important to recognize as well that the current operator is doing an extremely good job. I think that when the hon. member sees the report coming out of last year's operation, he's going to see something that's somewhat different. I'm very impressed with their ability to watch the diet of that plant, to make sure that they're maximizing, as I indicated in my first answer, how the diet is changed and what comes into it.

Now, as well, Mr. Speaker, when you look at the fact that waste knows no boundaries, when the hon. member criticizes Alberta for helping keep the environment clean in other areas, I find that very offensive, because in fact we are doing something to help the environment as it pertains to Canada.

1:40

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. They could at least charge them enough to cover the cost.

Mr. Speaker, on Thursday the Minister of Finance said that intense capital development was one of the reasons we need the Swan Hills waste treatment plant. What specific development was the minister referring to in that answer?

MRS. NELSON: Well, Mr. Speaker, quite frankly, when you look around this province and you realize that we've had the largest capital investment per capita of any place in Canada and, I believe, North America over the last number of years, it doesn't take an awful lot to figure out that there are going to be some hazardous chemicals that have to be disposed of. While the hon. member opposite would have us believe that this is not a successful plant and one that we need, where would we take that hazardous waste? We would have to transport it. I don't believe, as far as I'm aware – and the Minister of Infrastructure again can supplement – that there's another facility that can dispose of this waste in North America. So that would mean transporting hazardous waste somewhere other than North America, and I quite frankly think that that would be extremely costly and not beneficial for Albertans. I'll ask the Minister of Infrastructure to give us some background as to where else this waste could go.

MR. LUND: This plant, Mr. Speaker, has the ability to not only incinerate but also to neutralize, to handle the various materials that come in in such a manner that they become benign to the environ-

ment. I find it a little bit disturbing when the hon. member seems to indicate: well, okay; we can charge a whole lot of money for this waste coming in from B.C. or Saskatchewan or our neighbours. That's fine to make that comment, but the fact is that there is a limit. Once you bump up against that limit, that waste may very well not be treated properly and in fact then harm the environment. As I said earlier, this material knows no boundary, so we could very well suffer in Alberta for waste that's disposed of improperly in other jurisdictions.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again, it's the imported waste that they're not charging enough for.

Given that oil field waste is exempt from being treated at the plant – this waste is actually buried in the ground – what other intense capital development was the minister referring to on Thursday?

MRS. NELSON: Well, Mr. Speaker, I remember that when I was in a previous portfolio, there was talk about somebody wanting me at one point to fabricate oil field waste as hazardous when in fact it wasn't. Some of the chemicals have to go through the disposal, but a lot of the waste from oil field development goes back down the hole that it came out of.

I think the Minister of Environment would probably want to get in on the different types of categorizations, but there are things that are also disposed of up there that are on the medical side that are hazardous, some of the chemicals that have to go in, and I can relate to one. I'm aware of blue asbestos being transported to Swan Hills last summer to be disposed of, which is very, very dangerous if humans come in contact with it, and there was only one place for that to go to, and that was Swan Hills. I don't know whether the Minister of Environment wants to list off the various toxic wastes that go through that facility or whether the Minister of Infrastructure wants to.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Can the minister provide any documentation to this Assembly to show that Alberta industry generates toxic waste at a level to justify the taxpayers subsidizing a facility the size of the Swan Hills plant? Surely as the Minister of Finance she's looking at some backup for a \$28 million line item.

MRS. NELSON: Well, Mr. Speaker, once again I'll ask the Minister of Infrastructure, who's in control of the daily operations of this facility, to take the question.

THE SPEAKER: The hon. minister.

MR. LUND: Thank you, Mr. Speaker. As I have said many times before, I find it rather offensive that the opposition would pretend that they want to protect the environment when in fact they want to criticize constantly that it is going to cost a little. The fact is that for every \$250 that we spend in my budget, only \$1 goes to the Swan Hills plant. If that is too much to spend to protect the environment, then I'm sorry; I don't agree. I don't believe it is too much to spend, and when I talk about what that plant does – just take a simple thing like the drugs, the drug roundup that we have and the other household waste that we have that we round up. That is disposed of totally with taxpayer dollars. There's no way that you can pick that up some other way. If you didn't dispose of it this way, where would it go? For example, the drugs end up in the wastewater

treatment areas, so they don't get properly treated and they end up in the water. We're talking about different ways to protect our water resource, another great example of how the Swan Hills plant does that.

THE SPEAKER: Third Official Opposition main question. The hon. Leader of the Official Opposition.

Purported Remarks in the Assembly

DR. NICOL: Thank you, Mr. Speaker. Last Thursday disturbing comments were made in the Legislature that may be influencing government policy decisions. As a result of a question between the Premier and the leader of the third party on April 11 a side conversation occurred in the Legislature. In reviewing the Legislature Library tapes, we believe we heard the Finance minister state, "Is that the pedophile priest?" to which the government whip states, "Yeah, that's him," to which the Deputy Premier responds, "Most of the Calgary board are pedophiles." My questions are to the Deputy Premier. Will the Deputy Premier confirm that she said that most of the Calgary board are pedophiles?

MRS. McCLELLAN: Absolutely not, Mr. Speaker. I think this is a very serious accusation, and I certainly will want to review this. I did not make that statement, and I think the Leader of the Official Opposition should listen a little more carefully or identify voices more carefully. I think this is not the end of this question. I will look at this as a possible question of privilege.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. How do statements like that reflect policy decisions made by the government?

MRS. McCLELLAN: First of all, Mr. Speaker, I have categorically and most emphatically denied that I made that statement, so why a second question would refer to how statements such as this could affect policy is beyond me. As I indicated, I am going to look at this very seriously as a question of privilege.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Will the Deputy Premier direct the Speaker to release tapes so that we can all confirm exactly what was said?

THE SPEAKER: What?

MRS. McCLELLAN: Mr. Speaker, I believe I heard him say that I should direct . . .

Speaker's Ruling Speaker's Role

THE SPEAKER: Thank you very much. The hon. member's been here long enough to know that the Speaker is a servant of the House. The Speaker is elected here by secret ballot of all members of the House. The Speaker takes no direction from any member of the government.

The hon. leader of the third party.

Calgary Pastoral Letter on Bill 12

DR. PANNU: Thank you, Mr. Speaker. Last Thursday the Minister of Learning said in this House that he'll be sending a letter to Bishop Frederick Henry of Calgary explaining what's wrong with his

pastoral letter on Bill 12. The minister further said, "I will be demanding that he send this letter to the parishioners that he distributed his letter to." My questions are to the Minister of Learning. With the weekend to think about it, will the minister agree that the bishop of Calgary has every right to express his views on Bill 12 in a pastoral letter without being subjected to threats and bullying from the Minister of Learning?

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. Bishop Henry has absolutely the right to say whatever he wants to his parishioners. I will also say, though, that being a citizen of Alberta, I have the right to correct what is said and attempt to give the facts to Bishop Henry, and it is up to Bishop Henry if he wants to parlay these facts to his parishioners. If he chooses not to give the facts to his parishioners, that is his decision.

1:50

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My second question to the Minister of Learning: why does the Minister of Learning persist in sending out the chilling message to anyone who disagrees with this government that you will be belittled, you will be insulted, and above all you will face the full wrath of this arrogant government?

DR. OBERG: Well, Mr. Speaker, I have quite a difficult time with this line of questioning when the hon. member has not even seen the letter that has been sent out. If I may quote from this, I was going to table the letter that was sent to Bishop Henry this morning, but I will say:

Bishop Henry, I know that when you speak on matters of public concern, you do so in the best interest of the community you serve and the province as a whole. I hope that you can appreciate that government does the same, and has made every honest endeavour to bring a reasonable and satisfactory end to the dispute with teachers. The importance of reaching such a conclusion is one point on which I trust we both can agree.

This will be tabled at the proper time in this session.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My last question to the Minister of Learning: will he withdraw his so-called demand that he made of the bishop on Thursday?

DR. OBERG: Mr. Speaker, I also have a very large problem with this line of questioning. When you have someone who is putting out a document that does not have what I feel are the proper facts – this hon. member is asking the bishop not to put out my letter, which does have the facts on Bill 12, which has our side . . .

DR. PANNU: I'm asking you to withdraw the demand. That's all I'm asking.

DR. OBERG: Mr. Speaker, then very briefly, the answer is no. I believe that the parishioners of the Catholic church in Calgary are entitled to know the facts.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Edmonton-Gold Bar.

Chronic Wasting Disease in Elk

MR. LOUGHEED: Thank you, Mr. Speaker. My question is for the

Minister of Agriculture, Food and Rural Development, and it's on behalf of elk ranchers in Alberta, who are asking the question: what should they do with their animals now that a case of chronic wasting disease has been discovered and has eliminated the possibility of export to Saskatchewan or U.S. hunt ranches?

MRS. McCLELLAN: Mr. Speaker, certainly the discovery of an elk with chronic wasting disease in this province is of great concern to us. However, I do think that elk ranchers should be heartened by the fact that our surveillance for this disease successfully identified the animal, and a costly recall of meat was avoided. I think that our elk ranchers have to remain patient. They have to have continued confidence in the surveillance and that that will continue. I believe that our ability to trace farmed deer and elk through their entire lifetime is a great asset in isolating and eradicating a diseased animal for the protection and benefit of the entire elk industry.

THE SPEAKER: The hon. member.

MR. LOUGHEED: Thank you, Mr. Speaker. Again to the same minister: under current constraints of no exports and no market for velvet and no market for elk meat the industry could die over a period of a few years. Should the government shut the industry down?

MRS. McCLELLAN: Mr. Speaker, I think that the prediction of the demise of the industry is premature. The market opportunities for the farm on which the elk that was affected with chronic wasting disease – certainly the market opportunities for that farm are limited, but other elk farmers are able to continue to market their animals. To protect the public, the meat is always held until the animal has been tested and is declared clear. So when that occurs, then that meat is sold. I think the basis of one farm being affected in the province certainly doesn't indicate that the entire industry is. We've got to continue to support the CFIA, the Canadian Food Inspection Agency, in control measures and eradication of this disease and, I believe, research to better understand this disease and how it occurs. This means surveillance, this means monitoring, this means testing, it means research and, certainly, facilitating the tracing of animals, and we'll continue to do that.

THE SPEAKER: The hon. member.

MR. LOUGHEED: Thank you, Mr. Speaker. A final supplemental to the same minister: if the industry in fact does die over a period of a few years, animals will be lost, they'll be released, and farms will go bankrupt. Does the government have any plans for assisting in a windup of this industry?

MRS. McCLELLAN: Well, Mr. Speaker, I don't like to speculate on the possible demise of an industry because we don't expect this industry to die. Therefore, we don't have plans to wind up the industry. We're going to continue to work with the industry to diversify, to develop their markets, to re-establish their velvet antler and breeding stock markets. I think we do that best through increased surveillance and mandatory testing.

Mr. Speaker, I should say that for those farms that are affected and those farms that are having difficulties through this difficult time, we do have a farm income disaster program, which the elk farmers and ranchers are certainly able to avail themselves of, and any agricultural farm program that is in place could be applicable to this industry. We encourage members of this industry that are experiencing difficulties to consult with our department.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Meadowlark.

Provincial Fiscal Policies

MR. MacDONALD: Thank you, Mr. Speaker. Last Thursday the Premier announced that the government will contemplate yet another radical change to the budget process by trading in oil and gas futures, or hedging. The Department of Revenue in the state of Alaska, after studying this issue extensively, stated that they are not an advocate of hedging and don't sense much enthusiasm for it from state officials or from knowledgeable private individuals. My first question is to the Minister of Finance. If the province of Alberta needed to put up hundreds of millions in tax dollars to cover margin requirements in a futures-based program, how would that be financed?

Thank you.

MRS. NELSON: Well, Mr. Speaker, the concept of hedging is not something that is new. A number of private-sector entities use hedging components in their financial mix, as do a number of governments. We've been looking at some of the scenarios that are obvious and present. Naturally, all people familiar with hedging would know that you wouldn't take all of your resource base and put it into a hedging program. That wouldn't make sense whatsoever. You'd put too much at risk. What you are trying to do in a hedge is protect against a downward slide in revenue base so that you have some certainty and some ability to manage the risk on the downward trend.

In governments, though, it is difficult. If you only manage the downward trend, you may miss the upward trend as well. So there are components and groups that do provide insurance on the upside as well as the downward slide. We are looking at this. We're looking at volatility. We've asked the Financial Management Commission to review potentials for us. We've been in contact with some large players to see what kinds of components are available. Once again, no one would put all of their revenue into a hedge if they had any idea of what they were doing.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. My next question is to the Minister of Revenue. What consultations has the Minister of Revenue had with the Minister of Justice to determine if there are any legal issues at stake for the government in the establishment of this hedging program?

Thank you.

MR. MELCHIN: At this stage the Financial Review Commission, as mentioned by the hon. Minister of Finance, is reviewing those topics with regards to hedging, and that's the extent of the work at this time.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Minister of Finance: why not swallow the government's pride and adopt as government policy the Alberta Liberal fiscal stability fund as outlined by the Leader of the Official Opposition?

MRS. NELSON: That's a really easy one, Mr. Speaker. So far the stability funds that the Liberals have put forward in each case have been drastic failures, and we're looking for positives on this side. I

might turn them in a direction where they can spend some time researching. There are other hedges that they might look at that are quite successful and have had some positives as opposed to some of the ones that they've put forward.

I would remind hon. members opposite that stabilization funds are usually put in place when revenues are high. While they've been whining and bellyaching and complaining for the last three years about having additional dollars for this, that, and whatever may come down the street, this has been the highest revenue base that this province has ever experienced. So those additional dollars would have been, in their formula, not available for their projects and their whining but going over into stabilization funds. We preferred to pay off debt to free up the interest-expense dollars forever, which we reduced by over \$1 billion, which was gone from the equation forever. Their idea was to live off in some fun program.

2:00

Now, just a place they might want to look for some new information is SaskEnergy. It's the Saskatchewan Crown corporation that runs their program. They have some hedging opportunities that may help them out with some of their research, so go in that direction for a little while.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Edmonton-Mill Woods.

High School Enrollment Credits

MR. MASKELL: Thank you, Mr. Speaker. I've received questions from my constituents and from former principal and teacher colleagues regarding changes to high school enrollment credits, especially those that will affect grade 10 students. This month grade 9 students are planning their high school program. There's a lot of confusion about the changes, and it is creating anxiety. My questions are for the Minister of Learning. Would you please clarify what changes are being made?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Quite simply, in grade 10 we are going away from the CEU funding to a standard per student type of funding. Grade 10 students will receive \$4,997 if they take anywhere from 31 credits and above. For 30 credits and below they will receive \$2,498.50. I believe that this is a very important step forward as it decreases the amount of administration. It does a lot of other things to simplify the administration for these students.

MR. MASKELL: Again to the same minister: how will this change affect students enrolled in integrated occupation programs and in the IB program?

DR. OBERG: Mr. Speaker, in essence, there will be no effect on these students. They will receive the same funding, the \$4,997 per student funding, and I will reiterate that this is roughly \$630 more than what that same student would receive in grade 9. The other point I will add is that children with severe disabilities will receive 10 percent more funding than they did prior to this.

THE SPEAKER: The hon. member?

The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Whitecourt-Ste. Anne.

Funding for Nursing Programs

DR. MASSEY: Thank you, Mr. Speaker. The number of nurses per

10,000 population has fallen in Alberta from 80 to less than 75. The situation has been labeled very dangerous for future years. My first question is to the Minister of Learning. Why has the government failed to fund the new U of A nursing program for degree holders?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. In direct response to the question, each new program is put through what is called the access fund, and we look at each one. This year the access fund was suspended. I hope that it will be back in budget 2003. It may or may not be.

The interesting point that the hon. member really needs to take home, though, is that presently we have 31 percent more nursing grads this year than we did in '93-94, so we are moving ahead with nursing. We recognize that there are shortages. Just last year, for example, we put in the accelerated nursing program to get more nurses into the hospitals. So, Mr. Speaker, this is a very important question, and it is a very important response that we are taking.

DR. MASSEY: My second question is to the Minister of Health and Wellness. Will nursing costs not increase as more overtime is needed to cover nursing shortages in the province?

MR. MAR: Well, it's true that in the current iteration of our health care system we do not have enough nurses, and we have worked at improving the numbers. I point out, Mr. Speaker, that perhaps one of the most important things we'll do is deal with the recommendations set out in the report by the Premier's Advisory Council on Health. In that report – and we are working on the 44 recommendations that were given in that report – it did talk about putting better incentives in for attracting and retaining and making the best use of health providers. That's not only nurses; it's about other health care providers as well. In keeping with the spirit of that recommendation, we are developing a comprehensive health workforce strategy. We are using and developing a forecasting model that will help us better identify the need for health care professionals. We are working with regulated professions like registered nurses, licensed practical nurses, and psychiatric nurses to ensure that they are working to the full scope of their practice. So the issue about the costs associated with overtime for nurses is a legitimate issue, but we are working towards solving it.

THE SPEAKER: The hon. member?

The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Edmonton-Centre.

Savings as a Result of Teachers' Strikes

MR. VANDERBURG: Thank you, Mr. Speaker. When Budget 2002 was announced by the Finance minister, the Minister of Learning announced that the savings as a result of the teachers' strike would be returned to the school boards. The budget documents highlight that these funds would be provided to the school jurisdictions before the end of March, yet in talking to my constituents in Whitecourt-Ste. Anne, the school boards have indicated that they have not yet received these funds. My question is to the Minister of Learning. Can you advise me, sir, what's happened to these funds?

DR. OBERG: Certainly, Mr. Speaker. The cheques were cut and sent out on March 28 of this year. They were not given a special status, so I would suggest to the school boards that the hon. member

has that they take a look. They were included in the per student grant, but those cheques have been cut and have been sent out.

THE SPEAKER: The hon. member.

MR. VANDERBURG: Thank you, Mr. Speaker. My question again to the same minister: are there any restrictions on these funds that went back to the school boards?

DR. OBERG: No, Mr. Speaker. That particular fund went into the funding envelope of the per student funds, so apart from the rules on the per student funding grant there is no special rule that is attached to those funds.

MR. VANDERBURG: Again to the same minister: why weren't these funds just included in the basic grant to the school boards?

DR. OBERG: Well, Mr. Speaker, these were savings that accumulated this year from the strike, and rather than taking them and working with them, what we decided to do was transfer them forward so that the school boards could use them in the upcoming year. They are being used to the full advantage of the school system, which is what we always intended. These savings were from the strike, so we felt that they had to be put back into the educational institutions, and that's what we did.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Highlands.

Funding for Community Sports Programs

MS BLAKEMAN: Thanks, Mr. Speaker. After the Future Summit the participants agreed that one of its top priorities was to make Albertans more accountable and responsible for their own health. Community sports programs were identified as an important tool for reaching this goal. My question is to the Minister of Gaming. How does the reduction of funding for sports programs and the elimination of the community lottery boards support the Future Summit and the government's goal of making Albertans more responsible for their own health?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. I think it's important for the hon. member opposite to understand that at this point in time the charitable model that we have in Alberta provides about \$300 million annually for the not-for-profit groups in Alberta.

AN HON. MEMBER: How much?

MR. STEVENS: Three hundred million dollars. That is a substantial amount of money, and there is one particular foundation that is funded specifically with a view to assisting a sport. That is a foundation under Community Development. But \$300 million is a great deal of money, and the sporting organizations in the province have access to a great portion of that.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. Well, given that before cutting the lottery boards, the government cut the quarterly grant program that was specific for sports programs and told those same sports groups that they should then apply to the

community lottery board for funding, where does the minister now propose these groups go for funding?

MR. STEVENS: Mr. Speaker, I think it's important for the hon. member opposite to appreciate that we had a difficult decision this year to make with respect to the budget, and that gave rise to the discontinuance of the community lottery board program. However, looking forward to the next fiscal year, I'm happy to say that about \$20 million additional funding will go into our various foundations, including additional money into Community Development and, as such, additional money into the foundation which supports sports programs.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. To the same minister: could the minister explain why his particular department is undermining the minister of health by cutting funding for community sports programs?

2:10

MR. STEVENS: I think it's fair to say, Mr. Speaker, that \$300 million for not-for-profit groups in this province is beyond what any other province in this country does for its volunteers. Many of the volunteer groups that access those funds are in fact involved with community sports. They are building facilities; they are providing operating funds. I think that if the hon. member took some time to see what was happening in that area, she would in fact be very proud indeed of what is happening in this province.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Olds-Didsbury-Three Hills.

Bill 12, Education Services Settlement Act

MR. MASON: Thanks very much, Mr. Speaker. In late March during the heat of the public debate over Bill 12, the government asked deputy ministers to send an e-mail message to public service employees containing the government's spin on this legislation. I will table copies of this correspondence at the appropriate time. This makes the government's criticism of Bishop Henry's pastoral letter all the more offensive and hypocritical. It's really a question of the Pat calling the kettle black. My question is to the Deputy Premier and Minister of Agriculture, Food and Rural Development. Why did the minister have her deputy send to all employees in the ministry of agriculture an e-mail containing the government's spin on Bill 12 when this communication has nothing whatsoever to do with the business of this ministry?

MRS. McCLELLAN: Mr. Speaker, in that question I think I'm being asked to explain why another minister did something.

MR. MASON: No. Why you did it.

MRS. McCLELLAN: No. That's not the way I heard it, but I'm going to ask the Minister of Learning if he would like to enlighten us on this.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. Quite simply, we have some 22,000 public service employees in our employ, and as Bill 12 was reasonably controversial, we decided that it was extremely important for our own employees to hear from us as to what Bill 12 was all

about, to give them an explanation of the bill, and that's what occurred. A committee of deputy ministers led by my deputy minister suggested that these letters be sent out to our employees, explaining what Bill 12 is. Our employees are equally the citizens of Alberta as anyone else and are entitled to the facts.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Then to the Learning minister: how can the Learning minister stand in this House and attack the bishop for distributing his view on the bill, demand that his particular spin be included by the church, yet do exactly the same thing with every government employee regardless of the department that they work for?

DR. OBERG: Mr. Speaker, a fact is a fact is a fact, and regardless of who distributes the facts, they're still the facts.

MR. MASON: Mr. Speaker, I would like to ask the Minister of Learning if he will demand that deputy ministers distribute a copy of Bishop Henry's critique of Bill 12 to all government employees.

DR. OBERG: Mr. Speaker, if Bishop Henry would like his letter distributed, then that's up to him to go ahead and distribute it. He delivered it to his parishioners; we delivered it to our employees. If he wants to deliver it to non-Catholics, then I guess that's up to him as well.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Riverview.

Richardson's Ground Squirrel Control

MR. MARZ: Thank you, Mr. Speaker. My questions today are to the Minister of Agriculture, Food and Rural Development. With the arrival of spring farmers are faced with their annual challenge of controlling a pest that causes a lot of damage to crops, pastureland, and livestock as well. That pest is the Richardson's ground squirrel, or gopher, as it's also commonly referred to. I hear some chuckles around, but I've lost a couple of animals myself that stepped into these holes and broke their legs and subsequently had to be put down. One of them was my child's pony, so it wasn't a very funny thing. Last year's pilot program which distributed premixed strychnine to grain farmers through their municipalities had mixed success. Although the product was an effective control when applied in a timely manner, weather conditions such as we see outside today do not always allow for the timely application, especially when premixed product is only available at limited times, and if it's stored for four or five days, it gets moldy, which renders it useless.

SOME HON. MEMBERS: Question.

MR. MARZ: My question, which the opposition is so anxious to hear, is: what is the minister doing to assure farmers of an adequate supply of 2 percent strychnine for gopher control this spring?

MRS. McCLELLAN: Mr. Speaker, Alberta Agriculture, Food and Rural Development has been granted registration again by the Pest Management Regulatory Agency out of Health Canada for the agricultural use of strychnine. This period is from February to the end of June 2002. This does allow our agricultural field men to mix 2 percent liquid strychnine with fresh oats supplied by the producer.

Mr. Speaker, the one thing I can assure the hon. members is that

the Ag field men have a sufficient supply of strychnine poison on hand at least to start the season, and it is our expectation that by the middle of May we will have more supply. This is a concern because we had a very, very huge problem with Richardson's ground squirrels last year. Of course, we're going to ask municipalities to share their supply if there's an area that has a higher level of need, and hopefully that'll get us through the beginning of the season.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. To the same minister: when will farmers be able to purchase 2 percent strychnine that they'll be able to mix themselves so they can apply it in a more timely and effective manner?

MRS. McCLELLAN: Well, Mr. Speaker, we would like to see farmers be able to mix the bait themselves, but currently under the Pest Management Regulatory Agency the conditions of approval do not permit that. At this time through that regulation, which is through Health Canada, only the Ag field men are allowed to do the mix. I think that we in the agricultural community should be thankful and I guess appreciative of the fact that we've received this temporary registration for the use of this product again to deal with a very difficult situation.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Again to the same minister: could the minister perhaps tell me what other approved controls for Richardson's ground squirrels are readily available to farmers that are equally as effective as the 2 percent strychnine?

MRS. McCLELLAN: Well, Mr. Speaker, there are a number of things that are available to control this. One is poison. Secondly, I guess, is trapping. Fumigation is another, and of course shooting is another. Each one of these things can provide a favourable result, but every one of them, obviously, has its limits. Poisoning with treated grain is the most effective and most common method that's available to producers at this time, and strychnine poison is certainly the most effective in that area. There are other control agencies, one called Rozol concentrate, zinc phosphide, but as I indicated, all of these have limits. The best time to control Richardson's ground squirrels is just before vegetation turns green in the spring, when they're undernourished, so the best and the most effective way is to feed them a poisoned grain.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Dunvegan.

Education Fund-raising

DR. TAFT: Thank you, Mr. Speaker. Parents of schoolchildren in one of Edmonton's richest neighbourhoods have written to me to say that they continue to subsidize the education system by thousands of dollars annually through their fund-raising efforts. Bill 12 does nothing to address this symptom of the government's chronic underfunding of education. To the Minister of Learning: if even affluent parents must fund-raise in order to buy their children essential school supplies, will the minister finally end his denial of the obvious and take the necessary steps to provide the needed resources in all schools?

DR. OBERG: Mr. Speaker, if the hon. member would give me the

name of the school, I will certainly look into it. I've been in contact with the superintendents of both Edmonton public and Edmonton Catholic, who have assured me that this is not occurring. For the edification of the hon. member opposite, there in all likelihood will be some regulations coming forward that will change all of that very soon.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. I'll provide the names of the parents.

If parents withdraw their voluntary services as well as teachers, which some parents are considering, how will the minister keep the education system afloat?

2:20

DR. OBERG: Mr. Speaker, each student in the province of Alberta receives roughly \$7,500 in total per student. Do the math. If there are 20 students, that's \$150,000 or so for a classroom that is designated for that, so there is a considerable amount of money.

There is fund-raising that goes on that does pay for extra things such as rock-climbing walls, all of this. We've had this discussion numerous times. Each and every time that something has been brought forward to me, I put it forward to my department to investigate. We recently had, for example, 22 investigations in Edmonton. There were a couple of them, I will say, that were fund-raising for things like textbooks. We have put an end to that.

Mr. Speaker, the offer is open to the hon. member. I'd be more than happy to send my audit team to this school to make sure that that isn't happening in this school.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. My final question to the same minister: will the minister commit to meeting with the parents of this school in my constituency who have expressed these concerns?

DR. OBERG: I'm sure I'd have no problem at all, Mr. Speaker.

THE SPEAKER: The hon. Member for Dunvegan, followed by the hon. Member for Redwater.

Vehicle Accidents Involving Wildlife

MR. GOUDREAU: Thank you, Mr. Speaker. As individuals living in rural constituencies like Dunvegan, we often find ourselves competing for space with the wildlife that also live in the area. Lately this has been a lot more challenging with the increase in elk and deer. We have experienced problems both on our roads and around our farms and homes with these animals. My first question is to the Minister of Sustainable Resource Development. Is there anything that is being done to reduce the hundreds of motor vehicle accidents involving wildlife?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That is a very important question, especially for the member in the northwestern part of the province. There have been, of course, large increases in elk and deer populations because of the recent mild winters we've had here in Alberta. In fact, there have been over 6,000 accidents.

DR. TAYLOR: How many, Mike?

MR. CARDINAL: Over 6,000 accidents, a 40 percent increase over the last seven years.

Our department of course works very closely to establish deer populations across the province, and we are currently, in fact, developing a deer management strategy which will look at things such as promoting the number of informed hunters out there and also possibly increasing the number of tags that would be available to hunters in that area.

MR. GOUDREAU: My second question is also to the same minister. Not only are these animals causing problems on our roads, but they're also moving into our yards and causing a lot of damage to feed. This is very dangerous as well as economically destructive. Can the same minister tell us if there are ways to reduce this damage?

MR. CARDINAL: Yes, Mr. Speaker. That is why in fact we are developing an overall deer and elk strategy in Alberta. We are experiencing a lot of problems because one thing that has happened, I believe, is that there are not only the warm winters, but also the deer and elk have become pretty tame in Alberta, and they are starting to wander into even towns and different communities throughout the province. A lot of animals are also spending time on highways, and that creates additional problems. So we will continue monitoring the situation and ensuring that we deal with these issues.

The other thing we need to do for sure is to ensure that our highways are marked properly, because an individual that travels on a certain part of rural roads generally knows where the animals are, but any strangers that travel in those areas would not know unless there is signage on the road. So we will be doing that.

THE SPEAKER: The hon. Member for Redwater, followed by the hon. Member for Lac La Biche-St. Paul.

Publicly Funded Health Services

MR. BRODA: Thank you, Mr. Speaker. My question is to the Minister of Health and Wellness. I received a letter from one of my constituents expressing concern over the possible delisting of insured services. The individual is worried that they will not be able to continue treatments with chiropractic services if they're removed from the list of services that are publicly funded. Those on fixed incomes cannot afford to pay the full cost of these appointments. Have any decisions been made about which allied services will continue to be funded through the Alberta health care insurance plan?

MR. MAR: Mr. Speaker, the short answer is no, although the government is working on the recommendations set out in the Premier's Advisory Council on Health to include the recommendation to establish a permanent expert review panel to make decisions on what services and treatments are publicly funded. The department is currently working on reviewing the applications for positions on that committee, and I hope to be able to make announcements with respect to it by the end of this month. The panel will be making recommendations on all services that are currently funded by the public health care system, including developing criteria to determine which new procedures and treatments should be publicly funded. At that time chiropractic treatments and other allied health services would be reviewed.

THE SPEAKER: The hon. member.

MR. BRODA: Thank you, Mr. Speaker. My first supplement to the same minister: what qualifications are required to sit on this expert panel?

MR. MAR: Mr. Speaker, the panel will have a total of 10 members, and eight of those members will be selected for their expertise either in the medical, clinical, or health policy areas. There will be, in accordance with the recommendations suggested by the Alberta Medical Association, two members that will be selected from the public. There were public advertisements in daily newspapers throughout the province. Approximately 150 people applied, and two public members will be selected from that 150.

THE SPEAKER: The hon. member.

MR. BRODA: Thank you, Mr. Speaker. My second supplemental to the same minister: having heard this, does the minister see any potential for conflict of interest if medical practitioners are in a position to determine which services will remain on the roster of publicly funded services and which would be paid directly by the patient?

MR. MAR: Mr. Speaker, of course there is a potential for conflict, but we have tried our very best to address it in a number of different ways. As an example, the medical and clinical members of the panel will come from varied fields, so the interests of one particular member may be balanced against the concerns of others. But as a group the panel will be required to review all services and agree on the medical necessity of each before making a funding recommendation. Of course, members who feel that they are in a conflict of interest may excuse themselves from reviewing any particular issue. Also, because we are bringing in members from the general public, they will represent the interests of patients and consumers of health care services.

Finally, Mr. Speaker, before a final appointment to the expert panel each potential member will meet with the province's Ethics Commissioner to discuss their personal financial interests, and the commissioner will determine if there is any reason that the member should be disqualified from the panel.

head: **Recognitions**

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

Leaders of Tomorrow Awards

MR. JOHNSON: Thank you, Mr. Speaker. Recently I had the pleasure of attending the Leaders of Tomorrow awards presentation in Camrose. These awards are given to young volunteers in four age categories between six and 21 years of age who have demonstrated outstanding dedication and excellence in their community service and work. These awards were sponsored by the Bethany Group, Boston Pizza, and the Volunteer Centre of Camrose & District. Nineteen outstanding young people from Camrose and surrounding area were nominated to receive Leaders of Tomorrow awards, and the recipients of the awards in their age categories were Brandon Morris, Billy Staggs, Asher LaGrange, and Michelle Jensen. This was a particularly memorable occasion for the nominees and audience alike as the guest speaker and awards presenter was our Lieutenant Governor, the Hon. Lois Hole. Thank you to the sponsors for making these awards possible, and congratulations to all the nominees and award recipients for the contributions they have made to our communities and for the important work they do as volunteers.

THE SPEAKER: The hon. Deputy Speaker.

Rescue Commendation Award to Highwood Constituents

MR. TANNAS: Thank you, Mr. Speaker. Today I wish to recognize the brave actions of young Highwood constituents Nicholas Koch, Daniel Fuller, and Danny Doyle. On May 23, 2001, David was playing in a shallow area of the Sheep River near Riverside Community Park in Okotoks when he picked up a large rock, threw it in the water, but forgot to let go and fell face first into deeper water, only to be swept downstream by the strong current. Brandi, David's mother, immediately jumped into the water, and she herself was swept away. Both were now in danger of drowning. Fortunately, Nicholas, Daniel, and Danny, all from Okotoks, had seen this situation take place and immediately sprang into action. Nicholas was the first to enter the water and then headed towards David. He was able to grab hold of David and started swimming back to shore when he heard the mother's cry for help. Nicholas called out that Brandi was in trouble and needed their help. Daniel and Danny swam out to Brandi and assisted her back to shore. Although badly shaken by their near fatal experience, no injuries were a result.

For their quick actions these three lads were presented with the rescue commendation award and the lifesaving medal for merit at a special ceremony on March 18 by Her Honour the Lieutenant Governor, Lois Hole, with His Highness Prince Michael in attendance.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

2:30

Spruce Grove Junior B Regals

MR. HORNER: Thank you, Mr. Speaker. Today it's with great pleasure that I rise in the House to bring recognition and congratulations to the Spruce Grove junior B Regals hockey team. On the weekend of April 5 the Spruce Grove junior B Regals won the provincial title with a precedent 5 and 0 record. As well, the team was the host of the provincials in Spruce Grove and did an excellent job. As a parent who is a part-time assistant coach and who loves the sport of hockey, I would like to congratulate their coach, Cam Aplin, who led the 18 to 20 year olds to this victory. The team prides itself on being homegrown, as the majority of members have come up through the Spruce Grove minor hockey league. They say that the chemistry on the bench of these young men was outstanding and certainly one of the contributing factors to such a successful season.

This past weekend the junior B Regals traveled to Assiniboia, Saskatchewan, where they represented Alberta in the westerns. It was a tough and emotional weekend as the team went into the final game, again undefeated, to play the host team. As the final game entered the third period, the score was a 1-1 tie, but late in the third the host team scored, and the Regals could not get one back.

I want to extend my constituency's and the province's pride as they represented Alberta well as great Alberta ambassadors in the sport of hockey.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

Calgary Pastoral Letter on Bill 12

MR. BONNER: Thank you, Mr. Speaker. I'm pleased to rise today to recognize the courage and determination of Albertans who stand up for what they believe is in the public interest. Our cherished freedoms of thought, belief, opinion, and expression are all too often

castigated by members of this government when people legitimately criticize government policy. Albertans from various walks of life seek to make our province better and recognize that a government has no monopoly on defining how this is done.

In particular, Mr. Speaker, I'd like to recognize the courage and leadership of Bishop Henry of Calgary. Bishop Henry knows the value of a good education system and is prepared to stand up and fight for it. Bishop Henry also knows the price one has to pay for taking a contrary stand to the government.

Mr. Speaker, let us recognize that opposing voices strengthen our democracy and commend them for their courage in speaking out for fairness. Thank you.

THE SPEAKER: The hon. Member for Redwater.

Radway STARS Ambulance Fund-raiser

MR. BRODA: Thank you, Mr. Speaker. I'm pleased to rise to recognize the community of Radway and surrounding area for their excellent STARS air ambulance fund-raiser held Saturday, April 13, at the Radway Agricentre. Approximately \$40,000 was raised, which includes a private donation of \$15,000 from the Maurice Tomlinson family in memory of Matthew Melnyk and Michael Senych, both of whom had recently passed away as a result of injuries sustained in motor vehicle accidents and STARS ambulance had to be used.

Thank you, Radway and area, to all volunteers and supporters. Thank you, Mr. Speaker.

Air Spray Ltd.

MRS. JABLONSKI: Mr. Speaker, the spirit of Alberta is alive and well at the Red Deer Regional Airport. Despite the overwhelming challenge of a fire in October 2000 that completely destroyed their hangar, wiped out seven aircraft, and took the life of an employee who suffered severe burns, the management and staff of Air Spray Ltd. are determined to keep flying.

On April 5, 2002, Donald T. Hamilton, founder and owner of Air Spray Ltd., celebrated along with his staff, his friends, the aviation community, and local officials the grand opening of their new 51,000 square foot hangar at the Red Deer Regional Airport. The new \$2.7 million hangar represents a major investment and commitment to aviation in Alberta and will provide a significant economic boost to Red Deer and surrounding area. It was in 1970 that Don Hamilton saw the opportunity for fire bombing to fight forest fires in Alberta. Starting with a single Douglas B-26 and a leased Cessna 310, Air Spray is now recognized as one of the leading fire bombing companies in the world, with over 40 aircraft and 50 professional pilots and engineers.

Congratulations to Don Hamilton, Richard Covlin, and Perry Dancause. We wish you blue skies and safe flight.

Emergency Medical Services

DR. TAFT: Mr. Speaker, I rise today to recognize the women and men across this province who provide emergency medical services. One of the comforts of living in a major city is that emergency medical services, including well-trained personnel, good equipment, and fine emergency wards, are almost always available within minutes. Through helicopter services such as STARS these services are accessible far beyond the big cities, though as a society we can do still more for rural Albertans.

People are drawn to this kind of work out of a passionate desire to serve others at their most needy moments. Though this kind of work

is undoubtedly interesting, challenging, and rewarding, it is also difficult. We ask these people to be available to respond instantly to crises 24 hours a day, 365 days a year, and at times we ask them to attend to genuinely horrific and occasionally dangerous situations with calm and clearheaded professionalism, instantly assessing and acting on life-and-death situations.

Mr. Speaker, I am sure every member of the Legislature will join me in saluting Emergency Medical Services Awareness Week to say thank you to the paramedics, nurses, technicians, doctors, dispatchers, drivers, pilots, and others who always stand ready to serve.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table a petition signed by 682 Albertans requesting the Legislative Assembly to urge the government to "support the establishment of the Chinchaga Wilderness as a legislated protected area." I presented a similar petition with 500 signatures last week.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I am presenting a petition signed by 75 residents of Edmonton petitioning the Legislative Assembly to urge the government "to not delist services, raise health care premiums, introduce user fees or further privatize" the health care system.

head: Notices of Motions

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I'll rise on a question of privilege this afternoon.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Children's Services.

Bill 24

Child Welfare Amendment Act, 2002 (No. 2)

MS EVANS: Thank you, Mr. Speaker. I rise today to introduce a bill being Child Welfare Amendment Act, 2002 (No. 2).

[Motion carried; Bill 24 read a first time]

THE SPEAKER: The hon. Minister of Revenue.

Bill 25

Alberta Corporate Tax Amendment Act, 2002

MR. MELCHIN: Thank you, Mr. Speaker. I request leave to introduce Bill 25, the Alberta Corporate Tax Amendment Act, 2002.

The amendments in this bill enact the second phase in the reduction of the corporate income tax rates in Alberta as announced in Budget 2002. It will also parallel a number of changes that have been made recently in the federal Income Tax Act.

Thank you, Mr. Speaker.

[Motion carried; Bill 25 read a first time]

head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I have four tablings today. My first tabling is the appropriate number of copies of a letter of apology, dated April 12, which I sent to Bishop Frederick Henry.

I am also tabling the appropriate number of copies of section 42 of the Financial Administration Act.

In addition, I am tabling the appropriate number of copies of the Special Waste Management Corporation Act.

Finally, Mr. Speaker, I am tabling the appropriate number of copies of the Special Waste Management Corporation Act Repeal Act.

These last three tablings each relate to the purported point of privilege raised by the hon. Member for Edmonton-Ellerslie on Thursday of last week, which I will be responding to later today.

THE SPEAKER: The hon. Minister of Community Development.

2:40

MR. ZWOZDESKY: Thank you. With your permission, Mr. Speaker, two sets of tablings today. The first is a letter to Randy Ferbey care of the Ottewell Curling Club and to his teammates – Dave Nedohin, Scott Pfeifer, Marcel Rocque, and Dan Holowaychuk – on winning the 2002 men's world curling championships this weekend in Bismarck, North Dakota. Congratulations, gentlemen.

The second tabling is to a group of outstanding Alberta artists who captured several Juno awards this weekend, including Chad Kroeger and the Nickelback group with fellow musicians and singers Mike Kroeger, Ryan Peake, and Ryan Vikedal. These are some outstanding examples of talent from the Hanna-Brooks area in our province. They won the best single, best group, and best rock album Junos.

MRS. McCLELLAN: And their grandfather was a member of the Assembly.

MR. ZWOZDESKY: Their grandfather was a former Member of this Legislative Assembly, Henry Kroeger, of course.

Also to Jann Arden, who won the best songwriter Juno; Oscar Lopez, who won the Juno for best instrumental album; and finally to Canada's country sweetheart, Carolyn Dawn Johnson, who was awarded the Juno for best country artist. Congratulations to all of these Juno award winners.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today to table a letter to the Most Reverend Frederick B. Henry, Bishop of Calgary. This letter has been alluded to already in the Assembly. What it is is purveying the facts about Bill 12 to him.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have two sets of tablings today. The first is on behalf of the Leader of the Official Opposition, who is tabling the required number of copies of a letter to Mr. Randy Ferbey of the Ottewell Curling Club congratulating him and his team on winning the Ford world curling championship.

The second set of tablings is the appropriate number of copies from Nora Maidman of Dalemead, Ted Mann of Calgary, Kathryn Pennington of Calgary, Janet Pennington of Calgary, Ava Morasch of Calgary, and Ian Fabris of Calgary, all requesting the government to designate the Bighorn wildland recreation area as a wildland park using the 1986 boundaries.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first is a petition organized by Darby Mahon of Edmonton-Gold Bar, and it's a petition supporting public and separate school trustees in their negotiations with the provincial government.

My second tabling is a copy of the new policy for listening to audiotapes of remarks that are taped in this Legislative Assembly.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I have a couple of tablings here today. The first is the information package that was handed out at the launch of the Zebra Child Protection Centre, and that was opened in the constituency of Edmonton-Centre on Friday, April 12. This is a child-centred facility,

fully integrating systems of services for children [focusing on] total wellness of children, their families, and the community, with an emphasis on protection, investigation, and preventative measures.

The second is the appropriate number of copies of the newsletter called the Federation News from the Edmonton Federation of Community Leagues with a budget overview and how the cuts of the community lottery boards and other lottery fund cuts are affecting community leagues.

Finally, Mr. Speaker, an e-mail from Lisa J. Sierra asking that the government overturn the vote against funding the Calgary community lottery board and commenting that it's been a valuable program to her personally and professionally. Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have one tabling today, the appropriate number of copies of a document signed by 60 residents of Calgary. It says:

We the undersigned citizens of Alberta petition the Legislative Assembly to urge the government to alleviate funding constraints and budget deficits, which are undermining services to persons with developmental disabilities.

Thank you.

THE SPEAKER: The hon. Member for Edmonton Strathcona.

DR. PANNU: Thank you, Mr. Speaker. Two tablings for today. My first tabling is the appropriate number of copies of my letter that I wrote to the Premier this morning regarding the malicious, disrespectful, and insulting remarks the Minister of Finance directed against Bishop Frederick Henry.

My second tabling, Mr. Speaker, is the appropriate copies of a letter from Phillip and Eileen Walker of Edmonton asking the Premier to "demand" the Finance minister's resignation for slurring Bishop Henry.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I'm tabling five copies of a letter from Dr. David Fleiger headed "Bishop Henry – 10; Tories – 0," pointing out that thousands of Catholic and non-Catholic Christians in Alberta are offended by the Finance minister's offensive remarks respecting Bishop Henry. [Music was heard in the Chamber] That was some divine accompaniment.

THE SPEAKER: Hon. members, we have several matters to review this afternoon, and we'll go in this order. First of all, we'll deal with the purported point of privilege that was raised originally last Thursday afternoon by the hon. Member for Edmonton-Ellerslie, and the chair will invite her to provide additional comments if she so chooses. Then we will recognize a spokesperson from the government to participate in this point, and other members as well, of course, under the rules that we have. Then we will proceed with the hearing of a point of order as identified by the hon. Member for Edmonton-Strathcona, and then we will proceed to a question of privilege that will be raised by the hon. Member for Edmonton-Gold Bar, and then we will proceed to a point of privilege that will be raised by the hon. Deputy Premier. We will go in that order.

So, first of all, hon. Member for Edmonton-Ellerslie, is there something further that you wanted to add to what you added to on Thursday last?

Privilege Contempt of the Assembly

MS CARLSON: Thank you, Mr. Speaker. I will just perhaps clarify a couple of remarks. What we asked for under the point of privilege was in fact a contempt against the Premier and the Finance minister in terms of the dealings with the Swan Hills waste treatment plant. We believe that they have broken the Financial Administration Act through entering back into business with that plant, and the intent of that act is broken by the receipt or the expenses of any moneys on behalf of the government.

Thank you.

THE SPEAKER: The hon. Minister of Finance on this purported point of privilege.

MRS. NELSON: Thank you, Mr. Speaker. On behalf of the Premier and myself I am rising in response to the purported point of privilege raised in this House on Thursday last by the hon. Member for Edmonton-Ellerslie. Earlier today I tabled section 42 of the Financial Administration Act, because the hon. member has referred to that section in raising her purported point of privilege, although I believe she is mistaken in her reference to the specific section of the act.

In her statement in the House last Thursday the hon. member said:

In section 42 it states that before getting back into the business of being in business, the deal must be brought to the Assembly for full debate.

In fact, Mr. Speaker, nowhere in section 42 of the Financial Administration Act does it say anything of the sort. While the Financial Administration Act does set out clear guidelines on what sort of partnerships or share purchases this government may or may not engage in, the current operation of the Swan Hills Treatment Centre does not fall into any of these categories.

For the benefit of all hon. members I would like to outline a brief history of transactions involving the Swan Hills plant. In July of 1996 the Special Waste Management Corporation sold the plant to Bovar. Under an agreement signed at that time, Bovar had the right to revert the plant to the corporation, that being the Special Waste Management Corporation. This agreement with Bovar was outside the terms of section 42 of the Financial Administration Act. The Special Waste Management Corporation's enabling legislation, which I tabled earlier today, provided the authority for the sales agreement with Bovar and has been in place since 1984. Section 42 of the Financial Administration Act came into force in May of 1996, so section 42 did not apply to the corporation's activities. Further,

even if section 42 had applied to the corporation, an asset sales agreement of this nature would not have contravened section 42.

2:50

In May of 1997 this Assembly passed the Special Waste Management Corporation Act Repeal Act, a copy of which I have also tabled today. This act was also the subject of debate by members of both sides of the House. Under the terms of the repeal act the government became liable for all obligations of the Special Waste Management Corporation, including the obligation to take back the plant in the event that Bovar's ownership of the facility ceased.

On December 31, 2000, Bovar's ownership in the Swan Hills Treatment Centre ended, and the plant reverted to government ownership. At that point a service-provider agreement was signed with Sensor Environmental Services to operate the plant under government ownership. Sensor is an independent service provider operating the facility under a contract on behalf of the government. The province of Alberta remains the sole owner of the facility. The Financial Administration Act prevents this government from entering into a share purchase or a joint venture partnership. The contract with Sensor is neither of these. Under the terms of the contract the government of Alberta remains the sole owner of the facility. Swan Hills Treatment Centre is owned through the Ministry of Infrastructure just as is done with many other wholly-owned facilities.

The hon. Member for Edmonton-Ellerslie also raised a number of concerns in her purported point of privilege about information she has or has not received from other departments regarding the Swan Hills facility. If the hon. member feels that her questions about the facility itself have not been satisfied, I would encourage her to approach the ministers directly involved, but I see no relevance to the Financial Administration Act in any of those matters. The simple fact is that the hon. member is not correct when she alleges that the government is in noncompliance with the Financial Administration Act. The government is not in partnership or joint venture with the private entity.

The hon. member opposite has also raised concerns about the inclusion of operating and capital investment revenue for the Swan Hills Treatment Centre as a line item in the budget of Alberta Infrastructure. This is a normal procedure for a wholly-owned government facility and represents all the costs and revenues associated with the government's ownership of this facility. It is abundantly clear that Sensor is in no way co-owner of Swan Hills Treatment Centre. The plant remains a wholly-owned facility of the government of Alberta.

So, Mr. Speaker, it is clear to me and I hope it is clear to any member in the opposition that no breach of the Financial Administration Act has taken place. Thank you.

THE SPEAKER: Are there additional members who wish to provide guidance/advice with respect to this matter?

Well, the matter will be reviewed now on the basis of the information ascertained today and the information ascertained the other day, and hopefully tomorrow we'll be in a position to provide a statement with respect to it.

The hon. Member for Edmonton-Strathcona.

Point of Order Abusive or Insulting Language

DR. PANNU: Thank you, Mr. Speaker. I rise on a point of order pursuant to Standing Order 23(j). Standing Order 23 states that a member will be called to order by the Speaker if, in the Speaker's opinion, that member . . .

(j) uses abusive or insulting language of a nature likely to [cause] disorder.

In asking you to sustain this point of order, Mr. Speaker, I wish to briefly review the events of last Thursday afternoon. I wish to explain why I did not rise on a point of order then and instead notified you by way of a copy of a letter that I wrote to the Premier this morning and later on in my meeting with you in your chambers my intention to rise at the earliest opportunity this afternoon.

Last Thursday after I had finished asking my first question to the Premier, I have a recollection of hearing the words “pedophile priest” shouted across the floor by a government member. I did not rise on a point of order at that time because I quite frankly couldn’t believe that something this offensive would be said in this Assembly. I also wasn’t one hundred percent sure who had made the remark. I wanted an opportunity to review the *Hansard* records first. After question period was over, I immediately instructed my staff to review both the *Hansard* Blues and the audio recordings of question period. Suffice it to say, the pedophile priest remark did not find its way into *Hansard*; however, the words “pedophile priest” are clearly heard on the audio recordings of question period. Moreover, these words were clearly said by the Minister of Finance.

There is some disagreement about what the minister actually said. Two members of the Liberal opposition, members of this House, insist they heard the minister say: is that the pedophile priest? The minister later insisted she said: isn’t that the guy that hired that pedophile priest? Either way, Mr. Speaker, the minister made a remark that was malicious, disrespectful, and insulting. The remark was clearly personal in nature and directed against the head of the Roman Catholic church in southern Alberta.

You have commented on numerous occasions, Mr. Speaker, that members need to be extra careful when referring to citizens who are not members of this House. These citizens are not able to defend themselves against personal attacks made by members of the Assembly. Moreover, the use of abusive and insulting language in this Assembly by any member clearly reflects negatively on all members of this House and on this House itself.

In sustaining this point of order, I ask that you ask the Minister of Finance to retract the offensive remark she made last Thursday. I further ask that you request the Minister of Finance to make a full and complete apology both to Bishop Henry and to this House.

A full, complete, and unequivocal apology, Mr. Speaker, should be quite different than the halfhearted and insincere apology made by the Minister of Finance in a letter sent to Bishop Henry and released to the news media last Friday afternoon. That letter, which contains the words “I regret that my comments could have offended you,” is the kind of apology that implies you are at fault for taking offence.

Mr. Speaker, unlike the minister’s so-called apology a sincere apology acknowledges wrongdoing. A sincere apology takes responsibility for saying something that was hurtful, offensive, and malicious. A sincere apology says that I’m sorry for what I said, I will learn from this, and this won’t happen again.

In conclusion, Mr. Speaker, I urge you to sustain this point of order by calling on the Minister of Finance to make a sincere apology for the insulting and abusive remarks of last Thursday.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. Earlier today I tabled a letter that I sent to Bishop Henry on Friday after the events on Thursday. I regret – and I have said this publicly too, when I was interviewed earlier – the comments that I made in this House. It was inappropriate, and it did not keep with the decorum of the House. In 13 years I don’t believe I have done that before. So I regret making

the comments. I have said that. I have apologized, and it’s a sincere apology.

I know that when I got home Friday and ran into my son – and this will give you how serious this can be. I did not set a good example for young people. My own son asked me: Mother, what have you done? I said: “I have done exactly what I have told you all along not to do. If you haven’t something nice to say, say nothing at all, and use your head before your mouth,” and I did not do that. I sincerely apologize to this House for not keeping the decorum, and I certainly have apologized to Bishop Henry.

THE SPEAKER: Hon. members, the chair has heard now from the hon. leader of the third party and the hon. Minister of Finance and appreciates the comments from everyone. One of the really difficult matters with respect to this is that the chair did not hear any of this last Thursday. If members will recall, the chair was introducing a speaker at the time. Of course, members have to appreciate again all of the citations from the orders that we have and all of the *House of Commons Procedure and Practice* and *Beauchesne* and the like.

3:00

Last Thursday afternoon, when this matter occurred, the chair was listening very attentively, as he always does, to the speaker. He heard the hon. Member for Edmonton-Strathcona raise his question, heard the words. At that point in time there were a number of responses from various quarters of the House. The chair at that point then said, “The hon. the Premier,” and we moved on. No member in the House rose at the time with respect to a point of order. No member of the House conveyed such a matter inviting the chair for an intervention from the chair. It was a very difficult thing, then, to realize that the chair was in his office the whole afternoon and that other than a couple of individuals who are not members of this House coming in and wanting to do a certain thing, I heard from no one with respect to this matter. But then by Friday it certainly got a life of its own.

So today we have dealt with this. The hon. leader of the third party has asked the hon. Minister of Finance to apologize and withdraw her comments, and the chair has heard the hon. Minister of Finance use these following words on several and more than one occasion: “regret,” “comments . . . inappropriate,” “not keep with the decorum,” “sincere apology,” “not . . . a good example,” “use your head before” you open “your mouth,” and “sincerely apologize.” One can conclude that the matter has met the test that the hon. leader of the third party would want and certainly would meet the test that the chair would have in terms of a reasonable apology. So that matter is over with.

Now the hon. Member for Edmonton-Gold Bar.

Privilege
Access to Audio Proceedings
Accuracy of Hansard

MR. MacDONALD: Thank you, Mr. Speaker. I rise on a question of privilege this afternoon. My point of privilege is with regard to two related items: first, the right of all members to access the audio recordings of this Assembly’s deliberations and, two, the accuracy of written transcripts from *Alberta Hansard*.

Mr. Speaker, this House, like many others in the Commonwealth, maintains a transcript service so that its members, the media, and the public can review the deliberations that occur within its walls. Standing Order 107(4) provides that the Speaker shall be responsible for the audio recordings of the Assembly’s deliberations, while *Alberta Hansard* is provided for in Standing Order 107(1). The point of privilege that I am raising is in respect to the debates held

in this Chamber last Thursday, April 11, 2002. I along with several other members heard the Minister of Finance unfortunately say, "that pedophile priest."

Now, Mr. Speaker, with respect to my first point, which deals with the right of all members to access the audio recordings of this Assembly's deliberations, I in conjunction with the Official Opposition staff made a request to the *Hansard* office to listen to the audio recordings in order to confirm what I had heard the hon. minister unfortunately say. This request was made very soon after the minister uttered her remarks. I discovered that a new policy from the Clerk had been issued which directs that members can access tapes of only their own comments and that access to tapes relating to comments from other members required a request to the Speaker's office. The Official Opposition staff subsequently made a request to the Speaker's office, which informed them that the members could only access audio recordings of their own comments and not the comments of other members. It is clear that the Clerk's policy and the Speaker's office policy are contrary to one another.

I believe that these newfound policies are contrary to the parliamentary privilege afforded to all hon. members of this House. [interjection] The hon. Minister of Environment may disagree, but our main duty as elected members is to debate in this Chamber issues that matter to Albertans. No member can carry out this primary task with any degree of effectiveness unless we have the knowledge of comments made by other members in this House. After all, Standing Order 107(4) provides that "the Speaker shall be responsible . . . for the custody of those recordings." If members are denied access to the audio recordings, then Standing Order 107(4) would be illogical since there would be no need to maintain custody of those recordings if no one is allowed to access them. Due to the fact that the opposition staff and myself were prevented from accessing the audio recordings of what was said by the minister in question, I have been impeded in my ability to carry out my duties as a member. Therefore, I believe that this rises to a level of a contempt of parliament.

Mr. Speaker, I would also add that the Clerk's policy is contrary to the same Standing Order 107(4), which provides that the Speaker, not the Clerk, is responsible for the audio recordings of the Assembly. It is not enough for the Clerk to notify the Speaker of policies. Rather, according to the said Standing Order the Speaker must officially approve all policies with respect to audio recordings. In addition, I understand that this Assembly has always made audio recordings available to its members, the media, and the general public. It is up to the entire House, not just an officer of the Assembly, to change the Assembly's customs and traditions. In fact, officers of the Assembly are charged with protecting and maintaining the Assembly's customs and traditions.

I have tabled a copy of the Clerk's new policy earlier this afternoon as provided to me graciously by the *Hansard* office on the evening of April 11. This is there for your reference, Mr. Speaker, and for the reference of all members of this Assembly.

Now, my second point, Mr. Speaker, deals with the accuracy or lack thereof of written transcripts from *Alberta Hansard* for the Assembly's deliberations last Thursday. It is the custom of *Alberta Hansard* to record every audible word spoken in this House. This custom applies at all times, even if a member is speaking out of turn, as the Minister of Finance was last Thursday. With due respect to the hon. minister, her words "that pedophile priest" were not recorded in the officially published *Hansard* from that day.

Again, our main duty as elected members is to debate issues that matter to Albertans, and no member can carry out this primary task with any degree of effectiveness unless we have an accurate transcript of what has been said in this House. Now, perhaps we cannot expect every utterance to be transcribed, but in instances such

as this one we should be able without any obstruction to review the audio recordings in a timely fashion. We should not simply be referred to secondary sources like Internet broadcasts and archives. That is a secondary source inferior to the source recordings up in the *Hansard* office. Furthermore, there's a delay in the archiving of these recordings; they are not timely.

Mr. Speaker, I draw your attention to *Maingot*, second edition, at page 233. It states that the House "is not only entitled to but demands the utmost respect when material is placed before it for its scrutiny, investigation, or study." Further, at page 248 *Maingot* states that the House "remains prepared to entertain . . . questions of privilege where false, partial, or perverted reports of debates or proceedings are published." Since the edition of *Hansard* covering the deliberations of Thursday, April 11, 2002, did not accurately reflect what was said in this House, the parliamentary privilege of all members has been breached.

In conclusion, Mr. Speaker, at this the earliest opportunity afforded to me, I have briefly set out the facts as well as the relevant quotes from parliamentary authorities that show that there is a prima facie case with respect to the right of all members to access the audio recordings of this Assembly's deliberations and to the accuracy of written transcripts from *Alberta Hansard*. I am sure that this question of privilege will attract much debate within and outside this House.

At page 227 of *Maingot* it states that the Speaker asks simply: "Has the Member an arguable point? If the Speaker feels any doubt on the question, he should . . . leave it to the House." By finding that there is a prima facie case, I urge you, Mr. Speaker, and all members of this House to carefully consider this matter. Should you find that I have a question of privilege, I am prepared to move the necessary motion. In the case that you find that there's not a question of privilege, I would still ask that your office, the Clerk's office, and the *Hansard* office make available all audio recordings and accurate written transcripts of this Assembly's deliberations to its hon. members, to the media, and the general public in the future.

Thank you, Mr. Speaker.

3:10

THE SPEAKER: The hon. Member for Edmonton-Highlands on this purported point.

MR. MASON: Yes. Mr. Speaker, I would rise in support of the point of privilege raised by the hon. Member for Edmonton-Gold Bar. I wish to just transmit to you and the Assembly some of the circumstances with respect to our caucus' activities last Thursday afternoon.

On Thursday afternoon, after coming out of the House, the leader of the New Democrat opposition asked staff to request a copy of the audiotape of the session and was told that that would be provided. We were then told that a copy would not be made available – and this, we understand, is contrary to previous practice – and that we must come and listen to the tape directly. The leader of the New Democrat opposition then asked staff to attend and listen to the audio recording. The staff were then told that they could not attend, that the leader or an MLA must come personally to listen to the audio recording. So the staff . . .

THE SPEAKER: Hold on. Hold on here. Sit down. Your leader was in my office this morning seeking access to tapes. It was given to him. When he said to the Speaker, "But I can't hear very well; can I have somebody come with me?" the Speaker said, "Sure." What are you talking about?

MR. MASON: Mr. Speaker, I'm going to come to that. This all obviously transpired before the leader's visit to your office.

Finally, upon intervention to the Speaker's office, the leader was permitted to bring staff in to listen to the tapes and, I understand, received tapes from you this morning. I think that the whole procedure is irregular, and I would ask that the policy and the circumstances surrounding changes to the policy be clarified for the Assembly.

THE SPEAKER: Are there additional comments from hon. members on this purported point of privilege?

Well, let me thank the two members who did participate in the purported question of privilege. The hon. Member for Edmonton-Gold Bar provided written notice to the Speaker's office more than two hours prior to the start of this afternoon's sitting, and proper notice was therefore given pursuant to Standing Order 15(2). The notice is quite succinct in citing the issues to be raised, which are "(1) the right of all Members to access the audio recordings of this Assembly's deliberations, and (2) the accuracy of written transcripts from *Alberta Hansard*." As the members pointed out, these purported questions of privilege relate to certain comments that were allegedly made on Thursday, April 12, 2002, which do not appear in *Alberta Hansard*.

With respect to the first point, Standing Order 107(1) clearly states that *Alberta Hansard* "shall be compiled, edited, printed, distributed and administered under the direction and authority of the Speaker." Furthermore, Standing Order 107(4) states:

The Speaker shall be responsible for recording the deliberations and proceedings of the sittings of the Assembly, committees of the whole Assembly and such other committees as request recordings to be made, and for the custody of those recordings.

It is the Assembly that has written these rules. It is the Assembly that has delegated to the Speaker the responsibility to produce *Hansard*. It has made the Speaker responsible for the custody of the recordings from which *Hansard* is produced.

The purported question of privilege relates to a matter of administration of the Assembly and, quite frankly, is not a prima facie question of privilege. Having said that, the chair will review the policy on access to recordings used in the production of *Hansard*.

This Assembly has had *Hansard* since 1972. When *Hansard* was invented for this Assembly in 1972, a major report was written, which is available to any citizen in the province of Alberta. The chair would have believed that hon. members who are members of this Assembly would have availed themselves of the opportunity to understand the history of this Assembly and to find out what the historical precedents were with the formulation of any particular document we have. Secondly, the *Hansard* people that we have work hand in hand with the *Hansard* people from around the world, those who use the British form of parliamentary debating, and the history is there.

The proceedings of this Assembly are recorded to enable the editor of *Hansard* and those employed by the director to produce *Hansard*. That's the purpose of the recordings. As all members are aware, the unedited transcripts of *Hansard* are known as the Blues and are available to members so that they can suggest minor edits, and the Blues starting at question period and the Routine we had this afternoon are probably available now for the review of all hon. members. Walk out of this room and you will find a document that's available to you, your first opportunity right here in the precincts associated with this.

As Marleau and Montpetit in their book *House of Commons Procedure and Practice* indicate on page 969: "A Member may correct the record of his or her statement, but may not correct that of another Member." That is the historical precedent with respect to the promotion and the conduct of *Hansard*. In keeping with this

underlying rationale, the policy with respect to access to the recordings held by *Hansard* are – and this is not a new policy, contrary to the position put forward by the hon. Member for Edmonton-Gold Bar, which appears to be rather fictitious. This policy has been in place in this Assembly for nearly three decades, not invented in somebody's imagination in the last few days.

Number one in the policy, "Members may listen to the audiotape of their own remarks any time after the Blues are posted." Members' own remarks. Number two, "At no time can members listen to somebody else's remarks without the authorization of the Speaker." The chair would point out that this permission would only be granted in the most exceptional of circumstances, and not once since I have been the Speaker, since 1997, has that been provided to anyone. Thirdly, "The same policy applies to members' authorized staff." Fourth, "Blues may not be released to anyone, with the exception of the table officers, until they are posted." They are here. They are reviewed. They are posted. They are available to you to accept at any time.

The electronic version of what transpires in this Assembly is available on the Internet. It is several years ago that we moved to this. It is live. It is real. It is available to anyone. All the feeds go onto the Internet live. It's there at the Assembly's web site, and we even keep them in storage for several weeks at a time for the availability of anyone. After two weeks the electronic record is transferred to CD-ROM and is available in the Legislature Library. There is instant – instant – access to all of the recordings of this Assembly now. What I said one minute ago is available to anyone anywhere. The video portion, live television, of the daily proceedings is also recorded by the Legislature Library, and it, too, is available from the Library.

The chair also wants to note that when members are involved in some investigation of a policy, they should first address that request to the Speaker. The chair will not tolerate – and I repeat – the chair will not tolerate any attempt by a member to seek second opinions from an officer of the Assembly or an employee of the Legislative Assembly Office. These individuals serve the Assembly, and any attempt to cast aspersions on their conduct in the Assembly will be dealt with swiftly by the chair. There will be no harassment, no intimidation, and no second-guessing of what any table officer said to any member. Table officers advise me that what the hon. Member for Edmonton-Gold Bar has stated is totally erroneous and incorrect. This is a great difficulty for the chair, and this is a great difficulty, I believe, for the hon. Member from Edmonton-Gold Bar as well.

3:20

In keeping with the subject of *Hansard*, it is a well-established principle that *Hansard* does not report interventions unless they elicit a response from the person who is recognized by the chair. Such interjections are out of order. As Speaker Schumacher commented on a similar point on April 17, 1996, at pages 1184-85 of *Hansard*, these are the guidelines used at every other Assembly in this country and, to our knowledge, most of the Assemblies following the British form of parliamentary democracy.

Of course, as repeated earlier today, the chair cannot comment on interjections when the chair doesn't hear them. *Beauchesne's* 486(4) addresses this point. There are 82 members in this Assembly. When members speak out of order and out of turn and when they turn their heads away from the chair, the voices go in different directions. There is no conceivable way that the chair from this vantage point can hear, particularly when the chair is speaking and recognizing a particular member.

The chair would also point out that *Erskine May*, 22nd edition, states at page 230 that

the Official Report [their version of *Hansard*] remains the authoritative record of what is said in the Commons, and the Speaker has stated that the tapes cannot be used for the purposes of casting doubt on the validity of the Official Report.

That is a time-honoured tradition in *Erskine May* going back years and years and years.

Finally, the chair has cautioned members many times about the sensitivity of the recording devices used in this Assembly, and the most recent document I provided to all members before we reconvened here in this spring session pointed out again the sensitivity of the machines and the microphones in this particular Assembly.

There is no question of a prima facie case of privilege, and the chair is quite concerned about some of the statements made by one member that are incorrect.

And the last one, the hon. Member from Edmonton-Gold Bar in correspondence to me dated April 15, 2002, notes, "This question of privilege arises from dealings I had with the Speaker's Office." The hon. Member from Edmonton-Gold Bar had no dealings with the Speaker's office any time in the last several days on this matter. That is nonsense. There is no point.

Now the hon. Deputy Premier.

Privilege Accusations against a Member

MRS. McCLELLAN: Mr. Speaker, pursuant to section 15 of our Standing Orders I wish to inform you that I intend to pursue raising a question of privilege arising from comments, maybe more appropriately described as accusations leveled at me, in question period today by the Leader of the Official Opposition. I would request that I have the opportunity to review *Hansard* and review this further and ask you to deal with this at a time you deem appropriate.

THE SPEAKER: Hon. member, the chair will not deal with this in the absence of the hon. Leader of the Official Opposition, the member who made the comment. The chair is going to repeat into the record what the hon. Leader of the Official Opposition said: "Will the Deputy Premier direct the Speaker to release the tapes so that we can all confirm exactly what was said?"

I would like the hon. member to review Marleau and Montpetit, page 266, in terms of Impartiality of the Chair. I'm inviting the hon. Opposition House Leader to review this section, and if the hon. Leader of the Official Opposition chooses to not withdraw this question, then I would invite the hon. Leader of the Official Opposition to rise tomorrow on a point of nonconfidence in the Speaker.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 11, it is my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having

been given on Thursday, April 11, it is my pleasure to move that motions for returns appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Public Bills and Orders Other than
Government Bills and Orders**

Second Reading

Bill 205

School Trustee Statutes Amendment Act, 2002

[Adjourned debate April 8: Ms Carlson]

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm glad I'm able to take advantage of the opportunity to speak in second reading to Bill 205, the School Trustee Statutes Amendment Act, 2002. I have reviewed the opening comments of the sponsoring member and have indeed read as much as I can of the comments that are already on the record for this bill. I'm troubled by it. I'm also curious as to what need was seen that drove the member to propose such a bill.

[The Deputy Speaker in the chair]

When I see legislation in this House, I always ask: is there a problem; and if there's a problem, does it need legislation to fix it; and if it needs legislation to fix it, is this the legislation that would fix it? I go back to the beginning here and say: is there a problem? And I would have to say: not that I've heard. I'm not seeing people marching in the street saying: we have a terrible problem with our trustees. I'm not seeing letters to the editor going: oh my goodness, we really need to revise this; it's a huge problem. I'm not hearing this as a topic for the phone-in talk shows with people expressing great concern about conflicts of interest with their school board trustees. I'm looking in the magazines that we're all reading in Alberta, and even *Alberta Report* doesn't have anything that says that we need to get rid of our school trustees. [interjection] It's not in there. Sorry.

So where is the situation or the uprising or the groundswell that is saying that there's a crisis in Alberta that needs to be addressed? I don't see it. Nothing is identifying that this is, in fact, a crisis that needs to be dealt with. I was going to say that I'm considering how I'll vote on this bill, but I guess I've just decided for myself. I don't think there's a crisis, and if there's no crisis, then why would we have legislation?

Now, I'm careful to listen when my honourable colleagues get up to debate, and I've heard many, many, many times how this government doesn't like legislation, how we should have less legislation, we should have less laws in this province, we shouldn't be burdening people with all these restrictions and restraints and requirements. Here we have a situation where nobody's asking for this, but we're going to have legislation. Well, why?

AN HON. MEMBER: It's good legislation.

MS BLAKEMAN: It can be dandy legislation, but, you know, giving people candy every . . .

THE DEPUTY SPEAKER: I'm sorry to interrupt the hon. member, but I wanted to just remind all hon. members that this afternoon is

private members' public bills, and the one we are talking about is not a government bill. It is a private member's public bill and is not, therefore, government legislation.

MS BLAKEMAN: I am sorry, Mr. Speaker. You know, the thing is that there are 74 against seven, so you'll have to forgive me if sometimes it looks like everything is coming from that side. But I do understand the difference, and I do understand that this is not a government bill. It is, in fact, Bill 205, which would indicate right there that it's a private member's bill. So if I've said "government" anywhere in here, I apologize.

But I will go back and repeat the argument: nowhere do I see a great groundswell, a great coming together, a great calling for there to be a change in the way our school boards elect their trustees and who's eligible to be elected. Therefore, I question the member, the private Member for St. Albert, on why she felt she needed to bring this legislation forward. I read her comments. It doesn't say in there that she attended a meeting when everyone signed a piece of paper saying: please, please, make this legislation happen; this is a terrible problem. Of course, she has an opportunity to speak again on this bill, and I hope she will, because I'd be very interested as to why she felt that this situation was in such a crisis that it needed legislation to deal with it.

Now I know why I was saying "government." Yeah. Government and private members often bring forward bills in this Assembly that want to place restrictions on people, and this is such a bill. Yet, at the same time, for both government and private members there is a great proclamation about less government, less legislation, less rules. But that's not what I see here, so the ascribed proclamation, the activity that backs that up, is in fact exactly the opposite.

3:30

This is a private member's bill, but I believe it's following government policy that the people most affected by a decision shouldn't have anything to do with it. I'll give you an example, and there has been a sort of progression over time with this. The primary example was the membership on the Premier's roundtables on health that were put together in the mid-90s, 10 years ago in fact, to examine the current health care system and make recommendations on what was to be done with the crisis in health care. In fact, we know now and I've spoken to a number of people who were told that anyone directly connected to the health care professions was specifically precluded from being a member of these roundtables. So nurses and doctors and health professionals and psychiatrists and chiropractors, anybody working in the health care field, were specifically barred from participating in a rethink of how health care was going to be provided and what health care would look like and be in this province. Well, I think the government would admit now that it's still having problems with the health care system, so that may not have been the wisest way to go about having a consultation for a better health care system.

Since then we've had a number of other processes for involving Albertans in feedback sessions and recommendations on how the government should be developing policy. In fact, the government I think learned from that lesson, and with the summits and the forums and a number of other terms that have been used here, I have seen great effort to balance – and I'm putting that in quotations and underlining it – the input that was going to be received from the professionals, from the frontline workers that were involved in any given area, to balance their input with anybody else's. A great deal of time and resources and dedication was put into rounding up anybody else that could provide some sort of balance but really, in fact, opposition to those members who were working in the field that was then under study.

For example, we've had the justice summit and the children's summit and the education summit. We've had a gaming summit. We've had quite a few of them, and I just find it interesting that there seems to be such a desire to control what has to be said and the wisdom and experience that can be brought from people that work in a given field, that that somehow is not allowed to be just presented and the rest of us with fair intelligence can take that all into consideration. There seems to be a need here to control that, to box it, to contain it for fear that it will – what? – somehow spring out like a jack-in-the-box and bop you in the nose. I've never quite understood what the concern is so that these people and these ideas need to be so carefully controlled. Why is employee participation on a given issue such a bad idea? Why is it such a bad thing?

I think there are three other issues that I want to raise around Bill 205. One is participation in democracy. I think we all acknowledge or at least I certainly acknowledge that it's a problem that we have around a 50 percent voter turnout in our elections. I think in municipal elections that's higher, but certainly provincially and for school board elections and Capital health elections . . . That's not my 20 minutes?

AN HON. MEMBER: You had 10 minutes.

MS BLAKEMAN: Oh, shoot. I'm not having a good day.
Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort in the 10 minutes you have.

MR. CAO: Thank you, Mr. Speaker. I am pleased to speak on Bill 205, the School Trustee Statutes Amendment Act, 2002, which has been proposed by the Member for St. Albert. Mr. Speaker, our education system is our most precious resource. It is in the classroom that our students of today pick up the skills they need to be our leaders of tomorrow. It is an environment for our valuable teaching professionals to make an important difference to our society. A prosperous Alberta in the future means having the best possible educational facilities and programs given available funds today.

Making sure that we have those facilities and programs is not easy. Alberta Learning has an incredible task to ensure that our teachers are top-notch, our schools are in good condition, and our students are adequately equipped to learn. We also have to ensure that our school boards are in a position to make the best possible decisions for our learning system. It is the intent of Bill 205 to address this latter concern to give the Department of Learning another necessary tool to provide the best education system for our students.

Bill 205 would ensure that any teacher or school board employee who necessarily would have a pecuniary or financial interest as a school board trustee would be deemed ineligible for running for that position. However, rather than being expansive in scope, Bill 205 narrows the scope of those who share financial interests to teachers and school board employees and only states that spouses of teachers or school board employees must excuse themselves in votes relating to matters dealing with their spouses' contracts and must list possible conflicts of interests upon putting their name up for election. For example, if a person were a teacher or a principal, his or her spouse would not be able to vote for his or her pay raise.

Mr. Speaker, this bill is an important step towards protecting our students' best interests because it allows this province to leave the governance of school boards in their respective localities but also sets up strict guidelines stating which sorts of people will not be appropriate to be able to govern our school boards.

Mr. Speaker, in many school districts board members too often

must excuse themselves from voting on certain matters due to a real or possible conflict of interest. This leaves the remaining board members in the uncomfortable position of having to speak for their colleagues. This is unfair. The remaining members of the school boards didn't put themselves up for election to a school board for the purpose of speaking for everybody. They, like members of this Assembly, put themselves up to add a voice to the discussions, to help reach conclusions in concert with the other board members, and to speak for their constituents.

[Mr. Lougheed in the chair]

So, Mr. Speaker, this is in fact a very reasonable measure. By precluding those with conflicts of interests from seeking nomination, we make sure that all of our board members can vote on school matters and prevent one or two members being left with the job of having to make big decisions on their very own. We also ensure that there are never any situations in which a conflict of interest puts our education system at risk either because an individual votes with an apparent conflict of interest or because decisions are made without inclusion of the requisite amount of board members in the vote. We should have all board members providing input to all decisions, and in order for this to happen we need legislation like this proposed Bill 205.

3:40

Mr. Speaker, it ought to go without saying that clear regulations on conflicts of interest are of the utmost importance to the functioning of any body operating for the public good and entrusted with public funds, especially when we are concerning ourselves with education, which, along with being the focal point of our future, is also home to an immense budget. We must be vigilant with conflict of interest regulations. We have to ensure that the stewards of education are operating with the best interests of the students and teachers and the parents and taxpayers.

With Bill 205 we make our trustees decision-makers, not bystanders. By doing so, we will make sure that our school board trustees are more accountable and more responsible when carrying out their duties. We will ensure that all school boards and all board members are in as close a position as possible to being critical thinkers with open minds toward all ideas for educational reforms at the local level. Of course, nobody can do anything about the political stance or inclination of any board members, but at least we can ensure that it is through their conviction about what is right, not a desire to gain, that those persons put themselves up for school board election. Our schools will be better for it.

Mr. Speaker, earlier I alluded to the situations in which many school board trustees are not allowed to vote because of a conflict of interest, leaving the others to pick up the slack. Well, along with leaving other board members in a bind, they also end up costing our taxpayers a lot of dollars. For example, a situation arose in which all board members had to excuse themselves from deciding on a matter due to a conflict of interest. When the Department of Learning is forced to go into a situation and make decisions because the boards lose their quorum, it costs them administrative dollars. Employees have to look over the situation, investigate it, and make sure that it is all right.

Further to that, we also see a situation that thrusts the Department of Learning into a situation that it doesn't want to be in. Local decisions are best made by local groups, not a central government. This is an overriding principle of our government. We put money in the hands of individuals through a low tax regime. We put responsibility in the hands of individuals with prudent yet

noninvasive laws. We consult our population with summits like the Future Summit, the justice summit, and we have put powers in the hands of our local groups by creating regional health authorities, school boards, and the like.

Now, considering all of this, why would we want to keep school board trustees laws that obviously create situations in which this local decision-making must necessarily be taken over by the provincial government because board members find themselves mired in conflict of interest situations? As a government we clearly believe that people in southeast Calgary, for example, know more about the things that need to be done in southeast Calgary than the bureaucrats in Edmonton do. We want the local people to make decisions. Well, they can't make decisions if they are ineligible to vote due to a conflict of interest. We need people on these boards who are eligible to vote with total integrity and confidence. We are a government that supports and trusts Albertans. This is one reason why we've narrowed the scope of who is eligible.

[The Deputy Speaker in the chair]

Mr. Speaker, I know that there will be some arguments against this bill. Some will say that it's restricting hardworking and caring individuals from working for the greater good of their schools. This is a fair concern, I must say. However, I'm sure that there are enough concerned parents and citizens out there that school trustee positions will not go unfilled.

Therefore, I agree with the Member for St. Albert, the proponent of Bill 205. Thank you.

THE DEPUTY SPEAKER: I have several people who are standing. Since the hon. Member for Edmonton-Glengarry stood the last time and I had to go to the alternate, we'll go with the hon. Member for Edmonton-Glengarry, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Highlands.

MR. BONNER: Thank you very much, Mr. Speaker. I'd like to make just a few comments on Bill 205, the School Trustee Statutes Amendment Act, 2002. I'd like to start out by saying that I will be arguing strongly against this bill. Any time we have legislation that restricts representation, any time we have legislation in this House that impedes the democratic process, any time we have legislation proposed in this House that limits who Albertans can vote for, then I think that we are not serving Albertans very well.

I think as well that when we do propose legislation of this nature, then we certainly are opening ourselves up to a legal challenge. Of course, when we look at our record when we have been challenged in the courts, it is not very good. We just heard the hon. member mention that this is a very costly process. Well, a court challenge is much more costly, and we don't have to go any further there.

As well, we have heard so many members in this House over the last few years certainly mention what a great job our educators are doing, what a great job our schools are doing, how well our students do when they are compared against students in other provinces and internationally. We see that also we've had school boards operating in this province for approximately 120 years. We certainly, as the hon. Member for Edmonton-Centre has mentioned, have not seen this as a problem. The magnitude of this problem certainly isn't great, and it seems to be overstated greatly by a number of members.

Now, then, in this House, Mr. Speaker, all of us pay taxes here in this province, or I think most of us do – I should qualify that – yet we get to vote on a budget. We have the Members' Services Committee, where we can vote on raises for ourselves and for other

departments within government, yet there are no restrictions placed on us as to whether we have members of our immediate family working there. So this is not consistent whatsoever. This bill is not consistent with what we do as members.

When we look at the scope of this bill, I don't see any great conflict of interest that requires us to pass a bill in this House that limits who can sit on our school boards, especially when we look at the role of the school trustee. The role of the school trustee is certainly the setting of the priorities of that district. The role of school trustees is to put programs and resources that will make those programs and resources a reality, and these priorities are really what school trustees do when they are allocating various parts of the budget. The case of where, because of a potential conflict of interest, we have to have some members withdraw from that decision-making certainly is of a lot less importance, particularly with the passing of Bill 12, which virtually took away the majority of the bargaining powers of our local boards and put it into the hands of government and, further, put it into the hands of arbitrators. So the role of trustees, if we continue in the same fashion as we are now, is certainly going to be of much less importance when it comes to negotiation, because it certainly seems that the direction of this government is to interfere in the collective bargaining process by putting line items in the budget and passing bills such as Bill 12 to take away the local autonomy, the local control that our school boards have.

3:50

I also see that what we do here with this bill, Mr. Speaker, is we disenfranchise a certain group of people who have a great interest in serving their school boards, in serving their communities, and in serving the children of this province. In many cases these people have some very special abilities that go along with their great interest and certainly have made over the years some great contributions to our system. I would think: who would be of better quality than someone who is familiar with the school system and how it works? I can think of any number of trustees that I've had the opportunity to teach with that have done an excellent job. Many of them were associated with a professional organization for teachers in some fashion or another.

So, Mr. Speaker, in closing, I would certainly hope that all members of this Assembly would see that this bill will take away the rights of a certain group of citizens. Certainly if this bill is enacted, we are setting ourselves up for another court challenge, one that I would think we cannot win. I would urge all members in the Assembly to defeat this bill when it does come to the vote.

Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It's my pleasure to rise today and speak to Bill 205, the School Trustee Statutes Amendment Act, 2002. Bill 205 is a small amendment to the School Act. Currently through the act the Alberta government delegates much of its authority for the governance of education to locally elected school boards.

Our school boards serve a very important purpose. Boards make decisions like developing a budget for the fiscal year, planning and setting priorities, making policy to guide administration employees, adjudicating in policy disputes, and communicating with community and staff on behalf of the jurisdiction. These responsibilities are vital to our education system, and the people elected to the boards do a fine job in dealing with these responsibilities. They handle them with rationality and wisdom.

Almost any person is eligible to run for a school board position. A candidate may let his or her name stand for election as long as they meet the requirements for the election process, which include that the individual is able to vote in the election, that they have been a resident of the local jurisdiction for six consecutive months, or that they are not disqualified by the School Act. Once elected to the school board, a trustee begins to make the tough decisions that are required of him or her. When handling their responsibilities in making these decisions, individuals should be able to perform their duties as a school trustee to the best of their ability and with a minimum possibility of conflict of interest in pecuniary matters.

Decisions involving money are among the most important and contentious issues that a school board trustee must face. Currently in Alberta there are situations that arise that call into question some of the regulations and rules currently set out in the School Act. One major problem is that on occasion the majority of school trustees must abstain from important decisions on money matters because they would be in a conflict of interest if they were to participate in the discussions. This results in decisions being made by one or two of the elected officials, most often not even coming close to making quorum: 50 plus one. The act sets down that a trustee would be in conflict of interest if the trustee's spouse, children, parents, or parents of the trustee's spouse share a pecuniary interest with the trustee. These rules make it very difficult for some boards to operate.

The hon. leader of the third party wanted to know why this bill was present. This is a perfect example that shows this case. In Medicine Hat during the collective agreement negotiations 4 out of 5 of the school board trustees declared that they could be in a possible conflict of interest and therefore could not take part in deliberations. This left the decision-making to one individual, Mr. Speaker, and this is unacceptable. We do not elect trustees to sit on boards to have them get up and abstain from some of the most important discussions. The trustees are elected for a purpose and need to be able to fulfill that purpose. Bill 205 will hopefully work to eliminate this problem.

Bill 205 would ensure that individuals who would face a pecuniary conflict of interest in the course of their duties as a school trustee are prevented from seeking nomination. Mr. Speaker, Bill 205 catches the problem at the starting point by not allowing some people to run because of a possible conflict of interest. We will be able to have people seek the position if and only if they are able to make the decisions and do the jobs they were elected to do. This means that people who have a permanent contract with their respective school board would be disqualified from running.

[Mr. Klapstein in the chair]

Bill 205 would also narrow the scope of individuals who are deemed to share a pecuniary interest with a trustee to just the trustee's spouse. As mentioned before, the current legislation includes not only the trustee's spouse but also his or her children, parents, and the parents of their spouse. This is far too broad, Mr. Speaker. In fact, it is excessive. It should not be a conflict of interest if a trustee's spouse's parents happen to work in that school jurisdiction.

Mr. Speaker, Bill 205 would also establish parameters around specific kinds of circumstances that would automatically be deemed to be a conflict for reasons of pecuniary interest. These parameters would not restrict the fact that trustees must disclose any pecuniary interest which might constitute a direct or indirect conflict of interest. The amendments that are being proposed would provide clarity by describing certain situations which would be presumed to

be a conflict for reasons of pecuniary interest. One of these certain situations could be one where a trustee's spouse is employed or under an ongoing permanent contract with any school district in the province. This would be the case of a conflict of interest, and the trustee would excuse themselves from discussion on the issue. Currently if a trustee's mother-in-law has an ongoing permanent contract with a school board, the trustee is deemed to be in conflict of interest. This is too broad and doesn't give trustees any credit for being able to separate their arm's-length, personal lives from their professional duties.

These broad scenarios create difficulties for school boards all across Alberta, and I feel that it's time the government did something about it. When negotiations between the union and the boards are taking place, how can we as voters be assured that we are getting the best and most informed decision out of our school board if the decision is being made by only or two individuals? This is not to say that these individuals cannot make a proper decision, but when a board is elected, it is done on the basis that those elected to represent their constituents will be able to do so when the time comes. They will not have to abdicate responsibility. If the majority of those elected have to abstain from the decision-making process, then I would argue that it's no longer a viable process.

As I see it, this bill, if passed by the Assembly, will make school board trustees more responsible and more accountable by providing that a majority of members will be able to take part. To clarify this, let me again bring in the Medicine Hat example. On that school board the one person who was left to make the decision did so on behalf of all board members. The abstainers must respect that decision. But if the public decides that the decision was not in the best interest of the community or the school or what have you, then the members that abstained from the proceedings can claim that they had nothing to do with the decision, therefore washing their hands of responsibility. This is not why these people are put on these boards. They're there to make the tough decisions. That's why we must pass Bill 205: to ensure that the decisions are made by the majority of trustees elected.

Mr. Speaker, I have spoken with the school boards in my constituency, obviously contrary to what the opposition may have done. There are trustees in my area that will be affected by this legislation. It's important for me to tell this Assembly that I have the utmost respect for all of the trustees in my riding. Their contribution has been extremely valuable for the community, and they will be able to continue now to serve their term in some cases by being able to take a more active role in the important decisions that have to be made.

4:00

I have also received a letter from the Greater St. Albert Catholic school division supporting the bill in its entirety. I've also received a letter from the Parkland school division which does outline two concerns that the division has with the bill. They state that they do support the changes to the School Act, however with reservations. The first concern is with the proposed changes to section 22(1) of the Local Authorities Election Act, proposed addition (1.1)(a). Parkland school division feels that it should read: the same school district or division and not a school district or division. They feel that a person could be employed by another school division and still serve as a trustee in their own district, as they are not making decisions which affect their own workplace. If it were a matter of pecuniary interest, as with anyone in that position they would declare this prior to discussion of the issue which they are in conflict with.

Mr. Speaker, I've also heard from several constituents who are educational professionals that are also concerned in this regard. The other concern that Parkland has was with the proposed amendment

to section 81(1). They feel that the changes take away the choice of the local boards to pass a bylaw in regard to filing a statement. They strongly believe in local autonomy and feel that the proposed changes may infringe on that autonomy.

I feel that we should look at these concerns and comments, Mr. Speaker, and perhaps include these issues in the review that's forthcoming of education in the province. However, that being said, the boards in my area have expressed to me that this amendment would bring clarity to the issue at hand, and that is the most important aspect. I believe we need to make the rules clearer and stick to them so that all boards in the province are operating under the same guidelines.

The majority of this bill is still supported by the school divisions in my constituency, and with that, Mr. Speaker, I urge all members to vote favourably on Bill 205 in second reading.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I rise to speak against Bill 205. Quite frankly, this bill causes me a great deal of concern. I want to indicate that while I can certainly accept that if a majority of a school board in any jurisdiction would have to disqualify themselves on any issue before the board, that is indeed a problem, it seems to me that the bill goes far too far in the entire scheme of things. For example, the bill would eliminate the right of any individual to stand for election as a trustee if they were an employee of any school district, not just the one for which they are running, or any charter school or any private school. The effect here is to eliminate educators from participating in the governance of education in any way.

Now, I can certainly understand and can appreciate the concern that's been raised with people having to disqualify themselves on a particular vote, and if that's a significant number of members of the board, then that is a concern. That, Mr. Speaker, I think could be dealt with, but it appears to me that the effect, whether intended or not, of this particular legislation is to exclude a class of people from participating in one level of the democratic process. There is no way that someone who runs, for example, in Stony Plain but lives in Edmonton would have a conflict of interest, because they are not affected, but this bill would exclude it on the basis of the argument that has been put forward.

So why would this be, Mr. Speaker? One of the things that has happened is because of the participation of many different individuals in school board politics. That's what it is. It's a level of politics. It's a level of citizens participating in the democratic process and not, as was implied, simply a delegated authority by the province to sort of a quasi-administrative body but in fact one of the fundamental and originating levels of democratic and community participation in the entire country. Why? I believe that the school boards have been continuously supportive of public education, and they have stood up for public education and have not been subservient to the government's policy and the government's bidding.

One of the ways to deal with that, I would suppose, is to eliminate educators, who are often the most familiar and the most motivated members – not always; certainly not always – who tend to be people who have a real passion for education, and to take them as a class of citizens and then abridge their democratic rights in order that we can have school boards that are compliant with government policy. I think that this particular act is to us completely unacceptable. It represents an attack on democratic rights of citizens that I think every Albertan ought to oppose.

I want to talk a little bit about how governments of this province,

Progressive Conservative governments, in the past have dealt with this issue. It's been quite a different story, and I'll tell maybe a personal story, Mr. Speaker. When I first became interested in municipal politics, I was a city employee, and at that time the Municipal Government Act precluded municipal employees from running for city council. I raised this issue and brought a Charter challenge before the Court of Queen's Bench, and that challenge was unsuccessful, but unfortunately there was not enough time to conduct an appeal. As a result, I had to choose between resigning from my job with the city, which was a job I quite liked, or running for city council. I chose to resign my position with the city, and I was subsequently elected to Edmonton city council.

At the time the Member for Edmonton-Highlands was my representative – that was Pam Barrett – and she stood up and asked questions of the Minister of Municipal Affairs, and that was Mr. Ray Speaker. In response to the question, the minister indicated that he did see that there was a problem, that my and other municipal employees' democratic rights were infringed by that provision, and he brought forward an amendment to the Municipal Government Act that is still in place today. What its requirement is, Mr. Speaker, is that a municipal employee who is elected to the municipal council which employs him must resign their job after being elected, not before. So there are different ways to deal with it, and governments in the past I think have erred more on the democratic side and on the side of increasing rather than restricting people's democratic rights in Alberta society.

This bill goes in the opposite direction. This bill infringes on people's democratic rights, reduces them, takes them away, all under the guise of preventing some very unfortunate problems that have been referred to but for which there are more appropriate remedies. You can strengthen the conflict of interest guidelines. You can make sure that people who have a conflict of interest are required to eliminate or get rid of that conflict of interest after they're elected if that becomes a problem. That is one solution that can be offered.

4:10

There has been no satisfactory explanation given for excluding people who are employed in education generally from seeking office or being eligible to run for a school board outside a jurisdiction in which they are employed, and that is very discriminatory and really says that if you have an involvement in a particular occupation, you can't stand for a particular kind of political elected office. This is completely unacceptable, Mr. Speaker. It is completely unacceptable that any government would so abridge the democratic rights of its citizens based on their employment. It's pure and utter discrimination, and it ought not to be acceptable in this House.

[The Deputy Speaker in the chair]

If the member is interested in actually preventing these specific types of conflict of interest that have been referred to, then she ought to amend this bill or arrange for someone to amend this bill so that we are not attempting to kill a fly with a sledgehammer, because that's exactly what's happening. It's going to give rise to the concern that school boards are too pro-education and that it's a political change that the government is seeking rather than simply correcting a problem that arises from time to time with conflict of interest.

So I find the bill, Mr. Speaker, as it's presently set out to be completely unacceptable, not worthy of consideration of the House, and it ought to be defeated, as it well deserves. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. It's a pleasure to rise today and join in this debate. As we all know, this bill, sponsored by the hon. Member for St. Albert, is brought forward to ensure that school trustees would not be in a pecuniary conflict of interest, and if so, then they wouldn't be eligible to run. As well, another good point about the bill is to narrow the people that are seen to have this pecuniary conflict of interest down to only their spouse. This bill makes a lot of sense, and I believe there's a need to establish some more realistic guidelines for the people responsible for making those decisions that affect the lives of our children and their education.

Part of what interested me about this bill, Mr. Speaker, was that during the past summer I was out backpacking in the middle of nowhere and had been out for several days when I got engaged in a conversation with a teacher from a jurisdiction in Alberta. He commented that they had a really good memorandum of agreement signed and that it went to the two parties, the teachers and the board, to vote on the memorandum, and the teachers accepted it wholeheartedly. It would have been about a year ago when this came forward, maybe 11 months or so ago when this happened, before the school year was over anyway. The vote then went to the board, but unfortunately there was I think only one board member, as I recall the story as he related it, that was able to vote on this. Although all of the board member's colleagues had voted for the memorandum of agreement, they were unable to vote, so only this one board member voted, and that board member opposed the memorandum of agreement. This teacher was quite disgruntled about that. As we follow the history of that memorandum of agreement and the collective agreement, they finally did settle. It was several months, a lot of conflict, and a lot of trouble and difficulty that they went through in order to finish off that collective agreement.

I think there are many good principles involved in this bill that this member has brought forward. School trustees have a direct responsibility to ensure that the decisions they make are in the best interest of the district. The board allocates all sorts of funds to the schools, and all together the trustees must make the most responsible decisions for the district. School trustees are elected to make important decisions on infrastructure investment as well as salaries of school staff and teachers. These are important decisions for our communities, decisions which should not be taken lightly but should be discussed and debated by all of the wisdom and experience brought to the board by every trustee.

Currently the School Act defines those who share pecuniary conflicts of interest with a trustee as their spouse, their parents, children, and their spouse's parents, and this means that the trustee, should their mother-in-law work for the school jurisdiction, would be unable to discuss, and they would have to abstain. They would have to abstain from voting on any budgetary or bargaining position, and that would just be due to the relationship of a relative.

The problem arises, Mr. Speaker, that with all the stipulations which define a trustee's pecuniary conflict of interest, too many people are having to declare themselves ineligible to be at the discussion table. Unfortunately, under these guidelines Alberta school boards are faced with too many decisions being voted on by less than a full board, and often trustees are opting out of decision-making because they're somehow tied by this conflict of interest.

I am pleased to have an opportunity to have this debate on Bill 205 because I believe that those guidelines are too broad in scope. Having the guidelines include not only the spouse but also all the other people that are mentioned leaves too many people with a chance of being in conflict of interest. I feel that the School Act should be amended to address this problem by narrowing those people determined to share the pecuniary interest in return for a fully functioning school board.

School boards are carefully created under specifications by the minister, and the number of trustees is determined by many factors, such as geography, population, regionalization or amalgamation agreements, and they had a ward structure set up in that regard. This number was selected to ensure that the decisions made would be sufficiently debated and would be representative of the constituents throughout the area. When important decisions are being made by less than a full board, then those people are not being properly represented.

Negotiations were something that I used to be involved in. I remember, Mr. Speaker, that they were a very intense time, and I certainly admired the breadth of experience brought to the table by both the ATA representatives and the school board trustees. Because of my experience in those negotiations I'm confident in saying that I believe that all of the trustees must be capable of bringing their experience and input to the table during that debate. Budget decisions should not be made while relying on less than a full board of trustees. The decisions made by the trustees are important for the development of schools and the education of our students, and when that development depends greatly on school funding, I believe that we must not only have people who represent the concerns of the public, but they're also capable of committing themselves fully to that debate.

Bill 205 would also narrow the guidelines for candidacy for those wishing to run in the school board elections, and I believe we must consider and debate this, because I personally feel that board members, if they must abstain from budgetary decisions, are not able to fully perform a major proportion of the job of an elected trustee. We must narrow the scope of those who must opt out during voting decisions because of conflicts of interest, and it makes logical sense and lots of sense, Mr. Speaker, that if you can't participate in many of the necessary decisions as a board member, you should not run for that position. However, these situations continue to occur currently, and it's a fact that most people interested in serving as a trustee have a background in education or a family who does. If we narrow the regulation to include only the spouse as sharing pecuniary interest, then Bill 205 will allow trustees to function as fully participating representatives, and they all want to do that, I believe.

We depend on elected boards in our communities to make and determine the outcomes of important decisions. We need those boards to be learned and experienced decision-makers to focus on examining problems in their sector and use the experience of every board member to develop a solution which will benefit the entire community. In the case of school board trustees, they are determining the outcomes of important decisions that will directly affect the education of our children. Our school boards must be able to function with the full complement of those wise individuals. When trustees are elected, we do not suppose as electors that they will be forced to abstain from important budget decisions.

4:20

Allocation of funding is certainly one of the most important jobs of the trustees, and, Mr. Speaker, we must consider the guidelines that determine who can run for trustee and help eliminate some of the numerous cases where trustees are forced to sit on the sidelines. By instituting legislation that is far more flexible for trustees, it will give board members greater ability to vote on decisions they need to. Allocating all of the funds and ensuring that funding is distributed fairly and most appropriately is a difficult and huge task, and important budget decisions need the input from as many people as possible. Every time a trustee abstains from these important decisions, we're losing out on the healthy debate from that individual. They would have shared a huge burden of determining the budget and allowed it to be more thoroughly examined.

Mr. Speaker, it's my belief that we need to change the guidelines to make our school boards more effective. I believe the two amendments before us, as proposed by Bill 205, have given us the opportunity to consider ways that trustees can do their work much better, the work that they were elected to do. I look forward to the remaining debate on Bill 205. Thank you.

THE DEPUTY SPEAKER: There being no further speakers, I would call on the hon. Member for St. Albert, then, to close debate.

MRS. O'NEILL: Thank you very much, Mr. Speaker. I want to wrap up and respond to a couple of the questions that were raised, but what I'd like to do first of all is remind everyone that the name of Bill 205 is the School Trustee Statutes Amendment Act, 2002. Essentially it amends the Local Authorities Election Act on one point, and it also amends the School Act on two points. There are only three parts to this bill. I would like to, in response to the questions raised, comment on a couple of those that were raised by the speakers.

I am not denying, Mr. Speaker, the fact that employees and, I daresay, teachers would make excellent contributors to the deliberations of a school board, but the fact is that they can't be part of those deliberations if they have a conflict of interest. So I am not denying the wisdom any employee of any school board, private school, or charter school would be able to bring to the table, but what I am saying is that the fact is that once they come there, they are then denied the opportunity to vote by virtue of the conflict of interest.

I would also say – and I say this very specifically – that there is nothing sinister nor arrogant about Bill 205. There are no untoward assumptions underlying this bill other than the fact that the intention of Bill 205 is to bring clarity to the process under which a school board acts in the best interests of the public. You do not need, also, to have a crisis in order to propose good legislation. In fact, I would argue that when the waters are often very churning and stirred, that time is not the time to be looking at a responsive reaction piece of legislation. You get more objective consideration of good law when you look objectively at a situation in order to construct it so that it is the best operating circumstances for all.

In the response to the question raised by the Member for Edmonton-Ellerslie that she would like to know what my response was to the ATA's news release, quite frankly I would suggest that maybe she work from the bill rather than from the ATA's news release because the ATA's news release had it wrong. I have responded to them accordingly, and I do hope that they understand what is fact rather than what they would like to make fiction.

I'd also like to suggest that when we're looking at a consideration of the clarification of who can be a full participant at the board table, I think that everybody here would agree that once a person is an educator, they're always an educator. You, Mr. Speaker, are a former teacher. I think that if you feel yourself that you are an educator by virtue of your profession, you are always one, but I would also say that a few of us would say that once you are an employee of a certain jurisdiction or a private school or a charter school, you are not always an employee. So the wisdom of an employee – and in this case, the reference was made, if that employee is a teacher – can be applied, however not while they are an employee of a school jurisdiction.

I would urge everybody to vote in favour of Bill 205, specifically because it makes reference to the clarity of circumstances under which we can get the best good governance of school jurisdictions with full participation by all trustees at the board table.

I would also point out in my concluding remarks, as we come to the end of the second reading of Bill 205, because we are talking

about the Local Authorities Election Act, that in the beginning of the School Trustee Statutes Amendment Act, 2002, we are talking about the eligibility to seek election for three different levels: municipal, in some instances health, and also for school trustees. It is very, very complicated when you define those out as per the first part of Bill 205. So in an interest in seeking an abundance of clarity, I will take under advisement the confusion expressed by some people and look further to the discussion after we pass this reading.

[The voice vote indicated that motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 4:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Abbott	Goudreau	Masyk
Ady	Graham	O'Neill
Amery	Haley	Rathgeber
Broda	Hlady	Renner
Cao	Hutton	Snelgrove
Cenaiko	Jablonski	Stelmach
Danyluk	Kryczka	Stevens
DeLong	Lord	Taylor
Doerksen	Lougheed	Vandermeer
Fritz	Lund	Zwozdesky
Gordon	Marz	

Against the motion:

Blakeman	Graydon	Melchin
Bonner	Macdonald	Pannu
Carlson	Mason	Taft
Friedel	Massey	
Totals:	For – 32	Against – 11

[Motion carried; Bill 205 read a second time]

4:40 **Bill 206
Fisheries (Alberta) Amendment Act, 2002**

THE DEPUTY SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Speaker. I move second reading of Bill 206, the Fisheries (Alberta) Amendment Act, 2002.

I'm pleased to rise today and begin debate on Bill 206, an amendment to the Fisheries (Alberta) Act that would ensure the preservation of one of our most valuable natural resources. Fish are extraordinarily important to Albertans, and I am pleased with the progress of the steps the Sustainable Resource Development minister is taking in making sure that fish remain important to our province.

After all, our history as a province is rich in fishing tradition, both as an industry and a recreational activity. Today the commercial fishery exports fish across the country and around the world with direct sales of almost \$70 million per year from the Northwest Territories and the prairie provinces. Alberta's commercial fisheries have an \$8 million direct, indirect, and induced value to our economy. Alberta anglers invest over \$300 million directly into sport fishing every year. This does not include their contributions to the multibillion dollar tourism industry.

Ensuring that our fish stocks and fish habitats are both preserved and enhanced is the main focus of Bill 206. By proactively managing our fish stocks, we will make sure that this vital resource is maintained for generations to come. This bill will amend the Fisheries Act to allow the minister to enhance our fish stocks by constructively removing beaver dams, issuing depredation orders, and restricting fishing in certain areas. It will also amend the Agricultural Pests Act to allow the minister to declare certain species of nonendangered, nongame birds as pests to agriculture.

Mr. Speaker, for years now my constituency of Lac La Biche-St. Paul and many other Alberta constituencies have been having problems with a particular species of bird, the double-crested cormorant. Populations of the double-crested cormorant have increased to the point where they are damaging the fishery and the ecosystem and are interfering with the traditional way of life of many of my constituents. Their numbers are also threatening the preservation of today's endangered birds and presenting a financial burden when it comes to restocking our lakes.

The double-crested cormorant has the ability to fly 50 or more miles each day and can completely empty lakes, rivers, and private dugouts of all fish. A full-grown cormorant from beak to tail can reach one metre in length and can consume up to a kilogram of fish every day. The cormorant can dive 40 feet and swim faster than a trout. Given that they mostly eat small fish, the so-called bait and forage species, our lakes are having a very difficult time recovering any significant fish populations. Mr. Speaker, in the process of eating numerous fish each day, cormorants can wound with their razor-sharp beaks upwards of a dozen of the fish they just about catch.

The cormorant has few natural predators. When a colony of cormorants reaches a certain size and is secure from predation and competition from other birds, their colony booms. Concurrent with the fish population's collapse over the past 30 years, cormorant populations have increased tenfold. Soon all plant life, even grass, is overcome, suffocated and killed. As a result, cormorant populations are skyrocketing, causing much harm to fish populations in the province.

Their impact has moved biologists in Lac La Biche to implement a study on cormorant populations. The results are staggering, Mr. Speaker. In 1967 there were only four colonies, totaling less than 200 nests in all of Alberta. Last summer in the Lac La Biche area alone biologists counted almost 8,000 of these nesting pairs in four lakes. That's up from 2,250 pairs in 1994. Since roughly two-thirds of the cormorants are non-nesting birds, biologists estimate that there are over 46,000 cormorants spending their summers in the Lac La Biche area. If 46,000 cormorants are consuming one kilogram of fish per day for approximately 200 days, we are talking of over 900,000 kilograms of fish being taken out of four lakes each summer by cormorants alone, as compared to 406,000 kilograms taken out by commercial fishing in the same time frame in 25 lakes in zone D. Alberta fish populations are dangerously low. Pike catches are only 15 percent of what they were in 1970. Of 27 walleye populations on which there are data, 21 lakes have collapsed in recent years. There is also concern on the quality of water, which may pose a risk to local municipalities and summer resorts.

Previous to 1997 double-crested cormorants were listed as an endangered animal in Alberta because of their small populations at the time. They were removed from the endangered list in 1987. Cormorant populations are now estimated as surpassing 2 million in North America and climbing rapidly. The double-crested cormorant in recent years has been recognized as a problem, and in 1994 it was classified as a potential pest under the migratory bird convention signed by Canada and the United States and Mexico. Bill 206 would

be just extending to fish a type of protection similar to what agriculture has already implemented against its pests.

The management of cormorant populations has been recognized in other jurisdictions. The United States Fish and Wildlife Service has recently begun to develop a cormorant management plan to prevent them from taking hold over the aquaculture and fishing industries in those areas. The difficulty for the Americans is that they cannot take the relatively easier and more humane measures to just manage eggs, as we can in Alberta. Most of the breeding territory for cormorant populations is here, in Alberta, Saskatchewan, and Manitoba.

Mr. Speaker, from the very beginning this province has taken upon itself the duty to manage wildlife responsibly so as to preserve the natural balance and maximize the benefits to all current and future generations of Alberta. Bill 206 enables Albertans to ensure the protection of natural fish populations and aquaculture to ensure that this precious resource is maintained. Bill 206 entrusts the expertise of the Alberta fish and wildlife service to take the proper and most cost-efficient measures to manage threats to our fisheries, our ecosystems, and our water supplies.

I strongly encourage all members of this Assembly to join me to support Bill 206. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to have an opportunity to respond to Bill 206, Fisheries (Alberta) Amendment Act, 2002. In preparing for this bill, we consulted quite extensively with the Alberta Fish and Game Association and Trout Unlimited Canada. In summary, their concerns with this bill were significant and particularly talked about the lines between wild and private fish stocks being blurred by this legislation and that it doesn't specify who could make the order – preferably it would be a qualified biologist, but there's no indication that that would be the case – and that there are no guidelines for what information will be used to determine if an order should be written. Once again that gets left to regulation in this legislation. My initial inclination was certainly to oppose this bill, and it hasn't changed in terms of who we have consulted with.

There's no doubt that I would agree with the Member for Lac La Biche-St. Paul that the preservation of natural resources should be a primary concern of this government and in fact all members within the Legislature, but what we need to address that, truly, is an integrated and comprehensive plan that takes into account all pressures and all needs. The real issue here is proper management of our fish stocks and water quality management, something that we have talked about extensively over the years on this side of the House.

It was interesting, Mr. Speaker, that the Minister of Environment was quite happy to heckle his own member, stating earlier that this doesn't mean that we have to kill the cormorants, and I'm hoping that he will stand up and respond on the record to the member's bill.

MS BLAKEMAN: No. The statement.

MS CARLSON: Statement? No. We need the Minister of Environment to respond to his member's bill and clarify his remarks on whether or not this is a kill-the-cormorant bill.

We understand that there have been problems with the birds for fish stocks in the Lac La Biche and St. Paul region, but we need to take, I think, a more integrated approach to what's happening here. This bill itself is not well thought out and is just one little piece of

the whole puzzle and problem that's occurring there. Certainly habitat and species management goes beyond giving permission to destroy birds on Crown land, and I think that is an issue of last resort. We need to then take a look at all the implications up and down the food chain, and we also have to ask ourselves the question: why are the cormorants coming here? What has changed in the ecosystem to have that happen? These birds are of concern across Canada and the United States. There is evidence, however, that they are not as much of a threat to wild commercial fishing stocks as overfishing is.

So we need to do what I've said often in here, some scientific research, and decide what the real issues are here and how those can be solved. With this bill as it's laid out, there is no requirement for record-keeping on the number of birds or eggs destroyed or the method of destruction and disposal. The member referred to humane ways, and I'm sure that that was his intent, but those kinds of directions and rules actually need to be laid out and not left to regulation. The act does not specify what type of research must go into making an order; that's a big hole in the legislation. Irrigation projects, oil and gas development, and forestry all threaten fish habitat, Mr. Speaker, on various levels, and this government has some work to do on all of these areas before looking at killing animals that may harm the fish habitat. We hope that the Minister of Environment will respond to that.

4:50

Before giving serious consideration to this bill, we think the government should clearly document how avian predators are impacting fish stocks. We can't just order the destruction of animals based on hunches. We need some real data here. The government needs to put sufficient resources into determining the status of fish stocks across the province. They have recently been lobbied by various organizations to do exactly that. People have even recommended that fishing licences be increased if the money is directly directed to this kind of research, because everyone in the province who is concerned about fish stocks and water quality knows that we have some issues here and that the answer to the issues is going to be based on science-based research to determine why the stocks are at those levels and how we reduce the destruction and return stocks to former levels. We've seen some action. Sustainable Resource Development's plan to buy back fishing licences shows that there has been government mismanagement in this area, and we've talked about it in this Legislature for as many years as I've been in here. Let's address those issues before we start shooting these birds.

If we take a look at the sectional analysis of the bill, my first concern is 2, section 33.1(1), that when the minister determines that a species is destroying or harming or may destroy or harm fish or fish habitat, measures may be ordered to reduce the numbers of that species on Crown land. The concern is how the determination is made and will be put into regulations; it isn't legislated. It doesn't specify wild versus domestic habitat. It does not specify if habitat is limited to the lake or if breeding areas such as associated rivers are included. There are no grounds for determining destruction versus harm. So all keen issues that need to be identified and discussed and at least debated before a bill like this could be passed.

Then in 33.1(2), the species to be reduced do not include those defined as endangered under the Wildlife Act. That is one good part that was put into this bill.

Section 33.1(3): the minister may delegate to any employee the power to make an order under subsection (1). Our concern is that there is no mention of what information the employee must consider or the qualifications of the employee. This makes the order look like an administrative matter rather than something that has serious

ecosystem implications. We already know that field staff within both Environment and Sustainable Resource Development are, I believe, stretched to capacity at this time. We've got all kinds of monitoring and enforcement issues out there, and this just absolutely adds to the burden of work that they have.

Section 33.1(4). An order can be issued to protect domestic or private fish stocks. Our concern is that fisheries legislation is meant to apply to wild fish stocks. Private fish stocks should only be dealt with under agricultural legislation. Perhaps the minister of agriculture has something to say about that, and we'd be happy to take any advice from them.

Section 33.1(5): an order may be enforced by fishery officers, fishery guardians or certain employees of the minister's department. Our concern: no restrictions on how or when the orders are enforced. Restrictions should be part of the order, but the act does not say what an order is supposed to contain.

In section 3 we have concerns under section 44 that guidelines for determining when an order may be issued will be made by ministerial regulations. Our concern is, as always, that regulations are made behind closed doors.

Section 4 has an amendment to the Agricultural Pests Act. An order made under that act will apply to this act as well. Our concern is that an order for domestic stocks should not automatically apply to wild stocks.

I think that sums up what we have to say on this bill at this time. I hope that it doesn't make it past second reading, Mr. Speaker, but if it does, we'll go into more detail at committee.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Strathcona.

MR. CAO: Thank you, Mr. Speaker. It is my pleasure to rise today to speak in favour of Bill 206, the Fisheries (Alberta) Amendment Act. It is also in my interest as an avid angler and a gusto fish diet consumer. As has been previously stated, Bill 206 would enable fish farmers to protect their investment from pest species. It would also create a mechanism and guiding principle by which the Department of Sustainable Resource Development must ensure the viability and protection of fish stocks and the biological diversity of aquatic ecosystems in Alberta.

Bill 206 would enable us to improve the spawning routes of fish and improve the status of fish farms around Alberta. Aquaculture, in common with all food production practices, is facing challenges for sustainable development. Most aqua farmers, like their terrestrial counterparts, are continuously pursuing ways to improve their production practices to make them more efficient and cost-effective. One of the major challenges that aquaculturists face is the increase of pests and predators threatening their farms, especially the fish farms.

Open-water areas and large concentrations of fish that are found in aquaculture facilities are a virtual smorgasbord for wildlife that eats fish. Most mammals are either large enough or small enough that they do not pose an economic threat to the facility. Taking a military analogy, the ground attack can be defended, but the aerial attack is hard to defend. Yes, birds are difficult to exclude and can have significant economic impact if no control is used. Bird population problems are complicated. There are different regulations and laws on the books adding to the confusion, making it a very difficult situation for owners of fish farms to know how to deal with a pest such as the cormorant that threatens their investment.

Bill 206 goes a long way in offering a solution to the pest problem that is occurring in aquaculture facilities around Alberta. I feel that it is this legislation that is really needed so that the owner of such facilities can better control and protect their investment.

Mr. Speaker, depleting fish stocks is a huge problem in Alberta. A large part of the problem of depleting stocks is the cormorant. They are increasing in population, and they are having a serious negative impact not only on aquaculture but on other colonial nesting birds. Waste from these birds is decimating, again, not only aquaculture but much of the vegetation in the area. The dramatic increase in the cormorant population is due to many factors. One reason is that the birds deplete fish stock in lakes around Alberta, and then we in turn restock the lake. This leads to more cormorants coming in to feed on the seemingly endless abundance of fish, and the cycle continues. The population grows rapidly. Another reason for the increased population is that there are no natural predators, especially in north Alberta. The predators of the cormorant are rats and large snakes. Now, I don't know about the rest of you, but the fact that neither of those predators prospers in Alberta is all right with me. The last thing we need is to introduce rats in Alberta to control the birds.

5:00

Mr. Speaker, the way to solve this problem is to pass measurable and sensible legislation like Bill 206. To try to give members an idea of how these pests are depleting our fish stock, let me paint a figurative picture of what the sky looks like when cormorants all take off at once. Think of the eclipse, the total blackout of the sun when the cormorants take off from the lakes. The only thing you can see are birds, thousands and thousands of birds making the sky as black as night. These birds are out of control in the lakes district in Alberta. I commend the Member for Lac La Biche-St. Paul in attempting to do something about the problem of depleting fish stocks, as I'm an avid angler myself.

Now, granted, Bill 206 deals with other problems depleting fish stock, such as problems created by beaver dams. However, the main concern, I believe, is the cormorant problem in Alberta, their part in depleting our valuable fishery resources throughout Alberta. They are also destroying many of the ecological systems around Alberta. As well, they are wreaking havoc on any of our attempts to have a thriving aquaculture industry in Alberta. This damage to the environment cannot be ignored.

Mr. Speaker, some in this Assembly may ask: what's the big deal? Why all this concern over this industry? Well, I will tell you. Aquaculture is currently playing and will continue to play a big part in boosting global fish production and in meeting rising demands for fishery products. At the recent session of the Food and Agriculture Organization of the United Nations Committee on Fisheries they stressed the increasingly important and complementary role that aquaculture and inland fisheries play in fish production for human nutrition in alleviating the economy of many rural areas around the world. This is an industry that has the potential to grow very large, and I would hate to see Alberta lose out in this new industry because of species that are out of control.

The cormorant has caused many problems not only in Alberta but around North America. There is even an industry cropping up from people who are trying to figure out ways to control the population of cormorants without using lethal means. From the research I have been told that they have not been a hundred percent successful. Studies show that the new techniques work on many birds and pests but not completely on cormorants. It is time that we give recourse to aquaculturists to get rid of this pest that threatens their livelihood.

Now, I am not talking about outright elimination of cormorants. Of course not. This bill is only advocating that we give owners of fish farms throughout Alberta the ability to control the population of pests so that the industry will have the chance to survive, and I honestly don't believe that the industry has much of a chance of

surviving the way the population of pests is steadily increasing; that is, unless we take action.

Mr. Speaker, there are many strengths in Bill 206. I have alluded to some, one being that the active management of fisheries will promote the long-term sustainability of the industry and will increase economic stability and growth of the industry throughout northern Alberta. Another important strength is that Bill 206 will ensure that fish farmers have an effective recourse in the protection of their property and their livelihood from pests such as the cormorant. It has been argued earlier in the debate – and I'm sure the debate will go further – that owners do not have a viable way to deal with the pest threat and that Bill 206 gives them quick solutions. A strength in Bill 206 that I have only touched on is that it will allow spawning routes for older fish species to be facilitated. This would increase the population of fish naturally and thereby reduce the necessity of expensive restocking measures.

The final strength I want to mention is that by controlling these pests, the proactive management of waterfowl population can be protected, and for that reason I recommend passing this bill. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to speak on this bill, which is one of the shortest private members' bills, I guess, in this session that we've seen. I like its brevity, I'm intrigued by its simplicity, and I'm certainly not averse to the reasons that the hon. member has given to proceed with the bill; that is, the commercial significance of fishing is something that we should certainly pay attention to. If the stocks are depleting, then clearly we have to ask the questions why and what's the impact of the depletion of stocks on the livelihood of lots of Albertans and to the economy.

All of those I think are legitimate considerations that should lead one to give serious thought to this bill, Bill 206. It's its simplicity, however, that I think might be somewhat misleading. We need to ask some important questions about what the objectives of the bill appear to be and how they can be best served and whether or not the provisions of this act are indeed adequate enough to serve those purposes.

The bill obviously amends a couple of existing pieces of legislation. It certainly amends the Fisheries (Alberta) Act, and it also has a bearing on the Agricultural Pests Act. It intends to establish provisions for reducing the number of any birds or animals that could potentially threaten fish or fish habitat. Endangered species are clearly mentioned here and that this bill doesn't apply to any of the birds or animals that are listed under endangered species. So far so good, Mr. Speaker.

The question, however, is that the depletion or decline in fish stocks is not addressed in detail, and the questions are not asked about: what are the primary causes of that decline or depletion of fish stocks? Unless we identify the important causes, the primary causes of the depletion, our solutions might be off the mark. That's my concern. It is true that some of these birds, the cormorants, may like fish, and they're obviously converging on Alberta for some reason and not only North America but coming more and more north. I think they're finding the climate warm enough to come here and enjoy themselves, and I think that climate warming might be something the Minister of Environment should pay some attention to if he wants to deter the increasing migration and growth of these birds that seem to like our fish and want it free.

5:10

That's the other part. You know, in this province anything that's free is not good, and the birds want it free. If they were willing to

pay for it, I think it would be one thing, but these guys come here and they want to have the freedom to enjoy this meal without having to pay for it. That's not good enough, I think, and now we want them to pay for it by their lives or something. We want to get rid of them. My concern is that these natural ecosystems are systems. You know, these species are interrelated. They depend on each other, and just to start manipulating one particular element without understanding the complex and intricate interconnections and interdependencies between these elements may not only not help us reach the objectives but may damage the ecosystem in a way that we may find later on difficult to repair and correct. So that's one of the concerns that I have.

I think we need some science, and the Minister of Environment always talks about, you know: science is on our side. I think here we need to make sure that science is on our side before we accept the proposals that are made in this bill to have legislation that will help us to control just these birds. I think that although the words "birds" and "animals" are used, the concern is with this particular species of birds. Cormorants are the target, I guess, of this bill.

Also, the question has been raised before that the ongoing, prudent management of fish stocks is important. We seem to be dealing with responding to a crisis that resulted perhaps from not so prudent management of the fish stocks. Is overfishing a problem? Do we have some mechanisms that help us monitor when fishing activity borders on overfishing, and to what extent can we take some remedial actions to make sure that overfishing in itself does not become a cause of the problem?

Overfishing of a particular species. I understand – I'm not a specialist, you know, in this area – that there is a certain relationship between different species of fish. Forage fish numbers have, I understand, increased, and these birds are attracted here in larger numbers because they find their particular preferred food of fish growing in numbers. We need to ask: where are the predatory fish stocks going, and what can be done to strike a better balance between different species of fish? I think it's the forage fish that these birds like. Is that true, hon. member? Their numbers have been increasing, and we need to ask why that number is increasing. It's not that fish altogether are disappearing. It's these particular species of fish, I guess, that have commercial value that are going down. So we need to ask some of these questions before we vote this bill in.

I think I'll just stop there. I've raised a few questions. The Minister of Environment is delighted to receive my suggestions. I'm sure he'll respond as well. But the member, I think, might find some of the questions I raised helpful. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Speaker. I'm honoured to speak in support of second reading of Bill 206. I, too, would like to commend the hon. Member for Lac La Biche-St. Paul for bringing forward this important bill. I understand that the passion my colleague has for this bill comes about as a concern from his constituents. It's a concern, as he said earlier, that his constituents have with the double-crested cormorant. I really believe that this is a well-thought-out bill, and I know that my hon. colleague's constituents will appreciate his efforts on their behalf.

Mr. Speaker, Alberta has an amazing aquatic ecosystem. Our lakes and streams have an incredible diversity of life, and each year thousands of anglers and tourists head to the rivers and streams of our province and come to appreciate the beauty of our land and our great fishing. We all know that our fish are not the result of Mother Nature alone. In fact, for decades now environmental groups and

local farmers have participated in the maintenance and sustainability of fish stocks in our lakes, rivers, and streams. Today aquaculturists raise many varieties of fish including rainbow trout, goldfish, arctic char, American eel, many varieties of salmon, and freshwater prawns. Albertans actively engage in aquaculture for a number of reasons. One is economics, where local entrepreneurs sell their fish stocks for a variety of reasons including fingerling production, you-fish operations, contract growing, table food market production, and biological grass-control carp, where operators raise sterile carp for weed control in water and for research purposes. In fact, in the year 2000 our aquaculture industry was estimated to be \$10.8 million.

DR. TAYLOR: How much?

MRS. FRITZ: It's \$10.8 million, hon. member.

Another reason, and a very important one, also happens to be a sincere concern over depleted stocks. Low stocks are a result of many factors, Mr. Speaker, including inadequate spawning routes for fish populations and shallow, isolated ponds where fish are susceptible to the effects of winter. It is also the result of overfishing in areas of high demand. Needless to say, this action has caused a few problems, which is why the hon. member has brought forward this bill.

Restocking efforts have contributed to the increase in predatory pest species. They are increasing dramatically, as we heard earlier. The stocks provide an abundant and convenient source of food. As restocking efforts increase, so too does the growth in predators. This results in a very frustrating situation for aquaculturists and those concerned with the sustainability of our aquaculture system. It is especially troubling for an industry that generally incurs high cost levels in order to meet the demand in their particular markets.

Mr. Speaker, as the hon. Member for Lac La Biche-St. Paul said earlier, a perfect example of this sort of pest situation is the double-crested cormorant. The cormorant is determined and irritating. They have increased in number by the thousands over the past 25 years. You would think that a predator of the cormorant would help offset the problem. It is well known, as my colleague from Calgary-Fort said earlier, that the natural predators of the cormorant include large snakes and rats. Well, there are not many large snakes in the northern Alberta lake region where the cormorant makes its home, and Alberta is rat free. So the increase in the cormorant flocks continues to be out of control.

Birds, fish, and mammals are known predators of cultured fish. Bird predation is the major source of fish loss at aquaculture facilities. The diversity of Alberta's aquaculture practices as well as the variety of predators mean that producers need to employ a variety of damage prevention and control techniques. The only assurance of eliminating bird predation at these facilities is total exclusion of birds from fish-holding venues. However, total exclusion is often impractical for many facilities due to size of operation, expense, or interference with management activities, which is why farmers turn to a number of management methods including the construction of barriers or frightening techniques such as noise, visual scare devices, lights, or even scarecrows.

5:20

While it is currently possible for a fish farmer to obtain a depredation order for a specific pest species from the Department of Sustainable Resource Development, it is a very, very time-consuming process in a situation where time is of the essence. Under Bill

206 a depredation order would no longer be required when a fish farm is threatened by an identified pest species. Of course, it would still be the responsibility of the minister to identify which species are considered pests, and it should be noted, Mr. Speaker, that it is an identical mechanism to one contained in the Agricultural Pests Act. This act allows agriculture farmers to destroy any animal which threatens their crops or livestock provided that that animal has been declared a pest by the Minister of Agriculture, Food and Rural Development. As a nongame bird it is possible for the double-crested cormorant and other nonthreatened, nongame birds to be declared a pest and enable farmers to properly protect their livelihoods. The same principle should exist for a traditional farmer that grows crops or raises traditional farm animals and for an aquaculturist. In both cases it makes sense to enable farmers and Albertans to use their discretion.

Some individuals may be concerned that by empowering farmers, we would be putting species at risk. Well, Mr. Speaker, that is why Bill 206 has the minister declare certain animals as pests. He or she would have the ability to monitor species to ensure that no long-term harm comes to them. In essence, Bill 206 would amend the Fisheries (Alberta) Act in such a way as to clarify the responsibility of the Minister of Sustainable Resource Development to protect the fisheries resource through the minister's power to issue depredation orders, remove beaver dams, and restrict fishing in certain areas. While the minister has all these powers currently, Bill 206 would provide a guiding principle for the proactive, sustainable management of fishery resources.

Mr. Speaker, you can see that this is a widespread problem which governments are trying to resolve. I believe that the approach taken by Bill 206 is reasonable, it's responsible, and it's well thought out. The goal of the Member for Lac La Biche-St. Paul is to enable fish farmers to protect their investment from pest species of nongame birds. They would be identified, as I said, by the Department of Sustainable Resource Development, and I understand from the sponsor of the bill that this identification would be fully compliant with the Wildlife Act, the federal migratory birds convention, as well as certain provisions of the Water Act and the fisheries act.

Mr. Speaker, David Gillies, who is executive assistant to the Deputy Government House Leader, recently loaned me a wonderful book titled *River in a Dry Land* by Canadian author Trevor Herriot. Mr. Herriot quotes in the book that if there is magic on this planet, it is contained in the water. I firmly believe that the hon. Member for Lac La Biche-St. Paul is protecting one of our important resources through this bill, so I would urge all members of the Assembly to support the hon. member on this bill. Thank you.

Mr. Speaker, I would like to adjourn debate. Thank you.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Another excellent day with much excellent progress having been made, I would therefore move that we now call it 5:30 and that we adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:25 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 15, 2002**

8:00 p.m.

Date: 02/04/15

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Student Loans

504. Mr. Snelgrove moved:

Be it resolved that the Legislative Assembly urge the government to study the student loan system in place in Alberta.

[Debate adjourned April 8: Ms Blakeman speaking]

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'd just like to pick up where I was on this Motion 504. As I was saying last week before we adjourned, I have a lot of students that live in my constituency partly because there are so many postsecondary education institutions in the constituency or very close to it. For example, we have Grant MacEwan college, NorQuest College, Alberta College. NAIT is right next door, practically, and a lot of students live in my riding and attend that, and of course the University of Alberta is just one short LRT ride across the river.

I certainly hear a lot from students of their struggles in trying to achieve a postsecondary education without committing themselves to a long-term relationship with a lending institution, which is what tends to happen, so although I take issue with a number of the statements that the mover of this motion made – and I'll come back to that – overall I do support the motion itself. I think we do need to review the student loan programs that we have in place. We seem to have changed the way we operate the program a number of times, but I don't think we really took a step back and went: okay; what is going to work best here?

Given that we know that a number of students are graduating from postsecondary educations with debt loads that are in the \$20,000 range, and that would be, like, for a three-year degree and certainly significantly more than that if the student was choosing to pursue a specialty degree like a medical degree, I think it's particularly important that we do whatever we can to assist students with a student loan program.

One thing that I would like to bring up around this was something curious that happened last fall. Now, there was a period of time in place – I think it was six months – that was a payment holiday on student loans, and interest was not supposed to be accruing, I think. The students had six months to start paying their loans. I had one student phone me and go that he had just received notification that in fact they had canceled that part of the program some six weeks earlier but hadn't notified him until just then. His point was that he'd been saving his money for his payments and, in fact, had it in an interest-bearing account of some kind or some sort of term deposit or something like that, waiting for that six-month period to come into play, and then he was going to make a payment on his student loan. He said: "They took away my choice. Had I known they were going to charge me interest for those six weeks, I would not have put that amount of money into a term deposit. I would have just paid it, and that would have saved me a lot of money on the interest. Why did they tell me this six weeks after the fact?" We were never really given a satisfactory answer to that, but that's exactly an example of why this student loan isn't serving students

very well. Let's face it. It is the students who end up paying back the money here, so it's not as though this is a program where the taxpayers are carrying the full burden here.

A couple of other things that have been brought to my attention by constituents around the current student loan program. The issue about family assets. I think the sponsoring member spoke about farm families and them showing huge assets on the books but, in fact, not a lot of cash flow, which is a fairly common situation with many of our farming families. Yet because of the regulations in place currently, there was an expectation that that family could surely come up with the cash to put their child through whatever stage of university, and that's just not happening. I don't think people have that kind of disposable income anymore. I look around, up and down my street. Some of these families that are two people working are looking towards their retirement. They're also looking towards saving something towards their kids' university. Maybe they own a house, and they've each got a vehicle to get to work. Well, those assets are going to count for them. But can they actually come up with cash on the barrelhead to be able to put towards these kids, you know, every month that they're in university or to front the tuition money? No, they're not going to be able to. So what we end up with is a situation where students are taking much longer to complete their degree because they're having to work part-time all the way through and can't take a full course load, which just extends the agony for everyone, because now you've got that initial loan for five years instead of for four years or for three years. I mean, it's stressful to work and go to university.

I find it really interesting that very few of us in this Assembly would have been in the position that we are freely expecting young people today to be in. Certainly, there was no expectation that I would be graduating from university with that kind of a debt load, but we're readily expecting that of the current generation of students. So there's a big double standard there.

I also think that the budgeting requirements through the student loan program are unrealistic in this day and age. What they're expecting is a reasonable amount of rent to pay or transportation costs or food costs certainly in the cities is just not connected to reality. So students are expected to put their budget in, and then the managers of the loan program come back and say: no, no, no; you won't be paying \$700 for rent; you'll be paying \$300 for rent. Well, you're hard-pressed to find a place for \$300 to rent even when you're young and you're willing to, you know, have a roomie. Even residence is going to cost you more than that. So I think that there are some unrealistic expectations.

If we want to be a smart province, if we want to be in the vanguard, at the forefront, in a number of technology-based and intellectually based areas, we need people to go to university not only so that they'll end up with an engineering degree. We need thinkers. We need citizens. We need people that have had an education that challenges them to be creative and to pour all of their talent into what they're doing. To have a loans program that seems to be discouraging people from getting into postsecondary education I think is defeating where we need to be going as a province. We know that we need more people that are trained for skilled work or with university degrees, so let's not make it so difficult. If it means reviewing a student loan program, then I'm fully in support of it because I want to see our young people have the best possible future that we can give them.

Thank you.

THE ACTING SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker. I'm honoured to have the

opportunity to join the debate on Motion 504, sponsored by the hon. Member for Vermilion-Lloydminster. I believe that a review of the student loan system in this Assembly can only bring about positive results for Albertans pursuing postsecondary education as funding pressures continue and fewer sources of financial assistance are available for students.

Mr. Speaker, I would like to briefly talk about the financial options available for Albertans seeking postsecondary education. Then I'd like to share with this Assembly two options that this government should consider promoting to help improve accessibility for Albertans pursuing higher learning. First of all, I'd like to point out that this government provides wonderful achievement scholarships that recognize academic and athletic excellence through the Jason Lang and Jimmie Condon awards. The Jason Lang scholarship recognizes academic achievement of undergraduate postsecondary learners entering their second through fourth year of studies with \$1,000 awards. The Jimmie Condon athletic scholarship recognizes excellence in athletics and encourages learners to continue their studies. Awards are valued at \$1,800 per student. In 2000-2001 2,792 adult learners were awarded \$2.8 million in Jason Lang scholarships, and 1,802 learners were awarded \$1.5 million in Jimmie Condon scholarships. This government also awards Alberta heritage scholarships, which recognize individuals who have obtained exceptionally high standards in arts, science, and the humanities as well as at the high school, technical school, undergraduate, and graduate levels.

8:10

This government has introduced legislation this session that recognizes the contribution of students to their community. We also have legislation in place that prepares the Department of Learning for future liabilities related to student loans. Bill 1, introduced by the hon. Premier, outlines a program to recognize achievement among high school students in the areas of citizenship and leadership. It provides for awards of \$5,000 to be presented to five students in these areas per year. The bill establishes another two scholarships per year for people studying the visual arts and performing arts. I agree with the hon. Premier that these areas of pursuit – citizenship, leadership, and the arts – are very much characteristics associated with the reign of Her Majesty, who has exemplified achievement in these areas during her 50 years as our monarch.

Alberta Learning provides a line item in their budget called provision of loans, which is an accounting adjustment made in recognition of future liabilities associated with new student loans. Although these liabilities could occur several years from now, current accounting practices dictate that this potential future liability be recognized in the year that the student loan is issued. Approximately 48,500 adult learners each received \$7,200 of provincial loan assistance in 2001-2002. Mr. Speaker, in 2001-2002 the Alberta student loans program approved about \$100 million in loans to approximately 50,000 students.

AN HON. MEMBER: How many?

MR. CENAIKO: Fifty thousand students.

The provision for the future cost of student loans issued, a statutory expense that is accrued up-front in the budget, is approximately 60 cents for every dollar of loans issued. Mr. Speaker, I believe that the Department of Learning is working hard to find ways to provide financial assistance and encourage students to excel in their postsecondary studies.

However, there are challenges. Last year this government lost one

of the biggest partners in the student loans system. The major banks have been withdrawing from the student loans business based on loan portfolio performance and negative customer retention, the biggest example being in March 2001 when CIBC notified the province that it did not intend to provide student loans after its current contract expired on July 31, 2001. The bank offered to enter into an agreement to extend its involvement in the student loans program for one more year. However, the terms of the proposed agreement were not favourable to this government, and the Department of Learning with the support from the Department of Finance proposed that the province directly finance student loans as of August 1, 2001. As a result, Learning moved to the direct financing of student loans. A private corporation, Edulinx Canada Corporation, will administer these loans on a fee-for-service basis. There's no impact on the provision for student loans issued in 2001-2002 as a result of moving to direct lending.

Mr. Speaker, my question is: if financial institutions cannot find a way to effectively manage student loans, how can the provincial government? I understand that the Department of Learning and this government do have a commitment to lifelong learning and therefore need to ensure that postsecondary education is accessible to all Albertans. I think the members of this Assembly would agree that the Department of Learning has found many ways to recognize academic achievement and offer financial assistance to Albertans seeking higher learning. Furthermore, I truly believe the Minister of Learning is always open to suggestions for improving accessibility to postsecondary education. Overall, I believe the Alberta government offers a great deal of funding for people seeking postsecondary education. As far as the financing of student loans, I believe the Department of Learning is moving in the right direction, but I worry about the financial risk to this government.

Mr. Speaker, thank you very much for these remarks.

THE ACTING SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker, for allowing me to enter the debate on Motion 504, which has been proposed by the Member for Vermilion-Lloydminster. Motion 504 calls for a review of the student loan system in Alberta. I know that in my constituency office in Whitecourt-Ste. Anne I hear about student loans, both good and bad. I'm pleased that this issue has been raised for debate here in the Assembly so that we can discuss it in its entirety.

Mr. Speaker, student loans are designed to help those Albertans without means to pay for their education. However, sometimes I wonder whether the student loan system is letting down both our students and our citizens. It often does not help Albertans who do need help, and it's often not paid back in the best way for borrowers and lenders alike.

At this time, I'd like to share some thoughts from a constituent that took the time to write me and give me her feelings on Motion 504, so I'll go on. She states:

One huge consideration during the review has to be the cost differences between urban and rural students. Many urban students can remain in the family home while furthering their education. Of course, rural students do not have this opportunity and their loans cost them considerably more. Meager room and board accommodations range from \$300-\$500 per month; meager rental accommodations range from \$500-\$700 per month. If a student is lucky enough to find decent accommodations near the learning facility, the student often has to pay for them during the summer months in order to have a place for the following year.

And we experienced this with our own sons, so I can say that that's true.

The bottom line is that rural students face at least a minimum of \$6,000 per year just for room and board.

Student loans are also cut back big time if the student owns any kind of vehicle. Yes, vehicles can be expensive but rural students often need to make trips home and bus fare is also very expensive. Hitchhiking is dangerous . . .

I am also aware that whatever amount the student applies for is usually very carefully calculated – and then reduced by 10%-15% upon approval as the student is expected to work to help with his/her expenses. This is understandable to a point but really not too practical as it definitely interferes with class and study time. Also factor in the difference between urban and rural loans and it is evident that a reduction of this sort is very expensive for rural students. Often these students face a lot of stress just relocating to an urban community and this added money worry only makes them more nervous.

Therefore, I . . . strongly suggest that rural students be given a special consideration such as a reasonable 'Housing and Transportation Allowance' for problems that are unique to them. This 'Allowance' should be forgiven in order to reduce the differences between urban and rural student finances.

One more thing I would like to mention is the fact that potential post-secondary students are very aware of the fact that the qualifying criteria for student loans are [very] much different if the student . . . has been out of school and living away from home for a period of only one year. I can name many, many people who do this on purpose so that they can easily qualify for the much less stringent criteria of student loans for adult students. This does not make much sense to me as the student's vigor (and study habits) wane during this year. In many cases, once potential students have been in the work force for a year, they may decide not to continue their education as they like having money in their pockets. It also seems to me that this is a very poor approach for a province that is crying loudly for skilled people in the workplace.

I wanted to share those comments from a constituent because the constituent did take the time and made an effort to send me her feelings on Motion 504.

So I guess I'll close and urge my colleagues and all members of this Assembly to support Motion 504. Thank you, sir.

THE ACTING SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. Obviously, there's a lot of interest in this motion given the number of people who want to participate in the debate, and I think that's great. It reflects the value that we all have for education.

One of the basic issues that has always struck me about how far we ask students to go into debt is the question of balance between debt and subsidy. What I mean by that is that through our student loan program as it is now, we seem to be asking students to take on very substantial debt. They come out after a four-year degree with, in some cases, tens of thousands of dollars of debt, and I find myself questioning the wisdom of that. We then have them pay back the student loan program, which is now operated once again, as I understand it, by the provincial government, and to the extent that that takes several years of payment, we are preventing those students from perhaps advancing themselves with a second degree or purchasing a house or investing in a business or moving on in other ways. So we loan them the money and then they pay us back, and I'm not convinced that we shouldn't be looking at a different approach, which is to keep tuition costs at least at a very affordable level and help students avoid the debt in the first place.

8:20

MS BLAKEMAN: Agreed.

DR. TAFT: I can see that at least some members agree with me.

REV. ABBOTT: At least one member of your caucus.

DR. TAFT: I take what I can get.

I've heard this concern and had this perspective brought to me from quite a number of my constituents. The University of Alberta is in my constituency. It's the largest university in the province and one of the largest in the country. A great number of the students there end up taking on student debt, and they, of course, spend a lot of their energy and time and concern sorting out how to handle that debt: how much to take on, how to get out of it, how to minimize it. So I do raise the issue, and I would be pleased if some serious attention was made to the question of: how far into debt do we want students to get, and what is the price that we as a society are paying for having them get that far into debt?

A few days ago in the Assembly I tabled a survey conducted by the University of Alberta Students' Union. It addressed a whole range of issues, one of which was: what are the top concerns for students? The cost of education was, indeed, the number one concern for students. That's no surprise, but I do think it indicates the need to have a look at this particular issue. Are the costs we're placing on students appropriate? Are they perhaps too high? My concern, frankly, is that they are too high.

We're also hearing a number of concerns brought up by other members which I think are excellent concerns. One has to do with the way in which the student loan program requires a tie between students and their parents and makes certain assumptions about parents' ability to contribute to the cost of education. Sometimes, of course, that's a reasonable assumption, but in many cases it's not reasonable. The parents themselves may not be able to contribute, or even if they are able to, they may not be willing to because of strains in the family. We all know that families today are not typically the nuclear family that once was so dominant with mom and dad looking after the kids until the kids were university graduates. Instead, we may have blended families or second marriages or all kinds of complications that limit the parents' interest in supporting a child or a stepchild or an adopted child through university or college or postsecondary education. So I'm not convinced that the regulations, as I understand them, around student loans are up to date and reflect the modern reality of families.

Other issues that I've heard raised here today which I think are legitimate have to do with things, for example, like recognizing the difference between students from urban areas and students from rural areas. Students who live, say, in Edmonton-Riverview or Edmonton-Centre are typically a walk or a bike ride or an LRT ride from the university, but students who may be in a suburban area or coming in from out of town will face much greater costs, and there's no easy way of avoiding that. So I think we would want to look at that sort of issue in reviewing the student loan system and ensuring that allowances for transportation costs were fair and reflected the circumstances of the individual students.

I've also made a note here, and this goes back to an earlier point I was making. My understanding is that over half of students – I think perhaps the information I have is 53 percent of students – have their loans turned down or denied or at least reduced because of the position of their parents. As I indicated earlier, that can be completely unfair. It may simply be that the parents aren't willing to contribute, and we shouldn't hold that against the students. That moves me to what I think is perhaps the fundamental discussion around this issue, which is the value of education itself.

If we have a student, a young adult typically but perhaps a student of any age, who is wanting to improve their self, who is wanting to

advance their self, advance their career, or understand the world more thoroughly than they do now by returning to education, I think we should celebrate that and encourage that because it's a good thing in and of itself. I think that we are a better society for having a well-educated population, and as a society, therefore, we should encourage students of all ages to seek higher education at every opportunity.

The value of education, of course, can be looked at, and it typically is looked at in a most easily measured way, which is: how much does it add to a person's income? We probably have all seen studies showing that grade 12 graduates earn such and such and college graduates earn more and university graduates earn even more and so on it goes, and that's an important measure. I wouldn't deny that. It's appealing, it's easy to present to people, and it's a reasonable basis for encouraging people to improve themselves and seek further education, but in some ways I think it's the least important reason for seeking an education. Seeking an education simply to get a job seems to sell the whole concept of education a little bit short.

There are some other reasons we want to look at. As the health critic I stand here before the Assembly having read any number of studies suggesting that one of the closest correlations with good health is high education. The higher educated the person, typically the better their health. So there's an issue we may want to consider.

What about satisfaction with life? If we want to go through life fully experiencing it, understanding what's going on, appreciating whatever we're looking at – whether it's in nature or in architecture, in art, in language, in music, in politics – having a sound education to work from I think will be an asset for getting the most satisfaction from life.

Finally, I think it's worth reflecting on the value of education as part of a democratic society so that our population is well enough educated to feel competent and confident in participating in a democratic society and contributing to a democratic society.

So there are many, many reasons for supporting education, and I think to the extent that student finance and student loans are a pillar for supporting education, it is well worth having a look at them, fleshing out the philosophy, fleshing out the details, and ensuring that they are serving students and society to the best.

Thank you.

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker, for the opportunity to join the debate over Motion 504. I believe it addresses an issue that is critical to Alberta's young adults. This motion has great potential to effect positive change towards addressing issues of fairness in the student loan program, and I believe that we must revisit our policies surrounding student loans.

Having said this, I think the steps that Alberta Learning has made recently are extraordinary and a very positive step in bringing access to postsecondary education to all Albertans. The new remissions benefits program will waive millions of dollars in student debt for each year of the program from the immediate time that the loan repayment to it begins. This is a staggering amount and very welcome relief to individuals who are really at the very beginning of their working lives. Imagine the relief of not being saddled by a crushing debt and seeing possibly a third of take-home pay being taken back by the bank for years upon years.

8:30

This program will accomplish so many great things for young Albertans, allowing them to make a strong start in the job market as well as in the investment markets to help individual Albertans

accumulate savings and investments sooner. This kind of income security for Alberta individuals will mean overall economic strength, a more confident consumer, and a more confident investor in the Alberta advantage.

Looking at all these enormous advantages of the steps we have already taken, we really should be wondering if there aren't opportunities to go even further. We have to take a look at some of the evidence to suggest that there may be opportunities to provide greater equity in the system and provide more Albertans with an opportunity to acquire knowledge without having to sacrifice their standard of living in subsequent years. Perhaps Alberta could become known as the place where the starving student was first threatened with extinction.

When we look at the challenges that face our youth in the decades to come, we have a great opportunity to prepare them in the best ways possible to meet the challenges head-on. This is so important to young Albertans and can only help our economy and our society to grow. A population burdened by thousands of dollars of personal debt not only stifles the economy but causes a great deal of stress on the families, the individual, and eventually social programs. Financial stress is cited as a primary cause of marital breakup and can contribute to depression and even suicide.

It is important that we not underestimate the opportunity we have to better the lives of those Albertans who have strived to better themselves. We have a significant opportunity to provide educational opportunities to some individuals who might not have thought they had the chance to get educated. The student loan program has traditionally been targeted to youth. Still, Mr. Speaker, there are many individuals who later in life want to upgrade their skills and need a few financial supports to do so. We should be doing all we can to raise awareness of the Alberta student loans for those individuals that pursue lifelong learning.

The benefits of having an educated population are similar to the benefits of having financially secure individuals in the province. The workforce is more flexible in what they can do, and this reduces the level of so-called structural or natural unemployment. People are better equipped to adapt to the challenges that face them throughout their life. Having a strong base of knowledge also helps individuals be innovators, entrepreneurs, or be in a highly specialized field. An educated workforce adds greatly to the productive capacity of the province and can greatly enhance our ability to produce unique and innovative products. As well, a trained workforce will attract start-up and venture capital into the Alberta market, which will help Alberta's economy grow stronger. These are just a few of the ramifications of having more accessible student loans. This is core to the issues that Motion 504 would address, and this is why I support the motion.

Mr. Speaker, I have always believed that education is extremely important to making the lives of Albertans richer, more fulfilling, and happier. There should be as few barriers to entry into university or technical training as possible, and if there are barriers for individuals, we should work hard to eliminate them. With the current system, quite oddly, one of the barriers for young adults in many cases is the wealth of their own family. Unfortunately, not all young adults have the support they need from their family to go to school. Some parents just don't believe in supporting their adult children and cut their children loose after they turn 18 without so much as a handshake. In other cases youth are very adamant about making it on their own and don't want the support of their parents. Still others are estranged from their parents at an early age simply because they just don't see eye to eye. It's a sad commentary on human nature, but young adults and the middle-aged are frequently at odds with each other. The generational gap that persists can often

leave Alberta's youth without the financial support they need to go to college. Instead, they choose to enter the workforce and squander the potential that they may have developed by higher education.

This is what student loans are there for, one might think, but unfortunately this is not the case. The parents are expected to foot the bill of the young adult's education, if they are able to, before the young man or woman can receive assistance from student loans. In cases where the young adult wants to take the responsibility or is estranged from their parents for whatever reason, then the individual has fewer options. I think that a person's financial tools should have nothing to do with their parents, particularly when the person is recognized by the law to be an adult. Young men and women look toward higher education to find independence and a sense of their own identity. It is stifling for them to have to rely on mom's and dad's goodwill and generosity if they want an education. The student loans program ironically provides financial freedom only to those individuals whose parents are not wealthy. This completely ignores the disposition of students and their willingness to take on the responsibility for their education themselves as adults.

THE ACTING SPEAKER: I hesitate to interrupt the hon. Member for Red Deer-North, but under Standing Order 8(4), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would invite the hon. Member for Vermilion-Lloydminster to close debate on Motion 504.

MR. SNELGROVE: Thank you, Mr. Speaker. When I brought the motion forward, I think I stated clearly then that I didn't have all the answers to this motion. It's a very complex question, and I think we've seen from the opposition and from the members on this side that the situation the students are in ultimately may end up the same but with very, very different circumstances surrounding how they're getting there and what they're doing. I think the hon. member across made a very valid point when talking about the problem of trying to access funds from parents that may not still be in a relationship and that legal battles could take months if not years to determine who's financially responsible for the child, and I wonder what is he supposed to do in the time while that legal fight is going on. It doesn't make any sense to put him in that position.

The other aspect that I think we have to keep in mind is that while many students go into the education system from a low-income family, when you graduate as an engineer or a doctor or whatever profession you choose, I think you do that because you're going to move yourself out of the low end. So when you graduate, your repayment scale shouldn't still be based on how you started. If you're an engineer, whether you started poor or started rich, you're still going to make the same \$60,000 or \$70,000, so your repayment shouldn't be based on being poor at the start. I mean, that's just one of the aspects of saying that you have to know what you're doing when you get into this program because we're expecting our money back.

Mr. Speaker, I just think – and I think pretty well all hon. members in this House would agree – that an educated society is a successful society. It makes us able to look after our less fortunate and allows people to enjoy things in life they may not otherwise, whether it be the arts or whether it be the humanities or whatever. I don't think there's any question that we want to be able to educate our youth to be better than we were so that the future is brighter and better. That's all I think we have to do, to look at what the best way to do this is, and I want to say again that I don't know. I just know it's a huge problem that we seem to have separated students into different gates and different funnels, and I don't think we're addressing the issue right now. I think we're probably spending

more on paperwork and application processes than we are on what we're actually doing with the students.

So I would just ask the hon. members to support this motion, and then let's see where it goes from there.

AN HON. MEMBER: You've moved us, man. You moved us.

MR. SNELGROVE: I moved you. Okay.

With that, Mr. Speaker, thank you.

[Motion Other than Government Motion 504 carried]

Provincial Achievement Testing

505. Mrs. Gordon moved:

Be it resolved that the Legislative Assembly urge the government to review and re-evaluate the delivery of provincial achievement testing.

MRS. GORDON: Mr. Speaker, colleagues one and all, is our provincial achievement testing providing an adequate measure of a student's overall ability? Is provincial achievement testing meeting the learning system's overall goal of effectiveness in educating students? Could we utilize a more comprehensive mechanism for evaluating a student's overall performance? Many educators as well as parents in my constituency have asked me to bring forward their views vis-a-vis Motion 505. They are asking us to review and re-evaluate the way we are presently delivering provincewide achievement testing.

Many of these parents are particularly concerned with the testing of eight and nine year olds, children in grade 3. These parents talk about the stress placed on the child, the fear, the anxiety. They refer to the fact that children at this age and stage often mature at very different levels, at very different rates. Some children in grade 3 cannot possibly comprehend a timed test or understand the full ramifications involved in multiple choice questions and answers. What about their communication or their collaboration skills? How are they incorporated into or fully measured through achievement testing? I am told that communication, collaboration, presentation, and research skills are not part of the mix. Should they be? Let's initiate an overall review and find out.

8:40

Provincial achievement tests have been used since 1982 and are aligned with the provincial curriculum, thus are based on curriculum standards for grades 3, 6, and 9. They are designed to provide a common measure for all Alberta students. As well, they provide Learning officials, as in department, with feedback related to the curriculum. They also measure the effectiveness of teachers working within the learning system. Do these tests distort and/or limit classroom instruction? How often have you heard a parent remark, particularly the parent of a grade 3er, that teachers spend all year teaching to and for that test. Lacombe upper elementary principal Wayne Hampton, a most respected educator and award winner, tells me that these exams don't test the skills children will need for job success: responsibility, adaptability, and teamwork. Further, he states that these tests measure what's easy to measure, not what's important.

Let me share with you a random sampling from my constituents, and I'd like to thank the many parents who wrote. The way the tests are laid out now, they do not test what children know, only what they don't know. Eliminate these tests for grade 3 and work at improving the procedures for grades 6, 9, and 12. Please remember that the work world requires employees who can learn, unlearn, and

relearn, and that should be our goal in any type of testing. Achievement testing is far too costly. My grade 3er fearfully asked me what the government man would do to her if she failed the exam. Another huge concern is the inappropriateness of mandating these tests to students enrolled in the integrated occupational program. If you haven't studied calculus, how can you be tested on it?

As a sidebar I would like to add the following. This morning I had a lengthy, interesting conversation with a very nice, knowledgeable gentlemen who has long been involved in education. He told me something very interesting. Research proves that boys do much better than girls in multiple choice testing. Girls, however, do better at writing, at writing compositions, stories, and essays.

Standardized testing? We must recognize that elementary and secondary schools teach a wide range of materials and/or subject matter, including some very, very important life skills. For some children this is the only place that those life skills are taught. Is there a mechanism to more adequately assess the teaching and retention of these skills which are not directly discernible from the present format used in provincial achievement tests? I don't know the answer to this question. Do you?

What I'm asking for is your support so a full review and re-evaluation can take place. If what we're mandating is fine, then it need not change. But is there a need for a change or a need for an update? Are student portfolios the way to proceed? Should there be a blend of the two? Please support Motion 505 so that we can hold a broadly based review of current testing procedures. It is my understanding that a review has not taken place since 1982 and certainly would be needed if that is the case. I would hope that this review could involve dialogue with many: with parents, teachers, academics, the general public, and those who are most affected, the students themselves.

Thank you.

THE ACTING SPEAKER: Before I recognize the next speaker, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is a very great pleasure for me to rise tonight and introduce a very distinguished guest in our members' gallery. She is the former MLA for Drayton Valley-Calmar and has been my coach and mentor over the last year or so, and I very much appreciate her. She is from the small town of Winfield, which has actually produced three MLAs for our constituency, myself being the third. I would ask if the hon. Shirley Cripps would rise and receive the traditional warm welcome of this House.

head: **Motions Other than Government Motions**

(continued)

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to support Motion 505, as put forward by the Member for Lacombe-Stettler. I think her comments indicating that this review is long overdue are most appropriate. I was part of the testing committee at one time that put in the exams in the first place,

and I'm quite amazed at how the original intent of those exams has changed and how the administration of those exams has changed.

Originally the tests were put in to sample the programs. They were to look at the third grade social studies program, the sixth grade social studies program, and the ninth grade social studies program, for example, and indicate how appropriate they were for those children that were studying the content in those courses and to make some judgments about the program of studies itself. There was no need, when that was the intent, to give the tests to every youngster in those grades, and initially the tests sampled youngsters across the province. So at any one time there would only be a small number of third graders writing one of the exams, and that has changed so dramatically.

The tests now are given universally. Every youngster in grades 3, 6, and 9 writes those exams, and the purposes of the exams have again changed to almost be unrecognizable from the original intent. They're used now to evaluate not only students. They're used to evaluate teachers, they're used to evaluate schools, and they're used to evaluate school districts. This very, very minor instrument now has this huge impact on the schools and on education in the province. I think it's not overstating it to say that the use of the exams is being abused in some quarters. As the previous speaker indicated, the exams now are wagging the dog, and you hear reports of a sixth grade youngster coming home in January and saying: now we're starting our review of exam questions for the achievement tests in June. That was never intended, Mr. Speaker, when the exams were first instituted. So I think it's really worth while taking a look back in any review at the history and what the intent was and what's happened to that intent and whether we're happy with the changes that have occurred and the uses that are now being made of the exams.

I think a second question that needs to be answered in any kind of review is: are we making the best use of the evaluation dollars that are available to us? The current testing program is very, very expensive in terms of the preparation of the tests, the administration of the tests, the kind of time that's involved. It's a very, very expensive operation, and are we really getting our money's worth? If you have limited dollars for evaluation, is this the way you would spend them?

If I go back to when the tests were first discussed, Mr. Speaker, I think the original intent was that these would be used to make some judgments about the program of studies and the appropriateness of the program of studies but that in terms of actually helping classroom teachers, we would move to a series of diagnostic tests, which makes much more sense, that teachers would be given a diagnostic test to use with youngsters at the beginning of the term. That test, along with other evidence that the teachers gathered about individual youngsters, could be used, then, to plan and determine a course of studies or a program for individual youngsters. It would seem to me that if that's the use being made of a test, the payoff for individual children is really quite high.

8:50

As it is, the exams are given at the end of the year, so the benefit for any individual youngster writing it, other than having a mark assigned to them, is nil. I mean, there's no benefit at all to that youngster. Now, there may be some benefit to the teacher, if he or she learns that in teaching a concept like interaction, all of the youngsters in that particular class do poorly or that they do very well, in adjusting his or her instruction for the next year, but in terms of individual youngsters and helping individual youngsters, the current tests do very little.

I think questions have been raised particularly about the appropri-

ateness of the exams for eight year olds and nine year olds. Again, the nature of the exams: they are predominately multiple-choice questions. There were the last time I looked some open-ended questions. But all of the limitations that we have known for years and years and years of onetime testing can be applied to the achievement program. It's done on one day, one hour, and samples the behaviour of a youngster. I think that most parents now, when they're talking to teachers about the progress of their child, look for much more comprehensive reporting, and the use of portfolios has become extensive. Parents want to see a wide range of evidence in terms of the progress of their child, and teachers, when they eventually have to sign a grade for a youngster, aren't comfortable using one instrument. In most cases, they rely on a wide range of instruments, portfolios, that take into account youngsters' daily work, that take into account other situations that they're put into in terms of problem solving. So there's a wide range of the youngsters' abilities and accomplishments that are taken into account in any kind of an evaluation.

Again, I think that there has developed around the tests a mystique that's completely inappropriate. I think we have to remember that these are exam questions made up by committees who field-test them, who gather them back in and for each exam put together a pool of items for which they have predetermined what the success rate for the grades 3, 6, and 9 children will be before they write the exam. For instance, I think that when the third grade exams are put together, the expectation is that 85 percent of the youngsters will be able to answer 85 percent of the questions on that exam successfully. So these are man made; these are people made. People construct the tests, and there's no magic. The power of the test is limited to the test-makers.

One of the other things that we've asked, I think, in the past to look at, now that the exams are being used in the way they are, is: is it appropriate for the government to actually be doing this, or should it be done by an independent committee or an independent agency?

So with those comments, Mr. Speaker, I'm delighted to support the motion and hope that my colleagues in the Legislature will join the Member for Lacombe-Stettler on this motion. Thank you.

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. It is a pleasure, indeed, to rise tonight and speak to Motion 505, which urges the government to conduct a review of provincial achievement tests given to schoolchildren in Alberta. First, I would like to thank the Member for Lacombe-Stettler for her efforts to bring this issue forward. A debate concerning ways and means of measuring the learning progress of Alberta's youth as they move through the school system is something that I am pleased to contribute to.

I would like to talk briefly about how achievement tests are used in the Alberta education system today. In grades 3, 6, and 9 Alberta students write standard exams that cover essential learning topics. In grade 12 our high school seniors are issued standard diploma exams that they must take in order to graduate. To use grade 6 as an example, Mr. Speaker, children take tests that measure their knowledge in language arts, mathematics, social studies, and science. These exam scores are then used to evaluate students, teachers, schools, and the success of the provincial education system as a whole.

With the information that is gathered from the exams, we are then able to compare the achievements of our students class to class and district to district as well as across Canada and indeed around the world. I think that it is incredibly valuable that we have a way to measure the effectiveness of our learning system as a whole and of our schools and teachers individually. Being able to gather informa-

tion about our student body in a quick and cost-effective manner is essential. The results of these tests can then be used to hold the learning system accountable to the students, the parents of the students in the schools, and the taxpayers of this province.

Recently, Mr. Speaker, Alberta students have been submitting scores that rank among the very best in the entire world, and I would like to congratulate them for the excellent work that they have done on these tests. Results of standardized exams are also used as a guide to shed light on where students excel individually by subject and where schools display excellence as well as a need for improvement over the core subjects. The test results can then be used as a guide to tell the minister and associated groups and individuals that help to draft the curriculum where it needs enhancement as well as where it is meeting the desired standards. However, are these tests comprehensive enough to gather essential information on the complete learning needs of Alberta's children? That's the question. Is there information about students that is not gathered and skills that are not assessed by these standard exams?

Mr. Speaker, I believe that there is important information about student learning and success available from different types of exams and the use of student portfolios. The main purpose of standardized testing is to sort through large numbers of students as efficiently as possible. This limited goal unfortunately gives rise to conformity and teaching to the test. These tests are felt to neglect or ignore several essential skills such as writing, speaking, acting, drawing, and constructing or repairing. All of these skills are taught in our schools and are valuable in life, yet they are not measured in provincial achievement tests.

Far-reaching educational policies are often based on results of standardized testing programs. Concerned individuals from the education system and beyond have questioned this situation. Questions arise because there are educational experts who are unsure that standardized tests look closely enough at the students' abilities and knowledge to make informed decisions about curriculum changes. The testing programs and their scores have been blamed for disrupting normal classroom learning and assessment because often the tests are viewed as being one-dimensional, biased, and not useful for the classroom teachers.

The phrase "test-driven curriculum" captures the essence of the major controversy surrounding standardized testing. When test scores are used on a comparative basis not only to compare the educational fate of individual students but to also assess the relative quality of teachers, schools, and school districts, it is no wonder that teaching to the test is becoming a common practice in our schools. This would not necessarily be a problem if standardized tests provided a comprehensive, in-depth assessment of the knowledge and skills that indicate a mastery of a given subject matter, but to achieve that, we will need to seek out complementary tools to use with standardized testing. On their own, standard tests may be too rigid to serve the learning needs of Alberta students.

With that said, Mr. Speaker, I believe that a review of standardized testing in Alberta is a great idea. It is reasonable to assume that the demand for test results that can be compared across student populations will remain strong.

THE ACTING SPEAKER: I hesitate to interrupt the hon. Member for Calgary-Currie, but the time limit for consideration of this item of business has concluded.

9:00

head: **Government Motions**

Appointment of Auditor General

23. Mr. Zwodzesky moved on behalf of Mr. Hancock:

Be it resolved that the Legislative Assembly concur in the April

8, 2002, part one report of the Select Special Auditor General and Information and Privacy Commissioner Search Committee and recommend to the Lieutenant Governor in Council that Frederick James Dunn be appointed Auditor General for an eight-year term commencing June 1, 2002.

THE ACTING SPEAKER: The hon. Deputy Government House Leader to close debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm delighted that all members concur in this because this decision was arrived at pursuant to a recommendation of an all-party committee. So in that regard, on behalf of the Minister of Justice and Attorney General to all members of the House I would like to simply say thank you for the support.

[Government Motion 23 carried]

head: **Government Bills and Orders**
Second Reading

Bill 22
Tobacco Tax Amendment Act, 2002

THE ACTING SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. I rise today to move second reading of Bill 22, Tobacco Tax Amendment Act, 2002.

The amendments in this bill will legislate the increase in the tobacco tax rates that were announced in Budget 2002. This action is in response to recommendations from the report A Framework for Reform and is part of a comprehensive tobacco reduction strategy. The bill proposes increases to cigarette taxes of \$2.25 per pack retroactive to March 20, 2002. A larger increase applies to loose tobacco in order to equalize the rate with cigarettes and prevent switching to avoid the tax. Cigar taxes, which are calculated in proportion to their estimated value, will also go up substantially.

These increases are expected to generate added revenues of \$281 million in this fiscal year in spite of the substantial decline in smoking rates expected. All tax revenues, including the increase in tobacco taxes, go into the government's general revenue fund. The government uses the fund to support the programs and services it provides and to meet its priorities in all areas of spending. Health care funding is increasing by about \$500 million this year. Some of that increase will be addressed by increased tobacco tax revenue.

Before the increase Alberta had one of the lowest tobacco tax rates in the country and had not raised them in over 10 years. Tobacco is one of the leading avoidable causes of illness and premature death in Alberta and in Canada. Raising tobacco taxes is part of a strategy to reduce the use of tobacco, especially by young people. A study by the World Bank states that on average increasing the price of tobacco by 10 percent reduced the demand by 4 percent within the adult population and as much as 15 percent among the youth population. Alberta's tobacco tax increase results in a rise in the price of cigarettes of almost 50 percent.

In addition, several amendments are proposed to help prevent tobacco smuggling from getting a foothold in Alberta. With these raises in rates, you can see that certainly smuggling becomes a larger concern. Part of the amendments includes limits on possession of tobacco, provisions that would enable us to pass regulation extending the tobacco marking program to include cigars, and increases in the penalties for offences under the act. The Alberta Gaming and Liquor Commission works closely with Alberta Revenue, the RCMP, Canada Customs and Revenue Agency, Health Canada, and

other external provincial regulators regarding smuggling issues in Alberta. Any increase in attempts to smuggle tobacco as a result of this tobacco tax increase will be addressed by improved enforcement efforts by the AGLC, Alberta Revenue, and our partners.

An amendment is also proposed to parallel a provision in the Alberta Corporate Tax Act whereby we can waive penalties and interest in cases where noncompliance is outside the control of the tax remitter. An example would be when a business burns down. Obviously, the owner would have difficulty in maybe meeting deadlines or remitting taxes on time, and this would allow the flexibility even in the tobacco tax for those kinds of reasons to grant extensions or avoid the penalties.

Alberta's new tax rate is \$32 per carton of 200 cigarettes. B.C. has increased its tax rate to \$30 per carton. Saskatchewan is now at \$32 per carton. Prince Edward Island is at \$22.90, and Nova Scotia is at \$21.04 per carton. Other provinces' budgets have yet to be tabled, Manitoba's possibly as early as next week, many of the provinces taking the same direction of increasing their tobacco tax.

In conclusion, the increase in tobacco tax supports our goal of promoting wellness and encouraging healthy behaviours as part of our efforts to build a sustainable public health care system. Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'm delighted to respond to the minister and address Bill 22, the Tobacco Tax Amendment Act, 2002. I appreciated his comments, and I for one will be supporting this legislation, although that doesn't mean that I don't have some issues I would like to discuss in relation to the bill.

I share one of the prime motives of the government, which is to reduce tobacco consumption generally throughout Alberta, and I think that common sense and the research would suggest that by increasing the costs of tobacco, we will reduce demand. The minister has actually cited research supporting that position, which I've seen reference to in other locations as well. I think that's a commendable objective. As a health issue tobacco use is a huge concern and a leading cause of death through a variety of causes: cancers and heart disease, to name but two. So there's much to be said for Bill 22.

I also understand from the minister and from other sources as well that there is something of a co-ordinated approach among western Canadian provinces on increasing prices in harmony. The minister mentioned Manitoba raising prices. I assume that that will be up to a level similar to Alberta's, and I think that's commendable. If we have a consistent pricing strategy ideally across all of Canada but at least across western Canada, then we can minimize problems with interprovincial smuggling or interprovincial transportation of tobacco products.

There is, of course, the problem of international smuggling of tobacco, especially coming in from the United States, and we perhaps fuel that concern by tax increases on the product. It simply makes for a larger margin of opportunity for smugglers to use for their profit, so we will need to be vigilant on international smuggling of tobacco products. There are some provisions, I guess, in the bill in terms of marking tobacco products and that sort of thing, but I would certainly commend the government and the other authorities or the other ministers involved to maintain a very vigilant attitude towards tobacco smuggling.

9:10

One of the concerns that I imagine some other members of the

Legislature may raise is that tobacco use is not evenly distributed across the socioeconomic strata of our society. I'm told that my colleague from Edmonton-Centre wants to address this issue as well, and I think there's at least one member from the government side who has heard from his constituents on this issue. Tobacco use is heavier among lower-income Albertans and Albertans with less education, so in some sense this is a tax that will be felt more heavily among lower income Albertans than among higher income Albertans, and it will be felt more heavily among lower educated Albertans than higher educated Albertans and probably among less healthy Albertans than among more healthy Albertans.

So you could argue – and I think there would be some credence to the argument – that increasing the tobacco tax is burdening unfairly the poor, the lower educated, and the unhealthy. It's not an argument that I'm fully prepared to accept, but there is something to it. I do think that the long-term benefits of reducing tobacco consumption outweigh those kinds of problems, and certainly if we discourage youth from starting to smoke in the first place, then over the long haul that problem will automatically begin to diminish, but it's one worth considering.

There's also the issue of the cultural meaning of tobacco. In European or mainstream Alberta society or whatever the proper term is, tobacco has a meaning of pleasure and addiction and so on for people who use it, but in our aboriginal culture tobacco has actually quite an important spiritual meaning. Those of us who have been at aboriginal ceremonies where tobacco has been treated with remarkable respect and almost reverence have seen how important as a symbol tobacco is to aboriginal Albertans, a symbol of their culture. So we also tax an important cultural symbol by implementing Bill 22, and that . . . [interjection] Sorry?

MRS. GORDON: They're exempt.

DR. TAFT: Off reserve too? The issue is being raised, for the record, that aboriginals are exempt. Is that true off reserve as well? No? Okay.

In any case, it is an issue that I wanted to bring to the attention of the Assembly, that the cultural meaning of tobacco is different for different cultural groups. We don't want to lose sight of that as we put taxes on it. Whether those taxes apply on reserve or off reserve is a different issue but a related one.

Further, as I've gone through Bill 22, I couldn't help wondering – I don't have the answer to this, but it may be worth raising in committee – about the free trade implications. Under section 2(b) we actually differentiate between cigars manufactured in Canada and those manufactured outside of Canada. I'm not sure, but it made me wonder if we are in some way contravening free trade agreements on that particular issue. So it would be worth raising in committee, and perhaps by that point the minister will have a response and an explanation for that. We would hate to incur some kind of a grievance under NAFTA that would cost the provincial government a substantial amount of money to compensate lost business for American or other tobacco companies. It's unusual these days to see legislation that has such a clear distinction between products manufactured in Canada and those manufactured abroad, and I hope the minister will look into that.

Finally, one other, frankly, disappointment I'd like to express is the fact that the revenue that will accumulate as a result of Bill 22 will not go into a wellness fund. I know that the minister of health at times has raised this as an idea worth exploring, and I have concurred with him on that. In fact, a very large number of health promotion groups have championed the cause of having the revenues generated by the tobacco tax go into a wellness fund, and the total

revenues are expected to be, I think, in the range of \$300 million or something like that. I could be corrected. It's a significant amount of money but in the overall scheme of things not a huge amount of money, but I would say that it is enough money to have in the long term an almost revolutionary effect on the health of Albertans if it were specifically targeted to wellness initiatives. I think that's the kind of creative use of tax funds that in the long run will make this a much healthier province and might very well save us far more than it costs.

So that's, I would say, my greatest disappointment with this bill, the fact that it doesn't establish any kind of wellness fund. As far as I can read, all the revenue from this tobacco tax will simply flow into general revenue. It might be spent on potholes. It might be spent on debt reduction. It might be spent on health care. Who knows? I would say once again that I believe that for that sort of revenue, for that amount of money we could have in the long term a nearly revolutionary effect on the health of Albertans.

Finally, I'll close by just noting that there are some other members of the opposition caucus who want to address the bill and who are not able to be here at this moment, so I hope they will have that opportunity under second reading to speak to the bill, and I'm sure the Government House Leader will consider that.

Thank you very much, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. I have a few points, and they may not exactly deal with the intent of the bill, but they certainly are questions that I think could be addressed in a likewise bill. I think the most important issue we are addressing when we've increased the tobacco tax is that we justify it under tobacco reduction. Ideally we don't want people to smoke, so if we tax it high enough, maybe they'll quit and save us money. So to the minister I would say this: why haven't we addressed the tobacco use in our native population just as critically as we do with the rest?

We have set up our alcohol system under a system where the fee is a markup. It's not a tax, and everyone, then, pays the same amount regardless of anything. I would just simply put it like this: if health care is our biggest concern and through tobacco reduction we're going to achieve that, why don't we feel that healthy young native children are every bit as important as any other child, and why don't we feel that healthy First Nations people are just as important as any other people? I think we do ourselves a big disservice when we start to treat people in our society differently, and if we can address this issue, instead of a tax – apparently due to legal or whatever things some people may be exempt from paying tax, but to my understanding, Mr. Speaker, no one is exempt from paying the markup on alcohol.

So if health and tobacco reduction are the two critical points of our government and of this bill, I'd just ask you to consider revamping how we address a markup on tobacco to a markup instead of a tax, because quite honestly in my area now the sale of tobacco in the small communities around the First Nations reserves is probably the biggest single street business there is. It only took two weeks, Mr. Speaker, to start this. There is simply no way you can enforce it or stop it when it's there. So I would ask you and I would ask all the Members of this Legislative Assembly to consider whether we have the willpower and the common sense to back off on the tax and call it a markup, and let's treat everyone equally and fairly and do what's right for everybody.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker.

THE ACTING SPEAKER: Just a minute. We have five minutes for questions and comments. Are you rising on a question or comment?

MS BLAKEMAN: No. Sorry.

THE ACTING SPEAKER: Any questions or comments?

The hon. Member for Edmonton-Centre is recognized.

9:20

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'll try this again. We've got 15 minutes. Oh, man. I'm pleased to be able to speak in second reading to Bill 22, the Tobacco Tax Amendment Act, 2002. There have been a couple of speakers precede me from both sides of the Assembly, both of them raising good points.

I had just a couple of notes on this bill. Obviously, this is the formal response to what was in the formal mechanism to what was outlined in the 2002 budget. I'm interested that the percentage increase on different kinds of tobacco products is different, and I've listened, but I've never heard anyone explain in particular why there's such a difference. For example, it went up 128 percent on individual cigarettes, 183 percent on cigars, and 300 percent on loose tobacco, and I haven't heard a description yet of why there's a discrepancy in that. I can see the minister making notes, so I expect he'll be able to answer that question.

According to what I've heard, the object of this is to discourage Albertans from smoking, particularly to discourage young Albertans from starting smoking. I can certainly speak to what a worthwhile endeavour that is. I smoked for more than 30 years, and I started when I was 12, so it's no surprise to anyone that has looked into this that getting young people to smoke is a great market for tobacco companies. It's easy to get younger people smoking, and I can speak from experience that it's really hard after 30 years to quit. I guess I'll always be a reformed smoker. I quit during the fall session, so it has been five or six months now, but, man, when you get hooked that young, it's a part of your entire lifestyle. Everything I've done in my adult life is around smoking. Every activity involved smoking.

So to listen to the somewhat glib instructions on how to quit smoking – they say: well, do some different activity. What different activity? Every single thing I've done in my adult life is about smoking. Go for a walk. Yeah, and smoke. Go visit friends. Yeah, and have a cigarette, of course. Go to work. Yeah, and smoke. Uh-huh. It's really hard to stop this. I'm certainly supportive of anything that we could do that would stop young people from starting, because, boy, it becomes a lifelong battle to quit, and frankly I didn't want to quit. I still don't want to quit. I still miss it every day, but I quit.

So, anyway, moving on, part of what I was looking for and what I believe I heard in discussion around having this tobacco tax brought in was a wellness fund. It was in the Mazankowski report. Create a wellness fund, and that was hooked in the Mazankowski report to this tax, but I don't see the tax being hooked to a wellness fund. When I look at Bill 22, the Tobacco Tax Amendment Act, 2002, it's not hooked to a wellness fund, so I'm wondering what went astray. What went awry here? What we have now is simply a mechanism for increasing the revenue to the government, but we don't have any of the other corollary aspects that we were expecting to come along with it.

I'm not seeing a wellness fund. I'm not seeing anything in here that comes with smoking cessation encouragements. I think that is a huge mistake. It's hard to quit smoking. There are different

methods on the market right now to assist people with that, but they're expensive, frankly. If you're in a position where you're going to be both smoking and trying to pay for these smoking cessation things, it's a considerable chunk of money, and that's enough to deter someone from even trying. So I'm wondering what happened to cause the disconnect between the increase in taxes and the smoking cessation and also the promotion of a healthier lifestyle. Those things didn't come along with this, and I want to know why.

The other thing I've referred to here is a wellness fund. As part of that, I'm wondering why the government didn't consider incentive programs for people to have a healthy lifestyle or to continue having a healthy lifestyle. We've certainly seen the government use the stick, but where's the carrot? I have constituents that say, "Hey, you know, how come I can't get a tax credit for my health club membership or my fees for a trainer or a nutritionist?" I say: "I don't know. I'll ask the question," so I'm asking it. You know, if we're trying to encourage that, why are we only willing to use a stick, but we're never willing to use a carrot? There are people that are interested in that, and they're feeling a little hard done by. They've done all the right things – you know, they've got the healthy lifestyle; they're eating properly; they have an exercise program; they regularly go to the gym or whatever – and they don't get anything for it. I mean, yes, they're healthier, but they look around and in other areas there are incentives or tremendous punishments, and they feel they're doing something right, so why aren't they gaining anything from the government for it?

I, too, am wondering about this increased smuggling. I can remember – when was this now? – five or six years ago when taxes on tobacco products went up federally maybe, and in fact the smuggling increased so much in Ontario and B.C., I think it was . . .

DR. TAFT: Quebec.

MS BLAKEMAN: Sorry. I'm corrected. Quebec.

Those provinces, in fact, reduced their provincial taxes on tobacco products to bring the price down so that smuggling was not so attractive. In fact, I'm hearing already from members who are in the know saying that this is already a problem on the street for us. The government must have anticipated this. Why was nothing set in place to actively deal with it?

I want to support this, but I was really looking for the full meal deal here. I was looking for the tax which was going to bring in some revenue, but that revenue was going to be used for a wellness fund, and it was going to be used for smoking cessation programs to help people. I'm not seeing those two parts out of three. All I'm seeing is the government making more money. So if that's all this is about, the government making more money, then I have a beef with this bill, because it is going to disproportionately affect people in a lower income range. It's not fair; it's not right; we all know we know better; it shouldn't be happening: all of those phrases. Nonetheless, we know statistically that people with lower incomes smoke more and consume more tobacco products, and you can argue that this is not a good use of their money. Well, fine, but that's where they're spending it. To simply use this as a vehicle to get more revenue for the government without the additional programs going along with it is a tax grab by the government. It's a regressive tax, and it's picking frankly on people with lower incomes. It wouldn't surprise me that this government would make the choice to do that, but I really thought that they were supposed to be going into it with a larger program in mind.

If the purpose of this is simply to make additional money for the government, then I disagree. It's a regressive tax. It's taking money away from people who can least afford it in many instances, and the

government is giving no assistance for people to be able to not have to pay that tax. I mean, let's face it. If you're addicted to smoking, you're addicted. This isn't just a matter of going, "Gosh, the tax has increased, and I'll just not do this. I'll just not have this next cigarette." They're addicted. There's a physical compulsion that has to be addressed here, and for any of you that have never been addicted to cigarettes, well, good on you, but, boy, I can speak from experience. It's darn hard to deal with.

9:30

So I guess that's how I'm approaching this bill: if it's part of a larger program, then where's the rest of the program? And give me some information, please, about when you expect it to be launched and how much money is being dedicated toward it or how much is expected to be raised from this particular tax that will be dedicated towards those two parts of the program. What are the various components of it? Where's it going to be launched? What kind of advertising campaign is going to be involved so that people are aware that it's going on? If you're not interested in attaching those two components to it and this is simply to raise additional revenue, then I'm not supportive of what you're trying to do here. I think if the government needs to raise money, which it obviously feels it does, there are other places that are more fair to Albertans for this government to be looking for that additional revenue.

So thank you for the opportunity to be able to speak to this.

THE ACTING SPEAKER: Questions or comments?

Okay. The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I'm pleased to rise to speak to Bill 22, the Tobacco Tax Amendment Act, 2002. I have throughout my adult life and my political career been someone who strongly supported action by government and by society generally to reduce the use of tobacco and to reduce smoking, and that goes back for me a very long way. I've worked alongside groups such as ASH to bring in bylaw amendments at the municipal level, and I certainly appreciate efforts that can be made by a government to reduce the use of tobacco.

However, Mr. Speaker, I have a concern similar to the Member for Edmonton-Centre. The use of tobacco is disproportionate in society among low-income groups. For example, a background report for the Mazankowski report indicates that 39 percent of people who did not complete high school smoke compared to 14 percent of people who have a university education. People in the lowest income households were nearly twice as likely to be current smokers, at 30 percent, as were those in the highest, which is about 16 percent. This is consistent with most research on the issue of smoking. Working people, poor people, and aboriginal people are far more likely to be smokers than people with higher income backgrounds.

So I think we need to put the legislation in context, Mr. Speaker. There are many steps that can be taken by this government to reduce smoking if in fact that is their single objective. However, one has to become somewhat suspicious if the government seems to be pursuing the issue of tobacco use in Alberta society from a strictly revenue point of view. There are many ways to tackle the issue, but one thing is clear: if the government's main instrument of policy is taxation, then it will harm or hurt or affect financially those members of society who are most addicted to tobacco and who have the least financial means. That is, I guess, the biggest problem that I have with Bill 22.

At the same time as the government is continuing, albeit at a reduced rate of speed, with tax cuts for large corporations in this province, the only people that are getting tax breaks, they are in fact

increasing taxes in a variety of ways on the rest of us. This is a tax which will particularly hit low-income Albertans. There is a real problem in that philosophically for me at least, Mr. Speaker. Perhaps it's not for members of the government side, but certainly I think that there is something wrong with the picture of increasing taxes – in this case a tax that affects low-income Albertans in a significant way – at the same time as continuing along their well-trodden path of cutting taxes for those people who are most able to afford to pay taxes. I think that there's a serious inequity involved in that.

You might draw a parallel, Mr. Speaker, to the whole question of gambling revenues in the province. The growth of those revenues as a percentage of government revenues is very dramatic, and now it exceeds well over a billion dollars of revenue in a year. Yet if you look at it, if you analyze it, you'll find that most of that money comes from a relatively small proportion of people who gamble. Large numbers of Albertans gamble occasionally or infrequently, but a significant but small percentage are people who gamble regularly, and they provide the lion's share of revenue to the government. So the question really is: where does the government want to get its revenue from, and is that a moral choice, is that an ethical choice, is that an equitable approach to producing government revenue? People who are dependent on tobacco or gambling are certainly bearing an enormous financial burden.

Well, what are some of the things that the government can do? I'd like to refer members to a report of the Alberta Interdepartmental Committee on Tobacco Reduction of AADAC, and this is dated June 2001. It sets out quite a number of very interesting things that can be done by government to deal with this. What it talks about primarily is that there needs to be a very comprehensive and multifaceted approach to dealing with tobacco use. It indicates that best practices internationally include community programs.

- Develop partnerships with local organizations
- Maintain continuing education programs for young people, parents, enforcement officials, community and business leaders, health care providers, school personnel, and others
- Restrict access to tobacco products
- Tobacco free policies

And any number of things.

What it says most importantly, I think, is that a tobacco reduction strategy must be comprehensive: "A comprehensive approach including focused programming, taxation and legislation is required to lower the tobacco usage rate in Alberta." It must be complementary; that is to say, "Federal, provincial and municipal laws and initiatives need to complement each other." It must be collaborative: "Provincial, municipal and community agencies need to work together to address tobacco reduction to ensure mutual knowledge and support." It must be sustainable: "In order to be effective, programs must be sustained over a long period of time." It should have performance targets.

There are many, many valuable points in this particular document, Mr. Speaker, and I would recommend that members review it. It's available on the government's web site.

In conclusion, Mr. Speaker, I think that tobacco reduction is an important element. Surely the costs of tobacco use to society in terms of health care and other costs are well documented, and it's a very sound investment by government. But what I would like to see is exactly the type of comprehensive program that's outlined in this brief, which was published back in June of 2001. I would like to see the government acting in a broad and comprehensive way, and certainly protecting people from exposure to secondhand smoke and increasing the locations in our community that are entirely smoke free is a good thing.

9:40

One of the things that I wonder, Mr. Speaker, is why we play this game with tobacco companies. I know that this is outside the jurisdiction directly of this provincial government, but it always amazes me how the federal government spends millions and millions of dollars on antitobacco advertising, and they don't really do anything to criminalize the production, distribution, and promotion of tobacco products by the big tobacco companies. It seems to me that if you're really serious about getting rid of tobacco, that's a direction you ought to go. You need to be focusing on the executives and the shareholders of the tobacco companies and making some of the activities that they are involved in in the promotion of smoking, particularly among young people, criminal activities. That would be an approach that I would certainly support. But you allow these companies to operate almost freely and then spend all kinds of money trying to counteract what they're doing. It just doesn't seem to make sense.

To come back to the bill, Mr. Speaker, I am after careful consideration not going to support this bill. I know that the Premier was standing in question period and saying: if anybody has any objections to the bill, why don't they stand up and say so? But he wouldn't sit down long enough to allow that. I do think on balance that this bill is more of a tax grab in an area where the government feels there is popular support for a tax grab than a serious attempt to deal with smoking in our society. I know that the Premier has said that there would not be any taxes and that taxes were going nowhere but down in Alberta, but this is in fact a tax increase. I believe that it's dressed up as an antismoking measure, but in fact what this is is an area where the government feels there is public support for a tax increase, and that's why it has been selected. This is a revenue item, presented quite properly by the Revenue minister, as opposed to an antismoking measure.

As I said when I opened my comments, Mr. Speaker, I believe that given the demographic nature of smoking in our society, a tax approach to smoking is probably one of the least fair approaches to reduction of smoking and will I think increase the tax burden on those people who are least able to afford it. As a result, I cannot support the bill and will oppose it at second reading.

THE ACTING SPEAKER: Any questions or comments?

The hon. Member for Edmonton-Mill Woods is now recognized.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make a few comments about Bill 22, the Tobacco Tax Amendment Act, 2002, and I am going to support the bill. I think any kind of action that we can take to reduce smoking is worthy of support, and I think the reasons have been well stated by others: the health reasons; the costs to society, health costs being but one of the costs that we bear; the kind of lifestyles that are encouraged by smoking; and in particular the dangers of secondhand smoking to, in many cases, family members who are in no position to control their environment. So I think anything that we can do to discourage Albertans from smoking, starting or continuing to smoke, deserves our endorsement.

When I first saw the item, in fact I started to look through the budget for other program areas that would be used to complement this, because when I first heard of it, I thought it was part of an antismoking initiative that was going to be undertaken by the government either through the Department of Learning or through the Department of Health and Wellness or through one of the agencies, through AADAC. Unless I've missed it – and I'm sure the minister would have mentioned it in his remarks – I'm really disappointed to find that it is a stand-alone item, that it's an isolated

action. I think the government has missed the opportunity to use this tax to launch an all-out assault on smoking in an all-out effort to reduce or eliminate completely smoking in the province. I think it's an opportunity lost. It was a move that received a great deal of publicity and would have been, I think, an ideal time to launch a provincewide program.

I think we have to live with the difficulties: robberies, increased crime, smuggling. If you stop by a 7-Eleven to pick up milk, you see the signs and the locked cases with the cigarettes in them, and I'm sure that that's going to be an even greater concern now that the cigarettes are more valuable. Those are the kinds of things that I think are the price we pay in an effort to try to reduce smoking.

I also think it's unfortunate that the kinds of factors that are involved in smoking have not been taken into account, and some of those have been mentioned already: gender, young females. The last information I'd heard was that young females are the highest percentage of new smokers. Trying to understand why that is true, I think, would be as important, Mr. Speaker. If you're a low-income earner, then you're more likely to smoke, and there is some correlation between the amount of education you have and whether or not you smoke. I think there's been a great deal of research done, but understanding the problem is key to resolving it. Again, I'm surprised and disappointed that some of these funds will not be specifically earmarked to agencies that could undertake that and further that research and help the understanding that we now have of the problem.

I do have a question for the minister and would ask him why it is that this building is not a nonsmoking building. It seems to me that if any facility should be nonsmoking, it should be this one, the capital building, the symbol of government in this province, and I'm amazed that you walk into offices and into hallways in the building and can be overcome by secondhand smoke and that smoking is still allowed. Even in the cafeteria there's a designated smoking area. I wonder just how much money the provincial government has spent in trying to accommodate and modify facilities to accommodate smokers and whether that isn't working at cross-purposes when you take and put in a huge tax program like this to try to get smokers to quit, yet you still allow them or encourage them to continue by making sure that the government buildings have facilities where that activity can continue. So I'd be interested to know from the minister just exactly where discussions on making the Legislative Assembly smoke free are.

I think that with those comments I'll conclude, as I said, supporting the bill, Mr. Speaker. Thank you.

9:50

THE ACTING SPEAKER: Any questions or comments?

The hon. Minister of Revenue to close debate.

MR. MELCHIN: Thank you, Mr. Speaker. I appreciate the comments tonight, and in committee I'll endeavour to bring back responses to the questions that you've had. Thank you.

[Motion carried; Bill 22 read a second time]

Bill 16

Racing Corporation Amendment Act, 2002

[Debate adjourned March 18: Mr. Stevens]

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm pleased to be able to raise some issues and debate a bit around the principle of

what's being proposed here in Bill 16, the Racing Corporation Amendment Act, 2002. I think this is a timely bill, actually, because there are a number of issues that are coming up around questions that are being raised around the horse racing industry in Alberta. Certainly the Alberta Racing Corporation, which is the predecessor of what's being proposed in this bill, was in fact given a great deal of attention by the Auditor General in the 1999-2000 report and again in the 2000-2001 report, raising some concerns about management and accountability and also the split of the moneys collected and where those moneys were going.

There have also been concerns raised around the reduction in the number of racing days. I'm sorry that I don't have my notes with me as to the exact dates, but I think it was last spring when a number of people were writing in expressing concern around the future of the horse racing industry. In particular, I'm remembering the letters from people that made their living in this sector – I actually did table those letters – pointing out the number of racing days that were being offered to them through negotiations with both Northlands in Edmonton and Stampede Park in Calgary. The number of racing days that were being offered in negotiations with the sector were decreasing. Additionally, my research has turned up that there's been less betting, smaller purses, less participation, which in itself becomes a vicious circle for this industry because that leads to less betting, smaller purses, and less participation. It seems to be spiraling in a downward direction, so I think there needs to be a larger debate about the future of horse racing in Alberta, period. I welcome the opportunity through this bill for that discussion to be taking place.

One of the issues that was raised with me was the concern that under this bill the members who had been serving or were currently serving on the Alberta Racing Corporation and could be moved over and appointed to this new incorporation of Horse Racing Alberta could, in fact, have a very long tenure in sitting on these boards, because the time that they had sat on the boards for the Alberta Racing Corporation was not going to be considered under Horse Racing Alberta. In fact, I think that in all, they could sit for almost 12 years: six years with Alberta Racing Corporation and then an additional six years under Horse Racing Alberta. Some people were questioning that.

Additionally, there was some question about how the new board was being configured, and one of the additions to it was that there would be representatives from the track represented on the board. There's supposed to be less emphasis on the owners and the breeders. In fact, I think when you really look at it, given the public members who are appointed to the board, it's still quite possible to come up with a weighting to the side of the breeders and the owners.

I'm aware that there are very warm feelings from the government toward horse racing in Alberta. I mean, the Premier has often made it clear that he used to own horses, and I'm aware that just recently the Premier was involved in a charity fun race with one of the members opposite. Certainly the previous Premier is well known as a horseman and involved in horse racing in Alberta. So I understand that there's a great deal of warmth and goodwill towards ensuring that horse racing continues to thrive in Alberta. I just wonder if that's possible, and I wonder how much assistance this sector is going to need now and in the future from the government in order to remain a thriving sector. On the one hand, I'm sympathetic and supportive of that because this is a labour-intensive industry, so a number of people are making their living from it. Again, those are people that are not making a lot of money, and their money is staying here in Alberta and circulating about and contributing to our economy here. For those people that are trainers and groomers and walkers and people working at the tracks, it's important for them.

They don't want to see their sector die any more than anyone working in another area could envision their jobs disappearing, but in fact that's happened.

What we're seeing is that people want the big races. So they may go to Edmonton Northlands or Stampede Park in Calgary, but what they want to see is the simulcast from the big races in the States or in Europe. Right now only 20 percent of the betting at Northlands is on local races. Eighty percent of the betting action that takes place is on the simulcast races. So what's that telling us? I think we could be in a position where Alberta cities – in other words, Edmonton and Calgary – could become like a small market in the same sense that we're struggling right now with our professional hockey teams, that were a small market. There are only so many people we can pull from and so much activity that we can generate here. When I look at the emphasis and the percentage of participation that really is on the simulcasts, I think that trend is going to continue, and eventually we may just be sort of betting shops where the races are all taking place somewhere else and we're just watching them take place and betting on them.

DR. TAFT: There's only one global racetrack.

MS BLAKEMAN: No. I think there'll be more than that.

The people I've talked to are saying that it's quite likely that within 10 years everything will be simulcasts of the big races, and perhaps at best Edmonton and Calgary, I suppose, could look at having something like a B circuit, like triple A baseball, like the Trappers are. You know, is that a bad thing? Maybe not. There are still employment possibilities there for people. Perhaps that's more within the economic range that these markets can support. Part of my concern here is that this bill is looking to enable a sector that in fact needs to change and is moving in a direction of change by itself, and this bill is stopping that and propping it up in a different way. I'm not an expert in horse racing. I'm more than happy to listen to other people bringing forward comment on this, Mr. Speaker, because I am interested in the debate and I think we need to have it.

10:00

Further on this idea that live horse racing is dying and why we are making an effort to prop it up or to prolong it, I found that the total pari-mutuel has declined by 48 percent since 1991. As I said before, the number of live race days has dropped from 381 – and that was in 1991, so 10 years ago – to 221 in 2001. That's 42 percent fewer race days. So those two things are more or less following each other: 48 percent less in pari-mutuel and 42 percent less in racing days. That's almost half in 10 years. Thus I'm thinking that in another 10 years we could expect pretty much to see the end of it.

I question here whether the government is picking winners and losers. That may be amusing, considering that we're debating gaming, betting here, but I mean it seriously. Is the government perhaps because of its long ties to the horse racing industry choosing to take steps here to support an industry that in fact is slowly changing itself into something else? Is the government picking winners and losers on this?

How is this being accomplished? Well, ironically it's being done through electronic gaming. Most of these racetracks have what are called racing entertainment centres, RECs, in them now. Those racing entertainment centres have VLTs, slot machines, and in some cases electronic racing terminals, which are sort of like little games of horse races. It's like a simulcast. You actually see a race that goes on, and little horses run around and you bet on them. How the money that's collected from this electronic racing is being split is part of it is going towards the purses for the horse racing. That's

part of what's being contemplated here in this act, and it's very specifically what the Auditor General was talking about in his two previous reports: how that money was getting divided up.

In fact, it is a very special deal for racing. Compared to any other gaming arrangement that we have for any other sector in Alberta, this is a very special deal because the government gets 33 and a third percent of what's coming off of these electronic games. The remaining 66 and two-thirds is split between the racetracks and the horse owners. By horse owners I mean the purses. They're the ones that are going to win this money, so they're the beneficiaries of it. Essentially it's between the racetracks and the purses, if you want to put it that way.

In the other endeavors that we can look at that are in the gaming sector, the operator is getting 15 percent, the charity is getting 15 percent, and the government is getting 70 percent, which it then puts into the lottery fund. Some of those funds, only 6 percent now, are going back out to charities and nonprofits. About a third of it goes to debt repayment, and the remaining third goes for a variety of priorities the government has identified, like health and education and other core government services.

There's a very special deal that's being offered here to racetracks to prolong perhaps or encourage continued activity in a sector that seems to be in fact declining. I find this an irony because when we look at the betting progression, we have an odd sort of connection here. We have a decline in racing that is partly attributable to an increase in people putting their gaming money into slot machines and VLTs and electronic racing terminals. So what are we going to do to try and save horse racing? We're going to take the money from the slots and the VLTs and electronic racing terminals and put that towards the purses. They become parasitic. They become reliant on one another, and I don't think it's going to be the live horse racing that's going to win out of this. You know, in order to keep the whole thing going, there's an increased reliance and encouragement for people to gamble using the electronic terminal, not the live horse racing.

In order to keep up the purse amounts and keep up this level of activity, we're going to need the revenues from the slots to increase tenfold over the next four years to keep up. The minister and the legislation anticipate there being additional gaming machines put into the racing entertainment centres at these track facilities. How many new slot machines are being anticipated, and what's the cost to the taxpayers? Is there a corresponding amount of money that's being set aside to treat gaming addiction out of this, or is that simply left to come out of the lottery fund because it's not in any kind of percentage to the increase in the amount of gaming overall? The other thing around all of this is: where does Internet gaming come in? It's not contemplated in here, but when we're talking about the electronic machines supporting the live horse racing, somehow Internet gaming has got to be dealt with here, because it's coming. How does that fit into this whole scheme that's being anticipated here?

There's an argument about providing entertainment for the public. What's interesting here is that in most cases the entertainment is paid for by the provider. For example, skiing is considered an entertainment. Well, the resort that develops it pays for the development of it, and they're going to get their money back through their charges to people that use it. Hollywood movies: you know, it costs a lot of money to develop those, and they're going to get their money back through their ticket prices. Golfing and golf courses: again, a lot of money to develop, but they get their money back through their green fees and various promotional items. Even things like monster truck rallies: I mean, it costs the promoters money to put this together, but they're going to get paid back from the proceeds of it. When we

anticipate there being additional gaming machines put in here, it's the taxpayers that are going to pay for those additional gaming machines. So we have the taxpayers of Alberta supporting a particular entertainment, but that money isn't necessarily going to come back to them. I'm interested in the argument about gaming being entertainment, because I don't see these being equivalent or parallel.

Another question. It doesn't appear that the Alberta Racing Corporation was very successful in advancing racing. In fact, that was part of its mandate when it was established, but it wasn't particularly successful, and we've had a decline in the number of racing days. We've had a decline in the purses. We've had a decline in the amount of betting. So what is anticipated in the changes that are going to establish Horse Racing Alberta that will be different? I'm not seeing any substantial difference in the operation of the agency. Essentially it's the same people. We know that they can all be reappointed for up to six years, I think. We've had a couple of small changes like the race tracks being represented, and Horse Racing Alberta will have two seats for the tracks, but at the same time we're increasing the number of seats for the breeders and the owners. So we've just kept the same ratio happening again. The public members that are appointed to this board have in the past certainly tended to be members of the owners, so you still have an imbalance there. If that's what was trying to be corrected here, I don't think it's going to be achieved given what's put forward in the act, because in the end the tracks are still at a disadvantage.

10:10

I just have about a minute left, and I haven't started to discuss the concerns that were put forward by the Auditor General specific to Alberta Racing Corporation and whether, in fact, those concerns have been addressed in the dissolution of the Alberta Racing Corporation and in creating Horse Racing Alberta. I may be able to do some of that in Committee of the Whole, where I can go clause by clause once I've examined the concerns that the Auditor General brought forward in 1999-2000. He did answer in 2000-2001, and he did say:

With respect to the Ministry of Gaming's oversight role and accountability for the performance of the [Alberta Racing Corporation] under the Racing Corporation Act, we recognize that coordination of respective roles and responsibilities will take time. We will also follow-up this issue in 2001-2002.

We have had a number of steps taken partly in response, I think, to the Auditor General's concerns, but obviously the Auditor General is still anticipating an oversight role that needs to be continued. He obviously was not satisfied completely in the steps that were taken by Alberta Racing Corporation or by the ministry.

Thanks very much.

THE ACTING SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I just want to make a few brief comments regarding Bill 16 in support of the Racing Corporation Amendment Act, 2002, and to let people know that this just isn't gaming – and the member across had made some good points – but it's also farming for a lot of families in Alberta.

I've read different reports on it, and I've witnessed, you know, how many people are affected by horse racing in this province. I can tell you of one specific case where I know of a second generation family here in Alberta. Right now their farm south of Calgary has close to 150 horses, and these horses end up all over North America. There's a breeding industry, and there's a training industry, and there's a big industry behind horse racing. It's not just gambling.

There are many, many people throughout this province that invest their hard-earned earnings into this business and return good profits back to Albertans. You know, there's a feed industry; there's a vet industry; there are people that haul horses back and forth from tracks, whether it be B tracks in Lethbridge or Grande Prairie or the Stamped track in Calgary or Northlands.

Speaking about Northlands, Northlands track is one of the highest rated tracks in North America. They have outstanding staff that maintain that track in a world-class state. So, again, we've got people that are maintaining tracks and maintaining barns, and we have grooms, and we have all kinds of people that make their living off horse racing. Really I think that we should recognize that it's not just gambling. It's farming, and it's an industry. I'd encourage everyone here to think hard about that and support Bill 16.

THE ACTING SPEAKER: Any questions or comments?

MR. MASON: To the hon. Member for Whitecourt-St. Anne: recognizing that what you said is true, that horse racing is an industry, is it consistent with the Conservative government's philosophy to provide subsidies by the taxpayers for any industries, and if it's not generally in keeping, why this one?

MR. VANDERBURG: Well, I can only say that in the case of the people that I know in this industry, they pay big taxes and they contribute lots to the economy of this province.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you for the opportunity to say a few words about Bill 16, the Racing Corporation Amendment Act, 2002. At second reading, Mr. Speaker, we are asked to address our remarks to the principles that stand behind the bill, and there are a couple of principles that I think are important principles to consider when we're looking at Bill 16.

I think one of the principles that becomes clear if you look at the bill and the background material is that there is a need for an integrated governance structure for the industry, and that need is based on a number of factors. One, there's a need to stabilize the industry. There have been some great reductions in revenues in the last number of years and instability, so there is a need to bring some stability about, and some changes in the governance could help that happen. There is need to enhance the horse racing and the breeding industries in the province, and we heard from the previous speaker in terms of the kind of ripple effect on the other industries that are related to the horse racing and breeding industries and that this does have a large economic impact on Albertans. We also heard from the Auditor General of the need for increased accountability to the government by the industry, so the principle that there is a need for an integrated governance structure I think is supported and defensible.

The model that the government has brought forward – and I don't pretend to be an expert on it, but I think it's modeled closely after the Ontario Horse Racing Industry Association, and I think it was chosen as the pattern because of the success or the resurgence of the industry in that province. So, again, the governance model is borrowed from elsewhere where it has proven to be of some success.

I think another principle that the bill rests on is the principle that horse racing will be part of the overall gaming program in the province. This bill makes it clear that it's part of the government's overall gaming program, and I think it clarifies and makes clear the role that horse racing will play in that strategy, although I suspect

there are parts of it that still have to be worked out and negotiated. Again, the principle is that horse racing will be part of the overall gaming strategy.

I think the principle that the governance structure has to be inclusive of those who have horse racing and breeding interests is also an important principle. This act includes harness and thoroughbred horsemen, breeders, and the two large city racetracks, and it makes it possible for all the finances and marketing to be channeled through Horse Racing Alberta. It also gives the one organization the responsibility for governing racing rules, so it brings together a lot of the interests in horse racing and provides a governance structure for them that will again, I think, lead to some stability and to some certainty. I think it will also make possible the resolution of some of the disputes or conflicts that seemed to be characteristic of the industry in the past.

I think that with those comments about the principles, Mr. Speaker, I'll wait until we go into committee to make comments about some of the specific items in the bill. Thank you very much.

10:20

THE ACTING SPEAKER: Any questions or comments for the hon. member?

The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I'm pleased to rise to speak to Bill 16, the Racing Corporation Amendment Act, 2002. I read the bill with some interest, and what it does, of course, is it provides a unified voice for the horse racing industry, expands the board of the governing body from seven to 12 members, and attempts to provide an integrated voice for the industry. Now, that's all well and good. It's very hard to argue with that. It looks like it's just a progressive change and essentially an organizational type of bill, but I think we need to look a little bit deeper into what is behind this bill. Dr. David Reid, who sat on last year's horse racing review committee, has indicated that the government has told the industry that it will only receive support – and by that I take it to mean financial support – if there is a unified voice for the industry.

In the past internal bickering between elements of the industry meant that the government could not provide financial support to one section of the industry without creating a furor and demands by other sections for equal treatment. Dr. Reid was quoted in *Horse Racing Gets Wholesale Makeover: Report calls for new governing body, hike in slot revenues*, which was an article in the *Edmonton Journal* on December 15, 2001, as saying:

The government insisted that they would only help if we came as a united voice . . .

They couldn't have supported us before, even if they had wanted to, because the industry was too fragmented. Any help would have just caused more bickering."

So what it seems to me from those comments and others that I've heard, Mr. Speaker, is that the government is insisting that there be some unification in the horse racing industry as a precondition for continued support, including financial support, for the industry. What I see this bill as being is government legislation of that unified voice in order to open the door to continued financial support of this industry, and it's curious that the industry, this particular industry out of all of the other industries, has been singled out as one worthy of government subsidy.

Now, this government has prided itself in the past on a policy of noninterference in the marketplace and getting government out of business and ending subsidies for business. The government of the current Premier has made quite a reputation for itself nationally for doing this and as being a principled enforcer . . . [interjection] And well might you applaud if the government was indeed consistent,

hon. Member for Edmonton-Glenora, but the government is not consistent. It has this one little blind spot, which is the horse racing industry.

The Auditor General pointed out last year – we dealt with this before the election, I guess, so it may be a little more than a year ago – in his report that \$17 million had gone to various elements of the horse racing industry illegally, in contravention of existing legislation. So what did the government do? Did it ask for the money back? If one was a welfare recipient and had received an overpayment as a result of some government error, the government would surely insist that the welfare recipient repay the money in full. They'll take it out of their cheque; they'll do any number of things. But in this particular case the government did not ask for the money back. In fact, they found a new way to legally give what illegally had been given before. Why is that? Why is the horse racing industry deserving of a different standard of treatment than a welfare recipient? Not only that, not only having legalized this illegal overpayment, the government is now doubling the stakes in this year's budget, Mr. Speaker. There's a \$33 million subsidy for this industry, this one industry.

Now, I have to ask. This industry is in trouble financially, and the reason is that a source of the industry is being displaced by new technology. This is very common. This is pretty typical of capitalism wherever you might go. New technologies, new businesses, more efficient ways of doing things come into being, and they displace old ways of doing things, old technologies and outdated concepts, and so it is with horse racing. It's being displaced by electronic gambling, and that is one of the reasons why there's been a steady decline in this industry.

All well and good if the government wants to subsidize a declining industry in order to maintain jobs. I can't say that other governments haven't tried it, but I thought this government had turned its back on those practices. Does the government attempt to prop up the vacuum tube industry, Mr. Speaker? Does it try and prop up Ramblers? Does it try and prop up the vinyl record industry, the eight-track stereo industry? Does it give subsidies to drive-ins to help them compete with VCRs and DVDs? What is it doing to protect the declining shag carpet industry? And to take a homegrown example, what is the government doing to protect the wooden grain elevator industry, a very, very threatened homegrown Alberta industry that might just be worth giving a little help to? Well, they're not doing anything for those industries because that's the natural way of things, the evolution, the going out of business of outdated technologies that the government accepts as a fact of life, the jungle of the marketplace if you will. No. In this particular industry the government insists on continuing subsidies in contravention of its own philosophy and its own track record, much trumpeted around the country.

I would like to know why that is occurring. The horse racing industry in this province has won the quinella, and I don't mean to nag, but I really think it's time that this government bet on a different horse and was consistent in its policies about support for industry. I have yet to hear an explanation that I find acceptable for the selection of a particular industry, in this case the horse racing industry, for public subsidies. At the same time as there are ongoing cuts to children's services, for all kinds of valuable services that the people of this province need, the government insists on giving subsidies to business, and I think that it ought to stop.

So, Mr. Speaker, in conclusion, I just want to indicate that I think that the Racing Corporation Amendment Act seems to be benign on the surface, but when you put it in context to the government policy relative to this industry, it is not and is not something that in that context I can support.

10:30

Now, I want to make one final point, Mr. Speaker, and that is that the act requires Horse Racing Alberta, as it's becoming known, to provide annual business plans. I would suggest that these annual business plans ought to include a provision to get this industry off subsidy by the Alberta taxpayers. Why not amend this act to put a requirement that the business plans of Horse Racing Alberta move very quickly towards complete financial independence from the Alberta taxpayer? That would be something that perhaps I could support, but as it now stands, I don't see any intention on the part of the government and even less so on the part of the horse racing industry to wean itself from taxpayer subsidies.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Edmonton-Highlands?

The hon. Minister of Gaming to close debate.

MR. STEVENS: Thank you, Mr. Speaker. I appreciate the hon. members who spoke to this bill in second reading, and I'll provide some comments in response at the beginning of committee.

Thank you.

[Motion carried; Bill 16 read a second time]

Bill 20

Justice Statutes Amendment Act, 2002

[Adjourned debate April 8: Mr. Mason]

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have an opportunity to begin addressing some of the concerns and some of the principles that we find in Bill 20, the Justice Statutes Amendment Act, 2002. It's a huge act with a host of changes, so I thought I would start off initially with some comments about one section.

There are actually eight acts amended, and the first that I thought I would spend some time on is the Civil Enforcement Act. The Civil Enforcement Act takes up about the first one-third of the bill, and it affects virtually all Alberta businesses because almost every business in the province, I'd say without exception, will at some time or another attempt to recover the funds that are owed to them. All of the rest of us as citizens and consumers have an interest in ensuring that the way funds are recovered is fair and provides the debtors an opportunity to discharge their debt before their property is seized and sold. So I think that all Albertans in one way or another, Mr. Speaker, are affected by these amendments to the Civil Enforcement Act included in Bill 20.

It deals with how you recover money or how you recover objects to which you are entitled. It usually happens in one of two ways: one, you get the money from a judgment from the court and you register the judgment and then attempt to collect on that judgment; or two, certain kinds of contracts such as property leases and conditional sales contracts allow the creditor to seize under what is known as the power of distress, and it's a little different because you don't have to go to court and sue to recover that money. Those are usually the two ways that creditors recover what is owed them.

The bill has as one of its purposes to sort out competing claims. Often when someone is in debt, particularly a business, they're in debt to a number of businesses, and sorting out whose claim comes first and how all the claims are going to be handled is a part of this

bill. The determining of that priority is handled in this section of the bill.

There's a minor amendment but I think one that creditors are going to find useful, and that's the ability now to find out who else is owed money. So if you are a creditor, you can find out who else will be working to try to also get redress and to have a claim on the business for funds. That's a minor change, Mr. Speaker.

A fifth change is the conditions under which creditors can obtain payment from a bad debtor. Usually what happens is that the creditors initiate a seizure, or a garnishment, of someone's wages. When that happens, when a debtor has his or her wages garnished, there's often some agreement where the creditor comes along and says: look, I'll pay you part of this if you cease action against me. This requires the release of the seizure, of the garnishment. This is now allowed under the bill. The notice period to other creditors to allow them to initiate action such as seizure or garnishment was 15 days, and that's now in the bill being extended to 30 days. I think that this is an amendment that will accommodate other creditors and will not unduly prejudice the rights of a debtor.

A sixth change that this particular amendment deals with is enabling certain civil enforcement agencies to contract with the sheriff's office. I guess this is one where I'll be interested in what other members of the Assembly have to say. It will now allow the sheriff's office, acting on behalf of the Crown, to carry out certain things usually done traditionally by the public office. I think it's an area that my colleagues in the opposition have expressed concern with in the past. That is the concern that the oversight of those activities will be weakened, and it may lead us to the kind of situation, that we all dispare, that exists in the U.S. of having the repo man, the repossession individual, who uses all kinds of dubious tactics to gain a creditor's assets. The fear is that they'll be cutting corners to accommodate commercial creditors, particularly if you have large commercial interests paying them. So it's a change that we'll come back to, Mr. Speaker, and have further comment about in the future.

10:40

Another change – and I think it's an important one – is that it affirms the sanctity of a citizen's dwelling. It deals with the entry of a bailiff into a residence or a business to seize property and how that has to be done. The Charter of Rights and Freedoms guarantees all of us the right to be secure against unreasonable search or seizure, and this section of the act reaffirms that tradition of the citizen's dwelling. It deals with actually two situations: one, where the premises being entered belong to the debtor and, two, where the premises being entered belong to a third party. In the first case, the bailiff can enter for only two purposes. The first is to seize and remove the debtor's property or to evict the debtor in a landlord/tenant situation. If the premises are residential premises or if the premises belong to a third party, the bailiff can enter for either of those two purposes only if an adult is present who the bailiff believes is a resident and if that adult consents to the access. So, again, careful restrictions in terms of how property can be entered and seized.

There are also provisions for how to enter a residence of either the debtor or the premises of a third party in terms of what the bailiff may use as reasonable force to gain access; that is, to force open a locking device to enter a nonresidential premise of a debtor. Absent consent, a court order is required to force open a door to the nonresidential premises of a third party or resident. There are provisions there, and very carefully laid out provisions, in terms of how that entry can be gained.

I think the amendment is a positive change. The major difference

is the requirement that an adult be present before an entry can be forced into a residential premise. That's, I think, a positive move, Mr. Speaker.

I think a final change will be about the Civil Enforcement Act. There are penalties now for passing yourself off as a sheriff, agency, or bailiff on your business papers or your business cards or identifying badges or any kind of documentation that is used to try to convince somebody that you have a legitimate right to engage in the activity in seizing or entering property. Though it's a minor change, I think it's an important change.

The bill has a number of underlying principles that are designed to protect the debtors and a number of principles that are designed to support creditors in securing their rights under the law. But as I said, it's a comprehensive bill, Mr. Speaker, and one that really begs being moved to the Committee of the Whole, where we can deal effectively with these specific items. I think with those comments, I'll conclude.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Any questions or comments for the hon. Member for Edmonton-Mill Woods?

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I just need to take a few minutes to address some of the aspects of this very substantial bill, indeed one of the more extensive bills we will be seeing in this session. I have in my constituency a superabundance of lawyers – it's a burden I must carry, but I do my best – so I know they will be expecting me and indeed have provided various comments to me on their views concerning what is, in effect, an omnibus bill, I would say.

I would just, as is I think customary for second reading, go through a few of the highlights and principles. As we all know, Bill 20 is amending a number of acts. The Civil Enforcement Act makes changes, as the hon. Member for Edmonton-Mill Woods noted, that a bailiff may enter a residence without a court order only with the permission of an adult who lives at the residence. It's a step to protect our rights as Canadians.

The aspect of this bill that has received the most media attention so far, I think, has to do with the amendment to the Fatal Accidents Act, which increases the amount of damages paid to the spouse or cohabitant of a deceased adult or to a parent of a deceased child from \$43,000 to \$75,000 and increases the amount of damages paid to a child for a deceased parent from \$27,000 to \$45,000. It amends the act so that there are quite different approaches than are currently in place for collecting damages from the death of a parent or child, and I won't go into those details here. They have been discussed already in the media and, frankly, are a source of some controversy. Some groups, such as Mothers Against Drinking Drivers and some lawyers who are supporting them, have views that they've made a point about delivering and that contradict the proposal from the government here. I'm still weighing out which side to come down on here, but that's why we have these debates, and I'll be listening to some of the comments as time goes on.

The bill will also amend the Interpretation Act, which will adjust how people are appointed to boards or committees and how hearings and investigations are held and so on, and it addresses a number of other acts in greater or lesser ways.

I was particularly, though, wanting to address the issue of the Fatal Accidents Act and the amendments proposed there, which will, as I say, increase payouts to \$75,000. One of the first things that concerns me when I see a dollar figure specified in legislation is that once that becomes law, it's very difficult, impossible to change, in

fact, without new legislation. Sometimes that's good, but it is a constraint, and with the effects of inflation and so on, it's an issue to be concerned with, and maybe we need to review that.

MS BLAKEMAN: Every five years.

DR. TAFT: Perhaps a five-year review provision would be a good idea.

MS BLAKEMAN: Maybe you should look at an amendment.

DR. TAFT: I'm getting various comments of assistance from some of my colleagues here. I think that maybe we'll all end up agreeing on this, that some kind of a five-year review process for the dollar figures would be a good idea.

I think, Mr. Speaker, there's a great deal – a great deal – to be said on this piece of legislation, but I sense that the energy in the room is diminishing despite the passion of my comments, so I think I may

take my seat here and cede the floor to somebody else. Thank you.

THE ACTING SPEAKER: Any questions or comments?
The hon. minister to close debate?

[Motion carried; Bill 20 read a second time]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to all members for their co-operation this evening. It has been a very productive evening. With that, I would move that the Assembly now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 10:49 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 16, 2002**

1:30 p.m.

Date: 02/04/16

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others. We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of our Alberta. Amen.

Please be seated.

head: Introduction of Guests

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Speaker. On behalf of the Minister of Justice and Attorney General I would like to introduce to you and through you to the Assembly 10 staff members from Alberta Justice, legal services. They are Mrs. Sue Lefebvre, Ms Greta Lankoff, Ms Joyce McKenzie, Mr. Doug Wolch, Mrs. Michelle Iverson-Marshall, Mrs. Myriam Murray, Miss Christie Wade, Mr. Bob Lisevich, Ms Darlene Moser, and Mrs. Karen Janz. The minister has asked me to thank these hardworking staff members for their diligent service, and I'd ask them to rise and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It is indeed my pleasure today to introduce to you and through you to all members of the House a large group of students from Brookwood elementary. We have in both galleries today 95 very well-behaved and bright students from Spruce Grove. They are accompanied today by their teachers and a large group of parent helpers including Parkland school trustee Lori Benner. I would ask that they rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm delighted to introduce to you and through you to members of the Legislature my uncle, Walter Halbach, who is visiting us from Jackson, Mississippi. He is seated in the members' gallery, and he has come to observe how we govern ourselves in the fine province of Alberta. So I'd ask him to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm very pleased today to introduce to you and through you to the House a very active group from my constituency of Edmonton-Highlands. The five members belong to a group called the Edmonton-Highlands health care action group. They formed because they are concerned with the future of health care in Alberta. They are developing a submission to the Romanow commission and are very active in making sure that their community is well advised on the government's direction in health care. They are to be congratulated for their hard work and dedication. I'm happy to introduce Sandra Barnes, Cindy Drummond, Vivian Cheperdak, Remi Genest, and

Ross Deacon. I would ask them to rise and receive the warm welcome of the House.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

School Fund-raising

DR. MASSEY: Thank you, Mr. Speaker. Legislate, regulate, castigate: that appears to be the way the Ministry of Learning deals with problems. Parents are the latest group to be attacked for simply filling the gaps in underfunded schools. My questions today are to the Minister of Learning. Given that the government committed in Bill 12 to examine the learning system, which, one assumes, would include resources, why has the minister undermined the work of this committee before they even get started?

DR. OBERG: Mr. Speaker, probably two years or two and a half years ago I rose in this Legislature on numerous occasions to talk about fund-raising and this government's belief that parents should not be fund-raising for textbooks. Since that time a lot of things have changed in Alberta Learning. There have been roughly 25 percent – yes, 25 percent – more dollars go into the budget, especially for the budget on the K to 12 system. We presently spend about \$3.7 billion for the K to 12 system.

What the hon. member is alluding to are comments that I made about putting in a regulation or a policy or something in the funding manual that will limit parents' fund-raising for textbooks. I would bet you that probably in the last two and a half to three years the hon. opposition has raised the issue about parents fund-raising for textbooks at least five or six times. We are doing something about it. This is not acceptable. With \$3.7 billion going into the education system in Alberta for 550,000 students, I feel that every taxpayer has the right to demand that their kids have textbooks.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister, Mr. Speaker: how will the minister stop parents fund-raising for items that free up money for the basics?

DR. OBERG: Mr. Speaker, what we will be doing is bringing forward a list, that probably will be more inclusionary as opposed to exclusionary, which will be saying that we feel that parents can fund-raise for things such as trips to Europe, trips to New York, rock-climbing walls, things like this that are outside of the curriculum but are the nice-to-haves in the school system. We will be bringing that list forward probably in the next two to three months. We are looking at how it can be done. But I will assure you that textbooks will not be on that list to fund-raise for.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister: how can the minister claim that schools are adequately funded when there are no standards for class size, school librarians, school counselors, or even the number of textbooks that children must have?

DR. OBERG: Mr. Speaker, I have a little bit of a problem with that, and I'll use Edmonton as an example. I received a letter from the superintendent of the Edmonton Catholic school system that categorically states that their school system does not fund-raise for

textbooks. On the other hand, I hear from the Edmonton public school system that, yes, they do. The funding formula is the same for each of these school jurisdictions, so what inherently is the difference? This government believes that parents should not be fund-raising for textbooks, that the \$3.7 billion that goes into the K to 12 funding system is more than adequate to pay for textbooks, and that is something that we absolutely will not tolerate any longer.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Children in Care

DR. MASSEY: Thank you, Mr. Speaker. Today the *Korvette Crier* inquiry was released, more than two years after the Minister of Children's Services promised a review. Yet again we are seeing this government's abysmal record when it comes to children in care, and yet again we are seeing a lack of standards and a lack of guidelines for children in care. My questions are to the Premier. Why did it take more than two years for this inquiry to be completed?

MR. KLEIN: Mr. Speaker, for the details of that particular question I'll have the hon. Minister of Children's Services respond.

MS EVANS: Mr. Speaker, we conducted a special case review. We looked through all of the issues surrounding this. There were a number of different processes of looking at it. I should remind this Assembly that it was not only thoroughly looked at, that the person in question was taken through the courts, was jailed for two years, and is presently released on three years' probation. Clearly there has been significant follow-through on behalf of both the defendant and on behalf of Children's Services. We have continued right from the time of the case, from the first knowledge that we had of it on the death of the child, and received that tragedy with the most grave attitude and followed through with a number of things. Very recently, our initiation of the foster care review plan and how we train foster care parents is part of subsequent action we have taken in the department as a result of this tragic situation.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. My next question is to the Minister of Children's Services. Given that the report calls for provincial standards for screening prospective foster parents, why were there no standards in place?

1:40

MS EVANS: Well, Mr. Speaker, I would dispute the fact that there were no standards in place. The record of this particular case will show that in fact the standards for accreditation of agencies to identify and source foster workers were in place, but with the agency that was selected, the worker apparently was not aware of the fact that that particular foster family and that particular agency were not accredited for assuming this type of case and this particular case. There are standards in place. The fatality review has gone further. It has suggested that we communicate those standards, that we work on the enforcement of those standards. I'm very satisfied that over the last three years we've made significant strides.

Mr. Speaker, I don't want this Assembly to believe that we haven't been working with due diligence, particularly with First Nations communities. We have 17 delegated authorities. For the most part they're doing an exceptional job. They continue to improve every day, and we continue to work with them and with the

foster families that they have within their employment as well. We are working on training programs. We are looking very assertively at other programs that the Child Welfare League of Canada has in place, PRIDE, and other training programs as well to assist foster families. In First Nations communities – one final point – it's very hard to find foster families to do the job, and we're making a plea regularly through the Metis nation association and through other native groups in Alberta to continue to try and increase the roster of foster families that will help us look after these children.

DR. MASSEY: Mr. Speaker, to the same minister: how will the minister respond to the recommendation that the entire system be reviewed?

MS EVANS: Well, Mr. Speaker, we have been doing continuous review in Children's Services of our systems. This is one part of the system, and this is one particular area that we are working and focusing on. Throughout the last three years, I would suggest, we have done a great deal to initiate and follow through with that review and make significant change.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Glenarry.

Children's Advocate

MR. BONNER: Thank you, Mr. Speaker. Every year the Children's Advocate's report provides details of how Alberta's child welfare system is rife with abuse, yet the government continues to ignore the recommendations. Now a class action suit may be filed on behalf of more than 400 children who were allegedly abused in one year alone. To the Minister of Children's Services: how many of the 13 recommendations from last year's Children's Advocate's report have been implemented?

MS EVANS: Mr. Speaker, as soon as that report was delivered to me, not only did we look at those recommendations, but we examined every single case anecdotally identified in that report: every single case from the vantage point of what was said, when it was said, what information was delivered to the advocate's office. We have done our utmost to follow through on every single one of those particular cases and taken a look at it.

I think I should comment on one area right away to reduce this number that's being purported as the number of children that were harmed through any particular action. In that particular year, dealing with the substantiated cases, 18 children received some type of abuse while they were in the direct care of the province, not necessarily at the hands of their caregiver but by somebody's particular action. It may have even been a parent. Thirty-four children were found to have had some particular type of abuse through action taken beyond the scope of Children's Services but while Children's Services were involved in working with the family to provide supports for children who were at risk.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: does it take the threat of a lawsuit to convince the minister that she must make changes in her department?

MS EVANS: Mr. Speaker, I previously answered that question by saying that on the very day that I received that report we were following up on every single aspect of it. We followed up on

everything from the situations that the advocate reported on to the types of actions that should be taken. It's quite clear that although not all recommendations in that report have been enacted, we are still reviewing how we work with the Children's Advocate in direct relationship to the child welfare directors in every authority. So the net result will be that children in the province will be better looked after, and in future the frequency of the dialogue between the advocate and the authority will ensure that we don't wait for some horror story to be printed, that we are acting immediately when we hear that children may be at risk or damaged.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Premier: will the Premier act now to have the Children's Advocate report directly to the Assembly as an officer of the Legislature?

MR. KLEIN: I don't know why we would do that. The Children's Advocate is not hired by the Assembly, Mr. Speaker. Why would he report to the Assembly? He's hired by the government on behalf of the Department of Children's Services.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Lac La Biche-St. Paul.

School Fund-raising (continued)

DR. PANNU: Thank you, Mr. Speaker. Last November 26 the Minister of Learning emphatically denied in this House that parents and children were fund-raising for school essentials. Yesterday the minister announced that he was considering passing regulations to prohibit fund-raising for such essentials. You don't pass laws and regulations to deal with a problem that doesn't exist. My question to the Minister of Learning: why is the minister proposing to put regulations in place to prohibit an activity which he has previously claimed is not taking place?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Again I will reiterate that back in September of the year 2000 the Alberta School Boards Association put out a document that in essence suggested and recommended to all their school boards that fund-raising for things such as textbooks be prohibited. I believe that the exact wording that they used was core curriculum materials. Since the time that the hon. member has cited in his question, I have received confirmation that there have been some individual schools that have been fund-raising for textbooks. We have done audits on these schools and found that it is not appropriate.

Mr. Speaker, I will add that a school in my own constituency wrote to me asking for money for textbooks. In contacting the superintendent and the board chairman of my own school board, they categorically refused to accept that this school had to do it. There were funds available for it, as there are funds available in every school jurisdiction. So quite simply, this is something that obviously has not been followed. The school boards have not followed the ASBA's recommendations, and quite literally it's time to do something about this.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. It is interesting that the

minister now recognizes that he misinformed the House in November. While the chair of the Edmonton public school board says that the funding we receive is inadequate to meet all needs within our district, the minister chooses to punish parents who raise money to make up for the funding shortfalls. Why?

DR. OBERG: Well, Mr. Speaker, I found it quite interesting that the chairman of Edmonton public would come out when their own superintendent said that it was not necessary and was not needed in Edmonton public. So perhaps that's something that the chairman of the board of Edmonton public schools should talk to his superintendent about and come forward with a recommendation. If he comes forward and says that they definitely must fund-raise for textbooks in Edmonton public, then we would be looking very seriously at what is going on in Edmonton public.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My final supplementary to the same minister: instead of addressing the underfunding of classrooms, why is the government choosing to use the force of law to make it illegal for parents to fund-raise for basic education requirements?

DR. OBERG: Quite simply, Mr. Speaker, it's the school boards' responsibility to provide things such as textbooks to their students.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul, followed by the hon. Member for Edmonton-Riverview.

Employment Opportunities for Aboriginal Youth

MR. DANYLUK: Thank you very much, Mr. Speaker. Recent demographics of the aboriginal community show that their youth population has increased significantly. It is a well-known fact that the unemployment rate is very high in this community, especially among young people. My first question is to the Minister of Aboriginal Affairs and Northern Development. Is your department working to ensure that aboriginal youth have employment opportunities?

THE SPEAKER: The hon. minister.

1:50

MS CALAHASEN: Thank you, Mr. Speaker. We are aware of the fact that there will be and continue to be labour shortages in Alberta. The most obvious source, in my view, to address labour needs is to be able to deal with the fastest growing population. In fact, the aboriginal working-age population is growing at a rate four to five times higher than the nonaboriginal population. To ensure that aboriginal youth have employment opportunities, in this province we're blessed to have what I call a tool, the aboriginal policy framework, which provides us with the ability to act in two ways.

One is to be able to deal with it internally, and that's to be able to facilitate or collaborate via cross-ministry initiatives with a number of ministries involved. Just as an example, Mr. Speaker – I think this is really important – Alberta Sustainable Resource Development has been assisting aboriginal communities to obtain fire-fighting contracts worth approximately \$9 million. Another example: Alberta Transportation developed a number of contracts for transportation and civil projects for aboriginal lands which contained aboriginal content clauses for labour equipment and material resources.

The other component is the external component. When we're

talking about external, we're talking about working with First Nations, we're talking about dealing with Metis, and we're talking about dealing with the federal government and industry. We have in excess of 40 aboriginal industry and government partnerships currently in place in Alberta.

Mr. Speaker, we're starting, but we've still got a lot of work to do, and I look forward to working with my counterparts in these respects.

THE SPEAKER: The hon. member.

MR. DANYLUK: Thank you, Mr. Speaker. I'd like to direct my first supplementary question to the Minister of Human Resources and Employment. Mr. Minister, what is your department doing to assist aboriginal youth in the enhancement and development of skills?

MR. DUNFORD: Mr. Speaker, first of all, the province values the full involvement of the aboriginal people within our economy, especially youth. We recently released a publication looking at the forward thinking and future planning of being able to meet the skill requirements that need to be available here in Alberta. From that report we did focus on aboriginal youth, so we are trying to raise the skill level of many of our young citizens here in Alberta.

We particularly want to increase partnerships. I might just anecdotally, then, make note of a recent project, the Precision Drilling initiative in Frog Lake, where 50 First Nations people were trained for jobs in the oil and gas sector. My colleague and I were out at the graduation ceremony, and there really seemed to be a lot of excitement around that particular partnership. So we're encouraging more situations like that, and of course, again, we're dealing with First Nations people in developing these skills.

THE SPEAKER: The hon. member.

MR. DANYLUK: Thank you, Mr. Speaker. My final supplemental is to the Minister of Learning. Given that you recently signed an immigration agreement to provide an additional source of labour, what impact will this agreement have on the employment opportunities of our aboriginal youth?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. First of all, the provincial nominee program stipulates that any employer applying for foreign workers to come in under that program must show that there is a shortage, so quite simply I don't feel that this will have any effect on the aboriginal youths. Obviously, as the previous two speakers said, it's a very important element of what we are attempting to do in Human Resources and Employment, Aboriginal Affairs, and Learning. However, to assure the hon. member, this will have in essence no effect on aboriginal youth employment.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-Currie.

Regional Health Authority Budgets

DR. TAFT: Thank you, Mr. Speaker. The Northern Lights, Keewetinok, Peace, Mistahia, Lakeland, WestView, East Central, Headwaters, Chinook, and No. 5 health regions are all either projecting budget shortfalls this fiscal year or looking at reducing services to meet their budgets. To the Minister of Health and

Wellness: how many millions of extra dollars will it cost RHAs to cover the 30 percent rise in health care premiums for their employees, that is simply paid back to the minister's own department?

MR. MAR: I'll undertake to look into that particular question that the hon. member asked, but I should remind him and members of the Assembly that health care is clearly the number one priority of this particular government, Mr. Speaker. The 7 percent increase in health care spending reflects that. About half of that went to regional health authorities. Yes, regional health authorities from rural Alberta have said: we need more. In some cases some of the regional health authorities got close to 7 percent, including a rural regional health authority, and they say: well, we actually need 15 percent. Well, that's not sustainable, and it speaks to the issue of the requirement of regional health authorities throughout this province to deal with their budgets, to plan, and to co-ordinate.

This is the key reason why, as set out in the Mazankowski report, there was a recommendation to look at collaboration and innovation. It's the reason why the hon. Member for Edmonton-Glenora chairs a committee with our colleagues from Red Deer-North and from Highwood to look into ways that regional health authorities can collaborate with each other. Is there a compelling reason, Mr. Speaker, why every health authority should provide every service, or can there be examples of collaboration where they might share services or they might contract with each other or they might share an administration system or they might be contracting out for things like laundry?

Mr. Speaker, there are many, many opportunities for regional health authorities to do the things that they need to do to serve their constituencies within the budgets that have been allocated to them.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. How many tens of millions of extra dollars will it cost RHAs to cover the rise in health care premiums and the cost of higher electricity prices?

MR. MAR: I can't speak to the issue of utility prices, Mr. Speaker, but I can say, again referring to the MLA Committee on Collaboration and Innovation, that we have to establish clear responsibilities that are government responsibilities and those which are RHA responsibilities, that we have to get RHAs to co-ordinate with each other so that they are not duplicating services, that we must develop areas of specialization. There are good examples of where that has worked in this province, and there must be much more of that in order for our system to be sustainable into the future.

An example raised by an hon. member here in this Assembly is the Health Link line run by the Capital region, that is co-ordinating its service, an exceptionally good service, I should say, Mr. Speaker, with the regional health authorities in the Peace region and in Mistahia. That is the key to how regional health authorities must deal with the issues that they have within their budgets.

DR. TAFT: Given that the funding formula for regional health authorities is based on historical utilization rates and costs, will additional funding be provided to RHAs to deal specifically with higher health care premiums and electricity costs?

MR. MAR: No, Mr. Speaker.

Minimum Wage Rate

MR. LORD: Mr. Speaker, a common question or theme often heard

when discussing poverty is to ask: why doesn't the government just raise the minimum wage rates to the point where poverty is just eliminated amongst the working poor? My questions are to the Minister of Human Resources and Employment. Sir, the question is: since people are our greatest resource and British Columbia now has one of the highest minimum wage rates in the world, considerably higher than Alberta's, will this not lead to a tremendous drain of financially struggling people, such as most of our young people in this province, leaving the province to go after the higher minimum wages available in British Columbia?

MR. DUNFORD: Mr. Speaker, I think the actual situation might be quite the opposite. When we look at the numbers, we see that with the migration flows of people, especially skilled labour, back and forth across the country, I think you would find that there are likely more British Columbians that have come to Alberta recently than are going the other way. So the concept, then, of what role a minimum wage might play in that I think is somewhat difficult. I think what we should do is take a look at some of the issues surrounding this particular matter.

2:00

For an example, if we were to look at youth unemployment, which, of course, is a concern to all the members of this Assembly, and compare British Columbia and Alberta, you will actually find that the youth unemployment rate is higher in British Columbia than it is in Alberta. As a matter of fact, Mr. Speaker, Alberta, which realistically has one of the lower minimum wage rates in the country, is actually enjoying the lowest youth unemployment rate in the country. So I think we need to examine issues perhaps a little more closely than just falling into the trap that to up the minimum wage is somehow changing the complexity and the character of a workforce.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. Now, if raising the minimum wage rate could just erase poverty, then why wouldn't this government just raise the minimum wage rate to a decent level of, say, \$15 or \$20 an hour and thus eliminate poverty?

THE SPEAKER: Well, methinks there's a lot of opinion going on in here.

MR. DUNFORD: Well, it's not that the hon. member hasn't heard those comments before, as I have as well, but I think we need to again just examine that situation, Mr. Speaker. Actually, one of the interesting facts that is revealed is that a full 98.5 percent of people employed in Alberta are paid at a rate higher than the minimum wage. Therefore, of course, doing the math, you have 1.5 percent that are currently at minimum wage. Then as we look at that area, we find that a tremendous amount of those people are actually young people and are students. So one of the things that is happening in Alberta is that there's a tremendous influx of youth into the workforce, and, yes, while they might start at a relatively low minimum wage, they're able, then, to move forward in those particular careers. So what we have is a minimum rate that doesn't kill jobs. We have a minimum rate that allows businesses to be competitive.

THE SPEAKER: The hon. member.

MR. LORD: Yes. Mr. Minister, since businesses did get a little bit of a tax break this year, would this mean that they might be able to have a few more funds available to pay a little better wage rate to their employees as a result of that?

MR. DUNFORD: Well, I think this is something that most employers would look at. In many cases the minimum wage earners are working in accommodation, food services, and retail. Many of those particular areas are sort of the mom-and-pop shops that we all think about, and of course in those particular companies and enterprises the actual labour costs would be a high percentage of their input costs.

Let's remember that we're talking here about a minimum wage, Mr. Speaker. We're not talking about a maximum cap that people are allowed to pay their employees. So they can come in. They can start. They can start to become productive and, of course, like all of us be upwardly mobile, then, in a very hot economy.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-Buffalo.

Swan Hills Waste Treatment Facility

MS CARLSON: Thank you, Mr. Speaker. Yesterday the Finance minister continued to make confusing statements in the Assembly, and I would like to give her another opportunity to clarify her comments. To the Finance minister: from a financial perspective, will you please tell this Assembly how you can describe the Swan Hills waste treatment plant as "a phenomenal asset" when Alberta taxpayers are subsidizing the treatment of out-of-province waste?

MRS. NELSON: Mr. Speaker, we have had the benefit of that disposal facility for a number of years now. We have been able to clearly see that Alberta is the one jurisdiction that is basically PCB free. We would not be in that environmental plus side of the equation if we had not had that facility here in our own backyard.

To add to the benefits of that facility and because I am losing my voice, I'm going to ask the Minister of Infrastructure to supplement the answer.

MR. LUND: Mr. Speaker, it's unfortunate that the opposition continues to make those accusations. They are certainly not accurate. The fact is that when you look at how important, as I said yesterday, the diet of the plant is and how that affects the operations – but another point that I neglected to mention yesterday was the fact that we can operate on the economies of scale. There is a very large cost regardless of how much waste you treat, so when in fact you bring in waste, the ability to reduce those costs per unit goes down. So to be making blanket statements that the out-of-province waste is costing us a lot of money I think is very misleading and unbecoming to the hon. member.

MS CARLSON: Mr. Speaker, white elephants do require economies of scale.

To the Finance minister: given that it is not beneficial for Albertans to dump their waste in someone else's yard, why does the minister support someone else's toxic mess being dumped in our yard and treated at taxpayers' expense?

MRS. NELSON: Well, again, Mr. Speaker, the Minister of Infrastructure was quite clear. We have had the benefit of this waste disposal facility for a number of years. We have to dispose of our waste in one form or another. We are a highly economically active community in this province. With the economic development that has occurred, naturally we have produced more waste that has to go through a facility in some form or another. So choices had to be made: put the facility here to dispose of our own waste, whether it be an industrial waste or a medical waste, et cetera, or move it

somewhere else to dispose of it, because it has to be disposed of somewhere.

The benefit of bringing waste in from other jurisdictions, as the hon. Minister of Infrastructure has already said in the first answer, was that we do gain back some dollars and we also help our neighbours on either side to dispose of their waste. When you have a facility with capability and capacity available, why would you not open it up to the neighbours on either side? They pay for the disposal of their waste. It cuts the cost down. It's good for them. It's good for Canada. I don't understand, for the life of me, why the environmental critic over there is opposed to disposing of hazardous waste in her own backyard instead of having to ship it gosh only knows where to dispose of at whatever cost it would be on having to get extra special packaging and cargo things and separate containers to move it. I just fail to understand that.

I understand, Mr. Speaker, that the Premier would like to supplement my answer.

MR. KLEIN: Well, Mr. Speaker, all I have to say is: will this hon. member travel to Swan Hills, stand in the town centre and say, "I want this plant closed"? I don't think so.

MS CARLSON: Mr. Speaker, given that the Finance minister knows that I support environmentally friendly, state-of-the-art technology, not white elephants, and given that their policy is to make polluters pay, will the Finance minister tell us: how does a \$28 million subsidy for the destruction of someone else's toxic mess become a higher priority than community lottery boards in this province?

MRS. NELSON: You know, Mr. Speaker, I'll be like the Premier. I would challenge this hon. member to go up to the community and call this a white elephant disposal facility in that community. More importantly, if this hon. member is so concerned with the environment, she would not reject the disposal of waste coming from the province of British Columbia. As I alluded to yesterday, I know perfectly well that blue asbestos was transported from Vancouver Island to this facility last year to dispose of blue asbestos, that they couldn't get rid of any other way, that was harming the people who were in the community of Nanaimo.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Centre.

Domestic Violence

MR. CENAIKO: Thank you, Mr. Speaker. During this government's review of the present Child Welfare Act and through consultations in communities throughout Alberta, some issues have arisen about reporting domestic violence to Alberta's policing agencies. It appears that there are women who have gone to women's shelters for care and protection who are not reporting to police the physical abuse and violence they have experienced. My first question is to the Solicitor General. Do Alberta's policing agencies have a zero tolerance approach to dealing with domestic violence complaints?

2:10

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. Guidelines were issued to all police services in Alberta to ensure a uniform policy for handling family violence complaints. In Alberta if there is evidence to support a charge of domestic violence, it is mandatory for the

police to lay a charge. I will be meeting with the Alberta Association of Chiefs of Police in a few weeks, and I plan to talk to them about domestic violence.

The Alberta government is committed to providing safe communities for all Albertans, and that includes freedom from violence within our homes. I want to say very clearly that domestic violence is a crime, not just a problem or an issue. Victims of domestic violence do not have to stop the violence on their own. The criminal justice system can and will take an active role. It's a tragedy that domestic abuse is one of our most underreported crimes. For one reason or another, Mr. Speaker, only a small portion of abused women and men report the abuse to police. That is the issue that we need to focus on now, and I will continue to work on this important initiative with my colleagues the Children's Services minister and the Justice minister.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My next question is again to the Solicitor General. Do we have programs in place to support victims of domestic violence?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Well, thank you, Mr. Speaker. The chiefs of police, the commanding officer of the RCMP, and the police commissions worked hand in hand with my department to develop and put in place a number of initiatives. There are training programs to ensure that police officers respond to the victims of domestic violence in a humane and caring way. Police services in Alberta's large urban centres have specialized domestic violence units. Some municipalities have established specialized services for family violence. As one example, the Edmonton Police Service has a child-at-risk response team to help the children who are also victims when there is domestic abuse in the home. In addition, the Protection against Family Violence Act was passed in Alberta in 1999, and under that act a victim of family violence can get an emergency protection order forcing the abuser out of the home.

Mr. Speaker, Alberta has 108 victims' services units. These units provide information, assistance, and support to victims, including victims who are dealing with domestic violence. My ministry has provided financial assistance to these hardworking community organizations that focus on helping victims of domestic violence.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My final question is to the Minister of Children's Services. What supports does her ministry provide to women's shelters?

MS EVANS: Mr. Speaker, we provide \$14 million at least to women's shelters through operational funding of 27 shelters in the province, and we provide supports for looking after the children, for intervention when children have been victims by the watching of a violent act within the home. Child abuse, incidentally, is by law required to be reported by shelters to the police, and we don't insist that women report that abuse when they come to shelters. We try to empower them through education, increase their awareness, help them look after their family in their own immediate circumstances, and work, in fact, through the shelters and through the societies throughout Alberta to increase awareness of the damage that family violence does so that people will stop violence in the home and stop violence everywhere.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Highlands.

Correctional Work Camps

MS BLAKEMAN: Thanks, Mr. Speaker. A 1995 efficiency review conducted by the correctional services division of the Department of Justice recommended that all except two of seven correctional camps be closed in order to save money. This recommendation was made because the camps were operating under capacity and experienced correctional officers were being forced to leave their families in order to work at these sites. My questions are to the Solicitor General. Why have the recommendations of the efficiency review not been implemented?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. The hon. member brings up some good points, and one of the things that we're looking at and hoping to announce very shortly is a review of exactly the issues that she's discussing.

MS BLAKEMAN: Well, why wasn't the review from 1995 implemented now that you have to do a second one? That's seven years.

MRS. FORSYTH: Mr. Speaker, when we're talking about the work camps that the hon. member is alluding to, we have to keep in mind that these work camps are valuable services to organizations and the community around them. They're a benefit to the government in many, many ways because they provide free labour in regard to, for example, forestry cleanup and things like that. It's something that we are looking at. I am aware of the review she's referring to, and we are going to be looking at that exact thing and in fact a whole correctional review, not only the work camps.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Can I get a commitment from the Solicitor General, then, that this review will go over the same ground, I guess, and look specifically at the capacity of the correctional camps and the officers having to leave their families for up to six days at a time in order to work on-site at the camps?

MRS. FORSYTH: Well, Mr. Speaker, our correction officers who are in this province are very well trained. They also know, when they take the job on as correctional officers, that there are times when they have to leave their families, and that's part and parcel of the job. I will tell the hon. member that in the correction review that I'm looking at announcing very shortly, we will look at the whole correction system, not only the work camps.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-East.

Bill 12, Education Services Settlement Act

MR. MASON: Thank you very much Mr. Speaker. Yesterday the Minister of Learning tabled a copy of a letter to Bishop Frederick Henry which, the minister claimed, contained the true facts about Bill 12. I'll just quote one line from this letter.

When the teachers' strike had kept students out of class for almost three weeks in many parts of the province, and no agreement was in sight, the government took legislative steps to get classes going again.

How can the minister claim in his letter to the bishop that Bill 12 was a legislative step to get classes going again when in fact students were already back in class well before Bill 12 was ever introduced in this Assembly?

DR. OBERG: Mr. Speaker, the students went back to class when the PET was declared, an emergency situation was declared. Bill 12 was brought in when the PET was challenged in the court by the ATA, so one definitely led to the other.

MR. MASON: Mr. Speaker, the minister is sliding the definition of legislative, to be sure. So I will ask again: why did the minister include erroneous information in his letter to Bishop Henry that falsely stated that Bill 12 was needed to get classes going again when in fact students were already back in class before Bill 12 was even introduced?

DR. OBERG: Mr. Speaker, I think the hon. member just called me a liar. That's something that I do not like, and the hon. member is absolutely wrong.

MR. MASON: Mr. Speaker, how is it that when the Minister of Learning pens a letter on Bill 12, he's stating the facts, whereas when Bishop Henry pens a letter, he's putting out misinformation. When did the Ministry of Learning become the ministry of truth?

THE SPEAKER: The hon. Member for Calgary-East, followed by the hon. Member for Edmonton-Gold Bar.

Alberta Supernet

MR. AMERY: Thank you, Mr. Speaker. Lately we have been hearing some very disturbing information, that the Alberta Supernet is using technology that's already out of date. This information has made many of my constituents very nervous. My question is to the hon. Minister of Innovation and Science. Can the minister assure Albertans that their tax dollars are being put to good use to build a network that is up to date? [interjections]

THE SPEAKER: The hon. minister has the floor.

MR. DOERKSEN: Thank you, Mr. Speaker. While so many questions that we deal with on a day-to-day basis are concerned with the tyranny of the immediate, this question has to do with the future, and Supernet is about the future. It's an optical state-of-the-art network, and because it's an optical network, it's also scalable, which means that it can accommodate an increased demand for bandwidth well into the future.

Mr. Speaker, I also want to note that the operations of Supernet are based on a business model, which means that the revenues from the operation of Supernet will be used to refresh the network; in other words, to maintain and upgrade the electronics over the length of that 10-year contract.

Mr. Speaker, I can think of no better expenditure of lottery funds into 4,700 locations in 422 communities across Alberta.

2:20

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. Again to the same minister: could the minister inform the House if there are any facilities in Alberta rejecting Supernet in favour of cable or DSL services?

MR. DOERKSEN: Mr. Speaker, there are many schools and

libraries which currently operate on different levels of services. Some would have what we know as a dial-up service, which is about 56K. If you wish to download a picture at that level of service, you can go out, have a cup of coffee and a snack, come back, and your picture might be there. At a DSL level you can't do that because the speed is higher, the bandwidth is greater. What Supernet will do is increase that speed and capacity by probably another 10 to 20 times on top of that and now allow you to take high-resolution X rays or MRIs and transfer them to a remote location, so you have that high-resolution image and you can analyze that at a remote location. You cannot do that under the current system.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. Again to the same minister: could the minister advise Albertans as to what Supernet will do to benefit the existing networks in Alberta like the Alberta public library electronic network?

MR. DOERKSEN: Mr. Speaker, libraries are a very important component to the Supernet because libraries are where every Albertan can have access to the Internet, to this kind of service. It's a community portal, much like our schools are. We are currently testing segment 7. There are libraries, I believe, in Eckville, Rocky Mountain House, and Sylvan Lake to test this service out. This will enhance the current APLEN, which is the Alberta public libraries electronic network. It will give them more capacity and enable them to do more things.

Also, Mr. Speaker, they're currently paying from about \$50 to about \$3,000 a month based on anything from the dial-up service to the high-speed networks. In our model we expect those costs to be ranging from approximately \$242 per month to \$800 per month. We are working with the Minister of Community Development on these plans and look forward to exciting things at our public libraries.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Dunvegan.

Electricity and Natural Gas Billing

MR. MacDONALD: Thank you very much, Mr. Speaker. Alberta consumers are confused and frustrated with their monthly electricity bills. My first question this afternoon is to the Minister of Government Services. In regard to utility bills, where in one part of the province there are eight line items to comprise the bill and in another part of the province there are 13 items to comprise the bill, what measures is Government Services taking to protect Alberta consumers in regard to deferral accounts with electricity?

THE SPEAKER: The hon. minister.

MR. COUTTS: Thank you, Mr. Speaker. It's true that Government Services does look at consumer protection on the electricity side for the marketing of electricity in the province of Alberta for consumers. For actual consumer protection in terms of what the companies do with their bills, that is under the Department of Energy, and the question might well be referred to the Department of Energy.

However, let me say this. Government Services puts together a package of consumer tip sheets that consumers can call upon to make sure that the people who are out selling electricity are valid, that they have proper contracts in place, and that they identify themselves at the doors to make sure that people have the exact companies they would like to sign a contract with.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again, Mr. Speaker, to the same minister: is Alberta Government Services contemplating having a uniform system of billing for natural gas and electricity so Alberta consumers can accurately compare and understand different charges by different retailers?

MR. COUTTS: Well, Mr. Speaker, again, on the actual company side those particular details should be brought before the EUB and, of course, the Department of Energy. In terms of what Government Services is looking at, we make sure, no matter whether it's a utility company that's serving gas or a utility company that's serving electricity, that the people that are going out and asking consumers to buy their product must be licensed. They must post a \$1 million security bond. They also must be under a code of conduct for their particular marketing, they must show identification to their consumers, and they must show a contract that shows all of the intricacies of the product that they're selling. So that's the protection that we provide for consumers in this province when it comes to electricity marketers and gas marketers.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: what rules and regulations are available governing exit fees for electricity consumers switching from a regulated rate option to a competitive offer from another retailer? What regulations do you have for the exit fees?

Thank you.

MR. COUTTS: Government Services, Mr. Speaker, has developed electricity marketing regulations under the Fair Trading Act, and the Fair Trading Act shows those guidelines. When people have concerns about exit fees as well as hooking up with another company, they can call our call centre in Government Services and get some information there as to how they should proceed with setting themselves up with a new marketer.

head: Members' Statements

THE SPEAKER: The hon. Member for St. Albert.

Teaching Profession

MRS. O'NEILL: Thank you, Mr. Speaker. Much has been said recently about teachers, about the teaching profession, and about the teaching environment. Much also has been said by the opposition in this Assembly about what they think we as government members think about teachers, about the teaching profession, and about the current teaching environment. If there is anything that frustrates me, it is having someone else tell me what they think I think. So I rise today to put on record what I as the Member for St. Albert think about teachers, about the teaching profession, and about the current teaching environment.

I know that teachers are truly remarkable citizens. From the beginning of their day to the end they work to enhance the knowledge for which the students have come to school. They care for the health and safety of their students in the gymnasium and on the school grounds. They nourish such values as caring, honesty, and generosity, and they encourage the power of thinking and the possibility of problem solving. I believe the teaching profession is a truly honourable one. As such, those who choose this vocation prepare themselves broadly and extensively to respond to the ever

expanding, ever evolving curricula. This profession demands and dictates to its members a high standard of responsible behaviour. It is my experience that the professionalism of our Alberta teachers is uppermost in their minds. Their professional behaviour in responsibly fulfilling all their contractual obligations and more is truly admirable and worthy of our respect.

I have always respected the dignified integrity of teachers, and I believe that today's teaching environment is a truly challenging one. Societal expectations run the gamut from a little to a lot. Teachers are often expected to be all things to all students in the minds of almost all people. When students need counseling advice, nursing care, and parenting acceptance, the school environment expands considerably. The teaching and learning environment is complex and intense, and I believe it is also productive and exciting. I applaud the numerous quality initiatives taking place in our classrooms, our music and art rooms, our gymnasiums, and all other venues in which significant learning and teaching takes place.

THE SPEAKER: Thank you, hon. member.

The hon. Member for Edmonton-Meadowlark.

2:30

Mikko Nissinen
Alberta Ballet

MR. MASKELL: Mr. Speaker, I'd like to take this time to recognize Alberta Ballet's outgoing artistic director, Mikko Nissinen. Since 1998 Mikko Nissinen has been at the helm of Canada's fourth largest dance company. During his tenure the company has increased in stature to become one of Canada's leading dance companies. As well, Alberta has gained a great reputation through its performances internationally.

Currently the company is concluding its regular performance season to great acclaim of audiences and critics alike. Deirdre Kelly from the *Globe and Mail* wrote:

The second coming of Alberta Ballet is mostly thanks to Mikko Nissinen, the acclaimed Finnish dancer . . . Alberta Ballet no longer moves, it crackles with energy. The pace is fast and punchy. The dancers attack the choreography . . . with a ferocity that is exhilarating to watch.

Mr. Nissinen has had some exceptional works created for Alberta Ballet and has acquired existing quality repertoires. Some of the great names in the dance world's work, such as George Ballanchine, have graced the stages of Alberta. Mr. Nissinen, realizing the importance of developing local talent, created a platform for young Canadian Alberta choreographers. Through various opportunities in choreographic workshops Alberta Ballet dancer Sabrina Matthews has emerged as a true talent. The Alberta Ballet School has also benefited from Mikko Nissinen due in great part to the appointment of Murray and Nancy Kilgour, teachers of distinction world-wide. Mikko Nissinen has created a dance company for all Albertans to be proud of.

Recently the *Globe and Mail* wrote on the growth of Alberta. One of the people interviewed in the article said that the reasons he moved his family to Alberta was not just for the economic benefits but also the fact that Alberta had great leisure activities and a world-class ballet company. Alberta Ballet is an important part of the cultural fabric of Alberta, that makes this province a very special place to reside.

Please join me in thanking and congratulating Mikko Nissinen on his success in making Alberta Ballet the successful dance company it is today. Mikko, we wish you great success in your new role as artistic director of the Boston Ballet.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

Safe and Caring Schools Program

DR. MASSEY: Thank you, Mr. Speaker. On April 20 we will remember the students who died at Columbine high school in the United States. In Alberta we will also remember Jason Lang, the 17-year-old Taber high school student killed in the same month. These deaths gave a new sense of urgency to the work of the Alberta Teachers' Association's Safe and Caring Schools project. The goal of that project is "to encourage school practices that model and reinforce socially responsible and respectful behaviors, so that learning and teaching can take place in a safe and caring environment."

The importance of the project aimed at violence prevention and begun in 1996 can be seen in the project partners: our universities; the Muttart Foundation; the Lions Clubs of Alberta; the human rights, citizenship and multiculturalism education fund; the national strategy on community safety and crime prevention; and the Alberta Teachers' Association. Provincial support and funding of the project has been crucial. Research into the nature of violence, the development of preventive programs and materials, and ongoing training of school and community personnel are all products of the project.

Given that the prevention of school violence is literally a matter of life and death, it is hard to understand how the Alberta government could fail to include the resources for the Safe and Caring Schools project in this year's budget. Millions of dollars have been appropriately put into the Jason Lang scholarships so that Jason and what happened to him will never be forgotten. Surely the dollars needed to make sure his story is never repeated are equally valuable. I urge the government to act quickly to restore the funding and ensure that the Safe and Caring Schools project continues uninterrupted.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Red Deer-North.

Alberta Juno Award Winners

MRS. JABLONSKI: Mr. Speaker, Alberta has some of the most talented and creative people in the country who are a shining example of our province's vibrant arts and culture scene. Solid evidence of this fact unfolded this past weekend when a number of Alberta artists won several of Canada's top music awards, the Juno, held in St. John's, Newfoundland. Late Sunday night, April 14, my daughter cheered with joy and clapped with glee as the musical group known as Nickelback from the great Alberta town of Three Hills won the best single, best rock album, and best group awards. We are very happy and honoured to congratulate Chad and Mike Kroeger, Ryan Peake, and Ryan Vekedal, who are members of the Nickelback group. Also presented with awards were Albertans Jann Arden for best song writer, Carolyn Dawn Johnson for best country artist, and Oscar Lopez for best instrumental album.

Mr. Speaker, they are all exceptional performers who have continually demonstrated remarkable skill and talent as musicians while bringing pride and honour to Alberta. They inspire others through their music and serve as exceptional role models for up-and-coming Albertan and Canadian musicians. The arts remain a vital part of what makes Alberta one of the most vibrant and exciting places to live in the world. All members of this Assembly recognize the exciting talent that is born and raised in this great province, inspired by our majestic mountains, emerald lakes, blue skies, loving families, and friendly people. Congratulations to each artist. We wish you continued success.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. Today I am presenting a petition signed by 115 residents of Edmonton petitioning the Legislative Assembly "to urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I am pleased to table with the Assembly today the 2001 annual report of the Alberta Association of Architects.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have two sets of tablings today. The first is letters from Dennis Knelsen of Sherwood Park, Don Iwaschuk of Edson, Marcus Lyon of Okotoks, and Dwayne Papke of Sundre. These Albertans want the government to maintain some access for off-highway vehicles in the Bighorn.

I'm also tabling five copies of a letter from Tamaini Snaith of Calgary, Shirley Bray of Calgary, and Nigel Douglas of Calgary, who want the government to designate the Bighorn wildland recreation area as a wildland park, using the 1986 boundaries.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have five tablings today, all on the community lottery boards. The first is from Deborah Evans, the Canadian Cancer Society, Alberta/Northwest Territories division, noting that the community lottery boards have supported cancer education and cancer patients and their families with a list of projects.

The second letter is addressed to the Member for Calgary-Currie and is signed by Doug Easterbrook, president, StoryBook Theatre. They thank the member for his kind words and enthusiasm for the project and "continue to hope that there will be a reversal of the decision to disband the Lottery Boards across Alberta."

The next tabling, Mr. Speaker, is the appropriate number of copies of a letter from Karen Pirie from the Women's Centre continuing to express disappointment in the government's refusal to reinstate the lottery boards. They don't find comfort in the government seeing them fall through the cracks.

The next tabling is from Shauna Kennedy of Emmedia asking whether it wouldn't be easier to reinstate the boards now so that if future funds become available, the structure to distribute the funds will still be in place.

The final letter, Mr. Speaker, is from Danielle French from the constituency of Highwood. She would like to be more informed on the reasoning behind the decision to cancel the community lottery boards.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have one tabling today, the appropriate number of copies of an e-mail sent yesterday afternoon from an Albertan from St. Paul who asked me to table this e-mail on his behalf requesting "Finance Minister Pat Nelson to make an apology in the Legislature to all Catholic Albertans for her derogatory

comments," which he found exceedingly offensive and hurtful. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first one is a petition supporting public and separate school teachers in their ongoing negotiations with the provincial government. This again is organized by Darby Mahon of Edmonton-Gold Bar.

My second tabling this afternoon is a copy of an e-mail from Phillip and Eileen Walker from the constituency of Edmonton-Gold Bar, and in this e-mail they are demanding that the Premier receive the resignation of the Minister of Finance.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

2:40

DR. PANNU: Thank you. Mr. Speaker, I'm pleased to rise and table a letter from the president of the Canadian Federation of University Women, Lethbridge club. Diana Williams, the president, writes this letter on behalf of members who place a very high value on quality public education, and she's writing this letter to protest the very undemocratic nature of Bill 12, which unfortunately has now become law.

Thank you, Mr. Speaker

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks, Mr. Speaker. I have a tabling today, and I'm tabling the appropriate number of copies of a document entitled Message for Deputy Ministers To Share with Their Staff. This document provides government propaganda from the Ministry of Learning to government employees respecting the teachers' labour dispute.

THE SPEAKER: The hon. Member for Drayton Valley-Calmor.

REV. ABBOTT: Thank you, Mr. Speaker. I rise today to table the requisite number of copies of a petition initiated by the Schizophrenia Society of Alberta and signed by 444 Albertans who are petitioning the government to implement changes to the Mental Health Act of Alberta. They would like to "change the criteria for involuntary commitment or Court Ordered Treatment," to be based on "illness or helplessness, not solely on the presence or absence of danger."

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I rise today with two tablings, one from the chair of the South Calgary High School Steering Committee and the other from Mark Mcmillan, the chair of the South Calgary High School Youth Committee, both expressing their concern for the deferment of the South Calgary high school project and asking for my help and support to remind government that it's still much needed.

Thank you.

THE SPEAKER: Hon. members, I table in the House today five copies of a letter dated April 15, 2002, which I received from the Leader of the Official Opposition, requesting that the second supplemental of the third question asked on April 15, 2002, be withdrawn, as "it was an unacceptable mistake."

Privilege Contempt of the Assembly

THE SPEAKER: Now, we have two matters to deal with, and the first arises out of a purported question of privilege that was raised just several days ago. I am prepared to rule on this purported question of privilege raised by the Official Opposition House Leader and Member for Edmonton-Ellerslie. In a nutshell, the hon. member alleges that the government is in contempt of the Assembly for not complying with the terms of section 42 of the Financial Administration Act concerning certain arrangements about the Swan Hills waste treatment plant.

Notice was given by the member last Thursday, April 11, 2002, after the first set of questions by the Leader of the Official Opposition on this subject. As members should know, questions of privilege must be raised at the earliest opportunity. The member followed the procedure in Standing Order 15(5), which provides that a question of privilege may be raised "after the words are uttered or the events occur [giving] rise to the question."

Frankly, the chair cannot see what there was in the responses by the Premier or the Minister of Finance on that day giving rise to a question of privilege as opposed to the previous day, but in light of my ruling it is not of much consequence.

In support of her application that day the hon. Opposition House Leader tabled some material concerning the financial activity surrounding the government's involvement with the plant. She also tabled a page from the book by Marleau and Montpetit, *House of Commons Procedure and Practice*, concerning contempt.

Yesterday the Minister of Finance provided some information on the plant and disputed the member's interpretation of section 42 of the act, indicating that the section had not been breached. At a minimum, for there to be a prima facie question of privilege, there would have to be some link to the proceedings of the Assembly to demonstrate how a member's rights were interfered with. While there was much attention devoted to the financial arrangements of the plant, there was not much authority cited as to how the complaint would constitute a contempt. The chair will not read the entire section 42 of the Financial Administration Act, but subsection (2) requires that there to be specific authorization by legislation or regulation before entering into a joint venture, a partnership, or giving a loan or purchasing shares. Subsection (3) restricts a member of Executive Council from introducing in the Assembly an appropriation bill or estimates that would involve the Crown's entering into any of the relationships the chair just mentioned without specific authorization.

Clearly, the chair is being asked to give a legal ruling on this matter. It is not a matter of procedure but, rather, a matter of deciding whether the Crown has met its legal obligations. The authorities are quite clear that it is not the chair's role to interpret legislation that does not involve the procedures of the Assembly. *Beauchesne's* paragraph 31(9) states, "The failure of the Government to comply with the law is not a matter for the Speaker, but should be decided by the courts." The chair would also refer members to Joseph Maingot's book *Parliamentary Privilege in Canada*, the second edition, at page 180. As Speaker Fraser said in the House of Commons on February 5, 1992, at page 6426 of *Debates*, "Speakers do not interpret or enforce matters of statutory law." Of course, there is an exception when the statute refers to the procedures in the Assembly, but that is not the case here. Likewise, it is not the chair's role to rule on the legality of the contents of the estimates in terms of whether they comply with statutory preconditions. That, too, is a question of law.

Accordingly, there is no prima facie question of privilege.

Privilege Accusations against a Member

THE SPEAKER: Now, yesterday, hon. members, in the Assembly notice was given by the hon. Deputy Premier about the desire to proceed with a purported question of privilege, and it arose out of an exchange that occurred in question period with the Leader of the Official Opposition. The Leader of the Official Opposition visited with me later yesterday afternoon and did indicate to me that he would be away from the Assembly today on official business. Section 15(4) of our Standing Orders states:

If the member whose conduct is called into question is not present, the matter shall be deferred to the next day that the member is present unless the Speaker rules that, in the circumstances, the matter may be dealt with in the member's absence.

In much the same way, I guess, that a point of privilege was dealt with that was raised last Thursday and then followed up last Monday, in this case not knowing what the point of privilege is going to be but only surmising that the point of privilege will probably have to do with words that were exchanged in the Assembly yesterday and recognizing that the longer these matters continue outstanding in here, the more difficult they are on the members themselves, should the Deputy Premier rise shortly and ask for permission to proceed with her submission with respect to this point of privilege, it would be my intent to provide authority to do that, recognizing that this matter will not be dealt with today and it will give the hon. Leader of the Official Opposition 24 hours to review the comments and determine what he would like to say. He would be given an opportunity to respond tomorrow afternoon in the Legislative Assembly, and only after hearing all the arguments would a ruling be provided with respect to this matter.

So I am going to sit, and I will invite the hon. Deputy Premier to advise whether or not the hon. Deputy Premier chooses to initiate a statement today or wait until tomorrow.

MRS. McCLELLAN: Mr. Speaker, I gave notice of my intention to rise on a point of privilege, and today I do wish to address that point of privilege. My question of privilege arises from an allegation in the second main question asked yesterday by the Leader of the Official Opposition. The leader alleges that on April 11 in this Assembly I was heard to say or I said, "Most of the Calgary board are pedophiles." Mr. Speaker, for the record, I made no such remark on mike or off mike. The word "pedophiles" was never uttered by me. When the opposition leader posed his question to me, I immediately responded "Absolutely not," and I'll paraphrase and go on: I did not make that statement.

My denial was not good enough for the leader, who, as usual, seemed compelled to stick to his prepared script even when the script was rendered obsolete by my answer. Following my firm and unequivocal denial, the leader went on to ask whether "statements like that reflect policy decisions made by the government." Again I categorically denied making such a statement, but again the leader seemed incapable of acting in any other way than reading the words that had been put in front of him.

2:50

In his second supplemental he had the temerity to ask me to direct you, Mr. Speaker, to release certain audiotapes. You were very quick to set the record straight on the relationship between the Deputy Premier and the Speaker. You were very quick to point out the obvious inappropriateness of the question, and I understand that that matter has been dealt with. However, the Leader of the Opposition has not been so quick to correct himself in regard to what he alleges he heard or they heard or I said. He has not, in my view,

dealt with that issue at all. He has, in my view, been shamefully irresponsible if not dishonourable in not setting the record straight and apologizing.

Mr. Speaker, I have been a member of this Assembly for almost 15 years. In my first address in this House – I believe we call it our maiden speech – I made the following pledge, which I quote from *Hansard* dated April 11, 1988:

Mr. Speaker, I promise to fulfill my term in this Legislature with dignity and to conduct myself in a way which conveys the utmost respect for my honourable colleagues. I pledge to uphold the traditions of this great institution and hope that what we accomplish here in this Assembly may stand as a shining example to our youth. I also hope that through my actions I can honour the memories of both my father and Henry Kroeger.

Over the course of the years since I made that pledge, Mr. Speaker, I have endeavoured to maintain my personal dignity as well as the dignity of this House. In one false, I believe malicious line of questioning the Leader of the Opposition, in my view, has called that dignity into question not only in this Assembly but across Alberta, where his question from yesterday has been widely reported.

I notice in some media reports today that the leader has tried to qualify this remark with the statement that he didn't actually say that I made the comment, only that the Liberals believe I made that comment. Well, frankly, Mr. Speaker, what the Liberals believe is irrelevant. Albertans can only judge these proceedings by what is said, not by what might or might not be believed. What is relevant to this Assembly is what members say, and what the opposition leader said yesterday was hurtful, it was disrespectful, it was unproven, and above all it was wrong.

I endeavoured very carefully to remember what I said in an off-mike comment during the discussion on April 11 regarding Bishop Henry's letter. I have listened to the audio of the proceedings, which are available on the Internet for all members, and I have reviewed the video of the proceedings. I think it is quite clear. For the record here is what I said, and I quote: most of the Catholic boards have settled. End of quote. This remark was directed to the Minister of Learning and was offered as a possible counterpoint to the arguments of Bishop Henry. To reiterate, Mr. Speaker, the word "pedophile" was never uttered by me.

During my years in political life I've worked hard to establish a positive relationship with Alberta Catholics and, indeed, Albertans of all faiths. When I had the pleasure of serving as minister of health, I was honoured with a lifetime membership in the Catholic Health Association of Alberta and their affiliates. That honour was for my work in maintaining the unique principles of the Catholic philosophy of health care during a time of great change in the health system, and the word "integrity," personal integrity of this member, is on that document. Though I left the health portfolio almost six years ago, that tribute continues to mean a great deal to me and my family.

Speaking of my family, I should put on the record that many members of my family are of the Catholic faith as well as a great number of my very, very close friends. I have a respect for the history, the principles, and the great community spirit of the Catholic church and would never, ever say anything publicly or privately to demean the church, its clergy, or its members.

I believe that the leader's allegation yesterday could potentially blemish that good relation I have with the Catholic church, Mr. Speaker, and even if the leader shows enough respect for this Assembly to apologize, his malicious remark will linger in the public memory. People will wonder: what did the minister actually say? A seed of doubt has been planted, and it has absolutely no merit.

Mr. Speaker, in recent years, in my view, the Liberal opposition has frequently resorted to personal slurs and attacks against members

of this government both inside the House and outside. I don't think it's any coincidence that during this period of personal attacks they have diminished from being a party of stature across this province under the leadership of the late Laurence Decore to a party with only a small handful of seats and virtual irrelevance in most of the province. While I certainly do not profess to be an expert in Liberal political strategy, I do suggest, if I may be so bold, that if they want to regain even a shred of the respect they enjoyed several years ago, they begin today by apologizing for the unfair and untrue allegation leveled at me yesterday, first, and then they might think about focusing on the issues that matter to Albertans rather than trying to score cheap political points by leveling personal attacks on other members of this Assembly.

Mr. Speaker, section 15(1) of the Standing Orders of this Assembly states: "A breach of the rights of the Assembly or of the parliamentary rights of any member constitutes a question of privilege." There is an accusation on the floor of this Assembly from the Leader of the Opposition which clearly, I believe, breaches my rights as a member of this Assembly. How can I possibly continue to execute to the best of my abilities my responsibilities as an MLA, as a minister, as the Deputy Premier with this outrageous falsehood hanging like a black cloud over my character?

Beauchesne's Parliamentary Rules & Forms, 6th edition, section 69 says that a question of privilege exists if an attack on a member "impinges upon the ability of Members of Parliament to do their job properly." *Beauchesne's* section 64 states that the attacks on individual members in the past eventually resulted in the accuser being "summoned to the Bar to apologize." Mr. Speaker, I hope that's not needed in this case.

It is my sincere hope that the Leader of the Opposition does the honourable thing and unconditionally apologizes, withdraws the accusation, and admits that what he said and did was wrong. Mr. Speaker, failing that, I believe a prima facie case of privilege exists and would encourage you to hear my argument, judge the case, and allow me the right of the next procedural step to clear my name.

Thank you, Mr. Speaker.

3:00

THE SPEAKER: Now, hon. Member for Edmonton-Highlands, you wanted to participate on this purported point of privilege?

MR. MASON: Yes, please, Mr. Speaker.

THE SPEAKER: Be very specific, please.

MR. MASON: We will be as specific as possible, Mr. Speaker.

Following the question period yesterday and the statement of the hon. Deputy Premier, we went and reviewed the videotape, and we could not ascertain what in fact the minister had actually said, but there was one thing that we find rather troubling, and you may wish to take this into account in your ruling. One of the things that the Deputy Premier did that was quite different from the statement made the other day by the hon. Minister of Finance was to make a private comment to another member sitting down, and it was picked up on the tape because the mike was open.

We believe that there needs to be a distinction drawn between a statement which is made obviously for all members of the Assembly to hear and a side comment made privately to a colleague that is inadvertently picked up on the microphone. We would hate to think that people would be searching the videotapes and the audiotapes for any side conversations in order to make use of it in the Assembly.

So that point is just offered for your consideration, Mr. Speaker.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. After continuing communication on this issue with the Official Opposition and the third party I seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Sustainable Resource Development to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03**

Sustainable Resource Development

THE DEPUTY CHAIR: As per the Standing Order the first hour is allocated between the minister and members of the opposition, following which any other member is able to participate.

The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Chairman. I am pleased to be here today to talk about Sustainable Resource Development's 2002-2003 budget. I couldn't think of a better day to be here. With all the snow out there, I assume that there are no forest fires going, so it'll give us a lot of time to think carefully and debate the budget.

Before I start, I'd like to introduce some of the staff I have sitting here in the members' gallery. Our deputy minister, Dr. Bob Fessenden, is here; Crystal Damer, executive assistant to the deputy minister; Stewart Churlish, assistant deputy minister of strategic corporate services; Ray Duffy, director of budgets, forecasts, and financial statements; Daphne Cheel, director of policy and planning; Donna Babchishin, of course, director of communications; and Donna Ballard, my executive assistant. They'll be monitoring the discussions very closely, Mr. Chairman, and ensuring that any answers that I cannot give to some of the questions that may be put across the floor to me we will of course do in writing as soon as possible after the discussions.

I'd like to also thank other departments that were involved in the overall planning of our government budgets, because not only do you develop a stand-alone budget yourself and budget estimates, but we co-ordinate that with other ministries. So I'd like to thank other ministries and their staff for their support, and of course I'd also like to thank the opposition members of the House for their support in a lot of areas and co-operation in the development of programs to serve Albertans.

At Sustainable Resource Development our job is to ensure that Albertans benefit from the development of their public lands and renewable resources both now and of course into the future. For instance, there are a number of economic, recreation, cultural, and social activities on our public lands. Our department maintains a balance between activity and conservation. An example of this

balance is certainly seen throughout the recent public consultation we've been doing in the Bighorn area of our province.

We have a variety of programs and services in our ministry, but there are five core businesses: forest protection, forest land and resource management, fish and wildlife management, rangeland management, and land use disposition management. Each of these core businesses comes with their own challenges, of course.

Speaking of challenges, we dealt with extremely dry conditions and numerous forest fires in the past year. Certainly this reality is costly, and it is reflected in our budget. In terms of our gross comparable forecasts last year we spent close to an additional \$100 million in supplementary estimates to deal with the extremely busy fire season we had. For example, the fire at Chisholm alone resulted in over \$30 million in staffing and equipment costs to get this fire under control.

Dealing with natural occurrences such as fire, it is often difficult to know how our budget will be impacted over the fiscal year. The reality is that the forecast projections from this much of the expenditures are based on weather conditions and the type of fire season that occurs throughout the year. However, what I can tell you is that as a ministry we are doing everything we can to promote fire prevention and also be prepared as a department.

3:10

For instance, in order to prepare for the fire season, we have started the season on March 1, basically about one month earlier than the normal time. Another proactive initiative that we are doing this year is in the area of wildfire education. An example of this education is through the FireSmart program for communities and individuals, providing information and tools for communities to develop effective fire solutions. Our expectations for the FireSmart education program are to reduce the fire behaviour potential, to increase our ability to suppress wildfires, and to increase industry's awareness and support.

To accomplish this we will need to implement effective strategies such as establishing barriers to stop the spread of fires, managing sources of fire fuel such as grass and trees close to communities, managing partnerships in needed prevention programs, enhancing the resources that communities have to fight fires, and enhancing education in communities between all partners, including industry. This is such an important initiative. Prevention measures can save or significantly reduce the impact of fire on families, homes, and communities. We all share in this responsibility for protecting our homes and communities.

Forest protection meets the government business plan goals of keeping Alberta a safe place to live as well as encouraging the well-being and self-reliance of aboriginal people in Alberta. I can assure you that we will not compromise public safety and will do this by supporting programs such as FireSmart and our work with the municipalities.

Another challenge for our ministry is the expanded role of the Natural Resources Conservation Board, also known as the NRCB. On January 1 the independent agency assumed the responsibility for the regulation of confined feeding operations in the province of Alberta. Albertans can be assured that the new review process will be impartial and open, allowing for public input into projects. They will base their judgments on the need for consistent, science-based decisions and on Albertans' desire for sustainable development of our natural resources and our livestock industry, which is so important in Alberta.

With this expanded role and responsibility we will be providing more resources to this area. Specifically, we will be providing an additional million dollars in funding for the NRCB. However,

despite this increase our overall budget is \$7 million less than last fiscal year's budget. Four million dollars of this change is associated with the end of a short-term program related to fire reclamation work from the 1998 fires. We are reducing another \$4 million by finding efficiencies toward the reorganization which we are going through at this time. This reorganization will place a greater focus on regional services and issues as well as make our regions more economical and effective. Streamlining processes and administrative savings will be achieved through the hard work of our dedicated staff. So just to clarify, between the reduction in this area and the increase of \$1 million funding to the NRCB, we will still be facing a \$7 million cut from last year's budget.

Another area that I wish to speak about as a challenge within our ministry is the area of fisheries and reinvestment. Our fisheries resources are under increasing pressure from our growing population and new resource developments. Alberta has the third highest freshwater angling pressure in Canada as well as pressures from aboriginal and domestic fishermen and commercial fisheries. With current fiscal resources these programs are challenging. Our ability to effectively manage fish stocks is a real challenge.

We are currently working out a number of options that will recover healthy fish populations and produce sustainable fisheries in Alberta. These options include rebuilding the population and number of fish types, improving the fisheries inventory to provide current information about the status of the resource, reducing the number of commercial fishermen in Alberta, and providing information and educating the public about fisheries management. These are just a few of the options that we are looking at over the next while. We need to be proactive and get moving on this by taking the necessary steps to help recover this vital resource in Alberta and, by doing so, ensure that Albertans will have the opportunity to enjoy the province's natural, historical, and cultural resources.

Our ministry deals with a number of wildlife situations, both positive and negative. As an individual living in a rural community, I am very aware of the challenges that exist out there. Lately there has been an increase in the number of elk and deer in certain areas of the province. As you can imagine, this causes a variety of problems both on roads and around our farms. In fact, in the last year we have had close to 6,000 wildlife/motor vehicle accidents across the province, a very high number. That's a 40 percent increase in the last seven years. Our department works to establish targets for deer population. We also monitor deer population through a number of ways, including aerial surveys, hunter harvest, and hunter and public input.

Our current deer management strategy is being updated to deal with public concerns. Our new strategy will target problem areas and changing trends. A large part of this strategy is the public education we do through our fish and wildlife officers and through media releases such as the one we will be doing today, and we did one earlier also. Other tools in our strategy include promoting an increase in the number of informed hunters and increasing the number of tags to hunt certain deer in certain areas of Alberta.

The last area that I want to talk about today is that of our forest industry. Forestry is essential to Alberta's sustainable resource development and a very important part of our provincial economy. Part of the overall economic action plan in Alberta includes the forestry sector as the third industry in relation to revenue generation and job creation. In fact, the revenue generation from the forestry sector is around \$8 billion. Over 50,000 people are employed directly and indirectly in the forest industry, and over 45 communities throughout Alberta depend on forestry as their major source of revenue and job creation.

Of course, what is in the news these days is the softwood lumber

trade dispute. There is no doubt that the softwood lumber dispute with the U.S. is having an impact on forestry throughout Canada. It also is very important to those communities who rely on this industry and to thousands of Albertans who work directly and indirectly in this sector. I can assure you that this government will do whatever we can to ensure that we come to a reasonable settlement. Both the Ministry of Sustainable Resource Development and my hon. colleague Minister Jonson from International and Intergovernmental Relations have been very involved in this issue. In return for the significant adjustments to our forestry policies and practices, we expect long-term, secure access to the U.S. markets. Like many of you, I am greatly disappointed with the U.S. response to Canada's offer and the 29 percent ruling on March 22. We are not looking for a deal at any cost, though, to our industry. Alberta mills' exports of softwood lumber to the U.S. account for 7 percent of Canada's total softwood exports, or about \$500 million to \$600 million.

3:20

What we need is a solid commitment from the U.S. that current trade cases will end and that new trade cases will not be initiated. International and Intergovernmental Relations is the lead on these issues. Alberta is not looking for its own agreement with the U.S. The U.S. government cannot sign a trade agreement with a province. However, we will have our mark on an agreement. In discussions with the U.S. an Alberta annex would be negotiated by Alberta officials, not federal officials. Alberta does not – does not – subsidize its lumber industry, and Albertans receive a fair market value for their forest resource. I can assure you that Alberta will continue to work closely with our industry partners, the federal government, and other provincial governments to work towards a durable Canadian solution. If we cannot come to a negotiated settlement with the U.S., we will continue to pursue the legal challenges through the World Trade Organization and NAFTA. I am confident that we would win again, like we have the past three times.

Regardless of the outcome of the softwood dispute, our ministry is working with other government departments and industry on the important future direction of our forestry here in Alberta. These include such areas as forest productivity, primary manufacturing, secondary manufacturing, third-level manufacturing, community partnerships and participation, and forest industry supply. In order to remain competitive in the international marketplace, we know that Alberta's forest industry is going to have to diversify. It is important that the industry develop and market and promote the value-added sector. By doing this, we can create different economic opportunities for Albertans while continuing to ensure sustainability of our forests. Industry is such an important player in that process. Whether it is about stumps, softwood lumber, or timber allocations, we will continue to work with industry to ensure that we have a competitive and sustainable industry. We want an industry that provides stable employment for communities and economic benefit to all Albertans.

Our department realizes that there are many challenges to be faced, but thanks to our careful planning and the dedication of our staff and other departments' staff, we are prepared to meet these challenges. Ladies and gentlemen, my department trusts that you will offer us your understanding and your support on this budget. Again, I want to thank you for your continued support and co-operation as we move forward with this challenging department, and I'd like to thank the opposition for their input in this.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. It's my pleasure to be able to participate in the Sustainable Resource Development

estimates this afternoon. First of all, I'd like to thank all the staff who are here and all the staff in the department, many of whom I know quite well and have worked with for a number of years on a variety of issues. I think this is just an excellent example of a government department, directed by a minister, who are working in as full a co-operation with the opposition as could possibly be anticipated, and certainly as the critic for this department I appreciate that level of co-operation. What we see in this department are staff who are very dedicated to their work and are very dedicated to the province as a whole. That certainly shows through in how they carry out their work, and it is a pleasure to work with a department where the minister agrees to have full co-operation and as much disclosure as we could ask for. So while I don't want anyone to get the impression that I always agree with everything the department does or the filters that they use in decision-making, it's been unbelievably pleasant to work with the department and certainly all of their staff members, and I can say that, having worked for many years with the staff under the direction of former ministers.

Now, I have to say that perhaps it's not always as much fun in question period as it has been with former ministers. I was reminded of that today when I was in a meeting with Bob Clark and Glen Clegg, who both talked about how interesting question period could be when the Member for Rocky Mountain House was the Minister of Environment and we used to get into some interesting verbal debates. In fact, Glen Clegg said that that Member for Rocky Mountain House never would agree to go deer hunting with me, and that's true. He never would. Now, I'm a little afraid that this minister would, and I'm not sure I would go.

AN HON. MEMBER: Not when you call him "deer" all the time.

MS CARLSON: Well, that was exactly Glen's interpretation. [interjections] There you go. Well, that's interesting.

We've had some more acrimonious and adversarial and sometimes interesting times in question period in previous years, but we certainly haven't got in previous years the level of co-operation and information that we get now.

I would also like to openly acknowledge that we get briefings on issues from the minister and his staff when issues that they think we might be interested in arise, and those are also very beneficial. The offer has been made for us to bring up issues that we wish to be briefed on, and we haven't taken advantage of that offer so far mostly because of my busy schedule, but I can certainly anticipate doing that in the future. Perhaps when we're out of session, we'll do so.

The minister has stated that we will be getting a briefing soon on fisheries, and I particularly look forward to that because, as the minister and the department know, that has been an area that I've had particular pet peeves with for many years. The minister referred to that issue in his comments, and I appreciate that. We believe that this is an area that has been underrepresented and undervalued by the province for many years, subsequently resulting in the kinds of problems we have in fisheries right now, where we are now starting to look at very serious damage being done to the industry from both a commercial and a recreational perspective, not to mention the environmental impact it has on water quality and the food chain when we have problems with fish stocks in the province. In my personal opinion, we can't spend too much time or energy looking at resolving that problem, and I hope that the long-term strategy in dealing with this particular issue will be based on the collection of science-based research and an integrated strategy that takes into account the cumulative impact of fish stocks in all areas of the province, not just on the economic and recreational sides. I'm sure

that that's where this department is going now. I think that they look like they're on the right track, and we look forward to that.

It's my anticipation this afternoon that we'll have a very friendly exchange. I'll make a few opening comments and include a few opening questions in response to the minister's comments. I hope that he will respond, perhaps generally – that's just fine – and then if they have more detail, that detail could come in writing at some later time. Then after those opening comments, I'm hoping to go to more of a question-and-answer format, because this format has worked well in this House with other departments so far this year, but particularly this format has served me very well in past years when we had this department meet in other rooms and when we had some of the senior staff available for questions and answers. The specific budget items in terms of who gets paid what and how many FTEs there are can always be easily submitted in writing and answered later on. For us, what I like to get out of a department review is a general direction of where the ministry is going and how the minister interprets some of the issues that are outstanding in the community. That's worked well for us in the past in this department, and I'm sure that it will work as well this afternoon.

3:30

In general, my only dollar question off the top is that as usual I'm a little concerned when this department sees continued reductions over the years. This is an area that I like to fight for more money in. We've seen quite significant cuts. I understand the restrictions that the minister is under in terms of coming up with his share of the cuts in this most recent budget, but I don't see this department getting their share of the budget surpluses when those also arise periodically throughout the year. If we take a look at budget forecasts right now, this government so far is headed for about a billion dollar surplus, and I'd put a lobby in for this department to get their share.

There are lots of places where onetime funding could be used. Of course, my preference would be for sustained funding, particularly in the enforcement area and the fish and wildlife area. It's really great to have rules and regulations, but if they haven't got the people out in the field educating and enforcing, then there are some problems, and we've seen some of those problems erupt over time. So that's just my only general observation about cash to begin with.

The minister in his introductory comments talked about a balance between economic development and environment, and I'm glad to see that that's how he sees the department. It isn't specifically how it is outlined when we take a look at the business plan for the year 2002 to '05. There they talk about the mandate including, yes, "the right dynamic balance amongst economic, environmental and social values and benefits," but later on it talks about "integrating scientific, technical, social and political considerations into the decision-making framework for resource management." So I don't see the flow-through of the focus on environment all the way through.

I would also be concerned about and want to know what kind of weighting the ministry gives in their decision-making process, because it seems to me often that the economic and the political considerations get a very heavy weighting compared to the other areas. Maybe I'm wrong in how they do that, but those are certainly the optics, and we would like to be provided perhaps later on some weighting of that. I'll just go on to a couple more, and then you can generally answer that, if you like.

Firefighting: a good job in this province. We had some concerns a couple of years ago that the cuts in staff and the loss of expertise may have contributed to some longer time and therefore extra dollars and lost inventory in some of the fires that occurred about two years ago, but generally speaking, I think this is an area that government does a pretty good job in. We certainly never have any problems

when they come back in supplementary estimates for money if it's a heavy fire year. Happy to see you focus on education. I think in this area it's very needed. I'm not a huge fan of fire suppression in some areas, but I think that generally speaking the government has done a good job on this.

The minister talked about an extra \$50 million for the NRCB, and I didn't get exactly what that money was going to be spent on, so if he could just expand a little bit on that.

Then if he could also expand on two questions on the fishing information he provided. Are you specifically going to be addressing the request from the walleye association to increase fishing licences and have that money directly dedicated to helping sustain fish stocks? That's something that I think is quite interesting that has been brought up, and definitely we would support something like that.

Then he talked about elk and deer, and that brought to mind that I've been hearing quite a few concerns about tick-infected moose and them moving into farmyards and acreages and causing some kinds of problems. Does he see that as a problem in his department, and what are they doing about it?

So just take those few questions, if the minister could respond, and then I'll continue.

MR. CARDINAL: You covered a lot of areas, and I really, really appreciate that giving me an opportunity to continue with some of my remarks. Of course, there are a number of priorities and issues that do overlap in our ministry in terms of importance. You mentioned a bit about priorities and the importance of issues. I mentioned many of these issues in my remarks earlier today, but again I'll just touch on other areas. In terms of priorities perhaps I can speak a bit about them in just a few general categories.

The first one I want to speak to is the priority of protection of Albertans, because the issue of the fire and fire suppression was mentioned. As the member knows, we are responsible for protecting Albertans from forest fires, and we do, I believe, a very good job of this each fire season.

Another area that is involved in the protection of Albertans of course would be dealing with drought on public lands. As you know, it may look very wet out there today with a lot of snow, but we shouldn't be fooled. It is very, very dry out there yet, and we need to be alert.

Another priority you mentioned is achieving a balance again, and, Mr. Chairman, our department will look at achieving a balance in the economic, environment, and social aspects of our resources. This means that we know that we need to find a balance for all competing demands that exist in our province. For instance, the Bighorn area of the province: many people and industry want to use this area for their own distinct purposes. Our challenge of course is to find a balanced and sustainable approach to all these demands for now and for the future, for the long term. One of the key elements of doing this is to involve the public. We need to know what their needs are, and I've mentioned in this House a number of times the committee that's in place and the work that they are doing. I'm expecting a report from them in the near future.

Another resource that of course we need to find a balance in is our fish and wildlife resources, and the hon. member mentioned the importance of that to Alberta and to Alberta's future. We will definitely do that. As I mentioned earlier, Alberta is facing many challenges in keeping our fish population viable. One of the ways our ministry is looking at ensuring this is through improving the Alberta fisheries initiative that I spoke about earlier, and I'll expand on that in a very short while.

The last area I want to talk about in answering your questions on

this is about the sustainability of our forests. We all know that we are currently facing a huge issue with the ongoing softwood lumber trade dispute, which I spoke about in my opening comments. While working in partnership with International and Intergovernmental Relations, we are fighting for Alberta's forest sector. However, this issue is not just about the softwood lumber dispute. There are so many communities and so many Albertans dependent on the forest industry itself, on the primary, the secondary, and the tertiary industries. So we need to have strategies that will ensure the existence of this sector for a very long time, and you can be assured that we will continue to do that.

3:40

When you look at our forest resources, for an example, in relation to the management of our resources, we only harvest approximately 50 percent of what the growth will be out there. There's approximately 44 million cubic metres of annual growth, and we are only taking out 23.1 million cubic metres of annual growth. So we are definitely trying to keep a balance. It's not easy to do, but it's something that we will be doing and will continue to do because it is very important. Conifers, for someone that may be interested – that's spruce and pine – are 13.2 million cubic metres, and deciduous, which is normally aspen or poplar, are about 9.9 million cubic metres. So we do have a good inventory of our forests. We have good forest management agreements in place with the industries. We're partnering with the Alberta Forest Products Association in relation to the future plans of where we go with our forestry.

The primary industry itself I mentioned earlier is again an \$8.4 billion industry. Over 24,000 are directly employed in the primary industry itself. What we need to look at when we're talking about forestry and how important it is to Albertans is that the corporate tax alone is \$188 million. That's only from the primary industry, not the secondary or tertiary. Provincial income tax is \$197 million; property tax is \$114 million; stumpage, \$71.4 million; direct expenditures, \$4 billion; and indirect expenditures, \$6.7 billion. So it's a major, major industry, and no doubt we will continue to be prosperous as long as we can manage the forest fires and the other demands that are out there to use our forest resources.

The other very important area to the member, I believe, and of course to Albertans and to our government is the area of fisheries. In fact, I've been working very closely with the member and our colleagues in government to look at how we may revitalize the sport and commercial fishing industry in Alberta. Today we will be releasing – and the member will have the information today – what we are doing there. Part of that input was already done through our normal approval processes and also in consultation with the member opposite.

One of the challenges we face in the fisheries of course is that the province has the third highest angling pressure in Canada. Alberta's population increased 35 percent since 1980. There are about 300,000 anglers, and there are currently over 800 commercial fisheries active in the province of Alberta. Alberta only has about 1,000 fish-bearing lakes compared to 94,000 in Saskatchewan and 110,000 in Manitoba and 250,000 lakes in Ontario. So definitely we have less lakes and more people. Of Alberta's fishing lakes, 800 support natural fish populations and 300 must be supported by stocking programs.

Fishing licences, for an example, in 2001 were the highest they've ever been since 1997, so the pressure doesn't stop. In 2001, 9,000 more licences were purchased by resident anglers than in the previous year, and there are only about 18 species of fish in Alberta that are preferred for food. So what we need is more detailed knowledge of fishing pressures and the fish resources to ensure that

sport, commercial, and domestic uses are sustainable for the future. Humans share the fisheries resources with many others, including animals, aquatic birds, and cormorants, of course.

Some of the challenges, some of the things we need to do to revitalize the industry are to look at increasing inventory and population monitoring activities to gain greater knowledge of fish populations in specific locations, upgrading fish disease control programs, stepping up efforts to encourage Albertans to protect natural fish habitats, increasing public education and information, improving the province's hatchery system, in operation for more than nine years now, and drastically reducing the number of commercial fishing licence holders through increased fees and a compensation program.

That is one that we are really targeting to make that industry more viable and, at the same time, more manageable. We are looking at reducing the 800 licences possibly down to about 200 and reducing the yardage they have from 34,000 100-yard nets down to about 18,000. What we had to do is provide a compensation package of \$200 per 100-yard net and also \$2,000 per zone for those people that want to step out of that industry. The commercial fishing industry is about a \$5 million industry. On the other hand, the sportfishing industry is about \$300 million, so there is quite a difference there.

What is happening in some of those areas, because there are so many commercial fisherman, so few resources, and so few lakes, is that when the lake opens, the targeted population is never really harvested, because what comes out first is the population that's not targeted, which is normally the walleye and other sport species. So what we will do with this new plan is we will ensure that we reduce the number of commercial fishermen so they are manageable and so they become more economically viable, but it is going to be a challenge. I'll definitely need support from our government, from the public out there, and from the opposition, of course, to ensure that we move very carefully, ensuring that as we move forward with the compensation package, we do not really have a negative impact on the economies of some of the smaller fishermen.

What I intend to do once the package is released, possibly later today or tomorrow, is also ensure that we have a hardship committee put in place, which will include someone from the Alberta Commercial Fishermen's Association and our department and possibly some other department member. That will look at those commercial fisheries that may have to sell their smaller licence holdings, but, at the same time, it could be part of their total family income. I'm willing to look at each individual case to ensure that we do not create a hardship for that particular industry. What we want to do with that industry is enhance it so it's economically viable while we have a system in place that will be better managed.

In the other area what we're doing is enhancing fish spawning through lake closures and other methods and introducing pilot projects. We have a pilot project that will be announced either today or tomorrow, and it's in my home community. Calling Lake is where I'm from. What that community has agreed to do is to look at a very innovative project there. That lake at one time had an abundance of fish: whitefish, tullibee, walleye, and pike. Through, of course, various pressures and I guess sometimes not taking the appropriate actions at the appropriate time to look at the natural spawning grounds, that lake had come to a near collapse situation as far as the walleye fisheries, and it was closed, whereas it was catch and release.

What we are doing with that lake now is that we are changing the policies. As of May 15 you'll be able to keep one walleye, any size, and two jackfish, any size, and the fishermen will decide what fish is suitable for their family, but while we're doing that, we're also closing one-third of the north part of that lake, which is a natural

spawning grounds, a natural nesting grounds, and that will become a sanctuary where we will not allow any fishing whatsoever. While we're doing that, we also will be opening up the beaver dams that have plugged up the natural spawning grounds, and there are two major natural spawning grounds, one river and one creek, that have been blocked for years now by beaver dams and other activities.

3:50

So it's an innovative approach, and I think it's something that Albertans could possibly look at supporting across Alberta. I'm not sure if it's ever been done in Alberta or any other jurisdiction in Canada, but I think it's a unique concept of not depending solely on fish hatcheries and moving fish stocks around but enhancing the natural spawning grounds where they should be. I think it's a process that could work. It's something that's supported by the community, and the public I think will support it. I'll also definitely need the support of the opposition in this process.

The other area that you mentioned. I'll try and answer some of these. An example is the increased funding in NRCB. Of course, as of January 1 of this year I have assumed responsibility of NRCB. With new staff and new responsibilities we will be requiring, no doubt, additional dollars. The NRCB, as you are aware, is the Natural Resources Conservation Board. What it does, for those members that may not know, is review applications for approval of major natural resource development projects such as forestry, recreation and tourism, the mining industry, and water management. This board decides on a number of issues, and I can expand on that a bit later if you want, but that is where the million dollars is going, to the expanded role of NRCB and the new staffing and the new structure and the new responsibility. It is a good process. It's something that the public I think would support and no doubt the opposition also.

As far as the department reorganization, one the questions you have is the cuts in staff, especially in the area of conservation officers. We are reorganizing the department, and the opposition member, of course, has been somewhat involved in the process. What we are doing is we are making four regions out there, and actually an executive regional director will be situated in Lac La Biche for the northeast region. Other ones will be situated in Peace River for the northwest region and Rocky Mountain House for the central region and Calgary for the south region. Those are the four executive directors, and these executive directors actually report directly to the deputy minister, so their role is an authority. As far as review of projects or approval of projects, it will be done out in the field. Right now the way the process works – normally if you go apply for, as an example, a timber permit or a gravel permit, you apply at the local level. It goes up to the assistant deputy minister, across to, if it's environment, Environment, fish and wildlife, and then back down, then back up, and then back down. What will happen with this new process is that if an individual goes and applies for a permit, for example, to develop a gravel pit, they should be able to get the approval right at the regional office. It's the one-window approach that the industry has been asking for, so it makes the department more efficient.

I'll sit for now, and maybe you have a few other questions.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I appreciated the exchange here and the discussion and the information. I'll admit to having missed some of the questions that were raised by my colleague from Edmonton-Ellerslie, and if there is some repetition in our questions, I apologize for that. There are times when we all have constituents

who want issues raised, and sometimes that leads to duplication. You've also, I recognize, provided some answers that addressed a few of the questions that I had around fish stock management, lake management, restoration of, for example, Calling Lake, which will be interesting to watch, and I hope it succeeds. That's a beautiful lake. I've camped on the shores of Calling Lake and watched the pelicans and the herons fish, although I haven't been up there now in probably five years. It's a beautiful lake, and I hope we're able to restore it to robust health. So certainly that's an innovation we'll be watching closely and wish you the best of luck with.

You may well already have addressed questions about some of the shifts in the overall budget. As I'm looking at it, there seems to be a decrease in the operating expenses and capital investment of around 3 percent, I think. Capital, on the other hand, is going up. Some of us will be interested to know what's driving that and hear your explanations for that. The huge overrun in last year's budget, I believe, was – am I right in assuming that's primarily because of forest expenditures? Yeah.

Also, we've noticed that the number of full-time equivalent employees is dropping for the department. Of course, by taking on responsibility, as you noted, for the NRCB, you're gaining staff, I guess, through that process. But there are changes in staff there, and if you haven't already explained them, it would be useful to understand for us and for the public.

I'm just going to work through some of my notes and then go to the business plans. The question of regional offices for various government departments comes up. I know they've recently been an issue and a concern in the Department of Agriculture, Food and Rural Development. They are recognized as an important way for many different ministries, including this one, Sustainable Resource Development, to reach out across the province and to implement its programs across the province. There is a budget item, if I'm reading this correctly, of about \$1.8 million to set up new regional offices. One of the questions around regional offices is: what facility do they use? Do they move into existing facilities? Are they looking at new leases in private buildings? There was a day even when the offices might have been installed in buildings that were purpose built by the government. I doubt if that's happening now, but it may be. And \$1.8 million dollars is a fair bit of money; it would be useful to know if that's going to existing buildings or new buildings or new leases and how that's being handled. I'm not sure what the relationship is in this sort of exercise between the Department of Sustainable Resource Development and the Department of Infrastructure. I don't know if Infrastructure's involved in this process or not.

4:00

Also, if there are new offices, there will be new expenses going along with the space. Will there be, for example, departmental identity logos, new logos or new vehicles and so on? Details on that sort of expense within reason are useful. It's, frankly, a way to just keep everybody on their toes.

Shifting to the question of legal services; it may be in here somewhere. Last year there was \$67,000 for legal services, and we haven't been able to find it in the current proposed budget. So I suppose a simple question would be: where did the legal services go? Maybe we don't need any this year, which would be a fine thing, but I think it's probably reasonable that any department of this size and this nature requires legal services legitimately, yet we can't see them in the budget. So the explanation for that would be useful.

One of the strengths of this government, I think, is communications, and I notice that the communications budget is increasing by a fair percent, going up from \$719,000 to \$804,000, so that's more than a 10 percent increase. That may be for community education

purposes. It may be for press releases. It may be for photo ops. It may be for all kinds of things. The questions would be: why a 10 percent or 11 percent increase in that budget, and what's it being used for? Preferably for things like community education, but it may have other purposes as well.

There's also a substantial increase in the budget for policy and planning, going up, if the figures are correct, almost 160 percent, so a very substantial increase. We like to think that maybe it's because some of our very good ideas that we've offered to the department are going to be acted on, so you're committing policy and planning dollars to some of our ideas. But in case that isn't the situation, what are those dollars going to be spent on? What policy and planning work is coming along that requires more than a doubling of expenditures in that area? Along with that, are we going to be seeing an increase in staff? The overall staff in the department isn't increasing, so who's going to be using that money? Is it going to be consultants? If so, how would those consultants be hired and retained? What's the process for selecting consultants? How are we sure that we get the best people for the job, whether they're staff or consultants or whoever?

We move on to program 2, forest protection. Again, it may be that my colleague from Edmonton-Ellerslie has raised some of these questions, but I would like to ensure that they are covered. It looks like the budget for fire reclamation has been eliminated, I think. That's how it appears anyway. What's going on there? That's a fair chunk of money actually. I think it's close to \$4 million, if I'm reading this correctly, and that's a lot of money. Last year we had a very serious fire season, so the question would be: are we not doing any fire reclamation work? If we are, is it being handled elsewhere? What's going on there?

There are also some signs of programs perhaps being cut under line 2.0.4, forest fire information and community programs. Certainly, again referring to last year, there was a lot of controversy over communities getting notified about fires, communities being involved with fire prevention, and then evacuation and so on. So that's probably being handled somewhere else; I'm not sure where, though. I have a feeling there will be a reasonable explanation there. It may involve reducing or eliminating one program and starting a new program, but the details of that would be helpful for us.

If we move to program 3, forest land and resource management, it's a sizable piece of the department, ranging in the last couple of years between \$28 million and \$33 million. So it's a significant amount of money, but we are seeing a bit of a drop in the forest policy area, from \$336,000 to \$283,000. Does that mean we're going to be seeing less policy come out of the department? How does that fit with the very substantial increase under another program in policy and planning, or does it relate at all? Why are we seeing that drop there? We're seeing also a cut in capital investment for this area from \$161,000 last year to \$35,000 this year. So it makes you wonder what kind of investment the department is doing for \$35,000. It's a modest amount of capital investment. I'm curious to know what it's for.

The eastern slopes is one of the areas of this province truly prized by Albertans and by people who visit here. We do in fact get many people who visit here and use outfitters to go into the eastern slopes and explore or hunt or fish. Last summer the department was planning three pilot projects related to the tenure system for outfitters on the eastern slopes. What's the status of these pilot projects? Every pilot is supposed to run a course and then be evaluated and either expanded or eliminated. If we started those pilots last summer, will they be in full swing this year? Are they already being phased out or expanded? What's the status of them?

There's also constant concern about the major strategies for the

management of forests. Going through the business plan, one of the major strategies of the department is to “provide a clear, balanced approach to forest management,” which sounds great. Of course we always want balance, and we want things to be clear. So could the minister please provide copies of that sort of strategy and indeed of any forest inventories that the province has done in the last few years so that the public can be clear on how effectively the forest management process is proceeding. What’s the status of our inventories? Are they in fact sustainable? We would certainly hope they are, given the title of this department, but there is concern that the demands on the forests of Alberta are beyond the abilities of the forests to meet, so our forests may not be sustainable. Good, clear information on an inventory of forests would be invaluable to all Albertans.

4:10

We’re concerned that there may not be any more forests to allocate to new mills, and the mills that are there now may not be operating at capacity because the inventory isn’t adequate. So that raises the question: if the government has allowed the mills to overbuild and the industry to overbuild, where are we going to go in the future? What’s going to happen? What’s going to happen to our industry? How will mills that have to chronically function at less than capacity continue to be economically feasible? If we’re close to the annual allowable limit for cut to meet the needs of the mills, what’s going to happen in the future? Are we constantly pushing the limits? What’s the calculation based on? Is it based on real, solid research on what the forest can provide, or is it based on some hope of what the mill will demand? Is there a risk that perhaps mills themselves have created an impression or have been given an impression that inventories are greater than what they really are? Those are all concerns.

Given the importance of the forests in Alberta and the importance of this industry, I’m not sure that it’s adequate in the business plans to just encourage sustainable forest management. Why aren’t we requiring it in the business plans? Why don’t we say that sustainable forest management will be required? The strategy actually uses the word “encourage” rather than “require.” Certainly it’s nice to encourage things, but when it comes to the forests of Alberta and the thousands of jobs and the environmental concerns, maybe we should be requiring proper forest management.

There’s also in strategy 2.4 some pretty creative language used to create impressions but maybe not explain in detail what’s going on. So when we talk, for example, about the department “unleashing innovation,” what exactly are we talking about there? What’s the innovation? How are we unleashing it? What does it really mean? We could unleash innovation of all sorts. What kind of innovation are we looking for? I mean, are we unleashing it because it’s currently tied up in the forest somewhere, or are we unleashing it for some other reason? So more detail, more specifics in the business plan would be much appreciated.

That carries me through some of the programs, and I see my time is just about out here, so I will take my seat. You can respond, and I’m sure there’ll be other questions. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. CARDINAL: Thank you very much. Those are good questions and I’ll answer some, but I’ll allow the staff to answer in writing some of the more detailed stuff.

The issue of budget decreases. I mentioned, I believe, some of that in my opening comments, that \$4 million of the \$8 million decrease in the budget was because we finished a project from the

1998 fire, and that took \$4 million. That is why we don’t need that money any longer. The other \$4 million, of course, we will be finding through the reorganization of our department.

As far as full-time equivalents or full-time staff being dropped, the drops are only minor. What we’re doing is basically looking at reallocating some of the existing resources we have. For an example, we’re putting four new regional offices out there with more responsibility, more approval authority at the local level, and more visibility, with the ability for the public to be able to phone one office if they have a concern on fisheries, if they have a concern on public lands, if they have a concern on forestry or other areas of our departmental responsibility. Those regional offices – one in Lac La Biche, one in Peace River, one in Rocky Mountain House, and one in Calgary – will be able to address those issues. Those new positions were actually filled using existing full-time equivalent positions and reallocating existing staff within the department.

So what we’ve done is become way more efficient in serving the public and the MLAs out there, who get a lot of phone calls at times, because, as all of you know, if a department is not efficient and the public does not know who to contact when they have an issue, they end up calling the MLA’s office. What this will do is that the public will know the person in charge of all the areas they’re in charge of, and that person will be highly visible. It’s a person that’s local. They’ve been there, in most cases, a long time and know the people, know the region, and it should be very effective. We will not require new office space for our northern offices, our existing offices. Of course, there are vehicles there already, the office is there, the telephones are all connected, and they’re all set up.

The other area we’re working with closely in relation to office space, of course, is Infrastructure. Because of some changes that are taking place in Agriculture, Food and Rural Development, there are some vacant office spaces where we are collocated, for an example in Athabasca, where we will expand our office by moving staff in the existing offices. So there will be no added cost or a very minimum cost in relation to office space.

The \$67,000 in legal services. I’ll get my department to answer that in writing, because I’m not really sure.

The increase in the communications budget. Of course, we’re trying to be more proactive and ensure that the public knows the types of things we are doing in the department, and this is an example. This booklet shows almost everything you need to know about the forest industry in Alberta, including the inventory, the annual allowable cut, and the annual allowable growth. This project even breaks down areas, like Edmonton for an example, as to what impact forestry has. I think it’s important for people in Alberta to know. For an example, in Edmonton in the primary industry in forestry there are 10,536 people employed. It’s a \$1.1 billion industry. They’re into value-adding mainly, and all those are here in Edmonton. That’s just one example of many examples in Grande Prairie, the Peace River region, the Slave Lake region, and then it goes on to show the forest management agreements. It shows where all the sawmill and pulp mill projects are there. It’s important, I think, to have proper communications for the public to ensure that they are very clear on what the forestry department does. This is another example of, I think, good communication. There’s a little pamphlet that goes with this also that will show the innovative projects of sustaining the fisheries industry, both the sportfishing industry and also the commercial fishing industry in Alberta.

4:20

In relation to the communications budget, I think that this year, being a new department and new structuring, no doubt the communications budget that we require will increase. I offered to use smoke

signals in my department, but no one could read them, so I couldn't use those to save money. If there's an increase in this budget: again, if I missed something on communications, I'll get my department to answer that in writing, not smoke signals.

The other one is the FireSmart program, that we just announced. It's a major communications package involving most of the municipalities, involving firemen out there and communities and municipalities to start looking at how we can fireproof our communities by developing fire preventative programs around the communities, looking at the area structure plan, for an example. There are a number of ways to do that. In Wabasca, which is a community in my constituency, and also in Fort McMurray, in fact, we are moving some public land to the municipality for more commercial and residential development. What we've asked in that plan, as part of our agreement to move the public land, is to put in their area structure plan a fireguard around a community. So we are doing a lot of innovative things as far as communications.

Policy and planning. I'll ask my department, again, to answer that in writing to you because it's pretty detailed.

In relation to forest land and resource management, again, I'll get my department to expand on that and also on the eastern slopes policy, because it is quite detailed. As far as forest management and the balanced approach, we have a policy in place in Alberta that we will never harvest more than there is annual allowable growth. That is the challenge, because we have fires, we have, you know, the beetles, and we have other interests in development of resources in the same area where we are harvesting forest resources. It's challenging, but it's not impossible to do. We know the capacity of what our mills require both short and long term. We know, generally, what volume we have both short and long term, and we generally know at this time how many resources we have to allocate.

For an example, the GAP project in the Grande Prairie region not moving forward allowed us to look at reallocation of those resources to, possibly, existing companies. We've always said that before calling for new companies to come in to harvest the resources we have, we'd better on the long-term basis stabilize the existing companies we have out there. So it is very important. Our industry, partnering with us, is doing a heck of a job in forest management and balanced growth and balanced approaches in harvesting that resource.

The other area you mentioned that is very, very important, of course, is forest protection. Although it's something we don't have to worry about today because there's so much snow out there, you can be assured that as soon as it warms up, it is still dry out there. As you are aware, last year we spent \$170 million, which was considerably more than what our operating budget is. When you look at the last five years, we've spent \$58 million a year for the last five years. So it is an area where we are definitely being proactive.

We have roughly over 2,000 personnel that are trained in fire fighting, and we have 22 air tankers on contract and 14 air tanker bases. We have 132 lookout sites and 41 ranger stations. We have 152 weather stations, 39 remotes, 13 lightning direction finders, and of course we have our operation budget of about \$69 million for 2002-2003. The secret to fighting fires is basically being prepared, and it is something where we could never do too good a job. Being prepared means having a good policy in place, being ready, and early detection of fires. As soon as there's a fire out there, we need to be out there with early response. For an example, if a fire starts at, say, 8 o'clock, 9 o'clock in the evening, with the new policy we have in place now, our bombers will be out there. If the weather is reasonable, we'll be out there at 4 o'clock in the morning. The previous policy was that they would be out there from 10:30 in the morning till 5 o'clock, so it allowed the fire another six hours to

burn before we were out there. So that's one policy we've changed. That's just an example of some of the changes we are looking at.

As far as that particular budget for fires, the breakdown is: policy and readiness, \$44 million; prevention and detection, \$9.5 million; and early response, \$36 million. So definitely we are ready. What I will do is ask my staff to pass on to you this information that shows you exactly a breakdown of the policy readiness; for an example, the exact dollars of firefighter training, information systems, permanent manpower, seasonal manpower, fire line and aircraft communications. All of it is broken down with the dollars in there. If you go under prevention and detection, it shows you that we are spending \$9.5 million and what we do with that budget. The FireSmart program is under that, with \$3.8 million; fire investigation, legal, \$110,000; then early response again, the rapid attack crew, heli-tack crew, heli-tack support crew; aircraft operations; and wildfire fighting crew contracts. We also have contracts. In addition to that, we have, of course, I believe around 38 contracts, some with First Nations that are ready. If we call them, they're out there working.

In addition to this, we are also looking at a way of providing possible fire insurance for this year. It's going to cost us approximately \$12.5 million. It'll cover insurance between \$175 million and \$300 million, and again we will provide you detailed information on this as to exactly how it's going to work. It's a one-year pilot project, and I think that if the situation is like last year, the last five years, no doubt it's something that can kick in. There are criteria as to when something like that would kick in.

The other area we are working on and jointly done with the Ministry of Municipal Affairs is a program between that department and the municipalities, especially the ones – there are about 16 or 18 municipalities – that are bordering the protected area, the green area of Alberta. What we have there is that a lot of the fires start in the municipalities, and the existing programs we have in place sometimes do not encourage the municipalities to call us early to go in and help put out the fires. Because of the billing system we had in the past, the municipalities would wait, try to put out the fire, and eventually they'd call us. Sometimes it's too late. The fire is out of control and gone into the protected area and some Crown lands within the white area.

4:30

So we are looking at a joint agreement where we will set criteria. It's just starting to go into the process now. I think some of the municipalities support it. We will be doing an MR jointly with the Minister of Municipal Affairs, and again we will advise you of this process. It is something that is good. What will happen is that if a fire starts in the municipality, the municipality will go in there and try to put it out. If they have a problem, they call us immediately, and we will be out there to assist in putting it out and bring in maybe our mop-up crews, even the standby crews, which we have sitting already in place and in a lot of cases not doing a whole lot. So they will go in there and assist the municipalities in putting out these fires and mopping up the fires. I think it's a system that will work. We are doing everything possible to be proactive in fire suppression.

I believe you had maybe another question. That was in relation to innovation, 2.4. Again, I'll ask my department to expand on that particular one. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I rise to participate in the debate this afternoon on the estimates for the Department of Sustainable Resource Development. There are a number of issues that I certainly would like to bring to the attention

of the hon. minister and his staff. Certainly in the previous remarks by the hon. minister we cannot forget the importance of the lumber industry, the forestry industry, to this province and the efforts that have been made to diversify our province using our forests to achieve this goal. However, there are always questions as to just how many sustainable cubic metres of softwood lumber there are. Some quarters say that it's not sustainable; other individuals say that it certainly is. At this time I would certainly encourage the minister to table in the Assembly to qualify this argument: do we have enough timber supply not only to sustain the current mills and their production rates but also future development, particularly up in the Peace district?

Now, the hon. minister, I believe, said that there were 10,500 jobs directly and indirectly created around metro Edmonton, which is certainly significant to the local economy, and I certainly appreciate that information. The lumber industry in the entire country is valued at over, I believe, \$30 billion, or the American market is a \$30 billion market and we need access to that. Hopefully the minister, in co-operation with the minister of intergovernmental affairs and all officials across the country, is going to be able to resolve this dispute regarding duties to America.

However, I'm concerned about the export of raw logs to Montana. At the same time, Mr. Chairman, the minister is correctly pointing out the significance to the local economy. What sort of difference is the trucking of raw logs to Montana making to our value-added production here in this province, and how much lumber is exported or trucked across the border to Montana? I've said this before in this Assembly, I believe. I was astonished and delighted at the same time on a visit to St. Louis. I was in a suburb of St. Louis, Missouri. I walked past a construction site, and there was a lift of two-by-fours that had been manufactured. They were still in their sort of cellophane shrink-wrap, and they came from the constituency of Whitecourt-St. Anne. This product had originated in Whitecourt, and I was surprised to see this. I went over and had a bit of inspection of this lift of two-by-fours.

I don't know if that practice will continue, unfortunately, with this ongoing quarrel with our neighbours to the south. To resolve the softwood dispute is quite an issue. Whenever you think of the Americans, they have a coalition dominated by lumber producers in the southern states, where there are privately owned lots. All the trees that are produced are on private property. Yet we have so many Crown leases and Crown allocations in this province. That's the basis of the dispute as I understand it.

Now, many of these private lot owners or landowners in the southern states certainly object to Canada's almost \$10 billion presence in the U.S. market, charging that of course not only Canada but Alberta subsidizes its publicly owned forests and dumps – they're accusing us of dumping – lumber in the United States market. Canada, backed by a World Trade Organization decision in previous softwood lumber disputes, certainly refutes this charge. This country has won World Trade Organization softwood decisions in the past, and basically when we win these arguments, we win the right to retaliate against American exports to Canada, but we're really risking the reverse. We're risking a tariff wall against ourselves. This, unfortunately, increases our costs.

There's no deal here. There's certainly no deal. There are compromises being made. There's talk of an export tax. It's been suggested that it could be as high as 32 percent at the border. I don't know how much of an effect, but I think it's going to have a significant effect on our industry. I understand that there have been efforts made, and I would recognize those efforts. There have been efforts made by this government to protect the smaller operators from the fallout of all this, of what's going to happen.

In order to I guess the word is pacify the Americans on this issue, what sort of policy changes is the department going to have to make in this current fiscal year? Are we looking at changing Alberta's forest act and timber management regulations, the FMAs, to eliminate ministerial discretion? Certainly there is talk that this is what's needed to be done. I don't know how that's going to affect us. How will it affect timber quotas, timber licences or permits? If the minister could shed some light on this, I would be grateful.

Now, there's also the whole issue of regulatory controls. For example, would there be request for proposal options? Would what are called the RFPs have to be eliminated now to satisfy our American cousins? With the complaints from this coalition, who have an extensive lobby in Ottawa from what I can read on this issue, are we going to be forced so that all new tenures, all new blocks that are put up for sale are sold competitively, based solely, regardless of who it is, on the highest price paid? Certainly I can remember the Bow-Crow forest region in southwestern Alberta. The Competition Bureau had to get in there and say: "No. This is wrong. This is not competition." There was actually a case of bid rigging, and one outfit was found guilty. I think it was a \$10,000 fine or something of that nature. Is this the sort of past practice that our American cousins are talking about?

4:40

Now, there is also the issue of stumpage. What adjustments are going to be made to our regulations to update our current system in this fiscal year, Mr. Chairman? I think it's important. Are there going to be annual cost updates by the department? Is there going to be interest on the inventory? Is there going to be an elimination of the small mill rate for the larger operators? This is perhaps what the hon. minister had to do in order to protect what are called the mom-and-pop sawmills, the smaller ones. Is another step in this to enact new legislation to install this validation process? How will this work? The regulated log transaction data requirements by the industry, a regulated requirement for cost updates by third parties: how will this be handled? Will there be unrestricted eligibility in the sale of land based on the highest bid only? Will this be accepted for any and all future sales? These are the commercial timber permits. This is getting back to the unfortunate episode that occurred in the Bow-Crow forest region.

Now, I hope that all these changes are going to certainly occur in this fiscal year, because as the hon. minister has stated, there are 10,500 citizens reliant on this industry alone. Hopefully they will be able to rely on this industry in the future. We need to get a good handle on these commercial timber permit sales. I would appreciate from the minister precisely how many cubic metres of wood fibre will be available from commercial timber permit sales. Also, how is the department going to record data on private land timber sales? These are these log exports, and I have concern about the log cash-only transactions off private properties. Again, is that the source of all these logs a guy sees being transported on highway 2 south? One only has to go to the cafe in Innisfail and have a coffee and sit for half an hour, and I'm quite sure you will see at least one if not more trucks whiz by on the way to the U.S. border. I'm told that they're not coming from the area. You know, one would naturally think that the Sundre-Caroline area is where they would be coming from, but I'm told that they're coming from as far north as Whitecourt, and this member has some concern about that.

The stumpage. Will we need a minimum stumpage increase? If the minister could tell me what that would be in dollars per cubic metre, I would be very grateful. At the same time, if there's some sort of delicate negotiations going on between him and the hon. Minister of Intergovernmental Affairs, then perhaps I could at this

time wait with respect to a collaborative effort with the other Canadian provinces in resolving this issue with the Americans.

Now, is 5 million or 6 million board feet the maximum allowable production that the minister is contemplating will be available for the smaller operators? I would like to know what that target would be. With that, I have a few questions at this time, Mr. Chairman. I would like to conclude my remarks, my questions, on this most important issue of the softwood lumber trade dispute with our American cousins.

In light of the time I have, I would like to discuss this whole issue of forest fire protection. The hon. minister is quite correct in his observation that with this blanket of snow we don't have to worry, but soon we will. We need to ensure that the machines and the operators on them are well trained. There were some contentious issues around Swan Hills a couple of years ago regarding forest fire fighting practices and the utilization of machines. I certainly hope this will be ironed out.

I notice in the business plan that one of the major strategies identified is to "keep the number of human-caused fires . . . from increasing," and that is certainly noteworthy. With lightning strikes there's not much that can be done, unfortunately. What role will education play in keeping the number of human-caused fires from increasing? Will any fines be increasing? We all know that this government is increasing sin taxes in an effort to curb or alter the behaviour of Albertans. Will the same principle be applied here?

My next question dealing with this policy of forest protection is: what is the department purchasing for \$3 million under capital investment for wildlife operations? Is it more D9s? Is it trucks to haul them from fire to fire? Is it camp equipment for the workers? What exactly is it? Is it more water bombers? I don't know.

Now, in program 5, Mr. Chairman, strategy 4.4 states that the department is going to "encourage good stewardship practices by monitoring utilization of public rangelands," and program 5, for all hon. members, is public lands management. How many staff members are responsible for these monitoring programs? What is the nature of these monitoring programs? Is it more self-reporting, that the government is so fond of? If the minister could answer these questions in due time, I would be very grateful. What form of encouragement will be used? Will strongly worded letters be used? Are there any fines associated with this encouragement?

Further on, strategy 5.3 states that the department wants to "ensure dispositions for the use of public lands are issued in a timely, effective manner with the appropriate and relevant conditions." There is no mention of the role of the public consultation or even notification being an important part of these dispositions.

4:50

Now, that concludes program 5, but in program 6, reporting agencies, Mr. Chairman, there is a difference between the 2001-2002 and 2002-2003 budgets of roughly \$1.2 million. Who went over the budget here? Was it the Surface Rights Board or the Land Compensation Board? I understand that the budget was \$1.7 million, and the forecast is half a million higher now at \$2.2 million. The Surface Rights Amendment Act was supposed to take more appeals out of the courts and put them before the Surface Rights Board. Is that the reason for the budget overrun?

Mr. Chairman, I have just a few more comments in program 4, and I'll conclude my remarks for the moment. [Mr. MacDonald's speaking time expired] Oh, darn.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister.

MR. CARDINAL: Just very briefly, I mentioned earlier as far as the sustainability of our forests that we probably have one of the best

forest management areas in North America, and we have something to be proud of. We have a policy in place that will never harvest more than the forests will grow. That is why out of 44 million cubic metres of forest we're harvesting about 23 million cubic metres, so we are doing quite well.

I'll try and answer just a few of these questions. Because of time I'll get the staff to answer a lot more in detail.

As far as log exports, it is not a policy we favour, but sometimes when there's a fire and burnt logs, we have a limited amount of time to process those logs. Therefore, it is necessary to always be open to export if it is necessary to do that.

You mentioned small sawmill operators. There are over 200, in fact 230, I believe, operators that process under 5 million board feet of timber each year. These are loggers and small sawmillers. These companies hopefully, because they do domestic markets, can be exempt from the free trade negotiations. The larger companies, of course, that are well diversified have a better chance of surviving some of the market trends that are out there in relation to exports to the U.S., but there are targeted groups of sawmills that produce certain amounts of dimension lumber that depend on a lot of exports for their survival. So it is a real challenge.

Areas that we're faced with in relation to the softwood lumber negotiations and disputes in Alberta. Of course, there is a concern on tenure. Our existing forest management agreements: I think the U.S. would like to see us advertise those each year and bid them out, but we will not do that in Alberta. We want to stick with the forest management agreements. Long-term tenure: if we want to have industries continue investing and expanding in Alberta in relation to forestry development, we need that long-term tenure in place.

Stumpage is another one that they would like to see change. I've always argued that stumpage maybe can change once the companies recover their capital costs plus a percentage of profit. Beyond that, you may have some room to make adjustments with the stumpage, but other than that our market-driven stumpage presently works very, very well.

The other one that's manageable is the flow of wood that goes into the U.S. as far as how much is produced each year and when we should market. Again, that's possible to manage.

You mentioned RFPs and CTPs and the bidding process. I believe that if the negotiations went the way the U.S. wanted, you would have to tender out all of your wood, and it would eliminate the CTPs, the RFPs, and all that stuff that's in place that's working quite well right now in Alberta. We still maintain that our forestry is not subsidized and will continue to defend that. The U.S. would like to see any new timber that is available marketed on open bids, and again that would really, really have a negative impact on our smaller operators across the province, who depend on the ability to access the commercial timber permits that become available.

In relation to the disposition of public lands in program 5 and program 6 on surface rights, again I'll ask my department to expand on those issues in writing. Thank you.

THE DEPUTY CHAIRMAN: Okay. Are you ready for the question?

The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I have a few more questions for the minister. In the interest of time I may group them and ask you to respond to them with however much time it takes.

The first is with regard to the Bighorn wildland recreation area. Both the minister and I and many members in the Assembly have had a very aggressive lobby in recent months, and certainly I know that the minister and myself have for many years faced quite an

aggressive lobby on this particular area. It's an area under pressure in this province right now, and there are two parts to the lobby.

One is those who want the Bighorn wildland recreation area designated as a wildland park using the 1986 boundaries, and in their lobby they talk about roads and motorized recreation areas remaining prohibited within that area. That's in response to the increased use we've seen of off-highway vehicles in the area. They want a wildland park designated. They state that it's one of the only places left where the backcountry can actually be experienced with the absence of the roar of ATVs and also some concerns about seeing oil and gas development in the area. So I would like to have the minister respond in terms of what they're doing there. I'll table the letter that I'm specifically referring to here. This one is from Margaret Main of Calgary, and she's specifically wanting the Bighorn to be set aside for those "who like to take the slow road and enjoy the scenery." She states that she wants her grandchildren to be able to enjoy the Bighorn the way she does.

I'll table this in a moment along with the letters that I have from some Albertans who want the government to maintain some access for off-highway vehicles in the Bighorn area. These letters are from Tom Felt of Ferintosh, Inga Witzler and Horst Witzler of Fallis, and J. Green of Calgary. They're concerned about "closure to motorized recreation in Wildland Provincial Park or West Country area." Snowmobilers, ATV users want the same rights as hikers and naturalists. They say that they pay the same taxes and should be able to enjoy the area. They believe that "there are enough protected areas" and that "with proper management these areas can be used by everyone." They say that "with proper management this area can be a great snowmobiling destination and bring economic benefits to the communities in these areas." So I'll table those as well, Mr. Chairman.

There's no doubt that the key in these letters is proper management, and we have seen increasingly over time that while many ATV users and snowmobilers are very responsible users of trails, there are those who aren't. I say this knowing that the Member for Edmonton-Centre is a very committed snowmobile user and is also very committed to the proper use of trails. Because off-road vehicles by their nature can go off the road essentially anywhere, we've seen increased deterioration in areas that were formally relatively pristine. We see degradation of streambeds particularly and hills and watershed areas, and for the most part the minister and I agree that there needs to be designated use for off-road vehicles but that we have to be very clear that it doesn't hurt watersheds particularly.

5:00

In addition to that, I side for the most part on the side of the environmentalists who want more land restricted. There is nothing worse than being in the backcountry and enjoying the very beautiful views that Alberta has to offer, both from a scenery perspective and from plant life and animal life, and then hearing the very distinct roar of ATVs tearing up and down slopes. So I think that how that progresses has to be done very strategically, and I'm hoping that we do see the designation of many areas in this province as wildlife areas and wildland parks so that we can ensure that all users in this province have access to the kind of recreation that they want, but I would be interested to hear the minister's comments on that. That's one issue that I would like him to speak to.

Another one is cervid harvesting or, as most people have come to know them, pet shoots. We've had some preliminary discussions on this, and I know that this is an area where elk farmers are looking for a change in regulations so that they can open up their farms to hunt on the land that is enclosed area. Lots of concern about that. There have been all kinds of public meetings across the province. I know

that the minister's department is involved in taking a look at a study, as is agriculture, and I would be interested in knowing where that study is going and how it's progressing and when the study will be available, if it will be public and how that will impact on any changes that will be made to the elk farmers and the potential for hunting on their land, particularly of interest given the confirmation of chronic wasting disease on a farm last month. The entire herd of 70 elk where the disease was confirmed, including 20 elk removed from that farm over the past three years, were ordered to be destroyed.

One of the main concerns that has been raised with cervid harvesting is the potential for the chronic wasting disease to be communicated to wild animals. It is a problem in Saskatchewan. It's been confirmed in Saskatchewan on more than 200 farmed elk and also on two wild mule deer since the year 2000. Alberta has about 40,000 farmed elk and 13,000 white-tailed and mule deer, so it's a huge risk for us to be taking. I know that most of the problems with the chronic wasting disease are the responsibility of the agriculture minister, but there certainly is some crossover here, and I would be interested in hearing the minister's comments both on the cervid harvesting and if they're working with the agriculture minister on containing this disease and its potential crossover to wild animals in the province.

I have a couple of other concerns that I wanted to address if possible. I know that it isn't solely the minister's responsibility, but I am sure that he is having some input within the ministry on the government's position on the Kyoto accord. More particularly I am interested in anything that the minister's department or the minister may be doing in terms of pursuing a policy of working towards tradeable permits and credits for the province. It's my position that the Environment minister is in a role where he can take real leadership for this province at the federal table and ensure that our industries are protected while still moving forward on CO₂ emissions. I think that that is by pursuing the ability of this government of this province to have tradeable permits and credits and also the issue of taking a look at the consumer of the product being the person who actually takes the responsibility for the CO₂ emissions rather than the producer of the product. So I'm sure your department has had some feedback and input on that, and I would like to know what that is.

Also, I would like to know what involvement you have in the G-8 summit. We know that the summit is going to be held in a beautiful part of Alberta but also a vulnerable part of Alberta. I think particularly there's the increased potential for fire hazards during the summit. So if he could comment on any participation he has in the summit and any recommendations that they've made in terms of security around the issue and any recommendations their department has made in terms of Alberta's position with regard to that summit.

So I'll let the minister respond to those questions at this point.

THE DEPUTY CHAIR: Hon. member, in your comments you mentioned that you would be tabling some material. We need that for our records.

MS CARLSON: Ready to do that now, yes. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. CARDINAL: Thank you very much. Very briefly. Three of the issues you mentioned – the cervid hunt, Kyoto, and the G-8 summit – are also involving other departments. I will ensure that the staff jointly with the other departments respond to that.

Very briefly on the Bighorn issue, because that is also a very

important issue. It is a very large resource-rich region and a very popular spot for many recreational activities in southwestern Alberta. About 4,000 square kilometres have several different land use zones, including 80 percent designated for prime protection or as a critical wildlife zone under the eastern slopes policy. The Bighorn Advisory Group, which involved 15 public members and also six department officials, will provide advice on balancing the needs of different land users or proposed land users in that area.

Some of the off-highway vehicle activity in the Bighorn area does not comply presently with the eastern slopes policy, but it is not illegal activity by legislation. This access plan will address these issues, so I am looking forward to the report, which should be submitted in the near future. We are looking at a balanced approach. I believe there is enough room there for all users, and we can do it in a balanced way.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. One other question for the minister: are there any resources in the budget to look at the situation in terms of sturgeon in the North Saskatchewan River? We've talked about fish stocks in a number of lakes in other parts of the province. There is an ongoing interest in the health of the North Saskatchewan River and the fish stocks there, particularly the sturgeon population, and as the representative of certainly the only constituency in the city of Edmonton that sits on both sides of the river, I have a particular interest in this. So if there are some resources in the budget to examine that issue, I'd be interested to know.

Thanks.

THE DEPUTY CHAIR: The hon. minister.

MR. CARDINAL: We'll do it in writing.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I, too, have a couple of questions here that I couldn't get on the record and get the needed answers previous. Now, this also has to deal with program 4, fish and wildlife management, and my first question is in reference to 4.0.2. How is the department going to deal with the 40 percent cut to the program operating expenses in business management? Also, will the increase to the fisheries and wildlife management program, 4.0.3, mean more enforcement officers?

Under strategy 3.5 the department wants to "maintain up-to-date management plans for all game species." What is the status of this? How many are updated and how many are not? How many staff actually work on this specific project, and are any of these positions going to be cut?

5:10

Mr. Chairman, further along here what is the government doing to maintain and restore fish habitat? Now, is killing cormorants the best idea the department has? The hon. Member for Edmonton-Glengarry was describing to me the amount of fish – and I was astonished – that these birds can consume in a day. How about maintaining appropriate water levels in the south rather than letting irrigation have all the water? How is the department dealing with that issue, and how much habitat maintenance does the government

actually do, and how much is done through groups like the Alberta Conservation Association and also TUC?

With those questions, Mr. Chairman, I would like to express my gratitude to the minister today for his co-operation and his responses. Thank you.

MR. CARDINAL: Thank you. We'll do it in writing.

THE DEPUTY CHAIR: Okay. After considering the business plan and proposed estimates for the Department of Sustainable Resource Development, are you ready for the question?

HON. MEMBERS: Question.

Agreed to:

Operating Expense	\$181,441,000
Capital Investment	\$3,035,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the estimates of Sustainable Resource Development and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

MR. MASKELL: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Sustainable Resource Development: operating expense and capital investment, \$184,476,000.

Mr. Speaker, I would also like to table copies of documents tabled during Committee of Supply this day for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 8 p.m., at which time we return in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:15 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 16, 2002**

8:00 p.m.

Date: 02/04/16

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

Infrastructure

THE CHAIR: Are there any comments or questions to be offered with respect to this set of estimates? Then we'll call on the hon. Minister of Infrastructure to begin tonight's deliberations.

MR. LUND: Well, thank you, Mr. Chairman. Before I begin, I would like to introduce some of the staff members that are here with us: first, my deputy minister, Eric McGhan; Jeff Paruk, my executive assistant; Winnie Yiu-Yeung, executive director of finance; Tom Hong, executive director, business management and FOIP; and our communications director, David Bray.

Infrastructure's three-year business plan and 2002-2003 estimates indicate how we plan to contribute to Alberta's economy and prosperity by ensuring efficient planning, design, construction, rehabilitation, operation, maintenance, and land management of government-owned infrastructure and by developing innovative partnerships to ensure that support of infrastructure meets the overall needs of Albertans, including health care, learning, community service facilities, and of course the seniors' lodges. Managing central services to all departments includes accommodation requirements, property acquisition and disposal, air transportation, and of course the government fleet operations.

Before going over our budget targets, I would like to outline some of our new and ongoing business plan initiatives. First, we took over the responsibility of operation and maintenance funding for schools on April 1. At the moment we are working with stakeholder groups and Alberta Learning to review the existing formula to ensure that funding is fairly distributed among school boards. Secondly, evaluations and numerous feedback are ongoing from the 2001 Minister's Symposium on Schools. We will be following up with many individuals and groups on new and innovative ways to better build and redevelop our schools. Three, following the September 11 terrorist attacks, we set up a special team to work within Alberta Infrastructure with all the ministries to develop safety plans for government owned and leased buildings. Four, building condition audits of postsecondary institutions will be completed soon. Much work is needed to catch up with the deferred maintenance of all of these facilities.

As well, we will continue to oversee the Swan Hills Treatment Centre. We are proceeding with a proposal call to obtain a long-term contract operator. The centre has been operating very successfully since it was turned back to the province on December 31, 2000. The Swan Hills Treatment Centre is the only facility of its kind in Canada and one of the few in the world and has played a principle role in ridding the province of hazardous materials, toxins, and of course PCBs. Without the plant dangerous material would have to be buried or stored at potential risk to the environment. We will continue to ensure that hazardous waste in the province is managed responsibly.

Now getting to the budget part of it and looking at the \$847 million targeted for the year 2002-2003. In the '01-02 budget our

department was approved for \$3.1 billion. This means more than a \$2.2 billion reduction in capital expenditures in this department this year. In October '01 as part of government's fiscal and economic update we were asked to reduce our budget in response to the global economic slowdown. For '01-02 Infrastructure's budget was reduced by nearly \$824 million. As a result, 34 capital projects were deferred, representing total construction costs of about \$445 million; that is in '01 dollars. The rest of the reductions were related to the energy rebate program and other operating costs.

In '03-04 our target is about \$988 million, and in '04-05 the target drops again, below \$904 million. These budget reductions will certainly have an impact on the state of Alberta's infrastructure.

Now I'd like to discuss how we prioritized and allocated our dollars. We prioritized spending based on what's needed to cover the day-to-day operations of government. As well, we prioritized our capital commitments for schools, postsecondary institutions, health facilities, and seniors' lodges. Some projects are in construction, and others are just being completed. Then we looked at allocating dollars needed to undertake priority maintenance projects to protect the integrity of existing infrastructure and the taxpayers' investment. In light of the current economic outlook faced by the province of Alberta, we had to make tough decisions to ensure that Infrastructure's basic needs are met within the current budget targets. The positive news is that more than 1,100 capital projects have already begun in '01-02. However, changes in the province's revenue projections mean that there is very limited funding available at this time for new capital projects in '02-03. Projects previously deferred in '01-02 will continue to be deferred until replacement funding becomes available.

Now let's look at the allocation of the \$847 million for '02-03. Our budget of \$847 million was allocated in a variety of key areas. About \$324 million, or just over one-third of the budget, will go to school boards for operation and maintenance of school facilities. A further \$228.5 million will be used to pay for the day-to-day operations of government facilities, including the utilities, janitorial service, and of course the leasing costs. We will continue to provide a number of cross-ministry services such as the government aircraft and vehicle fleet as well as property acquisition and disposal. Another \$180 million will be used to continue funding those capital projects that were already approved, many, as I mentioned earlier, under construction. To give you an idea of the capital projects that are planned or are already under way for '02-03, we are looking at \$59.2 million for health facilities, \$58.5 million for school projects, \$16.4 million for postsecondary facilities, \$12.2 million for seniors' lodges, \$18.9 million for capital in accommodation projects, and \$7.3 million to continue with those centennial infrastructure projects that were not deferred. There is some further funding allocated from the access fund administered by Alberta Learning.

I believe that the budget estimates for the year will allow us to meet our business plan goals and help maintain the government's commitment to fiscal responsibility.

So with those few brief comments I would be only too anxious to hear comments from the hon. members and answer the questions that I can. If we can't answer to the detail that the hon. members require, then certainly we will give them in written form. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I welcome the opportunity to rise this evening to speak to the estimates for Infrastructure. I want to thank the minister for his opening comments and the very good outline of exactly where the moneys are

allocated for this year's estimates. I'd also like to thank his staff for coming out this evening and answering any of these questions that we might come up with here. As well, the minister did indicate that he would be providing us with some answers now and that perhaps he might need more time and others will be coming later in a written form. That's certainly fine by us.

Now, then, in preparing for the estimates this evening, I went back to last year, and I noticed that last year the gross operating estimates had a 300 percent increase. The gross operating actual was 150 percent. The gross capital investments were an increase of 97 percent. The gross capital investment actual for 2000-2001 was \$26,376,000, and the total budget requested for 2001-2002 was an increase of 296 percent.

8:10

When we start comparing that with what is happening this year, we see that the 2002-2003 operating expense and capital investment for the department of \$847.109 million reflects a \$2.293 billion decrease, a decrease of 73 percent from the 2001-2002 budget. We also see when we look at the forecast that we have a reduction of 26 percent, and operating is decreasing from a budget of \$3.088 billion in 2001-2002 to \$834.099 million in 2002-2003, a 72 percent decrease. As we also see, Mr. Chair, the capital is decreasing from a budget of \$52.03 million in 2001-2002 to \$13.01 million in 2002-2003, which is a 75 percent decrease.

Now, this certainly indicates that the revenues weren't there to support Infrastructure this year as they have in past years. It also indicates that we're still going along with this idea of a roller-coaster budget. It seems that we're either in a feast or a famine mode, and we do not have any stable funding. Particularly when we look at the economic forecast for Alberta, this plays a significant role, because if we lose the workers this year because we don't have the money to put into our Infrastructure budget, if in fact we have to make these cuts that I see here in the neighbourhood of 73 percent or 26 percent or 72 percent or 75 percent, all of these decreases just have a huge impact not only on our infrastructure but on the industry that supports that infrastructure. I think primarily of construction, of maintenance, and if we lose those workers at this particular time, if those companies lose those workers and they get out and they find jobs elsewhere – and I'm not trying to intimate that they are government workers – then certainly in periods of good times when again you want to provide steady work for companies, they are going to have to go through this whole idea of attracting workers back to their companies if in fact they had to lay some off or workers moved elsewhere, because they certainly have a choice at this time in Alberta.

So we think we do require some type of a fund that will smooth out the peaks and valleys. We certainly do need some type of a savings account for when we do hit these periods where revenues do not flow in to the same extent that they have in the past, and so it is that the Official Opposition has called for on many occasions an infrastructure enhancement fund. This would be that when we have periods of great revenue coming in, we would certainly put some of that money aside. We'd put it aside in advance so that when we do have the money in place, then we could certainly accelerate, would certainly be able to enhance the infrastructure projects, and at that time as well we just wouldn't have to wait for these projects until such a time as the onetime funding would allow it. When the need is there, then, Mr. Chairman, we could fulfill this.

Now, as well, I was glad to see that the minister did refer to new and ongoing expenses and that particularly when we were looking at the special infrastructure projects and funding arrangements, which were announced last year, I believe, there were condition

audits that were completed on 1,463 schools in the province. In the annual report from last year it goes on to say that "the audits will provide a strategic tool for the prioritization of school capital projects."

Now, then, the Department of Infrastructure plays an integral role in what happens in our schools, not only in school maintenance but construction of new schools in this province, but probably the best people to make a decision as to where the schools are needed, where new school construction should take place, are the local boards themselves. I certainly was glad to hear that you were in constant contact with the stakeholders in this regard. What is the determining factor as to where new schools are built? Who has the final say? If the school boards indicate that their priority is one particular spot and the government decides or the Department of Infrastructure decides that perhaps this should be somewhere else, then who gets the final say? That was one of my questions in regard to that.

As well, Mr. Chairman, the minister used the term "deferred" a number of times, and when I see that 34 capital costs were deferred for a total of \$445 million, that's quite disturbing, quite disturbing for our communities, for our seniors, for our health care, for our schools. To focus in a little bit on the schools, if I could at this time, if the minister could outline what school facilities have been deferred and also the impact of cutting the budget for school facilities operating expenses from \$555 million to \$23 million. Again, under program 2.1.2, school facilities, we see lottery dollars being reduced from \$150 million to \$35 million. Could the minister outline where this \$150 million in lottery funds is going?

In the minister's business plan there's a goal that only 9 percent of K to 12 schools will be rated in poor condition. Will the minister please table or provide us with a list of schools that are currently in poor condition, that you have done in your review, and as well what was used to classify these schools to come up with this 9 percent figure? Is it only the condition audits that are serving as the foundation for prioritizing school projects?

8:20

Another question I have for the minister: how can the ministry not have a measure for the functional adequacy of school facilities supported by Alberta Infrastructure? Will we see this measure by the end of 2005 or sometime earlier? If that would be introduced, we would like to know.

As well, when we look at seniors' lodges, the program for upgrading seniors' lodges has been extended. Certainly this is a bit disturbing when we look at a number of factors that are occurring in the province right now. One of those is that we constantly have in all projections an increased seniors population. We certainly have seniors living longer, and at stages in their later years they are requiring more types of facilities like lodges. As well, we see some seniors that want to move to lodges simply because they're in a position where they can't afford the rents that they're paying or perhaps they do need the advantages that lodges provide us. Now, then, we feel very strongly that the lodge program is one of those programs that should always remain under public ownership. We've certainly seen the disaster of trying to privatize seniors' lodges, as has occurred in the United States. Certainly they are having just an incredible time trying to monitor what is happening in these privatized seniors' lodges. As well, they find that there certainly is a tremendous lack of accountability with the providers of these seniors' lodges.

In last year's budget 121 lodges were to be completed by 2002-2003. In this year's budget we see that extended to 2004-2005. If the minister could please let us know what conditions seniors are living in because we have not provided enough lodge-living for them at this particular time and if he can see down the road where our

construction of new seniors' lodges will match the increase in the seniors population each year. Again, we do have a problem there that once the bubble goes through, we don't want to be left with a glut of vacant seniors' lodges, but we certainly have to be able to plan so that all seniors can live in the dignified and respectable manner that they deserve after contributing so much to this province for so many years.

Also, will the minister provide us with some information on what is included in the capital and accommodation projects? The operating expenses for this program, 2.1.7, have actually increased. This definitely appears to be a government priority. If you could please give us some information on that.

Now, then, as well on the capital and accommodation projects, how will these projects be affected by the reduction in capital investment from last year's spending spree of \$21 million, when the original budget was only \$13.9 million, to this year's budget of \$4 million?

The budgets for property operations, 2.1.9, and leases, 2.1.10, are both increasing. Property operations are increasing from \$96 million to \$115 million, and leases are going up by \$2 million. The Auditor General has been fairly critical of the government and its desire to lease rather than build facilities. Will the minister please provide an update on what steps have been taken to establish and enforce the requirements for preparing business case analyses?

My final set of comments before the minister does reply. If he could please tell us what progress has been made on capital plans containing the required information. With the cuts to this year's budget it is clear that the government does not have a long-term plan. Do some of the departments have some idea as to where they would like to go with their capital investments?

So if he could provide some answers to those questions now and written answers later, it would be much appreciated. Thank you very much.

THE CHAIR: The hon. Minister of Infrastructure.

MR. LUND: Thanks, Mr. Chairman, and thanks to the hon. Member for Edmonton-Glengarry. I apologize. There were a couple of places there where you lost me, but we'll pick it up from *Hansard*, and we'll give you an answer.

The hon. member started out by describing the reduction and the impact that that was going to have on workers and those types of things. I must remind the Assembly that in fact there is a very large amount of money currently in school boards, in regional health authorities, and in postsecondary institutions that will be spent this year and next year for capital projects. As a matter of fact, there will be somewhere around 1,200 projects on the go by this department during this fiscal year.

AN HON. MEMBER: How many?

MR. LUND: About 1,200. So it's not all doom and gloom, even though the budget does look very difficult and it is difficult to keep within the money that we have.

I think that when you talk about a fund, one of the main purposes of the blue-ribbon panel on fiscal management, that the Minister of Finance is setting up, one of the issues that they're going to deal with is: how do we account for, how do we handle these capital projects, and how do we make sure that we don't have these huge ups and downs? It makes it very difficult for the contractors, and it makes it difficult for us to plan with any certainty when, in fact, there can be these fluctuations in the budget. We were fortunate enough in this department to be able to allocate funds out of last

year, to advance funds for projects that would be constructed this year and next year. So you will see a lot happening out there. It's not going to be all doom and gloom.

Talking about the facility audits, certainly in my opinion this has been a very, very important exercise that the department started two or three years ago. They've now pretty much completed the postsecondary. The schools, of course, have all been done, as the hon. member mentioned, and our own facilities have been audited now, so we have a very good handle on the condition of our facilities, those that we're responsible for. It's going to be a great tool for us as we move forward and allocate dollars where they are needed to keep that infrastructure whole and sound, and it's going to also allow us in the future, within the business plan, to in fact have a goal and to record exactly where our deficit is relative to the infrastructure that we're responsible for.

You asked about the decision-making and where money goes as far as schools are concerned. We work very, very closely with the school boards, and we will continue to do that. As a matter of fact, when you look at what was approved last year, we basically took the recommendations from the school boards and allocated the funds accordingly. Of course, we have to draw between the new and the modernization. Last year in the '01-02 budget there was a \$50 million program of modernization along with the other capital projects. So those of course were different categories. In some cases in a school jurisdiction we may – for example, if they had 10 projects on, part of them would have been in the modernization part in the capital projects. Of course, we'd come down as far as we could on the top capital ones and then on the modernization, so it would maybe look like we weren't following exactly what the school boards had put in, but frankly we were very, very close to what they asked for.

8:30

Now, when you're dealing with priorities, it's not just the audit that dictates where there will be schools built. Utilization plays a very big role in that decision-making, and if, for example, we see that there's a school with a very high score on the audit, well, it would have a high priority as far as eligibility for a modernization and/or a capital project. You could possibly see a school that is in fair condition. Maybe there are two of them, and there's very low utilization because of all of the area that's available in that sector or in that particular community. So you may see that we would do something. Even though the condition of those schools was not that bad, the utilization was very poor.

So it's a combination. Certainly we have to, wherever there's a health and safety issue, address that issue. That's number one. If there's a health and safety issue, then that has to be addressed, so that's how we work through those allocations. As far as having the final say, as I said earlier, we work with the school boards. I guess if we ever got in a case of push comes to shove, we would have to make a decision, but I'm hoping that we don't get to those kinds of conditions.

You asked about the schools that have been deferred, and certainly you asked for the list. That's no problem. We can easily give you that list. I can assure you that as we were making those decisions, what schools were going to be deferred was a very, very difficult decision. I don't like saying no anymore than anybody else does, but the fact is that we simply do not have enough money to allow all of them to continue. When you take \$445 million out of the budget after things have been approved, then it's very, very important that you look at the cash flow and make sure that you don't have a situation where you spend many millions of dollars only to have them sit for a couple of years. You're much better off to complete

some projects and then pick up as soon as you can on the ones that have been deferred.

You asked where the \$115 million disappeared from lotteries. When the lotteries budget is up, you'll have to ask. I don't allocate where those dollars go. We didn't get them. That's all I can tell you. We didn't get them.

The schools that are in poor condition. Yes, we can give you the audits of the schools. That's no problem. I think I got a little ahead of myself when I was talking about the utilization and the audit and how that ties in, and that was your second one.

You made some comments about not having a measure, and I'm sorry that I didn't catch just exactly what your complete questions were in that area, so we'll get that to you in writing once we see *Hansard*.

The seniors' lodges. Well, the 121 of them in the province have been upgraded. Now, I think you have to take a real look at what the function of lodges are, what the assisted living facilities that are coming onstream do. Of course, as you know, the Minister of Seniors is working with the federal government looking at low-cost housing. We have to look at that whole big picture. What exactly is out there? What can fit the need best? How best can we do this?

Certainly there will always be a role for the lodges. By default the lodges have had to take on loads that should be in assisted living, and you are seeing now many assisted living projects where we partner with the private sector to have those facilities built. I think you'll see the dynamics of this all changing. We don't have any plan to privatize the lodges. That's not in the cards. Certainly the management has changed to what it was a few years ago, but it seems to be working very well where you have lodges and you have some facilities that are low cost but they're publicly owned and those kinds of things that are out there.

You asked about the capital investments, and I'm not sure just exactly what you were looking for there, but certainly as we move forward, we are looking at the needs of all of the facilities. As we look at the age of our universities, for example, I think that is probably the best example of where we have a lot of old structures, and there's going to be a need for a lot of capital upgrading in those postsecondaries. Really Alberta is such an exciting place to be when you look at the universities and what they're doing, particularly the university in Calgary and the one in Edmonton here with all of this new research that's coming onstream. It's just fascinating. Now, that comes with a cost, of course, where you need the facilities. We need the facilities for that research, but they're also busting at the seams with students. So we've got a huge challenge coming up in that whole area.

With those, Mr. Chairman, I'll let somebody else take over.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I'll follow up the comments of the minister and my colleague from Edmonton-Glengarry with a series of reactions and questions of my own on the budget of Infrastructure. I was listening to the minister in his opening comments, and I think he shares the concern, he's certainly aware of the concern that we have and many Albertans have about the wild swings in funding up and down for this department. I'll get to the numbers in a little while, but they're truly dramatic. I mean, budget plans up into the billions of dollars and then reduced by 80 percent or something in some cases in one year and then cranking up again. It very much looks like and I would say is a kind of yo-yo effect for funding.

There are, as the minister undoubtedly knows too well, many drawbacks to that. There are inefficiencies, for example, when plans

begin to be made and then they're put on hold and then they're cranked up again and they're put on hold, when contractors build up their capital equipment base, have their workforce going full steam and are anticipating in one or two or three years a continuing supply of work, whether that's road-building work or construction work or whatever, and then suddenly they're caught having to lay off staff or idle equipment that they've purchased. I'm sure the minister has heard a great deal from the road builders, for example, and other construction industry members. That's a profoundly serious problem I have with the way that this department is being managed and the direction it's being given and the funding it's being given by the government. So that's fundamental to all the other questions that I have here.

8:40

I also noted that in the minister's opening comments he referred to current economic conditions and said something like: in light of the current economic outlook we had to cut our funding. My sense of the current economic outlook is that it's quite rosy. Certainly there were questions in the fall. I fully concede that after the attack at the World Trade Center there were questions over what was going to happen to the economy, but things have rebounded well. There was never really a significant slowdown or hardly a measurable slowdown in Alberta's economy.

I am concerned that what we're looking at in this budget is a huge overreaction. There was time between September 11 and today for us to take a deep breath, pause, collect our thoughts, and then proceed. What I'm seeing instead in this budget is an overreaction and no response to the fact that the economy is rolling along full blast in Alberta. So I'm not convinced that the current economic outlook justifies the steps we are seeing taken in this budget. Maybe the minister has in his hands or his briefcase an economic outlook that is gloomy, and if he does, I'd like to hear about it. Otherwise, I'll express my real concern that we're seeing here an overreaction to the concerns of last fall.

Of course, one way to avoid that kind of overreaction would be to have a proper stability fund in place, which we in the opposition have been advocating for many years. The logic of it is very, very simple. In an economy where there are huge swings, booms and busts, during the boom years you take some of the extra money, you put it in the bank, and during the bust years you draw it out. Through that sort of process you're able to stabilize your funding over the long term, and you can actually, for example, counter the effects of slowdowns when they occur. You can carry on with your construction work, for example, in this ministry, and you're not laying off construction workers in the middle of a slowdown. You're holding onto them. A stability fund for Infrastructure is a policy that we've been advocating for years. I commend it again to the minister here, and I hope he commends it to his cabinet colleagues. In doing so, I hope he gives us full credit for the idea, but we'll share it with him even if he doesn't.

I also want to reflect on the question of the very nature of debt and deficit. There are many ways to measure debt and deficit. One very simple way is just what money you have in the bank and what money you have in your wallet. Or in the case of the provincial government, what money do they have in their various accounts and do they expect to get? I think that's the simplest and, in some ways, most shallow way to measure debt and deficit, and I think we have fallen into that trap in Alberta. We measure our debt and deficit strictly by how much money is in the bank and how much money we owe, period. We do not account for the fact that we can also have an Infrastructure debt or an Infrastructure deficit.

I need to tell you an example from my constituency that I think I

even referred to maybe last week in a debate on estimates. In a school in my constituency that I toured shortly after I was elected and have revisited two or three times, while walking around this school, I approached one of the emergency doors, an emergency exit – this is in an elementary school – and looked at the door frame. One of the teachers pointed it out to me, and the door frame was in such poor condition that I could literally pick the wood apart, splinter the wood with my fingers. It was rotten; there was no other way around it. This was an emergency exit to an elementary school, and the doorframe was so far gone it was rotten. That's just a tiny, tiny illustration of a larger infrastructure deficit. We all encounter that when we drive down the roads and we hit the potholes. We can see that on our campuses, in our universities, as the minister mentioned, in many other public facilities.

Now, I do notice – I'm going to lose track of my documents here – that in one of the department's documents there is a rating, for example, of the condition of different facilities: good, fair, and poor. The number of facilities listed in poor condition is under 10 percent, which is, I guess, fine. Actually, now I've found it. It's in the business plan, and it covers two or three pages, pages 242 and 243 especially. You know, I would be curious to see some examples of fair and of poor. I'm not sure that this school would be in poor condition or would be in fair condition. I certainly hope that it wouldn't be in good condition, but to my eyes at that moment it was in poor condition. So I would say to the minister and encourage him to take to his colleagues that there's more than one way to look at that. We need to look at the bigger picture. There's no point in having our debt paid off in 2005 if we are seeing our public buildings and our hospitals and our schools and our roads deteriorating. I won't go on about that, although I do feel strongly about it.

When I see the drops in funding for infrastructure as dramatic as they are, for example, in the budget – and the minister quite openly alludes to this, and it's here in black and white. Looking at health care facilities, the comparable budget for last year was \$750 million for operating expenses in program 2, line 2.1.1, and this year, if I'm reading this correctly, the comparable figure is \$9.2 million. Then if we include the portion funded by lotteries, it goes up to \$59 million, but the budgeted amount for last year would have been \$870 million. So we're going from a budgeted amount last year of \$870 million to a budgeted amount this year of \$59 million. That's a dramatic, dramatic, dramatic shift. In fact, last year because of midyear adjustments there was a real reduction in plans, and what we're actually likely to see, what's forecast to be spent is about \$440 million instead of the \$870 million, so nearly a drop in half.

Now, I watched with great interest the series of announcements that were made, you know, in the period of 12 to 24 months ago about hospital expansions and road expansions and public buildings getting the kind of funding they deserve, school development, and so on, and I applauded that. I am a fan of good public facilities. I support those. When I see such a dramatic cut, I worry that needed facilities are not being built and that facilities that have been constructed and are declining are not being properly maintained. That raises a very serious question to me. If those facilities are not there, needed facilities, needed hospitals, needed schools – my colleague from Calgary-Shaw, for example, lives in a sprawling constituency, and I think we're all aware that it's the most populous constituency in the province. Are we providing adequate schools there? I'm fortunate to represent a constituency that is filled with neighbourhoods built in the '50s and '60s. Do you know what? There are good schools. Every neighbourhood has at least one school, and many of them have two. I think it's quite unfair to newer neighbourhoods in this province that were built at a time of wonderful prosperity that they may not have any schools.

8:50

AN HON. MEMBER: Or even a hospital.

DR. TAFT: And certainly not a hospital. Sorry. I'll stop there.

So you see my point, and I'm sure you understand it. I'm sure you can feel the logic of that point. So it's very, very serious. I think Albertans are going without proper public services because the facilities are not there, and the corrective measures that were in last year's budget have been eliminated in this year's budget.

Do I have 15 minutes or 20 minutes?

MR. BONNER: Twenty, I believe.

DR. TAFT: Okay.

Now, there is a logical progression to my comments, which may surprise some of you here, but I'm working on it.

AN HON. MEMBER: Building up to it.

DR. TAFT: Building up to it.

So we have needed facilities. They're not getting the funds. The departments are put under the squeeze. So what do the departments do? They look for other ways to solve their problems, and they look to one particular way, public/private partnerships. Public/private partnerships can take lots of forms. We can have them for capital; we can have them in some form or another for operating programs.

MR. BONNER: IGA high.

DR. TAFT: We can have IGA high, as one of my colleagues has pointed out here.

There are many, many lessons to be learned from private/public partnerships, and if you're not already familiar with it, I will direct you to one set of lessons which were written by none other than our Auditor General in his annual report of 2000-2001, his comments, very good comments, I would say, on the Department of Infrastructure, several pages of comments leading to a number of recommendations. I will not read all these pages.

MR. LUND: I've read them.

DR. TAFT: You've read them. Okay. The minister tells me that he's read them, and I applaud him for that.

I do think that in the spirit of debate and learning from our experience and from our Auditor General, it's worth reflecting on some of these comments. One of the themes of his comments is that we can get drawn into deals through public/private partnerships that in the long run cost taxpayers of Alberta more than if we had built to own. Certainly this isn't limited to strictly public/private partnerships of the kind we're looking at here. There are many questions raised on leasing a vehicle for an individual. Is an individual better off leasing a vehicle or buying a vehicle? Many of the same principles apply to that discussion, and increasingly the benefits of leasing a vehicle are being brought into question. In the same way, there's excellent, excellent work done in many countries around the world on public/private partnerships. Do they really pay off or not? There's a tremendous amount of evidence that often they do not.

One of the ways for us to decide whether they're even worth a serious look is to ensure that the public sector has strong baseline data for expenditures if a given initiative were undertaken on a build-and-own basis. The Auditor General reflects on this at some length and recommends carefully that we look at that. I'm looking

here through the Auditor General's comments. I'll read, for example, from the Auditor General's report, page 156:

The Ministry [of Infrastructure] advised us that it entered into [particular] arrangements to do essential work or make necessary purchases but it had limited budgeted amounts available for capital funding. For example, the Ministry entered into a lease agreement for a warehouse. The landlord built the facility on land owned by the Ministry that was leased to the landlord for the period of the lease of the warehouse. At the end of the lease the Ministry must purchase the facility for the purchase price as defined in the agreement.

Very much like leasing a vehicle and then being forced to buy the vehicle at the end of the lease. Those were my comments, not the Auditor General's.

Going back to the Auditor General, he continues: "The Ministry's analysis for this project indicated that the build/own option was more financially favourable. But because of budget constraints it chose the lease option." I am concerned that the budget constraints that we're seeing in the proposed budget this year put constraints on the public sector that will drive us into unfavourable arrangements that will cost us all more in the long run, and I would strongly encourage the minister to develop baseline information so that we know very, very soundly, as the Auditor General recommends, exactly what the full life cycle costs of a project will be if we build and own as opposed to leasing. That is a bare minimum requirement before we should get into any public/private partnerships.

My time is running out, Mr. Chairman, and I just got warmed up, but thank you very much.

THE CHAIR: The hon. Minister of Infrastructure.

MR. LUND: Thanks, Mr. Chairman. Thanks to the Member for Edmonton-Riverview. He made a number of comments about the ups and downs of the budget, and I must once again remind the member that, yeah, I agree. I think it would be better if there were some way that we could stabilize it, but it isn't quite as bad as it appears because of the money that we were able to advance last year. As a matter of fact, I met with the Alberta Construction Association. We mustn't confuse this department with Transportation. The impact on Transportation is more severe. You mentioned things like buying a lot of equipment. Well, the type of contractors that are associated with this department don't have the same need for that very expensive heavy equipment, but it's true that they have the need for engineers, architects, and professional people, and of course, as you indicated, they ramp up because of all the work and then have to lay off. Fortunately in Alberta, like the housing industry, the commercial buildings that are going up, our budget reductions are not having quite the same impact as in Transportation.

Certainly, as I indicated to the hon. Member for Edmonton-Glengarry, one of the prime things that the blue-ribbon panel is going to have to look at is this whole issue about: is there a different way? For example, I still find it strange that we can't amortize capital. When you're buying your house, do you wait till you have all the money, or do you spread it over time? When you look at businesses, very rarely do they pay for the structure up front. It's amortized over time. So those are the kinds of things that have to be looked at. I'm not totally convinced of just having a fund. I think there are maybe some other things that we need to look at. It may very well be that a fund is one of the tools that we can use to spread this out.

You mentioned my comment that we had to make big cuts because of the slowdown in the economy. Let me point out to the hon. member that nobody, absolutely nobody thought that the price of gas would go from around \$11, \$12 a gigajoule down to under \$2

a gigajoule in the space of about six months. Nobody thought that that was going to happen. Then on top of that, not only did the price go to the basement, but exports dropped 35 percent. So you had a huge loss. People tend to target oil. Oil is not the real big one. Gas is the big one. When you look at the fact that every 10 cents spread over a year is worth about \$160 million and you go from \$11 to \$12 down to under \$2, you've got a problem. Like, that's a huge drop. So that is really where we had to find a way of reducing our expenditures.

9:00

You have to also remember that when this budget was being put together, it was two and a half months ago. Yes, the economy is picking up, and that's great to see. Hopefully we'll be able to see our way in next year's budget to maybe increase from what we've currently got in the business plan, but there are a lot of things that can happen between now and then.

You're absolutely right about the Infrastructure deficit. I have been talking about this for over a year. It's something that we have to look at. Now, after the auditing of all of the buildings, we will be able to include that in our financial accounting. That's going to be a very, very important tool for us to be able to identify. What we are going to do is take the replacement cost of a structure and take 1.5 percent, because that's what the industry tells us is about what you should be spending on an annual basis to preserve whatever structure you have. Now, some are going to be a little more; some are going to be a little less. But that'll be sort of a benchmark that will provide a very good guide for us as to what we need to spend in order to preserve.

You mentioned the school with the rotten door casing. Well, we have a program called the BQRP, the building quality restoration program. It's a \$50 million program that we give to school boards. It's based on the area they have, the pupils they have, and it's on a formula basis. We don't direct where it is to be used, only that it's intended to fix the very things that you mentioned. Now, if you want to get the audited score on your school, we can certainly provide you with that to show what the overall condition of the structure is.

When we started on the century schools program at \$1.1 billion and we had the audited scores, the higher the score, the poorer the condition of the building. We were trying to get down to a 900 score under that program. Poor starts at about 800, so we've still got some poor schools out there that aren't going to receive funding immediately. Out of that \$1.1 billion we managed to do close to 500 projects, so we did cover off a fairly handsome number. If you look in our measures, you'll see that in fact schools in good condition went up and schools in poor condition went down, and we hope to accelerate that trend in the future.

The lack of funding for health facilities. Once again I have to remind you that in fact you will see a lot of construction this year. There is a lot of money out there that we were able to advance to the regional health authorities for capital projects that will be into the ground this spring and seeing completion a little later. It's true that we won't be able to cover all the projects. A number of health projects are on the deferral list, so they won't be able to get immediate funding.

A comment about the high school in south Calgary. Yes, we regret that we had to put that one on the deferral list, but we also know that deferral doesn't mean cancel. It will happen, just how soon we can't say, but hopefully it has a very high priority. You also must remember that high school students are more mobile. Certainly more than one of you is in the education system, and you recognize that distance is not really what high school students are that worried about. What they're worried about is the program that they have when they get to the school, and you'll see all around the

cities how they move from one school to another. I think that will be accelerated as you look at school-based budgeting. I know that here in the city of Edmonton, where my brother happened to be a principal for a number of years, with school-based budgeting what developed was that schools picked out a certain niche, if you will. Some were academic, some excelled in sports, and students came from around the city to that particular school because of the program that it offered, not because of the distance. There is a great need. I'm not trying to mislead that. There is a great need, and we certainly will be looking at that one in Calgary-Shaw.

Your comments about the P3. Yes. We applaud the comments that the Auditor General made; they're bang on. We have to develop the criteria that we can measure a proposal by, and we have to look at the whole life cycle of the building. We had the school symposium back in December and got a lot of good input. New Brunswick went through – well, they actually had a crash with P3 projects. They weren't prepared. They went into a whole host of them. So we were able to learn quite a bit from their experience and hopefully will be able to come up with a program that is good for the Alberta taxpayer.

I firmly believe that there are some real examples that could work. For example, in a new subdivision if a developer were to build the school, build a community hall that will serve as the gym at the school – this would be a K to 3 school – and design it so that in 25 years, when the demographics of the area change and you no longer need a K to 3 school, you could convert it into something else like a seniors' lodge. There are a number of other ideas that have been kicked around and came out of the symposium. For example, where you have a K to 3 or K to 4 school and on the same facility you do have a seniors' lodge, it's amazing how you get the interaction between young people and seniors: they complement one another. So I think there's great potential for some of these innovative ways of doing things that we have to look at and we are looking at as we move forward to figure out a different way to do business.

THE CHAIR: The hon. leader of the third party.

DR. PANNU: Thank you, Mr. Chairman. We've now been examining the estimates for about 70 minutes, more or less. Several important questions have been raised and addressed and answered back and forth, so I will try not to repeat many of those pertinent questions, and I could certainly see the minister's attempt to address them. I would like to make some general observations first, Minister, and you made those at the beginning of your address. You certainly acknowledged the very deep nature of cuts in the Infrastructure programs.

I'm looking at some of the key areas here where the Infrastructure costs to the government were quite heavy. The cuts need to be, I think, recorded in terms of percentage. I notice that the health care facilities cuts will amount to about 93.2 percent. The scale of cuts or the magnitude of cuts for postsecondary facilities is the same again, around 93 percent: very, very deep. Out of every \$100 that was budgeted last year, \$93 have been removed. Only \$7 remains to be used for maintenance and for capital projects development. In terms of school facilities again the cut is over 91 percent, 91.7, so close to 92 percent.

9:10

Using these three areas to ask some questions, Mr. Chairman, I would like to go from there to the business plans book. I'm looking here at goals 2 and 3, pages 242 and 243. A measure that is used to assess the physical condition of the facility in the case of health facilities is the condition facility index. There is a bit of information

on how this index is in fact developed. It says that the "facility is in good condition if the facility condition index rating is less than 5 percent." I suppose this means that if the infrastructural assessed costs are less than 5 percent of the total value of the asset, then it's in good condition. [interjection] It's page 242. I'm just trying to get an idea about the FCI index, I think it's called, in the business plan volume.

The table on page 242 under Goal #2 Measures lists the percentage of the facilities that are rated in good condition, the percentage in fair condition, and the percentage in poor condition. The index that is used is in a sense a ratio, I think, of the cost to correct existing deficiencies to the current facility replacement value. Right; that's what it is, yeah. The projections in the table are that the percentage of health facilities rated in good condition is expected to go up year after year after year from 55 to 57 percent, then 60 percent, and 64 percent year after year for the health care facilities.

Now, when I look at that in light of the cuts that I just mentioned, I see a discrepancy between the projections in terms of the numbers that you indicate here that will show that a facility is in good condition. There's a percentage that's going to go up, while the resources needed to upgrade or maintain are being cut back dramatically, as I said, by 93 percent in this current fiscal year. I'd like you to, Minister, perhaps comment on that discrepancy. How do you expect the percentage of health facilities rated in good condition to go up by 2 percent when in fact the cuts that you are proposing will be very deep, to the magnitude of 93 percent?

We move on to the next page, page 243 in the business plan, under Physical Condition of Post-Secondary Facilities. The table there in fact is indicating a decline in the percentage of facilities in good condition from the year 2001 to the year 2005, 47 percent in the year that's gone by. You're suggesting that the percentage will remain the same in this year, and then for the following two years it will slide down to 45 percent. Correspondingly, the percentage of facilities rated in poor condition is of course indicated as moving up, and that makes sense.

One suggestion there. I was looking at the goal 2. I think there is helpful information there at least with respect to the numbers that I used to get the FCI, the index. I wonder if the index used for determining the physical condition of postsecondary facilities is exactly the same. If that is the case, then perhaps it is good to repeat that information in that second one, too, under the Physical Condition of Post-Secondary Facilities, because that facilitates understanding and also shows that the department uses some sort of consistent measure for measuring the physical condition of Infrastructure facilities, be they hospitals or be they university buildings or college buildings. That is just a suggestion that maybe next year one can have that information consistently supplied at the beginning in a footnote saying that this is the index that will be used across these areas.

Going to the numbers in terms of the facilities in good, fair, and poor condition, again I would like you to comment on this in light of the fact that for the postsecondary facilities the cuts will be close to 94 percent, I guess, that you're proposing overall in your budget this year. I don't see how this mix can be maintained given the depth of cuts. Those are two questions related to the two pages I referred to.

Like my colleague from Edmonton-Riverview I had a look at the Auditor General's report for last year, the year 2000-2001. According to the Auditor General's report for last year the total Infrastructure assets that the department either directly owns or helps in maintaining is close to \$42 billion. Is that correct? Does that make sense? Now, if that is the case, if the replacement value of Infrastructure assets exceeds \$42 billion according to the Auditor

General, I wonder if you'd like to at least speculate, if you don't have exact numbers, with respect to the deferred maintenance costs given the deep cuts in the three areas of health care, postsecondary education, and school facilities that I referred to. These are the three areas which do sustain the highest level of cuts. Given that, what are the implications in terms of the deferment of maintenance costs given that hospitals, universities, schools, and such other facilities form perhaps the major chunk of the over \$42 billion in assets?

I think this budget is good from the point of view of the Treasury Board's targets. You're trying to meet, of course, the targeted cuts as determined by the Treasury Board. But from the point of view of taxpayers, ordinary Albertans and even people like me, the MLAs, it's important also to weigh the savings that we make by cutting the budget, by making deep cuts in the budget which are temporary savings, with what the liabilities are that we as Albertans earn down the road from year to year as a result of the temporary savings that are attempted, seriously attempted and honestly attempted, in this year's budget.

I was looking at the Auditor General's report again, and he goes out of his way to talk about these savings as temporary savings. As a matter of fact, on page 157 the Auditor General uses a hypothetical example to draw attention to the fact that these savings are not only temporary, but later on these savings will come back to haunt us. In fact, these temporary savings could result in far more increased costs for us to bring the buildings or the facilities back to a level at which they're in good condition or fair condition and are safe for use both physically and in terms of health.

With these few questions I'll sit down, and hopefully you will comment on some of the questions I've raised.

9:20

THE CHAIR: The hon. Minister of Infrastructure.

MR. LUND: Thanks, Mr. Chairman, and thanks to the hon. Member for Edmonton-Strathcona for his comments. You commented on how could it be, in light of the budget, that the percentage of health care facilities in good condition goes up and poor goes down when in fact the budget doesn't have the money to make that happen. Once again I must go back and remind the hon. member about the fact that there is a lot of money in the health authorities currently that will be spent next year and the year after and will address a lot of the poor conditions that we find in these facilities. Will we be able to meet the target? I'm not sure. It's an ambitious goal and one that we want to achieve, but of course it'll depend on the availability of funds probably in '03-04, '04-05 whether in fact we can meet these targets. But I can assure you that in '02-03 there is a substantial amount of money that will be spent. Of course, some of that will be for new, but there is some of it, quite a lot of it, that is going to be for upgrading and improving.

With postsecondary of course the opposite is shown in the business plan, and it's truly reflected by the budget. One of the difficulties we've got in the postsecondary, though, is that we are not starting from as good a position. The postsecondary institutions, particularly when you look at the University of Alberta, have a very large portion of their buildings that are getting very old. In the health field we are starting from a little better position and will be able to move up. In the postsecondary the large structures tend to be older and tend to take more money, so the budget simply does not have the resources to build the new that we're being asked to do because of all of the great things that are happening in research and medical research and you name it. There's so much going on and they're needing more classroom space, so there has to be quite a bit of addition as well as improvement of the existing buildings.

The FCI that you were referring to. I refer you to page 243, and I think it kind of gives the explanation of what this really is. "The index is a ratio that compares the total cost of deficiencies to the replacement value of the facility." So it's a pretty accurate measure of what we have, and as we've done these audits and got a good handle on what we've got out there, this will become very meaningful.

The \$42 billion that the Auditor General refers to. You've got to remember that's when it was transportation and infrastructure. The total in this department is somewhere around \$23 billion. We'll get you the number. We don't have it completely yet because we're not completed with the postsecondaries, but it's right in that neighbourhood, about \$23 billion. So the \$42 billion included the highways.

Now, you comment about when you don't do the preservation, the graph would start going up. That's true. It's not as severe in the types of structures that are in Infrastructure as in Transportation. Transportation really takes off on you. Not to say that we don't need to really look after our infrastructure as well, but it doesn't deteriorate as rapidly. The cost to repair it doesn't accelerate by the same ratio that it does in Transportation. But we're aware of it, and like I said earlier, we are going to be using a number of about 1.5 percent of the replacement value as a guide for preservation as we move forward in the future.

THE CHAIR: The hon. Member for Calgary-Shaw is the next on the list.

MRS. ADY: Thank you. I've really enjoyed tonight's debate as we've listened to the minister describe his department and the different members that have stood to debate Infrastructure.

For those of you that don't know, I used to be a general contractor for about 10 years, so in the spring whenever I smell sawdust, I always feel like building something. My nose comes up and I'm ready to build. It's always hard when you look at infrastructure projects and you don't have the money to build them yet you have the scent in your nose, so I do feel a little that way this year.

I was looking at the minister's budget for 2001-2002, and we saw the \$3.1 billion rapidly reduced by \$2.2 billion in one year. That's quite a descent, and we know that falling energy prices and the global economic slowdown were part of the reason that that happened, so we have to adjust to realities. That's just the simple truth of the matter. As I looked further through the budget for 2002-2003, we have about \$847 million to operate schools. Well, you've got to have lights on, you've got to have heat, and you have to be able to take care of those buildings. I don't think it's a spoiled thing to expect the lights to be on in a building, so those things have to go forward. We have somewhere over \$200 million going into day-to-day government operations, also necessary, and then about \$180 million for capital projects. Is that about right?

AN HON. MEMBER: It's \$185 million.

MRS. ADY: There's \$185 million for capital projects, so we see that those have descended quite a bit. One of the questions that I wanted to ask our Infrastructure minister is: that's still quite a bit of money that we're putting into capital projects, but can you tell me what we put in the year before? Did it go up from the year before? I mean, we had quite a jump in capital projects that we actually were allowing for this year, and some got deferred, but what happened in the year previous to that? How much money was spent on capital projects in that year?

Now, I know none of you have ever heard of this before, but I have over 82,000 constituents in my constituency. That's new information, but . . .

AN HON. MEMBER: How many?

MRS. ADY: I have over 82,000 constituents in my constituency, and I've often thought, you know, as you look at the high-growth areas of this province, mine being one, that there are others in the province: Fort McMurray, Edmonton, Calgary. I mean, lots of people – even Whitecourt-St. Anne is raising his hand. We have to wonder at that, but we do have growth in this province, and it would be very interesting if we could stop everyone at the border and say: you can't come across the border unless you bring a school, a hospital, and a doctor with you. That's not realistic, that's not going to happen, but it would be a simple solution.

As we look at these areas that grow rapidly – and that's just, I think, a reaffirmation of how wonderful the province is doing and how much people want to live in this province. In fact, when I was door-knocking in the last campaign, every other door was a new Albertan in my constituency, so it speaks well for what the province is doing and how much people want to live here.

But we still have this problem of infrastructure. We know there are some 1,200 projects that have begun, and I think that represents hope in this province. Those are a lot of projects. And as I look at that, I also have to look, though, at the \$445 million on deferral and wonder what those projects are. We do know that construction cycles go up and down and that it causes problems. I've heard a stabilization fund mentioned, and I know the problems it causes beyond just construction. What happens when we all of a sudden have money and can build infrastructure projects is often that school boards or hospitals suddenly get so much money so quickly that they can hardly get it built fast enough. The price of whatever you're building jumps considerably because the demand is so high for people to build, so it actually ends up costing our province more money. So I'd ask the minister if he could comment on that and whether there's a way that we could smooth those kinds of things out so that we were actually getting the best bang for our buck when it comes to when we do build.

When I look at Infrastructure and I look at the fact that you can't afford to build everything when you want and how you want, I look at the city of Calgary, because that's the one that I know best. When we look at the new communities in the outer doughnut area of Calgary, we know it's taking about 15 years before an elementary school comes into those communities. I'm even reminded of a group that I worked with in northern Calgary. When they finally got their first elementary, they were 15 years old. They talked about how everybody always talks about how the school is the heart of the community and how they'd been sending their heart down the road for many years, and they were so happy to have it coming home. It might kind of sound a little schmucky, but I do think it represents how communities feel about schools. So if in fact it's taking about 15 years, I'm very encouraged to hear the minister talk about innovative ways to manage this differently in the future.

9:30

I know that he had a symposium, and there were lots of good ideas that were brought up at that symposium, and I also have had opportunity to work in this area a fair bit. We've seen property disposal opportunities in Calgary that have never been looked at before, a way of reusing properties. He mentioned turning schools into senior care bed facilities. I mean, those are all, I think, very good options on how to manage school property in the future.

The P3. I think of the hon. Member for Spruce Grove-Sturgeon-St. Albert. He comes from a lot of places. He, like me, has had opportunities where developers have approached and said: "Let us build the schools. We can do it cheaper than you," because they

were in construction. "We think we can do it cheaper than you could do it," and "You know, we'd take it on for 25 years, lease it back," whatever. They're really open to however we want to look at this problem. So I'm very encouraged when I hear that we are looking at those options. I think they're good options, and we should be looking at them.

We also know that communities change and that often after 25 years they don't have the demand they used to have. I've heard so many communities in Calgary say: "But we're growing again. We've got kids moving back into our neighbourhoods. You don't need to close our schools." The reality is that I have not seen an example in the city of Calgary that doesn't dip after a certain amount of time and then never really recover that population again. So can we get innovative and start to just build K to 3s that can downsize to communities? All of those things are good approaches to the use of Infrastructure dollars in the future.

The last item I'd like to touch on is the priority list. I do think it's a good idea for individual school boards to come up with priority lists. They live closer to the situation. They know the communities that they live in, and one of the things that I think became a problem this year as we saw the rapid reduction was that there were priority lists there. In fact, I'll just go ahead and say it. The south Calgary high school was number 1 on the priority list. The demand was great and is great for that school, but because it took longer to plan a high school, it wasn't in the ground yet, so when it came time for deferral, you had to start where money still was and projects hadn't begun. So in some ways it kind of changed the deferral list a little bit, and I know that was upsetting to my constituency.

We also talk a little bit about distance in the city. There's no question that in the city of Calgary there is still room in high schools, but those high schools are located far from where I live. I know that my rural colleagues are going to say that's not far, but as I once explained to the hon. Member for Lac La Biche-St. Paul, there is road distance and then there is traffic distance, and you have to measure both in time. I have constituents from the deep south right now that have to get a bus, a train, and a bus to get to their high schools, so it's taking them sometimes up to an hour and a half to travel, as the crow flies, not very far, but through traffic distance that becomes great. So I don't know that you can always view it by saying, "Well, within the city there is space," but it's located a long ways from you trafficwise.

AN HON. MEMBER: Is that one way?

MRS. ADY: That is one way.

So I was happy to hear the minister talk about that, although he did mention that students traveled, but in the city of Calgary we're still very much bound to a boundary, so people don't have necessarily that option. Sometimes they can approach programs, but the majority of our students stay within the boundary that they're given at this point in time.

I also was very impressed with the facility audit that was done by Infrastructure. I think it really gave us a good look at where the buildings were and what condition they were in. Often I might say to you: well, Calgary's buildings are in worse condition than Edmonton's. The facility audit gave us a nice level look across the province at those facilities that needed immediate attention. I know that roads deteriorate really rapidly, but in my house if the tile cracks in my bathroom and I ignore that, then I know I'm going to have a major construction problem. So I think it's good that we are able to kind of get a handle on this infrastructure deficit when it comes to those buildings that do need repair. I've been really happy to see the facility audit, and I want to commend the department for that.

I do think that there is such a thing as an infrastructure deficit, and I hope that as the economy continues to improve – and I hope that it continues to improve – we'll be able to reprioritize this very important area of the province and that we'll be able to see those moneys go back into those hospitals, schools, senior care facilities, and those things that we need as we continue to grow and thrive as a province.

Thank you very much.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's a pleasure to participate again this year in budget estimates with the hon. minister, this time of Infrastructure. I was listening to the remarks from the hon. Member for Calgary-Shaw in reflecting across the House to the hon. minister, and certainly he looked like a minister without a fiscal stability fund. It's a Liberal idea, but I would encourage all members across the way to take this policy and run with it, because we're going to have a better province as a result of this.

I'm not going to spend too much time discussing the stability fund. It was discussed earlier, and the hon. Member for Edmonton-Riverview also suggested that it become government policy. One only has to look at Alaska, which is in a similar situation to what this province itself faces. The hon. minister was very accurate when he reminded all members of this Assembly just how important natural gas and natural gas royalties are for the fiscal well-being not only of the government but of its citizens and the fact that conventional oil here is declining. The production of conventional oil is declining significantly, but in Alaska it's the reverse. There is still a large amount of conventional or crude oil produced in Prudhoe Bay, and naturally it's shipped south to California and the Pacific northwest states. However, the Alaskans take money and set it aside in a stability fund, and it helps them out. It helps them out whenever the price of oil goes very high or goes very low. I think that we could avoid a lot of the stop/start measures that we've seen here in this province.

Now, the government's fiscal plan on page 23, Spending on Infrastructure. Certainly from last year to now there is a significant reduction but also for next year and the year after as well. In 2004-2005 there's going to be roughly one-third of what was spent last year, Mr. Chairman, a little better than one-third but a significant reduction. I for one am going through this. We've got the transportation network, health care facilities and equipment, schools, postsecondary institutions, water and water management, infrastructure Canada/Alberta, the Supernet, and others.

Now, what's going to happen leading up to the next election? Are we going to be in the same position as we are on page 22, where we're talking about interprovincial comparison of capital expenditures, and we see this dramatic jump leading up to the election, and then we see this dramatic decline. I don't know how this would work, where we have leading up to 2004-2005 this significant reduction whenever you compare it to the four years before. I certainly hope we're not going to suddenly as the election approaches again get in that cycle, gear it up to the point where there may be one paving machine colliding with another. That, in my view, is certainly not sound government policy.

I'm not going to go through the list in the amount of time that I have, but certainly there are some noteworthy projects that I'm sure the minister would love to see come forward. I think that the best chance of them coming forward, these projects as noted, is if we had the stability fund, Mr. Chairman.

9:40

With that, I have to talk a little bit about some of the seniors' lodges at this time. Now, on page 244 of the Infrastructure business plan the hon. minister spoke earlier about the number of seniors' lodges upgraded, and I believe he said that there were 105.

MR. LUND: I said 122.

MR. MacDONALD: One hundred and twenty-two. Pardon me.

For 2004-2005 the target is also 121. This year there are 115. We look over on the next page, and we see expenses for core businesses, and this is Infrastructure support, as I understand it, for health care, learning, and community service facilities and seniors' lodges. This is expenses of core businesses. However, Mr. Chairman, if we look on the following page, on page 247, in the ministry statement of operations we see seniors' lodges. For instance, last year it indicates here that there was \$17 million spent and \$12 million this year. Is that for the upgrade of the lodges that is mentioned on page 244?

Now, we're going to step forward a couple of more years, and we see \$6.6 million, and then we see for the year 2004-2005 the sum of \$5 million. The minister may be trying to accomplish a lot on that \$5 million, perhaps too much. I would have to ask: how many lodges? If I am correct, is the hon. minister going to be able to fulfill his target on the previous page with that amount of money?

We all hear this argument, Mr. Chairman, that we have an aging population, that we have a population crisis in this province, that we have an aging population which is driving up the health care costs, and we know this simply not to be true. It's not true. No. We have one of the youngest populations, if not the youngest population, in the entire Confederation. Roughly 10 percent of the population of this province is over 65. It's certainly going to go up. In 12 years I believe it is going to be between 14 and 16 percent of the total population. So it would be my view that the upgrade of the lodges and lodge programs should be going in this direction and not, as they say, going south. Now, perhaps the hon. minister can clarify that for me.

Also here in the line item on energy rebates there was a lot of money spent on energy rebates. Of course, for this year we're drawing a blank. The minister referred to the high cost of natural gas last year. May I ask, please: how much, if any, of this money from last year remains unspent? Is there any of this amount of \$208 million here that is unspent?

Now, further on on the same page – and I'm going to get to this in detail – the Swan Hills waste treatment plant. We're going to be spending \$2 million annually, it looks like, for the next couple of years on capital investment. What precisely is that capital investment, Mr. Chairman?

I also have some more questions on Swan Hills. Certainly in the 2000-2001 annual report the government in this case assumed responsibility for the management and potential transition to the private sector of the Swan Hills waste treatment centre, as it's called.

Program 2. This waste treatment plant must be a favourite of the department, Mr. Chairman, because this year Albertans are getting to waste, in my view, another \$26 million on this plant. It is my view and it has been certainly expressed by the hon. Member for Edmonton-Ellerslie that this plant be shut down and that we look at alternatives. There have to be some cheaper alternatives to this.

Now, last May the ministry put out a request, as I understand it, for qualification of submissions on this plant. It was said that a decision would be made by the end of the year. The decision that was made was to hang on to it for another year. If this is such a great facility, why is the private sector not showing more of an interest in this, and why are they not coming after it lock, stock, and

burning barrel? It has been described as perhaps the most expensive burning barrel on the North American continent. The private sector is coming after our hospitals; they can't wait to make more money there. But for some reason nobody wants this plant. Could it be because the technology is old and outdated? Could it be because companies can treat waste where it is to be generated with portable technology? Certainly a contributing factor is this government's decision to let the oil and gas companies keep burying or injecting in deep wells their waste rather than having to treat it.

I think this has gone on long enough, Mr. Chairman. It is time for the government to shut down this plant in an orderly fashion and move on. There are other ways to treat waste, and there are better ways to treat waste. The government refuses to open the books on this deal because they know that Albertans would be completely frustrated with the continuous waste of taxpayers' dollars.

Now, Mr. Chairman, while we've had extensive conversations about this plant in recent days, particularly during question period, I would like still at this time to get some facts on the record. Bover documents show that for 1999 and 2000, 64 percent of the revenue from treating toxic waste came from treating waste imported from other jurisdictions. This plant is losing money, so Alberta taxpayers – you and I, everyone – are subsidizing this facility. The hon. minister made comments in the Assembly that this waste needs to be treated or it could affect our environment. Toxic waste knows no boundaries, and the hon. minister is correct, but there is no reason for Alberta taxpayers to subsidize waste treatment while the government raises our health care taxes, cuts community programs, increases court user fees, takes money from municipal property taxes, delays transportation projects, and cancels infrastructure projects, which was discussed here earlier, including the remarks, I would remind all hon. members, from the Member for Calgary-Shaw.

The government's refusal to table the documents on this plant leads us to conclude that there's something toxic here. I don't know what it is; I have no idea. But in the end it doesn't matter what is said or done. We need to come clean to all taxpayers regarding this issue.

At this time, Mr. Chairman, I have no other questions but this one, and it is from page 289 of the government and lottery fund estimates, on the centennial projects. We're looking here at spending \$5 million. What projects are we going to be spending this money on at this time?

With those questions, Mr. Chairman, I will conclude my remarks and wait with great anticipation for the answers from the hon. minister. Thank you.

9:50

THE CHAIR: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Chairman. I'm going to speak tonight about a matter that concerns me very much. About nine or 10 months ago I was known as plus 63 by many members in this Assembly. Today I'm known as minus 62. What I'm speaking of is the deferment of Victoria School of Performing and Visual Arts.

I was given the challenging assignment in 1985, from a teacher you're going to get a bit of a history lesson this evening, of revitalizing Edmonton's oldest high school. It's been on that site for more than 90 years. As Edmonton grew and expanded and the suburbs sprawled, the school continued to empty. It was a school that was started in 1948. The old, original brick building was torn down, and the 1948 structure held about 1,500 students. You know, in the '60s, as populations continued to increase and so on, here in Alberta and across the United States and Canada school boards got that Texas

mentality that big is better. These schools continued to spread and spread, so Victoria became a school that was three city blocks long, almost half a million square feet, one of the largest school buildings in the country.

The school started to empty in the '70s, and by the '80s it was in danger of being closed, but the bigger problem also was the problems that the building was dealing with in terms of the structure itself. When I arrived at the school, as I said, I was given the assignment of revitalizing the school. In a period of time over 15 years we worked. I had a wonderful staff. I had risk-taking parents and students who came to the school. So from a school that was going to be closed in 1985, 16 years later we had a school that was full to the brim, not any space left in the building. We created great programs. We had great parents and students at the school, all of the things that we needed. To all the members that are here tonight, you need to know that there probably was at least one student from every constituency in this province. The school has become really a provincial school of the arts.

What I'm talking about is that I'm not dealing with a neighbourhood school. This is a school that encompasses students from across the greater Edmonton area, all the bedroom communities beyond, across Alberta, and even from other provinces. The school got a reputation. In fact, Arthur Hiller calls the school the Julliard of the north, and it's considered one of the top five performing arts schools in North America now.

Over a period of 16 years, as the program evolved and was created and got stronger and has been so widely recognized, we realized also that the building was in extreme difficulty. Three or four years ago the province audited schools across this province. In fact, when they arrived at Vic, they covered half a million square feet with me, and I can tell you that this poor old body sure knew that it was quite a task covering that half a million square feet. But when the audit came back, in fact the people who did the audit were in shock because on a scale of 1 to 5, nearly all of the audit was at the 1 level. The school was in desperate shape: you flushed toilets and hot water would come out of them; windows where the wood and everything was so rotted around the frames that a big gust of wind would have blown the windows out and so on; air conditioning. So it was in desperate circumstances. We had everything we needed except the building that the program deserved.

Thankfully, as a result of the audit, we began to work with Infrastructure and with Learning in looking at the potential for a new building. Everyone was quite excited about the prospect of what we were going to create. It was being viewed not as an Edmonton public school, although it was part of the Edmonton public school system, but in fact it was a school that was going to be built to serve those students from anywhere in this province who needed a very strong performing and visual arts program. They were not going to duplicate that kind of a facility in any other part of the province. We began to do our work with staff and parents and students and so on and with the arts community and others. Last June the Minister of Learning and the Minister of Infrastructure came to the site and made the announcement that \$63 million was going to be there to create this new school.

Unfortunately, the deferment happened. We understand why the deferment happened, but the school is in such desperate shape, I'm hoping that as Infrastructure is reviewing its priorities and so on, they will be looking very seriously at having this project removed from the deferment list as soon as possible. The school is in desperate shape. It's not a matter of just being able to continue the way it's operating now. I'm just urging that the deferment be reviewed as soon as possible.

Thank you.

THE CHAIR: The hon. Minister of Infrastructure in the few minutes remaining.

MR. LUND: Thank you, Mr. Chairman. First of all, I want to thank the Member for Calgary-Shaw for her comments. One of the questions she asked was: how much capital was spent last year when you're looking at the \$185 million that we got this year? Well, it was about \$1.7 billion. We can get that exact number for you, but it was in that range, and it's down to \$185 million this year. So, yes, there has been a great decrease.

Your comments about the increased costs when the economy is very strong are very accurate, but it's kind of interesting to see that the economy is still strong. Even though our budget is down, the economy is still strong. I don't think that we're having the same impact on the economy that we have had at other times, but certainly it is a concern we have that in fact we may impact the economy to the extent that our costs go up and you get less for every dollar spent. We are looking at how we can reduce our costs, and the Member for Calgary-Currie chaired an MLA committee that looked at some of the alternatives and what we might do. His work will be very much appreciated.

Let me once again say that it was a very difficult decision for us to defer that school. There is another high school in Calgary that was deferred, on the north side of the city, a separate school, a high school. Those decisions were not taken lightly, but the fact is that we had to look at: at what point was the progress on those schools? They're both expensive. It was over \$40 million combined. We had to then look and see: well, if we spread the \$40 million over a number of projects, what value do we get out of that? So that's where we went. Quite frankly, pretty much the same thing applies to the comments from Edmonton-Meadowlark when he was talking about the school for the performing arts in the city of Edmonton. Yes, we recognize that the condition of that school is one of the poorest in the province. All these projects that I'm referring to now on schools are high priority, and certainly they will get our attention as soon as we can deal with it.

The hon. Member for Edmonton-Gold Bar, of course, went on about the stability fund in Alaska. I want to remind the hon. member that there's a huge difference between Alaska and Alberta. Alaska has a fraction of the population therefore a fraction of the costs that we have to provide the services to our people. We have to put up with a Liberal government in Ottawa, and we're contributing to the rest of the country, who have a deficit. Certainly the federal government in the United States transfers a lot of money to the state of Alaska, so it's totally unfair to compare the two.

10:00

THE CHAIR: I hesitate to interrupt the hon. Minister of Infrastructure, but pursuant to Standing Order 58(4) I must now put the following question. After considering the business plan and proposed estimates for the Department of Infrastructure, are you ready for the vote?

HON. MEMBERS: Agreed

THE CHAIR: Opposed? Okay.

Agreed to:

Operating Expense and Capital Investment	\$847,109,000
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THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the estimates of Infrastructure and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

MR. JOHNSON: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Infrastructure: \$847,109,000 for operating expense and capital investment.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: I'd call the Committee of the Whole to order.

Bill 11

Energy Information Statutes Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this?

The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Chairman. It is a pleasure to rise at committee this evening and discuss Bill 11, the Energy Information Statutes Amendment Act. This is certainly being described as housekeeping legislation, but I don't necessarily agree with that. Certainly in a democracy everyone is entitled to their own opinion. When we look at this, on the surface it looks like we're going to just amend six pieces of legislation to give confidentiality sections precedence over the FOIP Act. One has to be concerned. This area that's going to be protected is going to include, of course, royalty information, and there are various periods of confidentiality discussed in this legislation, ranging from one year to 15 years to unidentified periods.

Now, certainly hon. members are going to be correct when they state that this piece of legislation was discussed in the final report of the Select Special Freedom of Information and Protection of Privacy Act Review Committee in March of 1999, but nowhere do I see in recommendation 24 any mention of the deregulation that came about in the electricity generation and distribution system in this province. Certainly we can talk about the Electric Utilities Act, but we're not talking about what has exactly happened since 1999, and this is only one of my concerns. There was information received by this hon. member today that there's going to be a rebate. Fortunately, it's a rebate; it's not a deferral account payment that consumers are going

to have to be making. It comes close to \$8 million, as I understand. ATCO Electric and TransAlta are going to have to make some adjustments and rebate some customers some money. That's just one example, Mr. Chairman.

All this is unfolding very rapidly with electricity deregulation, and to somehow remove this from the FOIP commissioner I don't think is sound public policy. I think we should leave the decision on what information should be provided and what information should not be provided in section 70(1) to the discretion of the Privacy Commissioner.

Now, that's only one industry. Certainly with royalties I believe the same applies. Let the commissioner decide. There was no mention described in the Natural Gas Marketing Act amendments here in section 17. There was no mention, as I said, in this report that was presented to this Legislative Assembly three years ago about what should or should not be done in regard to royalties: how they're being paid, how they're being collected, what royalties might be forgiven, and so on. The argument has been made in this Assembly in debate at second reading that royalty information is top secret, that it's confidential and it is information that should remain in the confidence or in the security of the businesses. However, one only has to look at the web sites, that are available on any computer – and there are certainly a lot of them with their green lights blinking in this Assembly this evening – to see, Mr. Chairman, that there is . . . I'm detecting an echo here. [interjection] No, an echo.

10:10

AN HON. MEMBER: An echo?

MR. MacDONALD: Yes.

Mr. Chairman, one only has to look at the annual reports, that are presented on the Internet for investors to look at, to see that this royalty information is not secret. Now, if we were to look at the annual report for 2000 for Talisman Energy concerning Talisman's oil operations in the Sudan, which are very profitable to both Talisman and the government – and this is just one example. According to their annual report for the year 2000 under its agreement with the government 39 percent of Talisman's revenues from its Sudanese operations went to pay royalties to the government of Sudan. That was an increase from 23 percent royalties paid in 1999. Now, we even go further along here and you can see a comparison of royalties that were paid in this country in 1999, 2000, and 2001. We can see what royalties were paid in the North Sea in 1999, 2000, and 2001; Southeast Asia for the same years. In Sudan for 1999 there was \$30 million in royalties, in 2000 there was \$252 million, and for 2001, \$248 million. I don't know if this is in American or Canadian dollars, but it doesn't really matter, Mr. Chairman. This information is available.

So for hon. members of this Assembly to say that this is all top secret information and it's not the business of Albertans, that it's not the business of the members of this Assembly, I cannot agree with that, and this is yet one example.

Now, there are several kinds of information here at issue, Mr. Chairman, as discussed in a letter that I was grateful to receive on March 4 from the office of the Information and Privacy Commissioner signed by the Acting Information and Privacy Commissioner, Mr. Frank Work. It clarified some of this. The commissioner makes some very valid points. He's discussing geophysical and geological information and removing the possibility of access for other information, for example, again getting back to royalty information. Now, there are provisions already in the FOIP legislation for the commissioner to act, Mr. Chairman. [interjection] There it goes again.

Mr. Chairman, I remind all hon. members of this House, and this is directly from the commissioner: "Royalties are what Albertans receive in exchange for the mining of non-renewable resources." Now, the commissioner states that "Albertans have a right to know what royalties are being paid, how the royalties are being collected, what royalties might be forgiven and so on."

At this time I think we need to realize that there has been no significant study of royalties in this province in 10 years, and a lot has changed. Certainly a lot has changed. It was suggested in an *Edmonton Journal* editorial a couple of weeks ago that perhaps now is the time to have a look at all this royalty structure to see what's working, what's not working, what needs to be improved, to see if the whole system is working and Albertans are getting the maximum benefit. Now, by Albertans not only do I mean the citizens in royalties but also the oil companies. We have to encourage the maximum amount of production from wells, oil wells in particular, that we can absolutely get, because as we discussed earlier, conventional crude oil production in this province is declining. We need to ensure, as I said, that we get maximum return for that, and if we can devise a royalty structure that provides for that and we can improve on the current one, then I think we should.

I have to at this time remind all hon. members in this Assembly of the concerns that were raised by the Auditor General in regard to the mechanism that we use to collect royalties in this province. As far as I know, the EUB is currently conducting a pilot project, if I could call it that. It's called VIPIR, and it is a study to devise a better way of gathering information on how royalties are calculated and how they are collected. Now, Mr. Chairman, the royalty structure here is quite complex. I described some of the structure earlier, but for the benefit of all members I think perhaps it would be advantageous to have another look at our royalty structure. We have, as I said, no major changes in 10 years. The technical details and the financial impact of these changes are reflected in the budget that we debated earlier this evening.

The value of the Crown's share of natural gas or oil. If we pass this legislation, citizens will not have the right, in my view, to check to ensure that we are getting maximum benefit. Royalties are more than an economic rent, because the citizens of this province own the natural resources. All citizens. We can go through and we can talk about old oil and third-tier oil, new gas, old gas, new oil that's heavy. We can talk about synthetic crude production. With all this we also have to talk about the natural gas royalty reductions and who is getting them, the petroleum royalties. We also have to look at the Alberta royalty tax credit and who gets that. You know, we've just dealt with a department that took a significant hit in the last budget, and there's 140, 180 million dollars in the Alberta royalty tax credit. Perhaps it's outlived its usefulness, because certainly outfits – I just have one here, and it certainly has a robust cash flow from its operations here, and that's Talisman.

So perhaps the time is past for the Alberta royalty tax credit. It is looking like that tax credit depends on the amount of royalties. If they're lower, the tax credit is lower. If they're higher, well, then the royalty tax credit goes up. Now, Albertans have every right to know who's getting that, and with this legislation we are overlooking that.

10:20

In conclusion, I would again like to remind members of this House and I would encourage them: this document has been tabled. It's a letter that I referred to earlier. It's from, of course, the office of the Information and Privacy Commissioner. I would ask that each and every member of the Assembly, before you vote on this bill and consider this bill, read this letter, because I think that instead of allowing royalty information or information from the EUB to be

locked away in a filing cabinet somewhere, it should be at the discretion of the office of the Information and Privacy Commissioner. If it is of a confidential nature, then let that person, he or she, the commissioner, decide. Let's put this under FOIP, and let's forget about these recommendations, because I do not think that they're valid anymore with the changes that I discussed earlier. I would encourage all members of this Assembly to think carefully about the implications of this bill before it is passed in this Assembly. Thank you very much, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I rise to speak on Bill 11, the Energy Information Statutes Amendment Act, 2002.

Mr. Chairman, the act, although fairly brief – it runs only the length of five pages – I think is quite sweeping with respect to the impact that it will have on the access to vital information that Albertans should have a right to. The bill amends several existing statutes: the Coal Conservation Act, the Electric Utilities Act, and the Mines and Minerals Act. It amends also the Natural Gas Marketing Act and the Oil and Gas Conservation Act. So it amends five different existing statutes, each one of which is about the energy sector of our economy.

The energy sector in our economy, Mr. Chairman, is exceedingly important to the public interest in the sense that public revenues generated from the activities of economic enterprises involved in this general area produce these revenues, which are really quite significant and large in the overall scheme of provincial revenues. Given the fact, then, that any changes to existing legislation will have an impact on that very vital area of public interest – that is, the annual revenue flows to the public treasury from activities in this economic sector – I think we need to take a very close look at the potential impact of increasing the powers of the Energy and Utilities Board to keep information confidential and to have the powers to deny access to the information that is associated with other activities related to coal conservation or electric utilities or the mines and minerals area, natural gas marketing, or oil and gas conservation. Clearly, the challenge that I guess we are addressing here is striking a balance between public interests and the private interests of companies that operate in this particular sector of the economy.

My read of Bill 11 suggests that if this bill were passed, the balance would tilt quite significantly in favour of private corporate interests at the expense of public interests. Whether it's the question of the information related to the royalty rates, or it has to do with royalty tax credits or royalty tax reduction regimes that the government follows in the province, whether it has to do with the production and sale of electricity or coal or whatever, natural gas, in each case the effect of the proposed amendments will be to make it more difficult for Albertans as individuals and for public interest organizations such as environmental organizations and others to get the information that they need to intervene at EUB hearings.

Why would this Assembly make it easy for companies to enjoy provisions of confidentiality even if that means overriding the Freedom of Information and Protection of Privacy Act? FOIP legislation is exceedingly important. It assures Albertans the right to information that should duly be theirs, that they should have access to, and it provides protection of privacy where it's deemed necessary by the FOIP commissioner. To tie the hands of the FOIP commissioner and to add to the powers of the EUB in exchange would seem to me to be heading in entirely the wrong direction. The public interest of Albertans in the province is at stake if the powers of paramountcy of the EUB related to FOIP legislation are strengthened by virtue of the passing of this act.

I think Albertans have a right and indeed an invaluable interest in having access to the information that will impact the revenues of the province, the matter which the citizens of this province have a legitimate interest and legitimate right to have information about. Public debate on these issues, on matters of royalty tax credits, royalty rates, royalty tax reductions, is overdue in this province. We have already far too much secrecy surrounding the issue of royalty rates, whether they have to do with natural gas or with oil sands related oil or the more traditional oil resources. If this bill were to pass, I think we would create statutory conditions which would make it impossible for such a debate to develop, to be vigorous, and to be meaningful. The secrecy/confidentiality provisions that are provided in this act, Bill 11, will simply make not available the information that is necessary for a vigorous and open and transparent debate, and therefore meaningful debate, public debate simply cannot happen.

10:30

Therefore, Mr. Chairman, I would certainly not be able to support this bill and will certainly invite my colleagues in the Legislature to give serious thought to doing the same given that this bill, in my view, runs counter to the protection of the public interest, which is related directly to the revenue flows that are generated by the economic sector, which will see its powers to keep vital information of public interest confidential when in fact it shouldn't be.

So thank you, Mr. Chairman, and I will yield the floor to other members.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I'll keep my comments brief. They've been touched on by the two members who spoke before me, the hon. Member for Edmonton-Gold Bar and the hon. Member for Edmonton-Strathcona.

I must say that I share their concerns. This seems to me to be an unnecessary piece of legislation coming from a government that says it doesn't like unnecessary legislation. The effect of the bill, as we've reviewed, will be to remove from public access by law quite a host of information, and various sections of the bill address and amend a number of acts, and in each case the effect is to make it more difficult for the public to get information.

So I would propose a way that I prefer to deal with the issue: to bring the said acts under FOIP, bring the information under FOIP. I should note that under the freedom of information and privacy legislation there are ample safeguards for protecting the interests of the industries involved such as the oil and natural gas industries and other industries. It's worth noting that the freedom of information act says under section 16(1):

The head of a public body must refuse . . .

And I repeat "must" refuse.

. . . to disclose to an applicant information

- (a) that would reveal
 - (i) trade secrets of a third party, or
 - (ii) commercial, financial, labour relations, scientific or technical information of a third party,
- (b) that is supplied . . . in confidence, and
- (c) the disclosure of which could reasonably be expected to harm

the business interests – I'm summarizing this section here now – of the parties.

Beyond that, there are any other number of safeguards under the freedom of information act to more than adequately achieve what Bill 11 will be achieving. I am very uneasy with the idea of removing from public purview information of the sort that we are about to remove from public purview by Bill 11. The Information

Commissioner has made it clear that a crucial aspect of FOIP is that “accessibility and transparency bring about accountability and accountability makes for better government.” That’s a quote from a letter written by the Acting Information and Privacy Commissioner just a month ago on Bill 11. He’s expressing real reservations about this bill. I share those reservations, and I think it’s safe to say our entire caucus does. There are better ways to handle this issue, and I wish we were seeing the issues handled differently.

My points are clear. Our lead critic on this, the Member for Edmonton-Gold Bar, has touched on some of them. Given the late hour, I will draw my comments to an end at that point.

Thank you, Mr. Chairman.

THE CHAIR: Are you ready for the question? We have, then, the question being called. Are you ready for the question?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed?

AN HON. MEMBER: Opposed.

THE CHAIR: Then stand up. All that is is a pro forma. If you are opposed to it going on, then stand up and speak. That’s all it asks for. It’s a warning that we’re going to close this part. So there isn’t any opposed, but because it was objected to before, I threw it in.

[The clauses of Bill 11 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report Bill 11.

[Motion carried]

[The Deputy Speaker in the chair]

MR. JOHNSON: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 11.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

head: **Government Bills and Orders**
Second Reading

Bill 23
Municipal Government Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I’m pleased to move second reading of Bill 23. [interjections]

THE DEPUTY SPEAKER: I wonder if we could remember that there are people who are recognized, and right now we only have the one member, the hon. Member for Whitecourt-Ste. Anne.

10:40

MR. VANDERBURG: Okay. Mr. Speaker, I’ll continue. The Municipal Government Act is a very important piece of legislation in Alberta. It authorizes the operations of municipal authorities and therefore affects the vast majority of Albertans. I’ve had the opportunity for close to 15 years serving as past mayor of Whitecourt to use the Municipal Government Act. This government acknowledges the key role of the Municipal Government Act and is firmly committed to ensuring the act’s continued viability and relevance.

As part of the government’s responsiveness to the needs of Alberta’s municipalities and their residents, further amendments have been made after consultation with the stakeholders to address those needs in each of the years from 1995 to 1999. To further improve upon the act, the government has concluded that additional amendments are appropriate. The purpose of Bill 23, the Municipal Government Amendment Act, 2002, is to improve the act by improving the equalized assessment process, in which requisitions for cost-sharing programs are calculated, and providing liability protection for municipal officials and for municipal boxing and wrestling commissions.

Mr. Speaker, let me begin with the proposed amendments that apply to the assessment and taxation. These proposed amendments implement some of the equalized assessment panel recommendations and address some of the Auditor General’s concerns about the equalization process. These proposed changes would eliminate the one-year lag between the preparation of current assessments and equalized assessments, establish a framework to more clearly define standards for quality assurance in the assessment practice, increase the transparency of the equalized assessment system, and require both municipalities and the province to disclose assessment information for the purpose of requisitions.

The primary recommendation of the Equalized Assessment Panel is to move the use of the current year assessments of municipalities for calculating the equalized assessment. Requisitions will be more fairly determined and understood by ratepayers when they are levied on equalized assessments based on the most current assessment information.

The proposed amendments will also improve the transparency of the equalized assessment process and the quality of information required. These changes would also support the use of the assessment shared service environment, also known as ASSET, that is being developed by Municipal Affairs.

Mr. Speaker, the second set of proposed amendments would provide a standard of good faith for protection from liability for municipal officials and for municipal boxing and wrestling commissions. These proposed amendments would protect municipal officials, employees, and volunteers from unreasonable exposure to liability in the conduct of local government business. As currently worded, section 535(3)(b) of the act does not provide municipal officials protection if the cause of action is found to be gross negligence. Gross negligence is a vague legal term that has been applied subjectively by the courts, including instances when gross negligence may not have been reckless or deliberate. To address this issue, it is proposed that section 535(3)(b) be deleted and that section 535(2) be amended to limit liability based on the provision of good faith.

By applying a good-faith provision, an employee or other municipal officials are not exposed to unreasonable risk of liability. This limitation will give greater protection to a municipal official when an action done or omitted to be done was not reckless or deliberate. The application of good faith as a standard for legislation protection from liability is far more prevalent in Canada than is gross negligence. The Alberta Urban Municipalities Association and the Association of Municipal Districts and Counties have expressed support for amending section 535 to provide municipal officials an equitable level of protection from liability.

The proposed liability changes would also include that a new provision be added to section 535 to protect boxing and wrestling commissions from liability on the basis of good faith. These commissions are currently not protected from liability under the act.

In conclusion, Mr. Speaker, with the major areas of change that Bill 23 proposes, the bill is one example of the government's determination to respond to the changing needs of Alberta municipalities. It is important to emphasize that the proposals have been developed through a lengthy process of consultation with Alberta local governments and many other stakeholders. These proposed amendments improve the assessment practice throughout the

province and enhance liability protection for municipal officials and municipal boxing and wrestling commissions. The overall result is that the municipal authorities will be better able to continue providing the high quality of service that Albertans have come to expect from their local governments.

Mr. Speaker, this bill addresses the needs of Albertans and will help maintain the Municipal Government Act as model legislation in Canada. It is presented to the members for their support.

Mr. Speaker, at this time I move to adjourn debate on this item. Thank you.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:46 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, April 17, 2002**

1:30 p.m.

Date: 02/04/17

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Please be seated.

head: **Introduction of Visitors**

MR. JONSON: Mr. Speaker, this afternoon I am pleased to introduce to you and through you to members of the Assembly Mr. Kiyoshi Shidara. He is accompanied today by his wife, Mrs. Shidara, and the vice-consul general of Japan, Mr. Ito. The consul general has been posted to Alberta for three years and is now returning to Japan. During his tenure we have appreciated his efforts at building Japan's relationship with Alberta. He was instrumental in helping organize a number of Alberta missions to Japan and numerous events and projects here in Alberta. I very much appreciate his assistance in planning my recent mission to Japan. We will certainly miss his expertise and his strong support for the Alberta/Japan friendship that has grown. I would like to ask that our honoured guests please rise and receive the traditional warm welcome of the Assembly. Best wishes to them.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It's a great privilege today for me to introduce to you and through you to the members of this Assembly two people that I believe have gone above and beyond the call of duty today. Today Herb and Orval Belcourt together with Georges Brosseau from Canative Housing donated \$5 million for a Metis scholarship fund. This will go a long way in making postsecondary education more accessible for Metis students, and I truly believe that what they've done today is a huge step forward for all of Alberta.

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker. I have a number of guests here today that I'd like to introduce. They're from Alberta Environment, and they're here to see how the House works and have a visit of the Legislature Building and just see what happens here. I am pleased to introduce Louise Cox, Della Gerbrandt, Bonnie Magill, Jackie Jaycock, Azina Kanji, Shelly Little, Carol Heinrich, Maureen Davson-Trim, Sandra Moore, Pat Visman, Norm Gratton, Sandra Duxbury, Sarah Waddington, Tanya Hope, Terry Sly, David Toop, Megan Jack, Karen Saffran, and Robert Rippon. I'd ask all those people to please stand and accept the warm welcome of the House.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise today to introduce to you a former teacher, a former MLA from St. Albert, a former rodeo

cowboy, a current councillor for the city of St. Albert, and an all around good guy. I'd ask Len Bracko to rise and receive the warm welcome of the Legislature.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is a pleasure for me to rise today and introduce three people in the members' gallery. They are not constituents of mine. They're actually from the Lacombe-Stettler constituency. However, they are family members. I'm going to introduce my sister Chris Leinweber and her kids Michael and Sydney. If they would rise and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. It is a great honour to be able to introduce to you and through you to the members of the Assembly two people that help make the oil and gas industry work here in the province: Nadine Barber, a senior communications adviser with Anadarko Canada, and Doug Noble with Sparks & Associates. I'd ask them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the House a young man that I had the pleasure of meeting with recently in my constituency office on Whyte Avenue. He's highly energetic, interested in politics, and a motivated young man who is here to observe the proceedings of the House today. His name is Andres Lineker, and he is sitting in the public gallery. I would ask Andres to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the House one of my constituents, Debbie Lishingman, who is here today with 20 other visitors from the Edmonton Immigrant Services Association. We just met outside and spoke with representatives who are here from many different countries and now settled in our province. I don't see them in the members' gallery, but if they're in the public gallery, I would ask them to rise now and please receive the very warm welcome from all members of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure today to introduce to you and through you to all members of the Assembly Mr. Paul Cetinski. Mr. Cetinski has written me on a number of occasions and is very involved and concerned with what happens here in the Legislature, and with your permission I would ask him now to rise and receive the traditional warm welcome of the Assembly.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to all hon. members of this Assembly Mr. Francis MacInnis. Mr. MacInnis is a resident of

Edmonton-Gold Bar and a keen observer of the proceedings in this Assembly. I believe Mr. MacInnis is in the members' gallery, and if he would now rise and receive the warm and traditional welcome of this House, I would appreciate it.

Thank you.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Budget Surplus

DR. NICOL: Thank you, Mr. Speaker. The \$500 million surplus from last year's budget presents the government with an opportunity to invest money in priority programs in this year's budget and still meet its debt repayment targets. Last year's unexpected surplus must go toward debt repayment, and the money in the current budget that is earmarked for debt repayment can be released to go toward priority programs. At the end of the year the debt will be lower and important programs will be better supported. My questions are to the Premier. Given that community lottery boards were cut because of budget constraints, will the Premier now use some of this possibly freed-up money to reinstate the boards?

MR. KLEIN: Mr. Speaker, the hon. leader of the Liberal opposition alludes to last year's budget. Whether the \$500 million figure is correct or not remains to be seen, and that will be determined after the results of the final quarter are in. I think it's too early to speculate on what that surplus might be notwithstanding the headlines today in the *Calgary Herald*.

Having said that, the community lottery board issue relates to this year's budget, the current budget, Mr. Speaker, and it was an ongoing program until its cancellation, and there are no plans at this time relative to this year's budget or years subsequent to reintroduce that program.

1:40

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Will the Premier invest \$115 million from this possible \$500 million surplus in education to address teachers' concerns over crowded classrooms?

MR. KLEIN: As I said earlier, it's premature to speculate on what that surplus will be, Mr. Speaker. If there is any money to be allocated over and above the amount that we're required to allocate to debt repayment, I can assure the hon. leader of the Liberal opposition that it will go to the priorities of Albertans.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. How does the government justify the \$45 million education property tax grab from municipalities when it now has a \$500 million surplus?

MR. KLEIN: Mr. Speaker, again I say that it's too early to speculate on what the surplus might be, and on the basis of that speculation it is very, very premature to speculate on where additional revenues, if any, might be spent.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Out of that \$500 million that has been freed up, could you put in \$200 million and use it to replace the increase in health care premiums?

MR. KLEIN: Mr. Speaker, he's mixing apples and oranges. He's alluding to something that was reported in the media which may or may not be true. I haven't had a chance to talk to the hon. Minister of Finance about this particular issue. He's alluding to something that might or might not happen with respect to last year's budget. The issue of health care premiums is an issue that is relative only to this year's budget and subsequent years.

DR. NICOL: Mr. Speaker, if they take that unexpected revenue from last year, put it to the debt, and use the money that was assigned to the debt, does that not give the government money that they can use this year on programs and have the debt at exactly the same place it would be at the end of this year irregardless of where the dollars came from?

MR. KLEIN: Irregardless, but what the hon. member fails to take into consideration relative to a budget process is that if you take onetime funding out of last year's budget and put it into program funding for this current year and subsequent years, then you are back into the situation of financing ongoing programs, Mr. Speaker, that tend to grow and grow and grow.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My question, then, is to the Premier. What about putting it into the infrastructure of the schools that you've canceled, putting it into the roads that you've canceled? Those are onetime funding.

MR. KLEIN: Mr. Speaker, significant dollars already have gone into infrastructure of both schools and hospitals, but to enlighten the hon. leader of the Liberal opposition, I'll have the hon. Minister of Finance respond.

MRS. NELSON: There was a story that ran in the newspaper today that has got everybody stirred up with regard to speculation as to what the final fourth-quarter numbers will look like for last year's fiscal year. I might remind hon. members that we are at day 17 of this new fiscal year. We will not have final numbers, Mr. Speaker, for the fourth quarter of last year for probably another 60 days. That being said, what we were able to do – that leads into the third question from the Leader of the Opposition – was that in the last 10 days of the last fiscal year, which ended March 31, we were able to identify that we would have some additional revenues, which allowed us to put money back into transportation programs and some infrastructure programs, as we had promised in October when we had to defer those projects. What our numbers will be in 60 days will depend on what comes through on our resource revenue calculation from the estimate to the actual. We don't have that number, so please don't go on with that line of questioning. We don't have it.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Children in Care

DR. MASSEY: Thank you, Mr. Speaker. Lack of supervision, lack of independent checking, staff shortages, high staff turnover, and

heavy caseloads: not just contributing factors in the death of Korvette Crier but themes that have been repeated in investigations of the deaths of children from Jordan Quinney to the Kinahan twins. My questions are to the Minister of Children's Services. After each death the minister gives the same explanations. When will the ministry hire the staff, provide the standards, and create conditions to ensure that children in care in this province are safe?

MS EVANS: Mr. Speaker, the death of Korvette Crier is a tragedy that has been discussed by our department since August 1999, when this ministry was about four months old and when we were at the outset of looking not only at our delegations but our establishment of regional authorities. We didn't start when the judge's report came out on the fatality inquiry. We started the day after the tragedy to try and explore what we could do to make sure that the standards were in place, that we were doing the right things for children throughout Alberta. Currently we have 18 delegated authorities of First Nations who are providing services both on and off reserves, in some cases, to children and families in need. We have huge needs still with foster parents, but we continue to work very hard not only with those authorities but in the monitoring.

I should just once again, as I have many times in this House, reidentify that although we had a staff reduction in this year's budget of 186 full-time equivalent positions, those were in the area of administrative support. Professional technical advice had nothing to do with frontline workers that would be involved with these children, and there is absolutely no doubt in my mind that in the case most recently cited in the hon. member's question, there was a clear delineation, that staff supports were in place, that there were supervisory supports in place, that resources were in place. They may not have been in place at the time of this death over three years ago, but clearly we have been moving in the right direction to improve the system on a daily basis, and children are safe, Mr. Speaker.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. My questions are to the same minister. Can the minister assure the House that the factors leading to the death of the next child in care will not be exactly the same as those in the Quinney, Kinahan, and Crier cases?

MS EVANS: Mr. Speaker, as it's often been stated in this House, when you have a death of a child in care, it's always a tragedy. We do not look forward to and anticipate death. We anticipate wellness. We do not however ignore the fact that children that come into care – and everybody should remember this: we have over 14,000 children in care presently, not all of which are in care by direct guardianship of the ministry. Somebody somewhere has abused that child, or it wouldn't be in care in the first place. We do not admit the well children that are the daughters and sons of people in this Assembly, for the most part, but we do admit children that we acknowledge are fragile, sometimes have been battered, experiencing family violence, may be victims of fetal alcohol syndrome or fetal alcohol effect, and we do our best to prevent that. We do not look forward to death at any time.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the same minister. A former minister reported that until 1997, 50 children in care had died. How many have died since then?

MS EVANS: Mr. Speaker, we'll be pleased to table any information that the hon. member wishes. That is always annually reported. We will review that and provide that. I believe that in the past year the number was 13 – and many of those deaths were tragedies that were quite unrelated to care – that were administered while in the direct supervision of a guardian or a family member.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-McCall.

1:50

Budget Surplus

(continued)

MR. MASON: Thank you very much, Mr. Speaker. Year after year for the past eight years this government has underestimated its budget surpluses by a total exceeding \$19 billion. It's breathtaking. History appears to be repeating itself again this year. Since bringing down her budget on March 19, a month ago, the Minister of Finance has already revised her numbers once. Now there are reports that she may soon be doing it again. My question is to the Minister of Finance. Why doesn't the minister just be straight with Albertans and tell them what last year's budget surplus will actually be?

MRS. NELSON: Well, first of all, Mr. Speaker, I have to clarify something. I believe I heard the hon. member say that we have revised our budget. We have not done that. The budget is before the House right now and being debated, and there has been no revision to that budget. What we have done, as I said to the earlier question from the members of the Liberal Party – we were able to take advantage of some additional revenues that had come through in the fourth quarter to honour a commitment to put dollars back into some Transportation and Infrastructure programs before the March 31 year-end date came around. We did follow through on that.

We do not have final numbers and will not have final numbers. I told this to the hon. member opposite this morning in Public Accounts, Mr. Speaker. We'll do it again. We do not have final numbers, and we will not have final numbers, hon. member, until likely the first week of June, at which point we will have the resource revenue numbers coming in and we can give you a better update as to what last year's numbers ended up being.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Instead of this policy of hiding the true size of the budget surplus until it's too late, why isn't the government . . .

REV. ABBOTT: Question. Question.

THE SPEAKER: To the hon. Member for Drayton Valley-Calmar: thank you. Your elicitation is totally unnecessary, unwarranted, uninvited.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. Instead of this policy of hiding the true size of the budget surplus until it's too late, why isn't the government at least being straight with Albertans and telling them that it is more important to have a large budget surplus than have community lottery boards and more important than having properly funded schools and hospitals?

MRS. NELSON: Well, Mr. Speaker, again – and I went through this this morning for two hours with the Public Accounts Committee –

when we rely upon our revenues to come in and we do record the actual, which is what comes out in our final report for the year, we have to wait until those resource numbers come in. They are actually the resource revenue numbers that go to March 31. They will not be reported through to the government in the form of Crown royalties for 60 days after the last day of production, which is March 31. We don't have those numbers, and we have to present actual numbers, so we can't give you a definitive on what that number is. What we were able to do before the end of March – we had a feeling and a preliminary number on our corporate tax number, and we were able to make some adjustments to the Infrastructure and Transportation requirements that we had pulled back on the deferral last fall.

We don't have those numbers, hon. member, and we won't have them – we never do – until 60 days after the year-end. So we can't give you that number.

MR. MASON: Mr. Speaker, given the fact that the minister's department is as leaky as a rowboat with termites, can she explain to the House whether or not she or any of her officials authorized the release of information about the size of last year's budget surplus to the media?

MRS. NELSON: Well, actually, Mr. Speaker, we would not have given that number out from our department, and any pre-information that has come in the press, quite frankly – and I've talked to reporters about this. I would caution them: be careful what you print because so far you haven't been accurate on any one of the statements that you've made as far as what's in the budget numbers. They've been wrong in each case, and again I daresay that this number is wrong. I don't know where that number came from, but it certainly didn't come from my department. Whoever is handing it out, I hope that they haven't signed their name to it, because I don't believe it's correct.

THE SPEAKER: The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Centre.

School Fund-raising

MR. SHARIFF: Thank you, Mr. Speaker. Last Monday in this House the Minister of Learning indicated that he would be drafting regulations that would prevent schools from asking parents to fund-raise for essential services. It is alleged that some school boards are forced to fund-raise as they do not receive adequate funding for items such as textbooks. I called a number of schools in my riding, and all of them have confirmed that they do not fund-raise for textbooks. However, they fund-raise for items such as library books, seat belts for buses, sewing machines, pots and pans, et cetera. These schools are concerned that such items may be affected by the minister's regulations. My question is to the Minister of Learning. How much funding do we provide to support essential services including textbooks?

DR. OBERG: Well, Mr. Speaker, when it comes to the total amount of funding that goes to the schools, it's roughly \$3.7 billion on the basic side of my department. To put that into concrete terms, it works out to about \$7,500 per student. So in a classroom of 20 students, for example, that's roughly \$150,000 that is going in there.

Mr. Speaker, we have received – and I've heard it in this House as well – a lot of issues about fund-raising for textbooks. When we go and take a look at them, there are indeed very few areas that actually fund-raise for textbooks. Obviously, you know, there was just a guffaw from across the way.

I will say what the Alberta School Boards Association has said about fund-raising: "Fundraised dollars should not be used for instructional purposes or basic education items, those being items required to complete a core course." Mr. Speaker, that was put out around two years ago, in September of 2000. Since that time I've still received issues and I've still received complaints. There needs to be clarity on this situation for the parents. I am in no way saying that they cannot fund-raise.

MR. SHARIFF: Again to the Minister of Learning: under the new regulations that he'll be drafting, what can schools fund-raise for?

DR. OBERG: Well, Mr. Speaker, what we will be doing is looking at essentially an inclusionary as opposed to exclusionary list of what can be fund-raised for. We continue to hear, as I stated earlier, about fund-raising for textbooks. Clearly, that is something that is not acceptable with the Alberta School Boards Association, but fund-raising for things like a rock-climbing wall, things that are outside of the core curriculum – absolutely, people can fund-raise for those. If they want their band trip to Okotoks or their band trip to New York, absolutely they can fund-raise for these types of things.

Mr. Speaker, I in no way want to cut off fund-raising. However, there does have to be – and I will use the same word that I have used previously – clarity as to what is being fund-raised for. That's what the attempt will be in any regulation used: to provide that clarity to parents.

MR. SHARIFF: My final supplement is also to the same minister. Can the minister identify which school boards in Alberta fund-raise for textbooks and why?

DR. OBERG: Well, Mr. Speaker, this issue has been brought up numerous times in this House. I have said, as the Premier has said: bring the issues forward, and we will look into them. We had 22 different schools. I will not mention the school boards nor the individual schools, but we did have 22 brought forward. We looked into each and every one. There were two that were very questionable. We went back and took a look at them more, and the superintendents assure us that they have not been used to fund-raise for textbooks.

I will say, Mr. Speaker, that in my own particular constituency I received a letter from the student advisory council of one particular school saying that they were having to fund-raise for a whole set of textbooks. I subsequently called the superintendent, as he used to be the principal at that school, and I said: what's going on here? He said: absolutely, 100 percent, not; they should not, they do not have to, they will not be fund-raising for textbooks in that school.

So, Mr. Speaker, again this speaks to the clarity that is needed when it comes to fund-raising so parents know what is actually being fund-raised for.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Lacombe-Stettler.

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. The Premier has indicated that the community lottery boards were eliminated because they were not a priority for the government. Well, Albertans disagree; the lottery boards are a priority for them. My questions today are to the Minister of Gaming. If community lottery boards were really cut because of budget constraints, why didn't the

government just reduce the funding but leave the volunteer board structure in place?

2:00

MR. STEVENS: As has been indicated, Mr. Speaker, in this House on a number of occasions, the decision with respect to the discontinuance of community lottery boards was, firstly, a fiscal decision, and secondly, it was a very difficult decision for this government to make. It was part of the overall government package, and it was made on the basis that there were other priorities which were higher; namely, health, education, children's services. Out of the Alberta lottery fund, which is where gaming revenue goes in this province, all of those areas are receiving additional funding in this particular fiscal year.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you, Mr. Speaker. Given that 98 percent of the funding for community lottery boards went directly to providing programs, where does the minister envision getting a better deal for program delivery costs?

MR. STEVENS: There's absolutely no doubt that the community lottery boards did a lot of good work over the four years that they were in existence, and I very much appreciate the volunteer work that each of the volunteers in the 88 boards did, but the fact of the matter is that there's going to be approximately \$300 million available for the not-for-profit volunteer sector this year. That's a great deal of money, and there are a number of very valid vehicles through which that money will get into our communities.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you, Mr. Speaker. Again to the Minister of Gaming: what are the anticipated administration costs for incorporating the community lottery board programs into the community facility enhancement program, as the minister has mused on before?

MR. STEVENS: Mr. Speaker, what I have indicated is that as a result of the discontinuance of the boards and as a result of a response from the public, we are prepared to look at and we in fact are looking at those smaller applicants who may fall between the cracks; in other words, those applicants who may not have access to funds under current programs. We're in the process of looking at that, and when I have something to report to my colleagues, I will be bringing something forward for their consideration.

THE SPEAKER: The hon. Member for Lacombe-Stettler, followed by the hon. Member for Edmonton-Gold Bar.

Rural Electrification Associations

MRS. GORDON: Thank you very much, Mr. Speaker. My questions today are to the Minister of Energy. Last night five MLAs met with several board members from Central Alberta REA Limited, providers of power for our rural constituents. This group told us, Mr. Minister, that your department is setting up a committee to review once again REAs in Alberta. Why would there need to be another review when it was less than three years ago that REAs participated in a similar exercise?

THE SPEAKER: The hon. minister.

MR. SMITH: Thanks, Mr. Speaker. In fact, I spoke to the REAs at their annual meeting and enjoyed an afternoon with some 475 members of an association that brought major change to this great province over the last 50 years. In fact, through the process of a new competitive market structure there are some issues that come that impact REAs. These rural electrification associations have the issue of load settlement and the accurate reading of their bills, the issue of what happens when an REA purchases another REA in a different service area. What happens when it competes with a transmission provider to buy service for an independent town?

We already have the MLA for Grande Prairie-Smoky working with a committee on issues of electricity in small communities, and I've asked him and Brent Rathgeber, the member from Edmonton . . . [interjections] I couldn't remember his constituency. As soon as I said the name, Mr. Speaker, Edmonton-Calder came to mind.

They're not a committee. They're not a task force. They're simply two good, strong, effective MLAs that are helping a minister communicate with an important stakeholder to resolve issues that may be outstanding in the area of a new competitive market of electricity marketing.

THE SPEAKER: The hon. member.

MRS. GORDON: Thank you, Mr. Speaker. REAs are rural electrification associations. I thought I should state that.

As many individual REAs over time have amalgamated to achieve economies of scale, is this practice still allowed and will it continue to be allowed in the future?

MR. SMITH: Mr. Speaker, I know about the rural electrification associations. That's exactly the nomenclature that I applied to them.

With respect to these individual questions that the member is bringing up, those are exactly the types of issues that are going to be brought back in a businesslike format and be reported through a system that we have called standing policy committee, called cabinet and caucus. It's worked for well over nine years, and I expect it to continue to work efficiently in this government.

THE SPEAKER: The hon. member.

MRS. GORDON: Excuse me one moment, Mr. Speaker. Mr. Minister, it was a couple of people over here that weren't sure what REAs were, so I was just identifying for them. It wasn't anything back and forth.

Are these REAs able to compete to seek customer bases outside the farm gate? For instance, could they provide service to municipalities and/or their ratepayers?

MR. SMITH: Those are exactly the questions that we'll be talking about in standing policy committee. I know that the member as a chair of a standing policy committee has perfect attendance in that committee, and we'll ensure that she has an invitation to our standing policy committee as well.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Shaw.

Apprenticeship Standards

MR. MacDONALD: Thank you, Mr. Speaker. On July 3, 2001, the Minister of Learning stated, quote: the demand for skilled tradespeople in Alberta is high right now, and so are our standards. End of

quote. My first question is to the Minister of Learning. Given that a personnel list dated June 1, 2001, of contractors working at the Weyerhaeuser mill in Grande Prairie indicates unregistered personnel employed in the compulsory trade of pipe fitting, is it now government policy to ignore nationally and internationally recognized Alberta standards as an answer to our shortage of skilled tradespeople?

DR. OBERG: Mr. Speaker, the answer to that is no, but I really feel that the Minister of Human Resources and Employment, in looking after the occupational health and safety components, would probably have a better answer than I would, and I would ask him to respond to this.

MR. DUNFORD: As closely as I was paying attention, I'd have to get the question repeated.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Minister of Learning. The Human Resources and Employment minister in a letter to me dated July 25, 2001, states:

Welding and steamfitting/pipefitting are 2 of the 22 compulsory certification trades designated under the Apprenticeship and Industry Training . . . Act administered by Alberta Learning. People working in these trades must be a registered apprentice or a certified journeyman with the Registered Apprenticeship Program.

Given that, what measures is the Department of Learning taking to ensure that compulsory trade certification is being enforced throughout this province?

Thank you.

DR. OBERG: Mr. Speaker, we have local apprenticeship committees throughout all communities in this province. We also have provincial apprenticeship committees as well as the apprenticeship board. The apprenticeship side of my department is truly one of the gems in my department. We are presently increasing – increasing – at the rate of a net 132 apprentices per week. We recently passed 40,000 apprentices in our apprenticeship program, and it's something that all Albertans can be extremely proud of.

With regard to the specific issue that the hon. member has raised about one particular person working at one particular job, I'd be more than happy to take a look at it, but, Mr. Speaker, I will not have this hon. member speaking negatively about our apprenticeship industry because it is the best in Canada if not in North America.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again, Mr. Speaker, to the same minister: does the Department of Learning consider the use of a noncertified worker in a compulsory certification trade a violation of the general safety regulation?

Thank you.

DR. OBERG: Mr. Speaker, again as a general rule I would agree with the hon. member, but for each individual circumstance we will take a look at it, and if there is indeed a fault to be found, we will rectify it. I will reiterate that our apprenticeship program is the number one program in North America.

THE SPEAKER: The hon. minister to supplement.

2:10

MR. DUNFORD: Again, because the hon. member is bringing up a

specific situation, I would take it upon myself to work also with the Minister of Learning so that we can clear this matter up. The hon. member has a well-rehearsed manner that he brings into question period, as if these were some exposes and that kind of a thing. I think that in fairness to getting answers for a question, you might provide the information so that we could be looking into it. Certainly I join the Minister of Learning in recognizing the apprenticeship system which many, many unions, that the hon. member is involved with, recognize as the best in this world, as the previous member had indicated. To try to cast some disparaging comments on it is really casting disparaging comments on those people that support him very, very well.

THE SPEAKER: The hon. Member for Calgary-Shaw, followed by the hon. Member for Edmonton-Riverview.

School Construction Deferrals

MRS. ADY: Thank you, Mr. Speaker. My questions today are for the Minister of Infrastructure. In 1999-2000 the South Calgary High School Committee in my constituency was informed by government that the provincial government could not make priority lists for capital budget for the construction of new schools, that school boards alone were responsible for assessing the needs within their jurisdiction and for prioritizing their requests for new schools, that in order for the south Calgary high school to be built, their board would need to rank it number one on their priority list. This was achieved in 2001, and the school was granted by government. Can the minister tell my constituents why, when deferrals became necessary because of funding difficulties, his department chose to defer the number one priority and not the projects further down on the list?

THE SPEAKER: The hon. minister.

MR. LUND: Thank you, Mr. Speaker. Let me first of all assure the hon. member that this is just a deferral. It's not a cancellation. Also, I want to emphasize that to say no is very difficult for me. The fact was that we had a situation, because of the economic conditions that arose after September 11, where we simply had to reduce our expenditures on the capital side, so that meant making some very tough decisions in order to find enough money to meet the net target. Through that process there turned out to be two high schools in the city of Calgary that were deferred: one in the public system, that the hon. member is referring to, and one in the Catholic system, that is in the north part of Calgary.

What we had to look at is two projects that would amount to over \$40 million, so we had to weigh: if you take that \$40 million, take it away from a number of other smaller projects, what is the impact of that move? We know that high school students are more mobile than, say, elementary and/or intermediate. That all played into part of the decision. I can assure the hon. member that with the work that she has done and the priority that the school board has put on this project, it is a high priority for us when the funding becomes available.

THE SPEAKER: The hon. member.

MRS. ADY: Thank you. Given that the high school was granted \$15 million of the \$22 million needed for the project, is government now removing those dollars and reassigning them to other projects?

THE SPEAKER: The hon. minister.

MR. LUND: Thanks, Mr. Speaker. The hon. member is absolutely correct about the numbers that were allocated to that particular project. We have asked both the public and the separate boards in Calgary to take the dollars that were allocated, except for a portion that would see the design and up to the contract of papers – they would be able to continue doing that – and use the rest of the money on other projects within their jurisdiction. So that's what currently is happening, and it is my understanding that the board is well along the way in the planning and the design in both cases, so once the money does become available, they'll be ready to go to tender.

MRS. ADY: My final supplemental to the hon. minister: if revenues are higher than projected in the first quarter and further moneys are restored to Infrastructure, can the minister assure the residents of Calgary-Shaw that the restoration of this high school will be one of its top priorities?

THE SPEAKER: The hon. minister.

MR. LUND: Thank you, Mr. Speaker. I like to think of myself as being very optimistic, so I would share the enthusiasm of the hon. member. However, we have to also remember that there was a total of 40 projects put on the deferral list, so we'll have to have some very serious discussion if and when more money becomes available. But, yes, all of the deferred projects, particularly these two in Calgary, are very high priority.

Regional Health Authority Budgets

DR. TAFT: Mr. Speaker, the Northern Lights, Keeweenaw, Peace, Mistahia, Lakeland, WestView, East Central, Headwaters, Chinook, and No. 5 health regions are all either projecting budget shortfalls this fiscal year or are looking at reducing services to meet their budgets. My questions are to the Minister of Health and Wellness. How does the minister explain why so many rural RHAs are anticipating deficits?

MR. MAR: Mr. Speaker, I'm referring to issue 21 of the 25th Legislature, Second Session, Alberta *Hansard* for Tuesday afternoon, April 16, where the hon. Member for Edmonton-Riverview asked the question that he's asking today, and I'll refer him to page 714 for the answer.

If I may reiterate that answer, Mr. Speaker, health is the top priority of this government. A 7 percent increase has gone into the Department of Health and Wellness. About half of that money, roughly \$250 million, has gone into the operations of regional health authorities. The health budget has gone up since 1995 approximately 88 percent.

We have some regional health authorities that say: our allocations of 6 or 7 percent increase are insufficient; we need 10 or 15 percent. Mr. Speaker, I don't think anybody would accept that that is a sustainable growth pattern for regional health authorities, and at some point regional health authorities have to assess the services that they provide and ask: are there ways that we can do this better? Are there co-ordinations that we can have with other regional health authorities? Can we share services? Can we contract with one another? Can we be innovative? Can we have provincewide services that we all contribute to and share and accrue the benefits of the shared services? These are exactly the types of ideas that will be posed to the Committee on Collaboration and Innovation, that will be chaired by our colleague the Member for Edmonton-Glenora. I look forward to regional health authorities doing exactly that.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. If the minister paid attention, he'd know that yesterday's questions were on electricity prices and health premiums.

Will RHAs be allowed to run deficits for the 2002-03 fiscal year?

MR. MAR: Mr. Speaker, the letter that I sent out to regional health authorities asking for their business plans to be completed by the end of this month clearly indicates that they are not to be planning for long-term deficits.

DR. TAFT: Given that legislation and regulations leave open the possibility that RHAs could issue debentures or borrow for capital projects, will the minister rule out this option for RHAs?

MR. MAR: Well that's an interesting idea, Mr. Speaker. I expect it will be something that will be considered by the committee being headed up by Mr. David Tuer. We are looking at different ways of funding capital, of funding operations. We're looking at ways of allowing regional health authorities to have different sources of revenues. That is a constructive suggestion. I expect that it will be considered in due course.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Little Bow.

2:20

School Fund-raising

(continued)

DR. PANNU: Thank you, Mr. Speaker. Yesterday the Minister of Learning admitted that he was dead wrong last fall when he claimed that no fund-raising for classroom essentials was taking place. However, instead of fixing the problem of underfunding, the minister is going to pass a regulation banning fund-raising for essentials. I wouldn't be surprised if the minister's next move is going to be to make it illegal for parents to possess chocolate almonds. My questions are to the minister. After punishing teachers with Bill 12 and sending scolding letters to religious leaders and now going after the parents, whom is the minister planning to take to the woodshed next?

DR. TAYLOR: I thought you liked chocolate almonds, Lyle.

DR. OBERG: Yeah, Mr. Speaker, I do like chocolate almonds. I enjoy them quite a bit, actually.

As I answered the previous hon. member who asked me this question, there needs to be clarity around fund-raising. The ASB policy I've already read into the Assembly today. I still continue to receive from the opposition and from a lot of different people reports about fund-raising for textbooks. Mr. Speaker, I'll say it again: textbooks and those core essentials of the curriculum are not something that should be fund-raised for. There is money there. Again I'll use the same numbers that I already used to answer the previous question, and I realize that the hon. member can look at it in *Hansard*. There's \$7,500 spent per student, which works out to around \$150,000 per classroom. We expect, the citizens of Alberta expect, the government of Alberta expects that when we spend \$3.7 billion, the kids will have textbooks.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Now that the chair of

Calgary's board of education has added her voice to those saying that there is not enough money for education, why is the minister reacting in a knee-jerk fashion by punishing parents who raise moneys to pay for classroom essentials?

DR. OBERG: Again, Mr. Speaker, I do believe that the hon. member has stretched the facts considerably. As a matter of fact, I met with the Calgary public school chairman just this morning, and what they said is that they completely agree that parents should not be fund-raising for textbooks. That's what she said.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My final supplementary to the minister: why is the minister so determined to put in place a regulation on parent fund-raising designed only to save the government political embarrassment while doing nothing about chronic underfunding?

DR. OBERG: Unlike the opposition, Mr. Speaker, we actually listen to what our parents have to say, and what our parents have to say is that they feel that they should not be fund-raising for textbooks. Quite frankly, I agree. In the year 2000 the Alberta School Boards Association put out a policy guideline saying that they should not be fund-raising for core curriculum materials. That's something that this side agrees with. We continue to get complaints about this, so there has to be some clarity put around what is fund-raised for. Any regulation or any policy manual that we do will contain that clarity, that is so badly needed on this situation.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Glengarry.

Electricity Billing

MR. McFARLAND: Thank you, Mr. Speaker. This past month I've been made aware of hundreds, perhaps as many as 1,400, EPCOR billings that have been sent out in an erroneous fashion that ranged from \$700 to \$3,999 per household. To compound the problem, this last week my office is starting to get phone calls from people who've just got their first billing for the year 2002, followed by a disconnect notice three days later. My questions are to the Minister of Energy. What can you do on behalf of many, many very unhappy customers, Mr. Minister, that would require EPCOR to mail out accurate billings to begin with?

AN HON. MEMBER: Good question.

MR. SMITH: Well, it is a good question, as my colleague has just pointed out, Mr. Speaker, and those customers in the constituency of Little Bow are important constituents. I was quite privileged to be able to attend a meeting with some of those constituents and listen carefully to some of the issues that they brought forward with respect to electricity restructuring. The utilities might be deemed to be even a little slower than governments these days and in fact a little bit more resilient to change than what they should be, and they are going to have to become more customer oriented. That's exactly the focus of electricity restructuring, that the customer will be right, shall be right, and have the information to be right.

If you take the customers in the member's area, they were the customers of three different power companies in a period of less than 12 months. Firstly, TransAlta, who then sold the customer base to, secondly, Utilicorp, and then Utilicorp kept the distribution part and sold the retail supply to EPCOR.

So, Mr. Speaker, the issue is that these private-sector companies

who have welcomed and wanted the challenge of competing in a market industry have got to act like market players, treat their customers like the precious commodity that they are, bill at appropriate times, and use the mechanisms at their disposal to deliver good, prompt, efficient customer service.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker. My supplementary to the same minister: do you have the power and the ability, Mr. Minister, to force EPCOR, in this case, to reimburse late-payment charges, to keep the power on, and possibly to reimburse reconnect charges?

MR. SMITH: Well, officials in the Department of Energy and staff in my office have been working with individual customers as they phone us and talk to us of their issues. I can report to you that in the overall scheme of things, Mr. Speaker, there are less complaints than there were in the first three months of restructuring. I can tell you that in discussions with EPCOR, they say that they will do everything they can to keep the power on. If a consumer gets a huge bill that they can't pay in one shot but in fact it's an accurate bill, EPCOR is prepared to work with their customers to make arrangements for the bill to be paid over time. So we're seeing signs, in fact glimmers, of real customer service.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you. I do appreciate your co-operation with our ratepayers. However, mad customers in our riding want to know, Mr. Minister: can you point them in a direction as to what market alternatives and consumer choices there are if they continue to be totally unhappy with their present biller?

MR. SMITH: Well, yes, Mr. Speaker. I again want to congratulate the member for carefully-thought-out questions that do provide good information to his constituents, and in fact it's these types of questions that keep these private entities on their toes. For example, EPCOR says that it is also waiving interest charges and other penalties in cases where the delay in billing leads to a bill not being sent out in a timely manner.

Now, the member's constituents who are in the Utilicorp service area have a service that is regulated by the Alberta Energy and Utilities Board. So, one, they can take the issue directly to the utility. That would be either EPCOR as the power provider or Utilicorp as the transmission provider. Secondly, if they don't get appropriate satisfaction from these two entities, it is absolutely their right to take the complaint to the Alberta Energy and Utilities Board, which has a mandate to ensure that the delivery of Alberta's resources that takes place is fair, responsible, and in the public interest.

2:30

head: Recognitions

THE SPEAKER: The hon. Member for St. Albert.

Charter of Rights and Freedoms

MRS. O'NEILL: Thank you, Mr. Speaker. Today we mark the 20th anniversary of the Canadian Charter of Rights and Freedoms. The passage of the Canadian Charter of Rights and Freedoms in 1982 is indisputably an important milestone in the evolution of law in Canada. Generally speaking, the fundamental freedoms protected by the Charter – freedom of religion; thought, belief, and opinion;

peaceful assembly; and association – are among the tenets that have made Canada a recognized world leader in democracy and human rights. We are fortunate to have laws in Alberta such as the Human Rights, Citizenship and Multiculturalism Act that speak to the equal dignity and rights of all citizens and our belief in the ability of society to transform itself into a culture that respects and promotes human rights. The John Humphrey Centre for Peace and Human Rights is located in Edmonton and will be hosting a conference on April 25 and 26 in recognition of the 20th anniversary.

THE SPEAKER: The hon. Member for Edmonton-Norwood.

**Thelma Melnichuk
Ed Feihle**

MR. MASYK: Thank you very much, Mr. Speaker. I rise today to acknowledge the volunteer spirit that is alive and well here in Edmonton. This time it has manifested itself through two energetic and hardworking individuals whom I'd like to recognize today: Mrs. Thelma Melnichuk and Mr. Ed Feihle. Thelma and Ed are long-serving members of Edmonton North District Area Council Two. I met them recently at a dinner honouring volunteers of the north district area. Ed has volunteered over 15 years of his time on the executive council for North District Area Council Two, running both bingo and casino. Thelma also has volunteered her time and community spirit as a bingo chairperson for the Edmonton North District Area Council Two.

Both Ed and Thelma set great examples for volunteers in and around Edmonton, and I'm proud to recognize such outstanding individuals for their excellent hard work. Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Des Pardes Times

MS CARLSON: Thank you, Mr. Speaker. As today is the 20th anniversary of the Canadian Charter of Rights and Freedoms, it is particularly timely for the Legislature to recognize the establishment of a new Punjabi language newspaper to serve the needs of Alberta's Indo-Canadian community. The newspaper will be called *Des Pardes Times*, which means news from the old country and the new country. The *Des Pardes Times* will be published biweekly and will provide news and information from Alberta, Canada, and India. It will be based in Edmonton and will be produced in Edmonton. Many people are choosing Alberta and, in particular, Edmonton for their new home. The Indo-Canadian community has seized this opportunity and has become a prominent participant in the business, social, and political institutions of this province. One of the main goals of *Des Pardes Times* will be to further encourage and foster the community's involvement in Edmonton and Alberta's businesses and social life.

We wish Gurbhalinder Sandhu, the editor-in-chief, and his partners every success in their new endeavour.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

Belcourt/Brosseau Metis Awards

MR. DUCHARME: Thank you, Mr. Speaker. I rise today to congratulate Herb and Orval Belcourt, Georges Brosseau, and the Edmonton Community Foundation for their dedication and commitment to ensuring that postsecondary education is accessible and affordable for Metis youth by supporting the creation of the

Belcourt/Brosseau Metis awards. The government supports your initiative. Through your efforts you are providing Metis students with the opportunity to continue their educational journey. By strengthening access for Metis learners, you are helping to make our province stronger for these individuals and all Albertans. It is very important that we help our young people develop the knowledge, skills, and positive attitudes that will enable them to be self-confident and successful.

Again, congratulations on your efforts, and continued success in the future.

THE SPEAKER: The hon. Member for Edmonton-Centre.

**Charter of Rights and Freedoms
Anniversary of Women's Enfranchisement**

MS BLAKEMAN: Thank you, Mr. Speaker. I'd like to recognize two anniversaries of special significance to women. Today, April 17, is the 20th anniversary of the Charter of Rights and Freedoms, and Friday, April 19, is the anniversary of women getting the vote in Alberta.

Section 15 of the Charter set out prohibited grounds of discrimination and included gender as one of those grounds. In addition, to ensure that there was no mistaking the intent, Section 28 was also included and spelled out that the rights and freedoms in the Charter are guaranteed equally to male and female persons. Strong words, strong policy, strong protection: these sections were a watershed for women's equality. I can't talk about the Charter without saluting the work of LEAF, the Legal Education and Action Fund.

I also recognize and celebrate the enfranchisement of women in Alberta on April 19, 1916. The following June they were able to exercise that franchise and vote in their first election. I applaud grassroots activity by some women to create handmade dolls and leave them in public places for all to see and be reminded of women's achievements and continued struggle.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

Cheyenne Price

MR. MARZ: Thank you, Mr. Speaker. I stand to recognize an outstanding young constituent from Swalwell, Alberta. Cheyenne Price is one of 16 Alberta students named as a 2002 Great Kids award winner out of over 400 applications that were submitted. Great Kids were chosen throughout Alberta from hundreds of their peers for outstanding contributions to their community.

Cheyenne, who is a dedicated student and athlete, was struck with an unknown illness in 1998, and although many treatments have been tried, none have worked. Since her illness Cheyenne is unable to eat food and receives all her nourishment through intravenous. In spite of all the challenges that this illness and various invasive treatments have presented, this 19-year-old young lady has faced them with courage, bravery, and unwavering faith. Although she can no longer play basketball, she still helps to coach on days she is able to feel strong enough to leave the hospital.

Cheyenne, you have been such an inspiration and encouragement to everyone in our community as well as all those that you've come in contact with. I know that this Assembly joins me in congratulating you on receiving your 2002 Great Kids award and assuring you that you are in our hopes and prayers in finding a cure for your illness.

THE SPEAKER: The hon. Member for Grande Prairie-Smoky.

Dan McLean

MR. KNIGHT: Well, thank you, Mr. Speaker. I rise today to recognize an elder of the Sturgeon Lake Cree Nation. On April 9, 2002, Mr. Dan McLean passed away at the age of 89. Dan was born on the Sturgeon Lake reserve, nine miles west of Valleyview, on July 9, 1912. Throughout his life he lived, worked, and trapped in Alberta and northern B.C. Dan worked for many years on behalf of his community in the areas of treaty rights, education, and court services. His significant contribution is recognized in First Nation councils across northern Alberta.

Thank you, Mr. Speaker.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm presenting a petition signed by 104 residents of Edmonton petitioning the Legislative Assembly "to urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to make two tablings today. The first tabling is a letter from David Gainer, who currently lives in Seattle but grew up in Alberta and spent lots of time here. This letter is addressed to the Premier regarding Bill 12 and the teachers' labour dispute. Mr. Gainer writes that he had always hoped to return to Alberta to raise his family, but the government's actions in the last few months have made him rethink all this.

The second tabling, Mr. Speaker, is also a letter. In this case it is from a parent from Calgary by the name of Theo van Vugt, addressed to the Minister of Learning advising him that he is stopping all volunteer work, including fund raising activities at the school for his children.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks, Mr. Speaker. I have one tabling today. I'm tabling the appropriate number of copies of a letter from Jeff Goth, a teacher. Mr. Goth details hundreds of his volunteer activities and financial contributions to his school. These include paying for science resources and prizes and snacks, subsidizing trips and buying clothes, paying for bulletin board borders and posters and pencils and art supplies, and buying hundreds of books.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have one tabling this afternoon, and this is a petition organized again by Darby Mahon of the constituency of Edmonton-Gold Bar. Mr. Mahon is organizing this petition from citizens who are supporting public and separate school teachers in the current dispute with the provincial government.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With permission I have two tablings. The first is a letter that I've been asked by Diane

Tilma of Ponoka to table indicating that she feels that the Child Welfare System has let her and her deceased husband and her five step-children down.

The second is the required number of copies of 55 letters from parents at Hillhurst community school in Calgary voicing their formal objections to Bill 12, the Education Services Settlement Act.

Thank you, Mr. Speaker.

2:40

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I have four tablings today. The first tabling is from Tunde Dawodu from the African Festival and Presentation Society of Calgary noting that the funding from the community lottery board allowed the society to improve its administrative capability and that they couldn't have received this money from other foundations because it's outside of their mandate.

The second tabling I have is directed to the Member for Calgary-Buffalo from Ellen Busby, the general manager of PanCanadian Wordfest, noting that the festival is to promote and support literacy and that the lottery board program offset onetime expenses associated with specific projects, and asking for it to be reinstated.

The next letter is directed toward the Premier. It's from Shauna Kennedy, the production co-ordinator at Em Media, who gives a long list of the Calgary lottery board funded organizations that she's been personally touched by.

The final letter is from Danielle French, who is living in the Highwood constituency, noting that as an arts administrator she has felt the effects of the lottery board cuts immediately.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I have one tabling today. It's a letter from a constituent, Mr. Rick Curtis of St. Albert. Mr. Curtis has concerns regarding the funding for community lottery boards.

Privilege Accusations against a Member

THE SPEAKER: Hon. members, yesterday at this time we heard the presentation of a purported point of privilege by the hon. Deputy Premier, and indication was given by the chair that today at this time the chair would invite the hon. Leader of the Official Opposition for comments with respect to this matter.

DR. NICOL: Thank you, Mr. Speaker. I would like to begin by putting on record a sequence of events. After the Finance minister allegedly made comments about Bishop Henry of Calgary on April 11, it was brought to my attention that the Deputy Premier could also be heard making questionable comments during the exchange in the Legislature. We felt it was important to look into that matter, so we carefully reviewed the tape of question period, and indeed the Deputy Premier could be seen and heard making comments.

My question to the Deputy Premier on April 15 regarding those comments is already on the record. We felt it was important to seek clarification of what we believed was actually said. In doing this, I was exercising my rights and my privilege as a member of this Assembly. According to *Beauchesne* 24,

the privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members.

As the Leader of the Official Opposition it is my duty to raise issues and ask questions that I believe are important. It is widely accepted that the purpose of question period is to seek information and to call the government to account. This is in *Beauchesne* 410(5). When I asked my question to the Deputy Premier, I was seeking information to clarify what I believed I heard the Deputy Premier say. My question was not malicious. I did not accuse the Deputy Premier of anything; I simply asked her to confirm what I believed I heard her say. At no time did I make an accusation. I was asking the hon. member a question. I was seeking clarification for what I believed I heard.

Mr. Speaker, I believe that as elected members of the Assembly we must feel free to ask questions and express our views. This is our parliamentary privilege. I am concerned that this issue could set an unhealthy precedent. Members must be free to ask questions. It is unavoidable that some questions will offend or cause discomfort, but the fear of offending another hon. member should not impede us in the House.

In a 1984 ruling by the Speaker of the House of Commons the Speaker noted:

The privilege of a member . . . when speaking in the House or in a Committee is absolute and that it would be very difficult to find that any statement made under the cloak of Parliamentary privilege constituted a violation of that privilege.

Additionally, in 1987 Speaker Fraser of the House of Commons noted that Parliament enjoyed

the protection of absolute privilege because of the overriding need to ensure that the truth can be told, that any question can be asked, and that debate can be free and uninhibited.

Mr. Speaker, I believe it is my duty as an elected member and the Leader of the Official Opposition to ensure that my right to questions remains free and uninhibited. The tradition of this House that will allow for free and uninhibited questioning must be recognized, preserved, and strengthened for members present and for members in the future.

Mr. Speaker, I feel that there is no prima facie case for a breach of privilege. It's unfortunate that I caused the member distress, and I'm sorry that that happened. In reading the statement by the Deputy Premier yesterday, I was disappointed by the comments, indeed attacks that were made regarding my conduct and the conduct of my caucus members inside and outside this House. I feel that these comments were unnecessary, unfounded, and only served to obscure the hon. member's argument for breach of privilege.

In summary, Mr. Speaker, my question was intended to seek clarification. It gave the hon. member an opportunity to clear the air and confirm what indeed had been said. The hon. member yesterday clarified her remarks, and I accept her explanation. I'm sincerely glad that she did not say what I believed I heard her say. Because there was uncertainty about the member's remarks, I had to ask the question. My intention was honourable. It gave the minister an opportunity to create certainty amidst the uncertainty surrounding comments made on April 11. The hon. member asked that I withdraw my accusation. I cannot because I did not make an accusation. I asked a question, which is my right. I will not apologize for exercising my parliamentary privilege.

But, Mr. Speaker, I will apologize. I am truly sorry for any distress or discomfort experienced by the hon. member, her family, or any of her friends. Thank you.

THE SPEAKER: The hon. Government House Leader on this point.

MR. HANCOCK: Yes, Mr. Speaker. I'm rising only because it is with a great deal of disappointment and regret and shock, in fact, that the member opposite did not see fit to apologize and withdraw

his comments and remarks. First of all, a question in this House to a member of Executive Council under our rules is for the purposes of ascertaining government policy, not for the purposes of asking what a person said or did not say in a private conversation or a public conversation when that member was not recognized in the House. So the very premise upon which he makes his remarks is unfounded and improper and should have been withdrawn, in fact should have been ruled out of order at the time.

The concept that the hon. member is using his privilege as a member in raising a question like that in the House is absolutely inappropriate right from the very start. The purpose of question period is to allow members of this House to seek explanations of government position and policy and accountability from members of Executive Council on positions of government policy. So from that perspective there is no question of the member's privileges being violated, in fact quite the opposite. In framing a question rather than making a statement, one is doing what is often done by people asking questions for which there is no appropriate answer and, by doing so, putting the very issue on the table. That, Mr. Speaker, is what breached the hon. Minister of Agriculture, Food and Rural Development's privileges. By putting a question that's unanswerable on the table, it puts the implication out there which cannot be appropriately responded to. It was inappropriate to do it by way of question, and it was inappropriate to make that question.

Now, members have to have the opportunity in this House to raise issues when statements are made. Members are recognized to speak, and when you recognize a member of this House to speak, that is the only person who is on the record in this House and the only person who is entitled to speak. But there are occasions from time to time when inappropriate things are said or done, and people have to have the opportunity to deal with that. There is an appropriate way to deal with that: going through the Speaker to research the question and to find out before putting something on the record and abusing a person's reputation. Before doing that. So the process was inappropriate in terms of using question period as a way to ask that type of a question, and it was inappropriate to make an allegation of that nature on the record without having done the appropriate research ahead of time.

Mr. Speaker, on both counts I would support the hon. minister's question of privilege and ask that you rule that there is a prima facie case. It has not been answered in any way, shape, or form by the hon. member. In fact, he has made it worse.

2:50

THE SPEAKER: Additional comments on this point? We've heard one from the government side. Is there anyone else?

The hon. Member for Edmonton-Highlands.

MR. MASON: Mr. Speaker, I hesitate to get drawn into this.

THE SPEAKER: You were recognized yesterday. You made a comment. Is it something further?

MR. MASON: It is.

THE SPEAKER: We're not having a debate here.

MR. MASON: No. I appreciate that.

I believe that the hon. Government House Leader is correct about one thing, and that is that question period is an opportunity to hold the government accountable for its administration and its policy. I would suggest that there is a point of order that would be valid. I do not believe that a point of privilege should be sustained on this item.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Yes. I wish to speak to this matter, Mr. Speaker. The hon. Deputy Premier in her comments the other day indicated that the thing that one has that is most valuable is one's reputation, and you spend a lifetime establishing what that reputation is. I don't think that there is anybody in this House who would disagree with that. What the hon. Leader of the Official Opposition did by raising the first question, which was denied, and putting forward the second question, which flew in the face of the answer that he received, was call into question the Deputy Premier's reputation. That is the type of thing that is published outside of this House. That is the kind of thing that swirls around in the media, and there is no basis. All that the hon. Leader of the Opposition has said today is: I had a belief. Well, anybody can stand forward and say, "I had a belief, and I ask the question by saying: I thought I heard you say." But the fact of the matter is that there is no foundation – no foundation – that has been offered by the hon. member opposite for his belief. Nothing. Yet he has put forward the hon. Deputy Premier's reputation, called it into question.

The purpose of this process, Mr. Speaker, in my opinion is to establish whether there is a prima facie case. If there is, that will give the hon. Leader of the Official Opposition an opportunity to lay the foundation for his belief. If he can, then that is one thing. He didn't choose to do that today. If there is no foundation, however, no possibility of a reasonable belief, then there is the issue of mala fides, and that is what we're talking about here. If you have no basis for standing up here and asking a question, then you ought to be called to account, and that is what this is about.

THE SPEAKER: The chair is prepared to rule on the purported question of privilege that was raised by the Deputy Premier yesterday afternoon. The chair confirms that proper notice was given by the Deputy Premier Monday afternoon shortly after the incident in question transpired, and therefore the requirements in Standing Order 15(5) have been met. The Leader of the Official Opposition has had an opportunity over the last 24 hours to review the Deputy Premier's comments from yesterday where she clarifies the nature of her statements that were the focus of the leader's questions on Monday afternoon.

The chair would like to say at the outset how it is regrettable that this matter has not already been resolved. The events giving rise to this purported question of privilege stem from the Leader of the Official Opposition's third set of questions during Oral Question Period on Monday. During his preamble the leader stated, "We believe" certain statements were made by the Minister of Finance and the Deputy Premier during question period on April 11, 2002. The Deputy Premier unequivocally denied making the statements alleged by the Leader of the Official Opposition, as reported in the April 15 *Hansard* at page 667. This reply to the first question should have ended the matter. However, the Leader of the Official Opposition ignored the Deputy Premier's response when he asked the question, "How do statements like that reflect policy decisions made by the government?"

Typically, in this Assembly one accepts the word of an hon. member. To quote from *Beauchesne*, sixth edition, at paragraph 494, "It has been formally ruled by Speakers that statements by Members respecting themselves and particularly within their own knowledge must be accepted." I emphasize the word "must."

The chair is reluctant to report the exact words that the leader attributed to the Deputy Premier. Had the Deputy Premier or any member stated these words on the record, the chair would have intervened as they most definitely impugn the reputations of

individuals outside the House and would be out of order. The Leader of the Official Opposition used the device of asking the Deputy Premier: did she use the phrase? It is a well-established parliamentary principle that members cannot do something indirectly that cannot be done directly. This is well stated in *Erskine May*, 22nd edition, at page 387: "A Member is not allowed to use unparliamentary words by the device of putting them in somebody else's mouth."

There was no doubt in the chair's mind that the Leader of the Official Opposition's first supplementary question was a breach of the rules of this Assembly. This is a clear violation of Standing Order 23(h).

Now, whether this amounts to a prima facie question of privilege is another matter. The question is whether the words constituted an improper obstruction to the member in performing her parliamentary work. The chair listened very attentively yesterday to the Deputy Premier's comments that the leader's allegations have affected the dignity of the House and have called her reputation into question. These appeared to be heartfelt comments, and the chair takes this matter very seriously. However, the chair faces some difficulty in concluding that this constitutes a prima facie question of privilege. First, the alleged comments that were the subject of the Leader of the Official Opposition's question were not recorded in the official records of the Assembly, nor did the chair hear the remarks. As noted in paragraph 486 of *Beauchesne* and at page 526 of *House of Commons Procedure and Practice*, private conversations not heard by the chair do not invite the intervention of the chair. This may address the point made by the Member for Edmonton-Highlands yesterday.

Secondly, the weight of parliamentary authority indicates that allegations against a member are very rarely held to be a breach of privilege. In previous rulings that have involved allegations against members, one on November 17, 1998, and the second one on May 28, 2001, the chair has cited the following passage from Joseph Maingot's work *Parliamentary Privilege in Canada*, second edition, at page 254:

Language spoken during a parliamentary proceeding that impugns the integrity of Members would be unparliamentary and a breach of order contrary to the Standing Orders, but not a breach of privilege.

The chair would also take note of the ruling from the House of Commons by former Speaker Fraser from May 5, 1987, where he held that an allegation of a purported conflict of interest against the Minister of Fitness and Amateur Sport, the Hon. Otto Jelinek, did not amount to a prima facie question of privilege as the member's ability to perform his functions had not been impaired.

Finally, given that the Deputy Premier has had the opportunity to clarify her comments in the official records of this Assembly, it is very clear what in fact transpired last Thursday. As this is now part of the official records of this Assembly, it is difficult to see that this situation now falls into the group of rare examples where an allegation has impeded a member's parliamentary duty.

Although the chair has not found a prima facie case of privilege, the chair is very concerned about the statements in this Assembly that have given rise to the points of order and privilege over the last few days. As all hon. members know, points of privilege should arise very rarely in our Assembly. However, recent events in this House would suggest otherwise, as this is the third privilege ruling in three days. What transpires in this Assembly receives wide attention, and unsubstantiated accusations or allegations not only impugn the integrity of the particular member but tend to diminish the respect and dignity that is given to the institution of parliament.

3:00

The chair realizes that this is a serious place where serious words

are used. The stakes are high, but at the end of the day members have to work together to do the work that the people of Alberta have elected them to do. Unsubstantiated allegations and accusations only serve to poison the environment we must all work in and bring no credit to the member raising the unsubstantiated allegations and accusations.

The bottom line is that this is very clearly a violation of Standing Order 23(h), and failure by the Leader of the Official Opposition to withdraw his comments or apologize will result in the chair calling the member to order. The chair would now call on the Leader of the Official Opposition, who may wish to resolve this matter now or wait until this time Thursday, to respond.

DR. NICOL: Mr. Speaker, I can't emphasize in this House the sorrow that I feel in the anguish I've caused the Deputy Premier. I acted on what I believed was a proper process. The end result is not in any way or form what I thought it would be or what I intended it to be. I was seeking clarification. I withdraw that part, all of that comment. I apologize to the Deputy Premier, her family, and her friends, as I said.

I think the deputy House leader on the other side made reference to a whirlwind. Well, when we put words out into the wind, we never know how they're going to be heard, we never know how they're going to be perceived, and we never know the connotation in which they are interpreted. I can tell this House with all of my integrity that it was not intended in any way to reduce the esteem and the honour in which I hold the Deputy Premier. Under I think it was section 23 you said, I do withdraw that part of my question. It was a follow-up to the first part that was done in the context again of the preamble, not necessarily the response to the question, but if that is the point of contention, I withdraw it, Mr. Speaker, and I really apologize to this House and will be much more diligent in the future.

THE SPEAKER: I want to bring this matter to a close. Hon. Deputy Premier, from the records of our Assembly and particularly from the records of Thursday, September 23, 1993, a similar type of event occurred, and I read from the official records of the day.

If a member intends to apologize for and withdraw any remark, whether as a result of a point of order or a question of privilege, the apology should be sincere and the withdrawal unequivocal.

The statement of the day further says, "The *Oxford Dictionary* defines apology as a: 'regretful acknowledgment of [an offence] or failure; [an] assurance that no offence was intended,'" and apology further by the offending member will invariably close the matter. Close the matter. Does the hon. Deputy Premier feel that this matter has now been closed?

MRS. McCLELLAN: Mr. Speaker, in my comments yesterday I said:

It is my sincere hope that the Leader of the Opposition does the honourable thing and unconditionally apologizes, withdraws the accusation, and admits that what he said and did was wrong.

I believe I heard some regret of the comments. I believe I heard an apology, and I believe I heard a withdrawal of some words.

This, as I indicated yesterday, has probably been one of the most hurtful things that has occurred in my almost 15 years in the Legislature, probably most hurtful because it came from a person that I felt was an honourable colleague and indeed a friend. I will accept the comments that have been made, whether they fully meet – my personal thoughts on this, Mr. Speaker, may take me some time to determine, but in the best interests of the operation of this House and in the hope that the dignity of this institution is considered more carefully by all of us, I would consider the matter closed.

head: **Orders of the Day**

head: **Government Bills and Orders**

MR. HANCOCK: Mr. Speaker, as has become the norm, I seek unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Energy to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one further wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We will call the committee to order.

head: **Main Estimates 2002-03**

Energy

THE DEPUTY CHAIR: As per our Standing Orders the first hour is allocated between the minister and members of the opposition, following which any other member is able to raise questions. I now invite the Minister of Energy for his comments.

MR. SMITH: Well, thank you very much, Mr. Chairman. Let me talk about, with pleasure, the estimates for the fiscal year 2002-2003. I think that since Premier John Brownlee passed the Natural Resources Transfer Act of October of 1930, it's been very clear that oil and gas have been of primary importance to not only this Legislature, not only the elected members but also to all Albertans. In fact, when some 66,000 people gain their daily bread from oil and gas and it affects as much as 35 percent of our gross domestic product, you can see that the attitude of exploring for oil, exploring for gas has indeed permeated all Albertans. In fact, an old geologist once said that oil is not found in the ground, but it's found in the minds of men.

Having talked about the importance of oil and gas in this province and how its revenues this year are focused at just under \$4 billion and the fact that we depend on it greatly for our economic well-being, we are going to listen very hard to the comments from members opposite, we are going to listen very hard to the comments from our own members, and we're going to work very hard at providing good, straightforward answers as quickly as we can provide them so that there is good information in the hands of all our elected members here. I think this is an industry so critical to Alberta's future – and it's a very complex business, Mr. Chairman – that we have to continue to know more and more about it every day, and I think that part of this exercise might help us put that knowledge out towards members who haven't worked in the industry.

3:10

Now, as I look at the Assembly, I know that the Member for Grande Prairie-Smoky has had a lifetime of experience in the oil and gas industry and understands its economic value to his constituency. I know that the Member for Edmonton-Gold Bar has worked hard in the industry and has a good understanding of the industry. When I see the Minister of Sustainable Resource Development, I know that he has had experience with the oil and gas industry and knows what it means to northern communities and communities that sit upon absolute lakes of bitumen. In fact, if you take a look at the heavy oil deposits around this province, Mr. Chairman, you'll find that they'll

take up 20 percent of the size of France. There are some 140 square kilometres of oil sands.

If you take a look at the Member for Airdrie-Rocky View, that member was brought up in the oil and gas industry and in fact probably had her first glimpses of all Alberta through the windshield of a pickup truck while rigs were on the move. If I look at those others here, Mr. Chairman, I can see that there is a really broad array of oil patch expertise. I even think of the Member for Calgary-Bow and know that her experience in computer software brought her into close contact with the oil and gas industry.

This is an industry that leads Alberta, that Albertans breathe every day. They take risks. They win from it; they lose from it. There used to be an old story about an Alberta oilman who went to the dentist, Mr. Chairman. The dentist looked at him and said, "You have absolutely perfect teeth," to which the oilman replied: "Well, drill anyway. I feel lucky."

Part of the oil and gas industry, Mr. Chairman, is not only the fact that it generates substantial and fair royalties to its owners, Albertans, but it generates investments, and investment creates the jobs. It's the jobs that have created the fabulous growth of this province and allowed us to move forward. I think that when we see the linkages of this industry and the linkages with northern gas, Alaska gas, you can see we have a province that has a strong and secure future.

We also have a secret weapon, Mr. Chairman, that I know everybody is counting on. We've got to be the only jurisdiction I know of on the globe that has conventional oil deposits that are declining yet has oil production that is rising. That's because of the oil sands, the manufacturing and mining of bitumen or the oil sands. Some 311 billion barrels of recoverable reserves sitting on a lake of some 1.3 trillion barrels of oil will keep Alberta in the pink or in the black for a long, long time. We are fortunate, and it's because of a good partnership between government and industry with responsible regulation from one of two top regulatory boards housed in Alberta: the Alberta Energy and Utilities Board.

So, Mr. Chairman, I know that members opposite, those remaining, are absolutely eager and keen to get involved with this. I just want to take this moment to reflect on the able assistance that a minister receives in his pursuit of his duty with the presence of Mr. Mike Ekelund, acting assistant deputy minister for gas; Mr. Bob Taylor, assistant deputy minister for oil and heavy oil; Ms Charlotte Moran, director of communications for the department; Mr. Don Keech, assistant deputy minister of minerals; Mr. Joe Miller, erstwhile appointee to the department; Mr. Ken Smith, deputy minister; and in fact just to make sure that we're giving right information, accurate information, and information that the industry can use, I also notice that Ms Nola Bietz, no stranger to this building, is here in her position as government relations vice-president for the Canadian Association of Petroleum Producers. Welcome to all.

Of course, because of the arm's-length relationship that we have with the Energy and Utilities Board, I didn't want to include the head of the board with the rest of the department, Mr. Chairman, but Mr. Neil McCrank, the head of the Alberta Energy and Utilities Board, is also with us today, and we appreciate all their time spent on this topic in the House today.

Having said that, Mr. Chairman, I look forward to comments.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's a pleasure to participate this afternoon in the estimates regarding the Department of Energy, and certainly the hon. minister is going to be

a very, very busy minister. There is significant interest in not only the oil and gas industry in this province but certainly in our experiment with electricity deregulation.

Now, there are probably many important regulatory bodies in this province, but the minister at the conclusion of his opening remarks touched on the role that the EUB has, not only with the department but also in the role it plays in Alberta's energy development, whether that's synthetic crude – and the minister certainly noted the dramatic increase in the production of synthetic crude. Mr. Chairman, it has been 30 years since we went on a steady decline of conventional crude oil production in this province, and the efforts made to increase synthetic crude production certainly do not go unnoticed on this side of the Assembly.

The EUB's priority areas are organizing electricity generation, public safety, and sour gas reports and recommendations – certainly with a lot of rural landowners and a lot of residents of rural Alberta sour gas is an outstanding issue – and, as I said before, oil sands development and the timely fashion in which oil sands development is proceeding.

All hon. members of this Assembly cannot underestimate or ignore the strategic role that the EUB plays. I think there are between 38 and 40 different statutes that they fall under or seek guidance from. To the Minister of Energy: in the future how will the annual budget of the EUB be determined? Will there still be this balance between industry and government, or will it eventually become a hundred percent funded by industry, or will there be more of a balance where it's 50 percent funded by government and 50 percent funded by industry?

3:20

Now, I have corresponded with the respective minister regarding my concern about this EUB advisory committee, and I received a rather gracious letter back seeking names for this advisory committee. My concern – and I still have this concern – is the ratio, Mr. Chairman, between industry representatives and public members, and this, I believe, flies in the face of the mission statement or the values that are discussed by the board. I would like to see more than one public member. You know, this doesn't have to happen overnight, but I certainly think that there should be more than one public member on the EUB advisory board. I think it would go a long way to settling a lot of these outstanding issues that have cropped up here lately regarding drilling rights and access for oil and gas production on property.

There's certainly no doubt that the activity levels of this organization – I believe it is remarkable that they have been able to carry on. Certainly in the past, in the last five years, I think they may have lost a lot of good people. There was a performance measure somewhere – I don't know if it's still here – about regrettable staff turnover. I hope that we have learned our lesson. If we're contemplating government layoffs, we only have to look at the EUB to know that perhaps it was not the right thing to do. These people were skilled, and they were recruited, I think, quickly by private industry. We, as a result, were left with long turnaround times on regulatory approvals, as I understand it.

Now, I talked earlier about the decline in conventional oil production, but there has been a dramatic increase in that same time period. When we started on the downhill slope with conventional oil production, there were about 70 companies, as I understand, active in the province, and today there are more than 1,200. That's a 1,700 percent increase. Certainly there has been a reflection in wells drilled in that same time period. There's been a 740 percent increase.

Again, this gets back to my previous point. I certainly hope the

Minister of Energy is not contemplating what was done in the past. In 1970-72, at the same time conventional oil was declining, the EUB had a staff across the province of roughly, I understand, 300. Now, 30 years later, there are 700 on staff, a little better than 700. That's roughly a 235 percent increase. You can see the activity that has gone on, and you see the staff, so I think these folks, as some people would like to call them, are certainly earning their compensation packages.

Utility hearings. There has been such a large increase in utility hearings. I want the minister to tell this Assembly that these hearings which are due to regulatory requirements associated with electricity deregulation – and there was an \$8 million adjustment to the deferral accounts, this time in favour of the customers, that was announced yesterday by two utilities. The decision, I believe, is close to 290 pages, so these things take time. I want to be assured that we're going to have enough staff to conduct the affairs of this body in a timely fashion, not only for future electricity projects but also for the restructuring of the natural gas industry. Now, I'm certainly not a fan of selling our resources too quickly. I don't think we should be in such a hurry to be selling off our natural gas resources and particularly the liquids, but we'll get at that a little later on this afternoon.

There are performance measures to deal with in the EUB, and a colleague is certainly keen to discuss the performance measures, but we have to look at – and hopefully we're going to get the time to discuss this in detail this afternoon – the priorities for future electricity generation in this province. Current electric supply capability in megawatts is roughly fluctuating around 10,000. Now, it depends on what year you look at, what fiscal plan you look at. It's noteworthy, because there appear to be to this member some discrepancies there. If we had a 2 to 3 percent growth in demand annually and we do not want to rely on the imports of electricity particularly after the cap comes off the Pacific northwest, we could be in trouble again.

There's certainly a nervous line of questioning from government members to the minister during question period regarding rural electrification areas, whether it's about billing or whether it's about the cost of the power.

Now, certainly there are new power projects on-line. In the Peace district there are two, I believe. There are a couple in Calgary with location-based credits. I was told repeatedly that we're out of the business of being in business, and this notion of having location-based credits – yes, we have transmission difficulties, and this is one of the problems that the minister is going to have to deal with. We have a lot of talk of reaching capacity with the main north/south line. There's talk of having a line built from Fort McMurray south, and there is talk of the export line.

We had a committee struck, this electricity supply task force. That was formed, I believe, as a result of a brownout, and I consider us lucky – it's good luck – that we have not had another significant shortage of electricity since that unfortunate Sunday afternoon in Calgary. There was a committee struck, and there was a report completed in February of last year. I believe there were 14 recommendations made. To the hon. minister: how many of these recommendations have been implemented, and when are the other recommendations from that task force going to be implemented? I don't believe they've all been implemented.

Now, sour gas is discussed as perhaps the EUB's biggest future challenge, and it's the number one fear, as I understand it, for rural Albertans, for the lives of their families, for the health impact on their families, on livestock. Certainly it's reflected in property values, because if you have a high pressure sour gas well within a kilometre of your home, perhaps it's going to be harder to sell.

There has been public consultation across Alberta. There were many, many recommendations made. When are these recommendations to be implemented and how many?

I said this last year in, I believe, the same department, and I guess, Mr. Chairman, if you repeat it often enough, perhaps it will become reality. I would like to see the Peace River district made a priority for future oil sands development. If it cannot be made a priority, if I could have the answer as to why not, I would be very, very grateful. I know that Shell did some work up there. I thought the results of that work were positive, but perhaps I've been misinformed. Now, certainly for in situ development – perhaps not the conventional drag the overburden off and let's make a mine – perhaps it's time that we spread this development a little further to the west. I've said this earlier. I know we seem to be having budget shortfalls, but I see a highway going straight west of Fort McMurray right across to the Peace region someday, a two-lane highway, paved. Hopefully I will live to see that day.

3:30

Now, we certainly have a lot of international experience in the energy industry in this province, and I would like to know what priority the department is putting on increasing trade and expertise with the Chinese government. My research indicates to me that one of the largest increases in consumption of petroleum or petroleum products for the next 10 years is going to come from the Chinese, and I see that as a market opportunity. I would like to know what we're doing to export and make a dollar on, as well, some of our Alberta technology. Certainly a lot of other areas on the globe are cutting back through conservation their use of petroleum and petroleum products, but it doesn't seem to be the case in China. I wonder what the hon. minister has to say regarding that.

Also, the use of fuel cells. I would also like to live long enough, Mr. Chairman, to see the widespread use of fuel cells not only in automobiles but in large installations that would, say, supply electricity for a fairly large complex, much larger than this Legislative Assembly and the surrounding buildings. What studies is the Department of Energy doing to encourage the development of fuel cells and fuel cell technology in this province? It's the future. I am concerned about the decline in conventional crude oil. As that declines, it gets more expensive to find, but fuel cells are maybe one of the alternatives we could look at.

I would also at this time like to know what the department is considering as far as royalties – I'm going to get to royalties a little later – on coal-bed methane perhaps as that develops. Now, I'm told that 7 percent of the natural gas in America that's produced comes from coal-bed methane. There are a lot of deep coal seams, particularly in central Alberta, you know, lying east, to the west, to the foothills from almost highway 2. What studies are being done regarding the exploitation of this resource, and what sort of royalty structure would be set up for that?

Now, I'm not satisfied with any of the answers I've received in this next related issue, and that's electricity exports and imports to this province. We were sort of an isolated grid before this experiment, this costly experiment on electricity deregulation that has gone on. We were sort of isolated. Certainly there were requirements every now and then for imports, but we have gone from some of the cheapest electricity in North America to some of the most expensive. Not only is it expensive; it is not reliable. It is noteworthy that as many officials gathered to celebrate the naming of Edmonton as one of the best places in the world to do business at the Shaw Conference Centre, there was a reception going on. It was about a month ago. It was a noteworthy achievement, but it was clouded by the fact that at that time the Power Pool price between 6 and 7 o'clock on that

day was, as I recall, 23 cents a kilowatt-hour. If that price was to be sustained, it would literally kill our economic advantage. I can look at some of the prices that have occurred, Mr. Chairman. We'll talk about this later on. I'll cede the floor.

THE DEPUTY CHAIR: Before I recognize the hon. minister, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE DEPUTY CHAIR: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Chairman. I wish to introduce to you and through you to members of this Assembly two guests who were here earlier and had to leave: Peter Kinnear, who is the director of government and regulatory affairs of the TrueNorth Energy foothills oil sands project, and D'Arcy Levesque, vice-president of public and government affairs, also of the TrueNorth Energy foothills oil sands project. I just want to share that Peter was at one time the executive assistant to hon. LeRoy Fjordbotten. He is also a constituent of mine and, I know, a great supporter of mine in Calgary-West both on my PC Association board and also in the community. These two guests in their absentia can't rise, but I would just like us to welcome them in the appropriate manner as if they were here.

Thank you.

head: **Main Estimates 2002-03**

Energy (continued)

THE DEPUTY CHAIR: The hon. Minister of Energy.

MR. SMITH: Thank you. I guess hiding behind those two guests, Mr. Chairman, was Mr. Doug Borland from the department, who I did not see in my first pass of the members' gallery.

I really, really want to respond to the questions from the Member for Edmonton-Gold Bar, the Official Opposition critic. I want to respond to all the questions, and I might even respond to the one or two that are directed at the estimates.

Mr. Chairman, there's lots of interesting content, and I'll try to take them from top to bottom rather than trying to sort them. It sounds like the member is equally as proud of the accomplishments of the Alberta Energy and Utilities Board as I am. I believe that prior to his arrival as a private member my second bill that I took through as a government member was the amalgamation of the Alberta Energy and Utilities Board, the old Energy Resources Conservation Board, and the public utilities commission. So that's legislation that has my name on it, and I am extremely proud of the work that those people have done under difficult circumstances.

In fact, the Member for Edmonton-Gold Bar points out that they continued to meet their performance measure even under difficult times of a high turnover due to some difficult wage gaps between that of the regulator and that of the private sector. As the member goes through the business plan, which I know he's keen to do, he will see that in fact the actions of the last year have reduced the turnover of staff of regrettable man-years from some 400 to well below that of 125 years. So in fact progress has been made, and he's been very good to point that out, Mr. Chairman. Of course, while he was reading that, he didn't mention it specifically, but I know it was in the back of his mind that the Energy and Utilities Board continued

to meet their standards 99.9 percent of the time. So in fact even in periods of high turnover they were able to perform diligently.

3:40

Of course, the member I think is complimenting the diligent work of this government, of over 100 people who actively spend every waking moment on the royalty regime. He talks about the expansion of oil companies and gas companies in Alberta from some I think his numbers were 70 to over 1,200, a 1,710 percent increase. We welcome that growth, and we welcome that compliment from the Official Opposition critic.

Yes, he is absolutely right, Mr. Chairman, that conventional reserves peaked, I believe, in 1973 at some 1.35 million barrels per day of production and subsequently declined now to about 600,000 barrels per day. One of the things that you can do with a royalty regime is you can help enhance the oil recovery, which allows you to take more and more oil from those reservoirs that were once thought depleted. In fact, that's also spelled out in our business plan. We think that there still remains a good recoverability of further amounts of oil from those resources through enhanced oil recovery, whether it be nitrogen, which is also being used now in Weyburn, Saskatchewan, or carbon dioxide, which is used as an injectable. They're looking at ways of getting more out of those oil reserves.

I noticed through the member's comments, Mr. Chairman, that there was a theme of how he'd like more control over the private sector. I'll address that in the end, although it is contrary to the free market access and entrepreneurial basis that the government today is espousing. Reading back in past Liberal history, I would think that past Liberal control of the oil and gas industry would best resonate through the document of October 28, 1980, known as the National Energy Program. In fact, that particular program cost this province – these individuals, these companies, Liberals and Conservatives alike – some \$60 billion. Although the member continues to espouse a Liberal dogma of continued control in the marketplace, we'll continue to fight that with every breath that we take to provide free enterprise a chance to succeed in this land.

Mr. Chairman, let me go on and respond. The member has indicated that he would like to appoint oil companies into the Peace River oil sands area. He's quite right in that Shell has spent a great amount of dollars there. In fact, as you go north and a little bit east of Peace River, you'll also find a significant conventional oil discovery in the Peace River arch. You see that the private sector has spent a great amount of dollars, has used technology as it has evolved over the last few years, and it's they who will make the decisions about where to drill, where to develop, and where to invest their money. In fact, what they have done is decided to put over \$51 billion worth of investment into oil and gas development, and that happens to be focused, at this point, on the Fort McMurray through Bonnyville area.

Now, I know that CAPP is here. They're probably taking notes about where the member would like to see them go, and perhaps he can go and make an individual presentation to the members of the Canadian Association of Petroleum Producers and explain why he believes that the Peace River area is an important area and what policies of a Liberal – shudder the thought – administration might direct private-sector activity to that area.

I do want to also speak briefly, Mr. Chairman, on the royalty comments. I know that he has more to discuss. We do believe that we have a fair royalty program. It's one that has been worked on diligently. It is one that has performed with admirable results. Its performance measures are outlined in the business plan. Again, it's

one that we always welcome any comments on from anybody that may wish to add to the discussion.

Also, the member commented about the advisory committee at the EUB. We would welcome very much a Liberal submission to the EUB on what that particular party would deem appropriate funding for the organization. We do know that the EUB wrings value out of every dollar that they are granted from the budget of the Department of Energy and from every dollar that they use from the private sector. They are busy, as the member points out, on the electricity side. They have delivered the goods consistently inside the performance standards that they have published. They've done it with decisions in the Wabamun-Sundance area and with decisions in the Calgary area.

I do have to comment, just to clarify for the record, Mr. Chairman, on reliability. During the period of the new electricity market restructuring, there is no record of one cubic foot of gas not being delivered, of one kilowatt-hour of electricity not being delivered, of one dark moment in a bright Alberta, either future or past, that can be attributed to the deregulated model. Again, if the member has specific or directed evidence, we would be more than pleased to discuss that with him. I will say, though, as the member talks about control over where companies should be, control over how our expertise in marketing should be marketed, control over fuel sale royalties, that there's a marketplace out there. There's a marketplace that works. The deregulation or competitive market model of electricity has in fact created conservation through increased pricing signals. We do know that when the price goes up, people do use less. That's been proven over the past 12 months. We've seen almost a 6 percent conservation effect. Compare that to the experience in California, where those signals were blurred and in fact conservation did not occur.

[Mr. Tannas in the chair]

With respect to international service, international training, our expertise, we have supported the China-Alberta Petroleum Centre. They are a jurisdiction that's going to have a very, very difficult challenge. Their Daqing field, some 40 years old, now produces half of their petroleum requirements. They are doing a little work offshore. They're working with the private sector as well, but we have provided them with some avenues, as we have in other jurisdictions, for individual companies working in those state jurisdictions.

I do not believe that it is the job of this government to tell the private sector where they can make money. I think the private sector does a better job, a more effective job, and a more profitable job for Albertans to find their markets, develop their markets, and deploy their expertise. I believe it is our job to support their efforts, to provide them with entry points to markets where we can, but clearly the decisions lie in the hands of the private sector. I know that the Minister of Economic Development works very hard with the Alberta Economic Development Authority, and those discussions take place at that market, although I know that the Liberal way would be to provide a little bit more control on that.

So I think that covers the first pass of questions, Mr. Chairman, and I look forward to more from the members of the opposition. Thank you.

3:50

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's a pleasure to get this opportunity to rise again. That was an interesting

discourse by the Minister of Energy. So that my comments are not being misrepresented, there certainly is a role for regulatory bodies, and the EUB is a regulatory body. I will say no more on this matter other than to encourage all hon. members of this Assembly and members of the general public in the galleries to purchase Andrew Nikiforuk's book *Saboteurs* and read it and then discuss with your neighbours and with your friends why there's a role for a regulatory body that everyone can have confidence in in this province.

Now, I'm getting sick and tired of comments made about the NEP and that it was a one-way street. Well, Mr. Chairman, one only has to review *Hansard* from this Assembly when this Progressive Conservative government was in its infancy and how they were so valiantly fighting for increased control and use of natural gas and natural gas resources for the petrochemical industry in this province that they advocated a national energy program. I would encourage the hon. minister to perhaps, if he has any spare time, go back to *Hansard* during the first Progressive Conservative term, this same government in their first term, and how they fought . . .

MS BLAKEMAN: The Premier signed it; didn't he?

MR. MacDONALD: Not only the Premier. The Premier of the day would discuss in this Assembly the need to have a national energy policy, and he signed the agreement. He signed the agreement without any threat of force, as far as I know that period of history.

Before we blame Liberals for too much else – and I'm going to have to review what exactly the curriculum at the Notre Dame school in Saskatchewan is. Perhaps the students are playing a little bit too much hockey and not studying enough history, because in 1925 a Liberal government in Ottawa – a Liberal government in Ottawa – started the negotiations so that this province could have a considerable inheritance, which turns out to be our oil and gas royalties. Now, it did take time, but it was a Liberal government under Mackenzie King, and this was one of the first transfers in the British Commonwealth. We have to recognize that. Not only . . . [interjections]

Chair's Ruling Decorum

THE CHAIR: Hon. member, can you yield for a moment.

There are several quarters who seem to be anxious to enter into the debate, and that's wonderful. The hon. minister is going to get his chance in a few minutes, and if other members of the opposition or on the government side wish to, we'll take them in their turn. But the government members aren't on until some time from now according to the agreements that have been made by members of this Assembly. So right now we only have one member speaking and asking questions, and that's the hon. Member for Edmonton-Gold Bar.

Edmonton-Gold Bar.

MR. MacDONALD: Thank you.

THE CHAIR: Do you have a point of order?

MR. NORRIS: I just have a point of clarification, Mr. Chairman.

THE CHAIR: No. There's no such thing.

MR. NORRIS: I'd like to make a point of order then. If that's the ruling that's coming today, I'd be happy to abide by it, but I would remind hon. members that throughout this process that's the way it's been going.

THE CHAIR: Thank you. If you heard me correctly, hon. minister, I did mention that both sides, both government and opposition, will have to take their turns.

MR. NORRIS: I'll listen better next time.

THE CHAIR: Okay.

I did hear noise coming from those who would support the hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I really appreciate that. Thank you.

Debate Continued

MR. MacDONALD: Now, this event of the federal Liberal government of the day assisting over a period of time the transfer of wealth is a very important event in the history of this province, as is the Royalite No. 4 well in Turner Valley, which in my view changed the entire history of oil exploration in the western Canadian sedimentary basin. Those two events cannot be overlooked. They are very, very important. So in the future I would like to encourage the minister, when discussion on the national energy program comes up, to also talk about the historic role that the Progressive Conservative Party in this province had in its development and its implementation and also the role that the federal Liberals had in the succession of oil and gas rights for the government so that the Minister of Finance here can have a budget and enjoy revenue that other areas of the country, other ministers of finance can only dream about.

Now, with that, Mr. Chairman, it's time to talk about one of the problems that we're dealing with this afternoon in the business plan, and that is: what exactly is the Department of Energy going to do with the issue of electricity exports? What is the policy of this government for exporting electricity? Members may ask: well, why would this matter? Let's look at February of this year. There was roughly \$850,000 worth of electricity exported, and the price was about 2.8 cents a kilowatt. In the last 12 months that price averaged 6.3 cents a kilowatt. If we're looking at building electricity generation and people are looking at the potential of exports to pay their costs, are they going to be able to do that at these prices? We're not exporting much electricity, and in this same time period we have imported. Now, I'm sure the minister is going to say: see; we're importing all this electricity, so we better build some more generation. But we're importing this electricity, about \$4.5 million worth, and we're paying roughly 3 cents a kilowatt, so how is all this going to be ironed out?

If we look at last year, of course, when there were dollar signs in everyone's eyes, there was a significantly greater price for electricity whenever you were importing it. Some people paid as high as 47 cents. Some people paid as little as 15 cents. Some people paid 7 cents. That's quite a change. Naturally our exports of electricity took a sudden change when the Americans put a cap last June on their electricity prices in the Pacific northwest.

Now, can the minister please tell this hon. member and the House: what role – and certainly in the documents that are presented in the budget there is a role, and there's a regulatory role in this as well – is the Department of Energy playing in discussions with the Federal Energy Regulatory Commission in America in regard to setting up the Regional Transmission Organization West? Is this going to be a partnership? What role is B.C. Hydro or Powerex going to play in this? Are there plans for the construction of a transmission line through southern Alberta directly south to Las Vegas? Who's going to pay for this line? These questions are not only for this hon. member but certainly for investors and consumers, whether they're

industrial, residential, or commercial. They have every right to know, and they need to know now.

4:00

We're talking about the EUB. How are we going to pay for the location-based credits? Is that money coming out of the Power Pool? Where did all the rest of the money go from the power purchase arrangements? When will the next auction sale occur? I was led to believe that it was to occur last November, because some of those original contracts were for one year. If this auction was delayed or whatever sort of process was going to happen, when will all this come about?

Now, another question I have regarding electricity at this time is: how are we going to get rid of the bottlenecks in the transmission system? What plans does the minister have to get rid of all these bottlenecks? Certainly there are areas of the province where the electricity transmission system is running at capacity and others where it is not.

With all these new rules that we've had for electricity, we need to clarify for consumers, and yesterday I asked the question about billing practices. In Wabamun, west of the city, there is an individual who gave me his power bill, and there were 13 different line items that I could detect that comprised the total price, and the price is sky high in comparison to what it used to be under the regulated system. This gentleman gave me this bill, and I was astonished to look at it because it was so different from my bill at our house, which has eight line items to comprise the price, and yesterday I asked if perhaps we should have standardized billing across the province so consumers know precisely what they're paying for. Now, Mr. Chairman, I would note that both of these bills were from different areas. One was from the city and one was from Wabamun. However, they're from the same electricity provider. I've heard so many times the hon. minister talk about competition. Well, there doesn't seem to be much competition developing with the providers.

Transmission bottlenecks. There's also the issue, Mr. Chairman, of transmission access. Could the hon. minister please tell me: does the federal Energy Regulatory Commission have direct control over access to Alberta's transmission system? Before we proceed any further with exports, what exactly do they have control of? With the payments in lieu of taxes that the municipally owned electricity generators and in some cases marketers or providers, whatever category you want to put them in – where does that money go?

Before I conclude this portion of my comments, where did the remaining money from the sale of the PPAs, the power purchaser arrangements, go? What account is that in? That's a very important question I think, and I may have overlooked it. With that, at this time I think I will conclude my comments on electricity and certainly move on to natural gas.

Now, the minister has explained to the standing policy committee, Mr. Chairman, very smoothly that we have no problem with ethane in this province, and by ethane I mean to be used as a feedstock for the petrochemical industry. We've got lots. There's no end to our ethane. This gets back to my sort of admiration for a previous Conservative government when they fought like badgers to establish a petrochemical industry in this province, and the current government to my amazement developed policies that led to the export of the natural gas liquids in the Alliance line.

I know that the minister and I have a different view of this, but in the Auditor General's report – and it's been brought up for a number of years now – there is some concern about how we collect our royalties. I'm not talking about the amount of royalty for new gas or old gas or what type of well it is, how deep, or whether it's a horizontal well. I'm talking about the actual mechanical mecha-

nisms that are there to make sure, as the Premier is fond of saying, that we get our pound of flesh. How up to date is that system, and has there been any success in reducing the amount of amendments that are made whenever the royalties are collected? Now, how is all this working? Can this hon. member have confidence that we are getting every last nickel of royalty revenue that we deserve from that resource?

There certainly has been this VIPIR project initiated by the EUB, and again it's, as I understand, in partnership with industry or stakeholders. If the minister could report any progress on this to the House.

Also, the Alberta royalty tax credit. The minister was talking about how industry likes to be left alone and make their own money. Well, you know, depending upon the price of the resource, there's a significant amount of money, Mr. Chairman. In some cases it's \$180 million annually. Some years it's as little as \$140 million. This is the Alberta royalty tax credit. When the cash flows are robust, to say the least, for the resource industry, why are we continuing that program? It may have been a good idea when it was started, because it certainly kick-started the industry, so to speak. Who exactly is the beneficiary of this Alberta royalty tax credit? Is it just the junior companies, or is it everyone, all the players, so to speak?

With those questions, Mr. Chairman, I will take my seat, and I will anxiously await the answers from the hon. minister. Thank you.

4:10

MR. SMITH: Well, Mr. Chairman, let's not have him wait very long. I know the spirit of the House during the last week has been a little bit contentious. They talk up about some of the discussions about the good Catholic faith, and then I'm a little surprised to hear a little bit of a shot to my old alma mater, which is Notre Dame College, and a wonderful monsignor by the name of Athol Murray. Like the individual across, a member brought up on the ways of the east, he did not know that in fact the west was the promised land until he arrived here in 1927, as this member knows when he arrived here from the island about – I guess it would be 15, 20 years ago now. [interjection] Twenty seven years ago. We've done a good job, too, with him. I think he's made progress.

I would like to talk to the House for some time about the exploits of Monsignor Athol Murray, who is probably the reason why I'm in politics today. In fact, he was an individual, Mr. Chairman, who would go out and rail at invitations to speak, and he would rail at the government of the day in Saskatchewan. Now, that Premier of the day happened to be Tommy Douglas, and Athol Murray was one of those monsignors that was firmly committed to free enterprise. He believed that government's role was to be an umpire and that a Canadian's great strength was their will to succeed as a small businessman in the marketplace of today. So the good monsignor would go out and talk about the benefits of capitalism and the disadvantages of socialism, and in fact he referred to it as Marxism.

At the end of those speeches – and oftentimes those speeches were fueled by some of Johnny Walker's finest product, Mr. Chairman, which, I know, you have more than a passing knowledge of yourself. Nonetheless, he would come back some 30 miles outside of Regina to a college that had about 300 students in my time living in granaries, living in buildings that were already condemned, and he would await what would happen the next day. The next day there would be a phone call from the bishop in Regina responsible for all of Saskatchewan, and the phone call – although I was never present, Mr. Chairman – would go something like this. "Athol," and Athol would respond, "Yes, your grace." "I hear you've been out speaking again." "Yes, I have." "Well, I am enclosing the telephone number

of the Premier's office in Regina, and he is waiting expectantly for an apology from you." So on more than one occasion Monsignor Athol Murray not only challenged the political system of the day but also had to apologize for it too.

He was skilled in some four to five languages. He wrote and read Latin and spoke Latin fluently. Raised by the Oblates, educated by the Jesuits. When the member says that they had a tendency to play more hockey than study history, he's seen the performances of a Rod Brindamour, a Curtis Joseph, a number of individuals who have had a great amount of talent and showed up in the professional leagues. In fact, that college sends more individuals on full athletic scholastic scholarships to Ivy League schools in the United States than any other school in Canada, Mr. Chairman. It's often said that that college has populated the oil patch in western Canada. One could only look to the former president of Consumers' Gas, Mr. Bill Mooney, an architect in the development of Syncrude, a great Albertan; an individual who brought TransCanada PipeLines to Alberta and put that head office in Calgary, Mr. Gerry Maier. This college teaches a lot of history, and it teaches a lot more than just history.

So although the member invites a point of order on 23(h), (i), and (j) about imputing motives, I'm not going to do that, Mr. Chairman. As you know, I'm wide open myself to open and candid debate in this House and will continue. I'm glad throughout the discussion that the member did mention estimates and business plan and costs at least once, because it allows us to return to that.

Mr. Chairman, he also made a reference that I can't leave untouched. He talked about former Premier Lougheed willingly signing the national energy program. I would direct the member to his history, and he would note that when Premier Lougheed was elected, it was shortly thereafter that he was responsible for raising the royalty charges to the oil companies in Alberta and in fact brought a fairer return back to Albertans. I think a hallmark of Progressive Conservative government in Alberta is one that looks after Albertans first and then its resources second.

Mr. Chairman, we also know that Mr. Lougheed fought very hard to avoid the encroachment by the powerful federal Liberal government, and we are continuing that fight whether it be a direct attack in something like a carbon tax or something so oblique as a smoke screen of Kyoto, that is simply nothing more than a wealth transfer from this province to not only other parts of Canada but to in fact other parts of the world. People in my industry, in the oil and gas industry, have said: why should we pay a royalty to Russia for the purposes of producing oil and gas here? But, again, those Kyoto-type initiatives, those carbon taxes, those control mechanisms are all left to be best explained by a member of the Liberal Party, who is here with us today in the presence of the Member for Edmonton-Gold Bar. I'm sure he can explain the whys and wherefores of that.

Mr. Chairman, he did talk about electricity being imported in Alberta. That was the last year of regulation, 2000, and in fact some \$300 million of electricity was exported in the year 2001. I think he asked the Premier if electricity was a good or if it was a service, and I think he received the absolutely correct reply, that it was in fact a good service. I think that that continues.

He also asked the Premier last week about electricity exports, and I thought the Premier gave him a clear and honest answer when he said that there are electricity exports occurring in Alberta. They will continue to occur. In the case where a generator develops electricity and wants to export it as far away as Las Vegas, which has an ample abundance of power – I don't know why they'd want to export it to Las Vegas at this juncture, although it is a neighbouring state to California. In fact, there are merchant power lines, Mr. Chairman, that are available for contract today. There are some under consider-

ation that I know of. The Premier said that generators, if they're exporting power, would be responsible for its payment.

4:20

In terms of the Alberta grid, more than asking a government how this should work, we prefer a clear and transparent process to a very complex question. That's why the transmission administrator has published a paper and the Energy and Utilities Board has commenced deliberations on how best to alleviate anticipated congestion in an Alberta grid and how best those costs should be shared. I have met on two occasions with Pat Wood, the chairman of FERC, or the Federal Energy Regulatory Commission. Mr. Chairman, he has no jurisdiction over what happens in lines in Alberta, but he has a great interest in seeing Alberta's ceasing to be an island of electricity and starting to be an area where electricity can move freely back and forth from many jurisdictions.

Who pays? I think that that question will be answered by the EUB. That question is also very open and transparent in a competitively structured electricity model. I think it's a much better model than a regulated model where a bunch of government appointed toadies have determined what an appropriate rate of return for power is. In fact, what an unregulated electricity model does is bring out, Mr. Chairman, transparency. It brings out appropriate costs, and it puts the focus of risk on an investor and not on a consumer.

Lastly, I do want to finish with the good questions the Liberal Member for Edmonton-Gold Bar talked about: ethane and the royalty position. He does know that there have been royalty discussions and a paper put forward and a royalty change of schedule to take place in 2002 with respect to the constituency of natural gas as it leaves the province of Alberta. We believe we're getting most of the royalty money, hon. member. If we believed we were getting it all, we could save money by not employing those auditors, but we're not ready to do that yet.

I believe that the VIPIR program, which is the volumetric and infrastructure petroleum information registry, will be an effective way of creating a petroleum data warehouse. It's got a budget line item of some \$25 million. It's scheduled for implementation this October and reports as of lunchtime today that tests are beginning, and we look forward to a successful although concerned October launch for the data processing model.

I believe you asked a question about the proceeds from the auctions from electricity. They, as you know, were all returned in the \$40 bill. That was consumers' money. They got it all back. It's gone.

Now, the balancing pool released, I believe on April 11, a press release stating that they have structured derivatives for the balance of power that they control, and they will be delivering that into the marketplace shortly in an auction form. They are seeking client and customer feedback at this stage, and the purpose is to have all the power in the hands of the marketplace and none of the power in the hands of the balancing pool. So that's proceeding.

There was one other one: the offset credits. I think that's a good question for which we will give you a detailed written reply. I think that's an important question as well.

So with those brief and minor comments, Mr. Chairman, I will take my seat.

THE CHAIR: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Chairman. It's a pleasure to join the debate this afternoon. I would have a few comments and a couple of questions for the minister with respect to this issue.

Firstly, Mr. Chairman, the Alberta government's expanded

mandate of AOSTRA I think is a very important point that should be brought out this afternoon through the Alberta Oil Sands Technology and Research Authority. I actually was fortunate enough to be involved with the pilot project that AOSTRA ran, which the minister alluded to, in partnership with Shell at Three Creeks, just east of Peace River. I believe that certainly the results of that technical exercise have generated for the province of Alberta simply billions of dollars in return.

AOSTRA of course is going to continue under AERI's role, and the role has expanded and includes other types of energy-related research in areas including oil and gas, heavy oil and the oil sands, coal, electricity, and renewable and alternative energy. So it's really good to see that the department is supporting this ongoing work.

Also, I'd like to point out that investment in the energy sector is continuing to be led by activity in the oil sands, certainly alluded to again, and we look forward to these capital investments that private enterprise is making and continues to make in the province of Alberta. The projection is something in the neighbourhood of \$40 billion over the next few years. This will on an ongoing basis lead us into a situation where our conventional production will begin to be secondary to synthetic crude production and exports for the province of Alberta.

Mr. Chairman, again on the research side of things the Petroleum Recovery Institute, a business unit of the Alberta Research Council: ongoing work in the energy industry "to assess, source, develop and commercialize technologies that deliver a competitive advantage." These programs are designed "to bridge the gap between basic research and commercialization" of products and technologies that these groups develop. This program is run by the Alberta Research Council, and its objectives are "to increase the recovery factor for conventional oil fields, and to reduce the operating and environmental costs associated with production in these fields."

I'd like to point out that I'm sure that as we move ahead in the recovery areas of conventional oil in the province of Alberta, there will be some very exciting possibilities with respect to sequestering carbon dioxide. Some of the secondary and tertiary recovery systems that we have had experience with and continue to work on in the province are certainly world class, and we believe that this technology again will allow us to not only improve our production and reduce our emission of CO₂ but at the same time, Mr. Chairman, will provide in the future a very important export product for the province of Alberta. The knowledge-based community that will spin off from these technologies is certainly important for the province of Alberta.

4:30

Another area that we're working with and again very important, I believe, is the enhanced water flood programs. We've done of course in the province of Alberta a number of secondary recovery systems involving the use of water, and again there is certainly some contention with respect to the amount of water that is injected into these programs. One of the points that I would appreciate the minister perhaps commenting on is, you know, the ability of these projects to recycle water, and perhaps a little clarification with respect to potable water being used in these facilities and that type of thing.

Gas floods and miscible flooding are another area where again the technology that we have here is certainly on a par with almost any production field certainly in North America and, I would suggest, probably globally. What we do, of course, in miscible flooding is inject methane and ethane mixtures on a cycling basis with water and wash the zones in that manner and increase our recovery rate. There is some newer technology that unfortunately I haven't been

involved with foam floods and some chemical surfactant flooding. Again these programs are all very well supported in the minister's department, and I believe that they will enhance Alberta's recovery and certainly recovery in conventional fields. Again I would like to point out that I believe that the knowledge is an export product.

Mr. Chairman, there was a touch made with respect to the Alberta hub. Certainly the Alberta hub is, I believe, reasonably well understood by us and certainly understood by our neighbours in Alaska, but I'm concerned that the Alberta hub is not broadly understood and perhaps not broadly understood by some of our major customers. The minister and I have had some discussions with respect to that issue, and I would appreciate if we could perhaps indicate how we're going to move ahead and do a better job of selling ourselves, because I think that it is very key that we be sure that our clients and our customers know who we are and what our capabilities are.

Again, when we look at the energy bill that's being brought forward and being discussed in the U.S. now and their certain concern with energy security in North America, I think it's incumbent on us as Albertans and as producers, major players in that market, to understand where our competition is, what their capabilities are, and how we can I guess match our capabilities with theirs. Perhaps when we have a better understanding or have a better research capability with respect to some of the gas, particularly in South America, maybe we would have a better opportunity to apply ourselves to our market and to our clients to be sure that we're getting all of the possible sources of market for our products.

Interestingly, I think, recently some of the indications and some publications and certainly some briefs and reports given from South America with respect to their gas reserves are important to us. I was of course, as the minister indicated, involved in the gas business in northwestern Alberta for all of my working career.

MR. GRAYDON: Three weeks.

MR. KNIGHT: I worked, yes. I did. I don't want to really let anybody here know that, but I did.

In the 30 years that I spent in that business, Mr. Chairman, I really didn't understand the capabilities of our friends in South America. Bolivia started exporting natural gas to Argentina in the 1970s, and I wasn't aware of that. You know, when we start looking at that, it's going on 30 years that Bolivia has been a producer.

In 1999, Mr. Chairman, there was an 1,800 kilometre pipeline built from Santa Cruz province to São Paulo, Brazil, Brazil's industrial capital. The demand for gas in Brazil in 1996 was really unclear, and Bolivia's reserves were insufficient even to fill its new 20-year contract with Brazil. Now Brazil's demand for gas has grown, and it wants to double volumes going through the pipeline by 2004, and Bolivia's reserves have expanded tenfold since 1996. Tenfold. As a result, Bolivia is seeking customers further afield, and of course where would they look but certainly northward into the Mexican market and further northward into the California market?

Spain, Britain, and Pan American Energy, a BP subsidiary, are pushing a plan to pipe gas from the Margarita field in Bolivia to the Pacific coast. My understanding is – and this is the question that I have for the minister – that some of the reports that we have been acquiring would indicate that Bolivia's idea is that they can reach the Baja California and certainly Mexico City areas with Bolivian gas at around the \$3 to \$3.50 range. I think, Mr. Chairman, that if we look forward and if in fact the LNG receiving stations that are on the books for the U.S. and Mexico move ahead – and when you look at the possibility of LNG, once it's in a tanker and floating, it's not

much different than delivering crude oil – it would perhaps open up a huge new competitor for us.

There's a certain amount of solution gas still remaining globally – that is basically gas that's produced for nothing – so they don't have this kind of 50 cent lifting cost or equivalent cost that we would perhaps face in Alberta with respect to supplying these same markets. So I'm wondering if the minister has any comments with respect to the possibility of this whole idea of LNG, maybe putting a ceiling or a cap on the price of Alberta gas, and if in fact that happens, have we any idea where that cap might settle? What might be the price of natural gas as we move ahead with respect to competition of that sort?

4:40

I'll move away from the gas business, Mr. Chairman, if I may for a few moments. I just want to ask the minister one more question, and it is with respect to the deregulation of electricity. Certainly I think that on most fronts and if you looked at it on a volume basis of the electricity consumption in the province, deregulation has been very successful. I would suggest extremely successful. We do have an area that is of concern, and I think that might be the area where we still have 20 percent of Alberta's power that's under a regulated price agreement. That is all stuff that's not industrial. So about 80 percent of the electricity is now being traded freely in the province of Alberta. My question for the minister would be: what do we see between now and 2004-05 with respect to the retail competition and the retail end of that 20 percent that's kind of a hangover from the deregulation process?

I think those comments will probably be enough. I'll conclude and thank you very much for your kind attention.

THE CHAIR: The hon. leader of the third party.

DR. PANNU: Thank you, Mr. Chairman. I am pleased to have this opportunity to ask a few questions of the minister with respect to his budget for the Department of Energy. I just want to note the presence of the chairman of the EUB and members of the CAPP here. I want to say welcome to them for being here.

My questions are fairly specific. I won't preface them with lengthy talk. My first question generally has to do with the forecasts in the budget with respect to revenues from nonrenewable resources and the revenue picture for the department as a whole. Looking at the numbers in the budget, the department is forecasting almost a 50 percent decline in the budgeted revenues from last year. It's exactly half. Those projections or forecasts were obviously based on certain assumptions which had to do first with the shock that the American economy and, derivatively, Canadian economy received from the September 11 or post September 11 developments, economic slowdown. Then there was the question of certain assumption made about oil prices and gas prices. On all those three issues the picture seems to have changed and changed for the better quite a bit. In fact, the forecasts of concerns about the shock to the economy in hindsight now appear to have been somewhat overestimated. Are the budget estimates here, the numbers, still reliable given that the very assumptions on which these numbers are based have changed and have changed quite substantially? That's the first question. The assumptions that I draw attention to are stated, I guess, in this fiscal plan booklet on page 10, which is accompanied, obviously, by a bar graph, if the minister wants to look at that, although I don't think he does need to. He has all this information at his fingertips.

My second question then has to do with an observation that the minister made earlier in responding to a question, I guess from the member sitting next to me. It was a reference made to the huge

investment that has been made in the oil and gas energy sector by the private sector. I think you mentioned \$51 billion. I hope I was paying attention, but I didn't get the number of years over which this may have happened, so if you'd clarify that.

Another question related to that. Clearly this investment is good news for Alberta, for the economy. In spite of the fact that you see me as someone who would probably not say that, I acknowledge that. We have seen that some of the revenues the industry may have put into this capital investment may have come from the forgone public revenues in the form of royalty tax reduction and royalty tax credit policies that have been in place for some considerable time. The question that really occurred to me was: would the minister have an estimate of what percentage, in terms of the number of billions of dollars, of this \$51 billion might have been drawn from these forgone public revenues as a result of those policies? That's quite a specific question. I hope the minister will care to respond to that.

My third question has to do with a goal in the business plan document. It's goal 1 under performance measures, "Sharing the Profits from Resource Development." There's a range given there of 20 percent to 25 percent. I think that's what you want to capture, the net profits; right? I looked at the table on page 119 following those statements, and there's a pattern there in that table. For the years '96, '97 – the year I got elected to this Assembly first time around – and '98 there was a stable number of 23 percent of the net profits that were captured and came into the public treasury. According to this table, starting in 1999, 2000, and 2001 that percentage has in fact slid down to 21 percent, so there has been a two percentage point decline in the share enjoyed by Albertans of the net profits of the industry.

Now, it seems to me that in light of that, the minister might want to explain to me whether or not the target of an upper limit of 25 percent is still valid as a performance measure, because it appears to me that a pattern has been established. It may in part have been the result of specific policies in terms of changes in certain oil royalty rates or tax credits or what have you. It has come down to 21 percent. Is it still accurate or, alternatively, is it still okay to take seriously the performance measure of 25 percent as the upper limit when in fact it seems to me that the upper limit has been brought down to 21 percent? This being noted, that the share has come down by two percentage points, would the minister have a rough estimate of the loss in revenues to the public treasury because of the systematic lowering or decline in the percentage of the net profit that comes into the public treasury? That's the third question.

4:50

My next question has to do with core business 3, which is on page 121 of the business plan: "Awareness and Understanding – Increase Albertans' awareness of energy and mineral resource development and related policies." This goal is an important one, in my view. I applaud the minister's and the department's commitment to increasing this understanding, but what I find missing here – and I hope, Mr. Chairman, the minister will take this question seriously and respond to it, but whatever he does, I want to start with him answering this question. Why as part of this goal is no mention made of the fact that Albertans need to have the benefit of some transparent public debate so that they can understand the royalty rate issue? It's a complex one, I know, and you could simply say, "Well, look; it's far too complex to ask Albertans in general to engage in this debate," but it's a vital issue.

There have been recent statements made in the media. Assertions have been made that royalty taxes in Alberta are too low. I heard you say that we are getting a good return. The point is to allow a public debate to happen, and the department needs to take a lead in

it so that it can provide supporting evidence for the view that it holds. I'm not at the moment challenging the view, but I think there are studies, there are statements, and there's information that does raise serious questions about it, and I think there's a need for that. Why is it not the case that a commitment is made here to engage Albertans in that kind of enhanced understanding based on public debate which speaks substantively to the issues of both the complexity of the royalty regimes and why it is okay for us to receive what we do when in fact we do know or some people do claim that the royalty regime we have now is much lower than was the case in this province during the Lougheed years and is in fact even lower yet than the royalty tax rates or regimes that we had during the Getty years? So given that that's a serious question, I hope the minister will answer it in that vein.

Two other minor points. The minister was very animated when he was talking about capitalism and the virtue of markets, and I did hear him say that the more unregulated the markets are and capitalism is, the better it is. But it did concern me a bit that he didn't qualify his statements in light of the Enron fiasco, and he's aware of this because he's a very big player on the energy side both as a minister and also as someone who's worked in the industry. Does it send some sort of a message to us that regulation is indeed important? While markets are necessary, unregulated markets and unregulated capitalism can lead to the kind of fiasco that Enron symbolizes.

The last point, Mr. Chairman, has to do with an experience that I had recently. I was visiting a seniors' residence outside of town, and I went into the suite of a senior, a lady who is I guess in her early 80s. She mentioned and complained about two things to me. One was of course the news at that time of the increase in health care premiums or taxes. For the second one she showed me her electricity bill, and she said: "Before January of this year it used to be \$32 a month, and now my bill has grown to \$68 a month. My consumption hasn't changed; my living space hasn't changed; my cooking habits haven't changed. I only attribute it to the changes in the manner in which electricity now is produced and marketed, this deregulation of electricity."

That's my last question, Mr. Chairman, and I look forward to the minister's response. Thank you.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the opportunity to ask a few questions about the Energy estimates and business plan this afternoon. I'm going to confine my remarks I think, given the time, to the business plan, specifically the questions raised about the business plan by the Auditor General and specifically the performance measures.

In the conclusion to his report the Auditor General makes the comment that the measures are not valued as a tool by the senior management. I guess my question to the minister would be: what has been done in response to that criticism by the Auditor General?

The Auditor General goes on to indicate: "It is not clear who is, or who should be, accountable for the process. At the Board, the Audit and Finance Committee would naturally be the group to take responsibility." My question is: is that the case today? Does the department really consider the performance measures something that is not a valuable tool in the operation of the department and in managing the department? If they do, I can sympathize with them. I have some questions about the wholesale adoption of performance measures that has been undertaken by the government as their major management tool. Nevertheless, they have adopted it, and if it's going to be used, then I suspect that it should be used in the way it was intended. That's one of the questions I have.

The second. The Auditor General indicates that the business of the department has been stable over a number of years. There have been a number of measures in the plans, and they have changed from year to year. The Auditor General includes a table in his report indicating that in 1996 to '97 there were 11 performance measures in the annual report. Over the years that changed from 11 to 10 to 17 to 15 and then to 19, and he says that those numbers he gives have the same basis; that is, they take into account the businesses that have been moved out of the ministry, the change over the years.

5:00

The comment that the Auditor General makes is that if things are stable, why are the performance measures not stable? He points out the difficulty that a constantly changing set of performance measures presents in terms of people trying to assess the department and trying to track performances on a multiyear basis. He presents some rather interesting figures in terms of the measures themselves. He indicated that the life span of the departmental measures summarized is 1.7 years, so they're not even in place for two years before they are changed again, and that of the 40 measures that had been used since 1996-97, only three of the measures have lasted more than three years. I looked at the business plan again for this year – I just counted quickly - and I think there are 22 measures that are put forward by the department, not the 25 that the Auditor General anticipated would be there. So the whole question of the number of measures, how long they're used, how difficult it is for anyone that's trying to make comparisons from budget to budget, business plan to business plan, and it really defeats the purpose of having performance measures as a management tool to be used by the government and by people who are trying to understand the operation of the department.

One of the other comments that the Auditor General makes is that the measures often highlight something that's currently in the news or of temporary interest; that is, they seize on current happenings and they end up appearing as performance measures in the business plan. That, Mr. Chairman, may be one reason why they don't last, because they are directed at current happenings and don't reflect the long-term work of the department. The Auditor General makes the plea that the department should settle on the key measures that they are going to use and stick with them. My question to the minister is: why are there problems here? There's been criticism in the past of the use of performance measures by the department, and the problem, at least at the writing of the last report of the Auditor General, hadn't been addressed.

I would like to comment on at least one of the sets of measures, and that's the measures at the top of page 123, the indicators that talk about the deregulation plan and the policy framework being in place, where the department gets a hundred percent, and talk about consumer education, where "to benefit from open market competition and customer choice, consumers need information and education." I wonder if I could have some more information on that specific measure. It's one that we have constituents contacting our office about. The whole business of trying to understand for instance energy deregulation was really, really very difficult for constituents. I'm not quite sure what the 50 percent means, what exactly is being measured. I have difficulty and I guess I would like to know a little bit more about the measure in the same set that says "percentage of customers . . . that have actually switched energy suppliers." It seems to me that 50 percent is very, very high, Mr. Chairman, and I would appreciate further information on that particular measure and any background that the minister may have.

I'll confine my comments to the performance measures. Thank you, Mr. Chairman.

THE CHAIR: The hon. Minister of Energy.

MR. SMITH: Well, Mr. Chairman, it's with real anticipation that I rise to respond to some of the good and some of the interesting and some of the sublime comments from members. If I can, I'll just turn directly to the comments from the leader of the third party from Edmonton-Strathcona. I would direct him to page 84 of the budget, which tracks the forecasts of oil prices and tracks the forecasts of natural gas prices. In fact, if you looked on budget day and you look at the government of Alberta forecast, we hit the money within 3 percent on an accurate forecast of the price of oil. In fact, we have a record of meeting targets, and we have a record of balancing budgets. I can tell the member that if there is any concern over our budgets, it's the fact that on the budgeted price of oil and natural gas we may err on the side of caution. Those budget lines may be considered prudent, they may be considered cautious, but overall they are going to be considered as conservative.

THE CHAIR: Hon. minister, it was getting difficult to hear you, and that's quite an accomplishment on behalf of the rest of them, but now that they've decided to listen to your words, I'll be able to hear them as well.

MR. SMITH: Well, I'm sure you're referring to the skills of your audiologist, Mr. Chairman, and not the tenor of my voice.

I would add, to the Member for Edmonton-Strathcona, with respect to these comments about forecasting, that we certainly are conservative, although we're conservative with a progressive bent. You might even say that we're Progressive Conservative.

Mr. Chairman, the question of forgone royalties on the oil sands is an interesting one. Let's tip the question upside down and look at what royalties would we in fact not ever receive had we not created a royalty regime that would attract investment. One of the great bonuses of oil sands investment is – I would classify it as captured investment as opposed to traditional exploration and production investment, which is far more migratory. In fact, boardrooms throughout the world still look at Canada when they allocate capital, and they look at it from the perspective that the federal government has not ultimately solved the issue of Quebec separation, they have a high tax load, they have high regulatory infringement, and they also have no focused debt management plan. So that alone, without the spectre of Kyoto, can immediately affect exploration and production investment in conventional oil markets. In fact, with a 1 percent gross revenue royalty on oil sands and then moving to a 25 percent investment on net revenue after payout, we've found that that's fair, and it's also been one that's attracted excellent investment in the oil sands.

5:10

In fact, I was speaking in Houston yesterday at a Ziff Energy gas conference, and I also mentioned the tremendous reserves that sit here with our heavy oil and our bitumen deposits. I met a renowned Houston forecaster. He's been in the business for some 30 years, and he says, "You guys don't do enough about selling Alberta and the benefits of Alberta's heavy oil, the benefits of Alberta's conventional oil deposit, the benefits of Alberta's natural gas": the fact that we light up one out of every seven and a half households in the United States, the fact that we'd supply 250 million megawatts of electricity if you converted all our natural gas into electricity, the fact that we supply 25 percent of all the natural gas used in North America. He says: "You guys have got to get out there and sell yourselves. You've got to get the Minister of Economic Development, the Premier, the Deputy Premier, the opposition members. You've got to get these people out and talk about what this province can do for continental energy use."

I know that we have got a reasonable royalty operating regime, Mr. Chairman, because if you look in the performance measures, the audit adjustment does continue to move us up to target on page 120. We continue to stay strong in our royalty attraction as a percentage of overall operating income.

I do want to comment briefly on the Member for Grande Prairie-Smoky's wise and sage experience and comments. I would think that the spectre of liquified natural gas transportation is more of a threat today to the state of Alaska and the population that is looking to build a pipeline out of there as opposed to Alberta. I think that when we first started pipeline discussions on northern gas, LNG, liquefied natural gas, was in the money at around \$3.50 to \$4 U.S. Now that number has shrunk to \$3 to \$3.50 and in fact was part of a discussion yesterday in Houston. In fact, there are some projects going ahead in Mexico about building liquefied natural gas facilities and terminals in Mexico and then tying into the gas pipeline infrastructure in the United States. The other thing we have to remember is that Mexico, although a large oil exporter, is a net importer of natural gas and actually will continue to be a net importer as their economic demand outstrips their supply.

So there are concerns, which we monitor carefully. We have people again working just as diligently on forecasting. They also work diligently on a continental supply and demand balance. We do think that the three-year forecast is one tempered by cautious recovery, yet there's still a need to increase our supply and still six to seven years out on northern gas linkages. The Alberta gas hub, though, will be one of those key commercial elements to provide northern gas both to an increased demand in Alberta, to its oil sands, and also to the United States in the lower 48.

From time to time the discussion about appropriate royalty collection comes up, as the Member for Edmonton-Strathcona discussed. There are always the usual misunderstandings about royalty. For example, why don't we charge what Alaska charges? Well, in fact, if we did charge what Alaska charged, Mr. Chairman, we would be dropping our royalty structure. Alaska's royalties are 12 and a half percent for the gas, and generally the gas is now drilled and reinjected back into reservoirs. In fact, our royalty regime for natural gas begins at 15 percent. If you talk to the federal bureau of the interior, as I did yesterday, their royalty for offshore is much lower than Alberta's.

All in all, I would say that the Department of Energy is doing a good job on its business plan, a good job on its estimates, and thanks to the wise and cautious vigilance of members from standing policy committee, cabinet, and caucus, as well as the odd interjection from the opposition and debate in the House, we continue to be on our toes, Mr. Chairman.

THE CHAIR: The question is called. Pursuant to the agreement reached earlier this afternoon, I must now put the following questions. First, after considering the business plan and proposed estimates for the Department of Energy, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$101,993,000
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THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the Committee of Supply rise and report the Department of Energy estimates and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

MRS. JABLONSKI: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ended March 31, 2003, for the following departments.

Energy: operating expense and capital investment, \$101,993,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that we adjourn until 8 p.m., at which time we'll reconvene in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:18 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, April 17, 2002**

8:00 p.m.

Date: 02/04/17

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

head: **Main Estimates 2002-03**

Agriculture, Food and Rural Development

THE DEPUTY CHAIR: For the members seated in the gallery this is the informal part at committee stage, so you will notice that there are members who are probably not wearing their jackets and probably moving around.

I shall ask the Minister of Agriculture, Food and Rural Development to lead with her presentation. The first hour will be allocated between the hon. minister and members of the opposition, following which any other member is able to participate.

MRS. McCLELLAN: Mr. Chairman, thank you. It's a pleasure for me tonight to introduce the estimates of the Department of Agriculture, Food and Rural Development. It's been an interesting year for our department, and there's no question that the agricultural industry in this province has gone through considerable challenge and considerable change. I think the budget that we're going to examine tonight will represent some very positive changes to the industry, but it also represents some of the challenges that we face.

I'm delighted to have a number of members of – well, some are leaving – my department in the gallery: I think most of you have met my deputy minister, Brian Manning, who I know just stepped out the door; Brian Rhiness, who many of you have met because of the major restructuring that we've done in the industry development branch; Les Lyster; Ken Moholitny; John Knapp; and I have somebody else up there I can't see because of the light behind me. I thank them for being here tonight to assist us in our deliberations.

The challenges that I mentioned in the industry, of course, over the last year began with the worst precipitation records that we'd had in a hundred and thirty years, which signified a major drought for almost the entire province, which is very unusual. Our province often experiences drought on a regional level but not to this extent.

The second thing that our industry faced almost immediately was a very major outbreak of foot-and-mouth disease in the United Kingdom. I want to say at this time how proud I am of the people in the Department of Agriculture, Food and Rural Development as well as the Canadian Food Inspection Agency and the ministry of agriculture for Canada for the very responsible way in which they managed the whole process which I believe led us to be foot-and-mouth free in this province. When you have an outbreak with countries that you interact with to the extent that we do in the beef industry, this was a major, major coup, I believe.

We also experienced falling grain prices again, and that certainly was a tough year, but you know, Mr. Chairman, again our industry came through. It showed its grit, and it came out strong with record numbers in farm cash receipts. Of course, we're very proud of our food and beverage manufacturing shipments and exports, and I like to remind people who are not as familiar with this industry that this is the single largest manufacturing sector in this province. We expect to continue to grow, and the changes that we've made in our industry development branch we believe will lead to that growth. We see 2002 as a year of opportunity. We see this budget focusing on support for those opportunities.

We're going to place a renewed emphasis on rural development.

We've had a sector in our department on rural development, but we're certainly recognizing that we need to move forward in this area. I believe that our rural development initiatives office, which is headed up by Glen Werner, who has a lot of experience in this area, will play a very key role in the evolution of a rural development strategy for our province. I'm pleased that the hon. minister Andy Mitchell of the government of Canada also supports rural development and has suggested to us that he wants to work with us on a strategy that his department could play a part in.

One of the other major undertakings of this year was the merger of the Alberta Opportunity Company with Ag Financial Services. This merger is going very well. Of course, the legislation is in this House at this time, and we think that by bringing those two groups together, we will offer meaningful and unique financial services that will better serve our communities.

We've almost completed the work on the agriculture drought risk management plan, which I've mentioned to you in this House before. This is a co-operative effort with the Department of Environment, PFRA, Prairie Farm Rehabilitation Administration, from the federal side, and these three groups have worked very diligently over the last year to put a drought mitigation risk management plan in place. As I indicated earlier, our province will always have some regional drought, and we think that by having a drought risk management plan in place, we will better manage those occasions when they occur. We think we'll get better and more timely assessments of drought impacts on our farm economy and that we will be able to have more timely and more effective measures in place. So I look forward to, in the next weeks, sharing that plan with you all.

We were disappointed that we were unable to continue the 30 percent discount on crop insurance. However, we were able to enhance our crop insurance program, not to the extent that we would have liked, but timing of managing a negotiation between the three partners in that program didn't permit us to do all that we would like to have done. Of course, the budget pressures that we face in our own province certainly wouldn't have allowed us to do it on our own.

Food safety continues to be a very high priority for Albertans, and certainly our industry has been setting the pace in this regard. We're going to continue to work closely with our commodity groups. We have a little initiative called HACCP, which is hazardous analysis critical control points training, and that was designed so that nobody, including the minister, could say it. So we call it 'hassept.' This will help us to implement and support on-farm safety programs and training programs, and it will ensure that we have a place in the export community of high-quality, safe food, and that of course is for our domestic and export markets.

I've said consistently that farmers live off the land. They live in that environment. Sustainability is paramount to their future, and they are the most proactive people in this area. Our Agricultural Operation Practices Amendment Act, 2001, passed in this Legislature. The NRCB has been managing this since January 1, and it is a work-in-process for sure, but indications to this point are that it is working well. I give credit to our NRCB group for their efforts at getting out and speaking with community groups, with municipalities, with producer groups to ensure that everybody understands how it operates. What this will do is ensure that our industry grows in a responsible manner and that Alberta's water, soil, and air is protected. We will have our final reports in this year from our ag summit consultation. This will wrap up in the 2003 year, and we should have the 12 industry-led action teams' reports in place.

8:10

The other thing that I think is of interest and importance to you in

this Legislature is the new agricultural policy framework. The provinces and territories and government of Canada are working on a five-year strategy encompassing food safety, environmental renewal, science, and risk management. We're going to make sure that Alberta's interests are reflected and protected as this new framework is developed, and we should conclude that process, if things go well, in June. We have a meeting at the end of June.

I've tried to cover just some of the highlights of the department. The budget is I think quite straightforward. There are some decreases which are noted, but we must remember that we had an acreage payment program last year which is not in place this year, and I indicated that there are some crop insurance changes. So far we've had good response on that: the high-protein coverage for durum and red spring wheat, different coverage amounts for Polish and Argentine canola, and the introduction of a provincial lack-of-moisture insurance pilot program for native improved pasture. We know there are some challenges with that, and we're going to work with our producers. Also, we have the introduction of a cereal silage insurance pilot program. The Dairy Control Board, of course, is assuming the responsibility for milk delivery and co-ordination, so it definitely is a budget line that's quite significantly different, but the net result to us is zero.

Those were the main changes. I must say that this budget is based on some assumptions. We're assuming that commodity prices won't decline further, we're assuming that interest rates remain fairly stable, and we're hoping and assuming that we won't experience a disastrous year of claims under the farm income disaster crop insurance program. Having those assumptions means that this plan does have some risks, and it would only be correct for me to outline those for you. There could be issues in widespread crop production losses if we have bad weather conditions, including drought. A major disease in the livestock sector would cause certainly a risk to this plan and further decline in global commodity prices. Always the changes in the economy, increased interest rates, a change upward in the Canadian dollar would all have an effect on us. It doesn't appear right now that the Canadian dollar is going anywhere too rapidly, so that's probably not as big a risk.

There are some changes in revenue, Mr. Chairman. Our revenue is somewhat lower than last year. I've explained some of the reasons for that. Our federal transfers are reduced this year, but remember that last year we did receive federal funding for our farm income assistance program. We have discontinued the 30 percent premium discount, as I noted.

I think that wraps up my comments on the budget. I would look forward to questions from members. In the interest of time I will probably not answer all questions tonight and, as usual, will assure our members that they will get a full, detailed response from me before the House ends and at the earliest opportunity.

Thank you for your interest in agriculture, and I look forward to your comments. Thank you.

THE DEPUTY CHAIR: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. I just want to rise tonight to address the issue of the Agriculture, Food and Rural Development estimates. I want to begin by thanking the minister for the work she's done with me over the past year in terms of making sure that she keeps me informed of their initiatives and making her staff available, and I'd like to thank the staff that are in the gallery for the work that they've done and the openness that they've shared in keeping me up to date on a lot of the issues that they're undertaking. It's been great working with them, and I look forward to the next year as well.

I also want to kind of reiterate and recognize the minister's comments about, I guess, the debt that we owe to the staff of Alberta Agriculture and the Canadian counterparts in protecting Alberta in that foot-and-mouth epidemic in the U.K. in how it potentially could have spread here. They kept it under control, and they kept the world confidence in our meat supply at a high level so that we didn't have any trouble with it.

I guess I'd like to make another response to the minister's initial comments. I want to just relay to her that I had a chance last week to attend a meeting where Dr. Bietz from the NRCB was talking about how they were going to apply the new intensive livestock, or confined feeding, operation guidelines. He did an excellent job of both discussing the program and responding to the concerns expressed by individuals in the audience. I hope that the minister will convey that to him, that she can have confidence in what he's doing.

The other issues that come up in the context of both the budget and the business plan – I think we have to look at kind of the overall mood that's out there right now in rural Alberta. I think the last two or three weeks have helped an awful lot in terms of regaining some optimism, especially in the production sector. The moisture that we're seeing now is basically going to give in most of the province a fairly optimistic outlook, at least through seeding, but we need some more yet. The southern part of the province is getting some more snow this week, and it should be able to really upgrade the snowpack estimates so that there might be less concern about irrigation water availability. These things all work together.

I guess this leads into kind of the ongoing concern that the farmers continue to talk about. What type of programs will be available? How will they get support? The minister mentioned the fact that the crop insurance premium reduction is disappearing this year. The acreage payment programs are disappearing this year. I guess if any of them have been consistent in the questions that get asked of me by farmers or by people in the rural community, it's: what about the acreage payment program? [interjection] Not the pasture payment program but the cropland payment program.

They saw it not so much as a drought program as a counterbalance to the international subsidy programs, that are depressing all prices around the world. So what in effect they are asking is: will there be opportunities for that same kind of support for our agriculture industry this year? Because it doesn't look like there's going to be any relief from the interference in the marketplace by the European and American governments. You know, if we follow the movement of the new ag bill through the U.S. Congress, it looks like they're actually going to increase their involvement and their interference in the marketplace, and this would further hurt Canadian producers. I guess they're kind of concerned that we had a program in place last year to help them in that international disequilibrium that's created by these programs, and they'd like to see something this year that would allow for kind of a replacement or a continuation of that kind of recognition, because they felt that the trade negotiations that are going on right now don't seem to be very promising. They're very concerned. You know, this was expressed to me, Mr. Chairman, as late as last night, a meeting that I was at, where one of the farmers was very concerned about this and wanted to know why the dollars weren't at least being tentatively considered to provide a program similar to that one that they had in the past.

8:20

I guess the other issues, while we're on kind of the farm insurance programs, are the issues that come up when we look at the farm income disaster program. A lot of farmers still feel that, you know, this is a good program that works when you have a one-year

deviation from a base price. Again, this is why they feel that the acreage payment kind of brought them in line with what was a fair price. We still need to start looking at whether or not the farm income disaster program can be redesigned in a way to more closely reflect the appropriate cost of production coverage as an insurance rather than a guarantee or a program which sustains past depressed incomes. I know that Alberta Agriculture has been looking at some of these options, and I guess the questions are: how far have they gone? Will they be available soon for the producers to look at? They see the price side of it as totally different from the issues that are being addressed now in the new drought risk management plan that's coming into effect or that is being developed. So they'd like to see some reflection in that area as well so that they can deal with the idea of some kind of international parity for them.

I guess the other question that comes up within the context of what we're looking at here in terms of the farm insurance programs is the possibility now – and the minister spoke about it in question period this week – of what may happen with the chronic wasting disease. Will there be dollars available? Will those all be federal dollars that come into the issue of if we have to deal with herd reductions to compensate for those kinds of potential control activities?

Mr. Chairman, with those comments kind of falling out of the end of the minister's comments on the farm safety nets, I'll start again at the beginning.

When you look at the numbers that are in the budget and compare those to the business plan, you know, it's interesting that additional revenues from outside the general revenue fund account for well over half of the expenditure part of the budget. We're only, in effect, voting for a small percentage of the budget. The rest of it is coming from the revenues that come in through Ag Financial Services, the transfers from the federal government. This seems to be fairly consistent with where we've been going in the past, so it's an indication that there's stability in that part of the ministry.

The minister spoke a minute ago about the revenue side. Under line item 1.0.8, the agriculture information division, there's a \$225,000 revenue listed there. Is this from the sale of access to information? Is it the sale of databases? What kind of information would be available for sale out of the ministry's central office under agriculture information, or would this just be revenues that come from the sale of government publications? I would have thought that those would have shown up in some of the other line items where we see significant revenues coming into the ministry.

If we look at the next part of the budget, which is in the planning and competitiveness area, I guess the question that a couple of farmers have asked in the last year – and I keep talking about a different role for them. What they want to know is: what is the relative function of the Alberta Grain Commission compared to the Canadian Grain Commission? They keep dealing with that. So this is a question about whether or not this should be funded by the industry as opposed to by government. What kind of arm's-length activity goes on within that that makes sure that it has a benefit to be funded out of taxpayers' dollars instead of user fees or a checkoff to support that, much like is happening now and we see more of it occurring in the dairy industry?

I guess one of the other things that I marked here on this part of it was: under this particular area, why the relatively large amortization of capital compared to some of the other sections of the budget? I would have thought that assets, you know, technological equipment, would have been much higher, like in the information services with the computers that might be necessary or in some of the others where they might have to deal with research facilities and that. This particular planning and competitiveness component seems to have a high capital asset amortization relative to the total dollars in the ministry.

Another question has come up a couple of times when I've been out in the marginal grain sector, not the politically active part of the grain sector. Some of the grain farmers are asking: what is the status of the Grain Sector Task Force? What are the recommendations coming out of it? What role does it play in policy development? They'd like to have that, so if the minister would provide me with the current status and activity of that, it would be great to help me when people ask questions about it so that I can more fully explain to them what is actually going on.

In that same program I see that there's basically the same budget for the 4-H program, yet I've had a number of letters in the last little while asking why and what is happening to the 4-H specialists. I see the minister is smiling. I take it she's had some letters to that effect too. Yet the budget is there. What we need is the information to make sure that rural families understand that their 4-H programs aren't in jeopardy, even though it appears to them that their 4-H staff member is not going to be as easily accessible as they expected in the past.

Again, as we go down that page, looking at the educational and community services, there's a \$780,000 dedicated revenue component there. Is this workshop materials that are being franchised out, in effect? What source of revenue comes under educational and community services? Or are these fees for staff to go out and present seminars, to present information meetings? That would be quite interesting to find an answer for as well.

When I go down that page under the planning and competitiveness component, the farm income assistance program is listed there. This ties back into what I was saying a little while ago about, you know, this is here more because it's a payment relative to the competitive position of Alberta farmers rather than it's not an insurance program or not a disaster relief program. It's a payment to sustain competitiveness. So, I guess, other than our budget shortfall this year, what is there within the agriculture world environment that leads the minister to believe that the competitive position of Alberta producers is now at a level that they don't need that support when they had it last year? That ties back into some of the comments I made just a few minutes ago in terms of what we were dealing with.

8:30

Again I want to just reiterate that I see this being an issue much more because the U.S. is going through their mid-term elections this year and it looks like the ag bill is going to put significantly more dollars into supporting the ag community in the U.S. We need to make sure that we do have some sense of commitment to keeping our producers competitive. I don't imply by saying this in any way that this should be just an Alberta commitment. This has got to be a federal government commitment as well. This is in effect a federal government initiative in most of these other jurisdictions like the U.S. and the European Community. In the European Community it's even a multigovernment issue. So, you know, we as a province shouldn't be taking on the entire financial obligation of it, but what we should be doing is looking strongly at working with the federal government both to work through those international trade agreements and in the interim provide a signal to our farmers that we value them, that we do want them in the rural community.

This is the area where there are a number of specific – what do you call them? – dedicated revenues. I guess the interesting part of it is that as you go down through the livestock industry sectors, the revenues seem to be very uniform in each of the sectors, even though those sectors relative to our total economy vary significantly. So, you know, what kind of revenue system is there that these end up being so uniform?

When we look down again into the next section on crops, we see

the pulse and oil seed groups having a very large revenue relative to the others when you compare that especially to the cereal crops. Is this kind of a signal of the maturity of that part of the industry? The cereal crops have their own commissions at work. They do a lot of their own research support, research promotion, market development where the younger or the newer industries or the subindustries basically in the crop area, the pulse and oil seeds as an example, are getting government support to help them develop their markets, to help them develop farming techniques. That, I guess, would indicate that they're relying more on information from the government than they are from their own outside jurisdictions. That's why there's more revenue coming to the government, as a source of information. I ask that question more to try to explain it.

I remember during the ag summit process that we talked a lot about the ag entrepreneurship focus and initiatives. This now has been incorporated into Alberta Agriculture, and I was just asking for an update on how the ag entrepreneurship programs, the feasibility action team in the services area are functioning. Are they getting acceptance from the industry? Are the people in the communities getting a sense that these are really contributing well to the objectives that they asked for in the business plans that they designed in the context of the ag summit process?

I'll sit down now and let somebody else have a chance.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the opportunity to raise some questions with respect to the estimates of the Agriculture, Food and Rural Development department this evening. I thought my questions would focus on the business plan and some questions with respect to the performance measures that are there and that are being developed.

I'd like to start on page 62. There are some performance measures there with respect to the "percent of Alberta production from Alberta chicken farms, hog farms and beef feedlots produced under nationally recognized on-farm food safety programs." This is a measure where there's no expectation for 2001-02, but we see the 2004-05 targets, and I guess I would ask how those targets were arrived at as being the appropriate ones and why there's a difference. For chicken farms the target is 90 percent, and for hog farms the target is 90 percent, but the target for feedlots is only 74 percent. Given that number, I suspect there's a logical basis for having arrived at those targets, and I'd appreciate some further explanation on what that is based on and how that's arrived at.

If you look under Improved Environmental Stewardship and in particular goal 1 – I'm again looking under the performance measure – the ministry wants 68 percent of respondents to have adopted "improved practices as a result of ministry-supported stewardship training." My question is: how many farm operations will this actually be, and again can we have some rationale, some explanation for why those particular targets have been chosen? For instance, where did the 68 percent come from? How did the department determine improvement? Is there a scale that's used? What if an operation fails in another area? How is that handled by the performance measurement?

Under this goal, too, the ministry wants to consult with industry and with other ministries to "provide guidelines, standards, regulations and legislation for environmental performance requirements to sustain the quality of Alberta's soil, water and air." I think that's a goal that we all concur with and applaud, but I wondered if there was any thought given, Madam Minister, to inclusion of some of the advocacy groups in this process. There are advocacy groups who

have particular interests in the environment and would I think be able to make a valuable contribution to the considerations under this goal and help in setting environmental standards and, as I said, would strengthen the whole project.

8:40

I'll back up for a minute to page 59. When we're considering long-term profitability, it seems that it should be important for us to consider all the environmental impacts that are factored into that final cost, and I guess the specific question: what will the ministry be doing to enhance market access? Will there be the promotion of particular products or industries? If there is, how are they chosen? Will there be supports? Will the supports be financial, or will they be in terms of organizational support? Will there, for example, be tax breaks or the promotion of products at trade shows or on trade missions? Just what is the ministry doing to enhance market access?

I look at page 60 and I guess some questions about products that are being developed in Alberta. What are some of those new products that are under development? Does this involve value-added processing or the development of new crops? If we could have some specific examples, Madam Minister, I think it would be helpful in understanding what's actually being done. Has there been government consideration to the promotion of crops that require less water rather than considering north-to-south diversion schemes? I'm sure that there has been some consideration about confining crops to areas where certain crops can survive or having a particular animal-based industry because of lack of water. So the question is: is there a geographic consideration given to where crops and livestock operations are considered for development?

I think that on page 61 – I'm sorry, I've lost my place. The ministry wants a safety surveillance system that validates the safety of our agriculture and food, and I think that's an objective that all Albertans, urban and rural, would overwhelmingly support. The concern is widespread. How accessible is information at this time? What are the data collection strategies that are in place, and has there been consideration to using something like the Internet as a tool for disseminating information about the food system? How can the department go about making sure that the information that is available is widely available? The department has a reputation for the very wide breadth of information that it now offers, and I'd be interested in knowing how they intend to approach this really very important issue.

Page 63 of the business plans talks about the water quality index being developed based on data since 1997, and the report says that it'll be released annually. I guess my question is: does that mean it's not currently being released and is still being developed? Just what is the status? If it is under development, when will it be released? What's the anticipated time framework for its development and release? I'm sure it's there, but what data is being developed to track rural population trends? The latest data from the federal government indicates of course that that population is falling. What mechanisms does the department use to track changes in rural population?

The plan also says that the department is developing data on resources invested in community-based projects. What is the relationship between this and the projects that were supported by the community lottery boards? Is there any relationship, or did they work in isolation from each other, or was their focus entirely different? Is there an impact on rural communities with the cuts to the community lottery boards?

The ministry is also developing data on community amenities. It's interesting. Is there any inventory kept of amenities across the province, particularly in rural communities? That's the question. Is there an amenities inventory that can be consulted that is used to

ascertain the level of amenities that are available to rural Albertans?

I think those are some preliminary questions about the business plan, Mr. Chairman, and with that, I'll conclude. Thank you.

THE DEPUTY CHAIR: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. I rise just to follow up on a few more points in the budget for Alberta Agriculture, Food and Rural Development. I just happened to be sitting now marking the pages, at about page 48, on the Ag Financial Services Corporation. I guess my question to the minister – there are two of them that come up there. How is the crop reinsurance proposal working out? This I think was quite a good initiative there, but in terms of the budget the expenses associated with that now are rising to the point where you're basically looking at about two and a half years of coverage, yet you don't show any kind of expected revenue from it this year. What are the long-term benefits of that program in the context of creating stability for your insurance programs within Ag Financial Services?

Within that same set of information there you have a provision for losses on loans and guarantees. What change in loans in default or loans at risk do the farmers carry with Ag Financial Services? I think it probably is a little higher now than it was three or four years ago, and in the context of evaluation that kind of information as a performance indicator might also be useful for people to understand the large jumps. If we look back to 2000-2001, it's only \$145,000, whereas by this year we're looking at the possibility of as much as \$5,248,000. So there's a significant change there, and one way to look at that in the context of budgeting practices would be to have as a performance indicator loans at risk or loans under different categories of closeness to default.

8:50

I wanted to raise another issue back on the main part of the program in the budget. As I went through all of the departments and the programs that you have – you can help me a little – I don't remember in our discussions the relationship between Alberta Agriculture and the NRCB. Will all of the dollars for the operation of that CFO function of the NRCB now be over in the other ministries? Or will there be a transfer from Agriculture to support or to in essence cover a part of the NRCB's operating costs associated with its role in monitoring, approving, and in effect policing the CFO guidelines that are associated with that?

Another issue comes up, moving into the next section, where we're talking about the ministry business plan. We run into a lot of information about what the expected outcomes are and how we're going to be looking at them. I guess the question that I come up with initially is on the commitment that you made or that you indicated at the start to this stronger initiative; your rural initiative I think was the title you put to it. What kind of a target do you have there? If I look in the other book, the business plans, under your information, I think that's where I saw the fact that you wanted to look at the level of rural population. Yes, on page 63 in the business plans book, "rural population trends." What are you looking at there in the context of the relationship between the rural population and agriculture? Will this be broken down into kind of the nonagriculture sector, the residential rural family, or will it just be lumped together as the total rural? So in effect the increase in residential operations – and this is now becoming an issue for a lot of the ag producers.

Especially in the areas where some of the oil and gas development is occurring, workers in those areas are moving out into the rural communities, taking up homesteads in subdivisions and in effect

becoming part of the rural economy. How will that build into developing the sustainable growth trends that are important for rural Alberta? You know, that in a sense reflects on a lot of the other discussions, Madam Minister, that we're having with respect to education, to health care. How do we serve rural residents in those public service areas?

I'm really pleased to see that you're focusing more on this rural initiative and trying to deal with it in the context of population and community viability, because that is one of the issues that I hear raised at just about every meeting I go to in the context of what the government is doing to help or to sustain the population base so that our schools, our community halls, our curling rinks, our hospitals, and all the way down the list remain viable. You know, a lot of the rural communities have been really having some difficult times with the consolidation of the grain handling system. Their elevators close. People don't come to the community anymore to deliver their grain or to deal with their crop input purchases. In effect it takes away a large part of that community's attraction or viability, and they're seeing that same kind of thing happening as adjustments are made in the location of schools or hospitals or that.

I guess what I would ask in that whole context is: does the government have or envision conducting some kind of a rural viability study? I remember that a few years ago I saw one that came out of Saskatchewan, where they were talking about what are viable communities and what are kind of the geographic advantages that certain communities have over other communities. They had done this study and looked at a large part of western Canada, not just Saskatchewan. They came into Alberta as well, and they were talking about some of the characteristics in terms of economic activity, in terms of social activity, and what the characteristics are that are necessary to truly sustain a rural community. Under this rural initiative will you be looking at that kind of a study for Alberta, or is one ongoing that I don't know about?

Another issue comes up under this rural initiative, or goal 2, "strengthened rural communities." You talked in your opening comments, Madam Minister, about the amalgamation of the Alberta Opportunity Company and Ag Financial Services. I looked at the mandate that the new agency is going to have, and I read the information that your department sent over I think it was about 10 days or two weeks ago on a new beginner farmer loan and how it's expanding its coverage or issues that can be financed using it.

That comes to kind of a question that was raised by a producer up in the Grande Prairie area when I was there just after Christmas, it must have been. She was telling me that she'd gone to Ag Financial Services to get an expansion loan and get some support for an activity that she was trying to promote, and they told her that she was too small to be part of their new strategy. This really set her back. I told her that I didn't know why that comment was given to her.

It created, you know, some real questions in her mind about what the mandate of Ag Financial Services was under the beginner farm and expanding farm programs, because this was a small specialty crop producer that wanted to expand their ability to value-add their produce. They were told that they were too small to be of interest to Ag Financial Services, so I guess that comes up as a question about what is the option for community initiative, for uniqueness within a community, especially in areas like we're starting to see now, the community-labeled goods, where people can go out and say, "Oh, yeah. I know exactly which farm that came from." You know, they develop kind of a history with these producers and processors.

As we look further through the business plans, you've got a section on environmental stewardship, and you're talking about the water quality indexes. Are the 23 watersheds that you initiated in 1997 now on a regular basis providing information that shows, like,

seasonal variability? Are they providing information that shows differences between the watersheds so that we can start to monitor activity in the area on an annual basis, climate change, drought versus lots of runoff, and start to develop some databases that could be useful in assisting in mitigation or prevention planning? To me when I read through this, I thought: gee, you know, this really gives us an opportunity to start to deal with some kind of planning if there are issues that come up. If there are not, then our industry is really doing a good job, but if there are areas that show some concerns, we can start to develop mitigation plans.

9:00

In that context who are you working with to look at any mitigation plan or any support programs if they're being considered? That is something that I know the University of Lethbridge has been working through their water centre. It's got a name almost as long as the one you had there for your hazard analysis critical control, but they have a water centre that they're trying to initiate through the university. That is one of the things they wanted to focus on as part of their original mandate. I know it's expanded a little bit. Are they part of that?

I guess the other thing – on page 65, Madam Minister, there's a graph there where you look at the deviation in Alberta farm cash receipts from the long-term average. I looked at that, and I thought: gee, that's pretty stable. Then I read the paragraph above, where I recognized that that actual includes after-government payments of all kinds. In the context of looking at and truly appreciating the variability and the instability that's in Alberta cash receipts, it would be I think very interesting for the public to have a line below that which shows the actual cash receipts without the government support programs. Then, Madam Minister, what we would have is a really strong signal that we could send to the community that says: look, here's the variability without programs, and look at how we've contributed to stability through the programs that are put in place.

So I think that that kind of information would be quite useful for the community, especially the non-ag community, when they look at, you know, what these dollars do to promote stability of the economy across Alberta. That's especially critical for a lot of our smaller rural communities where they do really rely on the agriculture producers and the ag industry for their economic activities. It would help, I think, as an information tool to provide that kind of background.

Minister, this kind of leads us into a breakdown here. When I was teaching my farm management courses, I always used to talk about, you know: we have to measure farm income in the context of its stability. That's what we've just been talking about in that graph there. We also had to talk about it in the context of its adequacy and its equity. In looking at the business plan here, we deal a lot with the stability issue, but we don't really deal as much with the adequacy and the equity issues. I'll explain those a little for the non-ag listeners. Those basically reflect on whether or not the income levels are adequate to give a competitive return on fixed resources, most specifically capital, and whether or not there's a degree of competitive equity between the sectors and between the ag sector and other sectors to in effect compete for that capital resource. So from those two different perspectives I think it would help us if we could do that to look at how much support might be needed to offset the international distortions that are there from the competition. Or what we can do is just say: in other words, this is the economic disadvantage that our farmers would have to build their business strategies around.

I looked on page 66, and I was quite impressed with your policy initiatives there on health sustainability. Do you have a program in place, or will these health initiatives be used to support and to kind of keep dynamic the guidelines that'll be used by the NRCB in

making decisions about siting and CFO permit approvals? This to me seems like a really good place to get basically the scientific information that can then be put into the guidelines for approval that the NRCB would be using in dealing with what is an appropriate technology, what is an appropriate location, and what are appropriate support activities as they go into siting the CFOs under their new mandate.

Further down in that section you talk about the economic development strategy, and under your measure you talk about new investments. I was wondering: are you looking at the size of investment, the categories of investment? Here there's a lot of feedback or correlation between the viable size of farms, the viable size of businesses that go into communities, and the participation in that community, so it ties back to your rural initiative.

I've been following some studies that were done in the lake states, the midwestern part of the U.S., and some more that were done in the Colorado/Nebraska area, Kansas, where they talk about the contribution that different sized production units make to a community. There's kind of a bell-shaped curve in it in the sense that very small producers contribute a lot of human resource to the community but not a lot of economic support to the community. When you get up to a mid-size, that's when they become viable contributors in a dollar and cents way to the community. When they get to be much larger, it drops off again.

So I'll follow that up if I get a chance to get back up again. Thank you.

MRS. McCLELLAN: Mr. Chairman, I'm just going to answer a very few questions because of time. I do want to take the opportunity to address some very current ones. The issue around chronic wasting disease and how that's handled: it is my understanding that the federal government is responsible for the eradication and disposal of the herd. They have taken that responsibility in Saskatchewan, and we assume, through CFIA and our input from them, that the same procedures will occur here although the same procedures of disposal may not be there, but the costs will be borne. In Saskatchewan it is my understanding that they buried the animals. We're looking at possibility incineration here rather than burial.

One of the things that we're very fortunate for in Alberta is that we do have a very good monitoring and surveillance system. I think they call it the GLID program or GLIB, GLED, GLAD – something. Anyway, it has an acronym, but what it really is is an opportunity to trace every animal throughout its lifetime and its history, which gives us a much better opportunity to curtail these diseases, and I did want to mention that.

The other one that I really wanted to make sure that we got on the record is the 4-H program. We realize that because of some of the restructuring we did in our department this year, we caused some consternation in the rural areas on the 4-H program. Actually, we have not reduced any support to the 4-H program. In fact, we have enhanced it, and I'm not sure if we've hired the additional specialist yet, but I know that my department is in the process of recruiting, which will give us in fact more help.

9:10

I do want to mention for the record that this year we retired a longtime employee of our 4-H branch, Mahlon Weir. Mahlon dedicated over 35 years – I forget the exact number – to the 4-H branch, was synonymous with every 4-H event that you went to, and of course worked in different parts of the province so was dearly respected and appreciated by 4-H. So we bid him farewell with a great deal of gratitude for his service to 4-H and youth in our province. He will be missed, certainly, but I'm sure we'll still see

him around on occasion. I am pleased to say that Marguerite Stark has assumed that role, another person who is very, very, well known and respected in the 4-H community.

What really happened was that the decision was made that we would change the way we deliver services to our 4-H clubs. So we asked the 4-H Foundation and the 4-H Council to consult and to determine in which manner or fashion these services could be delivered best to our 4-H clubs. Because of some of the changes in our district offices and because we didn't want any disruption to our clubs, we wrote to all of the club leaders early and said: please order your supplies early; we don't want you to be disappointed. Well, that led to all of us, I think, that have rural communities getting a lot of calls saying that, you know, we've sort of dumped 4-H. Nothing could be further from the truth.

This government has the highest support for 4-H of any province in Canada. It has the best 4-H program of any province in Canada. In fact, at the last 4-H leaders' workshop and banquet that I attended just recently, the Canadian 4-H president acknowledged that. There is no other province in Canada that receives the amount of government support both in funding and in manpower. That support will continue. We will continue to work with the 4-H Council and Foundation, and I'm sure that over the next weeks they will come forward with a plan for delivery of services that will be very appropriate for them.

I wanted to also just mention that on the issue of food safety and the livestock sector the pork people have been very, very proactive in this area, and you see high percentage numbers there. I was trying to recall with help from my staff the name of their program that they've really received national acknowledgment for. I believe it's called the quality assurance program. Again, Alberta producers lead the way in being proactive in food safety and product safety areas. We certainly applaud that group for that. I mentioned the HACCP program as well. So I think we can be very, very proud in this province of the leadership that our livestock industry shows in assuring that they have a quality product.

Which leads into market access. The best way to get into a market is to have a good product; we all know that. We do product development. We've developed new potato products. Of course, our new potato plants help move product. We've developed new meat products, new ways of serving meats. We've developed new crops.

The issue of the use of water was mentioned. We should all be reminded that in 4 percent of the agricultural land we produce 22 percent of the agricultural product. I think that that speaks to the efficiency of the use of water. It is well known that the southern half of this province – and remember that the half-way mark isn't Calgary; it's much further north – enjoys the largest population with the smallest amount of water. For those of you who are not aware of the value of irrigation, I invite you to take a little trip down into southern Alberta, where over 40 communities depend on an irrigation system to which this government has been a huge contributor in the headworks program. Over 40 communities depend on that water for their domestic water: the city of Lethbridge, the city of Medicine Hat, Taber, just go on and on.

I also want to remind those people who are in the north, who are used to water bodies all around, of one more thing: there isn't one natural lake in southern Alberta. They are all part of an irrigation system, whether it's McGregor Lake or Keho Lake or the Kinbrook project or Newell, where there's a huge wetlands project. I applaud the people in southern Alberta who have done so much to improve the environment for our game birds, for our wildlife. We have not had moose in southern Alberta – I'm not sure that if you hit one with a car, you'd think this was an asset – but it's amazing that you would

consider that there was a season on moose in the Castor area in the last year or two. Deer are not native to my constituency historically, but because of the improvements that have been made – and I don't have irrigation, I might remind you. There are 10,000 acres off the Deadfish project around Sheerness plant, but deer are not common. Yet we have large herds because of the improvements that the agricultural community has made to water supplies and to grass. It was a desert; it is a land reclaimed. There's a very good book on that. I would invite people to read that.

So the main thing for all of us is to understand the diversity of this province and understand the strengths and develop the opportunities that arise around it. A lot of new crops are grown that are drought resistant, and this is definitely due to research that has occurred. I will mention chickpeas as the most recent one: a great market, great feed potential. It's drought resistant, and somebody told me that grasshoppers don't like to eat them. Now, I am very tempted to plant a couple of rows along my garden to see whether this is indeed true or not. As well, I also understand from Alberta Agriculture that chickens are your best way to get rid of grasshoppers. They like them. I've tried that out on my husband, and he wasn't too excited about it.

AN HON. MEMBER: He doesn't like grasshoppers?

MRS. McCLELLAN: He doesn't like chickens.

There are a lot of things happening in the research area. We probably have some of the best, best research facilities between our own research associations, applied research associations across this province, who do wonderful work with the producers: our Lacombe, Lethbridge, and Fairview areas, the Ag Canada research. One of the things I'm most proud of is the co-operation that is occurring between Ag Canada and Alberta Agriculture and also our agreements with the university, Olds College, and other institutions on joint research projects.

Our reinsurance program is another one I wanted to just comment on, just to give members a sense of what it means or has meant to this province for Ag Financial Services to take the bold initiative to go into reinsurance. This year we paid \$20 million in premiums, and \$54 million was paid by the reinsurance fund to Ag Financial Services.

Loans, another area that I think is important. Loans in default are 1.1 percent of our portfolio. I think that most financial institutions would like to have those kinds of numbers. This is the lowest that it's been in a long time, in fact in 20 years. This speaks more to, I think, the good management practices of our producers and also to the staff that we have in Ag Financial Services, who spend a lot of time counseling and working with our producers who do have loans. We can't understand why the hon. member would have met a person who was rejected because they were too small. No loan is too small. I encourage the hon. member to contact this person and have them call either my office or Ag Financial Services directly or my deputy. Our average loan probably is \$100,000, but we take promissory notes on loans up to \$20,000, so if there was a rejection, I would assume that there must be another cause.

9:20

NRCB is under sustainable development. The minister of sustainable development is responsible for the budget. However, when NRCB assumed the responsibility for confined feeding operations, certainly we transferred considerable dollars from Agriculture as well as staff to them.

I'm excited about rural development initiatives. We are making a concerted effort to work with our rural communities. It is true that

a lot of people are moving from the urban areas to the rural communities to experience rural life. In most cases that's positive, sometimes not. One of the concerns is that many of these people are commuters and that often their dollars are spent in the urban areas rather than the rural, yet the rural areas are responsible for the infrastructure. We think that by having good community support systems, good schools, hospitals, recreation opportunities, more often these people will become integrated into the rural community and be a part of it.

The loss of elevators, of course, is a difficult thing for a rural town, mostly because of the loss of the tax base. It is really a fallacy to think that a farmer drives to town with a load of grain and then goes shopping. That doesn't happen, but certainly our elevators have been a source of product such as fertilizer, sprays, and so on, and that's the real loss. That will probably be taken up. What is difficult is for the producers who have these long hauls. Unfortunately, we were promised that all of this would cause better efficiency, and if you have better efficiency, you would think that your costs go down. We have not experienced that, and I think that had the federal government implemented the full Kroeger/Estey report instead of picking parts of it, we would have a more efficient, better transportation system, which would lead to some lowering of costs to producers. We continue to press the federal government to totally implement the recommendations of that report. I think the work that was done on that was valuable. We certainly worked hard through our Department of Transportation and through Agriculture to have input into that, and we were very disappointed that that happened.

I certainly will provide more information on the rural development initiative and the viable communities area.

Water quality index. I think this is an incredibly important area. Certainly all of us have been reminded of the importance of water quality with Walkerton. We know what can happen today if all things aren't followed. When I followed the Walkerton issue, though, and the hearings, I found it interesting where it appeared the blame was really being attached. I think it was wrong, and I think the findings in the end proved that. In fact, there were a number of contributors, but somebody not doing their job was the main contributor, not the other things like the provincial government, the farmer, those things. What it really does for all of us is raise our awareness of how important this is.

Fortunately in Alberta we took this initiative over a dozen years ago, and in southern Alberta we embarked on a groundwater study for intensive farming – not just intensive livestock but intensive farming – recognizing that when you have heavy fertilizer use in irrigation, you can have an impact through the use of pesticides and herbicides and all of those things on groundwater. That study concluded about two years ago, and I think it gave us some very, very valuable information as to the status of our groundwater. It also, I guess, led to the 23 monitoring sites that we have at watersheds, and this will help us develop baseline data, which is what you really need. If you don't have baseline data, you don't know where you're going. This will provide an annual report, which will be made public. It will give us the opportunity to be proactive rather than reactive. It's a lot easier to prevent a problem than it is to clean one up. I think the people of this province do appreciate the fact that we have the highest standards for water quality of anywhere in Canada, and the rural communities and agricultural communities are certainly a part of ensuring that we have that.

Some of the things that are happening with AESA, the environmental sustainability initiative, a wonderful group who have done some great work and are doing work on environmental farm plans and certainly will contribute to the health sustainability initiative. Alberta Environment has standards, of course, and guidelines in that

area, and I think it's clear that we need standards and guidelines that are there that are stable, that have predictability, as we heard, in confined feeding operations.

A good suggestion on farm cash receipts, to have another line in there, and we'll certainly work on that.

The last thing is on community-based projects. Certainly we have ag initiatives grants, that are provided to communities for initiatives that they believe improve the desirability of their community as a place to work and live. Ag societies are provided annual funding, and they contribute in a huge way to the quality of life in rural communities, because the decisions are made as to how they use that funding by those communities for initiatives that are important to the communities. Those are two areas that I just thought I would mention, and as we indicate in our business plan, data is being developed so that we can better tell you what resources are there.

THE DEPUTY CHAIR: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Chairman. It gives me great, great pleasure to join the debate this evening. For the most part, I certainly do agree with the presentations given by the hon. minister and the answers that she has provided for the questions, but I would like to ask the minister about an area that appeared to be completely lacking in her presentation, and that is the area of sheep. Now, we must realize here that sheep are extremely important to the province of Alberta, and my question to the minister would be if there is any way that she might be able to enlighten me on which breed of sheep might do better in the province. We have Bleu du Maine, Bluefaced Leicesters, Cheviot, Dorset Horned, Hampshire Down, Shetland, and Suffolk sheep. I'm wondering if the minister might be able to help me out and let me know what type of sheep might best be utilized in respect to helping us out keeping Alberta weed free. We have in the province of Alberta some 75,000 kilometres of pipelines, and I would think that it might be an extremely important thing to look into if we could perhaps employ some sheep to take care of the growth of noxious weeds on the pipelines, and another area might be power lines.

9:30

It is also interesting to note, Mr. Chairman, that New Zealand ships wool carpets worldwide, and I'm wondering if it's a possibility that perhaps Alberta could get involved in this type of project. If we could get sheep on the pipelines, perhaps we could get a carpet industry going in Alberta.

The other thing of course is that this evening we attended a wonderful reception, had some very good information provided about sheep, in particular with respect to lamb, so that also brings up another question. I was wondering how much lamb is produced in the province of Alberta, and in fact that also appeared to be missing from the minister's report.

With that, I'll close and just ask if I might get some answers to those questions. Thank you very much.

MRS. McCLELLAN: Chairman, because of the hon. Member for Grande Prairie-Smoky's fascination with the sheep industry I thought I would just quickly try to answer a couple of the questions. We do have a number of varieties of sheep in this province, and of course the sheep variety depends on whether you're trying to derive the best quality in wool or in meat. One of the things that's of interest is that one of the challenges our lamb industry faced in this province in its development was the very seasonal lamb. I was asking some of the folks from the Sheep and Wool Commission

tonight how they were managing in getting a year-round supply. I was really pleased to be informed by them that they were within two months of year-round supply, and they're able to cover that two-month period with late-growing lambs and others. So we are almost at year-round, which is a huge achievement for that industry.

The sheep industry in our province is relatively small, but it is very valuable and has a great opportunity to grow. Sheep have been used very successfully in environmentally sensitive areas, on river banks and in other areas, for getting rid of noxious weeds. Certainly I would imagine that the pipeline companies or those responsible might be quite interested if they can figure out a way to fence these little sheep so they know where they're supposed to be. On the other hand, sheep are very easy to herd.

We have a great program at Olds College. It's a fibre centre, where they're doing some great work on different fibres, certainly not confined to sheep but alpaca and other things, and they've produced some very, very fine products. Not always is our climate conducive to the type of sheep that produce the wool that's the best for carpets and clothing, but I'm sure that with good research we'll get into that area. I am impressed with the fibre project at Olds College. I think it's an opportunity that has great potential.

So with those few comments on that very valuable industry I'll take some more questions.

THE DEPUTY CHAIR: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you. Just a few kind of wrap-up comments. I want to just comment back to the minister about when she was suggesting that we encourage everybody to go down and see the value of irrigation in southern Alberta. A couple of years ago in conjunction with Stan Klassen with the Alberta Irrigation Projects Association, we managed to take my caucus down and go for a tour, and they were really quite impressed by the contributions of the irrigation industry.

I wanted to just follow up a little bit on one of the other things as the minister closed her comments a little while ago. She was talking about the ag societies and the contribution that they make to rural communities in a broad spectrum of ways. I was just looking through the budgets within the last little while, a couple of days, and I noticed that the funding for a lot of the ag societies has been moved to the lottery fund from what appeared to be the general revenue based Agriculture budget. I guess I would ask what the rationale was for that shift. Was it just access to dollars, or was there a philosophical reason for moving it into that source of revenue? The budget documents show that there is a real movement into that area.

As we look through the rest of the budget now, the Dairy Control Board, as you said, Madam Minister, is being moved out under the new act to an industry-driven proposal, yet there still are dollars allocated for the ongoing operation of that. I don't quite remember, when we passed the bill, what functions stay with government support as opposed to going to industry support that we still need to have the dollars in the budget for the support of the dairy industry, the dairy council. That was kind of a question that came up.

The other issues I think have pretty well all been addressed, as we look through the rest of the budget.

I guess with that, Mr. Chairman, I'll conclude my comments. Again, I just want to thank the minister and the members of her staff for coming in and giving us the support tonight and getting the answers to questions that I wanted to raise. I look forward to continuing to work with the minister to improve the sector over the next year.

THE DEPUTY CHAIR: After considering the business plan and

proposed estimates for the Department of Agriculture, Food and Rural Development, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment 305,290,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the estimates of Agriculture, Food and Rural Development and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Department of Agriculture, Food and Rural Development: operating expense and capital investment, \$305,290,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

9:40

head: **Government Bills and Orders**
Second Reading

Bill 21

Alberta Personal Income Tax Amendment Act, 2002

[Adjourned debate April 8: Mr. Mason]

THE ACTING SPEAKER: The Leader of Her Majesty's Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. I want to rise to make just a couple of comments about the benefits that will come to Alberta from a consistency across Canada in the way we treat earners of income in Alberta who aren't resident here. This act will help the taxation programs that are in effect here use a formula that's competitive and comparable to the rest of Canada. Looking through it, I see that as the major part of the first section of the act.

I think we all need to look at it from the perspective that if those dollars are earned here in the province, then they should in effect contribute to the revenue sources and be part of income tax so that we treat our outside-the-province income earners the same as

everyone else. I know I had a lot of experience with this when I was working overseas on a number of country assignments. You'd always end up having to work with what income tax you paid to the country that you were in, what income tax you paid to the country that was helping to finance the project, what income tax you paid to Canada, what income tax you paid at the provincial level, and you ended up playing around at changing your residency to minimize your income tax payable and to maximize your dollars in your pocket. When we standardize taxation practice, it eliminates that kind of residence shuffling to try and influence the tax we pay.

Mr. Speaker, the second part of the bill deals with the NHL program and how we're going to be taxing them. This is a really interesting new approach to getting revenue for what is basically a small industry, just two participants. Still, it's an interesting way to support that industry in staying viable in our province. I take it that the time frame that's put in here in terms of the end date is consistent with the end of the NHL players' contracts so that we can look at whether or not there will be a small market equalization program put in place by the league, and then we won't have to have this. I assume that that's kind of why the deadline appears to coincide with the number you hear brought up in the NHL about the next time there will be negotiations about, you know, market share, market revenue transfers.

So I think that this, in effect, gives our teams in Alberta a chance to remain viable until that kind of commitment is made by the NHL to sustain their broad appeal across the whole geographic area of North America, because they need to have the smaller centre teams to keep the interest of their viewers across all of their potential market. So I hope that they do at the appropriate time begin to recognize that the small-market teams do need league support. We may not need this, but I think we should be prepared to look at it as an ongoing support if it means keeping our hockey teams here kind of for spirit in our province.

On that basis, Mr. Speaker, I think we should look at this as a bill that contributes in two positive ways in changing our tax statute, and we should support it. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much Mr. Speaker. I also would like to make a few comments on Bill 21, the Alberta Personal Income Tax Amendment Act, 2002, and certainly the portion in this particular bill that deals with the taxing of the NHL players and our attempts to provide support for our Alberta teams that are currently in the NHL. They not only face the burden of being small-centre teams, but they also have to pay wages in American dollars. This puts them at a great disadvantage when it comes to trying to ice teams that are competitive and teams that will make the playoffs, where again they can earn more income with more games. I certainly see absolutely nothing wrong with players paying tax on the money they earn when they play here in this province, whether it be in Edmonton or in Calgary.

Now, then, this is also required because until the next round of negotiations with the players' association, the options open to help support the small-market teams are quite limited. These teams do need help. We certainly cannot continue to increase ticket prices at the rate that these salaries are going up. I think what we also have to do is look at the tremendous impact on the community that both the Flames and the Oilers have. I know from my long association with hockey here in Edmonton that I would be a very sad person if the Oilers left town, yet I don't get to go to that many games. These players do a tremendous job as members of our community. They're

certainly role models for our younger players. I don't think there was anybody more proud than the people of Alberta with the contributions that our players made to the Olympic team and certainly none that were sadder when both the Flames and the Oilers did not make the playoffs this year.

As well, I think we have to look further than this, Mr. Speaker. We have to look at the number of jobs that are provided to people in our communities who work at the Saddledome, who work at the Skyreach Centre. We are not talking here only of the people who have the full-time jobs. There are a number of people who rely on the part-time jobs there, whether they be students or some of our people who are retired and who are trying to augment their pensions a little or whatever. But they do do a tremendous job of that.

You know, I can certainly recall watching the Olympics from Salt Lake City. How proud we were when players from the Oilers or the Flames stood out for any particular reason during those games, and what great ambassadors they were not only for their cities but for the province. I also look at the role that these players play in our communities, and certainly one of the great advantages we have in Alberta with our small-market teams is that the players live and get involved in their communities. I don't know how many hundreds of thousands of dollars are raised by the players for various charities around the city. I do know that they go out of their way to get involved.

I think we also have to look at the benefits of these teams, Mr. Speaker, when we look at all the businesses that are associated in supporting teams of this nature. We look at the hotel industry, the food and beverage industry here in this city. I just noticed an article in the paper here a couple of days ago on the huge impact on the Coliseum Inn when the Oilers failed to make the playoffs and how many vacancies they are going to have there. When we look at that, we look at that particular hotel laying off staff because they don't require as many people, whether it's chambermaids, whether it's people to serve the food in the restaurants or whatever. Again, I think it is one of these situations that if this is one way that we can assist in keeping our small-market teams in Alberta, then it's something that we should certainly do.

9:50

I had the opportunity a number of years ago, when Craig MacTavish was still a player here in Edmonton, to accompany him into a dressing room with five- and six-year-olds, and it's about the closest I ever came to seeing magic in my life. These little fellows were looking at him. He passed out autographed cards of himself. They would look at the card and they'd look at this guy. He was never examined so closely in his life to see if he was the real bill of goods. When you see little fellows sitting there barely able to take a breath, it gives you a whole different picture of the impact that these players have.

But these teams also go further, Mr. Speaker, in contributing to our communities. I certainly look in Edmonton, where we have the 50-50s, where minor sports teams – not only in Edmonton but in surrounding areas, and these would primarily be hockey teams at this time, but there could be a change where we have ringette teams involved as well – are given the opportunity to sell 50-50s at the Oilers games, where they get to keep roughly 50 percent of the profits. On a good night this means that teams can make somewhere between \$4,000 and \$5,000, so it's a huge benefit to our minor hockey programs.

As well, we look at the Flames in Calgary and what they have done. They have their program of excellence, where they certainly have put into place the necessary organization for the development of young hockey players. Certainly when we look at the opportuni-

ties that our youth have to go on to play at many different levels, I think that this is another area where these people do get involved. Another way that they also get involved, partly because of the Olympics that were held in Calgary but also because the Flames were there, is that the CHA runs part of their program out of this province. It is certainly another reason that I would like to see the CHA stay in western Canada, and I'm not so sure that they would keep that Calgary branch open if the Flames were not there.

So I certainly am one of those that supports Bill 21, the Alberta Personal Income Tax Amendment Act, and I would urge all members of the Assembly to support this if for no other reason than that the tax generated by this particular bill will certainly go a long way to help carry our teams until such time as the players' association and the NHL owners get to renegotiate these contracts. I would certainly hope to see the league at that time take some responsibility for our small market teams, whether it be some sort of a cost-sharing or revenue-sharing agreement where when our teams go to the States to play, they share the gate there with American dollars, and when American teams come to Canada, we look at sharing the gate here in Canadian dollars, and certainly make some effort to equalize the revenues that teams have. I know that when we look at other leagues, for example baseball, they're certainly considering this at this time so that they can maintain the number of teams in the league.

I would certainly, for one, hope that we will be successful in convincing all members that Bill 21 is a very good bill, and it should be passed. Thank you very much.

DR. MASSEY: Just a few comments about Bill 21, Mr. Speaker. With reference to the NHL tax, I caught a bit of an interview with a city official, I believe it was from Philadelphia – I'm not certain, but I believe it was Philadelphia – where an NHL tax has been in place for a number of years. It was interesting to listen to that manager talk about the use of the tax. There it's part of a larger program of nonresident taxes, so if you're not a resident of the city and you're in the city doing business on a continual basis, you are subjected to a nonresident tax. The NHL of course pays that tax as do other groups who are using city services and doing business in the city. I thought it was interesting because the interviewer asked that manager what the benefit was to the NHL, and the manager went on to say: well, the teams benefited by the provision of facilities that the city provided and that those facilities were often constructed in co-operation with municipal personnel and the teams involved. What it seemed to me as they talked was that this is an issue of great importance to municipalities.

I think of our own city of Edmonton and the difficulties they're having right now with revenues and trying to secure the revenue that they need to provide programs and services that most citizens in the city want and support. My question would be: were the municipalities consulted about this tax? Many of them – I would assume that Calgary does. Edmonton already has some special arrangements with the Oilers in terms of use of the Coliseum. Was this tax part of the discussions with the city, or is it a stand-alone item that will be directly handled by the teams and the provincial government? It would seem to me that as a stand-alone tax, it opens the door to some problems that might be avoided if the municipalities had been involved.

So it's a question I would appreciate having some information on, Mr. Speaker. I think the support for the Oilers is pretty well universal in this city. As someone who held season tickets until I was elected to the Legislature and couldn't use them enough times in the season to make it worth while owning those tickets, I'm interested in what happens to the team, but I'm also very interested in what happens to our city and to the taxes that Albertans pay.

With those comments, I thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Minister of Finance to close debate?

[Motion carried; Bill 21 read a second time]

Bill 24

Child Welfare Amendment Act, 2002 (No. 2)

THE ACTING SPEAKER: The hon. Minister of Sustainable Resource Development on behalf of the Minister of Children's Services.

MR. CARDINAL: Thank you very much, Mr. Speaker. I rise to move second reading of Bill 24, which is the Child Welfare Amendment Act, 2002 (No. 2).

Bill 9 of course, a separate Child Welfare Amendment Act, is already before the House but does not address the issues of temporary guardianship orders related to a recent Court of Appeal ruling. Bill 9 has passed second reading, so it is too late to include these needed amendments in the bill. Bill 24 is being proposed to validate temporary guardianship orders that have been technically invalidated by a court ruling. Temporary guardianship orders, or TGOs as we all call them, refer to the status of children and youth who need protection and are temporarily taken into government care. The Child Welfare Act requires that a child's care plan must be filed with the court within 30 days of the TGO being granted. The plan must outline services to be provided to the child and their family while the child is in care. The court and the child guardians have access to the filed plan.

10:00

Although the child welfare handbook reminds social workers to file these care plans within the proper time, some social workers have not routinely complied with the requirement. On March 4 the Court of Appeal ruled that the failure of a child welfare director to file a plan of care with the court within 30 days of granting a temporary guardianship order renders the TGO invalid. As many as 600 TGOs have been invalidated by this ruling because a plan of care was not filed within 30 days.

I must stress, Mr. Speaker, that in almost all our child welfare cases across the province social workers have prepared a plan of care. They just haven't filed them. Social workers ensure that the case plan is shared with the child's guardian whether it is filed with the court or not. The reasons for nonfiling are varied, ranging from social workers viewing it as a formality to response from the courts.

Until now the courts have not strictly enforced the formality of filing these care plans. For years the courts have been reviewing unfiled plans of care. Some court clerks have not wanted these plans, saying in one case that they had no room for the extra paper. Some judges have deemed the plan of care submitted in court hearings as sufficient since it is no different than the one that would be filed after the hearing.

The amendments have a very limited application and will apply only to TGOs invalidated by the court's ruling. New amendments in Bill 24 will allow care plans to be filed after the 30-day time limit so long as they are filed within 30 days of the amendment coming into force. The amendments will also allow temporary guardianship orders to remain valid even if a plan of care was not filed within the 30 days of the TGOs being granted. In future, plans of care for TGO children will be filed in compliance with the Child Welfare Act.

I have asked all the CEOs of the child family services authorities to file plans of care with the courts within the required time period. The family law branch of Justice has applied to the Court of Appeal

for a stay of the ruling in order to allow time for the amendments to be passed and to come into force. The amendments will come into force as soon as the bill is given royal assent.

I ask for support for this act in order to validate temporary guardianship orders for children presently in the care of child welfare. Thank you, Mr. Speaker.

Mr. Speaker, at this time, with a previous agreement, I move to adjourn debate.

[Motion to adjourn debate carried]

THE ACTING SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:05 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, April 18, 2002**

1:30 p.m.

Date: 02/04/18

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Welcome.

Almighty God, we give thanks for the lives of Your faithful servants who defend the freedoms and values that are a true expression of Your divine intent. We humbly ask Your blessing and grace upon the soldiers of the 3rd Battalion, Princess Patricia's Canadian Light Infantry who were killed and wounded in the service of their sovereign and country in Afghanistan. We pray for the families, the friends, and fellow soldiers of those who have died as they mourn their loss and ask that You give to the wounded the will and spirit to sustain their recovery. In a moment of silence we remember them.

May they rest eternal, O Lord. Amen.
Please be seated.

Hon. members, there has been some consultation among the three caucuses represented in the Assembly, and because of the very tragic circumstances of yesterday it's my understanding that the leader of the government, a representative of the Official Opposition, and the leader of the third party would like to make some comments with respect to this tragic event. In order to do that, we have to alter the Routine, and we would need unanimous consent from the members to proceed in that manner. So I'm going to ask the question. Might we have unanimous consent to proceed?

[Unanimous consent granted]

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Mr. Speaker, first of all, thank you so very, very much for your thoughtful prayer.

It is with a heavy heart that I rise today to express the government of Alberta's deep sorrow at the deaths of four Canadian soldiers who were struck down yesterday in Afghanistan. This terrible event touches every Albertan and Canadian with a great deal of sadness. While the loss of life is always regrettable, it is all the more tragic when it occurs in the service of others and in the defence of one's country. Those lost and the many others who were wounded are all in our hearts today, as are their families. To those at Edmonton garrison and in the 3rd Battalion, Princess Patricia's Canadian Light Infantry Battle Group, to the friends and neighbours of those lost and wounded, and to their families I extend on behalf of all Albertans deepest condolences.

The members of Canada's armed forces have always distinguished themselves with honour, courage, and bravery. They have always been willing to face great danger to defend this country, its people, and its cherished values of freedom, democracy, and peace. Heartbreaking events like this truly bring home the horrors of war and remind us all of the risks our armed personnel face whenever they go into battle. They remind us of the heavy price we pay for safety and security. Most importantly, events like this remind us of the value of human life.

In the rotunda of this Legislature there are plaques that commemorate the proud and timeless names of Albertans who fell in the great wars of the last century. Those names remind all of us who visit the Legislature that when the solemn call to arms comes, Albertans have always responded with courage and firmness. Today we mourn four more soldiers who showed the same courage as the forebears and

who answered a call to arms that is just as noble, just as necessary as the battles that claimed those who came before them. These four brave soldiers are the first Canadian military casualties of the war against terrorism. We pray that they will be the last, but we know that we cannot be certain that they will be. Whatever happens, all Albertans know in their hearts that the debt we owe to those fallen and wounded soldiers and their families is immeasurable. We can begin to pay that debt by honouring them and their spirits from this day forward.

Today we pay tribute to Sergeant Marc Leger, Corporal Ainsworth Dyer, Private Richard Green, and Private Nathan Smith. May they rest in peace.

We also pay tribute to the eight wounded soldiers: Sergeant Lorne Ford, Corporal Rene Paquet, Master Corporal Curtis Hollister, Corporal Brett Perry, Private Norman Link, Corporal Shane Brennan, Master Corporal Stanley Clark, and Corporal Brian Decaire. May they recover and be home soon.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Speaker. It is with profound sadness that I rise on behalf of the Official Opposition to offer my condolences to the families and friends of our Canadian soldiers who have been killed or wounded. Members of the Canadian forces and their families recognize the risks involved in the defence of our country and our freedoms. Nevertheless, such a loss is always a shock, and family, friends, and the nation feel the loss of these soldiers. The loss of these young Canadians in the service of their country should serve as a reminder to us all that the members of the Canadian forces safeguard the freedoms we cherish. We are indeed fortunate to have men and women prepared to set aside their own fears and concerns on behalf of the country. Their bravery and commitment and willingness to face danger should be a model for us all.

Mr. Speaker, the brave service of members of the Princess Patricia's Canadian Light Infantry dates back almost a century, to 1914. To the members of this regiment we also extend our condolences for their loss. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you very much, Mr. Speaker, for this opportunity. Last night four Canadian soldiers, members of Princess Patricia's Canadian Light Infantry on duty in Afghanistan, were killed. Eight others were injured. I echo the Prime Minister of Canada when I say that mere words of sympathy are small solace. As Canadians, as Albertans we are united in our grief as our tears fall together with those of the families of these soldiers. For their families there is on this Earth no fair exchange for the grief, confusion, and disbelief they are experiencing this morning and in the long, difficult time ahead. This tragedy will sadden and burden our hearts for many days to come.

I join my colleagues today in this Legislature in offering our condolences to the families of our departed friends. We owe much to those who serve. We owe them honour, and we owe them remembrance. The sting of these deaths will remain in our hearts and minds and memories. In the dreams they nurtured, they will still shape our future. While this unexpected tragedy will sadden and burden Canadian hearts for many days and months to come, may peace soon replace the heartache.

Thank you, Mr. Speaker.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. It's my pleasure today to introduce young Canadians and young Albertans who visit annually the Legislative Assembly of Alberta. Joining us here today are grades 5 and 6 students, parents, and staff from l'école Dickinsfield in the city of Fort McMurray in the public school system. I'd like all of them to rise now and receive the very warm traditional welcome of this Assembly.

1:40

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Well, thank you, Mr. Speaker. It's my pleasure to introduce to you today and through you to members of this Assembly employees from the Alberta Justice Court of Appeal service. These individuals are here on the public service orientation tour, which, I understand, is being promoted and carried out by the Legislative Assembly Office and your good offices. I'd ask Mr. Randy Steele, Mrs. Beth Millard, Ms Monica Cassidy, Mrs. Ruby Theroux, Ms Charlene Colpitts, Ms Alice Barnsley, Mrs. Danielle Umrysh, Mrs. Toni Wilson, Ms Diane Boisvert, Ms Rosemary Evans, and Ms Corinne Renaud-Gagnier to rise and receive the traditional warm welcome of this House and our sincere thank you for the good work that they do on our behalf and on behalf of all Albertans.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to the members of this Legislature Mrs. Xiao Na Xiao, a former champion triathlete and star of the Chinese national track and field team and now a resident of Alberta. She's the founder of Li Man International Trading Ltd., an Alberta-based company focusing on import and export between Canada and China. One of the major projects of her company is to introduce Alberta advanced environmental protection technology to China. She's leaving for China tomorrow representing some of Alberta's engineering consultant companies such as Lockerbie, Stantec, Jacques Whitford, and the ISL to Chinese environmental protection projects. She's accompanied today by Diana Wong and Benson Chiu, who are her assistants. Would my guests please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. On behalf of the Member for Clover Bar-Fort Saskatchewan I'm pleased to introduce a couple who last year received the century farm family award and this fall will celebrate their 60th wedding anniversary. Their son-in-law is the Member of Parliament for Lakeland. Their daughter, Joan, is with Chamber security, so they're well versed in Legislature matters. I'd ask that Norman and Lydia Gabert do rise, please, in the public gallery so that we can all provide our traditional warm welcome to them in this Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Member for Edmonton-Riverview.

Ultrasound Technicians

DR. TAFT: Thank you, Mr. Speaker. Ultrasound technicians are

vital to a modern health care system, performing ultrasounds for diagnosis and treatment in areas such as cardiology, obstetrics, gynecology, and internal medicine. Today one of Calgary's major hospitals, the Rockyview, is on the brink of crisis because so many of its ultrasound technicians have been hired away to for-profit diagnostic centres. As a result, Calgaryans may face serious problems in getting health care even as health care spending climbs. To the Minister of Health and Wellness: how does the minister expect the Rockyview to continue as a full-service hospital with such a profound shortage of ultrasound technicians?

MR. MAR: Mr. Speaker, we are dealing with many different issues in health care, and we have placed a great deal of emphasis on the people inputs that go into our health care system. Throughout this province we do have dedicated professionals, and of course it's not just physicians or nurses. It's also ultrasound technicians and technologists, people who work in laboratories, and so on. Ultimately, we have done a great deal to recruit people from other jurisdictions. That, of course, is a short-term solution. In the medium and longer term we have spent significant numbers of dollars in training more people, and I'm not talking about just these technicians but throughout health care professions. To the best of my recollection, sir, about three years ago we trained about 3,700 people in our health care professions per year. Last year it was over 5,000. So we are making significant investments in three different areas: in capital, in people, and in equipment.

Mr. Speaker, of course an important role should be recognized for the private facilities that are providing diagnostic services. Those services can by contract still be provided to the public system of course. So we will have to strike the right balance between getting services that are done in public facilities but in private facilities as well, sir.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Given that ultrasound technicians at the Rockyview and other Alberta hospitals are being poached by for-profit diagnostic businesses with large signing bonuses, pay hikes, promises of no shift work, and easier patients, what is the minister prepared to do to prevent public-sector ultrasound technicians from being lured away by for-profit businesses?

MR. MAR: Mr. Speaker, regional health authorities are working on health workforce issues, and of course the issues with respect to a specific regional health authority will be dealt with by that particular regional health authority. Ultimately the solution may be that a regional health authority could decide to contract with a private facility to provide the same services, and if there is a way of providing that service or that procedure through a dedicated facility that provides diagnostic services, that might ultimately lead to efficiency in the system.

DR. TAFT: At a higher cost, I would say.

Will the minister finally admit that this government's experiments with for-profit health care are creating far more problems than they solve?

MR. MAR: No, Mr. Speaker. In fact, our plan is to move forward on improving health care. I think it would be fair to say that Albertans feel very strongly about the quality of their health care system. There are some legitimate issues with respect to access, and it is our goal to maintain quality and improve access in our public health care system. That is the endgame, sir.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Riverview.

For-profit Health Care

DR. TAFT: Thank you, Mr. Speaker. This government for years has denied the evidence that increasing the role of for-profit medicine will weaken the public health care system, this despite research that shows that the larger the role of for-profit health care, the higher the cost to the taxpayer. Today we see yet another example of why Alberta's health care system should remain public and why Albertans are paying more and more for less and less health care. To the Premier: will the Premier admit that the signing bonuses and higher wages offered to ultrasound technicians in for-profit clinics are going to inevitably drive up wage costs in the public system?

MR. KLEIN: Mr. Speaker, I take great exception to the hon. member's statements that this is for profit. If there is a medically required procedure, whether it's an X ray, a CAT scan, an ultrasound, an MRI, or any other procedure that is prescribed, it is provided to the patient under the publicly funded health care system. So this kind of rhetoric, the kind that we heard during Bill 11, is unnecessary, to say the least. It is misleading, to say the least. It is this kind of misinformation and misrepresentation of the facts that does the Liberal Party such disservice, and that's why they only have seven members.

DR. TAFT: Again to the Premier: why are regional health authorities subsidizing for-profit clinics by going out of province and even out of country to recruit ultrasound technicians only to have them hired away by for-profit businesses?

MR. KLEIN: Recruiting has been going on for years and years and years. It will go on long after we're gone. All I know is that we have in this province under the publicly funded system among the highest if not the highest paid physicians in all categories in the country, Mr. Speaker. I can tell you that the clinics that provide various diagnostic services under the publicly funded system do a commendable job, an absolutely wonderful job. I know that when I had pneumonia, I was in and I was out and it was very expedient. You know, I didn't have to go to emergency at a hospital and tie up the equipment there. I went to the clinic, got it done in, I would say, 15 minutes. I was in and I was out. It was done with a great deal of dispatch, a great deal of efficiency, and, I might add, with a great deal of professionalism.

1:50

THE SPEAKER: The hon. Member.

DR. TAFT: Thank you, Mr. Speaker. Will the Premier finally admit that one reason for the climbing costs of Alberta's health care system is its growing experiment with for-profit health care?

MR. KLEIN: Mr. Speaker, again it is absolutely wrong – wrong – for the hon. member to stand up and talk about “for-profit.” Bill 11, the Health Care Protection Act, clearly states as its preamble and as a matter of law, which is paramount, paramount in this province, paramount in this country, that we will abide by all the principles of the Canada Health Act. Only he, this hon. member, seems to be unable to get it through his head.

MR. MAR: Mr. Speaker, if I may supplement, sir. Under the Health Care Protection Act there are some 34 contracts that have been

approved for private providers to provide services to the public system. In aggregate the contracts total approximately \$10 million out of what will now be a \$6.8 billion budget, somewhat less than one-fifth of 1 percent of the overall budget. The balance is spent on public health care.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Glengarry.

Health Resource Centre

MR. BONNER: Thank you, Mr. Speaker. Yesterday the Health Resource Centre, a business backed by major multinational investors, submitted a proposal to the Minister of Health and Wellness for approval to perform major overnight surgeries in Calgary. To the Minister of Health and Wellness: given the notable shortages of surgeons, anesthetists, nurses, and various medical technicians in Alberta's public health care facilities, will the minister prohibit HRC from recruiting staff from public facilities?

MR. MAR: Mr. Speaker, the hon. member should first make himself familiar with the provisions of the Health Care Protection Act. In it it clearly states that major surgeries are to be done in public hospitals. It is not incumbent upon the government to decide what is major and what is minor. It is incumbent upon the College of Physicians and Surgeons to decide. We don't have as a government the ability to determine those major procedures which should be done in a public hospital. Accordingly, the college has approved and accredited this particular facility to perform certain types of surgical procedures. They have submitted a proposal as of yesterday's date to the Department of Health and Wellness to provide uninsured surgical services.

Now, Mr. Speaker, the hon. members and Albertans should know that under the Canada Health Act there are certain exceptions to the Canada Health Act. Uninsured services would be paid for, for example, by the Workers' Compensation Board, the armed forces, the Royal Canadian Mounted Police, other provinces, the federal government, and out-of-country residents. So there are sufficient protections in the approval process to ensure that there will not be harm to the public health care system. That has to be the primary responsibility of the Department of Health and Wellness and the Minister of Health and Wellness, to be satisfied that the approval of such a facility to provide uninsured services will not impair the public system.

MR. BONNER: To the same minister: if the minister refuses to prohibit HRC from recruiting staff from public facilities, isn't he then confirming that HRC's application will lengthen waiting lists by worsening staff shortages in the public system?

MR. MAR: I believe that I was perfectly clear, in answering the hon. member's first question, that the paramount concern from the perspective of the Minister of Health and Wellness has to be to be assured that the approval of such a facility by the Department of Health and Wellness will not impair the public health care system. Mr. Speaker, the criteria that will be applied will include the notion that there can be no negative impact to the public health system, that the facility will in fact serve the public interest either in terms of improving access or maintaining quality, and that it will not – it will not – breach the spirit and the provisions set out in the Canada Health Act. Further, I'll need to be satisfied that no conflict of interest exists.

MR. BONNER: To the same minister, Mr. Speaker: given that HRC will be using staff recruited from Alberta's public system to serve out-of-province patients, how can the minister claim that HRC is a benefit to Alberta's health care system?

MR. MAR: Well, indeed, there are many people from out of province that receive services here in this province, and they are both in the public and in the private system, Mr. Speaker. As an example, I'm advised by the people who run the Cross Cancer Institute here in the city of Edmonton that some 50 people a week come for cancer treatment from the province of Saskatchewan. I don't think that there's anything wrong with that. Indeed, I would like the hon. member to stand up and say, "Because you're from Saskatchewan, we won't provide you with this very important service."

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Bow.

DR. PANNU: Thank you, Mr. Speaker. Earlier this week, as the Minister of Health and Wellness has indicated, he received an application from a company that wants to do total joint replacements and other major back surgeries in its private Calgary hospital. The minister has set up a secretive approval process on such applications, where the decisions get made behind closed government doors while other health care providers and the public get frozen out. My questions are to the Minister of Health and Wellness. Given the precedent-setting nature of this application, will the minister do the right thing and make public the details of this application before he makes any moves to approve it?

MR. MAR: I believe that a great deal has been disclosed about this application already. It has also gone through a process with the College of Physicians and Surgeons, Mr. Speaker. The College of Physicians and Surgeons has been transparent in their process in determining that this facility can be accredited for the provision of certain types of services, which include knee and hip replacements. It is always the intention of the government to be perfectly transparent about this. That is my expectation for the future as well.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Given that the minister is committed to transparency, will he explain or state whether he plans to do any public consultation before approving this precedent-setting application for a private, inpatient, nonhospital hospital, or will the entire approval process take place behind closed doors?

MR. MAR: Well, I first of all want to respond to the hon. member's characterization of this facility as a hospital. He should refer, Mr. Speaker, to the Health Care Protection Act, which specifically says that hospitals are within the public domain and not within the private domain. So can there be private surgical facilities that provide services that are uninsured? Is the hon. member here to say that uninsured services should not be provided at all? I don't think that makes any sense. Keep in mind that this application is not about providing publicly insured services; it is about uninsured services. I don't think that the hon. member wants to stand here in this House and say that he'll stand between somebody who has a particular need and somebody who can provide service that will alleviate a person's pain. Will he stand here in this House and say that he'll stand in between that? I think that this is not within the views of Albertans who say: we have needs, and we want those needs satisfied.

THE SPEAKER: The hon. member.

2:00

DR. PANNU: Thank you, Mr. Speaker. Albertans have another concern. Will the minister assure this House that he will not approve an application from HRG, now Network Health, or any other corporation wanting to open a private, for-profit, nonhospital hospital that has any level of foreign ownership, since this could expose Alberta's health care system to NAFTA challenges?

MR. MAR: Mr. Speaker, I have to stand here and say that I've made clear how this will be approved or not approved. This facility will not be approved if it harms the public system, but the converse is that if it can improve our system, improve access, and does not take away from the public system, then it will be approved. I will take the time to very carefully evaluate this particular application. He appears to have made a ruling on it without even having considered what the terms of the application are. I think that's what people can expect from this hon. member.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Ellerslie.

Budget Surplus

MS DeLONG: Thank you, Mr. Speaker. There have been a lot of discussions in the media lately regarding the province's projected surplus for 2001-2002. One report indicated that the economic cushion could be as high as \$500 million. My questions are to the Minister of Finance. Can the minister confirm what our surplus for the last fiscal year will actually be?

MRS. NELSON: Mr. Speaker, unfortunately, I cannot confirm what the operating cash flow surplus will be for last year at this point as we're only 18 days into this fiscal year, and as such the accounting for the last fiscal year has not been completed not only by departments but by agencies of the Crown. In addition to that, we need to have all of the revenue that would come through March 31 come in and be accounted for, and that would come probably within 30 to 45 days or even up to 60 days, so we won't have that number for a while. Naturally, we have to verify the numbers before we can give the final fiscal picture for last year, and that will take some time.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you. The Department of Infrastructure budget for the year in question was \$2.8 billion, and they actually spent \$2.2 billion, a difference of unspent money of about \$600 million. Is this surplus money actually budget surplus?

MRS. NELSON: Well, Mr. Speaker, I'll have to take members back to last year when we brought the budget forward for the fiscal year 2001-2002. We booked what we call an economic cushion of just over \$800 million to accommodate the fluctuations, et cetera, throughout the year as we saw there were changes in the economy, and that cushion did erode downward. We are ending the year, so we had forecast that we would have over \$800 million. We know with the updates that we put through from the first quarter, the second quarter, and the third quarter that there were massive changes predominantly on our cash flow from our natural resource area and our investment income that brought our revenue picture down. As such, we don't expect that we will be able to fulfill an \$800 million cushion. It will be substantially less, so there are not really addi-

tional dollars, although we are going to be in a positive position. That's what we do in this province. We do not run deficits. We run positive positions on our cash flow statements.

The question on where we pulled back on our spending, as you know, was in the Infrastructure and Transportation areas mainly last fall when we found out that our revenue picture was down by over \$1.5 billion. So we deferred and delayed a number of projects in the two departments of Transportation and Infrastructure, Mr. Speaker, and we were able to put some dollars back into the existing budget framework to release those dollars that we had held up in the fall.

THE SPEAKER: The hon. member.

MS DeLONG: That's fine. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Cardston-Taber-Warner.

Debt Repayment Legislation

MS CARLSON: Thank you, Mr. Speaker. This government has set aside every other priority of Albertans for the sake of its signature law of debt repayment. As we've seen, municipalities are not happy with this, charities and community groups are not happy with this, parents and schoolchildren are not happy with this, and now not even some of the government's own ministers are happy with this, as they are beginning to voice the concerns of their constituents. My first question is to the Minister of Seniors. How did the government's law to put 75 percent of any budget surpluses towards the debt contribute to a successful seniors' housing program being drastically reduced?

MR. WOLOSZYN: Well, Mr. Speaker, to begin with, the very successful seniors' housing program has not been reduced. We've gone through the onetime funding that was allocated. We've retained I believe it is a million dollars for contingencies this year, and as we assess the ongoing needs and the ongoing successes, we'll ensure that this seniors' housing meets the need as prescribed in things like the Broda report and the impact on aging. To try to relate the two is fishing for the stars in daylight.

MS CARLSON: Mr. Speaker, in response to that, I'll table the statement from program 3.4.1 in the Seniors' budget that states that it is.

My next question is to the Minister of Sustainable Resource Development. Will the minister lobby the cabinet to acknowledge that debt repayment law fails to provide sufficient flexibility for his department and the government in general?

MR. CARDINAL: No.

MS CARLSON: My last question is to the Premier. Will the Premier listen to ministers and constituents, or will he continue to ignore them and pursue his own plan for a retirement party?

MR. KLEIN: Well, Mr. Speaker, it's evident by the size of this government's majority that we did listen to Albertans. Going back as far as 1993, Albertans told us that never again do they want this government or any government to spend more than it earns, number one. They wanted us to balance the budget. Going back to that period of time, the debt had accumulated to astronomical figures, and Albertans said to the government: "We want you to reduce the debt. We don't want massive amounts of money going to pay off

debt. We want that money to go to services. We want that money to buy things that benefit Albertans. We don't want it to go to the banks and other financial institutions, where it only serves to enhance the corporate profile of the financial institution. We want it to stay here in Alberta." That's why we brought in a law that dedicates 75 percent of all surplus to pay-down of debt so we keep reducing the amount of interest, the hundreds of millions of dollars that would otherwise go to financial institutions that we're now able to put into services. It's as simple as that, so simple even the Liberals should be able to figure it out.

THE SPEAKER: To the hon. Member for Edmonton-Ellerslie, the appropriate time for tablings will come a little later in the Routine.

The hon. Member for Cardston-Taber-Warner, followed by the hon. Member for Edmonton-Mill Woods.

Drought Assistance

MR. JACOBS: Thank you, Mr. Speaker. Last year Alberta farmers suffered through a devastating drought, and the continuing dry conditions in many parts of southern Alberta are not offering any hope of improvement this year. This week Cypress county authorities declared a drought disaster for their area, and according to news reports several other farm groups are also calling on both the federal and provincial governments for aid to alleviate the drought conditions they are facing. My question is to the Minister of Agriculture, Food and Rural Development. Can the minister tell us what this government is doing to help Alberta farmers deal with these drought conditions?

2:10

MRS. McCLELLAN: Mr. Speaker, Cypress county's declaration of drought disaster certainly alerts all of us to the fact that there is still a problem. Certainly we welcome the snowfall we've had in some of the northern parts of the province, including this area, because members would recall that at this time last year this whole area, in fact the majority of the province, was suffering the worst precipitation levels in 130 years. Today in this area we're seeing dugouts filling and hopefully good spring moisture. Because of the concerns we did extend the farm water program. We listened very carefully to producers and groups and municipal councils in our various areas and extended that program. We extended provincewide a pasture program and of course the 4-H production program. Repetitive droughts in the past years have clearly identified to us that we must continue to be vigilant and responsive, and we will do that.

THE SPEAKER: The hon. member.

MR. JACOBS: Thank you, Mr. Speaker. To the same minister: will there be any other programs to help farmers should a 2002 drought occur?

MRS. McCLELLAN: Mr. Speaker, I have spoken in the House a number of times about an Alberta drought risk management plan that was being put together through co-operation with Alberta Environment, PFRA, and Alberta Agriculture, Food and Rural Development. This plan will certainly improve our ability to monitor drought conditions and to respond in a timely manner. We intend to proceed with that plan this year. We along with the federal government – and we appreciate their support in this – have added several additional weather monitoring stations which will help us identify areas.

Mr. Speaker, one of the important reasons, I believe, that Cypress county has identified this early a drought disaster in their area is a

tax deferral program that the federal government does implement. However, the process for that is that the county or the municipality must first identify their area as a disaster, then in about July the provincial government will approach the federal government to either extend the tax deferral – which is this instance, because this would be the third year in that area – which is in place so that we don't lose those herds permanently. When people have to deplete their herds because of lack of moisture or lack of pasture, we want them to be able to restock. So it is important that municipalities do react in a timely fashion so we can address that.

THE SPEAKER: The hon. member.

MR. JACOBS: Thank you, Mr. Speaker. My final question to the same minister. I've heard some farmers saying that the only thing that will help them this year is immediate financial aid. Is the minister considering a drought assistance program like the one that was offered last year?

MRS. McCLELLAN: Mr. Speaker, it would be very unusual to consider a drought in April because we've seen over the last weekend and into this week how quickly circumstances can change. However, we do know that in some regions of the province, it will take more than one year to recover from those conditions; hence, the pasture insurance program, the forage insurance program, the crop insurance program, that we were able to make some enhancements to this year, and the water program, which is probably one of the best programs we have. We'll continue to monitor the situation, as this government has consistently, and we'll continue to support our farmers in their times of stress in the best way we have available to us.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Currie.

Education System Review

DR. MASSEY: Thank you, Mr. Speaker. Bill 12 mandates an examination of the learning system in Alberta. Class size, the adequacy of student grants, resources for special-needs children, and technology greening are but some of the issues that led to the strikes in our schools and need to be addressed. My question is to the Minister of Learning. Who will be doing the examination?

DR. OBERG: Mr. Speaker, there will be a panel of independent individuals that will be doing it. The final choice on these individuals has not been made yet.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: will the minister assure parents that the parents will have an opportunity to have their voices heard in front of that panel?

DR. OBERG: Yes.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Gold Bar.

Film Development Program

MR. LORD: Mr. Speaker, the constituency of Calgary-Currie has the great pleasure of serving as one of the major centres of activity for the film industry in Alberta, with the head offices and in many cases

the only offices of many small film companies being located on the old Currie barracks lands and buildings, and we are happy to have them. I often hear from constituents about some of the notable success stories in the movie business and also the many opportunities lost. The industry itself has not only generated a great deal, even a disproportionate amount, of economic development within Alberta but has in fact helped advertise Alberta and Canada all around the world, much to the delight and benefit of all of us. Now, the Alberta film development program has provided advice and has helped generate stability in this very difficult industry over the past three years, and I have some questions for the Minister of Community Development in this regard. Mr. Minister, given that the first three-year phase of the Alberta film development program recently concluded, can the minister explain how and whether or not that program benefited our province?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yes, indeed, the member is quite correct. The Alberta film development program in its first three years of operation since being established in 1999 in fact has provided some tremendous benefits on many fronts for Albertans and particularly for the cultural industry of filmmaking.

I should say that the most eminent feature of the program's success is the fact that we were able to resurrect the infrastructure, the crews as they were, for this highly mobile and somewhat fragile industry. I should say secondly that we were able to increase the participation by about 37 percent with respect to film-related personnel. In the process we've also been able to attract more films and more high-profile films to our province. We've received numerous national and international recognitions as a result, which is good for our province and, indeed, for the whole country.

We've also had tremendous economic benefits that have come to our province as a result of this highly successful program. In fact, Mr. Speaker, for the year ended '00-01, we saw something in the neighbourhood of \$68 million of economic return for an investment in artistic film development of only \$5 million.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. Again to the same minister: what plans or changes does the minister have for the Alberta film development program, looking into the future?

MR. ZWOZDESKY: Mr. Speaker, I think one of the most important things for the future is to see how we can best help sustain this film development program and maintain it. That is why in the current budget you will see a commitment from me and from this government to see that important film development program continue into the out-years beyond the current year's budget.

Secondly, in relation to working with the very important industry association, AMPIA, the Alberta Motion Picture Industries Association, in tandem with them we're going to talk a little bit more about how we can further the artistic development and smooth some things out that would help make the business of filmmaking in this province even more attractive to others, which will help with the artistic development that the program pledges to do. I think that in the future you can see increased participation on behalf of filmmakers and also on behalf of some of our government personnel working there in attending some of the higher profile national and international events such as the Cannes Film Festival, which is coming up very soon, so that more and more people know about the beauties

and wonders of our province in terms of how nice a place it is to do business and make films.

So we'll do everything we can to attract more filmmaking opportunities, I can assure you.

MR. LORD: Again to the same minister: given that the industry is fragile and fraught with challenges, what specific actions could the minister consider to ensure that Alberta's filming environment remains strong and competitive?

2:20

MR. ZWOZDESKY: Well, Mr. Speaker, I should tell you that I've had numerous meetings with our colleague from Airdrie-Rocky View with respect to this issue, because it is an issue that she has championed and is well known for in our caucus, along with our Deputy Premier and numerous others. In response to some suggestions made by those hon. members and others as well as having met with numerous representatives from the filmmaking community, AMPIA representatives, their president and executive and so on, I will be meeting soon with representatives from the Alberta Foundation for the Arts and talking to them about some plans that I have that will help this industry a great deal. I'll just give you a couple of them really quickly. First of all, I am prepared to look at increasing the cap from \$500,000 upwards from there. I'm also prepared to eliminate the eligibility requirement of 10 percent of total expenses and make it something more in the line of 20 percent of Alberta expenditures as being the eligible amount. I'm prepared to increase the funding to dramatic series, which provide a lot of benefit to this province. There will be other good-news items. I know that . . .

THE SPEAKER: Sounds like a fine ministerial statement coming up.

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Highlands.

Community Lottery Boards

MR. MacDONALD: Thank you, Mr. Speaker. On October 4, 2001, the city of Edmonton received notice from the Edmonton Community Lottery Board that a grant of \$300,000 had been awarded in support of the redevelopment of the Kenilworth arena in the constituency of Edmonton-Gold Bar. Now, on December 10, 2001, the city of Edmonton subsequently received a second letter delaying that money until April of this year, but Alberta Gaming stated that they "will issue your cheque in April 2002." My first question is to the Premier this afternoon. Why did you break away from the \$300,000 agreement with the city of Edmonton to improve the Kenilworth arena not only for minor hockey players but for figure skaters and adult recreational use?

MR. KLEIN: Mr. Speaker, as I understand the question, this was a decision of the community lottery board, to grant \$300,000 to this particular arena project. We had absolutely no say over the operation of the community lottery board other than to provide them with the money. I know that under the rules of CFEP it would have had to have come from a number of different constituencies, probably, for that kind of money, but the rules might have been different for the CLB. I'll have the hon. Minister of Gaming respond in further detail relative to the specifics of this project.

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The community lottery boards deal with many applications and certainly did in the year

2001-2002. I personally am not familiar with each and every application that comes forward; it's an administrative matter. If cheques were in fact written, there would be a record of that. What I can do for the hon. member relative to this particular application is look into it, and I'm happy to do that and provide further information to this hon. member with respect to that.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you very much, Mr. Speaker. For the record, I appreciate the Minister of Gaming's diligence. However, my next question is for the Premier. How many tax dollars is the government planning to spend to defend these cutbacks in court, because Alberta Gaming not only made commitments in Kenilworth through the community lottery boards but elsewhere in the province, and these commitments are not being honoured. These existing agreements have not been honoured to provide funding to community groups.

Thank you.

MR. KLEIN: Well, Mr. Speaker, I'll have the hon. Minister of Gaming respond because I'm not sure how agreements through Alberta Gaming with community lottery boards pertain or relate in any way, shape, or form to the funding of individual projects. I'll have the hon. minister respond.

MR. STEVENS: It's quite correct that on an annual basis the Ministry of Gaming enters into individual agreements with individual lottery boards. For the year 2001-2002 there were 88 boards, and there would have been 88 agreements relative to that. The funding would flow out of the Alberta lottery fund into Gaming and from Gaming into the various lottery boards, and there was a process that each board set up for the allocation of funds. Beyond that, Mr. Speaker, I'm not aware of any detail relative to the questions being posed by this hon. member.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: given that this government has broken faith with Albertans over the community lottery boards, how can the city of Edmonton properly plan and manage this project and its imminent construction when this government without warning takes away the funding?

Thank you.

MR. KLEIN: Mr. Speaker, you know, without warning we introduced the community lottery board program, and for years and years and years municipalities existed without community lottery boards. For years; isn't that right? For years they existed without community lottery boards, and we brought them in without warning. They were taken out so we could reallocate resources to the things that are deemed to be the priorities of Albertans, like health and education and infrastructure. Those things seem to be of no importance to the Liberals, because they are obsessed with community lottery boards to the detriment of those things that Albertans have told us are priorities for them like health, like education, like infrastructure, like safe communities, like meaningful research in science and technology, like protection of the environment. Those are the things that Albertans have told us are important to them.

Mr. Speaker, again I stress that these things are obviously of no importance whatsoever to the Liberals, because they are obsessed and all they can talk about are community lottery boards.

THE SPEAKER: Well, hon. Member for Edmonton-Highlands, you've been rather vociferous this afternoon. Now it's your turn.

Chronic Wasting Disease

MR. MASON: Thank you, Mr. Speaker. One month ago the first known case of chronic wasting disease, a relative of mad cow disease, was discovered in a slaughtered elk from an Alberta game ranch. At this point we don't even know the identity of the game ranch that has the disease, nor do we know whether and how widespread this problem may be in the province of Alberta. My question is to the Minister of Agriculture, Food and Rural Development. Exactly whose privacy is being protected by the refusal to make public the identity of the game ranch on which chronic wasting disease was found? The elks'?

MRS. McCLELLAN: Mr. Speaker, I fail to understand from the hon. member's question of what value it would be for him to know the identity of that farm. The farm was immediately quarantined. Fortunately this industry has been vigilant in developing a monitoring and surveillance system that allows them to track the movement of every animal on or off a farm in this province. Not many industries can say that they can do that with assurance.

When there is a disease identified, the Canadian Food Inspection Agency, an arm of the federal government, is responsible for carrying out the quarantine and for the disposal of the herd if that's required. We are assisting in the tracing. As I say, fortunately we can do that and have done it. The farms that might have received an animal or had a contact through animals from the affected farm are now quarantined until that testing has been done.

So, Mr. Speaker, what the value is for the Member for Edmonton-Highlands to know the name of the farm, I fail to see.

THE SPEAKER: The hon. member.

MR. MASON: Well, thank you very much, Mr. Speaker. Given that testing for chronic wasting disease can only be accurately performed on elk or any animals who are no longer alive, why has the government failed to order the slaughter of the remaining elk on this game ranch in order to determine how widespread the incidence of the disease is?

2:30

THE SPEAKER: The hon. minister.

MRS. McCLELLAN: Mr. Speaker, this line of questioning clearly defines the need for some clarification and understanding for this hon. member of this whole industry and shows the lack of it. First of all, I did say in my first answer that this is entirely under the federal government, under the Canadian Food Inspection Agency. Secondly, I did indicate that we have the best monitoring and surveillance and tracking system, that we can identify every animal. He should know that these animals are only slaughtered at certain abattoirs and they are tested at that time and the meat is held until that animal is declared clear of disease. This has been done prior to our having chronic wasting disease in this province. It's a federal matter, and if he wishes these answers, perhaps he would like to go under the federal FOIP legislation to get them.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Given that there is now a chronic wasting disease case in Alberta, can the minister

tell the House, whether her government or the federal government is responsible, why testing for this disease among elk continues to be voluntary?

MRS. McCLELLAN: Mr. Speaker, we've had a voluntary monitoring system in this province for a number of years in this industry, and I must say that the compliance with the voluntary system has been extraordinarily high. We've had a number of discussions with the industry. They are very responsible people. We had a meeting, in fact, as late as yesterday morning, the Minister of Sustainable Resource Development and myself, to discuss this and other matters. I would expect that it will be mandatory at some point soon. However – however – before an animal is consumed or sold for meat purposes, it is tested, and that is the very important thing.

Mr. Speaker, chronic wasting disease has been in other provinces, our neighbours to the east, and in fact in other states, and we think that the fact that we've had this co-operation from the industry, this desire to have a good industry, we have managed to keep this disease out of Alberta until now.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

Mental Health Legislation

REV. ABBOTT: Thank you, Mr. Speaker. Some of my constituents have recently raised concerns about mental health patients in their community who appear to need more help in maintaining their treatments. On Tuesday of this week I tabled a document with almost 500 signatures on it, asking to change the criteria for involuntary commitment or court-ordered treatment. My question is for the Minister of Health and Wellness. Is the government considering setting up community treatment orders to require patients to take medication and receive proper treatment?

MR. MAR: Mr. Speaker, I am aware that this is a very important issue for families of persons with mental illness who may not comply with their prescribed treatment. Any time that we review mental health legislation that involves the detention and treatment of people with severe mental illness, it is always very, very complex and controversial. Mental health legislation does try to strike a balance between the needs of the individual who is being detained for treatment and the rights of society to be protected from any harmful activities of such individuals.

Mr. Speaker, I've received much information on this particular issue, and I can say that the opinions of both the medical field and the legal field vary greatly upon how to achieve this particular balance.

REV. ABBOTT: My next question is also to the same minister. Given that today's laws only intervene where there is a threat to oneself or others, what is the current system doing to support mental health patients who need help in maintaining treatment?

MR. MAR: Currently, Mr. Speaker, the Alberta Mental Health Board provides services through community mental health clinics throughout the province and psychiatric hospitals, and of course there are also hospital programs that are operated by regional health authorities. Consistent with our response to the recommendations of the Premier's Advisory Council on Health report we are supporting the recommendation to integrate the operations of the Mental Health Board into regional health authorities in order to have a more coordinated and comprehensive system of mental health care.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Dunvegan.

**Team Alberta
Arctic Winter Games**

MR. GOUDREAU: Thank you, Mr. Speaker. Today it is with great pleasure that I rise in this House to congratulate on my behalf and on behalf of our Member for Peace River the junior ladies' curling team from Grimshaw and Peace River. This team won gold at the recent Arctic Winter Games held in Nuuk, Greenland. This team comprised of Grimshaw's Amanda and Charlene Swicheniuk and third Kate Blakely helped skip Erin Brennan of Peace River bring this medal home. They represented their province and our northern communities very well. This Team Alberta swept their competition into submission in the double round-robin with six wins and no losses. In the semifinals they were victorious over the Yukon team, moving them on to the final game against the Northwest Territories, where they again defeated their opponent to win the gold ulu. The gold ulu is the medal awarded at the Arctic Winter Games. The ulu is the traditional Inuit knife commonly used for centuries as an all-purpose tool in the Arctic.

These girls have a history of winning, having won western Canada's junior championship in Calgary last year. No doubt we will hear more of their accomplishments and victories in the future. These young girls join other Peace region teams and individuals who came back with many medals. Many other ulus, or medals, were won in individuals and pairs sports events. Their efforts and victories speak well of what our young people can accomplish as well as the support received from their coaches and their parents. The communities of Peace River are very proud of their young athletes who qualified, participated, and won at the Arctic Winter Games in Greenland.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Centre.

Law Day

MS BLAKEMAN: Thank you, Mr. Speaker. Law Day will be celebrated this Saturday, April 20, in both Edmonton and Calgary. Now, with all that's been in the news lately about the Charter of Rights and Freedoms and access to legal aid and increasing court costs, here's an opportunity to learn more about the courts and the law. This event, sponsored by the Canadian Bar Association and organized by the Alberta legal community of judges, lawyers, students, clerks, and others associated with the law, invites anyone to drop into this free open house with booths, displays, tours, lectures, and mock trials. Have a look behind the scenes at how our courts work and what role each person plays.

In Edmonton Buccaneer Bill is charged with piracy and kidnaping in the children's trial. Calgary's children's trial will feature Harry Potter in the case of the missing ring. Trial times are repeated throughout the day. A family law custody trial in Calgary features the Calgary Stampeders mascot, Ralph the dog, and one of the football players from the team. Mock trials will also be held for the areas of criminal and civil law. There will also be many lectures on legal topics like wills and estates, small claims court, and taxation, reviewing lawyers' bills. Or in Calgary you may ask the lawyer at the ask-a-lawyer booth for free legal information. Both cities will feature a citizenship court, high school mock trials, and tours of the law building. In Edmonton all events run from 9:30 to 4 at the Law Courts Building on Winston Churchill Square, across from city hall.

In Calgary things kick off at 9 a.m. with an opening ceremony featuring a dragon dance and runs until 3 o'clock.

I have attended Law Day in the past. It is great fun and really interesting, and it's all free. My thanks to the Canadian Bar Association, the Alberta Law Foundation, the Law Society of Alberta, and their media sponsors for taking the extra time to provide all of us with a fun way to better understand how our courts work and what the people in them do.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-Egmont.

Gerald B. Art

MR. HERARD: Thank you, Mr. Speaker. It's with the greatest pride and honour that I rise to recognize and celebrate the life of a longtime friend, mentor, and constituent of mine, Mr. Gerald B. Art. Gerry journeyed to his great reward on March 3, 2002, at the young age of 68 years. Gerry was many things to many people. As a volunteer, an employer, a partner, a friend, a husband, a father, and grandfather, in whatever capacity we knew him best, we recognized him as a wonderfully funny, generous, fair, warm, caring, and compassionate man. These characteristics were woven from the strands of a life of dedicated service to others before self. Along with his child bride, Eleanor, as he so fondly liked to call her, he served and contributed to the well-being of communities and constituencies wherever they lived in this great province. Together they made a positive difference in the lives of many without ever looking for any recognition in return.

2:40

Gerry's first involvement with the Alberta Progressive Conservative Party was as campaign manager for the late hon. Neil Crawford in 1971. He and Eleanor have remained involved with the party ever since. Gerry generously gave of himself to the Calgary-Egmont Conservative constituency association in every conceivable way and served as president from 1987 to 1989 for my predecessor, former Speaker David Carter. He was my nomination chairman in 1993 and continued to be actively involved in the association. Meanwhile, Eleanor served as secretary of the association for many years as well as being my president in 1995-96 and my very capable constituency assistant for many years. In 1997 Gerry and Eleanor helped launch yet another political career. The then new candidate for Calgary-Fort needed some organizational campaign management experience, and Gerry and Eleanor answered the call to help secure his victory.

In closing, Mr. Speaker, we will all miss this gentle man, Gerry Art, who did everything with dignity and class, and we're all better human beings for having had the privilege of living within the sphere of his influence. He enriched our lives.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Earth Day

MS CARLSON: Thank you, Mr. Speaker. Who says you can't change the world? That question is the theme of Earth Day 2002. Earth Day founder, Gaylord Nelson, a U.S. Senator from Wisconsin, proposed a national environmental protest in 1970 to shake up the political establishment and put a wide range of issues on the public agenda. On April 22 of that year his vision was taken to the streets, and the green movement got political. Here in Alberta we have the fortune of having grassroots groups advocating for the protection of our air, water, and soil; preservation of critical wildlife habitat; and appropriate development. These groups educate, advocate, question,

propose alternatives, and demand action. They run on shoestring budgets with hundreds of volunteer hours contributing to their success.

Alberta is not an easy province for greenies and tree huggers. Even those looking for moderate change backed up with facts and figures have met with resistance. In honour of Earth Day I would like to recognize some of the groups that make this Assembly a little more interesting: Albertans for a Wild Chinchaga, Pembina Institute for Appropriate Development, Federation of University Women, Clean Air Strategic Alliance, Toxics Watch Society, Edmonton Friends of the North, Sierra Club, Alberta Environmental Network, Canadian Parks and Wilderness Association, Alberta Wilderness Association, Grassland Naturalist Society, and Trout Unlimited. This list is a long way from being all of the groups that are working to protect our environment, but these groups have written a lot of letters and made many phone calls. [interjection] They have let the members in this Assembly know what they want, and they are not afraid to repeat, repeat, repeat, in spite of what the Minister of Environment has just stated. So who says that you can't change the world? These groups haven't quit trying.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I'm presenting a petition signed by 106 residents of Edmonton petitioning the Legislative Assembly "to urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: **Notices of Motions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday I will move that written questions appearing on the Order Paper do stand and retain their places with the exception of written questions 3 and 4.

I'm also giving notice that on Monday I will move that motions for returns appearing on that day's Order Paper do stand and retain their places with the exception of Motion for a Return 1.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

DR. PANNU: Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: I know he visits quite often, Mr. Speaker, but he can't have that constituency.

I have a number of tablings today. The first is in response to the question I previously asked of the Minister of Seniors. I will table his former response made on March 20 of this year in budget estimates where he talked about cutbacks in his department for seniors' housing that are due to the restraints and that he's "hopeful that as the fiscal situation improves, [he'll] be able to reinstate those programs."

My second tabling is on behalf of the Leader of the Official Opposition. It's a petition supporting services to persons with developmental disabilities in Alberta. It's the appropriate number of copies with 54 signatures from people throughout Alberta.

My third tabling is a similar letter requesting that the Bighorn wildland recreation area be designated as a wildland park, using the 1986 boundaries. These folks are all from Calgary. The letters are from Shawna Nyberg, Brenda Everitt, Renee Huba, Kathryn Manny, Joanne Wyvill, Madalena Pinto, Connie Serelle, Fenella Hood, Marco Musiani, and D.G. Lavallee.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I would like to table for the information of all hon. members of the Assembly three letters that I have. The first letter is dated July 13. It's a letter that I have written to the hon. Minister of Learning expressing my concern regarding the enforcement of trade qualifications for both apprentices and journeymen in this province.

The second tabling that I have is a letter that I received on July 25, 2001, from the hon. Minister of Human Resources and Employment. This letter certainly has to do with the concerns expressed about the lack of enforcement of compulsory certification trade qualifications.

The third letter, Mr. Speaker, is a letter that I received and that I was pleased to receive from the hon. Minister of Learning. It's dated July 27, 2001, and it is in response to concerns that were raised in the July 13 letter regarding enforcement of specific requirements of the Apprenticeship and Industry Training Act.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I have three letters today, once again all on the community lottery boards. The first letter is from Jennie Esdale, who started out as a young performer here in Edmonton and is now living in Calgary. She points out that the theatre company she operates with does an April Fools Day parade every year with their community. She asks that the community lottery board be reinstated. It's essential to their community.

The next tabling is directed to the Minister of Gaming from Joan Farkas also of Calgary. She's pointing out that revenue from gaming was intended to benefit the local communities, that charitable groups who are entitled to lottery funds have been treated with disrespect.

The third letter is again directed to the Minister of Gaming from Laurie Leier also of Calgary, pointing out that there is a misconception that there are other sources of funding available to make up for the cut community lottery board program and asking the government to reinstate the community lottery board program.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have one tabling today. It's the appropriate number of copies of a letter dated April 6, 2002, from a Mary Paranchych, who is stating that it is extremely important to the cultural life, the community groups, and educational groups in this province that community lottery boards be continued. In fact, she goes on to say that it is imperative that they be reinstated.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table the appropriate copies of a report titled the Fort McMurray DisAdvantage. This report was prepared by six teachers from that city and highlights the

problems of the high cost of living in Fort McMurray. Accompanying this report is an attachment of 22 signatures of other teachers, and they also share the concerns of this report.

Thank you, Mr. Speaker.

2:50

THE SPEAKER: The hon. member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I'm tabling a letter from Lori Nicholls addressed to the Minister of Children's Services. As Ms Nicholls' previous letters to the minister have remained unacknowledged, she is once again writing to plead for immediate help from the ministry.

head: **Projected Government Business**

THE SPEAKER: The Official Opposition House Leader.

MS CARLSON: Thank you, Mr. Speaker. At this time I would ask that the government share with us the projected House business for next week.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Next week starting Monday, April 22, in the afternoon we will of course deal with private members' business, Written Questions, and Motions for Returns, followed by Public Bills and Orders other than Government Bills and Orders. At 8 p.m. under Motions Other than Government Motions we'll deal with exactly that, and at 9 p.m. we will move to Government Bills and Orders for second reading of bills 23, 25, and 24, then to Committee of the Whole for bills 6, 7, 9, and 14, and otherwise as per the Order Paper.

On Tuesday afternoon under Government Bills and Orders and specifically under Committee of Supply we'll deal with the main estimates for the Department of Justice and as per the Order Paper. Tuesday evening at 8 we will have Committee of Supply, the main estimates for Aboriginal Affairs and Northern Development, then second reading for any bills that still remain under second reading, then hopefully Committee of the Whole for bills 10, 13, 14, and 15, and otherwise as per the Order Paper.

On Wednesday afternoon under Government Bills and Orders the Committee of Supply will deal with the main estimates for the Department of Revenue and as per the Order Paper. On Wednesday evening under Government Bills and Orders the Committee of Supply will deal with the main estimates for International and Intergovernmental Relations; private bills, Bill Pr.1, which I believe is from Edmonton-Meadowlark; second reading as well for any bills that remain in that particular stage of debate; and then Committee of the Whole should be able to deal with bills 16, 18, 20, and 22, and otherwise as per the Order Paper.

On Thursday afternoon of next week under Committee of Supply for main estimates the Department of Learning will be discussed and debated; otherwise, as indicated on the Order Paper.

THE SPEAKER: Now the hon. Member for Edmonton-Ellerslie on a point of order.

Point of Order Parliamentary Language

MS CARLSON: Yes, Mr. Speaker. I stand under Standing Order 13(1), *Beauchesne's Parliamentary Rules & Forms*, sixth edition, pages 45, 46, 47, and the *House of Commons Procedure and*

Practice by Marleau and Montpetit, pages 525 to 527 with regard to the Premier. Earlier this afternoon in question period in an exchange between the Premier and the Member for Edmonton-Riverview the Premier I believe twice used the term "misleading" in referring to the question asked by the Member for Edmonton-Riverview and certainly used the terms "misleading" and "misrepresenting" in the same sentence in a very aggressive manner with an intent to ensure that people believed that this member was trying to mislead Albertans. That certainly offends the rulings in those orders and books that I have stated and is laid out, Mr. Speaker, in the information you provided to us on November 29, 2001: Expressions Ruled Unparliamentary by Speakers/Chairmen of the Alberta Legislative Assembly, 1905 – 2001. As we review this, you talk about what happens if a member is found to use offensive or disorderly language, and we would at this time request that the Premier withdraw the unparliamentary words and phrases that he used in that particular exchange.

If we refer to your document of November 29, we will see that you have listed 13 different variations of the term "mislead" and have accompanied that with 27 references when this particular word or phrase has been ruled unparliamentary in this Legislature. We would like you to add this particular instance to the list and will be quite satisfied in our request if the Premier will withdraw that particular reference.

THE SPEAKER: The hon. Deputy Government House Leader on this point of order.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yes. I want to just correct the wrongful impression that may have been left with members of the House with respect to some of the statements made by the previous speaker from Edmonton-Ellerslie. While it is true that words like misinforming, misleading, mislead, and misrepresentations, and so on, are in some contexts deemed to be unparliamentary, so too is it true that within other contexts they are in fact deemed parliamentary. To cite the examples, I would cite for you and for all members of the House section 491 of this particular version of *Beauchesne* that I have, which is the 6th edition, wherein it states:

The Speaker has consistently ruled that language used in the House should be temperate and worthy of the place in which it is spoken. No language is, by virtue of any list, acceptable or unacceptable. A word which is parliamentary in one context may cause disorder in another context, and therefore be unparliamentary.

On the preceding page, which cites *Beauchesne* 490, it would show you that "since 1958, it has been ruled parliamentary to use the following expressions." Included therein are the words misinforming, misleading, misled, and misrepresentations. So those particular words have been ruled parliamentary because of the context within which they were cited.

Now, we don't have the final edition of *Hansard* here, but from what I recall hearing the Premier say, he did say that it's this kind of misinformation and misrepresentation of the fact that does the Liberal Party such disservice, and so on. When you review what it is that the Member for Edmonton-Riverview said, you can understand that within the context of what that member said, the Premier's comments were in fact correct and they were bang on. In fact, I think what the Premier was attempting to do was to help set the record straight with respect to the comments made by the Member for Edmonton-Riverview.

There are a number of occasions that have arisen over the past several years, Mr. Speaker, during which time I've been in this House, where we've heard about the cut and thrust of the debate and how certain words can be used and misused perhaps, and so on, but

in this particular case I think the Premier was well justified in what he said, given the context of what he said and given also the context of what has happened earlier this week. I can appreciate where the opposition might be coming from, because it has been a bit of a difficult week, I'm sure.

On the point of misleading and misrepresenting let's review sometimes what gets said here too. Earlier in question period we heard one of the members from the opposition talk about some particular program in the Ministry of Seniors that had been apparently cut or removed or whatever. Shortly after that, we heard the Minister of Seniors get up and correct that statement too, but we didn't jump back and accuse them of anything on that particular case. It was a mistake on their part and the minister set them straight and life goes on.

Similarly, when the Member for Edmonton-Riverview continues to talk about private, for-profit health care and those types of things, I think those are damaging and misleading statements that could be made within the context of how he's using them. In other contexts perhaps they're acceptable, but that's not what we're all about with our Health Care Protection Act. I think that as evidence of what we are all about, there was a clear indication of that a year ago March 12, in which the issue was settled. Clearly, the majority of the public in this province understood very well what is publicly funded health care, which is what we have and what we're pledged to continue, and what is not. They also understood the difference between private hospitals, which are not allowed in this province, and special clinics that would allow insured services to be done in private settings but funded by public dollars. That's an important distinction. So there's no attempt to mislead or misinform here whatsoever.

I thank you for considering those points, Mr. Speaker, in your deliberation.

3:00

THE SPEAKER: Well, I was kind of hoping that when we arrived at Thursday of this week we wouldn't have to do this again. But okay; so be it. I appreciate the hon. member's desire to bring this matter forward and to bring this matter forward in the manner in which the hon. Member for Edmonton-Ellerslie has brought it forward, and I also recognize the response provided by the hon. Deputy Government House Leader with respect to this matter.

So what do the Blues actually say, which is important first of all I think as we begin with respect to this. In response to a question from the hon. Member for Edmonton-Riverview the hon. the Premier said the following.

Mr. Speaker, I take great exception to the hon. member's statements that this is for profit. If there is a medically required procedure, whether it's an X ray, a CAT scan, an ultrasound, an MRI, or any other procedure that is prescribed, it is provided to the patient under the publicly funded health care system. So this kind of rhetoric, the kind that we heard during Bill 11, Mr. Speaker, is unnecessary, to say the least. It is misleading, to say the least. It is this kind of misinformation and misrepresentation of the fact that does the Liberal Party such disservice, and that's why they only have seven members.

It was at that point in time, I do believe, that the hon. Member for Edmonton-Ellerslie intervened. Now, the hon. Member for Edmonton-Ellerslie has quoted a variety of text, all very important text. I should point out one, probably the most important one that we have to deal with, dated November 29 of the year 2001, issued from my office: Expressions Ruled Unparliamentary by Speakers/Chairmen of the Legislative Assembly. The member is absolutely correct that in reading from that document of November 29 the following expressions were ruled unparliamentary, expressions such as

Mislead, continue to
Mislead (the House)

Mislead (the House), deliberately/deliberately meant to
Mislead the people, deliberate attempt to
Misleading
Misleading statement
Misleading the Assembly/House/Albertans
Misleading information
Misleading, intentionally
Misleading, totally
Misleads, she deliberately
Misled
Misled, deliberately

This very same person, though, who issued this statement also issued another statement on the same day, November 29: Expressions Ruled Not Unparliamentary.

Misinformed
Mislead/Misleading Albertans
Misleading statements
Misleading (the House)
Misleading the public
Misled
Misrepresentation

Now, what is really the thrill of this job. As all members have known and all members have been told, it is the context and the manner in which the words are used. Several tests are included with respect to this. If the word "deliberately" is included in it, then it could be viewed as an attack on an hon. member, basically saying that that hon. member misinformed, which is not good – not good – and if you used the words "deliberately misinformed," that's no good at all. That will cause intervention and penalty.

A lot of it has to do with, as the hon. Member for Edmonton-Ellerslie referred to, the *House of Commons Procedure and Practice*.

The Speaker takes into account the tone, manner and intention of the Member speaking; the person to whom the words were directed; the degree of provocation; and, most importantly, whether or not the remarks created disorder in the Chamber.

All of which has to be considered. And further, "Thus, language deemed unparliamentary one day may not necessarily be deemed unparliamentary the following day," which is really wonderful guidance for someone in the chair to follow and deal with.

Now, what also is very important in this is whether or not it is actually directed towards an individual. In dealing with the statement in here, reading this again:

It is misleading, to say the least. It is this kind of misinformation and misrepresentation of the fact that does the Liberal Party such disservice, and that's why they only have seven members.

Presumably someone might argue that that statement was directed not to a particular individual of the House but to a particular group, which, then, sort of goes right by that individual and hits another wall.

So while the language is not the best language – and I heard the hon. Deputy Government House Leader admit that that was not the best utilization of language in the context; I recall hearing that – technically this is not a valid point of order as it would appear that the bottom line is that the comments seem to be directed to a group, not an individual, and, secondly, that no one is certainly deliberately misleading the Assembly.

Hon. members, given all that's really transpired in this Assembly in the past week, though, I'd like to just ask members to remember the following. It is the role of Her Majesty's Loyal and Official Opposition to ask questions of the government and to do what it can as it seems advisable to bring the government to account. That is a duty of the opposition. Also it is a duty of private members.

At the same time, the questions are to conform to certain practices that are identified. Questions have to be dealing with government policy, not seeking opinion, not being frivolous. The rules are all

identified. All members, not only members of the opposition parties, should read these rules. I think all government members should read these rules. Quite frankly, a fair number of all of these questions from both sides might be ruled out. The accepted practices are important.

At the same time that that advice is being provided to the members who direct questions, to those who reply to questions, the intent is to be brief, to as much as possible deal with the matter raised, and certainly not to have controversial or contentious comments in the responses that might lead to disorder. This is given to all.

It would have been really helpful in the case of this point of order if all the precedents in the past would have been a little clearer on it. The language is not the best language that we might want to use, ruled unparliamentary one day and parliamentary the next day in the context of what is said.

I really encourage all members to reflect on all the rules and the practices and the procedures and the traditions of our Assembly. Take some of these books out of the library if you don't have them. Read them on Saturday and Sunday. Come back energized with a new respect for the parliamentary tradition.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, after continuing communication on this issue with the Official Opposition and with the third party, I seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Environment to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

Environment

THE CHAIR: Are there any comments or questions to be offered with respect to these estimates? I'll call first of all on the hon. Minister of Environment to talk about his estimates for the year 2002-2003. The hon. minister.

DR. TAYLOR: Thank you so much, Mr. Chairman.

AN HON. MEMBER: Question.

DR. TAYLOR: Now, there's a good idea.

Mr. Chairman, I will keep my comments relatively brief today because I know that the opposition members have some questions they want to ask. I will certainly assure the opposition that they will get answers back. Their questions are all recorded in *Hansard*, and we will, as we always have, respond to your questions.

3:10

I would like to introduce a number of people that have joined us from the department. I'm surprised to see so many of them up there.

We have Stew Churlish; he's our chief financial officer. I must say that that's an appropriate name for a chief financial officer. We have Roger Palmer, my deputy minister. Alexandra Hildebrandt: I'm not sure what she does, but she's very valuable. We have Val Mellesmoen, my communications director, and Ken Faulkner, my executive assistant. Alexandra is a policy person.

On behalf of the Department of Environment I am pleased to present this budget and our estimates, which we hope you will approve. I want to point out that Alberta Environment really is the chief protector of Alberta's environment. We have a bunch of excellent people that do an excellent job of enforcing some of the toughest and most stringent regulations in North America and, if you check, around the world.

I would like to start with a few comments about the department. As you know, Mr. Chairman, we are a department that was created really just a little over a year ago. This is the first real budget of that new department. Of course, when it was created, the budget process for the old department had actually been ongoing, so this is the first real budget. Because of the new mandate we did take a look at our core business, and we did take a look at our key issues, our key priorities, and we came up with a number of new key strategies and a number of core businesses that we are tying our budget to. Rather than tying our budget to business units, what we've done on the suggestion of the Auditor General is to tie our budget to our core businesses.

Mr. Chairman, one core business that we've identified is environmental leadership, and for instance what you'd find in that core business is the long-term water strategy that we are developing. What you'd find in that core business is the emission standards that we've asked the Clean Air Strategic Alliance to develop around emissions from coal-generated electricity plants.

Another core business that we've identified is environmental assurance. An example there would be to maintain the high quality of Alberta's drinking water. For instance, Alberta is one of two provinces that has adopted, either through regulation or legislation, the Canadian drinking water quality standards. In fact, we have in many cases made our standards even tougher than the Canadian drinking water quality standards.

The third core business that we've identified is something we're calling environmental stewardship partnerships. What we're trying to do is develop partnerships with industry, with environmental groups to help us as we monitor and develop policy around environmental issues.

A fourth core business we've identified is environmental stewardship education, and what you're going to see as we move forward is an emphasis on educating the public and educating industry. We want to provide an education system so that people will quite clearly recognize what they should do to protect the environment. It's our philosophy, Mr. Chairman, that what we should be doing is educating the public, educating industry to prevent environmental disasters, not trying to clean a mess up after it's been made. Certainly we do have to clean up the messes, but we're much further ahead if we can prevent those messes from happening. So through our educational stewardship program we're going to put a lot of emphasis and we are putting a lot of emphasis on educating not only the public but industry.

Let me give you one example of education partnership. We're working with the Dairy Council as we speak, and you might have heard some of the excellent commercials on the radio or seen the excellent commercials on television on recycling the milk jugs. As we go forward, the milk jug recycling was only at about 40 to 42 percent. We've set some very strict guidelines, and we expect the milk jug recycling to be at 55 percent this year, 65 percent, and 75

percent over the next three years. So that's kind of an example of an educational partnership between Alberta Environment and a nongovernmental organization.

The fifth core business area that we've identified is hazard and risk management. Essentially we have to maintain a strong capacity to manage toxic spills, to manage drought, to manage floods, and this hazard and risk management is that type of area. We need to, as we go forward, be able to respond to air polluting events, be able to tell people, if they have a fire of some sort, if there is damage there, if there are emissions that are damaging to people from that fire or from that polluting, whatever that polluting event would be.

So those are the five core business areas that we've identified. What we've done is we've assigned a budget number, as the Auditor General has requested, to each of those core business areas, and we will go forward in our budget and develop those core business areas.

Now, one other, final area I'd like to address in the budget area is that there is a drop in the total budget, Mr. Chair, of approximately \$17 million. This drop is due to the elimination of onetime funding, projects that no longer need funding. I'll give you two examples. One example would be the animal study that's being run out of the University of Saskatchewan on the effects of flaring. What we did was we paid that forward, so we didn't need it in our budget for this budget year. Another example would be Climate Change. We've paid Climate Change forward, so we didn't need it in this budget year that we're looking at. Those would be the major programs that make up that \$17 million. There are a number of smaller programs, but those would be the major two programs. Now, I'll be very clear: those two programs are continuing. It's just that we were able to pay them forward last year, so we didn't have to include it in our budget of April 2002 to March 31, 2003.

With those comments I'll conclude and allow the opposition to present some questions.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I'm happy to have an opportunity to respond to this year's Environment estimates. First of all, I would like to acknowledge that the Environment minister has been very straightforward throughout the course of his term as minister in terms of sharing information and briefing us on some of the key issues. Sometimes the briefing comes after the announcement, but that's okay. We'll work on that. I don't always agree, in fact I actually seldom agree, with the filters that he uses for decision-making, but it is always an interesting discussion and opens up lots of opportunity for debate for us in and outside of the House. So I thank him for that level of co-operation and look forward to that continuing.

I also would like to thank all of the staff that are here today. You all do a wonderful job. They have, I think, a tough time keeping this guy out of trouble, but they're also doing a good job on that side, and we'll stay tuned.

DR. TAYLOR: That's their primary job.

MS CARLSON: Yes. I understand that very well. I'm sure they understand that very well too. We'll see how things unfold in the future, but I know that they're up to the challenge, Mr. Chairman, and we'll have to keep on our toes to find those potholes that he steps into.

DR. TAYLOR: As long as the potholes aren't filled with something.

MS CARLSON: Yes. Well, you're the guy from rural Alberta.

For the debate this afternoon I'll make some opening comments and list some issues that I would like the minister to talk about, and if he doesn't mind responding to them in a general or more detailed fashion, whatever he prefers, and if there are specific details that he wishes to share with us at some later time, that would also be very acceptable. I find that budget debates are most effective for long-term use when we're able to get some answers on the floor of the Assembly, so thank you for that, Mr. Chairman, and Mr. Minister.

3:20

The minister in his opening comments talked about his department being the chief protector of the environment of Alberta, and that's how I also see his role, so it's a little disappointing for me when I go through the core businesses of the department and see that they have such an economic development focus. I'll talk about that a little bit more in detail, but I do agree with him on what he sees as the chief role for this department. I don't necessarily see that they use that particular filter in making a great deal of the decision-making, and perhaps he can tell me how they develop the decision-making process that they use when they apply it to decision-making as the chief protector of the environment. I see a heavier focus on what we see under their core business goal 1, the key strategy of sustainable development, integrated resource management, where it states that they "develop a comprehensive series of sustainable development strategies to integrate the uses of land and resources." It would seem to me that it would be more appropriate, in keeping with what he stated as their chief role, if the statement at least said: develop a comprehensive series of sustainable and integrated protection and development strategies, or something along that line. So I would ask him to comment on that.

I think that, otherwise, the core businesses outlined here are good as sort of second-tier core businesses. What I would like to see a focus on for this minister and this department is a model of sustainable development that takes in more than the economic model that it looks like they're using as a descriptor. I think that there's a big need in this province at this time, and this government could show a real leadership role if they took a look at developing a science-based model of sustainable development. I think this is the particular minister to do this because of his background.

We're facing increasing competing interests for our land base and our water and our air in this province, the competing interests being people, municipal development, agriculture, industry, and wildlife needs. How do we make the decisions? I guess that is really the question. Right now what we see or what the perception is is that the decisions are made based on either who has the money or who has the influence or who has the biggest degree of pressure on the government. In talking about this particular model to industry and environmental groups, both sides are very receptive to looking at some other sort of a formalized structure being put in to decide who gets what in the province. If the government were to initiate a science-based study to decide what the land load is for all the competing interests in the different regions of the province . . . [interjection] Well, the minister is saying that they're doing something like that. I'd be very interested to hear about that. Perhaps I'll listen to what he has to say on that before I proceed with the other comments I have on this.

DR. TAYLOR: I'd just like to comment on that, the issue around integrated resource management. I think that's what the member is indicating. She's talking about the ability of the department to look at a particular land mass or a particular area of the province and try and develop an integrated resource plan, and that's exactly what we're doing. We have a very good model on the northeastern

slopes, and I think we sent copies to the member. If we didn't send you a copy of that, the northeast slopes management plan, we will send you one. What that northeast slopes management plan does is look at limiting the footprint of industry or industrial development on a particular area. For instance, in the northeast boreal, of course, you have a lot of forestry roads through particular forest areas. Well, what we would say as part of the plan is that if the oil industry or seismic wants to develop into a new area where there's forest and forestry wants to develop in that area, the industry should get together to limit the footprint and just have as small a footprint as possible on any one particular area.

Now, the northeast slopes plan is the first one that we've done, granted, but as we go forward, that is an initial model of what we want to do. We want to develop what we're calling integrated resource management plans for various areas around the province, and we will do several of those this year. I'm not sure how much the staff can do, because it's a public process and we get the public involved. We hold public meetings and ask the public. What this does is bring a balance between industry and the environment. It protects the environment.

The goal of the integrated resource management plan is to have as little disturbance to the environment as possible, and that's what this department is about. It's about protecting the environment and balancing economic development with that. It's quite clear from the World Economic Forum, from the World Bank that countries that have the healthiest economies also have the highest environmental sustainability index. Countries that have the lowest GDPs – and these are 2000 studies – have the lowest environmental sustainability index. So a country like Haiti, Eritrea, or Ethiopia has a very low environmental sustainability index. What we're trying to do with these integrated resource management plans is do exactly what you said. Have we gone far enough, you know, fast enough? Maybe not. Have we started? Yes, and we will continue along that line.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. Thank you, Mr. Minister, for your comments on that. We do have the information on the northeast slopes and the management plan. It doesn't really address what I'm talking about here because what we're looking for is something that goes a little further. You talk there about limiting the industry footprint in a particular area. I think there's a question that needs to be asked prior to making that decision, and that is: should that particular footprint be there anyway, or does it even need to be limited? What is it that we need to actually decide here as the criteria for deciding what the land-load base is; that is, how much can the land sustain? I think we have some areas in this province that are overdeveloped and some that are underdeveloped. So how do we decide that, and then how do we decide who gets there and whether or not the next step is an integrated plan where industry looks to limit their footprint?

[Mr. Klapstein in the chair]

The University of Alberta has an excellent environmental planning area that's quite interested in looking at designing a model that could actually decide, could define within some reasonable parameters what the land-load base is. For instance, in your part of the province, where we're seeing increasing pressure on water and increasing pressure to have intensive livestock operations, what is the science-based land load there? What can that land base sustain, given the resources it has available to it right now, in terms of industry, people, municipalities, and wildlife? Let's look at that

from a science-based position and then decide whether or not we can take any more. If we have too much, what do we do to mitigate long-term damages? The same in all the other regions of the province.

Now, I've had some fairly detailed discussions with people in oil and gas and forestry on this as well as with environmentalists. We would expect that environmentalists would be happy with this kind of a proposal, but would industry live with it? Would they be happy? We have already some commitments of financial support for this kind of research should it go forward, because what everybody is looking for, on both sides of the issue here, is a roadmap to be able to follow that takes out the political lobbying, the chance situations, the court challenges that we've seen happen here in the past. So I would respectfully ask the minister to take a look at something like that, because I think that could show real leadership.

3:30

We have a unique opportunity in Alberta because of the resources available here in terms of environmental and industry and dollars available to the government to really be a best practices province. Now, I know that in many ways we are, but I don't want us to compare ourselves to Third World countries. I want this province to be able to say that we are leaders in the globe. We have an opportunity to do that, and we have an opportunity to preserve areas that are quite unique but may not be so unique five to 10 years from now if we don't take a look at these kinds of practices.

A short sustainable development definition that I particularly like and I think lends itself to developing this science-based kind of research is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. That takes into account more than just the balancing of resource management and industrial development with environmental needs I think. I think it's something that we need to take a look at.

If we take a look at what people are starting to talk about globally, they're starting to talk about things like a quality of life gap where standard measures that we use, and are particularly used in this province, that measure the economy and changes in the GDP and inflation and employment fail to tell us about long-term sustainability of our economic development and how it translates or fails to translate into quality of life. Certainly the environmental gap falls into that kind of a measure.

Everybody knows that human activity leads to disruption of global climate, but we find also that the actions of governments and industry are quite short of what's needed in the long term to prevent severe damage to economies and environments. The minister alluded to this when he talked about good environmental practices leading to wealth in areas. We really need to take a look at the beneficial kinds of changes that we can see in the balance between economies and environments and the resource consumption that people have, because we're not where we need to be, and I think we need to just have a little bit of a change in focus in how we determine what that is. We don't actually, I think, incorporate risk assessment and management as policy in making decisions when we talk about sustainability, and that could be easily incorporated into this kind of science-based review.

So if the minister could just briefly comment on that, I would appreciate it.

DR. TAYLOR: I'll be very brief. Once again I would suggest to you that that's exactly what the integrated resource management plan does. It does take the science into account. I mean, we're not perfect. We can always improve, and we certainly will take your comments seriously as we go forward.

MS CARLSON: Thank you, Mr. Chairman, and thank you, Mr. Minister.

Next I would like to touch on your comments on the Kyoto agreement and where this goes in terms of leadership in the province. I'm hoping that the minister isn't sticking to his guns of fighting it out with the feds at all costs.

DR. TAYLOR: Absolutely I am.

MS CARLSON: Well, I think that that is an eventual stage you can get to. I don't disagree with that, that potentially long-term that may be where this all ends up. But I think there's again a real leadership position that this government needs to take, because let's face it; we have the most at risk here as a province in any decisions that are made long term.

[Mr. Tannas in the chair]

Now, I'm hoping that there's the public side of this issue where you're ready to meet at high noon and shoot it out, but I'm also hoping that there is a private component to what this government is doing and what this minister is doing in terms of moving this province to the forefront of decision-making on what happens in the long term around CO₂ emissions. I don't necessarily agree that the Kyoto accord should be ratified by Canada. I don't think that it takes us where we need to go, but there are some issues there that need to be clearly identified. We need to do something. I think everybody agrees with that. I think industry agrees with that. Certainly that would be the information that I have, and that's a topic that I know quite well because I did my master's thesis on it. I think that we're seeing industry lead on this issue, and I think the government is still falling behind in terms of where they need to be pursuing issues. If you just pick a fight with the feds, why would they go to the table and start to work with you on some of the issues that are important to Alberta, which has such a fossil fuel dominant position?

Where are you in terms of pushing forward with issues like tradeable permits, carbon credits, and sinks? I think that's a position that Alberta can carve out for itself and pursue aggressively at the federal level, because those are the areas that we're going to be hurt with. What are you doing in terms of taking a look at the emissions following the buyer rather than all the risk being assumed by the producer? If these guys want our oil and gas, there's a cost associated with that. There's an environmental cost, and what are you doing to push that along in terms of it being accepted as an option?

I received just recently, yesterday or the day before, some great information on the Breton Plots Soil Conservation Society and some good work that they're doing. They talk about how the practices that they've had in terms of learning how to manage unproductive soils have led to the development of economically viable agriculture over a large portion of Alberta. Particularly with regard to Kyoto they've shown that certain practices have increased sequestration of carbon in the soil and therefore reduced carbon dioxide. Other research has shown how certain practices reduce the amounts of nitrous oxide and other greenhouse gas, and they are relevant in terms of carbon credits. So in addition to that federal component, what else is this government doing particularly to push along the research and development side of some of these issues?

DR. TAYLOR: Well, thank you very much. I'm very pleased that our persuasive arguments have convinced the hon. member that the federal government shouldn't sign the Kyoto agreement, and I hope she's communicating that to her federal counterparts.

Now, what have we done and where are we going? I would say that on the whole we work very closely with the federal government on a number of these issues. Just last weekend I spent considerable time with both the federal minister and his deputy minister. As a direct result of the effort that we put into working with the federal government, they included earlier on last year the concept of forestry and agricultural sinks in their negotiating position. That was a direct result of Alberta working with the feds on that, and they did get the United Nations, the climate change agreement, to agree to include both forestry sinks and agricultural sinks. I won't go into the details on explaining what they are, but you obviously know.

Now, the other thing that we have worked with the federal government very clearly on after Bonn, which was last July or August, was to get them to include what we're calling clean energy exports in the agreement. It has become quite difficult with the U.S. not a signatory to the agreement because most of our energy – and I'm just going by recollection here. I think about 80 percent of our exported natural gas goes to the U.S., and about 60 or 65 percent of our oil exports go to the U.S. That's recollection. I could be a few percentage points out. When we move particularly our natural gas to the U.S. and replace coal or some oil-burning furnaces or whatever we're replacing it with, we should get clean credits for that, and both the federal government and us agree on that.

That's a direct result of us working with the federal government in Bonn, and I can tell you that at Bonn I had very good co-operation with the federal government. I couldn't attend the negotiations because unfortunately Alberta is not a federal state. Only the federal states could attend the negotiations, but we did meet every morning. We met with the federal negotiators every morning that the negotiations were going on for anywhere from an hour and a half to two and a half hours. They met with us and they told us what had happened the previous day, where they saw it going, what was Alberta's position. Quebec was there as well. I can't remember if it was just Alberta and Quebec. There may have been one other province. I can't recollect. What is Quebec's position on this? What is Alberta's position? Where do you think we should be going? I found the federal negotiators to be very frank, very open, and very honest, and we worked very closely with them. So I see that ongoing working relationship to continue.

3:40

On February 21, I believe it was, we presented a paper in Ottawa at an invited conference that outlined Alberta's strategy, its kind of overarching strategy as it deals with climate change. We've always said that climate change is important, and with or without Kyoto Alberta will go forward with a strategy and an action plan.

You were asking specific questions about emissions, trading, sinks, and so on, and I can tell you that that will be part of our action plan that we will be presenting to the joint ministers' conference in May, May 21, 22, in that time frame, in Charlottetown. There will be very clear actionable items. It will have a great emphasis, I'm sure, not to give anything away, but energy conservation certainly will be a large part of what we go forward with in any action plan.

Industry is co-operating with us. We've got a group called Climate Change Central. The board is made up of industry. It's made up of environmental NGOs. Who else? Agriculture is there. Transportation is there. Some academics are there. It's a very good and effective board. They're actually working very closely with my climate change people in the department headed by John Donner, who's an ADM, working very closely with the Climate Change Central group to actually work on and develop this action plan. It's actually developing as we speak. As I say, we will be releasing that publicly at the May 21, May 22 environment ministers' conference.

We want this to be a leader. We want people to look at this and

say: you know, Alberta's got a very clear action plan. Other provinces should be able to look at it and be able to generalize their issues around CO₂, and we hope the federal government will take a look at it and say: yes; here's an action plan that will actually reduce the CO₂ as we go forward. Of course, we have to do this in the North American context. As I said earlier, the largest amount of our trade – in energy issues, in all areas, manufacturing, whatever – is going to the U.S. So we have to be cognizant of what the U.S., our largest trade partner, is doing, and we have to develop our action plan within the North American context.

The Europeans quite clearly do what they do within the European context. They have something called a European bubble. They move things around. So, for instance, Portugal can increase its CO₂ by about 30 percent and still be at a Kyoto target. What they do is they take that Portuguese 30 percent and move it around and artificially reduce.

I want our action plan to be really centred on actually reducing CO₂, because that's the purpose. With or without Kyoto makes no difference. Preferably without, because the technology will not get us there in time. I believe that this needs to be a technologically driven process, not a politically driven process. So you will see in our action plan a big emphasis on developing technology: sequestration technology, sink technology, agricultural sink technology, forestry sink technology, and so on. That's the way we're moving.

I mean, there's always going to be, you know, discussion around any action plan just as there was around the strategy that we released, but I think overall that people will be impressed and pleased. Once again we were seen as leaders when we put the strategy out there, and I believe that we will be seen as leaders as a province when we put our action plan out there too. So you can look forward to that mid-May.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I have two more points that I would like to address before I yield the floor to other opposition members. The first is a follow-up to what the minister has said, and thank you for the information. It's certainly more progressive than what we have been reading in the newspapers in terms of your position and where you're going. As a follow-up to that, without giving away anything that you can't disclose about the action plan in terms of CO₂ emission reductions, I'm hoping that you can tell us that included in at least the public education component of the strategy is the public participation in CO₂ emissions and their required participation in reducing that. We know that the focus has so far been on industry, but in fact they aren't the greatest emitters if we take a look at it on a collective basis.

DR. TAYLOR: If I may make one small correction, actually in Alberta industry is the biggest emitter. The oil sands and electrical generation emit about 52 to 55 percent of the CO₂, but in other provinces it's different. In most other jurisdictions in Canada it's largely a consumer issue. And, yes, we will very clearly deal with the consumer issues and public education on energy conservation as we work through this action plan.

THE CHAIR: The hon. Member for Edmonton-Ellerslie, and eventually we'll get Edmonton-Strathcona in here.

MS CARLSON: Yes. One more point. Mr. Minister, I would like to get some opinions from you on genetically modified organisms. We know that primarily the focus for this issue is an agricultural issue, but there is certainly an environmental component to it that

fits in with a number of the goals and core businesses that you've outlined. Two points here. One is on insect resistant strains and GMOs and the potential for them being toxic to their predators, like critters that eat grasshoppers, caterpillars, things like that. What are you looking at in your department in terms of that kind of long-term environmental risk, and what impact does a crop developed using biotechnology have on the environment?

If we take a look at the July 2, 2001, *Agri-News* put out by Alberta Agriculture, Food and Rural Development, on page 3 they talk about how "biotechnology may bring animal care benefits and challenges" and that "bio-engineered livestock may bring many human health and environmental benefits." So I am wondering if you can comment on the potential environmental benefits you see on the side of GMOs and the environmental problems that we may see. We hear a lot these days about how GMOs will modify the landscape and impact particularly on forests. So if you can give us some general comments, and if you're doing anything specifically, I would appreciate that being provided.

DR. TAYLOR: As you correctly identified, this is largely an agricultural issue, and I'll actually have to get back to you on that and see exactly what we are doing within the department on GMOs. I could comment, I suppose, that you have a genetically modified organism sitting to your immediate left, but I wouldn't. We will get back to you on that issue.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I rise with pleasure to ask a few questions of the Minister of Environment concerning the budget and related matters and policies. I was listening to the minister's comments on the position that the minister and I guess the government have taken on the Kyoto accord, or protocol, and its signing. The minister seems to have a sort of ambivalent position on the climate change issue, and Kyoto is only one instrument, I guess, to address the problem. He would like to go with Kyoto but not necessarily. He says preferably not, and perhaps uses his own action plan instead. I have a question on the reason that the minister has used and the government has used. Why would Kyoto in its present form make us economically uncompetitive vis-a-vis U.S.? True; 80 percent of what Alberta produces goes there. I guess 75 percent of what Canada produces goes there too, but there are two ways of dealing with it. One is to accept the U.S. position as is and then develop our own responses, because the U.S. position is out there and we don't want to say anything about it.

To what extent has the minister expended any efforts to convince the federal government and to work with it and other provinces as well – because the other provinces are players too, I guess, in this whole process – to collectively put pressure on the American government to change its position? That to me is one of the many responses. If they don't change at all, then of course I'd like to see what your own action plan is if you don't accept Kyoto. What pressures have you mounted either as a provincial representative, all by yourself, or jointly in co-operation with federal and provincial governments?

3:50

DR. TAYLOR: Thank you for a legitimate question. I will say that we have the support of a number of provinces quite clearly: the strong support of British Columbia; the strong support of Saskatchewan, a good ND . . .

DR. PANNU: Did my question not get through?

DR. TAYLOR: I'm going to get there.

. . . strong support of Ontario and New Brunswick, so we have strong support from those people on our position. They actually see us as leaders, and most of the country sees us as leaders. No, I don't think Kyoto is the appropriate instrument, period. Okay? Because we will not get there by 2010. The first measurement period is 2008 to 2012. Canada gets measured, if Kyoto is ratified, in 2010. We don't even measure it ourselves. Do we get these UN cops coming in to measure Canada? So you've got some sovereignty issues around there as well.

So Kyoto is not the instrument. That does not mean that climate change is unimportant. What it does mean is that Kyoto is not the way to address it. We need to address climate change through the development of technology for the reduction of CO₂ and other pollutants. As a matter of fact, the fellow that first wrote about climate change in 1988, a NASA scientist whose name was Hanson, is actually backing off, as he's kind of Mr. Climate Change. What he's saying now is that certainly CO₂ is important, but it's the other issues – the NO_x's, the nitrous oxides, the sulphur oxides, and the particulate matter – that make people sick, and we need to be spending more time on those than we do on CO₂, because as you get rid of those, you also get rid of CO₂. Quite frankly, Kyoto says nothing about SO_x's, the sulphur oxides, and particulate matter and so on.

Now, I'm kind of getting around to your question eventually. So what I'm saying is that, no, we have no intention of trying to put pressure on the U.S. to accept Kyoto. It is an inappropriate instrument to deal with the issue of climate change. Climate change needs to be dealt with through the development of technology. That is not what Kyoto is about. Kyoto is largely about a wealth transfer from the industrialized world to the developing world, and that may be an appropriate thing to do. In fact, in my own personal opinion I think that probably as an industrialized world we need to do a lot more for development in the Third World, but if that's the issue, then let's do it appropriately. Okay? Let's do it in a direct fashion, not through some international treaty that has little to do with actually dealing with the issues of the developing countries. So, no, I don't intend – the federal government may be trying to put some pressure on the U.S. to change their position, but you can see how much success they've had, and I agree with the U.S. that Kyoto is an inappropriate instrument to deal with the issue.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I'm glad you made yourself clear. The federal government is trying to seek some modifications, I guess, in the Kyoto before they will sign. They will not have your support regardless. Is that what you're saying?

DR. TAYLOR: Well, one of the issues that we've got on the federal agenda and that the federal government has put on the international agenda – because of course we can't put it on the international agenda ourselves – is clean energy exports. The Prime Minister has commented on it; a number of senior ministers have commented on it. That's clean energy exports, getting credit for those clean energy exports, being crucial to Canada's position on ratification. If they do get the clean energy exports as part of the UN treaty, which I don't believe they will – and last weekend in Banff when I was there, the Europeans quite clearly said that they will not allow that to happen. The Germans have said independently that they will not allow clean energy exports to be part of the treaty. So I don't believe they'll get it done.

Let's assume that there's some miracle that happens and the

federal government gets clean energy exports as part of the treaty. At that stage, then what we will do is we will reanalyze our data. We will put that into the different computer models that we're using to estimate costs, and we will see if that changes the amount of damage it will do to the Alberta economy, first, and to the Canadian economy secondly. So if they get it, does it automatically mean that we'll agree with ratification? No. Does it automatically mean that we'll agree with not ratifying? No. What we have to do is to take the information we get and put it into our different modeling scenarios we're using and see what effect that will have on the economy.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. Let me move from there to the Alberta strategy and action plan. We now know that the government of Alberta is drafting an action plan. We also know that it will be officially released on May 21, May 22. Would you be able to release a draft of this for public debate in Alberta so that Albertans, your and my constituents, can have some foreknowledge of what you will be proposing on the 21st, 22nd? What's wrong with making your plans public to Albertans, to whom you and I owe an obligation to be open with?

I have a couple of other questions. I may as well make those. I want to thank my colleague here from Edmonton-Gold Bar, who has kindly permitted me to ask you a few questions because I do have to leave the House for a while after that.

I see that environmental stewardship is one of the main businesses of your department as goal 3 in the business plan. It says that stewardship is best achieved through "generating awareness and understanding that encourages environmentally responsible behaviour." I presume both on behalf of the government and on behalf of all of us as individuals, stewardship by all Albertans. Would this goal not be seriously addressed if in fact you made a commitment here today that you are going to take your draft first to your own citizens of Alberta rather than taking it somewhere else first? Why would you not do it in light of that?

My second question is about your reference to CO₂, that the control of CO₂ emissions is important. Whatever strategy of the province you lead this government to develop will have to address of course the matter of CO₂ emissions through power generation. I was taking part in the debate yesterday afternoon on the Energy department's estimates, and there was a forecast there, a projection that over the next four or five years in Alberta the alternative energy generation will remain at 9 to 10 percent. It's 8 to 9 percent now. It's remained fairly at that level, and the primary reliance in this province will remain on coal to produce energy. Of course, the province is encouraging greater amounts of generation of power primarily obviously through the burning of coal. Coal burning leads to the release of all kinds of pollutants including CO₂. What plans do you have as the Minister of Environment, the advocate of environmental enhancement and protection, I guess, to act on that front to limit, to reduce CO₂ emissions even if you don't like Kyoto and you won't go along with it?

4:00

DR. TAYLOR: Let me deal with the first issue, which was releasing the document beforehand. One, we have a timing issue that's simple and practical. We're working very hard to get it ready, and it'll probably be ready about the week before we go. So that we do have some feedback from Albertans, we have 74 members in this House that represent the largest percentage of Albertans, and we will have those members certainly review it before we take it anywhere. Simply there's a timing issue, and we will do that.

AN HON. MEMBER: I didn't know you considered that important.

DR. TAYLOR: Absolutely they are important, and we hope to have them support us next time around, which I'm sure we will.

So it's a timing issue largely, and we will release it. When we release it, it will be the first step of an action plan that we will be asking for feedback on. It's not something that's written in stone. It'll be the first step. As I said a little earlier, I'm sure there's going to be lots of feedback on it because it will certainly be somewhat controversial.

Now, a very important point that you've raised is in regards to the emissions issue and burning of coal. I will point out that Alberta has the toughest standards for provinces where we burn coal. B.C. has, for instance, tougher standards on coal burning for power production than we do. But guess what? They don't have any coal-generated power plants because they're all hydro. So in jurisdictions that actually burn coal to produce power right across North America, we're equivalent. Does that mean they're tough enough? No, it does not.

[Mr. Shariff in the chair]

As you know, last July we toughened up the standards some. We made them more stringent. I have asked the Clean Air Strategic Alliance, which is not a government body – it's once again made up of NGOs and industry – to come up with new standards for our emissions. They are presently working on that, and it's going to be a very interesting discussion to see what they come up with.

Also, I've asked them to take a look at: should the new standards that they come up with be applicable to existing plants? In other words, should existing plants be grandfathered? My personal preference – and I don't want to prejudice the discussion that CASA has – is that existing plants should not be grandfathered. But that represents my personal viewpoint. I think that when we put in the new standards, when a licence renewal comes up, those standards should apply to the licence renewal. Hopefully nobody from the Clean Air Strategic Alliance reads *Hansard* and accuses me of trying to prejudice their discussion. That's a personal opinion. What we're going to do is we're going to get the results back from the Clean Air Strategic Alliance.

On coal I would mention that I did spend some time – I don't know; it would be a month ago now – with a group called the Clean Coal Alliance or something like that. It's a group that's made up of Alberta, Wyoming, Los Alamos lab, a whole bunch of groups around North America. We're all putting money in to see if we can burn coal cleanly. The scientists are telling me, at least the ones I met with that are involved with this, that in 15 years or less we will burn coal essentially without emissions. We'll have figured out how to get rid of the NOx's, the SOx's, and the PMs, and we will separate the CO₂ from those and sequester the CO₂. We might use it for enhanced oil recovery.

In fact, we're working in Saskatchewan with PanCanadian, the federal government, and the Saskatchewan government. [interjections] I know it sounds shocking to you, but we are very pragmatic people and like to help out the poorer neighbors, you know. We're working with those groups on carbon recovery, pumping CO₂ into the ground to help oil recovery. That project is happening right now, as we speak, in Weyburn, and we will continue to do that. The hope is that as we go forward, as I say, within 15 years or less, we should be able to be burning coal with virtually no emissions and separating CO₂ out and sequestering it.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. One more question. On the issue of clean coal-burning technologies I understand that TransAlta already has a plant in Washington state which uses state-of-the-art technology and that there are technologies currently available that will help reduce those. I understand that those are not as alternatives on the table for consideration as requirements for our plants for expansion. I do want to commend you for the position that you just stated with respect to you're being against grandfathering the older technologies, and I think you do have my plaudits for taking that position.

There are other technologies available which are better already, and you said yourself that climate change should be technology driven. On that one, I think you will recall that during the '70s energy crisis, when the government of the U.S. decided to reduce both consumption and in California of course emissions, they said: we're going to generate the technology that will help us get there. When they wanted to get into space, they didn't wait for that technology to happen; they set their targets and then said: we will produce the technology to get there. So I guess your logic on that one is somewhat weak, the cause and effect. You don't wait for the technology to happen before you do this. So I'd like you to address that.

My question is on water now, the last one I will ask of you. Again in the business plan you have: "develop a partnership with industry to collect [information] and analyze the state of Alberta's ground water." I'd like you to comment on the nature of these partnerships that you may already have in place or that you are hoping to develop. Why is industry being brought into the study phase? You know, at this stage is it really an enormously expensive project? Is that why? [interjection] Let me complete, please. I'm sorry. A couple of questions on it.

I'm a little bit worried, you know, about bringing the industry into it at this stage. I'd like you to assure me that it won't be a prelude to the commodification of water later on, that you won't get into the business in a big way of turning it into a commodity and businesses making huge profits from it. So that's why I raised that question.

The issue of toxins that are released into the water, you know, groundwater, surface water, both through intensive agriculture and intensive livestock operations, whose growth is being encouraged, I guess, as a matter of policy by this government, is causing concern to lots of communities, lots of people, particularly in certain parts of the province. We know that the E. coli 0157 counts in different parts of the province are different, and in some parts of the province they go above the guidelines that are set by the province for public health reasons. The Chinook region is one such region. I won't go into the numbers here. You are familiar with those, so you'll, I'm sure, be able to respond to this.

The release of toxins into water is a matter of growing concern, and the impact, particularly of nitrogen-based toxins in water, is a source of serious health consequences. I'll give you an example. In Indiana some women who lived in close proximity to these water sources that were contaminated, that carried higher levels of toxins, nitrate-based and nitrite-based, had miscarriages a total of six times – there were three women – within two years. All three lived near an ILO and were drinking well water with nitrate levels greater than 10 ppm. You would know what ppm means; I don't. When they switched to drinking bottled water, they were able to have healthy, full-term pregnancies. Just one example of the kind of negative health consequences that can result from progressive release of toxins into water. So any comments, any plans?

4:10

DR. TAYLOR: Let me just talk first about partnerships. I thought that from your perspective you'd want everybody to be involved with water, all the different partners to be involved as we go forward. That's the goal of our partnership. We want to involve industry; we want to involve the public. You can see us doing that right now in the water strategy. I mean, we had originally scheduled only 12 meetings around the province, and we had such demand in fact in Calgary that we had to have a second meeting because we had to turn people away. I can tell you that there have been a number of very interesting meetings, because people feel very strongly about some of these issues and there are a number of very strong different viewpoints. So it's our goal in partnerships to bring in industry and the public and environmental NGOs.

Now, in particular to groundwater the biggest utilizer of groundwater in this province is the oil industry. One of the things that is coming up quite clearly in the public meetings that we're having is: should the oil industry be using these numbers of gallons of fresh water that they are using? That's clearly a discussion point. Some people in the meetings are suggesting that they should be using the saline, or salty, water, that you can get out of the ground as well. Depending on the depth you go now – I'm not a water well driller – you can apparently either attract saline water or fresh water. So perhaps you drill a little deeper and get saline water to use in your oil wells.

I'm not saying that any decisions have been made. I'm just saying that the value of what we're doing with the water strategy is that we are having these discussions openly and publicly for the first time I believe in Alberta. I don't know what's going to come out the other end, but we will have to see what comes out the other end as we work through this strategy. So I feel strongly – and I'm sure that the department does too – that we have to have everybody involved in these partnership efforts, particularly when it comes to water.

Now, in regard to ILOs, as you're aware, the ILO has to go through the NRCB, but the water issue we still deal with. Most ILOs that I'm aware of need to have water. Whether it's chickens or pigs or feedlots, they have to have water. So after it gets through the NRCB process, it has to apply for a water licence, and one of the things we're very careful of in water licence applications is how it affects the surrounding groundwater, how it affects other neighbours' wells.

I can tell you of one recently that was in my constituency. The gentleman wanted to put in an ILO, not a large one like some people are projecting but a small one. It's an individual farmer. He's in the cattle business, and he wanted to expand his operation into the pig business so he'd be a little more diversified. It's a one-man farm, a one-man operation, so it's not these huge things that you think of when you think of some of these hog operations. We asked him to hire an independent hydrologist and give us a report, which he did. He had to drill some test wells and monitor those test wells first for volume and then to see if there's any contamination. So he had to drill test wells in a number of different positions and a number of different distances that will be monitored by hydrologists.

We recognize that one of our prime jobs is to protect the drinking water supply of Albertans. That's why we as well, working with the health units, allow people to bring in – you probably live in Edmonton, but say that you lived in Sherwood Park or someplace where you might have a well. Do they have wells in Sherwood Park? I don't know. In the rural areas, in Strathcona county, where they might have some wells, you can take a sample of that well, and then certainly we will test it, and if there are pollutants in that well, then we will try and help you fix that. So we're very conscious of drinking water and it being very important to Albertans.

As I said earlier, you know, we have some of the toughest drinking water standards in the country. There are only two jurisdictions that have adopted through legislation or regulation the Canadian drinking water quality standards. Alberta is one of those jurisdictions, and on top of that we've even strengthened some of those Canadian drinking water standards; that is, we've made them more stringent. Our standards are even more stringent than the Canadian drinking water quality standards. So we're very conscious of the water issue, and we'll continue to be conscious of it, and that's why we ask, depending on the situation, for monitoring of wells around ILOs. There have to be hydrology reports and so on. So we will do our utmost to protect and make sure that what you're talking about doesn't happen.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Chairman. I appreciate the responsiveness from the minister. I've been trying to attend to his comments so that I don't duplicate some of the questions, and if I am duplicating them either because my mind wandered or because I was out, just tell me and I'll check them out in *Hansard*.

I might as well start with a very specific question. It jumps right out from the estimates. I'm on page 165 of the estimates. I wouldn't be surprised if this has already been addressed in discussions while I was outside of the Assembly. Under expenses, environmental leadership, environmental assurance, and environmental stewardship, there are notable declines in budgeted expenses for each of those areas, most especially environmental leadership, which is going to drop, it looks like, from about \$21.4 million to just under \$10 million, so over a 50 percent drop. Could you tell us what's happening there that there's such a dramatic drop, and how does what's happening there feed into the mandate of your department for things like stewardship and leadership and so on?

DR. TAYLOR: That question actually hasn't been asked, no, so I'm pleased that you did ask it. I would point out that there was a drop, which I did address a little earlier, of \$17 million in our budget overall, but that was for onetime projects. Okay? As I said earlier, we have this flaring study going on that you're familiar with, and we had some of it budgeted for 2002-2003, and what we were able to do is pay it forward, so we haven't included it in our budget 2002-03. We pay forward our contribution at the end of this year. Same with Climate Change Central. You'll see that there's no budget in there for Climate Change Central. That doesn't mean Climate Change Central is going to disappear. In 2002-2003 it's not in there. What we did was we paid it forward at the end of the 2001-2002 year. Just in terms of the \$17 million, the drop, those were the two biggest areas of the \$17 million that we dropped, and there were some other onetime expenses that we no longer needed.

Now, in terms of your question, that brings us back to our core budget. We've identified in our core budget a number of issues, and we're going to move resources around in our core budget. For instance, we want to spend a lot of time and effort on environmental education and environmental stewardship, so what we're doing is moving dollars around inside our budget. I don't know if you were here when I identified our five core businesses, which are environmental leadership, assurance, stewardship partnership, stewardship education, and hazard and risk management. Those are our core businesses, and what we're doing along that, then, is we've identified some key policy areas. Okay?

If you have a matrix – I should actually get you one of these. Have you got one? Okay. This is the matrix I'm working off, and

it's kind of a place mat. I'd encourage you, if you don't have one, to get back to us, and we'll get you a few, and you can sit at your dinner table and put them under your clear glass plates, because they are laminated. Our core businesses are along there, and our policy areas are down this side, so you've got very good access. Water, air, climate change, resource planning, and regulatory systems are located down as key policy areas.

4:20

What we're doing is allocating what we consider our budget to our important core business and on the other access policy areas. Let me give you an example of that. For instance, for water we're allocating \$35 million across those core businesses. Across those five core businesses we're allocating \$35 million. That's by far the biggest, \$35 million. The other big one across those core businesses is resource planning.

How do we manage our resources? I talked a little bit earlier on integrated resource management, and that would be as part of those core businesses. So what we're trying to do is locate our dollars where we feel that we're going to have the biggest pop, the biggest bang for the buck. One of the areas that we're really keen on is water, for instance. We're spending a lot of time and effort around water, water strategy, and so on. I mean, would I like to have more money? Certainly. Every minister in this front row would like to have more money, you know, because we all get committed to our programs and platforms and like to have more money. So what we're doing is reallocating within the budget to areas that we see are important.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman, again. I would like to focus on one particular area of the province for a set of questions if I may, and I'm sure there are some provisions in the budget that would address these, and certainly there would be a strategy. That area is west of Edmonton, the Wabamun Lake area, where there's so much power generation. I'm not quite sure why in my constituency, in Edmonton-Riverview, but I do get contacted from time to time. There are in fact a number of cottage owners that live in my constituency who have cottages there, and it's of course people from Edmonton driving to Jasper or wherever out to the west who see that so much. I've also paid some attention to the electricity issue, and I'm concerned about how that's playing out. There seemed to be a convergence of issues in that part of the province as a result of the power plants, and they represent a whole host of issues for the environment: air, water, land. I just want to confirm an understanding I had from an earlier exchange.

The Wabamun power plant is one of the oldest coal-fired plants in the province. The original Wabamun plant still churns away. If I understood correctly, your personal view would be that when that comes up for relicensing – and I'm not going to abuse you with this question or anything, but I'm just curious – they would be expected in that power plant to meet today's standards for emissions, and of course you're not . . . [interjection] Okay. I'll stop there and let you fill me in on that.

DR. TAYLOR: Essentially yes.

THE DEPUTY CHAIR: The hon. minister.

DR. TAYLOR: Thank you. I'm so excited I don't even wait for it.

What we've done is we've asked the Clean Air Strategic Alliance to look at new emission standards for it. Are you familiar with the Clean Air Strategic Alliance?

DR. TAFT: Well, a little bit.

DR. TAYLOR: Okay. It's basically made of – I could mention names, but you would know. Environmental groups are on there and industry and a couple of government representatives. So what I've asked them to do is to take a look at tightening up, developing more stringent standards for us, for Alberta. Okay? Now, once the Clean Air Strategic Alliance gives us those standards and I take it through the political process and it becomes government policy, then my position would be that any licence that comes up after we have those standards should not be grandfathered. It should have to meet those new standards that are being developed by the Clean Air Strategic Alliance.

I do have a couple of these. Somebody has kindly sent me down a couple of my place mats, so I'll ask the page to take one over to each member, please.

DR. TAFT: What's the time frame for that? Realistically, if things go your way – and that's an if, I understand – when might the old power plants face an expectation to upgrade their emissions?

DR. TAYLOR: I'm expecting to have something back from CASA within about 18 months. I see people nodding up there. And then how long does it take to get them through the process? Six months? I don't know. But within two years I believe we'll have some more stringent standards. So within two years is kind of the time frame that I'm expecting.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. Another issue out at the lake, which I think should concern us all, is not just the level of the lake – I am sure you're aware of that issue – but a concern of contamination of the water of the lake around the discharge outlet from the old power plant or indeed from the newer power plant, Sundance. There is some concern that I've had that there may be for example in the mud that's accumulated there over the years a concentration of heavy metals or other toxic contaminants. Does the department have a serious active monitoring of the water and of the mud at the bottom of the lake around that outlet or outlets like that?

DR. TAYLOR: Not to cloud the issue, but it's my understanding that – well, the lake level is one issue. We have a signed agreement with TransAlta and EPCOR, I believe, that will bring the lake level back up to the appropriate level, whatever that level is – I can't remember the numbers – over the next year to two years.

In regards to the water that comes through and back into the lake – if I'm wrong, we'll get back to you; I'm going by recollection and memory here – it's my understanding that it's treated before it gets back into the lake, that there is a water treatment plant there that treats the water before it gets back into the lake. So there shouldn't be any of the contaminants you're talking about, but I will check on that, and we'll get back to you. I'm pretty sure there's a treatment plant there, and I will get back to you and have some kind of response for you on: does the treatment plant take out the heavy metals, are there heavy metals, and how do we monitor that? I will respond to you on that.

DR. TAFT: I'm particularly referring to the oldest power plant, the old Wabamun power plant.

DR. TAYLOR: We'll check on that and get back to you.

DR. TAFT: Another issue that's brought to my attention by constituents is concern over the eastern slopes area around Waterton and the potential for that gorgeous land leading up to Waterton park to be developed. I'm sure you've heard of this issue. I'm not sure if it's in your jurisdiction entirely or not. [interjection] It's not, so I've missed my chance for that question. All right.

Changing gears to questions of habitat protection for wildlife. [interjection] Okay, not your jurisdiction either.

How about changing gears once again to air emissions from pulp plants? I'm not sure what the strategies are in your business plan specific to some pulp mills, and I'm thinking of experiences I've had driving back and forth to Jasper, going through Hinton. If the hon. member representing that town were here, he'd be thumping his desk, I'm sure. Sometimes you pass through the town and there's no smell from the plant, yet other times, including, I think, just a couple months ago, passing through that town, there remains at times quite a strong sulphurous odour from the pulp plant there. What's the strategy with pulp mill emissions, and how are we going to see that enacted through your business plan?

4:30

DR. TAYLOR: Well, what we're concerned about with emissions are things that are damaging to either human or environmental health, and I'm not sure that smell is always an indicator of that. It may be. What we do is have stationary monitors around a number of different pulp plants in this province. As well, we have a bus – my staff hates me calling it that – that goes out, and if there's a complaint from a citizen, we can send our sniffer bus out and, once again, monitor. With our stationary monitoring techniques I can tell you how many days a particular plant has been outside their limits. Okay? See, when a plant is given a licence, it's given a certain emission quality or certain emission standards that it has to meet. With our monitors we can tell you if those plants meet those standards every day, how many days of the year they were outside those standards, were inside the standards. I don't have that information right here, but I'll make a commitment to provide that kind of technical information to you from some of our monitoring stations around some of these plants.

We did have an issue with one of the plants. I can't remember if it was the Weyerhaeuser plant. I shouldn't mention company names, I guess, because I can't remember which one it was. When we actually investigated it, they were concerned about the particulate matter, and they were blaming the plant for the particulate matter. But when we actually investigated, most of the particulate – there are a lot of gravel roads around there in that particular community – was coming from the gravel roads. We will provide you with that information that we have.

DR. TAFT: Just a brief follow-up. As a general direction with those emissions from pulp mills, are there standards set now for quite a number of years, or are we going to be seeing those standards reviewed and improved or not? Do you know?

DR. TAYLOR: We're always reviewing our standards. The pulp mills and the lumber mills here in Alberta are using the latest technology. That's one area that is actually being very good environmental stewards and using the latest technology. As we go forward, we certainly are reviewing our standards all of the time in terms of where we are, where we should be, looking at other jurisdictions, where are other jurisdictions, are we tough enough, you know, are we too tough. I've never seen us say that we've been too tough, but certainly we review our standards constantly, and we will continue to review our standards. Around pulp mills, around electricity, around everything that we do, we review standards.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I just have one or two other questions. I have a sense that the next question I have – I asked it to your colleague the minister for sustainable development, and I'm not sure you'll have any further comment on it. It has to do with the North Saskatchewan River, the health of that river. I've heard talk of a North Saskatchewan River strategy, I think, or something like that. The river flows through my constituency, and I've lived within a mile of that river almost my whole life. First of all, am I asking the right minister? Okay. I'd be interested to know where that's going and what the strategy is. In particular, I'm curious. This may be straying out of your responsibility, but the riverbed and the riverbanks and so on, the health of those or their ability to sustain or rejuvenate the sturgeon population that used to exist in the river and is dying out – I would be interested in any comments on that.

DR. TAYLOR: I'll give you a model. We actually have a very good model in this province. It's the Bow River Basin Council. That Bow River Basin Council started a number of years ago, and they've developed a model around the Bow River. I've seen the first draft of a South Saskatchewan River basin plan, which includes the Bow and would include the Oldman, the Red Deer River, the Battle River, the Belly River – I can't remember all the rivers – a number of different rivers. We're trying to use that Bow River Basin Council as a very good example. We partnered. We provided a good deal of funding for them. Once again, it's a partnership. It's put out to the community on the basin council: municipalities, environmental groups, industry. What they've done is developed a basin management plan for the Bow River in particular, and that includes the riparian environment that you're talking about, the riverbanks and so on. What we're doing is encouraging other basin management groups to take a look at that and develop basin management plans for their rivers.

The South Saskatchewan is further ahead than the North Saskatchewan, but there is an active working group that is developing, that we have funded to some extent. I'm not sure of the exact dollars, but we've put some money in to develop a North Saskatchewan River basin study. The people are working on it. It's not as far along as some of the others, but this is all part of what we see as the value of a water strategy. In the overall water strategy ultimately what we should have is a basin management plan for all the rivers in Alberta. Does that mean it's going to happen tomorrow? No. It's like our integrated resource management plans. We've sent you copies of the northeast slopes management plan, and that's what we'd like to see over all the areas of the province. That's the same kind of model that we'd like to see for the river plans, for the basins. So, yeah, there is a plan being developed. Is it as far along as I'd like to see it? No. Is it as far along as you'd like to see? But people are working, and we will get there.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. My last question, again hopping around. I'm impressed with the minister's range of knowledge. Well done.

The last question has to do with the city of Edmonton's Waste Management Centre in the east end of the city around the old Clover Bar landfill and the quite remarkable development that's occurred around there with the composting centre and the recycling and so on and the city's ambition for this to become a waste management centre of excellence and indeed become – it seems a bit paradoxical – an international attraction for people wanting to study waste

management. So it becomes in its own way a kind of a tourist attraction. Does your department have a direct role in supporting that sort of development, and is it something that your department can encourage to develop, say, in Calgary or other areas?

DR. TAYLOR: Certainly Edmonton is seen as a model. Early on we did have some immediate involvement in that project, but the project is being run very effectively now. We certainly do encourage people to look at it. We actually have a business group in our budget that's called action on waste. It's funded, I think, up close to a million dollars. Once again, what its role is is to take a look at projects like this and work with other partnerships out there and encourage essentially the recycling of various products, which we don't do enough.

A good example is the milk jug recycling. I don't think you were in when I commented on it. I'll be brief. One of my colleagues was complaining the other morning. They heard me at 5:30 in the morning, when their alarm clock went off, encouraging people to recycle milk jugs. Right now we're only doing about 42 percent. We've got a very active program with the Dairy Council. I've said to the Dairy Council: I want 55 percent at the end of this year, 65 and 75 percent recycling. They're trying to do that on a volunteer basis. So the action on waste is a very active program working with communities around the province.

Now, the big centres tend to be fairly active in this. Where it becomes more difficult is in rural Alberta. I don't know if you're familiar with this, but in many of these there might be one dump – dump is the wrong word. I actually mean a dump where you drive up and you drive to a container, you drop it in, and it dumps down into a container below. In rural Alberta it's more difficult because: who's going to pick up the recyclables and so on? So I really feel that we need to work hard in developing appropriate programs for rural Alberta in terms of the recycling areas that we're dealing with.

4:40

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I'm happy to re-enter the debate on Environment. I have a bit of a follow-up question to what I talked about previously on sustainability. I'm referring to an excerpt from *Commonwealth Currents*, the 2001 edition. It's a magazine that we all get. On page 23 there was an article about what environment ministers recommend. It talks about the Commonwealth Consultative Group on Environment recommending to the high-level group that is reviewing the future role of the Commonwealth that it "identify environment and sustainable development as an important element of that role." This is in reference to the seventh meeting in Nairobi, Kenya, in February of 2001.

The group, that was comprised of Commonwealth environmental ministers and senior officials, also suggested that

Commonwealth leaders at their October 2001 summit in Brisbane, Australia, should "explicitly acknowledge" the importance of the association's role in relation to the environment and sustainable development by placing the issue high on their agenda for discussion.

They go on to talk about how that played out.

Ministers [ultimately] called for the World Summit to promote sustainable development in a truly integrated way, through a clear commitment to poverty alleviation, and by ensuring that development and environment objectives were tackled together.

I would like the minister to comment on the substance of that. Are you able to attend these summits? I know that they're primarily a federal jurisdiction, but is there any opportunity for you to participate, and if so, do you?

DR. TAYLOR: I don't disagree with what you're saying, you know. I want to be very clear: we are very interested in this province in environmental sustainability and developing environmentally sustainable industries. For instance, we have the biggest wind generation industry in the country in this province. You can see the results in Calgary, where we fund Climate Change. Climate Change was involved with the city of Calgary in the Ride the Wind! project. That's where the whole C-Train in Calgary has been run on wind power. We worked with the city of Calgary in terms of providing green energy. In Calgary at the present time, if you want to pay an up-charge on your electricity bill, you can go with green energy. So we are very, very supportive of these projects. We will continue to find and develop other ways that we can support environmentally sustainable industry. I just want to be very clear on that.

With regards to going to the summits, I've been able to attend the summits that I felt were important for us to attend. I was at Bonn last summer, and then we've had a number of various meetings around the province. I'm not a great traveler – I prefer to stay home – so I kind of pick and choose and try to determine the ones that are worth while. If the minister of intergovernmental relations agrees to it, I'm hoping we'll be able to attend the South African summit, which is at the end of August, and it's a Rio plus 10 kind of summit, which is an environment summit that's going to be talking about Kyoto and issues around Kyoto. Yes, I have had no problem attending the summits that I feel are important for us to attend.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. Mr. Minister, I'm quite happy to hear you say that, and I would add my push to the Minister of International and Intergovernmental Relations to allow the Environment minister to go, because I think there's lots to be learned and some benefits from that. I'm sure you can find the dollars in your budget. It's not that big a deal.

I would like to focus now on some of the actual line items in the budget if I may, first of all addressing the new budget for new processes, that you talked about in your opening comments. We see a change in how the ministry is delivered and program reorganization, and for us it's very tough to follow where the specific decreases have been in specific areas. You talked about a couple of the large ones, but if we could have more detailed information on that in terms of how they relate to previous years' budgets, that would be very helpful for us.

Particularly, I would like to ask about the environmental protection emergencies. We know that that area has been reduced, so if you could tell us what types of services are funded under that program and why the decrease. Have there been fewer emergencies? Do you anticipate fewer emergencies? Does this department charge back any of the costs if it can be determined that specific businesses were responsible for emergencies?

DR. TAYLOR: The question is in *Hansard*, and I'll have the department respond on that kind of specific detail.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I've been listening with interest to some of the questions I've heard directed to the Minister of Environment this afternoon. However, one of the things that concerns us all is the intricate relationships that occur between one government department and another. Yesterday in Energy estimates we heard the hon. minister discuss at length and with a degree of certainty that there was certainly too much regula-

tion and that it was affecting how business operates in this province, particularly the oil and gas business. For the Minister of Environment: how does the department deal with the event of a fire at a jointly approved EUB/Alberta Environment facility? Who determines which organization should be the primary contact? In the event that Alberta Environment is the primary contact, is there a certain step that would take place to notify the EUB? In the reverse, if the EUB is the primary contact, how does the Alberta Environment department become aware of this?

There are a number of industry notification requirements that are joint, and whether it's a facility or whether it's a pipeline, Mr. Chairman, I think we need to have this clarified in light of some incidents that have happened recently. One of those incidents that comes to mind is certainly the ethane fire at the storage facility in Fort Saskatchewan, that was operated by BP Canada. Now, there are some spills or releases or accumulative releases that the EUB would be the primary contact for. That would be like unrefined product spills. It could be produced water or refined product spills. That would be Alberta Energy; that would be the hon. minister's department. Then you have, of course, contravention of Alberta Environment approvals, and naturally that would be the hon. minister's department. But then we see unplanned or planned releases in accordance with EUB approvals; naturally they would go to the EUB. For flaring, whether it's solution gas or produced gas, it varies as to whether it's Alberta Environment or the EUB. It doesn't seem to be clear here. It could be black smoke. It could be odours or fugitive emissions. If the minister could clarify that and express confidence or nonconfidence in this system, I would be grateful.

4:50

I also at this time, Mr. Chairman, have a question regarding coal technologies. Certainly the minister – and I appreciated that – earlier discussed the fact that there is a joint study. I think it's an excellent use of taxpayers' dollars, in this member's view, to study how coal can be burned much more efficiently than it currently is, and I understand that this is going on in New Mexico. If the hon. minister could update this side of the House on precisely how much money we're spending and when there will be any interim results on this study from Los Alamos, I would appreciate that.

Also on the whole issue of coal, we know that there's certainly going to be more coal-fired electricity generation west of the city. Both TransAlta and EPCOR have facilities that, when they're built, are jointly going to produce over 1,200 megawatts of electricity for the provincial electricity grid. I'm not sure from the research I've done that even our new standards are on par with what the Americans have. Now, it doesn't matter which part of America you're in, because it is my understanding that the Federal Energy Regulatory Commission has a say in this matter. They have been encouraging older plants through the use of tax credits up to a cap – it's a significant cap; I could stand corrected on this, but it's in the millions of dollars – to refurbish or refit these plants with either natural gas or with coal so that they have a reduction in their emissions.

If the minister could clarify, please, what studies he's referring to when the conclusion is made that our new standards are better than those that are currently in application for American coal-fired generators. I think we have to be very cautious here that this province does not become the fly ash capital of North America, because we certainly have a lot of coal. The hon. minister said that in 15 years we may be beyond that and that what CO₂ there is will be used in enhanced oil recovery. In my view, that research that's going on around Estevan, Saskatchewan, is prudent. In the meantime, if people are going to build these coal-fired plants which cost millions and millions of dollars, they're going to want to know what

the rules are before they put their money down for the construction costs and the purchase of turbines or whatever. And the public deserves to know, because once these plants are built, they're going to be operating for 30, perhaps 35 years. All the constituents of Drayton Valley-Calmar, all the constituents in Ponoka and Lacombe that are sort of downwind of these facilities, we should not expect them to have particulates or fly ash or soot or an emission of any sort floating down on them continuously for the next two generations. I don't think that is prudent planning.

Now water transfer. The hon. minister is certainly industrious and hardworking. He's always at the job, I believe, and he's as industrious as the Canadian beaver that's on the nickel. And there's a similarity there, Mr. Chairman, because he seems to want to build dams, whether they're needed or not. This gets to the whole issue that I have regarding water. I would like to know if water is considered by this department and this minister to be a commodity that can be bought and sold. I think this is very, very important, because long after we've all left this Assembly, the members that are coming after us are going to be discussing this issue. I would like to know what exactly is going on. Is water considered a commodity, or is it for the public good, for everyone? There are issues. There's a lot of water in the north half of the province and there's a lot less in the south half of the province. How exactly are we going to deal with this issue?

There are members here that have problems with this issue of global warming. As I said after the Speech from the Throne, Mr. Chairman, there was certainly reluctance to spend public money, significant public money. We saw it in the teachers' dispute. It is this member's view that that money is being set aside because of the possibility of large payments for drought-stricken farmers this summer. Now, the money certainly has to come from somewhere.

When you think of the dramatic climate changes that are occurring, we have to be concerned about this. One only has to drive on the Banff-Jasper highway and see the recession of the glaciers. You can walk up to one signpost that states 1930 or 1935, and you've almost got to walk a kilometre before you can get up to the current time. That's how much the glacier has receded. Certainly in the Arctic there are dramatic, quick changes that are occurring with the ice packs and the weather in the Arctic.

It is time for us to consider our activities, our industrial activities and the activities related to our larger concentrations of people in cities. We have to consider this, and that's where the whole issue of water, global warming, and greenhouse gases comes into public debate.

Now, also the issue of gas flaring. I'm sure the Environment ministry is in discussions with the Minister of Finance, perhaps deciding if there can be some form of tax relief to encourage not only electricity produced by wind power, which I think southern Alberta could certainly be a world leader at, but also with capturing gases that are flared. It's unfortunate. You can take the statistics here this afternoon with me. Certainly less than 1 percent of gas production in this province, from the statistics I'm looking at, is flared. It could be roughly 1 percent. It might be 2 percent, Mr. Chairman.

If we could use that gas to power turbines to produce electricity for the local area – and this would certainly also apply to solution gas. I think it would be noteworthy at least to study. The hon. minister said that we're studying coal technologies, but this is something that is worth studying as well in consultation to spark the industry the same as the oil and gas industry was – I'll use the word again – sparked in the early '90s with the Alberta royalty tax credit. We saw a turnaround and a lot of interest by the oil and gas industry operating in Alberta as a result of that tax incentive, and that was a tax incentive that really came into play in 1994.

So what sort of plans has this government got and this minister got

to encourage further development of wind power and also the capture of gas that would be flared and could be used to power turbines to generate electricity? What's being done with those policy issues?

With that, Mr. Chairman, I will cede the floor to another colleague at this time. Thank you.

5:00

DR. TAYLOR: Just a couple of comments. In regard to jurisdiction between the EUB and the Department of Environment I suggest that the member read the legislation and understand the legislation. It'll probably inform him of what he wants to know. In regard to some of his other comments around coal I suggest that he review Edmonton-Riverview's rather intelligent comments and questions and review the rather intelligent answers that he got. I think that'll answer most of his questions.

MS CARLSON: Mr. Chairman, I would like to thank the minister and his department for their participation in the debate this afternoon and, previous to the last comments, his quite interesting and well-thought-out comments. Looks like he's getting a little testy and maybe a little tired, so perhaps it's time to call an end to this particular day.

We do have number of other questions. Most of them are fairly detailed in terms of subject matter, and we will send them over in writing to the department.

I would also like to take this opportunity to thank the Member for Calgary-Montrose for finally entering into debate in this legislative session by repeatedly calling for the question, and I would also ask for the question at this time.

THE DEPUTY CHAIR: After considering the business plan and proposed estimates for the Department of Environment, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$103,450,000
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THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Well, thank you, Mr. Chairman. There being no further speakers, I would move that we rise and report our progress to the House.

[Motion carried]

[Mr. Shariff in the chair]

MR. MASKELL: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Environment: operating expense and capital investment, \$103,450,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's been a very good week, a very good afternoon, and because of the extremely good progress made over the week, I would move that we now call it 5:30 and that we adjourn until 1:30 p.m. next Monday.

[Motion carried; at 5:05 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 22, 2002**

1:30 p.m.

Date: 02/04/22

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Hon. members, welcome.

Let us pray. Though we as legislators of this great province and its people are taken from the common people and selected by You to be architects of our history, give us wisdom and understanding to do Your will in all that we do. Amen.

Hon. members, would you please remain standing so that we may participate in the singing of our national anthem, and we'll ask Mr. Paul Lorieau to lead us.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

head: **Introduction of Guests**

MRS. McCLELLAN: Mr. Speaker, on behalf of the Premier I'm pleased to introduce a number of guests from the Alberta Public Affairs Bureau. As all members know, the Public Affairs Bureau is the communications arm of the Alberta public service. The guests here today are seconded to many different government ministries and of course are vital to the successful communications that the government and the public service have with Albertans. They are here as part of an orientation tour. They are seated in the members' gallery, and as I call their names, I would ask them to rise, and at the conclusion of naming them all, we would give them the traditional warm welcome of the House: Jackie Bibby, Ron Bos, Rachel Bouska, Johanna Dietrich, Anne Douglas, Jamie Edwardson, Jeremy Fritsche, Dan Huang, Terry Jorden, Kari Larson, Carey LeVos, Lori Lindquist, Kim MacDonald, and Chris Mikaluk.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I have two introductions today. The first is that I am pleased to introduce to you and through you to all members of the Assembly constituents of mine, Nancy Cornelius and her son Dan, who have included in his home schooling studies a tour of the Legislature and to be with us here today to observe the proceedings of the House. They are seated in the members' gallery, and I would ask that they please rise and receive the traditional warm welcome of the Assembly.

My second group, Mr. Speaker, is a group of 26 students and six adults from Parkland Village School, which is just north of Spruce Grove. This a lively and bright group who asked some great questions when I was able to visit with them last fall. A note I would like to mention is that Parkland is a year-round school, and the general consensus is that it is a great success. Their teacher is Mrs. Laurie Maycher and teacher's aide Mrs. Louise Rose. The

parent helpers are Mr. Bruce Neville, Miss Cindy Bukmeier, Mrs. Cari LeGrow, Mrs. Suzie Veysey. They are seated in the members' gallery, and I would ask that they please rise and receive the traditional warm welcome of this House.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm very pleased to rise today and introduce to you and through you a group of social work students from Grant MacEwan Community College who I believe are due to graduate from their two-year program fairly soon. This group of students undertook an initiative at their college recently and collected over 400 signatures on a petition dealing with the subject of safe and affordable housing in Alberta. I met with members of the group last week, and they presented me with the petitions, and they're here today to see their participation in the political process come to fruition as I present their petitions to the Assembly. These soon-to-be social workers are Mary MacKinnon, Catherine Hosein, Barbara Jadischke, Rachele Andre, Connie Fleming, Christina Deboulet, Lucrecia Mendoza, Alma Swann, and Tami Biagi. I would ask them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHYN: Thank you very much, Mr. Speaker. Over the course of time many Albertans have contributed to the excellence of our education system. Today I'm honoured to introduce to you and to other members of the Legislature one such gentleman. He is the recently retired superintendent of schools for Parkland school division. I'd ask Dr. David Young to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker. I'm very pleased today to rise and introduce Robin Kurpjuweit. Robin is a former constituent of mine. He worked very hard on my campaign, and he's a young man that's very interested in politics. Robin is now with a program out of Langley, B.C. He's the program co-ordinator for a program called How To Drug Proof Your Kids. It works with other drug prevention programs like DARE and with the RCMP and so on on drug proofing kids. He had the opportunity to meet with the hon. Minister of Children's Services this morning and found it to be a very profitable meeting. One thing that's exciting about this program is they don't ask for government money. Robin, please stand and take the warm welcome of the House.

THE SPEAKER: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Speaker. Sir, in recognition of Hope Week, April 21 through 27, 2002, and the important role that hope plays in maintaining the wellness of Albertans, I wish to introduce to you and through you to members of the Assembly Jean Wilkinson, president of the Hope Foundation of Alberta, and Joan Mason, chair of the Hope in Action Gala Committee, who are seated in the members' gallery. On the 26th of April here in the city of Edmonton the Hope in Action gala will take place. I would ask Mrs. Wilkinson and Ms Mason to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Infrastructure.

MR. LUND: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce some first-time visitors to the Legislature from Rocky Mountain House and Calgary, Jack and Dolores Killick and their charming daughter Carmen. They're seated in the members' gallery. I'd ask them to please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the Assembly Ms Shirley Howe and Mr. Ken Smith. Ms Howe is the acting Public Service Commissioner for the government of Alberta, and Mr. Smith is the Deputy Minister of Energy. Both Ms Howe and Mr. Smith are co-chairs of a group of senior Alberta public service executives who are profiled in the cover story of the latest issue of the national magazine *Canadian Government Executive*, and I will be filing appropriate copies of that article later on this session. The magazine article is about the very successful corporate human resources development strategy that is here in the Alberta public service, an initiative led by Ms Howe, Mr. Smith, and their team. I would ask Shirley Howe and Ken Smith now to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of this Assembly a very special visitor in the members' gallery. George Jendyk, mayor of the village of Onoway, is here today, and he's met many of my colleagues and some ministers today. George is in his third term on council. He's been elected since 1995, and in 2001 George was elected as mayor. He has served on many committees for council, including the ambulance authority and seniors' housing. George is also a teacher at the Onoway elementary school. He's a member of the Royal Canadian Legion and has served as a longtime member of the Masonic lodge. I ask George to rise and receive a warm welcome of this Assembly.

1:40

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

PDD Boards

DR. NICOL: Thank you, Mr. Speaker. The government's budget for Community Development allocates funding for various persons with developmental disabilities boards in the province. Now, less than a month later, with the ink barely dry, we learn that the government has changed these allocations and made adjustments to the level of funding for the various boards. My questions are to the Premier. Why were changes made to the level of funding after the budget was introduced?

MR. KLEIN: Mr. Speaker, as I understand it, the budget contains an 8 percent increase for PDDs, but I'll have the hon. Minister of Community Development respond.

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's true that from time to time we do have to take a look at how we're delivering these important programs for persons with developmental disabilities, and

that's why in response to a lot of community feedback and a lot of contact with our own MLAs and community agency workers we were very pleased this year to accomplish another 8 percent increase in addition to the 8 percent that we increased last year. But giving more money to the system alone is not necessarily going to find the kind of improvements we need for this very vulnerable group of individual Albertans. We also have to take a look at how we deliver those programs on a per case basis, and that is part of the review that has been going on ever since the Building Better Bridges report was written by myself and others a few years ago. We will continue in that same vein to ensure that this population gets the services they require.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. They didn't get the question. Why is it that there were changes in the allocations made between what shows in the budget and what numbers were given to the boards that they were to use to build their business plans? There's a difference between the budget level and what the boards got. Why the difference, Mr. Premier?

MR. KLEIN: Mr. Speaker, again I'll have the hon. Minister of Community Development explain, if he can, the answer.

MR. ZWOZDESKY: Sure. The fact is that back when the 9 percent projected increase last year had to be pared back, as with all government agencies, by 1 percent, we did the same thing, so some of the anticipated increases at that time could not flow out the way they had anticipated to be able to flow out. So we're flowing them out this year, and by the end of April all of the regional boards will have had an instruction from the PDD Provincial Board with respect to clarifying the amounts and how those amounts are to be applied. Some of them, as you know, are labeled for PDD uptake. Those that are coming to us as children turning adult are fairly easy to predict, but there are a number of others that come in which we're not aware of on as timely a basis, so it's a little bit complicated. The other funding increases will flow out for community agency workers, and none of that is easy to forecast too far in advance, but by the end of April it will all be done.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. They still didn't get it. Why is it the numbers in the budget are different than the numbers that you sent to the PDD boards saying "these will be the dollars that you will get this year to operate"? Which is the right number: the number you're stating in the budget or the number that you put in your material that you sent out to the boards?

MR. ZWOZDESKY: Mr. Speaker, let me try this again. By the end of April these numbers will be finalized. What we're working on from one year to the next always are projections, and that's what a lot of those figures have been based on, hon. Leader of the Opposition. Now, if you have something very specific that you want to share with me that I'm not aware of, I'd like to see it, because the numbers that are going to be confirmed will be done in about a week's time, and I'd be happy to give them to you as exact as they are. Please bear in mind that a lot of these programs and services change from month to month with certain recipients because they do show improvements, and we're constantly upgrading the services that we provide and the types of programs that are designed for them. So being really, really that specific sometimes is difficult, and that is the truth.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. I guess from that, our budgets don't really mean anything, so I'll try some service delivery.

Mr. Speaker, many disabled persons rely upon Persons with Developmental Disabilities for support and service even though those services do not fall under the mandate of PDD. We now learn that persons with developmental disabilities boards are examining various cost-cutting measures, including moving nonmandated services out of PDD. My questions are to the Premier. Given that shifting programs from one ministry to the other does not improve service delivery or lower costs to the government, why is Community Development allowing PDD boards to examine this option?

MR. KLEIN: Well, Mr. Speaker, I don't know that to be true or untrue. I would assume that PDD boards examine various ways to achieve efficiencies and ways to provide more effective forms of services. Relative to the details I'll have the hon. minister respond.

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thanks. Mr. Speaker, the important thing here is that no one who qualifies for services under the PDD programs will be denied that service. We're very proud of that record, and we're going to ensure that it continues. When I wrote the report a couple of years ago, there were certain services at that time that were being looked upon as perhaps being withdrawn. We did not withdraw them in the end. The government responded very positively, and in fact we're adding more and more to that program to make it a much more improved system for all these individuals across the province. There are about 8,000 people receiving this service, and we're providing service that is unparalleled anywhere else in Canada when it comes to the degree to which we get involved with them through our regional boards and when it comes to the comprehensiveness of the programs that we are providing.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Back to the minister: can the minister guarantee that PDD clients who now receive these services will not fall through the cracks because of programs and services being juggled to other departments? How can he guarantee that they'll still get those services?

MR. ZWOZDESKY: Well, Mr. Speaker, I'm personally not aware of any programs that are being juggled or hived off anywhere else. If there are some programs out there that can be delivered through a different model or a better system, I'd be happy for the hon. member to share those with us. I can guarantee you that anyone who qualifies for services as a person with a developmental disability will continue to get that service, and that's what's important here. That's why we increased this year's budget by \$30 million: to look after those individuals.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: will the Premier guarantee that programs that are moved out of PDD will continue to receive funding at a level that they had under PDD when they end up in a new department?

MR. KLEIN: Well, again, Mr. Speaker, the hon. minister responded

by saying that he knows of no programs that are being moved out. Again I'll have the hon. minister respond.

MR. ZWOZDESKY: Well, Mr. Speaker, let me be really clear. If the hon. member has some kind of a document that says something along this line, I'd like to see what that is. It's true that there are from time to time a lot of individuals and organizations out there that require some examinations of some of the programs. Those do get looked at on a regular basis so that we can stay as current as possible and provide the best possible service within the dollars and the framework available. Again, anyone who is eligible for PDD services receives that service, and we're very proud of that.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

WCB Early Resolution Initiative

MR. MacDONALD: Thank you, Mr. Speaker. On Friday the WCB held an information session on a pilot project called early resolution initiative, that changes the way the WCB handles internal case reviews. This is on the eve of the introduction of Bill 26, which is also anticipated to deal with changes to the internal WCB review process, though how substantial is yet to be seen. My first question is to the Minister of Human Resources and Employment. How can the WCB get around existing law since their pilot project does not utilize the Claims Services Review Committee or the Assessment Review Committee, both of which are provided for in the WCB act?

Thank you.

1:50

MR. DUNFORD: Mr. Speaker, I will be introducing a bill later this afternoon that deals with the amendments to the Workers' Compensation Act. As a matter of fact, the issue that the hon. member is raising has to be dealt with and will be dealt with in the provisions of that act.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister. Given that the early resolution initiative was discussed at a public meeting on Friday, April 19, can the minister tell the House: is it mandatory for all current cases to be involved in this pilot project, or is it voluntary?

Thank you.

MR. DUNFORD: It's a pilot project, Mr. Speaker, and I'm not sure of the exact term of reference that WCB has put on that particular pilot. In any event, we are introducing a bill today. We have a second reading, a committee reading, and a third reading to go through before it would be legally binding as law. Again, it's mostly enabling legislation. It's there to help the people that this hon. member has tried to care for and tried to represent their views in the past, with some success I might add. This is one more response by both the Workers' Compensation Board and this particular government to respond to the needs of injured workers.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: then why was the early resolution initiative discussed before the hon. minister had the opportunity to table the bill in the Assembly?

Thank you.

MR. DUNFORD: Mr. Speaker, I don't see any sort of conspiracy here. Now, perhaps I'm missing something. It seems quite common

these days for people to get out ahead of legislation, before it is actually tabled, and this appears to be another case of that. Certainly, from what I can understand from what the member is saying, it sounds like the intentions of the parties are good, and I don't know what the beef is. If there's something that he wishes to formalize by way of a formal complaint, then I would suggest that he put it in writing.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Calgary-Fort.

Teachers' Labour Dispute

DR. PANNU: Thank you, Mr. Speaker. The memorandum of understanding reached last Friday between the government and the province's teachers wasn't so much a negotiated settlement as it was a surrender, with the Minister of Learning popping out of his foxhole just long enough to wave the white flag. This comes after several months of job action, closed schools, and canceled extracurricular activities, all of which were completely avoidable. My questions are to the Premier. Why did the government reject the olive branch offered by the teachers two months ago when teachers voluntarily agreed to submit to a fair and impartial binding arbitration process and instead enact a punitive piece of legislation?

MR. KLEIN: Well, Mr. Speaker, I don't know where the hon. leader of the third party has been, but the union took us to court on the OC that was passed, and much to their surprise they won. [interjections] And much to our surprise as well. Absolutely. Much to everyone's surprise. So I guess it's a matter of, you know, the teachers getting what they asked for, not that they really wanted it, I'm sure. That resulted, then, in legislative action that had to be taken to ensure that teachers would go back to work and that the students would be looked after.

I might remind the hon. leader of the third party that the only thing that is back in the agreement, albeit in an amended form, is the pension issue, and that is for a one-year period. I would remind the hon. leader of the third party that that was always on the table, and it was taken off when the teachers went on strike. In my meeting with Mr. Booi there were three things that we agreed to.

DR. PANNU: Four.

MR. KLEIN: Mr. Speaker, they were not at the meeting. What were they doing? Did they have their ears up against my door? Were they listening? Do they have some unknown vent, you know, or some snooping device? They were not at the meeting. I can tell you that the hon. leader of the third party was not at the meeting. He wasn't anywhere close. If he was close, you know, will he please advise this Legislature where he's getting his information and if he has a secret peephole or a listening device?

Mr. Speaker, three things were agreed to. One, Mr. Booi agreed that there should be a legislated arbitration process; two, that it should deal with the issue of salaries and that other issues relative to the sustainability of education would be referred to a blue-ribbon panel or some kind of a commission; and three – and it's in the notes – that we would revisit at some time the pension issue.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier be a little more contrite and apologize to Alberta students and parents for putting them through several months of unnecessary misery given

that the elements of the settlement with teachers had been there all along?

MR. KLEIN: Mr. Speaker, I will apologize to absolutely no one. This agreement was reached. I understand that the hon. minister participated in a news conference on Friday with Mr. Booi there. Both the minister and Mr. Booi seemed to be totally satisfied with the deal that had been hammered out by third parties, in this case lawyers for the Alberta School Boards Association, the Alberta Teachers' Association, and the government of Alberta. It served to end an impasse relative to teachers withdrawing voluntary services and refusing to mark exams. It involved something that we agreed to revisit in the first place, and that was the issue of teachers' pensions.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My final supplementary to the Premier: since one of the features of last Friday's agreement is a loosening of the arbitration rules, will the government make up financial shortfalls resulting from any arbitration awards, or will the government compound the problem by forcing school boards to cut in other areas?

MR. KLEIN: Mr. Speaker, I would remind the hon. leader of the third party that significant increases have been granted to education this year, and indeed over the past five years there's been a substantial increase in education spending of about 41 percent. One of the terms of the arbitration process, Bill 12, the act now, is that school boards cannot incur deficits, and to that point I will have the hon. minister respond.

DR. OBERG: Thank you very much, Mr. Speaker. Under the agreement that was signed on Friday, it was established that the interpretation of deficit would be that they could not run a deficit at the end of the day. The arbitrator must be satisfied that the deal can be reached without running a deficit.

Mr. Speaker, I will add a couple of other things if I may. This line of questioning has been about the agreement that was signed on Friday. This agreement was signed because of the willingness of this government, the ATA, and the ASBA to put aside their differences for the sake of Alberta students. It's very unfortunate that the other side will not do that.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Mill Woods.

Education Funding

MR. CAO: Thank you, Mr. Speaker. Recently I have been in contact with two teachers in Calgary. Teacher number 1 told me that she has 27 students in one of her classes, 12 of whom require constant one-on-one attention for various reasons. Teacher number 2 told me that her class has 24 students: six on individual program plans, 11 as ESL, three with attention deficit disorder, and four considered average. Given that our government's K to 12 education budget has been increased continuously since 1995 – I notice that the rate was over 41 percent – still there is clamour about lack of funding. I do not want to talk about the big number of many millions. I just want to ask the Minister of Learning about the amount of funding at the classroom level that the teacher is supposed to have for her class. Could the minister tell us: what are the current budgeted rates of instruction funding per student per category of need?

2:00

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. The average student in the province of Alberta receives roughly \$7,500. Included in that are add-ons for things such as English as a Second Language. There are add-ons for the Alberta initiative for school improvement. There are add-ons for sparsity and distance. There are add-ons for growth and density. There are add-ons for severe special needs. All these issues are what determine how much funding goes to the school board for the classroom. In general, probably the best number that I can give the hon. member on a systemwide basis is about \$7,500 per student.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. Without being exact, could the minister give us just a quick estimate on the instruction funding only for each of the classes mentioned above based on the rate and the number of students?

DR. OBERG: Mr. Speaker, just doing simple mathematics, for 27 students it would be a little over \$200,000; for 24 students it would be around \$180,000. Again I will reiterate that there are a lot of extras that are added on; for example, an extra 12 and a half thousand dollars for a severe special-needs student. All of these are added on in conjunction with that. With respect to an average class, it would be a little over \$200,000.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. To the same minister: again without being exact, could the minister give an average in total of the education funding for each of the above classes?

DR. OBERG: Well, Mr. Speaker, we recently did a study that showed that the average size of a class from grade 1 to grade 6 would be 23.6. Say we rounded that up to 24, that would put the actual number of dollars going to that particular class, assigned to the classroom, at about \$180,000, so a very large amount of money going to the classroom. That does include administrative usage of the dollars as well as transportation and things like that. In general, it would be around \$180,000.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Rutherford.

Foster Parent Program

DR. MASSEY: Thank you, Mr. Speaker. The time for reviews is over. The Children's Services ministry must now take real action in order to prevent any more tragic deaths of children in care. My questions are to the Minister of Children's Services. Given the recommendations of the Korvette Crier fatality inquiry, will the minister now require that all foster agencies be accredited?

MS EVANS: Mr. Speaker, accreditation as we know it today is not a perfect model. It is a move towards a perfect model, I guarantee, but there are several things that we have to do about accreditation. Should all foster agencies be accredited? Absolutely. The only ones that heretofore had not required accreditation were those where delegation of authority had been provided on reserves. They were accredited, but the situation in this particular case, going back three

years ago, Mr. Speaker, was that there was – and this is far from the accreditation issue. It was an issue of communication. It was an issue where the worker did not realize that the agency that was delivering services was not accredited for the purposes of providing foster care. So it's not a simple issue of accreditation or saying that they should all be accredited. It's a situation whereby in this particular case there was not a recognition that the agency wasn't accredited.

Let's be clear in this Assembly. Somebody paid dearly. The child in question paid dearly, and so did somebody go to jail. We have had accountability in the system, because somebody was charged, and there was a recognition that even if there had been accreditation, the action that was taken was an inappropriate action. Our society through our courts recognized that.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the same minister: will the minister commit to giving all foster parents standardized training?

MS EVANS: Well, Mr. Speaker, we do. We give at least 67 hours of basic training. We give incrementally more training to foster parents as the need arises, particularly if they are dealing with children with particularly tough situations. If they have developmental disabilities, they get more training. They get a variety of supports, and as written by the current parent support executive director for foster families in Alberta, they get extensive training. In this situation, again a very unfortunate circumstance, the situation evolved because the parent that was providing the foster care did not have appropriate training and support for the work that was done.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the same minister: will the minister commit to implementing a standard policy on how many foster children may be placed in one home?

MS EVANS: Mr. Speaker, we're working very hard to make sure that the right number are placed in the right home at the discretion of the local authorities. You can't just treat people like widgets and have a standard number. You have to look very carefully at what the circumstances are with the child and the parent involved, what the age of the child is, and whether or not they have any developmental disability. You have to look clearly at the child and the capacity of the family to provide the services involved. It is not a simple standard. It's a very important thing for us to look at a very clear and defined process for evaluating what the child needs and for evaluating whether these children are all members of one family or not and whether it's wise to split up siblings. We look at this from a variety of points of view, but we look at it, again, bottom line, from what's in the best interests of the child or the children involved.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Centre.

Oil and Gas Royalties

MR. McCLELLAND: Thank you, Mr. Speaker. Alberta depends on revenues from oil and gas royalties to finance important government programs. My question is to the Minister of Energy. Does Alberta's royalty increase to reflect the increasing value of the resource as the reserves diminish?

MR. SMITH: Well, Mr. Speaker, as is known, it's sometimes yes and sometimes no. The royalty regime, first of all, is an economic rent. It is clearly defined to reflect the province's ownership of the resource. It is not a tax. It is not a levy. It is not a policy instrument. It is ownership to reflect economic rent. In fact, this economic rent changes, whether you're in Alberta, Alaska, Norway, Louisiana, with the type of structures you have, the relationship that you have with the people who build the industry. For example, with oil sands today we get 1 percent of the revenues from the product that's generated in that area. That is a program put in place that has, along with some other major tax considerations, enticed some \$51 billion Canadian in investment. Then all the economic benefits accrue from that.

Mr. Speaker, once those investments are paid out, we get some 25 percent of the net oil sands production. We are the only jurisdiction in the world where, as conventional production declines, our oil sands are actually increasing so that we are able to replace depleting reserves. That luxury will allow us to deliver appropriate economic rent to Albertans today, tomorrow, and for the productive life of the oil sands.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. I wonder if the Minister of Energy has any notion of the timetable when we might expect to get economic rent from synthetic oil royalties on par with conventional oil royalties.

AN HON. MEMBER: Good question.

2:10

MR. SMITH: There's a good question, as one member has pointed out, Mr. Speaker. This year will be the second year that nonconventional, or oil sand oil, production will in fact surpass that of conventional oil. Conventional oil peaked at 1.3 million barrels a day back in 1973. Today we will produce some 1.4 million barrels of oil, which will be about 600,000 barrels conventional and 700,000 to 800,000 barrels of nonconventional oil, or oil sand oil. This gives us the ability to ramp up these investments, have these investments pay out, and as our royalty diminishes from the results of its decreased production, we will be able to increase the royalty take from the oil sands.

Some of the early indications, Mr. Speaker, would indicate that royalty revenue from the tar sands would ramp up sometime in the year 2005-2006. One of the difficulties in timing that is that the oil sand takes up so much of Alberta's skilled apprenticeship and labour production. In fact, in a province that has only 10 percent of Canada's workforce, we are working today well over 20 percent of the apprenticeship workforce across Canada. So this creates increased costs. We are a partner in sharing those increased costs, and our royalties will not increase until such time as those costs are paid out.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. My final question is this: do we as Albertans get a fair return, as compared with other jurisdictions such as Alaska or Norway or Louisiana? I guess the basic question: are we getting our money's worth, or are we getting ripped off?

MR. SMITH: Well, Mr. Speaker, the member has a solid, solid question. In fact, we have an entire section of people both in oil and

gas, some hundred plus individuals, whose job is not only the collection of these royalties, these economic rents for Albertans, but actually to scan the competitive marketplace of the world to ensure not only that we remain competitive so as to continue to attract global investment but that we also remain fair to Albertans and deliver the maximum amount of economic rent available.

So, in fact, Mr. Speaker, if we were to compare ourselves with Alaska, Alaska's gas, that is shut in, that is waiting for a pipeline, has a royalty charge of some 12 and a half percent. Our royalty on gas can go up as high as 35 percent. We average about 20 to 23 percent. If you take a look at Norway, they are in fact moving towards some royalty holidays to find new pools of gas. In Louisiana much of that land is owned freehold or by individuals, and therefore the state can only gain revenues by a severance tax. In many analyses and analyses from respected individuals in the oil and gas industry Alberta is rated as one of the very toughest regimes for economic royalties in the world.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Highwood.

Justice System

MS BLAKEMAN: Thank you, Mr. Speaker. This government believes in justice for all people except maybe poor people. In the last budget the filing fee for the small claims court jumped 300 percent. However, at the Court of Queen's Bench, where more affluent people go to file much larger claims, the filing fee remains unchanged. My questions are all to the Minister of Justice. Does the minister believe that it is justifiable to charge a person a \$100 fee in small claims court to try and get back a \$300 damage deposit?

MR. HANCOCK: Well, Mr. Speaker, one of the things which we're trying to accomplish in the justice system is for people to take responsibility for their own issues and try and resolve them in the best way possible. In the Provincial Court, Civil Division we've had for the last two to three years a civil mediation project where we pay essentially an honorarium to people who volunteer their time, other than for this honorarium, to help mediate disputes. We pay two mediators per dispute \$50 each; \$100. That program is being very, very successful in helping people resolve their problems early and without going through the process of court. About 70 percent of the cases that go into that mediation program get resolved. Now, that is a very advantageous thing for the people who participate. We'd like to expand that program. We'd like to have it available right across the provincial court system, but it comes at a cost. We believe that the \$100 cost, where we're paying \$50 to each of two mediators to help assist people to solve problems in an early and effective fashion, is a very effective way of doing business. It doesn't take up expensive court time, it helps get to an effective resolution early, and it helps people deal with their problems. The other point which should be made is that when people go to small claims court, whether the filing fee is \$25 or \$100, if they're successful, they get that money back.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. My second question is also to the Minister of Justice. Given that the cost of getting justice is skyrocketing, why hasn't the minister increased the qualifying income level for receiving legal aid?

MR. HANCOCK: Well, Mr. Speaker, the qualifying income level

for receiving legal aid has gone up I believe 5 percent, so it has in fact been increased. We've recently concluded an agreement with the Law Society and the Legal Aid Society with respect to a new governance structure, which the member should probably know, and we've also increased the funding for legal aid by 25 percent over the last two years I believe it is. It could be three years. So there have been significant improvements both to the funding of legal aid, the governance of legal aid, and to the qualifying incomes.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. My final question is also to the Minister of Justice. Why won't the minister commit to tying future fee increases to the cost of living? A 300 percent increase is quite a bit for an individual to handle.

MR. HANCOCK: I'm not sure what future fee increases the hon. member is referring to. If she's talking about future increases to Provincial Court civil claims, that hopefully is a onetime increase to deal with, as I indicated, the costs of providing mediation and other costs relating to the front end of that service. I should also mention that the hon. member indicated that there was no increase at the Court of Queen's Bench level. However, she would be wrong in that we increased the filing of a certificate of readiness at Queen's Bench rather significantly. The import of that, Mr. Speaker, is that people are again encouraged to resolve their problem through mediation prior to setting it down for trial, prior to utilizing the court's time in terms of setting aside trial time. So it was appropriate to put the fee increase at that stage rather than at the introductory stage in the Court of Queen's Bench, but there has been a significant increase at the Court of Queen's Bench.

With respect to increases in those areas, Mr. Speaker, there haven't been a great deal of increases in the court level. We do provide a high level of service and access to the public. We are doing a lot to encourage people to deal with their problems at the precourt level, which is more effective for them and certainly more cost-effective. I'm open to any ideas or suggestions that the hon. member or anyone else might have as to how we can do that more effectively and more cost-effectively for Albertans.

THE SPEAKER: The hon. Member for Highwood, followed by the hon. Member for Edmonton-Riverview.

Highways 2, 7, and 547 Interchange

MR. TANNAS: Thank you, Mr. Speaker. My questions today are to the Minister of Transportation. Last Friday a tragic accident occurred at the intersection of highways 2, 7, and 547 near Aldersyde. The driver and her four-year-old grandson were killed. Highwood constituents are demanding timely action on the long-promised interchange at this location. To the minister: when does the Department of Transportation plan to build a safe interchange at this intersection?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. The department is responsible for about 30,000 kilometres of highway network system plus about 3,800 bridges, which would include interchanges. We support about another 135,000 kilometres of rural roads and about 8,800 bridges through municipal grants. With respect to the interchanges we of course look at the daily traffic volume and also at safety. With this particular interchange I'd like to inform the

member that we are in the process of preliminary engineering and design, which is proceeding through the normal routes within the department.

THE SPEAKER: The hon. member.

MR. TANNAS: Thank you, Mr. Speaker. To the same minister: what is the current status of planning, land acquisition, and the cost of building this most needed intersection?

MR. STELMACH: Mr. Speaker, the total cost of the interchange at this particular site is around \$20 million. We have one parcel of land in place, and we are working diligently on the other two parcels. We do have an agreement in principle, but the final agreement has not been signed as yet.

2:20

THE SPEAKER: The hon. member.

MR. TANNAS: Thank you, Mr. Speaker. Again to the Minister of Transportation: where does this interchange fit in with the overall plans and priorities of the north/south trade corridor, which is also called the Canamex highway?

MR. STELMACH: Mr. Speaker, there are about 19 or 20 interchanges along the north/south trade corridor. That does not include at least another half a dozen on highway 16, on highway 1, one at Fort McMurray, and one at Medicine Hat that are in the planning stage. This particular interchange does rank near the top. As soon as we put all the land acquisition in place and complete others on the list that are in progress as we speak – and that's part of the north/south trade corridor along the Deerfoot Trail – of course we'll be moving with some progress on the Anthony Henday Drive, as well, and then highway 2 and highway 43 in Grande Prairie.

For-profit Diagnostic Facilities

DR. TAFT: Mr. Speaker, important research tabled earlier in this Assembly shows clearly that the greater the dominance of for-profit health care facilities, the higher the costs of public health care, including hospitals, home care, and other public programs. In Alberta for-profit health care corporations are pushing up public-sector wage expectations by offering signing bonuses, higher salaries, and easier working conditions to pull workers out of the public system. One result of this is a pronounced risk that for-profit diagnostic corporations will soon have enticed so many technicians away from some public hospitals that those hospitals will be unable to function properly. To the Minister of Health and Wellness: does the minister see any risk – any risk – that government policies are driving health care costs unnecessarily higher rather than lower?

MR. MAR: Mr. Speaker, the real issue in this debate appears not to be whether or not there are private or public providers of the service but whether it is a single or a multiple payer of the system. I think what you'll find – and I would entreat the hon. member to review the literature – is that in places where there are multiple payers, that does appear to be driving up the costs of health care. The United States and the U.K. would be good examples. But what we are working on in a made-in-Alberta solution in this province is not multiple payers. We're talking about still a single payer, but there can be a role for private providers of care within the publicly funded health care system. That is a dramatically different situation than has been portrayed by the hon. member here today.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. I'd be delighted to review the evidence if the minister provides it.

What policies will the government enact to prevent for-profit diagnostic companies from creating predatory monopolies that will hold RHAs to ransom for overpriced contracts?

MR. MAR: With respect to all of the contracts that have been approved under the Health Care Protection Act, the overriding principle all along has been that we are interested in preserving the very best of our public health care system and improving access wherever possible. Mr. Speaker, in the approval of those contracts under the Health Care Protection Act, the overriding principle is: how can we improve the public system?

So, Mr. Speaker, for those members of the Alberta public or the hon. member himself if he so chooses to avail himself of the opportunity, if people wish to review such contracts as they have been approved, those contracts are available on web sites. People can see for themselves that these contracts are in fact improving access and not impairing the public health care system.

Now, with respect to the issue of diagnostics, Mr. Speaker, this may well be an opportunity for regional health authorities to contract with private providers. If private providers can provide the service faster, better, and at the same or improved cost, then that should be what happens.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Given that some RHAs may soon have no choice but to contract with for-profit diagnostic corporations on those corporations' terms, how can the minister continue to tell this Assembly, as he just did, that diagnostic services will only be contracted out when it is faster, better, or more efficient to do so? Aren't we just putting RHAs between a rock and a hard place?

MR. MAR: Well, you know, the hon. member asked me specifically about ultrasound technicians the other day, on Thursday afternoon, April 18, issue 23, at page 788. I do have more detailed information with respect to ultrasound technicians, but as I indicated on Thursday last in this House, Mr. Speaker, the issue of trained technicians, technologists, and health care providers of all sorts is an issue not just in Alberta but across this country.

We have been very, very aggressive in our recruiting, particularly with respect to sonographers, which is what he was referring to the other day. There is a North American shortage of trained and qualified sonographers. The regional health authorities and the government are recruiting these professionals from other jurisdictions. Arrangements have been made with educational institutions in the provinces of British Columbia, Manitoba, Ontario, and Nova Scotia to meet with new graduates. Those interviews will take place in the month of May of this year. We've entered into a contractual arrangement with Worldwide Health Staff Associates, an international recruiting agency, to recruit sonographers from the United Kingdom. There will be attendance at the Canadian Society of Diagnostic Medical Sonographers national conference that will take place in June, 2002, for the purposes of recruitment. So we are making every effort to ensure that people are available not only for the facilities referred to by the hon. member but within the public system as well.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Red Deer-North.

WCB Claims Review

MR. MASON: Thank you very much, Mr. Speaker. A committee of Tory MLAs recommended an independent adjudication of long-standing WCB claims by injured workers, a recommendation that was seemingly endorsed by the Minister of Human Resources and Employment, yet it seems that employers have pressured the minister into backing down on justice for injured workers. Given that employers claim that they cannot afford the adjudication process, can the minister tell the House how he expects injured workers, many of whom have been unemployed for more than a decade, to continue to bear the costs of poverty and despair as a result of the injustice that they have faced?

MR. DUNFORD: Mr. Speaker, I believe that the hon. member is speculating. There's no question that there is some difficulty with getting all stakeholders on the same page as it relates to how one would look at a long-term contentious claim, but I think it's a little early to be calling for the demise of that exercise.

MR. MASON: Mr. Speaker, I'm certainly not calling for the demise of the recommendations, but I'd like to know why the minister is prepared to cave in to employers when there are WCB claimants who have been waiting in some cases more than a decade for justice on their claims?

MR. DUNFORD: Well, Mr. Speaker, the hon. member seems to be ignoring a very fundamental fact here, and that is that the workers' compensation system as set out by the Meredith principle does talk about a system that would be funded by employers and would be there for the treatment of injured workers. As part of that principle then coming into practicality, there have to be systems that are put together to ensure that an injured worker sees and finds justice and that if the injured worker is unhappy with that particular situation, there would be an appeal system for some satisfaction, as a matter of fact even on to the Ombudsman. So we've been looking at ways to streamline that function and will continue to work toward a better system in WCB.

THE SPEAKER: The hon. member.

2:30

MR. MASON: Thank you, Mr. Speaker. Then will the minister commit to a process that if workers are unable to get an impartial adjudication of their claims, he will bring in amendments to WCB legislation allowing these workers to seek justice in the courts?

MR. DUNFORD: Well, the member can't have it both ways, and he knows that. One of the so-called tenets, at least as I understood it, of the labour force in this province was adherence to the Meredith principle, and I'm wondering if the hon. member had thought to check with those that have supported his campaigns in the past, because I think he's just offered a very inflammatory offer during this particular question. If I appear to be stumbling a little bit, Mr. Speaker, it's because I am so shocked to hear the hon. member, you know, the socialist among socialists, even pretend that this is not a good system and to take away a system of no-fault insurance, which people like Lewis and Douglas – I mean, they must be rolling in their graves hearing a socialist like you talk about this. This is a situation. It's very serious. The Meredith principle, to which all of us are so attuned, is that there will be no lawsuit between the employee and the employer. Shame on you for suggesting it.

head: Recognitions

THE SPEAKER: The hon. Member for Calgary-Mountain View.

Bill Warren

MR. HLADY: Thank you, Mr. Speaker. I rise today to invite all members of this Assembly to join me in recognizing an Albertan who has made outstanding contributions to the Olympic movement and to Olympic ideals. Bill Warren, a key figure in Calgary's bid to host the 1988 Olympic Winter Games and a past president of the COA, received the Canadian Olympic Order on Friday, April 19, at the Canadian Olympic Hall of Fame induction dinner. The Canadian Olympic Order is accorded to those individuals who have made the Olympic movement their life's work and have served it with distinction. It has only been awarded to 17 other Canadians since it was first presented in 1994. Beyond fame and fortune, Mr. Warren has dedicated a major part of his career to sports, and his success continues to inspire and encourage anyone who aspires to a dream. He complements the history of sport and has brought pride, distinction, and honour to Alberta. I encourage all members of this Assembly to join me in congratulating Bill Warren on receiving the Canadian Olympic Order.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

Canadian Armed Forces Reserves

MR. LUKASZUK: Thank you, Mr. Speaker. During Wednesday, Thursday, and Friday of last week I had the distinction and honour to spend time with 1,500 men and women who are indeed the epitome of professionalism, dedication, commitment, and, above all, patriotism. These are the members of the 408 squadron and the Princess Patricia regiment now stationed in Suffield, Alberta, for training. Despite the recent adversities that we have heard of, having four of our soldiers lost, these men and women continue to be dedicated to protect our land and to keep us indeed strong and free. Do we recognize them for this effort and this commitment adequately? Sadly the answer is no. As I observed during the last three days in Suffield, we lack legislation comparable to that in the U.S. that would preserve the jobs of reservists who are deployed and have them waiting for them when they return to Canada, and many of them live in substandard conditions. Mr. Speaker, I suggest to you that all of these committed men and women deserve a collective salute from all of us and all Canadians.

Thank you.

THE SPEAKER: The hon. member might want to read Standing Order 10.

The hon. Member for Edmonton-Centre.

National Volunteer Week

MS BLAKEMAN: Thank you very much, Mr. Speaker. Once again I'd like to recognize National Volunteer Week, which started last Sunday, April 21, and runs to April 27. As someone who worked in the charitable nonprofit sector before being elected, I have firsthand experience with how much volunteers bring to our agencies, organizations, and groups. The theme for this year, Experience Matters, is also one I can speak to from experience. This theme highlights the skills side of volunteering. Some people volunteer to gain skills in something they haven't done before, but other volunteers like accountants or lawyers bring their skills to the sector to help out, and it is a huge help. This year's theme also speaks to varying levels of experience. In the theatres I managed, we often got

young people coming in to volunteer to see if this was an area they might like for a career, so they brought enthusiasm, energy, and a can-do attitude. Sometimes we were lucky enough to get seniors and retired folk in, who brought us a lifetime of wisdom and experience. So hug a volunteer today, and if you're a volunteer, then give yourself a pat on the back. Volunteers are the real advantage in Alberta today.

Thank you.

THE SPEAKER: The hon. Member for Red Deer-North.

National Volunteer Week

MRS. JABLONSKI: Thank you, Mr. Speaker. Today I, too, am pleased to rise in this Assembly to recognize April 21 to 27, 2002, as Volunteer Week in Alberta. Volunteers are one of Alberta's most valued resources. Through the nationally proclaimed Volunteer Week we pay tribute recognizing the valuable and significant contribution volunteers make to our lives. Although our volunteers are priceless, contributions from the volunteer sector are estimated to be over \$1 billion to Alberta's economy annually and over \$14 billion to the national economy. This generous spirit of Albertans is an integral part of who we are and what we are celebrating this week. Through a unique partnership between the Wild Rose Foundation and Volunteer Alberta the Volunteer Week initiative has made Alberta a leader in recognizing National Volunteer Week in Canada.

This year a record number of 136 Alberta communities, including Red Deer, representing more than 2 million Albertans are participating in the weeklong series of events. This is a good example of lottery dollars at work helping to reinforce the efforts of those who through their many and diverse selfless acts enhance the quality of life for all of us. I encourage this Assembly to join me and the minister responsible for the Wild Rose Foundation in thanking all of Alberta's many wonderful volunteers.

THE SPEAKER: The hon. Member for Calgary-Currie.

Peter Lougheed

MR. LORD: Thank you, Mr. Speaker. It is a privilege for me to rise today to invite all members of this Assembly to join me in recognizing the accomplishments of another outstanding Albertan for his outstanding contribution to the Olympic movement and to Olympic ideals. Former Alberta Premier Peter Lougheed, whose accomplishments otherwise are well known, has also been involved with the Olympic movement for more than three decades. For his work in this area he received the Canadian Olympic Order this past Friday at the Canadian Olympic Hall of Fame induction dinner. The Canadian Olympic Order has only been given to 17 individuals who have exemplified Olympic ideals in their commitment and service to the Olympic movement and who have achieved major distinction in doing so since its inception in 1994.

Mr. Lougheed has dedicated a major part of his career over the years to promoting and organizing sporting activities, and his success at doing so continues to inspire many others who are also following their dreams and hoping to achieve similar successes. In achieving this entry into the Canadian Olympic Order, Mr. Lougheed becomes part of a very prestigious group, and I would encourage all members of this Assembly to join me in congratulating Peter Lougheed on receiving the Canadian Olympic Order.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

Gary Bobrovitz

MR. CENAIKO: Thank you, Mr. Speaker. I would like to recognize

one of my constituents, whom I've known for over 20 years, for reaching a goal of his on March 17, 2002. Gary Bobrovitz, a well-known and respected journalist and investigative reporter for *Global News* in Calgary, defended his title at the Canadian national powerlifting championships in Red Deer. Last year Gary was successful in winning the gold medal in the men's open division 60-kilogram classification, lifting over 700 pounds, or nearly five times his own body weight. This year he lifted 880 pounds, over six and a half times his own weight. Gary has qualified to move on to the world powerlifting championships in Helsinki, Finland, in November of this year. I would like to take this opportunity to congratulate Gary on his amazing repeat performance and wish him the best of luck in Helsinki.

Thank you.

John Ewasiw

MR. MASON: Today I stand and recognize Mr. John Ewasiw, this year's recipient of the United Way Jim Shewchuk award. This award recognizes outstanding individual contributions to the labour movement and to the community. Mr. Ewasiw's roots are pure Albertan. Born in Thorhild in 1936 and raised on the family farm, he moved to Edmonton in 1957 and worked for Swift Canadian until 1997, when he retired. He became a member of the United Food and Commercial Workers Union, local 280, in 1957 and served for a number of years as the local's president. During his working days John supported his community in many ways, including the United Way, the Alberta Federation of Labour, the Edmonton and District Labour Council, and the Boys and Girls Club. He has been involved in raising funds for leukemia research since 1992 and continues to this day. I'm happy to recognize this exceptional trade unionist and Albertan, Mr. John Ewasiw.

2:40

head: **Presenting Reports by Standing and Special Committees**

THE SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Mr. Speaker. The Standing Committee on Private Bills has had a certain bill under consideration and wishes to report as follows. The committee recommends that the following private bill proceed: Bill Pr. 1, Synod of the Diocese of Edmonton Amendment Act, 2002. I request the concurrence of the Assembly in this recommendation.

THE SPEAKER: Would all hon. members in favour of the report please say aye?

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. The report is carried.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 137 Albertans, mostly residents of Calgary, petitioning the Legislative Assembly to urge the government "to not delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm pleased to present a petition signed by 148 residents of Edmonton petitioning the Legislative Assembly of Alberta to urge the provincial government "to take decisive action in making safe, affordable housing a top priority of concern when making policy decisions and working with other levels of government on this issue."

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Human Resources and Employment.

Bill 26

Workers' Compensation Amendment Act, 2002

MR. DUNFORD: Thank you, Mr. Speaker. I request leave to introduce a bill being the Workers' Compensation Amendment Act, 2002.

This bill will bring a more open and accountable workers' compensation system to Alberta and will streamline the appeals system that is so important to injured workers.

[Motion carried; Bill 26 read a first time]

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I'd like to table today five copies of the 30th annual report of the Alberta Automobile Insurance Board, for the year ended December 31, 2001.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of the responses to the questions raised by Edmonton-Mill Woods and Edmonton-Centre in the presentation of my estimates on March 20.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to file with the Assembly five copies of the current issue of a magazine entitled *Canadian Government Executive*. The magazine contains a cover article profiling Ms Shirley Howe, the Acting Public Service Commissioner for the government of Alberta, and the management team behind the successful creation and implementation of a new human resources strategy for the Alberta public service. All of us in government are very proud of Ms Howe and the management team that led to the development of this strategy.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I am very pleased to table with the Assembly today a copy of the news release that I've issued on behalf of the government of Alberta officially recognizing National Volunteer Week from April 21 to 27 and showing that a record number of 136 communities in our province are participating this year.

I also have two letters of congratulations on behalf of the govern-

ment to hon. Peter Lougheed and to Mr. Bill Warren on their being inducted into the Canadian Olympic Association Olympic Order at the Canadian Olympic Hall of Fame dinner last Friday.

Thank you.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. The Alberta Alcohol and Drug Abuse Commission as an agency of the government of Alberta reporting to the Minister of Health and Wellness contributes in a major way to the health of individuals, families, and communities in this province. Today it is my pleasure to table the 2002-2005 business plan of the commission, which lays out the plans of the commission for providing alcohol and other drug and gambling problems prevention, treatment, and information services to the people of Alberta over the next three years. This business plan reflects the lead role that the commission is undertaking in coordinating the implementation of the Alberta tobacco reduction strategy.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. On behalf of the president, Mr. Duncan Brook, of the Edmonton Gold Bar Liberal Constituency Association and on behalf of all constituency members I would like to table the report to the commission on the future of health care in Canada. This is addressed to Mr. Roy Romanow, Commission on the Future of Health Care in Canada.

I also have a second tabling this afternoon. It is the WCB's proposed resolution, these cosmetic changes to the WCB, the early resolution initiative, the pilot project that was initiated on April 2 of this year. This information is available and tabled for all hon. members.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I'd like to table five copies of an e-mail from Lynn Chambers to her MLA, the Member for Airdrie-Rocky View. She is raising her concerns about the community lottery board funding and noting that it was critical in helping Alliance Francaise achieve its goal of meeting the needs of Calgarians with an interest in French language and culture and asks her member to take immediate action to help reverse the decision.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table five copies of a letter from Moe Hamdon, mayor of the town of Drayton Valley, addressed to the Minister of Gaming. The letter is dated April 16. The mayor expresses his concerns and unhappiness regarding the government's decision to eliminate the community lottery board program because it undermines the survival of many voluntary organizations and contravenes the government's original undertaking to return a significant portion of gaming revenues to local communities.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm tabling five copies of a calendar of events which lists the various events celebrating the

May week labour festival taking place in Edmonton from Friday, April 26, to Sunday, May 5.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, proper notice having been given on Thursday, April 18, it is my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places with the exception of written questions 3 and 4.

[Motion carried]

Access Television

Q3. Ms Blakeman moved on behalf of Mr. MacDonald that the following question be accepted.

How many government departments have provided or sponsored in part or in full programs, shows, advertisements, or other initiatives for use on Access Television, how many were there for each department, and what was the cost of each for each of the fiscal years 1992-1993 to 2000-2001 and April 1, 2001, to March 13, 2002?

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. It would be very difficult for the government to produce the information that has been requested in this written question without extensive manual work on a ministry-by-ministry basis. In fact, answering the question would require a review of the details of every single payment made by a ministry to Access over the last 10 years. This information is available through the general revenue fund for 2000-2001 and 2001-2002 by department and expenditure code for payments to Access but not in the detail requested. For earlier years the only available information is contained in the general revenue fund details of expenditure by payee, which we used to refer to as the blue book. It's tabled each year in the House.

Rejection of this written question is based on *Beauchesne* 446(2)(g), which states that "papers of a voluminous character or which would require an inordinate cost or length of time to prepare" should be exempt from production. Therefore, Mr. Speaker, I'd refer the hon. members opposite to what was called the blue book for that data. Unfortunately, we will have to reject this request for Written Question 3.

2:50

THE SPEAKER: The hon. Member for Edmonton-Centre to close the debate.

MS BLAKEMAN: Thank you, Mr. Speaker. I'm disappointed to hear that a refusal is the response from the hon. Treasurer. I understand the citation that she referred to, looking for a voluminous amount of material, but I am a little concerned when I see a request coming from the opposition for information that is then declined because it would just be too much work to try and find it. I think that certainly from this side what we've experienced in the past is that we ask nicely by letter; we don't get it. We try and ask through a written question or a motion for a return; we don't get it. Then we FOIP it, and everybody's all surprised and hurt because we FOIPed it and why we didn't just ask nicely in the first place. So trying to get information out of this government, which is not open and

transparent, is very difficult. This is another example of their having the information and not being willing to compile it for us.

I think this is a reasonable question. The government divested itself of interest or ownership in Access Television a few years ago, but it does appear that it's still providing support for programming, and I think that it's quite a reasonable question to find out how much support is coming from the government. Obviously, it's coming from different departments. Certainly there's sponsorship from various departments that I've seen at the beginning or the end of programs on Access. I felt that it was a reasonable question to be asking, how much government support was still going through. So once again it's very disappointing how little information this government is willing to provide to people that ask reasonable questions of it.

Thank you, Mr. Speaker.

[Written Question 3 lost]

Police Services Agreement

Q4. Ms Blakeman moved that the following question be accepted.

How many provincial policing positions has the government funded for each of the fiscal years 1999-2000, 2000-2001, and April 1, 2001, to March 13, 2002, through the provincial police services agreement, and how many of these positions were filled?

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Yes. Thank you. The government is prepared to accept Written Question 4 with some amendments, Mr. Speaker.

Mrs. Forsyth moved that Written Question 4 be amended to move that the following question be accepted:

How many provincial policing officers has the government funded for each of the fiscal years 1999-2000 and 2000-2001 and projected for 2001-2002 through the provincial police services agreement, and what was the authorized number of officers for each of those years?

The original question is unanswerable for the following reasons. It is based on the assumption that government funds a set number of positions through the provincial police services agreement, while in reality the government establishes a target authorizing the establishment of full-time equivalent, or FTE, officers but pays only for the actual average establishment. Because staffing is fluid with the continual movement of persons into and out of positions, actual FTEs calculated as an average over a period of time, for example a fiscal period, is used to monitor policing strength. This is a more accurate method of determining funding requirements than positions. The term "officers" is used to indicate full-time equivalents. The actual FTE utilization for the period April 1, 2001, to March 31, 2002, is not yet available. Instead, a projection will be used.

Mr. Speaker, the government will accept the question with the amendments as circulated to all members.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks, Mr. Speaker. I'll take this as a genuine effort from the Solicitor General to provide information. I find it frustrating, though. The specificity of the language was therefore a reason I was seeking information on how many positions the government thought they were funding and whether in fact the positions were filled. What I'm hearing from some people is that a given detachment may have 12 positions that are supposed to have

officers in them, but in fact one of them is out on WCB and two are off on stress leave and two of them were native policing. So the actual number of officers that are available in that detachment is far fewer than is on the books, so to speak, and there was a suspicion that there was a growing gap between what was on the books and what was actually rubber on the road. That was some of the information I was seeking.

As I have said before, it's very difficult to get information out of this government. [interjection] I look forward to the time when I can have the Minister of Environment as my minister, and then I'm sure he'll be able to provide all the information I'm seeking. However, he's not the minister that I'm dealing with at this time.

So I will accept not gratefully but begrudgingly the amount of information that is being made available to me and hope that I can encourage the Solicitor General to continue to be forthcoming, even to expand her forthcomingness in the future.

Thanks, Mr. Speaker.

[Written Question 4 as amended carried]

head: Motions for Returns

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 18, it is my pleasure to move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of Motion for a Return 1.

[Motion carried]

Police Services Agreement

M1. Ms Blakeman moved that an order of the Assembly do issue for a return showing copies of documents prepared by or for the Department of Justice and Attorney General and the Department of Solicitor General between April 1, 1999, and March 1, 2002, providing the number of provincial police positions funded by the government under the provincial police services agreement and the number of positions filled under that agreement.

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Speaker. The government is prepared to accept MR 1, again with amendments, sir.

Mrs. Forsyth moved that Motion for a Return 1 be amended to read that an order of the Assembly do issue for a return showing copies of documents prepared by the Department of Justice and Attorney General and the Department of Solicitor General for the fiscal years 1999-2000, 2000-2001, and 2001-2002 providing the number of provincial police officers funded or projected by the government under the provincial police services agreement and the number of officers authorized under that agreement for each of the fiscal years.

The original motion for a return should be amended for the following reasons. Summary documents prepared by the government of Alberta for payment reconciliation should be used rather than complex documents provided by a third party, who may have objections to details being released publicly. Because the established authorized and actual FTEs are reviewed and reconciled on an annual basis, separate information for the fiscal years 1999-2000, 2000-2001, and 2001-2002 would be more meaningful and in keeping with the corresponding written question than trying to

combine the years. Because staffing is fluid with the continual movement of persons into and out of positions, full-time equivalents as represented by the word “officers” provides a more accurate and meaningful measure than “positions.”

The fiscal reconciliation for the period April 1, 2001, to March 31, 2002, is not yet available. Instead, a projection will be proposed. Under the provincial police services agreement the government funds the actual number of officers. It would be more meaningful to compare the actual with the authorized number of officers, FTEs.

Mr. Speaker, I'll move that MR 1 be accepted with the amendments.

MS BLAKEMAN: My response to this proposed amendment to MR 1 brought forward by the Solicitor General is very similar to my statements in response to Written Question 4, so I can refer any reader back in *Hansard* to read that. Essentially I was looking for information that's going to detail for us whether we actually had officers filling the positions we thought we had and exactly what they were doing, because there is a suspicion that we don't have as many officers out there doing the work – in other words, policing or law enforcement – that we think we do. Particularly, in one case I had someone approach me with a concern that an officer had been seconded around September 11. [interjection] Yes, 9-11. So I was looking for information about whether or not that in fact was happening. So I appreciate the Solicitor General coming forward in an attempt to provide me with information, and I'm willing to accept the amendment to Motion for a Return 1.

3:00

THE SPEAKER: Hon. Solicitor General, the chair heard the hon. Solicitor General speak to the amendment. It would be helpful if the hon. Solicitor General moved the amendment as well.

MRS. FORSYTH: Mr. Speaker, I'm sorry; I thought I had. I move the amendment.

[Motion for a Return 1 as amended carried]

head: **Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

**Bill 206
Fisheries (Alberta) Amendment Act, 2002**

[Adjourned debate April 15: Mrs. Fritz]

THE SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. It's truly an honour and a privilege to join in on the debate on Bill 206, sponsored by the hon. Member for Lac La Biche-St. Paul.

[The Deputy Speaker in the chair]

The words “careful” and “control” came to mind when I thought about Bill 206. We've heard debate about the need to control the population of predatory birds in order to effectively preserve fish populations in Alberta lakes. The sponsor has described the behaviour of the double-crested cormorant and how birds have decimated lakes in northern Alberta. You know, the Member for Lac La Biche-St. Paul knows more about the negative effects of this bird than anyone else in this House, and I would agree with other members in this Assembly about the need to control this bird that's

obviously causing great harm to our aquaculture and environment.

Things are getting out of hand, and it's time for government to find a solution, Mr. Speaker. The challenge for this government is to act in a serious and sensible way while fulfilling our roles as protectors of both the Alberta environment and Alberta business. The remedy proposed in Bill 206 is to allow the minister responsible for the Fisheries (Alberta) Act to use existing legislation, the Agricultural Pests Act, to control this bird species that is destroying and harming fish habitat. The bill is not suggesting drastic measures, nor is it suggesting anything new. The Agricultural Pests Act currently provides the legal authority to deal with native and introduced pests affecting agriculture production.

Mr. Speaker, the beauty and usefulness of Alberta's lakes will be here as long as the people of Alberta and this government are willing to show careful regard for the environment. Bill 206 does just that. I would encourage all members of this Assembly to support this important legislation.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure to rise this afternoon and make some comments on Bill 206, the Fisheries (Alberta) Amendment Act, 2002, sponsored by the hon. Member for Lac La Biche-St. Paul.

Certainly the growth in the population of cormorants over the last decade has been incredible in this province, but before we rush forward and pass a bill such as Bill 206, I think that what we need are some type of quantitative studies which are going to certainly point out exactly why this phenomenon has occurred, particularly when we see that for so many years in this province that population was stable, yet in recent years it has grown, and grown rapidly. I think what we're seeing here today as well, Mr. Speaker, is that a number of people in this province have looked at this issue, and as the hon. Member for Whitecourt-St. Anne has just indicated, they see these birds as a problem. I think we have to go much further than to just look at the reason why these birds are now considered to be a problem.

I had the opportunity a few summers ago to go to Namur Lake, which is a trophy lake. You have to fly in from Fort McMurray. Those people have been managing that lake for a number of years, and they certainly saw the impact of the cormorant on particularly the arctic grayling, which were at one particular end of the lake and certainly in the creeks and whatever, and how those populations had been wiped out. We also have to look at not only those populations that had been drastically reduced, but we have to look at the fish populations, for example, of northern pike and walleye. These populations were stable in the province for many, many years, but with the growth in the number of fishermen and the limited number of lakes that we do have in this province, the populations of northern pike and walleye have certainly decreased.

Of course, that compounds the problem in that smaller fish in the lake and minnows and whatever increase in great numbers when they are further down the food line and their predators have decreased significantly in numbers. There was a tremendous amount of food available to birds like cormorants. There were at one time healthy populations of northern pike and walleye. So these small forage fish certainly grew in incredible numbers. The food supply was increased, and the bird populations obviously followed suit.

Now, then, I don't believe that passing a bill like 206 is going to take care of this problem over time. What we have to do, Mr. Speaker, is certainly restore the fish populations, particularly of

northern pike and walleye. Just as this problem has arisen over time, to correct this problem and to correct it properly is also going to take a significant amount of work and dedication. It is very, very difficult to monitor field inventories on these popular game fish and fish populations and to also notice the trends when over the last decade we have had significant decreases in the funding of the two departments that are most responsible for our fish populations in this province, and those are Sustainable Resource Development and Environment.

What this is is simply crisis management. When we get to the stage that we introduce a private member's bill to deal with this significant problem, yet when we go through the departments of Environment and Sustainable Resource Development, we certainly don't see any mention of this problem, we don't see any additional funds that have been allocated to take care of this, then I know that I cannot support Bill 206. As this problem has developed over the last decade, then I think that we have to look forward and institute the proper strategies so that nature itself can take care of this problem. If it hadn't been for the overfishing by people in this province, we wouldn't be experiencing this problem right now and nature would be able to handle the situation very well.

3:10

As I was mentioning, Mr. Speaker, one of the keys that we have to have always in place in this province is that we monitor accurately the status of our aquatic resources. As well, we have to reinvest into those aquatic resources, we have to rely on a long-term monitoring program of our fish populations, and we also have to look at the fish habitats, including not only water quantity but water quality. I think that if we are looking not for a quick fix to a problem and certainly something that there are no guarantees for, a solution that is not nature itself that is in control but man, then I think what we have to do is that we have to restore the aquatic resources in our budget, the number of dollars that we're going to spend, and certainly look at how these resources have been eroded over the years in year after year of decreases to this particular budget.

We have to put in strategies here that are going to reverse this whole increase in the cormorant population. We have to put in strategies that are going to restore the healthy numbers of walleye and northern pike in our northern lakes, and by doing this, we can certainly reduce the number of small forage fish that the cormorant feeds on. But the quickest way and long-term solution for this is to certainly eliminate or drastically reduce that source of food that these birds rely on.

So, Mr. Speaker, I will not be voting in favour of Bill 206. I think it's a band-aid solution, and I think the problem is much greater than what this bill will fix. I think that as an Assembly our duty is to look at solutions which are long term. We have to look at solutions where our fish populations are sustainable, and if it takes another decade for nature to correct this problem itself with some help of ours, whether it's introducing these types of game fish, the northern pike and walleye into these lakes, then certainly it is incumbent upon us to look at those solutions and certainly not the crisis solution of killing off these birds.

Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's a privilege to rise today to speak in favour of Bill 206. I think this is really one of the examples where the Legislative Assembly can work properly. When a member from an area or region comes into this Assembly with a

very clear and specific problem and has worked with the departments to develop a solution to a problem and can present that in a very timely and affordable manner to the people of Alberta, then I think surprisingly enough, occasionally, like I say, even a blind squirrel finds an acorn.

What the member has asked the minister to do is:

When the minister determines that a species of animal or bird is destroying or harming, or is likely to destroy or harm, fish or fish habitat, the Minister may order, in accordance with any guidelines adopted by regulation, such measures throughout Alberta or in part of Alberta that the Minister deems necessary to protect the fish or fish habitat which may include reducing the numbers of that species of animal or bird on land owned by the Crown.

That's a very simple, straightforward request that says: here's a serious problem; let's fix it.

Now, we target fish as one of the species at risk here, but that's part of the big plan. We can't just say that it's fish for the sake of someone going to fish. They're part of an ecosystem – I know even our hon. members across would agree – that is a very important part of the big picture. So we could sit, Mr. Speaker, and we could do some more studies, and we could monitor, and we could count numbers, and we could let the lakes in Alberta die. Then we would all say, "Man, we should have done something," but we were busy counting and taking numbers and doing studies.

We see a very good example of this. They say: "Well, that wouldn't happen. How could normal people do that?" Let's look at what's happened in the north with the snow geese. The numbers of snow geese have increased so far past what the land is able to handle that they have destroyed the Arctic tundra for miles and miles and miles, and given the growing season in the north it won't be in any of our lifetimes that this ever comes back.

Now, the federal government, as they can do, will study, and they will count birds, and they will say: boy, we've got a problem there, but as long as we have money to count and to study and no one lives right there, then it's not a big problem. Even the Alberta fish and wildlife people recognize that, and they've upped the limit of snow geese you can shoot, but I guess they should make it mandatory maybe that you have to shoot 50 of them before you shoot a Canada goose. I don't know what the answer is, but the answer certainly isn't doing nothing.

There's another very good example right now going on in Chesapeake Bay, Mr. Speaker, where a type of swan is doing an incredible amount of damage to the reeds and grass along the edge of the Chesapeake Bay. Given the nature of water movement there, it's a very dangerous precedent to set, to start to erode the banks. It's not just the animals that live near the banks, but it affects all of them. Now, it would be simple if the swan was an ugly thing that people didn't care for much. You could probably go destroy it and people wouldn't mind, but a swan is a beautiful creature, and we're all supposed to love it. Still, the fish and wildlife people there have put forward a plan, that's already been approved, to spray the eggs with an oil-based solvent that won't let the eggs hatch, so it's pretty painless. It makes the birds think they're doing a heck of a job, but there are just not going to be as many birds in the future.

AN HON. MEMBER: It's slippery to sit on them, though.

MR. SNELGROVE: Yes. If they oiled them first, they'd probably be easier to have.

Mr. Speaker, here's a case where certainly we have the environmentalists on one side saying: "Boy, we can't do this. We can't mess with nature." We're the biggest part in nature now. Unfortunately, we destroy nature every day, and we're not going to go back, but the least we can do when we recognize a very clear and present

danger to a species or a chain is step in and help where we can.

So I would say to the Assembly that we can study and we can watch and we can listen to the people who aren't up there to see the disaster that's coming from these cormorants, but as far as I'm concerned, we should get on with the matter at hand and the sooner the better. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Speaker. I rise with an open mind on this issue, as remarkable as that may seem. I can see both sides or maybe many sides to the issue, and I at the moment am not clear where I'm going to come down on it, but I do find myself trying to put this issue in a bigger debate.

I'm sure all members of the Assembly are aware of the collapse of fish stocks actually worldwide. We're all aware in Canada of the collapse of the fish stocks in the Newfoundland Grand Banks. When I was a schoolboy, I was taught that the Grand Banks of Newfoundland were virtually an inexhaustible supply of fish, yet they're gone. In fact, when you look at that in a global term, there are fish stocks around the world that are collapsing off the coasts of every continent. The major fish stocks are collapsing, and we are seeing the same kind of thing with freshwater fish stocks in Alberta and I'm sure in other jurisdictions. There have been repeated references in this Assembly by the hon. Member for Athabasca-Wabasca to the collapse in various fisheries. I know from my own experience and experience of my family that going out to fish for something as simple as jackfish is now difficult to do. I mean, you used to be able to catch jackfish. Even I could catch a jackfish, and that's really saying something. Now it's hard for anybody to catch jackfish in many lakes in this province.

3:20

What we're looking at here is a global problem with our fish stocks. As much as cormorants may be a problem in some lakes in Alberta, I can't imagine that they're the cause of the demise of fish stocks around the world. I don't think in the big picture that killing cormorants is going to be any kind of long-term solution to the problem we're seeing.

I think we need to look at other or further solutions, and those solutions may have to do with our whole approach to the habitat: our handling of the lands through which the rivers flow and in which the lakes are formed, the way we handle the lands around the edges of the lakes and the riverbanks, the amount of encroachment we allow on this land from industry or residential development or agriculture, the kinds of chemicals that are produced in our society that get into the water supply. All kinds of issues affect the welfare of our fish stocks, and again I repeat that I can't believe for a minute that cormorants are the main cause of the problems in the lakes that we're discussing.

On the other hand, I listened carefully to the comments from the hon. Member for Vermilion-Lloydminster and his plea for action, and I think of comments I hear for plea for action on a whole host of issues, whether it's climate change or other environmental issues. I think there's much to be said for acting, so that draws me to support the bill, but I know I'm not alone in having my concerns.

The whole issue of how we as a society and how this government manage fish stocks comes into this. Are our fish and wildlife resources adequate? By that, I mean the department: the inspectors, the biologists, the policy managers. Are there enough of them to sufficiently manage the fish and wildlife of this province so that they don't become extinct or they don't disappear? I am concerned that

there's a direct correlation between the decline in fish stocks in this province and cuts to the staffing and budgets of the departments that are supposed to manage those stocks. So it may be that it's not the cormorants' fault; it's the Treasurer's fault, for example. But she's not going to respond to that, so I'll just pass it on.

It may be that there are other causes that we should be looking at and that the cormorants are in fact simply a symptom of a larger problem. The surging cormorant population may in fact result from the collapse of fish populations such as the northern pike population or the Walleye population. With those sport fish being fished out, it may be that the forage fish population has surged and they've provided a much more attractive feeding source for the cormorants, so the cormorants are coming in after the fact. That's one possibility. We may be treating a symptom rather than a cause. So it would be useful for me if the member sponsoring this bill were to present the larger context in terms of what's really happening. Is this really the cormorants' fault, or is this something much bigger?

There are also questions around how this Bill 206 might be implemented and how it might be managed. Would we keep track, for example, of the cormorant population over the years that the bill was enacted? Would we have some kind of objective or goal for the number of cormorants that were acceptable? Would we have an annual cormorant count on the lakes? I got a smile from one of the members, but actually, you know, we'd probably need something like that to know if we were having a successful campaign and to know when to stop killing cormorants. I suppose there's even the question of the public image of people going out to kill cormorants or to destroy the eggs of cormorants. Indeed, are we going to be destroying the food source for certain types of small wildlife if we destroy the eggs? Are we for example going to be starving foxes or muskrat or other creatures who might feed on those eggs? I have no idea. Maybe the hon. member does.

MR. BONNER: We need to increase our forage fish.

DR. TAFT: Yes. Might we see in fact a great surge in the forage fish in the lakes once the cormorants are gone, and what are going to be the implications of that? Maybe they'll be great. Maybe we'll see a surge, a return of the jackfish population and the walleye population, but on the other hand we might see the ecological balance of the lake thrown totally out of whack. Maybe the cormorants are there filling an important role for nature, a kind of stopgap measure for nature.

So those are some of the questions I have at this point, Mr. Speaker. I'm undecided about where I will vote on this particular piece of legislation. I think the hon. member's intentions are admirable. I doubt if he bears a grudge against cormorants. He's simply interested in improving the health of our lakes, but I'm not sure that this is the mechanism through which we want to do that. So I'll listen with interest to the other members' comments.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's a privilege for me also to rise today to speak to Bill 206, the Fisheries (Alberta) Amendment Act, 2002, sponsored by the hon. Member for Lac La Biche-St. Paul. For a very long time my only experience having to do with cormorants – and I've had this great affection for China for many years – was in my reading and hearing about these wonderful fishing birds they had in China. They put a ring around their neck, and they tossed them out of the boat with a rope tied to their leg, and

they went down and caught fish for the family and brought them up and so on. I never thought I would be rising in the Alberta Legislature to speak on an issue about cormorants. What I'm going to be speaking about today really is my personal experience, which perhaps many of you haven't had insofar as cormorants are concerned.

A number of years ago I bought a farm out in the Sangudo area.

MR. VANDERBURG: Is that Whitecourt-St. Anne?

MR. MASKELL: Out in Whitecourt-St. Anne on the bluffs overlooking the Pembina valley. It was a wonderful place to bring my family. I brought my grandchildren and nieces and nephews there to have a great adventure. Well, their great adventure was to get a video and go in and watch it while they're at the farm. Needless to say, it got me a little agitated, so I thought: you know, wouldn't it be great to put a trout pond in? It could generate some revenue with aquaculture, fish farming, and at the same time give my grandchildren something to do in catching fish. So I went through the whole process of getting the licensing and permissions that were required, had the pond created and filled it and so on. Then when it was time, I ordered the fish to be delivered and got 500 fingerling trout put into the pond. We had great fun throwing the fish food out on the pond and watching all these little fingerlings coming up to seek the food, but a couple of weeks after I had stocked this pond, my brother phoned and said: "Bro, you've got a big problem out there. Birds are flying in, and your fish are disappearing quickly." They were like a swarm of grasshoppers, which we're familiar with, the way they came in. Well, I can tell you that within a week I had no trout left in my pond.

3:30

Well, I'm not a very good loser on things like that, so I thought, "Doggone it all; I'm going to have those trout in that pond for my grandchildren." So I ordered another 500 trout and had them delivered. I had phoned all the right people, who were going to tell me how I could thwart the cormorants and not have this problem. So on the pier I built a scarecrow, and he looked mighty frightening, this human kind of scarecrow, standing on the pier. Well, that didn't work very well. All I did was provide another perch for the cormorants to land on. Then the fish and wildlife people, all the great experts that we had there, with all due respect, said: "No. You put a raft on the pond, and then you put the scarecrow on the raft." So now the raft floated around and so on, and now we provided another perch for the cormorants to land on: the raft and the scarecrow. So that didn't work well.

So, again, not to lose out on this, I decided to take the next step. These authorities said: "No. Now we've got to take the next step with propane guns." So all these guns were firing all the time. Well, that helped for a few hours or so, but again it didn't seem to affect the birds at all, and the neighbours were getting a little cranky about the propane guns that were firing continuously. Needless to say, I had a lot of visitors to the pond from the area and lots of advice and also people telling me that they had never seen these cormorants before I created this pond.

MR. DANYLUK: Oh, so you started it.

MR. MASKELL: Hon. Member for Lac La Biche-St. Paul, it's not my fault, honestly.

So finally they said: "Okay. Those three things don't work. Now, this will definitely work. You string wire back and forth across the pond. You put spinning reflectors on it and flags and so on." So, I

mean, my family went to great trouble to create this. Well, it made it a little difficult for them to come sliding in and land on the pond, so all they did was land on the grass and walk in and then catch my fish. So I surrendered for that year and then tried the following year and had much the same experience.

What I quickly discovered was that this certainly is not unique to the area. The Member for Lac La Biche-St. Paul was talking about in the northeast it being a problem and in central Alberta also and in our area stretching from Barrhead to Lake Isle. People were putting fish ponds – even in the farmyard. Mine was a quarter of a mile away from the house, but right in the farmyard these birds will land and clean out the pond. You could sit there day and night, and they'd find a way to get your fish.

So in terms of aquaculture and creating fish ponds to raise these fish, that didn't work at all. But the lakes around the area also suffered significantly. The lakes that had natural fish stocks for many years were being quickly cleaned out. In some of the smaller lakes the bird population was so large that the vegetation, the trees and so on around the lakes, was being killed from the bird droppings and so on. Stocked lakes in the area of course didn't survive the problems that we had.

So it's a matter that these birds were not known in the region at all for many, many years, and now they've just about cleaned out the area. I've done some research on this, and we've heard over and over and over that Alberta fish populations are at low levels. Pike catches – jackfish, as the hon. Member for Edmonton-Riverview speaks about – are only 15 percent of what they were in 1970. Of the 27 walleye populations for which there is data, 21 have collapsed in recent years. Concurrent to fish population collapse over the past 30 years, cormorant populations have increased tenfold. Commercial and sportfishing, not including tourism spin-off industries, contribute over \$1 billion to the Alberta economy. So active management of fishery resources to promote long-term sustainability of the industry would increase the economic stability and growth in northern Alberta.

Bill 206 would enable the Ministry of Sustainable Resource Development, responsible for Alberta fish and wildlife, to ensure that fish farmers have an effective recourse and protection of their property from pests. Under Bill 206 the spawning routes of all fish species would be facilitated. This would increase the population of fish naturally and thereby reduce the necessity for expensive restocking measures. The proactive management of waterfowl populations would prevent waterfowl fecal pollution of potable water sources and habitats for protected bird species such as the great blue heron, the American white pelican, or the whooping and sandhill cranes.

Bill 206, Mr. Speaker, allows for a very broad approach to fish population recovery strategies and is not limited to depredation of cormorants or other pests. I plead with members: please, please support Bill 206.

Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Speaker. It's my pleasure to rise today and add my voice to the debate on Bill 206, the Fisheries (Alberta) Amendment Act, 2002. I would like to thank the Member for Lac La Biche-St. Paul for his efforts in bringing this legislation forward. The Alberta fisheries industry is something that does not receive enough attention or discussion, and I'm grateful for the opportunity to discuss it here. I would like to talk about the benefits of the proposed legislation and then move on to why I think passing Bill 206 is important.

Mr. Speaker, this legislation aims to enable fish farmers to protect their investment from pest species of nongame birds. It will also set up a framework that would allow the Alberta fish population to grow on its own. The legislation will permit proactive and protective actions by fish farmers.

First, Bill 206 will allow the Minister of Sustainable Resource Development to control factors that hinder the growth of the fish population. Predatory bird populations could be reduced, and improved spawning routes could be ensured through the constructive removal of natural barriers such as beaver dams. Second, Bill 206 will allow the minister of agriculture to declare certain species of nongame birds as pests to aquaculture, or fish farming. With this legislation in place fish farmers will have the ability to protect their investment through lethal methods without obtaining a depredation order from the department. If it is passed, Bill 206 will enable fish farmers to act swiftly to protect their livelihood without having to wade patiently through the existing channels while their investments get eaten up one by one. These amendments to these two acts will work together to establish guiding principles by which the Department of Sustainable Resource Development can ensure the viability and protection of Alberta's fish stocks and biodiversity of Alberta's lakes and aquatic ecosystems.

Bill 206 is an important step towards a goal of long-term, viable fishing resources in Alberta. When compared to Ontario, B.C., and Manitoba, it can be truly said that Alberta is a province with few lakes. Because we have a small number of lakes, Alberta has a comparatively small commercial and tourist fishing industry. However, commercial and sportfishing, excluding tourism and spin-off benefits, contribute over \$1 billion to the Alberta economy. A billion dollars is no small sum, and when tourist dollars are included and the total economic impact is assessed, I think that we could all agree that this is an industry that could use a measure of legislative help.

3:40

Mr. Speaker, the Alberta fishing industry and our recreational fishing have suffered from a population explosion of unchecked predators and other natural, limiting factors. Our fish populations are presently at dangerously low levels, and as our Member for Edmonton-Meadowlark indicated, pike catches have declined 85 percent from the level fishermen enjoyed 30 years ago. Also, data reports that three-quarters of the walleye populations in Alberta have met with severe decline over the same period. We have all heard that a bad day fishing beats a good day at the office, but with statistics on fish stocks like these, it's hard to imagine too many good days' fishing. And I had chalked it up to really bad bait all this time.

In response to this problem, Alberta has attempted to bolster the fish population in our lakes several times over the last 25 years. The restocking of Alberta lakes that has occurred has met with little success; hence the repeated attempts that have been made. Depleted stocks have persisted despite restocking efforts due to several factors including overfishing, inadequate spawning routes, winterkill in shallow ponds, and overwhelming shorebird presence. Bill 206 will give the Department of Sustainable Resource Development a mandate to attempt to effectively prevent and manage the responsible factors that have created the fish stock problems in this province. If the department is able to re-establish and secure routes for fish spawning and prevent overfishing, then a large portion of the problem can be solved.

However, these steps will not rectify the problems that certain lakes and fishing areas are facing. Northern Alberta fishermen and fish farmers are all familiar with a winged predator that mercilessly

guts fish stocks in lakes, streams, and dugouts. The double-crested cormorant is a bird that is native to lakes in northern Alberta. The bird is awkward in the air but is a skilled fisherman. Cormorants have natural predators, namely rats and large snakes. Unfortunately, Mr. Speaker, northern Alberta is not hospitable to large snakes, and as we all know, Alberta is a rat-free province. This has left the cormorant with no natural predators.

Before the 1970s the population of cormorants was controlled inadvertently by the use of DDT. When the decision-makers of the day came to the realization that this pesticide was harmful to the ecosystem, there was a ban put on its use. While banning this pesticide was without question a necessary and positive step for the provincial environment, it did allow the cormorants to flourish. At about the same time, the government of the day undertook steps to restock the fish supplies in this province and provided the cormorants with a bounty of food. Ironically, and by no coincidence, Mr. Speaker, each restocking has led to a dramatic increase in the population of cormorants. The provincial population of cormorants is now 10 times higher than it was 25 years ago, and I believe that a direct link can be made to the restocking efforts that have been made over the past three decades.

I think it is time that we put an initiative in place to allow Alberta's fish population to grow, and it would seem to me that a great way to help achieve this is through the sensible removal of an unyielding and unchecked predator. The current methods of warding off winged predators could be enhanced by the measures proposed in Bill 206. Taking legislative action to protect our limited fisheries from natural predators is a valuable first step in the strengthening of Alberta's recreational fishing and Alberta's fish farms.

Mr. Speaker, an easy comparison can be drawn between the way that fish farmers feel about cormorants and the way that our farmers feel about gophers: they are small in stature, travel in generally large groups, and hinder the human ability to achieve maximum effectiveness in our farming endeavors. It is no coincidence that Bill 206 will allow cormorants to be listed as the same type of pest as the gopher in the eyes of the provincial laws. Farmers have the right to eliminate gopher populations on their property with lethal means in order to protect their investment. Under Bill 206 fish farmers in the province will have the ability to also eliminate cormorants through any means to protect their investment. On fish farms the investment is ripe pickings for fish-preying birds like cormorants. The fruits of the farmer's labour are nestled in shallow pools, waiting to be plucked off by hunting birds. It is not right to prevent the proprietors of these farms from protecting their investment in the same way that other agricultural farmers in this province have been able to protect their lands from certain pests.

To conclude, Mr. Speaker, taking active management of fisheries resources will undoubtedly promote the long-term sustainability of the fishing industry in Alberta and would increase its economic stability and growth in the north. The proposed legislation allows for a broad approach to fish population recovery strategies and is not limited to depredation only. With this legislation in place, the spawning routes of all fish species will be facilitated and preserved. In conjunction with the facilitation of spawning routes, the means that Bill 206 makes available for fish farmers to use to protect their stock will help increase the fish population naturally and thereby eliminate the need for expensive restocking strategies.

I would strongly urge my fellow members of this Assembly to lend their support to Bill 206 and to the fish farmers of Alberta. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker, for the opportunity to join the intense debate regarding Bill 206, the Fisheries (Alberta) Amendment Act, 2002, which has been introduced by my distinguished colleague from Lac La Biche-St. Paul. At this time I wish to express my gratitude to my colleague for bringing this important issue before the House.

Mr. Speaker, Bill 206 is intended to correct a problem that has adversely affected the aquatic ecosystem in Alberta for many years. With lakes, rivers, and creeks found in every corner of the province, many Albertans are directly affected by negative changes to fish populations and our aquaculture. In the last 30 years a major collapse in fish population has occurred, while at the same time the population of a particular bird species, the cormorant, has flourished throughout the province. Now, I know that the hon. Member for Edmonton-Riverview thinks that this may just be a coincidence, but the double-crested cormorant is a bird species that consumes up to a pound of fish on a daily basis. This bird is a very skilled predator of small fish and has the ability to severely deplete fish stocks in lakes and other bodies of water with overwhelming efficiency.

Bill 206 aims to empower fish farmers to protect their investment and in turn their livelihoods from this and other identified pest species. Further, Bill 206 will allow the Department of Sustainable Resource Development to develop a mechanism designed specifically to ensure sustainability, biological diversity, and viability of fish farming. This will help protect the aquaculture in Alberta for years to come and will help people like the hon. Member for Edmonton-Meadowlark as well.

Since the Department of Sustainable Resource Development is responsible for Alberta fish and wildlife, it is their responsibility to maintain a healthy environment in which aquafarmers can protect their property from pests that unnecessarily damage their investment and the environment. Since certain bird species and more specifically the cormorant have expanded their habitats dramatically during the last three decades, they have placed severe pressure on Alberta's fish population. While fish farmers and environmental groups are working feverishly to maintain our aquaculture in good shape, the cormorant and other pest bird species are working even harder on depleting our fish population to dangerous levels.

Our province serves as an especially suitable habitat for the cormorant. As you heard, there are no natural predators that are present in Alberta to control their populations. Snakes and rats are the two major predators that help keep the cormorant in check in other jurisdictions. As we all know, there are no rats in Alberta, and snakes are also in very short supply, especially in northern Alberta, and I am very glad to say that it is so, Mr. Speaker. Further, many Alberta lakes are relatively shallow, and since the cormorant can dive up to 40 feet, many fish have nowhere to hide. Thanks to Bill 206 we will finally provide the tools necessary for our fish farmers and the Department of Sustainable Resource Development to control the cormorant and other bird species that have grown out of control.

In addition, an important point to make is that commercial and sportfishing, not including tourism and spin-off industries, contribute over \$1 billion to the Alberta economy. Many Albertans enjoy their time spent fishing and angling on the many pristine lakes and rivers around our great province. With many lakes suffering from substantially reduced fish stocks, the fish farmers, aquaculturists, and fishing enthusiasts are finding it increasingly harder to find adequate sources of fish in Alberta's lake and river system. Now, Mr. Speaker, it is especially difficult for those of us who are not great fishermen to begin with. By providing reasonable and effective legislation, we can ensure that certain pest species are controlled at levels that allow for environmental harmony.

3:50

As many Albertans work to restock the fish population in our lakes and rivers, certain bird species expand in numbers accordingly and effectively counteract those restocking efforts. Bird predation is among the leading causes of fish loss at commercial aquaculture facilities. Mr. Speaker, the Agricultural Pests Act, which is administered by the Department of Agriculture, Food and Rural Development, allows farmers and ranchers to proactively manage species that threaten their stock as long as it has been determined a pest by the minister. The Fisheries (Alberta) Amendment Act, 2002, would work in much the same way to protect our fish population from nonthreatened, nongame birds. Certain pest species have gone unchecked for too long, and legislation is badly needed to correct the problems they are causing. There are major environmental and economic implications to this issue, and unfortunately the double-crested cormorant is at the centre of most of it.

I'd like to thank the hon. Member for Lac La Biche-St. Paul for having the strength, Mr. Speaker, to deal with this issue. Even though the pesky bird problem is a very important one, Bill 206 also deals with other challenges that currently hamper a healthy development of our fish populations and fish farming operations. By providing adequate spawning routes, we will facilitate the natural ability of fish stocks to develop. This can be maintained by proactively removing beaver dams that pose a problem for certain fish species' migration. Bill 206 would also help farmers deal with problematic beaver dams when appropriate. The facilitation of spawning waters will help increase the fish population naturally, which will also reduce the need for restocking measures that often carry substantial additional costs.

The legislation proposed under Bill 206 is not designed to eliminate the cormorant species or any other predatory bird species in Alberta. It is designed to serve as a tool that fish farmers throughout Alberta have at their disposal to deal with pests that threaten their property and livelihood.

Finally, Bill 206 will address the issue of the management of sport and commercial fishing licences to promote sustainable harvesting of the fishery resource. This part of the Fisheries (Alberta) Amendment Act, 2002, is necessary to ensure that we can maintain a healthy fish population in areas most affected by overfishing, which has to be named as one of the culprits to the degradation of Alberta's fish population. Bill 206 would require the minister, through Alberta fish and wildlife, to evaluate Alberta's aquatic ecosystems and provide effective solutions to problems that are affecting the fishing industry throughout the province.

Further, Bill 206 provides a broad framework that will serve as the foundation for effective stock recovery strategies. Only a broad and flexible approach will ensure that we do what's best for Alberta's fish populations, the fishing industry, tourists, and aquatic ecosystems as a whole. We have a serious problem on our hands, Mr. Speaker, and it requires serious action on our part. Bill 206 provides adequate legislation to allow those involved to be better equipped to deal with the issue as necessary.

Mr. Speaker, as I voice my strong support for Bill 206, I wish to encourage all my colleagues as well as those on the opposite side of the House to support it as well. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you very much. We hear a lot of reports of people who are not so good at fishing and who do not have the ability to catch fish. Mr. Speaker, I'm a great fisherman, and I have trouble catching fish. So when a fisherman goes out for recreation

and the cormorants are lapping up all the fish, the recreation fisherman isn't going to be too pleased. As a matter of fact, he'll be somewhat horsefaced to spend an afternoon and not catch anything.

Mr. Speaker, I first of all want to thank you for allowing me to enter into the debate of 206. I'm pleased to support this bill and hope it'll convince other members of this Assembly to do so as well. If passed, Bill 206 will give farmers the right to protect their fish stocks from predatory animals that overpopulate the ecosystem, devour fish stocks, and destroy the ecosystem by their presence.

Mr. Speaker, I would like to speak to this bill from the perspective of Albertans who own and operate businesses that are dependent upon clean, natural, and balanced ecosystems. Bill 206 will allow government to keep Alberta's environment balanced, and it will be a positive for business owners, the government, and environmentalists alike. To work together like that, in parallel, is a new philosophy. However, it will work. This bill affects directly and indirectly Albertans and Alberta businesses that are heavily dependent on Alberta lakes and their environment. I can sympathize with those that it would affect: businesses in Alberta's environmental and recreational sectors that rely on several factors to succeed. Some of these factors they can't control. Rain or weather conditions are beyond their control and, for example, forest fires. But many of the factors which affect the profits of nature-based and recreational businesses can be controlled, and the activity and overpopulation of pests are two of these factors. This is especially true for those who own businesses that depend upon keeping fisheries and aquatic ecosystems in good condition. An infestation of pests damaging to the environment not only means less business but, more importantly, less Albertans to enjoy the great outdoors.

Mr. Speaker, I don't understand why anybody would want to not have a sustainable fish stock in Alberta. Cormorants are really not from northern Alberta, and if they were, then I would suspect that they would have many rats and large snakes to control them. So saying that, I would think that it would be our responsibility to replace such predators by controlling them and allowing people who have a direct investment to control them. We have to remember that a large infestation of pests like the cormorants is not at all natural, but their very occurrence is slowly becoming more and more serious and more troublesome for those who love the outdoors.

Mr. Speaker, government, business, environmentalists, and sportfishing enthusiasts have worked together on many occasions to ensure that the stress put on Alberta's fishery is manageable and is best for all parties involved. Like the Member for Vermilion-Lloydminster put forward, it allows the minister to govern and to have tools available to him to engage in such activities. But when you have these pests interrupting the process in an unnatural fashion, like cormorants do, this causes a problem. Why spend time and money to restock and properly manage our fishery if cormorants are going to eat up all our fish? Our efforts would be to win, and it would be all in vain if we don't.

This is why this bill is necessary. As lakes in the province have been restocked over time, we've basically handed over a massive source of food to the predator. This leads to more predatory birds migrating here. These birds procreate and multiply at amazing rates. They attack our lakes and deplete our fish stocks, Mr. Speaker. It is therefore clear that Bill 206 is necessary to help our environment and help business related to the environment. This bill gives the Department of Sustainable Resource Development the power to identify the species of the pest, nongame birds, in accordance with the Wildlife Act, the Migratory Birds Convention Act, the Water Act, and the Fisheries Act.

The bill also gives Sustainable Resource Development the power to take steps to ensure the viability of fish stocks and their protection

from pests and to protect the biodiversity of Alberta's environment. Some of these steps include removal of beaver dams and issuing department orders. I want to make it clear, Mr. Speaker, that I support the fact that Bill 206 makes the Minister of Sustainable Resource Development the one person responsible for issuing the orders. This ensures that the department order that is delivered is not in haste and has gone through every possible channel.

Finally, Mr. Speaker, when the depredation order is delivered, the fish farmer can take steps within the confines of the order to rid himself of the pest problem. I'd like to take up this particular aspect of the bill. We don't need to run up the budget for Sustainable Resource Development by having officials running down cormorants and protecting fish stocks when farmers and local people know exactly how to get the job done and do so willingly.

Mr. Speaker, when farmers and individuals take charge, they know how to do things efficiently, because I'm a farmer and I know how to get the job done. Therefore, an Alberta farmer will rise to the occasion. We just need to give fish farmers the ability to take care of the problem, and I guarantee you that they'll be glad to do it.

4:00

In closing, I'd like to reiterate the support for this bill. Our businesses that depend upon a clean environment and sustainable wetlands would certainly be in favour of it. This especially applies to fish farmers. We've already heard the sponsor of the bill talk about his own experience: skies filled with birds, beaches filled with bird feces. At some point we have to say that enough is enough. Let the farmers take care of their problem. Bill 206 gives us the ability. I gladly support it and ask that other members of the Assembly do so as well. Thank you so very much, Mr. Speaker, for this opportunity.

THE DEPUTY SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. It's a pleasure to rise today in support of Bill 206, the Fisheries (Alberta) Amendment Act, 2002. The hon. Member for Lac La Biche-St. Paul has brought forth this bill to bring an issue to the attention of this Assembly that many people in Alberta and in particular his constituency have been dealing with for a long time. As many of my colleagues have already stated, the wild and stocked fish populations of Alberta are being severely threatened by a voracious predator. The cormorant is a large bird and not the cleanest bird to have as a neighbour.

Environmental conservationists in the Great Lakes region have been monitoring the effects of cormorant populations on the fish population for over 15 years. Their research has proven that cormorants hunt in large groups and prefer to catch fish more in shallow waters than offshore. I am hoping that by this statement, Mr. Speaker, I can help illustrate how Alberta, with our shallow lakes, is an ideal hunting ground or habitat for these birds, putting our fish population in jeopardy. The crested cormorant has become a hazard and a pest to the balance of our aquatic ecosystem.

We have been restocking our lakes for decades, which unfortunately has a spin-off effect of simply feeding these predatory pests. I know many of my colleagues have seen the effects that these birds have on a well-stocked lake or water body. They nest and hunt in large packs. In fact, environmental conservationists destroyed over 5,500 nests on one island alone in the Great Lakes region as these birds were destroying the fish population and vegetation around the island with their droppings and sheer numbers. Double-crested cormorants are a pest in Alberta because we have no natural predators for these birds, those being rats and large snakes, as has already been mentioned. Mr. Speaker, what we are dealing with is

a predator who has the ability and the free rein to multiply its population, and we keep providing it with the most opportune habitat by restocking its feed lakes.

Mr. Speaker, we have the ability as a province to act in our best interests and decide that the double-crested cormorant, because of its destructive feeding and nesting habits as well as its lack of natural predators, has proven that it is a pest in Alberta and a hazard to our natural aquatic ecosystem. Its population must be controlled. In conclusion, I will be supporting Bill 206 because I believe that it will give us the opportune legislation and the appropriate legislation to protect our ecosystem and control the damage it causes. I encourage all of my colleagues to do the same.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Lac La Biche-St. Paul to close debate, there being no other speakers offering themselves.

MR. DANYLUK: Thank you, Mr. Speaker. I am pleased to rise today and conclude the second reading debate on Bill 206, the Fisheries (Alberta) Amendment Act, 2002.

I would like to begin by thanking the members of the Assembly for their thoughtful comments regarding this proposed legislation. I would also like to say that this is a challenge for all Albertans and in fact all of North America. What happened is that we have seen some of the illustrations in the comments that were made by different individuals from throughout different parts of the province with their concerns, but also what happened is that we did get letters from different groups and different associations expressing their concerns, and maybe I'd like to address some of them.

First of all, Mr. Speaker, I'd just like to talk about the bird society. Especially in my local area, when I talk about the bird society, what happens is that they want to protect the endangered species and the endangered birds, and the cormorants are really posing a problem in that direction. We all agree that Bill 206 is about protecting and enhancing Alberta's fish stocks and fishing industry. It has been commented by a member from across the way that this proposed legislation is just one piece in an overall puzzle of habitat and species management and not a comprehensive plan that takes into account all the pressures and needs faced by Alberta fisheries. I agree with this point. However, the members of this Assembly are familiar with the nature of the private member's bill, and we are aware that these bills cannot ask for resources. They are intended to address and raise awareness of problems and issues we face in our constituencies and not a cure-all for industry.

Mr. Speaker, before I close debate, I'd like to address some of the concerns that were raised during the course of debate. It was mentioned by a member that qualified biologists should be the ones who take the control orders under the proposed legislation. It is the minister who makes the call, but of course he would do it with the advice of many qualified biologists.

It was also mentioned that there is no requirement for record-keeping on the number of birds or eggs destroyed or the method of destruction. My experience with scientists has showed me that they love to keep records, and this is not going to be a problem.

The same member stated that private fish stocks, unlike wild stocks, should be dealt with by the agricultural legislation. Again, I wholeheartedly agree that it should be under the minister of agriculture when it comes to aquaculture.

Mr. Speaker, I would just like to refer a little bit to a couple of comments that were made by the members on the other side. When we say that we must manage and that there must be a balance, I very much agree that there has to be a balance. This is not an exercise in

annihilation. This very much is an exercise in balance, and it will be done in that manner. I would also say, when we talk about the balance of the ecosystem, that we have already fooled with the balance of the ecosystem. As stated by some of the members, when we talk about the annihilation of the rats in Alberta, that has changed some of the balance there. We have allowed fishing. We have allowed fishing by commercial fishermen and by anglers. We have controlled that. We have there, as well, done some to change the balance of the ecosystem. There has been hunting and trapping of fur-bearing animals, and when I talk about the beavers, that has again changed some of the ecosystem. We are in a situation where we can isolate. The one bird that we're talking about today is the double-crested cormorant, that basically has no predators, and in order to maintain some balance, we need to have some monitored control.

Mr. Speaker, I call the question on the second reading of Bill 206. Thank you very much.

[Motion carried; Bill 206 read a second time]

4:10

Bill 207

Alberta Wheat and Barley Test Market Act

THE DEPUTY SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I move second reading of Bill 207, the Alberta Wheat and Barley Test Market Act.

Mr. Speaker, what I would like to do is start off by thanking my colleagues, because I think we have a very special mix of urban and rural in government caucus that allows us to truly appreciate many different issues. When something good happens for the cities, rural wins, and when something good happens for rural, cities win. We understand that connection inside our caucus, and it certainly makes a huge difference for us in making positive, good decisions for what's best for Alberta.

Mr. Speaker, many people have asked me: why Bill 207 from a Calgary MLA? It's really that with my background in the stock markets, as a financial adviser before, it was about understanding the fundamentals of the marketplace. That's really what we see and what this is truly all about. I saw the Canadian Wheat Board as possibly the most socialistic piece of legislation that sits in our federal government today. It is an unbelievable thing and has hurt our agricultural industry in an amazing way for the last 50-plus years. That's truly why I got involved with this as well as speaking with many of my colleagues from rural Alberta: to understand and see what this is all about. Even the Auditor General of Canada is not allowed to see the sales contracts in wanting to test and see if a monopoly system is better than an open market system. The Auditor General can get more information out of CSIS than it can get out of the Canadian Wheat Board. So it's really, really important to understand the goal of being in open competition to create a marketplace. This doesn't mean you have to get rid of the Canadian Wheat Board, but what you need to do is create a marketplace where there is competition to see and allow us to move forward.

I think it's important to understand a little bit of the history of the Wheat Board. Post World War I, Mr. Speaker, it was formed the first time. It was disbanded in 1920, two years after World War I, because the government of the day could not justify such a monopoly in peacetime. Then the farmers established their own marketing organizations through wheat pools in each province, and farmers responded on their own to make things work. In 1935 the board was reintroduced, but it was still a voluntary marketing agency. In 1943

the board was granted the monopoly powers because of World War II. It's a little after World War II today, in 2002. Alberta at this time, in 1943, had 35 percent of the value-added agricultural economy created from wheat and barley. Today, over 50 years later, it's down to about 5 percent of the value-added agricultural commodity due to wheat and barley. All of that has moved from western Canada to eastern Canada. It was really an economic move that the Canadian Wheat Board created over an extended period of time.

I'd like to work on the current situation today as we have a designated area, and not all of Canada is part of that. Western Canada is. It includes Manitoba, Saskatchewan, Alberta, and northeastern B.C. The producers are not allowed to make marketing decisions affecting their own product, and I think that's very hard for people to understand unless you work inside the agricultural community. Deliveries can only be made, when the Canadian Wheat Board calls for wheat, through delivery of contracts unless delivery is made to the off-board market as a feed wheat. In terms of exports, producers can buy wheat back from the Canadian Wheat Board. You've got to buy your own grain back from the Wheat Board. You can't even make a decision on what you want. I don't understand that. It's just unbelievable in a Canadian marketplace.

Bill 207 would certainly allow for and accomplish some direct marketing, Mr. Speaker, and that's really what it's all about. For domestic consumption sales, farmers are forced today to let a third party make the decision on what grades to market, to whom to market, when to market, and what price to market. The farmer is then provided with a net price realized on the sales over the year for a particular grade of grain. With marketing and administration costs as well as operating costs deducted from the gross sales value, thus the farmer loses control of what can be sold, when it can be sold, and the price at which it can be sold. Unbelievable.

DR. TAYLOR: It is unbelievable.

MR. HLADY: It really is.

Now, Mr. Speaker, one of the positives, actually, of having the Canadian Wheat Board has been the shift away from products controlled by the Canadian Wheat Board, so that might be the one positive that we've seen in the whole marketplace. We've seen many other specialized products come up because of the fact that the Canadian Wheat Board is today controlling the grains that they do in the way that they do. Just to read, some of the other ones that we're seeing people come up with that have grown in quite impressive ways are things such as canola; we're seeing a good increase in mixed grains; dry peas; mustard; sunflowers; lentils. So the one minor positive, I guess I could say, of having control by the Wheat Board is that it has allowed for diversification. But the success is obviously not in the monopolistic areas, which are the areas that are controlled by the Canadian Wheat Board, being the different wheats and barleys.

Mr. Speaker, Ontario has the Ontario wheat board, which is separate from the Canadian Wheat Board and has allowed some interesting things to develop over time. That has allowed the farmers there a little bit of flexibility. It's not the ideal situation. Historically, I've introduced in the past an Alberta wheat and barley board which would have been very similar to that. It did not receive support at that time; hence the move toward this 10-year test market plan for which, I feel very comfortable, there is a lot of support here in the House.

We've seen some very interesting things with the Ontario wheat board. Let's see. In '96 and '97 the report found that the grand total of marketing costs in Ontario ranged from \$17.40 to \$31.30. At the same time, Mr. Speaker, the costs through the Canadian Wheat

Board were \$56.89. That's anywhere from two to three times the costs of the Ontario wheat board, which has a lot smaller market to work with, so the economies of scale don't even make sense.

It should be noted that part of this significantly lower marketing cost structure of Ontario compared to the Canadian Wheat Board is due to Ontario's location and size of crop relative to demand in eastern Canada. But the size of the total growth: as an example, western Canada produces 95 percent of Canada's wheat. That is only about 31 percent of the flour milling capacity today, Mr. Speaker. Eastern Canada does the vast majority of the value-added part of the wheat processing.

I think that understanding also some of the things that happen in the world today is very important. Right now Canada's share of the world flour production has decreased by 9 percent, Mr. Speaker, over the last 10 years. At the same time, our neighbours to the south, the U.S., their milled wheat has increased by approximately 30 percent. So there's been the demand, and it's a North American demand, but Canada is not meeting the world's demand. It's all coming through the United States. The Canadian Wheat Board is not helping us to achieve that kind of access to the markets in the world, which is one of the major reasons that the Canadian Wheat Board is supposedly in place to do. The United States processes more than twice as much malt barley as Canada, yet they only have about half the barley production relative to Canada. It makes no sense again. We are shipping it through the Canadian Wheat Board rather than creating the value-added.

Mr. Speaker, I know that there was a major malt barley plant just formed in Montana, just south of the Alberta border. I believe there was an investment of around \$67 million U.S. Now, that could very easily have been built up here, but there was no current situation that would allow us a chance to have that value-added market move here with the current structure today.

Mr. Speaker, there have been some interesting changes relatively recently in Australia as well. Australia went through a barley board experience very recently, getting rid of the monopoly powers. Systematically we've been blocked by the Canadian Wheat Board, but in Australia, interestingly enough and with a Labour government yet, the Labour government has allowed the states to make their own decisions. Constitutionally our provinces have power over agricultural things inside the provinces. This is not being allowed because of the structure of the Canadian Wheat Board. The Australians have this thing called the National Competition Council, which allowed the Australians to go through this process and allowed the individual states to create individual marketing. It's great to see.

4:20

Mr. Speaker, I know that there are many other speakers that would like to talk to this. The main point I'd like to make is that this does not get rid of the Canadian Wheat Board. This allows us to create competition. The Canadian Wheat Board has had a 50-year head start. They should have had enough time to be competitive. I would also like to say that there was a wonderful news release by the Western Barley Growers that said that they believe that this will allow Alberta farmers to fully take advantage of the Alberta advantage.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I appreciate the opportunity to rise and participate in this discussion. I have had a look at Bill 207 and have given it some thought, and I will be taking it out to

various people I know in the agricultural community. It raises a lot of huge issues, actually, for Alberta wheat and barley growers and, indeed, for all Canadians because of the size and the importance of the Canadian Wheat Board nationally and internationally as a massive grade grain trader.

I appreciated the introductory comments from the hon. Member for Calgary-Mountain View, and I listened with some care to a number of the things he raised. For the moment I'm keeping an open mind on this particular bill. We'll see how the debate goes and where it heads and what issues come to the surface and what various stakeholders say.

I know that the intent of the bill is to create an open and competitive market and through the forces of the market bring down costs of production, to bring creative dynamics into the economics of wheat and barley production and trade and processing and consumption, but I am concerned that what sounds good in theory may not work out very well in practice.

One of the issues that farmers in Canada struggle with – and I'm sure the hon. Member for Calgary-Mountain View is well aware of this, as are many of the members of the Assembly – is their ability to have an honest and free and open market internationally when virtually every other competing country in the world has all kinds of mechanisms to subsidize their production or to otherwise protect their producers.

I am conscious, for example, that enormous amounts of corn are being trucked into southern Alberta, staggering amounts, thousands and thousands of tonnes a month, to feed the feed stocks that go through Feedlot Alley. What are they called now? They're not feedlots. They're confined feeding operations, something like that. In any case, enormous amounts of corn are being brought up by truck from the United States. If you dig a little bit into the economics of that corn, there's some really alarming information that comes to the surface. In fact, the corn is being sold at less than the cost of production, and that's made possible because of staggeringly large subsidies to American corn growers. Those subsidies are so vast that even after the loss on the exchange rate between the U.S. dollar and the Canadian dollar and the cost of trucking these thousands of tonnes of corn, these grain imports are able to beat out locally grown Alberta barley. That's a very serious concern, especially as we get more and more into feedlot operations in this province. It's no fault of the Alberta farmer or the Canadian farmer, who, if there were genuinely a free market, would well be able to stand his or her ground against any competition. So while I laud the notion of a free market in grains, I am concerned that it may not play out.

I go back to introductory economics in university. In fact, one of the classic case studies presented and taught to students of an ideal free market was actually the market for grain. If you have a perfect situation in grain – and you come pretty close to it there – theoretically you can have a genuine free market. You have a large, large number of producers. You have a commodity that's very consistent, so it's easy to substitute barley or wheat from farmer A with that from farmer B or farmer C. So it's easy for consumers to shop around and substitute one farmer's product for another's. In theory – and I stress here “in theory” – you have a huge number of consumers. After all, we all eat grain. We all eat wheat; we all eat barley or drink it or whatever. It's literally a textbook example of a free market. Again I raise a concern that what works in the textbook and on paper doesn't necessarily translate into practice.

In reality, we do have thousands and thousands of farmers producing wheat and grain in Alberta, and we do have a commodity that's easily traded, but the fact is that there are only a small, small number of major buyers of that product. There are I think only about four corporations that trade in any substantial volume at all in

wheat and barley, and I am concerned that as a result of that, we lose the possibility of a free market. I stand to be corrected on that, but I don't believe so. That's not just a factor of there being a Wheat Board in Canada, because a similar sort of situation exists in the U.S., where the grain trading is completely dominated by a tiny, tiny number of massive grain-trading corporations.

So the idea of this bill to create a free market in grains is great. I actually think that free markets, when they are genuinely free, are commendable. My concern is that in this case we won't see a free market. We can actually see this same sort of thing in practice in health care or in electricity deregulation, where attempts at creating free markets simply don't work. What happens? Prices go up, and there are all kinds of problems with accessibility. So I'm concerned that we risk undermining one of the last pillars of the family farm through this bill.

I do appreciate, however, the fact that in this bill, as the sponsoring member has made quite clear, we're not replacing the Canadian Wheat Board. We are setting up a parallel market or a parallel system to the Canadian Wheat Board. That's an interesting twist. We have to think through that and speak to some people about whether that will actually work or not or whether at some point that might simply undermine the strength of the Wheat Board.

I have quite a number of farmers in my extended family, and we have had some discussions about the role of the Wheat Board. I know, as I'm sure the hon. Member for Calgary-Mountain View and many other members know, that the farm community is divided on this issue. Some of them think that the Wheat Board for all its problems is better than no Wheat Board. Others would rather just get rid of the whole thing and see how they can manage on an open market, going toe-to-toe with the grain traders or with whatever the market generates.

I am concerned that one of the effects of this bill is to create yet another source of instability for the family farm in Alberta. I think that this kind of legislation is more likely in the long run to support corporate farming and corporate grain traders and squeeze the family farm harder and harder. [interjections] I appreciate some of the supportive comments from my colleagues.

But there is a real concern that the family farm in the long run may be threatened, may be further undermined by that, and ironically we may end up in a situation in the future where we as a Legislature will be debating farm subsidies that will be required as a result of this bill.

So with those comments, I will take my seat. Thank you.

4:30

MR. McFARLAND: Mr. Speaker, I'm very pleased today to join in the debate on Bill 207, the Alberta Wheat and Barley Test Market Act, sponsored by my colleague from Calgary-Mountain View. I do want to congratulate him as an urban cousin for bringing this bill forward, because it truly does demonstrate that there is a lot of understanding as this industry has grown. I believe that this bill is very important and that it addresses a very important issue that this Assembly is now going to debate. Once again, I'm pleased that Calgary-Mountain View has brought this to the forefront.

[Mr. Klapstein in the chair]

For a long, long time wheat and barley farmers around Alberta have waited to see changes made in how their products are marketed. I believe that this act would in effect bring the efforts of farmers and government together to address a 70-year-old problem. Bill 207 brings the wheat and barley producers in this province the opportunity to have personal choice. It's my belief that farmers

should have that right to choose what they can bring to the market and to choose how they can have an opportunity to set a different price for a commodity that they and they alone are solely responsible for growing. Currently, these choices aren't available under this system, Mr. Speaker, the Canadian Wheat Board system, where options are rather limited and I believe restrictive.

As the Member for Calgary-Mountain View indicated, the Canadian Wheat Board was established almost 70 years ago. At the time, long before probably all of us were even alive – well, most of us anyway, Mr. Speaker – it was designed to ensure and monitor a supply of wheat and barley throughout Canada for foodstuffs. But today, Mr. Speaker, especially in Alberta, food shortages and tough times basically are no longer a reality.

What is a reality is that farmers are, as the Member for Edmonton-Riverview indicated, facing hard choices. But contrary to what the member might have spoken about in terms of stability on a farm, I believe that the majority of the constituents that I represent and in fact the majority of Alberta wheat and barley producers do support some change in order that they may become viable and may remain stable in today's economy.

If this bill were passed, obviously the results of this would be closely monitored and certain stipulations maintained for a period of 10 years. I believe that's one of the good attributes of this bill, as it allows a pilot of sorts to see if in fact this can work hand in hand with the Wheat Board, where you'd have the option of producers choosing to market and take some responsibility and marketing decisions on their own, and those who would rather maintain the status quo could stay under the guise of the Canadian Wheat Board.

Mr. Speaker, the Canadian Wheat Board has accomplished a good deal for farmers. Bill 207 does not remove the Wheat Board, and I don't believe that's the intent. But many farmers in the past decade that I'm aware of have again argued and put forward that they do need the opportunity to have a dual choice or a marketing choice, and I believe that this bill would provide that. This bill allows the farmers the choice to compete in a free market, to sell their grain through the Canadian Wheat Board if they so choose, or to take that responsibility in finding markets of their own either internally or within the western Canadian growing provinces.

I think that many of our growers feel powerless and frustrated when they deal with the Canadian Wheat Board and the quota system, and I have to remind those who aren't acutely familiar with the farming situation that not all grains are under the Canadian Wheat Board. In fact, Edmonton-Riverview mentioned the Feedlot Alley, which happens to be in the heart of our constituency. For clarification to that member and those of you who may not be aware, the malt barley – unless it is of such a poor quality that you put it in the ground and never are guaranteed the opportunity or the assurance that it would make a malt grade – is fed to the cows in Feedlot Alley. These are feed barleys, and those feed barleys are not under the control of the Canadian Wheat Board. They used to be, but thank goodness for some of us, some of the grains that had been under the Wheat Board before are no longer under the Wheat Board. So I do think, Edmonton-Riverview, just for clarification, please bear in mind that the malt barley that you're drinking in the form of beer is a different type of barley that's produced here in Alberta. Most producers of malt barley will go after that market as opposed to one that goes into a cow's stomach in Feedlot Alley to produce some of Alberta's best beef.

The other comment I would like to make in terms of progress that the Wheat Board has made, Mr. Speaker, is one of pricing. Now, I've been a critic of the Canadian Wheat Board ever since I started farming some 30 years ago. One of the reasons was that the Canadian Wheat Board made payments at various times throughout

the year or at the end of a crop year, usually some 18 months after the beginning of a current crop year at the beginning of my farming career. As a beginning farmer, many of whom may be here today, probably could recollect, it was very frustrating to know that your own money was being held up by the Canadian Wheat Board to wait for an accounting practice that pooled all the various grades and then finally disbursed your own money back some 18 months after the fact without any benefit in terms of interest. In the meantime, you probably swallowed quite a few of the costs of demurrage. Sadly enough, when these payments were made, the headlines would read, "Record Payment to Alberta Farmers," and everyone thought: aha; the Canadian Wheat Board or the federal government or somebody magically came up with some new money for the whiny farmer. Well, in fact, I would like all the listeners and the readers of *Hansard* to remember that this was the producers' own money that had been banked in the pooling accounts of the Canadian Wheat Board for up to and including 18 months.

Now, the point I'm trying to drive home here is that the Wheat Board has made some pretty good changes in the last couple of years, Mr. Speaker. One is being more in tune with the current market conditions. They are putting out interim adjustments on a more frequent basis. That's a positive, but again that's the farmer's own money for the product that they are selling internationally on behalf of western Canadian farmers. The other thing that they have done and I have to give them credit for is going to electronic deposits and assisting farmers in that regard. Nonetheless, at the end of the day, Mr. Speaker, the Wheat Board has been quite reluctant to open up its arms to allow farmers to contract with flour mills, to contract with other value-added producers within the province, which in turn would encourage more value-added production here in Alberta.

So if there's a bottom line to this whole conversation from my point of view, Mr. Speaker, it's approval of this bill, setting up an opportunity for farmers dealing with the hard spring wheats, the durums, and the malt barleys to make a choice whether they want to market their grain through the Canadian Wheat Board internationally or to deal with a company who wants to add value to that product and produce flour, produce pastas, produce maybe locally manufactured beer. It could be done on a contract basis and would eliminate probably the sorest point to a good many farmers, and that's the one of the costs of freight, handling, elevation, storage, and so on.

4:40

As an example, Mr. Speaker, I will quote my own durum production, which represents a lot of similar farms in southern Alberta. Last year when No. 1 durum was taken from the combine and hauled to an elevator, 29.4 percent of the gross value of that product was automatically eliminated at the top of the cheque for freight to Vancouver, for handling, for elevation. The sad part was that in the case of durum some of it was put on a truck and simply sent down to Ellison mills, for instance, in Lethbridge.

Mr. Speaker, I know that many of us can go on, especially those of us on the farm, but I would encourage everyone to support this worthy bill.

THE ACTING SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. It's my pleasure to rise today and speak in favour of Bill 207, the Alberta Wheat and Barley Test Market Act, sponsored by the Member for Calgary-Mountain View. I want to congratulate him on his bill, and I have received many letters of support for him.

Mr. Speaker, during my tenure as MLA I've received a number of

letters and telephone calls on the issues from farmers in the constituency of Highwood. The letters and calls from farmers follow a similar theme, and that is that many farmers are not happy with the Canadian Wheat Board as a single-desk seller. These constituents have asked me as their representative to lobby the government to find some solution to the problems and constraints posed by the Canadian Wheat Board. I believe that Bill 207 is a potential solution to the problems that farmers face with the Canadian Wheat Board.

The problem with the Canadian Wheat Board is not a single one; there are many of them. The main problem, as I understand it, is that the Alberta farmers make decisions on everything: what barley and wheat varieties, what other grains, oilseeds, what they want to plant, the types and rates of fertilizer applications, when to plant, when and how to harvest a producing crop. Our farmers make all of these decisions, yet when it comes time to make the most important decision of all, marketing their wheat or barley, they are in effect told that they're not qualified to do so, and they're forced by the dominion government to let a third party sell their wheat for them. This third party is, as we know, the Canadian Wheat Board.

Now, the board has long outgrown its usefulness in western Canada and in Alberta in particular. This is not a matter of getting rid of the Canadian Wheat Board. It is a matter of allowing a choice for our farmers to sell their product to the Canadian Wheat Board or a private dealer or a private and direct sale. The Canadian Wheat Board has grown into a very large and lethargic bureaucratic nightmare. Farmers are having problems justifying to themselves why they must continue to use the single-desk selling entity. Farmers are concerned because over the last 25 years they have made sacrifices to improve the efficiency of their farms in order to continue farming. At the same time, they've seen the Canadian Wheat Board grow ever larger and make the same mistakes over and over again at the cost of the farmers, without the farmers' say.

Farmers are fed up with the hoops they have to jump through to sell their wheat and barley in a monopoly situation which is forced on all prairie farmers in Manitoba, Saskatchewan, Alberta, and in northeastern B.C. They ask: why are the farmers in Ontario not forced to sell their wheat and barley through the Canadian Wheat Board? Why are the farmers in Quebec not forced to sell their wheat and barley through the Canadian Wheat Board? Why are the farmers in New Brunswick not forced to sell their wheat and barley through the Canadian Wheat Board? Why are the farmers in Nova Scotia not forced to sell their wheat and barley through the Canadian Wheat Board? And why are the farmers of Prince Edward Island not forced? Well, as our hon. Member for Little Bow and the hon. Member for Calgary-Mountain View have explained, it's because they are forced by an outdated law that arose out of the Second World War to deal with the Canadian Wheat Board.

Mr. Speaker, I believe that farmers are intelligent and experienced businesspeople. They know what it takes to keep their farm, which is their business, afloat. They just want the freedom to be able to choose to whom they can sell their wheat or barley. They want to be able to run their own business without the interference from hindrances of the Canadian Wheat Board. I believe that the Canadian Wheat Board does not always help the agricultural industry. In fact, many people believe that it's hurting the industry and costing farmers a whole lot of money. The Canadian Wheat Board doesn't seem to be able to deal with small market opportunities and in fact stands in the way of farmers seeking niche markets for their wheat or their barley. Bill 207 is exactly what farmers need. Bill 207 hears the concerns of farmers, takes them to heart, and offers them as a solution to the monopoly that is the Canadian Wheat Board. It offers an alternative to the Wheat Board, something that is desperately needed.

Bill 207 sets up a 10-year test market to allow farmers to sell their grain and barley to whomever they choose. It gives farmers the choice to sell their grain to either a private processor, the Canadian Wheat Board, or both. The hon. Member for Calgary-Mountain View has cited a number of lost value-added opportunities that are caused by the restrictions of the Canadian Wheat Board. Mr. Speaker, I too feel that the Canadian Wheat Board is a serious hindrance to our value-added industry. Let me give you an example. Let us imagine that a pasta company comes to a farmer here in Alberta and says: okay; we see that your soil and the rainfall and the hours of sunshine and the temperatures here are perfect for the wheat that we want to make our pasta from; I want to buy your wheat so I can make pasta. The farmer given this opportunity would have to refuse it, because of course they live in the western part of Canada and the Wheat Board says: no, you can't do that. So the pasta people go to the Wheat Board and ask for that particular farmer's wheat. Again, because all of the wheat is pooled, they can't avail themselves of that opportunity. So the pasta company then withdraws the offer and locates elsewhere. They can find a farmer in Nova Scotia or some of the other provinces I just listed and establish their business there.

This type of scenario can and does happen. The policy of the Wheat Board is in my view a very discriminatory policy to farmers in the west and not to central Canada and eastern Canada. It's the western farmers whose freedoms are trampled, and they're not allowed to do what's best for their business. The value-added industry has a lot of potential for Alberta farmers. I believe that the scenario that I portrayed could be avoided if Bill 207 were passed.

Mr. Speaker, a few months ago I received a letter from a constituent, a farmer who felt that she needed to express what was wrong with the Canadian Wheat Board. A fault that she sees is that the board is not accountable. They do not conduct their operations in a businesslike nor a professional way nor in a way that is in the best interests of Alberta's farmers because they get paid any way that they do business. Farmers no longer want to deal with the problems that are associated with the Canadian Wheat Board. As my constituent stated in her letter: farmers are as mad as H, and they're not going to take this kind of treatment anymore. They are looking for solutions so they can advance to greater heights in the agricultural industry. If the farmers of Nova Scotia have an option, why can't the farmers of Alberta?

For these reasons, Mr. Speaker, I urge all MLAs to vote in favour of Bill 207. It's in the best interest of farmers throughout Alberta and the west. Give them a fair option. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and speak to Bill 207, Alberta Wheat and Barley Test Market Act, which seems to be a simplified version of a bill that was debated in this House in '99. It was at that time numbered Bill 209, and it was defeated after a very interesting debate in this House. With due respect to the chair, the chair in fact as a Member for Leduc spoke rather passionately and clearly against Bill 209, which was called the Alberta Wheat and Barley Board Act at the time.

What's different in Bill 207 now from Bill 209 that was defeated by this House just a few years ago? That's the question that I'm asking. I think what I find here is that there is some detail in Bill 207 which at that time worried the speaker; that's the hon. Member for Leduc. At the time it had to do with the powers of the board, the bureaucracy that will have to be set up to have an alternative marketing agency Alberta style. You spoke very strongly at the time

against that bill. You drew attention to the fact that it will not only increase costs by duplication of the bureaucracy, but it will also restrict the choices and will contravene two federal acts, the Wheat Board Act and the Canada Grains Act, Mr. Speaker. Those two acts, I would like to suggest, still remain in place, and federal acts have paramountcy over provincial acts.

4:50

To quote you, if I may, from '99, Mr. Speaker, you said that this act "creates another agency with exclusive rights to the buying and selling of wheat and barley." Of course, the issue of exclusiveness is now sort of buried under the notion of test market in this act. You go on to say, then, that it will

require Alberta farmers to register to produce as well as to market their wheat and barley. It could determine the price to be paid to producers and require the price payable to be paid to or through the board. It duplicates the Canadian Wheat Board on a provincial basis. It could restrict marketing within the province. It could significantly reduce freedom of choice in marketing and enhance the single-desk marketing of wheat and barley.

Alberta farmers and industry would still be held accountable under the Canadian Wheat Board Act and the Canada Grains Act. Apparently, under constitutional law any provincial laws which are operationally inconsistent with federal laws are inoperative to the extent of the inconsistency.

You argued then, Mr. Speaker:

Therefore, any provision in the bill which required a producer or any other person to do something which was contrary to the Canadian Wheat Board Act or the Canada Grains Act would be inoperative to the extent that it created the inconsistency.

So, Mr. Speaker, you in a very clear way raised some of the objections that I think apply to this bill. What this bill doesn't do is that it doesn't provide us any information about a board or an agency or an organizational mechanism that will have to be set up in order to create the so-called test market and the provisions for it. So something that was rather explicitly mentioned in Bill 209 is pushed under the table if not underground in this act. If this act does pass, regulations will have to be set up. Arrangements will have to be spelled out through regulations as to the bureaucratic machinery that'll be needed in order to implement this act. I think members of this House and certainly this member will not be able to support this act unless I know what were the costs of it, what is the bureaucratic structure that will have to be set up to implement this act. So the questions that you raised and raised very well three years ago remain questions pertinent to the debate today.

There was something said by the hon. Member for Highwood with respect to how western Canadians feel discriminated against and are not allowed to do what Ontario farmers and Quebec farmers have been able to do. I've heard in this Assembly lots of arguments about the uniqueness of Alberta, about the uniqueness of the prairie region and how those unique elements and features of Alberta and of the prairie region require unique actions. I submit to you, Mr. Speaker, that the Canadian Wheat Board was one such unique response to the unique production and marketing conditions in the experience of family farmers in this region of the country. The one-size-fits-all approach doesn't work, and that's why the Canadian Wheat Board has stood the test of time. It continued to enjoy majority support in the referendum that was done just a few years ago, and you mentioned that, I think, in your speech three years ago, Mr. Speaker.

I ask what has changed between '99 and now. The only thing that seems to have changed is that Bill 209 has been stripped to bare bones and the board has been eliminated in terms of any reference to it in this and has been replaced by this notion of a test market. Nothing else has changed, and no argument has been made that things have changed. It's just that this act, if passed by this House,

will allow this government of Alberta to enter into some sort of negotiations with the federal government. For the federal government to engage in negotiations on a bill that will in fact contravene existing federal legislation will mean that the federal government will be violating its own act. So I can't see how the passage of this bill in this Legislature will encourage the federal government to sit down around the table and say: yeah, we are willing to deal with you and not make any changes in the existing federal legislation first.

[The Deputy Speaker in the chair]

If the intention is to engage the government in sort of a discussion so that necessary changes can be made in the Canadian Wheat Board Act and the Canada Grains Act, then I think those negotiations should precede voting on this bill, not follow it. I just want to remind members, Mr. Speaker, that this bill, if passed, will certainly lead to undermining and weakening the Canadian Wheat Board, and the Canadian Wheat Board is seen by family farmers – not corporate farming, but certainly by family farmers – as a very important institution that has proved its utility to them. They've been able to rely on it, they've been able to defend themselves against private, corporate, predatory multinationals around.

DR. TAYLOR: Why don't you talk to the farmers about it?

THE DEPUTY SPEAKER: Hon. minister, if you wish to be on the list, we'd be happy to put you on the list, but right now it is Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I want to thank the minister for co-operating on this matter.

So, Mr. Speaker, this bill by weakening . . .

THE DEPUTY SPEAKER: Sorry, hon. member; your time has now passed. Even the interruption does not take away from your time. The clock stops when there's either a point of order or the Speaker has an intervention, so you didn't lose any time.

The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I'm really pleased today to be able to have the opportunity to rise and speak on Bill 207, the Alberta Wheat and Barley Test Market Act. I would like to begin this afternoon by thanking the hon. Member for Calgary-Mountain View for bringing forward this bill and for his continued efforts to see change brought to the Alberta wheat and barley industry. Well done.

The Canadian Wheat Board, Mr. Speaker, has been a topic of heated debate for western Canadian wheat and barley producers for many decades now. It is an issue that I have had some personal experience dealing with, along with many other members of this Assembly. It is a topic that we should all be concerned with, and I'm very happy to add my thoughts to this debate.

5:00

I see Bill 207's intent as a fundamental right of every wheat and barley producer in this province, the right to determine the future course of their product. It is a right that underpins our most basic understanding of capitalism and commerce, and it is time for it to be given back to some of the most capitalistic as opposed to socialistic free enterprise people that I know, and that is the farmers of this province. In this case it is a right that involves allowing farmers the ability and the opportunity to sell their wheat and barley not only – not only – to the Canadian Wheat Board but to whatever marketing

agent they choose, as opposed to the comments made by the leader of the third party indicating that somehow it would be a single-desk Alberta market. That is not the goal. This is about dual marketing, the ability to have a choice. If you want to deal with the Wheat Board, good for you. If you don't, then you should have a choice.

Today farmers do not have that choice, and if they wish to grow wheat or barley for human consumption, they must sell it to the Wheat Board. No questions asked. Even if they want to process the grain themselves, they are legally obligated to first sell the product to the Wheat Board and buy it back. Talk about efficiency. If farmers try to sell their product to any other destination than the board, they face serious and damaging consequences. All hon. members here today probably recall the story of Andy McMechan, who was one of several farmers who attempted to sell their grain in the border states of the United States in 1998. He spent 155 days in jail after refusing to pay the fine because he tried to sell his own grain.

The insistence by some to prevent choice for wheat and barley farmers is bizarre. There's no other private industry in Canada that matches their level of regulation and control, but there are other important reasons we should change the Wheat Board besides the principle demanded for choice. Let us for example look at the current changes that are occurring within the grain marketing industry. One of the most interesting trends in agriculture over the past decade has been the growth in the production and sale of specialty crops, and my hon. colleague alluded to it earlier. The Wheat Board has refused to address the underlying concerns of producers on wheat and barley, and in the same manner that capitalism responds to inefficiency so, too, have farmers moved away from an ineffectual and an overregulating board.

Over the past decade permit holders of the board have steadily declined. Growth in board wheats and barley has been stagnant, where speciality crops such as potatoes, peas, oats, and canola have undergone dynamic growth. In fact, Mr. Speaker, Alberta Agriculture predicts farm gate sales for such diversified crops to reach over \$670 million . . .

AN HON. MEMBER: How much?

MS HALEY: Over \$674 million by 2004. It's an incredible achievement and one that we should all be very proud of, but the growth need not be limited to nonboard crops alone. Producers need to be able to seize technological innovation and lucrative and fast-moving opportunities that exist for organic grains and specialty wheats. More than ever, direct dealing is necessitated between the grower and the end user. The Canadian Wheat Board simply does not facilitate this growing demand for specialization.

The Alberta producer is not afraid of challenge or risk and, in the words of Prime Minister Winston Churchill, "Give us the tools, and we will finish the job." That attitude, Mr. Speaker, will allow this province to capture the enormous impact that grain selling and purchasing can have on the growth of the value-added processing industry. Quite simply, investors are reluctant to put money into processing knowing that they cannot enter into normal business relations with local farmers.

One has to wonder, Mr. Speaker, why it is that western Canada produces 95 percent of Canada's wheat but has only 31 percent of the flour-milling capacity. You have to wonder why it is that in terms of manufacturing value added in the bread and other bakery products industry, Canada has experienced an increase of only 3 percent between 1990 and 1998, whereas the United States experienced a growth rate of 6.7 percent annually. You have to wonder why the U.S. processed more than twice as much malt barley as

Canada, yet they have only about half the barley production relative to Canada. On the other hand, it is interesting to note that domestic processing of oats has increased twelvefold since it was removed from the Canadian Wheat Board in 1989, and during this same period domestic crush of canola has increased 125 percent.

Mr. Speaker, I want to add just an anecdotal story on oats. I was involved in a grain company that started in Alberta somewhere back in the early '80s, you know. We went out and we found all the right-wing, free enterprise, willing to take a risk farmers in this province – and the minister was one of them – and we proceeded to sell their wheat and barley. Well, we wanted to sell oats, and you couldn't sell oats. The Wheat Board wouldn't allow you to do that because it was under their control. The reason they gave for this was – they had not gone out and developed a market, and oats had become just a problem for them. It just wasn't something they were prepared to deal with. We had a market in Venezuela. They weren't mechanized in Venezuela, and they needed our oats for their horses. Our oats are recognized around the world as being some of the highest quality oats anywhere in the world. We needed to be able to sell it in 50-pound bags, and the Canadian Wheat Board would not allow us to tap into that market and sell Alberta oats over there, because there was no flexibility and no desire to deal with a small, innovative company such as Palliser Grain. If it wasn't from the Alberta Wheat Pool or UGG, it wasn't going to happen in this province when it came to dealing with the Wheat Board. You know, it's funny how in a capitalist free market system it can produce results.

Mr. Speaker, some farmers will continue to use the Wheat Board as a low-risk alternative for some of their production, but we must work towards allowing alternative marketers. The Canadian Wheat Board should relinquish its singular grip over the wheat and barley trade. If it actually applied the same principles to Ontario and Quebec and the rest of eastern Canada, it would have been gone 30 or 40 years ago, but because it's just western Canada and we're just sort of the hind end of the cow, it doesn't matter out here. What we want simply doesn't count. You ask for a dual marketing system and the answer is going to be no forever. You've got to take a dramatic stand. I think it would be fascinating for this Assembly to know how much it really cost us over the years on all of the wheat and barley sales that the Canadian Wheat Board made and never had to report openly and honestly to any government anywhere in this country.

On QR77 one day Peter Warren was on talking about his information showing that Russia, from years gone by, owed us over \$6.5 billion that has never been paid for wheat that had been sent to them. Now, I don't have the stats on that – somebody faxed him a copy of it – but it's fascinating. I believe that that was probably almost an annual event, because they never had to open their books, they never had to be accountable to anybody out here, and they got to set the prices and decide when anything was going and which direction it was going. It blows my mind. Even with the elections that they've got in place now, Mr. Speaker, I still don't think it's worthy. I don't think it should be the only alternative that Alberta farmers have.

I want to thank you very much for the time that you've given me, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to join in the debate this afternoon on Bill 207, the Alberta Wheat and Barley Test Market Act. I have listened with a great deal of interest to the debate so far, and it certainly is a contentious issue.

Now, we had a bit of a history lesson earlier this afternoon from the hon. Member for Calgary-Mountain View. Before we set up this

concept of dual marketing or allowing more choice – and certainly on a lot of issues in this Assembly we hear the argument of: what is the matter with choice? – one has to wonder exactly what is wrong with choice. If you look at the past, Mr. Speaker – and we sort of had a walk down memory lane earlier – one has to look at perhaps, before we talk about eroding the powers of the Wheat Board, some of the successes that have come as a result of what the hon. Member for Edmonton-Strathcona would refer to as collective action.

Going back, one has to recognize the importance in the prairie provinces, not only in Alberta but Manitoba and Saskatchewan, of production of all grains and certainly here in this province the production of grains and how it affects the production of cattle. We certainly have a very, very large value-added industry in this province with cattle production. In fact, in the year 2000 the production of cattle and meat products was in excess of \$3 billion. We were second to the province of Saskatchewan in the production of wheat, at over \$700 million, and you can go on, regardless of whether it's barley, canola, as was mentioned, soybeans, or even sugar beets.

5:10

When you look at how these farm products are marketed, we have to look at some of the successes that have occurred in the past. It was a Prime Minister of Canada who was from Calgary – he certainly sat in the House of Commons as a member from Calgary – R.B. Bennett, who organized and encouraged the responsibility of the orderly sale of wheat to one John McFarland. Now, this decision was of course compelled by the economic events in the fall of 1929. In August of 1929, Mr. Speaker, the Winnipeg price for top-grade wheat was still averaging \$1.73 a bushel. In the fall of course we saw the collapse of the New York stock markets and price declines, massive enough to spread shock waves throughout every market in the world, including those of grain.

In February of 1930 the Winnipeg price for wheat had fallen to \$1.15 a bushel. Six months before, 48 million bushels were pledged to banks at a value of approximately \$1.70 per bushel, and each bushel was now worth 60 cents less on the market. The banks began to worry about their loans and so did the prairie provincial governments under their guarantees. As the year advanced and the gloom deepened and the nervousness of the bankers and the provincial governments increased, Mr. Bennett came up with a solution, and that solution was summed up in the name John McFarland.

Now, I have no idea if this gentleman is a long-distant relative of the hon. Member for Little Bow, but it remains to be seen that this Mr. McFarland was an astute trader of grain. Within the limits of his powers Mr. McFarland became a very successful manager of Canadian wheat sales, and Mr. McFarland's decision on when to sell and when to withhold supplies from the market helped to raise the price of wheat to 83 cents a bushel by the summer of 1933. Now, again it fell to 60 cents a bushel by the end of the year, but the following two years the price was relatively stable at 80 cents to 85 cents a bushel.

At one time Mr. McFarland held 213 million bushels in storage and was in debt to the banks for over \$90 million, but by the end of 1935 the situation was easing and McFarland was finally able to dispose of the whole Canadian surplus, repay the banks all principal and interest, and hold \$9 million in cash, to his credit. As he himself said, Mr. Speaker: the final success was more the result of crop failures than of general world economic recovery. There were of course three bad years of drought in North America, two in Australia, and, finally, one in Argentina in 1935.

However, people worked together and they pooled their resources and as a result managed their way out of a very difficult time. That

is a lesson, Mr. Speaker, that I think is worth while noting for all hon. members of this Assembly, because there certainly is a place for organizations such as the Wheat Board.

Now, the hon. Member for Edmonton-Riverview spoke earlier about who exactly would benefit from this Bill 207, and we have to ask ourselves the question: will rural Alberta be better off? I guess it depends on who you would speak to. But as this debate continues on Bill 207, again the word "choice" slips into the debate. It's supposedly an ideal compromise, Mr. Speaker, but I doubt that this bill would make a good law. Now, maybe I'm wrong. Maybe this idea of choice is going to be better for family farms in Alberta.

We can continue in this province to increase subsidies to the province's biggest corporate farms – and I'm sad to say that this seems to be the consensus of this Assembly – or we can make a significant investment in creating real opportunity in rural Alberta. I don't think we can do both. At some time we have to have the debate in this Assembly – and perhaps this is the opportunity, with Bill 207 – as to precisely what sort of guarantees we're going to have for the family farm. Are we just going to allow the concentration of food production in the hands of a few, or in the strategic interests of all Albertans and all Canadians are we going to have the production of food in the hands of many?

Now, one only has to drive in certain areas of rural Alberta to have a look at opportunity. Opportunity is in short supply, in my view, in some areas of rural Alberta. There are stretches of rural Alberta that are in significant decline. At this time, Mr. Speaker, I'm not going to get into the description of this government's policies on rural Alberta, the highway 2 mentality, where if it's 50 kilometres east or west of the highway, then we're going to have development and we're going to have services and to heck with the rest. I'm not going to get into that because I only have a few minutes left. But across a wide swath of rural Alberta, communities are shrinking and dying, churches and schools are closing, and businesses are leaving town and going to the next largest market town and setting up shop there and trying to make a living. It is my view that community decline is driven by agricultural decline.

THE DEPUTY SPEAKER: Thank you, hon. member.

The hon. Member for Calgary-Bow.

MS DeLONG: Thank you, Mr. Speaker. Today I have the distinct pleasure to join my colleagues and rise to speak to the spirit and intent of Bill 207, the Alberta wheat and barley direct marketing act. Our province along with Saskatchewan and Manitoba produces the bulk of the annual Canadian wheat and barley harvest. Ranking second behind Saskatchewan in 2000, Alberta produced over a quarter of the total wheat crop, at an estimated value of \$912.4 million. That figure is approximately 30 percent of the value of the sum total of the Canadian wheat crop. For barley during the same period our province's yield was 44 percent of the national, and cash receipts exceeded over \$200 million, representing 35.6 percent of the national production. In other words, there's a lot of grain grown in these parts. A considerable portion of the wheat and barley crop is exported, therefore contributing to our nation's gross national product as well as confirming the applicability of the term "the world's breadbasket" to Alberta, Saskatchewan, and Manitoba.

The wheat and barley crops also create jobs here at home, from the farmers who plant and harvest the crop to the mill workers who process the grain to the railroad employees who transport hoppers full of grain and on and on. People all over the world depend on the wheat and barley that's grown in Canada. Some depend on it as a way to earn a living, whereas others depend on it for flour with which to bake bread and other foodstuffs. So far so good, Mr.

Speaker. But how do these crops get from the farmers' fields to the consumers? Like so many other commodities, they're traded on the world markets, and this is where the picture loses its rosiness. The overarching principles that guide trade in North America are free trade and fair trade, enshrined first in the Canada/United States free trade agreement in 1989 and again in 1994 in the North American free trade agreement, or NAFTA, between Canada, the U.S., and Mexico. But for the western Canadian wheat and barley farmer, trade is neither free nor fair. When it comes to wheat and barley, the CWB's mandate incorporates only Alberta, Saskatchewan, and Manitoba plus a small portion of British Columbia which, for all intents and purposes, can be considered an extension of Alberta's grainfields. This region is, in CWB vernacular, a designated area. Sadly, the tenets of NAFTA do not affect CWB.

5:20

Mr. Speaker, at the core of Bill 207 is a very clear purpose: to allow Alberta farmers to sell their wheat and barley crops as they choose. The Canadian Wheat Board, which first saw the light of day following the end of World War I, in 1918, is a dinosaur, a relic of the past. It has outlived its usefulness for Canadian farmers of wheat and barley and now mainly exists for its own sake. There's no denying the fact that there was a time when the CWB served a purpose, served it well, helping to defend our country. As part of the war effort there was ample justification to bestow upon the CWB the monopoly to trade the nation's grain harvest, but the war has been over for 57 years, yet the CWB's monopoly remains intact.

Mr. Speaker, what is the reason for this extended franchise? Why are our farmers not free to do business with whomever, whenever and however they see fit? Why should trading with someone other than the CWB result in criminal charges? There is little reason why this giant should be allowed to control the lives and livelihoods of western Canadian farmers any longer. On its own web site the CWB proudly proclaims itself the largest single exporter of wheat and barley in the world. It's only through the hard work of western Canadian farmers that the CWB is able to make claims like that.

However, Mr. Speaker, things now go from bad to worse. You see, other wheat-producing provinces are not subject to the CWB's mandate – that's right – whereas farmers in Alberta, Saskatchewan, and Manitoba, along with that little portion of our western neighbour, must adhere to the CWB regulations every step of the way. Our counterparts elsewhere are not burdened by the same restrictions. While it's true that the CWB is the only agency in Canada that can issue export permits for wheat, wheat farmers in several other provinces are, generally speaking, free to sell to whomever they want, whenever they want. Why this discrepancy? The Alberta wheat and barley farmers and their counterparts in Saskatchewan and Manitoba have no option but to deal with the CWB. In Ontario farmers have choice. In New Brunswick there are alternatives. In

Quebec, in Nova Scotia, and on Prince Edward Island they have options. Why not Alberta? Options are what it comes down to. Alberta farmers have no options. It's the CWB or let the wheat and barley go unharvested and rot, lose millions of dollars, and quit farming.

There is another alternative, of course: break the law and sell the wheat directly to whomever you want, whenever you want. Of course, the RCMP will seize your truck and your farm, and you'll go to jail or at the very least be fined so heavily that you will no longer be able to stay in the business of farming. It's as if you can hear the CWB towering over the individual farmer booming: "Which do you choose? Will it be CWB or jail?" That's what's at the heart of the opposition to the monopoly of the CWB: the freedom to do business and the freedom to be able to engage in fair business dealings. That involves risk-taking; any business does. It's true that the CWB offers protection during difficult times by paying producers a higher price than they might otherwise get. However, Mr. Speaker, it's equally true that by imposing a variety of surcharges directly and indirectly and by restricting opportunities for Alberta farmers to engage in the free and fair trade of their wheat and barley crops, the CWB unfairly impedes the farmers' marketing opportunities. Moreover, doing so prevents the farmers from realizing the full commercial potential of their crops and especially during good times.

Mr. Speaker, passing Bill 207 would mark an important step in the direction of freeing the farmers of Alberta from the shackles of the Canadian Wheat Board. At last Alberta farmers would have the opportunity to engage in free and fair trade of the fruits of their labours. These are genuine concerns of mine and why I support Bill 207. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Speaker. I'm pleased today to rise and enter the debate on Bill 207. Inasmuch as the time is getting close, I would move that we adjourn debate, and I'll reserve my comments for another day.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. In view of the hour I would move that we now call it 5:30 and that we reconvene at 8 this evening.

[Motion carried; the Assembly adjourned at 5:26 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 22, 2002**

8:00 p.m.

Date: 02/04/22

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Provincial Achievement Testing

505. Mrs. Gordon moved:

Be it resolved that the Legislative Assembly urge the government to review and re-evaluate the delivery of provincial achievement testing.

[Debate adjourned April 15: Mr. Lord speaking]

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Well, thank you, Mr. Speaker. Last week we ran out of time to discuss Motion 505, so this week I am pleased to again rise to speak in favour of this motion, which urges the government to conduct a review of provincial achievement tests.

Last week I spoke about the excellence of our education system in Alberta and how well our students were doing on competitive exams. I also spoke about some of the shortcomings of those exams and questioned whether or not they captured all of the important skills our children need to learn or maybe have learned and whether or not we were just teaching to the tests. Also, there are other skills that our children may possess and not be recognized for, and the critical question is whether or not such tests that we're doing now might obtain those results or whether or not we should attempt a more comprehensive assessment of student abilities than the current standardized tests are capable of proving. Of course, in looking at that, an equally critical question would have to be whether or not such tests are too costly to be widely administered.

Suggested alternatives that I have discovered are based on the concept of a performance-based assessment. Depending on the subject matter being tested, the performance may consist of demonstrating any of the active skills that I have mentioned before which are untested by standardized achievement tests. For example, when the evaluation of writing, drawing, or other artistic impression skills is concerned, a portfolio assessment involving the ongoing evaluation of a cumulative collection of creative works may be an approach worth examining. With this approach, the student can track their improvement over the course of the school year because the work they submitted in September is available for them to look at in May and June, when they have nearly completed the year.

For subjects that require the organization of facts and theories into an integrated and persuasive whole, an oral defence-style assessment may be an approach that we can take a look at. This approach would allow for a free expression of thoughts and ideas, both of which are limited by standardized exams. Through this format, students can display what they know as opposed to the current format, which focuses on what students don't know.

A third approach is based on a problem-solving model – this method could be adapted to most knowledge-based disciplines – where students would be presented with a problem scenario that can be resolved through the use of specific principles that the student would have learned through his or her study of the subject material.

The methods that I have described may be impractical on their own without standardized testing in the sense that they are difficult to obtain a general picture of the whole education system from, and

they may not be cost-effective either. However, if they can be used in conjunction with standardized testing, then I think that we as parents and taxpayers can gain a better understanding of how our children or children in the school system learn and a comprehensive look at what each child can do as a student. Mr. Speaker, I would not suggest that standardized tests be abandoned for a new method as standardized test scores that are obtained through a valid and reliable instrument can offer a wealth of information about students, teachers, schools, school districts, and the curriculum. However, I think that there is room for a complementary evaluation that can more closely examine the growth of each student.

Mr. Speaker, I am unsure that we are currently taking an in-depth assessment of the abilities of each student in Alberta. Along with others I feel that our current standardized tests could be more comprehensive in their approach. Further, I think that a review of provincial achievement tests would examine the concerns that Albertans have. It could suggest alternatives to the present system and answer questions about standard exams. This is why I support Motion 505 and a review of standardized testing in Alberta.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. I'd just like to add a few comments to what other members have made in regards to Motion 505, "Be it resolved that the Legislative Assembly urge the government to review and re-evaluate the delivery of provincial achievement testing." I fully support this motion.

I had the opportunity to work on the grade 9 provincial achievement math test, an experience that was valuable to me but unfortunately wasn't as valuable to my students, and there are a number of reasons for that. Certainly they had to prepare to write an achievement test, and in writing that test, there were flaws in the testing, the way the tests were written, to begin with. At that time we were only rewriting one-third of the questions per year, so one-third of the questions had been used the previous year and another third the year before that. So the potential for misuse of the test was certainly there by teachers and by students if they happened to get their hands on them. We saw how easy that was to do, for example, in a grade 12 departmental test where some students were able to get copies of the test before they wrote.

As well, you are putting schools and you're putting school districts into the position where they are being judged on how well their students do on those exams, but really when we get back to hopefully what those exams are meant for, which is the benefit of students, they rarely, rarely get to see those results. If they do get to see them, those results in the majority of cases are not used, particularly at grades 3, 6, and 9, for any sort of evaluation on their year's work. Now, at grade 9 we certainly had the option of using a percentage of that mark if we wished towards the final grade for that student, yet by the time those students in grade 9 had their exams evaluated and the marks sent back to the school, they'd already moved on to grade 10, so the majority of them never had the opportunity to find out what sections of the test they did well on, what sections they did poorly on, or even what their mark was. The same situation would apply, Mr. Speaker, when we look at the grade 6 student. The grade 6 student writes those near the end of June, and certainly the teachers have the ability to mark those. The same comments I made about grade 9 would apply to grade 6s.

Now, I think that probably the most inappropriate place for these exams is at grade 3. There are so many more uses we could be making of testing of grade 3 students than for achievement. I think:

why wouldn't we use a test that could measure what areas perhaps they're having trouble with, some sort of a diagnostic test where we could pinpoint difficulties that students are having? Why couldn't we use those tests to have a team of experts help those students who are having great difficulty? I think one, for example, would be in the area of reading. Certainly that is one of the areas where we can test to see how well students are doing and how well they learn that particular skill in their first three grades. How much the whole school system would benefit if we could have every child reading well by the time they finished elementary school. This would certainly ensure that that problem of not reading is not passed on to other teachers that have to deal with a student who can't read. We do know that there is an optimum time for learning for various disciplines, and certainly with reading, the earlier we can get students to be proficient in the elementary grades, the better off we are.

Another area that gives me great concern with these tests is the fact that they are being used today for exactly the reason they said that they wouldn't be used for when they were first proposed, and that is to judge schools and to judge school districts. It is certainly an unfair use of those tests. When we look at those results, without too many exceptions the results that come in those tests almost parallel the socioeconomic conditions that we find in the areas in which those schools are situated. Now, certainly in some cases – and I can use the case of Londonderry junior high school in north-east Edmonton. Londonderry junior high school has a Mandarin program. It attracts many students who wish to study Mandarin, and these are top-notch students, so certainly there's a case where the norm would vary slightly in that achievement scores in that particular situation would be much higher.

8:10

Now, as well, Mr. Speaker, one of the other major concerns I've always had with achievement tests. Since they are not doing what they originally set out to do, I can't see what is the purpose of having every student in grade 3, grade 6, grade 9, and grade 12 write those exams. We can get the same information, particularly in grades 3 and 6 and 9 if we wish it, without having to do an exam that encompasses all the students in this province in those grades. We could certainly take a sample from across this province and do that, and we've seen this happen. We had a situation last year where our Alberta students were compared not only with students across Canada but students internationally, and they did very well. We certainly didn't have to test every student in the province. We could take a sample instead of a census to do that.

Now, then, if we really do want to use these tests for some sort of meaningful standard and not a self-report by government, what we want to get away from is a body that sets a curriculum, a body that does the testing, and a body that does the reporting on that testing. If, for example, we want to know how well students are doing as a whole – again the original reason that we introduced these exams in the province – then certainly what we should have is an independent body that would come in and test our students, and they would report back. That certainly would be a much fairer way for this whole process to work.

In the little bit of time I have left, Mr. Speaker, I would just like to summarize that certainly I think we have to get to a system here where our achievement tests would do a number of things. First of all, we will eliminate the misuse of tests, whether it be by teachers, by schools, by school districts. I would like to see these tests eliminated for grade 3s. Testing at the grade 3 level can provide us with much better information, information we can use diagnostically. As well, I would certainly like to see that if we as a province

through our department of ed are setting the curriculum and we feel a need for testing at various levels . . . [Mr. Bonner's speaking time expired] Certainly nobody is going to complain about those in grade 9.

Thank you very much for this opportunity, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Speaker. I rise tonight to speak in support of Motion 505, and I'd like to read it into the record because I believe that the intent of this motion is in order to review something, not to guess ahead of time or to determine ahead of time what would be the results of such a review. Motion 505 reads: "Be it resolved that the Legislative Assembly urge the government to review and re-evaluate the delivery of provincial achievement testing."

Before I speak to the strength of a review, I'd like to take a moment to commend particularly those students in my constituency who are engaged in and have been engaged in taking the achievement tests in grades 3, 6, and 9 and of course those who take diploma exams too. They have performed exceptionally well in all three school jurisdictions in St. Albert. I would also like to say that I think the teachers who have prepared them have done a remarkable job in preparing the students for the tests.

I do believe that Motion 505 would be a means to ensuring that our standardized tests are worth while and are achieving what they should achieve. There is nothing wrong – indeed, I should say that there's something very right – about the fact that we would like to have an objective measure of where students are at provincially. I know that the parents have asked for it. I know that the students in the senior years have always asked: how do I stack up against the knowledge and the abilities as per performance on achievement tests with other students across the province? So there is a very legitimate desire to maintain these with the objective assessment of the achievement tests. However, like every tool that we use within education, sometimes it is in use for a long time and we don't evaluate what are some of the consequences, both positive and negative, of administering these achievement tests.

I can say that for those who have perhaps eased into the attitude, either the teachers or the students, the feeling that all of the education and the learning taking place in the classrooms is geared toward taking the test, sometimes if the curriculum is good, if the teaching methods are good, if the students are truly engaged and curious about learning, it's not all that wrong to find out how well they have achieved in their knowledge and understanding of the curriculum. But on the other hand, if they are merely used by those who are administering them as a tool, for instance, to be able to either boast or to use the results just in a way of selling the program or the curriculum, then I don't think that's the primary reason why they are administered. I think we should evaluate why achievement tests were put there in the first place, what we hope to learn from them, and subsequently what we hope we will be able to achieve if we are to tweak them, to change them, to adjust them, perhaps even to look at the appropriateness of the grade levels at which we administer them.

While Motion 505 indicates that a review and a re-evaluation would be a good idea, I would further suggest that it would give us the opportunity to hear from those who are preparing the students for the tests to find out how much time they spend preparing the students, how much time they spend making sure that the students truly do integrate testing and evaluation with the curriculum and with their school and classroom experience, and to also find out if we are allocating the resources appropriately. I do know that a recent COMPAS poll of Canadian attitudes regarding standardized

tests indicated 79 percent support from the public for provincewide testing of students. I sense that those who were polled and voted in favour and comprised the 79 percent were those who realized that there is a certain objectivity and evaluation learned from how the curriculum is truly being delivered and how the students are understanding it.

We also know, though, that there are a number of school boards and schools, for instance, who will use their results as a form of one-upmanship. While that might be laudable and present a very positive sense of the school and evaluation of the school, I think we have to remember the reason for which these exams are being administered, and that's for the child, for the measurement of making sure that the student is learning a certain body of information, et cetera.

8:20

I would be the first one to admit that achievement tests do not test all the skills, all the learning abilities, nor can they speak to all the learning styles of the various individuals and students right across this province, but I would say that they are one measure of how students achieve. What we have to do is balance and weigh the positives against those factors that perhaps are not positive forces in the administration of these programs. I know that Motion 505 is suggesting that we have a comprehensive review, that we re-evaluate the strengths and acknowledge the weaknesses of achievement tests. We hear from those who either have been students taking the tests and those who are teachers preparing students and administering the tests as well.

One of the things that we really have to make sure of is that achievement tests that were introduced in 1982 of course have evolved over the years to make sure that they are as objective and accurate a tool as possible, but the other thing that we have to remember is that there is a proportionate amount of effort spent in making sure that the content and the ideas that are presented and the information queried on the tests is again current, appropriate, and suitable to the grade level. I've heard from a teacher in my constituency who feels very strongly that there is a disproportionate amount of time spent on preparing the students for these achievement tests, and I think that that kind of critique needs to go into the mix that Motion 505 suggests.

I would point out something too that I think we from a provincial perspective should take into consideration. The information that I received was that achievement testing is very costly. We know that. Lots of things are costly, but we have to make sure that we get our value for our investment, and what I do understand is that \$8 million per year is spent on achievement testing in Alberta. Now, that's quite a significant amount, but when the comparison is made to what we spend per year on curriculum development, it's only half that amount, \$4 million. So I say maybe again it is time for us to evaluate the administering of and the fact that we do have achievement tests here in Alberta, because when you compare, we invest in the curriculum development only half of what we invest in evaluating or in finding out whether that curriculum has been absorbed, internalized, and understood by our students. Those are the questions of balance and investment that I think this motion will allow us as a government to undertake.

So I would strongly urge that everyone here in the Assembly realize the strengths of achievement tests, realize that they aren't perfect, realize also that Motion 505 will give us that opportunity to improve them, restructure them, reposition them, replace them, or eliminate them, however the study and the evaluation and the review would determine. But the time has come, Mr. Speaker, and with that, I would urge everyone to vote in favour of Motion 505.

THE ACTING SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It is a pleasure to rise today and speak to Motion 505, which urges the government to conduct a review of provincial achievement tests given to school-children in Alberta.

First, I would like to thank the Member for Lacombe-Stettler for her efforts to bring this issue forward, an issue that has certainly been of concern to me for some time. A debate concerning ways and means of measuring the learning progress of Alberta's youth as they move through the school system is something I'm pleased to contribute to.

I would like to talk briefly about achievement tests as they're used in the Alberta education system today. In grades 3, 6, and 9 Alberta students write standard exams that cover essential learning topics. In grade 12 our high school seniors are issued standard diploma exams that they must take to graduate. To use grade 6 as an example, Mr. Speaker, children take tests that measure their knowledge in language arts, mathematics, social studies, and science. These exam scores are then used to evaluate students, teachers, schools, and the success of the provincial education system as a whole. With the information that is gathered from the exams, we are then able to compare the achievements of our students class to class and district to district as well as across Canada and around the world. Some believe that it is incredibly valuable that we have a way to measure the effectiveness of our learning system as a whole and of our schools and teachers individually.

As I've been preparing for this speaking time, I certainly have been in contact with principals and with teachers and so on. One of the things that certainly troubles school principals and teachers about the current system is when we talk about comparing them individually. For instance, I was principal of a school that was an international baccalaureate school from K to 12, and in fact from K to 9 it was totally international baccalaureate. When we talk about the 15-85 results measure, for instance, for our diploma exams, where 15 percent of the students set the standard of excellence and the other 85 set the acceptable standard, well, at my school you could have flipped it around the other way because these IB students were so strong.

But I was also speaking to a school principal this morning in my constituency where their school could be called an inner-city school, where many of these youngsters are certainly behind their grade level. Yet when we issue results of these achievement tests, the problem is that people will compare schools. So if you compare Vic, for instance, the school that I spent many years at, with another school that has this kind of problem with the students that are delayed somewhat, I mean, people will then make decisions about what school they're going to send their child to, which is totally unfair to that school and unfair to the teachers, who consider then they must have failed the students somehow because they didn't get up to that measure that the students in a school that has these kind of high-achieving IB-type students in them.

I guess it's believed that being able to gather information about a student body in a quick and cost-effective manner is essential, but as I've said, the results of these tests can be used to hold the learning system accountable to the students and to the parents of the students in the schools and to the taxpayers. I mean, it's been a great thing, Mr. Speaker. Recently Alberta students have been submitting scores that rank among the best in the world, and I'd like to congratulate them for the excellent work they've done on these tests.

Results of standardized tests are also used as a guide to shed light on where students excel individually by subject and where schools

display excellence as well as the need for improvement over the core subjects. They can be used as a guide to tell the minister and associated groups and individuals that help to draft the curriculum where it needs enhancement as well as where it is meeting the desired tests. However, Mr. Speaker, are these tests comprehensive enough to gather essential information on the complete learning needs of Alberta's children? Is there information about students that is not gathered and skills that are not assessed by these standard exams? I believe that there is important information about students' learning and success available from different types of exams and through the use – and it's a kind of assessment that I've not always been in favour of – of student portfolios.

The main purpose of standardized testing is to sort through a large number of students in as efficient a way as possible. This limited goal gives rise to conformity and teaching to the test. These tests are felt to neglect or ignore several essential skills such as writing, speaking, acting, drawing, and constructing or repairing. All of these skills are taught in our schools and are valuable in life, yet they are not measured in provincial achievement tests.

8:30

Far-reaching educational policies are often based on results of standardized testing programs. Concerned individuals from the education system and beyond have questioned this situation. Questions arise because there are educational experts who are unsure that standardized tests look closely enough at the students' abilities and knowledge to make informed decisions about curriculum changes. The testing programs and their scores have been blamed for disrupting normal classroom learning and assessment, because often the tests are viewed as being one-dimensional, biased, and not useful for classroom teachers.

The phrase "tester of curriculum" captures the essence of the major controversy surrounding standardized testing. When test scores are used in a comparative basis not only to compare the educational fate of individual students but to also assess the relative quality of teachers, schools, and school districts, it's no wonder that teaching to the test is becoming a common practice in our schools. This would not necessarily be a problem if standardized tests provided a comprehensive, in-depth assessment of the knowledge and skills that indicate a mastery of a given subject matter, but to achieve that, we will need to seek out complementary tools to use in standardized testing. On their own, standardized tests may be too rigid to serve the learning needs of Alberta students.

With that, Mr. Speaker, I believe that a review of standardized testing in Alberta is overdue. It is reasonable to assume that the demand for test results that can be compared across student populations will remain strong. The critical question is whether such results can be obtained from tests that attempt a more comprehensive assessment of student abilities than the present standardized tests are capable of proving. An additional but equally critical question is whether such tests are too costly to be widely administered.

Such alternatives that I have discovered are based on the concept of a performance-based assessment. Depending on the subject matter being tested, the performance may consist of demonstrating any of the active skills that I had mentioned before, which are untested by standardized achievement tests. For example, when the evaluation of writing, drawing, or other artistic impression skills is concerned, a portfolio assessment involving the ongoing evaluation of a cumulative collection of creative works may be an approach worth examining. With this approach, the student can track their improvement over the course of the school year, because the work they submitted in September is available for them to look at in May and June, when they have nearly completed the year.

For subjects that require the organization of facts and theories into an integrated and persuasive whole, an oral defence-styled assessment may be an approach that we could look at. This approach would allow for a free expression of thoughts and ideas, both of which are limited by standardized exams. Through this format, students can display what they know as opposed to the current format, which focuses on what students don't know.

A third approach is based on a problem-solving model. This model could be adapted to most knowledge-based disciplines. Students would be presented with a problem scenario that can be resolved through the use of specific principles that the student would have learned through his or her study of the subject material.

The methods that I have described may be impractical on their own without standardized testing in the sense that they are difficult to attain a general picture of the whole education system and they may not be cost-effective. However, if they can be used in conjunction with standardized testing, then I think we as parents and taxpayers can gain a better understanding of how our children or children in the school system learn and a comprehensive look at what each child can do as a student.

Mr. Speaker, I would not necessarily suggest that standardized tests be abandoned for a new method. Standardized test scores that are obtained through a valid and reliable instrument can offer a wealth of information about students, teachers, schools, school districts, and the curriculum. However, I think there is room for a complementary evaluation that can more closely examine the growth of each student. I am unsure that we are currently taking an in-depth assessment of the abilities of each student in Alberta. [Mr. Maskell's speaking time expired] Oh. Okay. I was just getting wound up here.

Anyway, thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is my pleasure to rise today and speak to Motion 505. As has been previously stated, Motion 505 asks the government "to review and re-evaluate the delivery of provincial standardized achievement tests." I think it is important that we highlight exactly what the intent of Motion 505 is. Motion 505 is not urging the government to be rid of provincial achievement tests. It is not asking for them to be changed. It is only asking for them to be reviewed and re-evaluated. The provincial achievement tests are a valuable tool for assessing how our education system is doing.

I believe, Mr. Speaker, that these tests are a large part of the reasons that we have the best public education system in the world. As we know, Alberta students are at the top of the class in Canada and internationally when it comes to mathematics. Earlier this month results of the school achievement indicator program, or SAIP, showed that Alberta had the highest marks overall in the problem-solving category by the province's 13 and 16 year olds. This of course is nothing new. Back in December the Organization for Economic Co-operation and Development, or OECD, study found Alberta students ranked number 1 in the world over 32 industrialized countries in reading, third in science and math, and well above the Canadian average. Now, that being said, I feel that the tests could possibly be reviewed by the Department of Learning, because I do not think that they are the only way that our system should be evaluated.

Mr. Speaker, the debate on standardized testing revolves around their effectiveness, reliability, and value. One of the assumptions underlying the tests is that learning can be broken down into parts

and rebuilt. The tests assess student understanding of knowledge that has been deconstructed. However, I do not believe that teachers or students can always nicely fit into the scientific model of standardized measurement used to frame how concepts and strategies are taught and learned. In school students and teachers are influenced by the assessment process, and these processes influence how teachers teach the information and how students will learn in order to achieve success. If the goal of our Learning department is to assess learning, we should also look at using additional assessment formats that will lead to student success. I feel that standardized testing permits only one single expression of understanding.

Mr. Speaker, I feel that these tests should not be relied upon as the sole examiner of students' success. I am concerned for several reasons. First, they are not developed from classroom instruction. Tests are developed outside of the classroom, not allowing the full knowledge obtained in the classroom to be realized. Now, this could be a strength or a weakness, so this needs to be looked at. Secondly, they inhibit variations in presentation of learning, and they limit content and constructs that are measured. The tests encourage students to think and respond alike, and creative and critical thinking is not always given the same value as conformity.

Mr. Speaker, standardized testing assesses skill in a manner that does not allow for the assessment of a whole activity. Teachers cannot fully know if lack of success on the standardized tests is an indication of lack of ability or lack of testing knowledge or just lack of interest. While I support the tests in general, I think that these tests paint a limited picture of our learning system. They are biased against some students, because they do not take into account such things as income levels. They do not allow for language, cultural, emotional, or physical barriers, which have an impact on test results, and with a learning system as great as ours I feel that these tests may not fully or accurately represent our entire system.

Mr. Speaker, I have a great quote I would like to share with the House from Oliver Sacks, a neurologist who studied cognitive performance. He summarized the greatest failings of standardized tests when he said: "A test situation is other people's questions. One is in a rather passive situation. In an active situation, you find your own voice and your own vision." Assessment needs to be a part of a process in which students have an opportunity to find their own voice and vision. Our tests do not always allow for this to occur.

The standardized tests are a measure of our learning system, but I think that they should be used in conjunction with other forms of assessment. I think that if a review of the tests were completed, it would be found that the tests are a very good indicator of our learning system but only if also used with other indicators.

Mr. Speaker, in January 1996 Alberta Education made the following comment, quote: although provincial assessments are designed to assess the achievement of provincial standards as reflected in the program of studies, many important learning outcomes cannot be measured by time limited . . .

8:40

THE ACTING SPEAKER: I hesitate to interrupt the hon. Member for Drayton Valley-Calmr, but under Standing Order 8(4), which provides for up to five minutes for the sponsor of a motion other than a government motion to close debate, I would invite the hon. Member for Lacombe-Stettler to close debate on Motion 505.

MRS. GORDON: Thank you very much, Mr. Speaker. I just want to thank each and every speaker. I think that every one of you brought your own perspective and the perspective of the people that you represent to the debate.

This motion has been stated several times tonight and is quite

simply that I am asking the Assembly to "urge the government to review and re-evaluate the delivery of provincial achievement testing." This has over the last couple of years become an issue in my particular constituency, and I would like to thank the teachers and the parents and the students that I have heard from on this issue. I think that we can be very proud of how well we fared in the standardized achievement testing compared to other countries and other provinces, and I appreciate the teachers that have worked very hard to ensure that our children achieve so very, very well.

It was mentioned earlier by one speaker here about student portfolios. I don't know whether student portfolios are the way to go or a combination of standardized testing and some student portfolio. I do know that in the letters that came to me, many parents were very concerned about the stress placed on a grade 3 child to write an achievement test. Although it's some time ago, I do remember back to the early years, and children learned at different levels and at different speeds, and there might be some children that are quite capable of writing a written test when others wouldn't fare so well. So all I'm asking for is a complete review. Let's look at what we wanted when we started, where we are today, and where we want to be in the future.

I thank each and every one of you again for entering into this debate, and I ask you to support this so that we can undertake a complete review. Thank you.

[Motion Other than Government Motion 505 carried]

THE ACTING SPEAKER: The hon. Member for Calgary-West.

Impact of Aging Workforce

506. Ms Kryczka moved:

Be it resolved that the Legislative Assembly urge the government to seriously address the impact of a growing and aging population on the Alberta labour market, taking into consideration the present culture that largely accepts disengagement or early retirement of older workers.

MS KRYCZKA: Thank you, Mr. Speaker. Hon. members, it is an honour to begin debate on Motion 506. I would like to start with the basic reasons for bringing forward this motion at this time. Then I will talk about ageism and why this government should commit to reducing ageism to keep older people at work.

Mr. Speaker, Alberta continues to enjoy a great deal of economic prosperity, attracting the attention and more of thousands of Canadians from other provinces each year. These people see the benefits of conservative fiscal management and have moved their families from their home province to enjoy what we refer to as the Alberta advantage. The migration of people to Alberta has contributed to Alberta's population being one of the youngest in Canada.

So the question that people may have is: well, why look at the issue of an aging workforce right now? The answer, Mr. Speaker, is that even though Alberta has enjoyed a great deal of population growth with the number of people moving to this province, if you consider this factor plus births, it will not even come close to compensating for the larger number of people who will become eligible for retirement by 2010 and beyond to 2030. For example, in only eight years 46 percent of all provincial employees will be eligible for retirement. This is a huge percent to have to replace from a proportionately smaller, younger population, and the picture is similar for other key work areas, including health care professionals, police services, and postsecondary institution instructors. We cannot ignore the relevance of the large and growing field of research that tells us that allowing Alberta's workforce to continue

to retire early will have devastating effects on the province's labour market.

In June 2000 the Alberta government released *Alberta for All Ages: Directions for the Future*, a governmentwide study. It highlighted several key areas to advise the Alberta government in preparing for an aging population. One of the report's key areas, and therefore with recommendations included, was to encourage public- and private-sector employers to introduce more flexible employment policies for mature workers, as forecasts point to a labour and skill shortage in a number of areas in Alberta's economy. In addition, working is one of the best ways for people to remain active and engaged in their community.

Older workers could continue to make an important contribution to the workplace, particularly if flexible work opportunities were made for them. Flexible opportunities recommended could include optional phased-in or delayed retirement, changes in work status, reassignment within a company, including changes in responsibilities, fewer working hours, or less demanding positions. Older workers are to be most valued for their brainpower and experience, not necessarily their physical power.

In October 2001 the Labour Force Planning Committee released *Prepared for Growth: Building Alberta's Labour Supply*. The report specifically identifies older workers as a source of employees who can become part of the solution to the skill shortage problem through emphasizing the advantages and positive potential impact of their extended labour force participation. In November 2001 the report *Aging Populations in the Workforce: Challenges for Employers* stated that due to declining birthrates in Canada, the United States, and Britain, these countries will see much slower growth in the pool of potential workers, with growth ultimately ceasing by 2030. The shift in the composition of the working-age population leads to a workforce that will likely be older, better educated, and largely female over the next two decades. As a result, the report urges both private- and public-sector employers to adapt or develop new training strategies to tap underused resources such as older workers.

In September 2001 the TD bank released an economics report that stated that Canada's economic growth could be hampered within a decade if the private sector is not prepared for the upcoming massive wave of retiring baby boomers. In its report the TD bank urged companies to come up with more and unique ways of attracting older workers and retaining them in the labour market longer through flexible work arrangements, respectable wages, and more training. Highly skilled older workers are seen as key resources for addressing current and future labour and skill shortages.

Also, the Conference Board of Canada released *What to Do Before the Well Runs Dry: Managing Scarce Skills in 2001*. The study reported that 83 percent of the people they surveyed stated that they were experiencing shortages of skilled labour and that 60 percent expected their skill shortages to be more pronounced in the future. Strategies for attracting and retaining talented workers, including older workers, were discussed in the study. In particular, survey respondents suggested that provincial governments increase and align basic funding to meet the skill requirements of the industry. Finally, the board concluded that Canada's future success depended on focused collective action by all stakeholder groups to ensure that the well of skilled talent does not run dry. I believe that this government should lead this type of collective action to encourage older workers to remain in the job market and to fight the growing threat of ageism.

Mr. Speaker, ageism reflects a prejudice existing in society against older adults in the form of primarily negative stereotypes and myths relating to older people. Ageism can even reflect a deep-seated uneasiness on the part of the young and middle-aged and even a

personal revulsion and distaste themselves to growing old and, further, a fear of powerlessness, uselessness, and even death. Ageism can affect individuals on two levels. First, people may be ageist with respect to others; that is, they may stereotype other people on the basis of age. Second, individuals may be ageist with respect to themselves.

Economically we view children as having future economic potential. In a way, they are seen as an economic investment. However, older adults are often perceived as a financial liability. This is not to say that older adults are unproductive, but older people upon retirement too easily are viewed as economically unproductive in North American society and are therefore devalued.

8:50

I believe that this government could reduce ageist attitudes through continual exposure to and work with older adults. By taking a leadership role, the Alberta government could use the existing government infrastructure to develop education programs and communication initiatives focusing on the benefits of keeping older people in the workplace.

The challenge for this government is to combat ageism in the workplace and beyond while also promoting the benefits of working rather than those of early retirement. A second challenge is to convince employers to adopt flexible work options. The third challenge is to change the attitudes of the workers themselves toward continued work on a flexible basis and the benefits of making that choice.

I believe it is in all of our best interests to encourage employers to reduce workplace stress in order to keep older workers working longer and thereby reduce employees' preference for early retirement. Employers should also be encouraged to promote transitional jobs with possibly a lower salary but with fewer responsibilities and on a part-time or contract basis, giving older workers more time away from work while still earning some income.

Mr. Speaker, this government basically needs to plan ahead with appropriate leadership actions. We planned ahead to eliminate our debt, and we're planning ahead to reform our health care system. Let's plan ahead for the aging population as this, too, is a very important emerging issue. The earlier we seriously work on this trend, the better prepared we'll be eight years from now when many, many more people reach the traditional age to retire. Let's help them to look at different employment options made available to them as a result of the leadership role taken by this government. Just as with the provincial debt and rising health care costs, we cannot bury our heads in the sand procrastinating about the impending age increase in Alberta's workforce.

Hon. members, as a final thought I'd like to briefly mention some of the well-known people beyond typical working age who still contribute very substantially in Alberta's workforce. Peter Lougheed, former Premier of this great province, works in Calgary as a senior partner with the law firm of Bennett Jones. Peter Valentine, Alberta's former Auditor General, is now with the University of Calgary. Dr. Bob Westbury, former CEO of TransAlta Utilities, is now with Grant MacEwan College. These men are in their retirement years but still contribute in a very meaningful way to Alberta's economy.

I look forward to the debate on this motion, Mr. Speaker. Dealing with the aging workforce is an issue this government must seriously address immediately in order to lessen the impact when thousands of older workers, Albertans, may choose retirement rather than other working options for the time being.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. Well, this is feeling very familiar. Once again the sponsoring member for this motion has done a lot of work and is, I'm sure, working closely with the Seniors Advisory Council in bringing forward this motion. I'm hoping that her motion will receive a more favourable reception than the other ones she's done. It seems she works very hard to bring these issues forward on behalf of seniors and then doesn't get support from the Legislative Assembly, so I'm urging everyone to give this close consideration.

We do have an interesting situation right now where there's a push towards the ideal of freedom 55, where people were encouraged to have invested their money and made enough money and chosen a career that would make them enough money that they would be in a position to retire at 55. Pitted against that is the struggle that we're having with not having enough people in the skilled workforce pool. I think this is certainly a reasonable request of the government, that it look at the impact of the aging population on the Alberta labour market and take into consideration a culture that largely accepts that disengagement or early retirement of older workers.

I agree very much with the member that it's important to plan ahead. I think it's particularly important to give notice to seniors that this is what's being considered so that they don't feel that a deal was broken, because I know many seniors in Alberta today feel that a deal was broken for them. They had made certain arrangements for their retirement, made certain choices around their retirement, even when they might be retiring, expecting certain programs to be in place that they could take advantage of. For those that retired in the early '90s, when the current Premier came in with his focus, very quickly these programs disappeared for a lot of people, and they felt that very keenly. Certainly they felt that the deal was broken. They had taken their retirement and planned their retirement expecting certain rules and programs to be in place, and those rules and programs were withdrawn. I still hear from seniors – and I'm sure most of you in here do – about how much this has cost them. So I think it's really important that with any changes in direction that are anticipated involving seniors or retirement-age or older people, we need to be putting those policies in place now to be very clear about what the expectations are in the future.

I think it's important that there is choice and that there is balance. I don't think we want to be in a position where we're forcing people to work past 65 if they are not physically able to do that or even mentally prepared to do that. I think it should be a choice. I'd like to see, if there is to be encouragement for people to stay working beyond 65, that it's encouragement that's done with a carrot rather than with a stick. Just this afternoon I saw the government in answer to a question making a choice where instead of using a carrot as encouragement, it was a stick to discourage them, and I think we want to be moving people in a direction where they're going to accept it readily.

I notice that the Department of Human Resources and Employment is looking currently at implementing the Prepared for Growth: Building Alberta's Labour Supply plan. It's interesting, because this report makes reference to an aging population, but there's no actual exploration of it. There's no sort of inclusion or planning that's involved with it. Aging workers are not a part of the strategies for action that are included in the report, which was very odd because my understanding is that this report is quite new.

I agree with the sponsoring member that it's important that whatever we look at now when we talk about labour market and participation in the labour force, we do really consider the impact that older workers are going to have. I was talking about choice earlier, and I think this is important because I suspect that probably more in the future than we've experienced so far, we will have

workers who will need to work past 65. They will not have sufficient income nor will there be social programs which will be in place for them. In particular here I'm thinking about people who were self-employed, contract workers, part-time workers, women, in particular women who took time away from the workforce to have children. They will need to work because they will not have sufficient income to be able to retire, and I suspect that the programs that are in place or were in place will no longer be there to support them. That won't be a choice for them. They'll have to continue working in order to be able to make the rent.

I won't be surprised if there is a move to have a government committee look at this, and again I would encourage the Assembly that if there is a committee to look at it, it should be an all-party committee, where there can be representation and input and feedback from all parties represented in the Assembly.

I notice that there was an article today in one of the papers around urging the federal government to consider dropping the mandatory retirement. That's been a part of our laws for some time, and people have even challenged it and lost. I think now we will through necessity have to look at getting rid of those laws that require mandatory retirement, but again my encouragement is that we look for a balance and for choice.

Thank you.

THE ACTING SPEAKER: I hesitate to interrupt the hon. member, but the time limit for consideration of this item of business has concluded.

9:00

head: **Government Bills and Orders**
Second Reading

Bill 23
Municipal Government Amendment Act, 2002

[Adjourned debate April 16: Mr. VanderBurg]

THE ACTING SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I have concluded my comments on Bill 23. I don't know if there are comments from others in the Assembly. If so, I'll sit down at this time and make note.

THE ACTING SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. Indeed it is a pleasure to rise tonight and speak to Bill 23, the Municipal Government Amendment Act, 2002. I would also like to take this opportunity to thank the hon. Member for Whitecourt-St. Anne, who certainly took time out of his busy schedule to brief myself and my research assistant about Bill 23. The first thing that became evident to both of us was the amount of consultation he had done with the various stakeholders, whether it be the AUMA or the AAMD and C. Another thing that came through very well in our review of this particular bill was that we saw where his vast experience in municipal government had come to the fore. As a result, I think that government members and opposition members should have no difficulty in supporting Bill 23, because it does reflect the wishes of the various stakeholders.

Now, then, these changes, Mr. Speaker, will make changes to the Municipal Government Act. Of course, this is the act that authorizes the operation of all our municipal authorities. When we look at Bill

23, it does two things. The first thing is it'll allow the government to move the municipal assessment information being filed on-line rather than submitting it manually. This act changes some of the dates for filing the information, and the department will now be working with the most recent assessment information rather than having a year's time delay. As well, the second part of the bill will also make changes to the standard for holding municipal employees and members of the boxing commission liable for their actions. Rather than gross negligence, the standard will be acting "in good faith." This is the same standard for provincial and federal employees.

Now, just some comments. When we start looking at the first part of the bill, this deals with assessment and taxation. There are a number of proposed amendments, and what one of these proposed amendments will do is allow the implementation of some of the Equalized Assessment Panel recommendations. As I mentioned in my opening comments, what the proposed amendment will do is eliminate the one-year lag between the preparation of current assessments and the equalized assessments, so the information that now will be provided will certainly be much more current and allow decisions to be made based on current information. This will also clearly define standards for quality assurance in the assessment practice. Again this will allow for reliability, and people in various areas will certainly look forward to that. The proposed changes as well, Mr. Speaker, will increase the transparency of the equalized assessment system.

Now, then, as well, because we have so much information, there is also protection here, and this protection would be in a form that requires both municipalities and the province to disclose asset information for the purpose of requisitions.

As well, what this particular bill will do, Mr. Speaker, is address the Auditor General's concerns about the equalization process. Now, the primary recommendation of the Equalized Assessment Panel is to move to the use of current-year assessments from municipalities for calculating the equalized assessment, and by doing this, the requisitions will be more fairly determined. As well, it will be more easily understood by the ratepayers when they are levied or when equalized assessment is done, and it will be based on current information.

Mr. Speaker, as well, the second set of proposed amendments will provide a standard of good faith for protection from liability for municipal officials and for municipal boxing and wrestling commissions. Again this is quite an interesting note that was explained to me at the time: not all cities or municipalities have boxing commissions. I was quite surprised to learn just how wide the area of the Edmonton Boxing and Wrestling Commission extends and how people without commissions will be coming to them to sponsor various events.

Now, then, these proposed amendments would protect municipal officials, employees, and volunteers from unreasonable exposure to liability when conducting local government business. We certainly know that liability is an issue that not only the average citizen on the street is facing but our various levels of government, and we continually hear this term of due diligence. So I think that this is an important change, an important proposed amendment, and it will strengthen the act. Under present legislation these people are not covered for gross negligence, so this proposed change will limit liability based on the provision of good faith. The application of good faith is in a situation where our municipal officials and employees are not exposed to unreasonable risk of liability, so certainly where the action is not reckless or deliberate, then they will not be exposed to liability.

Now, then, the members of the AUMA and the AAMD and C

have expressed support for amending section 535 to provide them an equitable level of protection from liability. There is also, Mr. Speaker, a new provision which is to be added to section 535 to protect the boxing and wrestling commissions from liability based on the good-faith clause and to offer them protection where they are currently not protected.

In closing, Mr. Speaker, the changes in Bill 23, the Municipal Government Amendment Act, 2002, do reflect the wishes of the stakeholders. It is a clear example where Albertans were listened to. These changes will improve the assessment practice. They will also improve the liability protection for municipal officials and municipal boxing and wrestling commissions. As well, it will strengthen our Municipal Government Act and make it more current.

So I would urge all members of the Assembly to support this bill. Thank you.

9:10

THE ACTING SPEAKER: The hon. Member for Whitecourt-Ste. Anne to close debate.

MR. VANDERBURG: Thank you, Mr. Speaker. I do appreciate the comments made by the Member for Edmonton-Glengarry. His comments were very accurate, and I did appreciate and value the cooperation.

I move to close debate on Bill 23 for second reading.

[Motion carried; Bill 23 read a second time]

head: **Government Bills and Orders** **Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

Bill 7

Agriculture Financial Services Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

MR. KLAPSTEIN: I'd like to provide some additional comments and respond to questions raised during second reading of Bill 7, the Agriculture Financial Services Amendment Act, 2002. I'll remind members that the prime objective of this legislation is to give the Agriculture Financial Services Corporation expanded responsibility to include the business assets, obligations, and opportunities of the Alberta Opportunity Company. The Minister of Agriculture, Food and Rural Development announced late last year that this government intended to merge the two operations, and since that time both AFSC and AOC have been working together to ensure a smooth transition on behalf of the small business and agri-industry clients that they serve.

During second reading the hon. Member for Edmonton-Gold Bar asked specifically about debt servicing costs. It should be made clear that debt servicing costs are just part of the costs included in the company's operating expenses. Income is generated from interest payments received from AOC's customers. Due to the strength of the Alberta economy and therefore a low level of loan write-offs, AOC's actual net cost to government for the past five-year period was \$5.3 million in total, or just over a million dollars per year. Operating surpluses are retained by AOC to cover future loan losses and to fund future lending commitments. This in turn

results in lower borrowing requirements from the general revenue fund.

The hon. member also suggested that businesses should or could use the services of a chartered bank or the Alberta Treasury Branch rather than the Alberta Opportunity Company. In both urban and rural areas AOC co-operates with lenders in the private sector to offer financial solutions to mutual clients. As well, a large percentage of loans approved by AOC are referrals from private-sector lenders who see some potential for the entrepreneurs but are unable to assist them due to their lending policies or other considerations. I'll remind members of this committee that since its inception AOC policy has clearly stated that financial assistance will not be provided when it's available in the private sector on reasonable terms and conditions. So to suggest that AOC is no longer needed in this province is incorrect. In fact, it may be needed more now than ever.

Alberta's rural economies are continually shifting and adapting in response to changes in the overall provincial economy, and one unfortunate constant through all of those shifts is the shortage of available financing for small businesses in these communities. We have witnessed the continued withdrawal of the major banks and other financial institutions from rural Alberta. We've seen their waning commitment to small business in general. So AOC's role as a facilitator of small business financing is more appropriate than ever. There are, of interest to this committee, more than 10,000 small businesses that have started or expanded through the assistance of AOC over the past 28 years. These 10,000 small businesses would be hard-pressed to agree that AOC has outgrown its mandate. I might also add that AOC has been very careful to avoid providing funding assistance that would result in either excessive competition to existing operators or an unfair advantage to its client. It is a fact that many a solid proposal has been turned down on this basis.

The hon. Member for Edmonton-Gold Bar also referenced that AOC deals with finances of more than a hundred million dollars. Let me be clear that AOC presently has a million-dollar loan cap, and under the proposed amendment the cap would be raised to \$2 million. So this in no way approaches the \$100 million mark referred to by the member.

As well, Mr. Chair, I wish to respond to points raised by the hon. Member for Edmonton-Highlands. He suggested that the merger might in some way shift the focus of AFSC from providing the services it does to the farming community. The services of both AFSC and AOC will continue under the merged company of AFSC. Both of these strong organizations have dedicated staff and proud histories. By reducing administration and combining the business strengths of both, we are looking to enhance delivery of a one-window, made-in-Alberta financial solution.

So those are my comments for now, Mr. Chair. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I wanted to make just a few comments. I know that our leader and the ag critic for the Official Opposition spoke on this issue and was in fact speaking to the bill in his response to the Speech from the Throne, because I remember quite well the points that he was raising around the possibilities both that were being taken away and also that might be opened up through the passage of this bill. I think the sponsoring member has made it quite clear what the government's aims for this are. Certainly we'd always be looking to support something that was an efficiency, that created a balance, that enhanced accessibility and choice in any sector that we're talking about.

Our concerns around what's happening here – and, actually, I was expecting an amendment to come forward from the government on

this very topic I'm about to go into. Not only is it important that this new office not be used to grant loans when there's regular financing available, but the act should clearly direct the local approval officers not to approve a loan when the approval will introduce an imbalance, a disequilibrium in the local market. This I think is critical. We certainly have seen examples of this in the past where, you know, you can have a couple of businesses competing, a tight marketplace, and profits are pretty close to the line; nonetheless, they're all surviving. Then we get someone who comes in, direct competition, and they've got AOC financing. Well, that's the end of everybody. That really is creating an unlevel playing field.

If there's one thing I keep hearing from this government, it is how they like that level playing field. Well, then, I think you've got to be careful to make sure that you have not put things in place that can create an unlevel playing field. I was expecting, as I said, an amendment coming from the government. I believe that was an agreement or something that had been worked out between our ag critic and the sponsor of the bill and perhaps the Minister of Agriculture, Food and Rural Development as well; I'm not sure.

9:20

That's really our most consistent concern on what's being proposed in this bill: if we have a competitive situation existing already with a number of businesses providing a service or a product, the government should not create a subsidized business that goes in competition with the local self-financed businesses. That creates an unfairness. That is the government picking winners and losers or their agents picking winners and losers. One of the checkpoints on that is that if commercial lenders don't see an applicant's business plan as viable given local market conditions, then the Alberta Opportunity Company or the financial officers that are now involved in these new offices should not be approving this and disturbing the local equilibrium, or the local balance, or the local tension, between existing businesses any further.

That, as I said, was the concern that we in the Official Opposition most dreaded seeing as a result of this bill passing. Certainly we know that some sectors in the rural community have felt abandoned by this move. It was quite a topic of discussion during the by-election in Whitecourt.

AN HON. MEMBER: Wainwright.

MS BLAKEMAN: Wainwright. Sorry. Wainwright. Sorry about that.

MR. BONNER: George is still here.

MS BLAKEMAN: Sorry; I didn't get rid of somebody here.

You know, people were concerned that their local office would be closing and would be amalgamating, but I was reasonably convinced when I was told that in fact most of the increase had been coming by telephone and that there were going to be adequate telephone call centres to deal with any calls that were coming in from potential users of these offices. I think access is always an issue, particularly when we have such a vast land mass in Alberta, in trying to serve the various interests there. Anything that can be done to make that easier – and part of that is using available technology, frankly. Where we have the possibility for video teleconferencing or e-mail, use of web sites to get information out there, 1-800 numbers, we should be doing everything we can to facilitate that. In the voluntary sector we call it capacity building, so that all the participants have the capacity to participate in that arena.

I think that's what we want to see here, that people can still take

advantage of the expertise that's being offered through these offices, but they may not be doing it face-to-face. They may be taking advantage of some other methods, some other routes of access perhaps that are even more cost efficient. But certainly we don't want anybody to feel that they got left out in the cold or that their interests aren't being taken into consideration here.

We are in Committee of the Whole. Perhaps I have spoken too soon and there will be someone bringing forward this amendment that I'm waiting for. I know that our critic for Agriculture, Food and Rural Development was certainly looking forward to that and has charged me with bringing forward those issues on his behalf.

So having put that on the record, Mr. Chairman, I'm very happy to take my seat and let others continue the debate.

THE DEPUTY CHAIR: The hon. Member for Leduc.

MR. KLAPSTEIN: Mr. Chairman, I think I should respond to the comment that was made about an undertaking or understanding that we would be bringing forward an amendment. I'm not aware of that kind of an arrangement, but what I do have is a copy of a notice of amendment that came from the hon. Member for Lethbridge-East, and I did pass word over to opposition members this afternoon saying that we would be rejecting that amendment if it did come to the floor. So I guess I'll leave it to the hon. member to decide whether she wishes to put the amendment on the floor, and then I could speak to it. I have a copy if you want it.

[The clauses of Bill 7 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 14 Gaming and Liquor Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Gaming.

MR. STEVENS: Thank you, Mr. Chairman. I do have some comments I'd like to make at the beginning of committee on Bill 14, and these comments essentially deal with points that were raised by members during debate in second reading.

First of all, Mr. Chairman, I'd like to emphasize that this government strongly supports a unique charitable gaming model. We have and we will continue to support it. Members opposite and all Albertans can be assured that Bill 14 will only strengthen our adherence to the charitable gaming model. Secondly, integrity is paramount in the Ministry of Gaming. The amendments that Bill 14 proposes to the current legislation all serve to enhance the integrity of gaming and liquor activities in Alberta. Albertans deserve nothing less, and we are committed to maintaining the trust that they have placed in us.

Mr. Chairman, I'm going to now speak briefly on some of the specific concerns that were raised by members who spoke during second reading. One of the queries had to do with what sort of consultation went into the gaming licensing policy review. I can say that the word that best describes it is extensive. We have had a large

number of stakeholders, and they were most definitely consulted. As for specific groups, they would include the public, charities, the Federation of Alberta Bingo Associations, casino operators, police, AADAC, AUMA, AAMD and C, the Alberta Gaming Industry Association, the Alberta Hotel & Lodging Association, the Alberta Restaurant and Foodservices Association, and indeed the list goes on. A complete listing of the groups consulted is available on the Gaming web site at www.gaming.gov.ab.ca. The specific groups consulted for the purposes of Bill 14 include many of the names which I have just set out as well as the Alberta Liquor Industry Roundtable and various municipal governments.

Another area of confusion was that extended hours of bingo operation would lead to more paid staff, which would lead to organizations not having the same volunteer presence, which would lead to the government removing part of the proceeds raised. Mr. Chairman, I'm not completely sure of the logic behind this statement, but let me clarify by saying that hours of operations for casinos and bingos have not been changed for some time, and we're not looking at extending them anytime in the near future. As for the latter part of the argument, I don't know how often I need to repeat this, but we in Gaming wish to ensure maximum returns to charities. That is definitely part of our mandate, and that has not changed with respect to the new policies and this proposed legislation.

Another point raised by an hon. member had to do with the social costs of gambling, including research and benchmarks. Let me assure you that we take our commitment to social responsibility very seriously, and we've backed that up in a number of important ways. The first obviously is through our funding of AADAC, funded entirely by the Alberta lottery fund, to the tune of over \$47 million. We will continue to support them in their valuable work in helping those with alcohol or gambling problems.

9:30

The second is through the ongoing support of the Alberta Gaming Research Institute. The institute is currently undertaking a variety of studies on issues surrounding gaming, and I know that they're paying special attention to the social costs of gambling, on which there is a dearth of scientific factual information worldwide. This kind of research can't be done overnight, and I would urge the hon. members opposite to give the institute the time to complete their research and to provide us with their findings.

I know that the hon. Member for Edmonton-Centre has in the last couple of months attended a seminar here in Edmonton that was put on by the institute, and I thank her for showing that interest. I also know, in talking to members of the institute, that while they are in their early days in this particular initiative – it's about three years old – and while there has not yet been the fruit of a great deal of published material, the institute and the people who are associated with the institute have gained a reputation, a very good reputation, and are known throughout Canada for doing very good work in this area. So I think that we in Alberta have something to be very proud of as it relates to being at the forefront of research with respect to issues associated with gaming and gambling.

Mr. Chairman, there also appeared to be some confusion with respect to provisions dealing with gaming patrons who are apparently intoxicated. Some hon. members felt that there were different standards being applied to casino workers as opposed to standards currently applied to staff of bars and lounges. Section 91 of the gaming and liquor regulations clearly states that it is an offence to sell or provide alcohol to an intoxicated person. I understand that staff of a licensed facility cannot be responsible for the behaviour of patrons prior to their arrival at the licensed facility, but once that person arrives, staff are responsible for meeting the provisions of the

licence. The provision of Bill 14 would make it an offence for someone who is “apparently intoxicated” – that is, someone who has had too much to drink – to participate “in a gaming activity.” This additional provision merely reinforces our commitment to social responsibility, and it applies across the board to any licensed facility offering gaming activities, be it a casino, a bingo association, or a bar.

In conjunction with this, Mr. Chairman, there were questions raised about enforcement provisions. The Alberta Gaming and Liquor Commission employs a large number of inspectors, whose job it is to enforce the provisions of the Gaming and Liquor Act and regulations. The police are also designated as inspectors under the Gaming and Liquor Act. Between our inspectors and the police we do an excellent job of making sure that licensees follow the rules, and the provisions for apparently intoxicated gamblers will be another part of our enforcement role. Anyone who doubts this is free to take a look at the AGLC web site, where they’ll find a searchable database of infractions and penalties applied against licensees who didn’t follow the rules.

A bit later in the debate a question was posed as to whether or not we would consider having on-site enforcement staff. The answer to this is no. However, other options are available to us, and we are pursuing those. We have in place for staff of licensed premises programs covering responsible alcohol service and some of the warning signs of problem gambling. All of this adds up to effective enforcement, Mr. Chairman, and we will continue to operate this way into the future.

I heard a number of times, Mr. Chairman, that some hon. members question the amount of scrutiny that goes into gaming and liquor activities in the province. Once again let me assure you that integrity is paramount, and Bill 14 strengthens the AGLC’s regulatory authority, including expanding the reach of the background inquiries we are able to do, increasing fines for those in violation, and increasing the authority of the inspectors.

Maximizing returns to charities comes up again with questions about the option involving private operators being given facility licences for bingo. Our reasoning behind this is that the private operator concept may help to increase revenues to charities. As you know, other than a small licensing fee, all bingo revenues go to the charitable organizations. By allowing bingo licensees, which are charities, the option of involving private operators with their ability to invest in capital projects and improvements, we see the bar being raised for bingos and returns improving to charities who run bingo events. Volunteers will be able to spend more time on volunteer duties as opposed to operating what in some cases are multimillion dollar businesses. I want to reiterate, Mr. Chairman, that it will be up to the individual bingo associations if they wish to become involved with a private operator, and the AGLC will ensure that there are guaranteed returns to the charities.

Another question had to do with the option of bingos hiring paid staff, the suggestion that this would lead to the government removing part of the proceeds raised by charitable groups and facilities that choose to go this route. Nothing could be further from the truth, Mr. Chairman. It goes back to the charitable gaming model. Bingo associations are free to hire paid workers as long as they maintain their controlled expenses, which cannot exceed 10 percent of the gross revenue. The option of paid workers alleviates volunteer burnout and focuses on current business practices. Again bingo associations will be free to decide on their own if they want to go this route. All of the bingo changes stem from the reality that bingo has been a declining industry, Mr. Chairman. Members of the industry have expressed the need to have more options and flexibil-

ity. These changes to the Gaming and Liquor Act facilitate that request.

Something else that seemed to be of concern was the change in definition of VLTs and where this could lead. What this does, Mr. Chairman, is address a judicially recognized flaw in the current definition and assist the AGLC and law enforcement agencies to enforce legislation around illegal electronic gaming terminals, including slot machines and VLTs.

Finally, Mr. Chairman, there were some comments made with respect to the privative clause which is included in Bill 14. Again there seems to be some concern in certain quarters. I think it might be appropriate to explain the board hearing process. When an inspector or police officer finds evidence of a violation, the licensee is offered a specified penalty. The licensee can agree to the specified penalty, or they may choose to go before a hearing panel, an impartial panel, of the board of the AGLC. The hearing panel is an administrative tribunal, not a court of law and is not bound by formal rules of evidence. At the hearing the AGLC’s regulatory division presents its case, including witnesses. The licensee and members of the hearing panel are entitled to ask questions. The licensee then goes through the same process, including presenting witnesses and responding to questions. Both parties are allowed a summation at the end of the proceedings, after which the hearing panel takes a recess to make their decision.

The proposed amendment still gives licensees the right to ask for a board hearing. This just signals to the courts that the Legislature intended for the board to have wide jurisdiction over gaming and liquor activities in the province. It makes sense that those with the most knowledge over gaming and liquor operations would be deferred to in these instances. This is not shirking of responsibility that’s being portrayed.

In conclusion, Mr. Chairman, Bill 14 is intended to do a number of things, not the least of which is to ensure the integrity of gaming and liquor activities in Alberta. I believe I have addressed each of the specific concerns that were raised by members opposite in debate, and I look forward to your further comments on Bill 14.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman. Well, I’m glad to be able to get into Committee of the Whole on Bill 14, the Gaming and Liquor Amendment Act, 2002. Of course, this is our opportunity to go clause by clause, even word by word through the bill, and I would like to go through and talk about questions or concerns that have been raised in a number of areas.

[Mr. Klapstein in the chair]

Let me start out by saying that I appreciate the minister attempting to answer the questions or issues that were raised previously and also to answer what seems to be a query from him. In most cases we do understand what the government is doing; we just disagree with it. Certainly we’re entitled to disagree with the choices that are being made here.

9:40

As well, there’s a great deal of mistrust from the charities that I work with and, I’ll admit, from myself about where the directions and the changes in directions are going as far as gaming in this province. The minister frequently talks about his commitment to the charitable gaming model in Alberta, and I understand what he is saying. I hope he understands what I’m saying, because I see steps away from a charitable gaming model. I see charities getting as a

percentage of the whole less and less money, not more and more money. I appreciate his taking the time to answer each of the questions that we did put forward. Nonetheless, I will continue to raise the issues and concerns that have been brought to me.

I understand that there were three approaches to this bill, and I did receive a briefing from the minister and his staff. He did not allow us to keep the briefing documents, as is usual when a critic meets with their minister, so I did the best I could in taking notes very quickly in going through an awful lot of information. Occasionally I miss something, and I'll admit to that. Nonetheless, in some cases I want to get the question and the answer on the record.

When I look at section 2, which is amending section 1(1), what we've done here is expand what the facility licence can do. Previously we had: a licence "that authorizes a person to operate a facility for gaming activities that are authorized by a gaming licence." Now we're being more expansive and more particular: "gaming activities that are authorized by gaming licence" and "provincial lotteries." So there has been an expansion of what that licence covers at this point. This may well be a housekeeping reason, that perhaps the legislation needed to capture operators of the Mac's store and 7-Eleven and things that were operating provincial lottery ticket sales. Perhaps that's the reason for it. I'm sure the minister can answer that.

I still have a suspicion about capturing the VLTs and slot machines and any other electronic form of gambling under the terminology of "gaming terminal." I'll admit that my suspicions are around gaming rooms. Now, there's no mention in this legislation about gaming rooms, but I know that they were raised during the consultations. I know that they're hovering around there in the background, and I'm not hearing anything more specific about them. Part of my suspicion was around changing the terminology to get away from the stigma that was attached to VLTs, in particular. Also, if you change the terminology, perhaps certain stigma and also certain rules don't apply to you anymore if you're talking about a different term for something. Certainly this government is expert at spinning and giving a different interpretation to language than it previously held. So that's part of where my concern around "gaming terminal" is coming from. I hear the minister saying that this is to correct something in legal language to allow enforcement officers to better deal with this, but I just want it on the record that I'm still deeply suspicious about whether this is to allow something to do with gaming rooms and allowing the proliferation of these machines in a gaming room.

I'm still under section 1(1). In the amending act it's section 2(c): repealing clause (k) and substituting the following. Essentially what we're doing is adding in "other than a person specified in the regulations." Now, this used to refer to an employee or an agent of the commission or to any other person, so I'm wondering: what's the specificity of this? Again it may just be housekeeping, and that's fine. Let's just get it on the record.

Now, when I look at section 3, which is amending section 9, this is where we are striking out the five-member board and creating a seven-member board. My memory from the briefing was that quite a bit of time was spent on that and that it was to give better representation and control, but I'm wondering if the minister could answer what positions got added. What was anticipated there that would be covered that wasn't before with the five-member committee?

I also note the department's approach in section 3 at(1.1), where the Lieutenant Governor is appointing

the following as members of the board:

- (a) the person holding the position of Deputy Minister . . .
- (b) the person holding the position of chief executive officer of the Commission,

or that person could be both of those. This is, I think, part of what

is supposed to be a control function, and I'm just wondering why the act anticipated it would need more control, particularly here. This may well be referring back to issues that were raised by the Auditor General. Fine. If that's where it came from, I just want to know.

Now, I didn't have any questions that were raised on section 4 or 5, and 6 again is referring to the appointment and delegation to that deputy minister or the chair of the board.

In section 7 we're adding in application fees. Previously it read, "All fees for licences and registrations provided by the Commission." Now "all fees for licences" is replaced by "all application fees, all fees for licences." So that's being added into what's payable to the commission and deposited into the commission's accounts. I'm just wondering why that got added in here. Was it missed before and therefore extraordinary measures had to be made to account for the auditing of those application fees? I'm assuming this is housekeeping. I'm just looking for confirmation on that.

Then we have some switching around, where sections have been deleted and they're put in differently.

We have quite a bit of new additions under section 10, which is amending section 26(2). It's talking about "the Commission may pay from the revenue deposited into its accounts under subsection (1)," and what's been added into that is:

- (b) the amount the Commission pays for liquor,
- (c) an amount for deposits and charges relating to containers under the Beverage Container Recycling Regulation . . .
- (e) the Commission's operating expenses, including the portion of the operating expenses of the Western Canada Lottery Corporation that is attributable to the Province of Alberta and expenses that result from business decisions by the Commission that require additional expenditures, and
- (f) any amounts determined by the Commission to be paid as commissions to gaming licensees at whose gaming activities the Commission conducts and manages provincial lotteries pursuant to section 43.

We've got four new sections that are added in there, and I'm seeing something here. I guess I'm looking for clarification. When I look at the budget documents that are coming out this year and I look at what's happening here, it looks like we used to have figures netted out when they appeared in the Gaming ministry's budget, and this is now starting to look like we're going to have both sides reported and a flow-through. So I'm looking for confirmation on whether that's the expectation here; in other words, all moneys received would show as revenue coming in, and then all expenses going out would be shown. Generally, we haven't seen these kinds of numbers before, so that may well be what's happening. Okay. Again let's just get it on the record.

9:50

Section 12 generated a fair bit of comment from myself and others during the debate in second reading. This is about minors in a licensed facility. Again I'm wondering how any of this could relate to these gaming rooms that are anticipated eventually to be opening up in Alberta. I understand that this is trying to keep a minor out of any place where there's electronic gaming going on, so any of the gaming machines; in other words, slot machines and VLTs. In particular at this point that puts us into a casino or a racing entertainment centre. Racing entertainment centres at this point are connected only to racetracks, but I'm wondering if there's an anticipation there that they would show up in some other place as well.

When we look at the duty to an intoxicated person, which is still under section 12, 37.2, I'm wondering what resources are being committed here. This seems to be an add-on or a new expectation of gaming staff, because of course in the past people were not allowed to drink in gaming establishments. That's been changed

over the last – well, I've been here six years, so it was changed a couple of years before that, but this is the first time we've had this expectation put into law on to the gaming workers. So again I'm looking to what resources are going to be made available to them for training. The minister mentioned the training that's offered to the liquor dispensing staff that one would expect in bars and restaurants. Is that the training that will then be offered to these gaming staff as well? Maybe they're already doing that, but I'm wondering where the resources are committed.

As well, where are the resources on monitoring and enforcement for this? It's easy for the government to put rules and regulations into a piece of legislation, but if there's no commitment to the resources to monitor what the rules are and to enforce them when there's an infraction that is determined through the monitoring, then we have nothing. We have a rule that nobody ever makes sure anyone is held to account for, and that doesn't move us along at all. It actually eventually encourages breaking of the law: nobody's going to catch us, so why bother? So what is the commitment of the Gaming ministry to monitoring and enforcement on any of the issues that are turning up in this legislation?

Under section 13 we're talking about gaming workers. Now, I had asked the minister a question sometime in the last three weeks about VLT technicians being classified as inspectors to be able to go into gaming establishments and fix the VLTs. The title of inspector or the classification of inspector put them in a position where the staff of the gaming establishment should be helping them, where they could require them to help them rather than to interfere with them, which sometimes is the case. Interestingly that seemed to come also with a requirement that the VLT technicians are considered essential workers. I found that very curious, that someone who fixes an electronic gaming machine, a VLT or a slot machine, is so essential to the running of government or to – what? – law and order that they have to be determined to be an essential worker. I'm looking for further explanation on that. I don't think we should be taking away a person's right to strike because the government relies on them to suck money out of a machine, and I think we need to be very careful about those designations.

There is some housekeeping and I think probably wanted legislation about the issuing of retail liquor store licences to applicants. The business has to be separate from the other business, and that's getting around those box stores that offer very high volume liquor outlets and are causing some amount of problem to local small businesspeople.

[Mr. Shariff in the chair]

Now, one of the issues that was raised with me – and I'm looking at section 20 in the bill, which is repealing and substituting section 80 of the original act – is around the markups on the liquor and how the commission sells liquor, the delivery of it, and that sort of thing. I have a number of small businesspeople that might own one or two liquor stores in Edmonton-Centre. I'm sure most MLAs do at this point. This businessperson was very frustrated with what he perceived as a bottleneck in that flow. He felt that it was because it was a monopoly, which then sort of didn't play fair, didn't allow the flow through and back of what should be happening here. He felt that the privatization had indeed increased the variety of what was available, and he was very supportive of the free market and open competition for the retail and import, but with only one warehouse and everybody having to work through that warehouse, that created a monopoly. He felt that it bottlenecked it, that even if there was a monopoly in a situation, it should then be forced by the government to not be allowed to act like a monopoly. It had to be more fair and

more willing to work reasonably with the suppliers. He felt that because this was a monopoly, it had no competition. You know, like Air Canada, it just made the rules, and you had to follow them whether they were reasonable or not, whether it was good for your business or not. He felt that that meant there was no flexibility.

For example, he has been told, you know, that he can only place an order on a Monday or a Wednesday. Well, I mean, in downtown we have a lot of hotels, the Convention Centre even, and they can get last-minute bookings. What if he got a booking on a Thursday? If it had happened on a Friday, well, he's now missed his ordering date, and it sounds like working through this warehouse, that's it; sorry. He's just not allowed to order because he's now missed his ordering date, and it's that kind of inflexibility that he's finding very frustrating. He feels that in some cases that's why we have antitrust laws that are available federally and that kind of thing should be looked at provincially. So that's pertaining to that section.

A lot of the rest of what's in the bill, especially when we get into the liquor sections, is housekeeping, and I'm presuming that the sections about appointing a receiver and continuing to operate the business and/or requiring that someone that's holding proceeds should be passing those proceeds on to another charity are just to keep everything moving and operating and to allow the charities to continue to have access to the activities.

I'm going to run out of time again, so I may look to rise again. I think we do want to preserve the unique charitable gaming model in Alberta. That's very important, but I think there have been choices made in the last 10 years that's made that more difficult.

Thank you very much, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Minister of Gaming.

MR. STEVENS: Thank you, Mr. Chairman. I'd like to address some of the issues that were raised by the hon. Member for Edmonton-Centre. The first comment that was made is that the charitable model doesn't seem to be providing the returns to charities. In fact, if you take a look at what's happened over the last several years, the amount of money that the charities are earning as a result of licences for casinos, bingos, and raffles has gone up dramatically. While I don't have the information specifically in front of me, I believe that for the year ended March of this year, we'll probably find that it will be something in the order of \$190 million that they have earned. If you go back to March of 2001, you will find it's \$183 million. If you go back five or six years, you will find that at that point in time the charities were earning something in the order of \$95 million to \$100 million as a result of those particular licences. So in fact there has been a dramatic uptick in the amount of money that has been generated for charities that avail themselves of casino, bingo, and raffle licences.

10:00

Now, with respect to some of the specifics, a comment was made with respect to section 2(a), dealing with the definition of facility licence. This section is amended to recognize that provincial lotteries – that is, slots and VLTs – are also conducted by the government in licensed facilities. For example, racing entertainment centres can only conduct provincial lottery schemes; that is, slot machines.

A comment was made with respect to the definition of gaming terminal, which is replacing a video lottery terminal, if I recall. This particular definition once again deals with a judicially recognized flaw. The hon. member referred to gaming rooms or VLT gaming entertainment rooms that are part of the policy that was brought in in the last few months. I would encourage the member to look at the

policy of the AGLC. That is where you will find the particulars with respect to gaming rooms. It is there in extensive detail, and it's just simply a matter of going to the AGLC web site, where you will find all I would ever know about what is expected of the VLT gaming entertainment rooms.

With respect to 2(c), "gaming worker," this new definition will include workers paid to assist facility licensees, slot cashiers. The current definition does not address these workers, so I think in the scheme of things it is a technical type of definition change.

There was a question with respect to 3(a), which is increasing the number of the board from five to seven. Quite frankly, the board at five works very hard. They meet on a regular basis. There are a number of hearings. What we want to do is expand the board from five to seven in order to share the load more evenly and also to ensure that we have a broader skill set of people who are on the board simply by virtue of adding additional parties. It seems to me that there will be greater efficiency in dealing with hearings and it will provide for better representation.

There was a reference to 3(b). That particular amendment entrenches the current roles and responsibilities of the chair, CEO, and deputy minister, so it's a reflection of what is. The same is true of the question with respect to section 6.

The application fee that is being added in 7(a) would refer to something, for example, in the new policy with respect to casinos. There are application fees associated with that, so the specific concept of an application fee is different than licence fees and is from my perspective technical in nature to simply reflect that aspect of the business which has an application fee as opposed to licence fees.

Under section 10 this particular provision basically reflects the fact that the Alberta Gaming and Liquor Commission operates as one entity dealing with both liquor and gaming activities. In this government the AGLC is considered a commercial enterprise and as a commercial enterprise should have the ability to make business decisions so that you can make expenditures to generate revenue or to protect current revenue streams. The Auditor General has in one part of the change questioned whether payments to charities of a share of the slot machine revenues constitutes a valid retailer commission. So we're putting in there very clearly for the Auditor General that that is a permissible payment.

There's another one dealing with the Western Canada Lottery Corporation. The AGLC incurs operating expenses for ticket lotteries that it conducts as a partner in the WCLC, so that is why that particular change is in there.

Reference was once again made to gaming rooms in section 12. The change here deals with minors in licensed facilities and the wording for that. There are specific ones that are set out, a casino and a racing entertainment centre, where minors may not enter. Otherwise, it's by licence condition. The fact is that it's going to continue to be ongoing policy. VLT gaming rooms will by nature involve electronic machines which necessitate 18 or older as a condition. So that's going to be the case. There is the possibility that there will be gaming facilities other than casinos, such as bingo halls or perhaps some kind of facility, in the future where it would not be objectionable to allow minors in. The hon. member knows that there are bingo halls in church basements, for example, where minors are allowed, and we certainly intend to continue that type of practice.

With respect to the resources that we're going to devote to allegedly intoxicated patrons of gaming establishments, we have inspectors at this point in time who are trained to observe these things. It's a matter of expanding their scope to include this new provision. They will as a matter of routine be checking that out. As

the member rightly noted, there are training programs both for the liquor industry and the gaming industry which address these issues, and we intend to continue those into the future to ensure that all, in this particular case, gaming workers are trained in the area so that they understand their responsibilities.

A comment was made with respect to section 13, and that particular provision basically is as put in. Most gaming workers are hired by facility licensees, who should take responsibility for ensuring that they're registered. It's really a question of where you put the onus. We're saying to the facility licensee under this change that they should ensure that the people who work for them as gaming workers in fact are registered.

Reference was made to the contract involving workers at the AGLC. There is a history with respect to the contract of the AGLC and its predecessor to have a no-strike provision with respect to their workers. It's a part of the negotiation. It's not a matter of legislation. It's something that's negotiated. There's a history there, and it continues to this date.

In section 16 this is basically current policy which has been moved from regulation to legislation. So if you look in the current regulations, you'll find this wording.

In section 20, dealing with markup, all liquor in Alberta must be sold by or on behalf of the commission, and the commission imposes a markup or profit on the liquor. That is the way it is done, so it is current practice. The Supreme Court of Canada has acknowledged that a markup is valid and within the authority of the province, so this change is being done in order to clarify for anyone who might doubt exactly what we are doing that this particular process is in accordance with what is permitted within the jurisdiction of the province by way of a markup.

10:10

Reference was made to a bottleneck in the system, and I must say that that's news to me. At one point in time in the past, a distant past before my time, there were warehouse issues. Connect Logistics is the private company that now has the contract, and I am told that they have done such a good job that there is faith within the retailer group that they can place their order and get delivery of that order on a timely basis. So if your constituent has a concern, I'd be happy to hear about it, because truly that is the first one that I've heard of at all indicating that there is any issue whatsoever with respect to warehousing.

Lastly, the provision with respect to receiver/manager of the casino in the event of a problem with respect to licensing is an important one. As the hon. member knows, our charities plan ahead some 18 to 22 months in order to have a licence. There are many workers who work there, and it would be indeed very disruptive and very damaging to many people if in fact we could not in appropriate circumstances step in to operate the casino, for example, in order to maintain those licences, in order to maintain that employment for the benefit of the charitable model.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. I just want to raise three quick points that I didn't get to before and one in response to the minister's comments. The first is around the expansion of the facility licence and who is able to get that. Now, I understand that in fact this is actually turning up in the regs, but it is connected to what's happening here. What I'm getting very clearly from the organizations – and I think this is supported by FABA – is that the charities really want that control if they are the facility licensee. They don't really want to relinquish that control to a landlord who can then decide to turf

them or to bring in games that they don't approve of or any number of other things. I can see that the minister anticipates that this would be a partnership, but what I'm getting from the groups is that they're very unhappy about the thought of losing control of what's happening here.

The second issue I wanted to raise is that the minister pointed out – actually he was responding to my points around the social costs of gambling – that there is \$47 million of a \$1.1 billion budget that goes to the treatment of problem gambling, plus an additional amount of money that's going to the Alberta Gaming Research Institute. I appreciate that there is funding for both of those two. I feel very strongly that the funding for that should be tied as a percentage of the total amount of money in the lottery fund. I think there is much more potential there for AADAC to be treating people that they're not even aware of at this point because their resources are limited. If we're making that much money, I think that AADAC in particular needs to be tied as a percentage of the whole. If we're going to be investigating or researching the effects of gaming and perhaps problem gaming, I would argue for at least a percentage for the Gaming Research Institute.

The third question is the ongoing disagreement between the minister and I about the charities getting more money. Once again – I'm sure that the minister's hearing is acute, and I can see that he's got his headphone in – I'm saying very clearly that the percentage of money against the total that the charities are receiving has decreased, and I don't think he can come up with the figures that are going to show me different, because I know different. The percentage of the whole – I mean, 15 years ago charities were taking 80 percent of the pot. When we brought in the VLTs and all of a sudden it skyrocketed to a billion dollars a year, charities aren't getting 80 percent of that anymore. They're down to, like, 6 percent of the total take, and my argument here is that there are expectations, certainly from the government, who has downloaded a number of programs onto the charities and then expects them to do it. They don't have access to as much money as they need to be able to do it. So that's my argument here.

I can see there are other people anxious to get into the debate here, so I will give way to them, but I wanted to raise those last couple of points. I look forward to further debate. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I want to raise one particular question now and get the minister's comments, and it has to do with section 21, which repeals section 91 of the current act and replaces it. It talks about the suspension and cancellation of liquor licences. Now, this has been a matter of some concern I know in Edmonton, and I imagine it may in fact be a concern in parts of Calgary or perhaps other parts of the province, and it has to do with how the board deals with problematic licences. I'm thinking of a number of hotels. There are a couple in particular in the city of Edmonton that continue to be a serious problem for the community. There are a very large number of calls for service to the Edmonton Police Service at these premises, and there are cases of drugs being sold, constant fights, constant overserving, prostitution. There are any number of ongoing difficulties.

Some of these premises have been developing a very long list of calls for service, in some cases convictions – I'm not sure how many – against anybody who might be an employee of the hotel but certainly against people who are patrons. There has been a real concern that the board considers these things to be just routine, a matter of doing business. The city of Edmonton has attempted to use its licensing power – and it does have the power to license

businesses, including special business licences for the serving of tobacco or the serving of liquor or so on – to get some leverage with these premises in order to get them to clean up their act, but it certainly doesn't have the same powers as the Gaming and Liquor Commission.

When I sat on the executive committee of city council several years ago, we had some officials of the Gaming and Liquor Commission before us, and we questioned them quite closely on the policies that they follow with respect to this kind of thing. It appeared to us that they were extremely reluctant to lift the licences of these establishments even when there was a long, established history of problems with the operation of those premises and violations in many cases of their licence issued by the province. So I would be very interested under this particular section to hear from the minister how he sees this being interpreted and what role he plays relative to the policies of the Gaming and Liquor Commission and whether or not he's able to assist communities, particularly some inner-city communities, to try and clean up their neighbourhoods.

Now, we have a situation in those communities where these premises, particularly two or three hotels in the city, create a very strong locus of decay because they harm other business activities. The clientele that is drawn to them and the condition the clientele is sometimes in, the activities the clientele is involved in turn away customers, so it brings down the value of the commercial property in the area. They are related to social problems. Very often when we have break-ins in communities, they are young people whose parents are either gambling or drinking in these establishments during the day. So these establishments bear, at least in the community's view and in my view as well, a significant responsibility for some of the urban decay that these communities are battling. They significantly impact communities, and it doesn't seem like the Gaming and Liquor Commission takes what I would say is its community responsibility seriously enough.

10:20

They have the powers, Mr. Chairman, to force these businesses to clean up their act and become good community citizens, yet they don't seem to use them. So I would certainly be interested in the minister's comments with respect to the application of the section dealing with the suspension of licences. It states that there are a number of things that can be done: issuing a warning, imposing conditions on the licence, imposing a fine and refusing to issue or reinstate a licence until the fine is paid, suspending or canceling the licence. It can have an investigation where there has been a charge but not necessarily a conviction. So I think that I would appreciate hearing from the minister in respect to this matter.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister.

MR. STEVENS: Thank you, Mr. Chairman. Briefly, I can say that a member or members of the AGLC have worked with other stakeholders in the city of Edmonton, for example, the city police, city council, business organizations, dealing with issues associated with alcohol and alcohol serving and so on and so forth. This has been going on, to my knowledge, for some time. I believe they meet monthly. So, for example, last year when there was an issue in this city with respect to Canada Day, it wasn't a matter of the AGLC getting involved after the fact. They'd been working with the members that I've alluded to and perhaps others prior to that point in time. So they're very involved with this particular community associated with issues that may arise as a result of the mandate of the AGLC, which of course is gaming and liquor.

With respect to this particular provision generally, obviously it deals with the suspension and cancellation of licences by the board where there has been a transgression. In my response to Edmonton-Centre I indicated that you can go onto the AGLC web site and find out exactly who has been charged and what the penalties are. I can tell you that the AGLC takes their responsibility very seriously. They have a number of inspectors who are out there on a regular basis. It's not a matter of just simply notifying the proprietors that they're there. These folks do surprise inspections. They do surveillance and all of that type of thing.

I'd also point out to the hon. member that under the provisions of this legislation the city of Edmonton police are also inspectors, so any powers that are associated with this particular legislation can be used by the city of Edmonton police in enforcing the kind of situations that may arise in your neighbourhood or other neighbourhoods in the city. From my perspective, the AGLC take their responsibilities very seriously. They are a good corporate member in this city and do work with others to try and address the kinds of issues that you have talked about.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods

DR. MASSEY: Thank you, Mr. Chairman. I'm pleased to have an opportunity at the committee stage to make a few comments and ask some questions about Bill 14, the Gaming and Liquor Amendment Act, 2002. I would return to the comments about the name change and whether it isn't an attempt to take away from the language usage terms that many Albertans find inflammatory, like video lottery terminal. The government has a history of trying to use language to its advantage. We learned that in health care, where an overnight surgical facility replaced hospital and where budget cuts were replaced with cost containment. So the manipulation of language I think is important, and I listened to the minister's explanations, and I still can't say that I understand why the change has been made in the act that the definition of video lottery terminal has been removed.

A couple of general comments about the section that deals with minors. I applaud the government for having the section in there, as I do with the section with gamblers who are intoxicated being prohibited. But the whole notion of enforcement has been raised, and again I'm not certain that I feel very confident that the problem is going to be adequately dealt with when it comes down to someone working in an establishment actually having to take action to remove either a minor or someone who has been too long at the bar. I wouldn't mind the minister making some further comment rather than what he has already done in terms of those two situations. It seems to me that if you have a worker who is being paid minimum wage and is being fed some fairly substantial gratuities from a gambler who has been too long at the bar, then it's not very likely that any action is going to be taken against that gambler.

I'd like to drop back to amendment 14 and 15, where "video lottery" terminal is replaced with "gaming" so that sections governing the sale, advertising, and distribution of these gaming terminals are consistent and also the section prohibiting legal action in the case of removal of the gaming terminals is reworded. I think we run into the problem here that given the new gaming terminal descriptor, it's going to be difficult to determine if we are selling slots or VLTs or any other new piece of equipment on the market, and I think that that's unfortunate.

Sections 17 and 18 are fairly straightforward: you shall not water the booze with water or any other liquid. If you look under I think amendment 21, the board has the right to investigate, suspend, and cancel if a licensee is charged or convicted with offences under the

act, or action can be commenced if a licensee or registrant acts contrary to the public interest or tarnishes the good name of gaming in Alberta. The increase in fines there from \$100,000 to \$200,000 is probably minimal in the cases where it would be applied, but I think it's a good move. Fines of \$200,000 may seem minimal, but if multiple charges were laid, it could be viewed as a real deterrent, so I think we'd agree that that's a good amendment.

10:30

I guess the underlying question with section 23 and the changes that are made there is that the section is repealed and rewritten to limit the sanctions in the event of a licensee becoming ineligible, and the actions are going to be limited to the actions of the licensee or registrant or an employee or associate of the licensee or registrant. Managers, corporate employees, agents, shareholders, directors, officers, and employees of corporations are no longer explicitly included in this subsection, and it would seem then that the intent of this is to limit corporate liability. If managers and CEOs aren't associates, I guess the question then is: who does qualify? So I think the purpose of amendment 23 could be made clearer.

Section 25 provides an additional 30 days before having to hold a hearing with respect to the seizure of liquor or gaming terminals, et cetera.

Well, maybe that's far enough for me to go right now, Mr. Chairman. I think there has been some discussion and probably the privative clause of the legislation needs to be debated even more, but that may be appropriate at another time, so I'll leave it there.

Thank you, Mr. Chairman.

[The clauses of Bill 14 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 20 Justice Statutes Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm pleased to be able to get some time this evening to speak in Committee of the Whole to Bill 20, the Justice Statutes Amendment Act. When I had spoken to it in second, I wasn't able to complete my comments, and I'm going to take advantage of the time here tonight to raise some more of the issues that I had intended to raise during second.

Since we have an opportunity in Committee of the Whole to examine things in a more detailed manner, clause by clause, word by word, I'm going to look at doing that in some cases here. Essentially I'd like to do some cleanup from when I spoke in second reading on Monday, April 8, some additional comments and notes very briefly on the Survival of Actions Act and Fatal Accidents Act and a possible amendment that I'm considering around that; secondly, to look at the sections that are being proposed in this Bill 20 on victims of crime and the changes to the Limitations Act and to the Public Trustee Act and Civil Enforcement Act.

As I think most people are aware, there's certainly been quite a bit of opposing views on Bill 20, particularly around the amendments

to the Fatal Accidents Act and the Survival of Actions Act. Certainly since I've spoken, I've heard from a number of people, including a former Liberal MLA who is now working in this area and took some umbrage at what I had said, but I still stand behind my comments that I made during second reading.

One of the things that I think should be made clear here is that when the courts are dealing with a tort claim or claims where someone has suffered a loss as a result of someone else's wrongful act, the courts do have jurisdiction over punitive or exemplary damages. I didn't intend to convey in any way that I didn't believe they should have that ability; they do. They certainly don't use this ability routinely. They use it sparingly, but when they do use it, they do use it to signal the court's very strong disapproval of something that they consider particularly reckless or egregious by a wrongdoer.

I'm very comfortable and the Official Opposition is very comfortable that the court retains the authority and jurisdiction to award those punitive costs. That's absolutely appropriate. I think where I'm less comfortable is in extending that kind of punitive award in the fashion that the existing Survival of Actions Act does now. That's where I'm not comfortable. You know, the courts interpret the legislation that we put in front of them, and if we don't write clear legislation, we put the courts in a position where they have to interpret. Sometimes they make it clear that they feel that we should have done a better job.

I don't know if that is the case with what happened during the Baddeley case here. I'm not a lawyer; I can't comment on that. But it's certainly back in our court. I think we need to do the right thing to make sure that we are absolutely clear on what we intend the courts to do around this, and that is that it should not be used for people who are not dependants of the person who's died as a result of a wrongful act. It should not be used for those people that aren't dependants to get themselves a windfall in some way. If they wouldn't have regularly benefited from the earnings of the person who's deceased, then why should they be able to do it after death? There are just too many unknowns there and too many things that have to line up to make all of this come true. It just doesn't sit well with me. So I think what we have to do is make clear legislation and give judges the tools to do the work that they do so well.

One of the last issues that I want raise on these two bills is that the relationship language has not been updated here. I know that we are considering an update and a clearer definition in a lot of the family law statutes. Nonetheless, I felt that when we had this bill open, that clarification should have been updated and made clearer here. We had the opportunity to do it right, and we didn't. Well, sorry; we're in Committee of the Whole, and we still have an opportunity to change that. Maybe I can talk the minister into doing it. This legislation still says "cohabitant," and that's not good enough in this day and age, particularly where this is legislation that is allowing dependent people to look after themselves. Why on earth would we be denying that to anyone that's in a same-sex relationship? They want to take advantage of what's there; they want access to the same remedies and benefits. Why on earth would we be saying no? So that's a disappointment there.

Now I'd like to go on. The other thing that I am going to bring forward while we're in Committee of the Whole is an amendment that's restoring the five-year review of the amounts of damages in the Fatal Accidents Act. I can talk more about that at the time I introduce it, probably the next time I stand during Committee of the Whole on Bill 20.

I think this government does not have a good track record in going back on a regular basis and reviewing legislation. They tend to let it go for a very long period of time. As we've seen in other examples, if we can get something in place, if it's a regular review, we're

able to catch it and do a reasonable increase in amounts whether it's a fee or a licence or an award such as we're considering here. That's better done on a regular basis so we don't end up with those 20-year gaps in things and then a huge increase that really raises eyebrows because we hear that something has doubled or tripled or something like that. That does cause concern in the general public when they don't understand what's happening. If we're trying to keep pace, you know, link it to the cost of inflation, or at the very least we need to put that five-year review back in. In fact, that's part of why we're considering this now, because a five-year review has come due, and that's very appropriate.

10:40

I want to go back and look at the interrelation between the Limitations Act and the Public Trustee Act. I think what's happening here is that we're setting up a situation where minors could be squeezed or pressured; coerced I think might be too strong a word. But I'm wondering, with the changes that are anticipated here, who benefits from these changes. Really what we're looking at is a change that's essentially a new definition of a "person under disability" and a new provision dealing with minors. I think that it squeezes children because a potential defendant isn't prepared to wait for a child to achieve their majority, so what they're able to do is make notification to both the public trustee and to the guardian that they wish to commence an action, and then it's incumbent upon one of those two to respond to that. I agree that there's nothing more fundamental to our system than the right to sue, but I really don't think this should be changed or bridged or overridden when it comes to children without very strong and compelling reasons. That's my issue here. You need to be fair with the Limitations Act.

Another lawyer has raised with me the fairness of a limitations act if you're now expecting someone to come back 20 years later or 15 years later and be able to have witnesses with clear recollections of what happened or people who kept notes that couldn't be tampered with or were under lock and key in some way. The courts do tend to give the benefit of the doubt, to award the discretion to the people who are bringing the suit to the plaintiff, and this lawyer felt pretty strongly that that just wasn't fair. I mean, you just couldn't expect someone to mount a reasonable defence that many years after the fact, and he was supportive of these changes. I think we have to be very cautious in balancing the best interests of a child against the right of someone to sue or to be a defendant in a trial there. So that's what's happening in the Limitations Act.

What's happening in the Public Trustee Act is that there's a proposal to accommodate, obviously, this other amendment in the Limitations Act, namely the provision for accelerating the limitation date for a minor to sue, and I do see them as a package with the Limitations Act amendments. I'm looking to the government to explain to me or to give arguments on why they think it's reasonable to be putting these two changes in place with the Public Trustee Act and the Limitations Act. It is allowing pressure to be brought against a minor, essentially for the minor to be squeezed about their willingness to go to court prior to their coming of age. Normally it would have gone until they were 18, and this is allowing a provision where they could go earlier than that.

There is a requirement that both the public trustee and the guardian are notified, which is, I suppose, foreseen as being a balance, a way of making sure that nobody takes advantage of this situation, but there's deep concern here. So those are my concerns being raised about the Limitations Act and the Public Trustee Act.

The rest of my notes on that Limitations Act. Who was consulted with around these changes? I'm wondering if there is support for this change from the Alberta trial lawyers' association or the

Canadian Bar Association or the appropriate sections in the northern and southern Alberta sections of the Canadian Bar? As well, was any work done on this by the Alberta Law Reform Institute? Again, perhaps even the government would consider delaying this particular part until the fall or taking it right out and bringing it back separately, because I think there are ramifications here that we need to consider carefully.

The Provincial Offences Procedure Act. This is interesting. This is around moneys that go to the victims of crime fund. At this point 100 percent of the Highway Traffic Act fines go to the municipalities, and the province is interested in keeping a portion of this revenue to pay itself for its administrative offences. So if there's an increase or if an increase isn't anticipated here, the old amount would go back to the municipality, but the difference between the old amount and the new one would be kept by the province as its administrative costs.

I'm wondering why there has been no mention of sections 8 and 9 of the Victims of Crime Act. Section 8(1) says:

If a fine is imposed on a person who is convicted of an offence under an enactment, the person must pay a surcharge unless

- (a) the offence is a contravention of a municipal bylaw or a Metis settlement bylaw, or
- (b) the offence is excluded from the application of . . . the regulations.

We look at section 9(1):

The Victims' Programs Assistance Fund is continued as the "Victims of Crime Fund".

(2) The following must be deposited into the Fund, and that includes "money collected from surcharges under this Act."

There are two regulations. We've got victims' benefit regulation 201/97 and victims' program regulation 135/97. Nothing in here exempts or excludes Highway Traffic Act fines from the surcharge, so why did the mover of the bill sort of skip over that? You know, when this government is supposed to be on record upholding this victims of crime fund – in fact, it runs underneath this minister's ministry – why is this being skipped over? A portion of that money or the money as spelled out in the act should still be going to the victims of crime fund. The money in question is intended for the victims, not for the province.

Now, I understand that the province is looking to recoup its administrative costs, but I don't think it should be doing that on the backs of or instead of victims of crime. There was a lot of work done to put that fund in place, and I don't think it should be overruled because the province is feeling hard done by for having to administer the cash cow of photo radar, which is what this is about. There are just a lot more fines being levied and tickets being given out because of photo radar. [interjection] Yeah, that is what it's connected to. The province has to administer this. The Member for St. Albert isn't believing me, but I'm sure she can check with her colleague the Minister of Justice to find out that in fact that is what this is about.

You know, when the victims of crime fund was brought forward in the Assembly in 1996, the then Justice minister, Brian Evans, said: "Finally, it creates a fine surcharge on provincial statute offences to help fund programs for crime victims." At the time questions were raised about what the net dollars to victims might be. The legislation was supported by both caucuses. Later in debate the same minister observed: "We've come to the conclusion that we don't have nearly enough money to deal with the kind of index of

awards that we are proposing to put into force and effect." So why now would we be leeching off even more of that money so the province can pay itself for having sent out notices to collect fines from photo radar?

10:50

Now I'm down to a couple of minutes to talk about the Civil Enforcement Act. While everything that I have seen under here for the most part is housekeeping or updating or innocuous, nonetheless I think that we need to be aware of this, because of all the bills that are being changed by this Bill 20, which is an omnibus bill, the items under the Civil Enforcement Act are the most likely to affect the most number of Albertans. Why? Well, because anyone that's a creditor is affected by this act, and that's basically every Alberta business, because at some time every business is going to be trying to collect on the funds that are owed to them. The rest of us as consumers also have an interest in making sure that this process to recover funds is fair and gives us adequate opportunity as a debtor to discharge the debt before our property is snatched away from us and sold to pay off the debt. So the Civil Enforcement Act deals with a mechanism to recover money or in some cases objects to which you are legally entitled. This is the largest part of Bill 20, where all the changes are being made to civil enforcement.

I'm not going to have time to go through the points that I wanted to raise on these issues, so rather than starting into it and having to stop, I think what I'll do at this point is adjourn debate on Bill 20, and we'll return to it another day.

So thank you very much, and I do move that we adjourn debate on Bill 20.

[Motion to adjourn debate carried]

THE DEPUTY CHAIR: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I would move that the committee now rise and report progress.

[Motion carried]

[Mr. Shariff in the chair]

MR. KLAPSTEIN: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 7 and Bill 14. The committee reports progress on Bill 20.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.
The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would move that the Assembly now stand adjourned until tomorrow at 1:30 p.m.

[Motion carried; at 10:55 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 23, 2002**

1:30 p.m.

Date: 02/04/23

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our Father, we thank You for Your abundant blessings to our province and ourselves. We ask You to ensure to us Your guidance and the will to follow it. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise today to introduce to you and through you to all hon. Members of this Legislative Assembly a group of students and parents and teachers from Hardisty school in the constituency of Edmonton-Gold Bar. I had a chat with these students earlier this afternoon, and it was, to say the least, a delight. The group is led today by teachers Mrs. Sharon Loughheed, who is the wife of the hon. Member for Clover Bar-Fort Saskatchewan, and Mr. Dave Kehler. Parent helpers are Mrs. Jan Kirk, Mrs. Joanne Linden, Mr. Alain Gauthier, Mr. William Holmes, Mrs. Judy Ekkelenkamp, Mrs. Elaine Pohl, and Mrs. Diane Franke. These teachers, parents, and students are in the members' gallery, and I would now ask them to please rise and receive the warm and traditional welcome of this Assembly.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly a 17-year veteran of the Calgary Police Service. Constable Alex Girvin is seated in the members' gallery. He is the Calgary Police Association's representative on the Special Forces Pension Plan Board, and Alex is here for a tour of the building and meetings over the next two days. I'd like to welcome Alex and ask him to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. We have Human Resources and Employment staff that are attending the public service orientation tour, and I would like to introduce them to you and to members of the Assembly. I would propose that I call their names out, and then perhaps when I've finished the names, they would all stand and we'd provide a warm welcome to them. We have Carmen Fortier, Brandy Strachen, Karin Steen, Lori Courtright, Joan Hilsabeck, Holley Engen, Angie Moscaluk, Jocelyn Young, Lora Phillipow, Barb Walline, Brenda Sudayko, and Sarah Meffen. If they'd please rise, we'll give them a warm welcome.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. Today it's my pleasure to introduce to you and through you to members of this Assembly members of the Canadian Bar Association: Ms Virginia Engel, president, and Mr. Tom Achtymichuk, vice-president. Ms Engel and

Mr. Achtymichuk are here, I presume, to not only see how laws are made in this Assembly but also to witness the estimates of the Department of Justice this afternoon. Many members will be familiar with these names as they've received a considerable number of letters over the past months from the Canadian Bar Association. I'd like Tom and Virginia to rise and receive the traditional warm welcome of the House.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Workers' Compensation Board

MR. MacDONALD: Thank you, Mr. Speaker. The WCB is going from a culture of denial to a further denial of workers' rights. My first question is to the Minister of Human Resources and Employment this afternoon. Who is responsible for appointing the members of the Workers' Compensation Board and the Appeals Commission?

MR. DUNFORD: Mr. Speaker, the members of the board of directors of the Workers' Compensation Board are selected from a number of men and women that would be forwarded to the chair of the board. They would be asked to be representative of perhaps employer interests, perhaps employee interests, and perhaps public interests. Then, of course, the board chair provides the minister responsible for the legislation a list of people that are to be appointed, and the minister would carry those through the order in council procedure. The same general procedure would apply to the Appeals Commission. There certainly is a desire on the part of stakeholders out there that are interested, as far as I can ascertain, that employees and employer groups would continue to make representation on recommendations for selection to the Appeals Commission.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: given that the government through the order in council procedure appoints these people, why then is the government not accepting responsibility for the decisions of the WCB and the Appeals Commission?

MR. DUNFORD: Mr. Speaker, I think that this answer has been provided by me in this Assembly previously, but just in case it hasn't, I'll go through it again. The Workers' Compensation Act contemplates a no-fault insurance system that would be at arm's length from the government of Alberta. Certainly it provides for a definition of the operations of the Workers' Compensation Board that are the direct responsibility of the board of directors. The government as far as its involvement maintains the oversight on the legislation and through OC appoints the board chair and members of the board.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: why is the government saddling employers with funding retroactive benefits for long-standing claims and denying benefits to those injured workers?

MR. DUNFORD: I'm not sure I heard the question correctly, but in essence there is contemplation in the bill that was introduced

yesterday that there would perhaps be some review of long-term so-called contentious claims. The situation, though, that's contemplated is that we would not proceed on that review until such time as we had all of the stakeholders, including employers, onside in terms of how that review would be conducted and what the potential costs of it might be.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. Again the WCB is going from a culture of denial to further denial of workers' rights. My questions are again to the Minister of Human Resources and Employment. How much does it cost to run the WCB's secret police, or special investigative unit?

MR. DUNFORD: Last night I was on my way home, and I noticed there were quite a number of shadows that were coming across the road, and I realized that we are approaching a new moon. With that question, it seems like we're closer to the new moon than what I had anticipated.

MR. MacDONALD: Mr. Speaker, given that the WCB states that only a small fraction of 1 percent of claims are fraudulent, is the cost of the secret police recovered by reducing or terminating benefits of the injured workers?

MR. DUNFORD: Mr. Speaker, this Assembly and all of its members are responsible, of course, to debate a Workers' Compensation Act which puts in place a workers' compensation system. The act is there for any member to have full access to. Yesterday we introduced Bill 26, that will provide amendments to the Workers' Compensation Act. Now, unless the education in the English language that I received has somehow failed me, I fail to find what section a secret police service might be contemplated by that particular act. So I would suggest to Mr. Speaker and to all of those assembled that the hon. member is up to some mischievous, playful antics today.

1:40

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. That secret police force is a lot more secret than I thought.

Is the minister proposing a 5,000 percent increase to the fines under the Workers' Compensation Act with the hope that the additional money can be used to finance the secret police or maybe to pay for the long-standing contentious claims?

THE SPEAKER: The hon. minister. [interjections] The hon. minister has the floor.

MR. DUNFORD: Mr. Speaker, help me with this. Was it not this hon. member that some time ago confronted a minister and said: now, what is it that you don't know that you're not telling me? It might apply in this particular case.

THE SPEAKER: The hon. Member for Edmonton-Glangarry.

Municipal Funding

MR. BONNER: Thank you, Mr. Speaker. In the budget the province hit municipal governments with a tax bill approaching \$100 million.

They want municipal leaders to build the great communities that Albertans are proud to call home, but all the province brings to the table is unstable funding, increased taxes, and empty promises. Crisis-based, roller-coaster budgeting, that's the government's plan. To the Minister of Finance: why did you break your promise to Albertans to cap education property taxes and instead give them a tax bill for \$45 million?

MRS. NELSON: Well, Mr. Speaker, the question probably should go to the Minister of Municipal Affairs, but I have to say that Alberta has clearly kept its promises to Albertans as we have the lowest overall tax regime in all of Canada. We are the one province that is leading the nation in economic growth. We are the one province that has a bright future for our children and for our own families. We are the one province that has no sales tax. We are the one province without a payroll tax. We are the one province that has kept our word.

Insofar as the education property tax I'll ask the Minister of Municipal Affairs to comment on the particulars.

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you. Mr. Speaker, quite simply stated, for this year, based on the people that are coming to Alberta, we want to be able to capture that growth and reflect it so that the pie is divided up in a way that's fair. What's interesting is that for the average homeowner, on a \$150,000 home the increase will be about \$10.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Minister of Municipal Affairs: given that a fiscal stability fund would have a positive impact on municipal finances, will the minister support this idea?

MR. BOUTILIER: Mr. Speaker, the province of Alberta is viewed as a leader in the Municipal Government Act, as the hon. member is aware. We have just formed Roles and Responsibilities in the 21st Century, the only ministerial type of committee across the entire country. The Federation of Canadian Municipalities has asked for input on this. Both the mayors of Edmonton and Calgary are partnered. The presidents of the Alberta municipal association and the Alberta urban association in fact are dealing with this as well because they participate as well as three members of this Assembly. What I'd also indicate is that in fact tomorrow we're meeting with the presidents of those associations, and I'm pleased to say that as we work in this partnership, it's important that we share the ideas that best represent the ideals of Albertans, and that's what we're doing in partnership with municipalities.

THE SPEAKER: The hon. member.

MR. BONNER: Yes, since the minister did not give us a yes or a no. The biggest financial challenge facing municipalities is access to stable, long-term funding for essential infrastructure projects. Why is the minister rejecting the implementation of a fiscal stability fund which would help our communities upgrade the deteriorating infrastructure?

MR. BOUTILIER: The short answer to the question is that we are not rejecting anything at this time, and I do know that the Minister of Finance has supplemental information regarding the review that's taking place relative to partnerships with municipalities, important partners with our province.

MRS. NELSON: Mr. Speaker, a number of years ago Alberta established a program called the Alberta Municipal Financing Corporation, which went into an arrangement with our municipalities to recognize that they had to deal with growth and with capital projects that required a lot of dollars. As a result of the financial rating that this province has, municipalities are able to access this money, which is at a premium or at a discounted rate to what they would be able to get in the marketplace, and proceed on with a number of their capital projects. This has been a very successful fund, and municipalities have accessed it for a number of years, well over 20 years, so there is a relationship that is very near and dear. We recognize through a number of efforts, through the initiatives that the Minister of Municipal Affairs has put in place but also through the Financial Management Commission, that we have to deal with growth and pressure points not only provincewide but down on a municipal level. So we're working in partnership with our municipalities every day.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Whitecourt-Ste. Anne.

Delisting of Medical Services

DR. PANNU: Thank you, Mr. Speaker. We hear today that retired TransAlta executive Bob Westbury may chair the government's expert panel on delisting medical services. Instead of choosing a real health care expert or even a representative of patients, seniors, or other health care users, this government is choosing yet another business representative with no expertise other than a good Conservative pedigree and powerful friends. My questions are to the Minister of Health and Wellness. Will the minister commit to including representatives of patients, seniors, or other health care users on the panel, or will he just continue to appoint friends and party supporters who can be relied upon to do the government's dirty work?

MR. MAR: Mr. Speaker, I will not answer a question with as a premise the comments made by the leader of the third party that unfairly and inappropriately besmirch the fine name of a good person.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. The minister maybe will answer my second question. Given that Albertans were led to believe that experts would decide which services to deinsure, has something changed between January and now, or did the minister always think that the word "expert" means whomever suits his political agenda?

THE SPEAKER: The hon. minister?
The hon. member.

DR. PANNU: Thank you, Mr. Speaker. The silence is quite deafening.

The third question to the minister. Since the minister has acknowledged that good, qualified people won't agree to serve on this health care expert panel, will he stand up today and admit that his government's direction is out of step with Albertans and commit to preserving medicare instead of continually chipping at it?

THE SPEAKER: The hon. minister?

The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Edmonton-Riverview.

Electricity Billings

MR. VANDERBURG: Thank you, Mr. Speaker. I'm getting many calls from upset constituents regarding their power bills in Whitecourt-Ste. Anne. The concerns are not with the energy charge, which is now the minor portion of the bill. The concerns are now with a wide range of charges that seem to be escalating at a rate that many citizens cannot afford. My question is to the Minister of Energy. The rate riders are associated with the meter, and new homeowners or new Albertans now must pay a previous resident's debt. Is that fair?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. The member's preamble actually was quite instructive. In fact, the comment that energy charges are now the least part of a bill I think indicates that the competitive restructuring has some benefits and also the fact that the bill reflects not only the cost of the energy but those specific charges related to transmission. The retail component indicates that there is also transparency on that bill. In fact, customers know exactly what they're paying for.

1:50

Mr. Speaker, as the member states that he's getting numerous calls, we're certainly prepared to handle every one of those numerous calls by directing them to the appropriate utility or transmission authority to which the problem should be addressed. It is true that a bill that has a deferral account on it stays with the meter. These, of course, are charges incurred from electricity purchased above the regulated rate option in the period 2001 and in the regulated rate process in the year 2000. These rates stay with the meter, but because of the transparency of the account and because the member has been astute enough to bring this up in the House, now the first-time homeowner can actually use this deferral account as a part of negotiations in the purchase and disposition of the home.

THE SPEAKER: The hon. member.

MR. VANDERBURG: Thank you, Mr. Speaker. I'm glad that that's recognized, but how will your department notify new homeowners, realtors, and the Law Society to make sure that everybody is aware that there is this debt occurring?

THE SPEAKER: The hon. minister.

MR. SMITH: Well, thank you, Mr. Speaker. Certainly all three of those groups closely follow the proceedings of the House, closely follow legislation as it changes and relates to their industry and of course the strength of the marketplace when every consumer knows that he or she may have an advantage in purchasing a home in Alberta. There are a great number of new homeowners in Alberta, and why is that? Because this province has unprecedented growth. This province has created more jobs through energy deregulation, through oil and gas development, and it has now a vibrant, hot real estate market. These particular pieces of information will be posted on our web site, will be sent out to the member, and will be available to those three groups. I hope that every Albertan can take advantage of this, because I think that every Albertan has the capability to buy a new home in this great province.

THE SPEAKER: The hon. member.

MR. VANDERBURG: Thank you, Mr. Speaker. My final question is to the same minister. Because of this hot market we're having and experiencing out in growth areas like Whitecourt-St. Anne, the sale of new homes not previously occupied have a debt attached to them because of the infrastructure in place. What will happen with the rate riders on that infrastructure?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. The rate riders will continue specific to the meter. Just as a sewer charge is put on the subdivision and the particular home, that will continue as well. There's no difference in the continuity of that charge until that charge has been fully paid off. In fact, subdivision developers, real estate agents, and home builders are all aware of this, but it is important, too, that the homeowner has good counsel or does his or her own due diligence to ensure that in the period of adjustments taxes are paid, that there are no back taxes, that all electrical and utility accounts are paid and up to date, the numerous categories under the area of adjustment. Again, because we have such a strong market, I think that this information will be very on topic and au courant in the marketplace.

Private Diagnostic Facilities

DR. TAFT: Mr. Speaker, private radiology clinics in Calgary are hiring staff away from public hospitals, enticing them with various attractions including \$8,000 signing bonuses. These clinics are then using these same staff to provide services back to the Calgary health region. To the Minister of Health and Wellness: does the minister have any evidence that this practice is saving the public health care system money?

MR. MAR: Mr. Speaker, I'm happy to reply to this question, and it has been asked in a number of different ways by the hon. Member for Edmonton-Riverview. Of course, we are putting great resources into regional health authorities and into the public health care system in this province. I think the increase in the budget of the department of health, some 7 and a half percent, an increase of nearly \$500 million, which was the largest increase of any budget in this government's operations, will lead people who will look at this objectively to the conclusion that health care is the most important issue that this government is dealing with.

Mr. Speaker, as I indicated to the hon. member earlier this week, we have put resources into three areas: into equipment, into plants, and most importantly into people. We are training people. We are aggressively recruiting sonographers from other jurisdictions. I outlined a number of them in some detail yesterday afternoon, and I would be happy if the hon. member would refer to *Hansard* of yesterday afternoon's question period and see the very things that we are doing in order to recruit good people into this jurisdiction to provide services within the public health care system.

Now, Mr. Speaker, the hon. member is asking specifically about efforts made by private facilities that are recruiting from the public system. Those private facilities may in fact end up providing services to the public system by providing services through contracts with regional health authorities. If the hon. member wishes to have greater detail on that, I'll undertake to do that.

DR. TAFT: Why does government policy allow paid clinical directors of regional health authorities to also be partners in firms recruiting staff away from those same RHAs?

MR. MAR: If the hon. member wishes to bring forward the specific

situation that he is referring to – and I don't know which specific situation he may be referring to – I'd be happy to look into that question for him.

DR. TAFT: I'll deliver the information.

Given that the Auditor of Ontario has done a very informative review of some contracted-out diagnostic services in that province, will this minister request the Auditor General of Alberta to do a similar review of business arrangements for diagnostic services in the Calgary health region including full life-cycle costs and a review of conflicts of interest?

MR. MAR: Mr. Speaker, the Auditor General in this province has already looked at the issue of how we allow for contracts to be provided by regional health authorities to private providers, and that matter has been dealt with by our own Auditor General and need not be done again, nor need we be influenced by the work done by the Auditor of the province of Ontario.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Centre.

Electricity Transmission System

MR. HORNER: Thank you, Mr. Speaker. My question is for the hon. Minister of Energy. There's been a lot said and written recently about the congestion on the Alberta electrical grid. Indeed, some major expansions are being discussed with possible deferrals. Could the minister please tell us what the current status is of the transmission system in Alberta?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. It's important, I think, to recognize that the member's question comes from the fact that there exist at present over 700 years of low-sulphur, high-efficiency thermal coal resident in the member's riding and that it's his riding that actually lights up Alberta. Much of it is also close to Stony Plain as well. To exit that Wabamun factory and the mills, there has been a transmission established over a number of years. There has been no change to that transmission network over the last 15 years, and in fact it is somewhat near capacity. There has been, because of the change in the electricity model, a very large and open debate on transmission. In fact, the transmission administrator for the province of Alberta has conducted numerous studies and has consulted a great number of Albertans and talked about congestion and bottlenecks. That has identified major areas for upgrading: the Edmonton-Calgary corridor, particularly if we want to get more generation into that area and more power out of that area; a tremendous opportunity for natural gas cogeneration, electricity generation in the Fort McMurray area. There will be opportunities to move that electricity out of there.

In fact, the Energy and Utilities Board, Mr. Speaker, is conducting in a very open fashion, with transcribed hearings, the opportunities that sit for transmission upgrades in the province of Alberta. It is important to remember that the power buying and selling part is actually fully deregulated and now competitive in nature. The transmission side is in fact still regulated by the Alberta Energy and Utilities Board.

2:00

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My next question is to the same minister. Given the minister's answer with regard to the

transmission lines, could he also tell us what the benefits are to Albertans for upgrading the transmission system and making it larger?

MR. SMITH: Well, Mr. Speaker, as much as I would like to continue about the benefits of ample electricity transmission for all Albertans, that would continue well past the end of question period. I just want to focus on low-priced, reliable electricity in this province, which is something that is fundamental to the Alberta advantage. We do need more power generation to support the growing population and the economic base. Of course, it's a chicken and egg question. We do know that improving the transmission system will encourage new investment. New investment will lead to new generation. New supply, added supply, will result in downward pressure. [interjection] Contrary to the New Democrats' view of market pressures, the marketplace actually does work by bringing up more supply, creating downward pressure on prices.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My final question to the same minister: given all the good news which he's just told us, do we expect that the consumers will end up paying for this new transmission line?

MR. SMITH: Mr. Speaker, the Energy and Utilities Board is going to identify how payments are to be made, and we won't presume that outcome. Certainly, as the Premier stated and as is the policy of this government, generators and sellers are responsible for the transmission of this power to market, and they pay the tariff that they used for the transmission system. This is all reflected in the total price of electricity to the consumer.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-West.

Library Funding

MS BLAKEMAN: Thank you, Mr. Speaker. Today is Canada Book Day, but no celebrations here. The Minister of Community Development, by underfunding libraries, has pushed them to seek subsidies through the community lottery boards. Now the Minister of Gaming has cut the community lottery boards, this important source of funding for libraries, because they were not a priority. The libraries, which make a direct contribution to lifelong learning in this province, are now left without adequate financial resources. My first question is to the Minister of Learning. Given that the department's mission statement includes the promotion of lifelong learning, what will the minister do to ensure that libraries receive adequate funding?

Thank you.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Obviously, libraries are a very important concept with lifelong learning in Alberta. [interjections]

THE SPEAKER: Hon. minister, please. The chair cannot hear. There seems to be a lot of chitter chatter in the front bench here to the right, and I'd like to hear the hon. minister's response.

DR. OBERG: Thank you, Mr. Speaker. One of the greatest things that will happen to libraries is the advent of the Supernet, where all

libraries will be formed together. I'd invite the Minister of Community Development to supplement my answer. Our libraries are alive and well and are doing more than in the majority of provinces in this country.

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Very briefly, it would surely interest the members of the House to know that this year's budget for public libraries, of which there are several hundred in the province, has been increased by over \$700,000. That's in addition to the \$700,000 increase that was provided last year. Now, we can always use more money in libraries, but that's a good start. We'll be addressing that as more moneys come available, but those are two very positive increases that we've experienced in the last two years.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. My next question is to the Minister of Gaming. Given that the Devon Public Library Board recently told its town council that children's reading programs would suffer because of the elimination of the community lottery boards program, where does this minister suggest the library go for funding?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. What I've heard the Minister of Community Development indicate is that there's more money for libraries this year in his budget. That would obviously be part of the answer to the question. As it relates to the Ministry of Gaming, the hon. member knows that we have a charitable gaming model which provides funding to a number of different community activities. We have approximately \$300 million this year that is going to go to the not-for-profit, volunteer sector, and that indeed is a great deal of money. It is quite conceivable that that particular example that you have referred to and others in the library sector will be able to avail themselves of some of that money.

MS BLAKEMAN: Slot machines for books.

My final question is to the Minister of Community Development. Given that this minister's underfunding of libraries will no longer be subsidized by the Minister of Gaming and he has already mentioned that there is an increase in the budget this year, is the increase enough to cover the loss of money that libraries were receiving through the community lottery boards, and will there be local decision-making that goes along with this increase?

MR. ZWOZDESKY: Mr. Speaker, I want to just firmly state that the members on this side of the House firmly support libraries in this province, and we've demonstrated that year after year. In fact, I will be demonstrating it further this weekend when I attend again the annual meeting that they're holding in the West Yellowhead constituency in Jasper, and at that time I will be talking to them about some long-range and future plans.

With respect to any specific amounts that have not materialized, hon. member, I don't know the numbers you're talking about, but in terms of my department, my department's budget has increased. It has not decreased, as you are inferring. [interjections]

THE SPEAKER: Hon. Member for Edmonton-Centre, I gave you the courtesy of recognizing you to ask a question, so when the

question has been asked, then the other person should have the opportunity to respond to the question.

School Closures

MS KRYCZKA: Mr. Speaker, Calgary-West has two distinct areas. The eastern one-third is an older, well-preserved area with, until recently, nine underutilized schools, and the western two-thirds is a developing area with three very full elementary schools. Battalion Park is a minischool in the west area and used to be number four on the CBE's new school priority list and is now off that list due to the new sectoral approach, which averages out utilization of all schools in the area. This has greatly lowered the overall rate. Battalion Park, however, has had to cap enrollment for local grade 1 children in September 2002. My main question is to the Minister of Infrastructure. What role does the province play when the local school board, the CBE, closes underutilized schools such as Glenmeadows elementary and now the Plains Indians cultural survival school, both in Calgary-West?

MR. LUND: Mr. Speaker, of course the closing of a school in any community is a very traumatic experience, so as a consequence we take it very seriously and have put in place a procedure under the School Act which requires a lot of public consultation. Once that is completed, the school board then can proceed with a motion to close the school. I've got to commend the Calgary board of education on the consultation work that they have done over a period of time when they've looked at the utilization and the location of their various schools. Once the board has passed a motion stating that they will close the school, then municipalities will be notified, the Department of Learning will be notified, and of course Infrastructure will be notified. We then look to see if there is another need for the school. For example, maybe a charter school or perhaps even a private school may want to locate in that location. If those are deemed to be not necessary, then we would look at other government uses for the property. If the result is that there is no further use, then with permission from the Minister of Infrastructure the school board can proceed to sell the property.

THE SPEAKER: The hon. member.

MS KRYCZKA: Yes. My first supplementary question is again to the Minister of Infrastructure. Will the funds realized from the sale of these properties reduce otherwise available provincial funding to the CBE, or will these funds be in addition to?

MR. LUND: The proceeds from the sale of the property will be distributed on a prorated basis relative to the purchase of the property and the school. All of the money stays in this case with the Calgary board of education. We will direct where the portion of our funds could be used within the Calgary board of education. The board has the option of directing their funds. The only stipulation on it is that it must be used for capital.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Highlands.

2:10

Gas Flaring Study

MS CARLSON: Mr. Speaker, in March the minister of health said that he was waiting for the results of a scientific study on the effects of flaring and gas emissions on animals before starting a study on the effects of these industrial processes on human health. Will the

minister of health please tell us what results from the animal health study he is anticipating will be applied to the human health study?

MR. MAR: Mr. Speaker, I can't speak knowledgeably on the specifics of the research that is being conducted, but I can say from my time in the ministry of environmental protection that there are some issues in the research that is being done now with animal health that may have some applicability with respect to the areas of human health that we may wish to investigate in future research. That is the reason why we are awaiting the results from the one study before we commence another one.

MS CARLSON: Mr. Speaker, can the minister tell us what happened to the money that was originally committed to this project?

MR. MAR: It remains committed to the project, Mr. Speaker.

MS CARLSON: Mr. Speaker, my question was: what happened to the money that was committed in prior budgets? Will he tell us how he spent that money?

MR. MAR: Mr. Speaker, if I understand the question correctly, the money which was allocated for human health studies remains committed to that area, although it is at this time unspent.*

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Fort.

Horse Racing Industry

MR. MASON: Thanks very much, Mr. Speaker. The Premier is looking a little bit forlorn today, so I'll ask him a question. When it comes to getting out of the business of business, this government has a huge blind spot. The horse racing industry is getting subsidized to the tune of \$33 million per year by this government, and if that wasn't enough, the Calgary Stampede and Edmonton Northlands each get an additional \$7.1 million from the lottery fund. My question is to the Premier: why is the government massively subsidizing the horse racing industry when it has gotten out of the business of subsidizing business in every other industry?

MR. KLEIN: Well, Mr. Speaker, this is an arrangement that's been worked out with the horse racing industry to take additional money from gambling operations within the horse racing facility. These are primarily slot machines.

MR. MASON: Mr. Speaker, why does the government give the horse racing industry a 51.7 percent share of slot machine revenues while charities only get a 15 percent share?

MR. KLEIN: Mr. Speaker, this is an arrangement that has existed for some time but has been enhanced just recently. There's a reason for it, and there was an exceptionally good article, I might say, in the *Edmonton Journal* over the weekend relative to horse racing and the importance of that industry as an agricultural industry in the province of Alberta. Consistent with our policy and consistent with the law that is in place, the Financial Administration Act, we felt that we could not get in the business of being in business, but we recognized also that this was a faltering industry; that is, the horse industry and especially the horse industry as it related to breeding good horses for the race track and literally keeping thousands of people employed who, I venture to say, would otherwise be unemployed and perhaps on welfare or some form of UI had they not

*See p. 867, right col., para. 1

had the opportunity to work at the track. So we had to devise a way that would not involve taxpayers' dollars, would not involve direct intervention by the government. In conjunction with the horsemen and the track operators we came up with a solution that would not involve taxpayers' dollars but would involve enhanced revenues through the slot machines that now exist in at least one racing complex but are allowed to exist in others.

MR. MASON: Mr. Speaker, why does it take a New Democrat MLA to tell the Premier to get out of the business of being in business? Are there no more Conservatives, real Conservatives, over there any more?

MR. KLEIN: Well, Mr. Speaker, I find it very unusual indeed for an ND to tell any government how to get out of the business of being in business. All you have to do is look to some of the jurisdictions that have been governed by the NDs and are still governed by the NDs and you'll see a multitude of businesses that are owned by the government.

I think that this province has done an outstanding job of getting out of the business of being in business. As a matter of fact, we have a direct relationship with only one business that I know of now. That's the Alberta Treasury Branches, and that's an institution that is the subject of review from time to time. There's good reason for government to be involved, albeit at arm's length from the operation. So really we have lived to the letter of the law the Financial Administration Act.

As a matter of fact, Mr. Speaker, I would point out to this ND member of the Legislature that no ND government in Canada has the kind of legislation that we have that prohibits government from getting into the business of being in business.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Mill Woods.

Volunteer Sector

MR. CAO: Thank you, Mr. Speaker. Given that Albertans are well known around the world for their volunteerism and Alberta's volunteer sector plays a very important role in cost-effective delivery of community services, my questions today are to the hon. Minister of Community Development. How is Alberta volunteerism measured, and what are the trends of those measurements for the recent years?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to the member for that very good and very important question. I want to begin by just stressing how important volunteerism is in this province and that it is something that we highly, highly value as a government. From time to time we are able to do some measurements. One of the most recent measurements we did was last year, when we contracted a private research firm to do a telephone survey of Albertans on the subject of volunteerism. The results told us that about 75 percent of Albertans had participated in some form of volunteer activity in the past year. That's a very interesting trend because it also told us that we're on the increase in terms of volunteerism in this province. One of the important trends within that trend is the fact that more volunteers are coming to us and volunteering as families, and we're attracting more youth volunteers as well, two very important things in Alberta.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. My first supplemental is to the same minister. Again, what programs does the government, through the Community Development department, have to further develop volunteerism in Alberta?

MR. ZWOZDESKY: Mr. Speaker, our programs permeate many different departments and many different disciplines, but I would say in sort of a general sense that it's basically the Wild Rose Foundation that puts out programs and helpful grants, in the order of approximately \$4 million every year, to help stimulate and motivate the volunteer sector in our province. The volunteer movement is all centred around capacity building, on providing training and leadership programs, on providing partnership arrangements with Volunteer Alberta. It's extremely important to focus on it, especially this week, which as we all know is National Volunteer Week in our province, and we're very happy to be supporting that. We do provide educational programs. Vitalize is one of our more important programs that we provide every year, and in general I would say that volunteerism in this province is alive and well. We're very proud to be supporting the arts, where we see about 60,000 volunteers every year participate; parks and protected areas, where we see about 2,000 volunteers at a minimum providing help every year; and our historic sites and museums provide over 2,000 volunteers. And that's just a few areas that are in Community Development.

2:20

MR. CAO: My last supplemental is to the same minister. In light of reductions in our budget, namely the elimination of the community lottery board grants, what are Community Development's efforts to continue sustaining our volunteer sector?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I think it's important to recognize and emphasize that maintaining our volunteer sector in this province is extremely important. I don't know if there is a more critical partner to any government than the volunteer sector. We know that we have good relationships with other sectors, the business community and so on, but the volunteer sector provides a special kind of backbone that provides a different vibrancy. We're very happy to support that through the Wild Rose Foundation and others where we see help going out to nonprofit associations for very special humanitarian, social service, and other related type programs. In fact, the Wild Rose Foundation does organize the annual Vitalize provincial conference which, if I recall correctly, will be occurring again this year sometime in June. They provide board development programs, and they're available should people wish to get in touch with them for that purpose. An initiative that I'm extremely proud of as well is our youth initiatives program, which helps to stimulate more and more interest in and amongst our youth so that they will develop these early habits of volunteering at an earlier and earlier stage.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Currie.

Special-needs Students

DR. MASSEY: Thank you, Mr. Speaker. The Minister of Learning has done well in reaching a compromise with teachers. We can now move forward to resolve the problems that led to the strike in the

first place, including the funding of children with special needs. My questions are to the Minister of Learning. How are the amounts allocated for severely disabled students determined?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. In September of this year we changed the way the dollar amounts were determined to go to school boards. What we did in September of this year was in essence extrapolate from a school board the growth of severely disabled children and pay on the sum of the extrapolation. The reason behind this was twofold, but first of all and by far the most important is that there was a lot of money, up to a \$1,000 per assessment, that was being spent to assess these kids. This was money that was taken directly from the classroom, directly from these special-needs kids, and essentially put into assessment services. The second reason is that basically I do not agree with labeling kids. We therefore have assigned the money to the school board at the rate of a little over \$12,000 per severe special-needs student. We've assigned that to the school boards according to that formula.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: given that last year 78 percent of school districts incurred deficits in the programs for severely disabled children, will funds for these children be increased to match the costs?

DR. OBERG: Mr. Speaker, the funds for disabled children were increased this year. I believe it was 3 percent, which is consistent with every other grant increase in my department.

DR. MASSEY: Again to the same minister, Mr. Speaker: has the minister plans to provide intensive behavioural intervention service this September to beginning autistic children who've been shunned by Children's Services?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. IBI therapy is something that the Minister of Children's Services and myself are presently in the process of looking at. As the hon. member knows, I brought in IBI funding two or three or four years ago when I was minister of social services. It is something that we are looking at, and hopefully we'll have a resolution to this issue very soon.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Calder.

Aboriginal Youth

MR. LORD: Thank you, Mr. Speaker. Aboriginal youth are among those who face some of the very biggest challenges in life. As a group they have extremely high levels of poverty, unemployment, suicide and often have reduced levels of education, health care, and so on. My questions are to the Minister of Aboriginal Affairs and Northern Development. Could the minister please tell us what is being done to address the continuing needs and gaps facing aboriginal youth in our province.

THE SPEAKER: The hon. minister.

MS CALAHASEN: Mr. Speaker, thank you. First of all, a number

of ways. One, through the provincial method, is to work through the aboriginal policy framework with the various ministries facilitating and co-ordinating. Secondly is to go through on the national stage. Ministers and leaders of the five national aboriginal groups endorsed the national aboriginal youth strategy in December of 1999, based on the belief that solutions and results can be realized when all stakeholders work together in partnership and to provide a framework that would assist the stakeholders in the development of a policy and design and delivery of programs and services for aboriginal youth. In fact, aboriginal youth will have opportunities to pursue career and quality-of-life goals. This is a living document, and we hope that we'll continue to do this through a 10-year window of service.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. Could the minister advise us as to how these programs are expected to make a difference for aboriginal youth?

MS CALAHASEN: Well, what we've got on a provincial basis is what we call the aboriginal policy initiative, and that's where we facilitate co-operation between the various government ministries and then deal with a number of issues. Secondly, on a national scale, Mr. Speaker, was the national aboriginal youth conference at Edmonton this fall. Over 120 aboriginal youth participated. As a matter of fact, my department is leading a federal/provincial/territorial/aboriginal working group to establish a national aboriginal youth advisory committee with links to make sure that we have federal and provincial governments involved and national aboriginal organizations and other stakeholders such as the private sector. If properly structured, this committee could provide advice on program and policy development. It could also act as a national networking device with linkages to private-sector sponsors and provincial youth committees such as the Alberta Children's Services Youth Advisory Panel, which contains an excellent pool of aboriginal and nonaboriginal youth.

MR. LORD: My final question to the same minister: how would this program be implemented in terms of the action steps, the next steps to be taken?

MS CALAHASEN: Mr. Speaker, on the provincial stage certainly committees are working on a continual basis to make sure that we continue to address the gaps, but on a federal stage the federal, provincial, territorial, and aboriginal ministers and leaders will meet again this June to review the work of a working group and to provide further direction regarding the development of an action plan in collaboration with aboriginal youth to address the priorities raised at the youth conference and through the strategy.

Of course, Mr. Speaker, we need not wait until the next FPTA meeting to continue our march forward. In fact, stakeholders may strive to close the gap at an accelerated rate, which is exactly what Alberta has done through the APF and API. As I was going to say, the APF is the foundation document setting out strategies to address issues facing aboriginal people, including aboriginal youth. It complements the national aboriginal youth strategy by recognizing the important role of youth in aboriginal communities and the need to have the voice of youth heard by the communities and by government.

Mr. Speaker, our goal is to make sure that the national aboriginal youth strategy closes the gap between the well-being and self-reliance of aboriginal people and other Albertans.

Speaker's Ruling Anticipation

THE SPEAKER: Hon. members, before I start receiving notes from hon. members about that last series of questions, the estimates for the department of aboriginal affairs are scheduled for today, and our tradition is that if a particular estimate is up for debate on a particular day, questions might be avoided from that area. However, the chair did listen very attentively, and the questions appeared to be in the area of policy rather than in the area of administration and budgeting, and it was the last series of questions of the question period as well.

Now, two hon. members of Executive Council have indicated that they wish to supplement an answer. Our policy is that once the minister is recognized to do such a thing, then one of the members of the Assembly who directed the question to the minister in the first place is in a position to ask a supplemental question.

So I'll first of all recognize the hon. Minister of Community Development.

PDD Boards

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yesterday the Leader of the Opposition raised a question and was referring to two documents, one of which I was familiar with and one of which he didn't identify, but later on, just before question period ended, he was kind enough to provide that second document to me. I've since had a chance to review it, and I just wanted to clarify for him and for all members of this House and for our viewing public, many of whom are persons with developmental disabilities, that the total amount that was indicated in the budget for PDD programs and services and what the hon. opposition leader was referring to yesterday are identical. It's approximately \$407 million.

What has changed, however, because of the community governance model is that all of the regions have received a little bit more than they were anticipating, because this is a needs-based, demand-driven program. As a result, the PDD Provincial Board, in streamlining some of its administration and cutting some of its own operating costs, was able to make more money available for program dollars in the different regions. In fact, we're just working on finalizing right now what those exact amounts will be. In the case that the hon. leader cited yesterday, Edmonton PDD regional board's funding will likely go up from about \$111 million to about \$115 million. So that's pretty good news, I think, for a demand-driven program, and I hope that clarifies that issue.

The second point, very quickly, Mr. Speaker, is that there is no plan within Community Development, specifically within the PDD system, to transfer PDD-eligible recipients to other departments. That does not exist. There may exist a few instances, however, where some people are receiving PDD-type funding and may not necessarily be eligible for it, and that's what we're asking to be reviewed.

2:30

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We appreciate the minister clarifying his comments of yesterday.

THE SPEAKER: The hon. Minister of Health and Wellness.

Gas Flaring Study

(continued)

MR. MAR: Thank you, Mr. Speaker. Earlier this afternoon in question period, in responding to an inquiry by the hon. Member for

Edmonton-Ellerslie, the question was about a commitment made by the Department of Health and Wellness with respect to a study in human health. The department had committed \$2 million over a four-year period for this study. A decision was made to defer that commitment to the study pending the results of the animal health portion being concluded first. Subsequent to that, last October, as part of the government's 1 percent reduction in spending, the budgeted money for that study had in fact been returned to Treasury. So I humbly apologize for my error.*

MS CARLSON: Mr. Speaker, we would have an additional question for the minister, then, which was one I had wanted to ask earlier, and that is: what are the chances of this human health study being canceled completely?

MR. MAR: It would depend largely in part on the impact and the results of the animal health study. I'm led to believe, Mr. Speaker, and am advised that one of the challenges in doing the human health study portion of this is because of the nature of the transient and sparse populations in the areas that are being looked at, so the animal health study is easier to conduct. The human part of the study is more difficult, but we will review the commitment at the time that the animal health portion of the study is completed.

head: Members' Statements

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

Apex Youth Awards

MR. JACOBS: Thank you, Mr. Speaker. Today I rise to give recognition and offer congratulations to the organizers of the Apex youth awards. The first annual Apex youth awards were developed by the Rotary Club of Taber and the *Taber Times* to recognize individuals who represent the best qualities in Taber's youth, youth that unselfishly give of themselves in the service of others. Far too often the youth of our communities are not given the recognition they deserve. Currently there are many academic as well as athletic awards for our youth, but there is a large group of children and young adults who don't fit into either of these two award categories, yet they are offering a lot to the betterment of our communities.

Growing up as a kid today is not an easy task, but there are individuals out there who strive above the rest to make life for themselves and those around them better. The Apex youth awards were created to recognize these outstanding people. Of the 26 nominations received, the judges had to decide on four that stood ahead of the others. These four outstanding citizens along with all nominees were honoured at the awards banquet on Thursday, April 11.

The four nominees chosen for \$1,500 bursaries include Mitch Allard, the only boy and oldest child in a family of three, who helps his mom at home cooking, cleaning, and doing yard work. His younger sister suffers from cerebral palsy and requires extra attention and care, which he gives willingly. Nicole Kano has been a positive role model for young and old. She is always aware of other people's feelings and is there to help them out. Nikki's involvement in her school, church, air cadets, and community makes her an excellent role model for everyone. Lenny Millo is a lovable, gentle lad who brings new meaning to, "You can do it," and continually astounds his classmates, teachers, family, and friends. Even though God bestowed him with limitations, Lenny has far surpassed any expectations that the professional field had assumed. Brittany Paun is a caring and accepting young girl. She has shown

*See p. 864, right col., para. 6

that with a positive attitude and confidence in yourself, regardless of circumstances, you can accomplish anything. When Brittany was seven, she was involved in a motor vehicle accident that left her confined to a wheelchair. The limited ability she now has is nothing compared to her strong will to overcome anything that stands in her way.

Again, congratulations to the Apex youth awards organizers and the youth who were nominated. Thank you.

THE SPEAKER: The hon. Member for Redwater.

Organ and Tissue Donation

MR. BRODA: Thank you, Mr. Speaker. In March of this year Ipsos-Reid was commissioned by the Kidney Foundation of Canada to poll Albertans about organ donation. They found that 93 percent of Albertans are in favour of organ donation, but as many as 45 percent of us have not talked to our families about our wishes for donation. We must talk to our loved ones because they make the final decision about donation. People die waiting for organ transplants because our families don't know what to do. Talking about organ and tissue donations can be difficult. To help initiate the discussion, the Kidney Foundation developed a guide. The Let's Talk About It guide encourages Albertans to share our wishes so that we know what to do if the unthinkable should happen. At this time of great sorrow your family needs to know what to do. Your family shouldn't have to make this decision alone. During this week, National Organ and Tissue Donor Awareness Week, I encourage all members of the Assembly and all Albertans to talk to your family about your wishes for donation.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

Economic Development in Lacombe

MRS. GORDON: Thank you, Mr. Speaker. Yesterday at a noon luncheon a very important event took place in Lacombe, Alberta. The very enthusiastic hon. Minister of Economic Development presented the Lacombe Economic Development Board, town of Lacombe, and Mayor Bill McQuesten with a plaque that tells the world that they are the first organization in this province, in fact the first economic development organization in all of Canada to receive accreditation under the community economic development accreditation process. When a board applies for accreditation, they must work through a rigorous 16-step process. Not an easy task.

I congratulate the Lacombe Economic Development Board on being the first to receive this status, which only confirms that Lacombe is indeed a town that is most proactive in building, maintaining, and recognizing the economic strength within their community, within their region. Well done, Eric Jerrard, economic development officer, town of Lacombe; Ian Foster, chair; all board members; and in particular board member Lori Hellofs, who spent hours utilizing her many organizational skills to assist in putting together what was indeed a winning application. Continued success as you move economically ahead.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

Provincial Fiscal Policy

MR. MASON: Thank you, Mr. Speaker. On February 26 the Lieutenant Governor delivered this government's throne speech. The speech paid typical Conservative lip service to health care and education, areas where Albertans know that Tory priorities are

distorted by the urge to privatize and profiteer. The reality is that despite its token commitment to health and education, the government's priorities have little to do with supporting Alberta communities.

The starkest example of this government's skewed priorities can be seen in the allocations from the Alberta lottery fund and in the Tories' eagerness to eliminate the community lottery boards. Grants from these boards allowed volunteer organizations and local groups to be vibrant and contributing members of their community, but the government's addiction to gambling was too strong, and the program was cut. But this government is never satisfied with simply cutting a program. They also feel compelled to dismiss and discredit anyone who might present credible opposition to their plans. On April 8 of this year the Premier dismissed recipients of lottery funds as mere "pipe and bugle bands" and offhandedly assured the Legislature that the groups he was asked about received funding from the community facility enhancement program. In fact, none of them do.

So we see how the Conservative government treats Albertans who are not priorities. They are dismissed as inconsequential and then promised support that never appears. It's quite a different story if you are a Tory favourite. The horse racing industry, for example, will receive a whopping \$33 million this year. This \$33 million taxpayers' subsidy is nothing other than a wasteful subsidy for one of the government's favourite industries. The government is in the business of picking winners and losers. While favoured groups like the horse racing industry are allowed to continue riding high, Alberta communities are left trudging along behind the parade. It is hardly an enviable position.

Speaker's Ruling Members' Statements

THE SPEAKER: The hon. Member for Calgary-Currie wants to rise on a point of order, but I want to make it very clear that I will not hear points of order on members' statements. When this procedural aspect of this Assembly was dealt with a number of years ago, the intent was that hon. members would have clearly unimpeded two minutes to wax eloquent on any subject matter that they chose to wax on. That was a democratic right. That's a tradition I intend on upholding as one of the authors of the agreement.

2:40

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 135 residents of Edmonton petitioning the Legislative Assembly of Alberta to urge the provincial government "to take decisive action in making safe, affordable housing a top priority of concern when making policy decisions and working with other levels of government on this issue."

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm presenting a petition signed by 153 residents of Edmonton petitioning the Legislative Assembly of Alberta to urge the provincial government "to take decisive action in making safe, affordable housing a top priority of concern when making decisions and working with other levels of government on this issue."

head: Tabling Returns and Reports

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got two tablings today. The first tabling is a letter from Linda D'Angelo, government relations chair, Arthritis Society, Alberta and Northwest Territories division, requesting that two new drugs, Enbrel and Remicade, be made available to citizens of Alberta.

The second tabling, Mr. Speaker, is also a letter, this one from John Mahon, executive director, Edmonton Arts Council. Mr. Mahon believes that "the provincial government has a role in maintaining our social infrastructure" and that as such the lottery boards should be re-established.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I have two tablings today. The first tabling is a letter from the chair of Community Lottery Board No. 66 addressed to the Minister of Gaming. The board is concerned with the serious threat that the elimination of the community lottery board program is posing to the survival of many volunteer organizations.

The second tabling is from the chair of the Carbon and District Recreation Board on the same subject. This board is disappointed with the government decision to eliminate the community lottery board program.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first tabling is a letter copied to myself and addressed to the Premier. It's from Mr. Gordon Block, the president of the South East Edmonton Seniors Association. This is a letter written, of course, to express shock and disappointment over the cancellation of the community lottery boards, and it urges the government to come to their senses and reinstate the community lottery grants.

My second tabling today, Mr. Speaker, is the actual forecast from the Power Pool from yesterday, April 22, 2002. It indicates that at 12 o'clock electricity was 15.3 cents a kilowatt-hour, at 2 o'clock it was 17.5 cents a kilowatt-hour, at 5 o'clock it was 42 cents a kilowatt-hour, and then at 10 o'clock, at bedtime in this province, it was 35.9 cents a kilowatt-hour, conclusive proof that deregulation does not work. It's expensive and unstable electricity we have now.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have two sets of tablings today. The first set is a number of unique and interesting letters from Harald Witzler of Sherwood Park, Roy Troughton of Fallis, Harold Schroeder of Onoway, Bart Rohrick of Sherwood Park, Gene Millenaar of Edmonton, Diane Hormann of Ferintosh, Neil Hanoski of Camrose, Michael Walsh of Sherwood Park, Dennis Jettkant of Stony Plain, Irvine Boby of Calgary, Rene Michaud of Leduc, Rollie Sicotte of Edmonton, Hugh Fuller of Edmonton, Murray Knight and Janice Wournell of Strathmore, Larry Hoffman of Medicine Hat, and Walter Gripping of Granum, all requesting the government to maintain some access for off-highway vehicles in the Bighorn. [interjection] These are actually your supporters this time.

My second set of tablings, Mr. Speaker, are from Christyann Olson of Calgary, Weslyn Mather of Edmonton, Melvin Dunford of Calgary, Jorn Ole West of Calgary, Madeleine Oldershaw of Calgary, Bob Bartlett of Calgary, Torsten Buchholz of Calgary,

Wendy Adams of Edmonton, and seven residents of Calgary whose signatures were not clearly identifiable. These people would like the government to designate the Bighorn wildland recreation area as a wildland park using the original 1986 boundaries.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I have four tablings today. The first is from Ray Christenson, who is the chair of the Catalyst Theatre board of directors. The letter is directed to the Premier. They note that the resources in the theatre are strained at the best of times. They were in the process of preparing an application to the community lottery board for a grant to replace their antiquated computers when it was canceled. They're urging the government to "reinstate this valuable, crucial program immediately."

My second tabling is from a series of people: Gamal Abdel-Shehid, Mark Driscoll, Anne Malena, Mark Simpson, and Heather Zwicker. They are writing to register their outrage at the provincial government's recent attacks on public education and workers' rights in Alberta and are urging an immediate repeal of Bill 12 and a return to the bargaining table.

My third tabling is from Guy Coulombe, who is the residential aide placement services board president. The letter is directed toward myself. They're urging the government "not to eliminate funding from PDD until an alternate source of funding is secure."

My final tabling on Canada Book Day is a letter from Dr. Marco Adria, who is the chair of the Edmonton Public Library Board, noting that library materials for the public and talking books for sight impaired users to construction of a nonprofit centre on the sixth floor of the Milner Library were some of the uses to which community lottery boards funds were put, and on behalf of the trustees of the Edmonton Public Library Board they ask that the government reconsider the decision and reinstate community lottery boards.

Thank you.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would like to request unanimous consent of the House, as has become our norm, to suspend Standing Order 58(4) and allow consideration of this afternoon's estimates, being the Department of Justice and Attorney General estimates, to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

2:50

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: Let's call the committee to order.

head: **Main Estimates 2002-03**

Justice

THE DEPUTY CHAIR: The first hour, as per the Standing Order, will be allocated between the minister and members of the opposition following which any other member is able to participate. The hon. Minister of Justice.

MR. HANCOCK: Well, thank you, Mr. Chairman. I'm delighted this afternoon to present Alberta Justice's business plan for 2002 to 2005. I'd like to start by acknowledging members of the department who are with us today in the gallery and who have done a significant job for Albertans over the course of the past year and are anticipating doing an equally significant job for Albertans over the next year. In particular I would mention that the members of our strategic services division are shared with the Department of the Solicitor General, and as such over the course of the preparation of this business plan and these estimates have done yeoman's service, in fact have done double duty over a period of time. With us today in the gallery – and I'd ask them to rise and receive the recognition of the House – are the deputy minister, Terry Matchett; Rod Wacowich, assistant deputy minister, court services; Peggy Hartman, assistant deputy minister, legal services; Peter Teasdale, acting assistant deputy minister, criminal justice division; Dan Mercer, assistant deputy minister, strategic services; and Manuel da Costa, director of maintenance enforcement.

I'll open with a few remarks and respond then to any questions that might come up from the House this afternoon, and to the extent that either time does not permit or I'm unable to answer questions in sufficient detail, we'll certainly be prepared to respond in writing to any questions that are left unaddressed.

Through our programs and services Alberta Justice is committed to building a democratic and prosperous Alberta based on respect for the law, a province where all Albertans are safe in their homes and communities and have confidence in their justice system in a province where disputes are resolved fairly and effectively. Our mission is "to serve Albertans by promoting safe communities, by ensuring access to the courts and other methods of dispute resolution, by providing legal and related strategic services to the Government of Alberta, and by communicating with Albertans about the administration of justice."

I'd like very briefly to outline our core businesses. We will prosecute criminal and other offences giving priority to prosecution of serious and violent crime. That involves \$36.3 million, or 15.4 percent of our budget. We will provide Albertans access to the courts and other dispute resolution processes: \$96.3 million, 40.8 percent of our budget. Alberta Justice will work to provide excellent corporate advice and legal services to government ministries: \$22.5 million, 9.5 percent of our budget. The ministry will provide support and protection to some of the province's most vulnerable citizens, such as families who depend on court-ordered maintenance payments, individuals unable to protect their financial interests, and individuals who cannot afford legal counsel: \$81.1 million, 34.3 percent of our budget.

In light of our fiscal targets we've also reviewed a number of strategies for improvement to the cost-effectiveness and the efficiency of our programs and services. I know that members have had an opportunity to review the five key goals in the business plan, so I won't go into them in detail. Instead, I would like to highlight some of the significant changes from previous years and discuss some of our new strategies to meet these goals and improve our services to Albertans.

One of the changes you'll note is the new simplified format that clearly links our goals and initiatives and performance measures to ensure that our ministry business plan is clear and understandable to the public. In addition, we have focused our attention on the development of new performance measures that more accurately reflect the results that we're trying to achieve for our business plan goals. Over the coming year we will continue to refine these measures by finding better ways to measure the achievement of

desired outcomes through both qualitative and quantitative analysis.

The first goal in Alberta Justice's business plan reflects goal 15 of the government of Alberta's business plan, working to ensure that "Alberta will be a safe place to live and to raise families." Achieving this goal is a shared responsibility, and we recognize the importance of continued partnerships with the department of the Solicitor General and other Alberta government departments, the judiciary, the legal community, aboriginal communities, and our stakeholders in policing, community organizations, and local government.

The Justice plan focuses on two performance measures that provide an indication of public perception of their safety in homes and communities. This will provide an overall indication of our success in achieving the goal of promoting safe communities in Alberta. The responses will also indicate how satisfied Albertans are with the administration of justice in the province.

We will work to develop alternative means to more effectively deal with young persons in conflict with the law who suffer from fetal alcohol syndrome.

As a major theme of the justice summit we recognized victims as an essential part of the justice process. To evaluate our efforts to improve services and enhance the role of victims in the justice system, we'll be developing a new measure: client satisfaction with public assistance programs. To achieve this goal we will work to "identify and implement best practices that assist child victims of crime," we will enhance awareness of victim needs by facilitating "joint sessions between community victim agencies and Crown offices," and we will "support the implementation of proposed legislation expanding the powers of the court to assist victims who had suffered a loss of property as a result of an illegal act."

The ministry also provides support and protection to Albertans in need, "including families who depend on court-ordered maintenance payments." To this end, existing measures that record the amount collected by maintenance enforcement will be supplemented by a new measure that shows the program's success in collecting scheduled payments. To achieve this goal the ministry will use technology to improve services delivered by maintenance enforcement programs and will support proposed reciprocal enforcement legislation to facilitate interaction with other Canadian jurisdictions. We will develop a public education strategy from maintenance enforcement and will work with other ministries to provide enhanced maintenance enforcement services. We will also continue to provide services through the Family Law Information Centre and will deliver high-quality parenting after separation courses.

We will participate in a cross-jurisdictional review to examine the extent of unmet needs in criminal legal aid and investigate issues in civil legal aid.

Improving access to justice remains a top priority for the department. We will review opportunities for improvements to court processes such as the establishment of specialized courts that can improve access to justice and provide better services to Albertans. The Calgary domestic violence court pilot project is a good example of how such a partnership can address some of the root causes of crime in a preventative manner. We will also continue to examine the feasibility of a unified family court in conjunction with our review of the family law to ensure that Albertans have the best access to the most appropriate way of resolving their family law disputes.

As part of our efforts to provide services in innovative ways, early case resolution remains an important priority in the ministry's business plan. This process can resolve cases earlier to the benefit of court, Crown prosecutors, and particularly the witnesses, victims, and families involved. Mediation and an alternative dispute

resolution process have also improved access to our courts by providing efficient forums that allow parties to take a more active role in resolving their own problems.

Education and communication about the justice system continue to be key strategies for 2002 to 2005. They were key themes of the justice summit, and we will work to identify and respond to gaps in current resources and programs that help Albertans better understand and access the justice system.

By providing legal services, Justice can assist other ministries in achieving their policy objectives while minimizing risk, conflict, and constitutional concerns. To achieve this goal the ministry will develop recommendations on the use of legal service agreements with client ministries to enhance the provision of effective legal services. We will also explore new models of service to address the increasing volume and complexity of prosecutions arising from provincial statutes. We will implement an automated file tracking system to improve the efficiency of the provision of legal and related strategic advice to client ministries, and we will provide negotiation training courses to legal officers and training sessions in legislative development to legislative planners in client ministries.

[Mr. Tannas in the chair]

The financial content of our business plan reflects Treasury Board approvals over the past year, federally funded programs, and funds for continuing initiatives. The spending profile on the last page of our business plan shows our spending targets of \$236 million, \$242 million, and \$246 million over the next three years. The 2002-2003 budget of \$236 million represents a \$9 million increase over last year's forecast and a \$17.7 million increase over last year's budget. These increases reflect the priority that Albertans and the Alberta government place on ensuring safe and secure communities, law and order, and a justice system that is responsive to and accessible by all Albertans.

The budget includes \$7.9 million in additional funding for the 2002-2003 renewal of the prosecution and legal services project. This is over and above the \$6.5 million approved last year and will allow the department to continue efforts to renew and modernize the prosecution service to ensure that Alberta retains the expertise necessary to prosecute complex cases and respond to community needs in a proactive manner. The funding will allow us to hire several new prosecutors and support staff to help ensure that accused criminals are properly and expeditiously dealt with by the justice system.

3:00

An additional \$1 million has also been made available to increase funding to legal aid in our commitment to help provide justice services to Albertans in need. This funding is a continuation of the government's commitment from last year to provide increased funding to legal aid for expanding their financial eligibility guidelines, increasing compensation paid to private bar lawyers, and establishing the family law staff counsel projects in Edmonton and Calgary.

Through the new dedicated revenue initiative the fines for Highway Traffic Act offences have been raised by 20 percent. Alberta Justice will retain those funds, assuming that this Legislature passes Bill 20, to help cover administrative costs associated with processing traffic tickets in Alberta courts. Those processing costs have risen dramatically over the last few years primarily due, I think, to the increase in the use of photoradar. Nonetheless, the processing of those tickets has taken resources from the department which would more appropriately be applied elsewhere, and by increasing

the fines 20 percent and keeping that 20 percent, we are both continuing the amount of money that the municipalities receive from those fines as well as providing for the coverage of the costs of processing. The initiative will allow us to collect what we need to cover our costs. Additional court ticket processors will also be hired to address pressures caused by the increased ticket volume.

Budget 2002 also includes increases to some court fees to better reflect the actual cost of providing those services. Court fees in these areas have not increased since 1993, while the cost of delivering court services has increased dramatically during that period. The increased fees will go further toward covering the costs of providing the services, but they still represent a very small fraction of them. The increased fees are expected to generate an additional \$2.7 million this year.

We have also found ways to reduce our spending elsewhere in our commitment to fiscal responsibility. Across the department we have reduced our spending by over \$4 million through reductions in court services, legal services, criminal justice, and maintenance enforcement. The primary object, Mr. Chairman, is not, though, the reduction of our expenditures. The primary opportunity there is to reconfigure the way we deliver our services so that we can provide more and better services in a more cost-effective manner with the same resources.

So, Mr. Chairman, that would conclude my opening remarks with respect to the Justice estimates. We are continuing our commitment to implement the priorities of Albertans made through their suggestions at the justice summit – to have a more open and effective system, a bit more accessible system, a more affordable system – and we'll continue to build on our past achievements towards ensuring that those commitments are met.

THE CHAIR: For comments and questions with respect to the estimates we'll call on the hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman. I'm very pleased to be able to rise today and commence the debate on the estimates for the Department of Justice. Before I start, I, too, would like to acknowledge and thank the staff from the department that have joined us in the gallery. I appreciate the assistance that they give the minister, and I'm sure there will be notes coming down for the minister as the afternoon goes on.

I'm also aware that there are some members of the Canadian Bar Association joining us today to watch our proceedings, and I thank them very much for making the effort. It's always nice to have a connection with some of the other people in the field. Of course, I hope we have some fun seekers and fans here today, because nothing's more exciting than watching the budget debates, in my opinion. [interjection] Well, you know, this is democracy, right here.

I recognize that my speaking time is limited to 20 minutes, so I will likely have to rise a couple of times. If the minister would be kind enough to maybe pick off a couple of topics to respond to, certainly I would anticipate receiving the rest of the responses in writing after the fact. The only request I would make – and this is as much a request of the staff, because I think the pressure goes on them – is to receive the responses before we have to vote on the Appropriation Act. I understand that that's giving them a short time line, and I appreciate any effort they put into that.

So what I'd like to do this afternoon, first of all, is go back and do a quick review of the recommendations that came out of the justice summit in January of 1999 just to see where we are with what was recommended as long-term goals, whether we've been able to

accomplish those or what's still to be done on that. I'd like to go through and review the goals and measurements that have been set out by the department. I have already asked a question in question period about the fees and the changes and increase in fees, and that's an area that I'd like to dwell on for a little bit and, finally, have a look at the Auditor General's observations and recommendations to the department and what's been done to follow up on those recommendations.

What I'm going to do is go through the eight themes and the corresponding recommendations that were made at the justice summit, which was held in Calgary in January of 1999. Now, in each case except two, for each theme there were immediate, short-term, and longer term strategies. I'll be concentrating on the longer term strategies. One assumes that the others have been dealt with or it's not happening. In 1999 these were considered longer term. We're now three years past that. How successful have we been there?

Theme 1: Improve Public Knowledge, Education and Awareness. Now, a longer term strategy was about

Alberta Justice [approaching] Alberta Education, Alberta Advanced Education and Career Development and the private sector to determine how justice education can be improved through curriculum change, the development of new resources and other joint strategies.

So I'm wondering how well we've done on achieving that longer term strategy.

Theme 2: Simplify the Justice System. There was a long list of immediate and short-term strategies there. The longer term strategies were:

1. A single family law forum to deal with [any] family law matters will be explored in consultation with the judiciary and other stakeholders. The forum could include access to alternative dispute resolution processes as well as to the courts.
2. Standards will be put in place and staff training will be provided to ensure all Alberta Justice materials, including court documents and internal documents, will be in plain language.

I'm just going to stop here and ask: what progress has been made in translating other documents that are for public consumption?

As we move in Alberta to a society that does not have English as a mother tongue – and we've heard quite a bit of comment in this Assembly about the need to increase immigration to bring up our labour force and meet our labour force requirements – we are dealing with people coming and living in Alberta who do not necessarily speak English as their first language. When you're trying to understand a new country's laws, being able to access at least some rudimentary information in your mother tongue is very helpful. Now, when I have tried to inquire about what kind of information was available that's translated, I was told that there isn't any. I'm hoping that the minister will put the lie to that. If there are translations, what languages has material been translated into? If there is no translation, then why not, and how soon can we expect to see it? Or is that not contemplated at all? This was a longer term strategy under Simplifying the Justice System, but it was talking about putting material in plain language.

[Mr. Shariff in the chair]

The third strategy was:

3. Alberta Justice is working with Public Works, Supply and Services to redevelop court facilities in Calgary. One of the objectives is to locate all the Calgary Courts in facilities that are in close proximity so services can be easily accessed by all users.

Well, my goodness, what a timely document this has turned out to be. So we'll have a check on how we're doing with that strategy.

Theme 3: Increase Sensitivity and Cultural Awareness. A longer term strategy under that was:

Alberta Justice will consult with First Nations and Metis organizations and other justice stakeholders to identify strategies for better informing Albertans about Aboriginal cultures and values in relation to the justice system.

So where's our checkmark on that one?

3:10

Theme 4: Enhance Community Partnerships. Long-term strategies there were:

1. Alberta Justice will identify the concerns and issues related to the police complaint processes at both the provincial and federal level and develop a plan to address these concerns.
2. Alberta Justice will pursue private-sector partnerships to promote crime prevention initiatives, for example victim services campaigns and Crime Prevention Week.
3. Alberta Justice will work with law enforcement agencies to review the feasibility of establishing a single-site, multi-use police training facility.

Again, I think this is quite timely, and I recognize that that last one now pertains more to the Solicitor General than it does to the Ministry of Justice. [interjection] Okay. Well, you have an opportunity to answer that.

Theme 5: Increase the Role of Victims. There are two long-term strategies:

1. . . . review relevant legislation and policy from a victims' perspective, identify existing rights, and make recommendations for changes to ensure a more meaningful role for victims.
2. The Crown office in Calgary is using public assistance officers to respond to the needs of victims during the time a case is being prepared and brought to trial, and following the trial. Alberta Justice is considering expanding the program to other Crown offices across the province.

Theme 6: Clarify Accountability. Our strategies there were:

1. Consideration is being given to creating a custody diversion program in Calgary similar to the diversion program currently operating in Edmonton. In light of the federal Justice minister's recently tabled youth justice legislation, this review has been expanded to consider the [full] impact of this new legislation . . .
2. Alberta Justice will evaluate and determine, in conjunction with interested justice stakeholders, how to address concerns raised by delegates with respect to accountability in sentencing, parole practices, judicial decisions and police discipline.

Under theme 7, Take Action on Previous Studies and Reports on Justice, there are no long-term strategies listed from the justice summit, and under theme 8, Increase Funding, again there are no long-term strategies listed from the justice summit in conjunction with that theme.

So that's our check back into the last century to see how well we're doing in the new century in accomplishing those.

Next I'd like to look at the 2002-2003 government and lottery fund estimates book, the ministry's business plan summary, so pages 333 onward, and I will comment again this year, as I did last year, that I find that the way this ministry business plan is laid out is much easier to read and comprehend than many of the other ministry plans that I have to deal with. So my compliments to the staff and the minister who put this together. Much more accessible.

Now performance measurements. When we're looking at the goals and the performance measurements, I have some questions that go along with that, and that will be no surprise. Under goal 1, "Promote safe communities in Alberta," when I look at the core performance measures, "public perception of safety in the home"

and “public perception of safety in the neighbourhood,” in both of these we’re targeting for 95 percent of Albertans who feel somewhat safe to very safe in their homes or somewhat comfortable to very comfortable walking alone in their neighbourhoods at night. My question around this is: how useful is this performance measurement? We already know that we’re dealing with a tremendous gap in perception around public safety. We know that it’s safer than people think it is from our statistics on crime and the improvement in those crime statistics. So how useful is this measurement? This is not a new measurement, and I’m just wondering: is the ministry considering changing this, or is it giving them some information that’s useful in a way that I’m not comprehending? If I could get an answer from the minister on that, please.

Now, in goal 3, “Provide access to justice services for Albertans in need,” there are a number of new activities that are planned this year, and the minister did go through many of them in his opening comments. Goal 3.1, “Monitor the operation and evaluation of the Family Law Staff Counsel Pilot Project.” I believe we’re now in our second year of operation with that project, so I’m looking for: what was the budget on this last year, and what is the budget for this this year?

Goal 3.5, “Recommend amendments to the Public Trustee Act.” I’m assuming that this is what is currently under consideration in Bill 20, the Justice Statutes Amendment Act, 2002. If it’s not, I’d be interested in knowing what other additional recommendations were being considered.

Now,

- 3.6 Design and construct a Maintenance Enforcement Program (MEP) management information system.
- 3.7 Enhance MEP web-based technology.
- 3.8 Support reciprocal maintenance enforcement legislation.
- 3.9 Develop MEP Public Education Strategy.
- 3.10 Coordinate MEP file information with other ministries.

I am struggling to believe that we are still trying to get the technology in place in the maintenance enforcement program. These recommendations came out of an MLA review in 1998, and I take it the ministry is still trying to get this management information system. That’s the database; is it not? The last time I asked this question we found out that in fact it was just going to tender many years after it had been recommended, so are we still going to tender? It says, “Design and construct a Maintenance Enforcement Program (MEP) management information system.” Good grief. How many years? You know, children will be born and graduate from university with a doctorate before this comes into being. We need this program to work more efficiently. This is about getting money to children in Alberta, and this is court-ordered support for these kids. Why are we struggling? Does the minister need assistance or lobbying another way somehow to get the resources to be able to do this and carry it through? You know, I can understand enhancing web-based technology. That’s fine. Supporting the reciprocal maintenance enforcement legislation – it’s already come and gone in the Legislature so far in this spring’s session.

I’m interested in what a “MEP Public Education Strategy” might be, and once again are we looking at translation? We’re missing the boat here if we are not offering all new public education materials at least translated into the most common second languages that we’re operating with here.

Could I also get an explanation, please, on goal 3.10: “Coordinate MEP file information with other ministries to increase administrative fairness.” What exactly is meant by that? What’s unfair right now? So I’m looking for explanations on that.

Now, I look at the performance measures under this series of goals that I’ve just gone through. The first one, “Client Satisfaction with

the Services of the Public Trustee’s Office.” Once again this is an opinion poll with satisfaction in it. Why has the ministry not moved on beyond these rudimentary opinion poll based performance measurements? As much as I disagree with many of the choices that this government makes, the business planning cycle was a good choice. You know, performance measurements are hard to get right. What I keep saying is that each department got their first performance measurements and then basically stalled there, and there’s been no attempt to go back and work those performance measurements into something that’s giving them more valuable information. There seems to be a default: when you don’t know what to do, then do a satisfaction poll. I don’t see how that is giving any department managers information that’s helping them to make decisions and move forward. So I’m asking if the department is looking at adjusting these or coming up with new ones. If not and they like these satisfaction ones, then what kind of information are they really getting out of this? You know, are they processing claims better, more efficiently in some way? Well, what is that efficiency then? Does that mean less time, less money, less effort from the person that’s coming in contact with the department? The satisfaction stuff is an opinion poll. I don’t find it helpful at all, but perhaps the department staff do.

3:20

“The Amount Collected on Maintenance Enforcement Program Files.” This is “the dollars collected per file by the Maintenance Enforcement Program.” This is a long-standing performance measurement, I believe, but it does look to me like there might be a new performance measurement in here because of number 3:

Dollars Due Compared to Dollars Received (% Collected)

The program’s collection rate on scheduled support and scheduled arrears payments.

I’m still looking for whether we have been successful in developing a measurement of the amount collected against the total amount of court-ordered support payments and arrears. That looks like what number 3 is, but I’ve been hoodwinked before, so I’m willing to just come out and ask the question and see if that’s what is being measured here.

In the past the way the numbers were being kept did not enable the department to give me that answer. They could tell me that there had been activity on a certain number of files, but that activity could have been collection of \$1.49 when in fact the court order was for \$350 maintenance each month. I’m looking to see whether we’ve actually managed to accomplish understanding how much you’ve been able to recover and therefore how much you’ve not been able to recover that’s out there.

It’s interesting to me when I look at performance measurement 4, “Number of Eligible Albertans Receiving Legal Aid Services.” Now, usually I wouldn’t see the government planning to give more benefits or assistance to Albertans, but in fact that is what’s happening here. When we look forward at these goals, for example, the actual in 2000-2001 was 98,000 and change for people receiving legal aid. The target for this fiscal year that we’re examining is 107,454, and then that rate stays the same. So I’m wondering what accounted for the department’s willingness to look at the number jump from 98,000 to 107,000. That’s very interesting to me.

Is that the end of my first 20 minutes? Wow, that just flew by. Okay; I’ll look forward to the minister’s responses.

THE DEPUTY CHAIR: The hon. minister.

MR. HANCOCK: Thank you, Mr. Chairman. Some very good questions on topics near and dear to my heart, so I’m more than

pleased to provide some enlightenment – hopefully it's enlightenment – with respect to what's happening in many of these areas.

With respect to the justice summit issues, of course the department has been very significantly reviewing and monitoring its performance based on what the public of Alberta requested in the justice summit and have been measuring ourselves against that. In order to accomplish that and to make sure that we were on task, as the hon. member will know, we asked the steering committee for the justice summit to stay on as a Justice Policy Advisory Committee, and we've had significant opportunity to get good advice and direction from that Justice Policy Advisory Committee on an ongoing basis. Now with the two departments of Justice and Solicitor General we have continued the committee as an advisory to both departments, so rather than duplicating by splitting the committee, we keep the justice stakeholders together, advising both departments. That has been significant to us.

I might say that one of the most important pieces of advice we got from that was that the justice summit and the outcomes and the results of the justice summit are not owned by the Justice department or the Justice department/Solicitor General's department but in fact are owned by the stakeholders in the community and all Albertans. Therefore, we shouldn't take the view that all of what's expected out of the justice summit is the responsibility of the department, and that's not to shirk our responsibility but to say that there's a broader community. Justice is the responsibility of the whole community, and we must all work together as partners in that whole community to make sure that we achieve that.

So with respect to the first issue that was raised by the hon. member, improve public knowledge and awareness, just the fact that we have that committee, that we have ongoing discussions at least two or three times a year with the committee and through that committee to the stakeholders that they represent, there's a much better understanding of how each of the participant units in the justice community works and works together in a sharing of knowledge, which is fundamental to achieving success.

With respect to specific things that we're doing, members should be aware that we have been working very diligently, particularly in the first three months of this year, to develop actual curriculum modules for use in the high school social studies curriculum. We had teachers involved in developing the units, working with us to make sure that the units were relevant to the classroom, relevant to the students, and making sure that there were materials. One of the things we found in consulting with the education community was that the justice parts of the curriculum were not necessarily adequately covered, because there wasn't sufficient access to resource material or an easy way to find supporting material. So we have an education co-ordinator in the department, a full-time position devoted to that, and that education co-ordinator has been working, as I say, with teachers, and we've engaged consultants to work with us as well. So we're working with the Department of Learning, but we're not expecting the Department of Learning to develop the modules themselves. We're doing that and providing them so that they can be used in the high school curriculum, and I think that's a very, very positive step forward.

Of course, I would be remiss if I didn't mention the work that's being done by other stakeholder communities. The Canadian Bar Association has a classroom visitation project, working with justices of the Court of Queen's Bench and the provincial court, going into classrooms. So a lot of work has been done by stakeholders in the justice community to help improve the knowledge and awareness of Albertans about how the system works and how they can access it.

The second area that was addressed by the member was simplifying the justice system, and she went immediately of course to one of

my favourite topics, and that is the single family law court. Of course, that issue is broader than just a single family law court.

As members will know, we had a task force made up of members of this Legislature as well as members of the community – a representative from the Law Society, a representative from the Court of Queen's Bench, and one from the provincial court – who did a thorough analysis of a unified family court and came back with recommendations. I hope to be able to bring responses to those recommendations to the public very shortly.

We have been looking very thoroughly and working with the federal government on how we might appropriately put together a unified law forum for Albertans that would be simple and accessible. The Unified Family Court Task Force recommended a Queen's Bench model, a model of a family court as a division of the Court of Queen's Bench of Alberta, and that could be done, but the provincial court sits in more locations and has more simplified rules of procedure. Although the recommendation of the task force was to go with the Queen's Bench division, primarily the reason for that recommendation seemed to be that it would be easier to accomplish that because of the potential constitutional barriers of doing a unified family court on a provincial court model.

I haven't been totally satisfied that that's the direction we should go, so I have been exploring over the course of the last year with the federal Justice minister, as she then was, my counterpart from Edmonton, the possibility of doing some sort of model which would straddle both the provincial and federal appointments and have the model of a provincial court with federal jurisdiction in it. We're still in fact working on some models and having discussions with both of the courts in Alberta as well as with the federal government, and we'll be coming forward I think fairly quickly with a response to the Unified Family Court Task Force. But, of course, one of the things that we have to be aware of in talking about a unified family court is that it's not the court itself that is the important element in family law and dispute resolution. In fact, Albertans should be aware and will become more and more aware as we move into the future of some very innovative things that are being done by the bar in this province to really improve family law dispute resolutions; the collaborative law project, for example. There's an excellent model out of Medicine Hat.

3:30

I must say that members of the bar in both Edmonton and Calgary and in other communities in Alberta are engaging in a collaborative law process in family law, and it's doing some very significant things for people who have family law disputes. Adjudication, as I've often said, is not the best way to resolve a problem, particularly where there is going to be an ongoing relationship. In family law that is more true than in probably any other area, particularly if there are kids involved. So we need to look to new ways, to better ways to help people through stressful and emotional times in their lives, to help them resolve their problems. The collaborative law project, in my view, is one of those ways, and the bar is to be commended for taking up the initiative and providing that opportunity to Albertans.

Mr. Chairman, I'd be remiss if I didn't advise this House and Albertans of some of the ways that collaborative family law works in terms of people engaging lawyers to assist them with their family law problem and having those lawyers then enter into an agreement with them that they will not go to court, that they will solve the problem through meetings between the parties involving the lawyers. Their aim is to resolve the problem themselves rather than taking it into court for adjudication and in fact go so far as to say that if the process fails and they have to go to an adjudication, they have to get another lawyer. So an incentive on all parties to sit down and

resolve problems, and it has proven so effective that the chambers' lists in Medicine Hat on family law matters have diminished to the point of almost being nonexistent. Certainly we've seen the impact of that on other lists.

Another project which I was pleased to be a part of an announcement on last Monday in Calgary is the dispute resolution officer project in Calgary, and again I have to commend the bar, 35 senior members of the family bar in Calgary coming forward to volunteer one day of their time per month each to sit down with people who would be making an application to court, normally a disputed application, and working with those parties to resolve the dispute in a pre-court process which often, as much as 70 percent of the time so far in the short life of the project, ends up in a consent order going before the courts, an order which is far more effective because the parties have worked it out themselves with the assistance of the dispute resolution officer rather than having a court adjudicate.

So part of this whole process is not simply a unified family court, although that's an important part of the process, because you do need the court and you do need people to understand the accessibility issues and where they go to get satisfaction. But it's also the surrounding issues – the family law counseling, the family law mediation, the dispute resolution officers, the collaborative law processes – which are going to make family law much more modern and progressive in this province. It's going to make the system much more effective for the people who are involved and most particularly for the children who are affected by family breakdown. So I'm very positive about the work that's being done by the bar, by members of our courts, by our department, and by others to really achieve some great successes in this area and such positive progress in this area.

Plain language. Plain language is often in the eye of the beholder, I guess. I would like to think that anybody perusing the – did I say perusing? That wouldn't probably be a plain language term. Anybody looking at the Justice web site would be able to find a very effective method of moving through that web site because of its clear and succinct lines showing people where to go to get the information that they need.

With respect to translations into another language I'm not aware quite frankly of translation. I'm going to look up in the gallery and see if anybody shakes their head one way or the other. I'm not aware that we've got a project going to translate documents into other languages, nor am I sure, given the resources that we have available and the things that we need to do, that that would be high on our priority list. Certainly people who access the courts who need translation within the courts have access and can have that kind of translation in the courts, and that would be very clearly provided, but I don't believe we're at the stage where we're translating documents into other languages.

Court facilities in Calgary. One of my favourite topics, because I think we're very near to a process of starting a Calgary court strategy and building a justice facility in Calgary. Now, there's been a huge demand on our financial resources for capital projects, and as everybody in this House will not only know but will probably agree, the priority has been to build schools – the \$1 billion new century school program, for example, replenishing the infrastructure in the school system across the province – build capital facilities for health care, build roads. Those have all taken a considerable amount of dollars and left little for building a justice facility in Calgary.

However, we haven't let that stand in our way, Mr. Chairman. We've been promoting the concept of a public/private partnership. I'm very hopeful that we'll be able to go to the private sector, ask them for their creativity and their ingenuity in expressing interest in developing a project for Justice. I hope we'll be able to move

forward very quickly. Even a year ago we had approval in principle at some levels to develop that kind of partnership, and I think we can get a justice facility in Calgary within the next five years. Certainly we'll have to start immediately to accomplish that, and it will have the effect of bringing together the diverse court operations in Calgary, and that will be very beneficial to the Calgary community and the surrounding area.

Right now, as members will know, we have about six different locations in Calgary operating court facilities: the Provincial Court, Court of Queen's Bench, Court of Appeal. They suffer from the fact that we have to administer in six different locations. We can't utilize the courtrooms in between courts most effectively. The utilization of administrative staff is not as effective as it could be. So there are many good reasons to move ahead with this project, and I'm hoping that we will be able to advise that that project is moving ahead.

We haven't stood still. We're talking about what is needed in the Calgary court. We're talking about a private/public partnership. We're working on convincing the government that we should go out immediately to an expression of interest from the private sector as to how they could do that, how they could work with government to build the building and operate it and develop a 35- to 50-year time horizon to provide for the accommodation of the courts in Calgary. That's been a particularly important project for me as minister and one that I hope that we will be able to make some good progress on in the very next short while. So that indeed hasn't been standing still, although it's been long in the gestation period.

Sensitivity and cultural awareness. I can advise that we have, particularly in the prosecution area, moved to make sure that we had cultural awareness, cultural sensitivity programs so that the prosecutors have that knowledge base on which to operate. But it goes beyond simply a cultural sensitivity program. Many people have the perception of prosecutors, for example, as having their main job to go into court and to obtain a conviction, where appropriate, of a person who's charged with an offence. But really the role of the prosecutor is so much broader than that in terms of working with the community to make sure that we can be aware of the needs of the community, that we could deal with root causes of crime, such as the domestic violence court project and those sorts of projects, work with committees on FAS, fetal alcohol syndrome, and particularly how that might affect youth coming into the court system.

So prosecutors in our province have been empowered to be much more proactive and involved in their communities and to be aware of what's happening in the community: so cultural sensitivity training absolutely, enhanced aboriginal awareness programs particularly, but more important than that, a real understanding of the role of the prosecutor in the community, both an understanding by the prosecutors themselves but an understanding by the community as to how prosecutors can play a much more significant role in the protection of our communities as we go forward.

Enhanced community partnerships. Well, I think I've spoken to some of the concepts of enhanced community partnerships already.

AN HON. MEMBER: They still let them ask questions.

MR. HANCOCK: You'd rather hear her talk than me? I'm cut to the quick.

Increased role of victims. Well, I can say that our victims' assistance units across the province have been enhanced, that there's a much more significant role now of providing assistance to victims, in the role of advising victims; for example, when someone is being released on bail, contacting victims where early case resolution is being recommended, processing victim impact statements. We don't always get it completely right. Sometimes victim impact statements

don't make it from the police station to the court file in an appropriate time frame, but we're working on those issues. For the most part I think the work of the public assistance units has been commendable. One of the things that we put first and foremost in our Justice department is that victims shouldn't continue to be victimized by the process, so we pay a lot of attention to victims and ensuring that they have an appropriate role in the system and that they understand what's happening to them and to their case.

3:40

Increased funding. No long-term goal on that. Well, it's not just a question of asking for more dollars but making sure that we use the dollars we have in an appropriate manner, but we haven't been shy about asking for more resources when they're needed. The hon. member will know that last fall in a supplementary estimate, which she and members of her caucus often rail against, when more resources were available and were needed for the justice system in order to hire more prosecutors and pay prosecutors better so that they could do this community role that I've been talking about and do it effectively, we were able to achieve those additional resources in the amount of about \$6.5 million, which is not necessarily significant in everybody's budget but certainly significant to our budget. Again this year for the second stage of that project we achieved additional resources. So increased funding when it's needed and for the appropriate processes, absolutely, and restructuring the way we do business to make sure that our resources are most appropriately applied is also a key goal for us.

The hon. member asked about how useful perceptions of public safety are, and I would say this: it's always important to try and improve our accountability measures, and what's most appropriately measured is how we achieve our desired outcomes. Our desired outcome is safe communities. How do you measure safe communities? Well, one of the important measures of safe communities – and I agree with the hon. member that people's perception of their safety is somewhat less than the reality of their safety, but what's really important if we're trying to make sure that Albertans feel they're in a safe community and that they have a safe place to live and work and raise their families is how they feel about it. So, yes, it's important to continue to measure those perceptions about how safe people feel in their homes and how safe people feel in their communities. Is it the be-all and the end-all of measures? No. It's always important to use additional measures to see whether we're achieving the appropriate outcomes.

Now, we can't report a multitude of measures, so we try and pick those to develop a significant trend analysis, and we can look at those measures to see whether we've moved people from satisfied to very satisfied, for example. Those sorts of changes within the measures can be appropriate, but we also have to be consistent from year to year in some ways to make sure that there's a way of developing that trend analysis.

I see I'm out of time, and I only got through page 1 of the questions, so this is going to be an interesting afternoon.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman. Right onto my second go. Just a couple things I want to reference from the minister's comments. First of all, if we still have guests and fun seekers with us in the gallery, a reminder that they can check what the *Hansard* recording is this afternoon by going to www.assembly.ab.ca and following the links to *Hansard*, and they will have a verbatim transcript of the proceedings between the minister and me.

The second thing is that I'm interested if the minister could give us an indication on the unified family court project. The last time he and I talked about this at any length, he seemed to be leaning towards the provincial version of that. If he's willing to give any clearer indication than he has already given about which side of the line that one is likely to fall on.

The translations. I'm not talking about translating legislation. I'm talking about pamphlets, the very simplest pamphlets that are available that are put out for anyone to pick up on legal aid or any number of other – you know, you see them in the pamphlet racks all the time. Are those being translated? I'm not recommending in any way that we start translating our laws and statutes into Cantonese and Somali. That's not the intent of what I'm saying. It's the very simplest access route into the legal system that I'm talking about.

I'd like to ask the minister to expand on the FAS/FAE initiatives that he's taking. In Edmonton-Centre we are experiencing an increase in families moving in who have children who are FAS or FAE, and that is really affecting the schools in my constituency and the kind of programming they've got to offer, how much money they're having to put into additional services and support for these kids. I can see, looking at that microcosm, on a macro level what an effect this is going to have on all of us. So I'd like the minister to be able to detail, likely in writing on this one, what short-, medium-, and long-term initiatives they're looking at to do with FAS and FAE.

The minister mentioned the supplementary supply bill in the fall, and I was, if you will remember, very happy to support that additional money because I had been lobbying fairly hard to get it. Certainly I have a number of constituents who are Crown prosecutors, and they had made their situation very clear to me. This is a larger issue, and I'll come back to it because I have another section on it.

Before I leave the goals and measurements section, I'm going to run through goal 4, "Improve access to civil and criminal justice." I'm looking for enhancement or expansion, more detail, on some of these initiatives.

In 4.4, "Assist with the identification, development and implementation of Aboriginal and justice community initiatives." In 4.5, "Explore the use of technology to improve access to courts." Now, I know there was quite a bit of consternation around replacing the court reporters with recording devices. Are we to expect more of that to come then? What exactly is meant by improving access to courts?

In 4.7, "Review specialized courts." Now, we've talked about that a little bit before, but I would like to know what the status is of the various specialized courts that the minister has now got out there in various kinds of locations and progressions of pilot projects.

In 4.8, "Develop a process for early case resolution." Now, he's done quite a bit of work around this. I'm looking for what he's anticipating in addition to what he's already done.

In 4.9, "Undertake a renewal process to modernize the prosecution service." That sounds interesting. What's being contemplated there?

In 4.11, "Review compensation for witnesses, jurors and interpreters." I'd just like more information on what's being anticipated there. Are we looking for an increased budget line item on this one next year, or what's the time line? What are we talking about?

In 4.12, "Improve public understanding of the justice system through an education strategy." Interesting, because that in fact was part of what came out of the justice summit. The minister has already responded to this, and it's turning up again under his goals, so in addition to what he's talked about, what else is he anticipating?

In 4.13, "Develop a Lawyers Guide to the Maintenance Enforcement Program." Has there been a need demonstrated for this? I'd like to hear more about that.

In 4.15, "Examine the use of family conferencing to facilitate MEP collections." I take it that this is videoconferencing or some sort of electronic conferencing to bring people together, or do you actually expect to have them all in the same room?

What is anticipated under 4.16, "Support and develop Court Initiatives in First Nation communities"?

3:50

My final question is on 4.19, "Develop a strategy to address increased traffic and bylaw ticket volumes." Now, is that part of what is turning up under Bill 20, Justice Statutes Amendment Act, 2002, under the provincial offences section? I did speak about that in debate on Bill 20 last night. I'm a little concerned there that the victims' fund is being circumvented through what's being anticipated, so I'm looking for clarification there.

Okeydokey. Moving on, now we're into the book. This is Budget 2002: The Right Decisions for Challenging Times, Fiscal Plan. On page 27 we're looking at a discussion of safe communities, and we're talking about: "Thirty-eight Crown prosecutors will be hired over the next two years." Interestingly, I think it was in the week-end's paper that there was a discussion about the caseloads still being very high for Alberta's Crown prosecutors, although there has been, as we've already discussed, a budget item to hire I think 22 new Crown prosecutors – at the time I thought it was 17; maybe I could get clarification on that – and also to improve the grid for pay increases.

We are still in comparison not doing well. I mean, we're ranking right up there with Saskatchewan and Newfoundland as far as caseload is concerned. Do I take it that the minister is anticipating that by the time we get the 22 prosecutors on line, we will have taken ourselves from the ranks of the most overworked in Canada? Twenty-two new Crown prosecutors doesn't strike me as very many when I'm looking at that number of caseload. In comparison, in these numbers that are being quoted, Alberta is listed at 479, and I think that's down from 499 before the additional Crown prosecutors were added in the fall. That's right; 15 new prosecutors were hired in 2001-02 and 38 new ones are anticipated to be hired over the two years.

I think that's a fairly large issue, because this fits into a larger theme than I have seen and that I've developed suspicions about. It's about access to justice in Alberta. I've seen the minister take a number of initiatives and steps towards trying to keep cases out of court, in some cases good initiatives, good ideas. Yes, that's the way to go, but I also have questions about whether we aren't making access to justice more difficult in some cases, certainly when people have an experience where they have very little time to spend with their Crown prosecutor, who has very limited time to prepare for their case and rushes into court.

With some of the choices the minister is making – this is where I'm at a disadvantage not being a lawyer, because I can't remember all of the catchphrases easily – the effect has been that we're moving towards a very small collapse rate when we actually get to trial. Normally a Crown prosecutor would show up and say: okay; there are – I'm making up numbers now – 15 trials scheduled today, but I know that I'm going to settle six of them before we ever hit the doors, which is going to free up enough time that I can actually do the work to prep for the other nine cases that are now still up, and some of those will be put over anyway. Given the choices that the minister has made, I think, from what I'm understanding, that we're putting those Crown prosecutors in a position where they show up, they've got 12 cases scheduled instead of 15, but they're going to have to do every one of those 12 cases without a corresponding amount of scheduled time to get to know the cases better. Now, I

could be wrong. Please correct me, but it seems to me that there's a real struggle going on here between trying to cut costs and keep costs under whatever budget the minister is assigned by the Treasury Board and citizens' access to justice in this province.

I had asked a question the other day about legal aid amounts. I think the minister and I miscommunicated on a couple of levels there, because in fact the qualifying level didn't change – and that's what I was asking about – but the amount that the ministry is giving over to that program has increased.

So what's happening with the Crown prosecutors is part of a much larger discussion, I think, about access to justice. The choices that are being made, that I see the minister making, I think are restricting the average person's access to justice, and I'll come back to that.

Also in this same document, when I look at page 51 in this fiscal plan under Justice, we have a change in the FTEs, full-time equivalents, of 57. Now, if I could get a detailed breakdown, please, about where those 57 FTEs are going. It is an increase of 57. We're going from 2,066 FTEs in budget year 2001-02 to 2,123 in the fiscal year we're examining, so that's an increase of 57. Could I know where those people are, please?

Next is under Premium, Fee and Licence Changes. Again, I asked the minister a question about this a couple of days ago or maybe at the end of last week in question period. At the time the minister's response was that the increase for small claims court had gone from \$25 to \$100 to cover the cost of mediators, and there was to be an encouragement to move people away from small claims court and towards mediation. I think there's an argument there that to someone walking up to the door, it still makes it look like this may not be very accessible to them anymore.

There would have to be some fairly rigorous encouragement and enticement made available to people for them to, you know, turn to the side and go and check out the mediation services that are available. Most people, if they've ended up walking up to small claims court, most of my constituents anyway, are looking for their damage deposit that they didn't get back. At this point it's \$600, \$700, \$800, \$900. Yeah, because it's the first month's rent. In downtown high-rises right now, people are paying \$900 for a one-bedroom apartment. That's what people are paying. That's why we're having a homeless problem. And then they don't get their damage deposit back, and they walk up there. There is no mediating with this landlord. They already know that because they couldn't get the money the first three times they tried. So now they're going to have to pay \$100 in order to get that \$600 or \$700 or \$800 or whatever it is worth of damage deposit back. I think that is a barrier to justice, because there is no mediation there. So I don't know; maybe the minister has some percentage that he expects to be able to be encouraged or hived off into using mediation services instead of going to small claims court. Well, let's hear it.

We have a number of other changes in fees. Filing a notice of appeal and subsequent filings is going from \$200 to \$600. In Court of Queen's Bench, filing a certificate of readiness is going from \$200 to \$600. Appointment for a solicitor/client taxation is going from \$25 to \$100. The issuance of a civil claim and filing of notice of application under part 5 of the Residential Tenancies Act is going from \$25 to \$100. This was done without any consultation that I'm able to perceive. If there was consultation, I'd be interested in knowing who was consulted with that agreed or approved of this. You know, if you take a step back, this just looks like a money grab.

THE DEPUTY CHAIR: Hon. members, the chair needs to interject. The level of noise in the Assembly is getting higher and higher, and I caution all members to please give due respect to the hon. Member for Edmonton-Centre, who has the floor.

The hon. Member for Edmonton-Centre.

4:00

MS BLAKEMAN: Thanks very much, Mr. Chairman. It seemed pretty normal to me, but thanks for the interjection.

We're under court fee increases, so I'm looking for whether there was consultation about these fee increases and making the statement that it just looks like a tax grab. I mean, \$200 to \$600: that's more than double; that's triple. That's a lot of money. How come? Was this far behind the times? Is every other province charging significantly more than this? How was this particular fee arrived at? You say that there's a connection in the small claims with the \$100 representing two mediators at 50 bucks a pop. Okay; then what's the magical connection here for the rest of these where we're going in the most part from \$200 to \$600?

I think that this does affect again the people that can least afford this. For what the filings are here and the fees, we're not talking big business here. This is not what corporations get into, and frankly I think they'd be less likely to notice this, but individuals are really going to notice this.

This I'm adding to my running list on the side about access to justice issues. One was the Crown prosecutor's workload. Two is this whole fee structure and the increases in fees here.

I think the next area I want to go into is connected. We have had an increase in population in Alberta. The figures I've got here are 34 percent over the last 10 years. I'm sure someone else could come up with other figures. Of course, with 34 percent more people in the province we're going to have a corresponding, one assumes, increase in the number of people that are needing to access court services. Maybe for special reasons we might have a higher percentage of people needing to access court services. So one would expect that there would be somewhat of a corresponding volume increase if nothing else to deal with the increase in population in Alberta. In fact, we have seen that. Court filings have increased, court services have been added, trials are longer and more complex, and everybody's being asked to do more with less.

If you look at the budget that goes with that, I think it can be argued that there has been a corresponding decrease in the budget. Now, some of that is in fact efficiencies, and I know that the minister can prove that, so I welcome him to do so. But I do question whether in fact we have yet another mark that goes on that side list about access to justice. There have been a number of times with episodes in the last year or so where I've been asked to comment, and to me it always looks like there was a choice made to save money, and in that saving of money we had justice slowed down or more difficult to access.

We get into a philosophical argument here, because I believe there are certain programs and services that a government must offer its people. Must. Now, whether that's constitutionally enforced or whether it's a moral obligation to provide this or whether they're the only one that can provide it, nonetheless it is there. That obligation is there, and I think access to justice and public safety is one of those areas that the government must provide. It's not a matter that you can say: oh, I think not today. [Ms Blakeman's speaking time expired] That's not my second 20 minutes.

THE DEPUTY CHAIR: I regret that it is your second 20 minutes.

MS BLAKEMAN: All right; I'll come back.

THE DEPUTY CHAIR: The hon. minister.

MR. HANCOCK: Well, thank you, Mr. Chairman. I'd be pleased to start where the hon. member left off, talking about the increased

population in our province and the fact that many Canadians and people from other parts of the world are flocking to Alberta to be part of the Alberta advantage and the great economy that we have here and the great opportunity to live in safe communities and to raise their children in safe communities. That in fact is the attraction which brings people here, and it does indeed put more pressure on our systems. It puts more pressure on our hospital systems and our school systems and of course on our court systems.

That's one of the reasons why we have to constantly be trying to find ways to do things better, because it's not always a question of increasing the resources. Certainly when you have a system which has a huge infrastructure – and the court system is a big infrastructure in terms of both people and buildings, when I'm speaking of infrastructure, so it can be increased modestly and accommodate larger numbers of people and cases. You don't have to always be building new infrastructures, but you do have to be looking at the way that you provide services.

As we move into the 21st century and talk about how we do dispute resolution in the 21st century, it is appropriate to look at the way we've done things in the past, where we're going in the future, and see if there are better ways. We've spent a lot of time – and this is not exclusive to the Department of Justice by any stretch of the imagination. The bar and people in the community, the Better Business Bureau in Calgary and others, are saying that there are better ways to resolve our disputes, particularly when we have ongoing relationships. So we're finding that mediation processes are more and more important, even within the courts. The courts are finding that rather than simply adjudicating, judicial dispute resolution processes are important.

So we're finding new ways to resolve, to handle larger caseloads quite frankly, in one way by diverting those that should be appropriately diverted, both in the criminal system and in the civil system, diverting in the civil system to mediation processes, to giving people back their problems and providing them with assistance to resolve those problems rather than taking their problems away from them and finding an expensive way to go to battle on those problems. That's a very, very important way in which we're able to help people to get better solutions to their problems in a more effective and more efficient way. So you don't necessarily have to increase the size of your infrastructure commensurate with the size of your population.

We're always looking for ways to reinforce that kind of activity in the community. I go back again to the collaborative law projects, to the dispute resolution officers, to the civil mediation project, and the many, many ways that members of the bar and other members of the community are helping to provide more effective ways for people to solve their problems in this province. Really one might go so far as to say that that old adage about people being entitled to their day in court is not necessarily applicable any more. People are entitled to a fair and effective way to resolve their disputes, and it shouldn't necessarily involve going to court, although you always have to have the court system as a backup to that. People need to have access to justice, but that doesn't necessarily mean access to a judge. So we're finding different ways of doing things.

In fact, the allusion was made earlier to a question about the renewal of the prosecution service. We have engaged in a project within the prosecution service and in fact right across Justice about looking at how we do business. What's the best way to deliver? What are the outcomes we're trying to achieve in a safe community? How do we get there from here? The first thing we had to do, yes, was to hire more prosecutors and pay them more and pay our legal officers more, because in a strong economy such as we find in Alberta, there is competition for good resources, and there is competition for good people, and those people have to be fair to their families.

So when they're challenged with the opportunity of a job with the federal government that perhaps pays more or a job in the private sector where they could earn more, they have to balance that against the opportunity to continue to work in the Justice department and with the prosecution service in Alberta, where they're getting a very wonderful experience and a great opportunity to serve. But that has to be balanced; you have to be fair to your family. So of course we had to come up with more resources so that we could hire more prosecutors and so we could pay them fairly.

Having said that, though, that's not the end of the program. You have to also continue to look at how you can be more effective in your community to deal with the root causes of crime. If you simply deal with crime as it presents itself to you at the door, you're going to be continuing to cycle through a process that grows ever and ever larger. So we've dealt with early case resolution projects. We've dealt with ways to have the prosecutors involved in FAS and FAE and cultural sensitivity and processes. We've tried to develop new methods of dealing with courts; for example, the Tsuu T'ina court process, the domestic violence court. Prosecutors in other parts of the province are working – in Lethbridge there's a lot of innovative work being done with the community on domestic violence issues.

4:10

So those sorts of projects are very, very important, and we have made a commitment to improving our prosecution service by paying more and by hiring more people, but one must also be conscious of not getting too excited by finite measurements. It isn't necessarily a bad thing to have the highest average file load in Canada. It's not necessarily a bad thing. It depends on what you're doing, how you're doing with it, and how effectively you're able to deal with them. Now, having said that, we're aiming at trying to get our file levels down and our workloads to a manageable and acceptable level, but are we aiming to be the lowest in Canada? No. That's not the measure that's important. It is one of the inputs.

The other thing which I would point out because of something that's bothered me from time to time since I've been Justice minister – the newspaper report that the hon. member alluded to talks about an article showing that we're still the highest in Canada. What the hon. member failed to point out is the CJIS statistics report that was released was for last year, 2000-2001. We've done significant things since then. [interjection] Even earlier than that perhaps. And that's one of the problems we have with statistics in the justice system. Quite often by the time they're rolled up across the country and compared and analyzed and reported, they're so significantly out of date as to be of very little value in the true analysis of what's happening. That's something that we really do need to do more about, getting more current statistics.

However, having said that, I will acknowledge that we have not filled the full complement of prosecutors that we're hoping to hire. We do need to hire the best, the brightest, the people that are going to be long-term employees of Justice and who are going to really add to the Justice department and add to the service of Albertans. So that's something we're doing carefully, that we're doing diligently, that we hope to have accomplished, but we're not just going to go out on a hiring spree and hire everybody. We're being very careful about the process to make sure that we get the best people.

Enticements to mediation, premiums, fees, and charges. I'm not hoping to entice anybody into either the court or the mediation process. I do acknowledge that there may be people who might find a hundred dollar filing fee in Provincial Court to be a barrier, and I've discussed with the department how we might achieve a way to resolve that, working either, for example, with the Poverty Law Clinic or in other ways to make sure that people who truly can't

afford to access the system do have access to the system. We don't want to be cutting anybody out of the system. That's not the intention. It should also be clear that in the court system, particularly Provincial Court, when one does obtain a judgment – in other words, when they are right about their claim for their damage deposit – they would also get their court costs. While it may be an initial barrier to filing if you don't have the money, it shouldn't be too big a barrier for most people.

So we have to weigh that. We certainly have to monitor that. We don't want to restrict access to the courts to any individual on the basis of cost, but it's a modest cost in the overall scheme of things, particularly in light of the overall costs of the courts. As I said I think in my opening remarks or perhaps in answers to earlier questions, these fees have not been raised since 1993. There's a significant increase in the cost of doing business, and the balance of who pays for that between the public and the individuals using the system has to be kept in mind.

The notice of appeal and the certificate of readiness. Those are two areas where we felt it was appropriate to make significant increases in the costs. Yes, we do need more money. People are talking all the time about the justice system needing to have more resources, and we do need those resources. So if that constitutes a money grab, well, we need to get the money. We need to have the money from the ticket collections that we're processing, and it's fair to charge that back to the people that are creating the problem, the people who are speeding or violating the Highway Traffic Act, get them to pay for the cost of processing their tickets, and I don't apologize for that. Nor do I apologize for saying to people who are filing a certificate of readiness or a notice of appeal that it costs money to access the system. The cost of the filing fee is probably the least expensive part of their lawsuit. They really should be encouraged before they file a certificate of readiness to see whether they can't resolve the matter. Very, very often we find cases resolved on the steps of the courthouse. If they would take a look at it a few days earlier or a few months earlier, prior to filing a certificate of readiness, they might well be able to resolve those problems earlier without waiting till they've booked court time and ended up in collapse rates in the court system and those sorts of things.

So it's not only an opportunity to earn a few more dollars, which can be well applied in the justice system, but it's also an opportunity to incent behaviour which suggests that people could, before they go to appeal or before they go to trial, look to see whether they can't have a resolution. We're finding that resolution is possible. Even in the Court of Appeal they're doing judicial dispute resolution, and if they can do judicial dispute resolution in the Court of Appeal successfully and have people resolve their problems before they go to appeal, then there's no good reason why the parties, well advised, couldn't sit down and come to that conclusion earlier on and save them and the system a whole lot more money. It's appropriate to incent parties to think about those things, and we certainly need to work in that direction.

With respect to the detailed breakdown of individuals that we're hiring, I presume we can provide you with a general breakdown of that, but it won't take too much for you to figure out that most of those are going into the prosecution service, both in the hiring of legal officers and in the hiring of support staff. Some of the other positions will be going into the processing of the traffic tickets area.

A question was raised about clarifying comments with respect to the unified family court. I can't go a whole lot further on that, because this is, of course, subject to some discussion that's still ongoing with the courts and with the federal government. Clearly, what I'm hoping to accomplish in that area, what I'm hoping to bring before government and then perhaps before the House in the

nature of legislation, if that's required, is a model which provides the accessibility and the simplification in terms of process that's provided in the Provincial Court with the authority that's necessary from time to time from a Federal Court appointment. So we're trying to achieve that. We're still working on how we can accomplish that, and I haven't got a conclusion to that as yet to offer you, nor do I want to indicate where I think it will sit or what the model is. There's still work to be done, but we're proceeding on that work. Certainly we'll be happy to give you information on what's going on.

We're co-operating with other ministries on the FAS and FAE initiatives, which are very important to the justice system because so many of our clients, particularly on the criminal justice side, suffer from those syndromes. As I've often said, the best prevention program for our acute care justice system is to deal with some of these issues early on, help children before they get into the system by dealing with some of the root causes. We can provide you with more detail about the initiatives that are happening in that area, but we are co-operating with other initiatives.

The hon. member indicated that she was supportive of the supplementary estimates, and I very much appreciate the fact that she was supportive of the supplementary estimates in the fall. What I was alluding to when I commented about lack of support was the continual derision that we get when we come up in midterm asking for more dollars when they're needed and when they can be made available. The implication is that the opposition would prefer that we stick to our budget as put forward rather than make midcourse adjustments when the resources are available and when we can demonstrate, as we clearly did last fall, in a time when getting additional dollars was very, very difficult because of what had happened on the revenue side – but we persevered and we made the case. We were able to make a very strong case that additional resources were needed, and it shows the importance of not adhering to the concept that there should just be a budget and that you should never make any adjustments. That was an indication that supplementary estimates are so important to us and our ability to adjust and make sure that we do it.

Improved access to civil and criminal justice. I think so much has been done in these areas. The improved access to criminal justice is so important in terms of what's been happening through the public assistance units and the way that they've been able to bring victims into the system and to reduce the amount of revictimization. There's still a lot of work to be done. I've mused about how we might be able to, for example, eliminate preliminary inquiries, because with the new rules of disclosure preliminary inquiries may be less and less important. Now, the defence bar quite likely will not agree with that supposition, but I think it's an idea that needs to be floated and discussed.

4:20

At one time not too long ago all provinces had agreed at a meeting to proceed to the elimination of the preliminary inquiry, and then one of the provinces changed their mind, as often happens when you're trying to deal with a unanimous decision across the country. It can be very, very difficult to change processes and procedures at the criminal law level, but we need to look at those processes, because again, for example, victims going into a prosecution process, having to appear at the preliminary inquiry and then having to appear again at a trial, have to relive their victimization over and over again. One has to balance the rights of the accused, particularly as protected by the courts in terms of the rules of disclosure, with the rights of the victim. I think that that balance is very clear now that appropriate disclosure obviates the need for preliminary inquiries,

and we should be looking at those sorts of things to see if we can improve the access and improve the time to trial by simple things like doing that.

I'll be attending a trial courts of the 21st century conference in May, and that's being run in Saskatchewan. The Chief Judge of the Provincial Court in Saskatchewan is one of the chief organizers of that conference, a very important and timely conference to talk about what our trial courts should look like. Again going back to the concept that just because we've done it this way for the last 300 years . . . [A beeper sounded] I was just getting started, Mr. Chairman.

THE DEPUTY CHAIR: Hon. minister, you still have time.

MR. HANCOCK: Oh, excellent. That was somebody else's beeper. I thought it was too short.

Anyway, the hon. member was referencing a number of the goals, and the technology to improve access to the courts, I believe, was one of the goals that she was referencing. There are just so many ways that we can improve access to the courts, again both on the criminal and on the civil side, through the use of technology. Imagine, if you will, that you are in the remand centre and you need to appear in court in order to be arraigned. That's a very, very short appearance in court, but you might have to get up at 6 o'clock in the morning and be transported from your cell to the courts, be held in a holding cell in the courts for some period of time until your case is called, then go into court for a brief two- or three-minute appearance, if that, then back to the holding cell, and then back to the remand centre, only to find that somebody else is occupying your cell, that you've been moved into new accommodations. Now, wouldn't it be better if you could just go down the hall and appear in court through the benefits of videoconferencing?

I think many people would realize and recognize that their rights to appear in court are not being abrogated by a simple thing like that, and of course if they needed to be in court or wanted to be in court, they could certainly do so. There's no reason why we can't move to technology which would both improve the security of the court and the community by not moving prisoners around so much. It would be more cost-effective in terms of not having to have so many people moving prisoners around the province – sometimes it's court officers, and sometimes it's the police – and in some cases moving prisoners quite some distance for arraignment. So that's the way that technology could be used on the criminal side.

On the civil side, of course, there are many ways we could improve through technology, and we're going to have to look at ways that we can do that. Particularly, of course, the constant problem is finding the resources to do it, but that doesn't mean we shouldn't be thinking about it and preparing for it and trying to move in that direction.

Again videoconferencing is a very important tool. In a recent case in Fort McMurray, for example, both parties agreed that a witness from Ontario who had a young son who was sick wouldn't have wanted to travel, that it would have been cruel to make that person travel. She would have had to bring her son. It was just before Christmas. The parties agreed that the testimony could be given by videoconferencing, and the quid pro quo was that the two witnesses from Newfoundland who needed to appear could appear by videoconferencing. Now, they would have had to travel all the way across the country, all the way up to Fort McMurray – not that going to Fort McMurray is a bad thing – and it would have taken a lot of their time and effort to appear as a witness in a trial when their time in the witness box, so to speak, was very, very short, and so is my time, I understand.

THE DEPUTY CHAIR: Hon. minister, your time has now run out.
The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Chairman. I'm pleased to rise to speak to the estimates of the Department of Justice and to put some comments and questions to the minister. The first thing that I wanted to raise was the question of court fees, and I understand that that's already been discussed to a certain degree. I see that appeal filings have been increased for the Court of Appeal from \$200 to \$600 and the same for a certificate of readiness with the Court of Queen's Bench. The fee for the appointment for a solicitor/client taxation with Court of Queen's Bench has gone from \$25 to \$100, and the fees for the issuance of a civil claim and the filing of a notice of application under part 5 of the Residential Tenancies Act will be increased from \$25 to \$100. So the question that arises, which I think the minister has not fully addressed, at least not to my satisfaction, is: what is the impact of these changes in fees on the principle of equal access to justice?

I note with interest comments that were recently made by the president of the Canadian Criminal Trial Lawyers Association. He says very clearly that access to justice does depend on your means. He says that those who have the means are often able to afford a defence that's not available to those without means. A staff lawyer for the Edmonton Centre for Equal Justice says that people can't afford to hire lawyers in many cases, that even the cost of filing an action in small claims court, recently raised from \$25 to \$100, has priced the system out of many people's hands. They conclude by saying: I think we're headed for a two-tiered justice system if we're not careful. I'd be very interested in hearing the minister's comments with respect to those perspectives by people who are directly involved in the system, at the front lines.

As well, I'd like to raise the question of fees for the legal aid system. I know that it is a concern that they recently increased from \$61 to \$74 an hour and will rise \$2 a year until they reach \$80 in 2005. There has been an increase in the department's budget, and I'd like to recognize the progress that has been made in the department in those areas, but the question is whether or not it's going to be fast enough to ensure that people dependent on legal aid have the resources that they need when they need them in order to make sure that their rights are protected just as well as any other person who may come before the courts.

I have another concern that I'd like to raise, and that is dealing with the maintenance enforcement program. The maintenance enforcement program is identified under strategies and initiatives of the government business plan under goal 3. Goals 3.6 to 3.10 all deal with some ambitious and laudable strategies for dealing with maintenance enforcement in the province, yet the maintenance enforcement program funding is being reduced nearly 10 percent in this budget, from \$8,886,000 to \$8,046,000, which is a reduction of \$840,000. How will the department be able to meet these strategies and initiatives under goal 3 with 10 percent less money in their budget? I'd like the minister to perhaps talk about how maintenance enforcement is working in Alberta and whether or not it's being more or less successful and what changes in the development of that program may have led to the decision to reduce its funding. Perhaps there are some reasons that the minister can put forward.

4:30

I would like to also address the question of the G-8 summit, which is identified as a goal. It's interesting that this comes under strategies and initiatives for enhancing our focus on serious and violent crime. It says: "Work with the R.C.M.P., Calgary Police Service and other involved agencies, providing legal advice and

assistance with planning and training, to contribute to a safe G8 Summit." So I would like to know what steps the ministry is taking to ensure that the summit is not only safe for the visiting heads of state but also safe for people who may wish to exercise their legal and democratic rights to protest. I would like him to explain, if he could, a little bit of the structure of the decision-making between the R.C.M.P., Calgary police, and his department and the Department of the Solicitor General in respect of those decisions. I think everyone is concerned that we . . . [interjection] If that were the case, hon. Minister of Environment, he might find himself considerably outgunned by the protesters. I don't know.

I certainly would appreciate some assurances from the minister that in fact people are going to be safe, that the environment in the Kananaskis is going to be safe. What steps are being taken to prevent confrontation and violence before it begins? I would hate to think that the strategy will be just to wait for something to happen and then move in with tear gas or rubber bullets or whatever else police forces have decided to use from time to time when people protest.

I had a number of reports, not the least of which from my colleague the leader of the New Democrat opposition, who attended at Quebec, that indicated that in fact very often there was a small minority of people who caused trouble and were prepared to be involved in very aggressive or violent activities but that the police response in many cases was directed against people who were not involved in those activities. I would like some assurances from the minister that he is taking steps to ensure that that in fact does not happen.

Mr. Chairman, I think that for the moment those will be my comments and questions for the minister, and I look forward to his response. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. HANCOCK: Thank you, Mr. Chairman. I would start by commenting on the question relating to the decrease in expenditures for maintenance enforcement. The budget shows a budget decrease of \$840,000, and most of that is due mainly to the transfer of operating expenditures to capital expenditures in the 2002-2003 budget. There is a modest decrease included in there with maintenance enforcement working with all other areas of the department to absorb the reduction targets from last fall, but most of that number has to do with the transfer to capital.

As the hon. member indicated, the goals for maintenance enforcement are both ambitious and laudable and also, I think, very much attainable. We have a very, very strong maintenance enforcement system in our province, and the director, Manuel da Costa, is here. I would like to take the opportunity to say that maintenance enforcement is doing a very good job for getting resources particularly to children and families who need them in this province. Are they collecting every dollar that's awarded by the courts? Absolutely not. You can't get blood from a stone. Sometimes the people are very effective at evading the process, but we have collection teams and we're every year finding better ways to give them more enforcement tools, and we don't apologize for that. We make it our business to make sure that to the extent possible maintenance orders are enforced.

The hon. Member for Edmonton-Centre asked earlier about a manual with respect to lawyers. Certainly one of the things that we're trying to do is make sure that court orders, when they're granted and registered with maintenance enforcement, are orders that we can enforce. People's circumstances change from time to time, so the orders need to be changed from time to time, and unfortu-

nately our history in the system is that people often by that time have run out of resources. They've spent far too much on their domestic disputes, and they're quite sick of being in court, so making changes to orders has been difficult. So we're working with the family law bar.

Certainly the Family Law Information Centre is working to develop standard clauses to make sure that enforcement orders are standard and enforceable and that the changes, when necessary, can be made but, for the most part, that orders will stand the test of time, where possible, so that they don't have to be changed. There will always be dissatisfaction with the maintenance enforcement program either from people who think that we're making it too difficult for them to evade their responsibilities to their children or, conversely, from people who are not getting the full amount that they've been awarded by the courts, simply because if the person is not working or if we can't find them or if we can't access their resources, we don't make that payment to them. It's a collection process. It's not a process that the government makes up the shortfall. So while the process is working very well and the people who are working in maintenance enforcement are doing an excellent job, they are doing that in a context where there are a lot of complaints to members of this House by members of the public either because they think we're being too tough or because they think we're not doing enough on their behalf. It's often a thankless job, so I'll reiterate my thanks and the thanks of government to the people who work in this area to collect money on behalf of children and families in the province. We will work to continually improve and develop the tools that they have at their disposal to do that.

The question was: why did we cut the budget 10 percent in every area of the department? I indicated to the member that we didn't actually cut the budget 10 percent. We reallocated how it is reported in here, so it shows up in a different spot. The actual cut was 1 percent, and every area of the department and every area of government took a 1 percent cut last fall, and that was absorbed. We are refining and making possible better ways for people to actually access the system as well through improved web design programs and through 24-hour telephone processes. The access to information, for those who are capable of doing it, is very good, and we're working on the other processes so that people have access to information. Again, the work that is being done by that division is exceptional.

Legal aid: the concept that legal aid is increasing the fees. We've agreed to a process where it goes up by \$2 a year. We're not aiming to compensate legal aid lawyers under legal aid certificates at the same level that they could obtain in private practice. That's not the name of the game. What we're trying to do is make sure that they have sufficient resources through that program to make it attractive enough for them to continue to provide services. Most of the people who provide legal aid services are doing it because they have a professional commitment to it and want to do it, but they do need to have their expenses covered, at minimum, and they need to make a little bit because they need to feed their families. So the legal aid tariff needs to be sufficient to make sure that it does cover those expenses and does provide a little extra, but it's not the intention to make the legal aid tariff equivalent to what a lawyer would charge in private practice to anybody coming through the door.

Just to point out why that's not the case, we recently had a court case where the court ordered a higher tariff to be paid in that case, and the local lawyers then started complaining because lawyers were coming in from Vancouver and Toronto to take the cases. Even that rate was not seen to be the tariff that would be charged by lawyers at private bar to private clients. Finding the right tariff is a difficult task, I'm sure. We've entered into a new governance agreement

with the Law Society and the Legal Aid Society to provide for a governance structure. We've got an agreement in place where the legal aid tariff will go up \$2 a year, and we believe that that's going to be effective. It seems to be effective in terms of ensuring that there are sufficient well-qualified lawyers available to provide services to clients.

4:40

The legal aid limits went up 5 percent last year, so single persons making \$13,900 or less, if they're otherwise qualified, are automatically eligible. If they're above that amount, up to \$21,504, they're still eligible for legal aid provided that they make a modest co-payment. The same applies to a family of four, which could have an income of up to \$32,600 and still get legal aid for some portion of their fees. Legal aid staff have the discretion to provide coverage to applicants who can't privately retain counsel, even if their income exceeds the guidelines. So the process is to make sure that people have access to lawyers when they need it, particularly when they're threatened with going to jail or losing their freedom. The system appears to be working very well. There are always concerns about whether it's sufficient, whether there's enough.

Actually, going back to the measure that the hon. Member for Edmonton-Centre asked about, it is an interesting measure, not one of our better measures, I think, in terms of measuring our success by how many people have accessed the system, but it's difficult to measure it in any other manner, in particular.

The hon. Member for Edmonton-Highlands was particularly concerned about affordability. That's one of the things that we've been trying to address in this whole process of making justice more accessible. He chose to focus the question of affordability on people's ability to pay to hire a lawyer and quoted the head of the Alberta Criminal Trial Lawyers Association. I think I've addressed some of that through the legal aid tariff process, which is precisely there to assist. We could of course do things in different ways to provide broader services.

The hon. Member for Edmonton-Centre asked about the budget for the family law project in Edmonton and Calgary, which is funded by legal aid. That's a legal aid budget, not a government of Alberta budget. We provide resources to legal aid; they allocate them as they think appropriate. So she should approach legal aid for that, or perhaps the next time I file, if I do, in the House the annual report of the Legal Aid Society, she could look at that document for the numbers. Those family law projects are proving to be an effective way to corral resources and provide resources to the broadest number of people and to be very effective at it. I think those pilot projects are very effective.

Now, of course, when we made that project agreement, we agreed that we wouldn't push for a similar project on the criminal trial side, although it might well be a good way to go, but we said we wouldn't go there for a period of time. I'm not sure if I remember off the top of my head whether it was five years or not. So we're going to adhere to that. That being said, if the lawyers don't believe that we're providing sufficient access to people when they need it, then maybe one of the things we need to do is sit down and talk about how we could more appropriately provide that access to the legal system through the resources that are available. Maybe that needs to be revisited.

Suffice to say that there are concerns across the country, as well, about the contribution made by the federal government to the legal aid process, and there have been attempts to address that. I don't have the numbers at hand, but they have in the past contributed more significantly to the criminal trial side. That has dropped off. So the issue of legal aid and contributions has not been an issue that's

solely relevant to Alberta but, rather, has been even more relevant in other jurisdictions in the country with respect to those contributions.

I'm quite satisfied that there isn't a two-tier system, that people do have access to appropriate counsel for defence when they need it. If in fact they make the allegation and they can make the allegation before a court that they don't have access to appropriate defence, the courts are in a position to rectify that and have taken steps in the past, whether we agree with them or not, to compensate lawyers more. I don't see that as being a particular problem.

With respect to the civil side of the system, everything we've done has been designed to try and make it more accessible and to try and make sure that people take more responsibility for the solution of their own problems. The legal system is an expensive and a complex system and not the best way to solve problems most of the time. It needs to be there to solve those essential questions of law and to be there when all else fails, but it shouldn't be the first resort. So with a move to more recognition by the public of the availability of mediation and arbitration processes and that going to arbitration processes in appropriate circumstances is a good way to solve problems without going to the expense of long and drawn-out lawsuits and without using expensive court resources, more affordable justice and better access to justice can be effected in that way.

As we take more cases out of the court system and resolve them in a more appropriate manner through dispute resolution processes, what that does is make it easier to get to court faster on those issues that do need to go to court. In fact, in Calgary when we were announcing the dispute resolution process last week, a question was asked as to whether or not the advent of the dispute resolution project was helping to clear the logjam in the courts. The Associate Chief Justice was quick to take to the microphone to insist that there wasn't a logjam in the courts in Calgary, that you could get into court before the end of the month on a one-day matter, before the end of June on a short matter, and before the fall on a longer matter. I think we're being very effective in making sure that the courts are available on a timely basis, and we're doing a lot to ensure that people look for alternatives that are less expensive to them. So that brings access to justice into a much more affordable realm for more people. I think that's a good strategy.

With respect to family law, of course if we get to a family law process, a unified family court process for example, that encourages collaborative law processes, that encourages dispute resolution processes, if you have to go to court, you can do that in a unified family court forum that's accessible in provincial court sites, if not a provincial court model, and access to justice will be increased.

So more and more we're finding ways to encourage, to educate people about the processes. We had a forum on mediation in February. The task force, or working group, is meeting through April and into May, and they'll be having recommendations coming forward to us sometime in the next few months as to whether we need to build into our legislative processes the mediation processes, precourt mediation, or whether that's something that should just be done through encouragement.

In all of those areas we're finding ways that we can improve access to justice and make it more affordable to people. So are we getting into a two-tiered system? I think we're getting into a system which is far more effective, far more enforceable, far more affordable. Quite frankly, it gives ownership of problems back to the people whose problems they are and provides them with guidance and assistance in resolving those problems, rather than the court system that we've built up where we take the problem out of the hands of the people whose problem it is and hang onto it for three or four years at a high cost and without necessarily the best resolution. That's not to say that we don't need courts or that we don't need

courts in appropriate circumstances, but we should save the acute care system for the acute care needs and solve the other problems in a better way. The Department of Justice is certainly working with others to achieve that end.

With respect to the G-8 summit our role in that is modest. Certainly I wouldn't want to be discussing in any great detail anything relating to public security issues, but of course people have to be able to attend conferences in this country and be safe in doing so. There's nothing wrong with having as a goal that visitors to our country, whether they are prime ministers and premiers and presidents or whether they are individuals, have the right to feel safe in our community. So that certainly would be one of our goals, and that goal equally would apply to those who want to attend for the purposes of legitimate protest.

I think all of us in this Assembly would agree that the right to free speech, except when it's the Minister of Justice talking about his estimates at too much length, is something to be applauded. So people should have the opportunity for legitimate protest, but legitimate protest does not extend to violent demonstration. Violence will not be accommodated, and people who engage in inappropriate forms of expression of their viewpoints can expect to be dealt with in accordance with law, as any other individual in our community could be expected to be dealt with in accordance with law. So do people have the right to freely express their views? Absolutely. Should people be accorded the opportunity to freely express their views? Absolutely. Should people engage in violent protests and destruction of property in order to do that? Not in a civil society. We're a civil society. We won't be accommodating that. We will accommodate the provision of courts as necessary, not to anticipate that people will break the law but to be ready in the event that there's a need for that type of accommodation.

I think I've dealt with most of the hon. members' comments. I might spend a moment, if I have it, to go back, unless the hon. members have other questions that they would like to raise.

THE DEPUTY CHAIR: Hon. members, before I recognize the next speaker, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

4:50

head: **Introduction of Guests**

(reversion)

THE DEPUTY CHAIR: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Chairman. Looking through the gallery today, I see of course a number of lawyers that have already been introduced, but I also see a gentleman that might need a lawyer. We're never sure, but as a past politician, one never knows what follows them out of this House. Gary Severtson is sitting in the audience today, a past member from Innisfail-Sylvan Lake.

Hey, Gary.

head: **Main Estimates 2002-03**

Justice (continued)

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. One point that I neglected to ask about in my earlier comments has to do with the review of family law. I understand that the minister has indicated that this is a project that's going to be divided into two pieces, that

he's unable in the time frame originally envisaged to complete the entire process. I would like to hear briefly from the minister which sections he's able to complete in the family law review, how that will bring the government into compliance with the court orders that have been issued, when the remaining pieces will be dealt with, how it will affect people in relationships, including same-sex relationships, in the immediate period when the first piece is completed, and when they might expect equality under the law.

Thank you.

MR. HANCOCK: Well, Mr. Chairman, a very important, timely question with respect to the family law review. For the purposes of doing public consultation, we've engaged in a review of all aspects of family law, and it is a huge project, much larger than I appreciated, actually. The department was constantly trying to advise me and admonish me that we couldn't move as quickly as I wanted to move on this particular project. I kept saying that we'd be ready for legislation in the spring of 2002, and guess what? They were right again. It is a large project. It's going to take some time to bring it to full completion.

There are a number of reasons for that, not just the size of the project in terms of bringing together issues under the Domestic Relations Act and some of the other family law statutes dealing with issues of parenting, dealing with issues of how you allocate the responsibilities of parenting and how you deal with the issues of support, those issues. As well, we had anticipated this spring that the federal government would come down with their changes in the family law area, and we were hoping to be able to align our changes with their changes, the federal law responsibility areas with the provincial law responsibility areas, so that we had a consistent pattern under the Divorce Act. That does not appear to be coming forth, so we may just have to proceed without it.

I would anticipate that the bulk of the family law project will appear hopefully either this fall, I'll still say, or perhaps more realistically next spring, although I wouldn't want anyone in the gallery to take that as a suggestion that I've acquiesced to the concept of a spring deadline. We are hoping to bring forward the omnibus family law or the family law pieces of legislation as early as this fall or as late as next spring, not this session at all.

However, while we were consulting on family law, we were also consulting on personal relationships, and I would hope that by the end of this session we would be able to bring forward a piece of legislation dealing with adult personal relationships. I'm in the process of discussing that with government caucus and government members and taking it to cabinet and to the standing policy committees. Once I've got through that process and perhaps even before, I would anticipate sitting down with members opposite and outlining for them what we're trying to accomplish and where we're going with that. I may even come back and actually ask for a little bit of help in terms of that, because the nature of the bill that I'm proposing to bring forward I think will be one of some significance to Albertans and may not be one that we want to rush on. So if it doesn't come to the House until the early weeks of May, it may be appropriate to have members of the public have a look at it, and we'll pass it in the fall. I'll certainly be prepared to discuss with members of the opposition, as I am with members of government caucus, how appropriate that might be.

That being said, there may be some work that we have to do this spring in order to meet the deadlines imposed by the courts with respect to the Intestate Succession Act. As I say, I may have to ask for some assistance from the opposition side in order to accommodate that while we deal with the full implications of personal relationships and adult relationships in the context of a larger statute.

In any event, that will unfold over the next two or three weeks as we continue this session and as I obtain appropriate approvals through our caucus processes and of course work with the opposition members to make sure that they're comfortable with what's being brought forward.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm back for another fun-filled go. We're coming down the homestretch here.

I wanted to pick up on just a couple of things from the couple of times now that the minister has responded and then to capture the end of the argument about decreasing budgets and growing demands. Then on to the Auditor General's observations, and that will be it for me.

I want to make just a small point, but I feel that I have to make it. The minister was talking about the \$100 filing fee for small claims court, I think, and saying that that shouldn't be onerous for most people. If I could just gently reprimand the minister, it may well have been a long time since the minister was living paycheque to paycheque and where \$100 was significant for him, but I would have to say that for most Albertans who are still living paycheque to paycheque, \$100 can be very difficult to come up with in a short period of time. Maybe given a couple of paycheques to save toward it, fine, but we've moved away from being in a position where we're able to save a significant portion of our paycheques in any given time, and we need to be conscious of that. We can't assume that people would have that kind of money readily available.

I also think that one has to be very sensitive to putting people in a position where they might feel that they had to beg for assistance. Those are strong words, but I know that some people would feel that way. We're well aware from the studies that have been done that those who have some education behind them are better equipped at asking for assistance and have less hesitation in asking for assistance, and those who don't may well have more trouble in identifying that and in coming out and doing it, and therefore they just walk away. They just go: "This is too hard. I don't want to do this. I don't want to embarrass myself. I don't like the position I'm in, and I'm just going to walk out of here." That is not what we're trying to do. We are trying to encourage access to justice, whether that's through a system that is an institutionalized system, as we know and identify the court system today, or whether it's through some of the newer processes that have been identified and put into place by the minister. So we really have to be alive to that or I think we turn people off and they walk away from us. That doesn't help us or them.

The phrase that I was trying to dig out of my memory filing box there awhile back, when I was talking about the collapse rate for Crown prosecutors and I was trying to remember a proceeding the minister had talked about doing away with, that was preliminary inquiries. If that's done away with, then I think that would affect the collapse rate for those Crown prosecutors.

5:00

I remember now that I did hold some meetings with some people, back in the fall I think, around court-ordered mediation, and I neglected to ask specific questions about that. There was a conference – I think it was back in the fall, maybe October, November – around court-ordered mediation. I'm looking for what specific plans the minister has or the department has to implement those recommendations: a time line, budget, monitoring, et cetera, et cetera.

Another question. I'm picking up a number of sort of loose ends here. With maintenance enforcement one of the issues that still

tends to really irritate people is the hold on deposits and the transfer of money to the person who is supposed to get the money. With electronic banking in this day and age we should be able to do, where we can, a direct withdrawal out of someone's account and instantaneously a direct deposit into someone's account. I'm wondering. We have reduced from 15 days of hold to 10 days of hold to I think we were down to six days of hold. Have we managed to get this down to no days of hold yet? That is immensely irritating to people when they have a court order that says that they are to be paid money at the beginning of the month. Well, the money is taken from the person that's ordered to pay on the first of the month, but meanwhile the one that's waiting for the money is waiting. It's the 2nd, the 3rd, the 4th, and the rent money is due. The landlord is yelling at them, and they still don't have the money. They cannot understand why that money can't come to them faster, especially in this day and age of electronic financial transfers. So I'm looking for the number of days we're down to in that hold rate and why we can't get it any less than that.

Also, there was a lot of money spent on that big drug trial that seems to have gone nowhere, and I'm looking for some details on that and some evaluation of what went right there and what went wrong there, because I think that that's a bit of a blob on the record. I want to know what sort of evaluation and monitoring and what lessons have been learned from that whole process and frankly how much money was spent and how usable the facilities are and the processes that were put in place and are they to be used in any other context at this point or whether that's just been blown. How could we have done that better? Okay. That's the catch-up stuff.

Just to go back and capture where we were at the end of my last set of comments – I guess this is version 3 I'm on now – the minister did attempt to answer some of this, and it is around the issue that we've had an increase in population but not a corresponding increase in the budget and the services that we're able to offer people through the court system. The minister has identified that a great deal of work was done to not necessarily offer institutionalized court services but other processes of court that in fact are less expensive to offer, arguing that they may not get their day in court but were still having access to justice. I continue to advocate vigilance in that. I often question the minister's choices when we get to that, and it seems to me that choices are increasingly made based on budget or saving money, not on fairness and access to justice. So I'll continue to stay on that.

Now, as far as the court backlogs, that was an interesting story that the minister told about there being no backlog in Calgary. I think it was in an Edmonton court where there were fairly pointed remarks on the record from a justice saying: "Look; we can't even get secretaries that can make the transcripts available to us or run the piece of paper down the hall. We don't have the staff that can escort the prisoners in or out or whatever. Things are backing up to an unacceptable level." I have not seen enough activity around here that would make me think that that issue has in fact been addressed. Again that's part of the demand upon the system, the corresponding amount of money going into the system to be able to provide the services for the number of people that we have. I'm looking for, I guess, the minister's response to the points that were raised by that justice. That case is well documented, and I'm sure the minister has a copy of it. There were some pretty pointed remarks made about availability of staff and backlogging that was happening there. I guess I'm saying that I will continue to remain vigilant on this whole issue of access to justice, and I urge the minister to do the same.

The last thing. This is a bit of a marathon. We're looking at the Auditor General's recommendations and observations and the government's response to same, page 135. Under the Justice and

Attorney General there were two recommendations. In addition to that, I think there were a couple of unnumbered points of consideration. I'm not sure how the Auditor General differentiates them, but they're not numbered. These are numbered ones, one on capital asset management and one on fines and costs. Now, this is interesting. Recommendation 28, capital asset management, from the Auditor General reads:

We recommend that the Department of Justice improve its capital asset management process by completing long-term capital asset plans, and linking this information to the business planning process.

Now, the response from the minister's department is: "Accepted in principle. The Ministry intends to prepare capital project listings. The projects would be linked to business plan goals or strategies for management information." That sounds tepid, so I'm looking for an explanation. I would have expected this to be embraced more wholeheartedly, and I'm wondering exactly what the department is going to do and in what sort of time line and also what sort of resources it has in place to accomplish that.

The Auditor General's recommendation 29, fines and costs: "We again recommend the Department of Justice determine the results and costs of its fines collection activities." The response from the ministry is: "Accepted. The Ministry intends to continue with completing its current action plan." Well, I think there's a wee gap here, because in the time that I've been on the Public Accounts Committee, I think I've seen this fines collection recommendation come up from the Auditor General three or four times in six years. I know that in the beginning the ministry wasn't accepting it, and they'd started to accept it a little later on. It's still turning up every year, so what exactly is the problem that is holding this back? Is it an issue of budget? Is it an issue of priorities? What on earth is the problem that this seems to be so difficult to attain or achieve?

Those are the various concerns and questions that I wanted to put on the record with the Minister of Justice. He has attempted to respond to some of my questions verbally with me today, and I do appreciate that, but for anything that is unanswered or could be expanded upon further from what the minister did, I would ask that I receive that information in writing. I understand where the minister is trying to go in trying to be innovative, and I think that in certain circumstances that can certainly be a good idea, but I also think that ultimately this government is under an obligation to provide justice and access to justice. It is a priority. It is not something where a choice can be made to just not do it in any given year or to dump it down the priority list and maybe only do a little bit of it. There's no such thing. Justice is not useful if it's only a little bit of it. So I do hold the minister up to a high standard along with his department officials.

5:10

I'm interested to hear about the family law statutes. Having attended some of the sessions on that, I guess I'm not surprised. There's a lot of detail to be worked out there, and it can be highly emotionally charged, about how people feel different matters should be handled, and especially when we get into the whole issue of children, it can be tough, tough swimming. But I do look forward to legislation coming forward on personal relationships. I know as the critic for human rights that there are many people, certainly many of my constituents, that are keenly interested in seeing this move forward and be expanded and be far more inclusive for all Albertans.

Thank you for the opportunity to ask these questions, to bring these issues forward, and I look forward to receiving the responses from the minister and his staff prior to the appropriation being voted. Thank you very much, Mr. Chairman.

MR. HANCOCK: Mr. Chair, I just wanted to take a brief opportunity – I don't have my glasses with me today, but I think I've spied one of our fine Crown prosecutors from the Vegreville area with us today in the gallery, Neil Wiberg. I'd ask him to stand and receive the recognition of the House.

Just to briefly touch on a couple of things so that there are no misunderstandings, the hon. member has asked about the big drug trial that went nowhere, that I think she referred to as "a blob on the record," and how much money was used. I would just, not for the purpose of deflecting anything at all, indicate to her that drug trials are generally prosecuted by the federal government. We built a very fine court facility, which will be very effectively used over the long term. It's in the subbasement of the Court of Queen's Bench building in Edmonton. It's got technological advantages that judges look to wanting to use. It's a very effective courtroom, and it will be very effectively used over the long term. Of course we need it. In my former days when I was also Solicitor General, we had CISA. We had the effective co-operation of policing services in this province and still do. I wasn't suggesting that that's gone away. We still have that. We will have large trials from time to time, and we will need that courtroom for those large trials. We probably need an additional large courtroom facility in Calgary, and when we build the new court facility in Calgary, we will accommodate a new large courtroom there. They will be effectively used. So the money that's been invested by the provincial government I think has been invested very, very well. We do have some problems coming out of that large trial process, particularly with respect to the remand centre, but that's an issue for another day and a different set of estimates.

In terms of the collapse rate of our Crown prosecutors, I can assure the hon. member that I'm not aware of any of our Crown prosecutors having collapsed. However, we are doing our best to make sure that their workload is diminished to a point where it's acceptable to them and to their families and that we take appropriate care to ensure that we are treating employees all across our department very, very well for the work that they do for the benefit of Albertans. I am pleased to advise this House that employees in the Department of Justice are working very, very hard and very, very effectively for all Albertans to make sure that they have access to justice, that they have good opportunities for justice, and that we have safe and caring communities.

THE DEPUTY CHAIR: After considering the business plan and proposed estimates for the Department of Justice, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:
Operating Expense and Capital Investment \$210,862,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I am pleased, notwithstanding the comment that was just made about that being a lot of money for justice. One of the things that I would always say is that there are more things that could be done, and I wouldn't turn down additional dollars, should you feel obliged to vote them.

The committee having finished its deliberations, I would move that we rise and report the estimates of Justice and Attorney General.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Justice: operating expense and capital investment, \$210,862,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.
The hon. Government House Leader.

MR. HANCOCK: Mr. Speaker, in view of the fine work that's been accomplished this afternoon, I would move that we adjourn until 8 p.m., at which time we'll reconvene in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:17 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 23, 2002**

8:00 p.m.

Date: 02/04/23

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

Aboriginal Affairs and Northern Development

THE CHAIR: We'll begin the evening with comments and questions. We'll call on the hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you, Mr. Chairman. Before I go on, I'd like to introduce some very important people up in the gallery. These are very important people. Paddy Meade is my deputy minister. Most of you know her: the curly-haired one sitting up there. Ken Boutillier, the assistant deputy minister of aboriginal relations, is in the back, with the face hair. John McDonough, executive director of strategic services, is the small guy sitting in the front. Neil Reddekopp is the executive director, aboriginal land claims, and he's sitting, oh, just behind Paddy there. Tom Baldwin, executive director, Northern Alberta Development Council, is the man with the slightly higher forehead. Cameron Henry, director of aboriginal relations, is sitting up there too. He's the white-haired man. Peter Tadman, director of communications, the guy on the right-hand side, is my mainliner. Martin Hanly, director, aboriginal policy initiatives, back there, is the dark-haired guy. Lori Sajjad is director of ministry support services, and we share her with IIR. Lori's in front. Dale Monaghan, who is my executive assistant, is not there. He's probably in the office somewhere.

Mr. Chairman, I'm pleased to present the estimates for the Ministry of Aboriginal Affairs and Northern Development, which is now about 13 months old. We are continuing to make solid progress. The ministry has three components and is responsible for aboriginal and northern affairs, the Metis Settlements Appeal Tribunal, and the Northern Alberta Development Council. With NADC I'll be calling on the chair to take you through some of its activities a little later on.

The ministry consists of three sections: aboriginal initiatives, strategic services, responsible for implementing the aboriginal policy framework and the aboriginal policy initiative, and land claims. Our plan includes four core businesses, seven goals, associated strategies, and improved performance measures to better assist and support aboriginal people and the people of northern Alberta. Our vision is an Alberta where aboriginal people and northern Albertans are recognized as equal partners and participants in the Alberta advantage. We facilitate solutions, and we do so in several different ways. We work with aboriginal governments, local communities, private industry, and municipal and federal governments. We also work with other Alberta ministries to develop strategies to address the needs of aboriginal people.

We have a complement of 61 full-time equivalents, which includes 15 within the Northern Alberta Development Council and seven within the Metis Settlements Appeal Tribunal. The total budget for fiscal 2002-2003 remains largely unchanged, decreasing marginally from \$30.21 million to \$30.182 million: \$17.192 million is committed to the Metis settlements; nearly \$2 million is dedicated to the Northern Alberta Development Council; the balance of our

budget is committed to ministry priorities as defined in the business plan.

As I mentioned, our primary goal, which is goal 6 of the government business plan, is to support the pursuit: "the well-being and self-reliance of Aboriginal people will be comparable to that of other Albertans." We are continuing to pursue this goal by strengthening relationships between the government of Alberta and aboriginal people through the implementation of the government of Alberta's aboriginal policy framework, also known as the APF. The initiative addresses social and economic issues and the need for co-operation between both parties. The goal is to improve government/aboriginal relations. It means that all government ministries have a responsibility to address aboriginal issues and that these ministries must report on their achievements. The APF is the key to the vision of a future in which strong, sustainable aboriginal economies support self-reliant First Nations, Metis, and other aboriginal communities and people.

Capacity building is one process that we're collaborating with aboriginal communities and industry to achieve. It means developing tools, knowledge, skills, and abilities for communities to administer, manage, and plan for themselves. It means being able to make choices and set direction for preferred futures, and it means being able to support individual and community socioeconomic initiatives. The end result will be much more self-reliant communities. We are currently involved in several projects fostering relationships between aboriginal communities and private industry; for example, the Athabasca Tribal Council/Industry Working Group, the Little Red River Cree/Tallcree First Nations project, the Dene Tha' First Nations consultation pilot project, and a number of other important projects.

This past year has been very busy with many successful cross-ministry undertakings by way of our aboriginal policy initiative, or the API. I would like to mention a few of them. Alberta Learning greatly assisted 44 native education projects in various school jurisdictions. The Rainbow Spirit project helped six Edmonton Catholic district schools with best practices and meeting the needs of aboriginal students in an integrated setting. The aboriginal apprenticeship project was implemented. There are plans to expand it.

Human Resources and Employment continues to provide opportunities through skills training programs. Projects include the First Nations resource training project, that provided hands-on oil rig experience for members of the Kehewin, Heart Lake, Frog Lake, and Cold Lake First Nations. The Gift Lake employment training project provided settlement members with hands-on oil/gas training and employment demonstrations to prepare for work within the oil and gas industry.

More than 40 aboriginal, industry, and/or government partnerships are currently in place in Alberta. I should also mention that the 2002-2003 expanded version of the API contains 30 strategies, almost 60 targets, and includes input from almost every government department. As part of the development of consultation guidelines, we have put in place and evaluated a series of pilot projects. We are now in the process of drafting overall guidelines and implementation strategies to assist departments in managing their consultations with First Nations. We are determined to ensure that the well-being and self-reliance of aboriginal people will be compared to that of other Albertans. We continue to make improvements to the Metis settlements governing structures, systems, and accountability.

As you may know, this past year was the final year of operation for the Metis Settlements Transition Commission, an organization that had been assisting the settlements governance system for the last 12 years. The commission dissolved on March 31, 2002, and the ongoing functions it previously performed have been transferred

elsewhere, either to the department or the Metis Settlements General Council. The department will administer the Metis settlements land registry, which, under the Metis Settlements Act, is a ministerial responsibility. The department will be establishing and funding a Metis settlements Ombudsman to conduct investigations into complaints regarding the administration of settlement affairs pursuant to part 7 of the Metis Settlements Act. This does not mean that as minister responsible for the settlements legislation I do not have a role. My role is similar to that of the Minister of Municipal Affairs in respect to municipalities.

Our focus for this fiscal year will be to continue to ensure that proper accountability mechanisms are in place. These mechanisms include community approved three-year business plans for each settlement. In addition, the Alberta government and the Metis Settlements General Council are establishing a process to examine financial and legislative changes for the Metis settlements. We are committed to fulfilling our obligation with regard to the settlement of outstanding treaty land entitlement claims as part of our core business. Having resolved 11 claims since 1986, our record is one of the best in Canada. We've got an awesome team. The settlement of these claims is important. Creating certainty for industry and government and providing First Nations with resources to increase their participation in the Alberta economy is important. Our goal is to achieve settlements that are fair and equitable to all parties.

On the national scene I have been working with my federal/provincial/territorial colleagues and with national aboriginal leaders. Our particular accomplishments have been the development of a national strategy to enhance aboriginal participation in the economy as well as continuing work on a national aboriginal youth strategy. In that regard, a very successful national aboriginal youth conference was held in Edmonton in October of last year. With respect to northern issues we successfully hosted the northern forum, which brought delegates from several circumpolar regions to Edmonton in September. The Northern Forum consists of 23 subnational or regional governments from 10 northern countries. As hosts it was a tremendous opportunity to showcase Alberta. I have been working with my colleagues from the Northwest Territories on the further implementation of a memorandum of understanding for co-operation and development between Alberta and the Northwest Territories. This September, as a member of the Northern Development Ministers' Forum, Alberta will be host to the federal/provincial/territorial northern development ministers' meeting to be held this fall.

I'd like to talk about northern Alberta, its significant economic activity, and its opportunities. Diamond mines, natural gas exploration, pipeline ventures are all on the table. The spin-offs from such activity will be enormous. My ministry continues to champion a wide range of northern issues, and on that score, we have undertaken a proactive, co-ordinated approach to deal with them. We have embarked on the preparation of a strategy related to the future of the north, a plan that will address a number of subjects of importance to all Albertans, including co-ordination of northern transportation systems, matching skill development to the employment needs of northern industries, outlining key connections to other provincial and territorial jurisdictions that will enhance trade and commerce, building capacity for northern communities, and expanding the northern economy through value-added manufacturing, tourism development, and increased natural resource activity.

As you know, Alberta's north encompasses many of the province's economic drivers such as oil sands development, petroleum development, forest industry operations, and agriculture. The northern development strategy will provide a framework to address these opportunities and challenges and will serve as an effective

mechanism to keep the economy of northern Alberta healthy. I have requested my colleague the MLA from Peace River to lead this, and he's been doing an excellent job. As a matter of fact, under his leadership as chair of the Northern Alberta Development Council efforts have continued on addressing key opportunities and challenges. The council's work is more important than ever given the significant developments going on in the north. I'd now ask the NADC chair to discuss some of the council's activities, as we discussed.

8:10

THE CHAIR: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Chairman. You're going to recognize mine as the short speech. You know, my motto is speak little, work hard, and grin a lot to keep them guessing what you're up to.

I always appreciate the opportunity to speak about the activities of the Northern Alberta Development Council, and from the name itself you might guess that the mandate of our council is to promote northern development. One of the primary objectives is to ensure the development of an adequate northern highway network. Back in 1998 the western Premiers signed the northwestern Canada integrated road concept plan, and this became the basis for the northern highway strategy that NADC is just completing. We've got tremendous natural resources, but if you can't get to them or if the people who have to work there can't get around, the province isn't going to be able to enjoy the benefits.

Our council also plays a lead role in promoting value-added agriculture production in the north. For example, we provide the chair role to the Peace agricultural value-added working group. We also work with a group looking at the branding of northern value-added agricultural products.

Another very high priority for us is recruiting, training, and retaining a skilled workforce in our part of the province. Over the years NADC has sponsored the northern bursary programs as a way to encourage northern students to take postsecondary education and to return to work in our communities. It's encouraging to note, Mr. Chairman, that about 75 percent of these students do return and become valued members of our long-term human resources teams. Obviously, a few change their minds for one reason or another and have to refund the bursary, but the success rate of this program is certainly better than most. We also work closely with industry and private organizations, who partner with us to leverage the bursary program much further than we could afford to do on our own. Not only does this increase the amount of funding that's available, but there is more built-in assurance of jobs available to these students. Yet another initiative, which is our Northern Links program, provides high school students with the opportunities to look at postsecondary education options firsthand. They get to see the transitional challenges of moving from a small rural school high school, for example, to a postsecondary facility.

Our members work with the people in industry and assorted other organizations on all types of issues, whether they're challenges or opportunities, and these range from the future of the northern rail transportation to tourism to apprenticeship training to regional economic development. The challenges are as unending as the opportunities are exciting, Mr. Chairman. Fully two-thirds of our province is underdeveloped, and as a northern resident I'm often amazed at the general lack of interest in taking advantage of this situation. As a council we're very determined to realize these opportunities and to meet the challenges in a positive way.

I want to acknowledge the ongoing support of the departmental

staff that the minister just introduced as well as the NADC staff. Without these dedicated people in the background many good ideas would never get past the drawing board. My colleague the minister, who is also a northern MLA, representing the Lesser Slave Lake constituency, is always there for advice and support, and on behalf of our members and staff we extend our thanks to the minister and these people.

Mr. Chairman, if there's anything that I can add during the debate on our portion of the estimates, I'd be most pleased to do so.

THE CHAIR: The hon. minister.

MS CALAHASEN: Thank you very much, Mr. Chairman. We have made much progress, and I want to thank the chair as well as the NADC staff, who are dedicated to advancing northern development.

I want to speak a little bit about performance measures because that was an issue last time. I'm pleased to report that since the committee examined last year's business plan, my ministry has made a number of improvements. I want to remind you that quality aboriginal-specific data is not readily available. In many instances we are relying on 1996 census data. The data from the 2000 census will not be available until later next year unfortunately. I am pleased to announce, however, that Aboriginal Affairs and Northern Development, Human Resources and Employment, Finance, and Statistics Canada have undertaken a pilot project to redevelop the Alberta labour force survey. This will give us accurate aboriginal-specific data on an annual basis. We are the first province to launch such an initiative. In fact, Statistics Canada is viewing our pilot project as something that could become standard practice throughout the country.

We have made significant effort this year to identify key performance measures related to the accomplishment of strategies under the aboriginal policy initiative, but we still have a long way to go. We have set a target of 75 percent of Alberta ministries to have aboriginal strategies included in their business plans, and we're trying to attempt, whichever way we can, to include more.

So, Mr. Chairman, that concludes my comments on the ministry's estimates, and I look forward to comments and questions from my colleagues.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I very much appreciated the comments of the Minister of Aboriginal Affairs and Northern Development as well as of the chairman of the Northern Alberta Development Council and will engage in some discussion on the business plans and the budgets as they're laid out here and through the course of it ask some questions. Either the minister or the chairman of the council are welcome to interrupt me if they wish to respond, or we can just leave it till the end. That's really at their discretion.

[Mr. Klapstein in the chair]

I notice that the budget for the department is flat, shall we say. The funding levels for the department are virtually unchanged from a year ago, having gone in total from a forecast for last year of \$30,972,000, if I'm reading the right figures, to an estimate for this year of \$30,137,000. So we're looking at a drop there of about \$800,000, and if we were to adjust for inflation and for the growing aboriginal population and the growing population of the north, it's an even larger drop in funding. I'm not going to complain that governments are spending less just for the sake of complaining, but

given that northern Alberta is burgeoning, the population is growing, the economy is developing, given that the aboriginal population has a high birthrate and that the aboriginal population is growing, and given the severity of issues and the fact that this is an area of some priority for the government, I am concerned that the funding levels are not keeping pace even with inflation. I would certainly encourage the minister to do what she can to ensure that the resources necessary to fill her responsibilities are provided to her by her cabinet colleagues. So those would be my first comments: a general reaction to funding and a general concern for the drop in funding for an area of great priority for all of us and of profound, long-term implications for Alberta.

8:20

I'd offer the minister and her department and staff congratulations on their first full year of operation. It seems to have gone smoothly, certainly judging from appearances over here. I'm sure that reflects well on their abilities and their commitment, and I would welcome the staff of the department to the Assembly.

We'll work through, I guess, going program by program. I'm going to jump around a little bit actually if the minister doesn't mind. One of the things that jumps out when you first go through the plans and the budget includes under program 4 what looks like a brand-new budget item, an office for an ombudsman. My reading of the documents is that this is an office that wasn't there a year ago and presumably is a new program. In principle it sounds like a good idea. I'm a big supporter of an ombudsman. There is, as everybody here knows, an Ombudsman for the government in general, an Ombudsman who reports directly to the Legislature here. I know that that Ombudsman's responsibilities are limited. For example, that Ombudsman doesn't typically get involved and is not allowed to get involved in health care issues. In that case I'm referring to the Ombudsman in general. I assume, then, that the office of the Ombudsman of Alberta was prevented somehow from investigating issues in the Metis settlements and issues relating to Metis governance. So if this is a way of filling in, that's terrific. Sounds good.

I am curious: how did you ascertain that there was a need for this sort of an office, and how did you settle on the particular way of organizing it? Why an ombudsman? In the way it's organized, does the ombudsman, for example, report to the minister? Does he report back to the Metis councils or Metis settlements? What's the mandate for the ombudsman, and how will that position be staffed? Also, noting that it's budgeted to consume \$450,000, where did that money come from? Is that money that was taken from another program? What is the source of that money?

There's also a new budget item for the land registry, \$350,000. As with some of my questions with the ombudsman, I'm wondering: how is the need for this registry determined? What is its function? How will it be run? How does it relate to existing provisions for registering land? What's different in this office compared to other offices and services?

[Mr. Tannas in the chair]

I'm going to flip around here a bit. Going to the estimates book, on page 28 there's some revenue listed – it looks like it's stable – \$285,000 in ministry revenue. There's no clear indication here – I'm sorry; I'm reading the figures wrong. It has dropped quite dramatically. It's dropped from \$285,000 two years ago to an estimate this year of just \$45,000. What's the explanation for that? Are more services being provided without any fees or charges, or is there some other explanation for that very dramatic drop in revenue? Where was it coming from before, where will it be coming from now, and

what's the plan for the future? Is the plan in fact to eliminate that entirely?

We move to issues of performance measures, and the minister commented on these in her opening remarks. We always raise some issues around performance measures because they are absolutely crucial to the question of accountability. It's very difficult to get a performance measure right, to get it to be measuring what you want it to measure, addressing what you want it to address, to make it reliable, to make it comparable from one year to the next, so we do pay special attention to performance measures. If we go back, jumping around among the documents here, to the business plan and look at the first set of performance measures, for example, under goal 1, goal 1 is "to lead or support the implementation of commitments to action in the aboriginal policy framework." There's a whole host of strategies in here.

One of the performance measures that jumped out as a measurement of those strategies and of how that goal is to be achieved is one that the minister herself mentioned, which is that "aboriginal strategies and initiatives are identified in 75% of Alberta Ministry Business Plans." That raises for me all kinds of concerns about: what does that really mean? Seventy-five percent of Alberta ministry business plans have aboriginal strategies and initiatives, but there's no sense of which departments or ministries are priorities, and it doesn't give me any sense of what those strategies might be or what those initiatives should be aimed at. Indeed, it doesn't give me a sense of how those other ministries will be held accountable by you, by your department, for fulfilling those aboriginal strategies and initiatives. What's to prevent a department from merely paying lip service to its aboriginal strategies and initiatives? So some specifics on that particular performance measure would be helpful, and I guess in some ways my words are words of caution to the minister that the way that's set up seems very, very open to interpretation and even to becoming meaningless frankly.

If we move on from the performance measures to goal 2, goal 2 is "to strengthen working relationships with aboriginal governments, communities and organizations," obviously an important goal. But when we go through to the performance measures – and I'm reading here from page 51 of the business plan – "aboriginal governments and organizations report satisfaction in their relations with [the department] and the Government of Alberta. The target for 2002-03 is 55%." Fifty-five percent strikes me as a fairly low, fairly modest target. If 55 percent of people are satisfied, that means that 45 percent may not be satisfied, and it just seems like a very low level at which to set the bar for the performance measures. If we said that 55 percent were to be very satisfied, well, that's certainly more ambitious, but 55 percent satisfaction seems pretty modest to me. Maybe it's a realistic starting place. Maybe you start there and work your way up. I'd be prepared to accept that in a brand-new ministry, but it does seem like a low target.

8:30

Moving through the performance measures under goal 3, "To assist in furthering accountable, self-administering, self-reliant, self-regulating Metis Settlement governments," the first one is: "Increase the percentage of Metis Settlement self-generated revenues by 2%." My questions are simply more for clarification here. I take it that what you're looking for here is that the self-generated revenues of the Metis settlements, as it says, will increase by 2 percent. What are those self-generated revenues? Are those revenues that result from levies or the equivalent of taxes, or are they revenues that might reflect a strengthening economy on the Metis settlements, or are they somehow earned revenues, or are they revenues that reflect a growing prosperity? Or might they be revenues that simply reflect

a local council that has jacked up the levy by 2 percent? I'm sure your department would have an answer to that. It's more a question of clarification for my own interest.

Goal 4, "To resolve land claims and other claims by aboriginal people concerning the province." Certainly I would urge the ministry to carry on in this fashion. I shared with the minister earlier in the week a newly released video which won a major award on the weekend as best documentary, a video I would recommend to everybody, called the *Honour of the Crown*. It follows the very long and slow process through which a land claim in northern Alberta was eventually settled.

To the credit of the government and to the credit of the department, Alberta in fact has one of the best track records, as I understand it, in the country on settling aboriginal land claims. So let's carry on with that. Let's try to settle these issues as quickly and as expeditiously as we can. It's in everybody's interest to do so. We can see what's happening in British Columbia right now when land claims are allowed to turn into a terrible, terrible mess, the profound bitterness and division that that causes in society and in fact even the problems it creates for the economic development of the society, because when land claims are not settled, our society's ability to work on that land is left up in the air.

I see that my time is starting to run out, and I want to address a couple of other issues. I haven't even touched on the Northern Alberta Development Council.

One of the profound and massive long-term issues for the whole province but I think somehow especially for northern Alberta is the issue of the health of the environment and the tradition of aboriginal people of living off the land and living in harmony with the environment. Our desire to help those cultures remain healthy raises the question: how is that going to be achieved? How do we sustain the health of our aboriginal communities, who still rely so much on fishing and trapping and hunting, when we are also looking at potentially massive industrial developments in northern Alberta with their huge impacts on the environment: on the water, on the land, on the forests, on the air. I know that the environment is clearly not the lead responsibility of this minister, but it's got to be one of profound concern not just from an economic view but from a cultural view.

I'm not aboriginal, but from watching situations, the role of the land in the culture of aboriginal people must be profound. The sense of place and even the sense of spirituality that connects people to their land is of fundamental importance I think to the health of the aboriginal communities and aboriginal society and aboriginal culture. There are risks to that land, for example, from the massive developments around Fort McMurray or indeed from the potential for huge pipeline developments. I'm wondering what the ministry's role and co-operation are with the Department of Environment and the Department of Sustainable Resource Development. How are those departments working together to make sure that the view of aboriginals is respected when it comes to the economic development of the north and the environmental impacts of that development?

I hope I'll have a chance to rise again with just a handful of other questions. So I will take my seat now and let somebody else carry away.

THE CHAIR: Hon. minister, do you want to answer, or would you like more questions?

MS CALAHASEN: I'd like more questions, if I can. We'll just keep going, and then I'll answer after two or three.

DR. PANNU: I rise to ask a few questions, but I first want to thank the minister and the chairman of the Northern Alberta Development

Council for their introductory remarks. It being a new department, there seems to be lots going on in terms of planning and setting out goals and strategies and objectives. I noticed that in the business plans there's quite a bit of detail in terms of planning and things that need to be done in terms of the aspirations of the department and efforts there at goal setting. So since the department is new, I think it's perhaps inappropriate to expect too much in terms of concrete information here yet.

With respect to the office of the ombudsman, when will this office be set up and running, Minister? It's a new office; you have sought some funding for its establishment. I'd be interested to hear from you when the office will in fact be created, when the appointment will be made, and when it will be off and running.

The second question related to that is the exact responsibility of the Ombudsman: is it to hear complaints from individuals or families who are part of the Metis settlements? What exactly will the Ombudsman be doing? Whom will it be hearing from? What will it be adjudicating? It would be helpful if we had some information on it.

I just want to also share the concern expressed by the hon. Member for Edmonton-Riverview that in terms of real dollars – that is, if you adjust for inflation – the budget seems to have shrunk from last year. It's a very new department. I would have thought that in the first few years of the development of the department's programs – staff development, program development – in fact one would have expected allocations of increased resources given the challenges that are set out in the business plan and the strategies and the goals. I am a bit concerned that the actual resources available from last year to this year will be smaller given the ambitious program set out here and also given the fact that the population both in northern Alberta in general and the population of First Nations and Metis portions of the Alberta population are growing faster than the rest of the population. So given the potential for increased needs of the population that you have responsibilities for, the decrease in the budget in terms of adjusted dollars is a matter of concern, and I hope that you will in your remarks explain how you are going to deal with this problem.

8:40

Northern Development, again, is sort of frozen in terms of the funds that it has, \$1.954 billion, a huge area, a growing population, rapid growth, both industrial and other population movements, I guess, urbanization and all that, yet the budget is the same as last year. In effect, that will mean that fewer resources will be available for that purpose as well. So some question there.

Two other questions and I'll sit down. Maybe someone else will speak, or the minister will have some opportunity to address some of the questions already put to her.

Over the last year or so we have seen a reduction in children's services, the elimination of early childhood intervention programs targeting aboriginal families in particular. Is there room in this budget to make up for that shortfall resulting from the elimination of early intervention programs? The PDD board has also had to cut staff. Clients have been told to seek assistance through community agencies, but there are no agencies with expertise working with aboriginal clients. So, again, any comments on that from the minister as to how she plans to respond to the vacuum that has been created?

The family court worker program provided through native counseling services has been in place for some long time, and I guess that may also have suffered the same the fate as the other program that I mentioned.

The last one. The Ben Calf Robe Society has lost the funding it formerly received from the community lottery fund.

So there are growing needs here of the communities that the department is mandated to serve, and I would ask the minister to perhaps spend a few minutes commenting on the budget allocations and the growing needs indicated here. I will stop here. There's enough for the minister to talk about I guess.

MS CALAHASEN: I can go ahead and attempt to answer some of the questions that have been brought forward, and if I don't, just bring them up to my attention again. I've been trying to write madly, but it's pretty tough to write with all the questions that are coming forward. I'll do my best.

Regarding the drop of \$800,000 that the Member for Edmonton-Riverview was talking about and the fact that we have quite a population to deal with, an aboriginal population as well as the increasing needs of the population, just to give you information on that, the drop is actually \$848,000, the budget difference. It reflects actually the supplementary estimate that was requested to cover legal costs associated with the Peigan and Siksika Nation settlements. That's basically why we dropped there. That addressed that specific issue.

In terms of the funding and the needs that we're talking about to deal with the increasing needs of the group that we're dealing with, we did not go forward with any of the requests in this last budget. However, we have just been trying to figure out what it is we'll need to do as we implement the aboriginal policy framework and put that into place, and we don't know what the extent of those costs will be at this stage. We're just in the preliminary stages of being able to do that. As we begin to do that, as we go forward, we'll start to see what we'll need. So that's one of the areas of concern, but I thank you for your supportive comments in terms of getting more money to be able to implement that. Thank you.

Regarding the northern Alberta environment issue actually we've been working with the aboriginal people and the elders to blend the aboriginal cultural and traditional practices and to make sure that industry also becomes part of that so that they can begin to look at environmental practices that are conducive to the people within those areas. So we've been trying to get that going. As well, we've been talking about pulling together traditional practices and how those traditional practices affect some of the things that we have to do on a consultation process. The consultation processes are the ones that we've been working on with industry as well as First Nations and Metis people to see how we can ensure that those that blend can happen in that respect. So we're trying to make sure that it occurs in that way.

Regarding the Metis settlements' self-generated revenue, it's actually made up of industry tax levies, user fees, charges, revenue under comanagement agreements, and surface rights that are there. So that's basically what we've been dealing with in that respect.

You also asked a question regarding the ombudsmen, and I know that the leader of the third party also asked a question. This is an important one. I was just going through my information as we were going through it, because we've been working on this for a while. You asked a lot of questions relative to what was going to happen, who was going to be there. So just to give you an idea of what happened, this was first raised actually in a report on the mandate of the Metis Settlements Appeal Tribunal that was chaired by my colleague the Member for Bonnyville-Cold Lake. He did a report initially, and that report recommended that there needs to be an impartial, independent office to investigate complaints by settlement members of unfair treatment and conflicts of interest on the part of settlement councillors. That was the whole reason why it was done.

With the other component, though, there was a three-member panel made up of settlement people that went out as well to find out what the people actually wanted to see happen. They came back saying very strongly that they would like to see an ombudsman of some sort be established.

As you know, this is part of going toward a greater transparency and accountability, which the settlements would like to see happen, and we would like to see them go in that direction. In addition, as agreed in 1997, the transition commission came to an end at the end of March. That was an agreement in 1997. The dissolution of that commission created the need and provided the opportunity to take a new approach to how investigations will be carried out, because that has to be part and parcel of whatever we do with the settlements. It means, in my view, that settlements will agree to take the necessary actions to integrate the idea of an ombudsman and for their own governing structures. We haven't decided in terms of who that will be at this stage. We will be advertising to make sure that we get a person who could fit in there.

Actually, the difference between the provincial Ombudsman and what we're trying to do is that the provincial Ombudsman can only look into complaints regarding actions of the provincial government. What we're saying for our ombudsman in the budget is based on the historic costs of both the former Metis Settlements Transition Commission and the department of formal and informal investigations. So the question that the member of the third party is asking deals with those specific kinds of things.

The land registry is established – that was from the Member for Edmonton-Riverview – by the Metis Settlements Act. Previously the budget for the land registry was included in the transition commission. I don't know if you knew that, but that's where it was. When reviewing the land registry budget, it was noted that it had been increased for several years, so we sort of factored in the need to examine the operation and the technological requirements of the registry so that we could ensure that we were dealing with that.

There were a number of other questions that you asked, and I'm going to see if I can find my written stuff here. You asked about some of the goals and performance measures. I'm going to see if I can attempt to answer some of that.

Goal 1. The specifics can be found actually in part of the aboriginal policy initiative, which is in the government's business plan. If you look in the business plan, you'll see the API in there. There are specific targets that are reported on in *Measuring Up* as well, and you probably have read that because I've heard you quote that a few times.

We do not set the targets and strategies for other departments in our business plan. However, we work with all the ministries to support the development of effective strategies. As well, I examine every single department that impacts my area and go through the department budget plan process so that I can make sure that that's happening as well. As you can see, the business plans of other ministries that came before the House also indicated some of the areas where they put forward what they would like to see as strategies with Aboriginal Affairs. If you look closely at some of the ministries, Human Resources and Employment as an example, you will see in there that they're working on skills development and a number of other areas with projects specific to Aboriginal Affairs. If you look at Environment, you'll see that they're working with water strategy and making sure that the Aboriginal Affairs component is involved. If you look at Justice, you'll see that there are a lot of different initiatives and strategies within that budget. If you look at Solicitor General, you'll also see some of the areas where we're trying to work together to make sure that we address the issues under

the APF and the API to see how those strategies can meet their goals within the government of Alberta.

8:50

So we have a number of strategies that we're working with and a number of ways to be able to do that. As well, we have the API, where my deputy is one of the ministers who co-chairs and co-leads that initiative so that we can make sure that it continues to be flowing throughout all the ministries as we work forward in that respect.

That's just goal 1. You also had a number of other questions on the other goals, and I couldn't get them all. So what I will do is I'll try to see if my staff have any of the information, and we'll certainly give it to you or have it in writing. But we'll continue on, if that's okay.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I just have a few general comments that I would like the minister to respond to, if she can, either today or at a later date. There's no doubt that this minister takes a great interest in this ministry and does the best with the resources available to her, but it is still very evident to all of us by the statistics we see that aboriginal communities are grossly overrepresented in some of the worst possible kinds of areas; for instance, in our justice system. So if she could comment briefly for us on the work that she's doing with the Justice minister and exactly how support from her ministry will try to reduce the overrepresentation we have of aboriginal populations in our detention centres throughout this province.

Along the same vein, I would like her to comment on the actual outcomes that we're starting to see in this population in terms of school graduations, postgraduate education, and the kinds of real benchmarks that we would generally measure success by but where we have a population that doesn't seem to benefit from the same kinds of support that the rest of Albertans do. So if she could comment on that.

There's also a great deal of discussion and talk these days about us importing labour from outside of Alberta, particularly skilled labour, because there aren't enough people to fill the jobs. Yet we have the population, Mr. Chairman, and a great percentage of that population are people from the aboriginal community, who for some reason we can't seem to get trained and well placed. So I wonder if she could comment on that as well.

Recently we've been hearing in constituencies across this province a bit of a backlash against aboriginal communities and members in terms of changes in tax policy and negotiations that are going on for treaty settlements. How would the minister suggest that we handle those concerns when they come to our constituencies? Do they have information available to us to use so that we can make valuable and correct presentations to people who are upset about some of the changes that are happening in our province at this time?

So, Mr. Chairman, if she could comment in those few areas for me, I think it would benefit all the members in this Assembly.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Chairman. We'll follow up on my earlier comments and the comments of my colleagues with a number of other questions. I appreciate the minister's responses so far, and I'm sure she will continue responding either verbally or in writing.

I'm looking at this moment at goal 3, which is on page 51 of the business plan. The goal, as I read earlier in the evening, is "to assist

in furthering accountable, self-administering, self-reliant, self-regulating Metis Settlement governments.” Under the strategies one of the three strategies is to “encourage Settlement self-reliance through the terms of Provincial/Settlement funding arrangements and the implementation of economic viability strategies.” It’s that last clause that really catches my attention tonight, the clause that says “the implementation of economic viability strategies.” It raises the whole issue around the economic development of Metis settlements or of areas where there are large aboriginal populations.

How does the minister foresee this economic development occurring? What kind of economic development is going to be encouraged? Indeed, for that matter, what makes a settlement economically viable? I suppose a settlement could be economically viable and a perfectly happy community at a fairly low standard of living by the measures of, say, a typical Edmontonian. You might have a settlement that’s viable on the basis of trapping and hunting and fishing and agriculture and is a perfectly healthy community. Is that sort of economic viability acceptable in the department? How would that sort of economic viability fit into the plans?

How does economic viability and cultural viability interrelate in the minister’s plans? Do we want to see economic development like strip malls and big-box stores, which would potentially have a devastating impact on the culture of Metis settlements, or are we looking for something different? There’s been a lot of discussion in the media in the last many months over casinos on Indian reserves. Well, I know that Indian reserves aren’t specifically in question here, but gambling as a form of economic development surely is a concern for this government and an interest of this government. Are we looking at economic viability being satisfied if there were to be a casino on every Metis settlement, for example? Are we looking at some other form of economic development? I know that’s a very difficult issue for our society and for this government and for all of us, but it’s also one of huge importance, because the strength of the economy and the nature of the economy affects so many other things.

We could in fact get more specific, and I’m now looking at some other notes I’ve got relating to that particular goal. We could ask specific questions on this budget right now: what economic viability strategies specifically will be implemented this coming year on Metis settlements? What were implemented last year? How are they coming along? How are those viability strategies developed? Who develops them? How do they encourage self-reliance and self-governance?

I’d like to now turn my attention to the question of urban aboriginals, urban aboriginals of all types: Metis or status Indians or nonstatus Indians, all of them, every one. This is, I’m sure, an area of great concern and priority for the minister and the department. I’m not sure that it’s clearly reflected and singled out as a concern in the budget here, but if it is, I’d appreciate having my attention drawn to it.

9:00

There are many concerns that all of us would have with the lives of urban aboriginals: unemployment rates, health levels, suicide rates, education levels, poverty levels. Those are all areas of real concern, and I commend the mission, I believe it is, of the department, which is to have Alberta’s aboriginal population at a level of wellness equivalent to the rest of the population. I think that’s a good idea. We have a long way to go to achieve that. So my question is: how are we proceeding in achieving that in terms of our urban aboriginals?

One of the fundamental questions around that, first of all, is: what population projections do we have for our urban aboriginal and

indeed all our aboriginal people in Alberta? What growth rates are we looking at in the population of aboriginals in different regions of Alberta? Do we have that for Edmonton and for Calgary and for northern and central and southern areas? What do those projections tell us about, for example, the number of students who will be needing to be accommodated by the school systems in different regions of the province? I’ve read some figures suggesting that the percentage of students in Edmonton public schools 10 or 15 years from now who are aboriginal will be very high. What are we doing to plan for that? Do we have the baseline data, and what are we doing to plan for that? It would be really helpful and really interesting to me if the minister could provide population projections for aboriginals, however that’s defined, for different regions of the province.

There are also health issues that I want to touch on, because I’m also health critic here. One in particular comes to my mind and has been brought to my mind by others, and that’s the very profound concern over fetal alcohol syndrome and fetal alcohol effect. These are very, very difficult health problems, entirely preventable. I know they do get some attention from the provincial government, from some of the regional health authorities, but they are so important and, as I said earlier, so tragic because they are entirely preventable. I would like to see them get a very high priority from this government and from this department. What are we doing as a government to prevent or at least reduce the incidence of fetal alcohol syndrome and fetal alcohol effect? What percentage of aboriginal babies are born with these conditions now, and what targets do we have for that in the future?

There are, of course, other special needs presented by urban aboriginals, needs, as I mentioned earlier, around education and poverty and various health problems, whether that’s diabetes or alcoholism or other problems. What measures are we seeing here or what efforts are we seeing being taken here by the department in those particular areas?

Finally, I’ll shift my attention a bit to the comments from the chairman of the Northern Alberta Development Council and to the activities of that council. Goodness, the Northern Alberta Development Council has been with us for decades. I’m not sure when it was formed, but it was a long time ago. I’ve suddenly found myself wondering: why don’t we have a southern Alberta development council as well? The northern half of the province is booming in many areas; not everywhere, but certainly major centres like Fort McMurray and Grande Prairie are flourishing. There are new roads being built. There are all kinds of new developments in the northern half of the province, and I’m sure that the Northern Alberta Development Council is responsible for any number of those, has certainly contributed to them. I’m wondering if we should be considering an equivalent body for southern Alberta, which seems to be chronically functioning at, shall we say, a very flat economic level. Lethbridge and Medicine Hat aren’t experiencing the booms of northern Alberta. Anyway, that’s certainly not for the Member for Peace River to directly address tonight.

He did in his comments mention the northern highways strategy. Some information on the costs and benefits and scheduling and so on of that would be of help here. The development of the highway up to, say, the Grande Prairie district is going along great guns. What other northern highways are we going to be seeing developed? Are we going to be seeing the opening of more east/west transportation corridors across northern Alberta? Do we even want that? Maybe we’re better off leaving some parts of this province more or less in their wilderness forms.

He also mentioned the bursary program for students, and certainly that’s an issue for all northern students, whether they’re aboriginal

or not. If there are documents or details on those bursary programs, I'd be interested in having a look at them. I would also be interested in what measures are being taken by the minister to encourage greater education among the aboriginal population at all levels, whether that's in schools or at postsecondary levels. So education for northern Albertans is an interest for me.

Finally – and I suppose this is a bit of a philosophical question for the chairman of the Northern Alberta Development Council – he mentioned, I think, that two-thirds of the province is underdeveloped. As I watch our province grow and, quote, develop, I find myself wondering: what does it really mean to be developed or to be underdeveloped? When he looks at two-thirds of Alberta being underdeveloped, what does the chairman mean? When is something underdeveloped and when is it developed, and is it possible for us actually to overdevelop something? Are we looking at that being a risk in our major urban centres? Do we want Edmonton and Calgary to be cities of 2 million or 3 million? By the same token, do we want Peace River to be a city of 100,000 people in 25 years, or are we happy for it to remain at the level it's at?

MR. BONNER: Our mountain parks.

DR. TAFT: Yeah. What happens to our mountain parks? What happens to the wilderness areas of our province, that we all cherish and really take for granted, when we look at development? So that's a bit of a philosophical note to end on. Maybe there's no real response from either the chairman or the minister on that, but I think it's a topic worth some serious consideration.

Actually I have one other question, just going through my notes, which has to do with financial assistance to students from northern Alberta specifically aimed at health care. Are we looking at students from northern Alberta who are studying in fields of health care being encouraged to return to their areas, or maybe are we looking at students from other parts of the province getting assistance with practicum placements in northern settlements or towns so that they can not only develop their own skills and contribute themselves but also improve the health of our northern communities? Is there assistance for that sort of practicum placement for students in northern Alberta?

Thanks very much.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I just have a few comments and questions this evening for the minister. To start off with, I'd certainly like to congratulate the Minister of Aboriginal Affairs and Northern Development and her department shortly after their first anniversary. I'd also like to thank the chairman of the Northern Alberta Development Council for his comments earlier tonight and the staff of the department for being here to assist on our many questions.

Now, then, earlier speakers have outlined a number of concerns, have asked a number of questions, and certainly one of the major areas is the level of funding of this particular department, particularly in regard to the issue of inflation, which continues to eat away at all budgets if you're not inflation-proofed, and as well the population growth of the aboriginal community. We have certainly seen a tremendous economic growth in northern Alberta, and I don't think it matters whether you talk to members of the aboriginal community or if you talk to other members of northern communities. They have a great concern with the tremendous amount of resource revenue that is flowing out of the north and the amount that's being

returned. I would think that the minister should use that piece of information to look for an increase in her budget next year.

9:10

As well, I would like to first of all look here at the vision as you have stated it for the department, and it is

an Alberta where self-reliant Aboriginal people and Northern Albertans are recognized as leading contributors to and participants in the Alberta Advantage which includes understanding of and respect for Aboriginal cultures.

I think that's a statement that is so very, very correct. I think it was well chosen, and it is certainly a vision that all Albertans wish you every success in.

In looking at this, I want to first of all look at goal 6, which is on page 54 of the business plan. Goal 6, I see, first of all – and the Member for Edmonton-Riverview did touch on this – is to “increase students' financial capacity to access post-secondary education through provision of bursaries or other assistance.” I would like to make some comments on this. First of all, I've had discussions with the dean of education at the University of Saskatchewan, and they have a tremendous aboriginal program. I think that here in Alberta we are trying to certainly bring our departments up to that speed. I would like to ask the minister what has been done as far as her department or her ministry. Has she become involved in discussions with the University of Alberta and looked at the model that we currently have at the University of Saskatchewan for the aboriginal education program?

Now, as well I have a certain percentage of aboriginals in my constituency, and I had a call from one of them, a young single mother, who had made every effort after a failed marriage to go back to school. Very difficult with a young child, but she got back to school. She had perfect attendance. She got into what I guess we would call a relatively lower level of program, got very excited about learning, and did extremely well, so she decided that she would like to continue with a harder program. The funding that was available to her was for the third and fourth years of this program, yet to get her started and get her involved in the new program, there was very little funding. What I would like to suggest is that the minister look at certainly not only the funding for students who are in their final years of a program but also look at funding for those students who have proven that they are committed to learning, that have indicated they have attained some success and that they certainly would be good candidates to support.

I look at core business 4, to “promote and facilitate the economic and social development of aboriginal and northern communities.” Goal 1 there is “to increase skill levels of aboriginal and northern Albertans.” The strategy here, 1.1, is to “increase students' financial capacity to access post-secondary education through provision of bursaries or other assistance.” Now, when I look at the key performance measure, which is to “provide bursaries to students in Northern health practicum placements,” and I see that we have 50 bursaries, my question here is: are 50 bursaries enough? Do these fulfill the number of requests or applications, and if they don't, what would we have to do to get more bursaries available? Certainly that would be a question there.

I think we all realize that when students from any small community have to leave to attend a postsecondary institute or whatever, again this is very, very difficult, and I'd like to know what supports the ministry has in place for these students who do leave their small communities and have to travel to some urban centre to continue their education. It would seem to me that this would be critical, to offer that support for students who certainly could be overwhelmed, as many students are that come from small towns or small communities when they do enter larger urban areas.

Now, one other area I would like to talk about is on the health of our aboriginals. Certainly one of the areas that's come to light in discussions with people that are involved with diabetes research here in the province as well as people who are involved in the nephrology unit, the kidney dialysis unit, over at the University hospital is that there seems to be a higher incidence of diabetes amongst our aboriginal population. Of course, one of the complications of diabetes is kidney failure, and approximately 50 percent of the population that are on kidney dialysis are diabetics. So if in fact these numbers do bear out, what is the ministry doing first of all to educate the aboriginal people about diabetes, whether it be through a cross-ministry strategy or whatever? What are we doing to reduce the incidence of diabetes, and do you have any targets there?

So those are a few questions I had, and I thank you very much for the opportunity to ask those this evening.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

9:20

DR. PANNU: Thank you, Mr. Chairman. I'd like to ask a few questions of the minister with respect to certain program expenditures. One that really caught my eye is in the volume on business plans, and it's page 56. The ministry program expenditures indicate first of all that of the 30 million or so dollars in the department's budget, a good three-fifths, or 60 percent, goes towards programs related to the Metis settlements, and of the remaining 40 percent about, I guess, 35 percent goes for the First Nations aboriginal affairs. My question is specific to the Metis settlements legislation. Of the \$18 million plus that is allocated to the Metis services portion of the programs, why is more than half, \$10 million, allocated to legislation? What's that legislation about? Why is it so expensive to spend money on it? This is the only department where I find money allocated to legislation, so I'm curious.

This raises the question of: how many Metis settlements are there in the province? Could the minister give me an idea of the number of Metis settlements we have in the province for which these programs and expenditures are presented here and the Metis population and the First Nations population? In terms of the relative allocation of resources under your ministry to these two main groups or subpopulations, the First Nations and the Metis, the expenditures I guess need to be judged also relative to the numbers within each category that are served by the ministry.

So these are very simple, straightforward questions: the number of Metis settlements and the number of people in the Metis subgroup or population and the First Nations. The last one: what's the \$10 million on legislation about?

THE CHAIR: The hon. minister.

MS CALAHASEN: Thank you, Mr. Chairman. There were a few questions I got after that you were asking initially, so I'll start with those, and then I'll answer the subsequent questions you've asked, if that's okay. My colleague the chair of NADC will also answer some questions that were directed to him on northern issues.

There were some questions on the ombudsman which I didn't get, and I want to talk about those. I indicated that we haven't had anybody yet, but we're going to advertise shortly. We also anticipate that a selection will be made by the end of June, and we're trying to push it as quickly as we can. A review panel of government and settlement representatives will interview candidates and make a recommendation to myself, so we'll go through that process and make sure that it's done. The ombudsman will hear complaints from settlement residents regarding the decisions and conduct of

settlement councils under administrators, as I indicated earlier. The ombudsman will not be responsible for taking corrective action. That will be the responsibility of the Metis Settlements Appeal Tribunal for settlement councils or myself. So we've got those answered. I know those were questions that you had asked.

You had also asked why my department's budget did not increase this year. It's a new department. We actually have been trying to work with other departments. We're a facilitating group. What we want to do is make sure that we deal with the various departments to work on that, and as a facilitating group we'll be able to pull it all together. As I indicated earlier as well, we'll try to make sure that we continue to assess what it is we're going to need in the future, and we'll continue to work on the implementation of the aboriginal policy framework and see how we can do that. So that will be in future budgets you will see coming forward.

There were a number of questions also from the Member for Edmonton-Riverview. With respect to the performance measure under goal 2, you had asked that question. I agree that the satisfaction measure is set at a beginning level. We call it a beginning level. There are many factors that make up satisfaction with government programs, as you probably will recognize. There's also confusion as to whether government is responsible for different programs, whether it's federal or provincial. So our government's efforts are occasionally confused with federal programs. Perhaps this explains the beginning level of satisfaction that we're trying to get at, but we certainly will take any recommendations that you have to see what can be done in that respect.

My colleague will deal with the northern issues. I'll go forward on Edmonton-Riverview.

You talked about economic viability for the Metis settlements. It's being decided by the settlements. Actually, in the year 2000 the Metis settlements undertook a survey to determine just what those issues were near and dear to them. They had a conference, and I attended that conference. The settlement members know what they want at this stage, and they've indicated it in that economic viability strategy. As a matter of fact, strip malls aren't really on the list, but they certainly have a number of other things. They've talked about bison farms, looking at agriculture, looking at oil and gas. Some of them do have oil and gas possibilities. Some have forestry. So they're looking at a whole variety of ways that they can begin to get money in and to be able to look at how they can be economically viable. That's a task that they've been taking on themselves, trying to figure out how they can do that, and we've been waiting for that to see how it could all come together. We have to continue to work in that respect and continue to see what can be done.

You asked about how we are doing regarding economic development. Well, we've been working with aboriginal communities and industries to look at ways to increase aboriginal jobs, aboriginal businesses, and aboriginal partnerships with industry. As a matter of fact, I carry around my list, and it's Current and Recently Completed Aboriginal, Private Sector, and/or Government Partnerships. I just want to read them to you, because this is really important. Aboriginal Affairs and Northern Development and the Athabasca Tribal Council/industry working group I talked about earlier in my speech. That's one that we've been working on. Another one that we've been working on, that I said in my speech, is the Little Red River Cree/Tallcree First Nations pilot project. The Dene Tha' First Nations consultation pilot project along with Alberta Energy and the Canadian Association of Petroleum Producers are doing the traditional use study. Of course, there's the Calling Lake economic development interagency project, which we've been working on.

The other ones are really good success stories as well. Alberta

Human Resources and Employment has been a major player. Blackstar Learning Centre, Oteenow Treaty 6 and Treaty 8, the Metis Nation of Alberta Association, Alberta Learning, and Alberta Human Resources and Employment are part of a skills for work contract designed to provide participants with the prequalifications for apprenticeship programs. That's just one example. Lethbridge aboriginal employment centre's partnerships contract has been developed with HRDC, MNA, Treaty 7, and Alberta Human Resources and Employment. Another one is the Edmonton urban aboriginal initiative committee, and I want to talk about that because there were some specific questions relative to that, and I'll go back to that, the same with the Calgary urban aboriginal initiative committee. We've got two of those that are sort of specific to the aboriginal component. We also have human resources and petroleum land administrator training – the Stoney tribal administration and Suncor, Olympia Energy, and Utilicorp. The Alberta Human Resources and Employment, Treaty 7, and MNA zone 3 labour market development units project involving SAIT and Bow Valley College. The First Nations resource training project, the Precision Drilling project, which involved four First Nations – Kehewin, Heart Lake, Frog Lake, and Cold Lake – industry; the federal government, INAC; AHRE; and the Petroleum Industry Training Service, otherwise known as PITS. Actually, AHRE developed a joint oil/gas training and employment demonstration project at Gift Lake with PITS and Edge Petroleum.

We've got quite a lot of them, and I don't want to go through them, but I can certainly provide that information to you if you would like to see that. I think it's very important to note that in working with the aboriginal community and with industry, we can come out with partnerships that are really conducive to making sure the economic initiatives can occur in that respect.

The other one I just want to talk about, questions that the Member for Edmonton-Ellerslie was bringing up, the overrepresentation in the justice system. We see that, and we've been trying to work with Justice to see how we can bring those numbers down. We've also been doing a number of things on an earlier basis, so it's through the capacity-building strategy to develop the healthy communities, which is something that I hear you talk about on a continual basis, how we can do that. Any suggestions that you have I'm willing to take and see how we can implement that.

The focus on learning skills/training with aboriginal youth that will be trained and employable. That's where, when you're talking about our youth, we have the fastest growing population but we've also the largest population under the age of 19. So we have that whole issue of making sure that we continue to get the kids educated and get them trained somehow along the way to be able to make sure they take advantage of what's happening in the province of Alberta.

Justice also co-chairs the aboriginal policy initiative, and we're trying to look at many different things for crime prevention. We've got a number of initiatives that are occurring, but we can certainly take on as much as we can, as long as you are willing to give us more information as to how we can do that as well. We're always looking for suggestions and always looking for answers. As you know, that's a tough one, and we've been doing everything we can in that respect.

9:30

The Benoit backlash that you were talking about: unfortunately, because it is a matter before the courts and it's active litigation, we can't discuss that. However, I think it would be important that if you have questions like that, you refer them to the Minister of Justice or to myself. We can give you the kind of answer that will be helpful to you if you have to answer some of those questions. Also, I would

advise that this case is legal; it is not, as I would say some have described it, racial. So that's an important one.

I want to talk about urban aboriginal issues. As you know, just to give you a perspective on aboriginal populations, even though we're only 6 percent of Alberta's population – and that's part of me – 63 percent reside on reserve, 33 percent off reserve, and 3.3 percent on Crown land. Just as an example, we have 33,235 who live in Edmonton. All the people who are in Edmonton probably have a smattering of that. In Calgary we've got 22,390 that are identified. Some of them are not identified, so we know that it'll probably be a little bit more in terms of that. So when we're talking about the aboriginal population and urban aboriginal initiatives, we have to be able to look at some of the possibilities of what we want to do with them.

We've been working on a number of areas in the urban aboriginal initiative that I think are so important. I had some information here on the urban aboriginal initiative. It's very, very key. I don't know if you know that the Edmonton urban aboriginal initiative committee exists, but it exists here in Edmonton, a very good group, and they support the aboriginal liaison and career counseling project at Amiskwaciy Academy. As you know, there's that first aboriginal high school that just opened the other day, and it was just awesome to go to. I was there the other night. They're working in conjunction with the Oteenow Training and Employment Society. So that's a really good committee that's been working together.

In Calgary HR and E is collaborating with the MNA and Treaty 7 in the development and implementation of a skills training program leading to an apprenticeable trade. So we've got a number of areas that I think are really important when we're talking about urban aboriginals and trying to figure out what else we can do in capacity building, as I indicated. The same with Alberta Learning.

We have some more questions that I got from the Member for Edmonton-Riverview. FAS is a big issue, as we know. We've been working with Children's Services as well as through the cross-government initiative under children's initiatives, and we've been involved in that and figuring out what we can do. We've been working with the federal government as well. As you know, we need an educational component attached to that as well, because it's preventable. How do we educate people to make sure that they know that this is preventable? So we've been working with the children's services initiative to make sure that we are on that group, to make sure that we continue to address the issue of the aboriginal community in that context.

There was also aboriginal diabetes from the Member for Edmonton-Glengarry. You were talking about aboriginal diabetes. It is becoming an epidemic within the aboriginal community. Even younger people now are getting the disease. We've been working with Alberta Health to try to figure out what we can do to deal with the issue, and in talking with my colleague from Alberta Health, he's got an aboriginal health strategy that can be accessed through dealing with some of these more prominent cases of problems that we're experiencing at the local level.

Diabetes, as you know, probably stems from the change in diet and a number of other things, so we have to be able to educate the people on the dietary situation as well as how we deal with the immediate situation. It's an interesting one in my view, because I see that in my own area. I see people now starting to get sicker and sicker. It's a real issue that I have relative to my people in my own constituency. I know that Alberta Health is trying to make sure they do a number of initiatives to address this. Some of the programs that I think have been innovative are with the Capital health region. They've done a number of things dealing with diet as well as dealing

with aboriginal staff. So we've got a number of things that are occurring, but we still have a long way to go.

I think I'll leave some room for my colleague the chair of NADC to respond to some of the concerns on northern Alberta.

THE CHAIR: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Chairman. It's going to be a little bit confusing following the order of the questions. I was picking from the questions those things that might more directly relate to the Northern Alberta Development Council as compared to the responses that the minister has already given you.

I do want to acknowledge several of the members who expressed sentiments that the budget for northern development and, I'm assuming, for the entire ministry was rather meagre. I'd be more than pleased to take those sentiments to our next budget meeting with the minister, to the Minister of Finance and Treasury Board. I'm sure we can use all the help we can get to encourage them to open the purse strings a little bit. The north isn't a greedy bunch, but we continually have to press for more equity, and in a sense that's a good deal of what the Northern Alberta Development Council is all about.

But on the serious side, you know that when we're strapped for cash – a lot of our work is partnerships with industry – this means that we have to lean on them a little heavier for more involvement in things like skills development training, our bursary funding – there are partnerships there – roads development, and the like. So we're fairly innovative in that way as well.

The Member for Edmonton-Riverview made references to the balance between economic development and environmental protection. This is a major issue. I mean, we talk about it a lot, but as a northern resident myself I see this not as an either/or matter. There has to be a balance. There has to be not only respect for the environment, but you also alluded to a respect for traditional values for people that have been there for generations and generations.

The northern two-thirds of the province is significantly underdeveloped. You asked a question about that, and I'll get to that in a moment. There's lots of room for growth, but with that growth we have to put a key pressure on sensitivity for the environment. This has to be high on the priority list. Natural resource extraction by its very nature is viewed as creating environmental problems. You see forests harvested, and depending on where you look, if you follow the area where this has happened immediately the spring after a winter harvest, the media sometimes sensationalizes that into the raping and pillaging of nature. We would like to see some of the people that make those comments, however, come back in a few years when reforestation starts to take place, you know, the stringent requirements to make sure that forestry harvesting, for example, is sustainable.

As strange as it might sound, many of our industry players recognize this problem and do take a proactive position on ecosystem management. Sometimes it's not just because they want to do it, but they know that if they don't act positively, either the provincial government or the federal government or both are going to force them to do it. If you're out front doing the right things, it's probably going to be in your best stead. I think the vast majority of our industry players are quite responsible.

A lot of times I read stories and articles written by people who are considerably removed from our area about the environmental issues, and the only thing I can say is that it's great to criticize from a distance when you've never been there, but I truly would invite some of those folks to come out and see for themselves what actually happens. As I say, we as residents certainly wouldn't put up

with it, and I would like to see some of the armchair critics come out and be as concerned as we ourselves are.

9:40

Virtually all of our major development plans do include environmental concerns. They have to be built into the development plans, and probably the hoops that the developers have to go through are significantly the environmental ones. Things like financing and everything else they have to go through probably are minor in comparison.

Both the members from Edmonton-Ellerslie and Edmonton-Glenarry asked about job opportunities for our growing aboriginal population. The minister did make reference to a number of specific programs that are available for the aboriginal community itself, but NADC focuses heavily on education and training and skills development. Probably the specific NADC programs are for all our residents, but aboriginal communities by virtue of where they predominantly are located could be major beneficiaries. You know, we encourage and even go so far as to pressure our major employers to make a special effort to train and employ aboriginal people. It's not an overnight process because many of these new jobs have high technical skill requirements, and that leads to certainly some cultural challenges. First of all, a lot of the young people, the people who are looking for employment, likely have to leave their home communities to go where the jobs are. Unfortunately, they're probably not as close to the traditional communities as they would like to be.

Likewise, there's kind of a cultural challenge in having to go to postsecondary education. One of our programs, the Northern Links program, gives young people from small communities the opportunity to go out and see firsthand what the opportunities and the challenges are in postsecondary institutions, whether they're colleges or universities. A lot of these young people have never been beyond a small high school, and to go someplace where there are several hundreds of enrolled students or even several thousands can be a pretty intimidating experience. It's not just like probably most of us in here, even if we're some distance from where the universities are, saying: okay, we're going to send our kids off to university and college. The intimidation they face might be nothing compared to some from very tiny communities. So it's more than just training and education. It's an entire cultural development.

I think that one of the challenges we face is maybe making more traditional kinds of jobs available, you know, the kinds of things that they already have a built-in aptitude and skill for. We shouldn't necessarily be assuming that they should adapt to our kinds of work. Maybe we should be looking at making some of the kinds of work that they would be interested in, and that also means partnering with those communities. They could be partnering with some of the industries, whether it's forestry, you know, many of those things that might even give them an advantage. Those are some things that we have to look at.

The Member for Edmonton-Riverview asked about the reason for NADC. Yes, you're right; it's been around for a long time. Officially in its present state it goes back to 1975 but even almost 10 years before that in a probably significantly different version.

You also commented on: should there be a southern development council? I'm hoping that was a rhetorical question, because I think we know that the southern part of the province is quite well developed, and if you read about some of the things that are going on these days, I mean, there's concern about, say, a shortage of water. There's also concern about highly developed intensive livestock operations. They call them something different now. We look around and say: "Well, you know, we have quite ample supplies of water. We have lots of open spaces. We certainly could have room

for more ranching and farming opportunities and things like that. Maybe look a little further north.”

But having said that, the Northern Alberta Development Council covers an area of two-thirds of the entire province if you go about a hundred kilometres north of Edmonton where the boundary starts and from there on, and there are maps that show this. As a matter of fact, we fairly proudly display on a pin that we have the size of this. That same area only has about 10 percent of the population of the province, yet over half of the province’s GDP comes from there, you know, in terms of resource extraction, farming, and whatever else. So I think that if you put the numbers together, it doesn’t really take rocket science to suggest that there is lots of room for development.

You also mentioned about our workforce. I think a couple of the members touched on this. The training component – and I think this probably overlaps into the bursary question as well. Some might say: do you really need a bursary program to get young people from the north to get their training and come back? I suppose there are a number of answers to that, but I’m going to tell you from personal experience, you know, that my own kids, when they went off to – well, they had to come to Edmonton for university. But what happens with all the best intentions: the first year or two they are fully intent on coming back home to work, but after they’ve lived in the city for maybe four years, they become kind of acclimatized or citified, and some of the things that they get used to make it more difficult to get them back. So, yes, it needs some kind of an incentive, especially in the areas of health care professionals and trades, things like that. We need to make sure that those opportunities do exist. We don’t want our workforce to be people who are two or three days a week transients. We want them to be permanent residents of our community, to be as proud of it as we are, and the minister is telling me to shut up and sit down because our time is up.

One last comment on the northern highway strategy. The document is going to be distributed fairly shortly, and there’ll be a lot of information in there.

Thank you, Mr. Chairman.

MS CARLSON: Mr. Chairman, just before we go to the question, may we revert to Introduction of Guests?

THE CHAIR: May we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

MS CARLSON: Mr. Chairman, I would like to introduce a good friend of Albertans and certainly to those of us in the Official Opposition. We are joined tonight by Kim Cassady. I would ask that he please rise and receive the traditional warm welcome of this Assembly.

head: **Main Estimates 2002-03**

Aboriginal Affairs and Northern Development *(continued)*

THE CHAIR: After considering the business plans and proposed estimates for the Department of Aboriginal Affairs and Northern Development, you’re ready for the vote?

Agreed to:

Operating Expense	\$20,182,000
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THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

9:50

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the estimates of Aboriginal Affairs and Northern Development and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

MR. KLAPSTEIN: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Aboriginal Affairs and Northern Development: operating expense, \$20,182,000.

THE DEPUTY SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Second Reading

Bill 25

Alberta Corporate Tax Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Government House Leader on behalf.

MR. HANCOCK: Thank you, Mr. Speaker. It’s my pleasure tonight to move Bill 25 for second reading. Bill 25 is the Alberta Corporate Tax Amendment Act, 2002.

Members having had the opportunity to peruse the bill since first reading will note that most of the substance of Bill 25 provides for the alignment of our provincial corporate tax and definitions and operation with federal legislation in the same manner.

There are a few other circumstances in the bill which are available for members to review, but for the most part this is a pretty straightforward although very technical bill. I think that for members having had the opportunity to review it since first reading, I would commend it to their attention, and we can deal with the details of the specific provisions which members might want to address when we get to committee.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. The key highlight that the Government House Leader failed to outline was that this bill is a tax reduction for small businesses, which is good news. The bad news is that it’s a slower pace than planned or promised. So I think that’s quite interesting in itself.

We, Mr. Speaker, support affordable tax relief in order to enhance Alberta’s attractiveness to business investment, and in fact it’s been a policy of ours for many years, since I believe 1994, that there be

a reduction in the small business tax rate. During the late part of '93 and '94 we did a jobs, jobs, jobs policy paper that we took around the province and got feedback on and put forward proposals, and one of those was to lower the tax rate. But it took this government over six years to act on our recommendation, and now they're further delaying the implementation by one year. The benefits in terms of employment and investment income that could have accrued over that year had the cuts proceeded as planned would have been greater than what we'll see. We haven't seen where the retained tax revenue will be spent since it's being withheld from businesses at this time, so this is interesting in itself.

This is another good example of a good idea by the Liberal opposition that this government has ultimately gotten around to and accepted. So for that, Mr. Speaker, we thank the government, and we will support this bill at second reading.

THE DEPUTY SPEAKER: The hon. Minister of Revenue to close debate.

MR. MELCHIN: Thank you, Mr. Speaker. Having heard the overwhelming support, I've learned to quit before you get too far behind. So thank you very much.

[Motion carried; Bill 25 read a second time]

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIR: I'll call the Committee of the Whole to order, please.

Bill 10
Public Works Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Glengarry.

MR. BONNER: Well, thank you, Mr. Chairman. It's a pleasure to rise and make a few brief comments on Bill 10, Public Works Amendment Act, 2002, at committee stage. I think this is certainly a bill that could be described as housekeeping legislation. We in the Official Opposition were very happy to see that there was extensive consultation involved in this bill, not only that there was extensive consultation but there was some compromise involved between the various stakeholders. Certainly there is some work to be done, but what this legislation will do is create harmony between the Builders' Lien Act and the Public Works Act, and it will provide a certain degree of clarity and consistency between the two pieces of legislation.

Well, I would like to point out just a few areas here. I see that section 8 has been amended. The major point is that since 1980 the contract law principles have been developed based on various court decisions so that the lowest bid does not necessarily have to be taken. Other bids can be taken, and the criteria for these include fairness, good faith, past performance of contractors, et cetera. What this amendment will do is harmonize this legislation with other public-sector agencies and place the final responsibility with the minister. So we certainly are in agreement with that particular amendment.

10:00

Now, then, another concern that the industry had was certainly the protection under the Public Works Act of all first and subsequent

levels of subcontractors. Certainly with the proposed changes it is guaranteed now that this will extend to all layers of contractors involved.

[Mr. Klapstein in the chair]

In looking at the amendment of 45 days, this used be 90 days for a contract with the minister of transportation and utilities. What we are seeing here now in the amendments is that this increases the period to 45 days to be consistent with the time that is provided for registering a lien under the Builders' Lien Act, and certainly some of the industry had questions as to whether 45 days was enough time.

Now, then, another amendment that we want to look at is 1(b). Certainly we welcome this particular amendment and particularly with this department, because we have seen where this has been a single ministry and has also been a dual ministry. It's bounced back and forth, so this amendment will certainly add stability in the department. It's something that people would like to see, including the Official Opposition, and it will certainly give everybody an opportunity to track budget changes.

As well, when we look at section 1(c), again just another cleanup clause, it does clarify what is a public work. Of course, this is vital when you look at what is needed when we have an increase in the number of public/private partnerships and also when there are other agencies entering into contracts where public dollars are involved. We look at the departments, for example, of education or of health care.

Now, then, as well, we like the changes to section 2(2). One of the questions we did have here is: how often has a person in authority been challenged when signing a contract? I don't know if the minister will be able to supply that information tonight or not, but if he could provide that down the road.

The amendments to section 5. This is definitely an improvement. Again, when various companies do tender their notice, then certainly they can be notified by written notice to those who have picked up the tender notice instead of the former situation, where we had to have a public notice. This certainly is a much more efficient way of doing business.

As well, we see that section 8 is amended. The act is currently interpreted by reading in the word "valid." What happens here is that we can look at terms such as qualified, noncompliant, contain errors, and whatever. So by adding in this particular statement, this adds strength to the bill.

Section 9 is also amended. This is again a cleanup amendment. It reflects current tendering law, as does section 10.

Other changes to 12(2) and 12(3) are also part of contract law, and these are cleanup clauses.

Now, then, as well, in sections 14(2)(a) and 14(3)(a) one of the strengths here is the consultation that took place with the Alberta Roadbuilders and Heavy Construction Association. This was a negotiated time period, with a reduction from 90 to 45 days.

I think those are the major changes that I wanted to look at in the bill and comment on the amendments, Mr. Chairman. From the Official Opposition's standpoint this bill certainly fills many of the desired changes of the industry and the stakeholders, and we'd urge all members to support it. Thank you.

[The clauses of Bill 10 agreed to]

[Title and preamble agreed to]

THE ACTING CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE ACTING CHAIR: Opposed? That's carried.

Bill 15
Dairy Industry Omnibus Act, 2002

THE ACTING CHAIR: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Chairman. I'd like to rise and provide additional comments and respond to questions raised during second reading of Bill 15, the Dairy Industry Omnibus Act, 2002. It is a sincere pleasure for me to help the hon. Minister of Agriculture, Food and Rural Development with this bill, and I remind members that the objective of the Dairy Industry Omnibus Act is to shift the governance responsibility for dairy production and marketing away from government and into the hands of dairy producers.

During second reading the hon. Member for Edmonton-Gold Bar asked how many of the 18 dairy companies operating in Alberta were actually Alberta-based companies. Mr. Chairman, 14 of the 18 are Alberta companies, operating only in Alberta. The other four – Lucerne Foods Limited, Parmalat Canada, Saputo Foods Limited, and Sunny Rose Cheese, a division of Agropur – have major processing facilities in Alberta, with the parent company outside of Alberta.

There are currently 850 producers in the province, and as the members of this committee know, Canadian citizenship is not a requirement for quota purchases. However, producers must be residents of Alberta and registered with the board. As in all agricultural sectors the trend is moving toward larger operations that can realize efficiencies. However, our Alberta industry is certainly primarily comprised of family operations whose owner or operator lives right on the farm. We aren't talking large foreign-owned corporate operations. A typical dairy farm in Alberta is run by a husband/wife team, with the kids pitching in before and after school. I have many such farms in my own constituency, Mr. Chairman, and I visit them often.

The hon. Member for Edmonton-Gold Bar also asked about the dairy quota system. The existing dairy board sets policy and approves all quota transfers and all quota leases. The new producer board would continue to do this as well. The price of a quota is set by the marketplace and is negotiated between buyers and sellers. The existing board has absolutely no role in setting quotas, quota values, nor will the new producer dairy board. It is the marketplace too, Mr. Chairman, that in large part drives the number of producers. Alberta is part of the national supply management system for milk and dairy products. Our provincial allocation is based in part on market demand. The Alberta Milk Producers' Society in co-operation with the Dairy Farmers of Canada does an excellent job of promoting milk and dairy product consumption. As demand increases, so does production and so does the opportunity for growth.

The new dairy board will be operated by producers, not by the provincial government. We do not want to end up creating another Canadian Wheat Board. Producers will vote to create a board or commission under the Marketing of Agricultural Products Act. Producers choose to operate under a supply-managed system. It is not a system imposed upon them by the government. Also, I should mention that the contract export milk program allows any producer, regardless of whether they have a quota or not, to produce milk for export. We are a Progressive Conservative government, Mr. Chairman. We believe in free trade and market-driven pricing.

10:10

The hon. Leader of the Official Opposition centred his comments on public accountability, and I'd like to assure him that the government isn't stepping out. We're just stepping back. The new producer dairy board will still operate under provincial legislation; that is, the Marketing of Agricultural Products Act. This marketing council supervises all boards and commissions, and there is direct accountability back to the Minister of Agriculture, Food and Rural Development. The price for fluid milk will continue to be set by the Alberta Energy and Utilities Board. The AEUB acts as a public watchdog to ensure that the proper formulas are used for setting the price of fluid milk.

The regulatory powers proposed for the new producer board are located in section 27 of the Marketing of Agricultural Products Act. All six marketing boards in the province use these section 27 powers. The proposed dairy board will have broader powers with respect to processed dairy products, but this is required to maintain the system of payment to producers. Mr. Chairman, this board will operate much in the same manner as the four poultry boards in the province. It will be able to fix and allot quotas, license producers, and set minimum prices. The Alberta dairy board will also have regulatory powers similar to other producer boards in other provinces.

Another question that came up during second reading is: how is the dairy industry motivated to consider consumer concerns about price? Well, as I have just stated, Mr. Chairman, the price of fluid milk will continue to be set by the AEUB, as it has been in the past. The price for processing milk will be set through negotiation between the board and processors. Of course, because processors are competing in a Canadian market, prices in other provinces will still be a factor in the price set right here in Alberta.

We know that processors must remain competitive, and part of that competitive equation is responding to consumer demand. Let's face it: producers gain nothing by pricing Alberta processors out of the market. The hon. leader opposite made reference to the dairy producers being something like a millionaires' club. Yes, it does take a lot of money to get into dairy, but once you're in, you work very, very hard 365 days a year. The profit margin is always slim, as in any farming operation, and you sometimes wonder why you even do it. It reminds me of the farmer who was asked what he would do if he won a million dollars. His reply: well, I guess I'd just keep on farming till it was gone.

As far as public participation in the governance of the dairy industry is concerned, I want to make it clear that the provincial government is simply getting out of the day-to-day management of the dairy industry. As I mentioned previously, this board will still operate under provincial legislation, and it will be supervised by the Agricultural Products Marketing Council, which reports directly to the Minister of Agriculture, Food and Rural Development.

In closing, let me say that there are many checks and balances built into the system to ensure that the public's interests are protected. For instance, under this act there is an independent appeal tribunal, which is an avenue where anyone impacted by a board decision can make an appeal. It isn't a new model, Mr. Chairman. It's tried and it's true and it works. Take the Alberta poultry industry as an example. Here's an industry that is thriving. The producer board continues to work co-operatively with poultry processors to meet growing consumer demand, and these poultry boards are the ones leading the implementation of on-farm food safety programs to address consumer concerns with safe, quality food.

So with those comments, Mr. Chairman, I conclude my remarks on Bill 15. I will try to answer any further questions as they may arise. Thank you.

THE ACTING CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman.

AN HON. MEMBER: Don't ask him any questions.

MS CARLSON: Why? Because he answers them? Well, from our perspective it's nice to have the questions finally answered. I hope all the clapping and desk-thumping that occurred for the Member for Drayton Valley-Calmar was a reflection on the lateness of the hour and not anything else. I personally would like to thank him for the questions that he answered, because we were going to take him to task if he hadn't done so given that there was going to be some pretty speedy passage of this bill in the Legislature.

[Mr. Tannas in the chair]

I would like all members to know that I have a dairy farm in my constituency. Not a very large one, but . . .

AN HON. MEMBER: It's called Safeway.

MS CARLSON: It's not called Safeway. Real cows. I know their names, and I say that they're the best represented cows in this province. [interjections] No. No. Smart guys. Just because I live in the city doesn't mean I don't know a little bit about rural issues.

On this bill, Mr. Chairman, we would like to thank the member for answering the majority of the questions that were brought up in second reading, although it seems to me that there were still a few of them that are a bit open-ended at this particular stage.

Just to go through the Leader of the Opposition's comments previously, he had a few concerns about the self-governing, but I think those were answered. He talked about how they compared to other commodities. He wondered about the motivation for the dairy industry to consider consumer concerns about price, which was answered, but then the rest of the issues were not. So consumer concerns about issues that reflect on competition in the market but also associated agriculture producers who may want to enter into that industry: that was left open-ended. I expect that the member will respond to those at some other time, maybe in third reading, or in writing if that's not possible.

The member also said in his comments on March 7 that there's still a degree of responsiveness to the consumer and a relationship with the dairy industry in a way that we have some semblance of market forces working. He's worried about what might happen with the changes here. That also wasn't specifically addressed. The member supported moving out from under the Marketing of Agricultural Products Act but stated that there still needs to be consumer input into the decision-making process because they are a special industry. So is there some specific vehicle being set up to address that concern?

I think that with those comments, Mr. Chairman, that addresses all of the concerns we had. In general we were supportive of this. There are some outstanding issues, and we'll watch to see how it progresses as it unfolds. Thank you.

[The clauses of Bill 15 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

Bill 13

Administrative Penalties and Related Matters Statutes Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

Hon. Minister of Environment, do you wish to make opening comments? Okay. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. We always take a look at bills that are called things like related matters statutes amendment act with a little bit of suspicion in this Assembly, because it seems to be the kind of act where . . .

DR. TAYLOR: You can trust me.

MS CARLSON: Yeah? Well, that's really my concern. I certainly don't trust that particular cabinet minister very far, Mr. Chairman.

So that's what makes me nervous about this bill, in addition to the fact that this is one of those bills that really got the bum's rush through this Assembly in second reading. We're a little concerned about that. The minister says that over 45 stakeholder groups, including the kind of cross section that we like to see represented, being industry and recreation and municipalities – he stated that there was significant support for these proposed changes. So we're going to take his word on this one but be paying very close attention.

10:20

MR. NORRIS: That's very wise of you.

MS CARLSON: Well, I don't know if that's wise or not, but we're going to do it in this instance, Minister of Economic Development.

We'll see how this particular one unfolds, because in general we think that it's good to see that this particular bill addresses some of the need for increased and more stringent penalties. That's a good thing.

Of course, as always, we've expressed concern numerous times inside and outside of the Assembly that the problem really is a sufficient number of enforcement officers and the funding to support those officers. You can have all the rules you want, but if there's no one there to see that they're carried out, then what good are they? You know, there are regulations, penalties, but if there's insufficient staff, then the legislation really means nothing. I know that this minister is a minister who likes to see industries self-police, and that works very well for some people, but we know that that isn't always the best way to carry out these kinds of duties.

Our concern is that continued cuts and department reorganizations make it very difficult to design and carry out long-term plans. Self-reporting, with appropriate penalties for failure to report, is an important part of the enforcement process, but it doesn't replace officers and random inspections. We'd like to see random inspections beefed up rather than scaled down. The increasing pace of resource development that we see in this province means that enforcement is increasingly important, particularly as we see development butt up against the settlement of larger communities, so that's a problem.

We see that this bill increases the personal responsibility that directors have for the work done by their companies. That's a good change, and we applaud that particular change.

So I think that's all I'm going to say at this particular time. There are a lot of changes happening here in a lot of different acts, and we'll be paying attention to what happens as it unfolds and staying

in touch with the stakeholders to see if they continue to be happy with this.

Mr. Chairman, with those comments we will cross our fingers and hope that everything goes well with this bill. Thank you.

[The clauses of Bill 13 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I move that the committee rise and report progress on bills 10, 15, and 13.

[Motion carried]

[The Deputy Speaker in the chair]

MR. KLAPSTEIN: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 10, 15, and 13.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. In light of the hour I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:25 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, April 24, 2002**

1:30 p.m.

Date: 02/04/24

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our Father, keep us mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work give us strength and wisdom. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's my privilege to introduce to you and through to members of this Assembly Mr. Don Hamilton, who is seated in your gallery. Mr. Hamilton is the husband of a well-known and respected Albertan, Judy Wish Hamilton, who succumbed to cancer April 13 after a long and valiant battle with the disease. Mr. Hamilton is an ordained minister. He created and oversaw the Alberta service corps. He was the first executive assistant to a Premier of Alberta. He was executive assistant to Premier Harry Strom. Mr. Hamilton has served as president of the Edmonton Northlands board. As a businessman he was president of Nordic Neon. Mr. Hamilton opened the first pizza restaurant in Alberta. He is currently chairman of the racing tribunal. Accompanying Mr. Hamilton is one of his longtime friends, Mr. Jim Woroniuk, a local businessman, a hardworking volunteer, and well known to many in this Assembly. Gentlemen, would you please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. It's my pleasure to welcome and introduce to you and to members of the Assembly some visitors from further west, from the province of B.C. to be exact. Our visitors are here in Edmonton for a board of directors meeting of the Northwest Corridor Development Corporation, a group that Alberta is a very active partner in, and they're also meeting with a number of our ministers and northern MLAs. Our visitors are Mr. Paul Nettleton, MLA for Prince George-Omineca; Jason Morris, assistant to Mr. Nettleton; Stieg Hoeg with Transport Canada, manager of the Prince George airport; and Graham Kedgley, acting in a secretarial capacity to the corporation. I would ask that our visitors please rise and receive a traditional warm Alberta Assembly welcome.

head: **Introduction of Guests**

MR. KLEIN: Mr. Speaker, I have four visitors to introduce to members of the Assembly this afternoon. They are here today as part of a successful fund-raising event held this past December in support of the Edmonton Christmas Bureau. The *Edmonton Sun's* Hicks on Six phone-in auction raised \$49,000 for the bureau. Those funds were used to help many Edmontonians enjoy the traditions of the Christmas season. One of the items up for auction was lunch with me – and it was a very frugal lunch, I might add – followed by a visit to the Legislature. Mr. Mo Rahall was the successful bidder. His interest in the item resulted in a \$900 contribution to the

Christmas Bureau. Mo, as many of you know, was the author of *Banksters and Prairie Boys*, and he was also a candidate in the last provincial election, running against me. Needless to say, I'm here and he's there. Mr. Rahall is joined today by Graham Hicks of the *Edmonton Sun*. His father, Mahmoud Rahall, and Barry Tucker are seated in the members' gallery, and I'd ask them to rise and receive the traditional warm welcome of this Legislature.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to extend a warm welcome and to present to you and through you 192 students from John D. Bracco school, which is located in the heart of the constituency of Edmonton-Beverly-Clareview, which I am honoured to represent. They are accompanied by their teachers Mr. George Nickel, Mrs. Ingrid Robinson, Ms. Kris Hendrickson, Ms. Colleen Moroz, Mr. Fitz Sherman, and Ms. Sheri Tchir. As well, they are accompanied by parents, helpers, and others: Mr. Chris Storozhenko, Mr. Jim Litven, Mr. David Dam, Mr. Matt Sparrow, Mr. Anders Halberg, Mrs. Linda Carson, Mrs. Kilar, and Mrs. Wendy Pylypow. They will be arriving at different times because of the size of the tour, but the ones that are here now are seated in the members' gallery, and I would like to ask them to please rise and receive the very warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHYN: Thank you, Mr. Speaker. Today I have the pleasure of introducing two constituents. The first one is Brandon Jespersen, who is a grade 9 student at Meridian Heights school in Stony Plain. Brandon helped me with my campaign, and he was a very good helper, obviously by the success. He's wanting to become Canada's next Prime Minister. Accompanying Brandon is Jordie Maxwell, who's a youth minister at the Alliance church in Stony Plain, and he is helping Brandon achieve his political aspirations. I would like Brandon and Jordie to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's my privilege also to introduce Mr. Bob Clark, Alberta's Ethics Commissioner, who has joined Don Hamilton today. Please welcome Mr. Clark.

Thank you.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Rural Health Services

DR. NICOL: Thank you, Mr. Speaker. The Health Care Protection Act implies that the only difference between a hospital and a nonhospital surgical facility is that a hospital has an emergency room and a surgical facility does not. Now we learn that in rural areas such as Grimshaw the government is looking to close emergency rooms in local hospitals. My questions are to the Premier. Given that the facilities like the one in Grimshaw provide acute care, intensive care, surgery, palliative care, and a number of other procedures, will it still be considered a hospital once its emergency room is closed down?

MR. KLEIN: It's an interesting question, Mr. Speaker, and perhaps I'll have the hon. Minister of Health and Wellness supplement. The issue vis-a-vis Grimshaw and Peace River is not so much the emergency room and the sustainability of that hospital as an active treatment hospital; it relates to its proximity to the town of Peace River. I understand that it's only a few kilometres from Peace River, which not only has a major hospital facility but a brand-new hospital facility. So the issue is one of rationalization as opposed to whether one is a hospital or not.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given that all three doctors in Grimshaw have threatened to leave if the emergency room is closed down, how does the Premier expect to keep the hospital going in Grimshaw without its emergency room?

1:40

MR. KLEIN: Mr. Speaker, as I explained before, that is a matter that is going to have to be considered by the regional health authority and by the Department of Health and Wellness. As I pointed out earlier, it's a matter of rationalization as opposed to any other issue.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Then given that several rural health authorities have already mused about the possibility of facility or bed closures, how does the Premier expect to attract doctors to rural Alberta?

MR. KLEIN: Mr. Speaker, there is a program to attract doctors to rural Alberta. They are paid a premium or a bonus, if you will, and the program to my knowledge is working quite successfully. I'll have the hon. minister supplement.

MR. MAR: There are a number of parts to this program, Mr. Speaker. The rural physician action plan also involves ensuring that students who go through medical training at both the University of Calgary and the University of Alberta have an opportunity during the course of their training to visit and get some of their training in rural Alberta. My understanding, in speaking with the deans of medicine at both those medical schools, is that in fact there has been a good deal of interest in rural practice.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Can the Premier confirm that the reason that the due date for RHA business plans has been pushed back not once but twice is because several rural RHAs are finding it difficult to come in within their budget without making drastic cuts and considering hospital closures?

MR. KLEIN: Mr. Speaker, I can't confirm or deny that, but perhaps the hon. minister can shed some more light on it.

MR. MAR: Mr. Speaker, we tried our very best to give information to regional health authorities as quickly as we could, but as we were going through the budgeting process, it became clear that we were not able to give information to regional health authorities as quickly as we would have liked. The hon. Leader of the Opposition will know, of course, that one of the issues raised by the Auditor General in his report is that regional health authorities have been filing

business plans well into the fiscal year instead of at the beginning of the fiscal year. So in our effort to ensure that regional health authorities have sufficient time to file a business plan before their operational year commences – it's the reason why we've given them time to digest the information that has been given to them by Finance in terms of the amount of money that they'll be getting so that they can do their planning properly.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again back to either the Premier or the minister: will extra capacity be added to the hospital in Peace River to handle the 13,000 patients a year who now use the Grimshaw hospital?

MR. KLEIN: Well, Mr. Speaker, I don't know the specifics relative to the usage of the Grimshaw hospital. Perhaps the hon. minister can provide more information.

MR. MAR: Mr. Speaker, it is perhaps premature to be talking about what will happen with the facility at Grimshaw. We do know that it is in very close physical proximity to the facility at Peace River, which is an outstanding one. Until such time as the regional health authority actually does submit its business plan, where it contemplates the use of various facilities, including the one at Grimshaw, this will be a very difficult question to answer for the Leader of the Opposition.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: Mr. Premier, don't you think there's something backwards here when they are actually getting their budget and then having to prepare a business plan? Shouldn't they be preparing the business plan and then you building the budget around it so that in effect the health care is designed by the regional health authority and then you provide the dollars that are necessary to deliver that kind of health care?

MR. KLEIN: Well, Mr. Speaker, again relative to the process vis-a-vis business planning and budgeting, I'll have the hon. minister respond.

MR. MAR: Well, Mr. Speaker, I need to remind the Leader of the Opposition that the increase for the Department of Health and Wellness was in excess of 7 percent in this recent round of budgeting. That is a significant amount of money. It is the largest increase of any department in government for this government's operations. For regional health authorities, they will get nearly half a billion dollars more this year. Every regional health authority got some increase this year. Admittedly, it is not the increase that they would like to have, but it is an appropriate amount, and it is a significant amount. We cannot continue to provide money on a growing basis with an unlimited budget. That's simply not possible.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

CT Scans

DR. TAFT: Thank you, Mr. Speaker. This week a for-profit clinic opened in Calgary offering people without any medical symptoms full-body CT scans for \$1,200. A second such clinic will be opening

in Calgary next month. Meanwhile, four months ago the Food and Drug Administration in the U.S. warned against full-body CT scans for screening healthy people because of high radiation doses and false positive results. In addition, the American College of Radiology says that there is no evidence the procedure is either cost-effective or effective in prolonging life, and the American Cancer Society discourages full-body scanning for the same reasons. To the Minister of Health and Wellness: given that the clinic has said that CT scans are only provided on a doctor's referral indicating they're medically necessary yet people are paying \$1,200 out of pocket, what is government policy for covering the cost of this procedure?

MR. MAR: Mr. Speaker, if that's what individuals want, that's what they can pay for, but that's not something that is listed as a required service and not part of the public system.

DR. TAFT: All right. Then given that substantial risks and problems stemming from using CT scans for screening healthy people arise, will the minister take steps to ensure that they are only provided on the basis of a proper doctor's referral?

MR. MAR: Mr. Speaker, the decision as to whether an individual seeks such a treatment or not is a decision that is made in consultation with their physicians, and individuals, after hearing what their physicians may say about the risks or benefits associated with such a procedure, can still make the decision to go ahead and have it.

DR. TAFT: Given that the USFDA says that "the effective dose from a CT procedure can be hundreds of times larger than the effective dose from a conventional radiographic procedure," will the minister take steps to ensure that by law all advertising and promotion for such clinics involves a full disclosure of the risks involved in the procedures?

MR. MAR: Mr. Speaker, I would presume that for physicians who suggest to their patients that they should get such a procedure done, as with all other procedures there is some element of informed consent on the part of the patient, and if after hearing about the risks and the benefits of having such a procedure individuals choose to go ahead, they can do so.

THE SPEAKER: The hon. leader of the third party.

Health Resource Centre

DR. PANNU: Thank you, Mr. Speaker. There is a connection to the Calgary company that has applied for permission to open Alberta's first for-profit inpatient surgical facility. Imagine that: the very first application, and already American investors are lined up waiting to crack open Alberta's health care system to U.S. corporate interests. No wonder the Minister of Health and Wellness has set up a secretive approval process for this application. My questions are to the Minister of Health and Wellness, who hopefully has removed the Krazy Glue that kept him stuck to his seat yesterday. Why does the minister refuse to make the HRC application public if not to hide from Albertans the fact that much of the money backing this Calgary company is from U.S.-based venture capital funds?

MR. MAR: Mr. Speaker, I'm advised that HRC itself has placed its application on the web site. If the hon. member thinks that's secretive, then I'd be surprised. The criteria for eligibility or the approval criteria that will be applied by the government of Alberta in approving this will also be found on the web site. If that's secret,

that comes as a surprise to me. When the decision is made, either for or against such an approval, that information of course will also be fully disclosed and completely transparent.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. The minister is refusing to deal with my question.

Let me ask him this. If he already knows that there may be a U.S. financial interest in this company, will he tell the House if he will consider that the presence of that interest jeopardizes the future of public health care because of NAFTA considerations?

1:50

MR. MAR: Mr. Speaker, the end point for the government of Alberta and the Department of Health and Wellness and this minister is twofold. One, it is to maintain and improve the quality of our public health care system, and two, it is to ensure that it is not only accessible but also affordable and sustainable into the future. The issue as to whether or not the corporate structure of a particular enterprise is American or Canadian is not a relevant consideration.

DR. PANNU: Well, Mr. Speaker, my final question to the minister: if he thinks that these kinds of ventures will help the Canadian health care system, will he encourage American HMOs to move into Alberta to help the health care system in Alberta?

MR. MAR: Well, to reiterate from my second answer, Mr. Speaker, the end point is to ensure that we have a publicly funded, accessible, high-quality system for Albertans. We've demonstrated that we're prepared to do that through our investments in people, in plant, and in equipment. We have an outstanding health care system in this province. Occasionally it's truly excellent. Does that mean that we cannot try and do better? No, it doesn't, and we are trying to improve our publicly funded, affordable, accessible, high-quality health care system.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Mill Woods.

Confined Feeding Operations

MR. MARZ: Thank you, Mr. Speaker. The Agricultural Operation Practices Amendment Act has been in operation slightly over three and a half months under the Natural Resources Conservation Board, and already a number of problems have been identified by some Albertans in my constituency. My question is to the Minister of Agriculture, Food and Rural Development. As the NRCB is receiving applications for new as well as expansion of existing operations, why would the NRCB consider or even accept an application for the expansion of a confined feeding operation from an operation that's in willful noncompliance with their current permit and in willful breach of a current county compliance order?

MRS. McCLELLAN: Mr. Speaker, I would direct that question to the minister responsible for the NRCB.

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a good question. This act allows any agricultural operation to submit an application to the NRCB to start with. In some cases, of course, operations that existed before January 1 of 2002 were not in

compliance with their existing municipal approval. The NRCB, of course, has followed up on all compliance orders however they may be, whether it's through the public, the municipalities, or in some cases individual operators themselves. Compliance with existing permits or approvals is not optional. In all cases the NRCB insists that the operator comply with existing approvals that are in place.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. To the minister of sustainable development: if the municipal input is so important to the Natural Resources Conservation Board, as they have stated publicly many times, why are they overruling existing county compliance orders and replacing them with a compliance order that appears to be compatible with what the operator is currently doing?

MR. CARDINAL: That's a good question again, Mr. Speaker. The NRCB is not replacing existing municipal compliance orders. The Agricultural Operation Practices Act does not give the NRCB authority to enforce existing municipal compliance orders, so the NRCB must issue their own enforcement orders if the situation warrants such. As you are aware, no doubt, municipalities have the authority to enforce the orders that they have issued prior to January 1 of 2002, when the new act came in and the NRCB oversaw that area. However, if there is an immediate risk to the environment or human health, the NRCB insists that immediate action be taken to remove these risks.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. My last supplemental to the Minister of Agriculture, Food and Rural Development. Given that the regulations only provide for two specific soil tests and exclude all other approved tests, including those that are approved by the United States Department of Agriculture, which effectively gives a monopoly to those labs that provide those two tests, when will the Minister of Agriculture, Food and Rural Development change the wording of the regulations to allow for the use of all currently approved tests as well as any new technologies that may be developed in the future?

MRS. McCLELLAN: Mr. Speaker, first of all, we do testing so that we can ensure that we have the proper information so that we can enforce standards and, in fact, impose fines if those standards are violated. We can only compare our test results and have a baseline for that if we use the same basic test. The regulations that we have taken the testing, except for phosphorus, from the manual of the Canadian Society of Soil Science, and our expert committee that worked on the standards that recommended this testing recommended that we use the modified Kelowna test because it's the best test for phosphorus under prairie conditions, and that was very important.

However, I must point out to the hon. member – and he might want to pass this information on – that the modified Kelowna test is not a proprietary test. There are several labs in our province that perform this test method, and we've had inquiries from labs about other test methods and have advised them that if they change their testing procedures only slightly, they would be compatible with the modified Kelowna test. So I believe that we've dealt with that issue, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Montrose.

Day Care Policy

DR. MASSEY: Thank you, Mr. Speaker. Reports of child abuse at a private day care in St. Albert have many parents worried. They want to be assured that children won't be placed in jeopardy again. My questions are to the Minister of Children's Services. Where in legislation are children in private day cares protected from abuse and neglect?

MS EVANS: Well, Mr. Speaker, I would like to first respond to the issue of that particular day care. This was a completely unauthorized situation, a horrific situation, and I think that we have to make it clear and communicate buyer beware when they go to day cares and make assumptions about who is there. We have, with the hon. Member for Calgary-Buffalo, listened to the parents' concerns, looked at what we can do in future child legislation, and worked hard with the licensing officers to determine how we can manage the situation. To be perfectly clear, this was a situation where most parents believed that there were fewer than six children in a residential home, and there were in fact several more children in that home. By the time that we had followed procedure to follow through and check on what was happening, a number of circumstances had taken place. I would like to thank the hon. Member for St. Albert, who very clearly elucidated all of these issues, who arranged for us to be involved in that situation immediately.

Mr. Speaker, clearly we have a number of rules in place. We have licensing. We are working on accreditation programs for day cares. It's a costly procedure. But people must be aware and must follow through and do their due diligence when they provide their child, their precious children, to somebody who is serving their needs for child care. Although these parents believed that they had done just that, I don't believe there had been a thorough enough check and balance done with the Capital region, the Ma'Mōwe authority, to determine whether or not this child carer had been explored for the services it was providing.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. That's abandoning those children, Mr. Speaker.

My question is to the same minister. Where in legislation are children in those situations protected?

MS EVANS: Well, Mr. Speaker, we have legislation for the day care. We have also got a number of regulations. I'd be pleased to table in detail in this Assembly everything that we have.

THE SPEAKER: The hon. member.

2:00

DR. MASSEY: Thank you. Again to the same minister: why did it take the RCMP to finally shut down the St. Albert facility? Why didn't Children's Services take the necessary action?

MS EVANS: Mr. Speaker, when we got to the site, my understanding is that the number of children on that particular site had been removed and in fact were not there. The proprietor allegedly claimed to the parents that she'd had a medical problem and was unable to look after the children for a period of two months. This was a very difficult situation. The day care licensing officers have drawn our attention to a number of circumstances. I would offer this: I'd be pleased to meet with the hon. member opposite and go into some detail about our discussions. This was a case that was

very baffling, in the first instance, because the authority to act had not been given.

I think that for any service that's provided in the public, people have to do their due diligence to find out what is happening in circumstances, because unscrupulous types of people can open services, deliver services, and make claims that are not true. When people use that kind of service, they should actually find out. They should. I would not leave a grandchild in a place that I hadn't thoroughly investigated, and this government can't force people to do that investigation.

THE SPEAKER: The hon. Member for Calgary-Montrose, followed by the hon. Member for Edmonton-Gold Bar.

Fresh Start Addictions Centre

MR. PHAM: Thank you, Mr. Speaker. Residents in the Calgary neighbourhood of Abbeydale were shocked upon learning that the Fresh Start Addictions Centre opened earlier this year within this quiet residential community and just a short walk from an elementary school and a busy playground. This facility is a 21-bed treatment centre reserved for alcohol and drug addicts, among whom many are criminals on parole. Because of the fact that this building was once used as a day care centre, the city of Calgary issued a permit which allowed this facility to start operation without any attention given to the great concerns shown from local residents. On behalf of my constituents my first question is to the Minister of Children's Services. Given that your department licensed drug and alcohol treatment centres in the past, can you please advise my constituents as to when and why you stopped doing this?

MS EVANS: Mr. Speaker, the hon. member is bringing forward something that has been a very complex situation. Let me be clear. Under the Social Care Facilities Licensing Act we license day cares, we license women's shelters, and we license those facilities where seniors have care provided. But it's care, not treatment. In 1994 the act was clarified so that care was licensed through the Social Care Facilities Review Committee, but treatment was not. Let me be very clear. The definition of "care" was identified as "watchful keeping, food, shelter, protection or attending to," which is care such as is provided in those facilities we do care for. Alcohol and drug rehabilitation or treatment facilities are defined as "something done, or steps taken, to effect treatment of or disease including examination, diagnosis and application of remedies." That's treatment, not care.

At the time that we did license facilities that offered drug treatment, we were dealing with what was inside the walls, not outside the walls. Care inside the walls was all we attended to, not the clientele coming and going to the facility, not any of the other community impacts. That quite clearly was never part of the mandate of the Social Care Facilities Licensing Act nor any type of work that we do currently in siting any of those facilities.

THE SPEAKER: The hon. member.

MR. PHAM: Thank you, Mr. Speaker. To the Minister of Municipal Affairs: given that the city of Calgary did not give Abbeydale residents an opportunity to voice their concerns both before and after the decision was made to provide this facility with a permit, did the city of Calgary abuse the power given to them by your ministry in setting up an undemocratic process which did not seek any input from residents nor offer them any process for appealing this decision?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. Under the Municipal Government Act it clearly states an open and an accountable process that we have legislated to the responsibility of municipalities; in this case the city of Calgary. The authority for land use planning solely rests with the local municipality. It's my understanding that they have been informed by citizens that the citizens feel that they haven't been in fact consulted on this issue. I think what's most important at the end of the day is that the city of Calgary's land use bylaw, which they solely construct based on input from citizens, has a very broad range, ranging from a seniors' centre to a day care centre to, as was indicated by the hon. member, a drug rehabilitation centre. I'm advising the city of Calgary that they should consider reviewing the broad range under this land use bylaw, for which they've been granted the authority.

THE SPEAKER: The hon. member.

MR. PHAM: Thank you, Mr. Speaker. Again my question is to the Minister of Municipal Affairs. What can the minister do to address the concerns of the residents of Abbeydale and to prevent things of this nature from occurring in the future?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. Again the hon. member raises a very important question for the community. Since learning about this last week, I've sent a letter, which I will table at the appropriate time, to His Worship the mayor of Calgary indicating that concerns raised by city of Calgary residents should be considered in terms of amending the existing land use bylaw, that the city of Calgary does have the responsibility for executing. Also, I've sent an advisory to all municipalities, 366 across Alberta, indicating that in an area where it is such a broad term, perhaps it could be narrowed. Ultimately, it is a local decision by the elected councillors within their affected municipalities.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Castle Downs.

Workers' Compensation Board

MR. MacDONALD: Thank you very much, Mr. Speaker. The Constitution Act, the Canadian Charter of Rights and Freedoms of 1982, under Legal Rights states:

Any person charged with an offence has the right . . . to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal.

My first question is to the Premier this afternoon. Is it government policy to develop legislation that respects the Constitution of Canada, which is the supreme law of Canada, "and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect"?

Thank you.

MR. KLEIN: Mr. Speaker, the hon. member is absolutely right: the Constitution is supreme. We would endeavour to respect it in every way, shape, and form. If it is deemed by an individual or a group that the Constitution is being violated, then that would be grounds for a court action, and indeed court actions have been launched relative to alleged violations of the Constitution.

MR. MacDONALD: Again, Mr. Speaker, to the Premier: where in WCB legislation are injured workers guaranteed a public hearing before an independent and impartial tribunal?

Thank you.

MR. KLEIN: Mr. Speaker, indeed, a process has been established, a process that is in the midst now of being further enhanced relative to impartiality. I think it will go a long way to making sure that injured workers who feel that they haven't been treated fairly by the WCB will have the opportunity for a fair and impartial appeal.

I'll have the hon. minister respond further.

MR. DUNFORD: Mr. Speaker, practically everything that we are doing in terms of the amendments with Bill 26, that was introduced recently, has to do with trying to provide injured workers with more access to a system of appeal and more access for their physician, if a medical opinion is involved, to have a discussion and a decision made regarding that medical condition. Of course, the motivation entirely on behalf of not only the Premier but the rest of the members of this government in trying to move the Appeals Commission to a more independent status from WCB was to provide, again, for injured workers the opportunity to be involved in an appeal process that they would see as fair and reasonable and something to address their particular issue.

2:10

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: given that the WCB is both the judge and jury in all future disputes with injured workers, how is the government proposing to deal with a prospective Charter challenge by an injured worker to guarantee a public hearing before an independent and impartial tribunal?

Thank you.

MR. KLEIN: First of all, Mr. Speaker, it seems to me that the hon. member has asked for a legal opinion, and I'm not about to give that legal opinion, nor do I think that the Justice minister and Attorney General should be in a position in this Legislature to offer a legal opinion.

Secondly, Mr. Speaker, to relate the issue of injured workers to the Constitution as it pertains to criminal activity or a trial is absolutely wrong. It bears no relationship whatsoever. I don't know of an injured worker that has been accused by this government of committing a crime; right? We aren't accusing injured workers of committing a crime, so there is no presumption of innocence or guilt. It doesn't bear any relationship whatsoever to this particular case.

And thirdly, legislation is now in process to create a scenario that will offer injured workers a much more impartial and objective assessment, adjudication, of their case.

Speaker's Ruling

Anticipation

Seeking Legal Opinion

THE SPEAKER: Hon. members, before calling on the hon. Member for Edmonton-Castle Downs and the hon. Member for Edmonton-Centre, there's been broad leverage given to all hon. members in the raising of questions, but under Orders of the Day, Bill 26, the Workers' Compensation Amendment Act, may or may not be up for debate later today.

Beauchesne 408, Oral Questions, clearly prohibits questions which would "require an answer involving a legal opinion." Hon. members might also look at Marleau and Montpetit, page 427: the

questions are in order at various other parts of the Routine but not during the question period if they seek a legal opinion.

The hon. Member for Edmonton-Castle Downs, followed by the hon. member for Edmonton-Centre.

Services for Autistic Children

MR. LUKASZUK: Thank you, Mr. Speaker. In the usual tradition of hardly constructive comments by the members of the opposition a member yesterday stated, and I quote: Children's Services was abandoning autistic children. A question to the Minister of Children's Services: what services do you provide to autistic children in Alberta?

MS EVANS: Mr. Speaker, to the hon. member opposite, we provide \$50 million worth of services to help parents with autistic children. This serves 650 children in the province for respite services either in their home or out of their home. It's done in consultation with the parents. It may include orthodontic treatment, special dental work. As we know, autism is a neurological disorder of the brain that may affect their social behaviour. It may affect some of their other capacities to learn. It's very individual. Autistic children, like other children, don't come in neat packages with labels. They come with a variety of disabilities sometimes, and it means that we have to look very carefully at each child, assess them differently in some cases, and provide the proper treatments.

I should point out that these things are assessed annually in consultation with both the social worker and the family. They look at the capacity of the child and whether existing treatments are still working. Fifty million dollars for 650 children. We believe that we're making a difference for those children, Mr. Speaker.

THE SPEAKER: The hon. member.

MR. LUKASZUK: Thank you, Mr. Speaker. My supplemental is to the same minister. Does your previous answer include intensive behavioural intervention, also known as IBI?

MS EVANS: Mr. Speaker, we actually provide an additional 11 and a half million dollars. These children commonly cost an average of \$36,000 per year per child, and for those children that are covered through the intensive behavioural intervention we are looking at that policy, as the hon. Minister of Learning defined, with him and also with the hon. Minister of Health and Wellness, and looking at what's right to do for children in what particular fashion. We have an expert panel with representatives from the families, representatives from the communities that are involved as well as from physicians that have been working with these children, and we're working very clearly to . . . [interjections] Mr. Speaker, it would be delightful if the hon. members opposite would open their ears instead of their mouths.

We met just this noon about these services with a member of this community and the association, and we have made every commitment to review the policies and make sure that they're in place before any proclamation of that particular section of Bill 9 that deals with handicapped children.

Mr. Speaker, there should be no mystery about the fact that we continue to provide these programs for children and are not trying to get out of providing programs for children. We're trying to make them better and seamless in our delivery system.

MR. LUKASZUK: Mr. Speaker, that was an exhaustive answer. I have no supplemental questions.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Highlands.

Electronic Racing Terminals

MS BLAKEMAN: Thank you, Mr. Speaker. The Alberta Gaming and Liquor Commission chose to extend the 70 percent compensation structure for operators of electronic racing terminals to the end of 2003 even though the Auditor General estimates that this decision will result in an overpayment of \$21 million or more to casino operators by the end of 2003. The AG also noted that a premium was likely paid by the AGLC to get operators to sign these long-term contracts. My questions are to the Minister of Gaming. Given that the contract provided for a quarterly review and adjustment of the compensation rate, why is the minister allowing this scheme to remain in place for another year and a half?

MR. STEVENS: This particular program has a history where the operators in question came to the AGLC back in the mid-90s and said that they would like to bring this particular game into the province. At that point in time permission was given provided that they provided the capital for these games. That was an exceptional circumstance and gave rise to the exceptional arrangement with those particular operators which ultimately was the subject of the Auditor General's comment. The fact is that there has been a very good working relationship with these operators, and when the Auditor General made his comments that the arrangement was inappropriate, the AGLC said that they are prepared to recognize and agree with that. But it is necessary to provide these operators an opportunity to have some time to make a decision with respect to how to deal with it in order to not materially and adversely affect their business plans.

So the arrangement that was made was a fair one. It's one that gives the operators an option, and in any event we'll have the matter determined in full by the end of 2003.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks, Mr. Speaker. Again to the Minister of Gaming: what makes these casino operators so special that they continue to get a windfall of \$21 million while the community lottery boards get cut?

MR. STEVENS: We believe that all of the stakeholders within the gaming industry are special, and the casino operators are part of that. I think it's fair to say, Mr. Speaker, that the number that the hon. member mentions is for 11 machines over a number of years. It is not for one year; it is for the term up to the end of December 2003, if I recall correctly. From our perspective that is a reasonable arrangement given the history of this particular product line.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks, Mr. Speaker. Well, if money had to be cut from the Gaming budget in this particular year, why didn't the minister cut some of these overpayments instead of cutting the community lottery boards? He could have recouped some of his money by cutting these.

MR. STEVENS: Mr. Speaker, the arrangements with the casino operators in question are pursuant to agreement. There are agreements in place, and there is a very firm option that has been put forward which the operators have a choice to accept by December of 2003. It is a matter of the AGLC living up to its contractual

obligations, and I would expect that the hon. member opposite would expect this government to live up to its contractual obligations, as would its agencies.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Meadowlark.

2:20

Electricity Pricing

MR. MASON: Thank you, Mr. Speaker. On Monday we saw yet another effect of this government's rush into electricity deregulation: wild fluctuations in the price of power. Following the recent 40 percent increase for residential power by EPCOR, the average spot price on Monday of this week was spiked 300 percent over what it was the day before. Mr. John Davies, owner of the Lethbridge Iron Works, suggested that market players are able to manipulate prices. To the Minister of Energy: last year and before the election the government blew billions of dollars protecting Albertans from the price of deregulated power, but now that the election is well behind us, what protection will consumers get from unstable electricity prices?

MR. SMITH: Aw, Mr. Speaker, to correct so many errors that are included in the member's preamble will take a period long past the end of question period. So let's just . . .

SOME HON. MEMBERS: Go ahead. Do your best. Go ahead.

MR. SMITH: Well, I'll respond to the challenges as best I can, Mr. Speaker. Firstly, this government did not blow an incredible amount of money back in deregulation. In fact, this government took on the very serious responsibility of returning consumers their money. Just as this government last year delivered over \$1.3 billion in tax savings, money back in individuals' pockets, the consumer's portion of the PPA sales, the power purchase agreements, was some \$2 billion. That was returned to every consumer in a \$40 cheque each month.

Now, if the member could think back, way back to about 18 months ago, he'd also realize that there was a budget surplus that manifested itself in two \$150 cheques being returned to Albertans. That, Mr. Speaker, was Albertans' money, money that was raised from their ownership in their resource called oil and gas.

Lastly, Mr. Speaker, there was an early return of royalty money that was expressed in a royalty rebate or a gas price fluctuation.

That's just to correct the ancient, past errors of the member. Let me now move to the present errors of the member.

THE SPEAKER: Hon. minister, please. I know. So much to say; so little time. Let's move on, please, please, please.

MR. MASON: Thank you, Mr. Speaker. We all know that the government blew \$4 billion on energy rebates. Will the minister tell Albertans and tell this Assembly what his government and his department are doing to protect Albertans from fluctuating and high electricity prices? That is the question.

MR. SMITH: Well, Mr. Speaker, I'm going to start by tabling yesterday's Power Pool price that both corrects the misconceptions that the Member for Edmonton-Highlands puts forth and also corrects the continual misperceptions of the Member for Edmonton-Gold Bar. In fact, over the last 24 hours the Power Pool price never exceeded 5.7 cents per kilowatt-hour. That's \$57 a megawatt-hour.

It's springtime. There are 870 megawatts out in repair. The present price is trading at 5 and a half cents a kilowatt-hour. It does happen to be cold, as he may have noticed, a colder than average April, but that means that the gas prices are up. Now, as gas prices go up, so does the price of electricity, and so does the amount of royalties that accrue to the government account.

So, Mr. Speaker, there's no mystery to it, and I hope that my humble attempts at a clearer explanation cleans up these erroneous misconceptions that both members continue with, I daresay to lead the House in a direction other than it should be going.

MR. MASON: Mr. Speaker, when will the government admit what Albertans already know, that they are paying higher electricity prices now than before deregulation and that electricity prices in Alberta are higher now than in regulated jurisdictions in Canada?

MR. SMITH: I will absolutely admit today, Mr. Speaker, that the price of electricity is higher than it was when we were on the last legs of using our transmission capacity across this great province, which hadn't had a dollar put in it for 20 years and where there hadn't been any generation added and where we were using the last amount of generation. I will admit that this government may have created an environment since 1993 that doubled the gross domestic product of this province. We will admit to that. We'll also admit to the fact that we have spent the last 12 months working very, very hard against the federal government, a Liberal federal government, that is trying to impose issues of Kyoto and greenhouse gas emissions that'll even increase the oil and gas prices in this province.

Mr. Speaker, we know that the key to long-term, low, reliable electricity prices is increased generation. That is arriving in Alberta today.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

Labour Relations Code

MR. MASKELL: Thank you, Mr. Speaker. I've been receiving telephone calls regarding the possible opening of the Alberta labour code. Some are wondering why . . . [interjections]

THE SPEAKER: The hon. Member for Edmonton-Meadowlark has the floor.

MR. MASKELL: Thank you, Mr. Speaker. Some are wondering why the necessity for the opening of the Alberta labour code at this time, others are seeking a full review, and others are interested in certain sections. My question is to the Minister of Human Resources and Employment. With the rapid growth and change in the Alberta economy, are you planning a review of the Labour Relations Code?

MR. DUNFORD: Mr. Speaker, we've been receiving quite a number of inquiries about the Labour Relations Code. We've been receiving some suggestions as to how it's about time to have a look at it. I believe it was 1988 when it was last reviewed. I have to say to the hon. member, though, that when we assess the Labour Relations Code, even given the rather rapid growth that my colleague had talked about earlier in a response to a deregulation question, the current Labour Relations Code has been standing up fairly well. When we look at a couple of benchmarks, which perhaps would be the amount of days lost to strike and the amount of agreements that are unable to be agreed to through mediation, Alberta actually leads the country in those particular areas. So we have a very good system. I think we need to pause, examine, and hesitate before we open it for review.

MR. MASKELL: My first supplemental is to the same minister. What areas might be targeted?

MR. DUNFORD: Well, there have been areas of concern. We've all heard about salting and MERFing. There are some concerns that are around health care and some of the other areas. Again, I think it would be important, before we do anything, that we be able to minimize the amount of review that we'd make to a very good act and one that is functioning very, very well.

MR. MASKELL: Again to the same minister: if there is to be a review, when might it be expected to begin, and how long would you expect the process to take?

MR. DUNFORD: Well, again, I'm not agreeing to open the act at all. What we would contemplate doing would be to have some MLAs go out and talk to stakeholder groups here within our province to see what, if anything, we should do. If we go forward with that, we would do that this summer.

THE SPEAKER: Hon. members, prior to going on with the next item in the Routine, let me just remind hon. members of a correspondence that I provided to all of them earlier this afternoon. It's an invitation from Brigadier General J.I. Fenton, Commander of the Land Force Western Area, inviting all members of Alberta's Legislative Assembly to join in a memorial ceremony to commemorate the loss of the four soldiers of the 3rd Battalion, Princess Patricia's Canadian Light Infantry Battle Group, who gave their lives in service to Canada on April 18, 2002: Sergeant Marc Leger, Corporal Ainsworth Dyer, Private Richard Green, and Private Nathan Smith. This memorial will be held at the Skyreach Centre this Sunday. Hon. members, if you are free to attend, please do, and will you please make your presence known by the date on which you've been asked to make your presence known as well.

2:30

head: Recognitions

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

Judy Wish Hamilton

MR. MASKELL: Thank you, Mr. Speaker. It's my privilege to speak today about a great Albertan that we lost to cancer on Saturday, April 13, Judy Wish Hamilton. I knew Judy for little more than a year, but in that short time she became a special person in my life. My first encounter was during the 2001 election campaign. I knocked on the door of Judy and Don, and when Judy found out why I was there, nothing would do but I had to come in and receive some wonderful coaching on how to run a successful campaign. Although she wanted to play a major role in my campaign, her illness did not permit it. However, in her own unique way she was a great supporter. Judy was a mover and shaker. She worked in Premier Harry Strom's Calgary office. From that time politics became a big part of her life. She was Premier Lougheed's legislative assistant and deputy press secretary. From there she served seven years as director of the Alberta office in Ottawa. Judy became Petro-Canada's director of public and governmental relations in Calgary for 12 years. Her last employment was with the Canadian Petroleum Products Institute.

Judy was also a tireless volunteer and a great supporter of the arts. A few of her volunteer activities included member of the National Capital Commission, president of Alberta Theater Projects, president

of the petroleum commission, member of the Alberta Foundation for the Arts. Judy was a close friend of the hon. Member for Calgary-Varsity. She served as president of his constituency association. This last year she served on my constituency board. Judy was a dynamic, loving person with personality, wit, charm, and great intelligence. We who were all blessed to know her will miss her deeply.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

Canadian Institute of Ukrainian Studies

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to recognize the 25th anniversary of the Canadian Institute of Ukrainian Studies, located at the University of Alberta. CIUS was born in response to a deeply felt need in the Ukrainian community to preserve historical and cultural values. Some prominent Ukrainian Canadians that were instrumental in creating CIUS in partnership with the government of Alberta were Manoly Lupul, Peter Savaryn, the late Ivan Lysiak-Rudnytsky, the late George Luckyj, the late Bohdan Bociurkiw, and the late Laurence Decore. Also, the then president of the University of Alberta, Harry Gunning, endorsed the institute, while Peter Savaryn used his persuasive efforts to lobby the government to obtain \$350,000 in annual funding for the institute.

Alberta is home to more than 300,000 individuals of Ukrainian ancestry, who began arriving some 111 years ago to forge a new life. It has been a real success story, and I wish to congratulate the Canadian Institute of Ukrainian Studies for its important role in this regard.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

Secretaries' Day

DR. MASSEY: Thank you, Mr. Speaker. Each April we observe Professional Secretaries Week and on this Wednesday Secretaries Day. The term "secretary" has a Latin root, secretum, meaning a secret. A secretary, then, became one who kept secrets. Today we still share with them information about our assignments, co-workers, supervisors, and ourselves. Discretion, then, is a hallmark of a secretary. Can you imagine how the course of history might change if that were not true of secretaries in this building? Discretion, however, is not enough. Over the years the tasks taken on by secretaries have changed. Being a secretary requires a set of distinct skills. They must have the computer ability of a Bill Gates, the telephone acumen of a Ma Bell, the writing ability of an Alice Munro, the tact of a Lester Pearson, the calm of a Martha Stewart, the sympathetic ear of an Oprah, and the warmth of a Peter Gzowski.

On this day we have two obligations. First, we must pause and say to secretaries: thank you. Second, we must avoid the day becoming but ritual by showing our appreciation throughout the year, reserving for today those extra tributes that make it special. Thank you.

THE SPEAKER: The hon. Member for Calgary-East.

Leith and Lorraine Orr

MR. AMERY: Thank you, Mr. Speaker. It is indeed a pleasure to rise today to recognize and congratulate Mr. Leith Orr, a constituent and friend, on his 80th birthday, which was celebrated on April 1, 2002, in the presence of over 150 friends and well-wishers. Leith

and Lorraine Orr and their daughter Debbie have been living in the community of Southview in the greater Forest Lawn area since 1955. Active participants, tireless volunteers, and community oriented, in the late '50s, early '60s they worked so hard to build the Southview community hall, and when that goal was realized, along with friends and volunteers they moved on to build the greater Forest Lawn seniors' drop-in centre, a thriving gathering place for 525 seniors.

Mr. Speaker, Leith and Lorraine Orr are indeed outstanding members of our community. At this time I would like to take this opportunity to wish Leith a happy 80th birthday.

THE SPEAKER: The hon. Member for Calgary-Bow.

Calgary White Hatters

MS DeLONG: Thank you. Each year outstanding individuals from the tourism and hospitality industries are honoured at the Calgary White Hat awards. These individuals are recognized for their unwavering commitment to first-class customer service. Time and time again they have demonstrated their dedication to excellence by exceeding the expectations of visitors to our province. These individuals ensure that our guests have a positive, memorable visit. This year's awards ceremony, the 40th annual, was held Monday evening. The Minister of Economic Development attended the ceremony to congratulate the numerous award recipients. He also had the honour of presenting the 2001 White Hat of the Year award, the evening's most prestigious award. It's given to an individual or organization that has added to Calgary's recognition, creation of a legacy, and enhancement of community spirit. I'm pleased to announce that the recipients of the 2001 White Hat award are the Calgary Airport Authority's White Hat volunteers. From 6 a.m. to 10 p.m. each day of the year these volunteers enthusiastically welcome visitors arriving at the Calgary airport. To these volunteers and to all award recipients, congratulations and thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

National Soil Conservation Week

MS CARLSON: Thank you, Mr. Speaker. I rise today in recognition of National Soil Conservation Week. Soil conservation is very important in both the agricultural and industrial sectors in Alberta. Much like water, people often assume that the soil will always be there. Anyone who has watched a farm blow away in a summer windstorm during a drought knows that this is not true. When truck after truck of soil has to be taken away from a contaminated site, the importance of safe industrial processes becomes evident. The government has a responsibility to educate Albertans about soil erosion and contamination and the long-term effects of not having appropriate protection strategies in place.

In the case of contamination it is also important that the polluter pay. Companies must post sufficient land reclamation bonds so that they are responsible for the full cost of recovery. This cost should not fall to the taxpayers. Those who make their living off the land know the importance of good stewardship. During National Soil Conservation Week let's hope the message spreads further and that Albertans take the time to consider how their activities are affecting the land.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

Fred Brimacombe

MR. SNELGROVE: Mr. Speaker, it's an extreme privilege to rise

today and relate to you in the Assembly a brief snapshot of a truly great Albertan. Mr. Fred Brimacombe served in the Canadian military until he chose to pursue a career in teaching. Using his exceptional life skills combined with his love for music and sport, he soon became a huge and positive influence on his many students and to the communities he lived in. Upon his return to Vermilion in 1963 he and his family became an integral and fundamental part of the community. While Mr. Brimacombe was dedicated to his profession, he was completely devoted to his family. His children remain a huge part of his life, and he has every reason to be proud of them.

Mr. Brimacombe opened a real estate, insurance, and travel business, becoming an active member in the Chamber of Commerce, the Rotary Club, as well as a director of the local PC Association, which in fact he is still in today. Mr. Brimacombe continues to serve the community through the church and is extremely active through his involvement with the seniors' organizations. He constantly arranges transportation for those in need or unable to transport themselves yet still finds time to play the piano for the seniors' choir. Although Mr. Brimacombe retired from actively selling real estate several years ago, he still retains a business office in Vermilion that he visits daily. Mr. Brimacombe continues to maintain his professional licence and has just completed his first on-line course in professional responsibility through the Alberta Real Estate Association. He has registered for three additional courses to be completed in June.

Mr. Speaker, the remarkable thing about this story is that Mr. Brimacombe celebrated his 88th birthday yesterday. On behalf of the Vermilion-Lloydminster constituency and this Assembly I would like you to join me in wishing Mr. Brimacombe a happy birthday and continued good health and happiness.

2:40

THE SPEAKER: Hon. members need not be reminded, but the time frame for recognitions is one minute. The time frame for the other item, on Tuesdays and Thursdays, is two minutes. Hopefully there's no confusion from day to day. Today is Wednesday.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to bring before the House a petition signed by 90 Albertans petitioning the Legislative Assembly to urge the government "to not delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm presenting today a petition signed by 39 residents of Edmonton petitioning the Legislative Assembly to urge the government "to consider reinstating funding of the Community Lottery Boards."

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. Today I would like to table five copies of Children's Services Supports to Families with Children Diagnosed with Autism.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. Relative to the question

earlier today, I am tabling four copies of the power report to continue to clear up the misconceptions offered by the members opposite earlier in the day.

Thank you.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. In question period today the hon. Member for Calgary-Montrose posed some questions. I promised that I would and committed to table a letter to His Worship the mayor of Calgary as well as an advisory that's going out to all municipalities pertaining to land use bylaws and group care facilities.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have two tablings today. One is the appropriate number of copies of an article from the U.S. Food and Drug Administration *Consumer* magazine of November-December 2001 expressing concerns over full-body CT scans.

The other, with permission, is seven pages of examples of health care fraud cases involving health care businesses in the U.S. totaling over \$700 million.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I am pleased to rise and present the appropriate number of copies of a letter written just a few days ago by the mayor of this city, Mayor Bill Smith. It's addressed to the Premier and is requesting the provincial government to reinstate the community lottery board grant program.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I am tabling today a letter from the Edmonton Multicultural Society addressed to the Premier. The society is disappointed with the government's cutbacks in Alberta's recent budget, the elimination of community lottery boards, and the erosion of health care assistance to seniors.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: First of all, the hon. Government House Leader.

MR. HANCOCK: Thank you. Once again, Mr. Speaker, I seek unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Revenue to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03 Revenue**

THE DEPUTY CHAIR: As per our Standing Order the first hour is

allocated between the minister and members of the opposition, following which any other hon. member can participate in the debate. I will now invite the hon. Minister of Revenue to present opening remarks.

MR. MELCHIN: Thank you, Mr. Chairman. Before I start, I'd like to introduce a few people who are in the members' gallery. Many of them work for the Department of Revenue and the Department of Finance: Christine Oness, the lead responsibility for Revenue's budget analysis and reporting – maybe have them wave so everybody can see – Bob Stothart, manager of corporate budgeting; Colleen Kroening, strategic planning and performance measurement; and Bonnie Lovelace, senior financial officer for Revenue. Also in the members' gallery is Glenn Shepherd, executive assistant.

Given that introduction, I am sure that will be enough discussion about the Department of Revenue. Is that sufficient for the day? [interjections] I guess there's a little more interest.

I'd like to first start by reviewing. It's been a little over one year since the Department of Revenue was created, and at that time Premier Klein suggested that because of the size and complexity of the revenues and investments in the province of Alberta, it was felt important to create a department that was more solely focused on the revenues and investments of the province. In that regard, as we know, the revenues over the last year were 20 billion plus dollars at one stage over a year ago, peaking at \$25 billion.

We also manage a total of about \$37 billion in assets, some of those being the heritage fund and a variety of pension funds and the like. So we have an investment management division that manages a very significant portfolio of investments.

The department directly collects and administers \$8 billion to \$9 billion in taxes and investment income each year and has oversight of a revenue framework for all the revenues of the province – I'm a good colleague here with the Minister of Energy – those revenues that come in from the various departments such as Energy and Gaming and all the other departments along with the taxes that are collected directly through the department.

In looking at the estimates for the Department of Revenue, all the expenditures in this department are to sustain the revenues necessary for supporting all the programs of the government. Now, it is incumbent that we ensure that we have sufficient to manage and sustain the levels of programs that we put in our business plan. In that regard, I'd like to highlight three key initiatives that we've had and have been working on over the past year and that are continuing on in this next year in the estimates and in the business plan of the department, the first one being the consideration of “the recommendations from the Future Summit to ensure that the views of Albertans are heard and acted upon.”

As we know, this past year we've had, I'd say, a very exciting and tremendously successful public consultation, engaging Albertans all over the province in imagining what the province could look like in the future, not specifically related to our three-year business planning but related to how we could and what we should do to start preparing now so that the future of the province will continue to be that which Albertans would aspire to have.

2:50

In that regard, we will continue to work – the summit process/public consultation phase has been completed with the summit actually in Red Deer on February 4 and 5 of this year. We will be releasing a report in the near future to all Albertans of that Future Summit process. That will just be an interim step and the start of a lot more work to be done on those consultations. Some of it will involve further consultations with Albertans in more specific detail

on particular topics, and others we'll start working on in the business plans of the normal departments. Various other stakeholders will also participate in their actions and work on strategic planning for the future.

One of the other key initiatives that we've been working on and will continue to – it's just come a short way in this past year – is “developing and implementing a comprehensive revenue framework for the Province.” In that regard, we are looking at a few fundamental questions. One might be the appropriate size and levels of revenues that the province ought to derive. Certainly we have to ensure that revenues are sufficient to sustain the programs that we deliver. We also have to ensure that we respect all those dollars as being important to leave as much as we can in the hands of individuals so that they can attend to their own responsibilities. There become thresholds beyond which if we move start to become very much deterrents to the prosperity, the objectives and aims and independence and self-reliance of Albertans. So the government as a partnership with individual Albertans has a large role to play, but it's important that when we look at the size of revenues, we don't lose sight that Albertans value their independence, their hard work, the entrepreneurial spirit, the self-reliance aspect in preparing for their own futures.

The other aspect of that revenue framework will get into questions of mix. What types of revenue structures ought we to rely upon in the future? What ought to be the appropriate balance of the various revenue streams?

The last key initiative I'd like to focus on would be “developing and implementing a comprehensive investment framework for the Province.” As I touched on, Revenue has an investment management division that operates and manages a portfolio of \$37 billion. The heritage fund, being the largest provincial asset, is a value of about 12 and a half billion dollars at this stage. There are other endowment funds like the Alberta Heritage Foundation for Medical Research and the ingenuity fund or the one we created with respect to science and engineering, those being about a billion and a half dollars in total. There are a variety of other funds of the province that are managed, some of them short-term in nature, plus various public-sector pension funds that are administered by this department on behalf of those pension holders and rights.

We are looking at a couple of questions in that regard. One, we have been reviewing the question of savings. What are the appropriate reasons that the government ought to save and for what purposes? How much? Who are the beneficiaries? Trying to even bring clarity to the Alberta heritage savings trust fund for its mandate going forward, we know that Albertans continually say that they respect and value having that fund. So this isn't an exercise of trying to eliminate the Alberta heritage savings trust fund. It's trying to bring greater clarity as a normal process of reviewing the mandates of the assets that we manage so that we would do a regular review and make sure that we understand in context how large that fund ought to be as we go forward and specifically for what purpose it ought to serve to ensure that Albertans benefit from it not just now but in the future.

The other aspect of the investment framework we're looking at is the governance structure specifically of those funds and of the department itself, not just the oversight of the Alberta heritage savings trust fund but also in regard to the governance of the administration of the funds for the pensions so that we appropriately ensure that we have the best and are constantly modifying, keeping up with the latest and best practices of oversight, of management of the funds.

So those are the key initiatives that I thought I'd mention before I go on and touch a little bit on the core businesses of the government.

In the business plan, pages 318, 319, 320, in that area, it starts talking about four core businesses of the government.

1. Manage tax and revenue programs fairly and efficiently.
2. Manage and invest financial assets prudently.
3. Manage risk associated with the loss of public assets.
4. Regulate Alberta's capital market.

I thought I'd touch somewhat on each of those four core businesses of the department before I turn the time over to other members to participate and ask questions.

The first core business is to "manage tax and revenue programs fairly and efficiently." Our goal 1 under that talks about maintaining and developing "a revenue structure that meets Alberta's needs and is consistent with Albertans' values." That ties very much into our key initiative of developing a revenue framework in the sense that this department also manages \$8 billion to \$9 billion of tax and investment income but, more broadly speaking, ensures that we have a revenue structure that will meet Albertans' needs well into the future and will be able to sustain the program deliveries that are required of the government.

Goal 2: "Maintain a fair and competitive provincial tax system." It's very important that we continue to maintain – Albertans' overwhelmingly say and continue to see that the government has an important role but that our role in taxation ought not put an undue burden upon the economy such that it would be an inhibitor to the creation of wealth, an inhibitor to the creation of jobs, an inhibitor to the opportunities that Albertans would seek and value. In that regard, we have to look at not just the competitiveness of our provincial structures vis-a-vis the other provinces, but we have to look globally in light of most of our exports going the United States. In that context, we have to ensure that we have a structure where if we're going to attract the capital, if we're going to want people to take the risk to invest in this province – not just Albertans but people from around the world want to come here and invest in the opportunities that are here in Alberta – we will have to have a competitive provincial tax system.

This year alone we are announcing a second stage of reductions in tax rates corporately. These are all subject to affordability. We have a three-, four-year plan to continue to lower the corporate income tax rates. We have lowered the overall rate from 13 and a half to 13 percent. We are lowering the small business limits as well as increasing the small business thresholds. So we will ensure that we will continue to review the competitiveness of the provincial tax system.

Our performance measures speak of that, both in respect to individual and corporate taxes. We are the lowest in Canada overall with respect to our tax burden, tax load on families of four and the tax load on business, and we will continue to look at and expand that towards our competitiveness with respect to our competing countries such as the United States in particular, where much of our trade goes.

Part of that provincial system also deals with a fair system such that everybody shares their appropriate responsibility in paying tax and receiving benefits. We look to a system that would be simpler, more easily understood, and in that respect could help facilitate less degrees of cost of compliance and regulation, one that would be easier for people to understand and make their decisions without having to have the cost within their own organizations or going to experts to have to provide such detailed analysis of an investment just with regard to tax. So we want to look at something that's fair to all Albertans in understandability and that appropriately levels that tax so that everybody bears their fair share.

3:00

The third part in this program itself is to "administer tax and

revenue programs fairly, effectively and efficiently." The Auditor General says that we should talk about various programs, the benefits of exemptions. We do have a number of exemptions in our tax structures where people forgo paying taxes, and the Auditor General has suggested that we ought to look at the cost of those and to see that the benefits are realized, that we report on the values forgone in collection of revenues. I would think that that's very much a part of what we're looking at when we say "fairly, effectively and efficiently," that we analyze our current structures and ensure that they are those which we'd like to retain going forward.

Core business 2, "Manage and invest financial assets prudently." There are four specific goals that we have under that core business. One was to "develop and implement an investment management framework." I spoke of that previously when I mentioned that one of the key initiatives of the department was that we are analyzing our management framework. We want to

analyze and review comparable investment organizations with respect to objectives, philosophy, operations, structure and governance to determine best practices and understand the resources required to be a successful investment organization.

There are a number of things changing in the industry, so our organization is faced with structures such as T plus one; in other words, transactions being completed within one day of trade. Presently the markets are on a T plus three, three days post trading, and they're even considering T plus zero so that it's real time of completion of a transaction when you invest in the various markets throughout the world. That transaction would be completed within the same day. That's going to require and part of our budget does allude to an increase in resources to accommodate the T plus one challenge that we have, making sure that we have the technology, the systems of how we process the transactions, the people, and the IT support as well to ensure that we can respond to the requirements that will be coming in over the next few years. Now, those are long-reaching objectives that require work today. If you're ever going to be ready for it, those systems would have to be tested well in advance, be prepared and foolproof before they become enacted in the marketplace.

Goal 2.2 is to "develop a renewed savings policy for the Province of Alberta." We are asking questions:

- Should the Province add to, maintain, or reduce its existing savings?
- How should any savings be used in the future and what should the investment objectives of the savings be?
- Should the savings be maintained in the Alberta Heritage Savings Trust Fund or in some other vehicle?

Before we start clarifying even the objective of the Alberta heritage savings trust fund, I think it's important to realize: to what end and what size should that fund be? What would be the investment purposes? Who'd be the beneficiaries of the income? Would it be for an endowment-related function? Presently the income is going to the general revenue fund. Would it be a specific endowment, things like medical research or science and engineering funds? Would it be for building of the fund and retaining the income? If the fund were to be built, for what purposes and what size? So we want to make sure that we're clear on the savings objectives, whether or not we need a different vehicle, whether or not the heritage fund forms part of that. We've done a lot of work, and we'll be continuing that work through this year.

The third goal of the investment management division is to "maximize investment returns subject to client-defined objectives and policies." We have a number of clients. I'd mentioned a number of pension funds that are administered by the investment management division. As such, those investment objectives will be set by the boards of those various pension funds, and we will have

to respond to their criteria. What will be their risk tolerances? What types of investments? It will look towards the returns that are required for each of those funds. As well, being that the province is the client of the Alberta heritage savings trust fund, what are our investment objectives?

In 1995, as we know, there was a very significant review of the Alberta heritage savings trust fund. From that review it came back that we would maximize and look towards maximizing the long-term returns of the Alberta heritage savings trust fund. That would give us a change in portfolio mix, which used to be solely focused on fixed income, to more of a balanced portfolio. The benchmark portfolio at this stage is earmarked at being upwards of 65 percent in equities and 35 percent in fixed income. So we would see that we would diversify that in stocks and bonds, both Canadian and foreign content, with the objective of maximizing the return while trying to minimize the risk. So you don't place all the investments in one structure. You will acknowledge that there will be volatility, such as in the past year, but you would manage that through diversification.

I'll conclude my remarks and would be happy to entertain any questions that come through the afternoon.

THE DEPUTY CHAIR: The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Chairman. I want to say hello to the staff as well and welcome them and thank them for the work that they're doing. The minister began by giving an overview of the department. In that context, I want to start by just raising some general functional or jurisdictional questions. You talked about the fact that you're still kind of in the transfer stage of getting things straightened out between what you're doing and how it fits with all of the other ministries. You made references to the relationship you have with Gaming, Energy, Treasury. So, you know, this whole new focus of the Minister of Revenue has to kind of mature as it establishes its position.

One of the things that I found missing as I was looking through both the business plan and the budget, especially the business plan part of it – I don't think this necessarily needs to be in the budget – was a table that reflects some of the numbers you were talking about in the context of, you know, the total asset base that you manage, where it is allocated, whether or not it's the heritage fund, whether it's the pensions, whether it's the short-term investments, whether it's the overnight investments that you do with cash flow management.

I think this would help Albertans understand more, not only the dynamics of the kinds of responsibilities that the ministry undertakes, but it would also give us as the Official Opposition, the people who are mandated to review what you're doing and benchmark what you're doing, a chance to look at your performance measures in relationship to the kind of asset base that you do manage. I say that in the sense that you've talked a little bit about the new strategy, the longer term strategy for the heritage fund, but if you look at performance indicators that are outlined here in the business plan, it kind of lumps all investments together. I think everybody recognizes that the risk in a pension plan, the risk in a quick turnaround or a short-term investment fund is more important than when we look at this broader long-term growth strategy, say, for the heritage fund. So in terms of being able to make judgments about the performance of the ministry in those different areas, having some of those breakdowns might be more appropriate. It might be helpful both to us and to Albertans in understanding the total responsibility of the ministry.

3:10

From there I'm going to jump to the revenue side as well. You mentioned the fact that within the province now we're dealing with a revenue base in the neighbourhood of \$20 billion, yet when I go through both the business plan and the budget, the only numbers that I see actually being reported in the context of revenues collected are kind of the income tax parts of it. In terms of giving us a sense of how you relate to the other departments, something should be presented in your business plan to give us a sense of where you fit in the context of administration, enforcement, collection, evaluation, all of the different aspects as it relates to these other ministries.

You know, as I was reviewing the business plan and the budget, I kind of had the sense: well, your responsibilities are really in the tax area. The royalty area belongs over in Energy, and the gaming area belongs under the Minister of Gaming, but in your comments just now you mentioned the fact that you are in a sense responsible for setting some kind of a mix analysis. In the context of our province, how much are we getting from tax sources, how much are we getting from royalty sources, and how much are we getting from gaming sources?

You talked about you as a minister and your department as a functional responsibility having this interaction in terms of looking at what is fair, what is equitable relative to the sources of those revenues. For us to deal with it, no question; we can go to the other part of the budget and get it. But in the context of looking at it under your business plan, I think it would be very helpful for a table to be put out there so that we can see what the relative management strategies are, decisions that are being made relative to the positioning of Alberta in the context of our revenue. This would then allow us to say: okay; if you are actually changing that mix of revenues, is it because of a decision to in some way reduce income tax or is it an option to, say, change the relative balance between the percentages that come in the gaming revenue sources? You know, how much goes back to the community, how much goes into the lottery fund. Those become decision strategies that affect this revenue mix or this revenue balance that you talked about. I think that if Albertans are going to track and be able to look to your new ministry to do that kind of analysis and do that kind of public rationalization for them, they need those sets of information to make comparisons so that when you talk about changing those strategies, they can actually see how it would show up while they are dealing with your business plan without having to go and look at a whole different series of budget documents to actually achieve that.

I guess the other thing that I picked out in your conversation – and this gets again into some of the core businesses that you define. Before I go there, I have one more question that came out of your comments.

You talked about an analysis of some of the other revenues that the government has, and that just triggered in my mind a debate that we had it seems about three or four years ago. The government was committed to go through all the fees that are charged by the government and determine whether or not they were true fees or whether or not they were charges in excess of the cost of delivering the service. I guess I'd like to follow up on that and see whether or not anything came out of it in the context of changes in those fees, changes in the ways that costs associated with these get reported. I don't know if that now has moved under your responsibility or not or if that's still Treasury, but it is a Revenue area, so I would assume that it would be there.

I guess the reason I bring it up is because as I look through the list of fees that were changed in conjunction with the new budget, I see what I would assume to be a reasonably similar administrative requirement actually not carrying through into a similar increase in

fees. If we look at the different licensing fees that were introduced, say, for different vehicles or for drivers' licences of different levels, in some of those fees there were significant increases in one type of licence and not such large increases in other licences. It doesn't seem to me that the costs associated with administering either one of those licence-handling systems would be very different. So why the difference in the fee increases? Was the difference in the fee increase based more on an ability to pay rather than the cost of administration?

We have to go back to look at, you know, that whole debate that precipitated out of the court ruling that basically said that if you call it a fee, it must be on a cost recovery basis, as opposed to a fee being a surplus revenue overcost of delivering the service calculation. Then it had to be defined as a tax. That follows out, and that issue was raised when we saw, I guess, what appeared to me to be nonjustified differences in increases in different levels of some of the fees associated with licensing or applications to the government. So I would like the minister to explain that. I know that's not something that you can stand up right now and say: one, two, three. So a later date would be quite adequate to review, you know, that kind of cost structure within the program.

You know, that goes back to the suggestion or the request I made at the start, that by having some of these breakouts about the different levels, it would make it easier for us to follow some of the costs associated with administering some of those fees as opposed to just constantly bothering you every budget, saying: will you report it again? If it comes out right up-front, that's great.

One of the other things that came to mind in the context of your business plan was the issue that you raised about the need for fairness in our tax system. I think that it's under 1.2 on page 320, you know, that you talk about maintaining "a fair and competitive provincial tax system." I appreciate your discussion there because that helped me to understand a little better the difference between 1.2 and 1.3. If I'm interpreting what your comments were relative to each of those, 1.2 really deals with how we stand relative to other jurisdictions whereas 1.3 deals with how we stand as individuals or as taxable entities within the province. So it's kind of an in-house internal/external type comparison.

The issue that comes up in that – you made reference to whether or not exemptions in the tax system are really being realized through the benefits that accrue back to the individuals who get those exemptions. This is something that's always fascinated me. If you do get something that is a functional model in that area, where you can measure the benefits accrued from a tax exemption or a tax deferral, I think this would be great in the context of public policy analysis, because it would give a better sense of where policy options can really take force. So, from that perspective, I look forward to the results over the next couple of years as you work on that.

3:20

The other thing there that I was wondering about is when you talked about some of the exemptions. One of the other issues that comes up there is either tax or even income leakages, you know, in the sense of: what work are you doing to look at whether or not appropriate levels of income are being reported? Especially now, we have that option by breaking away from the federal income measurement. Even though we do take it directly off their tax form, we do have options to deal with alternative measures of income-reporting compliance; similarly in the context of the reporting of exemptions or the reporting of actual tax deferrals, tax credits.

I guess what I would ask the minister is: are they contemplating looking at any of those kinds of issues as part of their efficiency criteria under 1.3 in the context of core business 1? That seems to

me to be one of the areas that comes up on a regular basis when people come into an MLA's office and start talking about: are taxes fair? They always say: well, what about? Everybody's got a neighbour that doesn't pay taxes, and it always seems to be that neighbour who is playing the system, if I can say it. So in terms of looking at it from the perspective – can we make sure that we've got something we can give to the individual who comes to our office and say, you know, "These are the things that are done to follow up on your neighbour"? Because you always end up trying to say: well, the system is there; we have to make sure that it works. What is actually being done? That would be quite helpful.

I guess another part of this core business section as well comes to mind. You mentioned that you are responsible for dealing with this idea of a fair tax across Alberta in conjunction with – and I think you made reference to all of the sources of revenue of the province. Yet I guess I would ask in the context of the debate that we had under the single-rate tax system: how can you justify the increase in the health care fees as being fair and equitable as part of a tax? Mr. Minister, we've had a number of members of government who have actually said: yes, no matter what we call it, it is a tax. You know, a per head tax, a flat tax, a unit tax, all those fancy names that get thrown on as alternatives to a premium in effect are regressive taxes. They have the greatest burden on the individuals at the lower end of the category that pay. I recognize fully, Mr. Minister, the fact that there is a cutoff below which nobody pays, but once you get to the break where individuals begin to pay, that tax in effect has the highest impact on the individuals at that lowest end, and it gradually fades down to almost an insignificant tax rate when we get to upper incomes.

I say that in the context of the debate that went on with the single-rate tax, when I had suggested that what we have to do is look at whether or not we really have a single-rate tax on income, that what we have is a single-rate tax on taxable income, which in effect makes it also a decreasing-rate tax, because as you get higher levels of income, you have access to a significant number of optional ways of delaying income mostly. You eventually pay it, but you pay it later, when you've had use of that in effect tax-free money for a period of time. But in the context of these fees, it doesn't.

Where I was going with that, Mr. Minister, is that one of the members in the House stood up and tried to show that in the context of just reported income or taxable income, the single-rate tax in effect was a progressive tax. You know, we can put a lot of things into words that have a lot of different meanings, and I challenge that interpretation, but it was presented. Even on that basis, in effect, these single-fee taxes, head taxes, unit taxes, premiums, whatever we want to call them, go a long way to negating this whole idea that the individual who responded to my challenge in the Legislature at that time was putting forth. In a sense, if that argument were true, then we really have a tax system now, because of the use of higher fees that aren't justified on the basis of cost, basically being there to offset that declining tax based on our single-rate income tax. So I guess I would ask that as you go through your analysis of what's fair, what's equitable, you look at that in the context of how these new revenue systems promote and encourage that stable tax system that you talked about.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister.

MR. MELCHIN: Thank you, Mr. Chairman. I appreciate your comments. I'll have some opportunity to respond today and will be more than happy to respond in more detail over time as well. A number of the questions, some of which you had, were quite

detailed, as you mentioned, and I don't have all that information at my fingertips presently.

I'll just go through a number of comments. You mentioned a table reflecting the total asset base being managed. You know, in a business plan you can't contain everything, so that, I think, is a suggestion I'll certainly take forward in thinking about what we structurally put in a business plan, because the operation of the investment management division is far more than the Alberta heritage savings trust fund. As I mentioned, it's a \$37 billion operation, and it probably would help Albertans to appreciate and understand the size and scope and nature of that organization. So somewhere at some stage I know there's information that's publicly available in the business plan or somewhere at this stage, but we'll take a look at how some of that could be incorporated in the future. You also said, I think, that investments are lumped together, and you mentioned pension funds. I think that'll address most of the investment management.

The revenue base. You also mentioned that our department collects, as you said, the taxes and the investment income totaling \$8 billion to \$9 billion and how that relates to the other ministries; i.e., Energy or Gaming or Health, the health care premiums, or all of the other departments that have various revenue sources. Clearly, the Department of Revenue has primary responsibility for the taxes, first and primary responsibility for personal and corporate taxes, fuel taxes, tobacco taxes, and hotel room taxes. So the tax components are the primary responsibility of the Department of Revenue.

The other responsibility that we talked about in this revenue framework or some work at looking at the overall revenue structures of the government – it would still be the primary lead policy role of Energy to review royalty structures and policies with regard to royalties. Clearly, Gaming will do the same for gaming, and each of the individual departments will have that primary lead policy development/stakeholder consultation in looking at their own structure. So what we have started is the work of correlating amongst all the ministries the collection of that information so that we have a good body of information on all the present structures. We've done much work on that already in the first year, and we have a lot more to do in looking at and extrapolating the present structures to where we'd like to go and the appropriate mix. We are working with all the departments in collecting that information and doing the correlation. So if it came down to a decision in the future that you wanted to change an emphasis of tax to a royalty or a premium or gaming or whichever so that one took a greater emphasis than another, it wouldn't necessarily be the first lead responsibility of the Department of Revenue to cause that, especially if it might relate to Energy, though we would work hand in hand with them in trying to make sure that we've got the right revenue structures for the future. If we identify that in this analysis, we'll take that lead role in taking it back to the various departments.

3:30

So it isn't ours to cause change in each department, but it is our responsibility to ensure that there's someone looking at the specific revenue structure of the government overall both as to size and mix, and we will use that in working with those other departments, those cross-government initiatives, that jointly will make some of those decisions. That's how we've tried to view this. It's not so much that we look just at a siloed approach, that any one department is independent of the others, but that we work more co-operatively amongst departments, and we'll take the lead role in gathering information, starting to structurally look at the what-ifs in the scenarios and the pros and the cons and bring back that information as we work on those structures and work specifically with another department if it applies to them.

I'll take a look at some of your suggestions. How do we help the public be more aware of that aspect? Maybe a revenue table, you suggested. How do we better communicate that so people could interpolate it without having to go throughout, as you'd mentioned, all the various estimates together? I'll take a look at that idea as well when we look at our future plans as to how we can continue to improve communication of the business plan to Albertans.

We do mention up front, though, the Department of Revenue developing tax policy, administering tax programs. We get into key initiatives that we're looking at, the Revenue frameworks. We get into the mission and values. All of them speak toward this correlating activity, and we'll look toward how that can be implemented or improved as far as communication. I don't have a recommendation for it yet today.

Analysis of fees and charges. There is still a committee that's ongoing. The Member for Whitecourt-Ste. Anne chairs the Fees and Charges Review Committee. It was previously chaired by the Member for St. Albert, and they presented a report a year or two ago on that fees and charges committee. Many fees had already been analyzed at the first onset to ensure that they meet the tests; i.e., they can't be more than basically recovering costs with maybe a little bit of markup on it, but it has to relate to the costs. A number of fees have been changed. I don't have the specifics right now with regard to that. With the new ones that came out, we'll get you some more detail and that type of information and why there were some differences.

Part of the costs, though, that were looked at by this committee did identify that many fees were totally out of line with the cost and bore no resemblance to the cost of providing that administration. Therefore, it was the recommendation in some instances that some fees should be substantially increased versus others that maybe held with minor increases or none. So you start taking a look at your fees in all cases or more cases actually trying to resemble the cost. As to a number of them that were reviewed that you might be referring to which you probably came up with through Government Services, through registries and the like, we'll give you back a little more detail on that in due course.

I would just emphasize again that that Fees and Charges Review Committee is ongoing. As fees are analyzed, they do come to the committee, and they report back, do their due diligence with respect to ensuring that all fees in the government meet the appropriate tests of being related to costs and being appropriate in the circumstances.

The fairness questions. I think you appropriately identified the differences between 1.2 and 1.3, one external and one internal. Clearly, there is a fairness approach as to other provinces and other jurisdictions and very much a fairness question as it relates to all Albertans: how is the tax burden allocated?

Exemptions. We're very, very early in that work. It's in the Auditor General's report. I have a lot of warmth, personally, to the fact that it's important for us to get a better handle and understanding of the cost and benefits, not so that we just continually treat exemptions as being entitlements forever but so that we are able to monitor those programs and somehow then address whether they're the right programs or ought to be modified or maybe eliminated and resources reallocated. So we'd welcome suggestions on that too. On the other side, if you've got some great thoughts, we'd welcome what a model might look like. We're early in that work.

Work to ensure that appropriate levels of income are reported, compliance questions, and the efficiency issue. The tax model is a voluntary compliance model. Even though by law you're required to, what they report as income is voluntarily reported even though they sign that it's true and accurate to the best of their knowledge. It's still voluntary what they choose to disclose. Therefore, it really

is important. There are a number of things you can do to help voluntary compliance and to ensure that it is fair and that you get the higher compliance rates voluntarily. One way would be to have a simpler system so that an average person can understand it without having to go to another expert to get an interpretation of an interpretation of a court ruling. So the simpler we can make a system the better, and that was part of the design of the single rate.

I think everybody understands that everyone ought to contribute and that as you progressively earn more money, then you progressively pay more. If it's a 10 percent single-rate tax, it's very simple. You don't need any manipulations. As soon as you go into multiple rates, now you get into a lot of tax planning. All of a sudden you get into armies of accountants and lawyers, who get very sophisticated in looking at how you defer, who should hold the income, which spouse should hold it, should it be held corporately or personally. It adds tremendous levels of compliance problems, both in reporting and regulating and in voluntarily complying, as soon as you start adding multiple levels of income rates and deductions and exemptions. So simplicity would help substantially for compliance. It helps everybody in knowing what they earn, what they can pay, and what their expectations are.

Another one that will help is that lower rates have been demonstrated over time to help the compliance rates go up too. One of the challenges, quite frankly, we are going to have with tobacco tax increases is a compliance problem. In that respect, it's of great concern by going the other way. By having reduced corporate taxes and personal income taxes, we should stand to see a higher compliance rate. It's been demonstrated in other jurisdictions that that helps eliminate some of the underground economy and helps broaden the tax base. That would be part of the structure that we'd want to ensure is in place.

Another aspect of voluntary compliance has always got to be some form of audit testing verification. Now, you don't want to get too onerous on this so that everybody views that you've got auditors everywhere complying. But our level of population is increasing, so there are higher numbers of people filing returns. The federal government actually handles the personal income tax returns for us, so they have the responsibility for compliance and reporting to us as to the accuracy of the personal income tax. The same with corporations; there's an increase in the number of business activities.

One of the things that has been added in our budget is an increase in full-time equivalents of about 18 people in the division of tax and revenue administration to deal specifically with things like the compliance problems that we're going to face with tobacco tax. There have been a million and a half dollars added with regard to the increase in tobacco tax rates. We have additional staff and resources in our department and also in the Gaming department to deal with the compliance questions there and also to deal with other corporations and entities so that there is an ability for us to at least have a high enough sampling rate that people are aware that we're there, so that there is compliance, there is an ability to have testing and a follow-up. That will help both to ensure that people will more willingly want to voluntarily comply and not defy the law, and it will also help as an information process to help people clarify and understand the rules of tax. It's not there just to be an exercise and be punitive. It's there to be informative, as well, in understanding the laws of tax.

3:40

You now get into the questions of Alberta health care fees versus a single-rate tax reduction, an increase in one versus the shifting of revenue sources from one to another or the expanding of one base. I would say on personal income tax that even though we lowered the

rates, our three-year business plan already shows a substantive increase of personal income tax being paid. With the broadening of a base, the economy thrives and improves and becomes a demonstration of the fairness types of questions as to the strength that it's already adding to personal income tax. The lower rate is adding to a higher income being attracted to the province. It's not actually the elimination of a tax base but a preferential way to improve the broadening of the base, an attraction for people to invest and come here and acknowledge that this is where they'd rather be earning their income than in other jurisdictions where they retain far less. So it's helping us improve the tax base and strengthen the personal tax, not actually eliminate it. So we're not forgoing personal income tax in relation to an increase in health care premiums.

A fairness question I would still pose – it's a vague question – is: how do you define fairness? It's at the core sometimes of tax policy, simplicity I mentioned being one and efficiency as being another. Everybody contributing to the cost is another part of fairness. Our health care premiums – you can mention that when Health and Wellness comes up; it's not part of the specific estimates of the Department of Revenue – only represent 13 percent of the cost of providing the service. We look at all kinds of insurance premiums, what you pay for your cars, and it doesn't matter how it relates to income levels. There's a basic cost of living that one ought to contribute to. Part of the challenge we have in health care is: how do people take more responsibility for their health? We talked about wellness, and part of the incentives are financial. We all operate on some financial incentives and appreciate the cost if we participate in the cost. So the premium has been associated very much with: ought not everybody have an opportunity to participate in the great health care system that we do have? It's not to be viewed that everything is given for nothing and that someone else ought to be paying my share of that. Ought not people be willing to contribute to it? It's not structured as a tax in that sense. You'll need to go more to the estimates of health to defend that one, so I won't go down that.

With respect to the term "fairness," there are a lot of criteria that are used in the word "fairness." I think that when you look at taxes, sometimes the fairness question is a variety of structures too; i.e., if you put it all on personal income tax to collect everything, you disproportionately make some groups pay the burden, so you have multiple forms of tax and revenue sources to broaden out the base and fairness questions. There's no one tax that you could really argue is fair for everyone, and that's why you do have different sources. You also want fairness in some respects to average out the risk of revenue sources. They don't all come with the same stability or volatility issues. Health care premiums are far more stable than corporate income tax, for example, which is far more volatile and economically driven. Education property taxes, for example, are very stable as related to energy, commodity price, income-related types of things. So stability and dependability of revenue sources are also parts of fairness, and those are things we will look at.

I'll end my comments there and be happy to respond in more detail to any of the other questions that we've missed. Thanks.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the opportunity to ask some questions and to make some observations about the estimates for the Department of Revenue this afternoon. I think that unlike our leader's my questions and comments are going to be more those of the person on the street than someone who is knowledgeable and qualified in the area to make the kinds of sophisticated comments that people who pursue accountancy and

managerial strategies are able to do. Mine will be more from the perspective, I suspect, of ordinary Albertans, and I don't pretend that they are going to be as sophisticated as they might be.

I wanted to start with goal 1, "Maintain and develop a revenue structure that meets Alberta's needs and is consistent with Albertans' values," and ask some questions. The minister made reference to the Future Summit, and prior to that we had the growth summit. We go back to those gatherings and look at the priorities, and it seems to me that the priorities that Albertans identified, at least at the growth summit, have somehow or other been misconstrued by the government.

We keep coming back with this almost obsession with taxes and tax cutting. I noticed from a recent public opinion survey that Albertans ranked taxes and tax cutting as number 4, far down the list of priorities compared with their concern for education and health care and those social services. I guess I'm a little uneasy at the kinds of sources that the ministry is depending upon to get their information about what Albertans' needs are and what they consider Albertans' values. I wondered what other kinds of sources of information they are going to draw upon and how we can be assured that the conclusions that come from those instruments are actually the ones that reflect Albertans' values at this time. As I say, just from an unsophisticated observer, it doesn't seem to me that that is the case.

It's all a bit problematic too, I think, when you put in place a performance measure like the provincial tax load for a family of four. In spite of the minister's comments about fees, families don't sort out just exactly what they pay for taxes and then what they pay for fees. They have a limited income, and they look at the costs that that income allows them to cover. Sorting out: "Oh, this is to cover health care. It's a fee or it's a premium, and this is a legitimate tax" – I don't think that kind of thing goes on in most families. They look at the head tax on health care as just that: a tax. You can play with the language and do everything you want; it still will be called a tax.

The minister digressed a bit and gave us his philosophy on fees, even though it's not particularly a part of this budget, and he talked about fairness. With respect to those health care premiums, we also have considered it fair that Albertans will look after one another when it comes to health care and that we will do that through the tax system – at least that's been our past understanding – just as we have decided that we as a group will have our children educated in schools that are freely and publicly accessible regardless of and without respect to parents' incomes.

3:50

I have a little trouble with the kind of separating out – you must pay a fee for this service; you don't need to pay a fee for this service – and where that actually would end up if you carried it to its logical conclusion. I suspect eventually you could say: well, we really don't collect any taxes because we've got these fees all parceled out, and they'll give us the revenue that we need to run the province. I guess I would be happier if there were some assurance that the information the government is gathering about Albertans' priorities had a more, I guess, credible base than relying on the Future Summit.

A couple of specific questions about the kinds of criteria where the framework is going to be developed, and I guess it goes back to what I've been saying. What are the criteria that are going to be used for the development of the framework or the structure that's going to be in place?

The minister talked about noncompliance. I wondered about the co-ordination of this kind of activity. Is there co-ordination with the federal government? Are there any kinds of cost sharing, cost

savings that can be made? What's the magnitude of the problem? How much do the efforts to enforce compliance – what is the kind of payoff in terms of that kind of activity? One would assume, given the way people address taxing, that it might be fairly significant. I wondered if there was any specific information.

Core business 2, "Manage and invest financial assets prudently." A number of years ago the government surveyed Albertans, and I think the conclusion was that Albertans want the heritage trust fund preserved. Yet it seems to me that the government has decided otherwise and through a variety of ways keep running at the heritage trust fund. The question is here: "Should the savings be maintained in the Alberta Heritage Savings Trust Fund or in some other vehicle?" again going at that fund, which I thought Albertans had fairly clearly said that they wanted maintained. So that's my impression, and I would be interested in the minister's comments on it.

One of the other concerns I have looking at the heritage trust fund is this drive to have the province debt free. As admirable as that is as an objective, I wonder what's being sacrificed and how much the government is willing to sacrifice to see that goal achieved in the next three or four years. Again, I guess it goes back to a matter of priorities, the kinds of priorities that Albertans seem to have and whether the government's actions are consistent with those priorities.

I admit that I'm relatively unsophisticated, but I have a question in terms of what exactly the province's involvement is in the investment management industry. What is meant by involvement in the industry, and exactly what is the government's role? It's unclear as to what that should be.

There's mention here of other vehicles. What other vehicles is the minister considering? What other investment vehicles or savings vehicles does the minister consider? I've asked the question about the heritage fund and why this is continually being asked about. Is there some plan afoot to eliminate the heritage fund so that the debt can be eliminated and then replace it with a different vehicle to sort of pacify Albertans? It's an area that I think is unclear, and if you do any amount of door-knocking, certainly my constituents are less than clear in terms of what the intent is with respect to the heritage trust fund. A lot of that I know is a lack of knowledge, and there has been an effort by the fund to put out brochures and explanations that are useful.

There is a goal of enhancing "the management of risk by implementing new monitoring and analytical tools," and I wonder what some of those tools are and what exactly they're expected to accomplish. Are there any kinds of costs associated with their implementation that could be shared with us at this time?

There seems to be an effort to implement a business continuity plan for critical areas, and I wonder if we could have some further explanation of the plan and the kinds of purposes that it's intended to serve, if we could have some of the specific objectives of that effort.

Under sub 4, "Regulate Alberta's capital market," what kinds of results are expected from that effort, and what are the kinds of costs that might be associated with it? There are standards that are being developed, and they're going to be published at the end of 2002. Can we have an example of some of the standards that are being considered? Who's involved in establishing the standards? What is the mechanism for enforcement of the standards that are being considered?

That was a bit wandering, Mr. Chairman, but I think it covers the kinds of notes I had over questions in the business plan with respect to the first two goals, "Manage tax and revenue programs fairly and efficiently" and "Manage and invest financial assets prudently." So thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. MELCHIN: Thank you, Mr. Chairman. There are a number of detailed questions you have as well that we'll respond to in due course, but I thought I'd at least comment on a few of them. Under core business 1 you mentioned the growth summit process and words that you said: misconstrued; i.e., obsession with taxes and tax cuts and other sources we have to say that it's not a priority. There have been many public consultations. We've just finished the Future Summit consultation. Two of the key theme areas – there were seven of them. One of them was fiscal responsibility; the other was the economy. Both of those continue to articulate the need to have a competitive tax structure. We do live in a global economy, and they view it as foundational for making sure we are prepared for the future. So in the integration of providing the revenue and the economy and the base to support education and health, it is really important that you look at the drivers of wealth creation. The latest consultation that we have, even now, is just reaffirmation of the importance of a competitive, low, simple tax base. It will help broaden the wealth and broaden the base and help improve the ability to sustain programs, unlike what we've seen in other jurisdictions in Canada, even our neighbour to the west, in B.C., with the struggles they are now having for having not adhered to and lost sight of some of the economic factors and drivers that will help preserve their wealth, the ability to sustain their health care and their education. Very critical that you look not just at how do we spend the money, but how do we ensure that you and I create sufficient wealth to pay for all that we'd want? How do we create a bigger pie? It isn't about just splitting up a pie that's of the size that we know today. How do we make it bigger so that we can have more of all the things that we value, so that we can have more to sustain the self-reliance?

4:00

Once again, the Future Summit talked very much about people valuing things such as hard work, industry, self-reliance, that they're responsible. So they want to think that government is not taking all the incentives and initiatives out of their own hands. Clearly, in that, we had not too long ago the It's Your Money survey. That, again, was a provincewide survey. Over 120,000 responded, the highest response rate yet, and placed tax burden and debt reduction as well in that as high priorities. It also talks about a balance. It doesn't say that you don't also sustain your programs of health and education and other areas, but it does mention that balance, that you still continue towards those sources.

The growth summit also adhered to many of these things that you said, so I'm not certain how you would say that all these sources are not credible. I would beg to differ that these have been great public consultations and very credible and not skewed at all. This is what Albertans say. It's maybe your interpretation and your spin to say that things are misconstrued and somehow are an obsession, but these are priorities that Albertans say.

We hear continually about debt reduction, that you say is not a priority, but Albertans overwhelmingly say: get rid of debt. We now save over a billion dollars annually on interest payments because our debt has been repaid. We overwhelmingly heard that back in the last election. You hear it in support of who they elect, and you'll hear them saying: yes, stay the course. We hear that in many ways: public consultations. You hear it through elections. You hear it in all kinds of credible public reaffirmations of the approach of the government to what's happening. So I don't know what credible sources you're looking for. You obviously haven't found them. [interjections] Obviously, letting some emotion into this Revenue discussion will spice it up.

I will talk about you saying that families don't look at and differentiate anything as being different and other than a tax. You know, we consume a lot of things as families. We consume and pay for everything to do with sustaining our life, our priorities of the things that we want for our families. We look for the independence to be able to do that. We look for a variety of services also that ought not to have to be targeted, that everybody pays for everything and therefore you can do nothing until everybody participates. But in life we all have some specialized desires and needs. Some of those come from government services. A fee isn't something which everybody necessarily always has to have or require. Therefore, if you want to differentiate things like premiums and fees and taxes, we can have some great philosophical discussions, but I would say to you that the participation of fairness and a diversity of how you collect those moneys is a part of fairness, that putting the burden upon one system of tax, i.e. personal income tax, to pay for everything can be just as distorted and unfair as any way of looking at how people participate directly and appreciate the costs more directly by the choice of buying services.

Now, in health care clearly there's a substantial cost, and we don't put all the burden on health care. We actually waive the premiums for low income. In tax structure we've even built a \$12,900 exemption for every individual so that they don't pay, the highest threshold of tax anywhere. So we do look at the ability and affordability to pay as a fairness concept. Our tax structures and the balance of them have been extremely fair. We don't rely upon health care premiums to pay anything other than 13 percent. Our royalties have been a great source. That isn't something that every individual has to pay, but they pay it indirectly through the cost at the pump. These taxes all come back through what we willingly pay when we go and fill up our cars at the pump. So tax structures get added in corporate tax. That's a cost at the pump. You and I pay for it some way. You look at the royalty structure. It eventually ends up that we pay for it one way or the other.

Co-ordination between federal and provincial in compliance I think is an important area where we have to continue to be vigilant. One of the tobacco tax things that just happened recently, actually, is that the B.C. government, the Saskatchewan government, and now the Manitoba government have all recently raised our tobacco tax rates. That will help us in compliance now that we have similar rates across the western provinces. It would be very difficult and would increase compliance problems, so correlation of that and discussions have been going on through the other provinces, and we would encourage the other ones that have lower rates yet to follow suit. That would help right across the country.

We do work with the federal government. They actually have the responsibility for the compliance with respect to personal income tax. We have quite an ongoing working relationship with the federal government, with Canada Customs and Revenue Agency, with respect to that collection and the monitoring of that tax. In compliance areas, certainly with respect to enforcement and officers – we'll look at your notes. I'm not certain what more I can say there other than that I agree with the concept of that correlation and that how we can improve it is important to our collection of taxes.

Core business 2, investing assets. Why are we always looking at the Alberta heritage savings trust fund? I would like to clarify, I guess, one of the objectives of goal 2.2 in the core business "manage and invest financial assets prudently," where we say, "Should the Province add to." I've come back to one of the questions and said that we know that Albertans say to keep and retain an Alberta heritage savings trust fund, so the question isn't about eliminate or not. The question is: how do we ensure that the value and its purpose and structure are intended precisely to maximize its benefit

for Albertans? That's an ongoing thing that Albertans ask and like to have participation in. I don't know that we can predetermine 20 or 50 years hence what all those structures ought to be, so it's incumbent upon us to look at it. One thing I would say with respect to the heritage fund: it was \$12 billion in '83; it's \$12 billion today. How big of a fund should it be? Answer that question. What is its purpose 20 to 50 years from now? That'll help you determine the size, the scope, what the income ought to be used for. Those are the kinds of questions that we want to bring greater clarity to when we talk about do we add to or not and what is, then, the savings fund's purpose.

When we look at other vehicles – and you asked about other vehicles – we are fortunate that we are about debt free. We have net assets that exceed our debt, so we are in a net asset position. We actually have a positive savings account in the province, unlike any other jurisdiction in Canada. So it is incumbent upon us to look at, as surpluses come in – we know the volatility of oil and gas prices. We've seen how they can go up and they can go down. How do you deal with the year-end types of questions that the Minister of Finance is looking at with the Financial Management Commission? When you get the surplus of money at year-end because you can't calculate it precisely, what do you do with it? Do you save it short term or long term? There are various vehicles that one might consider. Do they apply to the heritage fund? Maybe, but maybe not.

4:10

So there are a variety of reasons why you might save, volatility being one of them. Do you use another vehicle for that or not? Those are questions that we're examining, both the Minister of Finance and myself, with regard to year-end and accounting types of questions. We know that the heritage fund's purpose originally did contemplate a variety of purposes. Some were capital works projects. Some were various economic and social benefits. Some were for savings for the future. So we know that the fund has been used for a variety of purposes and intended to be such over those years, and that's the kind of review that we're doing.

As to debt free and priorities and are we prepared to sacrifice everything to get rid of debt, it's never been about sacrificing everything to get rid of debt. It's always been about a balance, and it has been about ensuring that we are deficit and debt free and putting a priority to it. We are fortunate that we've had some strong years where the economy has been very healthy in Alberta, and it has allowed us, rather than escalating our spending to the levels of the highest year of income, to save for the future, and those savings have occurred by paying off debt. It's the best savings program you could ever have: get rid of the risk and get rid of the volatility of having to manage an asset and the income.

You mentioned 2.3 under core 2: what types of new analytical tools are we looking at? I'll have our department respond a little more in detail to you. The investment community is getting more and more sophisticated in its analyzing of stocks, various market-places. The T plus one and the trading of same day are going to require different analytical tools of sorts, but they have very sophisticated software/ hardware types of requirements, various measurement techniques that the industry constantly changes and improves. It looks for the best tools. It's a competitive market. It's a market that needs the best of knowledge. It needs the latest of knowledge. It needs the best tools to forecast based upon historical trends and what's happening in today's market as to where it might be going forward. So they are constantly refining that, and that's part of what the organization will have to be at the leading front of and constantly be monitoring what is happening so that we can ensure that we do maximize returns for Albertans. I'll have them

respond so that you've got a flavour for some of the tools that they are specifically working with.

Core business 4. You mentioned standards being developed and what are we doing. On the regulating of the capital markets – this is page 323 of Revenue's business plan – and the "service standards developed and published," we have a date of December 31, 2002. Actually, the Alberta Securities Commission is an independent quasi-judicial body that works with the other regulatory markets, the Ontario Securities Commission, and it also works with B.C. and the other provinces. The provinces have the jurisdiction. There is not a national securities commission. There are various provincial jurisdictions. Many of our companies are listed on not just our exchanges here in Alberta for the junior capital pool markets, but they're listed on the Toronto stock exchanges and they're listed on the international stock exchanges. They require some commonality and uniformity of standards. Aspects of filings in New York will affect, many times, the standards that are being developed for Toronto and thereby affect what we have to do for regulation here in Alberta. Alberta has the second highest concentration of head offices of any jurisdiction in Canada, and we have many of those companies that require access to markets that are broader than just Alberta's. They need the services of: how do they access the capital throughout the country and throughout the world? So our standards are constantly being refined and modified, and there is a uniform standards project that they have going this year. I'd be happy to report on the progress of that as that comes forward.

I will conclude my remarks on that.

DR. MASSEY: I can't let the minister's lecture go unchallenged, Mr. Chairman. Just one specific. He talks about maintaining the heritage fund and how Albertans have said that they want it, yet the specific item in the budget says, "Should the savings be maintained in the Heritage Savings Trust Fund or in some other vehicle?" That says to me – and I don't think that I misread it – that they're considering getting rid of the heritage trust fund, that that at least is a consideration. I don't think that's what Albertans expect of the government at this time. That's just a specific.

[Mr. Klapstein in the chair]

I go back to the comments about the values and the priorities. Certainly Albertans value sound fiscal management. That's an earmark of our province. They also have a list of priorities, and I don't see coming at those priorities in goal 1. We have just experienced the first provincewide teachers' strike. Albertans are concerned about that kind of stoppage in service. If you recall, they were promised in the '90s that the budget cuts would yield a benefit that could be used for education and for health care. Lo and behold, after they suffered through the cuts, they find that the education system is in the greatest strife it's ever been in the history of the province. I would be interested in how representative of Albertans the 120,000 responses were and how representative of all Albertans the Future Summit is. When I ask for something that's credible, I would ask for something that does sample all Albertans for their opinion in a way independent of government that can be verified so that we have some assurance that the values that are being chosen really do reflect Albertans. There's so much more that could be said, but I think it's too important an issue just to leave with government-called summits and government-sent questionnaires.

Thanks, Mr. Chairman.

THE ACTING CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I rise to ask a few questions of the minister, who seems to be in a lecture mode this afternoon. Nevertheless, I guess I will still proceed with the questions and then hope that he switches from the lecture mode to a mode of genuinely responding to questions. I'm sure he will. This is one of six new ministries. This government, which talks about fiscal prudence, decided to add a huge new burden on Albertans by creating six new ministries, and this minister heads one of those. I looked at the amount of money it is costing Albertans. It's into tens of millions of dollars, of course, \$40 million or more.

I want to start with perhaps a question on the heritage fund. Last Friday, as a matter of fact, I had appointments in my constituency office. I didn't know the people who were coming to see me, and as it turned out, one of the visitors came from another constituency. He wanted to talk to me about his concerns about the future of the heritage fund. In the first question that he raised with me, he talked about a course that he took in economics many years ago, and he said that the value, the number of dollars in the heritage fund, has been frozen over a number of years. Mr. Minister, I would perhaps request that you tell me which year the government decided not to put any more money into the heritage fund. It's at about \$12.5 billion or \$12 billion, in that range, and it's been at that level for the last seven years at least. Now, inflation over those years has been around. Some years it has been very high; over the last few years it may have been low. Nevertheless, he asked me: "You as an MLA should be able to answer my question. What's the real dollar value of those \$12 billion today?" You know, the same \$12 billion of, say, 10 years ago meant something, but it clearly won't purchase the same amount now. He said: "Tell me. What's the real value today in terms of, you know, '95 or '94 dollars?"

I said to him: the Revenue minister is going to be very kind to provide us with this information, and I'll throw that question at him. So that's a very specific question. It's two parts. What was the year from which no more money has been put in, and what's the magnitude of the erosion of the real value of that amount over those years up till today?

4:20

The second question that he raised had to do with why our heritage fund in Alberta has been frozen. He mentioned Alaska, and he said that they had \$50 billion or \$55 billion in there. He also talked about Norway. I guess, obviously, he read some of the information that has been appearing in the papers over the last little while. He said: is our royalty rate responsible for this difference, why we don't have the size of a heritage fund comparable to these other two jurisdictions, one of which came on the scene much later? Norway, for example, he said, has been there only for the last 10 years. We've been at it for a long time.

So the real question was about royalty tax rates, royalty tax credits, royalty tax reductions. You earlier in your comments, in fact, referred to royalty tax rates and said that regardless of what we charge, it's going to get translated into the price that we pay at the pump. So if we charge high royalty rates, what we pay at the pump is going to go up in terms of the price, you know, the retail price. That's what you said. But we don't produce just for our own consumption. This is a nonrenewable resource. We export it. We have the obligation, as the trustees of this source of wealth for all Albertans and future generations, to maximize the returns on it; the rent on it, that is. As I heard you, you tried to justify the royalty rates that we have in relation to interest in controlling what we pay in terms of the price per litre at the pump. It doesn't address the question of the enormous significance of this nonrenewable resource not only for us but for the next generations and our obligation to

maximize the returns on it for the benefit of Albertans. So I'd like you to return to that comment of yours and perhaps elaborate on it, defend it or change it, if you like, change it to my tastes, if you wish, and you know what that is.

I have another question about the Alberta heritage fund. Does the government use some sort of ethical screen when determining where to invest these funds? An ethical screen: do you use it? Is it one of the routine, standard procedures, a test that we use, where the money is invested, in terms of some of the ethical standards?

I see here in one of your key strategies, goal 2.1, it says:

Analyze and review comparable investment organizations with respect to objectives, philosophy, operations, structure and governance to determine best practices and understand the resources required to be a successful investment organization.

Good enough. Does the ethical screen fall within that notion of philosophical considerations that guide decisions related to the investment of this fund in these different organizations or businesses?

Related to that is a question about Talisman Energy Company. I couldn't figure out from the information that's provided here whether or not the Alberta heritage savings trust fund still has some investments in Talisman Energy. So my questions are: do we have some investment there? What's the amount of that investment, if it is there? How long has it been there? That's a subsidiary question. If we have investments there, is the minister aware of the serious questions that are raised about the complicity of Talisman in co-operation with the Sudanese government and army to engage in serious human rights violations in Sudan? If this is true, what's the minister's position on the continuation of such investment with that company?

[Mr. Shariff in the chair]

I have before me an article. I think it may be from the *New York Review* or some other place. It says:

Talisman Energy, the Canadian oil company operating in war-torn Sudan, asked the Khartoum government in 1999 to remove villagers from the vicinity of its oil properties, according to what is claimed to be a Sudanese government document cited in a lawsuit filed against the company.

This lawsuit was filed in New York somewhere, by the way. All of these questions may become unnecessary if you answer that we don't have any investment there. So it will be an easy answer, I guess, if that's the case.

You made some general policy statements when addressing some of the questions that were addressed to you by the hon. Member for Edmonton-Mill Woods. You returned again and again to individuals taking personal responsibility for paying the costs of services that they get. You talked about individual responsibility and individuals being responsible as very important, but I didn't hear you talk about the responsibility of each of us as citizens toward each other, and I think that that's also a value that Albertans hold dear to their heart and, I submit to you, should be reflected in the policy and principles and structures that you built around justifying revenue generation, provincial revenues, in this province.

The issue of a health care tax is an important one. You singled this out and drew our attention to the fact that we are only raising 13 percent of the provincial health care budget from these premiums. The implication obviously is that it needs to be raised. I guess with a 30 percent increase in health care premiums, that percentage I'm sure is going up. You can correct me on that. Tell me what would be the new percentage that the health care tax revenues will constitute of the health care budget. The point is this. Health care isn't like any other consumer goods that you consume and, therefore,

take personal responsibility for purchasing services to service those needs. Health care is a human need, a fundamental, absolutely inalienable human need. We can't escape illness, regardless of how rich we are, how poor we are, how athletic we are. We may be able to reduce certain risks through lifestyle changes or through being lucky to be working in the context in which we do, but it's not something that's optional. It something that's there. We are given by nature to get sick. Therefore, it's not something that's a consumer item; it's not a consumption item. It's a basic need that must be addressed in any civilized society, regardless of whether you can pay for it or not.

4:30

Now, I have been talking to seniors who live on limited and fixed incomes. The seniors who fall just above the so-called very, very low cutoff line for those who qualify not to pay premiums find it very hard to believe that they should be getting lectures from us in this Assembly with respect to the fact that they need to pay more of the share of the costs for their health care. They say to me in my constituency – last Friday two of the three people who came to see me were seniors, as a matter of fact, and they were outraged to be told that they must pay more for their health care because it's good for individuals to take responsibility for it. They are hurt economically by this excessive increased tax burden, and they don't like it. So I'd like to I guess in a way counter what you are saying and remind you of some of the problems with your logic.

One last question, Mr. Chairman, for the minister. The budget of the province was of course based on certain assumptions of commodity prices, you know, the way they are, the health of the economy, the sluggishness or slowdown of the economy. Now, all of those assumptions, whether it's gas prices, oil prices, or whether it's the health of the economy, all of those conditions have changed, changed very quickly since the reading of the budget in this Legislature. In fact, they started changing before the day the budget was read in this Legislature. How valid is that budget based on projections that are entirely invalid today? How would you as the Minister of Revenue advise the Minister of Finance to deal with the problem of this invalidity of the assumptions which were used in a sense as building blocks for the budget and the logic for it?

So with these questions I will sit down and listen to the lecture from the minister with great intensity. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. MELCHIN: Thank you, Mr. Chairman. I'd like to first thank the leader of the third party for his lecture on my lecture. We can certainly put on the record that there clearly is a difference of opinion and values and structures. We thank you for all of those opinions and lectures that you've now given to us. Having been a university lecturer, you're obviously very well into it. So thank you so very much.

The Alberta heritage savings trust fund value is at \$12 billion. I'll get the specifics for you of the right year. It's back about '82-'83. It's been about \$12 billion ever since then. The income of the fund at that stage has been retained in the general revenue fund ever since.

Now, those were changes made by governments at that time because of substantial changes in the economy, the deficits that we know of back in '82-'83, the huge decline in the Alberta economy. [interjection] I missed that. Just as well. Anyway, it's been at the \$12 billion value ever since. It's gone up and down a bit based on market conditions of the time, but it's been in that range of \$12 billion in assets ever since. The inflation real dollar value today clearly is less than what it would have been if you take it back not

just from the early '90s but back to the '80s. It is clearly a different value in real terms today than it was then.

Part of the work that we're doing on the savings is to assess how large the fund ought to be for what purpose. One can make lots of arguments. You compared it to Norway or the Alaska fund, and they are being grown for different purposes. We met with the Norwegian people actually some number of months ago, last year, and talked explicitly about their fund. Their Norwegian fund is anticipated to grow into the hundreds of billions. It's intended for different purposes, though. They don't have a Canada pension plan; i.e., they don't have a pension plan established . . .

AN HON. MEMBER: Neither does Alberta.

MR. MELCHIN: Exactly. They don't have a Norwegian pension plan.

MR. SMITH: They don't give \$70 billion away to the feds either.

MR. MELCHIN: Another good point. They don't give billions of dollars away to their federal government.

They have a Norwegian fund that's there to anticipate paying for a pension requirement, a different objective, a different purpose, and they're watching the demographics of their own people having to meet a need. So they know that they need a fund of a certain size to meet a pension obligation of their own citizenry, that's got clear objectives as to how large it ought to be, the income it needs to earn to get to that size.

Those are the objectives that would very much help the Alberta heritage savings trust fund. If we could identify specifically for what purpose it needed to be, then you could help clarify how large that ought to be, over what period of time it ought to grow or not grow to that size, what the income ought to be used for. We've had a priority of the government over the past number of years, though, that that fund is not taken into consideration. You know, almost an average of a billion dollars a year in income has gone towards priority services of the government, repayment of debt. We now find that because of debts being retired, we are saving in a different form. We no longer put out annually interest payments of over a billion dollars. Our interest expense peaked at just under \$1.7 billion. Having the priority on allowing the income to go towards repayment of debt rather than just building up the heritage savings trust fund is saving clearly every year.

So maybe you can't say that the real value of the fund is a different higher number, but you can clearly say that we no longer have debts of \$23 billion, and we're saving to where they're now only \$6 billion and falling. So we have saved substantial moneys over this past decade in a different format. Rather than an instrument of the Alberta heritage savings trust fund you have to look at the balance sheet of the provincial government to look at the value and the net asset position of the government, not just the heritage fund position. So look at the full, complete balance sheet when you discuss that with those constituents or others that you're talking about. We'll get you the information as to what the real value might have been today otherwise.

Obligations to maximize return on royalty rates. You'll be delighted potentially when the Minister of Energy has the opportunity with his estimates to be able to maybe talk more fully about them, and he can explain more completely how we are looking to maximize economic return for Albertans and maximize the potential for the companies as well. So I'll let him comment on his estimates. It applies more directly to the Minister of Energy with regard to that.

You've mentioned ethical investing, specifically referencing our

core business goal 2.1, "Develop and implement an investment management framework" and "Analyze and review comparable investment organizations with respect to objectives, philosophy, operations," et cetera. We do own shares in Talisman. We invest in the TSE 300. Talisman is a significant player. They are much higher than the 300. They're in the top 20 some odd companies listed. As such, we don't make a specific investment objective investing in Talisman. We make a specific objective investing in the Canadian marketplace.

4:40

So we do invest in the TSE 300. We invest in the Standard and Poor's 500. To insinuate – I guess my concern is that it is ethical. We've got millions of investors every day investing in the marketplace, making prudent, ethical fiscal decisions on every company. Every company is held to a high level of reporting. Talisman or any other company is required to not only handle financial information but to disclose all kinds of its information on its operations to the public markets, and the public markets are able to take that information and assimilate it and pass judgment on the values and practices of that. We do have an ethical investment policy in this sense: we look at the best practices. There's been a drive for all industries and the marketplace to look towards a broad-based, good business practice method.

I hear lots of allegations, and certainly we are aware of the stories and allegations and innuendos. If they have facts, if they have evidence, I would suggest that people bring those to the appropriate regulatory authorities with evidence, not just a story in the press about an innuendo. The stock markets receive this; they analyze it. It's not fair to place the burden on Talisman and a charge in this Chamber that's not substantiated of them being something other than a very good, ethical operating company without a way to substantiate that – we're going to go to some kind of guilty unless proven innocent methodology. Talisman is listed on our Canadian stock exchange and the TSE 300 and deserves our respect. They are prudent, strong, ethical businessmen following practices that merit support.

If you continue to bring up innuendos and accusations – I'd suggest that you go to Talisman, present them with the information, go to the appropriate regulatory authorities, bring the evidence. We don't care to hide evidence. If you have it, if you've got such great evidence, then why are you sitting here and not taking appropriate legal action? Go there. Do it.

Okay. The last policy you got into was just your lecture, so I don't even think I'm going to go down that road. I'll end it there. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I want to thank the minister for being here this afternoon and certainly for standing and attempting to defend some of the policies of Revenue. I do enjoy the fact that his staff has taken the opportunity to be here as well. I think that all members in this Assembly would definitely agree that we are blessed to be in the country we are in, to be in the province we are in, a province that is abundant in many resources. It certainly creates a tremendous amount of wealth for us.

I look back to 1982-83. At that point, we had accumulated somewhere in the neighbourhood of \$12 billion in our heritage savings trust fund, and all of a sudden it was stopped. Well, why was it stopped? Did all of a sudden members in the Legislature become very poor investors, or was it the fact that the price of oil went down to \$10 a barrel?

I also am quite interested here to listen to the minister's comparison of how our neighbours to the west have fallen on tough times. Is it because their natural resources are no longer there? I know that they have an abundance of lumber that they would love to ship out of that province right now to any place in the world. Their mining is certainly not in bad shape either. Their fisheries are doing well. In the northeast portion of their province they have gas reserves. What's happened to their revenues? Why does B.C. find itself in the position that Alberta did in 1982-83, when we quit adding to the heritage savings trust fund?

Mr. Chairman, it is because of international forces, a collapse of the southeast Asian economy. They're not buying B.C. lumber. Their products from mining are not being bought. Their huge resource in the fisheries industry is certainly not in demand in southeast Asia. The very same thing happens here in this province. In fact, prior to September 11 we saw where revenues in this province were falling, and many essential services were cut at that time. Budgets were cut by 1 percent, and this is at a time when we were experiencing the second greatest amount of revenue that we had in this province's history. Now, we can sit here smugly and talk about our neighbours to the west who are having difficult times, yet when it came to our own backyard, we weren't doing such a good job, not even six months ago, despite the fact that we had enormous amounts of revenue.

When we look at how that heritage savings trust fund was built up, it was certainly built up during the period when revenues from oil, a nonrenewable resource, were put aside not only for this generation but for future generations. I hope that in all considerations that take place around the heritage savings trust fund, there's great consideration given to the commitment we have made to future generations and that it isn't up to this generation to decide what happens today, for right now. The overall question has been not what is in the heritage savings trust fund, what its value is today compared to a decade ago or two decades ago, but why is it still remaining at that level? Why during periods of great revenue in this province have we not increased the amount of that fund? Why haven't we done even the slightest bit to inflation-proof that fund? So these are questions that certainly have to be answered and answered to the people of this province. Unfortunately, we haven't heard too many answers.

Now, then, the Member for Edmonton-Strathcona had raised a number of questions on Talisman. For those detailed questions on Talisman that the minister didn't have the information for here – and certainly we don't expect him to – I would hope that he would CC me a copy of those answers as well.

I also see that apart from our investment program, which is of course in the Alberta heritage savings trust fund, the Alberta heritage scholarship fund, and the Alberta Heritage Foundation for Medical Research endowment fund, we also have, Mr. Chairman, in the neighbourhood of \$17 billion in trust funds, the bulk of which are public-sector pension funds sponsored by the province. So I would like to know from the minister if these funds also own shares in Talisman.

Now, then, when we are looking at this as well, one of the comments that the minister mentioned, that I thought was very, very good, was that the best way to get rid of the risk is to get rid of the debt, and I agree with that. He also comments that if people have information about Talisman that is not innuendo, they should take it to the proper authorities, but let me remind all members of this Assembly that we just had a by-election in this province not because somebody broke the law but because there were ethical standards which were not maintained. So certainly there are various ways that we can look at this whole issue of ethical investing or socially responsible investing or whatever we want to call it.

4:50

Now, as well, to use the minister's own terms, the best way to get rid of risk is to get rid of debt. But, again, if we don't want risk, Mr. Chairman, then we look at this whole idea of ethical investing. Certainly one area we can look at there is a very popular hamburger chain. This hamburger chain was using styrofoam containers for their hamburgers, and it was a group of schoolchildren that started a letter writing campaign that eventually ended that practice of putting hamburgers in styrofoam containers, and they went ahead and used a different method. We also have seen very recently how a particular company that was manufacturing SUVs had problems with their tires and how that drastically reduced the sales of those and how they were forced to change. We have also seen one of the major sporting companies in the world change their policies drastically and suddenly when it was learned that they were using child labour. We have also seen the other end of the spectrum where companies that have been in business for many years have not done this according to environmental standards: expenses of environmental cleanup. So, yes, there are some very great benefits not only to ethical investing but socially responsible investing.

When we have a company – and again we'll use Talisman, whose activities in Sudan are certainly well known throughout the world by many, many top-notch organizations such as Amnesty International, the Red Cross, the World Council of Churches, and they have been tracking their activities. The thing here is that even as Talisman wishes to get out of Sudan, we have to look at what energy analysts feel about this particular company, and it has been reported that energy analysts feel that the company's shares are discounted due to its holdings in Sudan. From a shareholder's perspective is this firm maximizing shareholder value, and does the Alberta government care?

As well, Mr. Chairman, on March 21, 2002, I tabled some documents in here, and those documents that were tabled were copies of a class action complaint between the Presbyterian Church of Sudan and Talisman Energy Inc., and this is in the United States District Court for the Southern District of New York. Now, let's look at what happens. If we look at the worst scenario and they were to lose this case, how does that affect our shares in Talisman? We have a great risk here in this company. Therefore, yes, let's forget about the ethical part, and let's look at it from an investment point. There is risk there, unnecessary risk, yet we continue to invest here. So on two fronts, the ethical investing front as well as problems here with their involvement in Sudan, then certainly this is not a good investment, and this is not an investment that Albertans, if they were given the choice, would want to be in.

Those are comments that I wanted to make to follow up on what the Member for Edmonton-Strathcona had done so well on.

Now, then, when we look at program 3 under investment and we look at 3.0.1, investment management, we see that the operating estimate is \$8.492 million, and in the 2001-2002 budget the operating estimate was \$7.192 million. This indicates that there is a 20 percent increase over last year's estimate and a 50 percent increase over 2000-2001 estimates. So if the minister could please let us know or inform us: what is the justification for a 50 percent increase in funding over two years for investment management, and would the minister provide more details on the source of the \$8.492 million in dedicated revenue for the years 2002-2003?

As well, could the minister inform us how many full-time employees are employed under program 3, investment management, in 2002-2003, and what are the projections for the full-time equivalents in 2003-2004 and 2004-2005? Also, will the minister provide a breakdown of the \$8.492 million in operating expenses by object for 2002-2003 for the following: the salaries for permanent posi-

tions, the salaries for nonpermanent positions, the salaries for contract positions, travel expenses, advertising, telephone and communications, and hosting expenses?

Will the minister provide further information on the terms of reference and planned activities of the Investment Operations Committee in 2002-2003, which is designed to oversee all investment operations, including the review and approval of investment risk management policies. As well, if the minister could please inform us what criteria is used by the Alberta heritage fund Investment Operations Committee to determine whether various heritage fund investments should be outsourced and managed by external managers. Will the minister agree to release the investment policy manual of the Alberta heritage Investment Operations Committee? Alberta Revenue uses external managers to invest in certain asset classes such as Canadian small cap companies, U.S. equities, and global equities. Also, will the minister provide additional information on the investment management mandate that is to be established through the portions of the heritage fund that are externally managed? Will the minister provide copies of the investment management mandates? Will the minister indicate which external managers of assets of the Alberta heritage savings trust fund endowment portfolio have performance-based fee schedules?

As well, Mr. Chairman, if the minister could provide us with what analyses were conducted by Alberta Revenue, outside consultants, or the Investment Operations Committee in 2001-2002 or our plan in 2002-2003 to determine specific objectives and targets for managing the interest rate risk that exists in the province's liabilities and the heritage fund transition endowment portfolio assets in order to maximize income over the medium term and minimize debt costs while constraining risk to the government's bottom line. As well, could the minister provide copies of those studies for us.

5:00

Will the minister consider amending the Fiscal Responsibility Act to ensure that there is a mandatory provision that the fund be inflation-proofed on an annual basis? As well, what are the estimates for the percentage increase in the Canadian gross domestic product price index in 2002-2003, 2003-2004, and 2004-2005? Another question for the minister: what is the frequency of reporting of Alberta Revenue and external managers to the Alberta heritage savings trust fund Investment Operations Committee, and what are the contents of these reports?

Just a couple more questions here. I think I'm getting close to the end of my time, Mr. Chairman. Will the minister provide a breakdown of the investment management fees paid to the following heritage fund external managers in 2002-2003: Guardian Capital, Bissett & Associates, Standard Life, Mawer Investment Management, Van Berkom, Bolton Tremblay, AMI, JP Morgan, Morgan Stanley, Pyrford International, Baring Asset Management, Morgan Grenfell, ABN Amro, UBS/Philips & Drew, Fleming, Bankers Trust, Stein Roe & Farnham, and GE Investments? As well, under section 3.0.1 how much in custodial fees will be paid to State Street Company of Canada in 2002-2003?

If I get another opportunity here, Mr. Chairman, I do have a few more questions for the minister. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. MELCHIN: Thank you, Mr. Chairman. With respect to the Member for Edmonton-Glengarry as you finished off a lot of questions, we'll be happy to provide more of the detail to you rather than responding to you today. There are quite a few questions you had, so we'll go through that and respond to you.

I'd like to at least anecdotally go to a couple of things. You mentioned comparison to B.C. and that it was because of international marketplace forces and so forth that they've got some challenges that may be unique to them versus Alberta. I would only say that, you know, we continue to see many people from B.C. retiring in Alberta. I've worked with a number of companies in past years in government on various committees on things that we've looked at. One of the companies, Al-Pac, I worked with at one stage, and they were telling me that our forest industry here versus in B.C. has a substantially better climate for industry to be able to work with. So there's a lot of regulation, tax policy, and other things that create a climate so that companies still choose Alberta as the place they would prefer to invest. Individuals choose, and it's evident by where they're moving to. There's no compelling of anybody to choose Alberta over another place, but they come here because of opportunity, they come here for many of the benefits, and our policies lead to that kind of a climate. It leads to people wanting and desiring those opportunities, including the tax policies that are in place.

You mentioned that the Alberta heritage savings trust fund has not been increased. That's correct. There have been three years, actually, where it has been inflation-proofed. We'll get the specific details to you. Those happened within the last five years. We'll provide the specific details as to what amounts were retained in the fund from income, but you're correct that the income over those years has primarily gone to the general revenue fund. But that said, you still need to look at the balance sheet of the government. We could as a policy have chosen to build up the heritage fund and left the debt higher. Those are choices you could have made. Clearly, you could have retained a fund that was larger and growing for the sake of a fund, but your debt would have been higher and you'd be paying higher interest costs. We couldn't have had it both ways. So that's why, in looking in the context of the value of the fund, you need to look at the debt that has been saved and that is continuing to be less expense. It may not be contributing from a heritage fund perspective, but on the balance sheet it has improved the position of the government.

Yes, we want to look at the inflation-proofing questions. I think those are good questions. How large ought that fund to be? You know, we could retain all the income in the fund, but before we start going down that road, identify why you need that money, for what purpose and what end. Be clear about those objectives before you just build a fund for the sake of a fund. It's not to say that there won't be a direction that could be pursued there. That might be the direction, but let's make sure we're very clear on those long-term objectives, and that's what the savings review is about.

You mentioned Talisman, and I'd just like to say again that I find no evidence that Talisman has been ruled by any courts or securities commissions as having done something wrong. It's easy for people to make preference and accusation, but there still are no courts of the land, where we treat people as innocent until proven guilty, saying that they are unethical or improper or anything other than a company that deserves to still be listed and treated with respect until proven guilty. You know, I don't find that fair. If we want to go down and really blast the opportunities – and I would say that there are opportunities for us to normalize the relations of Alberta companies with the countries and people of the world.

We could do wonderful things for improving the situation of many companies by normalizing trade, by communication, by our tourism, by going there and visiting, and we ought to encourage more people to be participating in other countries, be it Sudan or anywhere in the world. Our federal government has the responsibility of providing sanctions, and it clearly is their responsibility as a federal govern-

ment to say if a country should have sanctions on it. Talisman is not the only company operating within Sudan. Therefore, we have an obligation. If the federal government is not viewing that it merits sanctions, if they're not coming down with that evidence and that support, we still ought to be encouraging normalizing relations with the countries and people of the world and supporting the companies who are acting with ethical behaviours. The marketplace judges that every day.

We do invest ethically. We do ensure that we invest in companies with reputations that are listed and are judged every day of their existence by the millions of people that live and invest in those companies and participate in all of them as employees, as opportunities for jobs. They are our friends, our neighbours. They are all Albertans. I would say that the investment management division has an outstanding group of people. They set very prudent investment policies, they invest strategically, and they are working toward maximizing the return of that investment for all Albertans. That was what the review in '95 said: maximize the return; diversify that portfolio; allow it to be invested like you would typically, even as a pension fund.

I'll conclude my remarks there. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the dialogue or the parallel lectures we've had with the minister this afternoon. It's been rather interesting.

I'd like to pick up where my colleague from Edmonton-Glenarry left off, with some specific questions about the minister's office. I wonder if the minister, under 1.0.1, could provide us with a breakdown of the \$263,000 in operating expenses by object for 2002-2003 for the following: first of all, the salaries for permanent positions and then the salaries for nonpermanent positions. How much of the work is contract work? Could we have some indication of the traveling expenses and how much is spent on advertising by the minister's office under this object?

5:10

I wonder if the minister can explain what quality indicators and performance benchmarks he is considering to have established within his own office to measure outcomes. I note, for example, that the New Zealand Treasury business plans include performance measures; for instance, the correspondence received from the public and the number of members of the public that feel satisfied or dissatisfied with the kinds of dealings they have with the office. I wonder if we could have some indication of the measures that are being contemplated, if any are being contemplated. For instance, are there standards for the number of replies to questions asked in the Assembly? Are there for ministerial correspondence, motions for returns, written questions? Are there performance measures that are being looked at for those activities? I wonder if there is a turnaround time for correspondence that the minister's office has in mind.

I also have some specific questions about the deputy minister's office, 1.0.2. Why was there a drastic increase over the past couple of years? Where is that extra money being spent? Again, could we have some breakdown of how the money is being spent on the positions, permanent and nonpermanent, any contracting, and particularly if we might have information on hosting and advertising expenses that are being incurred?

Under 1.0.3, corporate services, I guess the question is: why is there less money being spent in this area than in last year's estimates? What's the reason for that? Again, can we have some indication of the breakdown of the \$3.026 million in operating expenses for the ministry in terms of salaries for permanent posi-

tions, salaries for nonpermanent positions, salaries for contract positions, travel expenses, and some of the hosting expenses? I know this is detailed information that we're asking for, Mr. Chairman.

I would have a similar set of questions for the communications, which is item 1.0.4. There's an extra \$65,000 being budgeted this year over last year, and we'd like to know where this 30 percent increase is going. What's the reason for it? Again, could we have some breakdown, some detail by object, for the salaries, for the travel expenses, for the advertising, for the telephone communications, for the hosting expenses?

THE DEPUTY CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Mill Woods, but pursuant to the understanding agreed to unanimously by the Assembly earlier this afternoon I must now put the following question. After considering the business plan and proposed estimates for the Department of Revenue, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$40,244,000
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THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the estimates of the Department of Revenue and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

MR. MARZ: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Revenue: operating expense and capital investment, \$40,244,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 8 p.m., at which time we'll reconvene in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:14 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, April 24, 2002**

8:00 p.m.

Date: 02/04/24

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

International and Intergovernmental Relations

THE CHAIR: Before asking if there are any comments or questions to be offered with respect to these estimates, we'll call upon the hon. Minister of International and Intergovernmental Relations to make some comments if he would like.

MR. JONSON: Thank you, Mr. Chairman. Prior to beginning my introductory remarks with respect to the estimates for our department, I'd like to provide introductions of members of our department that are with us this evening. First of all, I would like to introduce our deputy minister, Mr. Gerry Bourdeau. He's accompanied by Wayne Clifford, assistant deputy minister for international relations; by Lori Sajjad, director, finance and administration; by Beryl Cullum, director, communications; by Daryl Hanak, director of trade policy; and by Paul Whittaker, director, intergovernmental affairs. As I will mention later, our department is a fairly modest-sized department, and you've just met 10 percent of our staff.

Mr. Chairman, I'm pleased to discuss the estimates for the Ministry of International and Intergovernmental Relations for the year 2002-2003 as it relates to its business plan. The mandate of our ministry is to provide leadership in the management of Alberta's international and intergovernmental relations. Much of our work is policy related and strategic and does not involve direct program delivery. IIR works co-operatively with frontline ministries to negotiate important agreements as well as is involved in planning conferences and missions for the Premier and other ministries.

IIR is a source of information and advice to departments on managing their relations with the key players in government and in industry and in society in general. We take the lead in trade negotiations, on national unity issues, and discussions at first ministers' meetings and Premiers' conferences. We take the lead as a department in strategizing and supporting those activities. The ministry also leads the development of governmentwide strategies and policies for Alberta's relations with international governments, organizations such as the World Trade Organization, and with federal, provincial, and territorial governments.

The ministry has three major goals this year. The first goal focuses on our relations within Canada: protecting "the interests of, and securing benefits for, Alberta . . . in a revitalized, united Canada." Mr. Chairman, federal/provincial relations have increased in importance as a result of the new security measures following the events of September 11. Also, prominent in our relations with Ottawa is the ongoing exploration of health care reform with the federal government. I would like to also indicate that there's been the ongoing very important matter of disputes resolution, and it would appear that as of today, under the leadership of our Premier, that particular matter has progressed markedly and seems to be resolved.

Mr. Chairman, the ministry's second goal is focused on "promoting the interests of, and securing benefits for, Alberta through strengthened international relations." We will be working with other

ministries and the private sector to develop with the United States an understanding that we in Alberta have many attributes as a secure and reliable supplier of energy.

The third goal for this ministry is supporting greater trade and investment that benefits Albertans. For example, Mr. Chairman, we are co-ordinating Alberta's participation in the World Trade Organization's negotiations promoting our market access objectives and advancing Alberta's positions on issues involving provincial jurisdiction such as the environment, labour, agriculture, business, and the overall field of regulations or services.

Mr. Chairman, these three goals support several overarching goals found in the government of Alberta's overall business plan.

The ministry is divided into three sections: Canadian intergovernmental relations, international relations, and trade policy. The Canadian intergovernmental relations section works with other government ministries to co-ordinate relations between the province and the federal government to ensure that Alberta's interests are promoted and protected as an equal partner in Canada. As you know, the Premier in this area takes a very strong leadership role with the Premiers of the other provinces and addresses issues with the facilitation of our department. Along with the disputes resolution issue that I just referred to and which seems to have been resolved favourably, the ministry also led in co-ordinating this matter with respect to the annual Premiers' Conference and was part of the negotiating team during federal/provincial discussions.

This section takes seriously its responsibility for ensuring that federal initiatives respect Alberta's constitutional roles and responsibilities, including federal activities in key areas such as I mentioned, health, and also in the area of social programs. This section will continue to work with other government departments to develop strategies and advice on a wide range of federal/provincial issues. It'll be working with Environment and Energy to refine Alberta's position on climate change and the Kyoto protocol. It will also concentrate efforts to develop a federal/provincial agreement outlining Alberta's participation in Canada's negotiation of a trilateral North American energy agreement. This section will continue to provide support to the Ministerial Task Force on Security, which plans and co-ordinates Alberta's security activities.

This task force has taken a number of actions since its inception. It has worked with the energy and utility industries to review security issues at key sites. It's built strong links between the RCMP, CSIS, and the private sector for responding to security issues. Retired RCMP assistant commissioner Mr. Don McDermid is now advising the province on security issues, and the province's emergency preparedness plan has been revived to ensure that we have the necessary emergency procedures and communication channels established and in place. IIR will continue to work with Municipal Affairs, disaster services, the Solicitor General's office, and other appropriate ministries to maintain and enhance the security of Albertans.

Mr. Chairman, as well, the Canadian intergovernmental relations section will continue providing strategic support to the Premier for his role in First Ministers' meetings, Premiers' conferences, and other federal/provincial meetings.

The international relations section works with other departments in Alberta and the Alberta government to strategically advance Alberta's international interests. The work of the international relations section will continue to focus on facilitating and maintaining relations between Alberta and the United States. This section has taken on added importance since the events of September 11, and we are working closely with the federal government and our American counterparts on matters such as a cross-border security.

This section will be developing strategic approaches for Alberta's

international relations to promote the province's interests and priorities to foreign decision-makers. We will be enhancing Alberta's profile in key international markets through the development of mutual relations, including Alberta's nine twinning relationships. Mr. Chairman, one new initiative is a joint project with the University of Alberta, here in Edmonton, to provide six-month training assignments for 30 managers from our Chinese sister province of Heilongjiang. New relations with the state of Alaska, the German state of Saxony, and Ukraine will also be a focus for this year. For example, the section is supporting the work of the Advisory Council on Alberta-Ukrainian Relations to enhance bilateral relations with Ukraine.

Also, I now turn to one of our major, major trading partners, and that is Japan. Mr. Chairman, recently I had the opportunity to visit Hokkaido and Tokyo as part of an invitation from the Japanese government. I was provided with an in-depth view of the Japanese economy and society and saw firsthand the value of Alberta's twinning relationship with Hokkaido. Japan is our largest trading partner outside of North America. The trade between us is \$3 billion Canadian a year.

8:10

This section also will be contributing to international development projects for emerging democracies such as Russia and South Africa in the area of governance, or how to establish effective management systems in their governments. Earlier this month we had a very successful session with a delegation traveling from South Africa following months of preparation and work by staff from this section.

The trade policy section works with Alberta ministries and other Canadian governments on provincial policies for both Canadian and international trade agreements such as the agreement on internal trade and the World Trade Organization. The section co-ordinates the province's involvement in national or international trade disputes. They work to advance trade opportunities for Albertans by working to remove barriers to trade. As well, they analyze our trade figures and the economic factors that affect trade. Mr. Chairman, in this year's business plan the goals of the trade policy section have been uncoupled from those within the Canadian intergovernmental relations and international relations sections and have been given greater prominence.

Our trade experts will continue working with their provincial and federal government colleagues to find a long-term, durable solution with the United States on the softwood lumber dispute, certainly an issue or a matter that has been one of the major files if not the major file during the last number of months. Mr. Chairman, as you know, the Alberta government is very concerned about the impact of the U.S. trade sanctions on the Alberta industry. In addition to working with our lawyers in the legal proceedings, the province has been participating in Canada/U.S. discussions to determine whether a long-term solution can be reached to end this dispute. Alberta's forest sector has been kept up to date on every decision point in the process and continues to support our approach to this issue.

While more progress has been made in the past six months on this issue than ever before, very, very significant differences still remain. Both sides do have a greater understanding of the areas of contention and what the expectations are for resolving this dispute once and for all, but there has been very little hard evidence so far that the U.S. industry coalition is becoming more flexible on the matter. If the United States wants to have provinces consider changes to forest management policies, then the United States must also be prepared to make commitments on market access. Mr. Chairman, we're not there yet with the U.S. industry coalition. Therefore, we continue Canada's litigation, and our approaches are avenues that are

available to us through the WTO and NAFTA review procedures.

While we work in co-operation with the federal government and the other provinces in developing agreements, let me be clear that the province actively represents and promotes our own provincial interests. Staff will also be continuing to work to ensure that Alberta's interests and priorities are truly represented during the newest round of World Trade Organization negotiations, especially as it applies to agriculture. The trade policy section will ensure a free flow of goods, services, capital, and labour within Canada. For example, Alberta will negotiate with the government in British Columbia to remove trade barriers between our provinces. Staff will also concentrate on completing negotiations on the energy chapter within Canada's agreement on internal trade.

Mr. Chairman, I would like now to move on to the topic of the ministry's budget and staffing levels. We are a small ministry in terms of staff and budget. The budget of \$6.08 million is virtually unchanged from the last fiscal year. This year Treasury Board asked us to reduce our budget by \$41,000. We also received a reallocation of \$21,000 to cover the cost increase for governmentwide financial reporting under a system known as Imagis. The net effect on our budget is a reduction of \$20,000 from the last fiscal year. This reduction will not affect the ministry's priorities or key initiatives. Any required funding has been taken from existing budgets. In terms of staffing our ministry has a complement of 53 staff. As part of the government reorganization we transferred one FTE to Aboriginal Affairs and Northern Development.

Mr. Chairman, finally, a brief outline on how we measure the ministry's performance. Since the ministry's outcomes are often long term or dependent on external factors, our data are difficult to present as quantitative examples. We solicit input from a variety of government ministries and other sources to help us measure how we're doing and how to identify areas in which we can improve. We measure our performance through client surveys, secondary economic and sociodemographic indicators, and through polling results. The ministry takes all of these measures and provides a detailed narrative record of our achievements and activities in documents such as our annual report. From time to time we also do assessments on key initiatives such as after the conclusion of major conferences, trade negotiations, and international missions. These documents help us track our progress in meeting our goals in both an effective and efficient manner.

Mr. Chairman, that concludes my remarks for the estimates for International and Intergovernmental Relations, and I await with anticipation comments and questions regarding the budget estimates.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman.

AN HON. MEMBER: Question.

MS CARLSON: It will be a long time before you get to ask the question on this one and even longer the more often you ask that early.

Mr. Chairman, happy to participate in the estimates of International and Intergovernmental Relations this evening. I'd like to acknowledge and thank all the staff that are here this evening. Certainly they do a very good job and answer any questions I have in a very timely fashion, and it's nice that I've gotten to know a few of them over the years because of the involvement in PNWER and their involvement in terms of organizing those delegations.

I'm hoping this evening, Mr. Minister, that we can have some casual chats about some issues. I find that more informative than

just running through a whole list of questions, although I will say that I don't think we'll be taking the full two hours this evening on this particular issue. [interjection] There's lots to deal with this evening. If you don't like that part, talk to your own House leader.

So on this ministry I've got some general comments and questions, and maybe I'll go to the specific questions first of all. You talked about, Mr. Minister, in your opening comments the various goals that you have within the ministry, one of them being particularly relations in Canada and "effective participation by Alberta in the Canadian federation." So I'm thinking that with regard to that, you're talking in part about the social union framework agreement. I also believe that this should be a joint commitment by the province and the feds with an undertaking to engage citizens in the participation in the roles, which I think is what you're getting at here. My biggest concern about this is: how are you engaging citizens in the governing process and moving toward decision-making, and what are you using for accountability measures, outcome-based measurement, and public reporting? Do you link those two specific programs? Could you answer that for me first?

MR. JONSON: Mr. Chairman, as hon. members know, there was a major issue that had been in the way of proceeding with the social union framework review, but now with the pending resolution – and I think it is resolved – of the disputes resolution mechanism pertaining to health, and also it would apply in the social union framework arena, I think all provinces, or at least all except perhaps one, have indicated by their action that the door is open to proceed with the superreview. That's just the lead-up to get to the answer, and that is that the design has not been completed in terms of how the consultation will proceed. There is a general commitment to contacting stakeholders. There is a general proposal to have that consultation at least be in the three major regions of Canada. But as far as the details and the specifics are concerned, those have not been finalized. However, I'm hopeful, and I think everybody is hopeful and expects that the discussion and the go-ahead for that will soon be taking place.

8:20

MS CARLSON: Thank you for that information, and if you could keep us updated on how that progresses, we'd certainly appreciate it.

In your opening comments you just touched on Kyoto for a moment. Could you tell us more specifically the participation your department has in setting policy direction on what Alberta is doing on climate change and Kyoto specifically and any direction or policy initiatives that you're working on in that regard?

MR. JONSON: Mr. Chairman, the further development of our policy as a government relative to the Kyoto accord and everything that's followed since is focused in terms of the subject matter with particularly the ministries of Energy and Environment. They, of course, under the leadership of our Premier will be the primary leaders in this regard in terms of developing our overall policy, which will be a government policy. Our role as a department would be to facilitate in terms of contacts and possibly how strategies might be developed, but we are not the line department with respect to this particular issue.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. Also, with regard to the G-8 summit, that I'm sure you've had some participation in, could you just expand on that for us?

MR. JONSON: Again, Mr. Chairman, I think the G-8 summit plan for Kananaskis Country is something that has broad importance and implications in terms of preparing for it for government overall. In terms of working out arrangements, I wouldn't perhaps want to put on the title of full negotiations, but in terms of, yes, negotiating arrangements, the Solicitor General's department and ours have been the lead departments working on these arrangements. Once the decision was made that it would be here in Alberta, of course our goal is to be doing everything we can to ensure that this will be a successful conference. We have worked with federal officials because this is a federal event. It is the overall responsibility of the federal government in terms of its preparation and carrying out, but our two departments have been very involved in making sure that the interests of Alberta and the various locations that are involved and all that sort of thing are being put together into a plan which is workable, acceptable, which respects the opportunity to have such a conference but also protects the interests of Albertans.

MS CARLSON: Thank you for those answers. I'd like to focus now a little bit on the business plan and specifically goal 1.1, where you talk about "effective participation by Alberta in the Canadian federation." I have three groups of questions. I'll ask them, and then you can hopefully answer with whatever you have at your fingertips and perhaps provide more information later on.

In terms of International and Intergovernmental Relations travel, to try and understand the trips that are taken and how you organize in your department with the Premier and the Public Affairs Bureau is really what I'm trying to get at in the first question. We see that in some jurisdictions there is no intergovernmental relations minister, and the responsibilities are all handled by the Public Affairs Bureau and then more directly by the Premier. So how often is it the case here in Alberta where the department is working as closely with the Premier as it does with you as a minister? Does your department just handle your travel, or do they work with the Premier on some of the trips that he does, particularly those that would be overseas? That's one question.

One of the strategies for the goal is in part "to enable Alberta to receive a fair share of federal funding." An item of contention that we talk about a lot in here has been the money that is received from the feds for health care. Can you just give us an update on what work has been done on this over the last while? Where are we today as far as the discussions go? That's the second question.

[Mr. Lougheed in the chair]

The third one is on infrastructure funding. Particularly, I'm concerned about municipalities. I would believe that this is the major role of Municipal Affairs. Do you have any role within your department to secure funding for the municipalities, especially on the major centres, Edmonton and Calgary, who are facing all kinds of strains on their abilities to move forward with work at this time? Do you do anything in terms of anticipating future needs as these two cities grow? If you could give us any kind of an overview on those three questions.

MR. JONSON: Mr. Chairman, first of all as it applies to the organizing of missions, the organizing of trips, we play a major role, I think it is fair to say, in facilitating, supporting, arranging, and providing our services to all departments in terms of international travel. When it comes to travel arrangements within the province, wherever needed we will co-ordinate. If there are several departments involved, we have our services available in terms of arrangements. As I think you can appreciate, if it is a matter of the Minister

of Human Resources and Employment wishing to go to a conference of other ministers, that is something that's arranged through the department, and we do not have any direct involvement with it except if there's some, you know, specific issue that we can support. In the area of international travel, particularly as it applies to missions which involve multiple departments and agencies and people, we do a great deal of that. In fact, that arranging is done through our department.

I think you referred to Kyoto; did you? No. You referred to the overall work that we do in terms of issues and where we've made some progress in terms of advancing our policies. I think one of the key ones that's outstanding right now is the whole area of the health and social transfers but particularly the funding – let's put it straight on the line – for health care. That's a major issue that we have with the federal government. It's a good example of where our department, of course led by the Premier's office and the Minister of Health and Wellness, continues to insist that we should have at least the restoration of what was the historic level of funding for health in this country from the federal government. So that would be an example in that particular area.

THE ACTING CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's a pleasure to rise this evening and participate briefly in the budget estimates debate for the Department of International and Intergovernmental Relations. I, too, have a series of questions for the hon. minister. It is with keen interest that I recall that the minister stated that we have \$3 billion in annual trade with the country of Japan. As the Chinese economy expands at – not an aggressive rate; I think that's the wrong word – certainly an impressive rate, what role is the department planning to play in increasing our trade with the expanding Chinese economy?

8:30

In relation to the appointment of Don McDermid, retired from the Royal Canadian Mounted Police, as security adviser for this province, as I understand it, what role does this appointment play in the events that have occurred after the 9-11 bombing of the World Trade Centers in regard to protecting from terrorist attack not only our pipelines provincially but our refineries and petrochemical complexes? I can understand if for security reasons we would have to be discreet. However, the details on this appointment would be appreciated by this hon. member.

The trilateral North American energy agreement that is also being discussed would be to do with the trading of electricity and natural gas and petroleum, crude oil, as I understand it. What negotiations are going on within the department to ensure, as the Premier would say, that whether it's from the Northwest Territories or whether it's from Alaska, which the hon. minister noted, Albertans get their pound of flesh? In this case the flesh would be natural gas liquids from either the Northwest Territories, Yukon territory, or Alaska. What negotiations are going on to ensure that there is a supply of natural gas liquids for our petrochemical industry? I believe there was a quote that there will be a secure and reliable source of energy for America, and we are going to be the source of this security and this reliability. Now, Mr. Chairman, in relation to that, what guarantees are we going to have in this province? This is a very, very serious matter, not only in this term of the Legislature but certainly well into the future.

Now, the softwood lumber dispute is also an issue that I certainly would appreciate an update on. I understand that the hon. minister and his department have been in direct negotiations, have been part

of the negotiating team, have been part of the Alberta team. Correct me, please, if I'm wrong, but certainly in question period, as I recall, the hon. Member for Whitecourt-St. Anne directed a question to this minister in regards to the softwood lumber dispute. Certainly it's a key part of the department, managing disputes and defending Alberta's interests, and not only under the North American free trade agreement. The World Trade Organization has dealt with this issue in the past in Canada's favour. So I would like to know how that is going, if we're working co-operatively with other provinces, or are we following the lead of the government of British Columbia?

What sort of co-ordination and facilitation is going on between Alberta and Alaska in regard to resource development?

There are also strategies being developed to discover better ways to serve Alberta's needs and interests within the Canadian federation. If we could have an update on the reduction of overlap and the duplication between governments.

The reform of institutions, in particular the Senate. What sort of reform does the department have in mind? Senate reform has certainly been discussed on this side of the House, and it has been a very interesting discussion. Just exactly what sort of reform does the department have in mind? I would appreciate an update on that as well.

As we know, there has been significant interest, Mr. Chairman, in the Canada/Alberta labour market agreement since its initiation. It's almost five years of progress.

I note here that one strategy is to "promote federal-provincial solutions to redesign federal-provincial financial arrangements including the Canada Health and Social Transfer, Equalization and cost-sharing arrangements." What changes, if any, would the department be contemplating or studying regarding the Canada health and social transfer? I realize that this is not part of the hon. minister's department, the contentious issue of the claw-back regarding child benefits, but what exactly are we studying about the Canada health and social transfer?

[Mr. Tannas in the chair]

Mr. Chairman, certainly I was going to mention the Kananaskis summit that's going to occur in the summer. However, I believe my colleague from Edmonton-Ellerslie has already discussed this with the minister, and I will not go there in my line of questioning.

If the hon. minister could answer those questions, I would be at this time very grateful. Thank you.

MR. JONSON: Mr. Chairman, I would like to just address two or three of the key items raised by the member, and I would certainly undertake to provide detailed answers on others.

I do want to first of all very briefly respond to the comments with respect to Japan versus China, as I understood the comments. In my opening remarks, Mr. Chairman, I used the example of Japan because I'd had recent contact, in fact a visit to Japan. I thought it was kind of relevant that I use that as an example, and the fact is that it is our major Asian trading partner. But I would draw to the attention of the committee that under the leadership of the Premier and other ministers that have been involved in prior months and years and also members of the overall Assembly, there have been many visits and contacts and twinning arrangements and other initiatives with China. It's recognized by the province very fully that this is a tremendous potential market and it has to be given priority. It is being given priority in terms of international relations and international trade.

8:40

The second point I wanted to make is that I think there are a number of specifics that could be outlined with respect to the overall financial arrangements pertaining to health care. But the one point that is paramount in the position taken by the Premier and by the Minister of Health and Wellness is that at the bare minimum the federal government should be restoring percentagewise the amount of money that they have traditionally provided to the provinces in Canada, and there is much that can be elaborated on there.

The final point I wanted to make is that with respect to the SUFA, or the social union framework agreement, there is much more to that agreement to be worked on than just the matter of health care, Mr. Chairman. Part of that process, as I've said, is to raise issues that the provinces have but also to listen and become part of a constructive consultation process to come up with findings.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Thank you, Mr. Chairman. I have one additional question at this time for the hon. minister. I would like to know what role the Department of International and Intergovernmental Relations is playing in the negotiations between the Federal Energy Regulatory Commission and an organization called Regional Transmission Organization West, or RTO West, in relation to the export of electricity from Alberta and the construction of transmission lines that are going to facilitate the exporting of electricity. Is this an effort between the hon. minister's department and the Minister of Energy, or is it taking place in silos, with each department discussing this separately?

Thank you.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I'm pleased to get an opportunity to ask some questions about the International and Intergovernmental Relations estimates this evening. My questions won't be quite as lofty as my colleagues who preceded me but will be more specific to the estimates that appear on page 315.

There are really only a few line items in the department, five on page 315, and they all fall of course under program 1. For one of these the funding is staying the same; that's 1.0.1, minister's office. One is increasing: 1.0.2, corporate services. The rest of the items, 1.0.3, 1.0.4, 1.0.5, are decreasing in funding, and given that the last three are the ones that actually provide the services, it's rather an interesting display.

One question I have is about full-time equivalents. Why is there a discrepancy between the number of full-time equivalents listed on page 311 of the 2001-2002 budget, where they're listed as 54, and this year's budget, which shows a budget amount for that same year for 53. Is it a typo, or have we actually lost a body between budgets, Mr. Minister?

The second question I have is also about the full-time equivalents. In 2000-2001 there were 58 FTEs working in IIR, but four of them were transferred to the Alberta Corporate Service Centre. Then in this year's budget we see that for the fiscal year 2001-2002 the forecast amount spent on item 1.0.2, corporate services, actually increased 2 percent and is now going to increase in this budget by another 8 percent from that forecast amount. In other words, we're seeing an increase of \$159,000, or 10 percent, from what was budgeted last year, and at the same time other areas in the department are seeing cuts, and it raises some questions.

One of the other general questions: are there outstanding vacan-

cies in the department for positions in the department right now, and what is the impact upon the department of those vacancies? They're looking forward to a loss of four FTEs for corporate services. Why are we seeing a growing increase in the budget for corporate services? There must be some other activities going on. One of the things that we noticed in looking at program 1 is that there are no performance measures for the ministry as you would see, for instance, I think in the New Zealand business plans, where there are performance measures in terms of turnaround times for correspondence and similar kinds of measures. I wondered if they have been considered by the department.

In 2000-2001, when there was a staff of 100, the support services budget was \$2.387 million, and now it's \$1.753 million for a full-time equivalent staff of 53. So the budget for support services dropped only 36 percent while the number of staff has dropped 89 percent. Is there an explanation for that difference? One would expect – and I'd appreciate a comment from the minister – that the government's push for concentration of services in the Alberta Corporate Service Centre would eventually result in lower costs, and that doesn't seem to be the case. I wonder if there have been some comparisons made by the minister in terms of the cost for support services for the department now compared to when it had its own internal staff providing the service and before the four FTEs were transferred. The question is: is there a difference in costs?

On page 273 of the business plan it states that "IIR works with the Alberta Corporate Service Centre to achieve efficiencies in the Ministry's administrative services." I guess the question is: have those efficiencies been achieved? If yes is the answer, could we be apprized of what they are?

The budget for corporate services is increasing 10 percent while that of international relations, trade policy, and Canadian intergovernmental relations is dropping 6.8, 3.4, and 2.4 percent respectively. I guess the question is: why is the budget for corporate services increasing at the expense of the others, and could we have some insight into how and why that priority was established?

One of the other differences from some of the other plans that we've had before us in previous years and this year, Mr. Chairman, is that in the line items there is no item for the deputy minister's office. I guess the question is: why?

I think those are some of the detailed questions I had about program 1. I realize that they are detailed questions, and the minister won't likely have those answers at his fingertips tonight, but any kind of general comments he'd have I would appreciate.

MR. JONSON: I'm just rising, Mr. Chairman, to indicate that I agree with the member across the way that this will certainly be more effectively addressed by my undertaking to provide written answers to your detailed questions. I did want to assure him, however, that the one staff member is not lost.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

8:50

MS CARLSON: Thank you, Mr. Chairman. And thank you, Mr. Minister. We wouldn't like to misplace any of the staff.

My next question on this department, Mr. Minister, is referring to goal 2.2 on page 268, where you talk about "a strategic approach to Alberta's international relations that effectively promote the province's interests and priorities to foreign, governmental, decision makers." Here you talk about co-ordinating provincial missions, but what I'm interested in is that the department also co-ordinates interpretation and translation services for the Alberta government. So a two-part question. One, is there a cost to the department for

this, and should it not be a line item in the budget that we can identify? The other part of the question is a question that both the Member for Edmonton-Centre and I are quite interested in: do you provide local translation services? We have a need in our constituencies occasionally for translations and have quite a time trying to get things translated. So we're wondering if there's an internal function within your department as well for that.

MR. JONSON: Mr. Chairman, we do not have within our department a translation unit. We work with protocol and with the resources that are available through the Public Affairs Bureau – I think that is the proper title – to utilize those resources as needed, and we have their support when dignitaries visit who do not speak English or French. We're not the site of the translation centre.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. My next question is generally with regard to twinning, which is still under goal 2, goal 2.3, where you talk about active bilateral relations, including twinning. Mr. Minister, are there any limits or goals for twinings? I'm particularly interested in whether or not you've established any internal quantitative or qualitative kinds of measures for the effectiveness of the relationships. It's not that we're saying that we want any of them to end. In fact, the theory sounds really good, but shouldn't we be trying to determine what sort of an impact they have on our economy, political relations, and culture? You talked about tremendous potential market opportunities, but I'm looking for something that's a little more outcome based with measurements linked to specific programs and long-term strategies, more in line with what the Auditor General has been asking generally in all of his comments on departments. Twinning is great. If it's just a PR exercise, tell us, but if we've got something measurable and quantifiable, I'd like to know.

MR. JONSON: Mr. Chairman, we will provide a detailed response to the hon. member's question, but I would like to make, I think, a couple of comments by way of answer. First of all, we do very carefully assess our twinning arrangements, our initiatives that we support through other departments and through government generally. Yes, we can provide measures or performance indicators via, for instance, the department of economic development and trade, the hon. Mr. Norris' department. That's where you would see the results or the statistics that are quantifiable. We look towards, for instance, China and Japan as key trading partners with a tremendous amount of potential, and that's one of the outcomes that we plan to achieve there.

The main point that I wanted to get to is that another goal of our missions and our twinning arrangements and so forth is to also help with the very basic matter of developing good democratic institutions and the democratic process on a workable basis, both politically and administratively in some countries. That is why we have worked with the funding of CIDA to have our project going in Mpumalanga. It is why we are planning to put more priority on Ukraine in terms of both the whole area of trade and also the area of being supportive, assisting with the governance change. So those are two examples of the different kinds of goals we might be pursuing. We'll answer the more detailed part of your question.

MS CARLSON: I very much appreciate that answer.

Still on the international markets, under goal 2, I would like to do some more follow-up. We wrote to the minister asking about the

role and ministerial responsibility for trade offices back in February, and I don't think I've received an answer. I can't find one anywhere. So we'd like to repeat the question if we can. The question then was if you could advise us why the trade offices fall under Economic Development and not your ministry. I'm just trying to understand the relationships between the ministries. I see you as a more umbrella kind of ministry, providing support to other ministries, so particularly in that regard I think that trade offices, because they cover a number of jurisdictions, might also fall under your department rather than Economic Development. If you could give us some background on how the decision was made to put them under Economic Development and when that happened. To me it seems that their very nature should be the responsibility, then, of your department. You're already responsible for trade policy, and it would seem natural that the trade offices would be a part of that. So there's some piece there that I'm missing.

When we think about the number of trade missions that there were in the past year – and you've talked about your input in terms of organizing them – we see a number of ministers going as well as the Premier but not you. It seems unusual that you wouldn't have gone specifically to Texas and California and then on to Japan and China and Russia and Europe, because while economic and business matters were the main focus, trade policy is one of your key sections. So we would like some information on why you don't go in these cases. You'd think we wouldn't want you to spend the money, but I think there's a real role there for a ministry such as yours to be involved in trade. So if you could talk about that.

THE CHAIR: The hon. minister. No? Okay.

MS CARLSON: Will you provide some information about that sometime in the future, on why you don't go on those ones?

MR. JONSON: Well, certainly. We undertake to answer all questions.

MS CARLSON: Okay. That's good.

MR. JONSON: Mr. Chairman, I think I indicated that we would answer all questions in writing that aren't answered orally.

MS CARLSON: Now I would like to move on to goal 3, then, where you talk about expanded Canadian internal trade liberalization, promoting the free flow of goods and services. You talked a little bit about that in your opening comments, but I'd like to focus on money for a moment if we can. Certainly one of the challenges is the difference between the ability that the province has to raise funds versus the federal government and the costs of services in jurisdictions the province is responsible for versus what the federal government is responsible for. So the same as we would ask a question in question period about where municipalities go to get the money, we see that provinces also seem to be challenged in finding the money to support everything that they're responsible for. What role does your department take in this, and specifically how does the department approach the pressure to trade off jurisdictions for financial assistance from the feds? What about trading off in provincial jurisdictions in the interest of international trade? So could you give some overall comments on that for me?

9:00

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Chairman. I'm pleased to

rise to speak to the estimates of the Department of International and Intergovernmental Relations, and I appreciate the minister's presence here to answer questions and respond to points as well as the officials of his department. I'd like to thank them for their role and their work.

I think there is no government that more clearly defines the political differences between the New Democrats and the Conservatives than the one in which this department is involved. I'd just like to set out a number of those points. The ministry's business plan talks about its support of a strong Canada, and we couldn't agree more with that, Mr. Chairman. We think that that's a very essential goal and one that our party very, very strongly supports. On the other hand, what we think is also necessary is a set of policies that support a strong Canada, and that also includes policies that support a strong federal government with a role in setting national policies and national programs and in protecting Canadian independence, particularly protecting Canadian independence from American domination in a number of spheres.

It's very difficult in our view to maintain the independence of Canada in a cultural sense, in education, in health care, in any other way if in fact we become increasingly dependent on the Americans in the economic sector. The growing economic penetration of our country by the United States under the auspices of the North American free trade agreement is ultimately going to undermine, weaken, and eventually destroy true Canadian independence. So we believe that a strong federal government is essential to do that, and we believe that there should be strong national programs. In particular we would point to medicare as a national program that needs to be maintained and needs to be supported by not only the federal government but by provincial governments and all Canadians.

We certainly are in agreement with the objective of trying to force the federal government to restore the levels of funding that it had previously set when it established the medicare program across Canada. The levels of funding that the federal government now provides are simply in our view a minimum required to maintain some sort of federal control or some sort of federal influence in the health care sector. We would support any efforts by this government to get the government of Canada to restore funding for medicare programs and health care generally to the level that it undertook when it got adherence from the provinces for a national health care program.

Now, it's interesting that the Member for Edmonton-Gold Bar raised the question of Senate reform. Certainly New Democrats have been one of the earliest proponents of Senate reform in the country, long before Mr. Manning and the Reform Party came along. We had the clearest, most logical, and most radical proposal for the reform of the Canadian Senate, and that is its complete abolition. That continues to be our position. It is the most useless institution that exists in this country. It is nothing but patronage writ large. It is used by this federal government, but also I might point out by the last Conservative federal government as well, as a tool of patronage and political influence that is second to none in the democratic countries of the world.

Now, I know that it's very popular to talk about a triple E Senate, an elected Senate, one that all the provinces have equality in, but I would caution against simply trying to import American democratic ideas and expecting them to work for Canada. I think that the provincial governments in the Canadian federation have sufficient power to represent very well the interests of the provinces. There is no need of a Senate, elected or otherwise, equal or otherwise, to do that. We simply ought to have a system where people are elected, a unicameral system that would represent the people based on

population. I might add that our party has taken the position that we ought to have a proportional representation system in this country, and I would urge the minister and the government to consider that point of view, that would allow people to vote for the party of their choice and would apportion seats more democratically and that is based upon the percentage of seats based upon the percentage of people voting for a particular party.

We have very, very strong distortions throughout Canada with the current system, and it's evident also in this Chamber, where it's clear that the Conservative Party in the last election received I think for the first time in some time an actual majority of the votes cast, but they have significantly more representation in this Chamber than the percentage of people who actually voted for that party. Of course, we in our party are significantly underrepresented. We ought to have about three times the number of seats that we have if it was according to the percentage of people that supported our party. I think that the Liberal opposition would have a significant increase in their representation as well. Obviously, the present political system is somewhat less than democratic when it comes to representing the true wishes of the people. So I think that that's something that the government and the minister ought to consider putting forward when he talks to his friends.

AN HON. MEMBER: Maybe you should take away the Mace.

MR. MASON: The hon. member talks about the Mace. As long as you don't attempt to wield it when you lose a vote or lose a point of order, I think that we can keep the Mace. It's the Senate and the current representation by constituency that we ought to be taking a look at.

Now, I'd like to know what positions the department is taking in conversations with the federal government with respect to issues of changes to the Constitution of Canada, particularly any mention of the question of the Senate, any question of the status of the province of Quebec. I would like to know in particular on the question of health care what role the department has played in getting the referee for medicare that the Premier has been working so hard on.

Now, another area where there's a very, very marked difference between the policies of this government and the policies of our party has to do with economic relations with the United States. It's clear that this government is rushing into the embrace of the American economy without stopping to think about the consequences of doing that. While they talk about their concern about the softwood lumber, there seems to be a lack of recognition that the actual economic relationship with the United States is extremely one-sided. When it works to Canada's advantage, as it occasionally does but not nearly enough, the Americans are quick to insist that free trade go by the boards. They're the first ones, when it's to their disadvantage, to throw out all the rules and throw out all the principles that we have apparently agreed upon and punish Canada and punish Canadian businesses for being more efficient and for outcompeting American businesses. So when it comes right down to it, when it's to the advantage of the United States to be internationalist in its trade, it does so. When it's to their disadvantage, they're the first to become protectionist.

9:10

I think that the government of Alberta should be speaking up more strongly to try and do something about this. We have leverage in this province and we have leverage in Canada that should be used. It shouldn't just be lip service: oh, we'll go and litigate because the relationship isn't working out, and we still have a long way to go. I appreciate diplomatic language, Mr. Chairman, I really do, but I

think that the government, starting with the Premier on down, has to be a lot stronger on the softwood lumber dispute with the United States. We need to be looking at the weapons in our arsenal to retaliate against the Americans for their one-sided and undemocratic attack on Canadian industry. I see the government just taking a backseat as if it was a routine matter. Well, it's not a routine matter, and we think that the government should get off its hind quarters and on its feet and start fighting for the softwood lumber industry in this country, in this province. We ought to be careful about extending and deepening our economic relationship and our economic dependence on the United States until there are mechanisms in place that can provide for greater protection for Canada and ensure that the economic relationship is in fact considerably more equal than it is now.

The other point that I wanted to raise is the whole question of free trade and negotiations on the GATS, GATS being the general agreement on trade in services inside the World Trade Organization. It is a very serious concern. I had conversations with and attended meetings of the Council of Canadians on this and tried to inform myself as much as I could on some of the issues around the negotiation of free trade agreements and particularly the GATS.

One of the very, very strong concerns that we have is that decisions that affect the national sovereignty of countries are made by unelected tribunals of bureaucrats who meet in private, without any public transparency around their decisions. These can have very significant effects on existing trade relationships and indeed many other things besides simply trade. It gets into the whole area of cultural industries. It gets into the kinds of structures you have for your agricultural marketing. It gets into things like your health care system and so on. For example, Canada lost the auto pact with the United States, thinking that it was protected, but it was completely taken away by tribunals, and it formed a key part of the economic relationship Canada had with the United States. The people of Canada were not consulted on that. They had no choice because the government of Canada, supported by provincial governments like this one, have negotiated away our sovereignty. They have negotiated away our sovereignty.

I'll give you an example. There's currently a case – I don't know if it's been resolved in the last couple of months – brought by one of the big American courier companies complaining that our national postal system, Canada Post, is unfair competition to their right to come into this country and do business, give parcels and letters and so on. Now, there are probably lots of people in this Assembly who think that that's just fine. Well, I happen to think that we have a right as a country to establish our national institutions and that they ought not to be torpedoed by unelected bureaucrats sitting somewhere with no public accountability. The effect of these trade deals on Canadian sovereignty is very severe and potentially devastating to our whole structure of national institutions. I'd like to know from the minister if they are having any input from or participation with the federal government with respect to Canada's position on negotiating the GATS, and I would particularly like to know if the government is raising questions like protecting municipal water systems from offshore private competition.

What is being done to ensure that allowing private health care in this province – and particularly private health care has been raised by the Member for Edmonton-Strathcona, the leader of our party, on the Calgary organization that's setting up a private authorized surgical overnight facility and whether or not there is any risk to our health care system wherein we would have to allow American health care companies into this province in an unlimited way as a result of the things that the government did or didn't do with respect to foreign ownership of HRC.

I'd like to know about whether or not the government is talking to the federal government about our position on genetically engineered food and whether or not we will be required to allow any genetically engineered food or agriculture products, seeds and so on, into this province and give up the right to have some say over that.

American educational institutions: whether or not there are any steps being taken to protect Alberta from the incursion of private educational institutions from the United States.

Whether or not it's of any concern to the government whether or not we should be permitted to refuse to do business with countries that have a very bad human rights record. That's one of the things that may in fact be on the table in those discussions. I think it's very important that we retain the right to make judgments about countries' human rights records before we do business with them.

Those are my comments and questions, Mr. Chairman. I think it's probably fair to say that the perspective of the New Democratic Party is strongly at variance with the Progressive Conservative Party on many of these questions. Nevertheless, I would be very interested in the minister's response to all or part of my concerns and any of the questions that I've raised which he feels he can answer.

Thank you.

MR. JONSON: Mr. Chairman, I would like to acknowledge the wide-ranging description of New Democratic Party philosophy and policy. While I could elaborate at some length on the differences between that particular political philosophy and that of the Progressive Conservative Party of Alberta, I will not. I think there were, among the various philosophical proposals put forward, two or three things I'd just like to focus on very quickly.

As the IIR department we recognize that we have a constitutional democracy in Canada, which is established under a constitution, and we work on that basis. For instance, if we take the example that was used with respect to health care, if the hon. member wishes to check, he will find that in sections 91 and 92 of the BNA Act there is quite clear reference to the division of powers and to the fact that health care comes under the jurisdiction of the provinces. That is the context within which we work, Mr. Chairman, in terms of our overall policies. I think the success of the government in this province and the fact that we have such a great country of Canada is the fact that as imperfect as it might be in the eyes of many people or specific people or parties, it has and is still working. Not that it can't be improved, but right now we are not in the position, certainly not as a department, where we are promoting constitutional change. We are working within the context of the Alberta and Canadian structures that do exist for the benefit of this province, and we also feel it follows from that that this will be of overall benefit to Canadians.

9:20

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. We just have a few more questions that we'll put on the record and then look forward to the minister's answers at some time in the future. I'd like to talk about the cross-ministry initiatives for a moment. You talk about four priority policy cross-ministry initiatives, and we would like you to provide some more information on the children and youth initiative and the health sustainability initiative. What we would like specifically to know is the role that IRR plays in them. Are you coordinating policy or also providing input and alternatives and policy options?

Then under the heading of Maintenance Initiatives the department mentions "Alberta's International Strategy." Can you tell us what that is specifically? We'd like its vision and its goal and the plans for its achievement and how you're benchmarking success there.

Also, you're responsible for the Ministerial Task Force on Security. We don't see a line item for the cost of this in the budget. Can you tell us how much has been spent so far since 9-11 and how much more is expected to be spent? How long do you expect it to exist for, and are there some defined goals and an expected time line for achieving them? We've certainly felt the effects of the Solicitor General's efforts in the Assembly, but what is your ministry doing in that regard?

Then in terms of the international governance office we would like to know what deadlines there are for posting reports on trips abroad. We seem to have some problems in getting access to them.

So with those questions, Mr. Chairman, we would conclude our remarks and call for the question.

THE CHAIR: Are you ready for the question on the estimates of International and Intergovernmental Relations?

HON. MEMBERS: Agreed.

Agreed to:	
Operating Expense	\$6,084,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report the estimates of International and Intergovernmental Relations and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

International and Intergovernmental Relations: operating expense, \$6,084,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Private Bills**

Second Reading

Bill Pr. 1

**Synod of the Diocese of Edmonton
Amendment Act, 2002**

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. I move second reading of Bill Pr. 1, Synod of the Diocese of Edmonton Amendment Act, 2002.

Just before I continue, I want to explain what the Diocese of Edmonton is in terms of geography, because there was some question: is it the city of Edmonton? There are three dioceses in Alberta: the Calgary diocese, southern Alberta; the Edmonton diocese, which is central Alberta; and the Athabasca diocese in the north.

The bill has three parts in it. There will be a name change from the Church of England to the Anglican Church. The changes also will make the act gender-neutral. Finally, the trust funds of the Synod of the Diocese of Edmonton "shall be invested in accordance with sections 3 to 8 of the Trustee Act as amended from time to time."

Thank you, Mr. Speaker.

[Motion carried; Bill Pr. 1 read a second time]

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: The Committee of the Whole is called to order.

Bill 6

Student Financial Assistance Act

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this act?

[The clauses of Bill 6 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

head: **Private Bills**

Committee of the Whole

Bill Pr. 1

**Synod of the Diocese of Edmonton
Amendment Act, 2002**

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

[The clauses of Bill Pr. 1 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

9:30

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report Bill Pr. 1 and Bill 6.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: Bill 6, Bill Pr. 1.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Second Reading

Bill 24
Child Welfare Amendment Act, 2002 (No. 2)

[Adjourned debate April 17: Mr. Cardinal]

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to speak to Bill 24, the Child Welfare Amendment Act, 2002 (No. 2). It's rather a deceiving piece of legislation. It's rather brief. It amounts to only a few lines in substance, but I think the impact of the bill is very important, and the premises that the bill is built upon I think are very, very questionable.

I think the history of Bill 24 is worth recounting at this stage of the examination of the bill as we try to look at the principles that are important. The Child Welfare Act contains a provision that requires the filing of a case plan by the director of child welfare within 30 days of a guardianship order being granted by the court regarding a child. So the director of child welfare or the department is obligated to put forward a care plan, a plan that says: "We need a temporary guardianship order. This is what we intend to do in terms of returning the youngster to his or her family. This is how we're going to ensure that the youngster is safe and secure. These are the actions that we believe must be taken and that we're going to help expedite in terms of getting that youngster back to his or her home or placement." The plan outlines, as I said, the care of the child and the services that the family will draw upon during the time that the child is in the care of the director in the order.

Now, that provision aside, case plans were frequently not filed. They just were not filed. In November of 1999 the Provincial Court dismissed an application made by the director to review a temporary guardianship order where a case plan had not been filed and replace it with a permanent guardianship order. A later decision stated that rather than review the existing order, the director had to make a direct application for permanent guardianship without relying on the finding that a child was in need of protective services under the temporary guardianship order. So the act allows the director also to proceed with an application to keep children in care, but the onus would be higher: to prove the need for a permanent order where a case plan had not been filed. What the court said was that there are provisions in the act to gain permanent guardianship orders, but if you don't file a case plan with the TGO, the temporary order, then the bar is going to be higher for you when you try to make your case.

The decision to allow the direct applications to proceed was appealed by parents of two families that were in similar situations,

and the Court of Queen's Bench determined that the director could proceed with the applications for permanent orders as an alternative process that was permitted by the act. The parents again appealed, and that case was heard by the Court of Appeal on September 7, 2001, and the director argued that the problem had now been fixed and that the case plans were being filed. Again in March 2002 the Court of Appeal's reasons were released. The court dismissed the parents' appeal, noting that the director could proceed with applications for permanent guardianship orders using the alternative procedure that's available to the director. However, the court also stated that the failure to file a case plan within 30 days, as set out by the act, would result in those temporary guardianship orders affected being void.

What happened was that a whole number of cases – the number is approximately 600 – where care plans had not been filed were going to be made void by the courts. The director of child welfare applied on March 22, 2002, to the Court of Appeal to suspend the operation of that judgment. So the director went back to the court and said: this is going to make all of these orders invalid; we're going to have 600 children or youth where the orders have been nullified; will you please delay it? I think the delay they asked for was until the beginning of December of this year.

The application was heard on April 3, 2002, and counsel for the director argued that an additional nine months should be provided to comply with the legislation. In part this was requested because the director had identified approximately 600 existing temporary orders in which case plans had not been filed, as the law required. Counsels for the parents argued that the director had time since the initial decision in 1999 to ensure that they were complying with the law and filing case plans. In addition, the families that were affected by these orders would have no notice that the director had not complied with the law in dealing with their children, and the Court of Appeal reserved its decision.

It gets a little convoluted, Mr. Speaker. On April 15 of this year the government introduced the legislation that we have before us this evening to amend the provisions of the current Child Welfare Act. This act specifically states that failure to file a case plan no longer invalidates the temporary guardianship order in question. What they're attempting to do with this act is to retroactively take care of the 600 case plans that were not filed, as they should have been, in the court. Rather, such orders made before February 21, 2002, are deemed to be valid from the date they are granted regardless of the court's decision on the filing of a plan.

So it doesn't matter what the court says. By this act we're going to say that they have been filed or that it doesn't matter. Further, a director is deemed to have complied with the legislation if a case plan is filed before or within 30 days of the coming into force of the new provisions. This would apply to all orders granted before February 21, 2002. So really what it is is a bill that is to get the government off the hook, the department in particular, for not filing those care plans for the children.

9:40

This week, on April 23, the Alberta Court of Appeal rendered its decision on the application for additional time to comply with the legislation, and the application that the government sought was denied on the basis of questions regarding the authority of the court to suspend what was the court's interpretation of existing law. In the judgment the court stated, "There has been no explanation given as to why there has been such extended and extensive non-compliance with the Act." Further, the court noted that many families affected had no notice of the defect in the orders regarding their children and that the director had ample opportunity to correct the repeated failure to file plans as required. In closing, the court stated:

These are not circumstances in which the Court ought to facilitate ongoing non-compliance by the Director with requirements that were imposed on him by the Legislature in order to address specific concerns about the care of Alberta's children.

So the courts were anything but sympathetic to the director and to the Department of Children's Services.

If I can go back further, Mr. Speaker, the history of the child care plans arose out of a judgment – I believe it was in the mid-80s – by Cavanagh. I'm sorry; I don't know the details. It was a recommendation that arose and was adopted by the government. That recommendation was that with every temporary guardianship order there would be a care plan submitted to the court. At that time, it was seen as a remedy to a problem that existed. It's in legislation. It's part of the act. It's part of what the government agreed to. It seems quite incredible that we have reached this particular point and the plans have been treated in such a cavalier fashion by the department. One has to ask why. Why would the plans, which point to the direction and the kinds of remedies and the kinds of services that a child is going to receive while in temporary guardianship, be dismissed as nonessential? Why did it become practice – it must have become practice – not to routinely file them? Why did that happen?

There are other documents that try to give some of the reasons. One of the reasons put forward is that there are inadequate resources in the department, that with the many demands on the department and their personnel this piece of paperwork fell by the wayside, and that may be true. Nevertheless, it is a legal requirement and one that's been ignored. We don't have any assurance. For instance, if you look at the Children's Advocate report, where some of the children there, some of the youth there didn't even know that a plan existed for their cases, you wonder if there really were plans prepared for the children in question.

In sort of trying to bring it all together, Mr. Speaker, it's been a real, real failure by the department to follow the legislation, their own legislation, and then to come to the Legislature with this amendment, which in essence says: "Well, you know, let's just forget about it. We'll say that they all were filed or that it doesn't matter." I think it's too important for that to happen. It talks about how families can look to the government for assurance that the children that they take into their care are going to be dealt with.

For families it has to be very distressing, because of all people they would be interested in being part of or at least knowing the details of what was being planned by the department for their children. I think it's really an unfortunate set of events that brings us to what we have today. I'm not quite sure what the solution is, but I don't think the solution is Bill 24 and the kinds of amendments that are included in Bill 24. It seems almost incredible that it would be here.

It also, I think, is a piece of legislation that is wide open to challenge should it be passed by the Legislature. I would make a plea to the minister and to the department to take a look at the situation and review the legislation we have in front of us and to ascertain if there aren't alternate actions that could be taken that just don't nullify and walk away from the problem the way that Bill 24 does. I'm not sure how much more I could say about it.

There's a great deal of information, Mr. Speaker. There are a couple of court cases. In one case the department went in front of the courts and said: yes, we'll be in compliance, there will be care plans provided for all children, and they'll be filed with the courts. In the next case they come back and present an affidavit saying: well, no, we aren't in compliance, and we don't think we can be. I'm not sure of the wording of it but a reversal of what they had done in the first case. To say that it was mishandled I think is a real

understatement. One of the judge's comments was that there's no assurance even from the department that their plans will be filed in the future. They haven't even gone to that extent, that they're going to promise in the future that their plans will be filed. So it's a very unsatisfactory state of affairs.

There's got to be a better solution than Bill 24, and I would strongly, strongly urge the minister to rethink this before we get too much further along in the legislation and consideration of the kinds of things that are included in Bill 24, including retroactive legislation. We know that the government has little stomach for that kind of legislation, has had some experiences in the past, and they haven't all been positive. But more importantly I think the obligation is to put in place care plans that youngsters deserve and that were seen as a remedy for problems that plagued the system in the past.

I think with those comments, Mr. Speaker, I'll conclude. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. In reviewing Bill 24, one would have to certainly be concerned about children that are receiving temporary care. Now, there has been not only during this session but in past sessions as well considerable concern regarding the Child Welfare Act, and all that is noted in *Hansard* not only for members of this Assembly but for Albertans.

When one considers exactly what has happened here – and I believe the hon. Member for Edmonton-Mill Woods stated that there are over 600 files that may be affected by this. In light of what has gone on in the past, whether it's in Grande Prairie or whether it's the unfortunate case that occurred this past winter in Slave Lake and ended in disaster in Thunder Bay, this, for this hon. member, raises a lot of questions regarding the entire child welfare system. Why would the ministry loosen the requirements for directors who are taking guardianship of children, Mr. Speaker? Again, why is the government enabling directors to not simply bother filing a plan for the care of a child? This plan, I'm going to talk about that in a minute. The plan for the care of the child is quite important, and it's recognized as quite important. I just don't understand how these 600-plus files possibly could have been missed.

9:50

Now, why again has the ministry made this rule applicable only to the temporary guardianship orders made prior to the 21st of February? Is it because there were a number of temporary guardianship orders made before this date that do not fulfill the requirement? [interjection] Six hundred files. Perhaps there are a lot more. If the hon. Minister of Justice wants to participate in the debate this evening, I certainly would welcome his view on this issue.

Whenever we think that the government is permitting the late filing of plans of care for children – again there's this large number of files, as has been reported. When we look at this plan of care, we should consider the statement of – I believe it is a matter that was discussed in provincial court, and the judge in question would be Judge Franklin. Judge Franklin stated:

Guardians and children have a right to know that after the Temporary Guardianship Order is made, the Director has committed to the provision of services geared to the return of the child to the home. Guardians are entitled to have some input into the services which will be provided. Guardians may approach the subject differently before an application for temporary guardianship, than after one has been granted.

Now, to file a plan of care was determined to be substantive. In

what way would there be requirements of the act? With the Child Welfare Act there are many matters that have to be considered. Mr. Speaker, the family is described as

the basic unit of society and its well-being should be supported and preserved;

(b) the interests of a child should be recognized and protected;

(c) the family has the right to the least invasion of its privacy and interference with its freedoms that is compatible with its own interest, the interest of the individual family members and [of course] society.

Now, given that and given the fact that

the family is responsible for the care and supervision of its children and every child should have an opportunity to be a wanted and valued member of the family and, to that end

(i) if protective services are necessary to assist the family in providing for the care of a child, those services should be supplied to the family insofar as it is reasonably practicable to do so in order to support the family unit and to prevent the need to remove the child from the family.

These are very important.

However, Mr. Speaker, “any decision concerning the removal of a child from the child’s family should take into account”

(i) the benefits to the child of maintaining, wherever possible, the child’s . . . cultural, social, and religious heritage,

(ii) the benefits to the child of stability and continuity of care and relationships,

(iii) the risks to the child if the child remains with the family, is removed from the family or is returned to the family, and

(iv) the merits of allowing the child to remain with the family compared to the merits of removing the child from the family.

Now, if there is to be a TGO, a temporary guardianship order, the director may apply – and this is under section 29 – in the prescribed form for a temporary guardianship order. The criteria here: naturally “the child is in need of protective services” and “the survival, security or development of the child cannot be adequately protected” if the child remains with this guardian, but it cannot be anticipated that within a reasonable time the child may be returned to the custody of his or her guardian.

Now, when is the plan going to the written plan of care? Certainly written plans of care that are designed to assist children, whether this child in this case is temporarily in the system – this Assembly has dealt with this matter before. It is my interpretation that it was certainly in favour of providing plans of care, and it should be noted that

even the temporary removal of a child from a family is a severe invasion of rights which should be tempered by a plan showing how the state will care for the child and what the family must do to regain custody.

That cannot be emphasized enough, Mr. Speaker.

Now, it goes on to say:

A statutory caseplan, which is a court document, not merely an administrative document compiled by the child welfare authorities for their internal use only, is intended to ensure that there is an articulated caseplan in place and that everyone affected by it, including the child’s own guardians, and the children if of a sufficient age, is aware of its contents. It is to be filed with the court, which is in effect its publication to the limited audience, the court and the parties to the case, who are entitled to the record.

Here we are, and it has been summed up very well by the hon. Member for Edmonton-Mill Woods. It is viewed that the requirement for a plan is an important tool in advancing the purpose of the act. Now, why wasn’t this done? Certainly if there was no plan for care – and in this case it has to do with the temporary guardianship orders.

10:00

In conclusion, in light of this bill I again would have to express a

lot of doubt about the specific management of this department. Mr. Speaker, this bill, Bill 24, is trying to validate temporary guardianship orders made before February 21. Regardless of whether there’s one or whether there are 600 or 640 at February 21 of this year, even those that failed to include a plan for the care of a child, it’s unacceptable. It’s certainly been outlined in court decisions, regardless of the level of court and regardless of the age of the child that’s involved.

To look at this legislation, it is unfortunately a snapshot of our child welfare system in this province at this time, and I am astonished at this. I would encourage the hon. minister and members of this House to work diligently to try to improve that system, not only for the children but for the parents, for entire families, for the grandparents even, who have at many times expressed a great deal of frustration with this entire system. This act certainly does not provide this member with any confidence in that system, unfortunately.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I’m quite happy to be able to speak to Bill 24, the Child Welfare Amendment Act, 2002 (No. 2) this evening. However, I’m not quite so happy at the way this bill was presented to us by the minister and by other people in her department and with the subsequent feedback that we got from other parties when we went to check the bill out. It’s been the habit of this session particularly to move through bills at second reading particularly quickly and often at third reading if it looks like there’s nothing really substantive jumping out at us in the legislation.

At first glance this bill didn’t look like too much. It’s a one-page bill really. Our critic for Children’s Services and child welfare in particular, the Member for Edmonton-Mill Woods, was in contact with the minister about this particular bill. She went to some lengths to walk over here in the Assembly and speak to him about it, saying: don’t worry; don’t worry; it’s just a very small kind of bill, just changes the temporary guardianship orders; it’s no big deal; it’s housekeeping; we can just pass it through the Assembly quite quickly. We were quite prepared to do that and had made arrangements to do so. Then, lo and behold, we start to hear from family law lawyers who have been dealing with this issue for any number of years. They found out that the bill was coming up for debate and were quite concerned that it should get speedy passage through this Assembly, Mr. Speaker, for some of the reasons we have already heard from my hon. colleagues this evening. I certainly want to add my voice to their particular concerns.

We’ve seen in this session particularly that child welfare is a huge issue in this province. It would be our position that that department is not well run at this time, that it is quite likely underfunded, undermanaged, and that children are underrepresented, Mr. Speaker. This bill just takes us another step on that path in terms of the underrepresentation of children, particularly those children who need to be in care for whatever reasons.

I find that particularly offensive, that when this government decides to take responsibility for children – I think they do so weighing the considerable costs that are associated with taking a child into care. I’m not talking about financial cost in this regard; I’m talking about the impact on the child of those kinds of changes. It’s unfortunate that when they weigh all those costs and decide to go forward with taking children into care, they aren’t prepared to do the follow-up, and that’s what this bill specifically speaks to.

Even worse than that, Mr. Speaker, Bill 24 is an attempt by this

government to put itself above the law, and we see that specifically outlined in the bill on page 1. So in second reading, when we speak to the principle of the bill, I have to say that I am fundamentally opposed to the principle of this particular bill, which is to put itself above the law. Why do they do that? How do they do that? The government is introducing this bill because it has failed to ensure that its own laws are followed.

My colleague from Edmonton-Mill Woods led us through the historical chronology of what has happened on this bill and the inability for whatever reason – staff shortages, funding shortages, inability to complete the plans for care, inability to have the staff that are trained to put the plans in place, inability to recognize that those plans are necessary – for these children that are being taken into care to be able to maximize their potential down the road. Any or all of those reasons contribute to why we see this bill before us this evening, and I want the minister responsible for this to stand in this Assembly and explain why these duties have been neglected. I don't want to see a fast passage of this bill through this Assembly. I want her to stand here and tell us why these plans for care were not filed. Were not filed on how many cases, Mr. Speaker? Over 600 cases. Over 600 cases of children taken into care in this province where this government completely disregarded the law and refused to or could not or would not put plans for care into place, and that is an abysmal record.

We're talking about children who are fragile, children who have had huge negative impacts on their lives. Who do they turn to? The government. Who lets them down? The government. This is basically these children's last resort to get into a system that will help prepare them for the world and even allow them to grow up in a safe and friendly environment, and the government deliberately fails to follow through on a step that they not only committed to do but that they were ordered to do by the courts.

So, Mr. Speaker, what do we see them doing now? Trying to weasel their way out of that commitment. How does that happen when we see section 31(3) of the Child Welfare Act requiring that a plan for care be filed within 30 days after a child is put under temporary guardianship order? Then this plan sets out what services are to be provided for the child and also very importantly how the child is to be reunited with his or her family.

Now, for all of us who have worked with children who are in care for whatever reason, we know that what the child really wants is to be reunited with their family. What do we want as a society? For those children to be in a safe and loving environment that they can grow in. So how do you take these kids who have been taken away from their families, obviously for serious reasons, and take them through that transition phase and then reunite them with their families if you don't have a plan? That's exactly what the government has failed to provide. Even worse than failing to provide that in all of these cases, Mr. Speaker, what we're talking about is that they're now going to introduce a bill that says that they are above the law and they don't have to go back and file those plans. That is quite shocking, to see that that's happening.

What we saw on March 4 is the Court of Queen's Bench ruling that temporary guardianship orders for three children were rendered null and void due to the failure of the director of child welfare to file case plans. Three kids, no plans, even though they were directly ordered to do so. The director applied to suspend that judgment. Why? Why couldn't they just put the plans in place for these kids? What's the missing component in the department that they couldn't do that or wouldn't do it? That's a question we need to have answered before this bill can pass; that's for sure.

On April 3 the court heard the application. On April 23 the application was overturned, and the original decision to overturn the

temporary guardianship orders held. And good for the courts, to have done so.

10:10

So what do we see on today's date, Mr. Speaker? We see the introduction of a bill that will say: "Oh, well, that's all in the past and it doesn't matter anymore. We don't have to provide those plans. We get a clean slate, and we can just do what we want." This government knows that this particular ruling is just the tip of the iceberg in this case. That failure to file case plans has invalidated two temporary guardianship orders so far. There are potentially 600 additional children whose situations could cause the government legal embarrassment, and they should be embarrassed. Not only embarrassed; they should be ashamed of their behaviour in this regard, and we expect some accountability on this particular issue.

That's why we saw this bill introduced on April 15, and now today we see it up for debate the first time. Had we not got the heads-up on this issue very early this morning from lawyers in this city, it would have passed very quickly through this Assembly because we would've taken the minister's word for it that this was just a minor bill that didn't have any serious consequences. In fact, for those 600 children and for children in the future it has significant consequences, Mr. Speaker, significant consequences that could affect them for the rest of their lives.

If this is passed, this bill will legalize all temporary guardianship orders made before February 21 even if no case plan was filed. So this has the government trying to put themselves above the law and in fact above the very law that they put it.

If we take a look at what it says here, in section 2 the following is added after section 31:

Temporary guardianship orders valid

31.1(1) Despite any decision of any court, a temporary guardianship order for which a plan for the care of the child has not been filed in accordance with section 31(3) is deemed to be valid from the date the order was made.

This government has the nerve to say "despite any decision by any court." What gives them the right to put themselves above court decisions? I think that's a question that we need answered.

Then they also talk about late filing of plans.

31.2(1) Despite section 31(3), if a director files with the Court a plan for the care of a child before or within 30 days after the coming into force of this section, the director is deemed to have filed the plan in accordance with section 31(3).

In part (2) of that "subsection (1) applies only to plans filed in respect of temporary guardianship orders made before February 21, 2002."

So this is probably the most shameful bill I've seen in this Assembly, Mr. Speaker, and I expect the minister to explain to us why she thinks she can get away with this.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

Hon. Member for Edmonton-Highlands, you've been recognized. Do you wish to speak?

MR. MASON: Well, I was going to ask the hon. member some questions. Are we still doing that?

THE DEPUTY SPEAKER: Yes, we are, hon. member. We've had the two speakers; haven't we? Yes, Edmonton-Highlands, on the questions.

MR. MASON: I would like to ask the hon. member if she could

outline for us in a little bit more detail what the government ought to have done and what kinds of things the government should be doing in order to show that it is clearly accountable for its actions.

THE DEPUTY SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker. I am certainly happy to respond to that particular question. Clearly what the government should have done is kept with the letter of the law and filed the plans for the care of these children. What happens to these kids in the time that they have been taken out of the families and then how they get reintroduced and how in many cases, as is required, they are monitored for whatever time is required for them to be fully integrated in a safe manner is significant, Mr. Speaker. So that's what the government should have done for all of these 600 kids.

What they also have to do is ensure that there are plans for all of those kids right now. So all 600 outstanding, the ones that they went to court on to have the plans suspended, they all need to be put in place immediately, whatever resources it takes. This government is going to be facing a billion dollar surplus this year. Spend some money on kids, where they should be spending money.

THE DEPUTY SPEAKER: Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I would like to follow up and ask the hon. member another question. You know, the hon. member certainly knows how to play slow-pitch when it comes to question period, but I would like to ask the hon. member if she doesn't think that the government has actually broken the law. Shouldn't there be some consequences for the government breaking the law?

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you for that question. Certainly I do believe that the government has broken the law in this particular instance and that there should clearly be consequences, and I'm sure that that's going to be the subject of debate for some time.

It was interesting to see that the Minister of Human Resources and Employment said: let's give her another hammer so she can hit us over the head again. You know, if that's what it takes to get them to listen, then that's what we're going to have to do, Mr. Speaker. I would like him to also stand up and answer a question for us or make a comment now, if he would, because he's also allowed to do that during this question-and-answer period, and tell us if he's got it yet and if he will go to the minister and lobby for the proper resources to be put in place so that these plans can be put in place and so that these children, who are, as the minister would often say, the most fragile children in the province, are given some support from the government, which is where they expect to get that support.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'd like to ask the hon. Member for Edmonton-Ellerslie if she feels that there is a connection between the government not preparing or filing the care plans for the children and some of the very, very tragic circumstances that have transpired in this department.

MS CARLSON: Well, Mr. Speaker, I think that's a very interesting question. My gut reaction to that would be . . . [interjections] Well,

isn't that what I hear you guys say? Let it be recorded that there's a lot of laughter in the Assembly right now, Mr. Speaker. [interjection] I don't think I need more practice, because I'm quite prepared to answer the questions in an honest and open fashion, so while the minister of health would like to enter into this debate by heckling and not necessarily by legitimately responding to the bill, I am quite legitimately responding to the questions from my colleague.

Definitely, my gut reaction is that there could be some link, and certainly I would hope that inquiries into the recent deaths of children in this province would address that point. I don't know at this particular stage whether or not there were case plans that were supposed to have been filed for those children in care that have recently died, but I'm sure there were. [interjections] It really is appalling that the front bench is so amused at this particular exchange.

THE DEPUTY SPEAKER: We're out of time on the questions.

The hon. Member for Edmonton-Highlands now giving his speech.

MR. MASON: Thank you very much, Mr. Speaker. I appreciate that, and I'm very pleased to stand here and talk about Bill 24, such a short bill. It's so short, yet it is so full of irony and so full of pathos and so full of a lot of things.

Mr. Speaker, I want to concur with some of the hon. members who have spoken about this bill that it is in fact a retroactive attempt to make legal a serious omission on the part of the Department of Children's Services and the minister and the ministers that may have been involved before the current minister took that position. I think that it's a tragedy.

10:20

Before I continue on this bill, I want to indicate that I think that given the importance of this issue and many of the things that have happened, the tragic events that have happened around Children's Services in the last period of time – even in the time that this session of the Legislature has been sitting, there have been a number of cases and some real tragedies, and for every tragedy there must be dozens and dozens of cases that don't get that far but involve real long-term harm to the child.

So I'm concerned, as we're dealing with this bill and the opposition members have spoken one after another, that there hasn't been participation on this bill from the government side. I really wouldn't want to draw the wrong conclusion from that, Mr. Speaker, but some might draw the conclusion that the government would just like to expedite the bill in order to really quickly and tidily deal with a fairly serious problem, not just a problem of the government and its accountability but a problem that affects the most vulnerable members of our society.

So I would really hope that we would get some participation from the government side on this bill and that the question of the failure of the government to act in accordance with its own laws could be adequately explained not just to us in the opposition but to all members and to all citizens of Alberta. That's really something that I think is very consistent with the principle of ministerial accountability, which is a very, very important part of our democratic tradition, an essential part of our democratic tradition and one that I think we ignore at our peril.

Now, this act validates the temporary guardianship orders which were made before February 21, 2002, even those that failed to include a plan for the care of the child, and it validates the temporary guardianship orders for which the plan of care was filed too late. So I think that there are a number of things that the government should

respond to. For example, why would the government loosen the requirements for directors who are taking the guardianship of children? Why is the government enabling directors to not bother filing a plan for the care of the child? Why has the ministry made this rule applicable only to temporary guardianship orders made prior to February 21, 2002? Is it because there were a number of temporary guardianship orders made before this date that do not fulfill the requirement of having a plan for the care of the child?

Now, in 31.1(2) it says that subsection (1) applies only to plans filed in respect of "temporary guardianship orders made before February 21, 2002." Why is the government permitting the late filing of plans of care for children? Is it simply because a large number of these plans haven't yet been filed? If that's the case, this bill is simply covering up for work that hasn't been done either because child welfare workers are too busy to do it or because the ministry hasn't enforced its own policies.

Mr. Speaker, I think that the government owes the children in its care more than Bill 24. It owes them a fuller explanation of what's gone wrong, what the government plans to do about it, and it owes them the resources to provide adequately for their needs in order to prevent the kinds of tragedies that are becoming far, far too commonplace. One tragedy involving a child in government care is one too many, and I think that the quick and dirty response to this issue by this government through Bill 24, that's now before us, is not adequate. It's not an adequate response, and the people of Alberta deserve a better answer. In fact, the children of Alberta deserve a comprehensive solution to the problems that have plagued the department.

Bill 24 does not offer that, Mr. Speaker, so in all good conscience I cannot stand here in the house and support it, and I hope that other members opposite will have the courage and the conviction to do the same.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Speaker. Before we conclude debate on second reading of this bill, I think it is appropriate to respond to and address some of the issues that have been raised tonight by members opposite. It's not often in this House, I say – and obviously that's an opinion – that a bill is brought forward which affords the opposition an opportunity and a platform to criticize with some degree of value what's happening in government. The Child Welfare Amendment Act, 2002 (No. 2) is clearly an act which is being brought forward to correct a problem. That's clear on the face of it. We make no bones about it; there is a problem.

The problem is that in a recent court case it was determined in a situation where there was a temporary guardianship order under the Child Welfare Act, section 31, where there had been a temporary guardianship order and a plan not filed, as required under subsection (4), that that temporary guardianship order was null and void. As a result of that ruling, there are a number of cases in this province of children who have been apprehended under a temporary guardianship order in which the status of those children and the status of the orders and the renewals of the orders and the ongoing treatment plans and those sorts of situations are unclear at best.

In considering how to best deal with a very unfortunate circumstance where the practice for whatever reason has developed so that in a number of cases those orders were not filed within the 30-day time frame, for whatever reason we arrived at that stage – and I do anticipate that the minister will speak to that at some time during debate in third reading – we now are in a position where we have a number of situations where temporary guardianships have been

outstanding, and the problem exists as to what you do about it. You cannot necessarily go back and fix it just by filing a plan. Clearly that's not available to the child welfare authorities and the workers to fix that problem, but the problem does need to be fixed because there are children in need of care.

So in considering how to fix that, then, the next best thing is to go back and say: okay; there was a problem; that problem is going to be corrected. I heard a number of members opposite refer to: why February 21, 2002? Well, obviously, you're not going to say that forever going forward, the provisions of section 31 can be ignored and that those orders don't need to be filed. Obviously, those orders need to be filed. The treatment plans need to be filed. So it's absolutely essential to keep that section in there to make sure that the people who are dealing with this issue and with these children are doing it on an appropriate basis as we go forward, but we also have to deal with the problems that exist and fix those problems.

10:30

Many of the comments that have been made may well be valid in terms of a situation as to whether we should be in the position we're in or not, but the reality is that we're in the position. Those children do need to be in care, the orders do need to be valid, the ongoing program does need to be in place, and there do need to be programs filed, and in order to regularize this, we need to pass Bill 24. It's as simple as that. It may not be nice. It's been referred to as a quick fix; I don't think a quick fix is in order. But it's not simply a matter of going back and redoing all the things that were done in a number of cases over the past couple of years and saying that that will work, because it won't. You can't make perfect what hasn't happened in the past simply by doing that. So in considering what is the best way to deal with this existing problem, it's asking for this temporary fix, if you will, of the section to allow those situations to be regularized so that the children in care can continue to be dealt with in an appropriate and legal manner.

Many questions have been raised about the bill. It's a very short bill, but there's no subterfuge about what this bill is about. It's clear. It's in the public domain. There was a court case. The judge ruled that if you didn't meet with the sections of the act which provided for a treatment plan to be filed within 30 days, the temporary order was null and void, and that can't be fixed short of, in our estimation, correcting those at law that are outstanding and making sure that it doesn't happen again.

So Bill 24, while it's not the nicest piece of legislation that's come before the House and the reasons for it coming before the House are difficult, is necessary legislation, and I would ask the House to support it.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands to ask a question.

MR. MASON: Yes, please, Mr. Speaker. The minister in his comments talked about the reason for the bill, and he said that certain things had not happened that ought to have happened, to use his words, "for whatever reason." I think that one of the things we would like to know on this side is: what was the reason?

MR. HANCOCK: Well, that's not within my area of competence to detail for the hon. member. What I was trying to do tonight in debate – there were questions raised as to why the bill was coming forward and what the principles of the bill are – is that essentially I'm explaining that in terms of the principle of the bill it is to rectify a situation that can't in our estimation be rectified in any other manner. The reasons why the situation has to be rectified may well

be good questions for the minister, and I'm sure the hon. member will at the appropriate time ask the minister those questions.

We will have debate on this in Committee of the Whole. We'll have debate on this in third reading. But we're in second reading. We're talking about the principle of the bill. I've been responding to issues that have been raised in debate with respect to why the bill is being brought forward, and it's very clear on the face of it. There's no subterfuge. None of the accusations that have been made about what's being hidden in this bill are in fact a reality. There's nothing being hidden in the bill. It's plain on the face of it. There's a problem that needs to be corrected. This is the best way to correct it, and it's a temporary thing with the time limitation of February 21, 2002, so as we go forward, this type of correction hopefully will not be needed.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you. I appreciate the minister's attempts to explain what had happened, but I don't think it suffices. I'd like to know from the minister what other solutions were considered and rejected and why. I think the question "Why did it happen?" is really an important question, and we need that explanation from the department. For my part I'd like to know what those other solutions were, and I still have the feeling that there must be a better way than the bill that we have before us. I realize that the minister can't answer for the Minister of Children's Services, and I'll await the opportunity for her to respond.

MR. HANCOCK: Well, I think the hon. member asks some important questions about what the other options were. I will just say very briefly that the options have been reviewed, and if there were ways that could be followed prudently and reasonably to put back in place the temporary guardianship orders and to deal with these on an ongoing manner short of bringing forward legislation, I can assure you that would have been my recommendation. But having reviewed the legalities of the matter, we could not be certain that any other way of fixing the problem would in fact fix the problem, would not be subject to additional challenge, and that's not in the best interests of the children being served. For whatever reason this problem exists, the resources that are available are best served going directly to the children, not dealing with court actions to try and fix the problems or try and determine whether the fix is an appropriate fix. So having examined the options, it makes sense to recognize that there was a problem, to fix the problem at law, and to move forward and make sure it doesn't happen again.

THE DEPUTY SPEAKER: I think, hon. members, that's the end of the questions. Oh, that's the end of his. All right, then. I've got two people. Edmonton-Ellerslie, followed by Edmonton-Highlands.

MS CARLSON: Mr. Minister, will you postpone the vote at second reading until we get some answers from the minister on the outstanding questions?

MR. HANCOCK: No, Mr. Speaker. There are lots of questions and

time for questions and answers in Committee of the Whole and a good opportunity for back-and-forth in Committee of the Whole and going over the detail of the bill. I think that the House will be afforded the time to do that, and those are appropriate questions to be asked.

I might note that many of the answers are already in the comments on second reading in the opening debate, where it was clearly set out that what happened was that over a time the formality of filing the plan in many cases was not followed even though there may have been plans in place. There was a practice built up, rightly or wrongly – and the court has determined that it's wrongly – and it needs to be fixed. We acknowledge that. So this bill will fix the practice from the past that is now determined to be inappropriate and make sure, going forward, that we deal with it appropriately.

THE DEPUTY SPEAKER: The hon. Minister of Sustainable Resource Development to close debate?

[The voice vote indicated that the motion for second reading carried]

[Several members rose calling for a division. The division bell was rung at 10:38 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Graham	Mar
Calahasen	Graydon	Marz
Cao	Hancock	Maskell
Cardinal	Hlady	McClellan
Danyluk	Horner	Melchin
DeLong	Jablonski	Oberg
Doerksen	Jacobs	Pham
Ducharme	Knight	Smith
Dunford	Kryczka	Strang
Fritz	Lougheed	Yankowsky
Goudreau	Magnus	Zwozdesky

10:50

Against the motion:

Carlson	Mason	Massey
MacDonald		

Totals:	For – 33	Against – 4
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[Motion carried; Bill 24 read a second time]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:52 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, April 25, 2002**

1:30 p.m.

Date: 02/04/25

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. On this day let each of us pray in our own way for the innocent victims of violence. Life is precious. When it is lost, all of us are impacted. In a moment of silent contemplation may we now allow our thoughts to remember those taken before their time, those who have suffered through tragedies, and reach out to the families, friends, neighbours, and communities most immediately impacted. May God provide them eternal peace. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. Today I'm pleased to introduce to you and through you to the members of the Assembly a guest sitting in the Speaker's gallery. She's Mrs. Sharon Shewchuk, who is residing in the constituency of Clover Bar-Fort Saskatchewan near Sherwood Park. Mrs. Shewchuk is the mother of Brent Shewchuk, our own head page here in the Legislature. I'd ask Mrs. Shewchuk to rise and receive the traditional welcome of the Assembly.

head: **Introduction of Guests**

MR. JONSON: Mr. Speaker, this afternoon I'm pleased to present two sets of introductions. First of all, I'm pleased to introduce to you and through you to members of the Assembly seven hardworking staff members from International and Intergovernmental Relations. They are here today taking part in one of the legislative tours for public service staff. They are Laurel Swayze, Kerrie Henson, Candice Thibault, Cynthia Tait, Helen Stiles, Rose Smallman, and Ian McMillan. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

Secondly, Mr. Speaker, I would like to welcome to the Assembly 28 students from New Norway school, located in my constituency in the fine village of New Norway. They are led by their teacher, Mr. Martinson, and accompanied by Mr. Kruse, Mrs. Mowat, Mrs. Jans, and Mrs. Captain. I would ask that they please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly Michael Debolt. Michael is from Lethbridge. He is a University of Lethbridge student and is joining us here in Edmonton for summer employment. I would like you to welcome Michael Debolt. Mike, could you stand. Thank you very much.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. It is a pleasure and an honour for me to introduce to you and through you

to members of this Assembly two very important women in my life. Visiting today is my aunt Mary Hendren of Kelowna, B.C., who is accompanied by my daughter Robyn Danyluk. My Aunt Mary is hopeful that her presence in the gallery this afternoon will ensure that I uphold the honour of the family name, and also in this spirit I am proud to announce that this morning Robyn finished her final exam of the year in her second degree for education. If I could ask them to stand, please.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's an honour today to rise and introduce to you and through you to members of the Assembly a group of about 50 young students. Quite differently than most, these are from all over Alberta and are taking their education through the School of Hope, which is located in Vermilion. In fact, three of the members are from the Speaker's riding, and other students are from Red Deer, Calgary, Edmonton, and Turner Valley. This enthusiastic group today is accompanied by their teachers, Ms Carla Hanf and Ms Lucia Fredette, and some helpers: Mrs. Charlotte Burns, Mr. Dele Ajele, and Mrs. Uta Wanke. I apologize completely if I've got those names screwed up. I will ask them to rise now and please accept the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. It's a great pleasure today to introduce to you and through you to the Assembly 26 great young students from Gerard Redmond school in Hinton. They are grade 5 students, and today with them they have their teacher and a group leader, Miss Dawson and Mrs. Pysar, and parents and helpers. They've got Mr. Carby, Mr. Bertwistle, Mr. Lougheed, Mrs. Handlon, Mrs. Dallaire, Mrs. Read, Mrs. Mills, and Mrs. McRorie. I'd ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. It's with pleasure that I rise today to introduce to you seven members of my constituency. What makes these visitors special today is that they're all members of my Sunday school class. I'd like to introduce Nathan Oehring, Spencer Smith, my son Brent Ady, Jon Crosson, Amy Sefcik, and Stephanie Forbes, and the brave woman who brought them, Vickie Oehring. I'd like them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you very much, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to the House the president of the Injured Workers Coalition Society, Mr. Ralph Teed. Mr. Teed is seated in the public gallery. Mr. Teed and the Injured Workers Coalition are indeed valuable advocates for injured workers. They stand up for and offer assistance and support to injured workers and their families wherever they can. I would ask Mr. Teed to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. It's my privilege to introduce to you and through you to the members of the Assembly three guests: Erich Schmidt, Peter Doering, and Jeannette

Semeniuk. These three hardworking individuals were injured at work. Erich Schmidt was injured in the early 1980s. He suffers from serious physical and mental impact of the accident and ongoing severe pain. Peter Doering also had an accident at work in the early 1980s. It took the Workers' Compensation Board over a year and a half to determine that his employer had no WCB coverage. He's now 74 years old and needs a shoulder replacement as a result of his injury. Jeannette Semeniuk also had an accident in 1998, and her claim has also been denied. These workers are examples of some hundreds of injured workers in Alberta who are still waiting to receive justice, compensation, and support to lead a dignified life. These guests are seated in the members' gallery, and now I would ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: Hon. members, shortly I'm going to call on the hon. Minister of Human Resources and Employment to participate in Ministerial Statements. Under our rules once the representative of Executive Council gives his ministerial statement, there's an opportunity for the representative of the second party in the House to also make a statement. Today I received a request – and I gather it's been discussed on an intercaucus basis – from the leader of the third party to make a brief statement as well. This will require unanimous consent of the House, so I'll ask one question. Is there any member in the Assembly opposed to the request being asked by the leader of the third party to participate? If so, please say no.

[Unanimous consent granted]

1:40

head: **Ministerial Statements**

National Day of Mourning

MR. DUNFORD: Mr. Speaker, Sunday, the 28th day of April, is our National Day of Mourning for Canadian workers who have been killed or injured on the job. We honour those victims by remembering them and by renewing our commitment to safer workplaces.

Workplace fatalities and injuries in Alberta happen in disproportionate numbers to inexperienced and young workers. Half of our workplace injuries are for workers in their first year on the job, and 60 percent of workers under the age of 25 are hurt in their first six months on the job. On our National Day of Mourning we need to think about protecting the young working Albertans who truly are the future of this province. We need to think about the human cost of workplace fatalities: the mothers, fathers, wives, husbands, and children that are left behind. This will always remind us that all incidents are preventable and all incidents unacceptable.

Last year in Alberta 118 workers died on the job. Ceremonies honouring our fallen workers will be held in communities across the province. I would ask that all members of the Assembly reflect on our losses and remember that one workplace fatality is one too many. We can never be satisfied until we know that we have done everything we can to bring Alberta workers home to their families safely.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. On average one Canadian worker out of 13 is injured at work. On average one Alberta worker out of 11 is injured at work. Furthermore, almost every week in Alberta there is a case of work site trauma resulting in a fatality. Those are Albertans, very often young or inexperienced workers, who die as a direct result of their work activity.

The hon. minister has taken steps to address this, and I would like to commend him at this time for those steps. He initiated a \$300,000

multimedia campaign to raise awareness of safety issues on Alberta work sites. He has also indicated that his department will more vigorously pursue safety violations in the courts. That sends a powerful signal to Alberta employers to ensure that they keep to the standards established in our province. These are steps that again I would like to congratulate and commend the minister on.

However, as the minister has acknowledged, we cannot rest until we have done everything we can to avoid workplace tragedies. I would encourage the minister to focus even more attention on his 1-800 call centre concept, which explains to Alberta workers our occupational health and safety law and its regulations. This is a good idea, but I believe it suffers from bad marketing. On a visit I made recently to a work site, nobody there had ever heard of the 1-800 call centre. I would ask the minister to initiate a new awareness campaign for this, perhaps a sticker campaign. The information about the call centre should be part of safety training for all workers and a mandatory topic at on-the-job safety meetings.

So many of these workplace tragedies, Mr. Speaker, are preventable. We must all work together to reduce the tragedies and stem the horrifying trend of more and more younger workers being injured or maimed or killed. On the National Day of Mourning I join on behalf of my caucus colleagues all those families who have been affected in remembering those who have been killed or injured on the job.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. On Sunday, April 28, citizens of over a hundred countries around the world will stand in solidarity with and pay tribute to those injured or killed doing their jobs. April 28 was chosen as the day of remembrance because it was on this day in 1914 in Ontario that the first comprehensive Workmen's Compensation Act received third reading. As well, in February 1991 an act respecting a day of mourning for persons killed or injured in the workplace, that called upon the Parliament of Canada to officially recognize April 28 as a day of mourning, received royal assent. This bill was put forward by NDP Member of Parliament Rod Murphy.

Workplace safety remains an important issue, Mr. Speaker. According to the International Confederation of Free Trade Unions more than 500 workers are killed at work every day around the world. In Canada two workers are killed every day. These are men and women who leave their homes each day to go to their places of employment expecting to return at the end of the day safe and sound. They give to society their talents, their skills, their sweat, and deserve in return not only an appreciation for their labours but a work site that respects them as workers by providing a danger-free work site. Our focus must remain on prevention and on making certain that our workplaces are healthy and safe, free from risk of injury, disease, and death.

Thank you, Mr. Speaker.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Case Plans for Children in Care

DR. NICOL: Thank you, Mr. Speaker. Case plans are vital to children who are in the government's temporary care. Case plans require that child welfare workers conduct parenting assessments. If the child remains in the home, they require a description of the service to be provided in-home. They require that the family knows

how often they can visit their child, and they require that the family know what is expected of them in order for them to regain custody of their child. My questions are to the Minister of Children's Services. Am I interpreting the Child Welfare Act correctly by saying that the government considers it imperative for parents and social workers to have a description of the services to be provided in support of their children in care?

MS EVANS: That's correct.

DR. NICOL: Am I interpreting the Child Welfare Act correctly by saying that the government considers it imperative that families are told what they need to do to regain custody of their children?

MS EVANS: Mr. Speaker, I want to approach this answer this way. In the very first instance, when we apprehend a child and bring it into care, we do so because the child is at great risk. The child is at risk from its current provider, be they parent or guardian. We bring in those children, and we go to the courts and apply for temporary guardianship. We have in all cases got care plans prepared for the services that are rendered to the child. Sometimes those care plans are amended. In the case that has prompted us coming forward and asking for Bill 24 to be provided and passed by this House, it is imperative, given the very recent decision that rejected the appeal from our department to give us a longer stay on the validation of those orders, that for the child's protection we continue to have an uninterrupted opportunity to provide care for those children.

Today, Mr. Speaker, in light of a number of concerns that have been raised as well as concerns that I have held, the deputy has contacted the directors in every authority where there has been some question of validation and has requested the director to do two things: to look first of all at those cases which have been not consented to by the parent or guardian and look at emergency response for reapprehension and to inform all parents that this legislation is before this House, because we still have a concern for the care and protection of those children.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: does Bill 24 not allow the government to skip its responsibility for providing case plans for those hundreds of children that the court was talking about?

MS EVANS: No, it doesn't, Mr. Speaker. We do have those care plans. We were not able after March 4 to file those retroactively. This piece of legislation and the commitment I provide to this House is to provide us an opportunity to validate those temporary guardianship orders, to submit those care plans, and to make sure that the child's right to be protected and the child's safety are assured and that we follow through on that behalf. Heretofore, current plans and current status of temporary guardianship, all care plans, will be filed, must be filed, and that's very clear to every member of our department.

1:50

THE SPEAKER: Hon. members, the purpose of question period is not to debate legislation where time is otherwise provided for.

Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Is the retroactive provision of Bill 24 to compensate for the lack of staff and resources required

to prepare case plans for the hundreds of children for whom the case plans were not potentially filed?

MS EVANS: Mr. Speaker, in light of your previous comments, do you wish me to engage in this discussion?

Speaker's Ruling Anticipation

THE SPEAKER: Hon. members, Bill 24, to my understanding, was on the agenda last evening. It was debated last evening. I understand, as well, that it passed second reading last evening. It's now into Committee of the Whole. It's on the Order Paper or will eventually come there. Opportunity is afforded at another time of the day in the Routine and the agenda for the debate of bills.

Please proceed, hon. leader.

Case Plans for Children in Care (continued)

DR. NICOL: Mr. Speaker, can the minister please explain why it is important to include the retroactive provision in Bill 24?

THE SPEAKER: Briefly, hon. minister, if you would.

MS EVANS: Mr. Speaker, it is important because we believe that the children in care must be protected. Where it's necessary for us to issue yet another order to emergency apprehend children so that we can absolutely guarantee their protection, we will do so.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Is it the purpose of Bill 24 to allow the government to justify its failure to comply with the Child Welfare Act for these hundreds of cases?

MS EVANS: You know, Mr. Speaker, may I assure the hon. member opposite that I am as concerned about this bill and about the circumstances as he is. I give you my word: I am following up on it. I promise.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Day Care Policy

DR. MASSEY: Thank you, Mr. Speaker. Parents upset about children allegedly abused and neglected in a St. Albert day home have looked to the Minister of Children's Services for help. The minister has walked away from them, responding yesterday, "We have to make it clear and communicate buyer beware when [parents] go to day cares." My questions are to the Minister of Children's Services. Why has the minister walked away from these parents, treating concerns about their children no more than those of a used car purchase gone bad?

MS EVANS: Mr. Speaker, I am fascinated by the hon. member's opportunity to extrapolate one sentence from responses I gave in this House yesterday indicating that I am absolutely concerned. The hon. Member for Calgary-Buffalo has met to look at legislation, to look at ways that we can toughen up legislation. I was concerned when I responded yesterday for several reasons, not only because of the safety of the children but because somehow we have to find ways to assure that parents understand. That was part of the intent of putting subsidies to parents that are taking their children to day care,

that we were not any longer going to provide operational subsidies to day cares themselves because we felt that it was imperative for parents to go out and thoroughly explore those issues.

Now, Mr. Speaker, I know that somebody contacted my office yesterday and gave grave concern that I was feeling that they had not done their due diligence. I did not say that. I think many of those parents were successfully hoodwinked by somebody who had obviously broken the law in a very unfortunate manner and in a way that we have had very great difficulty in following up, but we will certainly follow up on that. I did not resolve to abdicate any responsibility. In fact, we're looking not only at the legislative review process for changing and toughening it up, but we've spoken to licensing officers, the child welfare director, about ways and means that we can make sure that we spot-check what parents report in a fashion that does not allow them to skip out, if you will, or to make another arrangement so that it looks like they're doing well.

Right back to the very first, Mr. Speaker, it is always the parent's responsibility. I would never have given up responsibility for my child to do anything.

THE SPEAKER: The hon. member. [some applause]

DR. MASSEY: Thank you, Mr. Speaker. I appreciate that welcome of my question by my colleagues.

My question is to the Minister of Children's Services. Doesn't the government have an obligation to protect all children in the province, even those in day homes?

MS EVANS: Well, Mr. Speaker, the first obligation to protect children, I would suggest, is with the mother and the father. That's the first obligation. Where other protection, where other services are provided, yes, it is this government's duty and responsibility. We undertake that with social workers, with day care providers, and with people as well as we can. We're not perfect, but we're doing our best. But, please, let's remember: it is primarily the parents.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the same minister: why are children in day cares protected in legislation while those in day homes are not?

MS EVANS: Well, Mr. Speaker, while we have rules and regulations that apply to day homes, we may well look at enshrining those further in our Child Welfare Act, but I can assure you that the families that are supported in day homes have every bit the due diligence responsibilities afforded first of all to the licensing officers and to the people that go forward and authorize or validate day homes. In this particular situation I think it should not be used or extrapolated to be a generalized attitude about day homes in this province. Many day homes are providing wonderful care for children.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-McCall.

Health Resource Centre

DR. PANNU: Thank you, Mr. Speaker. Yesterday in the House the Minister of Health and Wellness continued to dodge questions about the HRC's application to bring American-style health care to Canada. The minister claimed that the application wasn't secret at all, that it was on the web site. My staff checked the HRC web site,

the ministry's web site, the government web site, and did full Internet searches, but no such public disclosure exists, and we found nothing. After repeated calls to the minister's office his staff informed us that the minister had indeed misinformed the House. My question to the minister: rather than continuing to dodge questions about letting the American-style health care system creep into Alberta through the back door, will the minister agree to release this application today rather than avoid his responsibility to be accountable to the House?

MR. MAR: Mr. Speaker, I take exception to the characterization that I have not been accountable to this House, and I wish to read back my exact answer, taken in complete context, in response to the hon. member's question from yesterday in the Legislature: "Mr. Speaker, I'm advised that HRC . . . has placed its application on the web site." I was advised of that. That may be erroneous, but there was no intent at all to mislead the House, and I wish him to withdraw such a characterization.

Mr. Speaker, I was advised that it was placed on the web site. It would have made sense since HRC itself had a press conference where they in fact were handing out copies of their application that they had submitted to the Department of Health and Wellness for consideration. I think that the hon. member knows that. I will undertake to contact HRC and suggest to them that they do place such application on the web site. They apparently have no disagreement with doing so, having released it through a press release, so I'm certain that they'll do that. I will advise them that that would be my suggestion to them. Perhaps that might satisfy the hon. Member for Edmonton-Strathcona.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. It is the minister's responsibility to check the correctness or accuracy of his advice, not mine.

Will the minister at least commit to seeking a legal opinion on whether or not this application will trigger NAFTA challenges, forcing Alberta to open the door to all American health corporations and HMOs? If not, why not, Minister?

2:00

MR. MAR: Mr. Speaker, that's not part of our agenda. Our agenda is about a publicly funded health care system that has outstanding services, is affordable, is sustainable, and has great access. That is our agenda. I don't have any such intention to seek such legal opinion. We are moving forward on the agenda that we've put forth, as set out in the response tabled by this government to the recommendations set out by the Premier's Advisory Council on Health. It's an outstanding document, and it has been downloaded tens of thousands of times since its release. I think that Albertans understand what our agenda is, and they will not be persuaded by the hon. member who suggests some other sort of agenda.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. What does it say about the future of Alberta's health care system when the minister in charge and his first decision on a private facility leave us open to a NAFTA challenge and an all-out American-style health care system?

MR. MAR: Well, Mr. Speaker, the purpose of question period, as you have stated on a number of occasions, is not to elicit legal opinions. Of course, nobody is asking the hon. member for his legal opinion either.

THE SPEAKER: The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Riverview.

Temporary Guardianship Orders

MR. SHARIFF: Thank you, Mr. Speaker. Under the Child Welfare Act a director makes an application in court for a temporary guardianship order

if, in the opinion of the director,

- (a) the child is in need of protective services, and
- (b) the survival, security or development of the child . . .

are endangered by leaving the child in the care of the guardian. Given the recent ruling of the Court of Appeal that invalidates over 600 temporary guardianship orders across Alberta, my question is to the Minister of Children's Services, who is ultimately responsible for those 600 children. What is the minister doing to ensure the safety of these children with the cancellation of the temporary guardianship orders?

MS EVANS: Mr. Speaker, on April 25, when our stay application was invalidated, as I've explained already in the House this afternoon, we are going forward to each one of those directors, following through with the parents, following through on those that were most contested. We are making sure that those children are looked after, and if we feel that any children are imperiled because of somebody wishing to gain again their right to guardianship of those children, we will be acting immediately with an emergency apprehension order. They are currently still being provided in most cases due care and attention. In some circumstances we may well find that they have already been returned to their parent or guardian, but in all cases we will be assuring both the parents and Albertans of their safety.

MR. SHARIFF: Mr. Speaker, if in the minister's findings the concern is towards adequate resources being provided to child welfare workers to meet their work requirements, will the minister assure us that those resources will be made available to the child welfare workers so that they can follow the Child Welfare Act as it is today?

MS EVANS: Yes, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Drayton Valley-Calmar.

Health Care Facilities

DR. TAFT: Thank you, Mr. Speaker. Yesterday the Premier thought that the question we asked him, whether a hospital without an emergency ward is still a hospital, was "an interesting question." Well, that's kind of an interesting answer, because government legislation, namely Bill 11, also known as the Health Care Protection Act, indicates that a hospital without an emergency ward is in fact no longer a hospital. So let's give the government a chance to clear this up. My questions are to the Minister of Health and Wellness. Given that facilities like the one in Grimshaw provide acute care, intensive care, surgery, palliative care, and a number of other procedures, would it still be considered a hospital when its emergency room is closed?

MR. MAR: Mr. Speaker, it's not clear to me how this particular question is relevant. The real relevant question is: what services are required for a particular community? The Premier commented yesterday in the House that the proximity of Grimshaw to a brand-

new facility in Peace River is quite close. So the real issue is not what we call something. The real issue is about: what services does it provide that are required by the community?

Mr. Speaker, regional health authorities, I need not remind the hon. member, are elected to do exactly that. They are elected to determine what services are required by a particular group of people within the area that they service. I'm certain that the people from the regional health authority that have responsibility for the people that live in and around the area of Grimshaw will certainly take into account the real needs of that particular community and will govern themselves accordingly by delivering the kinds of services out of Grimshaw or out of the Peace River regional hospital in a manner that is most appropriate.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Actually, words do matter, and definitions do matter.

Can the minister confirm that according to government policy, closing the emergency room at a large city hospital, say, like the Royal Alex or the Rockyview would also mean that those facilities would no longer be considered hospitals?

MR. MAR: Perhaps the hon. member knows something about the closure of an emergency room at the Royal Alex that I'm not aware of. If he does, he should share it.

MS BLAKEMAN: He's not answering the question.

DR. TAFT: He's not answering the question; is he? Well, let's try again.

Will the minister simply, then, admit that according to common sense, there is no real distinction between a for-profit, private hospital and a nonhospital surgical facility?

AN HON. MEMBER: What do you know about common sense?

MR. MAR: Well, I certainly haven't heard any yet, Mr. Speaker.

You know, what is set out in the Health Care Protection Act, Bill 11, is not about hospitals. It is about private surgical facilities. Any characterization that this member makes that they are hospitals is an incorrect characterization. The College of Physicians and Surgeons has a process by which facilities are accredited. Those facilities are accredited to provide for minor surgical procedures to be done. Major surgeries, as defined not by government but as defined by the College of Physicians and Surgeons, can only be done in public hospitals. So this characterization that the facilities laid out in the Health Care Protection Act are somehow hospitals is incorrect.

Speaker's Ruling

Oral Question Period Rules

THE SPEAKER: The chair would like to advise the hon. member for Edmonton-Riverview that he agrees entirely with the hon. member's supposition that words are important and thence would like to draw to the attention of not only this hon. member but others *Beauchesne* 409(3).

The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations.

The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Ellerslie.

Commercial Fisheries

REV. ABBOTT: Thank you, Mr. Speaker. Alberta's fish are a valuable and very popular natural resource. Recreational fishing contributes approximately \$350 million to the provincial economy each year, and commercial fishing adds about \$5 million annually. Recently Alberta Sustainable Resource Development announced a strategy regarding commercial fishing. My first question is to the Minister of Sustainable Resource Development. What led to your ministry's decision to reduce commercial fishing operations in our province?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a very good question. Part of the overall plan to rationalize both the sportfishing industry and also the commercial fishing industry is basically at the request of the Commercial Fishermen's Association of Alberta and also the Alberta Fish and Game Association and other sportfishing organizations. There are over 300,000 sport fishermen out there and also over 800 commercial fishermen competing for the quality of fish and quantity of fish we have out there. We only have over a thousand lakes that are fish-bearing lakes. Therefore, it is necessary for us to look at how we are going to rationalize the industry. You know, there's also a lot of pressure because of the population growth in Alberta. In fact, Alberta actually has the third highest fishing pressure in Canada. Therefore, we needed to move on a plan to rationalize both the sportfishing and the commercial fishing industries.

2:10

REV. ABBOTT: Mr. Speaker, my next question is to the same minister. How will reducing the number of commercial fishing operators benefit Alberta's fisheries?

MR. CARDINAL: Well, generally, like I said earlier, what we have out there is over 300,000 sport fishermen with an industry of about \$350 million or so, and we also have 800 commercial fishermen, about a \$5 million industry annually. What we are targeting, Mr. Speaker, at the request of the commercial fisheries and the sports fisheries, is reducing the 800 active commercial fishermen to about 200 and reducing the yardage from about 37,100 yard nets to about 18,100 yard nets so that the industry will be sustainable. At this time the commercial fishing industry is so large for the amount of fish we have in our lakes that it is not totally economically viable and very hard to manage. What this process will do is reduce it to a management level, at the same time making that commercial fisheries industry more economically viable and manageable, which in turn will have a positive impact on the sportfishing industry.

REV. ABBOTT: Mr. Speaker, my final question is also to the same minister. Given that many of my constituents don't want to give up their licences or feel that the compensation is not adequate, what can those who don't wish to give up their licences do to keep them? Will there be some kind of an appeal process?

MR. CARDINAL: Yes, Mr. Speaker, as part of the overall reduction you will see some changes in the licensing. For an example, there will be some increases in licences and a reduction in fact in a number of the commercial licences. What we are doing is not trying to negatively impact the commercial fishing industry, especially the smaller operators. What we want to do is ensure that we have processes in place to deal with any hardship we may create to the industry. Therefore, we are also establishing a hardship committee

or an appeal panel that will review each case by case to ensure that we don't hurt that industry.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Calder.

Forest Industry

MS CARLSON: Thank you, Mr. Speaker. In October 1999 the government proudly announced two new forestry projects by Ainsworth and ABCOR. What hasn't been so proudly announced is that recently both of these projects were put on hold. It has been almost three years since the original request for proposals, and it could be another two years until we see any further actions. My questions are to the Minister of Sustainable Resource Development. Given that information from your department confirms that there are not enough trees to keep existing mills working at capacity, why are you still allowing these new projects to proceed?

MR. CARDINAL: Mr. Speaker, there are enough trees to sustain our forest industry in Alberta. The forest industry is a very, very important industry. It employs over 54,000 employees directly and indirectly, and no doubt a lot of the member's constituents also work in that industry. It's an \$8 billion industry and very, very active. We have a policy in place that we will not harvest more than we can grow out in the forest. Therefore, to say that the industry is not sustainable, that is not true. The industry is sustainable and very active.

Now, as we move forward in calling for new projects like the hon. member mentioned, what we have to keep in mind, Mr. Speaker, are the markets out there. They have to be economically viable when we move forward, and we have to have some flexibility so that when companies have difficulty, say, in arranging financing or markets, we co-ordinate our adjustments to the approval processes as required, because it is definitely necessary.

MS CARLSON: Well, Mr. Speaker, then is the minister saying that the information from his department that confirms that there are not enough trees to keep existing mills working at capacity is inaccurate?

MR. CARDINAL: No, Mr. Speaker. There are enough. In fact, we just completed an inventory of all the mill capacities in Alberta and what the mills require in order to operate economically. We've also done a complete review of the available stock of our resources, and the stock of resources is considerably higher than what the capacity of our existing mills is. Therefore, we are moving forward with a process to look at how we may best allocate those resources to existing operators, and that's going to take a bit of time.

MS CARLSON: Mr. Speaker, since it's been almost three years since the original review of these projects was done and then only the economics of the proposals were considered, will the minister review the environmental impact of these projects on our province?

MR. CARDINAL: Mr. Speaker, we have the NRCB in place. In fact, with any of the larger projects that do make an application, if there is a requirement for an environmental impact assessment study on any project, then they are done. In some cases the projects don't require that. Projects sometimes are straightforward and smaller and create, you know, less pollution, and they will go without an environmental impact assessment.

THE SPEAKER: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Gold Bar.

Canadian MDF

MR. RATHGEBER: Mr. Speaker, residents in the Edmonton-Calder constituency are quite concerned about a proposal that is being advanced by a company in the constituency. I understand that this company, Canadian MDF, has applied to Alberta Environment for approval to generate electricity, while I understand that they are primarily in the business of manufacturing moldings and not electricity. Accordingly, my question is to the Minister of Environment. What exactly is Canadian MDF applying for?

DR. TAYLOR: Well, Mr. Speaker, the hon. member is correct. Canadian MDF does in fact manufacture architectural moldings, but as a by-product of this there is a lot of sawdust, which they have typically trucked off-site. They have now put in an approval application to the department to produce electricity from this sawdust rather than trucking it off-site, so they're going to recycle the sawdust. They've put in an application for a 1.2 megawatt plant. This plant would produce more than their needs, and then they would be able to sell the rest of it into the grid. That's a direct result of electrical deregulation.

MR. RATHGEBER: Supplementary, Mr. Speaker. Does this mean that Canadian MDF would be classified as a power plant if in fact approval were to be granted?

DR. TAYLOR: Any power project that produces more than one megawatt in our regulations will qualify as a power plant. With Canadian MDF, then, that part of their business, the power plant business, would be called a power plant and would have to correspond to the regulations.

THE SPEAKER: The hon. member.

MR. RATHGEBER: Thank you, Mr. Speaker. Finally, I was curious if the minister could advise this House as to what is the current status of the application.

DR. TAYLOR: Yes, Mr. Speaker. We have received the application. We have gone back to Canadian MDF for a more complete application. There were some questions that we need answered. Once we get that information from Canadian MDF, we will be processing their application.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Highlands.

WCB Appeals Commission

MR. MacDONALD: Thank you, Mr. Speaker. The annual report of the Appeals Commission of the Alberta Workers' Compensation Board for the year 2000 indicates that 998 hearings were conducted and that 45 percent of these hearings were overturned or modified in some way. My first question is to the Minister of Human Resources and Employment, the minister in charge of the Appeals Commission. Why did the budget of the Appeals Commission increase from \$3.1 million in 1996 to \$4.6 million five years later, in the year 2000, when the actual workload of the Appeals Commission was reduced? Thank you.

MR. DUNFORD: I'm not sure, Mr. Speaker, that the workload actually did decrease. It's difficult to be able to interpret that from the preamble and from the particular question. I don't have the report here at my fingertips, but that's something we can look into and can get back to the hon. member with an answer.

I want to say that one of the concerns that he had pointed out in his preamble was the number of appeal decisions that were overturned by one method or another, and that's why we have contemplated trying to change that. Of course, it is contemplated that legislation will come through this House to be able to deal with that, and I would encourage the hon. member's complete support on that initiative.

2:20

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Given the bigger budget for the Appeals Commission, more staff, and now less work, why are the staffing levels, as the annual reports indicate, going up? In 1996 there were 24 staff in the Appeals Commission. In the year 2000 there were 38. Why the increase in staff when the workload and the actual number of cases heard is going down?

Thank you.

MR. DUNFORD: Mr. Speaker, I don't know what more I can add to my answer on the first question. Certainly we will be glad to look into that particular matter, but there's ample evidence, I think, that people are trying to respond to the concerns of injured workers. I think the whole system has become more sensitized to that. Certainly over the last couple of years, as the hon. member knows, we've been trying to find ways to deal with the situation that many injured workers have found themselves in. We're certainly interested in making the appeals system and in fact the Workers' Compensation Board itself more open and accountable.

Transparency is a word that we now use more and more, because we find in the modern economies that the more open and transparent that companies are, it actually leads to improved relationships, of course, with the clients they serve. All of this is what we're trying to achieve in the current time frame. Again, I look forward to the member's enthusiastic support for the initiatives that we're bringing forward.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: is the minister concerned about the number of applications from the Appeals Commission that are overturned by the court?

MR. DUNFORD: The answer to that question is yes, Mr. Speaker. To that extent, we are trying to bring forward under legislation a system that would see the Appeals Commission more independent from the WCB but also to try to find new and better ways to resolve differences of opinion that are in fact leading to the appeals themselves. Certainly a hearing is always there, available for an injured worker or for an employer that simply is not in agreement with the kinds of decisions that are being made. But again we would hope, with the new openness and transparency, that we'll find a higher degree of comfort and a higher degree of compliance with the decisions as they are rendered.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Fort.

High School Enrollment Credits

MR. MASON: Thanks very much, Mr. Speaker. The provincial budget contained a provision that capped the number of credits for grade 10 students. After a huge public outcry the Minister of Learning reversed this provision and eliminated the credit cap. Now

it looks like the minister that flip-flopped has done a flop-flip. The ministry has devised a funding formula that amounts to another credit cap for grade 10 students. My question is to the Minister of Learning. Why is the minister, who reversed the decision to cap credits for grade 10 students, once again reversing himself and reinstating what amounts to a cap on student learning?

THE SPEAKER: Okay. The hon. minister, recognizing that his budget is up for debate in just a few minutes from now.

DR. OBERG: Absolutely. If the hon. member is here this afternoon, I'd be more than happy to discuss it with him.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. I appreciate the minister's offer, but I would like to ask him whether or not the chair of Edmonton public schools is correct when he says that his board could lose as much as \$3 million in funding next year as a result of this act.

DR. OBERG: No, he is not.

MR. MASON: Why?

DR. OBERG: Quite simply, Mr. Speaker, under the new funding formula we will be funding on a per-student basis. For those students who take 31 credits or more, they will get funded very close to \$5,000, which is roughly \$600 more than a grade 9 student. For those students that are taking 30 credits or less, they will be funded at half that rate.

The Edmonton public school board has an average of 43, 43 and a half credits for grade 10. I have heard that there have been issues with how these credits have been given out, and I will not air Edmonton public's dirty laundry in public any more than that. But trust me, Mr. Speaker, that these are things that will benefit the majority of systems in this province.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Centre.

Immigration Policy

MR. CAO: Thank you, Mr. Speaker. First I would like to ask you to allow me to explain the background of this serious situation. In Calgary there is a young family with capable and hardworking parents who have three very young children aged eight and seven and the youngest was born in Calgary 15 months ago. This family came to my office and asked me for help because they had been asked to leave Canada and return to Mexico. I referred them to our local MP because it is an important and urgent matter impacting the livelihood and welfare of three very young children, one being born Canadian. I asked them to see an immigration lawyer and also Alberta legal aid. With my limited understanding of Canada's immigration administrative process, I wrote a letter to Immigration Canada in Calgary to see if they could help and told the family to talk to the priests in their church to prepare for character witnesses in the community to support their case should an immigration hearing take place. Given that Alberta needs workers and Canada's population demography shows that we need young people and more children, my questions today are to the Minister of International and Intergovernmental Relations. Could the minister explain to us Alberta's involvement in Immigration Canada?

MR. JONSON: Mr. Speaker, under our Constitution immigration is an area of shared responsibility between ourselves as a provincial government and the federal government. With respect to representation that goes forward on individual cases, I would, from the hon. member's question, like to commend him because I think he has certainly been pursuing the proper and correct route in terms of making representation on behalf of individuals that are here. I don't know if they have landed immigrant status, perhaps not, but this is the route that has to be taken with these types of cases. I would like to clarify, as the member indicated, that Alberta is involved in areas such as business immigration and settlement services, but ultimately the approval of individual cases as far as immigration is concerned in this country does rest with the federal government.

The province does have a role, as I've said, in the whole area of matters related to learning and related to job placements and so forth, and it may be that the hon. Minister of Learning would want to supplement.

THE SPEAKER: The hon. member, please.

MR. CAO: Thank you, Mr. Speaker. Based on the request from the family, my letter to Immigration specified that they allow the family to stay until July 15, 2002, so that the children can finish school and the parents can continue to work to earn some expense money for their potential long trip back to Mexico. So my question is to the Minister of Learning. Could the minister help by contacting his counterparts in the federal jurisdiction to inquire about the status of this humanitarian case?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. I certainly have no problem in contacting the minister of immigration. I will say, however, that the minister of immigration is under legal obligation not to talk about individual cases with specific people. I can put forward the case on the hon. member's behalf, but again there is absolutely no obligation on behalf of the minister to share any details with me or with the hon. member. I will certainly, though, put the case forward.

THE SPEAKER: The hon. member.

MR. CAO: Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Peace River.

2:30

Medical Savings Accounts

MS BLAKEMAN: Thank you very much, Mr. Speaker. With regard to the medical savings accounts, the Minister of Health and Wellness said in August of 2000, and I quote: Albertans need to know very clearly that this is not something we would consider. End quote. However, now the government is indeed considering this option. My questions are to the Minister of Health and Wellness. Why the flip-flop?

MR. MAR: Mr. Speaker, I think that the hon. member knows that that comment was made prior to the Mazankowski report being put forward and our response, which was tabled before Albertans in January of this year. I remind hon. members that there are 44 recommendations set out in the Mazankowski report. The government in its response has indicated that we are moving forward on all 44.

One of the recommendations, Mr. Speaker, focuses on the financing of the health care system, and that is: how do we pay for the system? The recommendations talk about sources of revenue, where it comes from, who pays for what, and so on and so forth, and one of the recommendations for consideration is variable premium accounts. Another one is medical savings accounts, and there are other iterations of financing of the health care system that the Mazankowski recommendations lay out for us to consider.

We cannot say at this time what the final outcome of that recommendation is going to be. The hon. member knows that our colleague from Grande Prairie-Wapiti is going to be in charge of a committee that will be looking at the financing of the health care system. I'm certain that that hon. member and that committee will take into serious consideration all of the various options. What we're looking for is a made-in-Alberta solution, Mr. Speaker. We know that medical savings accounts are used in other jurisdictions, like Singapore. We know that there are other ways of financing the health care system that are employed in other jurisdictions in Canada, in the United States, and in other parts of the world. We want to look at all of them and ask ourselves what would make the most sense for Albertans.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much. Given that the academic community has expressed serious reservation over the MSAs, can the minister assure us that in fact this academic research will be considered along with what's been proposed by the Mazankowski report?

MR. MAR: Well, yes, I can make that assurance, Mr. Speaker. It does make sense that we would rely upon the best available advice that we have. There is no clear evidence one way or the other as to whether or not medical savings accounts in fact are good or not good. Of course, the hon. member would be familiar with the work of Dr. David Gratzer, a physician from the province of Ontario who has written an award-winning book entitled *Code Blue*, where he is a very strong advocate in favour of medical savings accounts. Of course, there are scholarly treatises, works that are done that have come to the opposite conclusion, but I'm certain that our committee will look at all of the evidence that is available, weigh it out, and determine what will be best for Albertans.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks very much. Could the minister tell us about any locations where he's aware that the MSAs have worked very well and that those kinds of MSAs could be integrated into our current system?

MR. MAR: Well, Mr. Speaker, I would entreat the hon. member to read the work of Dr. Gratzer. It's a very good piece of research. She may agree or disagree with the conclusions that Dr. Gratzer makes in his work, but it is a very strong canvassing of financing systems for health care in other jurisdictions. Other things that he outlines in his book are whether or not user fees work. He weighs out some of the pros and cons of that particular manner of financing the health care system. Dr. Gratzer, I should also note, is having a book release of his most recent book, which will be coming out this afternoon, that I expect hon. members will want to read if they wish to inform themselves more about the health care system.

Mr. Speaker, all of these things we'll take into consideration. Perhaps a strict medical savings account approach does not work in

Alberta, but our committee will make that determination. Perhaps variable premium accounts instead will make sense, but again this is all speculative. We will, of course, make a decision after we've weighed all of the evidence.

THE SPEAKER: The hon. Member for Peace River, followed by the hon. Member for Red Deer-North.

Off-highway Fuel Tax Exemption

MR. FRIEDEL: Thank you, Mr. Speaker. My questions are to the Minister of Revenue. Recently I received a few more constituent inquiries about the status of the review of the off-highway fuel tax exemption program. This seems to have become kind of an on-again, off-again issue for some time since the review began. I wonder if the minister could tell us just what is the current status of the review.

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. In the year 2000 the Business Tax Review Committee was commissioned to do a review of the business taxes in the province. One of their recommendations was to discontinue the rebate portion of the tax-exempt fuel use program and to examine the tax-exempt fuel program in its entirety. Their conclusions were based on that it only benefits some sectors of the economy and certainly because it was complex and difficult to administer.

Subsequent to that, we have undertaken, among the reviews of many programs, to look at these exemption programs, like the tax-exempt fuel use. In January of this year we had a consultation with many industry stakeholders to get their feedback on the program itself. We find that certainly in reviewing it, it does not follow the principles of a low-rate, broad-based tax in Alberta. The claims audited are found to be significantly overstated and poorly supported. It's a problem that we're trying to address with the industry as to what could we do and what should we do to continue to benefit Albertans and industries in particular in providing the best kinds of programs.

THE SPEAKER: The hon. member.

MR. FRIEDEL: Yes. To the same minister, Mr. Speaker: considering that there have been some quite valid arguments made promoting the economic development impact of the exemptions, could the minister tell us how that point is being addressed?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. His points mentioned actually are very valid. This program is \$130 million of benefit that allows a forgone tax, that's not having to be paid, and clearly that provides a tremendous benefit to those industries. One of the things we are looking at is how we could simplify the program or how you could even potentially look at options such as lowering the tax rates so that you're not looking for an increase of taxes from the economy in general but lowering the tax rates, broad-based and simpler forms of tax structures versus just this program, which has some complications. The Auditor General actually recommends that we report much more on the benefits and costs of such programs, that we look at forgone revenues as a program and be able to report back. That's part of the review we're doing in trying to examine the economic benefits.

THE SPEAKER: The hon. member.

MR. FRIEDEL: Yes. To the same minister, Mr. Speaker: realizing that this is quite a complex issue, could the minister tell us whether there is a final determination of the outcome of this review in sight?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. At this stage we've concluded a preliminary review in discussions with industry, a good cross section of the various stakeholders, and we intend to continue that discussion with them. We don't have a complete deadline as far as an established date of completion at this stage. We will work with industry. There won't be any changes to the program without looking to industry and getting their recommendations on how we can improve this program or could we change it for something that would be simpler and better. I do want to reiterate that it's not in our budget for this year. There are no changes contemplated through this year. It will be the ongoing dialogue with industry throughout this year.

THE SPEAKER: Hon. members, before I call on the first hon. member to participate in Members' Statements, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Thank you, Mr. Speaker. This afternoon I'm quite privileged to introduce to you and through you to members of the Assembly Mr. Phil Rowe, a councillor from the town of Vegreville and also a volunteer fireman and a person who takes care of many other duties in the community of Vegreville and surrounding area.

AN HON. MEMBER: And a flames fan.

MR. STELMACH: A flames fan, yes. Well, a flames fan because he's a fireman. I'd ask Mr. Rowe to please stand in the members' gallery and all of us to give him a traditional warm welcome to the Assembly.

2:40

head: **Members' Statements**

THE SPEAKER: The hon. Member for Red Deer-North.

Red Deer Optimist Chiefs Hockey Team

MRS. JABLONSKI: Thank you, Mr. Speaker. Without question Alberta is truly a province of champions. I stand in the House today to recognize the tenacious and outstanding efforts of the Red Deer Optimist Chiefs midget triple A hockey club. Yesterday in Bathurst, New Brunswick, in their third game of the Air Canada Cup Canadian national championship, the Optimist Chiefs were down 5-nothing after the first period of play. Other teams may have thought that it was all over but not our Alberta boys. With determined efforts they fought back, and by the end of the second period the score was 5 to 4. Battle bruised and weary against Team Atlantic, the Optimist Chiefs were not willing to admit defeat. The final score of the game was 8 to 6. Red Deer had triumphed once again, and

Team Pacific, the Red Deer Optimist Chiefs, now stand as the only undefeated team in the tournament. They are now looking forward to the opportunity to play in the nationally televised finals on Sunday at 1 p.m. local time on TSN.

The head coach for this team is Dan MacDonald. Dan is an outstanding coach who has the uncanny and dynamic ability to develop his teams to a highly skilled level of play. His talent and technique in transforming these young men into a winning team is the reason behind the team's determination and persistence. Dan would be the first person to tell you that he didn't do it alone. Along with a dedicated team of assistant coaches – Pat Garritty, Jeremy Jablonski, Darcy Loewen, and Brian Pollock – Dan has coached another championship team to their Air Canada Cup. Congratulations also go out to their trainer, Jack Thompson, and the manager, Graham Parsons.

Our heartiest support and congratulations go to the outstanding team members: Kevin Prowse, Kyle Smith, Mart McKnight, Jason Lloyd, Scott Kolinchuk, Jay Rosehill, Mark Smyth, Brennen Francon, Evan Hardy, Dave Kozlowski, Austin Sutter, Derck Pess, Landis Stankieveh, Bill Vandermeer, Parker Burgess, MacGregor Sharp, Dustin Claffey, Steve Stroshin, and Brandon Heatherington. Alberta is proud of you, and we wish you all the best in the Air Canada Cup tournament.

THE SPEAKER: The chair is beginning to wonder if there is anything in Red Deer that is not number one in the world.

The hon. Member for Edmonton-Riverview.

National Organ and Tissue Donor Awareness Week

DR. TAFT: Thank you, Mr. Speaker. Every day we carry within us the possibility that we could save a life. Every day we carry within us the opportunity to transform dying into living. Every day we carry within us the responsibility to consider deeply what we contribute or can contribute to the lives of others.

Mr. Speaker, this is organ and tissue donation week in Canada. Last year more than 100 Canadians died waiting for an organ transplant that never occurred: children needing liver transplants, young mothers needing kidney transplants, men needing heart transplants. The list goes on far too long. Transplants are not just matters of life and death. They can also be matters of restoring sight to people through cataract transplants or freeing people from relentless dependence on dialysis machines or giving a child the chance to grow into a normal, healthy adult.

Mr. Speaker, I encourage all members of this Assembly and all Albertans to sign the back of their Alberta personal health care card to indicate their willingness to be organ and tissue donors and to make their wishes clear to family members. Through this simple step we can reduce the suffering and death of other Canadians. Such a small thing to make such a big contribution to the lives of others means that signing your donor card is not a responsibility; it is a privilege.

Thank you.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three-Hills.

National Soil Conservation Week

MR. MARZ: Thank you, Mr. Speaker. I rise today to acknowledge National Soil Conservation Week. Soil is one of our most important resources, especially for a province like Alberta, that has such a vibrant agricultural industry, but in order to sustain our industry, we have to ensure that we maintain the quality of our soil. Good-quality soils can reduce farm risks and increase profitability. We need to

stop now and again and consider: what are we doing to protect the soil? April 21 to 27 is National Soil Conservation Week. Organizations from across this country promote the value of soil and preservation of this valuable resource. Soil conservation is particularly important for our province since Alberta contains about 40 percent of the prairie farmland. We are also very diverse, being the only province in Canada with an even distribution of the major soil zones.

Alberta Agriculture, Food and Rural Development has a program to promote and track soil-friendly farming practices through the Alberta environmentally sustainable agriculture program. This program recognizes the long-term sustainability of the agricultural industry and promotes good farming practices such as diverse crop rotations, reduced tillage, and soil conservation.

We've established a network of 43 soil quality benchmarks across the province, the largest active network in Canada. Alberta farmers are consistently improving their farm practices to conserve our important soil resources. We're helping them by developing the science and technologies needed to conserve this valuable resource. By using environmentally sound, sustainable, and soil-friendly farming practices, we are protecting the Alberta advantage in our markets around the world.

I encourage everyone during this week to look down at what lies beneath your feet and ask yourself what you can do to leave a shallow footprint.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. Anyone who has received a power bill recently knows that electricity deregulation is an expensive failure. Electricity follows the rules of physics; it does not follow market forces in the conventional sense. This government's electricity deregulation has destroyed Alberta's once cheap and dependable electricity supply, replacing it with price spikes, uncertainty over generation and transmission, windfall profits to power purchasers, and no policy on electricity exports.

Public scrutiny and sound, strong regulations are needed now more than ever as power bills increase. The structure of deregulation actually makes this very difficult to achieve. Consumers and their organizations complain of the difficulty faced when comparing and disentangling financial facts and figures related to their bills. Details related to electricity charged vary even from the same company, depending on the market area. City of Edmonton customers of EPCOR, for instance, have eight line items on their bill while EPCOR customers at Wabamun Lake have 13 line items on theirs.

It's time to standardize the format of power bills across the province so consumers, regardless of where they live, are not in the dark about their charges. The public must have better access to detailed financial information. Open and accountable procedures are needed. With all the confusion this government has created, consumers need monthly statements giving clear and more detailed customer/consumer price information. The government needs to monitor all Power Pool rules and regulatory decisions and investigate any anticompetitive behaviour it finds.

The government promised lower prices, wider consumer choice, and technological advances if retail competition were allowed. Instead, we have expensive deferral payments added to our monthly bills. Electricity needs to be recognized as a service, not an expensive commodity.

Thank you.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and table a petition signed by 76 Edmontonians, most of whom come from the constituency of Edmonton-Strathcona, and they're petitioning this Assembly to "urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

head: Notices of Motions

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday I will move that written questions appearing on the Order Paper do stand and retain their places with the exception of Written Question 1 and Written Question 2.

I'm also giving notice that on Monday I will move that motions for returns appearing on that day's Order Paper do stand and retain their places with the exception of motions for returns 2, 3, 4, 5, 6, 7, and 8.

Thank you.

2:50

head: Tabling Returns and Reports

MR. JONSON: Mr. Speaker, on behalf of the Premier I'd like to table five copies of a letter sent yesterday from the Premier to the Prime Minister announcing that the governments of all provinces and territories except Quebec have accepted a process to settle disputes under the Canada Health Act proposed by the government of Canada.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table the appropriate copies of a letter that just reached my office this morning at 8:15. It's a letter that comes from concerned parents of the Foothills school division. The letter is addressed to the MLA for Highwood. These parents are seeking a fair settlement for teachers and adequate school funding to deal with textbook shortages and inadequate classroom conditions.

Thank you, Mr. Speaker.

MR. SHARIFF: Mr. Speaker, I wish to table the appropriate number of copies of a letter I received from Solectron, a high-tech company in my riding that has had to make some important decisions in closing their plant, which will result in 490 full-time positions being eliminated and approximately 370 temporary workers being impacted by that decision.

Thank you.

head: Projected Government Business

THE SPEAKER: The Official Opposition House Leader. Please proceed.

DR. MASSEY: Thank you. May I ask the Government House Leader to share with the Assembly the projected government business for next week?

THE SPEAKER: The Government House Leader, please.

MR. HANCOCK: Thank you, Mr. Speaker. We continue next week in Committee of Supply for the main part, but on Monday, April 29, after 9 p.m. under Government Bills and Orders we anticipate in Committee of the Whole dealing with Bill 16, Bill 18, and Bill 24 and in second reading with Bill 26 and thereafter as per the Order Paper.

On Tuesday, April 30, in the afternoon in Committee of Supply, main estimates for Community Development and as per the Order Paper. Tuesday, April 30, at 8 p.m. under Government Bills and Orders, Committee of Supply, the main estimates for the Solicitor General and thereafter Committee of the Whole, bills 19, 29, 24 and second reading on Bill 26 and as per the Order Paper.

Wednesday, May 1, under Government Bills and Orders in the afternoon, day 21 of Committee of Supply and the Department of Finance and as per the Order Paper. Wednesday, May 1, at 8 p.m. under Government Bills and Orders in Committee of Supply the estimates of Innovation and Science, third reading of Bill Pr. 1, Committee of the Whole on bills 9 and 20, second reading on Bill 26 and as per the Order Paper.

Thursday, May 2, in the afternoon under Government Bills and Orders, day 23 of Committee of Supply, the estimates for Gaming and as per the Order Paper.

It also might be contemplated, Mr. Speaker, that there would be a motion with respect to the Standing Orders relative to the unanimous consent request that I make every day, and if that motion is ready, I would anticipate that we might deal with it on Monday.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: Hon. members, before proceeding, just on the last comment the chair would like to make this as a blanket invitation. Earlier today, Government House Leader, I asked Parliamentary Counsel to consult with the opposition parties with respect to the matter that you had copied on this, and hopefully by Monday there will be general agreement among everyone as to what the intent of that proposed change will be so that we will not have to deal with the daily request with respect to this.

Now, on the request made by the hon. Government House Leader, would all hon. members in favour please say aye.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We will call the committee to order.

head: **Main Estimates 2002-03**

Learning

THE DEPUTY CHAIR: As per Standing Orders the first hour is allocated between the minister and members of the opposition, following which any other hon. member can participate. The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Chairman. It's with great pleasure that I stand here today to give you the estimates for Learning. The estimates for Learning begin on page 341 of the '02-03 government and lottery fund estimates. Learning's business plan starts on page 291 of the government's budget 2002 document, The Right Decisions for Challenging Times. These estimates further the

excellence in our learning system. They provide support to all Albertans for the achievement of lifelong learning.

With the exception of Health and Wellness my ministry received the largest funding increase of all departments for the '02-03 fiscal year. In '02-03 Alberta Learning plans to increase base program spending by over \$208 million to \$4.7 billion, or a 4.7 percent increase. When you include the increase to opted-out school boards and the special payment of \$46 million provided to the basic learning system as a result of reinvesting teacher job action savings, the total increase is \$261 million. This investment will ensure that we are meeting the needs of students whether they are attending a school or postsecondary institution. Add into the mix \$152 million of opted-out revenue, and you have a total of over \$4.8 billion in funding for learning in this province.

Over the next few months Alberta Learning will be working with the stakeholders to look at the funding framework for basic learning. The purpose of this work is to find ways to simplify or modify the current funding formula while ensuring an equitable distribution of education dollars.

On page 355 of your estimates book operating support to public and separate schools has increased by \$112 million, or 4.0 percent, to over \$2.9 billion. However, when the \$46 million special payment I spoke of earlier is included, this increase is \$158 million, or 5.6 percent.

This budget provides school jurisdictions increased funding to operate their schools and provide a quality education to their students. This increase far exceeds the costs of inflation and enrollment, which are projected at 1.9 percent and 0.25 percent respectively. The basic instruction grant will increase by 3 percent, giving school boards the maximum flexibility to meet their local needs by directing more money to the classroom to improve student learning.

Funding for early childhood services is increasing to \$164 million. Private schools will receive \$60 million in '02-03, an increase of \$2.3 million. This increase relates to increased enrollment and the private school basic instruction grant increase, which is now 60 percent of the public and separate school rate.

This budget also accommodates an expected 10 percent increase in the number of students in grades 1 to 12 with severe disabilities and a 3 percent increase in the severe disabilities grant rate. In keeping with the recommendation from the special education review, the severe emotional/behavioral grant rate will increase by 5.5 percent to provide more equal funding between students with behavioral and nonbehavioral needs. Increased funding for students with mild and moderate disabilities is reflected in the basic instruction grant rate increase of 3 percent.

The upcoming school year will see changes in how we fund grade 10 students. Beginning in September, grade 10 students will be funded on either a full-time or partial program basis. Anyone taking more than 31 credits will be funded at a full-time level, and anyone taking less than that will be funded at a partial program level. These changes will simplify the funding process for grade 10 students. I must emphasize, Mr. Chairman, that this in no way limits the number of credits a grade 10 student can be enrolled in.

Last but not least, under public and separate school support is the student health initiative. The '02-03 fiscal year will see an increase of \$800,000, or 3 percent, to assist with increased costs and demands for services. The initiative assists about 75,000 students who have special health needs with services such as speech, language, or occupational therapy.

Page 348 details how the \$1.1 billion, an increase of \$57 million, or 5.5 percent in '02-03, will be spent on postsecondary institutions, including \$12 million targeted to attract and retain faculty. This \$12

million is on top of the \$28 million provided last year, for a total of \$40 million for faculty retention.

3:00

Alberta's postsecondary system plays a critical role in the preparation of a highly skilled workforce as well as in the creation and application of new knowledge and technology. The government has committed to ensuring that the system can continue to fulfill the role by creating the environment to attract and retain top-quality faculty, talented researchers, and outstanding graduate students. We have also targeted \$100 million, an increase of \$9 million, to maintain expansion seats created within the postsecondary system. Since '99-2000 access to the postsecondary system has been increasing by 4,557 new spaces in high-priority areas such as medicine, nursing, health technology, and information and communication technology programs. In addition, access to apprenticeship training spaces will be enhanced to respond to the growing demand for skilled tradespeople. I might add, Mr. Chairman, that as of today we have reached the 40,000 plateau for apprentices in Alberta, which is the first time that we have ever done that.

Base operational grants will increase through grant adjustments by \$29.3 million, or 3 percent, for universities, colleges, and technical institutions. This increased investment assists postsecondary institutions in keeping tuition fees affordable. Right now across the province tuition fees account for about 24 percent of the cost of a student's education. In addition to improving and expanding the traditional postsecondary-based adult learning opportunities, \$18.9 million will be invested into community-based lifelong learning and family literacy opportunities.

I would like to direct your attention to page 349 entitled Assistance to Learners. The core tenet of student financial assistance remains that the cost of postsecondary education is a shared responsibility between students, their families, and government. Our programs ensure that financial need is not a barrier to further education. In '01-02 the Alberta government provided needs-based student loans and bursaries to more than 46,000 postsecondary learners. The Alberta student loan relief benefit and the loan relief program completion payment will continue to automatically reduce student debt for students in their first and final years of the study program. When a student's combined loan reaches \$5,000 per year, or \$2,500 per semester, any further Alberta student loan assistance is provided as nonrepayable loan relief benefits. In addition, we have increased loan limits to address cost increases including tuition.

In this budget we have also furthered our support for student scholarships. The Jason Lang scholarship has been expanded to award a thousand dollars to students entering their fourth year of study obtaining an 80 percent average in their third year of undergraduate study. In addition, '02-03 will be the first year in which a number of new scholarships are awarded. These include the Earl and Countess of Wessex Edmonton 2001 World Championships in Athletics scholarships and the new apprentice scholarships created through a partnership with industry and government. Also, in partnership with Community Development and in recognition of the Queen's golden jubilee seven new \$5,000 scholarships will be awarded annually starting in 2002-2003. In total, funding for scholarship programs that reward excellence in learning will increase by 10.2 percent to \$32 million in '02-03 and support over 19,000 students.

Overall the '02-03 budget and business plan highlights this government's commitment to lifelong learning facilitated by a seamless system that continues to be affordable for all Albertans. Education is a clear priority for this government, and Budget '02 reflects that commitment.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman, and thank you to the minister for his comments. I'd like to start and raise some questions with respect to the item in the budget that calls for the "design [of] a new funding allocation model that complements the Outcomes Review for Basic Education in consultation with stakeholders." I have a question about that outcomes review. How does the outcomes review and how does a new learning model fit in with the work by the blue-ribbon panel that's going to be appointed under Bill 12? It seems to me that those issues, the outcomes and the funding model, would be items that that blue-ribbon panel might consider. So I wonder if the minister can explain the relationship between those three things.

I'd like to then focus again on the funding model. I look at the funding manual for school authorities that's on-line, and I note that the changes that the minister just outlined for grade 10 still haven't been incorporated on the web site. I assume that's going to happen, but if you go through the allocation manual, you'll notice that a number of items have been singled out: the funding for the teacher assistants program, the early literacy program, the funding for students with severe disabilities, English as a Second Language. Then you go back to the basic instructional grant. Is there a breakdown of what that \$4,239 is intended to cover? I ask the question, Mr. Chairman, because I think it's relevant in terms of trying to determine whether the funding is adequate.

We can see that schools are supposed to use the \$357 allocated per student for mild and moderate children in terms of special needs and for gifted and talented students, so we get a fairly good idea of what that includes. But what does the basic per student grant include? It's a question that again I think would be relevant to the blue-ribbon panel. It's one that I know a number of parents are already addressing by sitting down and looking at their local school and doing an assessment of exactly how much money is needed to operate their school. They're doing that, I know, in at least a couple of cases with a view to trying to look at the school's needs and then to determine if the kinds of resources that are being provided by the local board are adequate. So is there a breakdown? Is there a rationale for that number? How it was determined I guess is really my question.

The minister in his remarks talked about equitable funding. I applaud the government for the work they did in the mid-90s to try and bring about equity across the province. The equities were a problem that had plagued the system for a long time. It was a \$30 million problem. The solution, gathering the dollars and then redistributing them, I think was a partial solution. I say "partial" because I'm not sure that it was based on needs but was rather based on the number of dollars that were available at the time, and that was the way the amount was determined.

3:10

Also, that equity that they tried to achieve I think has been distorted in a couple of ways. One, it's being distorted by fundraising. Children who live in communities where there is a great deal of wealth attend schools where parents are able to provide a host of programs and materials that aren't available to children who live in communities where there is not a similar amount of wealth. There have been inequities that have crept in with respect to the kinds of services that are provided. Not only has the equity been disturbed, but I think the whole question of adequacy is one that – I know it's a question that the Premier continually asks: how much is enough? In answer to that, school jurisdictions elsewhere on the continent have used a variety of methods. I wonder in terms of this

review that's going to be undertaken: will the whole question of adequacy be addressed? Will there be data put forward that indicates that this is what we think is adequate based on these needs? Is the intent in the review to look at what is needed in schools, then to assign to that the kinds of resources that it's felt could meet those needs?

It's not an easy problem, Mr. Chairman. I think it really has been brought to the fore south of the border because of court cases where parents have gone to school districts and to state governments and sued them in the courts on the grounds that the district or the state was not providing adequate resources for the programs that their children needed. I think it's unfortunate that litigation forces problems to be addressed, but I think it's an important problem. I think it's Minnesota that uses an expert panel to try to determine what is adequate. There are some very long and convoluted statistical analyses used by some states, that quite frankly are fairly difficult to follow, to determine what is adequate. I know that there are other states that look at very successful school districts or schools and use those as the measure and say: what kinds of resources would it take to have every school in the state achieve those same kinds of results?

So not one answer to the question of adequacy but certainly a very, very important question and I think one that was raised time and time again in the strikes and the strife that we've had in the schools the last number of months by parents who have really questioned adequacy and failed to understand exactly how their schools are being financed.

I'm pleased that a new funding model is being designed. I am a little worried that the outcomes review – I saw a copy of a couple of pages of some of their work and was really quite surprised at some of the statements that were in the review given that they seem to me to be making decisions that were more appropriately left to Albertans at large about their education system. As I said, I was somewhat surprised by the items that appeared on that list. Again, as you know, we had been arguing for 10 years in the House the notion that there was need for another commission equivalent to the Worth commission, and I guess as close as we're going to come is the blue-ribbon panel.

I have to admit, Mr. Chairman, that I have great hopes for the panel. I think it was a good move by the minister. I think it's long overdue. As I said, I have great hopes for the panel's deliberations. I've been at a couple of public meetings recently where there was some cynicism expressed over whether this was just a way to shuffle problems off to a panel, that it wouldn't have the problems identified and no solutions ever acted upon. I tried to disabuse the members of the groups of that notion. I believe that if you look at the Worth report in the '70s, you can trace directly some of the changes that we enjoy in the school system today to that report. I was looking just the other day at the report. Things like the government is going to be evaluating in this budget, year-round schooling, were first proposed to the province in the early '70s in that report. So, as I said, I'm looking forward to the panel, and I have faith that they can go a long ways to resolving some of the conditions, some of the things that led to the distress in the system in the last year.

If I can move then from that funding item to a couple of more specific questions. There's been some controversy in the news recently about the Alberta home and school association and the funding that they receive from government and concerns from parent councils about the representativeness of the Alberta home and school association and also a concern about the political leanings of that association. Those are legitimate concerns. I guess my question is: what about school councils? They are the legally mandated parent group that the government has put in place, and I wonder if there has

been consideration given to funds for them operate.

It seems to me that that would be a legitimate focus of the government, some way of getting back in a systematic way from school councils that are established I think in virtually every school in the province, getting back from the councils some feedback about the education system. I think it's a bit of a problem. I know that I was contacted by a couple of the parent councils in Calgary, I believe it was, and they wanted to know how they could contact their sister or brother councils, because they had been told at some schools that they couldn't even direct correspondence to the parent councils. I'm not sure it was Calgary. I'm not certain, Mr. Chairman. It was either Edmonton or Calgary.

So I think there's a whole area in terms of school councils, getting feedback from them in some systematic way, ensuring that maybe there are some funds that would help them further their aims, just as there are funds for the Alberta home and school association. As I said, it's not to detract from the work of the Alberta home and school association in any way but to highlight the work of school councils.

If I can move on again, Mr. Chairman, we passed a motion in the House recently from the Member for Lacombe-Stettler to review achievement tests, and I wonder if we could hear from the minister the department's thinking, the department's response. Again I was informed by a parent, someone who had called the department about the achievement tests and the review that was going to be undertaken, and the information they were given was that the achievement tests are always under review. The caller left with the notion that in spite of the concern of this Legislature, there wasn't going to be that wholesale review that I think most of us who voted for that motion expected there to be. So I wonder if the minister could comment on that. I know it's preliminary. It's very early, that motion just having passed the House recently, but I wondered what thinking there has been about the achievement tests.

3:20

Again in the same vein, has there been any consideration to developing and moving towards some diagnostic tests, making some diagnostic tests available to elementary teachers for use in the classroom? I think I've said in each budget or every time we've talked about achievement tests that those tests' greatest value is to the system and to the teacher and to schools. Individual children who write them really don't receive the benefit in terms of any kind of program planning, whereas a diagnostic test would allow a teacher to take and to plan a program based on a youngster's performance on the tests. So I wonder if there's been any thought to diagnostic testing.

I wonder if there's any concern or any work being done in terms of the great distortion that's being made of the achievement test results. They're being used to judge teachers, children, schools, school districts, and even the province. They were never intended for that in the first place. They've moved more and more in that order. There's a local firm that puts out a ranking of the schools on those tests which the firm purports to believe has some relationship to the competency of teachers and a whole host of other things. As someone who was involved in those tests originally, I'm really quite appalled to see the use to which they are being put. I wonder if the concern is one that's shared in the department and if there's been any kind of thinking in terms of what might be done to at least have some of those tests used in an appropriate manner for achievement test results as only being one measure at one point in time of the performance of a particular youngster or a group of youngsters.

I'd like to move then to some of the issues that were raised during the strike. I remember raising the question last year, I believe, or the year before, asking if there could be consideration given to a

performance measure in terms of class size. Mr. Chairman, I've been, I guess, a little concerned. I've tried through a number of private member's bills, which never seem to get debated, motions, which again are – I think one was debated and then defeated. I've tried time and time again to draw attention to the importance of class size, and I've been accused of wanting very rigid class sizes, where the school target would be 17. If they had 18 students, they'd have to split it into nine, and that is certainly a distortion of anything that I've proposed to this Assembly, but I think it's important. I think the money that was spent in Edmonton on the study, the \$500,000 – it's an important measure. It's an important measure to parents. I think that if you heard nothing during the strike, it's an important measure to parents, and certainly it's an important measure for teachers. I wonder, with all of the measures that we have in the business plan, why we couldn't have a performance measure indicating class sizes. It's information that I think the government gathered at least once, and it would make sense to gather that information on a regular basis to see where class sizes are going.

Thank you very much, Mr. Chairman.

THE DEPUTY CHAIR: Hon. minister, would you like to respond?

DR. OBERG: He doesn't want me to respond yet, so go ahead.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I'm pleased to participate in the debate on the estimates for one of the most important departments of the government of Alberta: the Ministry of Learning. I want to certainly say to the minister that he carries on his shoulders a very heavy responsibility. It's a ministry that handles both the basic education level, K to 12, and then a large postsecondary system, which serves the needs of adult learners in a variety of ways. This population is very diverse, and so is of course the population at the basic education level, diverse not only in terms of age cohorts but diverse in terms of needs, abilities, capacities, whether these are financial or capacities directly related to learning and learning preferences.

It's indeed a very diverse universe of Albertans who participate in and benefit from this ministry, and the size of the provincial budget speaks to both the extensive nature of the ministry's responsibilities and the growing needs of the society, economy, and individuals and families. This is a system that because of rapid changes in society and rapid changes in the economy is experiencing rapid changes within the system. Those changes deal with both expectations and reciprocal relationships between the different actors of the ministry, on the one hand, and institutions and the educators, the people who deliver educational services, on the other, school boards, responsible for general day-to-day administration and management of school systems. The same is true of course at the postsecondary level, although it seems to me that the degree of autonomy that is enjoyed by the governing bodies as well as the institutions in the postsecondary system seems to be higher and more readily respected by the minister than is the case with the K to 12.

When I talk about autonomy, I obviously am aware of the recent difficulties that the ministry and the minister experienced in its and his relationships with our teachers over the last year. It's unfortunate that that has come to be. The point is that it's a challenge that needs to be addressed, addressed honestly, openly, and effectively so that we can return to a more normal situation in these relationships. The minister is attempting to do his part. I wonder if there are special provisions in the budget that'll help him address some of these challenges.

There's clearly a dispute. The minister takes one view of the question of whether our K to 12 system is adequately funded. Parents, teachers, school boards, many of them, take the opposite view, a different view. It's not a matter that should simply be reduced to taking shots politically at each other. It's a real issue. There is a question of perceptions. There are questions of positions, and those positions are different, quite different, and if the distance between those positions isn't reduced by effective action, then the tensions and the problems, I'm afraid, will continue. So I wonder if the minister would address this first general question as to how the way this budget makes provisions for the K to 12 will help him from his side to allay some of the concerns and the problems that have been with us at least for a year.

3:30

The 4 and 2 formula that was used last year by the minister to include as a line item the direction to school boards with respect to teachers' salaries was clearly at the root of the teacher dispute with the minister and with the ministry. I'd like to ask him how, with the continuation of that 4 and 2 into the next year, he is going to be able to address and alleviate the tensions and the conflict which certainly broke into the open as symbolized in the existence now in this province of a law which in our judgment is punitive, and the teachers have seen it that way. So that's one general question.

I have another specific question. The issues over which there is some consensus between the ministry, the school boards, and the teachers as to what those issues are deserve a study, merit a study. There are specific questions to the minister with respect to this commission or blue-ribbon panel. I don't know what it's going to be. Exactly when will this commission be named? I urge him to do it as soon as possible. So if he can give us a date by which it will be named and working. Secondly, is there in the budget that's proposed here a provision for funding the activities of this commission, and what is that budget estimate? There's no indication here. The commitment was made, I guess, after the budget was finalized, so the minister will hopefully provide some supplementary information on it.

The question was raised by the hon. Member for Edmonton-Mill Woods with respect to the Alberta home and school association. I read something in the paper a week ago or last week. I can't remember the exact date. My question is about the dollar funding for the home and school association. What is it, and which item does it come out of in the budget? So how much is it, and is there a performance measure here which tells us whether or not dollars spent on that are well spent?

I had one other question. It has to do again with high school students. It's about a performance measure. This is outcome 3.4: "Learners are well prepared for citizenship." The targets there, achievement measures, performance measures, are spectacularly low for high school students when you compare them with other measures on the same page or on the pages relating to performance. Why is it that we expect from our high school students or from the institutions no more than 48, 49 percent? This is page 299 in the business plan.

I'm curious about this. To me it's setting the bar far too low. To me citizenship outcomes are extremely important at the level of a high school learning experience. These students are approaching voting age. They will be becoming full participants in political decision-making. Two concerns here: one is the low level of expectation here as reflected in these performance measures, and the second has to do with the definition, the conception, or the notion of citizenship in the first place. How narrowly does it get defined so that it can be measured? Are there effective ways of measuring

citizenship, and are the measures in fact first premised on a certain notion of citizenship? I'm not sure if we have a clear enough idea here that we are serious about measuring citizenship-related outcomes, and if so, what are the most effective measures, and what are the levels of expectations that are reflected in these measures?

So those are a few of the specific questions. Now I want to turn to the grade 10 student funding formula that the minister has just referred to in his introductory remarks. This morning we learned that there are serious questions being raised by the Edmonton public school board, but my suspicion is that this concern isn't limited to one school board; that is, the Edmonton public school board. It's a policy that will have an impact on school boards across the province, although during question period when the minister did decide to answer one of the three questions posed to him related to this, he kind of seemed to suggest that he has probably been driven to this decision by the problems that he sees or hears about or has learned exist just within one school board, which is the Edmonton public school board. So that certainly was the sort of edge to the answer to the question.

It is a problem that's going to arise that you're going to have to address. I want you to take some time and tell us how it's not a cap. You agreed just a few weeks ago that capping was the wrong way to go. If you tie funding to a certain number of credits which are less than the average presently being the norm, then clearly it has to be seen as an attempt to cap. The credits are the resources available to school boards to meet their obligations, particularly obligations to students who seem to be the best students in the system, the ones who take extra credits or IB students or high academic level students, most of them. Certainly that is an issue again you might want to address in some detail and say why it is that you think the formula that was used will not first lead to loss of revenues or funding to school boards and, secondly, why it will not discourage school boards from continuing the whole wide variety of offerings of these courses. They may simply roll back what they offer in order to deal with this, because after all you need teachers and instructors in order to carry on with the present array of offerings.

3:40

Some other questions here quickly. With these now I shift to the postsecondary level, Mr. Chairman, and I want to draw the attention of the minister to some of the targets. I'm now referring to the strategies, Mr. Minister, on page 296 of the business plan: outcome 1.3, outcome 1.4, accessibility and affordability at the postsecondary level. The commitments made here, the outcomes expected are laudable. "Financial need is not a barrier to learners participating in learning opportunities"; no one can disagree with that, a good outcome expectation. "All Albertans can participate in quality learning," and I emphasize "all Albertans."

Now, some of the things that I've been hearing from students – and you have been meeting with them too, I understand, some postsecondary students – draw attention to some serious concerns that postsecondary student organizations – CAUS I guess is one of them – have about both accessibility and affordability related to financial need. The document that I am referring to here is the Council of Alberta University Students, February 2002, Alberta Tuition Policy: Ensuring Affordability, Accountability, Accessibility, Predictability, and Quality. That's the title of it. The document notes – and these are facts; I guess we would all agree with the facts at least – that since 1991-92 tuition has increased by 209 percent. In other words, it's tripled, the third highest tuition fee overall in the country. The University of Alberta stands to have the highest arts and sciences tuition fees. The average student debt in the province is \$18,000 and growing.

Students have concerns about the maximum loans that are allowed to them. Now, some of the surveys cited in this study refer to an Ipsos-Reid study done for Alberta Learning which shows that 44 percent of recent Alberta high school students not attending postsecondary institutions cite already high tuition and mandatory fees as a reason for not attending and also cite Stats Canada 2001 report that the aggregate amount of outstanding student loans was 6.2 times higher in '92 than it was in 1984.

One other study here, Mr. Chairman, that I want to draw the minister's attention to – I'm sure he is familiar with these studies and references and numbers – Degrees of Opportunity: Examining Access to Postsecondary Education in Alberta, the University of Alberta Senate study cited in the study that I mentioned above by CAUS. Eighty-eight point six percent of students believe that students from middle- and high-income brackets are more likely to attend university than those from low-income brackets.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: Hon. members, before I recognize the next speaker, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE DEPUTY CHAIR: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Chairman. I am pleased to introduce to you and through you to the members of this Assembly Dr. Ed Silver and his wife, Maxine, who are seated in the Speaker's gallery. Dr. Silver is a professor and holds the Carma chair in the Faculty of Management at the University of Calgary. After a distinguished career in which he has developed a worldwide reputation in the field of operations management, Dr. Silver is looking forward to his retirement later this year. He is visiting today with a former student; that is, our Clerk, Dr. David McNeil. I would like to ask Dr. and Mrs. Silver to please rise and receive the very warm welcome of this Assembly.

head: **Main Estimates 2002-03**

Learning (*continued*)

THE DEPUTY CHAIR: The hon. minister.

DR. OBERG: Thank you very much, Mr. Chairman. To start off with, I will reassure the members of the opposition that any question I do not touch on in my comments will be given to you in writing at a later date, if that's all right. My staff will go through *Hansard* and provide you with the answers.

First of all, if I may start with the Member for Edmonton-Strathcona and then essentially go backwards. With regard to the tuition policy, we are presently in talks with the universities, postsecondary institutions, and the student groups to come up with a new tuition policy. As the hon. member knows, the existing tuition policy is that the tuition rise can occur up until around \$250 per student to a maximum of 30 percent of the operating expenses. Mr. Chairman, we are presently at 24 percent. However, in two institutions in the province we are at 30 percent, and it is becoming very evident that we have to have a new tuition policy in place. I anticipate that over the next two to three weeks we may well have a new tuition policy. It will be brought forward pending the agree-

ment of the parties that I talked about – namely CAUS, ACTISEC, and the postsecondary institutions – but I will assure the hon. member that that is under discussion at the moment.

The next point that I want to draw to his attention is the support to postsecondary learners. Indeed, as one of the items that is in the budget, it shows a 12 and a half percent increase to support for postsecondary learners. Mr. Chairman, that's on top of 22 percent last year and 22 percent the year before. So in total we have increased the support to postsecondary learners by 56 percent over the past three years, which is certainly substantial.

The other thing that I want to reassure the hon. member on is that there are a lot of kids, as I mentioned in my opening comments, 46,000, who benefit from student assistance every year and that we do look at all exceptions. There are appeal mechanisms that are available.

The next question I will get into is about the grade 10 formula. The first question and probably the easiest question, if I may, is the why. Quite simply, the Auditor General said that there were abnormalities in the way CEUs were being reported. There were abnormalities in CTS funding in the last Auditor General's report. In keeping with the Auditor General's report, we have looked into it, and we have decided that, not exclusively in Edmonton although there have been some issues in Edmonton, there have been jurisdictions that have, for example, an average number of credits in grade 10 of 47. That varies down to a low of around 32 or 33 in other jurisdictions. Mr. Chairman, that changes directly the amount of funding that these jurisdictions do. I will say from the outset – and I think that this is a very important statement that I'm about to make – that these school jurisdictions are in no way cheating. Quite simply, they are working within our rules. It is our rules that are wrong. This is something that the Auditor General paid close attention to when he gave us his warning.

3:50

The reason we did grade 10 first of all is because to the age of 16 kids have to be in school. Where there become issues is when you get part-time students taking, for example, 10 or 15 or 20 credits. How do we fund those students? With our partners in education, with the school superintendents, with the school boards, the ASBA, the ASBOA, the home and school association, the Francophone boards, we will be sitting down in an attempt to come up with a new funding formula that will take into consideration all of the issues that have been raised, including the Auditor General's report. So again, Mr. Chairman, it is very important.

I will also just raise one very interesting point, and the hon. Member for Edmonton-Meadowlark raised this point to me shortly before. It was that prior to CEU funding, dollars were distributed to the schools on the basis of 36.5 credits per year. That is how the moneys were distributed in Edmonton public. We are now funding, if it were on a credit basis – and it is not on a credit basis – the equivalent of around a little over 40 credits per year being put out. I will say, though, that I do not want to call it on a credit basis, because we are in no way limiting the number of credits that a student can take. It is roughly \$5,000, which is \$600 more than the same student would be funded in grade 9. We are also looking at a new way to fund the system, whether it's sparsity and distance or growth and density. We're bringing our partners in. We're sitting down and attempting to come up with a new way to distribute the dollars. Mr. Chairman, I feel that this is an extremely important thing to do.

On the comment about citizenship, on page 299, I entirely agree with the hon. member. I agree that these targets are wrong, and I will change the targets for the next budget year. I think that having

a target of 48 percent for high school students does not say very much for our high school system. I entirely agree with the hon. member and will ensure that this is changed for our next business plan. Thank you to him for pointing this out to me.

With regard to the home and school association funding, this year they will receive \$300,000. It will rise to \$400,000 next year, \$500,000 the year after, and then start coming down to \$400,000 and \$300,000 over the next five years. The reason why we funded the home and school association is that they are a provincial body that encompasses from the southern border to the northern border, from the eastern border to the western border. They have some 550 school councils and are as close to a provincial organization as there is when it comes to home and school councils. This is a very important group. It is a way of getting parents involved, and it's a way of hearing parents' voices. They have had an active seat at all of our discussions, an active seat at the table, and we feel that it is necessary to support them in the same way that we support the Alberta School Boards Association, the Alberta Teachers' Association, and many other associations that are out there. Again, they have given us a pledge that they will be raising their own money, and as they do that, our funds will start decreasing.

The next question was about the commission and when it will be named. It will be named as quickly as we can. One of the key components of the document that was signed on Friday was that there would be input from the Alberta Teachers' Association and the Alberta School Boards Association in terms of reference, committee members, things like that. We have been unable to do it until that was signed. I will say that for the two weeks of negotiations that were taking place, I do apologize to the House and the members, but we were dragging our feet because we knew that this would be a very integral part of that agreement, and for that reason it has not been named up until this date. We will now, however, endeavour to get members on it as quickly as we can. We hope to have a start date of June 1. That is typically what we are aiming for, and I see nothing to dissuade me from keeping on that time line.

The budget numbers. The hon. member is absolutely right: this was something that was conceived after the budget. We did not know the budget numbers exactly. It is from within our existing budget. We will not be back for supplementary estimates or anything like that. It will be from within our existing budget, probably our communications budget, but we will look at that.

The funding framework. The hon. member raised some good questions about the concerns about funding and also, I believe, about the per student funding. One of the endeavours that we do is attempt to distribute the dollars that are available in an equitable fashion, and what that means quite simply is that people in Northland school division, for example, that are far north, that have small school sizes of four and five students or 10, 15 students, obviously have more costs to provide an education to their students than someone in downtown Edmonton or downtown Calgary purely by means of distance. I think that's just common sense. We need to determine though: are our sparsity and distance formulas correct? Is there a better way to provide a proxy, because that's what we're doing, for how to distribute these dollars?

The CEU issue, that the Auditor General raised, I've already raised in here, and it's something that needs to be addressed. There are some very difficult issues there, and we need to talk about it. We need to find out how these dollars are being distributed. Growth and density: all of these are very important issues and will certainly be discussed.

To get to the hon. Member for Edmonton-Mill Woods, again he had some questions about the funding formula and the outcomes review. I will say that those are two distinct reports. With the

outcomes review what I anticipate doing is not tying that to funding but instead tying it to the ability of the school boards to decrease their paperwork. Where I'm going with this is that we have to have some reward to school boards for having a positive outcome. There has to be some benefit to school boards for having a positive outcome. The enigma in all of this is that if the school board does well and you give them more money, then potentially they're going to do better because they have more resources. Likewise, a school board that does not do as well can do worse. You can't really take away money for doing well, so what we anticipate doing – this has not been finalized yet, and I will say that I have not seen the outcomes review, as I'm waiting for it to be finalized – is rewarding school boards by saying: "You guys are doing a really good job. We're going to get out of your hair. We're not going to make you fill in all these papers. As long as you continue on the outcome side of things, continue to get good results, continue to get exemplary results, we'll stay out of your hair, and we'll concentrate on those school boards that need the help." The people from my department, that are very, very good at what they do, will then help the school boards that truly need the help and stay out of the reporting, the red tape, the bureaucracy of the school boards that don't. So that is the general direction that we're going in.

The other comment I'll make about outcomes review is that it will be tied in directly to the blue-ribbon panel in that they will see the results of this outcomes review that has been going on for the past two years, and they will get that as a document.

The review of the funding formula. I talked about it a little bit, the breakdown of the per student grant and what it is expected to cover. One of the huge issues that we have with the Alberta school boards is the whole issue of flexibility, Mr. Chairman. The school boards, since they lost their right to tax, have continually requested us not to envelope dollars, because they say – and I believe rightfully so – that if we envelope the dollars, then realistically why do we need the school boards? Subsequently, what is included in the per student grant is the flexibility that we give the school boards to make the local decisions, to make the very important local decisions. It is included in those per student grants. How large the classes are is one of the issues. How many teachers? How many textbooks? Where are all these funds being spent? I don't think that I should tell the school boards how to allocate those dollars. I believe it's the school board's job. It's the school board that has to be accountable for doing that, and we will continue to ensure that accountability.

I believe I've mentioned to a small degree the equity of the funding formula. Again I'll comment that that's something that's extremely important. We need to look at each and every grant and find out if they are being equitable. Over the past three years, since I've been minister, I've probably made seven to 10 exceptions in the sparsity and distance issues, so when I start making that many exceptions, then we know there has to be something done, because the formula obviously isn't meeting the needs of a lot of the areas. So we are going to be dealing with the very difficult questions of how you distribute the dollars, what is the best formula to distribute the dollars. Again, I will give a pledge to the hon. members that it will be done not from my department alone; it will be done with the partners in education to determine how these will be allocated.

4:00

I've talked about the home and school association.

Motion 505, the review of the achievement tests. Absolutely, we review the achievement tests all the time. I will reiterate, though, that achievement tests are probably the most significant way we have of checking our curriculum to make sure that our curriculum is doing the right job. I feel strongly about that. I will not apologize

for that. I believe it's one of the things that has made Alberta the number one education system in the world. I will not back away from the achievement test. If there is a better way to do it, absolutely we'll look at it. As a matter of fact, I think one of the issues that we have to look at is whether or not we can use these tests as a predictor of a child's ability. Again, I don't know that, but these are some of the things that we're looking at. How can we use these tests for even more information than what we have now? Can we predict by using them – and that's a question: can we? – whether a child will succeed later on in their grades or not? These are some of the very important questions.

Again, I'll just finish up here by agreeing with the hon. Member for Edmonton-Mill Woods about the distortion of school testing results. I do not agree with that. I do not condone it. No one in my department condones it, because quite simply what is happening is that these results are being used for someone's own means, their own methods, and are in no way endorsed by my department. The achievement tests are there to improve the system. They're there to get better results from the students, and that's something that this minister and this government believe strongly in. I cannot say what we can do about it other than what I've done already, and each and every time these rankings come out, I speak against them in public. I will continue to do that because I do not agree with it. As the hon. member has alluded to, it is but one point in time that is measured, and you cannot measure a student purely by that one point in time.

I will say one other thing though – and this is something that is very important – about the acceptance and credibility of the achievement tests. First of all, our people who make achievement tests are not people that we just pick up off the street and say: gee, why don't you make a test for grade 3s? These people – and I'm not exaggerating when I say this – eat, sleep, dream, and do everything about tests seven days a week, 365 days a year. Quite literally, they are obsessed with testing, and I thank them.

AN HON. MEMBER: They should be seeing someone.

DR. OBERG: They should get a life. But they do a fabulous job, and our achievement tests are second to none in the world. That's something that we always have to remember when it comes to that.

The other point that I will make is that 90 percent of teachers utilize the grade 9 achievement test as part of their student marks, 80 percent utilize the grade 6 achievement test for part of their student marks, and 70 percent of grade 3s utilize the grade 3 achievement test as part of the final mark. That is purely the teachers' choice. Again, as opposed to diploma exams, it's purely voluntary that these teachers have chosen to do so, and I think it's an excellent point.

I will reiterate that if there are any questions that I've missed, we will search through *Hansard* and give the results in writing. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Calgary-Montrose.

MR. PHAM: Thank you, Mr. Chairman. It is my pleasure to join the debate of the budget for the Department of Learning today. I will try to keep my comments very brief because I have had a chance to provide input to the budget before. However, I want to focus the attention of the minister on the issue of funding for ESL students. I have been hearing for many years now that we have a severe problem of underfunding for ESL students. I have spent quite some time researching this issue, and it turned out that very clearly we as a government provide enough money for ESL students. However, the way that the money is being spent by the school boards is very questionable.

As all of us know, we provide what is called the basic instructional grant for every student who attends the system. For every ESL student we also provide a top-up grant. In Calgary, for example, I am aware that the school board spends the top-up ESL grant on ESL programs but spends almost nothing from the basic instructional grant on ESL students. An ESL student, for example, takes 70 percent ESL classes and 30 percent regular classes. In that case what he should have been receiving for the ESL program is the ESL top-up grant plus 70 percent of the basic instructional grant to make it fair, but the school board does not use that practice. Because of that, for the past many, many years ESL funding has always been underfunded and has caused significant problems for this population of students.

Many parents of ESL students also have asked me to ask the minister to support funding ESL for kindergarten students as well because many kindergarten students do have ESL problems, and because of that, they require this support. It is consistent with our policy to do early intervention whenever possible to help students achieve their full potential.

Another thing that they would like the ministry to look at doing is setting up a curriculum for ESL programs from K to 9. Presently we have an ESL curriculum for grades 10 to 12, but we have nothing for K to 9 at all, and because of that, there is inconsistency. Also, they question whether the students get the value for the time that they spend in the ESL programs.

Those are the points that I would like to bring to the minister's attention, and I look forward to his response.

THE DEPUTY CHAIR: The hon. minister.

DR. OBERG: Thank you very much. I commend the hon. member for bringing these issues forward. First of all, ESL is a very important part of the education system. As a matter of fact, one of the first things that we did in our first budget was remove the cap on ESL so that each and every student is funded who is in ESL. The hon. member has an excellent point in that there is a top-up rate, and I believe it's around \$750 per student on top of the roughly \$4,300 that is in the per-student grant. He's absolutely right in stating that we give those dollars in a bulk amount to the school board, and how the school board distributes those dollars is part of the flexibility that I had talked about previously, Mr. Chairman.

I will certainly endeavour to take the issues that the hon. member has raised to the school boards, because I believe it's probably not just a Calgary school board issue. There are other school boards that have very similar issues, and I will certainly take that forward.

With regards to K to 9 and the ESL curriculum, we are presently working on K to 9 for an ESL curriculum as well. The hon. member has an excellent point in that.

Just to summarize, I believe that what the hon. Member for Calgary-Montrose has brought up are very important issues in his riding, and I will endeavour to do as much as I can as minister to ensure that these are followed through. I have been in that area of Calgary, but not in his specific riding, at some of the ESL schools, and I will commend the teachers and the staff for the challenges that they have. I will also add one other commendation, and that is to the students. I have never seen more attentive students, and when you consider that they have been speaking English for maybe only two or three months, the results that these kids are achieving are absolutely amazing. I would invite any member of the Assembly who wants to visit our ESL programs to take a look at that, because it is truly exceptional what is happening in our classrooms.

Again, Mr. Chairman, I will certainly take the hon. member's issues forward, and I would invite the hon. member to go with me to

some of the schools. I'd be more than happy to talk to the parents that have raised these as issues as well.

4:10

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I appreciate the opportunity to discuss with the minister today and through written responses in the future a number of issues. I'm sure that I will be raising some of the same issues that other people have mentioned as well.

I would like to first of all begin by addressing the mission statement here. Actually, I think the mission statement for this department is pretty good. Some of the departments have mission statements that I question or take issue with, but this one I think is probably about as good as mission statements are going to get in this kind of an area. I'm going to read it into the record here.

Alberta Learning's leadership and work with stakeholders build a globally recognized lifelong learning community that enables Albertans to be responsible, caring, creative, self-reliant and contributing members of a knowledge-based and prosperous society.

I think that's a commendable mission. While we're on that sort of a comment, in going through the principles, there's the odd word that I take issue with, but I am reassured that there is a section under goal 3 that specifically addresses the importance of citizenship. I think that that's crucial in a time when people are more and more regarding themselves or being regarded by others as, say, customers or as economic units or producers and so on, all of which of course is important. Ultimately, I'd prefer to think of Albertans as citizens first and as producers or consumers or customers or whatever else second. So I do appreciate and take some comfort in the focus on citizenship here in the goals.

My questions go all over the place. Some of them will reflect the fact that the University of Alberta is in my constituency and is the largest educational institution in the province and in fact one of the largest in the country. It will also reflect the fact that I have a large number of elementary and junior high schools in my constituency. I think I've been to all of them now as an MLA, and I've listened to many of the concerns.

Starting on page 303 of the business plan, I notice the support for adult learning line under expenses at the top of the page. The expenditures forecast for last year were \$1,183,880,000, and there's a 6.3 percent increase, as I calculate it, for this year. You know, there are always trade-offs. People always want more, and there's never enough to meet every need. I don't have the figures here to adjust that 6.3 percent for changes in enrollment and inflation, but it's probably a workable sort of number year by year, although there are going to be some issues I raise in a minute questioning that.

My bigger concern is over the four-year interval from the forecast expenditure for last year up to the target for 2004-2005. Over four years, if my calculations are right, that's about a 12 percent increase, which works out over the four years to an average of 3 percent a year. I'm concerned that that is not going to be sufficient to keep the system going on a strong basis once inflation and population growth and so on are adjusted for. [interjection] Okay. The minister can explain the figures to me.

In any case, moving to some more specific issues here. There are questions and concerns – and they've come up at other times; the minister, I'm sure, will have an answer or an explanation from his perspective on them – around faculty development and retention in the universities, and that is a particular concern in my constituency. There's tremendous competition for top-notch researchers and teachers at postsecondary institutions, and the University of Alberta's ranking in terms of its faculty salaries is – I'm not sure of the

figure off the top of my head, but it's not at the top of the ranks nationally. That issue gets brought to my attention.

I know that the government has funded a faculty retention program, but if I'm looking at the figures correctly, there is a drop in that budget. [interjection] Okay. My information may be wrong, and again the minister can explain that to me, so we'll get to that. It's certainly a priority concern for the province as a whole and for my constituency to ensure that we have the resources to attract and hold strong faculty for universities. There are, as I say, universities not just across Canada but around the world competing for the leaders in business – we had a business professor as a visitor here earlier this afternoon – in medicine, in fact in every area of postsecondary education. So I'll be interested in getting more information from the minister specifically on that issue.

Tuition fees, again an issue the minister is well aware of. It will crop up all the time as an area of concern, and I have some sympathy with students here, reflecting back on the tuition fees that I paid and what they're expected to pay now. There has been a dramatic increase, and the student organizations put out information that the rise in tuition fees in Alberta over the last decade has been, I believe, the highest among all 10 provinces. So there are ongoing concerns, and I do express these concerns as a way to bring them to the attention of the minister, once again, in terms of his budgeting exercises, the need to ensure that tuition remains affordable and is not a barrier to education.

Postsecondary institutions and schools across this province are turning more and more to business partnerships, and that raises all kinds of concerns. We've all heard debates in this Assembly and read concerns in the media over the grocery store high that may be developed in Edmonton, and I also hear concerns about business partnerships from the universities and the colleges, not just from faculty but indeed from communities surrounding, for example, the University of Alberta and community members who have raised questions about plans that the University of Alberta has for the University farm on the south side and the possibility that that can be developed through a series of business/university partnerships into a very substantial business park.

There are several different issues here. One of course is the chronic worry from faculty and from the public that businesses bringing funding to research projects and university programs will influence the research that's done or the nature of the teaching that's done or the nature of the facilities. I think that's a reasonable concern to have. It returns in some ways to my interest in citizenship, that we are all here as free citizens. The same kind of issue arises with the potential partnerships with schools and what signals, what messages we are sending to our students.

Now, the reason I raised that in a debate on estimates and budgets is that these organizations are turning to business partnerships because they feel constrained by their budgets either on the capital side or on the operating side, and I think that in some ways it's more on the capital side than on the operating side. So I would be interested in what information the minister might be able to provide on policies his department may have on the kinds of partnerships that educational institutions may get into with businesses. Are there any parameters or limitations on those kinds of partnerships?

4:20

This also raises a question that's very sensitive in my constituency around a particular section of the Universities Act that allows universities to be free of the zoning controls of municipalities. This has been a controversial practice at the University of Alberta in a handful of cases where the university has actually purchased what are by most of our measures commercial properties – and I'm

thinking right now of College Plaza, for example, which is a huge apartment and office complex – and then has leased those back to private operators, and the private operators find themselves suddenly freed of all municipal zoning constraints. I do share the concerns of the people living in those areas that suddenly they're faced with a situation where a private developer can proceed with any kinds of plans free of municipal controls. Again the universities will argue that their financial constraints have driven them to this. I'm not sure that that's an entirely fair explanation, but that's why I raise it here in budget debates. I believe the Universities Act is up for review in the next year or two, and I think this will be an area of real concern. Any reflections the minister may already have on that I would be interested in, and I know that my constituents and the universities would be interested as well.

As well as being the health critic I'm the critic for aboriginal issues, and the minister of aboriginal affairs has exchanged information with me. I do want to reiterate to the minister a point that I also brought to his attention in Public Accounts yesterday. We are facing in the next 10 to 20 years an enormous challenge in meeting the needs of aboriginal students, and the time to be planning for that is now. We need to be adjusting our programs or anticipating that influx and the challenge that that influx will present to our school system now so that we're not caught by surprise. So any comments the minister has on that I would appreciate.

My colleague, my seatmate here, the hon. Member for Edmonton-Centre, will be interested in my next comments given her ongoing concern for the rights and opportunities available to women. I am coming to the conclusion that we may need to pay special attention in our education system to opportunities for boys and men, and looking at the makeup of this Legislature right now, I'll get a lot of sympathy for that, I hope. I am genuinely concerned that with universities, for example, there's a very clear trend over the long term of a decline in the percentage of students who are males. I think 42 percent of students at university are male, and there's no sign of that long-term decline decreasing. There are also concerns that boys in school are not doing as well as girls, and there's a long-term trend there.

In fact, this first came to my attention when I was studying in Britain several years ago, and there was widespread concern in Britain that the emphasis on opening opportunities for girls had in many ways meant that the special needs of boys had been overlooked and that this was part of a culture that had developed in British schools that explained some of the bullying and roughness and hooliganism that you see in British schools. This was actually a subject of serious public debate in Britain. I would like the minister to consider, whether it's in this budget or in future budgets, this issue. It's easy to joke about it, but in fact I think that in the long term we do need to ensure that the opportunities for all students, regardless of their gender, are rich and inviting.

Moving on to another topic here, in our economy in Alberta the demand for apprentices is enormous. At the same time, I have heard concerns that the apprenticeship programs at NAIT are not expanding at the rate that one would expect. I don't have that information with me here, but I may be able to obtain it, or the minister may well be aware of it. There are in NAIT's plans – and I've seen the documents – suggestions that their focus on the traditional apprenticeship programs is flattening out, and it seems to me that this is a time when we should be looking at expanding those.

Along a similar line of specific training I again re-emphasize a theme on health that I've been hammering away on the last several days in question period: the need to ensure an abundant supply of health professionals, including ultrasound technicians, all kinds of technicians, RNs, LPNs. There has been debate on this point in the

House. Frankly, looking ahead to the affordability of our health care system, one of the ways to help its affordability is to flood the market with qualified staff so that we can keep the system functioning well.

Moving back to the universities again, I'll just reiterate a couple of concerns that I do hear. One is around capital funding and infrastructure, the infrastructure deficit that especially the University of Alberta as the province's oldest university is feeling. The size of that deficit by their figures now is – I think it's in the hundreds of millions of dollars. They're very concerned about the deterioration of their physical infrastructure. [interjection] Okay; so it's over \$200 million. I was aware of that general figure. We run that infrastructure down at our own long-term risk, and I'm sure the minister is aware of that, but I would like that to be considered in the budget planning here.

There are also of course operating funding concerns at the universities. The University of Alberta has implemented an enrollment cap as one way of dealing with that, and they are also looking at deficit financing. I am concerned that the university's plans to go into a short-term deficit for a couple of years and then pull themselves out of that is a risky, risky plan, and I'm concerned that we may be looking at the university getting into chronic deficit financing, which worries me.

I will also mention concerns that parents have brought to me. I think the minister has indicated that he will meet with some of the parents, but it's worth getting on the record that there is profound concern among parents at some schools in my constituency over the pressure they feel to fund-raise. This is an issue the minister gets challenged with repeatedly, but I need to repeat it here. I've met with the parents, and they are just feeling squeezed to the point of throwing up their hands and surrendering on this particular issue, and as I walk through the schools and I notice the condition of the buildings, I can sympathize with the parents. There is one school in my constituency in particular that is in a serious state of disrepair, and despite the building quality rehabilitation program I am seeing students in my constituency who are going to schools that are in poor condition.

Finally – I'm running out of time here – along those lines I'll repeat a concern that the minister hears, but it's a budget concern. Parents and schools feel at a loss at how to handle the demands with the curriculum for computers and technological equipment when they don't feel the budget is there to provide that equipment to them. That relates of course to the issue I mentioned a moment ago of fund-raising. It's not clear to me at this moment what the department and minister's plans are for budgeting for computers and technology in schools, how that is sorted out. Any information he can provide and any reassurance he can provide to parents that that will be sorted out would be much appreciated.

Thank you, Mr. Chairman.

4:30

THE DEPUTY CHAIR: The hon. minister, followed by the hon. Member for Airdrie-Rocky View.

DR. OBERG: Thank you very much, Mr. Chairman. The hon. member has raised a lot of questions here, and again I'll attempt to go through as many as I can, but we will provide written answers. I'll start by going backwards, if I may.

Technology in schools. Last year, as the hon. member knows from Public Accounts, we put in \$60 million, and it was prorated over the next three years. I will add, though, that one of the important things that we're looking at in the learning system is how to evergreen the computers, how to ensure that we continue to have computers, and whether or not it's contracts, whether or not it's

service contracts. These are some of the issues that we are grappling with right now. We do not have a solution to it, but it is very important, and I will assure the hon. member that we are looking at it. When we first started putting computers in schools, back to the 283s, I don't think anyone envisioned the growth of these computers and how it would occur that basically every three years you need a new computer. So we are looking at how we can do that. We're looking at potential opportunities. I will add one other comment. One of the things that I find distressing is that teaching staff is actually being used to service the computers, and I don't think that, first of all, that's a good use of teaching staff, but second of all, it's not their expertise. We need to find a way around this.

The fund-raising. Absolutely, we have to look at this as issues. I continue to hear it. I will send the hon. member a copy – and it's not included in the budget – of the actual amount of fund-raising that occurs in the province of Alberta. As I said in Public Accounts yesterday and as the Auditor General confirmed, we still have a ways to go on accurately reporting the amount of dollars that are fund-raised. Last year it was \$64 million, and we have the breakdown of how those dollars were spent and how they were raised. I'll make sure that the hon. member gets a copy of that.

Deficit funding for the universities. Mr. Chairman, no university can run a deficit without my permission. What they will have to do if they choose to run a deficit is they will have to have a very good payback plan. I will not allow the universities to deficit away their future. So I'll give that assurance to the hon. member.

Capital funding. Although it is not in my department – it is now in Infrastructure – I do have part of the approval process, and I just want to say two things on this. First of all, the hon. Minister of Infrastructure is well aware of the capital backlog that is out there on the operation of the buildings, and he is coming up with a plan on how to deal with that. Again, I believe – I believe – that there was an increase in the funding component for the maintenance of the buildings, the postsecondary institutions.

One other thing I will add, though. One of the benefits of coming into this ministry when I did three years ago is that there were no cranes on the postsecondary institutions, and now almost every institution we look at around the province, there are cranes. There are buildings going up, whether it's NAIT, whether it's SAIT, whether it's Mount Royal, whether it's the University of Alberta, the University of Calgary, or the University of Lethbridge. All of these institutions are building new buildings, and I think that that's a real bonus for the students of Alberta.

The next thing was to deal with the health professionals. I will take exception to the hon. member's comments about flooding the market with qualified staff. I don't think that we should use our resources to train these people when there isn't a market for them. I agree with the member that there needs to be the right amount out there, and we do our utmost to determine what that right amount is and attempt to move towards that, but I don't believe that we should flood the market, although with his economics background he's probably correct in what he says.

On the apprenticeship side NAIT has had some issues. We've been dealing with NAIT on the issue of apprenticeship, and we do have that worked out, so I don't see that there will be the problem. Apprentices are very important. I will say for the benefit of the Assembly that the weakest link – and I'm not by any means impugning motives when I say this – is actually not at the education centres. The weakest link is out in the field, where there are not enough placements in the field. Our apprenticeship board does an excellent job. As I mentioned in my opening comments, we presently have reached over 40,000 active apprentices in Alberta. We are increasing by a net of about 140 a week.

So, Mr. Chairman, the apprenticeship industry – and I keep saying that – is truly a jewel in this crown, because they are world recognized, they're world renowned, and we get constant requests to go and apply our expertise around the world. For example, places such as Cuba are now utilizing our apprenticeship model. We will continue to do this.

Again some very interesting comments about the opportunities of men and women. I'm glad that they're sitting together so that they don't get into fisticuffs here now, but the hon. member is absolutely right. We are seeing a very substantial increase in the number of women going to university, which is great, but we are seeing a corresponding decrease in the number of men going to university and into postsecondary education. I believe, Mr. Chairman, that the secret to this does not necessarily lie in the postsecondary education but lies in the K to 12 system. We have to design a system that encourages males more. I know that 10 years ago it would have been heresy to say this, but we're actually seeing that occur now.

I go to graduations at the University of Alberta, the University of Calgary. The engineering faculty, for example, a faculty that traditionally has been all male, I would bet – and there's nothing scientific in the numbers that I'm saying – that 35 or 40 percent that are coming out are actually female now. I agree with the hon. member. I think that is good, but we do have to remember a part of the population that sometimes we forget, which is the males, when it comes to postsecondary and find a way to continue that.

I will add, Mr. Chairman, that in the G-8 conference that I went to two years ago – obviously, as the name implies, there are eight countries from around the world that make up the G-8 – this was an issue that was raised. How do we get males into the postsecondary? I also went to a Commonwealth conference, and in areas such as Africa their number one concern with education is: how do we get males into the education system? Because females were participating. I don't believe that we will ever fall down to the levels that they are in some of those countries, but I think it's something that we do need to be aware of and need to continue to be vigilant on.

The aboriginal students. Again, as in Public Accounts, I agree entirely with the hon. member. It is something that we're seeing, an increase in the number of aboriginal students in our population. We cannot and will not identify exactly the number of aboriginal students there are for a lot of FOIP reasons, things like privacy issues, but I will say to the hon. member that we are taking the proactive approach when it comes to aboriginal education. The two best examples that we have are with Edmonton public at Amiskwaciy Academy and the project – I'm sorry; the name escapes me right now – with Edmonton Catholic. What we're looking at with those two different projects is first of all an aboriginal high school, which is Amiskwaciy Academy. Although not exclusively aboriginal, it does specialize in aboriginal education. Second of all, we're looking at an inclusive approach to aboriginal education, that Edmonton Catholic is looking at. By doing both of these different approaches, we'll be able to look at the success. I truly say that probably both will be successful, and both will be flagships on what can be done with the aboriginal population in order to increase their level of education. They're very important elements of what we're doing.

The Universities Act. I agree again. Gee, this is a very awkward position for me today, Mr. Chairman. I actually agree with the issue about the zoning requirements in the Universities Act. I have talked to the universities extensively about this and urged them, even though it is not in the Municipal Government Act, to follow through on consultations with their public, to talk to their public about what is happening, and certainly they are doing that. I understand that the fireworks that were over there are not as bad as they used to be and

it will continue, but the hon. member is absolutely right. We will be looking at the Universities Act within the next year, and I assume that this will be a large part of reviewing the Universities Act as well.

4:40

Business partnerships. I'm a firm believer that businesses are excellent partners in the postsecondary system. In saying that, I will also say that no researcher who should even be called a researcher would attempt to have his research influenced by a business or a particular company, because the minute that that occurs, their research becomes null and void. I would hope that no one does that at our universities, and I certainly have not seen anything that would indicate that that is being done.

On the other hand, businesses have some very important questions to be answered. For example, if one specific company has a problem and they need it researched, then I have no problem if our researchers are the ones that do it, as long as they give a fair, responsible, accurate answer, and it will not always be what the businesses want and what they look for. I believe that the businesses that we have working with our institutions are honourable businesses and that they want a true answer, because in the long run the truth will always prevail, especially when it comes to research projects and research activities.

So I believe that the business partnerships are something to increase. I think it gives a lot of opportunities. I think it brings our businesses into the university atmosphere, and even more important, the people that we are putting out of our universities are people that are going to be employed by these businesses, and we need to know what they want. We need to know the quality of our students that they want, and we have to strive to do that. [interjection] No. That was the other comment that I was going to make.

Each university and college is defined under its own piece of legislation. So, for example, the board of governors of the university can act very independently. I trust from the things that I say that they will make the right decisions, and I have no reason to doubt that they will. I trust that the administration will make the right decisions, and until proven otherwise, I will continue to maintain that trust in the institutions.

Tuition fees. I've talked a little bit about that in response to the hon. Member for Edmonton-Strathcona. The only other point that I would make is that the hon. member has raised the issue about our increases being more substantial than anyplace else. He's absolutely right. It has been the highest, but we also started from a lower point. Where our universities are in actual tuition with respect to the rest of the country is about in the middle of the pack. I believe we're around 23, 24, 25. When it comes to tuition across Canada, it is not an accurate assessment to take a provincial average on that. For example, the university in Charlottetown is a very small university and has almost no students. On the other hand, in Ontario there are something like 25 or 30 universities. So on the list of 45 universities we're about 23, 24, 25 when it comes to tuition. I'm by no means impugning anything in this, but I will just add that the tuition in the rest of the world is absolutely amazing when it comes to our tuition here. The price that we pay for our education here is still by far the best single investment that any family and any individual can make, and I would encourage all Members of the Legislative Assembly to ensure that their kids go to postsecondary education. That's sort of free-time political advice there.

The next question that was raised was on faculty retention. What is in here is actually an increase in the faculty retention from \$28 million to \$40 million this year. The \$28 million has been added into the base budget, and there's been another \$12 million that has been added on, so it is now a total of \$40 million that will be

continued on a yearly basis. I agree – you know, again I'm in this uncomfortable position of agreeing with the hon. member that our faculty are extremely important. They are being attracted by the numerous universities around the world, and we have to find a way to retain them. For that reason, we put the \$40 million and did not say specifically how it must be spent other than it must be spent on staff. Each individual university has the ability to take that money and distribute it to their staff as they see fit. Some universities, for example, are taking it and putting it in a pot to attract the, quote, all-stars of universities, which are obviously very essential to university life. Other people are distributing it equally to all faculties. So it is up to the universities. We do have a faculty retention paper. We had a group of people take a look at this very serious issue, and hopefully that will be coming out in the next three or four weeks to a month.

The last thing that I'll respond to is the funding for postsecondary and what it is. Yes, it went up 6.3 percent this year, 2.6 percent next year, 3.2 percent the year after, for a total of 12.4 percent over three years. So it ends up being a little over 4 percent per year. I will reiterate, though – albeit I said this last year, I believe, in exactly the same location – that I wanted to ensure that I could deliver on these budgets. I hope that at some point the budgets will be improved, because I do believe that it is a good investment in education, but at this particular time this is what we can afford and can guarantee to the universities. If they do get more funding, then realistically it becomes a bonus. But this is something that they can plan on and that they can take to the bank, recognizing, as I say this, that I also said this last year, and following September 11 we were not able to live up to that. Barring another September 11, barring a huge financial crisis in the province of Alberta, this is something that we can live with.

With that, again if I missed any questions, we'll ensure that they're given in writing.

THE DEPUTY CHAIR: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you so much, Mr. Chairman. I won't take very much of the time in here, but there were a couple of comments that I wanted to make. First off, Minister, you know, it's been a fairly tough year between government and our schools, our ATA, and our Alberta School Boards Association, and the latest, the \$54 million that isn't in this particular budget but will have to come forward at some point. Is that going to have any negative impact on any of your other programs? I guess that's sort of the angle I'm coming at. Will it in fact, do you think, help to heal some of the wounds that have been out there?

This is something that's really important to all of us as MLAs trying to deal with issues inside the schools, to deal with issues of parents' concerns, of students' concerns, of programs that have been canceled. You know, not just as an MLA but as somebody who had two sons that went through the public system, I have a huge appreciation for how hard so many teachers worked to make that education a good experience for my sons: one slightly more academic, and the other slightly more into perhaps the CTS model, where industrial arts was a huge thing in his life. It was an incredibly important thing to him.

I guess one of the things, Mr. Chairman, that I would like to get at is that we spent a lot of time in this province trying to develop an education system that is geared much more I think towards a postsecondary education, where you would move forward into a college or a university, and that's an admirable goal. It's unrealistic to think that all of our kids can achieve that. That is not where all of them are at. Some of them are much more technical and hands-on.

My question on this particular area would be: would we, are we,

can we consider at some point looking at streaming some of these kids that are showing us by grade 8 or grade 9 that maybe they're not as academically inclined but much more able to utilize their hands in a physical way to move forward so that by the time they're in grade 12 and they're graduating from grade 12, they've already got some great momentum going on a career? We don't then have to take them from there and put them into something else for three, four, five years when in fact by the time they were 20 they could easily be earning a living, contributing to society, and having the best of all possible worlds. I'd just like to know. I'm sure that there are places around the province where that in fact occurs, but I don't think it's a general trend. It's very difficult in a city like Airdrie with 22,000 people. Inside the Rocky View school division we have 14,000 students. I know that my son couldn't have been the only one that would have benefited from that ability, but there is virtually nothing like that in my area, which is Airdrie-Rocky View. So could we, will we look at something like that?

4:50

With regard to the commission that's coming up, Minister, I think it is going to be one of the most fundamentally important things that happens in this province in the next five or 10 years, the impact, the potential that they have. This can't be just about, you know, what our pupil/teacher ratio is or a specific issue in a classroom. It's got to be bigger than that. We've got to look at the whole issue of how education is going to be delivered in the future.

I've got a virtual school in my riding, Mr. Minister, and it's just a phenomenal thing to be able to meet with these kids that have access to this type of an education. Their reasons for wanting to be in a virtual program are so massively various. It's everything from – some of them are figure skaters; some of them are big into showing horses. But they can access this education, do a great job on-line. They love it. I went to their graduation last year, just some of the coolest kids I've ever met and just so pumped about life and about their education and their opportunity. Interestingly enough, Mr. Chairman, some of these children were not necessarily academically inclined when they and their parents made the decision to move into a virtual school. Some of them just truly hated being in a classroom, and they were having trouble. This gave them another route, another opportunity, and I'm so proud that our education system has responded in that way.

I think the fact that parents and children have choices, whether it's a public school system, a Catholic school system, a virtual school, which is run by Rocky View, whether it's charter schools or home schooling or correspondence, the on-line aspect of everything is crucial. So I'd like some assurance that when your commission goes out there, they're not going to just look at the way it is but the way it can be to encourage kids to stay in school.

While it's not evident in here, I still think that our dropout rate is probably 25 to 30-some percent. I don't know, because it's really hard to find that number. You know, I have 800 graduates in Rocky View this year, but how many kids didn't graduate because they left in grade 10, 11, or 12? A lot of them come back, you know, maybe two years later or three years later. There's a great school here in Edmonton called Centre High, that attracts some of the kids that are having problems, who can go there and get their focus back. I've heard that it's extraordinarily successful, with 3,200 kids going through it last year. But we need to keep them in in the first place. We don't need them going out and wasting two or three or four years of their lives because they've not understood the value of this education.

I'm hoping that the minister would be able to maybe address that. This should be a performance measurement not just for government,

not just for the Alberta School Boards Association but also for the ATA, everybody here. We are supposed to be a partnership, and I think that we've let a lot of kids down in this province.

We had years ago a term called "functional illiterate." We had kids that were graduating. They were getting their grade 12 diploma and were not maybe able to function properly or appropriately out in the world, and some pretty interesting negative comments rained down from the employers out there that were trying to hire kids that really could not do much of anything inside that workplace.

We need to make sure that when we look at our education system, when we have this wonderful opportunity with this commission, we look at all of it, not just the bits and pieces that perhaps a few special interest groups want us to look at but all of it, so that when we talk about education 10 years from now, we are leading the world in where education needs to be, what we're doing for our children, who will then in turn do it for the rest of us when we start retiring. We need them to have skills and a level of enthusiasm about this province.

I would also like to see their government studies enhanced to the point where maybe some of them really understand what government is. Government is just people representing them. We are not some huge bureaucracy sitting up here passing arbitrary laws on them. Rather, we are members of their communities. We are people, just as they are, who need health care, who need education, who need good roads to drive on, the same as every other human being in this province. And I need those roads, Ed.

I don't want to really spend much more time other than to say that there was a mark of a great civilization going back hundreds and hundreds of years. When a kingdom, you know – it could have been an empire of some kind. If you really wanted to know if it was going to succeed, you knew it by the level of the people that were attracted to it. Those people were educated people. They were people that were great artists. They were people that made their communities better. Ours is better because we have a good education system that at times borders on great. We have a good university and college system. I think of Olds College, which is close to my riding, just one of the most phenomenal places, and it is partnerships that have made it great. They have done a phenomenal job there. I'm extraordinarily proud to even have my name ever associated with Olds College. I think that some of our universities could take a page out of Olds College's book, by the way.

I think that if Alberta is going to continue to do as well as it does, it must continue to strive forward on education. It's not a we/they situation. It has to be an us. It's better for all of us. Thank you for your time, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister.

DR. OBERG: Thank you, Mr. Chairman. Very, very quickly I just want to address a couple of issues. When it comes to the comments about the functionally illiterate, I want to reassure the hon. member that on the recent exams that were done worldwide, we finished number one in reading. So I think that myself and my previous colleagues who have had this ministry have done a very good job on the reading side of it, and I will especially commend the hon. Minister of Health and Wellness for the early literacy initiatives that he introduced when he was the minister.

I will just reiterate what the hon. member said about choice. We have several different school systems, be it the public system, the separate school system, the Francophone school system, that have a myriad of schools, be they charter schools, virtual schools, storefront schools, hockey schools. You name it. I believe that's one of the biggest advantages of our system.

THE DEPUTY CHAIR: There are two additional members who have indicated that they would like to speak. The hon. Member for Edmonton-Centre, and if time permits, I'll recognize the hon. Member for Edmonton-Strathcona.

MS BLAKEMAN: Oh, my goodness. Okay. I know my own colleague, the critic, is also interested in getting up. A couple of topics I'd like to touch on, then, for the minister. At this point I expect that it'll just go into *Hansard*, and he can respond in writing to me.

I'd like to talk about translation, women in the curriculum, apprenticeship for women, research, and fetal alcohol syndrome kids, and some lottery funding money. So a couple of questions.

When I look under 2.2.1, operating support for basic education, it looks like the support from the lotteries for basic learning increased by 35 percent. Now, I questioned the minister in Public Accounts the other day; in fact, it was yesterday. If this is a core program, then why is gaming revenue being used to support it? The government is on record as saying that it's not using gaming revenue for core programming. Certainly that's what came out of the gaming summit. So I'm hearing two messages at the same time from the government. If I could get clarification, please.

Under 3.1.3, Learning television, I'm wondering about the major commitments of lottery money that are going to fund operating expenses such as Learning television. I think in fact that one of my colleagues had asked a question the other week in question period about how much each department was putting into supporting Learning television. So if I could get that answered.

The minister spoke in the past about the on-line curriculum repository. I'm wondering what steps the minister has taken to provide the additional computers that will be required by this on-line curriculum repository. This is a real concern for my schools. All of my schools are classed as inner city. I recognize that the minister's going to make fund-raising illegal, but that doesn't matter to us because none of my parents can fund-raise because they're all working. So we're wondering where we're supposed to come up with a computer per kid and one more at home so that they can read their new textbooks on-line. Perhaps there's a strategy being developed there. Perhaps it's a partnership with business, as the minister just talked about. We're just interested in how that might be coming about.

5:00

I think that other people have already asked the minister about an update on the native students policy and program, and I will leave that. One of the things that's happening in my schools is we have always had a very high percentage of immigrants and new Canadians in our schools. Where people that have just arrived tend to go is to the very low-cost housing areas, which are in the centre of the cities at this point. Three years ago I think in one school about 60 percent of the kids were of Asian heritage. It brought us up to about 85 or 90 percent of kids from other areas, Africa and the Slavic countries, and a small percentage of off-reserve aboriginal children. That percentage of off-reserve aboriginal children is now increasing quite a bit, and some of them need support.

I'm wondering: given what we know about the increase of FAS and FAE, is the minister looking ahead and how is he looking ahead in future budgets and business plans at a comprehensive program to work with these FAS/FAE children? I am seeing this as an increasing stress or pressure on our system, certainly a concern for all of us, who want all children to do well, yet here we have a specific group of kids who will likely not do well. How does that affect their classmates? Once they're out of school, it affects a whole bunch of

other things, but let's start with where we can do something, and that's in the school system. I'm looking for what specifically this ministry is looking to do: what kinds of programs, money that's dedicated to it, evaluation and monitoring. I'd like to see a comprehensive program laid out where everybody is aware of what's going to happen here.

As I was just mentioning, of the kids in my schools there's a very high percentage of immigrant and new Canadian kids. I'm wondering if there's money in the budget for translation or how the minister expects that schools in Edmonton-Centre and schools in other constituencies, I'm sure, are expected to cope with translation. It's something that we have to do. If we're going to send notes home with kids, they have to be translated if we really intend that the parents are going to get the message. I was recently in a school talking about a project that I'm sponsoring in the community and was told flat out that I'd better translate into eight languages and was then told what the languages were. They're not kidding. When they send home important notices to parents, they must translate. Now, in some cases they can get someone that will provide this service for free, but this is not something that's easy to do. This is a difficult task for someone, and they don't remain a free volunteer forever. In some cases you can't get anyone who will donate the translation services, so you're paying up front for those every time. That is a cost to these schools, and they're willing to and must bear it, but I'm wondering where the minister comes in on this one, or is it just something that they have to cope with?

Women's curriculum. I'm encouraging the minister to continue to look at incorporating women's contribution and women's history into the curriculum. We still don't have the Famous Five as part of the curriculum in Alberta schools, and I think that is an onerous oversight. Before I leave office, I would certainly like to see that happen and to know that I was able to encourage the government to include that. I mean, we've got little girls in Alberta that don't know what nation builders we had in this province in the Famous Five. [interjection] That's true. We've got big girls that don't even know that.

Also, I'm looking at the whole area of apprenticeship, which also falls under this. Now, we know we have a shortage of skilled workers. I'm wondering whether the minister has looked for any programs that are particularly targeted to encourage young women to move into apprenticeship programs in the trades. They always tend to get slotted into hairdressing and secretarial, and frankly there are only so many secretaries and hairdressers that you can get in the world. There are only so many positions, and frankly those girls would make a lot more money if they were welders and plumbers. [interjection] Well, honest to goodness, look at it. How much does a secretary make? How much does a welder make? I mean, my brother is an ironworker. That boy is going to retire. I'm going to end up working till I'm 85. He's a freedom 55 guy. You know, he's been careful with his money, but he's worked darn hard, and he has consistently made more money per hour than I have. So good on him. He's worked darn hard for that and in some pretty crappy weather outside. But young women could be making that kind of money too. I'm encouraging the minister to look at that, and I'd like to have some kind of concrete answer back.

I'd just like to pick up on something that the minister said about research, where he felt that no researcher worth their salt would ever taint or slant their research product to please a sponsor. Well, I'm sure that does happen somewhere, but I think what we really have to be concerned about here are two other things. One is: who gets chosen for research? If what you are trying to do isn't attractive to sponsors that are coming in with the big bucks, you're not going to get the research money to do your project in the first place, so that's a form of selection. The other form is self-censorship. Someone

goes: well, I could work on these three different projects here that I'm really interested in; I'm going to pick the one that I think is going to attract a sponsor. Right there is a self-selection, a self-censorship. So projects never even get brought forward now because there's such an emphasis not on academic research and pure research but on how do I make the sexiest grant proposal to get money out of whatever: Merck Frosst or Coca-Cola or Nike. That in itself, I think, is tainting our research – tainting is too strong a word – colouring our research. I just wanted to make that point with the minister. That's why we need academic institutions that are reasonably funded, so that they don't have to go looking for that kind of money for every research project that they're going to do.

Those are the points that I most wanted to raise. The other ones I will perhaps direct to the minister in writing, and I'd appreciate getting a written response to the questions that I've raised so far. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I'll use the remaining few minutes. The minister has kindly agreed not to speak and to respond, I guess, in writing.

I was quite struck by the observations that were made by the hon. Member for Airdrie-Rocky View in terms of questions and advice to the minister. She did speak about the need for having some information on why high school girls and boys drop out, how many drop out, what percentage drops out, what reasons are there for which they drop out. We need to know this. So my question to the minister on this one is: as part of his study that the blue-ribbon panel will do, will he charge this committee with asking some of these questions and getting some research done so that we have the answers? Otherwise, we'll continue to speculate, and if we base our actions on speculation, they won't deliver the results.

Another set of words that the hon. Member for Airdrie-Rocky View used were when she referred to the deep wounds that have been left behind, perhaps, by the teachers' dispute with the government, and she raised questions about: are there provisions in the budget to deal with some of the problems that arise from that? I think it's an important reminder to the minister to pay attention to it. I strongly concur with the member if that's what she said. I don't want to put words in her mouth, but I think that's what she said, and I think I want to reinforce that, that the minister needs to take some concrete action to deal with it and settle these matters before they do serious, permanent damage to our education system, that has taken so long to build.

I was going to ask the minister if as part of his commission's terms of reference the postsecondary education system is going to be at all addressed. If not, I would ask the minister if he has on his agenda to set up a working committee or a commission to address the challenges that we face in the postsecondary system. Many of them have been referred to, including the one on participation patterns of young people not only along gender lines, but I'd remind the minister again that there are income-related disparities there that are emerging in terms of participation.

One of the studies that I referred to earlier, done by the senate of the University of Alberta itself, draws attention to the fact that 88.6 percent of students believe that students from middle- and high-income brackets are more likely to attend university than those from low-income brackets, and I think it's a pattern that needs to be broken if it is there. We need the minister to pay some attention to it, get some research done, and tell us what policies he has to counter these developing disparities in terms of participation, be they related to gender, be they related to income or to rural/urban areas. My

suspicion is that some of these disparities may have to do with urban/rural participation rates, and we need to pay attention to it. Otherwise, rural areas will continually suffer from accumulating disadvantage resulting from our inability to address these.

5:10

Having made these brief remarks, I want to just return very quickly to a few other points and to the need to review the Universities Act, particularly with reference to the ability of the universities to override zoning requirements that are in place and are used by municipalities to address the concerns of particular communities that may be affected by new developments, traffic flows, population concentrations, and what have you. The Member for Edmonton-Riverview indicated that part of the university falls in his constituency and he hears their concerns. The other part of the university falls rightly in my constituency, the Garneau area. With College Plaza, that he referred to earlier on, this new development certainly caused a great deal of concern among the residents of the Garneau area, a substantial part of my constituency. I had to meet with the community members for several months to address some of their concerns, and they are not satisfied with the resolution that the university presented to the concerns that they had.

Similarly, Garneau area residents were very concerned just a few months ago about a new student housing development north of 87th Avenue in the Garneau area. Again I met with the community representatives. They have a great deal of concern about the growing indifference on the part of the university to respond to the concerns of the surrounding communities. So there is a need, I think, particularly with reference to the ability of the university to override the zoning requirements, for this to be reviewed as part of the Universities Act review.

The minister made some comments on the benignness and the desirability of business partnerships. I don't think the business partnerships are of unmitigated benefit to universities. Universities as academic institutions have a culture which is very distinct and different from that of the business organizations. We don't have to be critical of business organizations to recognize the value of academic culture in itself, but there is something called hidden curriculum. If the business presence on campuses and schools becomes pre-eminent and the overall direction of university functions gets so closely tied to business needs, we will then find a new kind of curriculum emerging there. The values that begin to dominate the scholarly work, the learning, and so on and so forth – universities can get very much influenced by the business ethic rather than by the ethic of doing research, pursuing knowledge, pursuing discovery for itself in its own right.

Think of the government as a society. We need to be careful not to damage, not to limit the ability of knowledge-producing institutions and have them become always concerned about what business will say. Autonomy in their ability to do research and engage in research is very important, and so is it important for the development of future generations of scholars and scientists and policymakers. They also need to be able to think critically, independently, and value the autonomy of university organizations.

THE DEPUTY CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Strathcona, but pursuant to the understanding agreed to unanimously by the Assembly earlier this afternoon, I must now put the following questions.

After considering the business plan and proposed estimates for the Department of Learning, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$3,399,292,000
Nonbudgetary Disbursements	\$156,700,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report the estimates of the Department of Learning and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Department of Learning: operating expense and capital investment, \$3,399,292,000; nonbudgetary disbursements, \$156,700,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that we call it a weekend and adjourn until 1:30 p.m. on Monday.

[Motion carried; at 5:18 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 29, 2002**

1:30 p.m.

Date: 02/04/29

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Welcome. Good afternoon. Hon. members, I'd invite you all to remain standing after the prayer for the singing of our national anthem.

Let us pray. Heavenly Father, as we welcome a new member to our Assembly, grant us the wisdom to renew our commitment to serve You and all Albertans to the best of our abilities. Amen.

Now, will you please join in the lead provided by Mr. Paul Lorieau in the singing of our national anthem in the language of your choice.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

Presentation to the Assembly of Mr. Doug Griffiths Member for Wainwright

THE SPEAKER: Hon. members, I would now invite the hon. the Premier to proceed to the bar of the Chamber.

Hon. members, I have received from the Chief Electoral Officer of Alberta the report of the returning officer for the constituency of Wainwright containing the results of the by-election conducted on April 8, 2002, which states that a by-election was conducted in the constituency of Wainwright. The said report further shows that Mr. Doug Griffiths was duly elected as the Member for Wainwright.

[Preceded by the Sergeant-at-Arms, Mr. Klein escorted Mr. Griffiths to the Mace]

MR. KLEIN: Mr. Speaker, I would like to present to you and through you to all Members of the Legislative Assembly the new Member for Wainwright, Mr. Doug Griffiths. [applause]

THE SPEAKER: Let the hon. member take his seat.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Wainwright.

MR. GRIFFITHS: Thank you, Mr. Speaker. I would like to introduce some guests that are seated in public gallery. They're dear friends of mine, family and people who helped on my campaign to allow me to be here today. So I would like to introduce to you and through you to members of the Assembly – as I call your name, if you'd stand up – Coady Hayden, a friend of mine, Brian Heidecker and Donna Bagdon, Darlene Jensen and Ron Jensen, Maurice Chaisson, Marvin and Gayle Lawrason, Tyler Lawrason, Ken and Donna McNeil, Pam and Scott Ferguson, Fred and Marg Dibben,

Phyllis Flynn, Gordon and Shirley McClarty, Jim Klassen, Elaine Bruggencate, Ted McKenzie. Please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you, Mr. Speaker. It's with great pleasure today that I introduce a wonderful constituent of Edmonton-Norwood, Mr. Ron Tomyn. Ron began a career with the department of highways in 1951. He became a project manager in 1953, and he retired from Alberta transportation and utilities in 1987. Then with 35 years of road-building in his blood he accepted an offer to work on one final project and ended up staying 14 years to retire again just short of completing a 50-year career. Upon completion of the last project they nailed his work boots to railroad tracks in Hines Creek. He was fair and just to owners and contractors alike, and he is still pictured carefully inspecting the workmanship of the roadways he helped build.

Mr. Speaker, it must be somewhat emotional for Mr. Tomyn to visit the House. His late father, Mr. William Tomyn, served in the Legislature as an MLA for three separate constituencies for a total of seven terms. William Tomyn served the constituencies of Whitford and Willingdon from 1935 to '52 and Edmonton-Norwood from 1959 until his retirement in 1971. Mr. Tomyn had a reputation of being one of the Legislature's best orators and most outspoken members. Before becoming one of Alberta's longest serving politicians, Ron's father began a career teaching in 1926 in a one-room schoolhouse with 53 students at Plain Lake.

Mr. Speaker, again it gives me great pleasure to introduce to you and to this Assembly both a wonderful Albertan and a son of another. Mr. Ron Tomyn is here today with his wife, Marianne, and his granddaughter Michelle and son-in-law Norm Taron. Mr. Speaker, they're sitting in your gallery, and would they please rise and accept the warm traditional welcome of this Assembly.

Thank you.

head: **Introduction of Guests**

MRS. McCLELLAN: Mr. Speaker, on behalf of the Premier it's my pleasure to introduce to you and through you to members of the Assembly another group of guests from the Alberta Public Affairs Bureau. This group of public servants is visiting the Legislature today to learn more about the building and how the Legislative Assembly works. I would ask them to rise as I call their name and remain standing, and at the conclusion we would give them the customary warm welcome of the Assembly. Chelle Eisworth, Keltie MacPherson, Karin Neil, Helen Oldham, Tammy Peacock, Otilie Sanderson, Sheldon Staszko, Bill Strickland, Sandi Walker, and Diana Worsley. Welcome.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to members of this Assembly 18 students from Sir Alexander Mackenzie school in St. Albert. They are a particularly bright group of students. They are here this week for a week of School at the Legislature. They are seated in the members' gallery, and they are accompanied by their teacher, Catherine Coyne, and her assistant, Wanda Sagmoen. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

1:40

THE SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. It is with great pleasure that I rise today to introduce 10 very special students from various schools within the Calder constituency. They were a winner and nine finalists in the My Alberta contest, sponsored by the hon. Minister of Children's Services. The My Alberta contest was a chance for students from all over Alberta to celebrate the future of their province in words and pictures. I had the finalists and the one winner as my guests at the Legislature. They've toured the building and we had lunch together. I'd ask Amber Caissie, Nikki Murray, Justin Aquino, Jerris Randall, Lindsay Scott, April Claro, Jun Jun Claro, Krystle Duquette, John Caduhay, and Carol Singh to please rise – they're in the members' gallery – and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. It is a pleasure for me today to stand and recognize a constituent of mine, and I'd like to introduce her to you and through you to the members of the Assembly. Michele Bentley is one of those severely normal Albertans that we hear so much about but so little from. She is one of the silent majority, one of those people that loves to live and work in this province. She has a full-time job as a partner in a business and is raising a fine young man who's 16 years old at Ross Sheppard high school. She is sitting in the members' gallery, and I would ask her to please stand and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a really enthusiastic group of visiting students. These are 67 grade 8 exchange students, and they are visiting us from Quebec. They're on an exchange program with students from Victoria high school. They are accompanied by teachers from both Victoria and, I think, parent leaders from Quebec, and they are Heather Steinke, Anne Bentham, Mitzi LeDuc, Jean-Pierre Fabien, Denyse Verret, and John Jessop. The guide said that this was a very well-behaved group. They were very impressed with them. I would ask that they now please rise and accept the warm welcome of the Assembly.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Children in Care

DR. NICOL: Thank you, Mr. Speaker. Last Thursday in Red Deer another child in the government's care died. My questions are to the Minister of Children's Services. Can the minister tell us whether implementing the recommendations of the Korvette Crier report could have prevented this death?

MS EVANS: Mr. Speaker, as the hon. member opposite knows, this is a huge tragedy. It is a death that has been investigated by the RCMP, and thus far we're understanding that it is a tragedy that is accidental and in fact happened in a foster home that provides services through an accredited agency, Kasohkowew. It is one of our delegated authorities. We are saddened, and we are reviewing the circumstances that surrounded this death.

THE SPEAKER: The hon. Leader.

DR. NICOL: Thank you, Mr. Speaker. Can the minister tell us if there will be a full review of the Kasohkowew society given that this is the same society that supervised the placement of Korvette Crier?

MS EVANS: Mr. Speaker, there will be and in fact there has been a resumption of the authority of child welfare delivery services by the officials in my department through the services provided through the CEO in Keystone. We have presently got officials and last Friday had officials in fact in Kasohkowew. They have assumed the supervisory role. It is not without angst by the good people that are in Kasohkowew, but we want to ensure that the vision and values of child welfare services are provided as thoroughly as possible.

I should review also, Mr. Speaker, that since 1999 there have been a number of reviews, including management teams that have been in place there, people that have been providing assistance. In February of this year there were staff from the provincial offices of child welfare reviewing the documentation and the files. We are currently continuing with that review but clearly in a more intense fashion given the nature of the tragedy last Thursday.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the minister: as of today which recommendations of the Korvette Crier report have you been implementing?

MS EVANS: Well, Mr. Speaker, I would think that we have done everything conceivably possible to hopefully prevent this tragedy, although there is certainly one more thing that could be done. I would encourage the hon. members opposite to encourage their Liberal cousins in Ottawa to fund for prevention and other circumstances on the reserves in this province. It would make a heck of a difference.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: how will the minister ensure that services provided to aboriginal children by aboriginal societies are held to the same standards as other service providers?

MS EVANS: Well, Mr. Speaker, first of all, we have recognized that with 18 delegated authorities there are 18 directors on reserve. We work with INAC, and we work with our partners in Indian and northern affairs as well as with child welfare officials in surrounding regional authorities. It's at times very challenging. We do our best to publish the standards, to make sure those standards are available to them, to provide liaison through the native liaison units, six geographically placed units throughout Alberta. We take time to invite them to sessions and offer them training sessions. I think that to the largest extent possible we do our best to ensure that standards are followed, but there is a real frustration not only felt by the chiefs themselves and the band council, which the hon. Member for Calgary-Buffalo and I met with last Friday, but a growing frustration that there are not always the resources there that are available from the federal government, and where that happens, we do provide our own resources and supplement what is there. But let's not ignore the fact that presently what we know about this situation thus far is that this is a tragedy and a very sad tragedy.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Moments before, the minister referred to the number of reviews that are going on about the processes. When will the minister take responsibility and let Albertans know what changes in process are coming forward to better protect children in this province?

MS EVANS: Mr. Speaker, we have a number of authority manuals that have been produced. We produce annually a report that talks about not only the business plan but the outcome measurements that have been achieved. We provide for each region a report; they do their reporting regionally. If the hon. member is asking for what particular and specific things we're doing through the native liaison units, I would be pleased to publish that. We do not undertake delegation lightly, and I should be very clear: there's some very good work going on in the reserves and in the Metis settlements of this province. I think that if there are any aspersions there, there ought not to be. There are also some huge challenges, that we're trying to work with them on, in terms of our child welfare delivery. I'll be pleased, if the hon. member is quite specific about regions – I presume that Kasohkowew would be one – to table those in tomorrow's session.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. I asked for changes that were going on.

My next question is to the Premier. Mr. Premier, how many more problems have to come in this ministry before the government will step in and make sure that the processes that are in place to protect Alberta's children actually work?

MR. KLEIN: Mr. Speaker, I have the fullest confidence in the hon. Minister of Children's Services. She is tremendously sensitive to issues such as the one to which the hon. Leader of the Official Opposition alludes. She accepts with a great deal of consideration and care every recommendation by every person or group commissioned to do reports. Unfortunately, tragedies do occur in society, and when they do, we undertake, or at least the minister undertakes, to have a full examination, a full investigation of the circumstances, and where improvements can be made, they are made.

Mr. Speaker, I'd like to say just one more thing. This minister has tremendous care, tremendous concern for the young people of this province, and I have full confidence in her.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

1:50 Case Plans for Children in Care

DR. MASSEY: Thank you, Mr. Speaker. In a critical rebuke of the actions of the Department of Children's Services, the Court of Appeal denied an application that would delay the filing with the courts of approximately 600 case plans for children. My questions are to the Minister of Children's Services. What is the explanation for noncompliance, given that the department was aware of the problem over two years ago?

MS EVANS: Mr. Speaker, three times in the last two years different court judgments have been made dealing with the adherence to providing plans. One of the critical factors has been that in the presentation for temporary guardianship, when a judge received the request for a temporary guardianship, they also received verbally an outline of the plan that had been provided to the parents, and at times

in the past some chose to suggest that that was sufficient. There have been other court cases that have been filed – and I could go through a critical list or table that – but essentially we recognize that this is a contradiction of the Child Welfare Act, that under every circumstance a plan must be filed. I'm assured that presently there are plans available to be filed for all of those children. Since we have had the most recent decision last week that stayed our opportunity relative to the temporary guardianship order, through the child welfare directors in each jurisdiction we have had them review all of the files and where necessary go out and reapprehend those children to make sure that we are at all times doing the one thing that the temporary guardianship order intends to do, and that is protect the safety of the child.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: what action did the department intend had they been granted a nine-month delay? They didn't tell the courts.

MS EVANS: Well, Mr. Speaker, we fully intend – and today compliance is the order of the day in every circumstance. We intended to do whatever was essential to assure that where a child was still in a temporary guardianship order, the plan was in place, that the monitoring of that temporary guardianship was complete. Many of the ones that are assumed under that 636 number may have already changed their status, and it would require an individual file review and action to be taken by the director pending what the outcome of that review was. It's entirely possible today that some of those children are already back with their families, and in some cases, tragically, I'm told that we can't locate some of those parents, because those are children that have been taken into protection sometimes because parents have not been available to do the job that parents should be doing.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. To the same minister: given that the department told the court that "compliance would be costly and that resources are scarce," does the minister stand by statements that budget cuts have not hurt children?

MS EVANS: Mr. Speaker, \$674 million, almost \$675 million spent on the children of this province that are at risk: I am not going to accede to the hon. member's view that we are not providing sufficient dollars. There are times when dollars may not be spent in the exact focus they ought to be. There may be times, as in this case, which are regrettable, when plans weren't filed, but we are certainly spending more than any other province is spending for children at risk.

THE SPEAKER: The hon. leader of the third party.

Health Care Disputes Resolution Process

DR. PANNU: Thank you very much, Mr. Speaker. The federal government and nine provincial governments have agreed to set up a process for adjudicating disputes over the Canada Health Act. Under this process, however, only the final report of the disputes resolution panel will be made public. Everything else is kept secret, with the average citizen frozen out of the process. My questions are to the Premier. Does the Premier support giving ordinary citizens a voice in the disputes resolution process, or is he satisfied that this

process should be the exclusive preserve of the federal and provincial governments?

MR. KLEIN: It's an interesting question, and I guess I would have to hearken back to the days of Mme Marleau, who was then the federal Minister of Health, who arbitrarily ruled that we were in violation of the Canada Health Act relative to ophthalmology clinics and those clinics charging facility fees, a practice that had gone on, as I understand it, for about 10 years previous to her making her ruling. I don't recall any public consultation. As a matter of fact, there wasn't even consultation with the province.

Mr. Speaker, certainly as we go through the Mazankowski report or the Premier's Advisory Council on Health, there may be some areas that will give rise to a challenge of the interpretation of the Canada Health Act, and certainly there's going to be plenty of opportunity to hear from the public relative to the implementation of the Mazankowski report, but if it comes down to an area of constitutional dispute within the social union framework, then this is a matter for governments to iron out. We think it's only fair that a third-party dispute resolution mechanism be put in place so that the federal government is not the judge, the jury, and the executioner.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier commit to making representations to the federal government and his fellow Premiers to open up the dispute resolution process by giving citizens the legal right to trigger complaints?

MR. KLEIN: Well, Mr. Speaker, I would suggest that any citizen has the legal right in a free and democratic society to initiate any kind of action or to urge any body of government to initiate any kind of action. Ultimately, it's up to the governing body to decide whether or not that action should be taken.

DR. PANNU: The Premier is avoiding answering my question, Mr. Speaker.

Let me ask my final question. If the provincial government has the right to trigger the dispute resolution process, why shouldn't citizens of this province have the same right?

MR. KLEIN: Well, Mr. Speaker, I guess they do have that right, but my gosh, if you have a thousand or 2,000 or 3,000 individuals who want to challenge a thousand or 2,000 or 3,000 different components of health care, there would never be any time nor would there be the resources to address all of these issues. We have to have a reasonable and a responsible way of dealing with these disputes. We've gone a long way – it's been a six-year process – to get a dispute resolution process in place, a process, by the way, that hopefully will involve three independent citizens of Canada to decide whether in fact a jurisdiction is in violation or not in violation of the Canada Health Act.

THE SPEAKER: Mr. Clerk, would you stop the clock, please. Hon. members, this is rather unique. The hon. Member for Wainwright would like to introduce some visitors that he has in the Speaker's gallery. He is the next member to be recognized, but we'll stop the clock.

The hon. Member for Wainwright.

2:00

head: **Introduction of Visitors**

(*reversion*)

MR. GRIFFITHS: Thank you, Mr. Speaker, for the indulgence. In my nervousness, I suppose, I forgot to introduce some of the most

important people in my life, my family, who are sitting in the Speaker's gallery. So I would like you to rise, please, when I call your name: my cousin and his wife, Sheldon and Crystal Hudson; my aunt Sheila Smith; my uncle Jim Hudson; and my aunt and my cousin, Pam and Scott Ferguson; and then last but not least, my parents, Keith and Maureen Griffiths. Please rise and receive the warm welcome of the Assembly.

head: **Oral Question Period**

(*continued*)

THE SPEAKER: Mr. Clerk, we can restart.

The hon. Member for Wainwright.

Rural Development Strategies

MR. GRIFFITHS: Thank you, Mr. Speaker. During my campaign to become the member of this Assembly for the Wainwright constituency, I often had discussions with my constituents about the need for rural Albertans and the provincial government to work together to develop a comprehensive plan for rural development. Many of these discussions centred on the need to ensure that assistance is provided to the agriculture community in tough economic times. However, many also expressed a desire to see rural development considerations and initiatives that extend beyond the scope of agriculture. My question is to the Minister of Agriculture, Food and Rural Development. What types of initiatives is your department undertaking to assist in the progress of rural development within and beyond the agriculture sector?

MRS. McCLELLAN: Mr. Speaker, certainly rural development is important to this government and a very important part of our department's mandate. Recognizing this, we've begun to lay the groundwork on what we see as a renewed emphasis on rural development. We've created a rural development initiatives office, that will play a very key role in the evolution of a rural development strategy for our province.

Mr. Speaker, first I believe we must understand what the barriers may be to rural development before we can address some of those issues. We certainly know that there's a great advantage to living and working in rural communities. We know that this framework that we're laying out and working with Alberta Economic Development on would improve the knowledge of many people of the initiatives of rural development. I would just like to add that I have been in contact with the Hon. Andy Mitchell, who is with the rural secretariat with the government of Canada, who also supports rural development initiatives and certainly, on hearing our initiatives, is eager to work with us on a national strategy for rural development.

THE SPEAKER: The hon. member.

MR. GRIFFITHS: Thank you, Mr. Speaker. My first supplemental is to the same minister. Given that rural development projects and plans must compose a vision for the future and that the future of this great province is our youth, what kind of youth factors is your department considering in your plan for rural development?

MRS. McCLELLAN: Mr. Speaker, certainly we would agree that the strength of our future in this province is our youth, and I think that is demonstrated clearly in a number of department initiatives and our overall government mandate. There is no question that 4-H is the prominent program for youth in this province. We have been and will continue to be a very strong supporter of this program. I know that the hon. member is familiar with it because my investiga-

tion showed that he is a former 4-H'er, and he would know that it helps to develop leadership skills and decision-making skills and brings us future leaders, which I would suggest we have in this Assembly today as a good example of that program.

As I indicated in this Legislature just I think last week, there was some concern about our support for 4-H. I think we've clarified that, and we will continue to be the province that supports 4-H and youth development leadership skills to the greatest extent of any province in this country.

MR. GRIFFITHS: My final supplemental, Mr. Speaker, is to the Minister of Economic Development. Can the minister tell us what's being done to attract businesses and industries to rural Alberta in order to provide our young people with more opportunities?

MR. NORRIS: Well, Mr. Speaker, I think it should be evident to everybody in the House that with hard-hitting questions like that, this member has a bright, bright future.

I would like to talk seriously for a moment about rural Alberta, Mr. Speaker, as it's vitally important to our department, and we have a number of initiatives that I would like to explain to the member. First and foremost, we work . . . [interjection] If the hon. Member for Edmonton-Ellerslie was outside of Edmonton ever, she would know that rural Alberta is very important, very important. [interjection] Come on now. Outside of Edmonton, very important.

We work very closely with the Minister of Agriculture, Food and Rural Development, and we're working on a blueprint of such, that should be available within about six months. The idea of that is to simply say: if you have an idea, a business, or want to expand one, how do you access all the services that this government has? Part of the problem quite simply is that sometimes people aren't aware of all the good works that we do as a government, and we want to help with that.

Secondly, Mr. Speaker, we spend approximately \$500,000 a year supporting regional alliances. Quite simply put, these are alliances of areas with similar geographic and economic interests. There are now 11 of them in the province, one of which the member is representing, the Battle River alliance. As a matter of fact, we just gave in excess of \$5,000 to that region to develop their regional alliance.

Third, Mr. Speaker, we have provincial offices throughout the province which are charged with dealing with rural development issues. I will invite the member to join me after session, and I'll explain a little further about that.

I want to close by saying one thing, Mr. Speaker. As every member in this House now knows, Alberta is slated to lead the nation in growth for the 11th consecutive year in a row. It should become obvious to everyone in this House and with the help of the new member that rural Alberta is a massive part of that, and this department will do everything it can to continue. . .

AN HON. MEMBER: Speech.

MR. NORRIS: Yes, it is a speech. It's a vitally important topic.

THE SPEAKER: Hon. minister. Gee whiz, maybe we can all go out for a soda now.

The hon. Member for Edmonton-Riverview, followed by the hon. Member for Red Deer-North.

Case Plans for Children in Care (continued)

DR. TAFT: Thank you, Mr. Speaker. In 1983 the board of review that contributed to the current Child Welfare Act released a report on

Alberta's child welfare system that painted a very bleak picture. It stated that "some children were apprehended and put in temporary placements where they remained for a long time before anything was done to plan their futures." In other words, children were taken from their families but no plans were put in place for their care. To the Minister of Children's Services: 20 years later, how does the minister justify that children are still being taken from their families without proper plans being made?

MS EVANS: Mr. Speaker, the issue is not the lack of proper planning. The issue is the lack of doing the due diligence of filing it in court. I can assure the hon. member that plans are in place for the children and that parents have been made aware of those plans. The issue of not filing has been one that we're addressing.

Mr. Speaker, may I also remind this hon. member in this Assembly that last week the hon. Speaker suggested that the time for debate of the bill was during that time designated on our agenda. Perhaps the hon. member could provide that after 9 o'clock tonight when we're in Committee of the Whole.

DR. TAFT: Well, in light of her comments that the plans are there but not filed and given that the Child Welfare Act requires by law that a case plan be filed within 30 days of a child being apprehended, why is the minister refusing to enforce the law?

MS EVANS: Mr. Speaker, there is no refusal to enforce the law.

DR. TAFT: Well, then, Mr. Speaker, does the minister expect these children themselves to take a buyer beware attitude to Children's Services?

MS EVANS: No.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Gold Bar.

2:10

Travel Clubs

MRS. JABLONSKI: Thank you, Mr. Speaker. Last year two of my senior constituents were invited by phone to attend a marketing presentation for a travel club and receive a gift certificate for a lovely dinner. After being treated to great hospitality, they were convinced to sign a contract for a membership to a travel club that would provide them with discounts on future vacations. These seniors were told that when you buy a time-share, you have seven days to reconsider. They paid approximately \$8,000 on their credit cards. The very next morning when they had second thoughts and phoned to cancel their contracts, they were told that this contract was not a time-share but a travel club membership and therefore did not have the seven-day legal opt-out clause to cancel their contracts and that their money would not be refunded. This has happened to many other Albertans. My question is for the Minister of Government Services. What is this government doing to protect Albertans who join travel clubs?

THE SPEAKER: The hon. minister.

MR. COUTTS: Well, thank you, Mr. Speaker. The policy of the Department of Government Services and this government is to make sure that we continue to have the strongest consumer protection legislation in Canada as well as the regulations to follow up on that. As the hon. Member for Red Deer-North so astutely put out in her preamble, there is a difference between buying a time-share and

there is a difference between travel agencies and a new phenomenon in the marketplace called travel clubs. So it's our policy to stay up with the new phenomena in the marketplace. As such we've received over 400 complaints about travel clubs and the very things that the hon. member mentioned. As a result of those complaints, we went out and did a public consultation. We found out that travel clubs should be regulated, and as a result of that, on May 17 of this year the regulations for travel clubs will include such things as making sure that a travel club has a licence as well as posting security bonds or some kind of security so that it protects the customer in case the travel club cannot fulfill its obligation.

The other thing is that we want to make sure that the travel clubs themselves as well as their employees follow a code of conduct. The other thing that we've done is made sure that in these regulations the length of a contract for a person to be in a travel club can only be up to five years and does not have to be lifelong. I think that perhaps the most important thing to remember is that contracts must be in place so that it prevents the kinds of things that the hon. member's constituents had the misfortune of going through.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. To the same minister: how does this new regulation protect consumers against unscrupulous individuals?

MR. COUTTS: Well, Mr. Speaker, the new regulation can really assist consumers in several ways. What we've done is taken a look at the contract, making sure that it has a 10-day cooling-off period. So if a person feels that they have been pressured into signing a contract, they'll have a 10-day period in which they can cancel. I think that that's a really important component to protect people against unscrupulous individuals.

As well, should a travel club not perform the services that it said it was going to perform or the business go out of business, an individual has an opportunity to cancel that very same contract. Again, by limiting the contracts to five years, that provides a tremendous amount of protection for her constituents.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. To the same minister: will this regulation also deal with unscrupulous companies?

MR. COUTTS: Well, absolutely. That is the whole focus behind the regulations, Mr. Speaker. The mere fact that a travel club must be licensed gives us an extra tool for protection in terms of enforcement. Once you know that a travel club is up and running, they must be licensed, and it provides us with an opportunity. If we find that there are complaints against that business, we can go in and investigate, and if we find that they have violated their contracts, we can either suspend or cancel their business licence.

Under the Fair Trading Act of Alberta, which is Canada's strongest consumer protection legislation, Mr. Speaker, there are fines of \$10,000 or up to three times the cost of the violation of the offence, whichever is greater, plus two years in jail for an offence. I'm proud to say that now, today, travel clubs are regulated under the Fair Trading Act, which provides the protection that is needed by all Albertans.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Buffalo.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. The Premier told this Assembly on April 10 that the costs that were increasing for electricity transmission capacity will be paid for by retailers and generators. My first question is to the Minister of Energy. Will the minister guarantee that those costs won't somehow be downloaded onto consumers, who are already burdened with expensive monthly bills?

MR. SMITH: Mr. Speaker, as the Premier said, with any power that's used for export, the transmission of that power, the generation of that power, and the payment for that power will be held outside of this province, which is the definition of export, and will not be held by Albertans.

MR. MacDONALD: Again to the same minister, Mr. Speaker: since there is little need for outside power if we have enough power generation in our province, will the minister ensure that if additional export lines are built, it will be at the expense of those who will benefit directly, the generators?

MR. SMITH: Mr. Speaker, the member is being consistent in having a totally erroneous preamble to his first supplementary. In fact, there is a continued need for low-priced, reliable electrical generation in this province. In fact, that is why, since the new competitive structure came into this marketplace, we have been adding some 2,000 megawatts of different types of power: wind power, biomass power, power applications from coal, and natural gas cogenerated. That power-generating opportunity will continue to be available to those investors who want to take the risk to invest in this great province.

MR. MacDONALD: Again to the same minister, Mr. Speaker: given that power deregulation has turned out to be expensive for the consumer and unreliable – that is certainly not erroneous – can the minister now, before committing to new export lines, explain to this Assembly how the guidelines that are being developed across the United States will restrict the import of electricity that comes from sources such as coal, which is the majority of our future expansion in this province?

Thank you.

MR. SMITH: A very appropriate question for a motion for a return, Mr. Speaker, but again the preamble is wrong. Therefore the general assertion of the question is wrong, and it would be difficult for me in the remaining important time of question period to correct all the usual tedium of errors that come from the member.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Glengarry.

G-8 Summit

MR. CENAIKO: Thank you, Mr. Speaker. In two short months Alberta will host the 2002 G-8 summit in Kananaskis. Also in two short months many Albertans will be enjoying their summer vacations in Alberta's Rocky Mountains. My first question is to hon. Minister of International and Intergovernmental Affairs. How much is the G-8 summit going to cost Alberta taxpayers?

MR. JONSON: Mr. Speaker, the federal government is responsible for the G-8 summit and for all costs directly connected with that summit. The federal government has committed to reimbursing the

Alberta government and the municipalities for costs directly related to the G-8 summit. We are working to establish clear agreements with the federal government with respect to funding, particularly with respect to security, which is on everyone's mind.

As far as the actual cost of this particular major event, Mr. Speaker, I do not have a specific amount at this particular time. I am sure it's going to be substantial. I understand that it has been reported, not by this government or necessarily directly by the federal government, that there is speculation that it's going to be in the tens and tens and perhaps hundreds of millions of dollars. But that is something to put in context, and we will have to wait to find out the final bill when it is established.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My first supplemental question is to the hon. Solicitor General. What is this government doing to ensure the safety of Albertans and indeed tourists from around the world from the potential impact caused by protesters in and around the Kananaskis area?

2:20

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. As the hon. minister has indicated, this is a federal responsibility, all aspects of the G-8, including security. The Alberta government is assured by Ottawa that all security steps are being taken to keep Albertans and all the delegates safe while they're at the conference. We meet regularly with the federal government and the security planning groups, including police and other security officials. We have made it very clear to the federal government that we want the appropriate security measures to be in place. The frequency of these meetings has increased as the date draws nearer. We believe that protesters have the right to protest and engage in peaceful protest. However, steps must be taken and are being taken to ensure the safety and security of delegates, visitors, and all Albertans.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. Summer is just around the corner, and many families are planning their vacations right now. My final supplemental question is to the Minister of Community Development. What is the minister doing to ensure that Alberta's tourism industry in Kananaskis Country will not be unduly affected by the demonstrations that have accompanied major international summits in the past?

MR. ZWOZDESKY: Well, Mr. Speaker, we're doing quite a lot by way of working closely with the federal government on this, respecting the fact that it is essentially a federal government initiative, at the request of the Prime Minister. We're well aware that within the next three weeks or so Alberta's campgrounds will again be wide open to the public, and we're expecting people to start taking up the offers to attend. So what we're doing specific to Kananaskis Country and the G-8 issue is that we're working with the summit management office there, working with IIR over here, working with the Solicitor General over there, and doing our best, with the RCMP, to make sure that the security that is in place is both responsible, available, and accessible quickly, and that is going to try and help Kananaskis Country remain as open as possible.

I'll just close, Mr. Speaker, by saying that on March 15 I did announce that 95 percent of the total land base within K Country

will remain open to the public for camping and recreational use during the G-8 summit in June, and as soon as the summit is over, we'll try and be open for the Canada Day weekend with everything in place.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Edmonton-Highlands.

Talisman Energy Inc.

MR. BONNER: Thank you, Mr. Speaker. Last week the Minister of Revenue suggested that Albertans ought to increase their tourism in Sudan for the benefit of that troubled African nation and the Alberta companies that invest in it. This advice was given even though Sudan is a war-torn nation with a horrible record of human rights abuses and the Department of Foreign Affairs advises Canadians not to travel to this country due to safety concerns. The minister's comments were made as he was defending the government's decision to continue holding shares of Talisman Energy, an Alberta company that is facing a lawsuit in New York over its involvement in Sudan. My first question is to the Premier. How can the Premier's minister defend the government owning Talisman shares when his comments suggest that he is not even aware of what is happening in the Sudan?

MR. KLEIN: Well, Mr. Speaker, that begs a question – and one of our hon. members has alluded to it – and that is: does he? Does he? I've met with groups who both are opposed to the existence and the operations of Talisman in Sudan, and I've met with officials of Talisman, who explain their side of the story, and there are two sides to this issue. You know, there are the allegations – and, of course, that is the subject of a court action – of Talisman taking advantage of some of the opportunities that exist in Sudan relative to oil exploration. There is the other argument, that Talisman is contributing quite significantly to the development of the economy in Sudan and is moving to eradicate poverty in that particular country. So there are two sides to this story, as there are to virtually every story. The hon. minister is entitled to make whatever comment he wants. I'm sure that he has the facts that are satisfactory to him, and I would suggest that the hon. member of the Liberal opposition get all of the facts, not just one side but all of the facts. And if he hasn't already met with Talisman, I would suggest, out of courtesy and out of fairness and out of a sense of wanting to get the facts, that he meet with Talisman.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Minister of Revenue: given that analysts feel that shares of Talisman Energy are undervalued due to its holdings in Sudan and that the company faces a class action lawsuit in the United States, is this company maximizing its value for Alberta shareholders by doing business in the Sudan?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. I'd like to first clarify some comments in the preambles that are taken substantially out of context and continue to be misplaced, in the sense that my comments go back to the assertions that the hon. member brought forward by bringing innuendo and potential slanderous types of comments about a company with no facts or basis of evidence. So when we look at the investments of the Alberta heritage savings trust fund, I do think it's important to acknowledge that we do own shares of Talisman in

the Alberta heritage savings trust fund. We invest in the TSE 300. We don't invest with regards to one company in particular, but we invest in the indices. These companies have to meet regulatory requirements. They are required to abide by the laws of the land. I think it's also important to note that these companies have to be good global citizens. In fact, it was Canadian companies that led the creation of a code of ethics for international businesses for Canada. Talisman is one of those and has signed on to that code of ethics. As I said previously, unless there's evidence that has proven them guilty, we always assume innocence in this country.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. My final question is for the Premier. Given that Talisman's share price will undoubtedly suffer if it loses the lawsuit, wouldn't it be prudent to get the province out of Talisman before then?

MR. KLEIN: Mr. Speaker, the question is entirely hypothetical. There are a lot of ifs, and that's the most dangerous question to answer: a question that has in it "if." It calls for an opinion, it calls for speculation, and the question, as I pointed out, is entirely hypothetical. The investment policies of the Alberta heritage savings trust fund as a matter of principle and as a matter of policy are extremely well thought out, and we are not about to risk the money that rightfully belongs to the people of this province. A great deal of due diligence and attention and care is paid to all investments, whether it's Talisman or any other company.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Wetaskiwin-Camrose.

Kyoto Accord

MR. MASON: Thank you very much, Mr. Speaker. Last week during his media availability the Premier was asked a question about whether or not he would support a first ministers' conference on the subject of Kyoto. The Premier replied that he would give the matter some thought, and given that the first ministers' conferences are very serious and important affairs, that was a reasonable position. Ten minutes and several questions later the Premier apparently decided that he had given the matter enough consideration and called for a first ministers' conference on Kyoto. My first question is for the Minister of Environment. Did the Premier consult this minister about the idea of a first ministers' conference on Kyoto during the 10 minutes in which the Premier considered the idea?

THE SPEAKER: Hon. minister, please . . . We're dealing here with government policy, and the minister is not bound to respond on any internal consultations within the Executive Council, but his choice.

The hon. member.

2:30

MR. MASON: Mr. Speaker, then I guess I have no choice but to direct the question to the Premier, who wanted it all along. Did the Premier consult with either the Minister of Environment or with the minister of intergovernmental and international affairs prior to deciding to make a public call for a first ministers' conference on the Kyoto accord?

MR. KLEIN: Absolutely not, Mr. Speaker. I can make those decisions. You know, I'm very, very happy that the hon. member was paying attention, but actually this was a wonderful suggestion that came from a member of the media, Mr. Waugh, who's sitting up

there. I thought it was such a good suggestion. As a matter of fact, my answer to him was that I said: that is a good suggestion; I think we'll do that.

Now, Mr. Speaker, if the Prime Minister agrees to a First Ministers' Conference – and by the way, I'm receiving some word back now from my colleagues across the country. Premier Campbell thinks it's a good idea. I'll be discussing it with Premier Hamm, with Premier Binns from P.E.I. The new Premier of Ontario hasn't had a chance to get his head around this yet, I don't believe, anyway. If the Prime Minister agrees to a first ministers' conference on Kyoto, which is a matter of tremendous importance, there will be full and complete consultation with both the Minister of Environment and the Minister of Energy, who, by the way, are working on an Alberta plan, that hopefully can become a Canadian plan, which I hope to present to that particular meeting, that would in my mind create a much better solution to this problem of global warming and greenhouse gases than the arbitrary, very restrictive, very punitive nature of the Kyoto accord as it now stands.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Given that there is already an energy and environment ministers' meeting in May, a western Premiers' meeting in June, a first ministers' meeting in August, did the Premier even consult with his own schedule to decide whether or not another national conference was needed?

MR. KLEIN: Mr. Speaker, no, as a matter of fact, but I'll tell you that if the Prime Minister agrees to a first ministers' conference, I will adjust my schedule.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Ellerslie.

Ethanol-blended Gasoline

MR. JOHNSON: Thank you, Mr. Speaker. My question is for the Minister of Energy. The federal Natural Resources minister, Herb Dhaliwal, is said to be seriously considering a law that would force oil companies to mix ethanol with motor vehicle gasoline as a way to cut greenhouse gases under the Kyoto protocol. Could the minister tell us the provincial position on this suggestion?

MR. SMITH: Well, Mr. Speaker, the position is that there are market forces at play with the price of gasoline in this province as well as any other province. Ethanol as an additive would increase the price. Now, if I refer the member to the previous comments of the Premier, this I think is an outstanding topic for a first ministers' conference on the Kyoto protocol.

MR. JOHNSON: To the same minister: could the minister tell us what potential impact the federal minister's suggestion might have on Alberta's energy industry?

MR. SMITH: Mr. Speaker, the Canadian Petroleum Products Institute, which does represent the downstream oil and gas industry or the service station side of it, believes that there is evidence with current technology that ethanol will not bring large and substantial cuts in greenhouse gas emissions, but we do know that decreased demand for gasoline product would negatively impact western Canadian refiners. In fact, this province is ensured of good-quality oil refining over the next 50 to 70 years with the oil sands decision to upgrade the Shell Scotford refinery and the Petro-Canada refinery.

Those well over 311 billion barrels of proven reserves in the oil sands will ensure that we have good-quality refining in this province.

MR. JOHNSON: Mr. Speaker, my final question is for the hon. Minister of Agriculture, Food and Rural Development. Could the minister tell us what potential impact the federal minister's suggestion might have on Alberta's agriculture industry?

MRS. McCLELLAN: Mr. Speaker, there's certainly no doubt that if the federal government was to mandate the blending of ethanol, it would raise the demand for the product in Canada. In Alberta ethanol is produced from wheat, so increased demand for ethanol would certainly offer another value-added opportunity for our province's grain growers. Interestingly enough, I recently met with a group of seed growers who identified triticale as a very good crop that could be used in ethanol production. We certainly would support the increased ethanol industry in the province. We have the infrastructure. We have the supply of product to do it. We estimate that it could be from \$100 million to \$130 million per year in increased activity. However, I think we also recognize, as I think the Minister of Energy just pointed out, that the marketplace will be where this is decided. If consumers want ethanol-blended gasoline, then I'm sure the industry will provide it, and we in the agricultural industry will be happy to participate.

THE SPEAKER: The hon. Minister of Energy to supplement.

MR. SMITH: Well, thank you very much, Mr. Speaker. I just wanted to add that Alberta has in fact been a pioneer in ethanol production with the Mohawk oil and gas company. That Mohawk company has subsequently been purchased by Husky, and you can drive up to your pump today and get an ethanol-injected full tank of gas.

THE SPEAKER: Hon. members, before calling on the first of seven hon. members to participate in Recognitions today, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of this Assembly a constituent of the hon. Minister of Energy who is seated in the members' gallery. Mr. Tyler Shandro, son of well-known and respected physician and specialist in Calgary Dr. Bud Shandro, is here with us this afternoon. Tyler has just completed his first year of law school at the University of Calgary and has signed on to work as my summer student in the Calgary-Buffalo constituency office. I would ask Tyler to stand and receive the warm welcome of this Assembly.

Thank you, Mr. Speaker.

head: **Recognitions**

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Robinson Koilpillai

MS CARLSON: Thank you, Mr. Speaker. I stand today to recognize

Robinson Koilpillai and his wife, Helen, for whom a national tribute was held on Saturday, April 27, at the Maharaja banquet hall in Edmonton. I join, in fact, every party in this Legislature who was there that evening in echoing the words of the Governor General, who stated that it is a pleasure to congratulate Robinson Koilpillai for his 42 years of outstanding service to his community, his country, and his fellow Canadians.

As an educator, school principal and community volunteer, he speaks of tolerance and teaches without prejudice, rising above the barriers of race, creed and religion. His many accomplishments, most notably as the Minister of Multiculturalism's Man of the Year in 1980, as Member of the Order of Canada and as a member of the Canadian Human Rights Commission, demonstrate a lifetime of commitment to promoting the dignity and respect [of all people].

At a time when he could easily retire, Mr. Koilpillai continues to strive for global peace and justice as the chair of an international symposium celebrating Canada's diversity.

We recognize him for his outstanding contributions to his country.

THE SPEAKER: The hon. Member for Medicine Hat.

Parks and Protected Areas Volunteers

MR. RENNER: Thank you, Mr. Speaker. Today I would like to recognize Alberta parks and protected areas volunteers who were honoured at the annual volunteer roundup held in Cypress Hills interprovincial park this past weekend. Outstanding achievement awards were presented to 13 individuals and four organizations for their exceptional efforts in Alberta parks and protected areas. Each of these award recipients represents the imagination, enthusiasm, and spirit of over 2,000 Albertans who volunteer almost 100,000 hours of their time to Alberta parks and protected areas every year.

Alberta parks volunteers are young and old, rural and urban. They are neighbours and friends, organizations and individuals. What they all have in common is a keen willingness to help others and a passion to make a difference. Our volunteers provide a priceless service to the people of Alberta, assisting in the management of over 530 parks and protected areas in our province, that attract over 8 million visitors every year. I ask all members of this Assembly to join me in congratulating the 2002 Alberta parks and protected areas volunteer award recipients.

THE SPEAKER: The hon. Member for Edmonton-Norwood.

2:40

Kathy Holland

MR. MASYK: Thank you very much, Mr. Speaker. This afternoon it's a great pleasure for me to recognize an outstanding play school teacher from the Balwin play school in the Edmonton-Norwood constituency. The parents of Balwin play school have nominated Mrs. Kathy Holland as their teacher of the year. The parents cited Mrs. Holland's 13 years of tirelessly running the Balwin play school in an excellent fashion and their desire to recognize her for her efforts. Some of Mrs. Holland's other outstanding qualities as play school teacher include the high-quality level of her crafts, stories, activities, and field trips; her concerted efforts above the call of duty to ensure that each child is safe, happy, entertained, and learning; her special ability to transform a group of occasionally unco-operative three and four year olds to a happy group of singing and participating children; the way that the children listen to her and follow her instructions because she has developed a caring relationship with each one of them.

To conclude, Mr. Speaker, Mrs. Holland is a kind, gentle, and humble lady who treats all of the children that she cares for so equally. Congratulations, Mrs. Holland.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

**Brock Berger
Ian Draper
Dylan Weir**

MR. JOHNSON: Thank you, Mr. Speaker. I rise today to recognize three young men in my constituency from the town of Millet: Ian Draper, Dylan Weir, and Brock Berger. When the four Canadian soldiers were tragically killed two weeks ago, these three 13 year olds went door-to-door in Millet asking the townspeople to hang Christmas lights on their houses or hang Canadian flags in their windows in memory of the Canadian soldiers who died or were injured in Afghanistan. The people of Millet responded to the boys en masse, and lights lit up the sky every night until the four soldiers were buried. These three boys have shown an exemplary spirit, and they have demonstrated that the youth of Alberta, especially those in Millet, have a great understanding of the realities of the world. They have shown leadership that will serve them greatly in all their future endeavours. I commend Dylan, Ian, and Brock for their inspiring actions and unwavering Canadian spirit, and I also commend the town of Millet for their show of support for our soldiers in Afghanistan.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

Centre for IBM E-business Innovation

MR. HUTTON: Thank you, Mr. Speaker. It is my pleasure to rise today to recognize the Centre for IBM E-business Innovation, located in downtown Edmonton. In this centre clients will be able to successfully do business on the web with everything they need under one roof. The Edmonton centre will leverage the knowledge, skills, and experience of IBM's worldwide network of e-business innovation centres. Initially the innovation centre will feature industry specialization, health care solutions building on development with Alberta Health and Wellness as part of the Alberta Wellnet partnership. IBM employs 1,800 Albertans. Many of these employees export their skills and talents to IBM clients outside of Alberta. The new innovation centre will bring business strategists, application developers, and other specialists together to help Alberta companies move to the next generation of e-commerce.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater.

Memorial Service for Canadian Forces Casualties in Afghanistan

MR. BRODA: Thank you, Mr. Speaker. Today I would like to recognize the many volunteers, organizations, Northlands Park, the city of Edmonton, the surrounding municipalities, and their citizens for their tremendous support of our military families and the Edmonton garrison as Canada honoured its military at Skyreach on Sunday, April 28, 2002. On behalf of the constituency of Redwater I would like to extend my condolences to the families who lost their loved ones, to the wounded a speedy recovery, and our gratitude to the brave soldiers who continue to risk their lives in Afghanistan in the fight against terrorism. We salute you.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Christine Burdett

DR. PANNU: Thank you, Mr. Speaker. I rise to recognize a

remarkable Albertan, a defender of our health care system, the Alberta chair of Friends of Medicare, Christine Burdett. Ms Burdett has worked tirelessly for many years in a volunteer capacity to protect our cherished medicare system. She has traveled all around this province, sometimes with a government truth squad following her, delivering a message to the people of Alberta that a public health care system allows them to be safe in the knowledge that all citizens, big and small, strong and weak, rich and poor, will receive equal care and that for-profit health care is an oxymoron, because the moment care is entered for profit, it's emptied of genuine care.

She knows that strengthening and sustaining our health care system and at the same time protecting it from entrepreneurial interests must remain our pledge to Albertans. I salute Christine Burdett for her continuing efforts working with thousands of Albertans to fight this government's agenda of privatization as imbedded in the Mazankowski report.

Thank you, Mr. Speaker.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 100 Albertans petitioning the Legislative Assembly to urge the government to "not delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited today by the Minister of Gaming with the office of the Clerk: a letter dated April 16, 2002, from His Worship Mayor Bill Smith to hon. Mr. Stevens, Minister of Gaming, regarding an approved community lottery board grant to the city of Edmonton and a letter dated April 24, 2002, from the hon. Mr. Stevens, Minister of Gaming, to His Worship Mayor Bill Smith responding to Mr. Smith's letter of April 16, 2002.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I'd like to table five copies of a resolution from the village of Linden which states, "Be it resolved that the Village of Linden does not endorse ratification of the Kyoto Protocol."

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a series of tablings today. The first is from Kath Rutland, who is opposed to what is happening in Kananaskis and the special places.

The second is a series of letters from Albertans who are concerned about how teachers are treated in this province. They include Jason Holowka from Calgary, Leif Andersen from Grande Prairie, and Jane Iaccino, Dr. Robert Walker, Deanna Simmons, and Greg Balanko-Dickson from Edmonton.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With permission I have two tablings this afternoon. The first is a court judgment over the failure of the director of child welfare to file a plan for care under the Child Welfare Act. That was dismissed in the Court of Appeal.

The second is also an April judgment from the Court of Appeal

where the government had asked for a delay of nine months of the April decision, and that was denied by the courts.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I rise today to table the requisite number of copies of a letter from Wetaskiwin regional public schools, and it's indicating that they are very supportive of the aims and direction of Bill 205.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I would like to table the appropriate number of copies of a press release from New York dated February 25, 2002, and this was put out by human rights attorneys Carey D'Avino and Stephen Whinston. These lawyers were part of the legal team that represented Holocaust victims in a recent lawsuit that led to a \$1.25 billion settlement from Swiss banks. In this press release they are filing an amended complaint in the United States district court for the southern district of New York against Talisman Energy Inc. adding the Islamic government of Sudan as co-defendant. The complaint alleges that Talisman and the government are violating the human rights of Christians and other non-Muslim minorities in southern Sudan by conducting a deliberate campaign of ethnic cleansing to clear the land for oil exploration.

Thank you.

2:50

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of a resolution of nonsupport for the Kyoto protocol from the town of Bow Island, Mayor Alan Hyland.

MR. JOHNSON: Mr. Speaker, I rise to table copies of a letter from the town council of Millet indicating nonsupport for the Kyoto protocol.

MR. SMITH: Well, Mr. Speaker, I would like to join the cavalcade of opposition and table the requisite number of copies of a resolution of nonsupport for the Kyoto protocol from the metropolis of Coronation.

Thank you.

THE SPEAKER: Do you have another one?

MR. SMITH: Yes, I have another one, Mr. Speaker. I'm sorry that I couldn't get the appropriate number of copies, but I am tabling a letter from Talisman Energy to the Hon. Murray Smith, Minister of Energy.

The statements made by Mr. Bonner regarding the civil war in Sudan are indeed concerning and unfortunately are accurate regarding the terrible toll the long running conflict and famine has had on the people of Sudan. However his comments that the situation in Sudan are getting worse and that Talisman is somehow complicit in human rights abuses or acting unethically in its business activities in Sudan are categorically untrue.

THE SPEAKER: Hon. minister, the tabling will not be accepted unless we have the appropriate copies. So at the appropriate time we'll do that.

The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to table five copies of the news release that I issued on April 29 which contains the names of 13 outstanding individuals and five outstanding organizations, all of whom are volunteers that support our parks and protected areas. I might just point out quickly that over 2,000 Albertans volunteer their services to our protected parks and protected areas. It was a fine conclusion on Saturday to National Volunteer Week, when my colleague from Cypress-Medicine Hat was in Elkwater and able to present these awards. So these are there for everybody's names to be recognized.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table two documents. The first one is a public opinion survey sponsored by Friends of Medicare. The results of the survey clearly show that 6 out of every 10 Albertans are opposed to allowing more private, for-profit health care delivery in Alberta. It also shows that 62 percent of Albertans believe that the government is going in the wrong direction when it comes to protecting health care in Alberta. The third result of this very significant survey shows that more than two-thirds of Albertans, or 70 percent, are opposed to the increase in health care premiums by 30 percent.

The second tabling, Mr. Speaker, is the appropriate copies of a letter that I received over the weekend from Mr. Claude Dube of St. Albert, who expresses grave concerns about Bill 205 and urges me and all other MLAs to oppose this bill.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I have two tablings today. The first tabling is a document from a nonprofit organization, the Canada Place Child Care Society in Edmonton. This document bears the signatures of 71 individuals requesting the Premier and his government to "reverse their decision and reinstate the Alberta Community Lottery Funding Grant Program."

The second tabling is a document from the Calgary Coalition for the Income Support Review. This document details the economic and human costs of poverty in Alberta and was presented to the Calgary Conservative MLA caucus on March 15, 2002.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I wish to table the appropriate number of copies of a resolution of nonsupport for the Kyoto protocol from the town of Gibbons, in my constituency. They do not endorse the ratification of the Kyoto protocol.

Thank you, Mr. Speaker.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 25, it is my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places with the exception of written questions 1 and 2.

[Motion carried]

Stockwell Day/Lorne Goddard Court Case

- Q1. Ms Carlson moved on behalf of Mr. MacDonald that the following question be accepted.
How many hours did the Department of Justice and Attorney General dedicate to the Stockwell Day/Lorne Goddard case?

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. On behalf of the Minister of Justice we are rejecting the written question. All Alberta Justice staff do not keep track of the time they have spent on any particular issue, matter, or file. Alberta Justice does not know and cannot ascertain how many hours its officials or staff dedicated to the Goddard/Day case.

MS CARLSON: Mr. Speaker, it hardly seems reasonable or proper that a legal department, be it government or outside of government, does not keep track of their hours. Certainly there is some kind of accountability, whether they be billable hours that go out to a client or billable hours that go into a department. It seems completely unbelievable that this government wouldn't keep track of that kind of information, particularly a government that prides itself on modeling itself after business practices and seems to talk about cost centres and about efficiency and effectiveness. How can it be that the government does not keep track of hours on files? It's just not possible that that could be happening.

[Written Question 1 lost]

Access Television

- Q2. Ms Carlson moved on behalf of Mr. MacDonald that the following question be accepted.
How many different programs, shows, advertisements, or other initiatives have been provided or sponsored in part or in full by the Department of Human Resources and Employment for use on Access Television, and what was the cost of each for each of the fiscal years 1992-1993 to 2000-2001 and April 1, 2001, to March 13, 2002?

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. On behalf of the hon. minister I'm responding and indicating that the government will be rejecting Written Question 2.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie to close the debate.

MS CARLSON: Yes, Mr. Speaker. Once again we see a government that talks about being open and accountable but won't present basic information. Albertans have a right to know how much money this government is spending on these kinds of issues. It's absolutely unbelievable that they would reject this question. We see time after time the ministers skirt the issues in question period by telling us: ask it in a written question or file for a motion for a return. Then when we do that – we've heard that very same thing today – when we do exactly that, what do they do? They reject the request for information.

So, Mr. Speaker, I would ask this minister and this government how they can ever be open and accountable when they won't share the information with Albertans?

[The voice vote indicated that Written Question 2 lost]

[Several members rose calling for a division. The division bell was rung at 2:58 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Carlson Massey Taft
Mason

3:10

Against the motion:

Abbott	Hlady	O'Neill
Broda	Jablonski	Rathgeber
Cao	Jacobs	Renner
Cenaiko	Johnson	Shariff
Coutts	Jonson	Smith
DeLong	Knight	Snelgrove
Evans	Lord	Stelmach
Forsyth	Lukaszuk	Stevens
Friedel	Lund	Strang
Fritz	Maskell	Taylor
Graham	Masyk	VanderBurg
Haley	McClellan	Vandermeer
Herard	McClelland	Zwozdesky

Totals: For – 4 Against – 39

[Written Question 2 lost]

THE SPEAKER: The hon. Deputy Government House Leader.

head: Motions for Returns

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given on Thursday, April 25, it's my pleasure to move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of motions 2, 3, 4, 5, 6, 7, and 8.

[Motion carried]

Peace Country Bison Association

- M2. Ms Carlson moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of correspondence including but not limited to letters, e-mail, or phone messages between the office of the Premier and the Peace Country Bison Association.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I want to indicate at the outset that I will be responding on behalf of the Premier and indicating that our government will be rejecting this particular motion for a return. I'd like to just comment briefly about why that is the case.

First of all, as members across the way will do from time to time, they will ask for certain things that perhaps might conjure up certain images about certain individuals or the activities of certain individuals, and that may well be the case here. However, I would simply say that this particular motion for a return and the two that follow it

are all of a similar nature. All three are in fact quite unnecessary, so on behalf of the Premier I will be rejecting all three of them.

I think I should make it clear however, Mr. Speaker, to everyone that it's true that our Premier does own some bison and, yes, there is a very good friend, Mr. Marvin Moore, a good friend of the Premier, who does look after these bison on his behalf. In fact, many people will know that Mr. Marvin Moore was the campaign co-chair of the last provincial election, did a wonderful job, and most of us who are here if not all of us will have benefited from his excellent work in that regard. I should also clearly state that the Ethics Commissioner has been made aware of the purchase, and he has responded that he has no concerns.

In sort of concluding the wrap-up here, I just want to say that there might be some people who would not like to see our Premier involved in support for the agriculture industry, but in this case he is involved and this is one way that he's involved, by providing his support to that important industry in our province. Also, I believe that some members opposite may have written to the Ethics Commissioner asking for that particular office to look into the Premier's ownership of the bison in question. Mr. Speaker, once again, the Ethics Commissioner had no concerns with this particular investment.

So just to be very clear, on behalf of the Premier our government will be rejecting this particular motion and the two that follow it, which are all very similar in nature.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie to close the debate.

MS CARLSON: Thank you, Mr. Speaker. It's interesting that the Member for Edmonton-Mill Creek would find it necessary to speculate on the intent of my colleague from Edmonton-Gold Bar's reasons for asking for this information. The member stated that it was unnecessary to be asking for this information, but he didn't explain why it was unnecessary. He did make reference to questions that arose with the Ethics Commissioner about the purchase of bison. It is a reasonable request to make. I'm sure that all hon. members recently remember the recommendation that the commissioner made with regard to the Premier and racehorses, so it is well within the interest of Albertans to request information through associations that deal with bison to find out what correspondence has been available, and that was the nature of this first request, which was specifically with the Peace Country Bison Association. So we would still like to know if in fact there was any correspondence between that association and the office of the Premier.

[Motion for a Return 2 lost]

Bison Centre of Excellence

M3. Ms Carlson moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of correspondence including but not limited to letters, e-mail, or phone messages between the office of the Premier and the Bison Centre of Excellence.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again on behalf of the Premier I'll be indicating that our government is rejecting Motion 3. Just in response to the member opposite and her comments a little earlier, I find that the three motions in question were unnecessary, because the Ethics Commissioner has already reviewed this and looked into it and indicated that he has no

concerns with it. So on that basis we'll be recommending the rejection of Motion for a Return 3.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie to close the debate.

MS CARLSON: Thank you, Mr. Speaker. I would like to thank the Member for Edmonton-Mill Creek for his lack of co-operation.

[Motion for a Return 3 lost]

Alberta Bison Association

M4. Ms Carlson moved on behalf of Mr. MacDonald that an order of the Assembly do issue for a return showing copies of correspondence including but not limited to letters, e-mail, or phone messages between the office of the Premier and the Alberta Bison Association.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. As with the previous two motions for returns just dealt with, I am rising on behalf of the Premier to indicate that our government will be recommending the rejection of Motion for a Return 4.

I think I should just point out to all members that this particular motion for a return references the Alberta Bison Association, and as several people here probably already know – and I just would like to remind them in any event – the Premier of our province is in fact a member of the Alberta Bison Association. I'm sure it's a very, very fine association, and I thought you would just like to know that.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie to close the debate.

MS CARLSON: Thank you, Mr. Speaker. I, too, am sure that it's a very fine association, but that doesn't take away from the fact that that kind of correspondence should be made public. Once again I would like to thank the Member for Edmonton-Mill Creek for his lack of co-operation.

[Motion for a Return 4 lost]

3:20

Health Care Premiums

M5. Dr. Taft moved that an order of the Assembly do issue for a return showing a detailed breakdown of costs for the administration and collection of health care premiums for the fiscal years 1992-93 to 2001-02 including but not limited to manpower costs, materials, supplies, equipment and postage, computing services, money paid to external collection agencies including the number of cases referred to external collection agencies, and banking services and income verification.

DR. TAFT: Mr. Speaker, I feel that these are worthwhile and important pieces of information to obtain through a straightforward request rather than having to go through the procedures of FOIP. There is tremendous public interest in the issue of health care premiums, and I certainly get questions, commonly from the public, about how much do these cost to collect. There is a general line item to that effect in the government books, but it would be very helpful to have the specifics. Beyond that, having the specifics would allow us to get some sense of what the cost would be of issuing, say, a quarterly statement of benefits to Albertans across the

province, an idea that some people have put forward, and it may well be a good idea, in fact. I'm also interested in the cost of collection agencies. We receive complaints over that from time to time, and I'm interested in what the costs and benefits are for those services.

Thank you.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to the hon. member for his eloquent support for this motion. I'm pleased to advise him and all members on behalf of the hon. Minister of Health and Wellness that we'll be recommending that government accept Motion for a Return 5.

THE SPEAKER: The hon. Member for Edmonton-Riverview to conclude the debate.

DR. TAFT: Yes. I'm delighted to accept the offer from the government and look forward to the results.

Thank you.

[Motion for a Return 5 carried]

Premier's Advisory Council on Health

M6. Dr. Taft moved that an order of the Assembly do issue for a return showing a breakdown of consultant and research fees charged by the Premier's Advisory Council on Health including organizations and/or individuals employed.

DR. TAFT: Mr. Speaker, the reason for requesting this is to fully understand the activities of the Premier's Advisory Council on Health. It is, as we all know, a very influential group, and understanding who's doing the background research and what consultants are hired would be of great assistance to us.

Thank you.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again I'm pleased to inform this member and all members of the House on behalf of the hon. Minister of Health and Wellness that our government will be accepting Motion for a Return 6.

THE SPEAKER: Hon. Member for Edmonton-Riverview, would you like to conclude the debate?

DR. TAFT: That's fine. I cede this floor to you, Mr. Speaker.

[Motion for a Return 6 carried]

Entertainment/Hosting by the Premier's Office

M7. Dr. Taft moved that an order of the Assembly do issue for a return showing total expenditures for entertainment/hosting by the Premier's office broken down on a yearly basis for the fiscal years 1990-91 to 2000-01.

THE SPEAKER: The hon. deputy . . . Sorry; go ahead.

DR. TAFT: No. Let's go and hear the government's side. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, we've reviewed this particular motion, and I'd like to table an amendment, which perhaps has already been circulated, or I'd ask that it be circulated. I'm getting the nod that it has been circulated. Just for purposes of the record this is Motion for a Return 7, and on behalf of the hon. Premier I am going to read into the record the amendment known as A. We would like to strike out "1990-91" and substitute "1993-94" in its place so that the amended motion for a return would read as follows:

That an order of the Assembly do issue for a return showing total expenditures for entertainment/hosting by the Premier's office broken down on a yearly basis for the fiscal years 1993-94 to 2000-01.

I think it's important to note that this amendment has been circulated to all members – they've had a chance to look at it – and also to indicate to everyone in the House that this information has been shared with the opposition colleague prior to 11 a.m. today as per our procedures.

I would just quickly add, Mr. Speaker, on behalf of the Premier that with this amendment being put forward, we need to change those dates from 1990-91 and replace them with 1993-94 primarily, I guess, because we're looking at the new mandate of the Premier really beginning in the term of government that is 1993-94. The Premier wishes everyone to have that information as requested, so the curiosity of the members opposite regarding the Premier's office expenses hopefully will be satisfied in that way.

These records will provide some information on how government policy is developed, which is not really what the intention, perhaps, of the motion might be, but if they can find some reason within the amendment that suffices that purpose, so be it. The motion for a return aspect of the Assembly, as everyone knows, generally speaking is more to do with government policy and how it's developed and how it applies and so on, but if the member were to accept the amendment that I'm putting forward on behalf of the Premier, then I know that the Premier's office would agree to the motion for a return as amended.

THE SPEAKER: The hon. Member for Edmonton-Riverview on the amendment.

DR. TAFT: Yes, Mr. Speaker. I did receive proper notice for the amendment. I actually read of the information going to the media, although I haven't seen any of the information myself. My concern with the amendment and one of the underlying purposes of the whole motion was that we would like to have a comparison from the regime of the previous government or the previous Premier and be able to compare through time. This government has a track record of arguing for a tight ship, and it seems from the evidence in the media that their funding has declined, but it would be useful for us – and this was essential to our original motion – to compare that to what went beforehand. So I'm reluctant to accept the amendment because it cuts out one of the very purposes of the motion for a return. I would prefer that the amendment be withdrawn and we just proceed with the motion as it was originally moved.

Thank you.

THE SPEAKER: Are there additional members who want to speak on this amendment?

[Motion on amendment carried]

THE SPEAKER: On the motion now.

MR. ZWOZDESKY: May I speak to the motion as amended?

Thank you. Mr. Speaker, it's unfortunate the member opposite hasn't accepted the amendment. I would ask that he reconsider that position, which obviously is his own free will to do. I will try and ensure that a tabling of this information does occur at the earliest opportunity in this House so that you'll see the comparisons for at least the period during which the Premier was in office as Premier, which officially really begins with the 1993-94 term. I mean, there was a small bit there, I think, right before April 1. However, that would address the majority of the time period that you're looking for.

I think all members will notice once that information arrives, Mr. Speaker, that during the years 1999-2000 as well as 2000-2001 there was a very significant increase in the general dollars that were put forward toward hosting and working session expenses, and the reason for that increase is primarily because the office of the Premier had taken over the responsibility also for the office of protocol, or what we call the protocol office. So that's one thing to sort of keep in mind. Accordingly, there were more dollars spent in the area of hosting because of the number of dignitaries who were traveling through our province, which the very capable protocol office assisted with, and as a result we had not only a lot of visits to what we would like to think is the most popular province but also visits to the most popular Premier. That might explain some of that for the hon. member.

So, Mr. Speaker, if one were to discount protocol's portion of the hosting dollars, it's evident that the expenses of the office have been reduced significantly. In fact, the year 2000-2001 expenses for hosting, for working sessions, and other expenses are less than 50 percent of the dollars that were spent back in 1993-94. The expenses have gone down that much in the Premier's office. So I would hope that maybe the members opposite might reconsider, knowing that information.

3:30

THE SPEAKER: The hon. Member for Edmonton-Riverview to close the debate.

DR. TAFT: Thank you, Mr. Speaker. As I understand it, the amendment has gone through, so I will accept it, whether I am delighted or not.

I would like to register one concern. I may be corrected; this may be somewhere in my office. This information clearly linked to this motion for a return was provided to the media. There was a front-page story in the *Calgary Herald*. There was a story in the *Edmonton Sun* today. That was all done in advance of any of this discussion. So it seems like certainly a disruption of the normal process, and that does concern me.

I'll look forward to the information when I get it. Thank you.

[Motion for a Return 7 as amended carried]

Collection of Overdue Health Care Premiums

M8. Dr. Taft moved that an order of the Assembly do issue for a return showing a copy of any directives or guidelines given by the Department of Health and Wellness or any other Alberta government department to external collection agencies who have undertaken the task of collecting overdue health care premiums for the fiscal years 1992-93 to 2000-01 and April 1, 2001, to March 18, 2002.

DR. TAFT: The desire for this information is to get a better sense of how the business of collecting overdue health premiums proceeds. We received, as I mentioned earlier, complaints from people who

feel that they are unjustly harassed or targeted by collection agencies and indeed are intimidated by these agencies through threats of legal action. So this is important information, and we would be interested in seeing it as a reflection of how the collection of health care premiums is done.

Thank you.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to inform the House that on behalf of the hon. Minister of Health and Wellness we will be indicating the government's acceptance of Motion for a Return 8.

THE SPEAKER: The hon. Member for Edmonton-Riverview to close the debate?

[Motion for a Return 8 carried]

head: Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

Bill 205

School Trustee Statutes Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Chairman. I rise today to propose an amendment, which I believe everyone has copies of at their place. However, what I would like to do very briefly would be to indicate and reiterate the intention that was inherent in the passing at second reading of Bill 205. When it was passed at second reading, the intention of the bill was to create the circumstances under which the optimum number of trustees on a school board would be able to discuss and vote on the optimum number of items that come before the board. The second intention was, of course, that the bill would clarify the rules and make them unambiguous to all.

When the bill did pass at second reading, it was passed with the understanding that this greater clarity and participation could be accomplished by amending the Local Authorities Election Act and declaring an employee of a school district or division, charter school, or private school not eligible to seek election as a school trustee in Alberta. Furthermore, it proposed amending the School Act in two ways: by requiring all trustees, once elected, to file a disclosure statement and, secondly, by identifying that the only deemed indirect conflict of interest relationship that would require a trustee to remove herself or himself from the discussion would be that of spouse.

While the bill is being debated here in committee this afternoon, I wish to propose an amendment. It would further amend the Local Authorities Election Act and allow an employee to be on a leave of absence when seeking election as a trustee. It is also understood although not mentioned in the amendment, because it does bring into play another section of the Local Authorities Election Act, that once elected, that trustee would be required to resign from their employment with the school division or district, charter school, or private school.

I would draw your attention to the amendment that I have before you and would like to break it down into two parts. I'm going to deal with what I will refer to here as (b), the second part, striking out clause (b) and substituting the following: in subsection (3) by striking out "Subsection (1)(c) to (f) do not apply" and substituting "Subsection (1)(b) to (f) do not apply." I am introducing this amendment to Bill 205 out of an interest in an abundance of clarity, to make sure that everyone understands that my proposal here is such that the only individuals whom I'm speaking about with respect to election and nomination to a school board are those who are employees of a school division or district, a private school, or a charter school.

The other two amendments, (a) and (c), as I have put them here on the notice of amendment . . .

THE DEPUTY CHAIR: Hon. member, just for clarification purposes. You are talking about this amendment as though it was in two sections. I'm just wondering whether we are going to deal with it as one vote or two separate votes.

MRS. O'NEILL: As one vote.

THE DEPUTY CHAIR: As one vote. Okay. So we shall refer to this as amendment A1 and have one vote at the end of the discussion.

MRS. O'NEILL: In its entirety.

THE DEPUTY CHAIR: Okay. You may proceed. Thank you.

MRS. O'NEILL: Thank you very much, Mr. Chairman, for the clarification.

I just wanted to focus on the one on section (b), but primarily I'm going to look at amendments (a) and (c) as I have them here. What they do in essence identify and I'm proposing is the fact that, as I have mentioned here, in the proposed section 22(1.1) I am going to add the phrase "unless the person is on a leave of absence granted under this section" after the word "Alberta." So it would allow an individual, an employee, to be on a leave of absence if they wished to seek election as a school trustee.

3:40

I would also point out that section (c), as I have identified here on the amendment, with sections (c) and (d) within it also speaks to the fact that the employee who wishes to be nominated as a candidate for election as a trustee of a school board may apply to his or her employer for a leave of absence. They must apply for the leave of absence so that they can seek election. I would make reference to the fact that section 9 of the Local Authorities Election Act indicates that consistent with those who are seeking election to municipal office, upon election the individual must resign. I would draw your attention also to my amendment, which is (d) of section (c) here, indicating that "a school district or division, a charter school or a private school shall grant [the] application" for a leave of absence.

Mr. Chairman, the intention of the amendment is to make very clear first of all whom I am speaking of and referencing here and, secondly, the terms under which an employee can seek election – i.e., by being on a leave of absence – and also the conditions under which they must seek that leave of absence and, if successful, then resign from their employment.

That is my proposal for amendment A1. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. Just a couple of comments about the amendments. What the amendment in effect does is make sure that should a teacher seek to run for school board, he or she would have to give up their livelihood, because the honorariums paid to trustees, to most of the boards that I'm familiar with are not sufficient for one to maintain their living on. So that, I think, is the practical implication of this amendment, and it goes back to the original bill, which I believe to be punitive.

One other comment that I did want to make is that there's a difference between municipal councillors and school trustees, particularly in urban areas, because in urban areas those councillors do receive an honorarium or a stipend that does allow them to leave their employment and to work full-time as a councillor.

Thanks, Mr. Chairman.

THE DEPUTY CHAIR: On the amendment, the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Chairman. I wanted to rise to speak to this because when I was talking to a number of the boards in my area – and I note that I have five boards in my area – all of them indicated support for Bill 205. A couple of them had some issues with Bill 205, that I mentioned in my previous comments to this. One of the issues that was brought forward to me was the perception that the bill seemed to restrict the rights of a group of employees in the province to actually run for office. So I'm very pleased to see this amendment coming forward, because I believe that it has taken that into consideration and certainly made it very similar to other boards and councils in the province. I think that this will go a long way to allay a lot of those concerns that were expressed, where it isn't that we're saying that because you're in this profession or you're an employee, you cannot run, period. What we're saying is that the rules apply to you as they do to a council or other areas. So I believe that that is going to go a long way to one of those concerns that was issued.

I'm a little bit confused in my rookieism here. Can I speak to the rest of the bill right now, Mr. Chairman?

THE DEPUTY CHAIR: We are currently dealing with the amendment, and thereafter there will be an opportunity to speak to the bill with the amendment passed or with the amendment rejected.

MR. HORNER: Then with that, Mr. Chairman, I'll wait until we've dealt with the amendment. I just wanted to show my support and gratitude for this amendment coming forward. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. On the amendment. I appreciate the efforts of the Member for St. Albert, but in the end it seems to me that it doesn't adequately address the concerns that I and many other Albertans have. As the hon. Member for Edmonton-Mill Woods pointed out, while it provides for a teacher who runs for election to take a leave of absence, the effect of that is to force the teacher to lose their livelihood, to give up their income. That, I think, probably achieves indirectly what was going to be done directly before, so it just doesn't seem to address the concern as I understand it. So I for one can't support this bill.

Thank you.

[Motion on amendment A1 carried]

THE DEPUTY CHAIR: On the bill as amended, members may speak to it now. The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Chairman, for the opportunity to rise today and speak to Bill 205, the School Trustee Statutes Amendment Act, with this amendment. I would like to begin today by commending the hon. Member for St. Albert for bringing this important piece of legislation forward. It is both timely and long overdue. I congratulate her for initiating this debate. I note that the hon. member is a former member of the St. Albert school district and also note that she speaks both as an MLA as well as an experienced school trustee.

I'm very, very pleased that the amendment that we are seeing here in the committee is responding to concerns raised by the hon. member and the public. I will be returning to those amendments in a moment, but I would like to take this time to bring this to a broader perspective. Local governance is an important aspect of democracy here in Alberta, and for years now government has placed more and more emphasis on the roles and responsibilities of our local boards and town councils. The fundamental basis of the concept of municipal government is that local individuals within the community are best suited to administer certain programs and responsibilities. Lawmakers and policy experts for many jurisdictions have embraced this concept and have expanded its principles to other areas once the exclusive domain of larger governing bodies.

Here in Alberta, Mr. Chairman, we saw just last fall for the first time local candidates stepping forward to serve as regional health authorities. Successful candidates from across the province are helping to shape and implement health policy. They allocate and direct millions of dollars in taxpayers' money to address local priorities and issues.

Mr. Chairman, to me one of the most important aspects of our society is the education of our youth, and the most valuable component of our education system is our teaching professionals. To look after this very important aspect of our society, we have created the most important local bodies; that is, the local school boards. School boards play a vital role in the delivery of education to our children in this province. As trustees of these boards members of the community take time out from their busy schedules to attend meetings and to work with local staff to ensure that schools are run efficiently and effectively for the benefit of our children and our teaching professionals.

3:50

REV. ABBOTT: And economically.

MR. CAO: And economically, as the hon. member said.

There are many roles that Albertans ask trustees to take on when they achieve success through the ballot. Trustees must take on the role of policymakers. They must provide leadership by setting goals and directions. They must be continually engaged in the local community to ensure that the school system continues to educate its students in a manner that prepares them for the future and meets the needs and priorities of local communities. Many times trustees are called upon to act as communicators, ensuring that the local community is aware of what is going on in our schools and that the local school administration is aware of the concerns and priorities of parents, teachers, and students.

[Mr. Maskell in the chair]

Perhaps, Mr. Chairman, one of the most important jobs of a trustee is that of a financial planner. When individuals put their

names forward for election, they take on the responsibility of ensuring that the local school board is run in a fiscally prudent manner. Quite simply, they are asked to help in the allocation of taxpayers' dollars. This is an important responsibility, one that needs to be taken very, very seriously. To do so, trustees must be involved in every aspect of their job. They must help in the budget process by attending meetings and asking questions. They must participate in local contract negotiations with teachers, support staff, and other employees to ensure that the services are properly allocated for the benefit of our schoolchildren and of our educational system in general. Indeed, in the eyes of many stakeholders the adoption of the budget is perhaps the single most important decision a school board makes each year.

To date this system has worked fairly well. Community needs are met by allocating money to programs important to all the stakeholders: students, teachers, and parents. Key issues can be addressed through the local bargaining process. This is an important aspect of our education system, a function that responds extremely well to the key issues of individual communities. However, Mr. Chairman, there are times when problems do occur during this process. Conflicts of interest happen, and we as the legislative body responsible for the School Act must address this issue.

Under Bill 205 and specifically section 1(2)(a) only those candidates capable of fulfilling the key obligations for which they are elected would be able to run for trustee. I believe, Mr. Chairman, that the budget process is certainly one of these key obligations. It is reasonable to expect that the trustees are prepared from the start of the nomination process to fully serve and participate in all aspects of their potential position. Some opponents of Bill 205 will argue that this is an attack on democratic rights of teachers and unions. This is simply not so. The amendments that we are discussing today and specifically those proposed in section 1(2) help to clarify this point. Teachers and other employees of any school board have the basic right to put their name forward to serve. However, it is reasonable to expect that these individuals if successful will resign from their positions so as to prevent any appearance of conflict. This is similar to what happens in British Columbia as well in municipal elections right here in Alberta.

These amendments also clarify the point that a broader interest exists between an education employee and the extended education system. Thus, school support staff who work in Red Deer cannot run for trustee in another jurisdiction. The conflict of interest still exists, and I am pleased that we are addressing this issue.

Mr. Chairman, it is reasonable to expect that trustees will not be active members in any professional organization with which a school board has an ongoing and enduring financial relationship. It would be inappropriate for these members to become school board trustees and have to constantly excuse themselves from the discussions so important to the basic functions of our schools.

It is also reasonable for Alberta's public to expect trustees that are able to fully participate in all matters before the school board, including financial matters, when they empower trustees to do their job at the polls. Today when conflicts are acknowledged, trustees leave the room and abstain from relative discussions and processes. While this may eliminate the conflict of interest, it does not eliminate the broad obligation of the trustee to fully represent and serve their respective constituents. While conflicts of interest will still exist, Bill 205 will go a long way to ensure that trustees are in a position to effectively deal with this challenge of the office.

Thank you.

THE ACTING CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. I'd like to rise to speak to the amendment put forward to Bill 205.

AN HON. MEMBER: The amendment has passed.

MR. MASON: Oh, the amendment has passed. Well, then, I'd like to speak to the bill as amended, Mr. Chairman. I think the comments will be very much similar.

I believe that with the amendment the bill is somewhat improved. Certainly I appreciate the hon. Member for St. Albert taking into account some of the comments that have been made by other members, including myself, in speaking to this bill in terms of its comparative provisions to the Municipal Government Act, after that was amended, which allows municipal employees to seek office if they are on a leave of absence, and if they are elected to the jurisdiction which employs them, then they must resign their job.

What concerns me with this act is that it still means that a person who is employed by any jurisdiction is ineligible to run and be elected in another jurisdiction. If, for example, you are a resident of St. Albert and you wish to seek election for, shall we say, Edmonton public school board, you are ineligible unless you take the provisions under the amendment. This is at least as far as I can read the bill and the amendment. So you have absolutely no conflict of interest if you live in St. Albert and you are elected to the public school board in Edmonton. It is not your employer, so there is no conflict that would meet any test set out in the Municipal Government Act for conflict of interest. There's no personal conflict. The only conflict that exists I think is a political conflict. That is to say that people who are elected to school boards who are employed or have been employed or family members that are employed in the educational system have a heightened awareness of many of the issues that exist.

4:00

Now, why is it that we are not permitting them to seek election and be elected to a school board that doesn't employ them? There can be no argument that I can see that would explain such blatant discrimination against the rights of individuals based upon their employment. This is nothing but discrimination, and it's based on either the employment of the individual or the employment of a member of their family. Until that particular piece of this act is amended, I will continue to oppose it. [interjection] Well, if the hon. member wants to tell me that you would be permitted to run in another jurisdiction . . . [interjection] Yeah. All right. Just the teacher. That's a fair comment then.

[Mr. Shariff in the chair]

Then I believe that based on one's employment, you cannot exclude people and shouldn't be attempting to exclude people from participation in the electoral process based upon the fact that they may be a teacher or a janitor or someone that works for another school board. I don't think that this law as it now is constituted will successfully meet a legal challenge. I believe that the Charter of Rights and Freedoms will override this bill and this act if it passes third reading, and I would urge members to take this into account.

I appreciate that the hon. member has taken some steps to bring this partly in line with the principles set out in the Municipal Government Act, but it's not yet fully in line with the principles of the Municipal Government Act. There needs to be further steps taken before we can say that this bill is really just directed against actual conflicts of interest and not directed against excluding people with certain views of education from participating in our democratic system.

As it now stands, Mr. Chairman, I cannot support the bill until those changes are made. Thank you.

THE DEPUTY CHAIR: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Chairman. I am grateful for the opportunity to rise today in Committee of the Whole and speak to Bill 205, the School Trustee Statutes Amendment Act, 2002, as amended. As I mentioned earlier, I did go to all five of the boards that I represent in my area and talk to them about this particular piece of legislation and had good discussions with them, and in fact there has been a lot of correspondence to me in support of this bill. There has also been recently some news media released in our area which also indicated that the greater St. Albert Catholic board was very much in favour of seeing this bill pass.

A couple of issues were brought to my attention. One was the perception that the bill seemed to restrict the right of a group of employees from being even nominated to run for the board, and that's why I'm very happy and pleased that the amendment which was brought forward by my colleague the Member for St. Albert was passed and will be a part of this. I think that goes a long way to saying to everyone, "You are eligible," as the Member for Edmonton-Highlands said, "Under the same rules as a municipality."

The other issue that has been brought to my attention of course is that it would restrict individuals who are employees of one school division from running in another school division. I've struggled with this one a little bit. I've talked to a lot of the boards in my area, and I've talked to a lot of the teachers and a number of other individuals and have come to the conclusion, Mr. Chairman, that we are almost into regional areas of employment. We are almost into regional areas of negotiation. Even though each one is doing their own negotiation, we come up with some very similar terms. In fact, some of them are even basing their negotiations on what happens in another region.

So it's hard for me to say that there isn't going to be some involvement from one region to the other, and certainly the ones that are bordering, one would expect, are going to be watching what happens next door. I guess I have to come down on the side that says that if you are an employee, then you would have to follow the rules, as anyone else would. I guess in the last little while and certainly in the last year, it really has shown that to be the case.

Our government really is continually motivated to improve the public education system in the province, and that encompasses classroom instruction through contract negotiation that is currently under way in some districts. As a government we acknowledge public education as a treasured institution in our province. Every Albertan would agree that our young people need a world-class education. Communities everywhere in the province expect the system to operate with our children's education and future development as a top priority. Every Albertan would agree that decisions ultimately affecting the classroom should be handled with the utmost of respect and under a high degree of scrutiny and along set guidelines.

The amended bill, Mr. Chairman, requires that employees of any school district who seek nomination for the position of school board trustee first obtain a leave of absence from their conflicting position. As I've mentioned earlier, I think that is going to have to be in there certainly with this regionalization that we see occurring. If they get elected, they're going to have to resign. That's part of the deal. The amended bill applies to all employees in kindergarten to grade 12 provincially. These amendments help better reflect the bill's intention of eliminating employment conflict. The bill's intention

is not to separate out anybody. The bill's intention is not to discriminate against anybody. The bill's intention is to provide clarity to those people who are already there.

The bill's restrictions are fair and they're necessary, as I've said. The scope is also fair and necessary. It prevents an employee in one district from holding trustee office in another, but it prevents the conflict of interest, Mr. Chairman, not so that it's shifting conflict of interest from one district to another district. Ultimately it ensures that the trustees are never in a position where their credibility is questioned. Any appearance of a vested interest automatically taints the process of fair, impartial board relations. The amended bill works to improve the nomination and election process for school trustees who make decisions affecting our children's education. It only serves to make the system fairer, more clear, and better able to serve its purpose.

Mr. Chairman, there was a lot of discussion earlier about why we are doing this and where the need is. In 2001 the majority of school board trustees in two school boards, Northern Lights public school division and Medicine Hat public school division, had to excuse themselves from deliberations due to possible conflicts of interest. In the Northern Lights division upon commencement of collective bargaining negotiations four of the nine trustees declared that they could be in a conflict of interest or possible conflict of interest and would therefore not be in a position to effect changes to the collective agreement. This is a problem. In the Medicine Hat division again during collective bargaining negotiations four of the five Medicine Hat public school division trustees declared that they could be in a possible conflict of interest and were therefore not able to partake in contract deliberations. In this case, decision-making powers of the board were delegated to the one trustee who did not have a conflict of interest and could participate in negotiations.

Mr. Chairman, one of the other issues that has come to light recently – and it does affect one of the trustees in my area – is the fact that under the rules as they stand today, this trustee board member was able to get on board. Under the rules as they come in on Bill 205, they may not be able to unless they were to resign. Their concern was: well, does that mean that if we pass this bill in this House, I have to resign and will not be able to fulfill my commitment to the citizens of that area? I guess my understanding of the answer to that question through discussions with the hon. Member for St. Albert and others is that the bill would not be proclaimed until we reached the point where we're going to have another school board election. That allows those individuals currently on the boards to be able to fulfill their duties and to fulfill their commitment to those school boards. So I'm pretty happy about that.

The Member for Edmonton-Highlands also mentioned some issues with regard to: well, if my spouse was employed, then I couldn't run. That's simply not true. If your spouse is employed, you can still run as long as you declare that. I see the member nodding his head, and I think he understands where I'm coming from on that one. That also affects a number of trustees in my area where the spouses are employed in other school districts. This bill will not affect those individuals. They'll be able to continue to be a part of the board. They'll continue to be a part of the nomination process. The whole thing doesn't change.

4:10

What has changed, though, Mr. Chairman, is the fact that we've narrowed it in. No longer does the board member have to worry about his in-laws up in Grande Prairie who may be employed and he may have a conflict because his in-laws are employed under a contract. So he doesn't have to excuse himself anymore. What

we're saying is that it's a spouse; it's not my cousin. So we've actually narrowed it in, and I've heard from a lot of trustees who have said to me that that clarifies it for them. They're not worried about whether or not there's a relationship out there that they haven't checked on.

So I think that all in all, Mr. Chairman, I am pleased with the results of some of the discussions that we've had. I'm pleased with some of the responses, in particular the amendment to the bill brought forward by the Member for St. Albert. I think that brings a lot more clarity to the situation as to who can run and the fact that we are not separating out anybody from the process. I think that we have to go on the basis that we do have some regional bargaining, and we need to be able to be aware of that and the conflict of interest that does arise from one region to another region. I'm glad that we were able to clarify this issue of spouse and those other issues that were brought up by the other member. I think that it's important to realize that the spouse is not the one that's running. The spouse does not have a conflict in the sense that if you run and your spouse is employed, that's okay. You have to declare.

Just to summarize, Mr. Chairman, the other issue that was brought to my mind and has now been in my mind taken care of is current board members who feel that they would have to resign immediately. I don't believe that's true, and my understanding is that we will let this process go to the next board elections. Therefore, those people who have gone the extra mile and made that commitment to be on the board can stay on the boards and fulfill that commitment to the best that they can under the current conflict of interest guidelines, because even today they have to excuse themselves from most decisions.

With that, Mr. Chairman, I will end my remarks and just encourage members to support Bill 205 as amended. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I'm pleased to make some comments about the bill. I guess one of the things that I console myself with is that it is a private member's bill; it isn't a government bill. That I think makes some difference.

I think that in the context I couldn't believe that the Member for Calgary-Fort would herald this as a strengthening of local governance in the kind of tradition that this government has followed with respect to school boards. In case the member missed it, under this government school boards have lost their taxing authority. School boards can't even appoint their own superintendent any longer without reference to the minister. If the member was at all alert to what was happening with the kinds of strife and strikes we've had in our schools, he would have found that school boards in many cases were absolutely powerless to deal with the strike. So to claim that this is one more piece of progress in local governance I think is really stretching matters to the extreme and certainly inconsistent with reality.

The bill even with the amendments still excludes teachers from their democratic right to run in the district of their own residence if they're working in another school district, and I, too, suspect that it will not bear a court challenge. There's been enough advice given on this particular topic to boards over the years that I suspect that when it's challenged – and it will be challenged in court should it ever become law – it won't hold up.

I think a couple of things. One is that the timing, as I mentioned before, is really unfortunate. I'm sure that the mover of the bill and other members of the Assembly have heard from teachers who view this as just one more attack on teachers as a group, and I think that

that perception is really very, very unfortunate, that a group of citizens should feel that this Legislature is out to make their life more difficult and to exclude them. It is most unfortunate. I guess I'm disappointed because I'd hoped that given the context of the times, the member who sponsored the bill might have withdrawn the bill. No matter what the arguments for or against it are at this time, certainly the timing is not appropriate. I urge members to think carefully about the bill before supporting it.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Chairman. It is my pleasure to rise today and join the debate on the school trustee conflict of interest amendment act, 2002. I'd like to start by commending my colleague from St. Albert for bringing forward this important and overdue piece of legislation. As a former school trustee myself I think it's time that we took a step to protect the integrity of our school trustees and to help ensure that they can contribute to our school system efficiently. I think that the legislation that this bill proposes will add value to the school system. It will ensure that those who are able to seek nomination for positions on school boards across the province will be able to fulfill the complete requirements of their jobs while reducing the opportunity for conflict of interest arising.

Bill 205 proposes two excellent changes to school trustee statutes that span the Local Authorities Election Act and the School Act. The first reform the bill proposes would prescribe requirements for those seeking nomination that would ensure that they will be able to address all of the issues that they will face in their role as trustee. The second thing Bill 205 does is provide clear and narrowed circumstances for pecuniary conflict of interest scenarios arising due to family relationships in matters that come before the board. As I alluded to briefly, Mr. Chairman, Bill 205 will ensure that school board trustees in Alberta are able to carry out the full requirements of their position. To achieve this, Bill 205 provides a simple requirement: those individuals who could face a pecuniary conflict of interest in their position as trustee would not be able to seek election to the school board.

Earlier today, Mr. Chairman, I tabled five copies of a letter from Wetaskiwin regional school division urging me to support Bill 205, but I've also received one phone call from a constituent urging me not to support it. I believe that the amendments that were proposed by the Member for St. Albert and now carried have softened the approach that Bill 205 had put forward initially. As it stood, Bill 205 would prevent any employee or teacher in Alberta's learning system from seeking nomination for trustee, but with the carried amendments to section 1(2), Bill 205 will permit a teacher or employee in Alberta's learning system to run for nomination, provided they take a leave of absence from their position. According to amendment (c), which adds subsection (5.1), if that person is successfully elected, they would then have to resign. In this way no one who wants to run for trustee would be prohibited from doing so.

As we are all aware, Mr. Chairman, when a trustee has a personal interest either directly or indirectly invested in a matter before the school board, he or she will face certain restrictions. That trustee may have to refrain from participating in the deliberations. They must abstain from voting on the question and sometimes even leave the room during the discussion. I think that we would all agree that the current trustee statutes, as long as declarations of conflict are announced, work well to prevent trustees from positions of conflict of interest, and as a result we can be confident that no trustee in Alberta is making decisions for the children he or she represents based on personal gain.

However, Mr. Chairman, in order to comply with conflict of interest regulations as established by the School Act, trustees must remove themselves from debate and voting on any items when they might be in conflict. By abstaining from important budget decisions to avoid a pecuniary conflict of interest, it is my view that trustees are not fulfilling the requirements of the position. Furthermore, while they are absent, they are not fulfilling their duty to the Albertans that they were elected to represent. Figures from across Canada would indicate that a great many trustees are unable to participate in voting on one matter or another due to pecuniary interest. It is unfortunate that there is no study available with information on the number of Alberta trustees with a history of pecuniary conflict issues, but due to the absence of local data on this issue I feel that a study done in Ontario will, despite its age, help to give the members of this Assembly a better idea of why this legislation is important.

4:20

A report of the committee to the Ontario Legislature during the 1990s revealed that up to 50 percent of school board trustees were employees of boards or the spouses of employees. As a result, these trustees had to abstain from participating in voting matters that caused a pecuniary or family conflict, matters of very high importance, including collective bargaining and budgeting. A letter submitted to the Ontario Legislature from Ontario school boards during the same debate indicated that the pecuniary conflict of interest problem was significant and has affected decisions in approximately 80 percent of school boards' budgets across the province. Mr. Chairman, I understand that the information may not apply perfectly to Alberta due to the time and distance that separate Alberta today from Ontario of several years ago. However, I think that it can help the members of this Assembly to think broadly about the issues at hand.

Hypothetically speaking, if the number of abstaining trustees in Alberta was even half as large as the Ontario figure, 40 percent of school board budgets would be discussed and decided by school boards composed of three, two, or even one trustee due to abstention. This hypothetical example could be too high or it could be too low, but if there are any school boards put in tough voting situations due to abstention, then I see a problem, Mr. Chairman.

Are school boards truly effective representatives of the people who voted for them to express their views when half the trustees must abstain from critical budget decisions? Well, the philosophy of school board governance is that government is most effective when it is placed close to the people being governed. However, if a large faction of representatives is unable to represent the views of the people who sent them there for that very duty, then this situation must be addressed, and this bill, Mr. Chairman, is a step in the right direction. The small measure of legislation that Bill 205 provides will lend remedy to what currently hampers school boards across this province. Bill 205 will ensure that school boards will be able to deal with the issues and decisions that they are faced with. If all the trustees are able to provide input and listen to the positions of others, then it can be assured that the best decisions are being made.

If I could use an example of an Alberta school board to highlight the very problem that this bill would alleviate, I think it would be very valuable. During collective agreement negotiations with the Alberta Teachers' Association, four out of five trustees in the Medicine Hat public school division declared that they could have a possible conflict of interest and were, as a result, not able to partake in contract deliberations. In order to continue the business of the school board, the Medicine Hat school board acted in accordance with section 45 of the School Act and delegated the

decision-making powers of the board with respect to negotiating collective agreements to the one trustee who was not in a conflict of interest position. One person with the weight of the entire education system on their shoulders: I think we can all see the problem inherent in this situation and the potential for it to be experienced by other school boards in the province.

Legislation currently in place allows the problem of abstention due to pecuniary interest to remain and to persist. It simply provides for trustees to declare conflicts of interest and abstain from proceedings. As well, it accommodates situations where the whole board is unable to participate by appointing a single official to assume the role of the school board. I believe that now is the time for us to put an end to this problem once and for all by adopting Bill 205 as amended.

Moving on to the second facet of this legislation, Mr. Chairman, we can see that it provides for a clear and narrowed understanding of who by relation would and would not put a trustee in a conflict of interest position. The current trustee statutes state that the trustee's spouse, children, parents, and the trustee's spouse's parents could all potentially put the trustee in a position of pecuniary conflict of interest pending their association with the school board. As it stands, these are unreasonable restrictions placed on family members of the trustee. As it stands, any Albertan with a parent or parent-in-law or a child working for that school board would have to abstain from budget decisions. Bill 205 recognizes that this restriction is too broad and too far-ranging to constitute a normal understanding of conflict of interest.

If Bill 205 is passed, the updated restriction will state that only the spouse of the trustee who is an employee of a school board will create a conflict of interest. This narrowed scope of restriction will allow more Albertans interested in contributing to the betterment of our school system to participate in discussions and decisions and will ensure that participants are able to fulfill the requirements of the job.

To conclude, Mr. Chairman, I believe that Bill 205 will increase awareness of school trustees and the great job they do in this province, and that is positive. Recognition of these Albertans, who work hard for the schools in their area, is something that I applaud. The legislation before us is both innovative and necessary. On the one hand, it would not allow individuals to run for school trustee if they have a pecuniary conflict of interest unless they take a leave of absence. The new regulations will ensure that trustees will be able to fully commit to the positions which they are . . .

THE DEPUTY CHAIR: Hon. member, your time has run out.

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I rise to partake in this good debate that we're having here. It's raised a number of questions in my mind. I am deeply concerned with the whole issue of conflict of interest and have been fairly outspoken about my concerns in a number of situations. As I mull over this bill, I find myself wondering: what is the conflict? A couple of the members at least have referred to concerns over members of school boards having to remove themselves from decision-making through the course of regional bargaining with teachers because they are teachers or they're closely related to teachers. I see the conflict there. I can understand that, and I think that's fair enough. I'm not convinced that this is the right way to address this, and I'm wondering if there may not be better mechanisms for handling that one particular conflict.

What troubles me with this Bill 205 is that it seems to reflect a sort of selective concern over conflicts of interest. I think back to a private member's bill last spring that was brought forward from the

opposition addressing conflicts of interest in regional health authorities. It was a much more direct kind of conflict, in which employees of a regional health authority were not allowed, as it was proposed in the bill, to own shares in companies that contracted with that authority. This government frankly crushed that bill, yet that was a conflict of interest that was much more direct than what we're seeing covered in the bill proposed today. So I ask myself: why the selective concern?

I also reflect on the fact that after the last election there was a member of this Assembly who remained an active school principal and served as an MLA, and I wonder why we accepted and tolerated that. Why did we not require that MLA to resign from his position as a school principal once he became an MLA? After all, that would be consistent, as I understand it, with the principles in here. This government certainly has tremendous influence over the education system. Is it proper that we have an active schoolteacher as a member of this Assembly? I think that's a serious question. Certainly it would suggest a double standard on the part of this government when we allow that to occur without comment, yet we are looking at bringing in a private member's bill that forbids a much less direct conflict.

I recognize that there may be at times, if there's regional negotiating, conflicts that do arise, yet I remain unconvinced that this is the best way to address those conflicts. I do feel that there are many areas of much more direct conflict of interest that this government is, frankly, overlooking. Now, I recognize that this is a private member's bill, but I've heard virtually every government member support it, so I wonder why they weren't supporting bills that are directed to a more immediate conflict of interest.

I'm also concerned that this bill does represent a further and further constraining of boards and, frankly, of democracy. We seem to be eager through a bill like this to limit the rights of people to run for democratically elected boards even when they do not have a direct tie to those boards. I'm concerned that we are seeing a further constraint of school boards and of democracy, and the effect of this will be that fewer and fewer people will be able to serve or indeed seek election to boards.

While I understand the intent here, I feel that it's reaching too far and constraining too many people's rights to run for elected office, and at the same time it is coming from a supporter of a government that has consistently overlooked much more direct conflicts of interest, so I just cannot support Bill 205.

Thank you, Mr. Chairman.

4:30

THE DEPUTY CHAIR: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Chairman, for the opportunity to rise today and speak to Bill 205, the school trustee conflict of interest amendment act. I would like to begin today by commending the hon. Member for St. Albert for bringing this important piece of legislation forward. It's both timely and long overdue, and I congratulate her for initiating this debate. I note that the hon. member is a former member of the St. Albert school district, so I know that she speaks both as an MLA and as an experienced school trustee.

Local governance is an important aspect of democracy here in Alberta. For years now the government has placed more and more emphasis on the roles and responsibilities of our local boards and town councils. The fundamental basis of the concept of municipal government is that local individuals within the community are best suited to administer certain programs and responsibilities. Lawmakers and policy experts for many jurisdictions have embraced this

concept and have expanded its principles to other areas once the exclusive domain of broader governing bodies. Here in Alberta we saw just last fall for the first time local candidates stepping forward to serve on regional health authorities. Successful candidates from across the province are helping to shape and implement health policy. They allocate and spend millions of dollars in taxpayer money to address local priorities and issues.

One of the most important local bodies that has been created, of course, is the local school board. School boards play a vital role in the delivery of education to our children in this province. As trustees of these boards members of the community take time out of their very busy schedules to attend meetings and work with local teachers and staff to ensure that schools are run efficiently and effectively.

There are many roles that Albertans ask trustees to take on when they achieve success at the ballot box. Trustees must take on the role of policymakers. They must provide leadership to a system by setting goals and directions. They must be continually engaged in the local community to ensure that the school system continues to educate its students in a manner which prepares them for the future and meets the needs and priorities of local communities. Many times trustees are called upon to act as communicators, ensuring that the local community is aware of what is going on in our schools and that the local school administration is aware of the concerns and priorities of parents, teachers, and students.

Perhaps, Mr. Chairman, one of the most important jobs of a trustee is that of a financial planner. When individuals put their name forward for election, they take on the responsibility of ensuring that the local school board is run in a fiscally prudent manner. Quite simply, they're asked to help in the allocation of taxpayer money. This is an important responsibility and one that needs to be taken very seriously. To do so, trustees must be involved in every aspect of their job as trustees. They must help in the budget process by attending meetings and asking questions. They must participate in local contract negotiations with teachers, support staff, and other employees to ensure that services are properly allocated. Indeed, in the eyes of many stakeholders the adoption of the budget is perhaps the single most important decision a school board makes each year. To date this system has worked fairly effectively. Community needs are met by allocating money to programs important to parents and students. Key issues can be addressed through the local bargaining process. This is an important aspect of our education system and a function that responds extremely well to issues key to individual communities.

However, Mr. Chairman, there are times when problems do occur during this process. Conflicts of interest happen, and we as the legislative body responsible for the School Act must address this issue. Pecuniary interests, conflicts of interest, or ethical matters relating to money occur when school trustees are also members of the Alberta Teachers' Association, active teachers in Alberta, or those who have a permanent contract with their respective school board. Under Bill 205 only those candidates capable of fulfilling the key obligations for which they are elected would be able to run for trustee. I believe that the budget process is certainly one of these key obligations.

It is reasonable to expect, Mr. Chairman, that trustees are prepared from the start of the nomination process to fully serve and participate in all aspects of their potential position. Some opponents of Bill 205 will argue that this is an attack on teachers and their unions. This is simply not so. It is reasonable to expect that trustees will not be members in a professional organization with which a school board has an ongoing and enduring financial relationship. It would be inappropriate for those members to become school board trustees

and to have to constantly excuse themselves from discussions so key to the basic functions of the school board. However, it is reasonable for the public to expect trustees that are able to fully participate in all matters of the school board including financial matters. Today when conflicts are acknowledged, trustees leave the room and abstain from the relative discussion and process. While this may eliminate the conflict of interest, it does not eliminate the broader obligation of a trustee to fully represent and serve their respective constituents.

While conflicts of interest will still exist, Bill 205 will go a long way in ensuring that trustees are in a position to deal effectively with the full challenges of their offices. As has been noted in recent court cases, the object of conflict of interest legislation is to prevent anyone being elected to or holding a seat in a municipal council whose personal interest might clash with those of the municipality. It is of the utmost importance that members of a municipal council or in this case school boards should have no interests to bias their judgment in deciding what is for the public good, and they should strive to keep themselves absolutely free from the possibility of any imputation in this respect. I feel that Bill 205 would keep our school trustees free from questions of interest.

Bill 205 would also narrow the scope of individuals who are deemed to share pecuniary interests with a trustee. Presently the School Act identifies the trustee's children, parents, and the parents of a trustee's spouse within this category. I believe that this is far too broad and potential trustees should only be held accountable based on the pecuniary interests of their spouse, and I believe that the amendment addresses this. Bill 205 recognizes that the present system is too restrictive in its application. By narrowing the focus of who may be in a conflict of interest, this bill will allow more trustees to take part in discussion concerning the interests of our students.

Mr. Chairman, conflicts of interest are a matter of concern not only amongst school trustees in Alberta but also for trustees in other jurisdictions across Canada. More and more of these issues are coming before the courts for clarification. It is time this Assembly looks at the issue and provides proper direction to our system. Bill 205 simply ensures that school boards are held to the highest standards of excellence. This sentiment is upheld in the Alberta School Boards Association policy handbook. The trustee code of ethics states that a trustee will, quote, resist every temptation and outside pressure to use their position as a school board member to benefit either themselves or any other individual or agency apart from the total interest of the school jurisdiction. Bill 205 will help school boards fulfill this code.

It is inappropriate, Mr. Chairman, for individuals who have an inherent pecuniary interest to serve as a trustee when they must excuse themselves from many of the meetings that require their attention. This is good legislation, and I would encourage all members of the Assembly to vote for this bill and ensure that our school boards are in a proper position to do their duties. Thank you.

THE DEPUTY CHAIR: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Chairman. Thank you for the opportunity to comment on Bill 205. First of all, I would like to commend the Member for St. Albert for bringing forth the School Trustee Statutes Amendment Act, addressing the issue of school trustee eligibility as it relates to active teachers serving in a jurisdiction other than where they may be teaching. This is a very important issue, and I think this is certainly worthy of a lot of discussion and debate.

I'm particularly interested in this issue, because I was in that situation. I was teaching in one system, albeit private, and serving

on the public school board as chairman at the same time. As a trustee with hands-on knowledge about teaching and administration I feel that I was able to bring a unique contribution to the discussion table, as did all the trustees who came from other and various backgrounds. Ours was a very good board because there were many points of view, and I think that solid decisions were made as a result. I was able to refrain from discussions on voting on any matters of conflict, as did the other members when and if faced with conflict situations.

4:40

As I take a look at the current school boards in my constituency, there are very good board members that would be declared ineligible by Bill 205 unless they resigned their positions. In the past some members have stood in when there was no one else to run for the position, and therein lies the concern that I have. The change in future eligibility made by Bill 205 would tend to decrease the number of candidates for trustee positions with personal knowledge and experience with education.

The amendment just passed does alleviate some of my concerns with Bill 205. The amendment will allow teachers to run for a position on a school board. However, if a person is an employee of any school jurisdiction in Alberta, they must take a leave of absence to run for a position on a school board, and if that person wins in the election, they must resign from their job. That is quite unlikely to happen. Giving up one's job is a high price to pay to be a member of a school board. My concern is that Bill 205 will keep qualified people from running for a school board position even with the amendment, and I fear that this will lead to the possibility of more seats being won by acclamation rather than a competitive process, particularly in rural Alberta. If this bill is passed, I believe we must look to new and better ways to encourage more candidates to run for school board positions to alleviate a possible downside to this bill.

The problem of maintaining a quorum in decisions of salary negotiations has been stressed, and I guess that is the main point of this bill. This bill will help to solve that problem, but it may eliminate good board input on a myriad of educational issues of a nonbargaining nature by people particularly close to these issues. In my constituency, where there are boards involving one active teacher, it has not been reported to be a problem to me, and I expect that could be said in many and perhaps most situations. I hope that by addressing one problem through this bill, we aren't enhancing another, which is that there will be more board elections by declaration in rural Alberta especially and that potentially good board members as determined by the electorate will be denied that opportunity. My wish is that there might be a way to limit the number of teachers, active and inactive, on a board to control this conflict of interest issue, but that in our democratic system is up to our electors. Again, the best board is made up of members from a variety of backgrounds, I feel, and that could include educators.

I've been grateful for the opportunity for teachers to contribute to trustee work. That was my opportunity, and I learned and I contributed. I realize that the opportunity for educators to contribute to school board work remains for our many retired or inactive teachers, many of whom are serving effectively on boards at the present time. The amendment passed will give teachers the opportunity to seek school board positions; however, I question how many teachers will actually take up that opportunity if it means resigning from their positions.

Regardless of the outcome of this bill, I want to express my thanks to the many educators who have stepped in to make our school boards strong because of their involvement. The other parts of this

bill dealing with disclosure statements and conflicts of interest of other school board members I can fully support.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Medicine Hat.

MR. RENNER: Thank you very much. It's a pleasure for me to have an opportunity to speak to Bill 205. I am in complete concurrence with the intent behind Bill 205. In fact, Mr. Chairman, I'm sure you've heard reference throughout the debate on this bill to Medicine Hat, and being the Member for Medicine Hat, I think it's appropriate that I should participate in this debate.

I want to talk a little bit about the situation in Medicine Hat. I'm not sure that members are entirely aware, but there was never a problem with a conflict where employees of the Medicine Hat school division were held to be in conflict. The conflicts arose as a result of some, in my opinion, rather broad interpretations of the section of the School Act that talks about pecuniary interest. In fact, the second part of Bill 205 goes a long way toward correcting that problem.

In the existing act it says in essence that pecuniary interests are the interests "of the spouse, children, or parents of a person" or "of the parents of the spouse of a person." So it's a very, very, broad interpretation, and it doesn't really describe what children are. Based upon legal opinion that they had received from the Alberta School Boards Association – we had members of the Medicine Hat board that had children, adult, grown children, that were teaching in school divisions in other parts of the province. We had a number of conflicts that were conflicts merely because the legislation was not particularly well worded and was unclear. So you had interpretations, and people were erring on the side of going too far rather than, in what was a fairly volatile situation, finding themselves to be held in conflict after the fact. What has been said here is right, that at the end of the day four out of five members of the board were excluded from voting on something very substantial, and that's the ATA contract.

So I think it's reasonable, and I applaud the Member for St. Albert for doing something or at least attempting to do something about a situation that really handcuffs a board to do a job. I don't think anyone would agree that having a board of five reduced to one for approving what amounts to 80 percent of the budget of that board is a healthy situation and is a workable situation, so I think it's incumbent upon this House to do something about it.

Now, does Bill 205 accomplish what it sets out to do? Well, with the amendment that we have passed earlier this afternoon, I think we go partway. We talk about who is eligible to serve on a board. However, as I point out, that has not been an issue. Certainly it hasn't been an issue in Medicine Hat. I think that most times employees are not particularly comfortable with being part of the board that's responsible, so to my knowledge we never have had a particular problem with employees running for elected office. It's always been this very broad interpretation about then what constitutes a conflict of interest: if your spouse is a teacher or an employee, or if your children are employees? So, you know, I can go along with what we've got in the first part of this act. I think it makes it clear that if you're interested in seeking office, then you do so, and if elected, not unlike in many other organizations, you would then resign your position to take over the elected position.

4:50

When we get into the amendments to the School Act, it's not so clear to me whether or not we have addressed the concerns. For example, I talked about trustees excluding themselves from voting

on the ATA contract because grown children living in another city and working for an entirely different school board were interpreted under the act to be children and therefore it would be a conflict of interest. It's always been my opinion that if you're going to talk about a conflict of interest and pecuniary interest, you need to be talking about the family unit, the household income. When you've got grown children living in another city with their own children, I hardly think that it's a conflict of interest when we're dealing with something such as negotiating salaries.

So what we've done is we've made it very clear that the children and parents and grandparents and everything else that's contemplated under the initial legislation is excluded, and we have brought it down to specifically the spouse. Now, to me that's fine, and I think that's clear. What's not particularly clear and hasn't been made clear during the debate is whether that conflict would be a spouse that's employed by the same board or a spouse that's possibly employed by a neighbouring board. An example that's been used here is where you have someone that lives in St. Albert and has a spouse that works in Edmonton. Is there or is there not a conflict? Are we not going to have the same problem that we have now, with people scratching their heads and wondering if in fact there's a conflict? Clearly that does not disallow that individual from seeking office, but then later on when they have to declare conflicts and we have to declare that the pecuniary interest belongs to the spouse, it seems to me that we've entered that zone of being unclear yet again, because it doesn't outline exactly what constitutes a conflict.

The other area that I have some concern with is in the amendments in 81(1) when we talk about the disclosure statement showing "the names and employment of the trustee and the trustee's spouse and children." Again, I don't see what this has to do with grown children living somewhere else. Later on, in (1)(c), we talk about children under the age of 18, but here we don't. So are we talking about under 18, over 18? We've got this terminology that to me is not defined.

So it puts me in a quandary, Mr. Chairman. I agree that we need to do something. I think that to serve my constituents in the constituency of Medicine Hat, as their MLA I need to do something to resolve the problem that we had in Medicine Hat, and I don't see that problem going away. Unfortunately, I'm not convinced that this bill will solve the problem. It will go partway. I'll probably vote for it, but I'm here to tell you that it doesn't fix the problem, and we're going to be back here six months from now doing it again. Unfortunately, I think that's one of the fallacies with this place. When we have private members' bills, we simply don't have adequate time or resources to fully research all of the ramifications of legislation, and we often pass legislation that's patchwork at best. I think that's what this bill is.

Mr. Chairman, I'll be supporting the bill, but I really don't think it solves the problem that we're here today to solve. Thank you very much.

THE DEPUTY CHAIR: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Chairman. I would like to conclude with a few remarks here.

First of all, I wish to acknowledge the fact that the Member for Spruce Grove-Sturgeon-St. Albert and I in response to a number of the concerns that were raised by our constituents sat down and it was with his assistance that I put together the amendment, because I also, as does the Member for Spruce Grove-Sturgeon-St. Albert, have no desire to remove the democratic rights of any group of individuals. So in composing the amendment, which I do appreciate was passed this afternoon, I want to acknowledge the fact that the intention of this bill is achieved in the same way that it would have been

achieved, I believe, without the amendment, but this recognizes the democratic right of all employees to seek election.

However, I would also point out that this bill does not stand alone in identifying conflicts of interest. Also, the terms under which one can sit as an elected trustee are similar to but not exactly the same as the terms under which individuals can be elected to regional health authorities and similar to but not exactly the same as the terms and conditions under which someone seeks election to a seat on a city council in a municipal election.

I would like also in these concluding remarks to indicate to the Member for Medicine Hat that in the section in which I am amending the School Act, in fact section 81(1), the reference there is as it currently exists in the School Act, the reference to the "names and employment of the trustee and the trustee's spouse and children." Of course, it is understood that those would be dependent children. However, this requirement for the disclosure statement to be filed, in this case with the secretary of the respective school board, is not unlike those disclosure statements that all elected officials are required to do. It is something that is required to be updated, of course, and it is something that I think in the beginning identifies for the individual those areas of pecuniary interest that might be of possible concern somewhere down the line.

I received a number of pieces of correspondence with respect to Bill 205, a number from individuals and a number from school boards. I can tell you that some individuals felt that it did not go far enough, and if I were to act upon their suggestions, I would have been introducing amendments that would have suggested that anyone who sort of even goes near the business of any school district would not be able to seek election. On the other hand and at the other end of the spectrum, I heard from those individuals who felt that everyone should be able to run not only in their district but in any district and to vote on everything.

I believe that when Bill 205 passes – and I exhort everybody to vote in favour of it – what it will do is it will create a very clear understanding of the rules of engagement under which an individual operates as a school trustee. It will in my opinion eliminate a number of people who, unsure of whether they had an indirect or for that matter a direct conflict of interest, excused themselves from the decision-making table. We find, as was mentioned earlier today in this Assembly, a number of school boards over this past year who have found themselves with not only not a full complement of trustees voting on an issue but with not even a majority of members voting on an issue, and I think that is shortchanging the voters. The voters elect a school trustee to be there to make decisions on their behalf for the good of the school district, whether it be for the employees or the children or the buildings or whatever. They do expect the individuals to be able to vote on certainly the majority if not all of the decisions that come before the board, and there is a collective responsibility.

That is my entire intention in this. It is not, I would repeat, to be punitive to any group of individuals. I served on a school board with a number of very competent teachers who were both former teachers and who were currently teaching but in another school district. I can say nothing but good things about their contribution to the board. But, in effect, when it came to making some major budgetary decisions, they were not there with us at the table. They contributed to a circumstance at a school board table wherein we did not have the full participation of the school board, and in fact in some instances we had a very inadequate representation in the decision-making process happening.

5:00

So with those words, Mr. Chairman, I would exhort everybody in

this Assembly to vote in favour of Bill 205 in committee so that we can go forward and make sure that the voters of this province when choosing trustees are able to know whom they are voting into office and those who are voted into office know the rules very clearly of their participation at the trustee table.

Thank you.

[The clauses of Bill 205 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIR: Carried.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I would move that the committee now rise and report.

[Motion carried]

[Mr. Shariff in the chair]

MR. MASKELL: Mr. Speaker, the Committee of the Whole has had under consideration and reports with some amendments Bill 205. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

Bill 207

Alberta Wheat and Barley Test Market Act

[Adjourned debate April 22: Mr. Jacobs]

THE ACTING SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Speaker. It is a privilege for me to rise and enter the debate on Bill 207. I am very happy to lend my support to this bill, and I want to commend the hon. Member for Calgary-Mountain View for his hard work in bringing the bill forward.

Mr. Speaker, the first point I would like to make today is that monopolies do not create a healthy business climate. They do not encourage free enterprise and free markets. Under the Canadian Wheat Board monopoly the western farmer has been the loser. There are no incentives to cut inefficiencies, no competition to encourage better returns to farmers.

Mr. Speaker, in his book *Canada's Great Grain Robbery* Don

Baron, the prairie historian, tells a story of some wild hogs of Horseshoe Bend. I believe this story makes some points that have relevance in this debate. The story is told that

years ago there lived a herd of wild hogs in a great horseshoe bend down a river deep in the southern United States. Where those hogs came from no one knew. But they survived floods . . . freezes, droughts and hunters. They were so wild the greatest compliment a man could pay to a dog was to say it had fought the hogs in Horseshoe Bend and returned alive. Occasionally a [hog] was killed either by dogs or a gun – and became a conversation piece for years.

One day, a lean-faced man came by the county store on the river road and asked the whereabouts of these wild hogs. He drove a one-horse wagon, had an axe, some blankets and a lantern, a pile of corn and a single-barreled shotgun. He was a slender, slow-moving man who chewed his tobacco deliberately and spat very seldom.

Several months later he came back to the store and asked for help to bring those wild pigs out of the swamp. He said he had them all in a pen.

Bewildered [citizens] all gathered in the heart of Horseshoe Bend to view the captive hogs.

"It's all very simple," said the patient lean-faced man. "First, I put out some corn for them. For three weeks they wouldn't eat it. Then some of the young ones grabbed a cob and ran off into the bush. Soon, they were all eating corn. Then I commenced building a pen around the corn, just a little higher every day. When I noticed they had stopped grubbing for acorns and roots and were all waiting for me to bring the corn, I built the trap door.

"Naturally they raised quite a ruckus when they seen they was trapped. But I can pen any animal on the face of the earth if I can just get him to depend on me for a handout."

To continue to quote from the same book, Mr. Speaker:

Canada's huge grain industry was in crisis in the late 1960s when President Mac Runciman of a farmers' grain company began telling the story of "The Wild Hogs" . . .

His message was simple – but [important] . . . Prairie grain had been Canada's engine of growth from the beginning. Now . . . it was caught in the grip of politics. The marketplace was often forgotten and the customer . . . little more than an afterthought. In the business of growing and marketing grain, the priceless ingredient of success was not market information [and freedom], it was political power and control.

Mr. Speaker, my riding of Cardston-Taber-Warner is filled with farmers who are capable businessmen. They don't need a bureaucracy and red tape. All they need is the freedom not only to work hard and grow their crop but also to market their crop. Farmers want the freedom to do with wheat and barley what they have done with oats and canola. What Bill 207 will do is put pressure on the Wheat Board to be better. It will also show farmers the benefit of competition, especially when more money flows to them, not the coffers of the Canadian Wheat Board.

Farmers all over Alberta are constantly searching for ways to improve the value of their crops. In southern Alberta we have seen a shift towards niche crops, crops which farmers are free to market themselves without the control of the Wheat Board. Our department of agriculture in Alberta has a goal of achieving \$20 billion in value-added industry. However, Mr. Speaker, the present monopoly power of the Canadian Wheat Board hampers those value-added developments. For example, I understand that Canada imports much of the pasta we use. Many pasta plants have been built just south of our border. This is due to the monopoly of the Canadian Wheat Board. The prairies may be one of the richest undeveloped areas on Earth, the one place where entrepreneurs should be investing, but Ottawa's political stronghold prevents them from using their ingenuity to create jobs and wealth. That's one other reason why rural prairie towns are shrinking and kids are leaving.

To elaborate further, Mr. Speaker, the existence of the Canadian Wheat Board hampers the value-added development. For example, you can imagine a situation in which a wheat farmer with crops right next door to a local bread-making plant or a bakery could very easily take his crops over to that plant, sell them at a fair market price, pay minimal transportation costs, creating maximum efficiency on the product. Well, you would have to imagine it, because as the law stands right now, there's no way this could happen. First, the farmer has to, must, sell his crop to the Canadian Wheat Board. Otherwise, he is in contravention of Canadian law and will have to pay a penalty. Farmers have even been thrown in jail for defying the Wheat Board.

Especially in rural Alberta, Mr. Speaker, the last thing that anybody needs is government interfering with healthy free enterprise. We've got a hard enough time as it is attracting business and development. Why would the Wheat Board and the federal government feel the need to intrude, especially since statistics show that despite all of their best intentions they are actually hurting farmers. It doesn't make any sense. At the end of the day this is about control over the most important aspect of the business of wheat and barley farming: the selling of grain.

It would be one thing if farmers had the option of selling to the Canadian Wheat Board. If individual farmers wanted to give that responsibility for selling their grain to the Wheat Board, that would be fine, but it would be their choice. Yet what we have is a situation in which farmers are forced to give up that responsibility. That isn't fair, especially when we are talking about the means by which many Albertans make a living. By passing Bill 207, we can start upon the long road of change that will eventually lead to a day when farmers can choose for themselves where and how to market their crops.

5:10

Mr. Speaker, I know that this bill won't abolish the Canadian Wheat Board. It's been said that change takes time, but this bill does have the power to show the federal government that allowing our producers to sell their primary products on the open market, away from the intrusive force of government is a better way for them to achieve full power for their product.

I urge all members to support this bill. Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Speaker. I'm pleased today to rise and speak in favour of Bill 207, the Alberta Wheat and Barley Test Market Act. I'd like to preface my comments with a quote from Kim Hubbard, who said that every "now and then an innocent man is sent to the Legislature."

I believe that this bill is an important step for the future of agriculture in Alberta's economy. As agriculture makes fervent efforts to capture international investment and become an integral player in the global market, we need to be assured that our agricultural sector is able to make key decisions that will affect the growth of their industry.

Mr. Speaker, an important international trend for the past two decades which has been moving forward in leaps and bounds in every sector including grain production and indeed the entire agricultural industry has been the prevalence of the free market. Single-desk exporters used to be relatively common around the world in large grain producing countries. China, South Africa, Australia, New Zealand, and many other countries have all been historically known to have state trading enterprises.

Mr. Speaker, in 1994 large trading nations of the world met to

decide on new rules for international trade of all goods and established the World Trade Organization. Decisions were made as to what would be defined as freely traded goods and what sorts of marketing arrangements were acceptable for these goods, including agricultural products and grain. State trading enterprises were met with a lot of suspicion under this agreement. The concern is a lack of transparency, which makes it unclear as to whether these boards win customers with fair competition or whether they cross-subsidize within the board and win customers at subsidized rates. These are legitimate concerns that we must think about when looking at our current system.

Many groups within Canada and abroad have commented on this lack of transparency within the CWB. Enormous pressure has been placed on the state trading enterprises to become more open and competitive. Last year the Australian Wheat Board responded. For the first time in over 60 years Australia opened up a dual market for their barley. Now producers have an option to sell barley in the Australian Barley Board or directly to another grain marketer. It is an important change that has increased the transparency of the Australian Barley Board and has increased the responsiveness of the Australian board to both customers and suppliers. Similar pressure is being brought to the Canadian Wheat Board by the United States government and producers within the U.S. Simply, Canada's production strategy is not considered to follow free market guidelines internationally, and pressure from abroad to change will not relent until this change is put in place.

So, Mr. Speaker, you can see why it's important for legislators to take action on system reform. The current situation bars farmers from an important freedom of choice. It is inconsistent with international trends toward free enterprise. It is limiting competitive growth of the wheat and barley processing industry in Alberta and across the west.

A legitimate question remains, however, Mr. Speaker, as to whether reforms to the CWB can be done. The CWB is a massive institution. Indeed, the CWB is the largest single exporter of wheat and barley in the world. It deals with an annual revenue of between \$4 billion and \$6 billion a year, far more than the GDP of Prince Edward Island. It pools the grains of over 110,000 producers of wheat and barley in western Canada. There are benefits to the wheat and barley board, because its size does provide certain advantages to Canadian farmers. However, these advantages will continue even if market choice is implemented. I believe that if change happens, it has to be careful and deliberate, but let me clarify the point. It is perfectly possible for changes to be made in our current system without losing the benefits of the CWB.

One of the objections to changing to a free and flexible market is that the CWB relies on the stability provided in knowing the volumes of purchases it will make in a given year. This knowledge sometimes allows the CWB to make agreements with a purchaser quicker than other international competitors. If the rules mandating fixed sales to CWB are in any way relaxed, the theory goes, the viability would be undermined. Mr. Speaker, this belief is seriously flawed. There are ways in which the CWB could coexist with independent grain marketers in a healthy and stable relationship. One way would be to make it such that farmers who choose to go to the CWB would sign to three- or four-year contracts. This way, the CWB can be assured of supply each year and could account for this in their marketing operations around the world.

Another concern has been that the viability of the CWB would be undermined and there would not be enough volume of grain supplied to legitimize the organization. This objection does not correspond with existent research. It's true that in recent plebiscites 75 percent of wheat farmers expressed a desire to be able to sell to other

markets besides the Canadian Wheat Board. This does not mean that these producers would no longer sell to the Canadian Wheat Board. Being a single-desk system the Canadian Wheat Board offers a single guaranteed price for wheat and barley that provides an advantage of low risk for farmers. At the end of the season farmers have a good idea of how much they will make by promising to sell to the CWB. Working outside the CWB may mean more risk but the potential of a higher reward. Most farmers would probably behave like most rational investors if they had a choice. Smart investors put part of their money into high-risk, high-return investment, but they also put part of their money into stable funds.

Investment diversification makes sense, and balancing investments between high- and low-risk returns is business. Most likely, given the choice, farmers would view the CWB as a conservative, stable option in which to market their grain. They would view alternative markets as a more risky, high-reward choice. They would choose a mixed portfolio that would include both types of markets, Mr. Speaker, depending on their risk aversion, some choosing not to take the risk at all. Ultimately, you see, farmers would continue to use the CWB. At first there would be substantially less volume flowing through the agency than there currently is. Eventually, however, a stable and significant volume would be brought to the agency that would keep the organization viable but allow Alberta farmers to choose their marketer.

Another concern that has been raised is that the CWB has taken on several responsibilities that are designed to improve the situation for all farmers. If the CWB were to become optional, it would not have an incentive to campaign for all farmers, and those farmers outside the agency may not be spoken for at all. This could be resolved by moving the responsibility of advocacy for the wheat and barley farmers to another agency that speaks for both users and non-users of the CWB. I submit that a great volunteer to assume this role might be the Canadian International Grains Institute. The institute had already begun to assume an advocacy role over the past few years by informing Canadians and delegates around the world about Canada's grains, oilseeds, and special crop industries.

5:20

When you look at the facts and weigh the pros and cons for the Canadian Wheat Board, there are going to be factors which supply benefits to farmers in both options. Some of these are based on fact, and some are based on theories. One fact I am sure of is Alberta farmers support the development of market choice. Their choice is built on the acknowledgment that they prefer a flexible and free market system where competition defines economic choice. Bill 207 will lead the Alberta grain sector toward the international trend of open and responsive markets.

I will be supporting Bill 207 because I believe it is the course of the future and its benefits will far outweigh any of the unfounded concerns discussed. I encourage all of my colleagues to do the same. Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker, and thank you for the opportunity to rise in the House today and contribute to the debate regarding Bill 207, the Alberta Wheat and Barley Test Market Act.

Wheat and barley are two of the most important ingredients in Alberta's agricultural sector. At the present time Alberta wheat and barley products make their way to tables locally and across the world through the Canadian Wheat Board. Bill 207 aims to establish a framework under which Alberta farmers would have an alternate

channel for the delivery of their crops to various markets. Since the CWB has monopoly control of marketing of wheat and barley for domestic consumption in Canada and for export, Alberta farmers do not have any input into how or at what prices the fruits of their labour are sold. The Alberta wheat and barley marketing act will establish a test market for Alberta wheat and barley producers which would be scheduled to remain in place for a period of 10 years. This in turn would provide Alberta farmers with the freedom to sell their crops to a private processor, to the CWB, or to a combination of the two. This would allow the government to examine the possible benefits of jurisdictional control over wheat and barley processing as well.

Mr. Speaker, I feel it necessary to note that Bill 207 does not aim to abolish the CWB, which is something that would be out of our control in any case, but merely allows Alberta farmers to freely market their wheat and barley as they see fit during the test period. Further, it will allow the government to study how the relaxation of the restrictions under the CWB affects the Alberta wheat and barley markets as well as the transportation and the processing of these crops.

Bill 207 comes at a time when the farming community in Alberta feels an ever increasing need for relaxation of monopoly controls that the Canadian Wheat Board currently exercises over these producers. In a poll conducted in 2000 and released by the Alberta Barley Commission, almost 11,000 prairie farmers were surveyed and 75 percent, Mr. Speaker, indicated that they wanted the ability to sell their grain to any buyer, including the Canadian Wheat Board, in domestic and export markets. In Alberta 81 percent wanted that choice. The Alberta Barley Commission, the Western Barley Growers Association, the Alberta Grain Commission, and the Western Canadian Wheat Growers Association have all indicated support for choice to the prairie farmer.

I would like to comment on some personal experiences in my past business career in the industry. I can tell you that when my family first decided to construct an oat facility in the province of Alberta, we did a substantial amount of work in our due diligence. At that time, Alberta accounted for close to 40 percent of western Canada's oat production, yet, Mr. Speaker, there was not one human consumption processing plant in Alberta. In fact, there were only two in all of western Canada. The largest oat mill in Canada at the time was located in Ontario. I sadly must say that we determined that unless we could source our raw material on an individual basis and work co-operatively with producers, we would have to look south of our own border to construct our plant.

As the hon. Member for Airdrie-Rocky View pointed out, an important thing happened in the latter part of the '80s: the board released oats from its control. In the first 60 years of the board's existence we had the investment of two oat mills in western Canada. Once the oats were removed in the latter part of the '80s from the board's influence, western Canada enjoyed a boom of development in oat processing. The largest oat processors are now located in western Canada, and we now have over seven plants producing human consumption from product to export markets all over the world. These are value-added products, Mr. Speaker. My own company developed markets for oats in the feed and human consumption markets internationally which have increased the demand in Alberta for the producer's product.

The hon. Member for Edmonton-Gold Bar and the hon. Member for Edmonton-Riverview both wondered aloud in this House about the possible negative impact on the family farm. Mr. Speaker, the key to the success and viability of the family farm in Alberta is a robust and growing value-added industry within the province, not in a foreign country. To believe that by protecting our industry as a

supplier of raw materials to other markets, the value-added industries to those markets could grow and prosper in the face of common sense. We need to do all things possible to encourage these industries to develop and prosper in our own province and our own country.

Investment in value adding of wheat- and barley-based industries in western Canada lags the equivalent industry in the U.S. northern prairies while it has soared in western Canada in oilseed and oat processing, both outside the control of the Canadian Wheat Board. The Canadian Wheat Board's cost of administration, Mr. Speaker, has doubled over the past 10 years while the amount of grain sold remained essentially constant and total grain production fell.

Are western Canadian producers getting value for their money? In a recent report called *Taking Control of Your Future*, prepared by Lynda Swanson, who states that she wants to remain neutral on the whole issue of the Canadian Wheat Board, she points out that in the financial reports presented by the board, the placement of revenue in operating costs make the operating costs look smaller. In fact, Mr. Speaker, the operating costs per bushel would be 300 percent higher. Not only should our producers have choice to develop our industry, find new markets but also ensure that the producers are able to work with the best possible providers of services.

I've heard that many critics of choice are concerned that this may affect the cash advance program or the interim payments. Well, Mr. Speaker, contrary to some people's beliefs, the cash advance program is a federal government program, not a CWB program, and is available for a variety of commodities through various associations across the country, including the nonboard commodities of peas and canola. I've also heard the argument of the single-desk selling system being better able to get the best price. How do we know? In the absence of a competitive marketplace and no individual operators defining what is the best price for their own situation, farmers cannot be assured that they are getting the best price.

I know that situations have occurred in my own business where inquiries have come in to bid on barley sales to foreign buyers. Do you know what my response was, Mr. Speaker? It was to turn them away, because I did not want or could not want to make the sale through the board or with the board's involvement. How many opportunities have we given up? We've already heard in this House about major new malt plants and expansions of malt facilities. The problem is that none of them were in Alberta or even Canada.

The demands of grain processors and buyers often include specific preferences for certain grain characteristics. In a system where

individual farmers may sell to individual processors, quality and specific grain characteristics can be altered to better suit buyers' needs. Under a system like the present CWB regime quality of grain is managed on a very general basis with no room for variation to better suit consumer demands; that is, besides certain grain standards no other grain attributes are given any value. If a test market for wheat and barley was established in Alberta, farmers could customize their production to better suit individual needs of those who wish to purchase their grain. This would allow them to charge higher prices, and the processors would get a product more suited to their specific needs.

It's also important to mention the fact that nobody had a chance to vote on whether the CWB should be established when it first came into being. I don't even know, Mr. Speaker, if Alberta ratified that decision. Although at its inception the Canadian Wheat Board was likely a necessary and effective measure, today it's an outdated, costly, and inefficient institution.

Mr. Speaker, the hon. Member for Edmonton-Gold Bar gave us an interesting story about R.B. Bennett in 1929. The industry, for the member's information, has changed a little since then. We aren't hauling in horse and buggies anymore. At the present time the only thing the Canadian Wheat Board seems to provide Alberta farmers with is additional costs. The need for a more efficient mechanism to market, transport, and manage Alberta wheat and barley is obvious. It's time to find a new way of getting Alberta grain to domestic and international markets. Clearly, the Canadian Wheat Board can no longer provide Alberta farmers with a cost-efficient and competitive solution to achieve this goal.

Mr. Speaker, the issue of grain marketing is largely about control. It's time we allow Alberta farmers to use their skills and knowledge to market their wheat and barley as they best see fit. Alberta has some of the best and most efficient farmers in the world. They take pride in their work and deliver a good-quality product at a competitive price. It's time we provide them with the freedom necessary to effectively deliver their products to world markets so that their industry can prosper in Alberta. It's also time we allow the Alberta value-added industry to develop and contribute . . .

THE ACTING SPEAKER: Hon. members, the Assembly stands adjourned until 8 p.m.

[The Assembly adjourned at 5:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, April 29, 2002** **8:00 p.m.**
 Date: 02/04/29
 [The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Motions Other than Government Motions** **Impact of Aging Workforce**

506. Ms Kryczka moved:

Be it resolved that the Legislative Assembly urge the government to seriously address the impact of a growing and aging population on the Alberta labour market, taking into consideration the present culture that largely accepts disengagement or early retirement of older workers.

[Debate adjourned April 22: Ms Blakeman speaking]

THE DEPUTY SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. I am pleased to have the opportunity to join the debate on Motion 506 tonight. To begin with, I would like to express my gratitude to the hon. Member for Calgary-West. I know how committed she is to the issues at hand and how much work she has put into Motion 506 to where it is today. For this reason I would like to commend her on her vision and foresight in sponsoring this motion.

We live in a culture that celebrates youth and youthfulness. The concept of being young and what a desirable state of existence it is surrounds us in most every way. Commercials on television or advertisements in newspapers and magazines routinely exult the virtues of being young, looking young, and acting young. Therefore, Mr. Speaker, it is perhaps not all that surprising that the desirability of youth as a concept has seeped into the culture at large.

Ours is a culture that by and large accepts and expects the disengagement or early retirement of older workers. Put differently, once a certain age is reached, there is cause for concern about job security. No longer are achievements and experience the sole primary indicators for job security. Age may be the key factor that tips the scale against job security.

In the course of the last 15 years or so, Mr. Speaker, the concept of sexual harassment in the workplace has garnered much attention. Gender-based discrimination, it is generally agreed, is a very real problem in our society, adversely affecting the lives of individuals and corporations alike. A less talked about but no less real problem is what we might call ageism, or age-based discrimination, in the workplace. It is perhaps an even more subtle form of disenfranchisement than is sexual harassment in that older workers are being, shall we say, phased out to make way or leave room for a younger generation. Relieving such workers of their duties may be the result only of their age. It has nothing to do with their skills, their knowledge, or their experience. In some instances it may also be financially advantageous to lay off older workers in favour of younger ones. Their contracts and their benefits are less costly.

There is currently no legislation prohibiting age discrimination in our province. Thus far only British Columbia and Ontario have enacted legal provisions that outlaw age discrimination. Now, Mr. Speaker, I am fully aware that the purpose of the motion is not to advocate that such legislation be passed. However, I believe that it is important to at least make mention of the current legal limit, for which Motion 506 has been introduced.

That said, Mr. Speaker, there is another side to not treating older employees like valued members of the team, and this goes far beyond the individual person. "Listen to your elders; it will serve you well," the old adage goes. Why? Because an older person has more experience than a young person does. With experience comes knowledge and sometimes even wisdom. By phasing out persons above a certain age, we not only lose the actual presence of the older workers but also large amounts of knowledge and experience.

For all of its purported desirability and attractiveness, Mr. Speaker, if there's one thing that youth or youthfulness cannot bring to the table, it's years of experience and the knowledge and wisdom that come with a great deal of experience. This is an indisputable fact. The longer a person lives, the greater are the experiences accumulated. There's a reason for the phrase "a lifetime's worth of experience."

Mr. Speaker, by attaching so much significance to youth and by glorifying youthfulness, we often tend to overlook the tremendous resources that reside within the older members of our society. Can we really afford not to make use of the experience and the knowledge of our older citizens for as long as they want to make them available to the rest of society? I think we are selling ourselves short if we do not take advantage of what the older members of our society have to offer. In addition, why would we ever want to place at a disadvantage those who came before us and to whom we owe so much?

Mr. Speaker, there are also long-term considerations to be made with regard to the aging workforce. While Alberta has one of the youngest populations in Canada, we are like the rest of the country in experiencing an aging trend. The number and proportion of seniors has increased steadily since the mid-1980s, and currently about 303,000, or 10 percent, of Albertans are 65 years of age and older. By 2026, however, it is predicted that Alberta seniors will more than double to 750,000, or about 20 percent of all Albertans. Today close to 20 percent of my constituents are seniors, at least in the city where I live, Camrose.

What is to account for this aging workforce? Not surprisingly the baby boom generation is closing in on its retirement, and as more and more of the baby boomers take stock of their options, it is widely expected that there will be an increase in retirement levels. However, Mr. Speaker, when a person retires from the workforce, it isn't simply the workforce that becomes diminished through the absence of that person from its ranks. Retirement means also that the workforce becomes diminished by virtue of the loss of a person's skills, knowledge, and experience. It may be an exaggeration to suggest that our workforce is in jeopardy of becoming impoverished with such a large number of retirees projected for the next 25 or 30 years. However, I think it would be tremendously shortsighted not to give serious consideration to the fact that within the span of a generation upwards of a quarter of Albertans will be retirees. I say this because current projections indicate that, in addition to an increase in the number of retirees, there will also be a shrinking of the workforce.

In a report published last year entitled *Aging Populations in the Workforce: Challenges for Employers*, the authors state that owing to their declining birthrates, Canada, the United States, and Great Britain will see much slower growth in the pool of potential workers. Indeed, growth is expected to even cease by the year 2030. As a result, Mr. Speaker, the report urges both private- and public-sector employers to adapt and/or develop new training strategies to tap underused resources such as older workers and immigrants and to target younger workers more effectively. Moreover, in September 2001 TD Canada Trust released a report that forecast that Canada's economic growth could be hampered within a decade if the private

sector is not prepared for the upcoming massive wave of retiring baby boomers. In the report TD Canada Trust urges companies to come up with more and unique ways of attracting older workers and retaining them in the labour market longer through flexible work arrangements, higher wages, and more training.

The message these two reports are sending is clear. Mr. Speaker, highly skilled older workers are key resources for addressing current and future labour and skill shortages. Even in Alberta today we are experiencing a labour shortage in many areas, and retired people are being asked to give more years to the workforce. It is therefore in everyone's interest that we find ways to allow and even encourage those who wish to work beyond – and I use the term advisedly – the traditional retirement age to do so. It's in society's best interest, it's in the interest of the business community, and it is in the best interest of the individuals themselves.

Mr. Speaker, there is another consideration as well. With people living longer and with an increasing number of people choosing to retire early, the average length of time a retiree draws a pension has increased considerably. In 1996, for instance, Statistics Canada reported that the average retirement age was 58.5 years for women and 61.4 years for men. Meanwhile, life expectancies in Canada rose 7.2 years for women and 7.7 years for men between 1960 and 1997. In Alberta, to be even more specific, the life expectancy for a woman is now 81.5 years and 76.5 years for a man. Thus in 1966 the average man would retire at 65 and then live to collect CPP for about three years. Today the average man will now do so for about 15.2 years, whereas women now live long enough on average to collect CPP for upwards of 23 years.

In conclusion, Mr. Speaker, I see a variety of benefits coming our way if we pass Motion 506. We will first and foremost retain in the workforce skilled workers with much experience and knowledge. Secondly, we will offset the impact on our economy of large numbers of baby boomers retiring by 2026, as current projections . . . [Mr. Johnson's speaking time expired]

8:10

THE DEPUTY SPEAKER: Okay. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It was with interest that I was listening to the remarks from the hon. Member for Wetaskiwin-Camrose, and it is refreshing to finally hear a member on the government side discuss the issue of aging in this province and at the same time recognize that we are on average currently the youngest province in the country. While I'm discussing this, it is important to note that this is the first government member to state this and not blame an aging population on the fact that health care costs in this province are totally out of control. It's refreshing to see this.

[Ms Graham in the chair]

Now, we are the youngest province in Canada, Madam Speaker, and by the year 2016 we will see an increase in the population that's over 65 from 10 percent currently to 16 percent. This motion is certainly in my view a step in the right direction because we can start planning now for the large number of citizens who will be retiring.

I believe the hon. member said that in 2026 there would be 20 percent of the population over the age of 65, and one would have to wonder where this bar came from for 65 as a retirement age. I believe that as history recalls it, it would be well over 100 years ago that Otto von Bismarck in Germany used the age of 65 to promise retirement benefits to citizens, knowing full well that very few of the

citizens lived to collect that benefit from the state. Nonetheless, being concerned for their welfare, Bismarck did promote this as government policy.

Social policies not only in Europe changed but also in North America. Those social policies that changed were notions that perhaps public health care was a viable policy alternative and would increase citizens' age. We saw a dramatic increase in the average age of the population, and the hon. member stated, I believe, that females live to an average of 83 and males are a little bit behind at 79 years. So certainly there has been a lot of improvement in the life expectancy not only in North America, not only in Canada and Alberta, but certainly in Europe since Bismarck made his policy well over a century ago.

This, Madam Speaker, seems like a very reasonable request of the government, this motion:

Be it resolved that the Legislative Assembly urge the government to seriously address the impact of a growing and aging population on the Alberta labour market, taking into consideration the present culture that largely accepts disengagement or early retirement of older workers.

Certainly there are reasons to have early retirement. I can only look at the front benches of this cabinet and think: wow; that would be the Premier's best alternative. In fact, there was a younger member who came into the Assembly today, and I'm certain that they could do very well for themselves in this cabinet. Perhaps early retirement is an option. Maybe I'll see the Premier in the hall, and I'll suggest that.

DR. TAYLOR: Quit insulting Ty like that. It has to do with brains, Hughie, not age. That's why you'll never make it.

MR. MacDONALD: Madam Speaker, if the hon. member wants to get involved in debate, certainly he could rise. There would be less pressure on his brain, and then perhaps his comments would make sense.

Now, there seems to be a very reasonable request of the government again, Madam Speaker. The loss of experienced workers is an issue that does and will continually challenge Alberta's workplaces both in the public and the private sector. I think it is worth noting that Alberta and also the province of Quebec have already ended forced retirement at age 65 for their civil servants as has, as I understand it, the federal government. So that's a step in the right direction.

[The Deputy Speaker in the chair]

When we think of the experiences that we've dealt with in the last decade, where there have been incentives for workers or individuals to take early retirement, I see the reverse of this happening, and there will be incentives in the future, because of labour shortages, to keep workers in the workforce, and I see it occurring soon, Mr. Speaker, because there is a labour shortage. The Minister of Human Resources and Employment certainly is aware of some of the labour shortages in this province. The Minister of Economic Development certainly is aware of some of the labour shortages that are developing in this province. The environment for change is there. It certainly is.

Now, what will we do to attract people to stay in the workforce? This motion will be the first step, Mr. Speaker, in that direction by this government. If we look back and we look at the possibility of eliminating mandatory retirement, the increasing challenges that are talked about to the constitutionality of mandatory retirement may become more common and certainly there will be lobbying taking

place. There was recently a conference held marking the 20th anniversary of the Charter of Rights.

DR. TAYLOR: The shameful document that it is.

MR. MacDONALD: Now, the Minister of Environment is saying that it's a shameful document, but I would object to that statement.

THE DEPUTY SPEAKER: I wonder if the Minister of Environment would put his name on the list and speak then, at the conclusion of the other speakers who are on the list. Until then, engage himself in his book or, if he wants, in lively conversation outside the Chamber.

The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. Now, because of our Charter of Rights mandatory retirement will be one of the big constitutional issues in coming years. This motion again gives us an ideal opportunity to reflect on that in this Assembly.

There are individuals – and I believe that Morris Rosenberg would be one of them. He states: “The Supreme Court of Canada . . . have to ‘revisit’ a 1990 ruling that declared mandatory retirement . . . an acceptable form of discrimination against seniors.” Now, Mr. Rosenberg said this in a speech, and I have before me an article from one of the local newspapers regarding this speech. It is an issue that has been dealt with in the courts. The Chief Justice of this country, Beverley McLachlin, said last week that the court is open to taking a second look at rulings made in the early days of the Charter of Rights to see if they reflect today's society.

I would remind all members that the number of Canadians aged 65 or over is expected to nearly triple, from 3.7 million in 1997 to 10.8 million in 2046, so I'm going almost a generation beyond what the hon. Member for Wetaskiwin-Camrose has, but we have to look at this, and we have to look at this as perhaps a pool of labour for the looming shortages that are occurring.

8:20

In conclusion, Mr. Speaker, the government may want to look at options that offer incentives to workers to stay on. Now, I don't know what some of those options would be, but certainly it is something that is worth exploring. I think we're going to, as I said before, need incentives, not disincentives, to encourage citizens to remain active participants in the workforce, and the Department of Human Resources and Employment . . . [Mr. MacDonald's speaking time expired] I'm disappointed.

THE DEPUTY SPEAKER: Hon. minister, we have two ministers that apparently are prepared to speak on this topic. The hon. Minister of Environment?

The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you very much, Mr. Speaker. [some applause] Thank you. Thank you. I rise tonight in support of Motion 506, that has been brought forward by the MLA for Calgary-West. I certainly agree that Alberta needs to address the labour market issues that have been created by a very strong economy and an aging population.

As members here in the House will know, the Human Resources and Employment Department is Alberta's source for career workplace and labour market information. These labour force statistics that we have for our use show us how strong the economy has been and how it's helped people find jobs, including people that are aged 45 or older. With over 1.6 million people employed in 2001, there were more people working than ever before here in the province of

Alberta, and in 2001 the average unemployment for older workers dropped to 17 weeks from 24 weeks in the year 2000.

Now, while this is good news, Mr. Speaker, we know that it is higher than the workforce average of 10 weeks, and this indicates to me that there may be some additional employment barriers that need to be addressed. Previous speakers on this very motion have talked about some of those. Words like ageism are now starting to appear in the vernacular, but I think that there would be something to be said about a barrier that in a large way is perhaps the attitude of employers. We find this in work that we try to do with aboriginals, and we find it also in the work that we try to do with disabled people, that to a large extent employers still have this attitude that they need someone young and strong and particularly white, and of course that whole world is changing. There are all kinds of workers that are available and would not fit that traditional mold.

Our department continues to lead initiatives and to work with other ministries to plan for and accommodate this aging labour force that we have. Just a short time ago we released the Prepared for Growth: Building Alberta's Labour Supply. This report, which we created in collaboration with 10 other ministries, clearly recognized the pressure that's created by an aging population and predicts that this trend will continue, of course, as baby boomers age. The report also tells us that 25 of 53 occupational categories are experiencing skill shortages, and we've had mention of that here tonight. While all of this is happening, of course, our unemployment rate is really the lowest in Canada, and that is very good news. I don't want to diminish in any way what employers here in the province are doing in keeping that unemployment rate down, but also then low unemployment rates in creating these shortages clearly show us that we have a smaller pool of available workers to draw from.

We also worked with seven other ministries to develop a new employer handbook, and we called this one Diversity: A Strategy to Meet Your Need for Skilled Workers. Now, this publication will be available soon. The report highlights the benefits of hiring older workers and nontraditional sources of labour, that I mentioned just briefly a few moments ago.

We're also working with other ministries to develop strategies within a seniors' policy initiative to help provide older workers with more choices about work and lifelong learning opportunities. I think many employers will agree that Alberta needs older, more experienced workers to share their wisdom with others and to help train younger workers, and we value the expertise offered by the older workers, especially in the areas, Mr. Speaker, of workplace health and safety. Some of the things that we're finding in terms of the current situation is that 26 percent of our lost time injury claims are happening to workers within the first six months of their employment. Now, this doesn't mean that they're necessarily a young worker, but what it does mean is that it is a worker that has come into the workforce and within that particular skill set that's required within that particular industry, we're finding that of course they don't have all of the skills developed yet in order to work in a very safe manner. If we take that statistic and look at it in the longer time frame, if we look at it in a year's time, then we find that 40 percent of our lost time claims are happening in the first year of that employment.

Again we need to focus on the opportunities that we have with older workers. The older workers know the ropes. While they might also know shortcuts, they do know that there's no shortcut to safety, that there's only one way to work in this province and that's to work safely. In fact, that'll be the more productive way in which to work. As a matter of fact, if you think you're going to save time by shortcutting safe workplace procedures, just think of the time that's going to be lost, the productive time that's going to be lost, if this in

fact leads to an injury. Just think what happens, then, if that worker that you've invested the money in is now injured. Hopefully it's not a fatality, although there are too many of those in our province as well. So we need to continue to focus on the productive opportunities that we have in working safely, and I believe that it's older workers generally and experienced workers specifically that can help us in that area.

Now, our department already offers support for people, including the older worker who wants to find a job and wants to keep working. As a matter of fact, Mr. Speaker, over \$250 million will be invested through labour market programs and services this fiscal year. An example of this is career counseling. We have employment training programs. I was meeting earlier today with some folks, talking about additional programming in the self-employment area. We conduct a number of workshops around the province on a continual basis, helping people to develop resume writing, also the techniques of job interviewing, and of course helping with those job searches. As everyone here within this Assembly would know, it's a lot of work in trying to find employment, so we want to be as helpful as we can to workers of any age but specifically older workers and those that are older than 45 in finding this employment.

8:30

So Alberta's economy is strong, Mr. Speaker. More Albertans are working than ever before, yet when you look at the want ads and you have want ad indexes, employers will still need more employees. Now, our labour force is ever changing. Current trends like increasing technology and an aging workforce are driving the need for our department to adapt quickly to this change, and our ministry will continue to identify and forecast trends in the labour market and share that information with Albertans. I must say that what would be very, very helpful would be if associations, whether they be industrial associations or service type associations, would spend some time in human resource planning. There's nothing better to assist government, in my view, than good, practical suggestions that come from the very employer groups that actually hire these people. Now, it doesn't have to be by association particularly. There would be other opportunities to perhaps do it on a regional type basis. As the Member for West Yellowhead would be familiar with, we have opportunities to look into this particular area.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to say a few words in support of the present motion, and I appreciate the report the minister of human resources gave in terms of activities that his department is undertaking with respect to older workers. The concern for an aging population is one that's being felt worldwide. If you check the web sites, almost every state in the United States has a part of their web site devoted to the problems of aging. There was recently a worldwide conference in Madrid, Spain, on aging that is attempting to come up with a political and economic document that could be used by governments around the world in determining policies that will ensure that older citizens fully realize their human rights, that they're able to live secure in poverty-free environments, and that they take full part in the economic, political, and social life of the societies in which they are a part. They focus, too, on eliminating violence and discrimination with respect to older persons, and they point out the vital importance of families in helping to address these problems.

So the issue that the member has raised, Motion 506, is an important one as more and more of our citizens and the baby

boomers move into that part of their lives where aging becomes more and more of an issue. I think it's important that the motion, even though it is one that urges the government to address seriously the impact – and we've had a bit of a report from the minister of human resources. In looking at other states and their actions in terms of aging, I notice that in New York there were 37 subdepartments in the state government there that were charged with the issue of addressing aging and making plans. I think, if I recall, their plan was called the year 2015. They were looking forward to actions that should be in place in their state by that date to accommodate older workers.

I'm pleased the motion is here before us, Mr. Speaker, and I'm pleased to support it. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Mr. Speaker. Tonight it is my pleasure to rise and speak in favour of Motion 506, which urges the government "to seriously address the impact of a growing and aging population on the Alberta labour market." But before doing so, I would like to commend the Member for Calgary-West for her work on seniors' issues over the years with her participation on the Seniors Advisory Council and for her efforts in bringing this motion forward before the Legislature.

Mr. Speaker, it's come to my attention that an aging population is becoming a major focus of governments around the world, and many different countries are realizing the implications of an aging population potentially on their workforce, with the impact of a massive worker shortage a real possibility. It has also come to my attention that other countries more so than Canada have developed programs which have encouraged seniors to participate in the labour force much beyond the norm.

Japan, in particular, Mr. Speaker, has a higher employment rate among older people than most other industrialized nations in the world, and in fact it has a very high rate for those over the age of 60. This is because Japan has a national policy which strongly promotes what is called active aging. What is involved here is an approach which encourages those who have retired to become re-employed, whether it be in new jobs with new employers in small businesses or to stay in a changed capacity in their old place of employment. Often these new positions are at a lower salary and on a part-time basis, but they still retain the involvement of the older person in the economy.

Another example of a country trying to deal with the aging population is Germany, which has a program called the 55-plus initiative, which emphasizes vocational training and lifelong learning and allows for the reintegration of older unemployed persons in the workforce.

I think, Mr. Speaker, it will be necessary for the province of Alberta and this country as a whole to change our attitudes towards older workers. I'm pleased to say that just last session the Minister of Justice brought forward the Provincial Court Amendment Act, which provided for our provincial court judges to work beyond the old mandatory retirement age of 70. Under the new changes judges can work up to the age of 75 on a year-by-year basis with extensions of their term with the consent of the Chief Judge. So the trend is changing here in Alberta, and it may be that we are leaders in this respect.

I do want to leave an opportunity for the Member for Calgary-West to sum up, but I would just like to encourage all members of the Assembly to support Motion 506, because it not only benefits older workers; it will certainly benefit our economy and Alberta as a whole if we adopt these policies. Thank you.

THE DEPUTY SPEAKER: Are there any further speakers?

SOME HON. MEMBERS: Question.

THE DEPUTY SPEAKER: No, we won't have the question. The rules permit to the end of 60 minutes, which has not yet elapsed. The hon. Member for Calgary-Fort was on my list. No? If there are no further speakers, then we'll call on the hon. Member for Calgary-West for her final five minutes.

8:40

MS KRYCZKA: Thank you, Mr. Speaker. It has indeed been an honour and a pleasure to sponsor Motion 506 in this Assembly. I'm confident this government will embrace the challenge to take a leadership role, this time adapting to Alberta's aging workforce.

As we've heard throughout the debate, there are many effective ways to help older people remain in the workforce as long as we start raising awareness early, and from what I've heard from the hon. Minister of Human Resources and Employment, that is happening. Having older workers remain in the workforce on a part-time, flexible basis would definitely help address the increasing void in our skilled workforce, especially in the next 10 to 20 years.

However, for this to happen, there needs to be a shift in attitude in Alberta. It is so important to realize and recognize the value that older workers have on our workforce. I'm sure there are many college graduates in middle management today who would rather the aging workforce just head off to the golf course. However, there is incredible value associated with being a mentor, for example, and leading younger generations with one's wisdom and experience.

Increasingly Albertans are realizing the dramatic aging curve in Alberta's population. Today, for example, there are approximately four working people for every retiree, and by 2030 there'll be just two working people for every retiree. Some of the problems associated with an aging workforce addressed in this Assembly include too few people providing the tax revenue base to support the pensions of an aging population, too many people retiring in their 50s and 60s when they are needed in the workforce. This will ultimately create extreme shortages in occupations, as mentioned earlier in my address to this Assembly. In the next five years, though, for another example, up to 500 sworn members, or 40 percent, of the Calgary Police Service will be eligible for early retirement.

Another very important consideration is that many older people with insufficient income from pensions will be unable to live satisfactorily in retirement. Thanks to the creation of a public pension plan, Albertans have been programmed to retire at age 65, and when one considers the trend toward early retirement packages, I think that the earlier the better is not going to be popular in the near future.

Many people, however, are also realizing that retiring isn't as easy as it sounds. The financial pressures of not working while maintaining an adequate lifestyle can be overwhelming. There are many older workers in Alberta who have expectations that the Canada pension plan and their limited savings will be enough for them to maintain their preferred lifestyle. However, we know that people are living longer than before and the baby boomers are going to be more active than past retirees, with a whole new set of demands. In the near future it is the myths and misconceptions about older workers approaching retirement age that will be the biggest barrier for convincing employers that older people can fill a vital role in the future of Alberta's labour market.

Mr. Speaker, I think that this government can help people realize that retirement from work can be a gradual process. As people reach

their 60s, they can reduce their work schedules and the stress associated with their job, but new approaches in workplace flexibility depend on co-operation with employers. We have learned just earlier, a few minutes ago, from the hon. Member for Calgary-Lougheed that other governments have developed and implemented programs to retain older workers and have redefined early retirement. I would like to thank the Member for Calgary-Lougheed for talking about Germany and Japan and their problems and how they've addressed them, but I really feel we don't have to look at only other continents to find people concerned about this issue.

Just recently I received a copy of the Alberta Chambers of Commerce Human Resources Committee's resolution on the aging workforce, and it includes recommending that the government of Alberta work with the federal government where appropriate to achieve the following outcomes. I would quote only the two broad statements and not the details in the outcomes. First of all, "gathering all information about the aging issue affecting employment, business policy, taxation, pension policy and health." The second broad statement is: "Giving older citizens opportunities to continue in their trade, business or professional career past the 'normal' age of retirement." It makes four suggestions following, which I believe I don't have time to express tonight. I found it very interesting that the Calgary Chamber of Commerce for the past two years has done a fair amount of research in this area and has a resolution paper that they will be formally presenting to government. In the end, Mr. Speaker, I acknowledge that it is up to the individual to choose to remain in the workforce or seek retirement.

Lastly, I would like to thank the hon. Minister of Human Resources and Employment for his support tonight and the hon. members for Wetaskiwin-Camrose and Calgary-Lougheed and also those from the Official Opposition who supported Motion 506 in this Assembly.

Thank you, Mr. Speaker.

[Motion Other than Government Motion 506 carried]

Motor Vehicle Exhaust System Standards

507. Mr. Yankowsky moved:

Be it resolved that the Legislative Assembly of Alberta urge the government to introduce binding and enforceable legislation to make it a provincial offence to operate a motor vehicle with an exhaust system that has been modified such that it no longer meets the standards for noise suppression set out in the Motor Vehicle Safety Act of Canada for that class of vehicle.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. As sponsor of Motion 507 it is my pleasure to rise and discuss the importance of working to make our cities, towns, and pristine areas quieter. The shiny cars and trucks that we buy from the local dealer are made to be quiet and environmentally friendly, and that's the way they should be left, but our unenforceable laws make it possible for individuals to alter vehicle muffler systems and then proceed to disturb innocent individuals and families who are trying to get a good night's sleep or enjoy a leisurely time in the backyard on the very few warm days that we have in our summers. Instead of being serenaded by soft music or the sounds of children playing, they are blasted awake or forced to seek shelter because of insensitive persons roaring around in their vehicles equipped with bluebottles, cherry bombs, or no mufflers at all.

Of course, there is no point in calling the police, because they are

too busy to deal with it, and even if they do come out, the noisy vehicle is long gone. If on the off chance they do stop the offending vehicle, at best the operator will be issued a \$57 ticket. What a joke. Anyone usually has \$57 worth of loonies and toonies in their jeans, so it's a nothing fine. It's only a ticket, so they continue to drive and terrorize communities. Small towns are really being disturbed by these people. They can disturb the whole town because of the size of the town.

Mr. Speaker, this is a serious situation and getting worse. I have had complaints from constituents and have heard from our major cities and towns. This motion arises from a concern from municipalities and law enforcement agencies who feel that more enforceable legislation is needed to deal with the noise pollution and implement universal restrictions on acceptable decibel noise levels for vehicles. Motion 507 puts restrictions on any equipment which enhances exhaust system noise beyond the manufacturer's standards, as set out in the Motor Vehicle Safety Act of Canada. It urges the government to make it a provincial offence to operate a vehicle with an altered muffler that no longer meets federal standards.

The recognition of noise as a serious health hazard as opposed to a nuisance is a recent development. The World Health Organization considers the health effects of hazardous noise exposure to be an important public health problem, especially among children. The World Health Organization has linked high levels of ambient noise to social and health problems such as noise-induced hearing impairment, interference with speech communication, disturbance of rest and sleep, as well as psychophysiological, mental health, and performance effects such as increases in blood pressure, higher heart rates, and increased levels of stress hormones. These health effects in turn impact on behaviour and also interfere with attentive work and recreational activities. However, whether regarded as a nuisance or as a genuine health hazard, noise exposure is known to affect work, household productivity, quality of life, and property value.

Mr. Speaker, while we allow extremely noisy vehicles to roar up and down the streets in front of people's bedrooms, driving up our health care costs, industry on the other hand is doing a yeoman's job of lowering noise levels. For example, there was a picture in one of the newspapers showing a picture of a power plant with some geese in the foreground, and the caption was: only the geese are heard. Now, this power plant is located way out there in the boondocks, if I can use that term, yet they are making a great effort to lower the decibel noise level. Companies have spent millions of dollars to make coal hauling trucks whisper quiet. Again, they are operating way out there in the country.

8:50

Mr. Speaker, some of the loudest community noises are vehicles with modified muffler systems. In fact, many small towns are having serious problems with vehicles with altered components specifically designed to increase vehicle noise. These muffler alterations may come in the form of bluebottles, cherry bombs, or straight pipes and can often cause the vehicle to be very loud, with the sound penetrating even the best-insulated homes.

The Highway Traffic Act does contain provisions governing exhaust systems that have been modified to create more noise; however, these provisions are very difficult to enforce. For example, section 46 sets out regulations for muffler systems, stating:

A motor vehicle propelled by an internal combustion engine shall be equipped with an exhaust [system] . . . which ensures that the exhaust gases from the engine are cooled and expelled without excessive noise.

As you can imagine, a statement like "excessive noise" is subjective from one area to the next and even officer to officer. What might be excessive to one is not excessive to another. The act also gives

municipalities the ability to define what constitutes excessive noise. Enforcing these bylaws requires an officer to catch the offender in the act of making excessive noise. The officer then must prove that the noise actually disturbed a human, which is extremely difficult to prove, and offenders escape without penalty.

Municipalities are asking for more enforceable vehicle noise legislation. One such request came from the city of Calgary. The mayor of Calgary sent me a letter earlier this year expressing his concern with the loud exhaust systems on cars in his city. He explained that city council had enacted bylaws to try to deal with noise violations but that they were having a difficult time enforcing the bylaw as it requires officers of the law to catch the offender in the act. He expressed to me that noise is an important issue for his citizens and that the noise problem in Calgary was having a pronounced effect on the quality of life in Calgary communities. The mayor explained that they have an extensive noise barrier construction program in progress to try to alleviate the noise problem in communities adjacent to major roadways. However, the city of Calgary has found that the public demand for noise barriers far exceeds the available financing for their construction.

This expense is largely unnecessary. All that needs to be done is to pass enforceable vehicle noise laws and remove the root cause of the noise. Calgary city council said that they would support any initiative taken by the province to create better legislation to deal with vehicle noise. They understand that the problem is going to get far worse before it gets any better.

Mr. Speaker, we are obligated to try and help municipalities deal with this problem. Municipalities have asked for better legislation, and Motion 507 does exactly that. It urges the government to enact better and enforceable vehicle noise control legislation. It is my hope that passing Motion 507 will give our police officers a simple, enforceable law that will rid our communities of unnecessary noise. Under Motion 507 officers would be able to simply examine a vehicle, and if the muffler system has been altered with the intent to create more noise, the vehicle owner would be subjected to a penalty. No decibel reading or other complicated task would be necessary. A simple visual check is all that would be needed before ticketing. If it's been altered and it's noisy, then ticket it or, preferably, tow it.

The penalties also need to be increased, Mr. Speaker, if this is going to be effective. What I ultimately hope is that by having this debate and bringing this problem to light, we may be able to come up with a strategy to alleviate vehicle noise pollution in our cities and towns. A quiet cities and towns initiative is long overdue, and we owe it to taxpayers. They pay taxes to have safe, clean, and I would add quiet neighbourhoods, and this will only happen with enforceable vehicle noise laws. No one should have the right to disturb anyone.

This is the least that we can do for our neighbours. I urge all members to vote favourably for Motion 507.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'm going to participate with interest in this debate. Allow me to read the motion. Motion 507 reads:

Be it resolved that the Legislative Assembly . . . urge the government to introduce binding and enforceable legislation to make it a provincial offence to operate a motor vehicle with an exhaust system that has been modified such that it no longer meets the standards for noise suppression set out in the Motor Vehicle Safety Act of Canada for that class of vehicle.

I listened to the comments of the sponsoring member, the hon. Member for Edmonton-Beverly-Clareview, with some interest. I live, like that hon. member, in Edmonton and I live near a couple of busy streets that aren't far from a major hospital. I am from time to time aware of traffic noise, especially if it's coming from, say, motorcycles or suped-up cars, modified cars.

DR. TAYLOR: It makes you wish you had one.

DR. TAFT: I myself have an old, beat-up car.

DR. TAYLOR: But does it have a muffler?

DR. TAFT: It does have a muffler.

THE DEPUTY SPEAKER: It is not necessary for the Minister of Environment to add his thoughts to every speaker. We'll let the speaker speak for himself.

Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'm not sure that I've ever owned a car that has violated the noise suppression regulations or standards under the Motor Vehicle Safety Act of Canada, but I know many people do because I can hear them racing around the city or racing through some of the rural parts or smaller centres of the province. I will freely admit that I'm not familiar with the standards for noise suppression in the Motor Vehicle Safety Act, and I would appreciate it if maybe the sponsoring member could share some of those standards with me and perhaps with all the members of the Assembly.

Certainly noise on the road comes from all kinds of sources. Just the other day I was at a stoplight, and a vehicle pulled up beside me. The stereo was playing so loudly that the windows in the vehicle were vibrating, and in fact my car was vibrating from the noise. I wondered about this not only as an issue of intrusion of privacy and peace but also of the health of the poor person inside the vehicle, that will soon be deaf and, as a result of that, probably a burden on our health care system. So there are many issues to consider here.

Times up? Okay. Thank you. I'd like to carry on later, Mr. Speaker.

THE DEPUTY SPEAKER: We hesitate to interrupt the hon. Member for Edmonton-Riverview, but the time limit for consideration of this item of business on this day has now concluded.

9:00

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of the Whole to order. For the benefit of those in the gallery this is the informal part of the Assembly, where people are allowed to move around. We have the rule that only one member may be standing and talking at a time, and they must always speak from their place in the House when they are speaking.

Bill 18
Social Care Facilities Review Committee
Amendment Act, 2002

THE CHAIR: Any comments, questions, or amendments to be offered with respect to this? The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thanks, Mr. Chairman. I think that we've raised a number of questions about Bill 18, the Social Care Facilities Review Committee Amendment Act, 2002, in previous discussions, and I'm not sure that there is much to be added to the concerns that have been raised. I think that maybe for the most part those concerns have been addressed, and other than to revisit them, the comments I'd like to make have been outlined.

Thanks, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. Again we revisit this issue of the Social Care Facilities Review Committee. I did speak on this before, but my concerns remain with the general direction of our social care facilities in this province and the system through which we review and inspect those facilities and through which we follow up on complaints, through which we investigate those facilities. I am concerned that the ability of this committee to initiate an act is being narrowed, and that is, I think, if anything a greater concern as we watch some of the directions of this government in terms of its social care facilities.

We have gone through this review. I have profound concerns, and unless some information has come forward that hasn't been shared with me, those concerns remain. I don't see how this particular bill strengthens our society, strengthens our system for developing and managing social care facilities, or strengthens our commitment to children and to Albertans in need of care in these social facilities. I remain very concerned about this bill in particular and this bill as it fits into the larger context of our social care management in this province.

I did want to review some comments that were made on April 10, but I haven't had time at this moment to review those in enough detail to bring them to the attention of the Assembly. I will simply stay on record as expressing my most serious concern over this bill. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. At this point in debate in committee on the Social Care Facilities Review Committee Amendment Act, I have the following comments and perhaps questions for the hon. minister. Now, we are amending section 1(b), and the new definition of facility certainly is going to be "a day care facility as defined in the Social Care Facilities Licensing Act." When one considers that four or more children in a facility would, as I understand it, constitute the old definition, how is this going to be an improvement? We all know that we have various standards of child care provided across the province, and this facility definition I think is very, very important. Certainly in light of the events that were reported in this Assembly last week during question period of the unfortunate circumstances, it was sort of like a day care that was like an ILO almost. It was incredible what was going on in St. Albert, and I can't understand how. The minister perhaps can clarify not only for this hon. member but clarify this for all members of the House: how is this to be an improvement?

Certainly there are other sections to this bill. We're looking at some changes to the Health Professions Act. We're also looking, I believe, at an amendment to the Pharmacy and Drug Act. These are, I think, quite standard, and in reading about this bill, well, to say the least, I believe they're acceptable.

Now, when we look at the definition as it's explained here, I think this causes this hon. member some concern. In conclusion, I would like to remind all hon. members of this Assembly of just the

importance a definition can have in a facility. If we look at “a facility that provides care, treatment or shelter and that is funded, wholly or partly, by the Department of Children’s Services,” that’s a very broad brush, Mr. Chairman. There have been some attempts in the past to standardize care across the province, and I think this may be a veiled attempt at that, but I don’t think it goes far enough. When you consider the number of different agencies and organizations that are providing care or treatment or shelter and the number that are funded, whether it’s wholly or partly, by the department, in this case the Department of Children’s Services, well, that definition is very, very important and also the definition for a day care facility.

When we consider a day care facility as defined in the Social Care Facilities Licensing Act, we should also be in this debate discussing the whole idea of who is employed in the day care facility. Certainly we were talking earlier about having a labour shortage. Well, there currently is a labour shortage in the day care facilities in this province. I am a little confused by the current section 1(b) and how it presently reads and what is being attempted here with the definition from the Social Care Facilities Licensing Act. If through the course of debate, Mr. Chairman, this can be clarified, I would be very, very grateful.

Thank you very much, Mr. Chairman.

9:10

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I’d like to refer to some comments made on the evening of Wednesday, April 10, of this year in discussion earlier on this particular bill, in which the minister through whom the Social Care Facilities Review Committee reports to the Legislature was responding to some of my concerns. She said, among other things:

We’re making these amendments because we will shift the emphasis for the committee from inspections and investigations to service reviews, and we will do that because the Protection for Persons in Care Act is the piece of legislation that conducts investigations . . .

If these amendments are passed, regulations will be developed to designate facilities under other departments to come under the jurisdiction of the Protection for Persons in Care Act.

Right away I have some concerns – and I would like to raise those – with the minister’s comments.

First of all, it would be nice if the regulations were brought forward in conjunction with the legislation, as has been done historically in this Legislature, so that we knew some of the details about how this was going to be enacted. I still do not see in this a justification for shifting the emphasis from inspections and investigations to service reviews. Indeed, it’s not clear to me from these comments what a service review is. If the committee receives a complaint, they should investigate. If they visit a facility and are concerned, they should investigate or they should cause an investigation to occur. A service review is an extraordinarily vague term. I mean, what does service review mean? Maybe the minister has a specific definition of a service review, but I don’t know what that is, and lacking that information, I’m feeling very concerned about this particular bill.

In fact, the minister goes on here to talk about a review as opposed to investigation. Well, frankly, there are times and there are places in this province where investigations are necessary. I just sense confusion over the purposes of this bill, and I think it’s regrettable that it’s not laid out more clearly. Is this bill, as has been sometimes put to me, about clarifying the jurisdiction of the Health Facilities Review Committee and the Social Care Facilities Review Committee and drawing a clear line between what kind of facilities and programs come under each committee? Well, that would be

commendable, but I don’t see that in this bill. What I see in this bill are steps to weaken the power of this committee. This is a committee ultimately that reports to the Legislature. Sure, it comes through the minister, but it reports to this Legislature, and I think it owes all of us the duty of thoroughly fulfilling its mandate, which would include investigating complaints.

There are clearly – clearly – causes for complaints in the social care facilities of this province, and indeed the minister has a very active file on one right now and probably on a number of them and always will, and any minister would. I don’t fault the minister for those complaints. Indeed, a well-functioning system will include a route for feeding back complaints. When we see the ability to investigate removed in some sense from the social care facilities committee, then I feel like we are letting down some of the most vulnerable and dependent people in this province. People do not end up in social care facilities unless they have serious problems, unless they are children or adults with very, very serious problems. They depend on us. They depend on groups like this committee to step in and protect them. I am troubled, as you can tell, by this particular bill and indeed by the larger context of our social care system that this bill is coming from.

Perhaps the minister can respond with more specifics and allay our concerns. We have not received any further information, I don’t believe, since this last was debated on the 10th of April. That’s more than two weeks ago, and as a result my concerns are not in any way allayed.

Thank you, Mr. Chairman.

MS EVANS: Mr. Chairman, I don’t want to take a significant amount of time, but perhaps I could re-emphasize a couple of points. First of all, one of the hon. members talked about the part of section 1(b) which presently reads – and I jump ahead to (ii):

a building or part of a building, other than a home maintained by a person to whom the children living in that home are related by blood or marriage, in which care, supervision or lodging is provided for 4 or more children under the age of 18.

This does not reference day homes or day cares. They are referenced later. This represents group homes or child care institutions that provide residential care for the purposes of Children’s Services. So in fact we move back to point 2, section 1, where we amend by repealing clause (b) and substitute that facility is “a facility that provides care, treatment or shelter and that is funded,” – this is key – “wholly or partly, by the Department of Children’s Services” and, secondly, “a day care facility as defined in the Social Care Facilities Licensing Act.”

Previously and heretofore some of the difficulty that we had relative to facilities was that there was an assumption that the Social Care Facilities Review Committee would review the context or the homes of people who were receiving care for the purpose of some form of mental illness or disability. They were adults, and they were not funded by Children’s Services, and they were quite a different place.

Children’s Services through the Social Care Facilities Review Committee is served in the following way: reviews are made of facilities; the officers that are trained are laypeople. They are trained in the opportunity to question people that use the facility, their parents, or, in the case of young boys and girls, their facility in a foster home, but they are not investigators. Investigators exist in our department through licensing officers and trained professionals with professional diplomas, postsecondary education, in the key points of investigation.

The Protection for Persons in Care Act is currently administered elsewhere, through the Community Development ministry, and deals

with all of those issues where complaints are made, because persons in care may or may not be receiving the appropriate care. I can attest to the fact that when I was here previously in the Ministry of Municipal Affairs, those investigations are very complicated, require significant resources, and do address and fill the void that has been suggested by the hon. members opposite that will be withdrawn if social care facilities are not investigated by the hon. member to my immediate right presently, who does a very commendable job of reviewing those facilities with others that are appointed, other laypeople appointed across Alberta who review for that purpose.

So I'd just like to comment that this is no longer a group that would investigate, because that is inappropriate in the way we both select and compensate these people. These are people that do a very good job of talking to people about what they find in facilities, but they neither investigate them for occupational health or safety nor for necessarily the practice issues by probing the professionals that are in that facility. They simply talk and review with the people that are using the facility to see if they're happy, the parents of the children in day cares, et cetera, et cetera.

9:20

Finally, I would hope that some of these responses have assured the hon. members opposite of what the intent of this bill is, that it is intended in fact to make sure that the review is simply that, that alerts are provided as a result of that review to the minister, to the deputy. Subsequently a follow-through is done by the child welfare director in each region or, in the case of shelters, with the shelters and the child welfare director as well as department officials who can determine whether further investigation is warranted because of the reviews that have been done. Then if further investigation is warranted, perhaps the persons in care would be involved.

These reviews are done to be complementary to Children's Services – in other words, work well with and alert us to concerns that might emerge – and are not intended in any way, shape, or form to be investigative in nature and imply a more thorough type of investigation, such as screening by officers that would be related to either the courts in some other fashion or by people who have particular expertise in the professional practice of social workers, day care providers, and others. Those functions are very well filled by other professionals in the system.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I appreciate the minister's response. I have one more question at this time, and this is specifically in regard to the definition of a social care facility as defined in the Social Care Facilities Licensing Act. Does that include a private babysitting facility and a day care facility and a facility with six or less children and a building or part of a building, which we have discussed here, but specifically a private babysitting facility and the number of children which legally can be occupying the premises on a daily basis.

Thank you.

MS EVANS: Mr. Chairman, I think that again the part that's being referred to is what exists in the present section, which we are trying to amend to say "a day care facility as defined in the Social Care Facilities Licensing Act." That's a different piece of legislation that does define day care.

If I may, the hon. member has tempted me once too often, so I'm going to get into the situation in St. Albert for just a minute to the delight, I'm sure, of the hon. members opposite. This was an unlicensed facility, Mr. Chairman, that is being referenced. No, we

do not in fact in this particular legislation speak to facilities where people of their own volition but in unlicensed ways get involved in that kind of practice. What has been referenced in St. Albert was completely inappropriate and was not condoned or sanctioned by Children's Services.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you. I'm seeking clarification. I'm not trying to make mischief here. Is it the case that an unlicensed family day home will be or will not be under the jurisdiction of the Social Care Facilities Review Committee?

MS EVANS: Again, an unlicensed family day home will not be under this Social Care Facilities Review Committee. What the hon. member is referencing would be similar to myself looking after my grandchildren and two neighbour children all under my roof. I would be considered, I suppose, for those purposes on that afternoon that that might occur an unlicensed family day home, and clearly this government does not get in and license all of those. I'm sure and confident that at the time we looked at the family day home for the purposes of licensure, it was determined that we were not going to get into other kitchens or living rooms of the nation and look after those where there may be casual babysitting or things that are done that are considered to be temporary. What they're trying very carefully to do, Mr. Chairman, is to try and make somebody who has appeared to be practising beyond the boundaries of our law, without a licence, without being condoned by the local regional children's services authority, and determine that somehow the government was found wanting for not doing something that was not clearly sanctioned by the government.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I'd like to ask the minister a question about the Social Care Facilities Review Committee. I've been looking at its web site. I'm trying to find the membership of the committee, and I don't see that. To make sure I've got the right one, SCFRC is basically the heading of the web site. I'd like to know, I guess, some general information before I make any comments.

Who sits on this committee? Why is there a committee at all? Why do investigations into situations that may take place in government facilities that might be halfway houses, that might be homes for people who have a mental disability, and so on – I guess the main question would be: why do you have a committee of laypeople going in there and doing the investigation instead of professionals from your department? It seems like a very, very strange way to deal with things. If the bill is passed into law, then what role will the committee play if there is someone who's got a problem? If they feel they are being abused for example, what do they do to make sure they're protected if they can no longer automatically trigger an investigation? I'd just like some general information.

Thank you.

MS EVANS: Mr. Chairman, through an order in council an MLA from the government is appointed to chair the Social Care Facilities Review Committee. In this case it's my colleague and our hon. Member for Calgary-Shaw that assumes that chairmanship. There's a possibility of having at least a dozen Albertans from all across Alberta. They are considered laypeople. In other words, they are not social workers, but they are people that represent the social

demographics, if you will, of the province, with aboriginal representation from various parts as well as Caucasian and people from other communities across Alberta. We try to get a cross section of people that might use facilities like day cares, might be experienced with day cares, like women's shelter, might be experienced with the needs of women who have experienced violence, or like group residential homes, and they are trained in a very precise way to ask meaningful questions of people who are living in these kinds of facilities. It's really to have a check and balance on the professional practice issues by good and well-referenced people that have a knowledge of Alberta and of these types of facilities but not necessarily in a professional capacity. They don't do investigations such as finding out whether or not procedures were followed to the extent of how somebody was dealing with the psychological complications that may have arisen that placed them in a group facility. But they'll ask, for example, young boys and girls in one of these kinds of facilities: "Do you find yourself well looked after here? Do you enjoy this facility? Do you have any complaints that we should refer to the ministry for follow-up?" They are openly invitational to them to really share some of the concerns.

9:30

They meet without their providers being in that facility or in that room at that time simply so that there can be a feeling of an unbiased representation, and there are absolutely no complaints about this process either by those facilities themselves, because they welcome the opportunity to showcase the care that they may be administering, or by the foster children, in the case of some foster children, and it is a way of just providing another check and balance. It is comparable to the Health Facilities Review Committee, that is chaired by the hon. Member for Edmonton-Meadowlark, that goes in and reviews health facilities, takes a look at them, finds out whether or not they are serving the public good.

Mr. Chair, I think it's important not to short-sell the importance of this committee. Because it isn't investigating doesn't mean that these reviews aren't important. We take seriously the comments made by the review team, and that's why the reports have to be well written. There has to be a documentation that enables some follow-up, and we do that as well as we can.

MR. MASON: One thing I'm not clear on, Mr. Chairman, is what exactly . . .

AN HON. MEMBER: Just one?

MR. MASON: Well, I certainly wonder about some other things, hon. member, but the one thing in my previous questions that I'm still not clear on is: what do people do if they don't feel that they are being well cared for, particularly people who may have some disabilities or a mental illness or something that? What is then their recourse if this committee . . .

MS EVANS: The Protection for Persons in Care Act.

THE CHAIR: The hon. minister.

MS EVANS: Yes. The Protection for Persons in Care Act, that's administered in Community Development. Trust me; there are significant complaints by Albertans, but it's mostly either the resident themselves that complains about a family member or some other provider. It does not necessarily imply that it's care provided by somebody contracted by government to provide the care, and as we know, elder abuse and some of the manner in which children

treat their parents often, in my previous experience in the ministry involved with housing, was probably one of the major complaints for numerous investigations. A sad tragedy, but clearly parents or children who might provide a complaint to the Social Care Facilities Review Committee can have that complaint followed up on. They can still lodge that complaint, and that committee can recommend where further review has to be done, but most everything today is consolidated in Community Development. Perhaps the hon. minister would wish to supplement, please.

THE CHAIR: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. I will just very briefly, for the hon. member's attention and information, clarify that the Protection for Persons in Care Act is indeed administered by the Department of Community Development, which is under my charge, and it may be of interest for the hon. member to note that those organizations or facilities that are under this particular act, as one requirement for us to do a review if an allegation is submitted, have to be receiving public funding. So that's one of the definitions. I think the other thing, very quickly, Mr. Chair, is to just let the hon. member know that the vast, vast majority of the complaints that do come in go unsubstantiated in spite of a very thorough search and review that we as a department do through private investigators and so on that are hired for those purposes.

But the other concluding point here, Mr. Chair, is for all members of the House to recognize that we are in the throes of a review, a legislative review, of the PPIC Act, and there'll be more information on that flowing out very soon. We're also doing an administrative review, which the Ombudsman is involved with, because this is a five-year-old piece of legislation, or it soon will be five years old. It was a brand-new piece of legislation that actually was brought in by our current chair, the hon. Member for Highwood. As is fairly consistent with government practice, within that four- to five-year window of almost every piece of new legislation we do a very thorough review. So there will be more opportunity for this in the months to come, with more information flowing out to all members.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. Just some ancient history for everybody involved. The actual predecessor, as you know, of the Social Care Facilities Review Committee is the Health Facilities Review Committee. What you may not know is that the predecessor to the Health Facilities Review Committee was something called the Hospital Visitors Committee. The Hospital Visitors Committee was formed in 1973 under Premier Peter Lougheed, and it borrowed from the British concept of hospital visitors, which were people very much like the minister described a few minutes ago: laypeople who went around to hospitals and visited with the patients and staff and kept an eye on things and acted as a very informal ombudsman.

The Hospital Visitors Committee was turned into the Health Facilities Review Committee probably about 1975 or 1976. Its mandate was shifted, the chairman became an MLA as opposed to a member of the general public, and its powers were somewhat clarified. That committee then led to the formation of this committee about probably 1979 or something. The first chairman was Dr. David Carter, who went on to become Speaker of the Assembly.

Now, many things remain concerns for me. There has been some discussion here by two different ministers of the Protection for Persons in Care Act, and some of the reassurance for us about Bill 18 is that the complaints and issues that may no longer be covered

by the Social Care Facilities Review Committee will be handled under the Protection for Persons in Care Act. But that act is being reviewed right now, so I have to wonder: why are we not waiting until that review is complete before we amend the terms of reference for the Social Care Facilities Review Committee? Is there a rush to push Bill 18 through?

MS EVANS: We're not rushing, but we are trying to put in place what in effect has been the practice of this committee for the last two years with the reorganization which gave Children's Services a very precise mandate. It was no longer appropriate for us to be reviewing some of the health care facilities as we had in the past, so sharpening the definition was deemed to be significant and important, especially while health was reviewing its own facility. So this sharpening of the definition is actually the practice since this ministry was put in place, and I don't know what more to say.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. One of the effects of this sharpening of definitions of Bill 18 seems to be that when funding is shifted from going to an institution to going to the parents, who then choose the institution, that institution or facility or home would then no longer be eligible or be under the mandate of this particular committee, because it would not be receiving any public funding directly. I bring that forward as a concern here because it may be that facilities that a few years ago were receiving funding directly and therefore were under the mandate of this committee are now still out there functioning but will not be under the mandate of this committee.

9:40

MS EVANS: No, Mr. Chair. I think it's very clear. The "facility" in this new definition is anything "that provides care, treatment or shelter and that is funded, wholly or partly, by the Department of Children's Services." Very clear. Secondly, an entirely separate piece: "a day care facility as defined in the Social Care Facilities Licensing Act." So, in fact, we do inspect day cares as defined under the licensing act. We do not deviate from that in this situation. These facilities wholly or in part – Children's Services. The only other facilities we deal with that have any kind of supports from us, indirectly through the parents, are day care facilities.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. I have an additional question. The section that's being repealed, section 12, includes a number of things.

- (iv) an emergency shelter,
- (v) a residential alcohol and drug abuse treatment centre,
- (vi) a day care facility . . .
- (vii) a group home or shelter for physically or mentally handicapped persons, or
- (viii) a vocational rehabilitation and training centre for physically or mentally handicapped persons,

other than those "defined as a hospital" are the facilities that the committee now deals with. I have here in the web site as well family homes, group homes, foster homes, hostels, emergency shelters, residential alcohol and drug abuse treatment centres, vocational rehabilitation and training centres, and continuing care facilities. Now, which of these will continue to be under the committee's jurisdiction as a result of their being funded by the Department of Children's Services, and which ones will not?

MS EVANS: Well, Mr. Chair, if I'm clear on what is being suggested, those ones that are currently listed in that section 12 – the Health Professions Act is amended – and then it illustrates that, those that are health. To be clear, facilities that are funded through Children's Services: shelters, which are funded through Children's Services; group and residential homes, which are funded through Children's Services; foster homes, which are funded through Children's Services; day care facilities, which are funded through parents but through the day care facility licensing act; and then those facilities that provide care or respite to families, families such as those that participate in Rosemount for special-needs children. All of those things are funded in whole or in part by Children's Services. I think that facility definition is extremely clear, certainly clear to me, that that's where we're spending our money, and those ones that are health care facilities are dealt with in the health legislation. That's how we've been working for two years. I don't know what more I can say.

DR. TAFT: I can't help myself here, Mr. Chairman. The one last question: would the minister consider recommending to the government that this bill not be brought into force until the review of the Protection for Persons in Care Act is completed so that the two can be properly co-ordinated?

MS EVANS: Mr. Chair, with greatest respect, I believe they are properly co-ordinated.

MR. MASON: I just want to follow up my previous question, Mr. Chairman. I want to understand this clearly, and it may be a lot clearer to the minister, but after all she's the minister of the department and has day-to-day familiarity with it. What we're saying is that anything that is not related to Children's Services; for example, vocational rehabilitation and training centres, group homes for adults – those are no longer going to be subject to review by this committee. Is that correct?

MS EVANS: Unless you're assuming that your group homes for adults could include shelters for women who have been subject to violence. No, it's a different type of group home, I'm assuming. You're talking about relative to the Mental Health Act perhaps. Those are clearly part of the mission of the health care.

[The clauses of Bill 18 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

Bill 24 Child Welfare Amendment Act, 2002 (No. 2)

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Chairman. I thank the hon. member opposite who is the critic for Children's Services, Edmonton-Mill Woods, who has been kind enough to identify last week some of the issues that he was concerned about. Having reviewed *Hansard* of

last Wednesday evening, let me just try to follow up and give some responses.

In the first case, when the issue of the Court of Appeal refused the stay of their decision, it said that the parents should be notified that their children's temporary guardianship orders are invalid. As of April 26, 2002, the directors of child welfare in all but two regions, where there were no temporary guardianship orders during that period of time that would have been impacted – the other directors, where it would have been, including those on native reserves, have been directed and have in fact sent a letter to each parent or guardian of a child who is the subject of an invalid temporary guardianship order to inform them of that fact. The directors have included that legislation has been introduced to the Legislature which will ensure the validity of their child's temporary guardianship order when passed. Notice was not provided to parents earlier because if the stay had been granted, it would have taken effect on the date of the appeal court's decision, meaning that there would have been no invalid TGOs.

Let me talk about the number we're talking about here: 636 in total. Approximately 36 care plans that were filed either a day or sometimes two days late were included in that number. In terms of the number of temporary guardianship orders that had been contested by parents, out of that entire number less than 50 were involved. Directors have been asked, where appropriate, to consider and follow through with a reapprehension of the child.

I'd like to talk about: now, why did it become practice not to routinely file the plans of care? Because in some jurisdictions, admittedly not all and admittedly not in all circumstances, it was not practised. First of all, the practice of the courts has been to review the temporary guardianship orders in front of them along with the care plans at the time of the filing, from time to time, and the judges would simply say that it was not necessary to file the plan. They were actually told that in some of the courts. The director, in presenting that evidence to the court, provides detail on the services provided to the child and the family. The judges of the Provincial Court have previously been satisfied in many instances that sufficient evidence of a proper care plan was being provided and was provided to the family on that occasion, particularly where the families were involved.

The plans are written, and they are absolutely, all of them, available to be filed, but because of that Court of Appeal decision on March 4 we were not able to file them, because they were already considered by that court to be null and void, even though they were prepared to be filed. In some rural areas circuit court clerks have refused to file plans in the past because of the inconvenience to them and the fact that they were concerned about the amount of paper. In some other areas plans are filed by fax, and filed copies are not returned to the child protection workers. Some court clerks have said that they do not have room, as I've said, and Justice officials have taken steps to remedy these problems. I think that that's an important observation, because with the members opposite speaking last Wednesday, one has a feeling that they are casting some incredible doubts not only on the management of the department and the ministry, which I will accept because I'm not comfortable either that the plans were not filed, but on social workers and others who would better spend their resources and their time doing the jobs of protecting children and working with the children.

So the plans have not been filed because the resource issue really relates not to the dollars and cents provided but because wise allocation of resources with social workers would imply that they're working with their clients and working less with some of the filing opportunities, but we have insisted. Although there has been some suggestion by the hon. Member for Edmonton-Mill Woods that it

has been unsettling in the courts not to have assurance that future care plans will be filed and provided, I can assure you that everybody is filing and providing those plans. Parents receive copies of the plans, and in these cases parents have received copies of the plans. The plans used by the social worker to guide services are very much available to the parents, children, families, and of course to those who will be attending them. All of this happens whether the plans have been filed in the court or not.

Allowing the social workers to file plans now for the invalid TGOs is a loosening of practice that is not allowed, and the late filing gets the government off the hook: well, clearly, we don't believe we're off the hook. You know, we are on the hook because we have a duty of diligence to follow through and make sure that these things are rectified in some fashion. I would agree with the hon. Minister of Justice, who has said that this isn't desirable, but it is in fact probably the best way of rectifying a situation which has occurred without taking time to go through every single one of those invalid temporary guardianship orders and reinstating a reapprehension order. The Court of Appeal talked about the importance of having and filing a plan for each child, and I agree. I certainly and clearly agree with that importance.

9:50

Why is it that the bill applies to TGOs made by the courts before February 21, 2002? Well, in this instance, Mr. Chairman, the provisions of the bill are backward looking only. It applies only to those invalidated by the Court of Appeal's ruling. There's no need for the bill to apply to the future because all temporary guardianship orders granted will have plans of care filed in the courts, and that has been our follow-through.

Finally, what other solutions were considered besides legislating away the problem? Reapprehension and new court applications were considered, and this was rejected as a solution because of the hardship it may present to the children and their families. An application to court would have been required to reapprehend each child, and parents would then have been served with an application for another TGO. Mr. Chairman, there was not an intent by the court to recognize that the child could go back, because they were being protected for a very definite reason, and that's why those protection orders should still be in place. The court would have been required to hear evidence for another TGO, the same evidence the court had already heard. Parents would have spent emotional energy on the rehearing of their child's TGO, energy they might prefer to spend on working towards getting the child back, and reapprehensions and new court applications would divert child welfare and court resources away from emerging cases.

Mr. Speaker, we do know that concerns have been expressed about Bill 24 by the members of the opposition and the third party, concerns that have been expressed as well, I can assure you, by all who've been involved, concerns about the need to do the due diligence in the future, about the history of this particular situation. We believe that we have learned from that history, and we beg the indulgence of this Assembly to please enable us to go ahead with this legislation so that we can correct something that was clearly deemed to be wrong by the courts and make sure that it doesn't happen again.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman, and thank you to the minister for providing the answers to those questions that I was able to share with her last week. The minister has gone out of her way to attempt to provide answers to our questions, and we appreciate that.

The bill is very, very brief, and I think we should be clear in terms of exactly what it's doing. It amends section 31(3) of the existing act, and that section states:

Not more than 30 days after an order is made under subsection (1), the director shall file with the Court a plan for the care of the child, including a description of the services to be provided.

This amendment says:

Despite any decision of any court, a temporary guardianship order for which a plan for the care of the child has not been filed in accordance with section 31(3) is deemed to be valid from the date the order was made.

So what it in effect does is say that even though there weren't plans filed with the court, they are now valid even without that plan. I listened to the minister and part of the explanations that were given, and I guess one of the concerns as I listened is that first of all it seems that the courts are being given responsibility for some of the plans not being filed. The second impression I get is that it was considered busywork or that it was considered a task that was unimportant given the other tasks that social workers had to perform.

I think those two explanations, Mr. Chairman, are really quite amazing given the history of care plans in the province. They arose out of an unfortunate and tragic suicide, and to prevent that from happening again, there were some recommendations that were made. One of the recommendations – and it was endorsed by the government – was that there be care plans put in place. If you go back to Board of Review: The Child Welfare System, I quote from it.

We learned that some children were apprehended and put in temporary placements where they remained for a long time before anything was done to plan their futures, either with a view to restoring them to their families or making plans for them in care.

We were told that children who became temporary wards were often placed by a social worker and then forgotten.

At the time that that comment was made, the government I think took the comment very seriously and came up with the need for care plans and the need for them to be filed with the court, the need for everyone, parents and those people who were going to be involved in rehabilitation or remedial work with families, to be aware of what the plan was. It's essential in working with these youngsters that there be a care plan, and if you look at exactly what the importance of a care plan is for children, it clearly lays out the steps that are going to be provided for their needs: how they're going to be fulfilled, how they're going to be sheltered, how there's going to be a secure environment for them. It also lists the kind of long-term objective such as a permanent place for them. So in terms of the plans and children, they're very, very important documents.

10:00

They're important documents also to parents, Mr. Chairman. They communicate to the parents what they need to do in order to regain the custody of their children, and I can't think of anything that could be more important to parents in these cases where they're seeking return of their children than to know exactly what it is they're going to have to do to get their youngsters back. It really impacts them in a big way. If they're going to retain custody of their children, often they have to make lifestyle changes and behavioral changes, the ways in which they discipline youngsters, the ways in which they look after their education and upbringing. So some important changes in their lives can be detailed in a case plan and often are.

It often also will lay out the schedule for treatments of the parents themselves, and you can think of all kinds of examples. It lays out the kind of therapy that family members must engage in before youngsters can be returned. If there are medication needs for the family, those too can be part of a plan. Without a case plan the goals

that parents have to follow, or if they're unaware of a case plan or if the plan isn't filed with the courts where the judgments are going to be made, the well-being of the child may be jeopardized.

I think that the care plans are important to social workers and to judges. They're the way that the system can be held accountable for its work with children, and they're also very useful in helping social workers identify the resources that are required to help children. Ideally the plans give the social workers reassurance that the resources will be in place by the ministry for the elements of a plan, and I think that's important in terms of social workers being able to work with clients in a responsible manner. The care plans indicate to judges what everyone involved in caring for the child is going to do, what their roles and responsibilities are and how they are going to be carried out. That again includes the family. So they're important in terms of the judicial system and to the social workers that are involved.

If you look historically at why they were required, it was the death of Richard Cardinal in care in 1984 that was really the major impetus for the change. He was in a foster home, Mr. Chairman, and he took his own life. It was really that case that highlighted the need for social workers to have a long-term plan for children in care. The importance of the plan has been highlighted by the courts in the decision that was rendered on the 12th day of January. The decision says that the "debates on Bill 35 highlighted the new provisions for written plans of care that were designed to remedy the problem of children being lost in the system." That goes back to Alberta Hansard in April of 1984. It goes on to state:

When the state removes a child from his family with a [temporary guardianship order], the requirement of a plan supports both purposes. Even the temporary removal of a child from a family is a severe invasion of rights which should be tempered by a plan showing how the state will care for the child and what the family must do to regain custody.

It goes on to say in another part of the judgment: "The plan of care is a fundamental part of the Director's obligation when a [temporary guardianship order] is put in place." Then further:

Finally, as the above discussion makes clear, the Legislature viewed the requirement for a plan as an important tool in advancing the purpose of the Act. Thus, the objective of the legislation is better served by giving plans of care an important place in the scheme of the Act.

I think all of this, Mr. Chairman, points to the very high priority that the government in the mid-80s and the system and those people who were making recommendations to prevent cases like the Cardinal boy's from recurring gave to care plans. That's why I guess I find the comments about what happened, why the system failed, why care plans have fallen into the situation where they're not filed with the courts I guess to be an unsatisfactory state of affairs and the remedy that we have before us to be distasteful.

I'll conclude with just a few more comments, Mr. Chairman. There's a lot of concern about retroactive legislation. I suspect that for opposition parties there are few things that we would argue longer and stronger against than retroactive legislation, and that's in most instances. There are instances of course where retroactive legislation is needed and has been useful. There are areas where it has been very useful. But if you look at comments about retroactive legislation, they're viewed as a challenge to the stability and the certainty of the justice system, and I think that for that reason alone any kind of retroactive legislation has been carefully examined. "The adoption of retroactivity is altogether inadmissible [and] it is unjust": comments from another source talking about retroactive legislation. Another comment about concerns with retroactive legislation: smacks of arbitrary and unpredictable lawmaking.

So there are two issues in the bill. The one issue, the most

important one, is the care plans and making sure that the importance and the use that is to be made of those plans is clear and that the act as it was intended is followed. I guess the second one is dealing with the problem of using retroactive legislation, which, as I said, is most unsatisfactory.

I think that with those comments I'll conclude for now. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Riverview.

10:10

DR. TAFT: Thank you, Mr. Chairman. Can you remind me how much time I have to speak on this? [interjection] Twenty? Okay. Thank you.

AN HON. MEMBER: Or less.

DR. TAFT: Or less. You wish.

I rise with two profound concerns with Bill 24. I think that in fact all legislators should be concerned or at least share one of my concerns, which is the clause that begins the most active part of this bill, which reads: "Despite any decision of any court". Now, I want all MLAs in this Assembly to contemplate the implications of passing a law that says: "despite any decision of any court." Are we prepared to pass a law like that and on what grounds? What does that tell us about the nature of our legislation and the nature of our Assembly? Do we think we can place ourselves above the court system? Do we think that we can somehow remove the laws from the normal checks and balances that keep a parliamentary democracy functioning smoothly and properly? What right do we think we have to pass a bill that puts itself beyond any reproach from the legal system?

I don't think we have any right, and I think that we will find, although I'm not a lawyer, that this bill is wide open to challenges on the basis of a Charter case because of that very clause. A clause that is intended to put the actions of this government, actions that are openly and freely in violation of its own laws, beyond recall or comment from the courts is simply unacceptable. I suspect that legally this bill has a huge, huge hole in it. There are certainly lawyers on the government side of the Assembly who perhaps should be considering this. And maybe I'll stand corrected. I'm not a lawyer. But I have profound problems with that particular clause.

If we look back through the whole development of the rule of law in a parliamentary democracy, it's a tradition that goes back almost a millennium, and step by step by step, starting from the late Middle Ages till today, there has been a body of judicial rulings developed that make it clear that the rule of law is absolutely vital to the functioning of any democratic society. The rule of law is essential to the protection of citizens against the arbitrary use of state authority. That's exactly what the rule of law is about.

This bill I believe violates that rule of law. If we allow this to stand, then what's to happen the next time that there is an error, that there is a change of heart? What's to protect the citizens in our society from the arbitrary use of state authority, a state that passes a law and then years later, having broken that law repeatedly, passes another law that at least attempts to put it all outside of the courts? This I think is a fundamental problem here. Courts are a crucial guardian against arbitrary government, and I'm afraid that what we're seeing here is arbitrary government.

A fundamental premise of the rule of law is predictable legal systems. What we are seeing here is anything but predictable. We are seeing a law passed, a law broken by the government, and then another law brought in to remove this all from legal recall. How is

the government to be accountable when it changes its laws this way or, worse, attempts to put them beyond the reach of the courts? I predict that if there is a litigious parent out there with a good lawyer who is unhappy with their child being taken away from their family by this government, they could well take this to the Supreme Court and have this whole bill tossed out. So that's the basis of my first concern, and frankly I would suggest that all MLAs here think hard and long before they vote in favour of a bill that begins: "Despite any decision of any court." A fundamental, fundamental worry in the development of the Legislature of Alberta.

The other major set of concerns that I have has to do with social work practice, child welfare protection, and frankly the state of affairs of the Department of Children's Services. How did we get in this situation where there are over 600 child welfare cases in which case plans were not filed with the courts in accordance with the Child Welfare Act? Now, believe it or not, I'm not an entirely unreasonable person. There undoubtedly are situations in which these can be reasonably explained away: courts may have adjourned and made it impossible for a social worker to meet the deadline; it may have been impossible to find the parents in time to meet the deadline. There could be other reasonable explanations for a certain number of these cases, but we're talking over 600 cases.

If I understood the minister correctly – and she's welcome to stand and tell me that I didn't and explain why I'm wrong – of the 636 cases I believe she said that 36 involved cases that were a day or two late. Fair enough. Even though that's a violation of the law, it's reasonable I guess. Maybe another 50 or so are being contested by parents who disagree with the nature of the temporary guardianship order. That still leaves about 550 cases in which a case plan was not filed in accordance with the law. What's the explanation for that? That's 550 children, 550 families. That is a very, very serious problem that we have got ourselves into through this department.

I think it's worth reflecting, Mr. Chairman, on why this particular requirement was put into law. There has been some reference in discussion in this Assembly of the story of Richard Cardinal, a case that I still remember from the media coverage, and I'm sure other people here do as well. A Metis boy born in 1967, apprehended from his home at the age of four, and over the next 13 years placed in something like I think it was 28 different foster homes and group homes and other facilities, and finally at the age of 18 he went into the backyard of the foster home in which he was living, slung a rope over a tree, and hung himself. That case led to a review of the Child Welfare Act done by no less than the dean of the social work department at the University of Calgary, Dr. Ray Tomlison, and that in turn led to this provision being placed in the Child Welfare Act. It's profoundly serious. This is literally a matter of life and death.

So how did we get into this situation where such a tragic and serious case was ultimately being ignored by ignoring the law that was created in response to the case? I think that there are some serious problems to be raised about the functioning of the Department of Children's Services as a result. Certainly the information that I am getting from a wide variety of sources is that we are seeing a children's services system in a kind of chronic state of breakdown. The system is breaking down. I don't lay this entirely at the feet of the minister. It's something that has been building for some years.

10:20

I think we need to ask ourselves about the whole aspect of regionalization. There are 17 regional child welfare authorities and one provincewide one for Metis children. Before those 18 children's services authorities were created, the previous system, which had tons of problems of its own, nonetheless had a much simpler administrative structure. There were seven regions provincewide,

seven regional directors, and those regional directors didn't just look after child welfare. They also looked after income security, handicapped children's services, resources for the dependent handicapped, and a number of other programs. Certainly there is a strong case to be made that there is a close correlation between the problems of child welfare and issues of income security, and by creating regions strictly limited to child welfare, we have pulled apart the opportunity to have a co-ordinated response through both income supports and child welfare.

I'm also concerned that we have 18 different CEOs of children's services, 18 different administrative structures, 18 different boards, when prior we had seven. Indeed, we had seven that worked under the same department without any board; they had a single line of authority. So I think that what we are seeing here is a situation in which the department itself and the whole process of regionalization needs to be reviewed. It is indeed breaking down.

One of the symptoms of this is not just the cases that we've seen brought forward in recent months and years but in fact a perception on the part of many intimate observers that the system does not any longer support good social work practice. Filing a case plan for a child whose life you are taking into your hands is fundamental to good social work practice, a plan that not only lays out what you're going to do with this child – after all, you are its guardian; you are this child's parent – but also what you're going to do to restore that child to his proper place in his family if that is safe and possible to do. These plans it seems are not being properly developed, and as a result we risk returning to the very situation that Richard Cardinal faced, which is children being brought into care, being left on the bottom of a file, and being passed from social worker to social worker. I know that this happens today, and those children are ultimately being left to drift without a plan.

Part of the problem of this I think is the deprofessionalization of social work staff. We are seeing I believe a smaller and smaller percentage of highly trained social workers working with these children, fewer and fewer people with, say, masters of social work, and fewer and fewer highly specialized experts in the system. I'm not aware, for example, that the various children's authorities have teams of specialized workers with advanced training in things like sexual abuse or physical abuse or other conditions that will assist and support social workers in developing plans for their wards.

We've also seen a real loss of senior staff, the people who through decades of hard work and training have paid the dues to become the senior managers of children's lives. Those people have in large number left the department. They've either left, they've retired, they've burned out, or they simply throw their hands up after a career of service in a sense of exasperation with what's happening with this system.

So those kinds of problems led to a situation in which we are forced to bring forward a bill that says:

Despite any decision of any court, a temporary guardianship order for which a plan for the care of the child has not been filed in accordance with section 31(3) is deemed to be valid from the date the order was made.

In other words, as some people have described this legislation to me, legislation to cover the government's butt.

I am unhappy with this legislation. If it is necessary, if there are no choices, it is an evil that is necessary, and I hope we never, ever have to rise in this Legislature to debate anything like this bill again.

Thank you, Mr. Chairman.

MS EVANS: Well, Mr. Chairman, I'd like to address the points made by the hon. colleagues opposite and just really be brief. The hon. Member for Edmonton-Mill Woods talked about the purpose of

plans, parental rights to know about the services, and that the plans are to help social workers provide the services. I have already answered this in citing that the plans are made, are discussed with the parents, the parents sign off on these plans, and they reserve a copy. All this is happening, even if the plan isn't filed.

Bill 24 allows the late filing so social workers can ensure that a plan is filed for each child and allows the policy underpinning the filing of plans to be fulfilled. I think that that is an important element.

The other comments that were made by the hon. Member for Edmonton-Riverview relate to two concerns. He cites: "Despite any decision of any court." Can we place ourselves above the court system? Well, the answer really lies in this, Mr. Chairman. The Legislature's ability to override a court's decision is part of the checks and balances. The government introduced Bill 24 to keep the children safe, to keep the children safe and protected.

In all of the rhetoric that I have heard this evening or read on other occasions, I have really never heard any other viable way to manage what is an untenable situation if we don't get on with Bill 24. I have acknowledged that this is not our first preference, but it clearly is the most expedient way to ensure that we look after children and that we make sure that we do this as soon as possible to deal with our temporary guardianship orders, which have just recently been acknowledged to be null and void if we don't have some kind of retroactive legislation or other action.

On the comments by the hon. Member for Edmonton-Riverview on the possibility of a court challenge I'm going to cite the following, and this is why the lawyers that are in support of this legislation in government believe that there likely won't be a Charter challenge. First, this is an attempt to keep children protected and safe. The TGOs that would be validated by the bill originated from a judicial process in the courts, a determination that the child did in fact need protection. The court's original determination should have more weight regardless of the lack of timing in terms of the filing of the plan. So again the child is paramount over the process of filing the plan, acknowledging, though, that the plan is needed.

Secondly, the act provides a right of review at any point during the temporary guardianship order. So parents already have a right of review, whether or not the TGO has been invalidated.

Thirdly, the goal of the act is to protect children and to work toward their safe return to their families. The bill promotes this possibility without the need for additional processes. The TGOs that would be validated by the bill will have case plans filed as required under the act and for the future courts to review, so then the courts will accept those plans that have already been reviewed by the parents.

Finally, parents have other remedies, such as administrative review and judicial review, that they could follow up.

Mr. Chairman, I would for this evening adjourn debate on Bill 24.

[Motion to adjourn debate carried]

MR. ZWOZDESKY: I was just going to move that the committee now rise and report Bill 18 and report progress on Bill 24.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Yes, Mr. Speaker. The Committee of the Whole has

had under consideration certain bills. The committee reports Bill 18 and also reports progress on Bill 24.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.
10:30

head: **Government Bills and Orders**
Second Reading

Bill 26
Workers' Compensation Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Human Resources and Employment to move.

MR. DUNFORD: Thank you, Mr. Speaker. It's my pleasure to rise this evening to move second reading of Bill 26, the Workers' Compensation Amendment Act, 2002.

Bill 26 is the result of two years of consultation on the workers' compensation system in Alberta. The process began in late 1999, early 2000 when the MLA/WCB service review input committee and the Review Committee of the Workers' Compensation Board Appeal Systems were struck. The two committees made 59 recommendations for improving the workers' compensation system; 49 of these recommendations were accepted and taken through extensive consultation. This included a symposium on the workers' compensation system, roundtable discussions on accountability, and a tribunal task force on the screening criteria and review process for long-standing, contentious WCB claims. The legislation before the House today is a culmination of all of this work and has two components, one arising from the government review and another requested by the WCB which I'll speak to later.

The legislated change in the future operations of the workers' compensation system will have a cost estimated by WCB and my department to increase employer WCB premiums by less than 1 cent per \$100 of insured earnings.

I'll address the government initiatives first. There are four different aspects to these: improving the WCB decision-making process; secondly, independence of the Appeals Commission; third, improving the accountability of the WCB and Appeals Commission; and, fourth, reviewing long-standing, contentious WCB claims.

The WCB decision-making process will be improved in a number of ways. The WCB has developed a new quality review process to test new methods of meeting client needs over the next few months. Part of the process involves replacing the Claims Services Review Committee and the Assessment Review Committee with an open and collaborative process to resolve entitlement issues. The final WCB decision will be made following consultation with the parties and exploring resolution options. The legislation enables the WCB to take the best methods of operating developed in the quality review process and adopt these methods as WCB policy.

An issue repeatedly cited by injured workers was the lack of consultation by the WCB with their personal physicians, particularly when they disputed WCB medical findings. A medical panel will address differences in medical opinions, and its decisions will be binding on both the WCB and the Appeals Commission. The WCB is developing a pilot, and its performance measures will be submitted for the minister's approval in May.

The purpose of the medical panel is to get an independent, expert, consensus-based medical opinion. It is intended that a medical panel

can be initiated where there are conflicting medical opinions by the WCB, by the Appeals Commission, or more importantly, Mr. Speaker, by the physician of an injured worker. Panels will be established from a list of physicians prepared and approved by the College of Physicians and Surgeons of Alberta. These changes will also enable a caseworker to consult earlier with the injured worker's physician and bring forward that physician's opinion.

The next area is ensuring the independence of the Appeals Commission. This will be done by making the Appeals Commission a government reporting entity effective September 1, 2002. Appeals Commission staff will no longer be WCB employees. The governance model of the Appeals Commission will be changed to address stakeholder responses and the Renner report on accountability of agencies, boards, and commissions to a model comparable with the Alberta Labour Relations Board. The WCB will no longer be able to direct the Appeals Commission to reconsider its policy interpretations. Instead, the WCB will be allowed to make representations on interpretations of its policy at Appeals Commission hearings. All parties will have a right of appeal to the Court of Queen's Bench on matters of law and jurisdiction. On applications of the WCB or the interested party, the commission may state a case before the Court of Queen's Bench on questions of law or jurisdiction. Bill 26 will also require the WCB to implement Appeals Commission decisions within 30 days or in such time as the commission directs. All these changes will make the workings of the appeals process more open and transparent.

The next area is improving the accountability of the WCB and the Appeals Commission. Bill 26 will enable the Minister of Human Resources and Employment to specify the performance measures on the service outcomes both for WCB and for the Appeals Commission. My ministry, the WCB, and the Appeals Commission are currently establishing these performance measures based on the results of the accountability roundtable held in November of 2001. These stakeholders agreed that the performance measures should focus on the service outcomes of fairness, timeliness, returning the injured worker to the workforce, financial stability, prevention of injuries, and communication between all parties in the system. By June 2002 I will sign two memoranda of understanding which will include performance measures with the WCB and with the Appeals Commission. These will be consistent with the Renner report.

The act also provides for an expanded role for the Auditor General to audit the WCB. The Appeals Commission will be audited by the Auditor General as is usual for a government reporting entity. The performance measures that we develop will form part of the Auditor General's audit of the WCB and of the Appeals Commission. The WCB will hold advertised public annual general meetings, which will include a report on its performance using these measures. The Appeals Commission will also hold annual general meetings, with a similar report.

Now, I want to talk to you about the review body for long-standing, contentious WCB claims, as recommended by both the Friedman and Doerksen committees. The Tribunal Task Force was charged with making recommendations on the criteria for assessing the body, the process the body would use, and the costs. The task force submitted a report to me in October of 2001. I released the report to stakeholders and the public and received over 200 responses. Although Bill 26 will give the Lieutenant Governor in Council the authority to create a body to review long-standing, contentious WCB claims, the government will not move ahead on this provision until there is a consensus among stakeholders on the process to be used and on the cost. The review body must achieve two objectives: it will have to recognize any previous unfairness to injured workers, and it must be fair to the employers who have to

pay for the system today. Therefore, the MLA for Calgary-Egmont, the MLA for Bonnyville-Cold Lake, and the MLA for Calgary-Cross will take the latest proposal for the review of long-standing, contentious claims to employers, who pay for the system. They will report back to me in June, and I will announce their course of action on July 31, 2002.

Bill 26 also contains amendments put forward by the WCB. The WCB conducted stakeholder consultations of its own and has put forward these changes having heard their stakeholders' recommendations. The main areas are, first, protecting workers from having WCB employer premiums deducted from their wages; second, greater protection of the accident fund from fraud; third, greater internal WCB administrative efficiency; and, fourth, clarifying legal terms so that they may be understood by all parties. These changes include the increasing of fines for failure to report incidents. The increase will follow an education process that will also re-emphasize the importance of safety for Alberta workers.

10:40

It should be made quite clear that due process under the law will be followed for the award of any fine, as it always has been. Under section 152(1) of the act, "a person who contravenes this Act or a regulation or order made under it is guilty of an offence," which means that the person must be prosecuted and found guilty in court. Further, the amendments will allow the WCB to impose administrative penalties against employers who obstruct a WCB claim or investigation or who fail to report injuries. Under these amendments the administrative penalties are considered to be WCB assessments. This means that the employer can then dispute the assessment with the WCB as part of their internal appeal process, take the penalty to the Appeals Commission, and ultimately take the assessments before the Court of Queen's Bench on matters of law or jurisdiction. In all cases no fine can be imposed unless an offence under the act can be shown to have taken place. Also, in all cases there will be a means of appeal.

Another item would allow WCB benefits to be exempted from the Insurance Act, which would allow the WCB to provide coverage to sole proprietors.

I am confident that these amendments will create fairness and confidence for the future. In short, it will make an already good system even better. Mr. Speaker, I encourage all of my colleagues to join me in support of Bill 26 and look forward to hearing their comments during the debate.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's with a great deal of interest that I rise to speak after all the consultations that have been conducted regarding the Workers' Compensation Board in this province. I believe 1995 was the last time the WCB act was amended. Like a lot of other Albertans I'm reading this bill and reading it quite cautiously because of some of the increases in discretionary powers that we are proceeding to give the WCB.

The Workers' Compensation Act in Alberta is guided by the following principles articulated more than 80 years ago by then Chief Justice of Ontario, Sir William Meredith. In his report on workers' compensation the four principles that he outlined have to be consistent in this Bill 26 whenever it is finished in this Assembly. Now, certainly negligence and fault for the cause of injury are not considerations. Workers receive compensation benefits for work-related injuries at no cost. Employers bear the cost of compensation and in return receive protection, protection from lawsuits arising

from injuries. Lastly, the system is administered by an impartial agency having exclusive jurisdiction over all matters arising out of the enabling legislation. This is what should occur, and unfortunately in the time that I've had to examine this bill, I can't say that this bill will protect what was outlined over 80 years ago and what has guided the principles of the WCB ever since.

Now, you consider some of the conclusions that have been made after the two years of consultation, the two high-profile reports certainly, and the lobbying by MLAs. The government has finally introduced the changes in this bill, yet we have to look at the reports not only by hon. members from this Assembly but particularly by retired Justice Samuel Friedman, QC, the report which I'm sure all members of this Assembly are familiar with. It concluded:

The greatest and most immediate need is to bring accountability into the appeals process. If government wishes to maintain an arm's length relationship with the WCB, the only effective recourse to guarantee accountability is to strengthen the Appeals Commission and improve access to court review.

Now, if in this legislation, Bill 26, that was the only change and the Appeals Commission was going to be as the hon. minister has stated, then perhaps I could accept it.

The final report regarding the appeals system by Justice Friedman notes in recommendation 4 "that the Office of the Appeals Adviser report to the Ministry of Justice." Now, I have no problem with the Minister of Human Resources and Employment perhaps appointing these individuals to this Appeals Commission. I could live with that, Mr. Speaker, but to allow a little bit of distance, shall I say, political distance from the minister, perhaps it's prudent that we follow the recommendation of the Friedman report and have this Appeals Commission report to the Ministry of Justice.

Now, we all know that we have to guarantee independence and restore public confidence not only in the Appeals Commission but in the entire WCB system and the process, and I believe, as I said before, that the Ministry of Justice is the natural home for the Appeals Commission. Perhaps it is suitable that the appointments be made but have it independent and at arm's length, as we have all been told so many times in this Assembly. That is where the Appeals Commission, in my view, belongs. No disrespect to the Human Resources and Employment department but the current proposal in Bill 26 is again not at arm's length.

Also, Mr. Speaker, Bill 26 is unfortunately allowing the WCB to be even more adversarial, in my view, towards injured workers. We are also allowing the WCB to proceed with these wide, sweeping powers that we're giving it, from a culture of denial to further denial of not only employee rights but also employer rights.

In the time that I have allotted, there has been a lot of comment made in this House and outside this House regarding the long-standing contentious claims by the injured workers, and there has been case after case, file after file. Many of them have been documented publicly. I cannot understand for the life of me why any organization that was managed prudently would start a rate and benefit stabilization reserve fund specifically for times like these, to deal with the long-standing and contentious claims – now, there have been many price ranges to settle these claims. It's gone from \$50 million to as high as \$220 million, and there were millions and millions and millions of dollars set aside in that rate and benefit stabilization fund, and what did we do? We liquidated the fund, and it has simply disappeared. I don't consider that to be good management, Mr. Speaker, and now the money could be used. There would be no question of where we're going to get the money from.

Another matter with the rate and benefit stabilization fund: what would happen if there was a catastrophic accident in this province? Where would we get the money to deal with it? This was in the past.

The board showed a great deal of wisdom, but then we liquidated the fund, and now we can tell the injured workers that we have no money. We can plead poverty. Of course, premiums have gone up by double digits last year, 27.4 percent to be precise, and now they're going up, I'm told, by double-digit amounts as well this year. In order to meet the amount of money, premiums have to be, as I understand it, about \$1.81 per hundred dollars of payroll.

10:50

Mr. Speaker, in regard to the long-standing contentious claims, I just can't believe that we have to put it off and we have to study it further. Everyone knows what needs to be done. It's just a matter of, in my view, having the political will to deal with it.

Now, there's also the issue of the medical panels, and perhaps in the debate that's going to occur – hopefully we'll have a chance to debate this bill at length in this Assembly. The idea of the medical panels – certainly every report that came across to the minister discussed the importance of having independent medical panels and that the medical panels should be set up not in WCB policy, in my view, but they should be set up in statute.

We are allowing again here far too much discretionary power for the board.

- (4) The Board may make rules governing
 - (a) the appointment of the members of the medical panel,
 - (b) the determination of what constitutes a difference of medical opinion for the purposes of subsection (2), and
 - (c) the practice and procedure applicable to proceedings before a medical panel.

Where in all of this is the role of the family physician or the attending physician in the accident? The hon. Minister of Innovation and Science in his report earlier discussed this specifically, about the role of the GP. Recommendation 7 from the Friedman report:

It is recommended that a Medical Resolution Committee be established under the auspices of the Appeals Commission to review all cases where there is a difference of medical opinion between the medical adviser and the treating physician. A physician of the claimant's choice must be given reasonable opportunity to firstly, participate as a Medical Resolution Committee member (with his or her attendance paid for by the WCB) or, secondly, be contacted by the Committee Chairman to discuss the differing medical opinion of the diagnosis.

Now, this is from recommendation 7 of the Friedman report.

How can general practitioners have a say in the medical panels? Now, someone is going to tell me that, oh, it's going to be in policy. But it should not be in policy because these medical panels are where all the differences of opinion start. The minister himself will admit that it is far too high, it tells us that there's something wrong, whenever close to half, precisely 45 percent, of files that go to the Appeals Commission – and this is in the last year that there was an annual report – are overturned fully or perhaps partially, Mr. Speaker. So we do have problems, and to say that we're going to have a new review body: it's cosmetic. It's cosmetic. Instead of these reports we should have gotten the Avon lady to have a look at the WCB legislation and then just given us a cosmetic overview. That's exactly what has gone on here. This is just cosmetic. We're looking at this pilot project that's going on, and what difference is this between what we have now, the Claims Services Review Committee or the ARC? I need to be assured that there's going to be a difference in this. A resolution specialist just doesn't cut it. Again, I'm sorry; I view this as cosmetic.

Now, the medical panels are also going to unfortunately usurp the authority of the Appeals Commission. I don't think that is going to solve a lot of problems, and the authority of the Appeals Commission, I think, is compromised in section 13, because of course the medical findings of a medical panel are binding on the board, the

Appeals Commission, and all other persons with a direct interest in a claim. The Appeals Commission is going to have their hands tied by the board. Again, more and more discretionary powers.

Now, Mr. Speaker, in light of all this, we have again this special police force. The hon. minister stated: due process will be followed. This is in regards to the extended powers in my view of the special investigations unit, or the SIU.

These administrative penalties. I have to remind all hon. members now of the Constitution Act, 1982, schedule B, Canadian Charter of Rights and Freedoms, under legal rights, proceedings in criminal and penal matters: "To be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal." How can this occur under the new section 152(1)(4.1): "A person who pays an administrative penalty under section 152.1 in respect of a contravention may not be charged under this Act with an offence in respect of that contravention"?

Now, in my view the WCB does not want this to go to court and risk full public disclosure. They want everything going on behind closed doors. If the minister thinks we have frustrated, injured workers now, I think this is going to make the matter worse. I don't understand how there can be both a fine in the courts and by the board. How is due process being followed here? I just can't understand this. It is common knowledge, Mr. Speaker, that the WCB's special investigations unit spies on injured workers and tries to build a case that will give them an excuse to reduce compensation to the worker. These injured workers are followed around by the WCB secret police. It is known that their activities are videotaped by the secret police without their knowledge, without their consent. The proposed legislation will give this SIU, the secret police force, even more power than they already have. Not only will they have policing power, but they will also have the power to be judge and jury, and I don't think that is right.

The minister talked about the fines. Injured workers deemed guilty by the WCB special investigations unit will be slapped with hefty fines, up to \$25,000 – and that's a 5,000 percent increase in fines – and then forced to prove their innocence to the WCB. This is completely unjust and violates workers' rights to a fair and just process. It also does nothing to address the issues raised in the Friedman report, and the WCB has a culture that treats many long-term disability claimants with suspicion.

I just can't support this legislation. It is my view that workers' rights will continue to be violated, and we are giving the WCB secret police far too much power. When one considers this, hopefully in debate we will compare the fines or the changes in fines and how they relate to injured workers or employees and also how they relate to employers, because certainly employers are going to have to be careful of this secret police. Section 19 is going to be involved in this; notice by employer, section 33; section 105, employer commencing business; section 106, employer ceasing to be an employer; employers' records; persons who might be employers; separate statements for each industry, section 110; board order ceasing to employ workers, section 138; unauthorized deductions, section 139; and it goes on. This also applies to employers. This expansion of powers is quite unusual, and why it is quite unusual is because there has been no history of fraud in the WCB. We are told that one-tenth of 1 percent of claims are fraudulent, so why do we need these wide, sweeping powers with large fines? It's beyond me.

11:00

Another issue that is not addressed in this bill is the issue of governance. I have with me the 1997 report, where termination benefits of \$580,294, to be exact, were paid to the retiring president and CEO. This was in accordance with the contract of employment.

There are other executives that are very well paid, and it would be my view that in this legislation – we’re currently looking for a new CEO, and if they don’t like the terms, they don’t have to apply for the job. The complete compensation package for that individual should be public knowledge. Anyone in the province can look up the hon. Minister of Human Resources and Employment’s compensation package and his termination benefits. If it’s good enough for him, then it’s good enough for the new CEO of the WCB. This is just inexcusable. Who knows what the retiring CEO is going to receive in benefits? It’s inexcusable.

Now, unfortunately, Mr. Speaker, I believe that my time has expired. I look forward to debate of Bill 26 in the Assembly.

At this time I now move that we adjourn debate on Bill 26. Thank you.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It’s been a very enlightening evening, a great day of progress in the House, and I would now move that the Assembly stand adjourned until 1:30 p.m. tomorrow.

[Motion carried; at 11:01 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 30, 2002**

1:30 p.m.

Date: 02/04/30

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. O Lord, we give thanks for the bounty of our province: our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all Albertans. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you very much, Mr. Speaker. Today I have the pleasure of introducing two wonderful men. In fact, one of the men, whom I've known for quite a while, is the most charming man I've ever met. [interjections] He is. He is. Just wait. He's been a longtime resident of Edmonton, and he's no stranger to this House. He's been here a number of times. In fact, he's been here quite a few times, and he should, because he's the very proud father of our Premier. In fact, Phil Klein is sitting in the members' gallery along with one of my constituents, Robert Vanderwell, who has been a resident of my constituency of Lesser Slave Lake for 48 years. He is a businessman in the forest products industry. He has a family business. In fact, they've celebrated 60 years this year as a family business. He is the president/owner of Vanderwell Contractors Ltd., one of Alberta's largest family-run forestry companies. I would ask that they stand and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed a great pleasure for me to rise and introduce to you and through you to all members of the House 49 of Alberta's very brightest and best students. They of course come from the school of Blessed Kateri in my constituency, and they are accompanied by teachers Brigitte Berube, Mhairi Miskew, and parent helpers Bonnie Davis and Vivian Liberona. May I ask all of our special guests from Blessed Kateri to please rise and receive the thunderous ovation of the House.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. On behalf of my colleague from Olds-Didsbury-Three Hills I'd like to introduce to you and through you 31 students and staff from the Kneehill Christian school in Linden. They are visiting the Legislature today, and I believe they are sitting in the public gallery, and I'd like to ask them to stand and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you two gentlemen who are seated in the gallery today. One is my constituency assistant, who for the last couple of years has ably handled the many duties and details of my very busy constituency office in Edmonton-Highlands, Mr. Craig Stumpf-Allen. The second is Mike Buurman, who will be working

in our office this summer. He is a political science student just finishing his second year at Grant MacEwan and entering the U of A this fall. Mike also has considerable background as a volunteer with Edmonton's Food Bank and the Glenrose hospital. I'm happy to have him as my STEP student for this year. I'd ask both gentlemen to rise and receive the warm welcome of this Assembly.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Municipal Affairs.

Municipal Government Day

MR. BOUTILIER: Thank you very much, Mr. Speaker. Today I rise in recognition of this being Municipal Government Day, April 30. In fact, Municipal Government Day was established by the Federation of Canadian Municipalities to honour municipal leaders across Canada who take part in a very special activity in terms of promoting the unique role that municipal governments play in our country.

As Minister of Municipal Affairs I would like to take this opportunity to acknowledge the vital role that municipalities play in all of our lives. Throughout the history of our country and our province municipal governments have played a key role in sustaining and improving the quality of life of our communities. In fact, over one-third of the MLAs presently elected to this Assembly have served at the local municipal level either as a reeve, as a councillor, as an alderman, as a school trustee, as a hospital trustee, or as a mayor, and this really speaks well of the deep roots that municipal government has right here in this Legislative Assembly.

I know that all members of this Assembly join me in recognizing the 360 municipal governments that proudly serve all Albertans working in partnership with their province. In honour of this day I invite all members to join in recognizing the importance of municipalities in the province of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. I'm pleased to rise on behalf of the Official Opposition to recognize Municipal Government Day. Alberta's municipal leaders have the responsibility of building and supporting the great communities that we are proud to call home. Whether home is a village of 100 people or a city of almost 1 million, Albertans share similar expectations. We want safe streets, clean water, good roads, viable businesses, accessible schools and hospitals, and affordable recreation facilities and housing. It is not an easy to-do list for our local councils, but they do provide this and more. In the face of downloading, rising costs, shifting taxes, and increased pressures on volunteers, they achieve excellence. In honour of this day I invite all members of the Assembly to consider how the legislation and policies we debate affect municipal councils and their vision for our communities.

Thank you.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Child Welfare System

DR. NICOL: Thank you, Mr. Speaker. In describing the child welfare system in Alberta it has been said, and I quote: when disaster strikes Alberta's child welfare system, reports follow the scandals like life insurance investigators covering a fire. It goes on:

their recommendations have been so repeated that now when a new study is released, it's hardly necessary to crack the cover to find out what's inside. My questions are to the Minister of Children's Services. Madam Minister, that was written in 1993. Why is it that we're still seeing reports every few months repeating the same recommendations, and none of the recommendations get implemented to improve service to children?

MS EVANS: Mr. Speaker, I'm so very, very grateful for that question today. It gives me an opportunity to brag about the things that we are doing right that have been unacknowledged while we've been going through this very, very painful period. We have the Alberta response model, which is out there, staff that are out there working to make sure that children that are in low-risk situations are maintained in their family with supports to the family, and we only will endeavour to protect those children that really need it most in high-risk situations and take them into care. This is the thrust that is important, that social workers are embracing, because it looks at the community for community-based support, something that was visioned by my predecessors. In the last two years we've made huge strides toward it. Another very unacclaimed situation is that when communities all over Alberta, the very ones the hon. Minister of Municipal Affairs spoke about, asked us for full funding of family and community support services, this year an additional \$15 million has gone into that fund, which will help us with a lot of those early intervention projects. We're making some good moves. They're not hitting the headlines, but I'm confident they're making a difference.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister. Specific recommendations, Madam Minister. How many recommendations of the 1984 Richard Cardinal fatality inquiry were not followed and have to be rerecommended on subsequent inquiries?

MS EVANS: Mr. Speaker, I'm not familiar with what the number is, but I would certainly be pleased to table that in the House on a subsequent day.

1:40

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Bob Rechner, the former Children's Advocate, has recommended an independent external review process to hear children's maltreatment claims. Will the minister be implementing that recommendation?

MS EVANS: Well, Mr. Speaker, as the hon. member opposite knows, there has been an adjournment of a court case that was filed by a solicitor in Calgary with other participants who've identified themselves as friends of children who have been in child protection cases. We have selected with Justice's assistance a solicitor to act on behalf of the government, and we will be responding in kind. The issues of compensation I have already declared would be part of our overall review of the Child Welfare Act that's being conducted by the hon. Member for Calgary-Buffalo. More than that I don't think is appropriate for me to comment on at this time.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Foster Care Delivery

DR. NICOL: Thank you, Mr. Speaker. Still following up with the Minister of Children's Services: has the minister implemented the

recommendations of the Korvette Crier report that foster agency staff make unscheduled visits to foster homes?

MS EVANS: Mr. Speaker, as we speak, there are significant discussions between the principals of Keystone. It would be: frankly, I'm not sure yet. We have been looking at these issues with the CEO from Keystone, who is on site at Kasohkewew. We have been talking with those folks that are delivering the child welfare service. I don't know exactly what has been implemented, but substantive improvements have occurred since August 1999, and just exactly where we go from here will be determined by the extent that we can review those cases and assure ourselves of the bottom line: that children are safe and protected.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: can the minister tell us whether, as of today, all nongovernment agencies operating foster homes are registered with the government?

MS EVANS: Mr. Speaker, as of today not all are registered with the government. I don't know exactly how many are not registered with the government, but of course if you are providing child care services, we are asking for those to be registered, to be accredited. In fact, in the accreditation process there is some opportunity for various agencies to work towards their accreditation. It's a fairly complex process. In the situation of the most recent tragic death the agency that was managing the foster placement was an accredited agency.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. My final question again to the minister: when will the results of the minister's overall review of foster care delivery be made public?

MS EVANS: Mr. Speaker, we'll be pleased to make it public when it's complete. [interjection] We have been working on that foster care review for the last few months, and rather than being subjected to some taunting, I'll just simply say: when the work in progress is complete and done properly.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Case Plans for Children in Care

DR. MASSEY: Thank you, Mr. Speaker. Yesterday the Minister of Children's Services referred to some of the 600 children whose case plans were not filed with the courts. She said: "It's entirely possible today that some of those children are already back with their families, and in some cases, tragically . . ." My questions are to the Minister of Children's Services. Does the minister know of cases where children were actually put back in families where tragedy befell them?

MS EVANS: Mr. Speaker, as we speak, our staff on that front are looking into what has happened with the children that have been under temporary guardianship orders filed before March 4th's Court of Appeal. We know in fact, as I stated last evening, that some of the appeal notices had been filed too late. Last evening I was endeavouring to explain that we really don't know in the last two months exactly the status of each one of those at the provincial level.

At the local level we've asked for them, through the child welfare director on site, to determine what's happened with each one of those cases, to provide us exactly what the status is. We noted yesterday – and I believe I spoke to this yesterday – that less than 50 were contested in court, and we may be reapprehending those. Again, the status of that I know not. I will provide that report to this Assembly as soon as it's available.

DR. MASSEY: Again to the same minister, Mr. Speaker: does the minister know of children who were put back in homes where tragedy befell them?

MS EVANS: Mr. Speaker, I have to thank my colleague so that in the rest of this Assembly you're not misled by excerpts from my statement. To quote from *Hansard*, page 973, I stated:

It's entirely possible . . . that some of those children are already back with their families, and in some cases, tragically, I'm told that we can't locate some of those parents, because those are children that have been taken into protection sometimes because parents have not been available to do the job that parents should be doing.

Now, Mr. Speaker, what is wrong with that?

DR. MASSEY: Mr. Speaker, if there's one child that's been put into a tragic situation, that's what's wrong with that.

My question is to the minister. Given that there are alternative actions the department can legally take, why would any child be put back in a risky situation?

MS EVANS: Mr. Speaker, no child will be put back in a risky situation. While the hon. member opposite may be trying to fault this government for the tragic results of things that happened to children who have been at risk, what is really tragic is that sometimes those parents disappear. They leave the children with child welfare and wash their hands of those circumstances. That's a real tragedy, because parents should be responsible. If in fact today there are those children in care that need protection, we will under an emergency order be reapprehending those children so that in fact they are never at risk. Those 636 children are not at risk, because we will make sure that they are not at risk, because our procedures allow us in an emergency, which could occur if a parent who doesn't deserve the child comes back, to reapprehend that child and make sure those children are protected.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for St. Albert.

Workers' Compensation Board Health Care Costs

MR. MASON: Thank you very much, Mr. Speaker. In 1999 the Workers' Compensation Board adopted a policy under which they pay private surgical facilities up to four and a half times more than they pay the public system for the same procedure. Small wonder that the WCB's health care costs have tripled in the past five years, and no wonder that HRC investors are excited, because if approved, they expect 90 percent of their patients to be injured workers paid for by the WCB. To the Minister of Human Resources and Employment: given the recent rapid escalation in employer premium rates, is the minister at all concerned that WCB's plan to pay top rates to HRC to do total joint replacements and major back surgery will drive employer premium rates even higher?

MR. DUNFORD: Mr. Speaker, the operation of the Workers' Compensation Board is through appointments of the board members, and it is a long tradition that we appoint members not only from the

employer sector but also from the employee and the public sectors. It's the responsibility of the chair and those nine appointees to operate the Workers' Compensation Board system. So the particular issue that the hon. member is on I think is a valid one, and I think it's something that quite appropriately can be taken up beyond just here in question period. As he's a serious member, as we all know, he can certainly take it up with the individual board members.

The thing that must be mentioned, I think, by me at this point in time is that it is of the utmost urgency that injured workers receive first of all proper diagnosis but then proper treatment, because it is very, very important, as the hon. member knows, that we get injured workers back into the workplace. There is a direct correlation between the severance of a worker from a workplace and that worker's ability to ever get back to meaningful employment, so I think that WCB has to do what it has to do to get workers back as quickly as possible.

1:50

MR. MASON: Mr. Speaker, the minister cannot escape his ministerial responsibility that easily. These members are appointed by the government. Will the minister at least agree to look into whether the escalating health care costs of the WCB might be related to an overreliance on private, for-profit surgical facilities before allowing them to enter into an agreement with the Health Resource Centre, or HRC, to do joint replacements or major back surgery?

MR. DUNFORD: In 1995 the members that were here within this Assembly – and as I stand here, I just don't recall whether or not the Member for Edmonton-Highlands was part of it. Perhaps he wasn't. In any event, we had a debate on a bill at that particular time. What that bill managed to do and what it continues to do quite successfully is to move the Workers' Compensation Board system, entirely paid for by employers' money – there is not one dollar of taxpayers' money in that WCB system. The idea at the time, then, was to move the WCB to an arm's-length relationship with the government. We succeeded in doing that with the passage of that bill in 1995, and that bill stands in good stead today.

MR. MASON: Mr. Speaker, would the minister tell the House why and how he can stall on resolving the long-standing issues of injured workers because the employers don't want to pay higher premiums, yet he allows WCB to pay three times the price for certain procedures because it's a private health care facility?

MR. DUNFORD: Well, the member is being provocative. It's not me that's allowing the contract relationship between the WCB and physicians around the province.

As far as the question itself in the sense of long-term contentious claims, I believe that it is important that we have all stakeholders onside on this issue, especially those that will have to foot the bill. What we're talking about here in terms of long-term contentious claims is the fact that there was an appeal system that was recognized by law, and the actual mechanics and the logistics of that appeal system were in fact administered for claims in the past. So at that particular point in time basically, then, the issues that came out of those appeals have been dealt with. We had two reports. There was a recommendation made that a further appeal system be looked into. We have accepted that recommendation. Now we're trying to find a way to make it work.

THE SPEAKER: Hon. Deputy Government House Leader, you advised of a point of order.

MR. ZWOZDESKY: Thank you.

THE SPEAKER: The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Gold Bar.

Electricity Billing

MRS. O'NEILL: Thank you, Mr. Speaker. Recently I have received a number of calls from constituents about their electricity bills, and I daresay that even some of those might have been calls from the parents of the students who are seated in the public gallery today from Sir Alexander Mackenzie school. They are concerned about the number of consumer charges that are on their bill: the actual power consumed, the transmission and distribution charges, and the various deferral account rate riders. My question is to the Minister of Energy. What is the role of the EUB in all of this issue determining what is regulated, if anything, and what are regulated and what are unregulated items on their bill?

THE SPEAKER: The hon. minister.

MR. SMITH: Well, thanks, Mr. Speaker. I'm sure the Member for St. Albert, when talking to the members of the Sir Alexander Mackenzie school, probably also told them of the energy rebate that they got last year and why the bills that the Minister of Infrastructure put forward were indeed less than what they could have been.

The member brings up an excellent question, Mr. Speaker. EPCOR bills are the bills that the member gets in her service area. Those serviced by Utilicorp in southern Alberta will also receive an EPCOR bill, and those in the northern part of Alberta will receive an ATCO bill. In this portion the regulator, the Alberta Energy and Utilities Board, that holds hearings in an open fashion, fully transcribed and fully available to everybody in Alberta, receives an application on these numerous charges. They then go through a rigorous process and deliver a public decision.

With respect to the specific bill to which the Member for St. Albert refers, the delivery charge, the energy charge, the service charge, and the rate riders are brought through the EUB. The energy charge is a regulated rate option. Now, I know that the opposition members may not want this specific information, because they're concerned more about the ideology as opposed to the good questions of the member, who asks for actual fact. That is the key part of the new electrical restructuring market, Mr. Speaker. We asked for the umbrella, the camouflage of regulation to be lifted and for the honesty of transparency and the EUB regulation to show these important charges to the consumer so that the consumer knows exactly what they're paying for.

MRS. O'NEILL: Mr. Speaker, my first supplemental is to the same minister, and that is with respect to some of those charges: will they change, and if so, when will they change?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you. Mr. Speaker, I was very pleased for the supplementary because I forgot to add that there is also, of course, a federal tax, a federal GST tax, on the bills.

AN HON. MEMBER: The Liberals.

MR. SMITH: Yes. I know that's the Liberals. I even remember a Liberal campaign promise to eliminate the GST. Good work, guys. Good work. You didn't get anywhere; did you?

Mr. Speaker, the member asks a very good question. The regulated rate option has two phases. One is the charge for electric-

ity that was encountered in the year 2000, when we had a regulated rate model, and the difference between what they paid for in electricity. Secondly, there is a deferral rate for 2001. This is the price in excess of the regulated rate that the utility paid for the purpose of providing electrical services to the constituents of St. Albert.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order as well.

Go ahead, hon. member.

MRS. O'NEILL: Thank you. My second supplemental to the same minister has to do with: how are the service charges determined?

MR. SMITH: Mr. Speaker, I apologize for what seems to be a long time, but it's an extremely important topic. The 2001 regulated rate option shortfall has been approved on an interim or temporary basis, and the EUB, the Energy and Utilities Board, received the last of the material on April 2. Consistently, the Energy and Utilities Board will render a decision by June 2002. The intent is for the deferral rates, which are clear and transparent, to be paid off and eliminated in 2004 and to show generators that there is opportunity for more generation and for more capability in Alberta.

THE SPEAKER: Hon. Member for Edmonton-Highlands, I'll recognize you, too, later on a point of order.

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Bow.

Electricity Balancing Pool

MR. MacDONALD: Thank you, Mr. Speaker. Last summer the Minister of Energy welcomed Enron's entry into Alberta's electricity industry as vindication that the anticipated deregulation scheme is working more or less as promised and said at the time, quote: Enron's announcement is a signal that this power market is here to stay. End of quote. We saw the success of Enron, so I guess we can only wait for the success of this government's electricity deregulation scheme. Now, when I asked the minister two weeks ago about the proceeds of the electricity auctions in 2000, he said that the money was "all returned in the \$40 bill. That was consumers' money. They got it all back. It's gone." My first question is to the Minister of Energy. If that money is all gone, then how does the Balancing Pool still operate certain power plants from the proceeds of these electricity auctions?

2:00

MR. SMITH: The first thing is that when the Enron situation was mentioned, as quoted by the member, that was at a time when I believe we were 63 members of government and there were some 15, 20-plus members of the opposition. So, in fact, from the time that I made that quote to today, the only thing that's gone, Mr. Speaker, is eight members from the opposition. What remains are more government members than ever before and a government that actively, totally put the new competitive restructuring on the line for the election of 2001, said and committed to consumers that they would return the auction proceeds. They did. We have operated totally above board, we've operated with integrity, and most importantly we've operated with transparency to this marketplace and to this taxpayer.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same

minister: if some of the auction proceeds have been allocated to the Balancing Pool, how then are the minister's comments from the estimates debate only two weeks ago correct when he said that consumers got it all back when we know that they have not? It's in the Balancing Pool. Don't you know your own policy?

MR. SMITH: I assume that when he says, don't I even know my own policy?, it's his third supplementary, so my answer to that, Mr. Speaker, would be: yes, I do know the policy.

Of course, the member does know, I would hope that the member knows, that proceeds from the payment in lieu of taxation – there is a notional tax put on the utilities, and that is passed into the Balancing Pool, that the Balancing Pool makes revenues from the operation of Clover Bar, a peaking plant in Alberta, and that the Balancing Pool has a clear, open, and transparent balance sheet that is accessible to any and all Albertans.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: if all of the accounting has not been Enronized, will the minister provide us with a breakdown of where the proceeds from the electricity auctions went and where all this money is going into the Balancing Pool and exactly how it is being spent?

Thank you.

MR. SMITH: Well, I will answer the hon. member's fourth and fifth questions, Mr. Speaker. The ability for the member, one, through a process that I believe has been in this House for a good length of time called motion for a return – that's one that I'm sure he would be able to pursue. Secondly, if the member would follow the Enron story, he would find that during the time that Enron was in possession of a PPA, during the time that Enron was active in the trading market, and during the subsequent times, there has not been one light go dark in this province, there has not been one shipment of gas that was missed. In fact, the deregulation process, the competitive market structuring of electricity, stands in far greater stead and far better stead than Securities and Exchange Commission reporting requirements on how a company does business and congressional inquiries. So I think that this Alberta system is a good one.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Centre.

Grizzly Bears

MS DeLONG: Thank you, Mr. Speaker. Some Albertans have expressed concerns about how grizzly bear management might be affected by a push to have the animal declared a threatened species. My first question is to the Minister of Sustainable Resource Development. What steps is your department taking in response to the recent recommendation by the Endangered Species Conservation Committee to have grizzly bears designated as threatened?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a very good question. The Endangered Species Conservation Committee – and I see that the chairman is here today – did an excellent job of compiling information assessing the status of grizzly bears in Alberta. My department actually is looking at a number of things as a result of the recommendations made by that committee. Considering whether the species should be given special status is one aspect of grizzly bear management, of course.

We will immediately provincially be initiating a recovery team and recovery plans, as the committee advises. We will also of course specifically assess the recommendations related to the issue of hunting as early as we can in order to assess that situation and put our process in place. We will make decisions on the designation of the species pending our thorough assessment, and I am looking forward to this assessment, Mr. Speaker. At that time, we will share our recommendations with the public.

MS DeLONG: Mr. Speaker, my next question is also to the same minister. Considering the recommendation by the Endangered Species Conservation Committee, where does this leave the annual grizzly bear hunt, which is already limited to a very small number of animals?

MR. CARDINAL: Yes, it is a fact that only a small number of grizzly bears are taken out each year. Although over a hundred licences are provided, we are taking out about 14 grizzly bears.

DR. TAYLOR: How many?

MR. CARDINAL: Fourteen, on the average, mostly male animals out of a population of a thousand and out of an adjacent population of 5,000 to 13,000 in B.C., which is just west of us.

So as I mentioned, I will thoroughly assess the committee's recommendations related to hunting because it is a very important issue. As well, we will do it early in developing our recovery plans, Mr. Speaker. It is important to note that the status evaluation provided by the Scientific Subcommittee states that the recent legal harvest of grizzly bears is not the primary cause for concern. So we are on the positive side. We have time to look at this issue thoroughly.

We must look at a number of other issues. For example, the quality of habitat may be a concern, the survival rates of the young may be a concern, and the number of young produced each year. We need a balanced approach in dealing with this valuable resource.

MS DeLONG: Mr. Speaker, my final question is also to the same minister. What's the process that the Endangered Species Conservation Committee follows to make recommendations to you on various species?

MR. CARDINAL: That's a very good question, Mr. Speaker. Overall, the Endangered Species Conservation Committee advises my department on the identification and recovery of species at risk in Alberta. The committee is chaired by the Member for West Yellowhead, who is here today of course to support the minister. It includes individuals also from 19 stakeholders including resource users, land managers, conservation groups, university scientists, et cetera. It is also supported by an independent scientific committee.

Mr. Speaker, as a point of interest, Alberta leads the country with programs to identify and restore species at risk. We've had such programs for over 25 years here in Alberta, so we are ahead of most jurisdictions in North America in fact with our recovery plans and our management and our assessment processes.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Rutherford.

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. On April 8 of this year the Premier said that the Minister of Gaming would look for ways

to fund groups that were falling through the cracks because of the government's decision to eliminate community lottery boards. Well, these groups are falling through the cracks, and they would like some answers. My questions today are to the Minister of Gaming. Edmonton Meals on Wheels spent valuable volunteer hours compiling a community lottery board grant application for much-needed computer equipment. What program is the minister putting in place to meet their needs?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. It is correct that the Premier has asked me to review the existing foundations, and I am in the process of doing that with my department. I can tell you, generally speaking, that about 50 percent of the applications that went before the community lottery boards throughout the province and were in fact funded both in terms of number and amount would qualify, for example, under the community facility enhancement program. There were other numbers which would qualify with respect to different foundations, such as Wild Rose and the sports and recreation foundation.

At this point in time, Mr. Speaker, what I am doing is taking a very close look at the good work that the community lottery boards did to see where there are gaps in the existing foundations, and I am working toward bringing forward a proposal that will put options for my colleagues to address those groups which, as the hon. member opposite indicated, are falling between the cracks.

2:10

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks very much, Mr. Speaker. Well, where does the minister suggest the Sturgeon Foundation of Redwater access funding for programs like the wheelchair-accessible garden now that the community lottery boards have been cut? Which program should they go to?

MR. STEVENS: Mr. Speaker, what I have said to groups and to those that have been writing generally is that if they have examples of their situation that they wish to share with me, that is a good thing because I then will have a better understanding of the perception of groups that have fallen between the cracks. I've also indicated to anyone who wishes to put forward a concrete proposal as to how we might review this matter to send it to me, because I'm very appreciative of any good ideas that people could come forward with.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Well, thank you very much. Perhaps the minister could consider the Alberta Easter Seals March of Dimes, who is scrambling to access funding for mobility aids for 25 of their clients. Which program will the minister be helpful in finding them funding from?

MR. STEVENS: Mr. Speaker, I think it's important to recognize that the community lottery boards did a great deal of good throughout the province, but they also were, like most other foundations, in receipt of far more applications than they could accommodate. If you take a look at the numbers, something in the order of 50 percent of applications in fact would be honoured. So while I am not familiar with the particular group in this last question and in the two previous questions, the fact of the matter is that because there is a group that has a worthy cause, it does not necessarily mean that they would

have qualified under the community lottery board. In any event, we are, as I indicated to the hon. member, looking at reviewing the existing programs to see how we may accommodate those who fall between the cracks.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Ellerslie.

Sustainability of Municipalities

MR. McCLELLAND: Thank you, Mr. Speaker. On April 22 the Toronto-Dominion Bank issued the report A Choice Between Investing in Canada's Cities or Disinvesting in Canada's Future, which was perhaps not the most objective title that they could have found. The premise of the report was that cities account for the bulk of Canada's gross domestic product but do not have the financial tools necessary to sustain the infrastructure necessary over the long term. Provincially, Edmonton and Calgary account for a significant portion of Alberta's gross provincial product. My question to the Minister of Municipal Affairs: does the minister agree with the premise of the Toronto-Dominion Bank report?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Well, thank you, Mr. Speaker. I have the report, which actually I have been reviewing. One thing is for sure. The report is talking about the sustainability of municipalities. I am optimistic that the report will add to the growing debate in terms of the important role that municipalities play, something that this province is viewed as a leader of across Canada. The report does talk about increasing revenue opportunities to ensure that, if I understand this correctly, there's no net increase to taxpayers. Of course, this is a very complex issue, because we have to review all of the priorities that municipal and provincial and federal governments face, but one thing for sure is that this province is not afraid of thinking outside the box, which we're doing.

I'd like to point out that the report is of a national perspective. Just to give you an example, we're reviewing how the orders of government can best work together to keep the Alberta advantage strong. It's kind of interesting and I'm pleased to see that they're advocating in the report private/public partnerships, and of course many of my colleagues here, the ministers of Transportation and of Infrastructure, are using that private/public partnership in terms of advancing what keeps the Alberta advantage strong.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you very much, Mr. Speaker. Edmonton and Calgary are Alberta's two primary urban regions, yet we need to work . . . [interjections] No. Primary, I said, primary urban regions. Now, what initiatives is the government taking to ensure that the two major cities work together to complement each other in a North American competitive market and rather than competing with each other to their mutual disadvantage, to work together to our common advantage as a province?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you very much, Mr. Speaker. The hon. member raises an important point. Of course, in this province we have the first minister's council of its kind across Canada in terms of roles, responsibilities, and resources. I might add that I'm pleased to say that the Member for Whitecourt-St. Anne constitu-

ency is co-chairing that committee with me, as well as the Member for Calgary-Mountain View, as well as actually the former Deputy Speaker of the House of Commons, who happens to come from – I'm sorry, but the constituency escapes me; he also participates. But what I think is also important is the fact that a cautionary note has been extended by an economist from Alberta who has said that one thing we do not want to do is create a tax jungle, because at the end of the day there's only one taxpayer. I think all Albertans agree that we don't want another tax jungle relative to any proposals by someone in Toronto.

THE SPEAKER: The hon. member.

MR. McCLELLAND: My final question, Mr. Speaker, is to the same minister. How does the government envision arriving at equity between the large urban municipalities, including others not necessarily Edmonton and Calgary, and the smaller rural municipalities?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Yes. Thank you, Mr. Speaker. This is why on this minister's council we have the president of the Alberta Association of Municipal Districts and Counties as well as the Alberta Urban Municipalities Association, which represents the 360 municipalities, but as well the mayors of Edmonton and Calgary, which make up our total of 3 million people that live in Alberta. So I think it's really important that we work together and that we're taking that initiative. I'm pleased to say that I'm going to be speaking at the Federation of Canadian Municipalities on this initiative, but I also would like to indicate this: this report and these comments were made from the perspective of an economist in a Toronto-based bank, but I did observe that any mention of rural Canada or rural Alberta was noticeably absent. That's interesting in terms of how three factors – natural resources, agriculture, and forestry – play such a key role in the competitive markets of not only this province and this country but throughout the world.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed the by hon. Member for Edmonton-Highlands.

Angling Regulations

MS CARLSON: Thank you, Mr. Speaker. The Minister of Sustainable Resource Development is initiating efforts to switch Alberta to barbless-only angling regulations. Many Albertans believe that resource management decisions should be based on a sound foundation of science, and science indicates that there are no clear benefits for implementing these kinds of regulations. It makes more sense to allow this issue to be a personal choice among anglers rather than have government implement a regulation that science indicates will have no clear benefits to the fishing resource. Can the minister tell us what plans or studies he is basing this proposal on?

MR. CARDINAL: Well, Mr. Speaker, scientific information of course is very important, and we definitely consider that as we move forward with changes of this nature. But the commonsense approach, which is what I'm using, is also very, very important in developing policy, because we do gather information from Albertans. It seems that about 50 percent or more support what we are proposing, and the other 50 percent are not opposed to it but do not come out publicly supporting it. That is what we're using.

THE SPEAKER: The hon. member.

MS CARLSON: Does the same minister base this information on any kind of a scientific basis, and how does he plan to enforce this kind of a regulation?

MR. CARDINAL: Mr. Speaker, I think part of the overall strategy we are challenged with in Alberta is in relation to fisheries' restoration for both the sportfishing industry, which is about a \$350 million industry – over 300,000 anglers participate in that process – and for the 800 commercial fishermen we have, who use up to 34,000 hundred-yard nets for fisheries. At the same time, our economic growth, which is a very positive growth in Alberta, provides additional challenges. We have more people with more dollars interested in these activities. We have more population growth in Alberta, for an example, because we only have 1,000 lakes in Alberta that are fish-bearing lakes, so the resource is limited; the demand is greater. So we have to be very innovative in how we move forward in making changes, taking into consideration the scientific information that's out there and also using a commonsense approach, which a lot of times you get from the people of Alberta, and that is exactly what we're doing.

2:20

MS CARLSON: Mr. Speaker, does the minister see this proposed regulation as part of cleaning up government policy that has led to the collapse of fisheries in this province?

MR. CARDINAL: No, Mr. Speaker. You know, it's a challenging area. I know the Liberals would take the easy way out, and that's to throw up their hands and give up. Well, on this side of the House we don't do that. What we do is we carefully assess the situation, the challenges we have, and we work positively to resolve those issues. That's what this sports fisheries and commercial fisheries rationalization is doing.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Red Deer-North.

Edmonton South Indoor Soccer Centre

MR. MASON: Thanks very much, Mr. Speaker. Well, a day without a question to the Premier is like a day without sunshine, so I'd like to ask him a question today. Indoor soccer is the fastest growing participation sport for children and adults alike. More kids are now playing indoor soccer than are playing minor hockey. Edmonton's two existing indoor soccer centres are bursting at the seams, and the city desperately needs another indoor soccer centre on the fast-growing south side, but as a result of provincial budget cuts Edmonton Minor Soccer's plan to have the southeast centre ready for the next indoor season has had to be put on hold indefinitely. My question is to the Premier. Why did the government pull the rug out from under the Edmonton Minor Soccer Association and the kids of southeast Edmonton by axing a previously committed \$3 million provincial contribution to construct a badly needed soccer centre in southeast Edmonton?

MR. KLEIN: Well, Mr. Speaker, I understand that that's not entirely true, but before I have the hon. Minister of Community Development respond and explain the situation, I will say that budgeting is not an easy task. We do have to assess priorities, and certainly the priority areas of this government are the areas of health, education, solid infrastructure, and safe communities. I know that this all relates to it, but we do have to make some tough decisions from time to time. Relative to this particular project I understand that what the

hon. member says is not entirely true, and I'll have the hon. minister shed some light on it.

MR. ZWOZDESKY: Thank you. Mr. Speaker, if the hon. member opposite is referring to a soccer centre which basically is planned for the far east end of 51st Avenue, what is true is that that particular group did come to see me. I don't recall the exact date, but as I recall, it was beyond the March 1, 2001, deadline. That is what we refer to as phase 2; those were the ones that were deferred. So the particular application from that particular group, if it's for that particular location, would be considered in phase 3, if we ever get phase 3. At the moment we're still trying to get out of the deferral mode on phase 2. So I think we should just let that member be aware of that.

Now, I'm assuming that he's referring to that one. If it's a different one, then we'll wait to hear it, Mr. Speaker, because I should also say that there is one other soccer centre planned further south. It's just beyond the city limits on 50th street, closer to Beaumont, and that's an entirely different situation.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, I think the hon. minister is mistaken. This is one of the city of Edmonton's that has been postponed or canceled as a result of the cancellation of provincial funding.

I'm pleased that the Premier has spoken about priorities, and given that, I would like to ask him to justify to the tens of thousands of children who are counting on a new soccer centre being available by next winter his government's decision to instead provide a \$33 million subsidy to the horse racing industry.

MR. KLEIN: Mr. Speaker, again it was alluded to that the city of Calgary, as I understand it, has one soccer centre. I don't know the details relative to the soccer centre, and the hon. member alluded to this being a city project. I don't know to what extent the city of Edmonton is contributing to this project. I don't know to what extent they have applied for community facility enhancement program funds. I don't know to what extent there have been private funds raised.

I do know, Mr. Speaker, that the hon. Minister of Community Development received about 170 applications for various projects, centennial projects, and there simply isn't enough money. It would have added up to the billions of dollars for all of these projects. He had to prioritize them and make some tough decisions. There's one thing certain about government: you can't please all the people all the time. You know, God forbid the NDs ever get into government, but they'll find that out. I know they found that out in Ontario. Certainly they found it out in a big way in British Columbia.

Mr. Speaker, I forgot what the question was.

THE SPEAKER: Let's move on, then. The hon. member.

MR. MASON: Mr. Speaker, you know, I agree that it's hard to please all the people all the time, but . . .

THE SPEAKER: Hon. member, you have to help me. There's another member waiting to raise questions. The Minister of Community Development's estimates are up this afternoon. If this has to do with his estimates, I'm ruling it out and we're moving on.

MR. MASON: No, it's not, Mr. Speaker.

I just want to ask the Premier why \$33 million in annual subsidies

to horse racing takes precedence over a onetime \$3 million grant to construct the Edmonton south soccer centre?

MR. KLEIN: Mr. Speaker, this is not a subsidy. This is a program that was developed relative to horse racing, where the number of slot machines that are assigned exclusively to racetracks has been enhanced to allow the horse racing industry to garner some more money to support an industry which in turn supports thousands of jobs in this province and is a vital component of our agricultural sector. I would remind the hon. member that not one penny of taxpayers' dollars is going into this program, and all the money is being generated by the racetracks – by the racetracks.

head: **Members' Statements**

THE SPEAKER: The hon. Member for St. Albert.

Leaders of Tomorrow Awards Volunteer Citizen of the Year Award

MRS. O'NEILL: Thank you, Mr. Speaker. I rise today to acknowledge the wonderful volunteer work and contribution to our community of St. Albert of 10 individuals and one group. I wish to acknowledge the Member for Spruce Grove-Sturgeon-St. Albert, who joins me in this congratulatory message.

On Friday evening, April 26, St. Albert's Community Information and Volunteer Centre personnel hosted a banquet and awards ceremony recognizing leaders of tomorrow, who are young people in our community who have shown excellent volunteer and community involvement. They are Ryan Desilets, Jordan Mann, Damien Crockett, Matt Chapelsky, and Arwen Fleming. They join the St. Albert Youth Council in being acknowledged as our leaders of tomorrow winners.

I'd also like to acknowledge the five nominees for the volunteer citizen of the year 2001. Doug Campbell, Lauretta Easson, Dean Krawec, Greta Sterling, and Bill Webber were nominees, and Doug Campbell and Bill Webber were selected as the volunteer citizens of the year for 2001. These are extraordinary individuals who contribute selfless hours of their time and talent in order for us as a community to enjoy a very high quality of life in which neighbour helps neighbour.

So, as I said, on behalf of the Member for Spruce Grove-Sturgeon-St. Albert and myself I wish to acknowledge their wonderful presence in our community.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

2:30

Education Week

DR. MASSEY: Thank you, Mr. Speaker. The theme for Education Week this April is: encouraging learners to reach new heights. Just what are those new heights has become a matter of public debate in our province. Without calling it specifically that, we have engaged ourselves in an intense debate about the ends of schooling. At the K to 12 level the question has centred on the basics and what we have called the extras. Many believe the basics to be common subjects taught in school such as English, mathematics, and science. However, the withdrawal of teachers' support for extra school activities shook that belief. A large number of citizens are not satisfied with such a narrow definition. They believe that field trips, bands, and sports teams are a basic part of school programming. Parents revealed a similar unwillingness to confine themselves to a narrow definition of schooling in their fund-raising activities, suggesting that gym equipment, computers, computer software all provide support for basic programs.

At the postsecondary level there is alarm over the narrowing of education to programs that result in vocational preparation. The focus on the utilitarian as opposed to the reflective is seen in the large research funds created for medicine and the sciences while the humanities go begging. The debate extends to research, where there is fear that research agendas predicated on support from private enterprise will narrow the definition of research at the expense of the public research agenda.

Education Week provides an opportunity for us to further define what the ends of schooling should be, what those new heights will be. The debate is timely. Definitive answers will emerge as the blue-ribbon panel arising out of Bill 12 completes its work.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-West.

Glendale Elementary School Earth Day Garden

MS KRYCZKA: Thank you, Mr. Speaker. On Monday, April 22, I was very honoured to attend a special assembly recognizing International Earth Day 2002 at Glendale elementary school in Calgary-West. This assembly was truly a celebration event for Glendale school and the community as they formally launched their garden project. It was indeed a very wonderful occasion for me to join 275 enthusiastic students, many parents, the school principal and teachers when only one year ago the community faced a CBE decision to close Glendale Meadows, one of their two underutilized elementary schools. Glendale elementary is now fully utilized and integrated, judging by this event. A dedicated parent committee is to be commended – co-ordinator Liz Courage, Tina Donkers, and Lisa Lamb – who worked with principal Lori Pamplin and two student representatives from each classroom.

The project evolved from the decision to make Glendale school as exciting on the outside as the inside. Following research on Canadian and Calgary schools, the committee received input on design and details from literally all of the students, so the Glendale's school garden represents a truly collaborative, unique outdoor classroom. Donations of services and supplies from local businesses, especially Paul McCormick from Green Escape and funds from the Calgary Foundation's neighbourhood grant program, contributed greatly to the project's outcome.

As the garden project developed, many native Alberta plants and shrubs were chosen for their valuable qualities such as the ability to grow naturally in Calgary. Olds College also assisted, and many city kids learned about wheat, barley, canola, and oats, just what their country neighbours are growing. Mr. Speaker, as the program unfolded, I was truly impressed by the participation of the students, from the greeters at the door to the student emcee, to the brief individual student presentations, and to the enthusiastic singing by all of *Saskatoon Blues* with Tom Wilson, Calgary singer and songwriter.

Glendale school has very good reason to be extremely proud of this impressive accomplishment, and I plan to invite our Lieutenant Governor for a special visit in the near future. Thank you.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I rise today to present a petition. It's signed by 2,239 Albertans asking that the government take action to recognize and protect Bighorn Country. These names, when taken together with the previous 2,116 that have been tabled

here, bring the total number of Albertans who have signed the petition to 4,355. They are specifically requesting:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to support the establishment of Bighorn Country as a legislated protected area.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm presenting today a petition signed by 100 Albertans petitioning the Legislative Assembly to urge the government "to not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited today with the office of the Clerk: return to order of the Assembly MR 7, asked for by Dr. Taft on April 29, 2002, the hon. Mr. Klein.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I'd like to table the requisite number of copies of the Credit Union Deposit Guarantee Corporation's 2001 annual report.

Mr. Speaker, I'd also like to make another tabling. On March 19 I tabled the government and lottery fund estimates for 2002-2003. I am now having to table a replacement page for page 218. This page shows the statement of operations by entity for the Ministry of Gaming. Unfortunately, due to a problem in our compilation process, page 218 of the estimates was a partial repeat of the previous page, page 217, which showed the statement of operations by program. This tabling does not affect our appropriations being considered by the House.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have a couple of tablings today. The first is a letter from Connie Lambrecht to her MLA, the Member for Calgary-Buffalo, asking if it wouldn't be better for the government to reinstate the community lottery board structure so that if future funds become available, the funds can go into an existing structure.

My next tabling, from Maureen Decore, the president of the Citadel Theatre's board of directors, is directed to the Minister of Gaming and points out that on October 4 they were granted an amount of money for improvements to their building. In November they were asked to hold that due to the provincial cutbacks. They were told that the cheque would be issued in April of 2002, and now the community lottery boards are gone. They're wondering where their money is.

My next tabling is from Jodi Zabludowski, the director of operations for Alberta Easter Seals March of Dimes, explaining how the loss of the community lottery boards is affecting their clients.

A letter signed by Michelle Hill, program co-ordinator with the Diamond Spring Lodge and Golden Villa Apartments in Redwater, asking for community lottery boards to be reinstated so that they can improve their quality of life with benches, planters, furniture, and wheelchair-accessible gardens.

A letter from Christine Rechico, a board member with Edmonton Meals on Wheels. The group spent time preparing a detailed grant application for lottery board money and now cannot get access to those funds.

Finally, a submission from Alberta Easter Seals that I mentioned

to the Minister of Gaming, the listing of 25 of their clients and the specialized equipment that they need and the cost of that, which they can now no longer get from the community lottery boards.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have two tablings today. The first is from Connie Fogal, who states that "when the G8 meets in Kananaskis, Alberta, Canada in May 2002, it is crucial that as many seniors as possible stand together with the younger generations" in protest.

The second tabling is from Glen and Brenda Niskaaro, who support midwives in this province. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. My first tabling is a letter from Manny Langman, the vice-chair of the St. Albert public library, addressed to the Premier. Mr. Langman is disappointed with the government's decision to eliminate the community lottery board program and is strongly urging the Premier to restore the community lottery boards.

The second tabling is a city of Edmonton document regarding the financing of a new indoor soccer facility in southeast Edmonton. The city is placing this project on hold because of the cancellation of the centennial legacy fund grant program.

THE SPEAKER: Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(reversion)

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. I stand up today to introduce two important people in my life as an MLA. Sitting in the public gallery today is Betty Saurette, owner of Cut-6 hair salon. She was a very important individual working with me on my campaign and was a strong supporter. Accompanying Betty today is my constituency manager, Judi Kendall, who takes care of all the details in my constituency office. I would ask them both to please rise and accept the warm welcome.

2:40

THE SPEAKER: The hon. Deputy Government House Leader on a purported point of order.

Point of Order
Use of Quotations in Oral Questions

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise pursuant to our Standing Order 23(h), which clearly states:

A member will be called to order by the Speaker if, in the Speaker's opinion, that member . . .

(h) makes allegations against another member.

Also, I'd like to quote section (i), which goes on to read: or if that member "imputes false or unavowed motives to another member." I believe we saw a bit of that today when the hon. Member for Edmonton-Mill Woods rose in question period to question the hon. Minister of Children's Services.

The issue at heart here, Mr. Speaker, was a quote which I believe

he used. I don't have the benefit of the Blues, but I recall the use of the word "tragically," and I quickly scanned through here. I think he was referring to page 973 of yesterday's *Hansard*, wherein the Minister of Children's Services said:

It's entirely possible today that some of those children are already back with their families, and in some cases, tragically, I'm told that we can't locate some of those parents, because those are children than have been taken into protection sometimes because parents have not been available to do the job that parents should be doing.

That is the full quote. Unfortunately, by the way that that member phrased his question, he stopped after a particular comma in the sentence and only read this part of the quote: "It's entirely possible today that some of those children are already back with their families, and in some cases, tragically." Now, if I stop there, it would seem to me that the inference and the usage of "tragically" refers to the fact that some of those children are already back with their families. That's not a tragedy, Mr. Speaker. "Tragically" refers to what follows, and that is the tone in which our hon. Minister of Children's Services used that phrase.

I find it highly, highly disrespectful and a total disregard for this House. In nine years of this hon. member sitting in this House, a member, I might add, for whom I have had the greatest of respect—he is, after all, a former professor of education, a former author of books for children, a former curriculum developer. His credentials in that regard . . .

MS CARLSON: Careful. Careful.

MR. ZWOZDESKY: Please, hon. member. I'll give you a chance. This is a highly, highly serious matter. I don't interrupt you, and I don't expect you to interrupt me, Edmonton-Ellerslie, so hear it out.

Now, Mr. Speaker, if I might continue. I don't often get steamed up, as you well know, but on this one I think something has to be done. This particular member does have a lot of respect on both sides of the House, but this particular usage of a misread, almost a misquote, feeds directly into a form of misrepresentation that does impute a false motive onto another member of this House. It's almost an issue of privilege. I won't go there, but I will call for the member, hopefully, to be brought to order.

I want to also cite pages 426 and 427 of *House of Commons Procedure and Practice*, wherein it states, in this case referring to how question period should run: "Furthermore, a question should not . . . create disorder." This member has, in my view, created some disorder.

One other point of reference, Mr. Speaker. On page 525 of the same book, which is *House of Commons Procedure and Practice*, it states:

Generally, Members should not quote from their former speeches or from the speeches of their colleagues made during the current session; the rule does not apply to speeches on different stages of a bill. Direct reference is permitted, however, when a Member wishes to complain of something said or to clear up a misrepresentation or make a personal explanation.

That's not how this particular quote was used. In fact, instead of clearing up a misrepresentation, which did not happen, this member has, in my view, created a misrepresentation.

Mr. Speaker, we sit in this House, some of us for many years, yourself being a great example and a fine legacy to your constituents, where you work hard to try and be as accurate in your delivery of your speeches, as carefully researched in your facts as you possibly can be, and we all strive for that. But when a member takes and misquotes or misreads or deliberately stops a quote at a certain point from the *Hansard* of this House, which is our Holy Grail—we're not talking about some magazine or some newspaper article

that may have been misheard or stopped short because of some other reason. We're talking about our own *Hansard*. The people in *Hansard* go to great lengths, as we all know, to provide us almost within 24 hours whenever possible with a record of what has been said. Now, the hon. member surely must have checked that quote, and I can't come to any other conclusion than a deliberate stoppage after a particular comma in the middle of a sentence. As a former professor I wonder what he would have done to one of his students if one of his students had dared to pull that kind of trick on him.

I'm sorry to get a bit personal on this, hon. member, but I'm really riled by this, and I would hope, bearing in mind the integrity with which I wish to continue holding this member, he might reconsider, perhaps withdraw, maybe even issue an apology such as it might be to the hon. Minister of Children's Services. No one in this House is working harder to protect those children than this minister, and I know that for a fact.

Mr. Speaker, in the interests of time I will stop there and look forward to your honourable ruling in due regard.

Thank you.

MS CARLSON: Mr. Speaker, as dramatic as that speech was, we do not find that it was a point of order, and in fact it's unfortunate that we can't do points of orders on points of orders, because there was certainly a personal attack flowing through that tirade against the Member for Edmonton-Mill Woods.

Mr. Speaker, if we take a look at the exchange and the question that this point of order has been raised on, we will see that on page 973, as the member correctly quoted, there was an exchange yesterday in question period that the Member for Edmonton-Mill Woods took part of his question from today. If you take a look at that exchange, it could be read the way the Member for Edmonton-Mill Creek stated that it was, but in fact there are many different interpretations on a particular sentence stated by this minister yesterday. The sentence being 56 words long, it's very easy for a member, particularly one who has a strong background in English and grammatically correct sentence structure, to take a look at that and read the sentence: "It's entirely possible today that some of those children are already back with their families, and in some cases, tragically . . ." and I respond that the initial response from the minister to this question would indicate that that is exactly how she took the question. She accepted the question as presented and began to answer it in terms of how some are tragic.

AN HON. MEMBER: Shame on you.

MS CARLSON: There is nothing to be ashamed of in answering a question or responding to a question, Mr. Speaker, that talks about the care of children, about plans that aren't filed, and about the subsequent tragic results for these children. There is no point of order here. The minister responded. It was after her colleague sitting beside her handed her *Hansard* that she decided to change the way she was answering the question. So there is no point of order on this particular question.

THE SPEAKER: The hon. Government House Leader on this point.

MR. HANCOCK: Just on that final point, Mr. Speaker. It's so obnoxious that it must be responded to. That exactly proves the rule. The hon. member misquoted in order to get a response from the hon. member, who may or may not have recollected exactly the words she said yesterday, and it was only upon the Deputy Government House Leader checking *Hansard* to see the full text of the quote that we were able to prompt the minister to know exactly what was said

yesterday. That is exactly the stuff and substance of the point of order. The hon. member totally misled the minister in his question, expecting her not to recollect exactly her words of yesterday, exactly the point of order made by the hon. Member for Edmonton-Ellerslie on our behalf.

THE SPEAKER: Well. I thought we were actually doing quite well today.

The quotation is the following, and I think it is important to have all hon. members see the question that came from the hon. Member for Edmonton-Mill Woods.

Thank you, Mr. Speaker. Yesterday the Minister of Children's Services referred to some of the 600 children whose case plans were not filed with the courts. She said . . .

And then the hon. member goes on to quote.

"It's entirely possible today that some of those children are already back with their families, and in some cases, tragically." My questions are to the Minister of Children's Services. Does the minister know of cases where children were actually put back in families where tragedy befell them?

2:50

Then the next question from the hon. Member for Edmonton-Mill Woods.

Again, to the same minister, Mr. Speaker. Does the minister know of children who were put back in homes where tragedy befell them?

Then the hon. minister said:

Mr. Speaker, I have to thank my colleagues so that in the rest of this Assembly you're not misled by excerpts from my statement.

The hon. minister went on to quote from *Hansard* at page 973.

Then the hon. Member for Edmonton-Mill Woods said:

Mr. Speaker, if there's one child that's put into a tragic situation, that's what's wrong with that. My question is to the minister: given that there are alternative actions the department can legally take, why would any child be put back in a risky situation?

There was an intervention with respect to that.

Now, our Standing Order 23 says:

A member will be called to order by the Speaker if, in the Speaker's opinion, that member . . .

(d) refers at length to debates of the current session or reads unnecessarily from *Hansard* or from any other document, but a member may quote relevant passages for the purposes of a complaint about something said or of a reply to an alleged misrepresentation.

I suppose it's quite subjective, then, to determine whether or not the hon. Member for Edmonton-Mill Woods quoted necessarily or unnecessarily with respect to that. It was a brevity of a larger quote, and one hon. member who then rose on the point of order basically said that that gave a different direction to it.

Well, when the chair listened to all of this, the chair had great difficulty trying to determine how anybody could raise a point of order with respect to this. Having heard the impassioned presentation made by the hon. Deputy Government House Leader, one can see that there's obviously a dispute between members. No doubt at all about that.

Now, the chair has not heard from either the person who raised the question or the hon. minister. Others have spoken on their behalf, which is quite okay, but it might have helped with respect to this. I heard the word "personal" as well come in here once or twice during this exchange, and it would seem to me that it's very difficult to find how this is a point of order, regardless of the emotion that one wants to address to it.

In reading the text, it looks rather black and white and dull with respect to anything. There are differences of views, no doubt at all, with respect to this. The chair would have intervened if somebody

would have read a four-page quote out of *Hansard* with respect to this but, in looking at the questions that were raised and the context in which it was put, has great difficulty finding that this is a point of order.

The hon. Opposition House Leader on a purported point of order.

Point of Order
Allegations against Members
Brevity in Question Period

MS CARLSON: Yes, Mr. Speaker. I rise on a point of order against the Minister of Energy in question period, an exchange between him and the Member for Edmonton-Gold Bar. I don't have the Blues in front of me, but the intent of the comments made by the Minister of Energy were to attribute decisions made by the federal Liberals to those of us here in the Official Opposition. So I rise under 23(h), where it says, "makes allegations against another member." In fact, he made an allegation against all of the members of the Official Opposition.

This has become a habit of this particular minister, Mr. Speaker. It is uncalled for, I believe, in this Legislature to make those kinds of allegations. He knows clearly that he is talking about the federal Liberals, with which we have little or no association and certainly no responsibility for any decisions made by them. So we would like him called to account for that, including another part of what he stated in terms of the length of his answers to the questions. I refer you to *Beauchesne's* 417, where it says, "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

Clearly, when he gives very, very lengthy answers to questions, as he did today, and he accuses us of being responsible for decisions made by federal Liberals and insinuates that those decisions are our responsibility, he is no doubt provoking debate.

Thank you.

THE SPEAKER: Anyone on this point of order? The hon. Member for Edmonton-Highlands on this point of order.

MR. MASON: Mr. Speaker, given that this is very similar to the point of order I wished to raise, perhaps it would be better if I just respond to . . .

THE SPEAKER: You want to put them both together?

MR. MASON: Yeah.

THE SPEAKER: Good. Go ahead.

MR. MASON: Thank you. I was going to rise on 417 in *Beauchesne's* as well, Mr. Speaker, because it seems to me that while we're all guilty from time to time of being partisan and we're all guilty from time to time of liking to hear ourselves talk – and I certainly do not think that I am exempt from that by any means; I'm not trying to say that – the minister's answers are extensively lengthy. He seems to go out of his way even when responding to a question from a member of his own caucus to attack the opposition parties, and that, I think, is not in keeping with 417.

Thank you.

MR. SMITH: Mr. Speaker, if I'm being too hard in my comments to the opposition parties, who are elected to serve here, and if they find the rough-and-tumble of parliamentary debate, which I've heard you personally encourage on so many occasions as to the efficacy of each of the members in this House, if it's too much for them,

certainly I can try hard to tone down my comments with respect to the opposition parties. The fact that the Liberal opposition party has been in opposition here in Alberta since 1915 and on some occasions there weren't any of them at all – although there are clear and direct links outside of this House, if it's just too much for them, certainly I'll be a little lighter.

With respect, Mr. Speaker, to *Beauchesne* 417, an important ruling that was written far, far before the period of electrical deregulation, electrical competitive restructuring. It's a complicated market. I feel an obligation, a responsibility to bring these important issues to the House, to each and every member, whether they're rural members, which I think are very, very valuable and the backbone part of this great House, whether they come from the cities and they are served by publicly owned utilities. I just feel that it's literally a moral obligation as well as a ministerial responsibility.

MR. HANCOCK: Just as quickly, Mr. Speaker, on the question of rule 417 and the matter of brevity, brevity is obviously a judgment call which has to be made with respect to the complexity and the completeness of the issue. It's been the common ground in this House that the discussion of electrical deregulation is one of the most complex issues that has been dealt with in the House, and it stands to reason that in answers to questions with respect to electrical deregulation and other issues with respect to electricity, a full and complete answer is appropriate. The question of brevity surely has to be taken in the context of the topic and the answer necessary to complete the question.

THE SPEAKER: Well, hon. members, we'll take these two points of order together. Hon. Minister of Energy, you really didn't help and contribute much to this particular point of order.

I might point out that 23(h) and (i) suggest allegations and imputation of false motives. In the previous ruling with the previous point of order with respect to the hon. Member for Edmonton-Mill Woods to the hon. minister the suggestion was that there was an imputation of false motives, and then the hon. Minister of Energy getting up and suggesting that the chair would encourage debate during the question period is absolutely erroneous. There is no debate during question period. The purpose of question period is to solicit information about government policy. If the hon. minister would have said that the hon. Speaker certainly would encourage debate amongst members outside of the question period, then the member would have been correct.

So it's very similar to the first ruling that we made today. Hon. minister, you are invited to participate in all of these points at any time you want to; however, it would help . . .

Okay. Brevity seemed to be the thing. The other one was, I guess, political baiting. Perhaps that would be the vernacular that one might use. Well, I guess all hon. members arrived here by the way of a certain colour that they wear with respect to their shirt and/or anything else, and it is absolutely correct that documents all say that we should not have statements that encourage provocative statements and what have you. But, hon. members, if that is the case with respect to that directed to the hon. Minister of Energy, then it can also be said with respect to other hon. members who do it from time to time. So I'm sure that the hon. Minister of Energy would probably even concede himself that perhaps sometimes it is not the best usage of words that he actually comes up with, but he would probably want to reflect on that, and I think I've heard him say that he would reflect on that in the future as well.

3:00

Now, on the question of brevity it's really kind of interesting,

because here is what the time factor was for the exchange of all the questions in the Assembly today. To the hon. Member for Edmonton-Highlands it just may seem like it's an eternity when the hon. Minister of Energy is involved in responding to another member with respect to a question, but the reality is that in terms of the lengths of what the questions were to the particular member of Executive Council today, the two questions addressed by the hon. Member for Edmonton-Highlands and the responses contained therein both arrived at just around six minutes plus a few seconds. Those were the two longest exchanges. In the situation with respect to the Minister of Energy and the exchange between the Member for St. Albert it was less than five minutes and a half, and then in the exchange for the questions between the hon. Member for Edmonton-Gold Bar and the hon. Minister of Energy it was approximately five minutes.

Now, what may appear to be such isn't necessarily such in fact and actuality. However, having said that, if it appears to hon. members in this House – and it seems to be shared by more than just one or two – that the exchange given by the hon. Minister of Energy does seem to lead to almost what seems to be an eternity, the chair would just simply like to quote from *Hansard* on page 799 on April 18, 2002, and the chair provided this as encouragement to members before:

At the same time that that advice is being provided to the members who direct questions, to those who reply to questions, the intent is to be brief, to as much as possible deal with the matter raised, and certainly not to have controversial or contentious comments in the responses that might lead to disorder.

This is given to all hon. members, not only to the Minister of Energy.

So we will deal with these two latter points of order the same way we dealt with the first one, and we will move on.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. After continuing communication on the issues surrounding supply considerations – I should say that those communications have been with the Official Opposition and the third party – I do now seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's considerations of the estimates of the Department of Community Development to go beyond two hours with the vote on these estimates to take place no later than 5:15 this afternoon as per Standing Order 58(5) or sooner if no one wishes to speak.

Thank you.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

Community Development

THE CHAIR: I'd ask if there are any questions or comments to be offered with respect to these estimates and call on the hon. Minister of Community Development to begin.

MR. ZWOZDESKY: Thank you, Mr. Chair. It's indeed a great pleasure for me to rise before you and other members in the Assembly today to present the three-year business plan and the budget estimates for 2002-2003 for the Ministry of Community Development, which I'm very proud to represent. The mandate of this ministry is very diverse, as most members here will know. It covers vital areas of importance to all Albertans, and it also impacts the quality of life of every citizen. Specifically, this ministry is responsible for addressing and helping persons with developmental and other disabilities and protecting those in care from potential abuse; sports and recreation; arts and culture; film classification and artistic development within the film industry; public libraries; volunteer development; human rights, citizenship, and the status of women; historic sites, museums, and cultural facilities; provincial parks and protected areas; planning for our upcoming centennial; liaison avec notre Secretariat Francophone; and the Queen's jubilee, and so on. As well, the ministry includes a number of reporting agencies and foundations. I am proud of the quality of programs and activities undertaken by this ministry, and I'm proud of the individuals who work collaboratively with communities across Alberta to help realize our vision of creating a vibrant province where Albertans experience fair opportunity for the quality of life to which they aspire.

I would like to acknowledge some of these individuals – there are many – and formally thank them and all the volunteers with whom they serve on their respective boards for their sincere efforts. My colleague from the constituency of Clover Bar-Fort Saskatchewan, who chairs the Premier's Council on the Status of Persons with Disabilities; my colleague from the constituency of Calgary-Montrose, who chairs the Advisory Committee on the Human Rights, Citizenship and Multiculturalism Education Fund; my colleague from the constituency of Bonnyville-Cold Lake, chair of the Francophone Secretariat, notre president; Ms Betty Thompson, chair of the Persons with Developmental Disabilities Provincial Board. As well, Mr. Chair, I'd like to acknowledge the very significant contribution that was made by the previous chair, Mr. Alan Anderton, who unfortunately left us and passed away recently. Mr. Charlach Mackintosh, chief commissioner of the Alberta Human Rights and Citizenship Commission; Dr. Jeffrey Anderson, chair of the Alberta Foundation for the Arts, and Mr. Jock Osler, the previous chair; Mr. Orest Korbitt, chair of the Alberta Sport, Recreation, Parks and Wildlife Foundation; Mr. Brian Calliou, chair of the Alberta Historical Resources Foundation; Mr. Krishan Joshee, chair of the Wild Rose Foundation; and Mrs. Linda Mackenzie, chair of the Government House Foundation. As you can see, we cover a very broad gamut of interests and activities.

Our ministry has been in existence in its current form for one year, and due to these individuals just noted, their dedication and efforts on behalf of all Albertans, we have been able to solidify our programs and work very effectively as a team. I would particularly like to express my appreciation to all of these individuals and in particular to my deputy minister, Dr. Bill Byrne, who is in the gallery today with some of our staff. [some applause] Thank you very much, ladies and gentlemen. I'd ask that they convey my thanks to their staff members who are not here.

3:10

I'd like to present a brief overview with respect to the business plan for '02-03 specifically, and I'll follow that up, Mr. Chair, with some budget highlights. Given our diverse mandate, the ministry's mission continues to focus on enhancing and preserving the quality of life for Albertans. Our core businesses are derived from our mandate, and the ministry provides the leadership in advancing a

high quality of life for Albertans through these following five core businesses. They are:

1. promoting community development;
2. protecting human rights and promoting fairness and access;
3. supporting the inclusion and participation of Albertans with disabilities and protecting persons in care;
4. preserving, protecting and presenting Alberta's history and culture; and
5. preserving, protecting and presenting Alberta's parks and protected areas.

In support of these core businesses the ministry's five major goals are:

1. To design and deliver programs and services that nurture and support, in collaboration with geographic communities and communities of interest, a high quality of life in Alberta.
2. To design and deliver programs and services that increase understanding and awareness of diversity, foster equality and reduce discrimination so all Albertans have the opportunity to participate in the social, economic and cultural life of the province.
3. To design and deliver individual-based programs that ensure that Albertans who live with a disability have opportunity to participate in the social, economic and cultural life of the province and ensure that adult Albertans in care are protected from abuse.
4. To design and deliver programs and services that preserve, protect, research, present and promote appreciation for Alberta's historical resources and culture, and that provide significant educational, scientific and economic benefits.
5. To manage and maintain Alberta's provincial parks and protected areas to preserve the province's natural heritage and provide opportunities for heritage appreciation, outdoor recreation and heritage tourism.

Mr. Chair, the business plan for 2002-2005 continues in the direction set out last year, and its implementation is guided by the values of commitment, innovation, integrity, respect, a focus on teamwork, and a positive attitude.

Some of the key strategies for the upcoming year include:

- Support the Aboriginal Policy Initiative through the repatriation of ceremonial and sacred objects, through assistance in development of government policy for unregistered burials, and through creating partnerships with Aboriginal people to preserve, protect and present Aboriginal culture.
- Consult with persons with disabilities to identify and eliminate barriers to their participation in the social, economic and cultural life of the province.
- Deliver high-quality compliance and regulatory services in resolving and adjudicating complaints of alleged discrimination.
- Develop new provincial parks and protected areas legislation to consolidate and streamline existing legislation and to provide a sound basis for the management and protection of Alberta's expanded network of provincial parks and protected areas.
- Design and deliver programs to improve the ability of persons with developmental disabilities to participate more fully in all aspects of life in Alberta.
- Collaborate with ministries across government to further achievement of the goals of the government's priority policy initiatives

related to health, economic development, children and youth, and aboriginals; support the realization of the government's key administrative initiatives in the areas of information management, human resources, Corporate Service Centre, and the Alberta one-window initiative, and finally

- Coordinate Alberta's 2005 Centennial Initiative, which will provide opportunities for all Albertans to participate in the

celebrations and leave a legacy for future generations, in partnership with other ministries, foundations, communities, non-profit organizations, municipalities and the federal government. This will include, in partnership with Alberta Infrastructure, site renovations to the new home of the Provincial Archives of Alberta

and the establishment of the new educational wing at the Royal Tyrrell Museum in Drumheller.

On the issue of performance measures I would like to say that this ministry assesses its performance in achieving the goals of each core business through a solid range of performance measures. These measures are grouped under the overall categories of participation, satisfaction, quality of life, and economic impact to assist us in determining whether our mission, "to enhance and preserve the quality of life for Albertans," is being achieved. Given the transfer of responsibility for preserving, protecting, and presenting Alberta's provincial parks and protected areas to Community Development last year, a new measure to gauge visitors' satisfaction with their experiences at provincial parks and recreation areas was developed for the 2002-2003 fiscal year. Another new measure introduced this cycle focuses on the PDD program, persons with developmental disabilities, and it addresses the satisfaction of families or guardians of individuals receiving benefits. As well, "historical resources" was added to the measure addressing Albertans' perception of Community Development programs that contribute to the overall quality of life.

We will strive to meet or exceed our targets for the upcoming cycle. We will further strive to achieve excellence in the delivery of our programs, whether they are delivered directly through the ministry or in collaboration with our partners and stakeholders across the province.

With respect to ministry budget highlights, Mr. Chair, I want to briefly say that having provided a brief overview of some of the key components of the business plan, I will turn the latter part of my attention here specifically to the ministry budget for '02-03. The ministry's budget for the incoming year, which started a month ago, demonstrates a managed approach to budgeting at a time of global economic uncertainty while addressing ministry pressure points. The operating budget for '02-03 is approximately \$583 million, a net increase of approximately \$22 million from the fiscal year budget for 2001-2002.

I will now address some of the specific budgetary highlights. To begin with, the operating budget of the persons with developmental disabilities program, PDD, will increase by approximately \$30 million in Budget '02, up to an all-time high of \$407 million. In a time of fiscal restraint this increase demonstrates our government's commitment to sustain this very important program, which serves some of Alberta's most vulnerable citizens. The increased funding will enable the implementation of these selected strategic directions from the Building Better Bridges final report on programs and services in support of persons with developmental disabilities, which, I'm proud to tell you, I authored. Also, Mr. Chair, support specifically through this increase will be used primarily to provide for growth in the number of PDD recipients and to address wage increases to approximately 10,000 employees in and amongst our contracted community agencies. It's very good news during this very difficult budget time. This wage increase of course will enable community agencies to recruit and retain quality staff. This program serves approximately 8,000 adult Albertans and their families or guardians. It provides support for community living, employment, community access, and specialized supports aimed at enabling inclusion of persons with developmental disabilities into the community.

Approximately \$2.5 million in funding will be provided to the Alberta brain injury initiative. That's an increase of \$1 million from the amount budgeted last year. This will enable the continued development and implementation of this important and, should I say, long-awaited initiative. A provincial network of support and outreach services to assist individuals with acquired brain injury will continue to be developed and include contracted regional co-ordinators to work with local communities to develop a province-wide system of community-based resources.

With respect to library boards, operating grants to Alberta's 234 library boards and seven regional systems will increase by \$537,000 to a total of \$17.2 million. In actual fact, the total increase will more than likely be closer to about \$700,000 when we administer the new population counts. This funding increase to libraries is to keep pace with our growing population. Our public libraries play an essential role in providing a variety of information services to all Albertans, and the ministry will continue to be a key partner in supporting the delivery of public library services across the province.

Albertans are very proud of their diverse recreational, educational, social, cultural, and heritage programs and activities and recognize their contribution to the outstanding quality of life we are fortunate to enjoy. Approximately \$53 million will be spent in support of provincial, regional, and community-based organizations and individuals through Community Development's five lottery-funded agencies. The breakdown, Mr. Chair, for all members, who are interested I'm sure, will be as follows.

First, the Alberta Foundation for the Arts will have an operating budget of approximately \$21.4 million to assist individual artists and arts organizations in the visual, performing, and literary arts and cultural industries. As part of this allocation Community Development is continuing its commitment to the Alberta film development program by providing \$5 million in base funding for the '02-03 fiscal year. This program has sparked outstanding growth in Alberta's film industry, supporting over 100 productions ranging from the new CBC drama series *Tom Stone* to the Genie award-winning motion picture *The War Bride*. I want to thank my hon. colleague from Airdrie-Rocky View for her assistance in this regard.

The Alberta Sport, Recreation, Parks and Wildlife Foundation will have an operating budget of approximately \$16.87 million to support the development of recreation, sport, and parks and wildlife activities by providing assistance to almost 100 provincial recreation and sports organizations. These funds are also used to help sponsor major games and to support the development of active lifestyles.

3:20

The Wild Rose Foundation will have an operating budget of approximately \$7.3 million to support nonprofit community service organizations that promote the use of volunteers and foster charitable, philanthropic, or humanitarian acts.

The Alberta Historical Resources Foundation will have an operating budget of approximately \$6.1 million to support individuals, community-based organizations, and provincewide heritage agencies involved in a broad range of heritage preservation activities ranging from building restoration to the publication of local histories.

The human rights, citizenship, and multiculturalism education fund will have an operating budget of approximately \$1.2 million to provide financial assistance to Alberta community organizations undertaking human rights and diversity initiatives that lead to change as well as supporting the educational work of the Alberta Human Rights and Citizenship Commission.

La communaute Francophone de l'Alberta enrichit notre tissu culturel, et je me rejouis de la conclusion en mars d'une nouvelle

entente federale/provinciale de trois ans permettant au ministere de s'engager d'avantage dans le soutien des activites du developpement communautaire de ces groupes. Ce programme se compose d'une contribution du gouvernement federal de beaucoup d'argent mis a la disposition des associations communautaires Francophones selon un ensemble de priorites etablies localement afin de promouvoir la culture Francophone dans notre province. And we're very proud of that.

The translation, more or less, Mr. Chairman, would be that the Francophone community in Alberta enriches our cultural fabric, and I'm pleased that a new three-year federal/provincial agreement was concluded in March, a month ago, to enable this ministry to further support our groups' community development activities. It's a program that consists of a federal contribution of approximately a quarter million dollars made available to Francophone community groups in accordance with a set of priorities established locally to further Francophone culture in the province. There you have it.

These foundations all carry out work that enhances Albertans' quality of life and deserve our support. If provincial revenue targets are met this year, plans are to increase funding for these worthy programs in 2003-2004.

The centennial legacies grant program I will comment on briefly. As you know, it's been deferred, and there may be . . .

THE CHAIR: Hon. minister, we apparently have a point of order. Hon. Member for Edmonton-Ellerslie, your point of order.

Point of Order

Translation of Remarks in French

MS CARLSON: Mr. Chairman, I'm rising on a point of order. In Standing Orders it's been the tradition of this Assembly, when we receive information in a language other than English, to have a written translation in front of us so that we can follow it. Now, I know that the minister loosely translated off the page, but it did not sound exact to me, and I would like to have the documentation in front of me to review.

THE CHAIR: The hon. minister on the point of order.

MR. ZWOZDESKY: Thank you, Mr. Chairman, and thank you, hon. Member for Edmonton-Ellerslie. I do have the document here. I asked for it earlier, and I just received it now, so I'll get it photocopied and ensure that all members receive it. If I could get some assistance from a page, please. Could we please have this page photocopied and presented to all members as a translation of what was said. Thank you.

Debate Continued

MR. ZWOZDESKY: Mr. Chairman, I thought you were signaling me that time was over. I didn't realize it was a point of order. So in the three minutes that I have left, I would just say that the centennial legacies grant program, which provided funding for the construction or renovation of major publicly accessible facilities by municipalities and nonprofit groups, was unfortunately deferred on October 18, 2001. The program will continue to be on hold, unfortunately, until the province's financial situation improves and new provincial moneys are allocated. Nonetheless, in collaboration with Alberta Infrastructure two key capital projects will continue in 2002-2003. The renovation of the new home of the Provincial Archives in Edmonton is one, and the other will be the educational wing project which is being constructed at the Royal Tyrrell Museum in Drumheller.

With respect to FTEs and staff reductions, may I just say that in our efforts to balance our budget and ensure the continuation of priority programs, it was necessary to undertake a net reduction of 83 FTEs, or full-time equivalents, in the '02-03 budget. Of these reductions, the majority are expected to be achieved through attrition and administrative streamlining.

In conclusion and in summary, I want to assure you that we will strive for excellence as we implement our business plan over the coming year and that we will continue to be responsive to our clients' and stakeholders' needs as we jointly focus on enhancing and preserving the quality of life for Albertans.

Mr. Chair, this will conclude my formal remarks, and I would be pleased to entertain questions. May I just say to those people who will be asking questions or presenting their comments or observations that if the comments are of a generic or a broad nature, then we'll try and address them as best we can here right now. If they're of a more detailed, more specific nature, then I will undertake to provide answers in writing. It would be very helpful, to make sure we understand the questions very specifically, if when questions are being asked, the questioners could cite the page in the estimates and the line item if it's so applicable.

With that, Mr. Chair, I see that my time is up. I will relinquish the floor to other speakers. Thank you.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman. I'm glad to be able to get a chance to start off the debate and questioning on the estimates, the budget, for the Department of Community Development today. We have an agreement with the minister. I will do part 1. I'm followed by the Member for Edmonton-Ellerslie briefly, and then I'll return to do part 2. Then the Member for Edmonton-Ellerslie will speak on parks, followed by the Member for Edmonton-Glengarry speaking on PDD.

We all know that this is probably the most multifaceted department that exists in government today. I think there are 30 some odd different components to this one ministry. It is my favourite ministry because this is the one I know the best. It's the one I once worked for as a STEP student, a university student, many years ago, in 1976 I think, in what was then Alberta Culture. The one thing I have to say that I don't miss is writing grant proposals, a truly awful job and one that everybody that is now working in the arts or sports or volunteerism, anybody in the NGO sector, is going to have to get really good at. I don't miss it at all, because it's a very difficult job.

I'd like to start by first looking at page 106, which is the breakdown for the Alberta Foundation for the Arts statement of operations. I'd like to raise just a couple of issues under this. No surprise to the minister that I'll be raising the point yet again that there has been no increase in funding for the arts in Alberta under this budget. The minister very carefully walked through the total amounts of money being designated to each foundation, and as I went along and checked with him, in most cases there's been no change. There hasn't been a change in many of those areas for many, many, many years. Indeed, there is no change in the funding for the arts. It's remained at \$16.4 million since before 1990. We have had the addition of \$5 million for the film fund, that's been added into that within the last couple of years, which brings it up to \$21.4 million.

We continue to have demand upon the Alberta Foundation for the Arts that's more than it can meet. There is, in fact, still a funding formula in place, but the maximum amounts that are supposedly achievable under the granting formula are never reached by organizations. I spoke to the artistic director at Latitude 53, which is an alternative visual art company here in Edmonton, and he was

able to give me some very specific examples which I'll bring into the debate to enlighten everyone today. For example, Latitude 53 qualifies for a grant in the amount of \$61,896 according to the AFA formula, but they only received \$40,549 in the most recent round of funding. It should qualify for funding equal to 30 percent of its total community support, but it is in fact only receiving somewhere between 14 and 22 percent of what it is eligible for.

3:30

At a certain point I think the formulas become redundant because there is no attachment to reality there and there hasn't been for some time. I know that the AFA has tried a number of different funding formulas and allocations. They went about and did a blueprint a couple of years ago, that they're trying to implement. Again, if there's not going to be the money there to achieve any of this, at times I wonder why we're making anybody jump through all the hoops. The money's not there and hasn't been, and there's no commitment from this government to increase it that I can see coming. I had hopes that when we had this particular individual installed as the minister, there might be an improvement there, but we're now into his second budget, and I don't see it. So there's disappointment there.

The second issue around the arts that's been raised with me is the one grant per organization rule. Now, some people are very quick to jump up and say: oh, that's about double-dipping; it's about double-dipping. No, it isn't. I've just talked about how we can't even come anywhere near to granting the amount of money that these organizations are eligible for. The department itself came up with project grant funding and said: "Here's another way that you can get money. If you have a onetime only or special project, you can apply to us for money. Look, there's another grant over here that's called CFEP. If you need help with a facility, to renovate or to build something new, then you can get money from CFEP." It's the government itself that came up with all these different ideas about how to augment what these arts groups were in fact getting, so don't turn around and tell me: double-dipping. This was all to augment what these groups were trying to do.

The truth is that now they can't even do that. If they want to get a project grant, then that's all they can get. They can't get operational funding. So what's the result been? No special projects, nothing moving forward, nothing enhancing what's going on because it would jeopardize their operational funding to do that. The granting and funds have been impacted not only by zero increases but also by a larger pool of applicants. That of course is resulting in less and less money available for each applicant. Smaller pieces of the same pie.

One of the issues being raised in discussions with Latitude 53 is the artist in residence program. There's a suggestion that perhaps the resources to pay for this program should be coming out of Learning instead of coming out of Community Development because it is about teaching and it's about working with students and exposing students to artistic and creative endeavours. I spoke at length with the Minister of Human Resources and Employment about an employment training program that they're looking at, working in the cultural sector. Maybe there's something else that could be considered there. I'm interested in that minister's reaction to this. So a question as well to the Minister of Learning: are they contemplating doing anything to alleviate the financial strain that's experienced in the art field by picking up some of the funding obligations here?

I know that some people feel quite strongly that the AFA has twisted itself in knots and is administratively nonfunctional at this point. I can't comment on that. I don't know enough about it, but certainly that's what I hear from members of the community.

One of the issues around peer adjudication – and it's something I've always been really proud about in Alberta – is that we did have peer juries and peer adjudication to decide on grants so that we had people with some idea of whether a given artistic company had merit, whether they had experience, whether there's somebody that should be considered, and indeed whether their proposals should be considered. I'm very concerned when I hear back from some artists that they've been told with a wink and a nudge that the applications are being held up by bureaucrats somewhere in the line. I guess what I should do is speak outside of the Assembly to the minister on where that seems to be raised for me, but I'll put it on the record here.

Now, the film fund is still sitting at \$5 million. I know that the minister was recently at the AMPIA awards. I'm unable to track back and confirm a quote, but there was something about a 20 percent increase there but that that would have to be negotiated. I'm not sure what that was about, so I might as well ask the minister if there's any more money coming into that fund or any expectation or even any desire to have more money go into that fund.

I'd like to know where we are with the PASOs. They've now been in place for more than five years. What's the review on those? That's the provincial arts service organization, and there are about five of them. I'd like to know: has that been reviewed? Is there any monitoring there, any evaluation of whether they're successful or not? Are they serving the arts community, or do they just serve the government?

Moving on, what exactly is arts development? On page 106 under expenses under programs it says: artist development, \$1.331 million. What exactly is that? I know that there's a new program that's been showing up, and I thought it said arts development. This one looks like it says artist development. I'm wondering if the minister could comment on that, please.

I'm going to move on generally to talk about federal initiatives because it's somewhat connected to this. The federal government has been putting a good deal of money into the cultural sector, including cultural facilities. They have announced a big push into the arts sector for historical preservation and cultural facilities. I'm wondering: what has the province been able to do to work with the federal government on these programs? I think there's about \$80 million to be had through the cultural facilities programs, matching funds from Alberta. Nowhere in this budget do I see any matching funds. So is Alberta now going to lose out on a potential \$80 million coming from the feds because we can't step up to the plate with our matching dollars? That's a lot of money to kiss goodbye to in this province, particularly when it would help us with some of our aging cultural facilities or with some of the facilities that we don't in fact have. We're not very good on the new spaces that have more of a multipurpose use. I can also think of some new theatre spaces that we were looking at. Catalyst Theatre in Edmonton has been agitating for some time. As well, the Pleiades Theatre in Calgary is working to move into the Calgary Tower and do major renovations to a space there. All of these could be eligible for this money from the feds, but the province has to step up to the plate here.

As well, there has been some suggestion that the CFEP program having a cap on it of \$125,000 is limiting us, again with specific reference to the federal program as well as other programs, when that's all that can be leveraged out of that. Has the minister considered either taking the cap off per grant or looking at exceptional circumstances if necessary? That's something I'd like to suggest.

I have approached the minister about the arts' Habitat project. In fact, I think they were referred to the CFEP program, who then came back and said: nope, sorry; you don't qualify. You know, once

again, Mr. Minister, here is a project that could really carry us forward. It's an excellent project. It benefits the arts. It benefits the cultural workers in the arts. They've worked a long time to put all the pieces together, and with the loss of the community lottery boards where they had an agreement – they were going to move forward with funding there. They've lost that. This is the last day, the 30th of April. CFEP is what was suggested by the Premier was going to solve everybody's problems. CFEP said: no, can't help you; you're not eligible. They're not willing to change the eligibility to include them. So are we just going to dump this program, then? This is also a housing program. So I'm looking for leadership from the minister on that.

Going to pages 105 and 107, we are looking at the historical resources fund and the Alberta Historical Resources Foundation. The Rossdale power plant: do we have any updates there? Any suggestions, any studies that have been done, feasibility studies looking at renovations into an art gallery, a museum, a cultural facility? Is anything being contemplated? We know we have – and I tabled in the House at the time a series of web sites that were showing renovated power plants that were in the centre of cities that had been turned into other things. The biggest example of that is in London. Is it the Tate? I think it was the Tate. They turned the power plant into the new version of the Tate. I hope I've got the right name there. I'm wondering whether anything has been anticipated or any studies done on that here?

3:40

I'm also wondering: what is the status of the Cochrane Ranche? Every now and then I hear about this one. The Western Heritage Centre raises its big head. There's now a discussion I hear about it becoming a casino, so I'm wondering if the government is going to get involved in that or what their particular ownership is or their responsibility to this. Can they turn it over to become a casino? Would the government be involved in then taking revenue off the casino in the same way that they do from the slots and VLTs or gaming machines in other casino locations? Just what's the deal there?

The Jubilee auditoria. Both of them I think are going to be closed for significant renovations. That is seriously affecting some companies for whom that is the only performance space, and I'm talking particularly about the Alberta Ballet and the Opera. There is no other space they can go to. The Winspear in Edmonton, for example, does not accommodate what they need. I don't know where these folks are supposed to go, and we're looking at an entire season. So do we just tell Alberta Ballet and the Edmonton Opera, "Sorry; you're not producing a season while the Jubilee auditorium is shut down"? What are they supposed to do for their finances there? I mean, they exist partly because that building was available. Now the space is taken away from them. What accommodation has been made for these groups to move somewhere else? Has the department offered them anything? What's being contemplated here? Or are these guys just told to go and find someplace else? If they can't, then what? You know, how are we going to deal with the finances of the Edmonton Opera, who can't produce a season, or Alberta Ballet, who can only do half a season, nothing in Edmonton? Those are severe restrictions for them.

I'm moving to libraries, page 91, sections 2.1.5 and 2.2.2. There has finally been an increase. Yay. I am very happy that I was able to support the libraries and the Alberta Library Trustees Association in their efforts to lobby and advocate for increased funds and particularly to have the funds updated to be attached to a per capita that has meaning in this day and age.

Now, there are still some additional issues that I have. In fact, the

issue around the Supernet that I used to bring up all the time that the government could never answer for me – I had a visit from the people that are putting the Supernet together, and they were able to answer the question for me. In fact, the wires do come through the wall. They go to a router in the basement. But that still does raise the question for libraries in particular I think of additional money to upgrade their computers and to upgrade their software to be able to handle the capacity and what's possible with the fibre optics in the Supernet. Again, it doesn't help them very much if they now have the wires hooked into the router in the basement but they are still trying to run the Apple IIs upstairs, that can't even connect to the Internet. So what's contemplated there by way of assistance for them?

If there's going to be no help coming, then let's hear that, and then they can either figure out to say, "No, thanks; don't even bring it through the wall" or "Gee, I guess we're going to have to not open part of this building so we can afford to do it." You know, give them some realistic answers so that they know how to plan for the future. I think that's what would be most helpful here.

The minister, in responding to a question that I asked in question period on April 23 in reference to library funding, said that he was providing information on "long-range and future plans" for libraries. I'm wondering if he can expand on that. I mean, I've heard and I can see here that there is a minor increase in money, not a lot. This year's budget is \$17,204,000, but the comparable in the budget last year was \$16,667,000, and the actuals were \$16,493,000. So, you know, we're not talking about a lot of money here. They're getting about a million dollars more. I don't know how that's going to divide up between all the possible libraries in the whole province. What are they going to end up with? About a hundred and fifty bucks each? I don't know how that's really going to allow them to get up to speed and get up to date on everything. Yeah, when I really look at this, this isn't so great. What's the ticker tape parade for? What are the long-range and future plans that are being considered here? Because that's not a substantial increase in money. We're talking what? A million bucks? Less than a million bucks. Like, big deal.

The other thing that came up is that the libraries were applying to their local community lottery boards for a number of ancillary costs. Because they were being underfunded by the government, they looked other places for additional funding to pay for shelving and their Internet costs and some other things like that. Now the community lottery boards are gone. They didn't get that much more money here. So how are they supposed to be moving onward? I guess that's part of these long-range and future plans the minister will tell me about. Yeah, I'm wondering if the increase is even more than what they've potentially lost through community lottery board grants.

The same thing with CFEP. [Ms Blakeman's speaking time expired] Oh, part 1 just went by in a flash. Thanks very much.

THE CHAIR: Before I recognize the next speaker, I wonder if we could revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

THE CHAIR: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Chairman. It is my very great pleasure to rise in the House today to introduce to you and through

you to members of this Assembly a very special little angel in my life. She loves Barney, Elmo, and Snuffleupagus. She dances to *Baby Beluga* and sings along with Sharon, Lois, and Bram. She brings sunshine and joy to our lives and charms everyone with her smile and her hugs. In the members' gallery with her very proud father, Brendan Curson, is my 2-year-old granddaughter Taiya Anne Jablonski. I'd ask that Taiya and Brendan rise to receive the warm welcome of the House.

head: **Main Estimates 2002-03**

Community Development (*continued*)

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. You could maybe hold up signs for this afternoon that would save your voice.

AN HON. MEMBER: Tough act to follow.

MS CARLSON: That's right.

Mr. Chairman, I'm happy to be able to start the questions and discussions I have on these particular estimates, the Community Development estimates. We've seen a change here from prior years to where parks and protected areas are now included in this ministry. I have a specific question that I would like the minister to address in writing and in some detail if he could.

To give some background, a few years ago in a reorganization Alberta park rangers were joined up with conservation officers, and all became conservation officers in this province. As it is through most of North America, conservation officers are the policemen for the fish and wildlife resources. Another reorganization just happened, and park rangers have ended up back looking after parks. My concern, Mr. Chairman, is that the Minister of Community Development is looking after these parks people now and has approached the Minister of Sustainable Resource Development that he wants the park rangers to keep the name conservation officers, and the original conservation officers will now become fish and wildlife officers.

Mr. Chairman, this is crazy. Besides it being a tremendous expense to make this change, it just doesn't make any sense to many people and would be extremely confusing to everyone. I have had people call me on this and say that this is the biggest lunacy they've seen in this particular organization and that they don't want it to be done. It does not conform with any of the North American standards. It is just unbelievable that we could be going forward with this particular idea or even the thought of it.

So I would like the minister to respond. I will let him know in advance that I will be forwarding this to many hundreds of people across this province because they are eagerly awaiting the minister's response.

Thank you.

3:50

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you so much. Okay. Where I'd like to go next is human rights. It's page 92. I'm wondering what involvement Community Development has in the new immigrant nominee program that's being spearheaded by Economic Development. I'm sure that the minister has kept involved with this new program, but I'm wondering how we stay on top of the human rights implications there and in particular what support these immigrants could expect to be put in place as they adapt to a new environment and culture. What work is being done to help them understand what the laws are

in this country, what the human rights are, and what the expectations and the rights and obligations are in Alberta and Canada? So I'm interested to know what plans the Human Rights Commission is bringing in to knit with the work that is being done by the Minister of Economic Development.

Part of that of course is access to health care, which is a particularly bewildering experience if you've ever been in another country or somewhere where you don't speak the language and either you're not feeling well or a family member is not feeling well. There are few things more terrifying than being unable to explain what's wrong. Someone the other day, a woman whose first language is French, said to me: you know, when I hurt, I hurt in French. It's really frustrating that even here in Alberta when she goes to a hospital, she's hurting in French, and she may well have hospital staff that aren't hearing her, of course, and may not speak the language. It's an awful experience for us traveling. Imagine what – we want to encourage these economic immigrants to come here to do work for us, as the Economic Development minister puts it. What are we doing to make sure that they're able to access health care and understand how the system works and be able to walk through it?

The minister will know of my support for the program for multicultural health brokers. Now, that is a different program but one related to what I am talking about here. I mean, they are specifically going into communities, mostly looking to draw out the women of the families but, to be fair, for everyone in the family, and helping them to work their way through the health system and to know what's available for them and to make sure that they all stay healthy. I'm wondering if the minister has done any work on whether we are reducing the barriers for new Canadians who are trying to access health care here. What kind of work is the Human Rights Commission doing?

I'm also interested in what challenges the Human Rights Commission has, particularly their public education arm. What challenges are they facing since September 11? Has there been an increase in any reporting or inquiries in any way?

I'd now like to go and do a recap on just where we are with facts and figures. I'm interested in the number of cases that were opened I guess in the last fiscal year, but what's expected to be opened, then, in this fiscal year? So I'd like to see the numbers for last year and what's anticipated or forecast by the Human Rights Commission to be the cases for this year, also by type of discrimination. What did we have last year? The number of complaints for gender, race, colour, physical disability, age, ancestry, place of origin, marital status, religious beliefs, mental disability, family status, source of income, sexual orientation. This is always an interesting analysis, to see what the complaints were before and what we're anticipating those complaints to be.

I'd also like to know how many human rights panels we had in the last year and then how many you're expecting you can extrapolate for in this year. How many of those were referred by the director of the human rights secretariat? How many were referred after an appeal to the chief commissioner?

I'm also interested in the kinds of advice and recommendations that have been provided to the department and to the minister. There is an insistence that this Human Rights Commission is an arm's-length commission, and therefore if the advice is provided to the minister and the department, then one presumes it can be provided to all of us. I'm interested in what that advice has been. I'm also interested in what information or advice has been provided by the commission to deal with making Alberta legislation more Charter-proof. Certainly that continues to come up. We continue to get cases in the courts almost weekly that are challenging our legisla-

tion. What's anticipated? What kind of equal protection are we offering to all Albertans through suggested changes to legislation?

Now, I looked back in some other notes just to sort of check where we are, and I noticed that the previous critic for human rights had asked about a cultural diversity project that I think was coming out of Calgary. You can't ever find anything in these budgets that are presented. They don't break down far enough to find out whether such projects exist anymore. So I have to ask whether that project is still receiving funding. If so, how much? What are its goals, its objectives, its business plan? What kind of monitoring has been done? What sort of evaluation and review exists for it? Has it been successful in meeting its goals? So if I could get a really clear breakdown on that, please.

What has the minister done to bring forward the Human Rights, Citizenship and Multiculturalism Act, to open up that legislation and write in sexual orientation? We had the courts read it in for us or put it in for us. But if someone moves to this province from somewhere else, I still get them calling me up and going: "Well, I thought this was covered. How come when I read the legislation it's not there?" You know, it's not as though someone puts a sticky note on it as you walk out the door saying "Oh, by the way, you're supposed to read these extra two words into it." It's just not there, and when will the minister be putting it there? I think it's important, when people pick up legislation or when they read it on-line, that they're able to understand what it all means and what it all entails, and that is not the case now. That ruling came down to us – what? – four years ago now, and we still haven't managed to actually bring the legislation up to date. That's a bit of foot-dragging that's really quite unacceptable. So those are the sort of factual issues under the Human Rights Commission.

Now, the community lottery boards. I have spoken a lot in the Assembly about the community lottery boards and the elimination of them. As a matter of fact, I'm struggling now in the estimates book to even find where they were referred to. In going back and forth, I can't even find where they were. What is the long-range plan here? As I said, there were programs that were in place through the lottery foundations, like the Alberta Sport, Recreation, Parks and Wildlife or the Wild Rose or the Historical Resources or the Alberta Foundation for the Arts, that granted operating funds to various groups to provide services for Albertans. As another way of doing this and in direct response to the communities' unwelcome feelings about the video lottery terminals and having them removed from their communities, we had the community lottery boards put in place. Although at the time I disagreed with how helpful those boards were going to be to the arts community because I felt that should come through a peer jury system and should be centralized or rather that the money should just be put in the Alberta Foundation for the Arts, in fact as far as the rural communities in particular have shown, the local decision-making was highly, highly prized. That has now been taken away, and anything that has been offered in this Assembly by the Premier or the Minister of Gaming or indeed even by the Minister of Community Development has not picked up on that element of localized decision-making.

4:00

Did it not please the government? Can we ever expect to see a program with local decision-making around disbursement of money again, or has that idea come and the government didn't like it and it's gone? Please let us know that, because many, many, many people are still trying to get these lottery boards reinstated and have every expectation and hope that they will be reinstated. This is a sector where people work hard enough, and they work hard to raise money so that they can spend what little is left of their time to

actually do what they wanted to do, whether that's create art or coach softball or help volunteer with the Boys and Girls Clubs. So I really don't want to see these groups wasting time if the government is never going to return to this.

Now, the Treasurer, to be fair, did say that they weren't going to return to it, and I guess my question is: why? This was a program that seemed to work. I'll tell you that taking a step back, it just looks like the program was put in place in response to a crisis around communities wanting VLTs out. The community lottery board program was put in to quell the crisis. The crisis has passed, and now the whole program is gone, and people cannot figure out why.

Nasty rumours start to rise to the surface. You know, is it because the decision was locally based and therefore there was no cheque for our provincial politician to hand out? I'm not making this up. This is what comes to me, and you've all received the letter saying that. People want to know why, and they have not ever heard the answer from this government about why those community lottery boards were taken away.

We've actually heard many answers. We've heard that something had to be cut from the Department of Gaming, and it was a low priority for the government, so that's what got cut. We've heard that if there's ever any money, well, it's not going to go back into those lottery boards again. But we don't really understand why they disappeared. How were they not serving? The community certainly feels that the boards were serving them. What is it about those community lottery boards that the government doesn't feel they were serving the government? You know, I've asked a lot of questions in question period over the last five weeks. I've tabled hundreds of letters now, I'm sure, from various groups making suggestions and asking for the lottery boards to be reinstated, and we're all still waiting for answers. I know there's agitation in the city of Edmonton from a number of groups that are coming together in a coalition to continue to work on this.

Ultimately, the bottom line is – and we're talking money here. There's \$50 million that is not going into the communities in Alberta right now. Fifty million bucks got cut, and that's directly related to what we're debating here this afternoon. That's directly related to the groups that get funding through Community Development, because these are sports groups and amateur sports groups and recreation groups, Big Brothers, Big Sisters. Volunteer organizations were getting money through the Wild Rose Foundation, arts and cultural organizations, historical sites. You know, they all got that money cut from them. It was money that was augmenting what was being done under the minister's department. So he really had the \$50 million taken out of his ministry more than anything else.

Certainly when I went to the rally at the city of Edmonton, the city hall there, one person was very clear and got up and just said: this is how much money is being taken out of our sector. It was something like \$11 million that had gone into that particular area over the three years that we'd had the money dispensed from the community lottery boards. That's a lot of money to come out of a sector with no sign of it ever going back in. So what did these groups do that they deserved that kind of punishment, that kind of kick in the head? How did they displease this government so badly that they would take a \$50 million hit? We haven't had any answers, Mr. Minister, and we'd sure like to have them.

I guess we're also looking for confirmation that the minister – you know, what kind of stance did the minister take when this came up in caucus? Was he defending the money that was augmenting the groups under his portfolio? In fact, it was under his portfolio that he lost the money, but the decision seems to have been made by the Minister of Gaming.

I think there's also a question that's now been made clear to a number of volunteer based organizations in Alberta: how much

respect and value does the government have for the work that they're doing? I'm starting to hear for the first time, although I've long advocated it, groups saying: "You know what? We're thinking about withdrawing our services, period. Why are we all knocking ourselves out to provide this? This," whatever they're doing, "is a service that used to be provided by the government. They wouldn't do it, so we took it on in the community, and we got the funding to do it but not all the funding to do it. So then we have to go out and raise money to augment a service that used to be offered by the government. Why are we doing this? We're knocking ourselves out here. Maybe we should just stop." I would be interested to see if anybody actually follows through. I doubt it, but they may.

The Alberta NHL teams initiative – that's on page 91, line 2.2.4 – refers to an outgoing expense of \$4.834 million for the Alberta NHL teams initiative. Now, I'm interested in what's happening with the accounting in this department, because it used to be that what we saw here was essentially net of any lottery funds. Any expenses for gaming proceeds were netted out before we saw the money in here. So why am I seeing an expense item now for these NHL teams? Has the accounting been changed here? The other place it shows up is in the Gaming budget under the bingos. Once again there's an expense line going out that we just think: where did this come from?

So I'm interested in why there's no corresponding revenue line coming in that corresponds to that. There's just an expense line going out. I know that the government was going to take off its administration fee. Where does that administration fee amount of money turn up, or is it rolled up inside this \$4 million? If the minister could let us know how much the department, whether it's his department or Gaming or the general revenue, expects to make from their administration fee on administering this lotto, that would be helpful.

I'm also wondering what kind of accounting will be used overall for this new item. What kind of policy has the government developed to show this? What sort of monitoring and evaluation is in place? How often will it be monitored? When will it be revisited? How is the integrity of it all ensured? [interjection] I'm still talking about the lottery tickets, page 91, 2.2.4, Alberta NHL teams initiative.

I'm wondering actually how this turns up as a program here. It turns up as an expense, but where exactly is this program in terms of a line item in the budget? Is this the whole project unto itself, or is it part of something else? I mean, it's showing up under Community Services, and it's just showing up by itself. So what's the program? Is there anything else that goes with it? Why is this just showing up here? I guess I'm looking for – you know, when you have to go and account to the Auditor General, how are you going to describe this program and describe the monitoring and evaluation of it?

Funding for women appears on page 110. Now, the minister and I have had a couple of conversations about funding for women. I know it sounds facetious, but I'm dead serious about this. In fact, I look at our conversation last year around this, and in a written response I got quite a long explanation of what's being done. Essentially that looks to me like it's coming out in three categories: advising the minister, funding programs through the multiculturalism and human rights fund, and handing out of material. But I don't get a sense as I read through what the minister says is being offered . . . [Ms Blakeman's speaking time expired] I'll come back for part 3.

4:10

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I'm happy to be back to respond to the Community Development estimates. Now I will go through some of the issues that we have in more detail.

I'd like to start in program 6, parks and protected areas, 6.0.1. We

see some reduction in the program support budget there, Mr. Chairman. It's gone from \$315,000 to \$215,000. Now, in comparison to many other budgets in this government, those are paltry dollars and paltry changes, but they certainly are very important to the people who see protecting our parks as really an essential service of the government, and particularly in program 6 . . . [interjection] I don't have the page in front of me. You can give me the information later. Program 6.0.1. It's the program support budget.

Program 6.0.2. How will parks policy and planning be affected by the reduction in budget from \$3.492 million to \$3.442 million, particularly in a year when we see that there are going to be some expenditures that are out of the ordinary, Mr. Chairman, and particularly I refer to proposed legislation and the work that the minister states in his business plan he'll be doing on the G-8 summit. Definitely reductions.

This is an area where dollars are very tight anyway and have been for a long time. This department relies heavily on volunteers to support the park system throughout this province and just recently acknowledged many of those volunteers with recognition during Volunteer Week, which was a good thing. But it's a tight area in terms of money and support, and we're seeing what looks like a fairly significant reduction in the budget. We want to know how planning is going to be affected and how services are going to be affected in that, particularly when we see money that's going to be pulled out in some of the areas.

Program 6.0.3. I'd like to know what capital projects were paid for from the \$2.961 million spent under parks operations in 2001-2002. If we could have a detailed list of that and the dollars spent beside that list and the projections that you see in the three- to five-year range on that, that would also be very helpful to us.

How will the 57 percent reduction in the capital projects budget affect park attendance? We've had this discussion here in this Legislature many times, and we've had the minister stand up and say that it really doesn't affect attendance, that attendance is generally going up, but we see that that's not exactly true. There have been some fluctuations. There has been a huge outpouring of concern about quality of parks, particularly as it relates to infrastructure and particularly as it relates to upgrading facilities. So if the minister could comment on that.

Probably the second biggest outcry I've ever had on environmental issues in this province was when this government shut down the little roadside parks that were throughout this province and which provided great support for travelers and destination visits for families. What happened there was a tragedy. We saw some communities take over the operations of those roadside parks after the fact, and they've been for the most part successful, but we still are missing the kind of interconnected link that we had previously. So if the minister would comment on that.

Do they have any intentions of ever reopening any of those parks and once again linking the province in that kind of a manner? Many people would pull over into those parks to take a break from driving large distances in Alberta, large distances to get across this province to other provinces that you may be visiting, and those parks provided often very beautiful and often necessary stops for people.

If the minister could tell us how the department is going to achieve 118 percent increase in dedicated revenue for parks operations. Do we see some big price hikes coming downstream? Is it going to be increased fees or increased attendance that we see here? Lots of complaints from people who started to pay for firewood. People weren't as concerned about paying for the firewood as they were concerned at the prices they had to pay for such a small amount of firewood, Mr. Chairman. So are we going to see more increases on that side? I'm not sure what else they can

charge a fee for, and I would like to point out that most of the people I've talked to believe that the increased user fees in parks are just another tax grab, another hand in the pockets of Albertans who like to enjoy the outdoors. So if the minister could respond to that, we would expect it.

If the increases we see coming here are from increased fees, then how has the minister projected that this will affect attendance? We know that there's always a cost-benefit ratio and that in supply and demand chains there is some pressure for pricing, and I would expect that the minister has done those kinds of calculations and has some reasonable expectations. When does he expect to roll out the information to the general public on increases? We haven't seen anything yet. This being April 30 and the May long weekend being early this year, about two weeks away, Mr. Chairman, if we're going to see some increased fees that are going to affect people's plans for that long weekend, then we should know about it fairly quickly. If we're seeing the price expectation in increases from increased attendance, could the minister tell us what marketing or communication plans are going to be used to accomplish this? Is there some magic answer that we haven't heard about yet that the minister has under his hat? If he could share that with us, we would very much appreciate it.

Can he tell us if particular parks are expected to have more growth than others? Which ones and what information base are they using to ascertain that, and are there any decreases expected? That would be good information for us. If he could tell us, too, what expenses were covered by the \$300,000 from lottery revenues in 2001 and 2002, that would be very helpful.

Goal 5 for the ministry. For that, I refer the minister to the business plan 2002-05 on page 92. The goal is a great goal, one that I certainly agree with, Mr. Chairman. It's "preserving, protecting and presenting Alberta's parks and protected areas." Now, there's no doubt that this minister has a way different interpretation of what that means than I do and than what most of the environmental groups and individuals who are keenly attached to following environmental issues would say is their goal. Preserving has quite a different connotation. To me preserving and protecting means for the next 100 years. It means establishing baseline data so that we know what we had, what we have now, and what we will have in the future. There is no baseline data in this province on these issues. [interjection] Page 92 of the business plans. That's what I have. Goal 5, "preserving, protecting and presenting Alberta's provincial parks and protected areas." Sorry. I jumped from the budget. Now I'm into the business plan. So if he could give us his own perspective on what achieving that goal means to him and how he presents the information to his caucus and to the decision-makers on the front benches. It would be helpful for us to know exactly what his perspective is.

I was quite surprised to read this year, Mr. Chairman, and have certainly contemplated approaching this in question period – hopefully we'll get some fairly timely answers on it so that we don't have to go there and we can just do this in budget debate. We for sure want to know the time lines for developing new legislation as indicated under the strategies on page 92. That was a big surprise to me. We've seen what the minister would call the successful completion of a parks strategy, less successful from many people's perspective in this province. We saw the allocation under special places of new parks areas, but many of those parks that were legislated are very small. In fact, the footprints covered by those parks are not sustainable from an ecological perspective. We've had this discussion quite a few times here. The grizzly bear park isn't large enough to sustain one grizzly bear. Well, I see the minister doesn't like that very much, so certainly he'll be able to respond to that.

MR. ZWOZDESKY: I have some staff here who are trying to hear.

MS CARLSON: Oh, okay. They can't hear me? Perhaps we need a little more co-operation from other members. At any rate, you can read it in *Hansard*. It doesn't have to be responded to today. It can be responded to in the future. That's just fine with me. [interjection] They don't turn it up. No, there's no paper. This is as loud as it gets. Sorry.

4:20

DR. TAYLOR: I've heard you speak a lot louder than that.

MS CARLSON: Well, I was severely provoked, I have to tell you, Minister of Environment, and you know that if we get enough heckling happening, we could easily go there. I know that this chairman doesn't have much of a voice today, so if you were to heckle and I were to respond, he would have to interrupt, and that wouldn't be very nice to him.

DR. TAYLOR: Well, that's perfect for me then; isn't it?

MS CARLSON: Yes. Well, you just keep that up and we're going to be going there in a much louder voice very quickly, and you, Minister of Environment, had your opportunity to respond during your estimates. It is now this minister's opportunity to respond, and we have what we feel are some very important questions and issues that we would like addressed in this area.

In terms of the new legislation, can you tell us what acts are going to be consolidated? Will it affect some of the outcomes of special places? We're still not satisfied with special places. Some of the allocations we felt were wrong. There weren't enough allocations in some of the areas of the province. Some of them aren't large enough to have ecological integrity. Since the establishment of some of those special places we have seen conditions change in the province, the actual conditions and criteria that were used to decide how big or how small some areas should be. I'm thinking particularly of areas in the north where the committee members used the criteria given to them which encompassed industry stipulations in terms of commitments made to industry on how big places could be. I'm thinking particularly of Chinchaga. Well, subsequent to that, one of the allocations is gone, so there is a case to be made that the committee should reconvene and reallocate Chinchaga based on new information. So I would like the minister to respond to that. Is that a possibility in that area? He knows and I know that there is still a huge lobby from that area. They make a very legitimate case for having that area enlarged, particularly from a sustainable ecosystem perspective. So we'd like to know if that's a possibility.

In terms of the legislation we want to know acts that are going to be consolidated and if that's what's happening and what the consultation process for the consolidation is. People get very nervous when this government tries to change legislation around parks and protected areas. I remember the last bill we had in here two or three years ago now. It was Bill 15, that ended up getting pulled, Mr. Chairman, because people in the province became quite upset at the way the legislation was drafted and the way it was presented. At the end of the day there was a huge outcry against the bill, and it got pulled. So I would caution the minister that before he goes forward with any new legislation or consolidations, he put in place an extensive consultation process that does more than guide people to the answers that he wants, that he do something that encompasses and incorporates all stakeholders in the group, and I include in that consultation process industry for sure, First Nations people, environmental concerns, municipalities. They all have a

legitimate claim to being a part of the process and any changes in legislation for parks and protected areas.

We would hope that before he goes forward with that, we see that strategy tabled and discussed, if not in the Legislature then at least available for discussion before it goes forward. This is a goal listed in this year's current budget and doesn't have any time lines on it. My expectation is that the minister would be expecting to be moving forward quite quickly on this, but we haven't heard a single thing about it yet, and the first month of the year is gone. Eleven months may seem like a long time to bring forward new legislation, but, Mr. Chairman, it isn't, particularly in this regard. So if we could get some information on that.

He talks here, too, in the business plan about a new strategy "for managing an expanded parks . . . system with reduced funding." How will that be developed? You know, that's pretty innovative if he can do it. Certainly I like to see out-of-the-box thinking happening here and new strategies, but it hasn't really been this government's track record. It seems to be that they're able to cut quite well, but then the management side seems to suffer, and here we're talking about an expanded parks system. So that'll be a rabbit out of the hat, I think, but maybe I'm wrong, and I stand to be corrected on that one. So we want to know what the time lines are for that, and is this part of what will be presented in the new legislation?

Also in the business plan they talk about "a 're-investment strategy' for recapitalizing and sustaining . . . facilities." How is that going to happen in light of the 57 percent budget cut for some of the programs there? We've had the discussion in question period about some of the infrastructure or lack thereof or how it's falling apart at this time, and we're really seeing an infrastructure deficit in parks and protected areas. I'm happy to see this in the business plan and I hope it happens, but we'd like to see a game plan under which that will be happening. So what areas are you focusing on? Which ones won't you be doing, and what criteria did you put together to establish what the priority areas were? If we could have that information.

Under the plans to do a resource inventory, there's a reference to "priority parks and protected areas." We need to know which of the parks and protected areas are considered priorities. Do you have a list showing the ranking for all of the park facilities? How are the priorities determined? Is it based on the number of visitors or facilities available or the significance of the animal habitat? For us that is a key criterion that should be incorporated into the decision-making and unfortunately seems to be absent in past decisions. So if we could have some information on that, it would be very helpful, Mr. Chairman.

Once again to go back to the strategies, they were interesting to take a look at this year. It says that the facility operations contracting methods will be reviewed "to improve public service and effectiveness." We've seen a wide range of effectiveness and quality of contracting since this was privatized, and I'm happy to see that they're going to be doing a review. Once again we have a list of areas that we're concerned about. Will the minister tell us the specific aspects of the contracting-out process that are of concern? Where is the current system ineffective? How is the department measuring effectiveness of the contracting methods? What contracting methods are used? What's the time frame for the review? How will improvements of public services be measured? How many complaints has his department received on parks that have been contracted out? Do they do a before-and-after scan in terms of how comfortable users are with the system and whether they're pleased with the kind of service that they're getting? If he could talk to us about that and provide any data that they have, I would very much appreciate it.

Can the minister tell us what the time line is for developing a new visitor satisfaction performance measure, and is anything being used at this time? There must be some way that the government judges customer satisfaction, and we'd sure like him to share it with us.

Thank you.

4:30

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Yes. Thank you very much, Mr. Chair. I have a number of questions and concerns that we have on that, particularly in respect to persons with developmental disabilities. In doing so, we are looking at people who have challenges in their life. They certainly have to have some assistance in order to even fit the goals that we've established in this particular department. I'm happy to see that we do have an increase in the budget, and this will definitely help out.

Now, then, the amount of funding the PDD boards have – Edmonton, Calgary, northeast, southwest, et cetera – the amount they receive is set out in the 2002-2003 budget estimates. There's a line item for each board. These numbers, however, do not reflect the true amount of money the PDD boards receive. The minister even said on April 23, 2002, "In fact, we're just working on finalizing right now what those exact amounts will be." So if the minister could please provide us at this time those accurate numbers that he didn't have at the time the budget came out and if the minister could explain how the PDD boards are supposed to be able to provide stable, dependable services to PDD clients when they don't find out a whole month into the current fiscal year what their funding is going to be . . .

MS BLAKEMAN: Yeah. It's tough to budget.

MR. BONNER: Yes. It is very difficult to budget.

As well, the PDD boards are having a lot of difficulty creating their business plans when they don't know the amount of money that they are receiving. So another question I do have for the minister: why were changes made after the budget estimates were made public, and why was the department so unable to provide these numbers in time, when the budget estimates were made public? What steps has the minister taken in looking ahead to improve the budgeting process to ensure that this doesn't occur for these boards next year?

The PDD budget assists approximately 8,000 Albertans, and this number is increasing, Mr. Chair, by approximately 400 per year. So we are getting in the neighbourhood of a 5 percent increase in the number of persons with developmental disabilities per year. When we look at this increase in the number, even with the funding increases, several boards are projecting deficits this year. The Edmonton board is projecting a deficit of \$6.8 million, and the Calgary board claims that the 5 percent increase in the budget which they got will mean a \$3 million deficit for them. Again it seems that even with the increase in funding in this particular budget, these boards are going to face financial difficulties this year and of course will not be able to provide the services to their members that they would wish.

Could the minister tell us how many of the boards are currently projecting deficits for the current fiscal year? Can the minister tell us how many PDD boards are taking on new clients and the number of net new clients each PDD board is taking on? If these boards are not taking on all of these requests, what happens to these people that just don't find a slot with any of these boards?

Could the minister please tell us whether PDD boards will be

allowed to run deficits this current fiscal year? Also if the minister could inform us what direction his department or other PDD boards are going with eliminating their deficits. Will the minister provide copies of any documents in which the department sets out its directions to the PDD boards for eliminating their deficits? As well, will the PDD boards be allowed to borrow to finance their deficits?

Now, then, I know that the PDD boards would certainly want some assurance from the minister that they will continue to receive adequate services when they face such large deficits. What assurances can he give to the boards that they will continue to receive adequate services? The boards are quite concerned as well that, you know, they might have to implement cost-cutting procedures to come in on budget. What I would like to know is how the minister expects to keep the promise he made to the PDD clients on October 22 that, and I quote: no one who qualifies for service under the PDD program will be denied that service.

One final question in this regard: how does the minister respond to the statement from the Edmonton PDD board's document entitled Framework for Sustainability, which states that currently the demand for service is greater than the dollars available?

We did have an opportunity a while back, Mr. Chairman, to meet with the Edmonton Deaf-Blind Society, and they indicated that they have a number of concerns. Certainly some of their greatest concerns were around the issue of interpreters, an adequate number of interpreters. We did have some people from the rural boards as well that attended the meeting, and certainly one of their major concerns was the whole idea of trained interpreters. Especially in the rural communities the opportunity to have a trained interpreter is more difficult than in our major centres of Edmonton and Calgary.

As well, Mr. Chair, they went on to indicate to us that trained interpreters are also very, very expensive. In our three-hour meeting I believe the bill was somewhere in the neighbourhood of \$200. They required two interpreters. These people work very hard, particularly when they are in that group setting where they're servicing a number of different individuals. So again cost is a huge factor when we start looking at interpreters. What others have attempted to do, Mr. Chairman, is use interpreters that aren't necessarily trained. So what these people would like to do is to see some type of a code of ethics for interpreters. I'm wondering if the minister has given any thought to developing a code of ethics for all interpreters and what we could do in that particular case.

4:40

Now, then, with interpreters there is a national certification process, and evaluation is done at a national level. We do have training here in the city of Edmonton, Mr. Chair, at Grant MacEwan Community College, and what the deaf and blind community would like to see is a longer program of training for people attending the program at Grant MacEwan Community College. So my question for the minister would be: is there any room for a review of that program at Grant MacEwan to see if that program is fully meeting the needs of persons with developmental disabilities?

Other information that they gave to me was that there certainly aren't enough interpreters. In Edmonton we have 64 active members and only 50 in Calgary, and as I mentioned, there certainly is a great need for trained interpreters in our rural areas. The Connect Society is also very critical. It's a referral service. It's been active in Edmonton for two years. What happens is that for deaf people that do go to work, businesses will hire deaf people but they certainly aren't prepared for the costs associated with an interpreter. Certainly this is critical, for example, for people that are going to job interviews. If they have to foot the bill for an interpreter for, say, even an hour job interview, then that certainly puts them at a huge disadvantage when they are out looking for employment.

Other areas where interpreters are critical to deaf workers is in the job training process and certainly being there to help interpret safety procedures and as well any new procedures that come along in the business. This is one of the areas where employers are reluctant to pick up those costs for interpreters, and certainly it is something that the deaf person has a great deal of difficulty with for themselves. So they see a great need here for interpretation.

Now, something else that I wouldn't have thought of that they brought to our attention was the fact that even – and this happened to be getting close to the end of February in RRSP time – having specialized people that can sign to offer advice to these people when they are purchasing their RRSPs is a huge problem for these people.

So there are many, many issues here that they have, issues that I hope I will get a further opportunity to ask the minister about. Thank you very much for these at this time.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. Jeez, this is great. I'm going to be able to get all my questions in. When I last was up speaking I was talking about the programs for women and an exchange as a result of last year's budget debate between the minister and myself on what programs are really offered. I think in fact, based on what I'm seeing, that there really aren't any specific programs that are offered. What I was looking for was advocacy, and that is not offered.

The minister at one point talks about the advice that he is given when he goes to the federal/provincial/territorial meetings of ministers responsible for women's issues, and I'm interested in what the message is that he is carrying forward from Alberta and giving forth to the other provinces, the territories, and the federal government. What is that message that he's taking? Could I see the minutes of the meetings or whatever is occurring there so that we know what he's saying to others about what's happening around programs for women here in Alberta?

I'm also wondering if the minister has done any work in advocating to his colleague the Minister of Health and Wellness on midwifery and having midwifery covered under health care services. I'm looking for an answer on that.

Just before I move on to the next topic, I know that two more questions came up for my colleague from Edmonton-Ellerslie right after she sat down. Would it be all right for us to submit those questions in writing to the minister and have them answered? The minister is nodding in the affirmative to me, so we now have that in the record.

Okay. I'd like to go on to the FTEs. Now, the minister indicated that 83 FTEs are being cut from the department and then sort of seemed to indicate that that was kind of okay because it was attrition, but attrition is many things. That can be someone just leaving the job because they're going on to something else, and that's indicating that the job in fact, you know, once it's vacated, won't be refilled. I don't see that as a particularly good thing. It's not as though that job was really slated to be phased out necessarily. I'd like to know exactly which program areas are losing staff and how many FTEs they're losing.

Now, I'm aware that, as has happened many times with the Department of Community Development, we've had huge programs moved into the department which then become the focus of the department. For example, we had seniors added in four, five, or six years ago, and everything else, all the arts and culture and sports and recreation and other activities, got subsumed underneath the seniors, and that's where all the focus and activity was generated. Now we have the PDD and persons with disabilities moved into the department. They're responsible for the lion's share of the budget in the

department and also the staffing. For instance, they have about 1,400 staff working in that area compared to significantly fewer staff working in all the other areas combined. So I would like to know exactly where those 83 FTEs are coming from, down to, you know, the program that is losing an FTE.

Now, I wanted to look at the highlights, and that's appearing on page 98 of the estimates. This is interesting, because as I look through this, a lot of what is being put forward as a highlight is in fact the department's core businesses. So I'm a little concerned that there's a misunderstanding about what's going on here.

I look at

continue to provide financial support to human and social service non-profit organizations and build organizational capacity in the voluntary sector so that its members can engage in community development activities and initiatives.

The term "capacity building" is one that we're recognizing nationally now as a result of the Broadbent report on the voluntary sector. That was really capacity building meant to help an organization achieve the resources, the ability to take in information and kind of move into the new millennium. So what exactly is being anticipated when the minister talks about a highlight of "organizational capacity in the voluntary sector"? What exactly is expected under this? What are the implications for this strategy, and how is this knitting into the Broadbent report and what was being recommended there?

Also under the same highlights:

Develop a communication strategy to increase public awareness and understanding of the Alberta Foundation for the Arts, and undertake adjustments to new Alberta Foundation for the Arts programs that were introduced in 2001-02 based on community feedback.

Can the minister expand on what he's intending to do here? It sounds like things aren't going well and that you need a good communications plan to make everybody think they're happy the way it's written here. So I'm sure the minister would like to have the opportunity to put forward what he thinks is going on here. In other words, is this a public relations solution to something, or in fact are there additional things that are going on here?

4:50

Another highlight:

Continue to support the Alberta Historical Resources Foundation so that approximately \$6.2 million will be spent on promoting and supporting community-based heritage initiatives across the province.

Isn't this what the minister is supposed to do? Isn't this what the ministry does do? So why is that a highlight? What new relations could have been developed with the federal government in context of its very large commitment to arts and culture in the last year that might be included under this highlight? I mean, are there alternative funding sources available to work with the feds? What's being anticipated here? Why is it turning up as a highlight? It just looks like a core service to me. If it's more than that, then let's hear what it is.

"Further the development of a Collections and Exhibits Infrastructure Management System to effectively manage essential elements of the ministry's infrastructure." Okay. What's this for? Is it only the various artifacts and exhibitions that we own, or does this also include the building or the shelving or the glass cases? What's anticipated here? What is the time line for developing this management system? How far along are we going to get in this year? Is this a multiyear project? What exactly is this all about?

"Develop a business resumption plan to address potential interruption or loss of essential services in keeping with the government's commitment to ensure services for Albertans." Now, I'm assuming that this is in response to the September 11 crisis and part

of overall government planning. Exactly what services have been identified under the Department of Community Development that would be connected to reintegration of essential services? What services specifically is the minister talking about here?

The last bullet is:

Participate in overall government planning for, and plan, coordinate and implement Parks and Protected Areas Division involvement in support to, the G8 Summit in Kananaskis Country.

I'm wondering how much money is expected to be spent by this department for the G-8 summit. What exactly is the department involved with in overall government planning? What sort of return are we expecting from the G-8 activities? How much time and resources have been spent by the department thus far? What other departments have been consulted with as far as what Community Development is doing with the G-8?

Now, I notice, moving on, in the fiscal plan book on page 60 that we're looking at quite a few fee increases. We're looking at fee increases in every possible area. Adult, senior, youth, family, annual pass, and corporate pass for Community Development museums and historical sites. We're also looking at Cypress Hills provincial park. Water rates per month are now going to range between \$10 and \$100. That's up from \$3. Grazing fees per animal unit month: from 95 cents to \$1.20 go up in this fiscal year to \$1.39 to \$2.79. We've got application fees, again under Cypress Hills provincial park, that used to be \$2 to \$10 going up to \$10 to \$50. Bus tour fees, again a number of adult/youth divisions. Adults are going from \$4.50 to \$6.50 and for youth, \$2.25 to \$4.25. Also interpretative services: where there was no fee for adults, it's now \$6.50; where there was no fee for youth, it's now \$4.25. So considerable increases in fees in almost every area.

Why is this happening? Has it been a long time since there was a fee increase? When was the last fee increase, by how much at that point? Are we seeing large increases because there hasn't been a fee increase in 25 years? What's the reasoning behind this other than – you know the accusation that's coming – this is just a money grab, a tax increase from the government? Especially with museums and historical sites I was under the understanding that the friends-of groups were taking the gate. So are they the ones that are asking for this fee increase, or is this what the government has decided is going to happen? Who's getting this money ultimately with the fee increases that are detailed here? Is that coming into Community Development's budget, or is it going into the operational budgets of the friends-of groups that are now operating the various museums and historical sites around the province? So I'm looking forward to an answer to that.

Sorry; I missed a couple. William Watson Lodge cabin fees and serviced campsite fees are also going up but not by very much. A \$5 to \$10 increase there.

Now, the last thing is, oh, film classification. I'm wondering what's happening in the film classification branch. I know that at one point there were three people that were looking at the film classifications, but I believe that the chairperson had maybe two votes, so they could almost overrule or at least tie what was happening. Then I heard a couple of years ago that it was down to one person or perhaps that the chairperson of the film classification unit had even more votes and could really sway how things were going. So can I get a report back on the status of that, please?

I'd also be interested in whether the number of films that they are in fact classifying has increased. Has there been a volume increase? How are they dealing with that volume increase? Do they work longer hours or get paid overtime? Are there more of them now, or do you have a volunteer board that assists them? How is all of that being managed? It's kind of a little-known subject but one that I'm just trying to get an update on.

Just in finishing, then, another couple of updates based on the correspondence back and forth between the minister and I resulting out of the last go-round here. Last year there was \$54,000 under program 3, Human Rights and Citizenship, used to complete the development of a case management system called the consolidated human rights information system. This was to assist the Human Rights Commission to manage inquiries in human rights complaints, increasing the efficiency. I'd like an update on that, please. How is it working? Generally, what's the evaluation of it?

I had also had a couple of go-rounds with the minister about a \$246,000 increase under strategic corporate services for the minister's office. Now, the minister responded that it included services for finance, human resources, business planning, performance measurement, et cetera, et cetera. The increase was used for a negotiated salary adjustment and onetime priority projects. So when I questioned this further, I got a response that said that in fact \$137,000 of this \$246,000 was "related to 68 FTEs supporting the Strategic Corporate Services" and was used for settlements. That is what it was costing them. Then the rest was for these onetime priority projects

used to accommodate unexpected cost pressures that may arise throughout the year. Unexpected cost pressures could include variations in Workers' Compensation Board premiums and Long Term Disability Insurance rates, and increases in central services such as Imagis, insurance, and the Alberta Corporate Services Centre.

That response came from the minister, dated July 30. So at that point, we were already three, four months into the year. That's a significant amount of money that was set aside in that budget for things that might happen. So the ministry must have expected they were going to happen, and I'm just wondering how that all worked out and whether that in fact is carrying forward. I get a little nervous when I see "one-time priority projects." That's what flagged it for me. What was the big priority there? I didn't understand the wording and what seemed to be of such importance for that.

I looked to see whether the Auditor General had made any comments or recommendations to the Department of Community Development. Nothing of consequence that needs to be brought up and see if there needs to be improvements for the next year, so that's a good sign.

5:00

I know that my colleague just missed a couple of questions on PDD that I'm just going to get on the record here in the last couple of minutes. Going back to page 98 of the estimates, Highlights, the first highlight says that the minister will be allocating \$407 million for PDD and implementing "selected Strategic Directions from the Building Better Bridges" report. Which strategies exactly will the ministry be implementing, and what is the cost of each of those from that \$407 million?

Also under Highlights: undertake a "review of the Protection for Persons in Care Act." What exactly will the process be? What is the time line for this? Is there anticipation that there would then be an amending act brought in? Obviously not this spring, so are we anticipating an amending act to the Protection for Persons in Care Act for next fall?

I'm also interested in what the consultation plan is. Who will be involved in this? Is it going to be by invitation only? Will it be like the current consultations going on right now for victims of crime, which is by invitation only and behind closed doors? Although the public is paying for all of this, they don't get to know who's invited to talk about it or indeed what the proceeds of it are, which I don't think is a very good sign. I don't think taxpayers should have to pay for stuff that is all developed behind closed doors. So what's the

consultation plan there? Who is going to be consulted with, and why?

I appreciate the minister allowing us to get so many questions on the record. I recognize that this now means a lot of work for the staff to go through *Hansard* and pick out all the questions and the comments and get back to us in writing. I thank them in advance for that work, and again I would – and this is really putting the pressure on – appreciate as speedy a response as possible. I'm expected to vote on this in an appropriation bill in a couple of weeks, and it's hard for me to do that when I don't have the answers to my questions. I didn't pick the scheduling of this particular department. So I'll do the best I can if I can count on the department staff to do the best they can.

Thanks very much. I know the minister will probably want to make some closing remarks here. Thank you.

THE CHAIR: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I know there are some colleagues on our side of the House who also wanted to rise, so I'm going to cede my place and allow them to get their questions on record as well. There are so many questions that have been raised already. I stopped around question 80, and I know they went on. So we'll just pick them up from *Hansard*, and I guess we'll have to provide written responses sometime over the next couple of months. I'm sure it will take us all of that, probably, to get the detail that they're asking for. I will try and look at some of the generic issues, members for Edmonton-Centre and Edmonton-Glengarry, so that you can feel a little bit comfortable about your upcoming vote. I'll endeavour to do that. I hope we can provide some of the answers for you.

Mr. Chair, I will respectfully cede my place then. I've got answers to most of the stuff that I took notes on, but it would take far longer than the nine minutes remaining this afternoon to provide those, so I'll cede the floor to some members from our side.

THE CHAIR: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Chairman. I just wanted to take a moment to address the issue of the Community Development department. While I acknowledge, as others have, that this is a department that attends to a broad range of services and programs that we provide as a government, I would just like to take this opportunity to highlight a couple of things from the perspective of my constituency of St. Albert.

I had the occasion just last week to attend a board meeting of the regional PDD board of our St. Albert Association for People with Disabilities in St. Albert. At that meeting certainly what was identified was the challenge that the board has in dealing with the intake that is projected and that in their awareness will come in the future. I would just again like to echo the concerns that were expressed there, that this is indeed a concern for them, as I know it is a concern for the department. It is a challenge, but I'm willing to find ways, working with the department, to see if we can't respond to those requests.

I would also be remiss if I didn't mention the fact of our historic sites and museums. I'm proud to say that we have a museum in St. Albert, and we have several historic sites. We also have several arts and heritage sites and programs and endeavours and facilities that I believe are indeed those which define not only our history but our present and define our respect for the past and that which created definitely our communities and respect for those who built them.

I do have a concern, as expressed in the plan, for our foundations,

which administer a number of grants to individuals and to associations requesting their assistance through the Alberta Foundation for the Arts, the Wild Rose Foundation, and the Alberta Sport, Recreation, Parks and Wildlife Foundation. I just wanted to say that I'd like to take this moment to commend those associations for what they do with what I would acknowledge and I think the minister would also acknowledge is a very limited amount of dollars. They lever matching dollars admirably in our communities, and again I'm very happy to see that in the business plans we are looking at an increase to those foundations eventually so that they may fulfill the requests they receive and be able to do that with the ability with which they have been doing so in the past.

One other point I wanted to make was with respect to the Alberta Sport, Recreation, Parks and Wildlife, which seems to be a very encompassing foundation, very broad and diverse in many ways. However, while we are looking at the initiatives and the recommendations from the Premier's Advisory Council on Health, I'd like to highlight the fact that within the activities of the Alberta Sport, Recreation, Parks and Wildlife division I think they have already put in place initiatives that we should mine as we look at how we will implement healthy lifestyles and an effort certainly to return to the individual their own personal responsibility for an active lifestyle in order to maintain a healthy life ultimately.

So I don't have much further to comment on the estimates here, but what I do want to say is that I think that what the department does is exceedingly admirable, and any way in which their supports could be increased would indeed only multiply and increase the good work that they do. I want to say on behalf of the citizens of St. Albert that indeed I think they reach in many ways into my community in a very productive and enriching fashion.

Thank you.

5:10

THE CHAIR: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I know there are only a couple of minutes left, so I'm just going to take this time to thank my staff, some of whom are up in the gallery there. They came hoping to hear the questions firsthand, but I think they'll have to read them in *Hansard* because it's almost impossible to hear up there. The speakers of course are primarily facing away from the members' gallery, and from time to time we do have a few other conversations that are occurring. I was able to hear the questions because I ordered an earpiece halfway through, and I took many, many pages of notes.

I also thank the members opposite for their questions and also my colleague from St. Albert. It's unfortunate that time doesn't permit to address all of these questions. I don't think there's any point, quite frankly, in even starting, because it'll look like I'm picking some favourites, and they're all my favourites. So I'm just going to say thank you again to the staff and to the questioners and make a commitment to provide the written responses as quickly as we can. There are so many. I'm not sure where we're going to start, but we will give it our very best go.

Thank you, Mr. Chairman, and thank you to everyone for their continued support of the many good initiatives that Alberta Community Development has undertaken and particularly those new ones into which we're going. Thank you for your support, which was indicated throughout various parts of the different speeches.

THE CHAIR: After considering the business plan and proposed estimates for the Department of Community Development, you are ready for the vote.

Agreed to:
Operating Expense and Capital Investment \$569,568,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

MR. HANCOCK: I'm not sure, Mr. Chairman, but I think this is the time when I rise to ask that the committee rise and report the estimates of the Department of Community Development and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: I wonder if we could have consent for a brief introduction of visitors.

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE DEPUTY SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I didn't want to take time to do this introduction during the valuable time of debate, but the people I do need to introduce to you are very valuable to the debate, so I'd like to introduce them now. If they would rise as their

names are called and remain standing so that all of us can properly acknowledge these very dedicated people with whom I have the great privilege of working: Dr. Bill Byrne, Rai Batra, Darlene Andruchuk, Ian McKinley, Pam Arnston, Judith Barlow, John Kristensen, Mark Rasmussen, David Steeves, Jim Menzies, Garry Donald, Kathy Telfer, Bill Strickland, Cheryl Robb, Andrea Collins, O.J. McLean, and Pam Boutilier. These are just part of our fine staff. Thank you, all.

MR. JOHNSON: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Community Development: operating expense and capital investment, \$569,568,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 8 this evening, at which time we return in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:15 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, April 30, 2002**

8:00 p.m.

Date: 02/04/30

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03**

Solicitor General

THE DEPUTY CHAIR: As per our Standing Orders the first hour is allocated between the minister and members of the opposition, following which any other hon. member may participate.

The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Chairman. I'm pleased to present the Alberta Solicitor General 2002-2005 business plan. Before I begin, I'd like to introduce some of my staff that are seated in the gallery. We have Arnold Galet, who's the ADM for correctional services and Acting Deputy Solicitor General; Gary Hutnan, director of special projects and acting assistant deputy minister for public security; Bronwyn Shoush, who's the director for aboriginal affairs; Rita Lauterbach, who's the executive assistant to the deputy minister; and my executive assistant, Maureen Geres.

The Alberta Solicitor General 2002-2005 business plan follows the government reorganization in March of last year. We maintain a working relationship with Alberta Justice in the business planning process and in other joint initiatives. The financial content of our business plan reflects Treasury Board approvals over the past year, federally funded programs, and funds for continuing core programs and services. The Alberta Solicitor General 2002-2003 budget of \$268 million is a \$9 million increase over last year's forecast and a \$13.4 million increase over last year's budget.

The budget includes an increase in overall spending on policing in Alberta. It also includes salary and classification adjustments for more than 2,000 employees in correctional facilities, probation officers and other staff in community corrections, and court and prison security staff. Because Solicitor General is a people ministry, the collective agreement between the province of Alberta and the Alberta Union of Provincial Employees in 2001 has had a significant effect. The 2002-2003 budget includes over \$11 million to cover negotiated salary and pay grade increases for our employees.

Overall spending on policing in Alberta increased by \$1.8 million over forecast. Alberta has close to 4,600 police officers, or one officer for every 624 Albertans. Albertans are served by eight municipal police services, five First Nations police services, and 104 provincial RCMP detachments. Our budget puts safe communities first by focusing on policing and corrections.

Because of fiscal constraints we had to make some very difficult decisions in our budget process. As a result, crime prevention and restorative justice grants for community-based programs are eliminated. However, funding for community-based crime prevention programs is still available through the proceeds of the crime fund and the community mobilization fund, coadministered by the federal government and Alberta.

Our business plan takes into account the many issues affecting the administration of justice in Alberta. Alberta's population growth outpaces the national rate, our young and growing population presents challenges, yet Alberta's overall crime rates continue to decline. At the same time, we see growing public concern over

perceived increases in crime. Through our many programs and services we strive to improve public confidence in the justice system. There is no doubt that September 11 changed our way of life and our way of thinking. The attacks make us realize that no one is safe from terrorism and that the double-edged sword of new technology presents us with new challenges. We face threats from complex global economically organized and Internet crime, but at the same time we rely on technology to protect Albertans. An example of this would be our commitment to the national sex offender registry to protect children and other vulnerable Albertans.

Through our programs and services the Alberta Solicitor General is committed to building a democratic and prosperous Alberta based on respect of the law, a province where all Albertans are safe in their homes and communities. Our mission is to serve Albertans by promoting safe communities and by communicating with Albertans about the administration of justice.

I'd like to briefly outline the three core businesses that make up my ministry's \$268 million budget. We are responsible for an effective and efficient corrections program. In addition to the custody and supervision of offenders we also provide opportunities for offenders to rehabilitate themselves so that they can return to their communities as contributing members of society. This accounts for \$131.3 million, or 48.9 percent, of our budget.

THE DEPUTY CHAIR: Hon. members, there is an issue with the noise level in the Assembly. I'd advise everyone to please be honourable enough to allow the Solicitor General to continue making her remarks.

The hon. minister.

MRS. FORSYTH: Thank you.

Providing adequate and effective policing and supporting crime prevention accounts for \$127 million, or 47.4 percent, of our budget. Alberta Solicitor General also ensures that victims are treated with dignity and respect. This makes up \$10 million, or 3.7 percent, of our budget. Alberta Solicitor General is not a program-driven department; it's a people department.

I would like to also mention a few highlights, significant changes from last year, and new strategies to meet our goals and improve our services to Albertans. The first goal in the Solicitor General business plan reflects goal 15 of the government of Alberta's business plan: working to ensure that "Alberta will be a safe place to live and raise families." Achieving this goal is a shared responsibility. We recognize the importance of strong partnerships with other government departments, aboriginal communities, and our stakeholders in policing, community organizations, and local governments.

Our major priority over the next three years is working with the federal government to develop and implement a national sex offender registry, and we have helped develop and implement the government of Alberta's crisis and consequences management plan. We will continue our close partnership with the RCMP through the provincial police service agreement, and we'll continue to support the provincial crime prevention strategy and the provincial impaired driving enforcement strategy. We will develop implementation plans for policing standards from recommendations arising from the MLA policing review committee, which was chaired by the MLA for Lacombe-Stettler, with the aid of the members for Dunvegan and Calgary-Buffalo. I have recently received the report and have requested that my department review the report carefully and provide recommendations.

Our second goal recognizes that victims are an essential part of the justice process. For too long the justice system has been preoccupied with the rights of the accused and spent too little time

focused on the victim. The Member for Calgary-Shaw is chairing a consultation to review current legislation from a victim's perspective and will make recommendations for changes as needed. We will develop a 10-year victims' vision statement to provide direction for victims' programs and services in the province, and in partnership with Alberta Justice we are taking the lead in reviewing the process and procedures surrounding victim impact statements and will revise the guidelines when necessary. We will help community groups and organizations establish programs and initiatives that meet the needs of victims of crime. We will develop a provincial training manual for victims' services volunteers, and we will work with community and government organizations to increase awareness and enhance training for victims' services program co-ordinators and criminal justice staff. We will also improve accountability for funding victims' services programs, and we will make changes that empower victims through long-term compensation through the Victims of Crime Act. The Solicitor General will also make changes to the victims' financial benefit program in line with the Victims of Crime Amendment Act, and we will establish a new financial benefit program database to reflect changes to the act.

Our third goal, Mr. Chairman, is the rehabilitation of offenders. Most people who come into contact with our corrections system are back in the community in a short time. Therefore, it is important that we identify and deal with the root causes of crime and encourage offender rehabilitation for successful return to the community. To facilitate offender rehabilitation, the Alberta Solicitor General will continue its emphasis on offender work service. We will partner with Alberta Health and Wellness to provide appropriate treatment for young and adult offenders with mental health problems. We will help develop more alternatives to the criminal justice system for those who are mentally ill.

This year we have added a fourth goal to our business plan: ensuring secure and effective and efficient custody, community supervision, and transportation of offenders. We currently have the most cost-effective correctional system in Canada, and we will continue to ensure the efficiency of our correction services. We will expand the secure inmate telephone system to prevent unauthorized calls, while providing inmates with access to lawyer and advocacy groups. We will work with Alberta Justice to enhance the integration and effectiveness of the Provincial Court security program.

8:10

I would also like to focus on aboriginal issues within my department, including options for First Nations policing in Alberta. As well, I'm looking at ways to address the high proportion of aboriginals in the criminal justice system, and I hope to find an alternative means of addressing people in conflict with the law who suffer from FAS, fetal alcohol syndrome.

Mr. Chairman, that concludes my comments on the 2002-2005 Solicitor General business plan. I'd like to introduce two other of my staff: Shawkat Sabur, executive director of finance services, and Dan Mercer, who is the ADM of strategic services division. I would be happy to address any questions you may have regarding the plan and will provide a written answer to any question.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I appreciate the opportunity to debate the estimates for Solicitor General for 2002-2003. I appreciate the staff from the ministry being with us tonight to assist the minister. I'm sure the notes will be flying back and forth, and I appreciate their assistance. Of course, for any questions that could not be expected to be top of mind for the

minister, I'd appreciate getting responses in writing. I recognize that I'm about to put pressure on the staff. I don't mean to, but I have to. In order to be able to vote for the appropriations bill in a week, I'd appreciate getting answers as quickly as possible. That's not always possible, but I can try.

I'd like to thank the minister for the overview. That was very illuminating, and I will come back to some of the points that she brought up as she went through that.

Starting on page 422, under Core Businesses, core business 1, "Policing, crime prevention and security operations," goal 1: "Promote safe communities in Alberta." Under 1.2, ensuring the safety and security of international events, this question is essentially on the G-8 summit. Can the minister tell us: where is the provincial funding coming from for the security arrangements? Where does it appear in her budget? What is the budget for all of the costs for the ministry? I'll be interested to see whether there's an answer here, because the answer that can come back from her is: oh, I can't tell you because that would give away what we're doing for security reasons. But we are here to approve a budget for this department, and that's part of the planned spending, so I'll be very interested to see what the response is to that. Otherwise, I'm being asked to approve – we're all being asked to approve – a secret budget if we don't know how much it is or what's being spent for what. So I look forward to the minister's response on that.

As well, I'm aware that there are joint agreements between the provincial government and the federal government on who's going to pay for what. Perhaps the minister can talk about whether those arrangements have all been secured. We're five weeks away, six weeks away?

MRS. FORSYTH: Fifty-nine days.

MS BLAKEMAN: Fifty-nine days and counting from this event. Where are we with the arrangements with the federal government? Can we be assured in Alberta that the taxpayers are not going to have to foot the bill for anything unexpected or anything above a certain amount of money or any damage above a certain value? What are we on the hook for here?

MR. MacDONALD: We're going to be in the money.

MS BLAKEMAN: Yeah. Well, it would be wonderful to hear that we're going to be in the money, but I highly doubt it.

So if I can get some answers and explanations about ensuring the safety and security of international events, specifically the G-8 summit, and if there are any other international events that are being contemplated under this goal, then I'd love to hear about it.

Strategy 1.4, "Draft policy and revise programming to adhere to the Youth Criminal Justice Act." I'm wondering what the time line is for this and whether there is extra revenue that's being anticipated. Do we need to revise our programming to adhere to this new act, and how does the response or the work that's done by the policing review hook into what's being anticipated here?

Under 1.5, "Develop a response and implementation plan for approved MLA Policing Review Committee recommendations." Now, this one I'm really interested in because the minister has now admitted that in fact the report has been handed in, and it's in the department working its way through the people with the microscopes that are going to look at this and advise the minister. So I'd like to get, on behalf of Albertans, an idea of when this report's going to be made public. This was a long time in coming. A lot of taxpayer dollars went to support this consultation. People are very interested in what the result is going to be and what the recommendations are,

so when will it be made public? I'm also interested in who actually is going to approve the recommendations. I imagine that's probably the minister in consultation with cabinet and caucus, but I'd be interested in what the process is exactly that's going to be followed there.

This is something that I got phoned about the other day: if it's done, why can't we have some better idea of what's in it? I've been told, or it was whispered in my ear, that for some reason this wasn't going to be released until after the G-8 summit, and this didn't make particular sense to me. But I might as well ask the question here and see why I'd be hearing that rumour.

"Listening to Albertans in reviewing the approved recommendations." Describe the feedback in implementation process. What is the feedback in implementation process that's anticipated from this police review? I think this police review could have maybe farther reaching implications than many of the other reviews that have been taken on by this government in the last couple of years. Certainly, I've sort of had a small but steady trickle of letters about this particular issue. So I'm most interested in what the process is, time line, resources, budget, release date, implementation date, and what kind of feedback loop. I mean, once the government has accepted or rejected or the minister has accepted or rejected various components of this, then what? Does it go back out again for "this is what is going to be suggested or is accepted by the government," or is that it? Once the decision is made, bingo, we're going to have our own police force here, the Alberta police force. When does it come into effect? What's the longer range time line of that?

If in fact that's where we're going, then I'd be interested in what models have been looked at, in what areas, for a success. One of my complaints about this government is that they keep going: well, that sounds like a good idea. I ask them at the time: "Well, what makes you think that's a good idea? What report did you read? Where did you go? How did you study this? Where's an example of a world model where it's in operation today?" They go: oh yeah, we've looked; we've looked. Then it gets implemented, things start to fall apart, and they go: well, no, gee, we didn't actually look at anything or read anything or have any report or go anywhere and look at it. So what models are being looked at that make the government think this is a good idea if in fact that's where they're going? I know we'll come back to that, but for now I'll move on.

Section 1.9, "Support the National Crime Prevention Strategy." Okay, how? What exactly is being anticipated here to promote the national crime prevention strategy?

Strategy 1.12, "Support police officer recruit training for First Nation Police." Now, this is under strategies. Is this new or a different approach being tried here or are aboriginal nations trying something here? Why is this turning up under strategies? I take it this is something new or a new approach or direction, so tell us what it is. Why? What's new about it?

8:20

Section 1.14, "Focus resources on serious and violent crime." All right. Does the government have a priority list that they sort of run down and go: this is more serious than this, and this is less serious than that? Perhaps they're using somebody else's criteria or rating system. What criteria does the government use to determine that a crime is serious and then more serious than something else? That would be very interesting information to have in the public domain.

Okay, 1.16, "Develop a Provincial Impaired Driving Enforcement Strategy." Now, I'm wondering why the province is involved in developing a provincial impaired driving enforcement strategy. What is this in response to? Have there been increasing numbers of people dying from drunk driving on the roads, more hospital

admissions, more fatal accidents? Has there been a demand for this is what I'm asking. If there hasn't been a demand for it, then is this someone's personal crusade? That's fine too. I just want to know where it's coming from, what it's in response to, and exactly what's being anticipated underneath this strategy. Again, time lines, implementation, resources, and staff that's dedicated to it.

Strategy 1.17, "Improve information sharing among enforcement agencies and stakeholders in compliance with the First Nations Gaming Policy." Now, this is interesting. What is the government's policy, or what is the Solicitor General's policy as it relates to enforcement of gaming? How is it anticipated that any additional policing resources will be paid for? Is that to be paid up front from the proceeds of the casino as part of its expenses before net proceeds go off to the various charities or whoever is the recipient of the proceeds here?

In attending a gaming conference put on by the Gaming Research Institute at the beginning of March: very interesting to see what other countries are doing around monitoring enforcement and compliance in gaming, and I had already given this particular example in another context. In some of the big casinos in New Zealand, I think it is, they actually have a police detachment and inspectors on site in the casino. That's where they work. That's where they go every morning, and they work out of there, and that's where all of their job takes place. What's being anticipated here? How big a project is this? How much compliance or noncompliance are we expecting? How much resource is going to get dedicated to this? How many officers are anticipated being dedicated to this? Tell us all about it. We'd be interested to know.

I'm sure that the minister is working hand in glove with the Minister of Gaming on this, so I look forward to hearing what the strategy and approach is so that we can anticipate how the government is approaching these new – new to the province anyway – First Nations gaming endeavours. What kinds of issues or problems or concerns is the Solicitor General's department expecting to arise? What kind of research has this department done that it would need to develop to come into compliance with a First Nations gaming policy? Have they researched in other areas? Have you gone somewhere else and looked at what the problems could be? What are you anticipating here? I'm looking for a very thorough response on that.

Last, under core business 1, strategy 1.18, "Implement the Government of Alberta Crisis and Consequence Management Plan." Well. Is this available? Does it exist? Could we have a copy of it? Can it be made public? How far-reaching is this? Does this just involve the Solicitor General's department, or does the Solicitor General hold the plan for all of government? What's being anticipated here? Are we getting into an area where we would be infringing on or curtailing civil liberties? Are we talking about shutting down or nonpublic access to public buildings? What's anticipated in a crisis? Consequence management plan: good name, good name. It gives me the shivers. Is there a component of this? Does that include a resumption of a business plan with that as well? I'm looking for a very detailed response on that one as well.

Moving to the next section, core business 2, "Victims services." Just a couple of questions here: 2.7, "Enhance accountability of funded victim services programs." I'm wondering what problems have been identified with the funded victim services programs and therefore what's prompting the government to enhance their accountability. I guess that's what I'm digging for here. What's given rise to this particular perceived need? Have there been problems with accountability, or is this part of an overall enhancement of accountability because problems have been noticed elsewhere and we're doing a broad stroke here and enhancing everybody's accountability? Why in particular here?

In 2.12, "Disseminate information on legislation, programs, and services for victims to police, victim service programs and criminal justice staff." I take it here, if this is under strategies – again I'm assuming that under strategies this is a new program, because if it's just what you do as a core business, then is it something special? What's being anticipated here? Has there been an identification that in fact "services for victims to police, victim service programs, and criminal justice staff" don't have enough information? Have they been asking for it? Is it out of date that it has to be redone and sent out to people? Given, you know, the year that we're in and in Alberta and with the encouragement we have for immigration into the province and the number of new Canadians that we're welcoming here, is translation of information being anticipated by the Solicitor General?

I know that I'm working with my municipal and federal counterparts to sponsor a little family fun day in two of my communities, and I asked the local detachment of police if they had any translated brochures on anything that we could have out, because I have a lot of people who don't speak English as their first language. For many of them that are new to the country, they're not quite up to speed on how everything works here, so little brochures that give them kind of basic information about how things work is very helpful. In fact, my local beat cop got back to me and said: no; sorry. The Owls brochure wasn't translated. He thought maybe they might have some translated brochures in Calgary. Maybe the Solicitor General is aware of that and can give me some feedback or information, but I'm wondering if she's anticipated that: if she's going to be looking at disseminating information on legislation and programs, whether she in fact is looking at translating, and if so, what languages is she anticipating translating into? I think where we most want to work is with people coming from countries that have a system that is most different from ours, where they really have to learn a whole different way of doing things.

Now, my last question under victims services is a question to do with something else we're debating tonight, which is around Bill 20. Part of what's being anticipated in Bill 20 in fact is – and I did talk about that when that bill was being debated, but I'll bring it up here as well. I'm wondering how Bill 20 affects the victims' surcharges. Perhaps I'm not reading that legislation correctly – and the minister hasn't had time to answer me, to be fair – but it did strike me in the reading of legislation and consulting with some others that what was written into the original legislation was to have the victims' surcharges taken off, and it seems like Bill 20 is going to interfere with that. So was the minister in consultation at all with her colleague the Minister of Justice to ensure that in fact the integrity of the surcharges remained intact? I'd be interested in hearing about that.

Moving on, then, to core business 3. Oh, sorry. One more thing under victims. There's a victims of crime consultation process that's going on right now being chaired by the Member for Calgary-Shaw. I was hearing this described – it must be in the House sometime today. It struck me as very odd, because this is a by-invitation-only consultation which is taking place behind closed doors, and I'm wondering: why so secret? Why is everything being done under cloak and – well, I don't know about dagger but definitely under cloak here. Why is there a need to have it by invitation only and then have it all take place behind closed doors? Very interesting consultation process when we're trying to – I'm assuming this is being thought of as a public consultation, because it's going on outside the confines of the department, but that's a very interesting way to go about it and not what I would have called public. Again, because the taxpayer dollar is funding this and the travel and – you know, there's a budget for this. I find it very frustrating when taxpayers have to pay for something they don't get to be involved in

and don't get to see what the results are. I frankly don't think that it's very fair of the government to make choices like that, where they want somebody to pay but then say: no, no, you can't know what's going on; no, you can't know who got involved; and, no, we're not going to tell you what came out of it either. Well, how do we know you did anything at all?

I'll come back again when I get another chance. Thank you.

8:30

THE DEPUTY CHAIR: Hon. member, your time has run out.

Hon. minister, would you like to respond?

MRS. FORSYTH: Well, Mr. Chairman, I'll try and respond. I've got about four or five pages of notes on some questions, and I indicated that we will endeavour to respond in writing.

Her first question was on the G-8. The provincial funding for security: where is it contained? The G-8 conference that we're dealing with is a federal initiative and a federal responsibility, hon. member, and the federal government will be responsible for all of the security costs related to the G-8 within my department and all the other departments that are involved with the G-8, federal and intergovernmental affairs, et cetera.

You also asked us about the MOUs with the federal government. We have been in continual conversation and consultation with the feds on MOUs and are in the process of signing our MOUs with the federal government on the framework of agreement on security costs and all other related costs. As I explained, it is a federal initiative and a federal responsibility, so they will be responsible for the dollars that are incurred by the province.

You asked me about the Youth Criminal Justice Act and the time lines, et cetera. The Youth Criminal Justice Act was passed on February 4, 2002, and received royal assent on February 19, 2002, and the proclamation will be on April 1, 2003. The hon. Minister of Justice and I have attended federal/provincial/territorial meetings and have continually pushed the Justice minister in regard to the implementation or proclamation so that we can get ready for the process. Justice Canada is providing Alberta with \$931,000 to help us with the implementation. We support the provisions in the Youth Criminal Justice Act and have some concerns on some of them, but we are looking forward to working on youth justice.

You asked me about the policing review, and I indicated that, yes, I have received the review. The review that was done by the members for Lacombe-Stettler, Calgary-Buffalo, and Dunvegan was a very well-done report. When I initiated the committee, I asked the committee to look at long-range policing. I asked them to think outside of the box on how they saw policing in the future. The consultation process that they worked with was very in depth. I have indicated to my department that we have a 50-page report with around three dozen recommendations. My department is reviewing it right now, looking at what we can do and what we can't do, the cost implications of the report, and I give you my word that the report will be released.

You mentioned the fact that you've heard through a little bug or something that was placed in your ear about the G-8 summit. The G-8 summit is on June 26, 27, I told you, in 58 days. It has nothing to do with the policing report. The policing report is on policing in Alberta, so it has nothing to do with it whatsoever.

You talked about the national strategy on community safety and crime prevention. Their priorities in consultation with Alberta include children, youth, women, personal safety, aboriginal people, and the fear of crime. Our department coadministrates the community mobilization program with the federal government. The Alberta government has continually been committed to providing safe

communities for Albertans, and we continue to partner and coadministrate with the federal government. They provide us with \$2 million per year per program to address the root causes of crime in the community, and the national strategy is complemented by the provincial crime prevention strategy. Both look to support innovative crime prevention practices throughout the province.

You talked about 1.12, which is, "Continue to support Police Officer Recruit Training for First Nation Police." The First Nation police officer candidates must successfully complete the Alberta police abilities test and written communication test. Successful candidates attend the RCMP cadet insertion training program in Regina. It's to move ahead First Nation policing, which has been determined as a priority for us, so we continue to keep it as a strategy.

You talked about serious and violent crime. We will "continue to focus resources on serious and violent crime." In 1996 Alberta Justice, the RCMP, and the Alberta Association of Chiefs of Police actually launched this. It's important that we address these issues on serious and violent crimes. The primary goal of the strategy was to develop approaches by which offenders committing less serious crimes could be dealt with by using more effective resources through a diversion program. The steering committee on serious and violent crimes considered developing strategies on defining serious crime, and through that came about 20 recommendations. We're going to continue to work on that.

You talked about the provincial impaired driving enforcement strategy, which is in conjunction obviously with Alberta Justice, Alberta Transportation, and the police services. Through the co-operative work of stakeholders it is anticipated that the enforcement of impaired driving laws in Alberta is going to be enhanced. Enforcement is one component of a multifaceted approach on dealing with impaired driving, and my department is making sure that effective enforcement strategies are in place.

You talked about First Nation gaming. As you are aware, on March 1, 2002, the gaming moratorium was lifted. First Nations are now able to apply for First Nation casinos, and it's anticipated with the First Nation casinos that policing issues will arise, so we thought it was important to put it in our strategies and be aware of the policing issues that could arise from First Nation casinos. We want to work with the police to ensure that people around that area are protected.

You asked me about the crisis and consequences management plan implemented by the government after September 11. Many departments are involved in it. The crisis management plan is a significant factor in the safety and security of Albertans. As such, it will continue to receive priority, and we're dealing with security around the province.

You asked about funded victim services, 2.7, I believe: "Enhance accountability of funded victim services programs." Victim services programs are funded by the victims of crime fund and are accountable for the grant moneys that they receive. Funded programs provide financial statements and statistical data about systems provided. Commencing in 2002, funded victim services programs will be expected to identify outcome-based performance measures so we can evaluate the programs.

8:40

You talked about strategy 2.12: "Disseminate information about legislation and programs and services for victims to police, victim service programs and criminal justice staff." The surveys and consultations have determined that victims of crime need information about the status of their case, their roles in their prosecution, court procedures, and the many opportunities to make representation

to the courts on the impact of offenders. The Alberta Solicitor General has produced a series of brochures that we feel has been extremely helpful: a victim's handbook, awareness handbook, victim impact statement, restitution guidelines, victim program status report, a child witness court preparation manual.

You also mentioned, which I found very interesting – I believe that was the languages.

MS BLAKEMAN: Translation.

MRS. FORSYTH: Right. I'm sorry; I don't have that information. But it's very interesting, and I'll talk to the department about that.

I think that's about it for now.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much. Just a couple of things. I understand how difficult it is for the minister to listen to what I'm saying and very quickly try and write an answer. In some cases I think she'll find when she checks *Hansard* that the specificity of the question has been lost a bit. For example, I was talking about the accountability, why we would feel we need to concentrate on accountability of the victims' services groups, and that wasn't quite the way, I think, that the minister answered the question.

Another place where that happened was around gaming and First Nations gaming. What I heard the minister say was that the reason for looking at this was a concern for the safety of people in the vicinity of the casinos. So you're not looking at any of the crime issues that happen in the casino or any of the crime issues that happen as a result of problem gamblers? Am I correct in assuming that the focus of what the Solicitor General is looking at around the First Nations gaming is kind of like making sure that the parking lots are safe? Maybe I'll leave that with the minister in case she wants to have another look at what's actually being anticipated there, because, gee, I sure hope that if there's going to be a First Nations gaming policy with police, it's more than the parking lot, a bit more in depth than that.

One more thing. Just so that we're absolutely, positively clear on the record here, the G-8 will result in absolutely no cost to the Alberta taxpayer. Absolutely not one red cent, not one sweat-soaked loonie is going to be coming out of the provincial coffers to pay for the G-8 or anything to do with it. I just want to get this on the record here so that we're really clear about it, because what I heard the minister say was that this was entirely the responsibility of the federal government, that there was a memorandum of understanding that was being signed that they're responsible for all costs. So I just want to get it on the record. Not a dime is Alberta going to have to pay for this. Let's just get that one straight and get it out there.

In the minister's opening remarks she talked about new challenges and in particular technology being a new challenge to the sector and then talked about as an example of that the national sex offenders registry. I'm not quite tracking here, not understanding what the focus of the concern around new challenges and technology is. Maybe I can get the minister to respond more in detail in writing later, because that didn't make sense to me.

Let's look at page 424. Core business 3: "Custody, supervision and rehabilitative opportunities for offenders." Goal 3: "Facilitate the rehabilitation of offenders. So under 3.3, "Review and expand the Adult and Young Offender Alternative Measures Program where appropriate," I'm wondering what specific actions are anticipated in a review and expansion of these alternative measure programs. Have we come up to a regular due date here? Are we at five years or something that we'd want to be doing a regular review to see

where we are with this? Or do you review it every year? Why is this showing up under a strategy or under a highlight? What specific actions are being anticipated under this?

Under 3.5, "Ensure the availability of alternatives to custody for young offenders." Now, what alternatives are currently available, and what alternatives are being anticipated in the future? I'm thinking part of this is around open custody and secure custody for young offenders, and I remember talking once with the minister in response to a query that I'd had about there being no open custody arrangements in Red Deer anymore, I think. They lost their one centre there, and therefore any youth had to be put in a lockup facility. I'm vaguely remembering all of this. Is that what this 3.5 goal is anticipating or discussing? If I could get a bit more detail about what alternatives are currently available and what's being anticipated under this strategy.

Under 3.7, "Develop a provincial diversion framework for mentally ill offenders." Very interesting. Now, how did this come about? How is this being driven? What prompted this coming up as a strategy? Again, are there swelling numbers that are driving this, or is it just time that we needed to look at this? What caused it to come up on the radar screen? I'm interested in what the plan is.

Provincial diversion framework: that's a very interesting choice of words, and maybe I could look for a clearer explanation of what's being anticipated here. What are really identified as the issues under this? I'd be interested in what stakeholders have been consulted or are going to be consulted around this. Again, what kind of time line is being anticipated? What resources are being dedicated to it? Are there some alternative measures that are being anticipated here? There's been a lot of work done in the justice and corrections areas in the last 25 years around alternative measures for things. We know now that it doesn't always work to throw somebody in jail. There are other ways of perhaps finding justice that work better in some situations. So is that what's being anticipated here?

I'm very interested in this because in Edmonton-Centre we have a lot of people with mental health issues. Most of them cope very well, and some of them don't. My phone number is in the phone book, and just about every weekend I get a call from somebody in the Remand Centre who's obviously very ill, mentally ill, and doesn't understand why they're there. You know, the radio waves are causing the voices in their head, and they just want someone to come and take them away from there. So I'm always really interested when we start talking about the police and people with mental health issues. I used to work helping to train police officers by doing live role plays for them so they could kind of develop their skills in working with green tags, which at that time was what the police called people with a mental health problem. One of the things we all learned really quickly is that once someone has had an experience with the police, they're very quick, they're very alive to catch on that they're stumbling into the same situation, and they don't want to get nabbed by the police and put in the forensic unit at the Remand Centre and then be shipped off to Alberta Hospital. So they're very alive to that.

I think we have a situation that doesn't really seem to work for anybody very well right now. In a lot of cases I can't get help for the people I need to get help for, in other cases we have people that are causing disturbances that we can't get taken off the street, and nothing ever quite seems to knit as it should on this one. So I'm really interested in what's being anticipated here and why it has come up. What's the approach that the department is taking? Why is it taking it? Are we looking at new measures? Have we found a program that works somewhere else in the world that's absolutely fabulous and we want to try it too? Where is this coming from, and where's it going to?

I guess the other part of this is that I know that people who are mentally ill can be really frightening to people. The tendency is to pick up the phone, call the police, and say, "Get this person off my front lawn," or out of the hallway or the doorway of the apartment building. "They scare me. Make them go away." We tend to phone the police to do that, and in fact they're ill. They're sick, and having the police come is not going to solve anything. It's not going to make them better. It may not make them take their medication. So I'm very cautious about this. What's being anticipated here? I've even had scenarios where we've had people phone us up, and they want us to phone the police and have someone who is mentally ill taken away, but we won't do that out of my constituency office. I think we've developed a more highly tuned antenna for people with mental illnesses, so I'd like to know what's behind all of that.

8:50

Okay. Let's move on then to goal 4: "Ensure secure and efficient custody, community supervision and transportation of offenders." Under 4.5, "Review opportunities for Aboriginal contractors to deliver community based correctional programs," could we get some examples of the community-based correctional programs that the government is considering delegating to aboriginal providers or contractors? Sorry, it looks like these are already being provided. Could we get some examples of what's being provided and what's under review? What direction is the ministry thinking of going? Again, is this just a regular time to review it, or is there something that's caused or prompted this review? What are the possibilities that are being looked at?

Under 4.6, "Develop a crisis management plan to enhance the safety and security of Albertans using the courts." The note I wrote in the margin here is: why is this needed? Is there a concern about security of people using the courts? Have we had a lot of people getting beaten up in the hallways, or what's the problem here? What exactly is the crisis management plan, and why do we need this? I'd be interested in knowing that, and I think other Albertans would be interested in knowing, too, if we had problems. Or is this just a regular part of doing business in the courts?

Under 4.8, "Ensure Provincial Protection officers complete basic and advanced training." I must be missing something here, because this strikes me as a really obvious thing: if we have provincial protection officers, they're trained, and they're trained for both basic and advanced training. So why is this a strategy? What's important here? It strikes me as pretty obvious; therefore, I'm assuming that I must be missing something. I look forward to elucidation there.

I've noticed that this department tends to take on a lot of reviews, and I'm just wondering if we could get a quick rundown of how many reviews have been undertaken by this department in the last couple of years and what the status is of all of them. I'm beginning to think that I've lost track. I've had some issues with the minister over the last year where I feel that choices were made around cost over safety, and I'm challenging the minister a bit here to defend department direction so that ultimately the safety of Albertans is in fact what's going to come first here, not budget cuts and not reduction in what's being done because we think the government can get away with it.

Money for the DARE program: I bring this up every year. I'm sure the minister is aware of how successful the DARE program is in the schools, and I know that we don't have enough money and there are not enough officers who've been trained to deliver this program. There's a huge demand for it. An excellent program, terrific results. We know this works; it's proven. Is there money in this budget to train some additional DARE officers? Is there going to be enough money to train enough officers to meet the demand

here? A very successful program, and if there isn't, then I guess I'm challenging the minister again on where the priorities are in the department. It's crime prevention, because it's affecting young people that don't get involved in drugs and have self-esteem and self-respect and choose some goals in their lives and follow through and all of those good things. Why wouldn't we be supporting it? I'm challenging the minister on decision-making that would take away from this.

I'm also wondering if I can just get some sort of background factual information here. How many provincial positions is the province currently paying the RCMP for in this budget? How many of those positions are filled? Can we get any kind of documentation of these positions with the RCMP? What's the current strength? How many members per detachment? The authorized strength versus the actual strength? In other words, I'm looking for the breakdown. Are they including First Nations officers and highway patrol positions in that breakdown? Are we also looking at including recruits that are still partly finishing their training in that breakdown? In other words, if a detachment says that it's got 10 officers but two of them are recruits that are still away finishing their training, two of them are First Nations officers and are off doing something else, and we've got a couple of highway patrols, how many do we really have that are working at that detachment? I've been trying to dig this information out of this department for about eight months now, so I'm continuing to try to get the information.

Also, this is a question that I have to ask: are we aware if any of our RCMP officers that were part of our protocol were seconded away as part of September 11, particularly the sky marshal positions? You'll probably have to go and look that one up. I certainly understand.

That's all the questions I think I have at this time, so I'm going to cede the floor to some of my colleagues that I know have questions as well. Thanks very much.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thanks, Mr. Chairman. I thought the minister might respond, but I guess perhaps after I speak she'll address some of the issues.

I want to go over quite a few things, including some of the minister's opening comments, but I think that first of all I'm going to start with the issue that concerns me the most in this particular ministry. I'm looking at page 347 of the business plan. We heard the minister in her opening comments talk about goal 3 there, which is to "facilitate the rehabilitation of offenders." Specifically what she talked about was more alternatives in the justice system for the mentally ill, but that isn't actually what the goals are that are stated here, that "Alberta will be a safe place to live and raise families," which is motherhood and apple pie. Measure that; that's what I'd like to see some information on.

Then "the well being and self-reliance of Aboriginal people will be comparable to that of other Albertans," also, as it stands here, a bit of a motherhood and apple pie kind of statement. If I reflect back on what the Auditor General has said repeatedly over the years, he has requested that these goals be tied to measurable outcomes, and I don't see any of these things in this particular business plan. Perhaps the minister can provide that information.

Let's just take aboriginal people to begin with. First of all, I would like to know whether or not you break down treaty and Metis. I just recently had a meeting with a bunch of chiefs who were quite concerned about the increased reliance on this government of treating all aboriginal people as the same people, which in fact they are not. Neither treaty Indians or Metis are really happy to be

lumped in that same group, but in terms of what this government does, it seems that that's how it's broken out. So if the minister could comment on that.

Just in terms of tying these strategies back to the business plan goal that "the well being and self-reliance of Aboriginal people will be comparable to that of other Albertans," what are your measuring criteria for that? Clearly you must have already established what the well-being and self-reliance are of other Albertans in order to have something to measure against. I would like to see exactly how in your measurements aboriginals fall short. I know they are hugely overrepresented in the justice system, and I'd like to see those statistics. I want to be able to compare the two lines, because clearly if that's your goal, you need to have an end benchmark, something to measure whether or not you've achieved success. What is your success criteria, and what do you qualify as a success? If you get 80 percent of the way to where your success criteria states, then do you call that a success? What about if you only get 10 percent? So far I haven't seen anything in what the minister has had to offer here this evening that would tell me that there is that kind of criteria established. So if we could have that.

9:00

Under Strategies, 3.2, you talk about: "Support the youth justice committee program and expand to other eligible communities including Aboriginal communities." So what does that mean: "Support the youth justice committee program"? Could we have some information on that program and what "support" means? It doesn't say here "direct." It doesn't say "determine." It says "support." To me it doesn't seem that your focus on that is taking a lead role. So if I'm mistaken in that, I would certainly like to have the information that expands that definition and tells me what some of the criteria are. "Including Aboriginal communities": does this mean that they're in or they're out now? If you could answer that.

Then specifically to the other strategies that you list that have to do with aboriginals. Strategy 3.10 says, "Continued delivery of Aboriginal cultural and spiritual programming in young offender and adult correctional centres." So you've been doing that for a while. I hear that it goes over quite well. But how do you measure the success there? What are the criteria? I wouldn't actually mind knowing how long you've been doing this, because everything I hear about it is quite good, but let's have some more information on that here.

Strategy 3.11 says, "In cooperation with Aboriginal and Justice stakeholders, develop recommendations on the enhancement of the Alexis court model." Very good, too, but how far has that come? How often do you meet? What's the cost of putting that together? Do you have any sort of progress report on what the recommendations are? Who's involved actually in making those decisions? If we could have that information and particularly the information on how many people from First Nations and Metis organizations are involved in that decision-making process.

Strategy 3.9 says:

Contingent on the capacity of the community, Alberta Solicitor General will consider the transfer of community corrections program management to Aboriginal communities expressing an interest and demonstrating a readiness.

First of all, how many have expressed an interest in aboriginal communities? How many then have demonstrated a readiness, and what is your criteria for having demonstrated a readiness? Then you qualify this by saying, "Contingent on the capacity of the community." So once again you must have a criteria, and we would like to see what that is.

Nice to have all these excellent strategies, but if they aren't

actually followed up and there isn't a real game plan with measurable benchmarks and measurable outcomes and criteria for what the success or failure is, then they really don't do any good at all. So what we need actually in those areas is more information.

To go back to some of the stuff that the minister talked about, I too would like her to tell us whether in fact what I thought I heard was true about the G-8 summit, and that is that there's no cost to the province. It seems that even if there aren't any dollar costs, which I'm very surprised at and I think probably we misheard what you said or what you intended to say, there are some transferrable costs. Certainly there's your time and involvement in the meetings, and while you're paid a salary and you're paid regardless of what program you're working on, to put you on the G-8 takes you away from something else, so there is a cost associated with that as well as your senior staff and whoever else is helping to implement that. Have you divided your cost structures down to more than just hard outflows but the internal transfer of resources within the department? If you could answer that question.

You talked in your opening comments about your major priority being the registry of sex offenders, no doubt a laudable goal. It is 1.1 in your strategies under goal 1: "Promote safe communities in Alberta." You then go on to talk about the MLA committee and the report. If I look down those strategies, I see that that pops up at 1.6 in strategies, "Revise the policing standards' implementation plan in view of the recommendations arising from the MLA Policing Review Committee," and 1.5, "implementation plan for the approved recommendations arising from the MLA Policing Review Committee." So here we have down on the list two goals that relate to the review committee, yet it seems to me like you've already set your agenda for the year.

You talked about now having that report inside, and you're going to see what the outcome of recommendations are from your department, but I don't believe that that report has been made public. I think it should be. I think that the feedback and information that they collected is good information for a number of organizations and should be tabled in the Legislature if it hasn't been. Perhaps I missed that. If I have, I withdraw those comments. If not, could you comment on whether or not that'll be available and why it's such a low priority on your goals and whether or not the outcomes of those recommendations could impact your strategy for the year? If you could answer that question, I would be very pleased.

You talked about fiscal restraints and some stuff that got cut, and you talked about the crime prevention program and also restorative grants, I believe is what I heard. So the question is: what was the criteria used to decide which was and which wasn't beneficial? If you could give us some more information on that. What it sounds like, when you just cut a program out like that, is that it was either completely useless before and didn't achieve the goals or according to some criteria that you weight decisions on, it fell far short. Not only is it reduced, but it's gone in both cases.

You talked about one other existing crime prevention program, so I would like to know the differences between the one that is still existing and this one that you cut and whether or not the other one has been expanded, whether the funds have been expanded to it, and what it is we're losing out on by having those two particular areas cut.

It brings to mind to me the increased security that we have seen around this building and the grounds since September 11. It seems to me often that some of the security is excessive and not very effective.

MR. MacDONALD: I saw a skunk last night out by the fountain.

MS CARLSON: There you go. Well, clearly somebody was not doing what they were supposed to be doing.

On a serious note, Madam Minister, we now have all these name tags, and we've got people who work in the booths at certain hours of the day, and we have to swipe our security passes to get into the parking at other times. But, in fact, that really isn't very effective. I can't count the number of times since the spring break when I have particularly been paying attention that I have seen more than one car scoot into the parking lot at a time. You know, that completely eliminates the benefit of swiping a card. More than one car is coming in. There is no control on what happens in that parking lot still. If you could please respond to that. I know that a number of your own colleagues are not very happy about having to wear the identifying name tag, so I would like your response on that too.

I would like to know what weighting you use to give the increased costs that we see assumed around here as compared to something like the crime prevention program. While we may think that we're very important, I'm not sure that Albertans would all share that particular point of view. Perhaps the Premier, yes. Security around him I think is important.

MR. MacDONALD: And the Member for Edmonton-Calder.

9:10

MS CARLSON: Well, I don't know about that, I gotta tell you. But, anyway, there has to be some sort of criteria. If the minister could share that with us.

Now I would like to just go to some of the budget line items. I think that first of all I'd like to start with program 2, public security. We see that there was an 8 percent decrease – an increase in security around this building but an 8 percent decrease – for public security support services in obviously other areas, which really means for them more, because you're spending more money on these grounds now. So can you tell us what got cut and what are the long-term effects of this budget cut and how you justified the cuts in the areas that you did?

Crime prevention. Now we see that there was a 40 percent lower forecast for actual spending than budgeted. We talked about cutting that program, so if you could tell us why the money wasn't spent last year. Does it have anything to do with the government's cross-ministry 1 percent cut last year? Specifically where did you make your cuts in this department? The crime prevention budget is so much lower. You say that the program is just gone, but we'd like some more information on that.

Then the correctional services. The victims of crime fund received 30 percent less funding this year than last, yet in your opening comments you talked about this being one of your key priorities for the year. So that's very interesting, and perhaps you could comment on that.

That reminds me of something else you said in your opening comments. When you talked about the provincial employees, it reminded me of the concerns I have from constituents of mine who work at the remand centre. They have an ongoing litany of concerns about work conditions, how people are treated either very well or not very well at all. So I'm wondering what's happened there over the past year and what your expectations are for the next year specifically with regard to the remand centre, because that seems to be where I hear the complaints. Have you done a review of how people are treated and handled there?

Also on the employees' side how many grievances come out of that place in a year? How do you handle them? The big concern always has been that those who place formal grievances end up with formal notices of loss of jobs, so if you could comment on that.

FTEs: can we get a breakdown of where all of them have been employed?

Then I'll go back to the business plans for a bit, back to goal 1. I'm wondering: when you talk about your strategy 1.16, "Develop a Provincial Impaired Driving Enforcement Strategy, in conjunction with Alberta Justice, Alberta Transportation, and police services," will you be consulting with any community organizations such as MADD in order to implement an impaired driving enforcement strategy? This still seems to be a really big problem in this province, and it seems like it's pretty low on your priority list. So if you could tell us why that is. Maybe you have some good reasons for it, but we'd sure like to hear what they are, and I'm sure organizations such as MADD would as well.

Madam Minister, will you consider allocating any more money to the proper training for police who conduct Check Stops into the proper monitoring of roadside Check Stop equipment like breathalyzers? Ongoing problem. I know that it's tough to calibrate that equipment on the road, and I know very well, having been married to a policeman for many years, the kinds of problems that they encounter on Check Stops and roadside Check Stops and actually the risk that they're at from a security perspective, more than the tragic accident that we saw by Banff this year. But the Check Stops themselves are of great concern, so can you tell us what you're doing in that regard? I think that there's a lot at risk here for those people in those jobs, and it's very much your responsibility to ensure their safety to the greatest extent that you can. I have every belief that you do that, but could you share that information with Albertans so that we all have a high level of comfort with that?

Performance measure 4 talks about, "Crime rate: violent crime and property crime." Can you tell us what the explanations are for why the Alberta rate of violent and property crime is above the Canadian rate? A very interesting phenomenon and statistic. While you're at it, perhaps you could comment on the dollars allocated to police forces in general and particularly the downloading. Violent crime gets a fair amount of attention; property crimes do not. We simply do not have enough police people to do the work. I think that is the bottom line. So if you could address that.

Interestingly enough, in the FOIP review committee Monday morning we had a presentation from the Alberta Association of Private Investigators. They also commented on a problem facing police forces these days in that they simply do not have the budgets nor the time to investigate white-collar crime. More and more it is falling to companies to do essentially the full investigations and all the paperwork and present that to police forces. Now, perhaps this is your idea of a good way to pass on the costs and to download responsibility. I don't know, because we haven't heard from you on that particular issue. So if you could give us some information on that. It seems to me that white-collar crime is as serious as any other crime, and in fact it's very, very costly to consumers. If it isn't being investigated to any degree, then I think that's of interest and should be discussed and debated in this Legislature. So if you could address that for us, it would be very beneficial.

Then in goal 2 you talk about: "Provide services to victims and work with Alberta Justice to ensure victims have a more meaningful role in the criminal justice system." What exactly does that mean? You talked about that in your opening comments. It's here in goal 2. You must have a list of things that you think need to be done. So could you do that? Could you also give us a breakdown of the number of awards that the Crimes Compensation Board has awarded to victims of crime annually for the past three years?

THE DEPUTY CHAIR: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Chairman. I'll make this very quick. If I could ask the indulgence of the Solicitor General, would your department be able to let this Legislature know that one of your colleagues has actually turned 58 today, or would that kind of information be contrary to what you're able to tell us? I believe he had some police duty in the past, so you may be able to check it out. I believe his riding is Olds-Didsbury-Three Hills. I think he's around 58 today. Could you check it out, please?

MRS. FORSYTH: Mr. Chairman, because of security reasons I can't divulge that information. I'm sorry.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I've been listening with interest to the estimates debate this evening on the Solicitor General's department. There certainly has been an interesting range of questions by both the opposition and one government member.

There has been great emphasis placed on the G-8 conference that's coming up at the end of June, and there's in excess of \$400 million being spent on this. Can the minister please answer: what infrastructure will be left behind in Calgary and in the Canmore area after the summit for the use of Albertans, whether it'll be municipal officials in the city of Calgary, perhaps the Calgary city police force, or the RCMP in Canmore? There's a lot of money being spent. Are there going to be any helicopter pads, for instance, that could be used to fight forest fires in the future? Is anything of this nature going to be left behind out of this money that we're spending? The hon. minister mentioned several different police forces. Will any of these police forces in Alberta receive any of the surplus equipment left over or the infrastructure from the summit?

Certainly there are police officials coming from all over the country and, I would imagine, from all over the globe to this summit. They certainly have to be housed somewhere. Is there going to be any of that infrastructure that's going to be constructed left for this province and its citizens after?

9:20

Now, the 400 million plus dollars is a significant sum of money in the view of this member. If this is going to be a sincere, genuine discussion on the conditions that many of the African nations are facing and if it's going to be more than just an elaborate \$400 million photo op – I think that in the future these G-8 summits should be held in a much more secure location. I can think of the Second World War and Allied leaders meeting offshore on naval ships, and in this case I think it would be much cheaper and much safer if summits were to be held somewhere on a naval ship with significant air support to protect the leaders. Instead of spending \$400 million, we could perhaps spend \$40 million. Everyone could be secure. All the world's leaders could be secure, and that money could perhaps go directly to, let's say – we could pick any number of countries in Africa that could certainly use the money. I think that in the future, in light of the security changes that have to occur as a result of the September 11 disaster or attack on the World Trade Center in New York City, this is an option for all governments to pursue and save this money and put it into programs that are directly going to help the citizens of, in this case, Africa.

Now, Mr. Chairman, the hon. Member for Edmonton-Ellerslie talked about the security arrangements here. I think one of the most shameful acts I've seen occur in this Assembly – and I think it was done inadvertently – was the closing of the disabled entrance at the east door of the Assembly at ground level. Now, there were injured

workers in this Assembly last night in the public gallery from various coalitions across the province. There were injured workers in this Assembly the afternoon the hon. Minister of Human Resources and Employment introduced Bill 26, and they literally had to hobble up the front steps to the Legislative Assembly. I think that is inappropriate, I think it is wrong, and I think it is disrespectful. That east door, with the disabled ramp, has to be reopened. I would ask the hon. minister at this time to please refer to architectural guidelines again and if necessary measure this ramp down by the media availability room that is considered as sufficient. You'd have to have air brakes on a wheelchair to negotiate that 90-degree turn. That is unacceptable, and again it is disrespectful. I would urge the minister: with part of this budget in this province we can afford to have access for disabled citizens and for seniors to their Legislative Assembly.

I think that in the next couple of days, if the hon. minister will just keep her eyes open, in the gallery she's going to see lots of injured workers coming to visit the Assembly and hear the debate on Bill 26. If she would escort some of them to the front door and see how difficult it is for them to get down that long series of steps, I would be very, very grateful. Thank you.

I, too, Mr. Chairman, have some specific questions that in light of the hour I would like to direct to the hon. minister and her staff, please. The first question is: how effective is it to measure the number of victims' services initiatives? Now, the target is for the Solicitor General to support 190 such services from the year 2002 through to 2005, but isn't this kind of measurement backwards in that it measures administrative inputs rather than actual outcomes? Doesn't this kind of performance measure encourage bureaucratic inertia; for instance, creating yet more committees, subdividing existing committees merely to create the impression of action? How many of these initiatives will be undertaken by NGOs? Will these NGOs have funding in part or in whole for all of the work? Is the government taking credit for work conducted and funded by other people?

Now, there's another goal here, goal 3, "Facilitate the rehabilitation of offenders." My next question to the hon. minister: is the Solicitor General taking any steps to deal with domestic abuse that is perpetrated by police officers? What concrete steps will be taken to improve police investigation of domestic abuse cases?

Further on here, in light of the time, Mr. Chairman. Why is the target for successful completion of young offender probations lower than the actual completion rate of the past three years? An additional question, please, at this time is: why is the target for the percentage of offenders involved in work, education, treatment, or life management programs actually lower than the participation rate of the last two years?

Further along here, goal 4, "Ensure secure and efficient custody, community supervision and transportation of offenders." Why is the target for successful completion of temporary absence supervision lower than the successful completion rate of the past three years?

The hon. Member for Edmonton-Ellerslie certainly touched on the issues that concern MADD, Mothers Against Drinking Drivers.

In conclusion, I too would like to mention the excellent presentation that I had the other morning in the FOIP Act Review Committee, chaired ably by the Member for Edmonton-Calder. The presentation concerned the drop in the number of police officers that are on active duty, not only in Alberta but across the country. What measures are going to be taken by the Solicitor General and the department to ensure that there is not a shortage of police officers, police personnel, in this province in the future?

With those comments, certainly for any questions that I raised that the hon. minister would like to reply to in writing, I will be looking

forward to the replies. If we could get a general overview now, I would be grateful.

In conclusion, Mr. Chairman, I again would like to urge the hon. minister to certainly have another look at this ramp situation for the disabled in this Legislative Assembly. It's a poor reflection on all of us, and if someone in that department would kindly contact the architects' association, I'm sure that they will find that those guidelines have not been met with that ramp at the media availability room.

Thank you, Mr. Chairman, and I look forward to the response from the hon. minister.

9:30

THE DEPUTY CHAIR: The hon. minister.

MRS. FORSYTH: Well, thank you, Mr. Chairman. I've been trying to take notes as quickly as I can. Obviously, the members across the way have asked a fair amount of questions, so I'll endeavour to sort of go by what I've caught.

One of the questions that has been asked over and over again is in regard to the G-8. Again I want to repeat that the G-8 is a federal responsibility. It's a federal initiative. It's a federal party, but it's in our province. We have endeavoured for the last I don't know how many months and days and weeks to negotiate with your federal counterparts and your federal cousins. I would encourage you, if you have so many concerns about G-8, to call your Liberal cousins in Ottawa. It's very important. We as a province have been negotiating with them in regard to the memorandum of understanding and agreement and trying to get all the costs that we perceive for the G-8. Can I guarantee that it has no cost to the province? No. You can't guarantee anything in life. We can only negotiate to the best of our abilities, but again I have been arguing back and forth with them on the cost of prosecutions within this province for the prosecution of protestors. They have steadily refused. I encourage you as members of the opposition who are with the Liberal Party to please call your Liberal counterparts and ask them if they would please participate in it.

One of the questions that was brought to my attention was the technology and the national sex offender registry. Well, I think people in the Assembly have to understand that CPIC is very old and it's outdated, and to add the sex offender registry to CPIC is virtually impossible. Technology changes. It's a very useful tool that the police have used, but they have continually said that it's outdated, that the technology isn't useful. We have lobbied the federal government, and I must admit that they made some movement at the last federal/provincial/territorial about establishing a national sex offender registry and making it mandatory to register so we have the ability to track the sex offenders who tend to move from province to province. So that was my comment.

The other thing about the technology is cybercrime. That changes, and that is continually on the move. That is a technological challenge. So we will continue to push the feds on that.

One of the questions asked was about strategy 3.3, the adult and young offender alternative measures program. Will it be reviewed and expanded when appropriate? As we're well aware, the alternative measures program is a program that the Crown uses as a diversion for less serious crimes to keep the accused person out of sort of the formal justice system. The individuals that are referred to the alternative measures program agree to conditions, community service work. If it's a young offender, a poster, writing a speech, restitution to the victim. So we're going to continue to work on that, and we've got a review that has been under way for some time to examine what's happening in other alternative measures programs

across other Canadian jurisdictions. Identifying problem areas that we see in the program and the impact on the new Youth Criminal Justice Act, identifying some areas where it can be expanded, identifying areas where the program can serve aboriginal people better, that the hon. Member for Edmonton-Ellerslie asked, and other groups, including the mentally ill, instead of putting them into our correction facilities. People with FAS is another big problem that we're dealing with in the correctional facilities, and we're going to continue consulting with the stakeholders. We feel that it's important to consult with the stakeholders, and we'll review it from there.

Someone asked the question about whether the ministry will continue to emphasize ensuring the availability of alternatives to custody for young offenders. I touched on that with the alternative measures.

Alberta's incarceration rate. It's important, I think, for people to understand that it's the third lowest amongst Canadian provinces. The use of custody in correctional facilities has steadily decreased, and of course we're seeing more people in the community, and that's something that we have to address. Again we're struggling with the implementation of the new Youth Criminal Justice Act.

Another question was about the facilitation of the rehabilitation of offenders in co-operation with the Alberta Mental Health Board and my department. We're developing a framework strategy to provide additional alternatives to the criminal justice system for criminally involved individuals who are mentally ill, and that was a question that was asked by Edmonton-Centre. We are working together with Alberta Mental Health and a number of other departments, stakeholders, and agencies to minimize the reliance on the criminal justice system for individuals who are mentally ill, and it's related to their offending behaviour. Individuals with mental illness are at risk and are being placed in the correctional system regardless of the appropriateness in relation to their offence. The correction system is used as a complement to mental health treatment, and the justice system is not intended or designed or funded to provide the intensive level of services for individuals with mental health, so we're developing a framework.

I was asked about the "ensure secure and efficient custody, community supervision and transportation of offenders." The department continually holds contracts with four First Nations societies to deliver community corrections and court work service in the community. It's been very successful. Ongoing discussions continue with the four First Nations at Hobbema for the delivery of these services in the Samson, Ermineskin, Montana, and Louis Bull First Nations. The Metis Association zone 5 and the Kainai Community Corrections Society, who currently operate aboriginal corrections programs, have expressed an interest in expanding.

We were asked again about ensuring "secure and efficient custody, community supervision and transportation of offenders." We are fulfilling that mandate. The type of people that we're dealing with as far as large gang trials, weapons, and the tendency of gangs to use threats and intimidation has created some problems that we have had to deal with.

We were asked about the provincial protection officers completing "basic . . . training to enable them to carry out their security, custody and escort functions." CAPS officers, who are very good officers in this province and do a wonderful job, are exceptionally well trained and professional, and we want to continue that training program so they can continue to do the good job that they've always done.

I was again asked about the policing review, and I made comments on that when I spoke before.

I was asked about how many reviews I have going on right now. We've just finished the policing review, that I mentioned, and we've got the victims' review that is being carried out by the Member for

Calgary-Shaw, two very important committees that I think have to be addressed and looked at.

I was asked about supporting the youth justice committees and expanding to the eligible communities, including aboriginals. A highly, highly successful program. We've currently got 92 youth justice committees up and running. I'm launching another one I believe next week. I met with the Strathcona Youth Justice Committee a week ago and talked to them about how they see the service delivery, and they shared some concerns, as some of the youth justice committees are, with the new act that's going to be implemented in 2003. We feel it's a very, very successful program, key to diversions of youth. We've got small grants and administrative support to support these committees. I have dedicated volunteers, and I've got dedicated staff that are continually working with the youth justice committees. One of the goals is to work more into the aboriginal community and do more work with them.

We were asked about the continued delivery of the aboriginal culture and spiritual programming in the young offender and adult correction centres. It was mentioned by either Edmonton-Centre or Edmonton-Ellerslie, the success of those. Highly successful. We're going to continue doing that. We've got two adult aboriginal minimum security camps and one community correction camp. It's important that the native elders and the aboriginal community members regularly provide culture programs to the offenders as far as sweat lodges and pipes and sweet grass ceremonies.

9:40

I was asked about the Alexis court model. The endorsement of the court process at Alexis by all key holders – and that's the court, the Crown prosecutors, the contractor, the community – indicates that all reasonable measures should be taken to ensure its continued success, including adequate resourcing. The department is working with Justice, the Yellowhead Tribal Community Corrections Society, and other stakeholders to undertake an evaluation of the process used at Alexis, its results and its effectiveness, and the result of this will be to develop recommendations on additional support and an expansion of the model to other communities.

The Member for Edmonton-Ellerslie talked about our priorities and the way we had prioritized, and it's really unfortunate that you can't prioritize everything at one. If we could do that and we lived in Utopia, we would have prioritized everything at one. It's difficult to prioritize from one to 20 or one to 15 on your prioritization because everything is a priority, and I wish I could, but everything in our department is a priority, all of the things we work with, whether it's a sex offender registry, police standards, the policing review, the aboriginal initiatives, any of them.

We talked about security around the guards, and I guess my only comment to the members is: why don't you call? If you have a concern and you have a problem with security, there is nothing wrong with picking up the phone and calling me and trying to address the issue instead of using the Legislature as a front. I have not heard yet about the scooting in and out of the parkade.

I will give the member credit. He brought up his concerns about the disabled. I've spoken to the member beside me on the Premier's council on persons with disabilities, and we have not had a complaint. We checked originally into your question when you questioned me in question period, and they do have access to the east loading. I was assured by security. So if it's a problem again, please give me a call. If you have a problem with the security in the Legislature, call. That's what I ask you to do.

We talked about G-8 again and the excess of \$400 million. I haven't seen those figures. I don't know what the numbers are for the G-8. You talked about the infrastructure left behind and the use

for Albertans. I'd again encourage the Liberals over there to call. The police force, I understand, can buy the surplus equipment at a cost factor.

I think that's all for now.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes, Mr. Chairman. At this time I have one additional question. Of course, every member of this Assembly is concerned about the increase of identity fraud that's occurring in this province, particularly with the deficiencies there are whenever we privatized the registries. You know, there seems to be one case after another of ID cards and drivers' licences. The market value in Calgary has been determined, I believe, at \$200 for a driver's licence. In light of the fact that that driver's licence can be used to gain access to America through the Montana border crossings, what initiatives is the Solicitor General's department taking with the police forces from across this province to curb this unsavory practice of identity fraud because we have a lax registry system? Certainly the hon. minister must be very, very concerned about this in light of the unsavory practices that have been exposed. Precisely what is the department doing to ensure that identity fraud is stopped completely in this province because of, again, the deficiencies in the registry system?

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: Okay. After considering the . . .

SOME HON. MEMBERS: Question.

THE DEPUTY CHAIR: Hon. Member for Edmonton-Ellerslie, are you rising to speak?

MS CARLSON: No, I was expecting the minister to respond.

MRS. FORSYTH: I'm sorry, Mr. Chairman; it seems like the Assembly would like the question.

The hon. member brought up the ID cards, and I can assure him that the Minister of Government Services and I have been working on this. We're in discussion about how to deal with it. We're very fortunate in this province that we have a very, very good and effective police force, and I will also be bringing up that to the Alberta Association of Chiefs of Police when I meet with them next week in Calgary. I can assure the member that the Minister of Government Services and I are both working on it.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. At this time I would also like to direct a further question to the minister, and it's in regard to the police force. What studies is the department currently doing regarding the start-up of an Alberta police force, the APP? Has the department conducted any studies on the cost efficiencies of initiating an APP?

MRS. FORSYTH: I think what the member is referring to is similar to what we saw in the Ontario Provincial Police model. I think what he's alluding to is he's trying to find out if that is incorporated or one of the recommendations of the police review. You can tell by his smile. I'm not asleep yet, though it's been a very, very long day. As I explained, I have received the report, have indicated and have my department responding to the report on the recommendations and the cost implications of putting forward some of the recommendations that were brought in the report.

THE DEPUTY CHAIR: After considering the business plan and proposed estimates for the Department of Solicitor General, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:
Operating Expense and Capital Investment \$258,367,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report the estimates of the Department of the Solicitor General and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

9:50

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Solicitor General: operating expense and capital investment, \$258,367,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: I'll call the committee to order.

Bill 19
Veterinary Profession Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Chairman. I'm pleased to rise today to present Bill 19, the Veterinary Profession Amendment Act, 2002, to Committee of the Whole.

The proposals contained in Bill 19 were developed by Human Resources and Employment in conjunction with the Alberta Veterinary Medical Association to improve the quality of veterinary service in the province by improving the regulation of professional veterinarians. These amendments bring the Veterinary Profession Act's investigative, disciplinary, and appeal provisions into line with

the Health Professions Act, which is the current model for Alberta professional legislation.

The amendments also respond to the AVMA's request for greater transparency, accountability, and fairness in its governing legislation by increasing public representation to the AVMA's disciplinary and appeal bodies, also by replacing the current disciplinary processes relating to the professional misconduct with those contained in the HPA, also by providing for an alternative dispute resolution and allowing the provincial Ombudsman to investigate complaints about the AVMA.

There is also one amendment that addresses the veterinarian's traditional ability to prescribe, dispense, compound, and sell drugs. This amendment reflects other Alberta legislation that deals with drugs, namely the Pharmaceutical Profession Act and the Livestock Diseases Act, by including this activity in the definition of the veterinary medical services.

The Alberta College of Pharmacists has expressed concern that this proposed amendment will restrict the scope of practice granted to the Alberta pharmacists under the Pharmaceutical Profession Act. I am introducing for your consideration a House amendment to Bill 19 to address the college's concern. The House amendment is to section 2(2) of the Veterinary Profession Act, which specifies those persons who are exempt from the act's scope of practice provisions. The House amendment adds a new subsection.

THE DEPUTY CHAIR: Hon. member, can you just hold for one second, please? The amendment that you are moving – has that been circulated?

MR. DANYLUK: No, it hasn't, and I was going to ask you to after about one more sentence.

THE DEPUTY CHAIR: Okay.

MR. DANYLUK: But if you would like to do it now . . .

THE DEPUTY CHAIR: Maybe you can just pass it to the pages so that it can be distributed to every member. They've got it now? Great. You may proceed.

MR. DANYLUK: So would you like me to wait till everybody gets one?

THE DEPUTY CHAIR: You may proceed.

MR. DANYLUK: Okay. The House amendment adds a new section under section 2: 2.1, which states that a person whose professional or occupational practice is carried out under the authority of any other Alberta legislation is exempt from the Veterinary Profession Act's scope of practice. Mr. Chairman, I would like to clarify that this amendment is amendment A1, and there are two changes under one amendment. The one that I have just mentioned, if I can read it, please, is that section 2(2) is amended by adding the following after clause (h): "(i) the carrying out of the practice of a profession or occupation under the authority of any other enactment." Also, under section 16 we have a small misprint, and it is amended from the proposed section 34.1(3) by striking out "under subsection (2)" and substituting "under subsection (1)."

Mr. Chairman, if I could just briefly clarify, first, as I stated before, the Alberta College of Pharmacists together with a number of individuals and businesses have expressed concern about the proposed amendments contained under Bill 19, the Veterinary Profession Amendment Act, and the belief that this amendment will

restrict the scope of practice for pharmacists and agriculture distributors. The House amendment that I have moved that specifies those persons who are exempt from the act's scope of practice will clarify this matter.

I think that's all, Mr. Chairman.

THE DEPUTY CHAIR: We shall refer to the amendment that is before us as amendment A1. On the amendment, the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Mr. Chairman, I just have a question for the Member for Lac La Biche-St. Paul. We had a fairly aggressive lobby from the pharmacists' association about this particular bill and their inability to dispense veterinary medicines with the changes proposed in here. Can the member assure the House that that particular problem is fully and adequately addressed through the proposed amendment?

MR. DANYLUK: To the hon. member opposite, yes, we have made contact with the pharmaceutical association. We have given them a copy of what the amendment is going to be. We have also contacted individuals, and I don't want to say all individuals because, yes, you are very right; there were a lot of individuals that did have concern, pharmacists that had called us. But the pharmaceutical association along with the agricultural dispensers as well as the veterinary association have given us, I guess if you want to call it, the okay and believe that our direction is right.

THE DEPUTY CHAIR: The Minister of Human Resources and Employment.

MR. DUNFORD: Yes. Thanks, Mr. Chairman. I would like to give the same assurance that the amendment that is being proposed by the hon. member clears the way, then, for the pharmacists, for any of the other particular dealers to carry on with the normal business because the floor amendment exempts them from the veterinary act.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I would like to make the following comments for the record regarding amendment A1 to Bill 19, the Veterinary Profession Amendment Act, 2002. Certainly I, too, have had contact with not only the Alberta College of Pharmacists but certainly concerned consumers who for one reason or another across the dispensary counter became aware of what was considered a deficiency in this legislation. It is also my view that research has been done, and certainly the work that the hon. Member for Lac La Biche-St. Paul has done on this bill is going to adequately address the concerns.

10:00

Now, there was no doubt that pharmacists did at one time have some concerns. We all recognize in this Assembly that pharmacists are trained to compound, dispense, and sell drugs for veterinary use. They are certainly knowledgeable about veterinarian medications. This includes drugs sold pursuant to a prescription and others that do not require a prescription.

In a letter that was copied to me from the pharmacists, the pharmacists themselves add that they currently provide compounding services to veterinarians and dispense medications prescribed by veterinarians. They state that this amendment would have certainly a substantive effect on the practice of pharmacy, the interrelationship between pharmacists and the veterinarians and the animal owners for

whom pharmacists provide services. However, this is slightly different, but I think this will stand the test. The pharmacists thought that at section 2(2), "Subsection (1) . . . the practice of any profession or occupation by any person practicing under the authority of any other enactment," would be sufficient to deal with their concerns. There's an omission here of the phrase "by any person," but I don't see how that will affect the amendment, because they would be covered under the professional standards in this case of the Alberta College of Pharmacists.

In conclusion, Mr. Chairman, one has to understand that this bill is centred around Alberta's veterinarians, which have traditionally dispensed and sold medicines and drugs as part of their scope of practice. Certainly it is recognized in that, but somehow the role of the pharmacist was overlooked, and I believe this amendment will go a long way towards correcting that oversight.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Chairman. I guess my response would be that it is very much to clarify that the Pharmaceutical Association and the dispensers, if you want to call it that, under agriculture have their own act that entitles them to dispense drugs for veterinary use only. In Bill 19 it says that veterinarians are able to dispense drugs for veterinary use. What ends up happening is that it didn't clarify that this did not give them exclusivity. So I think that the amendment very much addresses that it is not exclusivity, that there are other enactments that allow other bodies to dispense drugs. I don't know if that answers it.

MR. MASON: Mr. Chairman, I understand the intent that the hon. member has sent out, but I would just appreciate a little bit of guidance in terms of where to find the change and where the change goes and how it will actually work.

I see that A of the amendment says that "the following is added after section 2," which I am assuming is after section 2 of Bill 19, which is right at the beginning of the act. Correct? On the first page. Can you tell me . . . [interjection] Just this once, hon. member.

MR. DANYLUK: If you would look at the bill itself – right? – on page 3 after (g) we would add the section that would pertain to section 2(2)(i), which would be a new part to the amendment. This is basically the amendment act, Bill 19. If you look under the Veterinary Profession Act, on page 5 where you have (h) and then you have a (1), it would take place right before the (3) under (i).

MR. MASON: That's on the actual act?

MR. DANYLUK: On the actual act.

The amendment to Bill 19 would basically put that amendment into the bill, which is the Veterinary Profession Act, and it would put it in, as I said, on page 5, (i) right after (h).

MR. MASON: I want to make sure I understand this. Pardon my slowness. You know, sometimes you can vote for things and you don't understand them. That's not always the best way to do it.

The member indicated that on page 3 of the bill, the amendment here comes after (g), and it adds a letter (i). Is that correct? [interjection]

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Thank you, Mr. Chairman. Except that the amendment says that this is amending . . . Yes. Thank you. It's clicked for me now. Thank you.

[The clauses of Bill 19 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 16

Racing Corporation Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

The hon. Minister of Gaming.

MR. STEVENS: Thank you, Mr. Chairman. I wish to make a few brief comments in committee. This bill has much to commend it. First, it's short; it's seven pages long. Secondly, it is the work of the horse racing industry that gave rise to this. They were unanimous in recommending to government these changes to this legislation, which provides governance with respect to the horse racing industry.

Briefly, I wish to just highlight some of the sections. There is a name change reflected in sections 1, 2, and 3; namely, the act and the corporation being changed from Alberta Racing Corporation to Horse Racing Alberta. This change was requested by the industry to recognize the formation of one industrywide organization that can represent the interests of all Alberta horse racing industry stakeholders and their associations.

10:10

In section 4 of the bill there is an amendment expanding the board from seven to 12 members, and there is also a provision that amends the current board membership, which remains the same, to add representatives of A tracks, for example Northlands and Stampede; B tracks, for example Lethbridge and Grande Prairie; and other racing breed associations, for example, quarter horse, Appaloosa, and Arabian. Section 4 also deals with appointing the chair and public board members and term of office, eligibility for board membership, subsequent name change, appointments by minister, and quorum.

Section 5 deals with the designation of "chair."

The reporting requirements in section 6 of the bill are important in that the current requirement for an annual audited end-of-year report to the government and the tabling of this information in the Legislature are maintained, but it is expanded in the sense that the reporting requirements will include a multiyear business plan and performance measures, which will improve the accountability of the industry to government and Albertans.

Section 8 sets out transitional provisions.

That would basically cover the pith and substance of this bill.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm happy to have the opportunity to speak in Committee of the Whole to Bill 16, the Racing Corporation Amendment Act, 2002. Having looked at this bill and considered it now for a couple of weeks since it was introduced and since second reading, I'm less and less inclined to support the bill.

A couple of reasons. I heard the minister just say that the horse racing industry in fact requested it, and this follows what they're interested in seeing or changes that they approve of. I'm also aware that a number of the changes were requested or recommended by the Auditor General according to some deficiencies that were pointed out by the Auditor General around the Alberta Racing Corporation. Well, the Auditor General went in depth quite a bit in the '99-2000 report with concerns around the racing industry renewal initiatives, the division of the purse:

1. Slot machine revenues paid to date to the Alberta Racing Corporation and the racetrack operators have not complied with governing legislation.
2. The accountability for slot machine revenues paid to date to the Alberta Racing Corporation and the racetrack operators has not been adequate.
3. The accountability of the Ministry for the performance of the Alberta Racing Corporation is not adequate.

There was legislative noncompliance by

Alberta Racing Corporation and Northlands Park with respect to proceeds from slot machines at the racetrack in Edmonton. Similar arrangements exist between the Commission, the Corporation, and the racetrack operator in Lethbridge, and between the Commission and the racetrack operator in Calgary.

All of those agreements were looked at, and there were a number of issues of noncompliance. In particular, "certain expenditures made by the commission are not in compliance with the applicable governing legislation." The commission paid to retailers for operating the electronic gaming activities were 15 percent of gaming revenues, wagers less prizes, but as disclosed in note 11 of the financial statements

agreements between the Commission, the Alberta Racing Corporation, and racetrack operators . . . provide for payment of 33 1/3% of gaming revenues at these facilities to the Alberta Racing Corporation and 33 1/3% to the Operator.

Essentially, in the opinion of the Auditor General, and all of this is coming out of the '99-2000 report,

the payments to the Alberta Racing Corporation, and the payments to the Operators and the Stampede in excess of the normal retailer commission of 15%, appear to be payments intended to support the Racing Industry Renewal Initiative and are not retailer commissions.

As a result, payments to the Alberta Racing Commission totaling . . .

And he goes through and details it: \$5,891,000 and \$4.4 million in '99, and \$4.7 million in the previous year.

. . . do not comply with s.26 of the Gaming and Liquor Act because this lottery revenue was not transferred to the Lottery Fund.

Now, there were actions taken by the commission following the Auditor General's concerns, but part of the action that was taken was in fact this legislation. I observe that this government has an uncanny ability to come in to prop up a sector exactly when it's too late, and that's my impression about this.

Certainly the people that I talked to all indicated that in 10 years' time there seems to be no question but that all horse racing would likely be simulcast of the large races and that for a small market like Alberta we would definitely still have what we call the B tracks but that we likely wouldn't have any of the A tracks left because no one is interested in attending and betting on the races. If we're looking at 10 years down the road to that, why are we looking at injecting significant amounts of money into this sector now? Total parimutuel betting has declined by 48 percent since 1991. The number of live race days has dropped from 381 days in 1999 to 221 days in 2001, so that's 42 percent fewer race days. This is a sector that is diminishing and seems to be on a gradual decline, and now's the time the government decides to come in.

Now, what we've heard the Premier say in press conferences and

things is: well, allowing the slot machines to go into the racing centres diminished and harmed the racing industry, and therefore we're now going to allow them to have more slot machines, which is somehow going to help them dig themselves out of this, which just strikes me as a circular argument and circular logic as well. If we accept that having the slot machines in the racetracks in the first place detracted from the betting on the horse races and affected the betting on the horse races, I don't know that the solution to it is now putting more slot machines in there so that there could be more money going into the slot machines, which is then taken from that in a split with the racetracks, and the horse owners and breeders get a larger percentage to help give larger purses. This is not making a lot of sense to me here. I mean, the government may feel bad for having hastened the decline of this, but I don't know that that's a good reason for taxpayers to have to forgo revenue.

I've also heard the excuse coming from the other side: well, don't worry; this is not taxpayer money that's going to these people. Well, excuse me; it's forgone revenue that would be benefiting taxpayers were it not now redirected into the purses and being won by the horsemen. If that split was not the percentage that's being contemplated, then there would be more money that would be going into the lottery fund and that would be disbursed out through the charities and nonprofits and to the other core businesses that the government pays for out of the lottery fund dollars. In fact, we are talking about forgone revenue here very clearly. So it does affect the taxpayers because there's less money there to give them programs and services.

10:20

So we have a situation where we have a sector that is diminishing or declining for a number of reasons. Now the government comes in and says: "No. We want to change the deal so that hopefully the sector would thrive again." But nothing is giving indicators that in fact that would happen. The needle is pointing in the other direction.

We are not changing that much when I look at the act. We're increasing the board members from seven to 12 and we're changing the name of the thing, but frankly there's a section in here that says that for anybody that was appointed to the old organization, the ARC, we won't count the number of years they'd served on that board. They can start over again from zero and be appointed to this new one. So we could have people that would have served a total of 12 years. Well, how much of a difference is this making in a renewal and a new direction if you end up basically taking everybody from the old board and having them on the new board and they get to serve twice as long?

Part of the increase was to allow for more seats for the other voices that need to be brought into this discussion. It was felt that there was an overwhelming preponderance of votes and voice from the horse owners' sector. So, well, yes. All right. This allows for racetracks to be represented on the A level.

(g) 2 persons agreed on and appointed by the operators of race tracks licensed under the rules as "A" level race tracks;

(h) one person agreed on and appointed by the operators of racetracks licensed under the rules as "B" level racetracks.

But then that's countered with three members of the general public, who traditionally have been horse owners or horse breeders. So we're two steps forward and two steps back on this one. I don't see how this is going to solve any of the problems that have been identified.

Now, there have also been some things incorporated that were addressing the issues that were raised by the Auditor General, in particular that there be reporting and that there be compliance with the rules that were set out for the rest of the government to operate by. That was a complaint of the Auditor General in the past, that the ARC didn't listen to what the ministry was telling it to do, didn't

report, and wouldn't respond: that sort of thing. So that's now put into the legislation, but is that the reason to go ahead and support the legislation? I don't know that it is. It does strike me that there's a lot of effort and a lot of money being put into a sector that seems to be going backwards, not forwards. I don't know that that's a good enough reason to be taking money out of the lottery fund that could well be going to enhance more Albertans' lives. I don't know whether the money going here is going to have as much effect or touch as many Albertans positively than if in fact that money was directed through the lottery fund into other things.

I guess part of it is that essentially we are talking about an entertainment here. I tried to think about any other commercial entertainment that's provided for the public that gets that kind of subsidy and assistance from the government. For anybody else it's paid for by their providers. I mean Hollywood movies are paid for by the providers. Golf courses are paid for by the providers. The monster truck rally, ski resorts: I mean, they're paid for by the people that are going to be making the profit out of it.

So we have an instance there where there's support being put into a sector that's diminishing. I don't see that Horse Racing Alberta is significantly different than the Alberta Racing Corporation. It's the same people. Their term starts over again. The number of seats that were meant to balance between the horse racers and the tracks ends up coming out in the wash because, yeah, there were two more seats there but there are three more possibilities out of the public members.

I don't think we're that much further forward. I haven't heard convincing arguments from the minister on the bill, and I don't see a good reason to be supporting this. I don't think it's that much to the advantage of Albertans. So having put in my nonwagered two bits on this, I'll take my seat and listen to others and what they have to say.

Thank you.

MR. STEVENS: There are two or three comments, Mr. Chairman, from Edmonton-Centre that bear some response. A comment was made with respect to the Auditor General's report regarding the horse racing industry a couple of years ago. That particular matter was dealt with in the year 2000 through new agreements and through payments from the Alberta lottery fund that go through the annual appropriation process. So this particular legislation does not deal with that particular issue, as suggested by the member.

I note with some interest the degree of certainty that Edmonton-Centre has about the demise of this industry in about 10 years' time. I certainly would appreciate any information that the hon. member has in that regard, because of course as government we will be working with this industry to ensure that their business plan does in fact the opposite, and that is, grows the industry. Since the hon. member is concerned about accountability and the appropriate use of government funds and wishes, I am sure, the best for this industry, I would ask that she share with me, as an hon. member who cares about those things, the information that she has showing that this particular industry is doomed to demise within the next 10 years. So I'll be waiting with some interest for receipt of that in the next few days.

With respect to the appointment of the board and the transition period which allows existing members to continue on without taking into account previous time, once again that is something that this particular industry asked for. We do not do the appointment of the board, and this particular group has asked for it. They feel that that is the best way to deal with the matter, and candidly, I can see no reason not to accommodate them if that in fact is what they think is best for the industry.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I will not be supporting this bill. It's interesting, the kind of precedent that this government is willing to set in terms of their interest in and willingness to prop up or subsidize businesses at a huge cost to those programs that government should rightly be in such as properly taking care of children who have no one to take care of them. We see the government now involved in studies from two various departments, in spite of what the Premier has said, for pet shoots, where they extend the ability of those elk farms to continue to operate regardless of the kinds of costs associated with them such as disease and contamination. We see them now propping up commercial fishermen. Why? Because the fisherpeople asked for this, as did the pet-shoot people. What they want is government to bail them out and to provide subsidies or supports for them so that they can . . .

MR. MacDONALD: Did you say "pet shoots"?

MS CARLSON: Pet shoots. Yes. Elk ranchers, who have been harvesting elk for more than 20 years, mostly for the velvet on the antlers, now have an overabundance of supply. The elk antler velvet market has dropped. It's virtually collapsed.

AN HON. MEMBER: Who could've predicted it?

MS CARLSON: No kidding.

DR. NICOL: The little blue pill took over.

MS CARLSON: Yes, that could be exactly what happened. [interjection] I wouldn't know. I mean, that's more your venue than it is mine.

AN HON. MEMBER: It's worse than the Peruvian anchovy collapse.

MS CARLSON: That's right. Who could've anticipated that market collapsing?

THE DEPUTY CHAIR: Hon. members, the hon. Member for Edmonton-Ellerslie has the floor.

MS CARLSON: What else has this government looked at propping up or subsidizing or expanding at the request of industry? Of course, we have the Swan Hills waste treatment centre, which the government has various ways of deciding how they will prop up and defend here in this Assembly. So that's right off the top of my head. Pet shoots have asked for help. Commercial fishermen have asked for help. Swan Hills waste treatment plant. How about the Ridley Grain terminal? Once again, more dollars propping up that. If we go back just a little way, we see some huge fiascoes: NovAtel, MagCan. The list is endless on how once this government gets involved in propping up a business industry, it collapses or it completely distorts the marketplace. It just doesn't work, and it costs this government and therefore Alberta taxpayers lots of money. So when the minister asked the Member for Edmonton-Centre how it is that she thinks that this industry is going to collapse within the next years, well, I tell you: how does he say that it isn't? Why else would it be coming to government for a bailout, and why else would government be supplying it?

10:30

I can't support that when we see day after day in this Assembly children left at risk, a government who refuses to take responsibility

for them. All they can talk about is that the sole responsibility for raising these children is with the parents. Well, I tell you that the sole responsibility for raising children is with the communities, and when the parents aren't able to or don't want to for whatever reason, then it is our responsibility as good citizens of this country to provide that support, a responsibility that this government refuses to accept even though they were duly elected to do so.

So for those reasons I cannot support this bill.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I, too, would like to get on the record regarding Bill 16, the Racing Corporation Amendment Act, 2002. Certainly the Alberta horse racing industry has been a proud part of Alberta's history, and I would like to see it continue.

Now, we look at the horse racing industry in this province, and there certainly have been problems. There have been problems with standardbreds. That part of the horse racing industry seemed quite resentful that the thoroughbreds were getting a lot more racing days than they were. The total number of live racing days at A racetracks in Alberta dropped from 382 in 1991 to 221 days in 2001, and that's quite a decline. Certainly in that same period of time we saw an increase in other gambling activity. Mr. Chairman, there has been an influx of VLTs and various forms of gambling at casinos, whether it be card games or dice. I don't go to casinos that often, so I can't tell you what exactly goes on there, but certainly there is a huge increase in the number of casinos and ways for one to part from their hard-earned dollars at such facilities. As that activity rose in this province, certainly horse racing declined.

Many of the horse owners, particularly the standardbred owners, were so frustrated that they contemplated leaving the province with their stock. In fact, this led to a realization of the high quality of standardbred horses in this province, because with the frustrations that were expressed here, people actually trotted to other provinces, other jurisdictions, and their horses did very well at those levels. That's an indication of exactly the quality of horse breeding and certainly horse training in this province. Not only has the number of live race days at A tracks declined in the last decade, but as I understand it, horse breeding in Alberta has declined to levels too low to support race meets in the future. If the hon. Minister of Gaming has a figure that is more up to date than what I have, then I would be very grateful if he would share that not only with this member but with all members of the Assembly.

Now, certainly I didn't realize the consequences and the significance it had on the government of the race last December between the hon. Member for Whitecourt-Ste. Anne and the Premier conducted at Northlands. The hon. member will have to excuse me. It's the Premier's horse that I remember as being Dukes Cigar, and I can't recall the name of the hon. member's horse, but it was a distant second. The Premier's horse, Dukes Cigar, was much faster on that cold night.

MS BLAKEMAN: If you were a backbencher, would you beat the Premier?

MR. MacDONALD: You bet.

Mr. Chairman, the significant event of that night was the fact that there were going to be extra efforts made to support the horse racing industry. In recognizing that the number of live race days has certainly declined and that as a result of that horse breeding activities and training in this province have also declined, I don't think the changes that are proposed here are necessarily the best changes.

The hon. minister was talking earlier about the industry and the position the industry would be in in 10 years, and I just don't know if this is going to solve the problems. It is possible that this is only a gesture to the horse racing industry. The proposed increase in slot allocations to the tracks and expansion of gaming entertainment centres may well, as the hon. members have discussed, doom the live racing industry to a continued downward trend. We're talking about business plans and that in 10 years it's going to be a centre of considerable excellence for the province, but what about the estimates of the revenues needed from slot machines over the next four years? It's going to increase, I believe, from \$3.7 million in this current year to close to \$40 million in four years. That's over a tenfold increase in four years. That's a significant amount of money. The hon. Member for Edmonton-Ellerslie was talking about children and priorities, and a pool of cash like that could go a long way to solving a lot of problems with children's issues in this province. It certainly could.

Also, how many machines in total are taxpayers looking at purchasing, and what is the cost of these machines? As I understand it, the individuals who do the maintenance on these machines are considered an essential service, and it is noted with a great deal of interest by this member that the individuals, the electronic technicians who calibrate and service these machines, are considered an essential service. So who's addicted to what here? That would have to be the question.

Before I conclude, Mr. Chairman, I would like to know what percentage of the projected revenue from these operations will be allocated to addiction treatment. Will that be in the budget of AADAC, in the corporate business plan of AADAC? Certainly there is money set aside in there for problem gaming, but is there going to be a little bit of money set aside from this revenue source to provide AADAC with perhaps an increase in their budget? Now, there are three expenses here: treatment, prevention, and information. Certainly AADAC is following through with information for Albertans to inform them about addictions and AADAC's services. What amount of money, again, what percentage of revenue if any would be used for this purpose?

10:40

Now, certainly we're all aware of the recommendations from the horse racing review and the indications that the board of the new corporation is responsible for appropriate positioning to control its destiny with respect to the potential legalization of Internet wagering on horse racing. Again, I would have to ask the hon. minister: what concern for both these A tracks and B tracks does the government have regarding the competition from Internet wagering on horse racing? Also, how does the province propose to legalize this Internet wagering?

Mr. Chairman, there's certainly been much mentioned throughout this province in policy debates after this budget, after this unfortunate budget, and it seems to have struck a chord with the citizens of this province that there were so many cutbacks, yet horses are certainly not cut at all.

MR. MASON: Not even cutting horses?

MR. MacDONALD: No, not even cutting horses. The hon. Member for Edmonton-Highlands is concerned about cutting horses, but cutting horses are not going to be cut by this government, regardless of what sort of fiscal dilemmas they face.

Now, I won't get on my high horse about the increase in gaming revenue from \$17 million to over \$30 million for the horse racing industry, but it is symbolic of a government that seems to have lost

direction. I would have to say that whenever you look at the past and you look at the proud history of horse racing and horse raising in this province, one would have to conclude that it's certainly a part of our heritage, a rich part of our heritage. But I would have to side with the hon. Member for Edmonton-Ellerslie that at this point in the province's history children come first.

Thank you very much, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I would like at this time to introduce an amendment to Bill 16. Would you like me just to pause for a moment while the pages distribute the amendment?

THE DEPUTY CHAIR: The pages have just begun distributing the amendment, so, hon. member, you may proceed.

MR. MASON: Thank you very much, Mr. Chairman. I would, then, move that Bill 16, the Racing Corporation Amendment Act, 2002, be amended in section 6 in the proposed section 10 by adding the following after subsection (1):

(1.1) For the fiscal year 2002-2003, a multi-year business plan referred to in subsection (1) must outline the measures necessary for the Corporation to become self-sufficient by the fiscal year 2005-2006 at which time the Corporation would not be eligible for funding from the Lottery Fund or any other provincial agency or program.

Mr. Chairman, I just would like to make a few comments on this. I put my own position on the record at second reading with respect to this bill as providing the prerequisite from the government's point of view of continuing subsidization of this industry on an ongoing basis. I quoted from some sources in the industry indicating that that in fact was a part of the government's desire. We of course expressed concern that this one industry in particular had been singled out as an exception to the government's otherwise sound policy of not providing public subsidies for private industries, and that of course had been something that the government had made quite a political point of over the years, yet we have a situation here which is a glaring exception to that principle. The hon. Member for Edmonton-Ellerslie has elucidated several other examples, all seem to be involving the raising of some kind of animal, whether it would be a thoroughbred or a fish or an elk.

MS BLAKEMAN: PCBs.

MR. MASON: Well, I suppose PCBs or three-headed chickens in Swan Hills. I don't know.

Nevertheless, Mr. Chairman, I think that there is nothing wrong with this bill except for one thing. It sets out, as it now stands, the requirement that there must be a multiyear business plan, and that has to include "measures . . . used in assessing the performance of the Corporation," but nowhere is there a plan or a clear direction coming in this bill or apparently from the government in general to wean this industry off the public tax roll, and I think that that's what is missing.

So the amendment would require the business plans, which are a good thing by themselves as long as they say something, as long as they do something meaningful, to include a plan to get off the public dole for the horse racing industry and provide a three-year time frame to do that. So we're not saying, you know, that just right now you have to go out and earn your own living. We are saying that we'll give you some support. I think this is a concession. It's

certainly a concession from my point of view, because I honestly think, Mr. Chairman, that the horse racing industry shouldn't get a nickel of public money.

Now, the Premier in response to questions put to him by myself and other members in the Assembly has talked about this not being a subsidy. He's repeated this line. This is the message box of the government with respect to this: it's not taxpayers' dollars; it's money that comes from gambling. [some applause] Of course, some people who are not going to think about this in too critical a way would be tending to applaud that, Mr. Chairman, but in fact it's not the case.

What has happened is that the government has gotten into gambling in a bigger and bigger way as a means of supporting public programs. They are of course getting out of taxing corporations and wealthy individuals in a bigger and bigger way, so the proportion of revenue that is necessary to maintain some of these programs from gambling sources has risen accordingly. We're now over a billion dollars of budgeted revenue from gambling, most of which supports ordinary government operations that provide valuable programs to the citizens of this province. It may not technically be tax revenue, but it is revenue that the government uses in place of tax revenue to fund programs. Of course, if you take that money away from public programs and you apply it to a subsidy of a declining industry in this province, you are in effect taking taxpayers' money or money that would otherwise benefit taxpayers and giving it to a private industry.

So, Mr. Chairman, the Premier is quite, quite wrong in his characterization of this as not a subsidy and not taxpayers' money. It may come from a VLT, but it belongs to the taxpayers, and it ought to support their programs and not the programs of a private industry.

10:50

What the amendment does is require the business plans to have a three-year program in a planned and systematic way to become self-sufficient, and this government should be committing to that. If they insist that today this horse racing industry requires public subsidy, then they need to say when that's going to stop and how much it's going to be in two years and how much it's going to be in three years, and if it's going to continue after three years, the government needs to have a plan and not just keep pumping money into this industry with no accountability and with no intention on the part of the industry to ever give up the money.

Do you think, Mr. Chairman, that this industry will of its own accord say to the government: "Listen, we feel kind of bad about taking your money. We'd like over a period of three years or five years to stop taking your money, and we're going to work really hard to get off the public dole, because we don't want that \$33 million anymore. We don't feel right about taking it." Well, of course they won't. So it means that the government has to say that to them. It's the government that needs to take the responsibility to say: "Listen, you're big boys now. You're grown up. It's time you got a job."

I think that the government has given us no indication that they're prepared to take their responsibility seriously in this regard, and that's why this amendment is before the House. We think that the act by itself is fine, except what's behind it is a reorganization of the industry to continue subsidization, and this would put a stop to the subsidization. We are not quite frankly expecting the minister to agree to the amendment, I regret to say, but I hope that some members will. I think nothing is more consistent with the avowed aims of this government with respect to subsidization of private business than this amendment. So I really would hope that some members on the opposite side will stand up and vote for this amendment. I think it's a reasonable thing. I think it's a good

balance, and I think that it ought to be considered the fiscal responsibility act for the horse racing industry and for the Minister of Gaming. If the Minister of Gaming can't support this, I would hope that he would bring forward his own plan to show on a sustained basis how the government is going to get the horse racing industry to stand on its own two feet.

MR. MacDONALD: Four feet.

MR. MASON: Its own four feet. Thank you, hon. Member for Edmonton-Gold Bar, for that nice little addition to my speech.

Mr. Chairman, just in conclusion, I believe that this is a prudent, fiscally responsible amendment to the act. I think that it's consistent with the government's philosophy in most areas of business. It addresses a serious concern, and that is the concern of priorities for the government. This gambling revenue, not the best source of funding for government programs, is nevertheless something the government has become very dependent upon to finance ordinary programs for ordinary Albertans throughout the province in education, health care, social services, a wide range of programs, and if the government is going to finance programs that way, then it ought to apply the same priorities to that money as it does to income tax money or oil and gas money and not exempt it from that. I think that this will be helpful both to the horse racing industry and to the government to help it find its true principles. Certainly, from our point of view, being a fiscally responsible party in this Legislature, it's something that we strongly advocate that all parties ought to support.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. In regard to the amendment as proposed by the hon. Member for Edmonton-Highlands, it certainly is noteworthy. Now, a multiyear business plan as was outlined would have saved a lot of grief with the community lottery boards. They were pulled out from under the feet of many different community organizations across the province without warning, and this amendment from the hon. Member for Edmonton-Highlands certainly provides ample warning to the horse racing industry of notice that they have to be back on all four feet, or four hooves here, by 2005-2006 or that's it and that there has to come a time. I don't know if that's too little time or too much time, but certainly it is noteworthy.

Now, all other government departments follow three-year business plans. Other jurisdictions, other governments have 10-year business plans, and that's also noteworthy.

I will keep my remarks brief regarding this amendment, but when hon. members vote on this amendment, please consider what was done to the community lottery boards. They were just cut unannounced. There was no planning. For instance, there was an arena in the constituency of Edmonton-Gold Bar, Kenilworth arena. The city of Edmonton was planning a major overhaul of that arena after many years and was planning on using \$300,000 of the community lottery board money. Unfortunately, they're going to have to do without, because the rug was pulled out from underneath them. The Citadel Theatre is the same. If we were to pass this amendment as proposed by the hon. member, that certainly wouldn't happen to the horse racing industry. The horse racing industry wouldn't be faced with the dilemma that the city is going to have over the Kenilworth arena or the Citadel Theatre. That's just yet one example.

With those remarks I would urge all hon. members of this Assembly to please support the amendment as proposed by the hon.

Member for Edmonton-Highlands. A business plan is a business plan.

THE DEPUTY CHAIR: The hon. minister.

MR. STEVENS: Thank you, Mr. Chairman. I'd like to start by thanking the hon. Member for Edmonton-Highlands for his interest in this bill and for taking the time and effort to put forward an amendment and giving forward a very cogent, well-reasoned speech in favour of his amendment and also the hon. member opposite of the Liberal Party for his comments.

It seems to me, however, that in this particular case I'm going to have to urge my colleagues not to support this. I think that when it comes to accountability, the legislation provides for accountability in a couple of ways. First of all, there is going to be a business plan as part of the process that the horse racing industry is going to have to put together on an annual basis. It is going to be part of an audited process, and it's going to be part of a report that is presented to the minister and which is going to be tabled here on an annual basis. I can encourage the member to continue to show up during Gaming estimates for the years ahead so that we can continue to see how the horse racing industry is in fact doing in accordance with the business plans which will be part of that particular report.

Now, I would also like to thank the hon. Member for Edmonton-Highlands for listening to answers of the government, questions that you have posed to the Premier, questions that you have posed to me in Public Accounts. Clearly, you understand what our position is on this. I would say this: the money that is involved in the racing industry renewal initiative does come exclusively from racing entertainment centres, which were set up exclusively as part of this particular program. It is not a matter of taking casinos and diverting something from there. Rather, it is establishing specific locations which are proximate to racing centres and taking revenue that is generated from those centres and using part of it for support of this particular industry. I think it is reasonable to say that such revenue is derived solely as a result of this particular initiative and that but for the initiative those locations would not exist, that revenue would not exist. It's further reasonable to say that that type of revenue is not tax dollars.

So with those comments, once again, I am unable to support the amendment as proposed.

11:00

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Just to close very briefly, Mr. Chairman. Well, I think that it is unfortunate that the minister is advising his colleagues to vote against the amendment. I had hoped that some of them in their hearts would think that this was perhaps a good way to go.

I do want to just clarify one point I think that the minister made, and that is that the revenue comes out of the so-called racing centres. What these really are, Mr. Chairman, are VLT centres established at racetracks at which the operators of the racetracks are allowed to keep a very much higher percentage of the VLT revenue for their purposes than is the normal take from a VLT anywhere else. So they've been set up specifically for the purpose of providing a VLT financial opportunity for the owners of racetracks in order to provide subsidies to them. In other uses of VLTs the money is used in a different fashion, and the revenues derived therefrom are used to support a wide range of government programs. So it's a very, very fine distinction that the government is making.

In actual fact what it is is a gambling subsidy to racetracks because they cannot generate enough money from betting on horses

to sustain the industry, and it is propping up an industry that's been made obsolete and been made obsolete largely because of the government's decision to get into electronic gambling in a large way. So I think the government may feel some guilt about it, and perhaps this guilt has been used to extract this policy. It's not other competing private businesses that have put the horse racing industry in trouble; it's the government getting into the gambling industry, seeing it as a golden goose to finance government operations and to finance tax cuts.

So with those comments, Mr. Chairman, I will take my seat and await with bated breath the vote on my amendment. Thank you.

THE DEPUTY CHAIR: Hon. members, the amendment before us will be referred to as amendment A1.

[Motion on amendment A1 lost]

THE DEPUTY CHAIR: On the bill as we have before us.

DR. NICOL: Just very briefly, Mr. Chairman, what we've got here is a bill that basically looks at what is in effect putting in place the organizational changes as requested by the industry. What we're dealing with subsequently is the whole bunch of issues that come up under the context of budget debate, lottery fund allocation, regulations associated with lotteries in terms of the issues that come out about the appropriate level of sharing of revenues from lottery, and of course the issue of how we deal with forgone revenue in the context of these different changes and the issues of letting an industry have a preferential rate of retention of revenues from the gambling licences that they hold in conjunction with these racing centres.

In the context of this bill it does provide the structure that is set up for the industry as they would like to see it, to get more people involved in the decision-making on the industry and to provide them with the broader scope that they can deal with. I guess, Mr. Chairman, when you look at it from the perspective of how to do it, what we end up with is a very significant, different structure here than what we have in a lot of the other agriculture enterprises. This is a very legislated, very rigid form of participation on the board. It's much less industry-driven than what we see in a lot of the other sectors, but I guess that ties into the fact that here we do have that interrelationship between the agriculture community, the horse racing community, and the gambling/wagering sector.

But if we look at it, you know, from the other perspectives of the rest of the ag community, they end up not having those kinds of same restraints because they're dealing with a commodity that doesn't have the social implications that are reflected here. So when we look at it from that perspective, I think that, you know, there are a lot of things that are wrong with the way the government is dealing with the allocation of dollars out of the lottery fund, setting the rates and that, but in the context of the structural change that's allowed by this bill, it does do what the industry wants, so we have to look at it from that perspective.

Thank you, Mr. Chairman.

[The clauses of Bill 16 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 20

Justice Statutes Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. minister.

MR. HANCOCK: Thank you, Mr. Chairman. I'd like to offer just a few comments in response to comments that have been made earlier in debate both at second reading and committee just to clarify some items that have come up. It's been pointed out that under Bill 20 we're dealing with a number of different statutes, and in particular first I'd like to address the question of the Limitations Act and the Public Trustee Act amendments.

The amendments to the Limitations Act are in the nature of dealing with an issue that has come up, a potential challenge to the Limitations Act relative to the running of limitations periods against children. The Member for Edmonton-Centre, in addressing that in her debate, I think perhaps inadvertently confused what was being done here, and that's understandable because this is a fairly complex piece. The situation as it stands now is that there's a distinction between children who have guardians and children who don't have guardians: children who have guardians limitation periods run against, and children who don't have guardians limitation periods don't run against. The potential challenge that could be taken to that would be that we're discriminating against children by class. We don't of course wish to discriminate against anybody, so we want to make it so that the Limitations Act operates consistently with respect to children, regardless of whether they have a guardian or don't have a guardian in place. So that's the clear intention of the amendment here: to make sure that all children are treated the same with respect to limitation periods.

Having said that, then the question is: should a limitation period ever run against a child? So the next step is to put in place the mechanism by which in appropriate circumstances or at appropriate times somebody who ought to be sued by a child can move that process forward.

11:10

Then we come to the question of: how do you protect the child's interests? How do you make sure the child's interests are protected in that process? Thus the provisions relative to the Public Trustee Act, which says that if you wish to start a limitation period running where a child is involved, you have to give notice to the child's guardian, if there is one, and you have to also give notice to the public trustee. The public trustee is then put in a position where they must investigate to make sure that somebody is appropriately taking care of the situation and if necessary can apply to the courts for instruction.

If an adult, a parent is in place and is taking care of the child's interest, then the public trustee need have no further involvement. If the public trustee is concerned about whether the child's interest is being protected, then the public trustee can go to court, ask for instructions, ask for the opportunity to appoint a next friend or act on the child's behalf themselves or in some way ensure that the child's interest is protected and in appropriate circumstances can ask the court actually to ensure that the limitation period doesn't run against the child so that the limitation period wouldn't run until the child turned 18.

Those are the mechanisms that are in place. It's really a question of making sure that the law is constitutionally sound and can be defended, runs against all children regardless of distinction about whether they have a guardian or don't have a guardian, and puts in place a mechanism whereby the public trustee can ensure that a

child's interests are protected. When I read the debate and listened to the debate from the hon. member with respect to that, I thought that there was some confusion with respect to those items. I hope that that clarifies what the clear intent of those provisions are.

There were also comments made with respect to the Provincial Offences Procedure Act and in particular – and I heard these comments again with respect to the Solicitor General's estimates – the surcharge with respect to the victims of crime fund. What is implicit in the act and implicit in the budget but probably not expressly stated someplace is that the victims of crime fund actually benefits from the changes, not from the changes in POPA. The Provincial Offences Procedure Act allows us to keep 20 percent of the funds coming in from ticket revenue for the operations of the process. In order to do that, however, under the budget the actual fines were raised by 20 percent. The fined amount is 20 percent higher than it was before so that municipalities still get just about the same revenue. It doesn't quite work, but it's close to the same revenue as they got before.

However, the corollary of that is that the 7 percent surcharge goes on top of the fine revenue, so the 7 percent surcharge to the victims of crime fund has also gone up by 20 percent. The victims of crime fund actually benefits, although I don't think that that's been explicitly stated anywhere. So I thought I'd take the opportunity to clear up that particular issue.

I won't dwell on the issue of the Fatal Accidents Act and the Survival of Actions Act, because I think that's been presented ably by Edmonton-Calder earlier in discussion. I appreciate the support that has been given by Edmonton-Centre with respect to what's happening there. It's not an easy issue for many people, but it's important that we do the right thing with respect to the issue. Now, that's what we have attempted to try and accomplish: to ensure that families of victims of wrongful death have an opportunity to be fairly compensated but that the problem that was created with respect to the Survival of Actions Act is corrected so that we're consistent with other jurisdictions. As I say, I won't dwell further on that, but I did want to take the opportunity to clear up those two other items.

MS CARLSON: Point of order.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie, on a point of order.

**Point of Order
Approval of Amendments**

MS CARLSON: Mr. Chairman, under Standing Order 74, do government amendments not have to be stamped by Parliamentary Counsel for approval? Mine's not. Amendment to Bill 20, government amendment, amends section, A, 2(2)(b).

THE DEPUTY CHAIR: Hon. member, I have been advised that . . .

MS CARLSON: Thank you, Mr. Chairman. I see it now. It's very tiny, up in the corner.

Thank you.

THE DEPUTY CHAIR: Okay. Thank you.

Hon. members, the amendment that has been referred to hasn't been moved. Okay. So the hon. Minister of Justice and Attorney General has not moved an amendment as yet to which a clarification was sought.

The hon. Member for Edmonton-Centre on the bill.

Debate Continued

MS BLAKEMAN: Okay. This is part 3 of responding to everything

that's been brought forward in this omnibus bill, Bill 20, the Justice Statutes Amendment Act, 2002. With the changes in the Standing Orders we no longer are allowed the half hour in second reading to speak to omnibus bills changing more than three statutes, so I've had to come at this in three different parts, one in second reading and two in Committee of the Whole. This is my third go at it, and the only part that I haven't spoken to now is the civil enforcement section.

Just before I go into that, I will thank the minister for the clarification on the Public Trustee Act and the Limitations Act, sections that I had spoken to earlier. My concern there is obviously that we not be inadvertently creating a situation where minors can be pressured or squeezed to get involved in an action when they don't want to and that they should be fully supported in allowing the clock to not start running until they reach the age of majority. So I'm glad that I did bring that up. I may well have misunderstood, but I'm glad I did it so that we get the clarification on the record.

The second issue the minister brought up has totally slipped my mind. Oh, the fines. Actually that's very good news, and once again I'm glad I brought it up because now I have the minister on the record with it. If that's in fact going to give us a slight nominal increase in the fines that are going to the victim's surcharge, that's fine by me. It probably should have been more clearly set out in either the minister's remarks or in the legislation itself, but nice to have that clarified.

The last part but by far probably taking up the most room in Bill 20 is the changes that are being proposed to the Civil Enforcement Act. I understand that these changes have been recommended as the result of a review process that is coming forward from people working in the area who are saying that these are deficiencies or these need to be updated or changed so that the process works more smoothly. I appreciate that, but at the same time I'm reluctant to let this go without any commentary at all, because in fact in many ways the changes to the Civil Enforcement Act are more likely to touch Albertans' lives than some of the other changes that are being contemplated here.

For example, the Public Trustee Act with regard to minors and the Limitations Act aren't going to come up that often in people's lives, but the chances that you're involved one way or another in the Civil Enforcement Act are much higher. A full third of the bill deals with changes to the Civil Enforcement Act. So when we say, "Well, who will be affected by this?" really it's all creditors who will be subject to the act, and that's virtually every business in Alberta, since most of them at one time or another are trying to recover funds that are owed to them. Then the rest of us as consumers are also affected by this, because I think we have an interest in ensuring that whatever process is in place to recover funds is fair and provides an adequate opportunity for debtors to discharge a debt before things get out of control and property is seized or other steps are taken that can be difficult to recover from.

So the Civil Enforcement Act does deal with a mechanism to recover money or in some cases objects to which an individual is legally entitled. This would usually happen in one of two ways. One, you get a money judgment from the court, you register that judgment, and you attempt to collect on that judgment. The second way would be that certain kinds of contracts carry with them the ability inside the contract to allow the creditor to seize under what's known as a power of distress. The difference there is that you wouldn't have to first sue to get the court judgment; you rely on the contract.

The sections that are being amended deal with these processes for sorting out priorities and who gets first claim and second claim, competing complainants in other words. It's also, I'm sure, the experience of many that when there's somebody in trouble, a

business or a person in trouble, there's going to likely be more than one person looking to collect a debt from them, so there has to be a way of determining who's first in line, who's second, et cetera, just kind of working out all the ground rules for everybody to follow. So I'm not going to go through each and every section that's being talked about here, but I want to touch on some of the ones that I think need to be highlighted just so people are aware of what's being contemplated here.

11:20

When we look at the existing section 9, it enables certain civil enforcement agencies to contract to the sheriff's office, acting on behalf of the Crown, to carry out certain things done traditionally by the public office. Now, this is an area that the Liberal opposition has expressed concerns about in the past. The concern is that if there isn't pretty strong oversight by the Crown, it can lead to activities like we sometimes see with our neighbours to the south. I remember that when I was younger, there was a very popular movie called *Repo Man*, and that's the kind of activity that you can get involved with, where private civil enforcement agencies may not be as fair to debtors as we would like to see them be or they decide to cut corners in order to accommodate large commercial creditors that are indeed paying them. So we need to be on guard about that one, and I'm going to put our concern on the record again.

The specific section that's being amended, section 9(6), deals with those assets described as serial number goods. That's the larger, more expensive movable items that have a serial number on them, and this amendment would allow a larger number of firms to seize assets that tend to be the more valuable of the movable assets. So under section 9(6) anyone could effect seizure, but the seized goods could not be removed from the debtor's shop, home, or other place except by a duly authorized civil enforcement agency. That would mean that someone can attach a notice of seizure to a car, but they would have no power to physically remove it, to tow it away, without the intervention of a civil enforcement agency. To delete this section makes it appear that only the civil enforcement agency has the power to seize. In other words, the extraordinary power to seize is going to be retained by a small number of agencies that can presumably be more closely monitored and held accountable.

Section 13(2) deals with the entry of a bailiff into a residence or a business to seize property. Now, we have to note here that section 8 of the Charter of Rights and Freedoms guarantees every Albertan the right to be secure against unreasonable search or seizure, and this affirms the traditional sanctity of a citizen's own dwelling. The amendment deals with two situations: where the premises being entered belong to a debtor and where the premises being entered belong to a third party. Essentially, if the premises are residential premises or if they belong to a third party, the bailiff can enter only if an adult is present, the person that has the ability to say: yes, you can come in. They have to consent to that. There's also provision for obtaining a specific court order to enter the residence of either the debtor or the premises of a third party, and under this amendment the bailiff may use reasonable force to gain access; in other words, forcing a lock or something like that. Without consent, then the court order is required to do this. The major difference is the requirement that an adult be present before entry into residential premises can be forced. I think this is a positive move, and it's very clear in here.

There is a minor change in section 15. It sets out a number of offences, but it's also amended by the addition of a limitation period, so the prosecution under section 15 will have to commence within 12 months after the alleged offence has been committed. I think that given the extraordinary powers that civil enforcement agencies are

given, it has to be argued that the period should be extended perhaps to even longer than that, because otherwise the people that may be complaining are financially strapped and are unlikely to get legal advice right away or at all. These may not be sophisticated people, and an early limitation would prejudice them.

The next section I want to have a look at is section 88, and that is dealing with exemptions. It usually would be particularly important because it's as a result of the 1930s, when there was too little protection available for families and a lot of folks lost all of their assets to the banks. The amendments recognize that in law "property" means a bundle of different rights that accrue to an owner. In recognition that a debtor may have an interest in something – it may fall short of outright ownership – the amendment addresses the interests of the enforcement debtor.

Under 88(f) the exemption is of particular importance to Alberta farm families because the former exemption required that the debtor be a bona fide farmer whose principal occupation is farming. That places a very strict, too narrow definition on what's happening today, where you may have people working off the farm or making more money working off the farm but in fact they still are a farmer and should be considered that, and we don't want those people to lose definitions here. So the bona fide farmer qualification has been deleted, replacing "principal occupation" with "primary occupation." It may be of questionable value, but nothing else has been changed there.

Section 88(g) is dealing with exemptions for a residence and provides an exemption of \$40,000. That seems pretty low given today's house prices, and this value of \$40,000 hasn't changed.

Finally, section 99(3) is amended by deleting the provision giving a priority to harvesting or marketing costs incurred in a case where this is funds from the sale of a crop. I guess it's interesting to me why this priority would be disappearing. Do we not have farmers that have debt and creditor problems that would be using the value of their crops? Can crops no longer be seized or cultivated and sold to pay debts? I don't think that's the case, so that's of some concern and I wanted that highlighted.

I understand the impetus behind these amendments to the Civil Enforcement Act, but I didn't want to let them go by without comment. I think it's important to have it discussed in the *Hansard* and available for others to read to understand exactly what's being proposed here. Other than the objections that I've raised, I don't have any particular problems with it.

Once again we have a bill that is amending a number of statutes: Civil Enforcement Act, Fatal Accidents Act, Interpretation Act, Limitations Act, Motor Vehicle Accident Claims Act, Provincial Offences Procedure Act, Public Trustee Act, and Survival of Actions Act.

Just as a recap I think that in the Fatal Accidents Act the changes are substantive but positive. Interpretation Act: they're positive and relatively minor. Limitations Act: I still have some concerns. Motor Vehicle Accident Claims: I think they're positive and probably remedial. The Provincial Offences Procedure Act: my concerns there have been answered because in fact it does uphold the commitment that was made to victims in 1996 with the Victims of Crime Act. My concerns around the Public Trustee Act have also been answered, but I'm glad we got a chance to air that as well. The Survival of Actions Act: I think the right choices have been made there, and I'm willing to support it.

11:30

So I understand that there's an amendment coming from the government. I'll make way for the debate on that, and then I'll

return with an amendment of my own. So given the hour, I will make way for the beginning of the amendments.

Thank you very much, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you very much, Mr. Chairman. I am pleased that the hon. Member for Edmonton-Centre supports the vast majority of the substantive changes and substantive contents as contained in Bill 20, Justice Statutes Amendment Act, 2002.

It is my intent to pose an amendment to Bill 20. I've caused an amendment to be circulated to the members of this House, Mr. Chairman, and specifically I move that Bill 20 be amended as follows. Section 2(2)(b) is amended by striking out the proposed clause (b)(ii) and substituting the following: "(ii) was not a minor but was unmarried and was not living with a cohabitant." Section 2(2)(c) is amended by striking out the proposed clause (c)(ii) and substituting the following: "(ii) is not a minor but is unmarried and is not living with a cohabitant."

Mr. Chairman, essentially the purpose of this proposed amendment is to remove the residency requirement for an individual to claim grief compensation under the Fatal Accidents Act. We've previously discussed the provisions of Bill 20 that propose to amend the Survival of Actions Act and the Fatal Accidents Act. Presently through the Survival of Actions Act the estate of a person fatally injured by another's negligent or intentional act can sue the wrongdoer for damages including future loss of earnings. This interpretation of this act was confirmed by our Alberta Court of Appeal in the often-cited case of Duncan estate as against Baddeley. However, as the Law Reform Institute has correctly pointed out, this created an artificial situation whereby the estate of a child killed by a reckless motorist could recover compensation approaching a half-million dollars from that motorist's insurer, said proceeds to go to the child's parents. Our law reform commission was of the view that the Survival of Actions Act compensation in such a circumstance would be somewhat of a windfall for the parents, who would not have reasonably expected an inheritance from their child but for that child's untimely death. Accordingly, the Law Reform Institute recommended that future loss of earning claims be abolished under the Survival of Actions Act.

It should be pointed out, however, that the Law Reform Institute recognized in their report that it might be gravely unjust to simply abolish future earnings loss claims under the Survival of Actions Act without expanding the scope and compensation available under the Fatal Accidents Act. Under the Fatal Accidents Act spouses or cohabitants are entitled to a \$43,000 bereavement award should their spouse or significant other be wrongfully and fatally injured. As well, minors and unmarried 18- to 26-year-olds not living with a cohabitant currently receive \$27,000 in grief compensation if their parent dies. Similarly, under the current law and before Bill 20 parents receive \$43,000 in grief compensation should one of their minor children or, for that matter, an unmarried 18- to 26-year-old child not living with a cohabitant die, such death being caused by the wrongful act of another.

Mr. Chairman, under Bill 20 the age limit is removed. This was a move that was precipitated by the courts finding age discrimination under the Canadian Charter of Rights and Freedoms. However, Bill 20 as introduced has a residency restriction which was imposed so that parents would only be compensated for the deaths of their minor children or unmarried adult children living with them and not with a cohabitant and, likewise, so that only minor children or unmarried adult children living with their parents and not with a cohabitant would be compensated for the wrongful death of that parent. The

awards, as we have seen, have been increased to \$75,000 and \$45,000 respectively. Mr. Chairman, the amendment that I am proposing removes the residency requirement to bring Bill 20 more in line with the existing scope of the Fatal Accidents Act.

Now, I appreciate that the insurance industry is not in favour of this amendment and has undertaken a considerable lobby effort in that regard, but I say that every life has intrinsic value and that every person, regardless of their age, who is wrongfully and fatally injured has someone who will grieve for him or her. By way of illustration, if I could cite an example of a set of twins who live in rural Alberta and are 19 years of age. The twins move to Edmonton, and one of them enrolls in the University of Alberta and moves into university residence. The other one decides to enter the workforce and gets a job and an apartment.

AN HON. MEMBER: I've heard this story before.

MR. RATHGEBER: But it's a good story.

Now, under Bill 20 as it's currently stated, if these twins are returning home for the weekend and are fatally injured in a head-on collision caused by someone else's negligence, their parents would have a grief claim for the child who is living in university residence because she is still considered to be a resident of home but not for her twin sister, who has entered the workforce and is living in a private apartment. Mr. Chairman, I submit to you that that is inconsistent, that it is inequitable, and that it is simply wrong. By removing the residency requirement, Bill 20 becomes a fairer bill and represents that all lives have intrinsic value and that everybody has somebody who will grieve for them if they are fatally injured by someone else's negligence.

With that, I encourage all members to support this bill and the amendment to Bill 20 as proposed. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: Hon. members, we shall refer to this amendment as amendment A1. Are you ready for the question on the amendment?

HON. MEMBERS: Question.

[Motion on amendment A1 carried]

THE DEPUTY CHAIR: Are you ready for the question on the bill?

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I would also like to propose an amendment. I will get it distributed. There's a copy of the amendment at the table already. Would you like me to pause and wait while it's distributed?

SOME HON. MEMBERS: No.

MS BLAKEMAN: My goodness, Mr. Chairman. There's such enthusiasm for this.

THE DEPUTY CHAIR: Hon. members, we shall refer to this amendment, that is being circulated, as amendment A2.

Hon. Member for Edmonton-Centre, you may proceed.

MS BLAKEMAN: Thanks. For those of you that are following along, this is on page 15 of your bill. This amendment is proposing that section 2(3) of the bill, which is amending section 9(1), be amended by striking out the date "September 1, 1994" and substituting "June 1, 2002". This section is intended to deal with an

automatic review of the level of damages that are set out elsewhere, that the review should happen every five years. The way the changes have resulted in the amending act brought forward by the government is that this would happen upon proclamation, which doesn't give us a set date to go from, and it's much harder for people to find out what that proclamation date was exactly. So just for ease of when the review would come up, I'm suggesting in fact that we put a specific date in place, and that date would be June 1, 2002. That would tell us, then, that the next review would be due five years down the road, June 1, 2007. So it's just for clarity and ease of people in understanding when they could be expecting the next review of these damage amounts to take place.

11:40

I did supply this amendment some two weeks ago to the Minister of Justice, and I'm assuming that there's been an opportunity, then, for the government caucus to have a look at this amendment. So I'm expecting to either hear from someone or have overwhelming support for it. I think the amendment is pretty simple and straightforward and clear and easy to understand. However, if there are any questions, I'd be happy to answer them.

I do now move this amendment. Thank you very much.

THE DEPUTY CHAIR: The hon. minister.

MR. HANCOCK: Thank you, Mr. Chairman. I'd like to just briefly indicate that the hon. member provided me with a copy of this amendment some time ago, and I had the opportunity to look at it. I certainly concur that it makes it clearer on the face of the statute as amended when the review period runs, and for that reason it doesn't change the import of the section but really just makes it clearer for somebody looking at it. So I would encourage members to support the amendment.

[Motion on amendment A2 carried]

[The clauses of Bill 20 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.
The hon. Government House Leader.

MR. HANCOCK: Yes. Mr. Chairman, I would move that the committee rise and report bills 16, 19, and 20.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: Bill 16. The committee reports the following with some amendments: Bill 19 and Bill 20. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 11:44 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, May 1, 2002**

1:30 p.m.

Date: 02/05/01

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. O Lord, guide us all in our deliberations and debate that we may determine courses of action which will be to the enduring benefit of our province of Alberta. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: Hon. members, in the Speaker's gallery today is a gentleman who has made quite a remarkable series of accomplishments in the province of Alberta. Fifty years ago, in 1952, our guest today, Mr. Art Dixon, was elected into this constituent Assembly representing the constituency of Calgary. He was re-elected in 1955 representing the constituency of Calgary. In 1959 he was elected to represent the constituency of Calgary-Southeast. In 1963 he was re-elected in the constituency of Calgary-South, and he was re-elected in 1967 also in the constituency of Calgary-South. In 1971 he was successfully re-elected in the constituency of Calgary-Millican, and he was an unsuccessful candidate in the election of 1975. Mr. Dixon served in this Assembly as a Speaker of the Legislative Assembly of Alberta from 1963 to 1972. He's a member of the Order of Canada and has attained quite a reputation in the province of Alberta in the community of Calgary for a great deal of good works over this last half century. Mr. Dixon, would you please rise and receive the warm welcome of this House.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a very special constituent. Mrs. Mary Semko is a resident of Rosedale Manor in the constituency of Edmonton-Centre. She grew up in Hilliard, Alberta, and came to Edmonton as a young woman in 1930 to attend St. Mary's high school and later the Alberta College. She's been very active in the community, particularly the Ukrainian Catholic church. She was on the executive board of the Ukrainian Catholic Women's League for many years, serving four times as president. Mrs. Semko has also been on the board of directors for St. Jostaphat's seniors' residence in Edmonton for 13 years. I would ask her to now please rise and accept the warm and traditional welcome of the Assembly.

MRS. McCLELLAN: Mr. Speaker, on behalf of the Premier it's my pleasure to introduce to you and through you to members of the Assembly another group of guests from the Public Affairs Bureau. This is the third group, and as the others they are here to find out more about the business of the Legislature. I would ask the following guests to rise as I call their names: Trent Bancarz, Gail Hansen, Susan Huberdeau, Sherene Khaw, Michael Martell, Heather McLachlan, Robin Pavelich, Wilson Smith, Josepha Vanderstoop, and Jocelyn Young. Would all members accord them the usual warm welcome.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. It's not often I get guests up from my constituency, but today I'm honoured with two. I would like to introduce to you and through you first a friend of mine who is also the president of the constituency association, and he keeps you running on the straight and narrow in a number of ways. He's also a chiropractor, and his practice is in Three Hills. So I would ask Mark Dyrholm to rise and receive the traditional warm welcome of the Assembly.

I also have a group of very enthusiastic grade 10 students from the Trochu Valley high school in Trochu, Alberta. They are accompanied today by teachers Bill Cunningham and Brian Vokins, and I would ask them to stand as well and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. I would like to introduce to you and through you a number of visitors from my constituency. I have 46 bright and enthusiastic students from Lacombe Christian school, and along with them are 19 parent helpers and teachers Charlene Van de Kraats and Tim VanDoesburg. Also in the members' gallery is a former MLA from the Lacombe constituency, Jack Cookson, who served this Assembly and his constituency well from 1971 to '82, and from 1979 to 1982 he was the Minister of Environment. His granddaughter is here today with the school. So I would ask them all to rise and receive the warm traditional welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. It's my pleasure to introduce to you a resident of Castle Downs. Ms Vicki Lindsay is a tireless supporter of many very important groups and societies in Castle Downs, one of them being the Castle Downs PC Association. Also, the Minister of Health and Wellness will be glad to know that Ms Vicki Lindsay is a retired nurse who has practised in Ontario, California, and Alberta and tells me that our health care system is next to none. I would like Ms Lindsay to rise and receive the warm welcome of this Assembly.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glegarry.

MR. BONNER: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you and to all Members of the Legislative Assembly Mr. Robert Johnson. Robert is a young entrepreneur involved in home construction, and he's down to view our proceedings in the Legislature this afternoon. With your permission I would ask that he now rise and receive the warm traditional welcome of the Assembly.

Thank you.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today to introduce 23 visitors from Rosemary school. They're accompanied by four parents – Tracy Henderson, Charlene Walde, Elma Plett, and Tammy Cage – along with principal, David Blumell. I would ask that they rise and receive the very warm welcome of the Legislative Assembly for their long journey.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Economic Development.

International Business Roundtable

MR. NORRIS: Thank you very much, Mr. Speaker. Today I rise to talk about the opportunity I had recently to co-chair, along with the MLA for Calgary-Fort, an international business roundtable in Calgary. The roundtable took place on the afternoon of Friday, April 26, following government-sponsored briefings. Consular corps representatives were invited to bring along with them guests from within Alberta's business community who do business in the respective country the consular represents. I'm pleased to report that over a hundred guests took part in this opportunity.

It was an opportunity to brief the consuls and their guests about what Economic Development does, the roles of the Alberta international offices, and to outline the province's international marketing strategy. We discussed activities such as Alberta's international strategy, which sets out to expand our province's economy by taking advantage of our global opportunities that are presented to us, but more importantly it was an invaluable way for us to hear firsthand thoughts on how the Alberta government can utilize the natural links that exist within our business community to all points throughout the globe.

International trade ties are vital to this province, Mr. Speaker. More than 2,000 Alberta businesses export goods and services to over 150 countries, creating over half a million jobs and \$61 billion in economic activity. Our total exports grew by 2 and a half percent and are expected to grow by 4 percent this year. The growth goes to show you how strong and prosperous this province is.

Alberta is founded on a rich heritage of people from diverse cultures and countries. The same diversity is reflected in our business community, and many of our businesspeople have strong ties to international markets. It was an opportunity for us to listen and to sustain the Alberta advantage that the government and the business community have worked so hard to attain.

1:40

This forum was truly valuable, because we were able to talk firsthand on how to extend trade activities with all our neighbours around the world. I look forward to participating in more events like this in the future, and I wish to offer a very special thanks to the Member for Calgary-Fort, who through his hard work facilitated a phenomenal meeting.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am pleased to rise on behalf of the Official Opposition and respond to the Minister of Economic Development. Alberta's economic success has long been the envy of other provinces and indeed other countries. While this success can be measured in terms of imports and exports, it is important to understand what supports those numbers.

Adequate funding for public education is essential. Picking up the pieces after a rocky start is not a sound investment strategy. Accessible college, university, and technical training opportunities are necessary to ensure that our workforce has the skills for today and the future. Economic growth will be hindered without a public health care system that focuses on prevention and treatment regardless of a person's ability to pay. Environmental standards must be considered in the long-term cumulative impacts on the ecosystem and not just corporate profits.

Alberta's economic strength and prosperity are built on a foundation of community support. It is encouraging to hear that the minister is open to a broad range of ideas and perspectives.

Discussions about real economic development must extend beyond the business community and recognize the importance of social investment in education, health, and the environment.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Foster Care Delivery

DR. NICOL: Thank you, Mr. Speaker. In 1983 the Board of Review looked into the child welfare system and wrote: "Foster parents should be interviewed, studied and investigated so that their capabilities may be known." The fatality inquiry into Korvette Crier's death, released last month, stated: "The Minister should set strict criteria for the screening of prospective foster parents." My questions are to the Minister of Children's Services. Why is it that under the minister's watch recommendations made almost 20 years ago have not yet been followed and had to be repeated in a recent report?

MS EVANS: Mr. Speaker, many of those recommendations have been followed, and in parts of this province the foster care delivery system is working extremely well. Where we have been looking in the recent past at a pilot project on monitoring what actual case practice is in terms of either home assessments, foster care training, and so on, we've been working with the foster care association, and we've been working with the authorities, and we are discovering some need to continually shore up the supports for foster care.

It's not a static thing, Mr. Speaker. At different times socially there are fewer foster parents available from one region to the next, but it's a matter of making continuous improvement. In the very unfortunate death recently some additional information about one particular authority has focused on foster care, and we're looking into that. I'd like to be very definitive after that review and come and at least provide the House with the courtesy of a well-documented information schedule of what is working well and where we need to make improvements. It is work that's continuous.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: are foster parents who are screened and rejected by children's authorities still eligible to take care of children who are placed by private foster care agencies?

MS EVANS: Mr. Speaker, the provincial standard is that children – all children – should be in foster care where the agencies are accredited and where the foster families therein have been duly licensed and, furthermore, trained to look after the children with the magnitude of needs that they possess when they come in. Anything less is inappropriate and is faulted in terms of the standard.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: but aren't foster parents who are rejected by the children's authority still eligible, still able to go to an agency and become a foster parent caregiver?

MS EVANS: Well, clearly, Mr. Speaker, they should not be. In my view, they are not eligible if they have been found wanting. They should not be eligible, and if they are delivering service through

another agency, it should be appropriately discovered and followed through with. Let me explain to the House one of the things that's been problematic for me in this review, and that is that through the accreditation process for foster agencies sometimes foster agencies are not fully accredited. They are accredited for many of the services, perhaps not for all of the services. In the Korvette Crier case this was clearly a place where the worker assignment to an unaccredited foster placement was in error and done without full communication and knowledge.

In this most recent situation that we find ourselves in, my understanding is that there was a movement of the foster parent from one agency which was not accredited to yet another agency that was accredited. There may have been children placed in that home before the accreditation was actually sanctioned, but thus far, Mr. Speaker, why that was done, under what circumstances, and whether or not it was deemed that the foster parents were able to take care of that situation isn't clear.

Mr. Speaker, it was only last Friday that we took over the delegation of authority and on Monday went in with our professional staff to do a thorough review of all of the cases therein and the management thereof, and when I have that available, I'll be very pleased to share it with the hon. member.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Kasohkowew Child Wellness Society

DR. NICOL: Thank you, Mr. Speaker. The minister has kind of led into where I was going on the next question. Seven children have died while under the care of the Kasohkowew society. To the minister: will you be looking into the special case reviews that have been conducted and determine whether or not the results of those deaths were properly determined and whether or not the results have been made public?

MS EVANS: Mr. Speaker, there are three things that happen when a child dies while in care. First of all, there's a critical investigation done by the authority itself. There's a special case review process, and there's also a fatality inquiry. Some of the results of those fatality inquiries have already been made public as well as some of the results from the special case reviews. We are looking at that, not only at the reviews of those particular tragedies and how they have related to the standards of care, but we're looking further at how the documentation, the supervision, the management of the administration, and the files have been managed. We're looking at whether or not there are conformities to standards of practice for safety, whether or not appropriate foster training is in place.

Mr. Speaker, at your pleasure, I would be very pleased to go through the list of standards that we have, but I gather that perhaps at this time I'll conclude.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why did the minister take away Kasohkowew's responsibilities instead of giving the society the resources it needed to properly manage its responsibilities?

MS EVANS: Mr. Speaker, that is a good question, and it relates directly to the fact that in the last three years we have provided as many as four and five additional staff members. We have been working very hard with our native liaison unit, with the authority itself. In February we initiated and followed through with a

documentation review. We're currently reviewing the standards of practice for foster care throughout the province, both on aboriginal/First Nations properties and Metis settlements and in terms of all of the other populations throughout Alberta. I determined that there were significant enough indicators, at least on the face of it, that we should explore thoroughly so that the bottom line of keeping every child safe and assuring that the delivery practices were being supported and were as safe as possible, all of those things, took place.

Mr. Speaker, there's one more reason. For me, I think it's important for the people of Alberta that they know that children taken into care are safe and that the province is doing its due diligence. I want to be sure as well that we're doing our due diligence, and I will be speaking to the chief about that this evening.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why did the minister blame the federal government yesterday for not funding intervention services on the reserve when the same minister has cut dozens of intervention programs without public consultation?

1:50

MS EVANS: Mr. Speaker, last fall in our cost containments the authorities, through their directors, looked at those programs that could be adjusted to help us save money on critical issues. We have had for several years now early intervention funding to the tune of \$1.7 million supporting all of the early intervention projects for children age zero to six on reserves. That has been funded by the province because the federal government has refused to provide even one dollar up until recently. So there is a huge need, as we move to the Alberta response model and try and identify community-based supports, for us to have early intervention programs in place, and this is something that we have been talking to the federal government about. I'm pleased that they're beginning to make moves in that direction, but for the last few years and certainly for the last several months we've been struggling to make sure that we continue to provide those early intervention programs on reserves. Where we can now help ease some of those program applicants to the federal funding formulas and supports, we are doing that one by one on the First Nations reserves.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. Aboriginal groups are upset with the action of the Minister of Children's Services in revoking the delegated authority of the Kasohkowew society. My questions are to the Minister of Children's Services. Isn't the practice of using nonnative solutions for reserve problems the real root of the Kasohkowew troubles?

MS EVANS: Mr. Speaker, we do not target the use of nonnative supports. We first of all go to the supports that are available on the reserves and try and make sure that we manage in that capacity. Where they have not been available or where they need support, then off-reserve placements are made, often by the delegated authorities, of which we have at least 17 plus one, which is a delegated authority through the transference of a letter. So really through 18 groups we try and do our very best to make sure we support those on native reserve resources. In all cases that is by provincial standard and policy our first choice, but where not available, then obviously we have to go to other supports available.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister: has the minister reviewed the work of the Red Deer agency used by the Kasohkewew authority?

MS EVANS: Mr. Speaker, there are a couple of agencies that that particular authority has used: Heritage, for example, and more recently Parkland. There has been extensive review done both during the special case review of the practices and delivery of service by Heritage, and I would suggest that by the time we come through with our report, we'll have a fairly thorough understanding, at least at the provincial level, of what all of the agencies are doing in that particular region in support of children's services.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: given that the minister blamed insufficient resources as part of the Kasohkewew problem, what has the minister done to secure appropriate funding?

MS EVANS: Mr. Speaker, we continue to speak with our counterparts at the federal government level. That is an ongoing dialogue not only from Alberta but from other provinces who are in discussion with federal authorities. We continue to try and work within Alberta through the neighbouring child and family services authorities to provide additional support, sometimes through the communities and sometimes through work that's done through our native liaison units. Where we identify a gap in service, we try to provide additional supports.

Mr. Speaker, I have clearly indicated that our responsibility now is to fix the problem and not to attach blame, and I cite only the fact that these supports for prevention have been mentioned to me by chiefs – for example, that legal services for children age 12 have not been funded by the federal government – as some of the support circumstances that haven't been available federally. If they are provided either through the suggestion of the advocate's office or through our own delivery system, we do so, but it certainly clearly is in the mandate many times of the federal government.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-West.

Safety of Children in Care

DR. PANNU: Thank you, Mr. Speaker. For the last several days in this House members have witnessed a sad and pathetic display of finger-pointing by the Minister of Children's Services regarding the deaths of foster children in Alberta. Feeling bad and blaming others after the fact does little to prevent repeat tragedies from occurring. Today we learned that Children's Services officials admit that they just assume that child welfare agencies are doing their job. My first question is to the Minister of Children's Services. Given that we are talking about repeated deaths of children, shouldn't our government be properly monitoring agencies so that tragedies are prevented, and why does the minister act only after a tragedy has occurred?

MS EVANS: You know, Mr. Speaker, the death of a child in care is something that every Albertan grieves for, and the implication of that question is that we have been slipping out from under our mantle of accountability and trying to deny any responsibility. Quite frankly, I would not have asked for and by letter indicated a desire

to take over that delegation if I hadn't been determined to be fully accountable to the people of Alberta for the delivery of services.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Given the admission by her own officials, will the minister commit to introducing better oversight, better training, and better resources and thus prevent child deaths rather than simply act after the fact?

MS EVANS: I think that first of all, particularly in the sad surroundings of the situation in Kasohkewew, we have to know what happened and what is happening in all circumstances. Clearly, when I review the some 41 deaths that have occurred in the province over the last three years – actually almost four years but in the time of this ministry – the greater majority of deaths have occurred from acute chronic illness or from some other absolute medical situation. In fact, in terms of the number of deaths on First Nations reserves, six have occurred – six, Mr. Speaker – and I think a real tragedy. Where these have occurred in Kasohkewew, we're going to explore and find out what it is. I should say that six have occurred which have been under the concerns of the director and of this department for the way that children are being managed, six under those kinds of situations where we go in and do special case reviews. Of this recent death obviously we will be doing a special case review.

Mr. Speaker, let me put this also in context. In the last few years the deaths of children in care averaged 12. In 1998-99 there were 11; in '99-2000, 12; in 2000-2001, 13; and in 2001-2002, 10. When you consider that during that same period of time we've moved from about 12,000 children in care to 15,000 children in care, we are not increasing the circumstances of tragic deaths that happen within the department. Let me not belittle any death that occurs. We are feeling very responsible and accountable and supportive where families have had that type of suffering. But let's not try and blame this government for the deaths of children in care – we're doing our level best – and I hear that coming from across the other side.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My next question is to the hon. Premier. Doesn't the Premier agree that children in government care deserve safe homes, a secure emotional environment, proper supervision, and a minister who can actually deliver on these things?

2:00

MR. KLEIN: First of all, Mr. Speaker, we have a minister who can deliver on these things and indeed is delivering in spades.

Secondly, we do have programs in place that address the needs of children, especially children in care. There are sufficient programs. Sometimes these programs don't work out exactly the way that the minister would like them to, and unfortunately in society tragedies occur. When they do occur, the minister is quick off the mark to launch an investigation to determine why there was a tragedy, to take corrective measures, to do what she can do, whatever is possible, whatever is in her power to do to correct the situation so that it doesn't happen again.

I think it was very important for the minister to point out that over the years, while the number of children in care has increased and increased significantly, the number of tragic cases has not increased at all. That demonstrates to me that the department is indeed doing a good job. Mr. Speaker, it is not and never will be an absolutely perfect society unfortunately, and when things go wrong, we do our level best to try and find the cause and to correct the situation to hopefully prevent tragedies in the future.

THE SPEAKER: The hon. Member for Calgary-West, followed by the hon. Member for Edmonton-Glengarry.

Seniors' Benefits

MS KRYCZKA: Thank you, Mr. Speaker. Most older Albertans today have planned for their retirement years and have made the necessary adjustments in their lifestyle and spending to cope with less income, and the majority do live comfortably. However, lately I've heard from some seniors upset mostly about the cumulative effect of recent changes to essential government programs: the increase in long-term care rates, the increase in Alberta health care premiums, the cancellation of the extended health benefit and the resulting increase in paying for dentures and glasses. Also, with the cancellation of the community lottery board funding, many seniors' centres have lost an important source of funding for programs. My main question is to the Minister of Seniors: what is this government doing to assist the low-income seniors to cope with these changes?

THE SPEAKER: The hon. minister.

MR. WOLOSZYN: Thank you, Mr. Speaker. I believe it's important to provide a bit of background. Prior to 1994 the provincial government offered universal programs for seniors including a rebate of up to a thousand dollars on property taxes to cover the educational tax portion, and seniors were not required to pay health care premiums. In 1994 the government at the time determined that seniors who could afford to pay should pay for services. As a result, most programs, with the exception of limited Blue Cross coverage and the extended health benefits, were eliminated, and the Alberta seniors' benefits program was established.

The Alberta seniors' benefits program is an income-based program that provides cash benefits and a full health insurance premium subsidy to low-income seniors and full or partial premium subsidies to moderate-income seniors. The cash support is intended to assist seniors with their living expenses. With the recent elimination of the extended health benefits program, seniors who are on the Alberta seniors' benefits are eligible to apply for special-needs assistance with optical and dental expenses.

The Alberta seniors' benefits program along with the special-needs program ensures that Alberta's programs for low-income seniors remain the best in the country.

THE SPEAKER: The hon. member.

MS KRYCZKA: Thank you. My first supplemental is to the same minister. What can we tell those seniors who are just above the threshold for government assistance, as they will be paying for the cost of the changes?

MR. WOLOSZYN: Mr. Speaker, fiscal reality has forced the government along with the Department of Seniors to make some very difficult choices. Our income thresholds, however, I think are very reasonable. I think it's only fair to point out that single seniors with an income of \$18,440 or less receive cash benefits and they receive full insurance premium exemptions. A single senior earning below \$26,700 will receive a full or partial subsidy for health care premiums. With respect to senior couples with a combined income of \$27,925 or less, they receive a cash benefit and full premium subsidy. Senior couples with combined incomes of \$44,400 or less receive a full or partial premium subsidy. It's important to note that limited assistance through Alberta Blue Cross is still the universal program for all seniors.

THE SPEAKER: The hon. member.

MS KRYCZKA: Thank you. My second supplemental is to the same minister. What is the government doing today to better prepare future seniors, when there are proportionately so many more, to cope with increasing costs of programs that are basic to their quality of life?

MR. WOLOSZYN: Mr. Speaker, we have had various studies to ensure that we are planning for the future. That's certainly under way. There is something that we have to pay special attention to, and that's the income for seniors and the source of the income. All indications are that seniors' income is increasing. As a matter of fact, in actual dollars the increase between 1994 or '95 and current is about 11 or 12 percent. The important thing to note with this is that the proportion of government support is decreasing in the total income package. That leads us to believe that the newer seniors are becoming more and more self-sufficient. We would hope that this trend continues to the point where there'll be fewer low-income seniors.

However, having said that, we still have to keep a constant watch on our thresholds because our income thresholds are the key to support. As long as we can set those thresholds at the proper level, then seniors will have the ability to pay their way. We'll certainly be doing that, and seniors who need assistance will continue to get the assistance from this government.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Edmonton-Rutherford.

Engineered Teleposts

MR. BONNER: Thank you, Mr. Speaker. Recently the Minister of Municipal Affairs was made aware of concerns that teleposts being used in the Alberta housing market may not be providing sufficient support to meet safety code standards. Teleposts are the metal poles in the basements of houses, and their function is to keep the house structurally sound. Clearly, if these are not installed correctly, there could be some very serious consequences. To the Minister of Municipal Affairs: given that an investigation by APEGGA has found that some manufacturers of engineered teleposts may be supplying insufficient information about the load capacity of their products, what is the minister doing to protect Albertans?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. What this government is doing – one, we're not afraid to think outside of the box. More importantly, on the point that the hon. member has brought to our attention, the concern and safety of Albertans are uppermost. Our Safety Codes Council, which in fact I'm meeting with again next week, is working in partnership with APEGGA as well, the professional engineering group, to address this exact issue that the hon. member has brought to the Legislature.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: what steps has the minister taken to make this investigation public so that Albertans can ensure that their homes are properly designed to the National Building Code standards?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Again, Mr. Speaker, the hon. member raises an important point, because we want the public to know in terms of the safety and concern of all Albertans. What we are dealing with, though, right now with our professional engineering group are the facts relative to what's working and what's not working. When I meet with the Safety Codes Council next week, I'll certainly relate to them as well the important points that the hon. member has brought up, that certainly we are addressing at this time. I thank him for the comment.

THE SPEAKER: The hon. member.

MR. BONNER: Yes. To the same minister, Mr. Speaker: will the minister issue an immediate advisory so that Albertans are fully aware of this serious safety flaw?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. That's one of the options we're considering. We haven't issued that at this point because of the fact that we're reviewing the situation that the hon. member has brought to the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Gold Bar.

Aboriginal Services

MR. McCLELLAND: Thank you, Mr. Speaker. Alberta's cities are under increasing pressure to deliver support programs to urban aboriginals. Most of the required services on reserves are the responsibility of the federal government. However, when aboriginal Canadians leave the reserve to pursue economic or other activities elsewhere, the necessary support programs then available are no longer available, generally when the support is most needed. My question is to the Minister of Children's Services. What is the government doing to cause the federal government to live up to its constitutional and moral obligations in this area?

2:10

MS EVANS: Well, thank you, Mr. Speaker. Frankly, I should first acknowledge the hon. Member for Edmonton-Rutherford, who took the opportunity this weekend to speak to some of the federal MPs, specifically the secretary of state responsible for funding for natives, and spoke very strongly and positively about improving the funding, and I want to thank him. He's not expecting this, but he did that on our behalf, so I'm very grateful.

We do point out one anomaly to the federal government on almost every occasion, and let me put it this way. If we apprehend and protect a child on reserve, then the federal government pays the support costs. If the child moves off the reserve, those support costs are picked up by the province in their entirety immediately, but if we apprehend a child in the city of Edmonton, for example, and the child moves to a reserve, then we in Edmonton still pick up those support costs. That's a real anomaly and one that we draw to their attention at every given opportunity.

We have this year, in order to not wait for the federal government to respond to our questions about some of these anomalies, instituted more funding through family and community support services so that cities and communities can cope with the populations in urban centres and do a better job perhaps with the early intervention and prevention programs. I have spoken to the hon. Minister of International and Intergovernmental Relations. He is going to

provide assistance to myself in terms of making an impact. Hopefully, for the first ministers' conference later this year we'll have a presentation available for our Premier to present at his pleasure in terms of some of our concerns about funding formulas.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you. My supplemental question is directed to the Minister of Aboriginal Affairs and Northern Development. Are aboriginal Albertans overrepresented as a percentage of Albertans living in poverty, incarcerated, or otherwise disadvantaged, and if so, what is the government's plan to remedy the situation?

MS CALAHASEN: Well, Mr. Speaker, the hon. member is correct. We are overrepresented in all those areas. This, to me, shows a need for all levels of government to focus on addressing the challenges that aboriginal people face. I mean, we have to look at unemployment; we've got to get it down. Some communities are as high as 80 percent. We have to be able to look at ways for us to be able to deal with that. We must look at creating education programs that tap the resources, especially for the fastest growing population that we have. So when we're looking at those kinds of things, Alberta Learning has started aboriginal apprenticeship projects. Alberta Learning in fact has also put in over \$5 million for native education programs. We've got programs such as the Gift Lake apprenticeship program, the training program that's happening there.

We're dealing with it from an educational perspective, but we also have to look at it from an economic perspective, which means that we have to be able to deal with it in that manner. In fact, there have been a number of areas that have been working on economic development initiatives, and I just want to name a few. Weyerhaeuser Canada has three contracts for approximately \$50,000 annually with mechanized harvesting contractors with Bigstone Forestry Inc., with Slave Lake, and a number of other communities to see how they can address the economic side. Those are areas that we have to look at in order for us to be able to start looking at those issues and dealing with them.

On the social side we see the Minister of Children's Services . . .

THE SPEAKER: You will have a supplementary.

The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. To the same minister: given that fetal alcohol syndrome and effect are the reasons that so many Albertans and particularly aboriginal Albertans face such a very difficult life, why has the government not made its number one priority the elimination of fetal alcohol syndrome and fetal alcohol effect?

MS CALAHASEN: Mr. Speaker, I happen to disagree with the fact that it's been said that it's not a number one priority. It has been a number one priority for a number of years. First of all, the previous minister of social services made sure that he did a number of things that were required to see it become identified as a number one priority. As associate minister I certainly saw it as one of our programs with the children's initiative. In fact, the present Minister of Children's Services along with my department has been working on educational programs. As we know, education is the key if we are going to address the issue of FAS and FAE, because we can address the concerns in that respect. It is those kinds of things that we have to be able to work on in making sure that we educate people

to successfully combat in my view this social problem that affects so many of our children before birth.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Buffalo.

Electricity Billing

MR. MacDONALD: Thank you, Mr. Speaker. On three previous occasions the Premier said that electricity deferral accounts were hypothetical and speculative. Time has proven him wrong, and now Albertans are paying more on their monthly bills for the deferred costs of expensive electricity that were not allowed to be charged to the customers during the election year. It seems that just as Enron, a vocal promoter of deferral accounts and deregulation, was a spectacular corporate failure, so too was this government's electricity deregulation scheme. My questions are to the Premier, who brought us all this expensive right-wing experiment. Since the Balancing Pool's current annual report states that there is another deferral account of \$345 million that must be paid by Albertans, how long will it be before Albertans see this deferral account added to their already expensive monthly electricity bills?

MR. KLEIN: First of all, Mr. Speaker, I don't abide by the notion that it's overly expensive in this province, comparatively speaking. I don't know what the price of power is today, but I know that last week when the hon. minister got up to speak, it was a little over 5 cents a kilowatt-hour. There was a spike at the beginning of the previous week due to a number of factors, one of which was that a number of plants were shut down for maintenance and there was a higher than usual demand on electricity and a lower than usual capacity of generation to deliver that electricity.

The simple fact is that relative to electricity deregulation we see a number of things now happening that didn't happen under a regulated environment. We see a number of cogeneration plants coming on stream. We see applications now for small in-river waterpower projects. We see applications for wind power. We see very significant applications for coal generation using state-of-the-art clean coal technology, Mr. Speaker. It stands to reason – and even the Liberals should be able to understand, at least those who have an ounce of entrepreneurial spirit – that the more you have to sell, the more the prices come down. It's a matter of supply and demand. A deregulated market has created the opportunity to increase the supply, and with an increase in supply of course the demand is less, and the prices should start to come down.

THE SPEAKER: Hon. members, I'm going to recognize the hon. Member for Edmonton-Gold Bar, but let's try and listen to the answers, too, if we're going to listen to the question.

The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. The Alberta Liberals, like Alberta consumers, understand that electricity deregulation has increased their monthly power bills. Now, can the Premier please tell us: how much more will Albertans' bills go up each month in order to pay off this \$345 million account?

MR. KLEIN: Mr. Speaker, that was pre-deregulation, as I understand it, and it was all part of the program to deregulate, which has been in place, by the way, or in the works since 1995.

Mr. Speaker, let's get down to some of the philosophical questions surrounding deregulation and the difference between their party and

our party, aside from the fact that we have 74 members and they have seven. I think that we reflect much better the attitudes and the desires on the part of Albertans, who want to see an entrepreneurial spirit. They want to see government get out of the business of being in business. The Liberal philosophy would be to have a monopolistic, totally controlled environment so that if electricity rates went up, they would simply pick the taxpayers' pockets and subsidize it throughout, adding to the deficit, creating more debt. And their attitude would be: well, we're not going to be around that much longer anyway; we'll let someone else worry about it.

2:20

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. The Liberal policy is for cheap, reliable electricity for Albertans. Now, can the Premier tell us how many additional charges there are now on Albertans' bills since deregulation and how many additional charges are lurking, waiting for them in the future?

MR. KLEIN: Well, Mr. Speaker, I'll answer the question with a question. Are the Liberals proposing to bring about this so-called cheap and reliable electricity by a totally socialized, monopolistic kind of system where the only way you can possibly ensure that electricity rates stay at the same rate at all times for all people for all reasons is to subsidize it through taxpayers' dollars? Is that what they're saying? Because I haven't figured out any other way.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Centre.

St. Mary's Catholic School

MR. CENAICO: Mr. Speaker, St. Mary's Catholic school is the first and hence oldest Catholic school in the city of Calgary and exists in the fine constituency of Calgary-Buffalo. It has a long and proud tradition in this city and is well remembered by many of the people who attended classes there and their descendants. Its fate has been the subject of much public discussion recently because the Calgary Catholic school board has indicated that it wishes to demolish the facility in order to provide a new facility for urgently needed education programs for special-needs students. My question is to the Minister of Community Development. Can the minister tell us what the status is of this historically significant school building?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Well, thank you, Mr. Speaker. As I understand it, the old St. Mary's school in Calgary was recently the subject of discussion at Calgary city council, and they voted a couple of days ago, I believe, to issue a notice of intention to the Calgary Catholic school board to designate that site as potentially being a municipal heritage site. Since the Calgary Catholic school board essentially owns that property, they are certainly well within their right to consider that particular determination. I understand that the Calgary council is working with them and that a decision may be reached as early as May 27 with regard to the fate of that school. We don't own it. The Calgary Catholic board does, so they're working it out.

THE SPEAKER: The hon. member.

MR. CENAICO: Thank you, Mr. Speaker. My first supplemental question to the same minister: can the minister clarify the government of Alberta's involvement in this process?

MR. ZWOZDESKY: Well, Mr. Speaker, St. Mary's school has been the subject of considerable discussion and review by Alberta Community Development for the past three or four years because there is some historical significance attached to this school. So we've been through the process. We served intention of notice to designate. However, the bottom line was that without the approval and agreement of the Calgary Catholic board, we were not inclined after our review to designate that particular site as a provincial historic resource, because of course there were motions on the books of the Calgary Catholic board to not do so, to in fact replace it with a replica. So our involvement in the process has been one of support where we could. I've met with the Catholic board and I've also met with representatives of the community, so we've been involved in that fashion through the process.

I think I'll just conclude this part, Mr. Speaker, by saying that section 26 of the Alberta Historical Resources Act specifically does enable a municipality to consider sites within its jurisdiction for possible designation, and that's what I believe is occurring now.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My second supplemental question to the same minister: is the province prepared to provide any financial assistance toward the preservation of St. Mary's school as a result of this recent municipal decision?

MR. ZWOZDESKY: Well, Mr. Speaker, I think the finances of such an undertaking will likely reside between and among members of the Catholic board and the city of Calgary council. But should the situation occur that the St. Mary's school gets designated as a municipal historic resource, then some limited funding for the ongoing preservation would be available through our Alberta Historical Resources Foundation, and I believe it's in the order of \$5,000 over consecutive 5-year periods.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Highlands.

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. Yesterday the Minister of Gaming said that about half the applications to the community lottery boards received funding. The minister now sees these applications being shifted to programs like the community facility enhancement program, or CFEP, and the Wild Rose Foundation. My questions are to the Minister of Gaming. If the minister is now trying to accommodate these groups through CFEP or Wild Rose, where will this extra money come from? Where is it in the budget?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. If you take a look at the budget for the year 2002-2003, there in fact is scheduled an increase in funding both in the Ministry of Gaming for the community facility enhancement program and in the Community Development ministry budget for the various foundations that are funded there, including the Wild Rose program. So if you go out one year, there is additional funding that is anticipated at this time.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. Given that the total amount of money in the lottery fund was \$50 million and the extra being added into CFEP is \$2.5 million – and I don't hear

any additional money being put into the existing grant programs – how is the minister going to decide which groups currently getting grants will get cut to make way for the dispossessed lottery board applicants?

MR. STEVENS: Mr. Speaker, the community facility enhancement program has been one of the very successful programs of this government. It has been in place since the late '80s and in fact over that 12-, 13-, or 14-year period has expended something in the order of \$250 million or more. I have never heard anyone complain about the community facility enhancement program. Indeed, I've had many people write letters to me thanking me for the good work that is being done there. I anticipate that this program, which has very clear rules and which is very fairly administered, will continue to do good work as it goes forward.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much. Given that the Hillhurst-Sunnyside Community Centre applied for community lottery board money for a healthy eating program, therefore it wouldn't be eligible under either CFEP or Wild Rose, where will the minister now direct them to apply for funding for this program?

MR. STEVENS: There are a couple of things that I think are important to recognize. The first thing is that in Alberta we have a charitable model of gaming, which puts into the not-for-profit sector annually some \$300 million; \$300 million is a great deal of money. I would suggest that there's no other province in this country that puts that type of money into the not-for-profit sector.

The second thing that I think is important for this hon. member to understand is that, as I indicated the other day, I've been asked to review the existing programs to take a look at how we may be able to accommodate through modification or some other means those applications which have previously been funded by the community lottery program and that otherwise will fall between the cracks. I have undertaken to do that. I will be doing that. It will be something that I will be bringing forward to my colleagues in the not-too-distant future.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Red Deer-North.

Municipal Taxation

MR. MASON: Thank you, Mr. Speaker. Yesterday the Premier was musing again, this time about allowing municipalities to levy new taxes. However, the Premier overlooked a straightforward solution, which has been advocated for years by Alberta municipalities themselves; namely, the full responsibility for property taxes in Alberta. For years Alberta municipalities have had to share property tax revenue with the provincial government and as a result have had to beg a variety of grants, taxes, and program funding to bridge the resulting revenue gap. My question is to the Premier. Instead of adding to the undergrowth of the tax jungle by adding various new kinds of taxes, why doesn't the government develop a plan to withdraw over time from the property tax and leave that field as the exclusive preserve of Alberta's municipalities?

2:30

MR. KLEIN: Mr. Speaker, the province is involved in property tax only as it relates to education. The musings that the hon. member alludes to are musings that go back to 1980, you know, long before

this member was a municipal councillor or was involved in any way, shape, or form in municipal policymaking. Perhaps he was driving a bus at that particular time. I don't know.

MR. MASON: You bet I was.

MR. KLEIN: And that's a good profession. It's a great profession.

I was working for the city. I was the mayor. I was working for the city also, for another city, mind you. I mused at that particular time, as a matter of fact made representation to a provincial task force on municipal financing, that perhaps municipalities should be given the authority to explore ways to raise additional revenues. Well, I was shot down at that particular time, but now that I'm here and have the opportunity and now that the issue is resurfacing, I'm saying that it's time to have a good look at it. I don't see anything fundamentally wrong with it. I'm sure that had the hon. member still been a member of Edmonton city council, he would have jumped at the opportunity to have the legislation amended, either the Municipal Government Act or the municipal taxation act, to allow, to enable – that's not to force but to enable – municipalities to raise additional revenues if they so wanted and if they wanted to take the political risk.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Given that in the 2000-2001 provincial budget a first step in this direction was taken when the government cut its portion of the property tax by 10 percent, why has this direction been reversed in the latest budget, which includes an increase in the provincial portion of the property tax?

MR. KLEIN: Mr. Speaker, the only taxation relative to school board taxation has been to accommodate growth. I believe it's the hon. Minister of Municipal Affairs. I'll have him respond and add to my answer.

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. It's important to note that in actual fact in this budget year the mill rate is going down, because we're able, then, to capture the growth that actually is taking place in Alberta. As you know, last year municipalities received about \$135 million in tax room, which I know is welcome. This year we're attempting to capture the growth because of people moving to Alberta, where there are lots of jobs.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Is the Premier just musing, or will he commit to a new deal for municipalities which is comprehensive, sustainable, beyond the reach of nervous finance ministers, and which solves once and for all the financial needs of Alberta's cities, towns, and rural municipalities?

MR. KLEIN: Mr. Speaker, this whole situation is under review right now by I think it's the roles and responsibilities resource committee. If municipalities want to make representation relative to my musings, that's entirely up to them. We aren't forcing municipalities to do anything, but if they want it, if they want the enabling legislation – you have to understand, and I'm sure that the hon. member understands, having been a former member of council, that municipalities are indeed creatures of the province. They operate

under various pieces of government legislation; i.e., the Municipal Government Act, the municipal taxation act, and so on. All this government does is simply enable municipalities to do certain things. If those things that we enable them to do prove to be unpopular with the voters of a particular municipality, guess what happens? The municipal legislators get fired. That's what democracy is all about.

THE SPEAKER: Hon. members, before calling on the first of seven members to participate in Recognitions today, might we revert briefly to Introduction of Visitors?

[Unanimous consent granted]

head: **Introduction of Visitors**
(*reversion*)

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you. It gives me great pleasure to introduce to you and through you to all members of the Assembly Mr. Ernie Isley. Mr. Isley is a former MLA for the constituency of Bonnyville, that he represented from 1979 to 1993. He is presently the chair of the Lakeland regional health authority. Mr. Isley is seated in your gallery, Mr. Speaker, and I'd ask him to rise and receive the traditional warm welcome of this Assembly.

head: **Recognitions**

THE SPEAKER: The hon. Member for Edmonton-Norwood.

Mabel Julia Wade

MR. MASYK: Thank you, Mr. Speaker. Today it gives me great pleasure to rise and recognize an upcoming birthday of an Edmonton-Norwood constituent. Mabel Julia Wade was born in South Dakota in the year 1902, and shortly after her birth Mabel's family moved to Canada and settled near Camrose. One of five siblings, she attended school in Parkdale district near Bawlf, Alberta, and she received her teaching degree at Camrose normal school before going on to teach at various country schools. Mabel was married in 1929 and with her new husband resided in the Mellowdale area and farmed in the Elk Point area during very difficult times. The Wade family moved to Round Hill, and then they made their final stop in Edmonton in 1950. Two years after arriving in Edmonton, in 1952, the Wades purchased a home in the Norwood area. Fifty years later Mabel Julia Wade, now 99 years old, still resides in the same Norwood home.

Please join me in congratulating Mabel Julia Wade, who will turn a hundred years old on Thursday, May 16. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Banff-Cochrane.

Public Library Awards

MRS. TARCHUK: Thank you, Mr. Speaker. I rise today to recognize this year's recipients of the annual public library awards, which were presented at the annual library conference in Jasper last weekend. The Banff public library was presented with the creative public library service award for offering free service to local residents. This project has been very successful in achieving its goal from the moment the free service was introduced. Enrollment has increased by 40 percent, with circulation materials increasing by 17 percent over its 1999 level.

In addition, the collaborative innovation in library service award

was awarded to the Marigold, Northern Lights, and Yellowhead library systems in recognition of their partnership and innovation. They combined their entire databases, that now offer over 1.7 million items to library users. The new system creates a library without walls, based on 21st century technology, while offering a faster and wider service to its customers.

Please join me in congratulating these outstanding library organizations.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

George Chatschaturian

MR. MacDONALD: Thank you, Mr. Speaker. I stand to recognize George Chatschaturian of Edmonton, Alberta, who unexpectedly passed away on April 18 at the age of 55 years. He was born in Miltenberg, Germany. George is survived by his wife of 35 years, Wilma, three daughters – Toby, Tara, and Debbie – and their spouses, and eight grandchildren, who brought so much joy to his life. Mr. Chatschaturian was a proud member of the International Brotherhood of Electrical Workers local 424 for the past 33 years. He served the local with distinction for the past 22 years as a dispatcher and assistant business manager. He always in the discharge of his duties put the interests of the workers first. He also found time to ably represent the interests of workers on the board of directors of the Workers' Compensation Board.

The standing-room-only crowd at his memorial service were people from all walks of life joined to express their respect for the man and all that he accomplished. His contributions to his community and to our province and country do not go unnoticed. His family's loss is shared by all of us.

Thank you.

THE SPEAKER: The hon. Member for Calgary-West.

Canadian National Junior Boxing Championship

MS KRYCZKA: Thank you, Mr. Speaker. I'm very pleased to speak today on behalf of the hon. Minister of Aboriginal Affairs and Northern Development regarding 12 boxers from Alberta who recently competed at the 2002 Canadian national championships in St. John's, Newfoundland, and who I was pleased to meet Monday on their return Toronto to Edmonton flight. These young athletes achieved incredible results for Team Alberta, winning five gold and six bronze medals. Skylar Sloan, a member of the Slave Lake Boxing Club, is from Kinuso, in the Lesser Slave Lake region, and remains the only undefeated boxer on the Canadian national junior team, with 14 wins and no losses.

2:40

Lee Tanghe, also from Slave Lake, was the team's coach in St. John's and has coached boxing since 1990, achieving incredible results over the years. Lee has been selected to represent Alberta as head coach at the 2002 North American Indigenous Games in Winnipeg this summer and has been preselected as Alberta's coach for the 2003 Canada Games in New Brunswick.

Congratulations, coach and team, on your dedication to sport excellence and your achievements at the Canadian championships.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

Portage College Sports and Education Dinners

MR. DANYLUK: Thank you, Mr. Speaker. It is an honour for me

to recognize the Portage College sports and education dinners, which were held in St. Paul and Lac La Biche on April 26 and 27. The college's mandate is to stretch out into the community and meet the educational and training needs within the region. They accomplish this with their main campus in Lac La Biche and 12 community campuses, reaching 1,400 students. President Bill Persley, board chairman Tom Lett, governors, and staff are to be commended for their roles in ensuring the success of this event.

The purpose of the dinners was to raise awareness of the educational opportunities for students and to enhance support for scholarships for students enrolled at Portage College who demonstrate a financial need. Mr. Speaker, both evenings raised approximately \$65,000, and I would like to congratulate all those involved in the second annual event. The successful efforts and the commitment shown by these constituents of Lac La Biche-St. Paul who attended will be appreciated by many future students. A great effort, a great cause, and a great job.

Thank you.

Excellence in Teaching Awards

MR. MASKELL: Mr. Speaker, thanks to the creation of the excellence in teaching awards by this government in 1989, students, parents, teacher colleagues, and community members have been given the opportunity to recognize outstanding teachers. Anyone who has ever been nominated for an award knows how appreciated and valued one feels. Last evening I attended the Edmonton public schools celebration for the district finalists, excellence in teaching awards 2002, along with the hon. members for Edmonton-Rutherford and Edmonton-Norwood. I'm proud to advise members that 26 teachers – and I say again: 26 teachers – from Edmonton public schools are provincial finalists. This is an impressive number when one considers that the total is 131 provincewide.

I would like to congratulate finalists Lynda Antoniuk, Tracey Arbuthnott, Trina Blake Sharun, Jennifer Brayer, Russell Campbell, Sandy Cross, Rhonda Day, Tana Donald, Jacinthe Farand, Shelley Filan, Nina Fotty, Stacy Fysh, Donna Irwin, Joann Limoges, Karen Linden, Kim Marcinek, Joan Martz-Krewusik, Wesley Myck, Donald Myers, Marsha Nelson, Hazel Quigg, Patricia Radcliffe, Jen Riske, Ray Cimolini, Lynne Jones, and Powell Jones.

Congratulations to Edmonton public schools on these outstanding teachers. By the way, four of these finalists are teachers at schools in Edmonton-Meadowlark.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

National Summer Safety Week

MR. BONNER: Thank you, Mr. Speaker. I rise today to recognize the Canadian Safety Council National Summer Safety Week. After a long winter and a spring that is in no hurry to arrive, it is important for Albertans to remind themselves about the dangers they may encounter while enjoying the warm weather. In the rush to get to the lake, we must take time to make sure that our vehicles are in good working condition and that watercraft are safe for another season. Rules about wearing life jackets, using sunscreen, and always swimming with a buddy are taught to children, but adults are well served to heed their own advice. Cycling and in-line skating are great exercise and wonderful ways to enjoy the outdoors, but excessive speed, a disregard for others, and a lack of safety equipment are quick ways to go from having summer fun to watching from the sidelines. The rules of the road are there to protect everyone: pedestrians, cyclists, and drivers. While speed limits and

right-of-way rules may seem like a bother to some people, they'll take much less time out of a person's day than a trip to the hospital.

The mission of the Canadian Safety Council is to lead in the national effort to reduce preventable deaths, injuries, and economic loss in public and private places throughout Canada. I encourage all Albertans to take a moment, assess the risks, and make every summer activity a safe one.

Thank you.

THE SPEAKER: Hon. members, as a result of recognitions and members' statements oftentimes my office receives calls from members of the public who say: how is it that one week or one day or one month is recognized but another is not? So to bring to all members' attention, May is Cystic Fibrosis Month, Multiple Sclerosis Awareness Month, MedicAlert Month, Better Speech and Hearing Month, Motorcycle and Bicycle Safety Awareness Month, Asian Pacific Heritage Month, Red Shield Appeal Month, Child Find's Green Ribbon of Hope campaign, Light the Way Home campaign. February 21 to May 18 is the Easter Seal mail campaign. April 26 to May 4 is Education Week. May 3 is World Press Freedom Day. May 3 to May 12 is Information Technology Week. May 5 to May 11 is North American Occupational Safety and Health Week. May 6 to May 12 is Emergency Preparedness Week. May 8 to June 21 is SummerActive. May 12 to May 18 is National Police Week. May 15 is International Day of Families. May 17 is World Telecommunication Day. May 18 to May 24 is Safe Boating Week. Of course, May 20 is Victoria Day. May 21 to May 24 is Aboriginal Awareness Week. May 22 is International Day for Biological Diversity. May 25 is National Missing Children's Day.

The hon. Member for Edmonton-Highlands.

MR. MASON: Mr. Speaker, I just wanted to point out that May 1 is International Workers' Day.

THE SPEAKER: Well, yes, of course. Absolutely. Thank you.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I'd like to present a petition concerning the independence of the Children's Advocate of Alberta.

THE SPEAKER: Hon. Member for Edmonton-Highlands, did you have a petition to present?

MR. MASON: Yes, I did, Mr. Speaker. I'm presenting a petition signed by 71 Albertans petitioning the Legislative Assembly to urge the government "to not delist services, raise health care premiums, introduce user fees or further privatize health care.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Mr. Speaker, it's a privilege today to present a petition from 200 individuals from southern Alberta concerning equal support for public and separate education and the rights that that implies for all students in the province.

Thank you.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. Today I am pleased to

table with the Assembly the 2001 report of the Law Society of Alberta. Lest members not take the time to read the full report, I would direct their attention to page 10, where it points out the strong relationship between the Department of Justice and the Law Society of Alberta that has been occasioned over the past few years.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. I stand today to table copies of what was intended to have been a petition but didn't turn out to be. It's more like a letter signed by a number of individuals in southern Alberta asking that the Alberta motor vehicle operators' list be made available for those who support and administer the War Amps program.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I, too, have a petition, from Mary Brown on 86th Avenue in the constituency of Edmonton-Gold Bar, urging the hon. Premier of Alberta to provide access to the Alberta motor vehicle operators' list for the War Amps program. The Drivesafe program is only one valuable service that's provided by that organization.

My second tabling today is the official program – and this is quite appropriate on May 1, which is recognized around the world as a day of recognition for workers' rights – for the candlelight ceremony from Sunday, April 28, 2002, to recognize the number of workers killed around the world on job sites. This program was sponsored this year by the Alberta Federation of Labour, the Alberta and Northwest Territories Building Trades Council, and the Edmonton and District Labour Council.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

2:50

DR. PANNU: Thank you, Mr. Speaker. I rise to table appropriate copies of two different letters that I received over the last few days. The first one is a letter that's dated April 29 from the president of the Alberta Rowing Association. First she outlines how important lottery board grants have been and how they've been utilized by this association in financially supporting "emerging athletes, five of which were members of Canada's Olympic Rowing Team in Sydney, Australia." Then, of course, the president urges the provincial government to "reconsider this most inappropriate decision and to reinstate the funding for Community Lottery Board grants. In eliminating Community Lottery Board funding a major disservice has been done," and she asks that we act promptly in reversing the provincial government's decision.

The second letter, Mr. Speaker, is from the Canadian Mental Health Association, Alberta southeast region, with its office in Medicine Hat, urging the government to give higher priority to mental health in its health care programs.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I have one tabling today. It is a letter to the hon. Premier from Alex Grimaldi, who on behalf of the 30,000 members of the Edmonton and District Labour Council voices great displeasure in the government's decision to eliminate the community lottery boards.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I'd like to table the appropriate number of copies of a letter sent from Alberta Municipal Affairs to TEC Engineered Support Services, Wesure Weld Support Systems, Stemco Inc., and Ironman & Company. This letter is dated January 8, 2002, and in here Alberta Municipal Affairs

has worked in conjunction with APEGGA to determine if there was any action needed to deal with the concerns identified with the engineered teleposts. An investigation by APEGGA has found that the tables and other information currently available from some manufacturers may not be sufficient to provide adequate guidance in the selection of the proper components to make up the telepost.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. A couple of tablings today. The first is a letter from the Hillhurst-Sunnyside Community Centre to their MLA, the Member for Calgary-Mountain View, asking that the government reinstate the community lottery boards and including a bill for \$600 for their time to prepare the grant applications for the now nonexistent boards.

The second tabling is from Janice McTighe, executive director for Renfrew Educational Services. The letter is to me, noting that the Calgary community lottery board funded very worthwhile projects and worrying that some of these organizations may have to close their doors, asking the government to reconsider their decision.

The next is a letter signed by the board of the Alberta Craft Council. The letter is directed to Premier Klein, noting that since the days of Premier Lougheed, there has been an agreement amongst large numbers of Albertans that, if there is going to be government organized gambling, government has a responsibility to put [gaming] profits back into communities and community-based services.

Another letter, from Candice Noakes directed toward her member, the MLA for Calgary-Currie, expressing her outrage about the decision to cancel the community lottery boards, noting that it will devastate hundreds of non-profit organizations and asking her member to represent the citizens of the province and show support for the lottery boards.

Finally, a letter from Richard Reid, bingo chairperson of Victoria Co-ed Cheerleaders Parents' Committee, noting that they're writing to express their approval for the paid floor staff at the bingo association and feeling that each bingo association must make their own decisions, but they are certainly in favour of this view brought forward by Alberta Gaming and Liquor Commission.

Thank you, Mr. Speaker.

head: **Orders of the Day**

head: **Government Bills and Orders**

MR. HANCOCK: Mr. Speaker, I'd ask for the usual unanimous consent under section 58 of our Standing Orders to allow us to proceed till 5:15 before a vote.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: I'll call the committee to order.

head: **Main Estimates 2002-03**

Finance

THE DEPUTY CHAIR: As per our Standing Orders the first hour will be allocated between the hon. minister and members of the opposition, following which any other hon. member may participate.

The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Chairman. It's a pleasure to be here today to present the Ministry of Finance's estimates for 2002-2003. I'm also going to spend a little bit of time giving an overview of what Finance does and the key points of our business plan.

Before I begin, Mr. Chairman, I'd like to introduce some of the staff who have been involved in putting together our business plan and our budget. With us today in the members' gallery are Bonnie Lovelace, our senior financial officer; Peter Kruselnicki, our Deputy Minister of Finance; Richard Shelast, our senior manager of budgets, who puts Finance's budget together; Colleen Kroening, who is our manager of strategic planning; and my executive assistant, Tim Wade. Welcome.

Mr. Chairman, as Minister of Finance I am proud to say that Albertans enjoy the lowest tax regime anywhere in Canada. This includes no sales tax, no payroll tax, no capital tax, a single-rate personal income tax of 10 percent, and the highest basic personal exemption compared to all other provinces. We have a competitive tax regime. It's critical to Alberta's economic advantage, and our goal is to provide lower and more competitive taxes that are sustainable over the long term.

Families are also benefiting from these lower taxes. The typical one-income family with two children in Alberta pays the lowest provincial tax and health care insurance premiums in Canada. For an income of \$30,000 those taxes in Alberta are 81 percent lower than the average in any other province. For a two-income family with income of \$60,000 the Alberta advantage is still 30 percent lower than the average in other provinces.

I am also proud, Mr. Chairman, to report that we have reduced debt servicing costs from \$749 million to \$506 million in the past year. That is a big step forward, reducing the burden on future generations of Albertans and freeing up money for programs and services in the future.

Now, before I get into the other highlights from our budget and estimates, I want to tell you about the key roles of the ministry. All of you here know that one of Finance's core businesses is establishing the fiscal framework and facilitating sound planning and decision-making. This is our overarching responsibility for coordinating tax, fiscal, and economic policy for Albertans. It includes looking at the overall revenues and expenditures. In our mandated supporting role to Treasury Board we seek to strike the right balance, working with other ministries to find the right levels of revenue that government should raise for government operations and what mix of revenue is right along with the balance between debt payment, low taxes, and priority spending.

3:00

All the results of that work ends in the budget and carries on throughout the year in our quarterly reviews of the budget. It's usually what people think of when they think of Finance, and while at times the budget is a time-consuming task, it is just one of the vital responsibilities we undertake in this ministry, but there are many others also. We lead in business planning, performance measurement, financial and reporting standards, accounting, investment and debt accounting, liability management, banking and

cash forecasting, pensions, insurance, Alberta Treasury Branches, and Credit Union Deposit Guarantee Corporation, just to name a few. We represent Alberta in the federal/provincial discussions on economics, taxation, and fiscal issues. We prepare consolidated financial statements for the government, provide analysis of investment and debt returns, safeguard pension entitlements, regulate insurance companies, and so on.

So as everyone here can appreciate, Alberta Finance does much more than just the budget itself. The bottom line is that Alberta Finance is responsible for the financial plans, policies, and regulations that ensure that the government runs smoothly and that this province continues to be in a strong fiscal position. The focus of all this work is found in our vision, mission, and six goals that are outlined in the business plan.

Vision, Mission, and Goals. Alberta Finance's vision is "working together to provide renowned and innovative financial leadership." Our mission reflects our core businesses and encompasses the following:

- Establish the fiscal framework and facilitate sound fiscal planning and decision-making.
- Foster an effective accountability framework.
- Manage financial assets and liabilities prudently.
- Foster access to comprehensive and competitive financial . . . services and pension plans.
- Administer the regulatory framework to reduce the risk of financial loss to pension plan members, depositors and policyholders.

Alberta Finance has six goals to accomplish the mission for 2002-2005. They are: goal 1, "A strong sustainable financial position." As you know, some of the key performance measures for this goal are to meet our legislated pay-down plan on the accumulated debt and for Alberta to have the best credit rating among the provinces. You also know that we're years ahead of schedule on the debt pay-down, and indeed we do have the best ratings. In fact, last summer we received the triple crown when the Dominion Bond Rating Service joined Moody's and Standard and Poor's in giving Alberta a triple A credit rating for domestic debt. I might add, Mr. Chairman, that we are the only jurisdiction and the only government in all of Canada who has attained the triple crown from the rating agencies. Goal 2, to be "financially open and accountable government." I think, Mr. Chairman, that every day we demonstrate that openness and accountability within this House. Goal 3 is to have "a fair and competitive provincial tax system." Goal 4, "Effective management of the province's financial assets and liabilities." Goal 5, "Foster confidence in, and encourage the availability of comprehensive, reliable, and competitive financial products and services." Goal 6, "Foster confidence in Alberta-registered pension plans."

Each goal has several strategies that are outlined in the business plan. I'll mention just a few of the key ones. We'll be looking at the public-sector pension governance. As Finance minister I am the trustee of six public-sector pension plans. My responsibilities include benefit changes as well as the administration of contributions and benefit payments and the investments of assets. Today we use the investment group that is housed under Alberta Revenue. The existing government's framework for these plans has been in place for a number of years. Accordingly, I have started a review and intend to consult with all stakeholders to look at governance. I plan to have a formal report and recommendations delivered to me in the fall.

Another initiative to note involves looking at the effective management of the province's financial assets and liabilities. Alberta Finance is developing an enterprise risk management strategy. The aim will be to raise awareness of risks on a governmentwide basis to things like weather, capital markets, and

energy prices. When this is done on a cross-ministry and governmentwide level, it will ensure that risks are effectively evaluated and managed.

Another strategy is to monitor debt portfolio and future financing requirements to anticipate and manage risks. We need to look at risks not just program by program or ministry by ministry but on an overall basis. A negative risk in one area might be offset by a plus in another. I won't go into detail on any more of our strategies, but I am pleased to answer any questions you might have about them.

A key announcement in the budget was the establishment of the Financial Management Commission to review the province's fiscal framework, and the commission will be seeking input from Albertans in the near future. I look forward to receiving their recommendations.

That's a quick look at what we do and where we're headed in 2002-2003, and now I want to give you a few highlights from our budget and our estimates. Even though we're here for the purpose of approving my estimates – and I'll give some specifics on those – I'm going to provide a few details on other aspects of the ministry's budget as well.

Net income. You'll see in our budget documents that Alberta Finance is projecting a surplus of nearly \$71 million in 2002-2003. This represents an improvement of \$366 million from 2001-2002 forecasts and \$467 million from 2001-2002 budget. Most of the change in the ministry's bottom line is attributed to shrinking the debt load, a transfer from the lottery fund for the economic cushion, and a onetime transfer of restricted equity from the Alberta Municipal Financing Corporation.

The ministry revenue is projected at \$1.1 billion, an increase of \$92 million, or 9.3 percent, over the third-quarter forecast for 2001-2002. We don't have the final numbers on that as yet, but we'll have them soon. As I alluded to earlier, this increase results from a \$99 million increase in transfers from the lottery fund and a \$100 million transfer from the restricted equity on the AMFC. These increases are partially offset by a \$42 million decrease in the department investment income because of lower surpluses in the GRF earmarked for debt retirement as a result of lower average balances and interest rates projected for 2002-2003, a \$27 million reduction in AMFC investment income, and a \$39 million decline in the net income of Alberta Treasury Branches due mainly to the lower interest spreads, a return to a normalized loan, loss provision, and increased expenses.

On the program expense side, in terms of program spending, we're budgeting about \$442 million, or a 2.1 percent or \$9.2 million increase over 2001-2002 for the ministry. This includes a \$4.1 million increase for Alberta Pensions Administration, \$2.4 million for the department itself, and \$400,000 for the Alberta Insurance Council. The remaining \$2.3 million is a net increase in valuation adjustments for the Credit Union Deposit Guarantee Corporation, which I'll mention again in a second, and this is offset by a decrease in interest expense from the Alberta Municipal Financing Corporation. The increase in Alberta Pensions Administration spending is entirely offset by revenue from service charge-backs to the pension fund by their administration. The \$29.3 million change in valuation adjustment spending stems from the renegotiation of the credit union deficit financing agreement. Last year that saved the province \$29 million.

I'll highlight a few areas from our estimates that I think are of interest, Mr. Chairman. The department's voted program expense has increased by \$2.1 million over 2001-2002's forecast. The increases are largely due to reduced vacancy rates, salary adjustments, reallocation of governmentwide financial and human resource systems costs to reflect a new cost distribution formula adopted across the government, and fee increases for banking services and investment management services.

There is always interest in the minister's office and what we're spending. This budget is increasing by \$10,000 from our forecast and a bit more than that over last year's budget. This is mainly to cover salary adjustments within the office. The deputy's office usually comes under scrutiny as well. It's increasing about \$6,000 from forecast, again mostly salary adjustments for the staff within the office.

3:10

You won't find these next few numbers in your estimates, but questions come up on them. In the department we'll spend about \$13 million on manpower costs, including permanent wage and contract staff and all their benefits. We'll also spend about \$7.6 million on total supplies and services – that is, everything that isn't manpower costs – including \$340,000 for travel and \$43,000 for freight and postage. That was asked last year. That's for the department itself.

Capital investments. The ministry capital investment has decreased by \$940,000, or 22.5 percent, down from \$4.1 million from our forecast for last year. This is largely due to the completion last year of a new pension information system in the department and the completion this year of the new pension administration system in the Alberta Pensions Administration Corporation.

Also, something we're interested in, overall the ministry has increased its staffing by 20 full-time equivalents to 351, around 6 percent. The increases are only in the Alberta Pensions Administration Corporation and the Alberta Insurance Council. The department's staffing level will be 172 full-time equivalents, no overall change from last year.

In the Alberta pension administration group there are 19 additional full-time equivalents, including 15 to handle the growing volume of retirees, the training of new employees, and changes in the public service pension plan and the local authorities pension administration systems. A further four full-time equivalents are required to support the new pension administration system. The costs for these people are borne by the pension plans. The Alberta Insurance Council has also added two full-time equivalents for auditing mandatory requirements under the new Insurance Act.

So, in conclusion, Mr. Chairman, this is really a quick overview of Alberta Finance's business plan and budget estimates for 2002-2003. I look forward to hearing the comments from the members opposite, and I'm committed again to answering all questions that come my way. If I don't have all the answers at my fingertips, I will undertake to have written responses sent back to all questions presented by all members in the Assembly.

Thank you very much. I welcome your comments and your questions.

THE DEPUTY CHAIR: The hon. Leader of Her Majesty's Official Opposition and MLA for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. I want to thank the minister for her overview, and I want to join the minister in thanking the staff that have come out today to help in the responses today and also in the preparation of the business plan and the budget. It's a real challenge, and it really takes a lot of personal effort from them, so thank you very much. I guess the questions that I want to start with link more to kind of the relationship between the budget and the policy issues that come up, so I'll be focusing at the start a lot on some questions that come out of the business plan and then will be dealing more with some of the line items probably in my second 20-minute period.

In the initial part I wanted to just thank the minister for the

overview that she gave in terms of some of the goals and objectives, and they sound like the kind of things, you know, that Albertans would agree to and would say are appropriate for our province. When we start looking at some of the detail that's there and some of the issues of managing those goals, some of the issues of trying to deal with operationalizing and making I guess the management of the province's budget fit with them, we end up kind of needing some clarification or having some questions raised. If we go through the business plan and start with your goals, I guess the measure of what constitutes an outcome of being well managed leaves a lot of questions when you look over at your performance measures and basically see there good credit ratings as the major component of all the performance indicators. It's page 159, Madam Minister.

The main issue there that I think comes up is that credit ratings are kind of expressions of expectations in the long run as opposed to the day-to-day expectation. I would ask if there are any efforts right now, other than what you're talking about through your Financial Management Commission, to look at some of these performance indicators that may reflect the shorter vision than just the credit rating type of approach that comes from, you know, bond market raters, because they, as I said, are very long-run type ratings.

There I'm thinking a little about some of the issues that come with trying to get a performance indicator in terms of stability or predictability. You know, how much do you follow the business plans from one year to the next? This in effect allows especially the contract agencies that we're using now like regional health authorities, like school boards, like children's authorities, all of these kind of arm's-length groups, who have to do their business plans – and they're doing their business plans in advance in many ways because they have to plan long run as well. So one of the measures that we should be looking at in terms of trying to measure our financial position and our financial management is the ability to carry through on those three-year business plans that we put out in conjunction with the budget each year, because that gives them a little bit of certainty.

I would suggest, Madam Minister, you know, that we would want to see a closer delivery of a business plan next year as opposed to the third year, because each year that you get farther away, more and more issues come up where you would want to make changes that would affect those business plans. But on a year-to-year basis there should be a degree of certainty. So I guess what I'm saying is: are you looking at those kinds of shorter term financial management indicators, or would this be something that the Financial Management Commission would be looking at much more than having it come through your process of policy development and policy strategy?

Farther down under the outcomes on that first goal you talk about: "The government fiscal plan is integrated with the business plans." How would that be measured in the context of where we would look at the actual delivery of those business plans and the financial plan? We're getting into an issue here where a lot of the business plans deal with issues that are social indicators, whereas your ministry as kind of the bank of the government is responsible for the bottom line more than the social well-being. This has always been something that's been very difficult to deal with. When we start dealing with that, are we going to be looking at the idea of a social debt, infrastructure debt, or deficits? You know, last fall we had the Minister of Infrastructure mention that on the business plan basis we were somewhere in the neighbourhood of \$700 million to \$800 million in deficit in upgrading and maintaining our infrastructure. Yet when we look at the financial position of the province, that, quote, deficit doesn't show in any of our balance sheet type presentations because – this is what I'm saying, you know. Your responsibility is the dollar value bottom line, whereas as a government we also have the

responsibility through our business plans to look at this societal, social, infrastructure bottom line. I would be very interested in any thoughts you have about how you would link those business plans to your financial bottom line, because this is great stuff if we can ever work that out. This could start a whole new concept of social accounting for measuring and valuing how societies progress. So I wish you luck. It's something we really do need to pursue.

3:20

The next issue, "Develop Alberta's position on federal-provincial fiscal arrangements." That's again on page 159, Madam Minister. You're talking there about the Canada health and social transfer and how this is still our base funding arrangement with the feds, but in reading what you present here in your business plan, I get the sense that you'd like to see some changes in the way that program works with the freedom that we as a province have to allocate those dollars, to deal with the dollars. I would like to have some idea of what you're thinking about there, because this is one of these issues of revenue versus responsibility for delivery of a service. This in effect could set some good precedents or some good examples for how some of your ministries would deal with envelope or block funding for some of these arm's-length agencies so that they in effect could be looking at the same level of flexibility that we're trying to seek as we deal with the feds under that health and social transfer program.

The next issue you address in the business plan is the Canada pension plan, that you wish to make sure there is a sustainability component with it. I guess the question that comes up would be: do you have information that is not consistent with what the federal government is talking about in terms of their perception of the sustainability of that pension plan? I know there have been a couple of independent studies that have questioned whether or not the information coming from the federal government is appropriate. You obviously must have been thinking about something to make a statement like that in your business plan, that we have to be working with the federal government to guarantee the sustainability.

I notice nowhere in here that there are references made anymore to the idea of this Alberta pension plan alternative. Is that still being considered? Is it still being looked at? Or are we now saying: let's make that federal plan as operational and as representative of what Albertans need as we can? These are both good strategies. We have to look at them, but it's one of the things that we have to make a commitment to, one road or the other, and put our efforts to rather than trying to be looking at both all the time.

The next section I think deals with the public sector pensions. What is the direction that the department is taking in the context of: do you see the future being more in the defined contribution plan giving an outcome at the end versus the contribution with a defined benefit at the end? You know, the defined benefit plans lead to the possibility of deficit pension liabilities, whereas the contribution plans basically lead to an uncertain, unpredictable, retirement fund because it's a matter of the earnings that come from that defined contribution over the life of the contribution giving you your pension. You know, as a person who likes to see the markets work, the contribution concept is much more equitable, even though the risk at the end is much greater. I would like to know if the department has a statement of preference in terms of one way or the other. As they go about reviewing these pension plans, are there steps being taken to focus more onto one or the other in the context of how they work?

The next goal that you talk about is financial openness and accountability. That was a fairly straightforward section. You talk about the government's tax policy, and you have an outcome of "a tax system that promotes economic growth and the well-being of

Albertans." Yet when you look at the performance measures, there's some issue there that you're measuring these solely in terms of their absolute relative position in the context of where we are in Canada. There's no real measure there in the context of internal, in-province tax fairness in the context of benefits received versus tax paid or the idea of any relationship between, you know, the idea that we're getting a tax on our full income as opposed to our reported income, because we're using that federal government measure of taxable income when we apply our single-rate tax. Is that number at the federal level the appropriate number that we should be using to apply our single-rate tax?

I guess I ask that in the context of what constitutes a fair tax system also implies a fair contribution to the public revenue. If individuals have a certain aspect of how they can account for their income that alters their tax, is that being properly accounted for in the context of a fair tax system? It's easy to say that everybody is paying a single-rate tax based on their, quote, reported income. But is reported income a fair concept?

In the next section you talk about "a tax system that encourages Albertans to work and that supports families." Then you use as a performance measure the employment rate. What I would suggest there is that a more appropriate performance measure might be something to look at in the context of what you talk about a little bit in one of the other sections, and you made reference to it in your introductory remarks. To me a tax system that would encourage employment would be one that, you know, has a high level of personal exemption, that has an ease of reporting and a perceived ease of compliance, because these are the kinds of things that make people say: okay, the taxes are not a burden; let's get out there. We've got to make sure that in effect that incentive to work is there, that there's not a disincentive, I guess is a better way of putting it, in our tax system.

Also, I like the part that you talk about that here is a family-supportive concept to that tax structure. In the performance measures again I don't see any reference to the relative exemptions that, say, would come for children. You know, we have the personal exemption. But then what about spousal and children tax credits or tax exemptions? How do they compare to other provinces? That's in effect what would give us a sense of people's willingness and ability to work here in Alberta.

3:30

Again on the corporate measures, again on page 161, you're using a performance measure that looks at the "percent annual growth in business registrations." So this is new business that's coming into the province. Yes, this is great, yet what you're trying to do is use that as a performance measure to look at "a competitive corporate tax regime." I would suggest that if we're trying to deal with competitive tax regimes, we should be looking at that growth in business registrations relative to other provinces, not just did ours go up 10 percent. Well, we're not really doing very well if the other provinces all went up 12 percent. So a relative registration in Alberta versus a registration in the other provinces would be more reflective of that concept of competitive. If you're dealing with an absolute, then the measure that you have there would be really quite good. I encourage you to deal with the new tax collection agreement that you talk about as well. That would be great.

Some of the other things that we're dealing with in goal 4 on page 162. You're talking there about that they "prudently manage the investments of the General Revenue Fund set aside to retire debt." When you talk about performance measures, you're talking about the "return on the investment is greater than the cost of the debt on the day the investment is made." This is something where you're

basically saying that you can invest your money with a return that is higher than what we have to pay to borrow money. Is that an appropriate interpretation of that statement? In effect, if it is, then we should be borrowing money and letting you invest it so that we can finance the province from that perspective. So really what I'm looking for is clarification on what that statement means, because if it really works, we've got something going here. If that's the way it would work, it really leaves – I need some clarification on it I guess is what I'm trying to say, Madam Minister.

The focus there, I think, is that we should make sure that in effect our dollars are being competitively invested given the short-term nature of them, because they are dollars set aside to be used as our bonds mature so that we can pay off our debt. Some of them can be short, monthly or multimonth, but very few of them would be multiyear, long-term investments where you should be able to get the highest rate of return. [Dr. Nicol's speaking time expired] I will return as well.

THE DEPUTY CHAIR: Hon. minister, would you wish to respond?

MRS. NELSON: Did you want to take another person in this hour?

THE DEPUTY CHAIR: Okay. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's again a pleasure to participate in the debates on the estimates for the Ministry of Finance this afternoon. I recognize that subsequent to the 2001 election Treasury was divided into two separate ministries, the Ministry of Finance and the Ministry of Revenue. Sometimes when I listen to the government on the financial crisis that we're in, I think that perhaps the cabinet should again be shrunk, perhaps down to 16 ministries, because I'm quite sure that the current minister could ably handle both Revenue and Finance. Perhaps if we are sincere in our argument about prudent use of tax dollars, we could shrink the size of government. Certainly we have been talking about eliminating – well, it's not talk; it's reality. We have eliminated community lottery boards. We have certainly closed agricultural offices.

I know firsthand how people in Coronation – I heard on the main street of Coronation – felt about that. Certainly there is concern and there have been questions raised by the hon. Member for Edmonton-Riverview and the hon. Member for Lethbridge-East about rural hospital closures, bed closures. There are any number of issues relating to this budget that cause concern for Albertans, but in all this public debate there has been no mention of perhaps saving a few dollars by shrinking the number of cabinet positions. You know, there is a certain elasticity, I should say, to this budget. It has been expanded and contracted and expanded again, and I don't know if we could say that it has snapped, but certainly there has been a turn of direction. Earlier in my time in the Assembly there have been hon. members bring forward motions to have an Alberta song, and then we had another motion to have an Alberta dance. I think, after I look at this budget, there should be an Alberta shoe, and it would be the flip-flop, because there have been a lot of flip-flops with this budget.

Now, there are many issues that I have in the short time that we're going to have, Mr. Chairman, but certainly the Minister of Finance has essentially taken over all areas dealing with financial management and planning from the former Ministry of Treasury. While the Ministry of Revenue is responsible for investing financial assets, administering the tax and revenue programs, managing risk associated with the loss of public assets, and regulating Alberta's capital

market, we must recognize that the Department of Finance sets out its core businesses as to manage financial assets and liabilities prudently, facilitate sound fiscal planning and decision-making, foster an effective accountability framework, foster access to comprehensive and competitive financial products and services and pension plans, and administer the regulatory framework to reduce the risk of financial loss to pension plan members, depositors, and policyholders.

In the course of the entire budget debate, I've noticed this spring a certain contempt for regulation by certain ministers of the Crown. I would only have to caution them with one word, and that would be Enron. There is a place for regulations, and I would encourage the hon. minister to certainly continue to administer the regulatory framework that is at the disposal of the department to reduce the risk of any financial loss.

Certainly we need a strong, sustainable financial position. Everyone recognizes that. At the same time, we need open and accountable government and a fair and competitive provincial tax system. The jury is still out on this notion of the flat tax. I received feedback at the Safeway store from constituents regarding this flat tax after they did their taxes this year, and they're not happy. They didn't see these substantial savings.

Now, certainly another goal is to minimize borrowing and financing costs subject to acceptable risk, Mr. Chairman; to foster confidence in and encourage the availability of comprehensive, reliable, and competitive financial products and services; and certainly to foster confidence in Alberta-registered pension plans.

In a note I would like to at this time recognize some of the individuals who I believe are doing a very, very good job of administering Alberta's registered pension plans. It is within the last calendar year, if my memory is serving me correctly, that individuals within that specific office of the government worked hard to try to resolve a serious issue in regard to an Alberta-registered pension plan, and their efforts certainly do not go unnoticed by this member, Mr. Chairman.

3:40

Now, I have a lot of questions, and if they cannot be answered today, then if I could expect perhaps before the first day of summer to have correspondence from the minister's office with answers to my questions, that would be in my view quite acceptable.

Can the minister explain why capital investment last year was 72 percent, or \$809,000, below budget? Certainly if we look at the full-time – I don't like using "equivalents." I like to use "full-time employees" in these estimates of FTEs. There are 363, as I see this, in the department. Am I to understand that there are no transfers to the Alberta Corporate Service Centre this year? I am pleased to see that there has been an increase – and I think this is very important – in the Alberta Pensions Administration Corporation. There are now 140 employees in there guarding the pensions of Albertans to ensure that they're there whenever they're needed. Oh, that's an important job, yes.

The Insurance Council. I see a slight increase in the number of full-time equivalents there from 17 to 18, and I'm sure that the Member for Edmonton-Riverview, in light of the extraordinary effort by this government to privatize health care, is going to be anxious to see if at any time in the future the Insurance Council will have to increase their budget and subsequently the number of people who are working there.

Mr. Chairman, in order to emphasize the government's commitment to three-year fiscal planning, I believe it would be advisable to present comparative three-year projections to the Ministry of Finance in the main estimates book and the three-year ministry

income statement found under the business plan. Now, the only information on expense projections for 2002-03 and 2003-04 is presented in the ministry consolidated income statement. However, there is no comparability beyond 2001-02 between the program and subprogram votes as found on pages 175 through 178 of the Finance estimates with the ministry's statement of operations on page 161 of the Finance business plan.

I had the pleasure, the real pleasure, of phoning government officials in Alaska. I don't know whether the government of Alaska has banned voice mail or if it's just a policy of the government that people pick up the phone, but to my delight and surprise a senior government official picked up the phone and was explaining to me how they have 10-year projections. Ten years, not one-year, not two-year, not three-year projections. I was quite impressed with their analysis, and I would like to see, certainly with revenue projections for the price of natural gas and conventional crude oil, this done in this province as well. I was amazed to see the 10-year projections, as described earlier.

There are no projections for the change in the number of full-time employees within the ministry for 2002-03 and 2003-04, and one would have to recall that these issues had been raised with the Provincial Treasurer in the three previous years with Alberta Treasury estimates. Will the minister please explain why the Finance business plan still does not provide a three-year expense profile by program and subprogram as last appeared in the 1995-96 through 1997-98 Alberta Treasury business plan?

Will the minister please assist readers of the business plans and estimates books to compare gross operating expenses by program and subprogram vote within the ministry over a three-year time frame, 2001-02 through 2003-04, by providing a three-year spending profile, operating expenses, and capital investment of the department by program areas for the years 2002-03 and 2003-04?

Also, Mr. Chairman, will the minister please provide information on the plans for the full-time employees in the Ministry of Finance, the Alberta Pensions Administration Corporation, and the Alberta Insurance Council, again for the years 2002-03, 2003-04?

Will the minister provide a breakdown of departmental expenses by object for 2001-02, 2002-03, and 2003-04 for the following: salaries in the permanent positions, salaries nonpermanent positions, contract positions, the salaries there, travel expenses, advertising, communications, and hosting expenses?

Also, if the minister could provide a breakdown of premiums, fees, and licences. For 2001-02 there was a little bit over \$18 million here. In 2002-03 there was over \$21.3 million, and for 2003-04 there is anticipated \$24.2 million. If this could be done by type of premium fee and licence, I would be very grateful for the minister's information. This is on page 161 of the Finance business plan.

Also on page 161 of the Finance business plan, will the minister provide a breakdown of other revenue for 2001-02? Here again there's \$23.4 million. For the year 2002-03 there is \$23.6 million, and for the year 2003-04 the figure mentioned is \$23.4 million. Again, will the minister please explain why internal government transfers are increasing by 720 percent – this is again on page 161 – from \$44 million in 2001-02 to \$361 million in 2002-03.

Again on page 161, will the minister explain why financing to local authorities is decreasing by 14.8 percent, from \$358 million in 2001-02 to \$305 million in 2003-04? It is worth noting, Mr. Chairman, that this is a 30 percent decrease, from \$437 million in 1999-2000 to \$305 million in 2003-04.

[Mr. Griffiths in the chair]

Now, Mr. Chairman, will the minister please explain why

financial assistance to farmers and small businesses is decreasing by 50 percent, from \$1.6 million in 2001-02 to \$800,000 in 2003-04. This is about an 80 percent decrease, from \$3.9 million in 1999-2000 again to \$800,000 in fiscal year 2003-04. Now, this is also on page 161 of the Finance business plan.

At that time it was entirely up to the minister, but I will cede the floor to my hon. colleague from Lethbridge-East. Thank you.

3:50

THE ACTING CHAIR: The hon. Minister of Finance.

MRS. NELSON: Thank you. You look mighty fine in that chair, Mr. Chairman.

Mr. Chairman, I wanted to give some initial response back to the Leader of the Opposition and will get into more detail in our written response. He talked about where we tend to focus on bond rating agencies' review of our plans, and those are very, very important reviews that do occur, because they establish the credibility of the province not only within Alberta but worldwide and make Alberta a very attractive place to come and invest dollars and to develop industry and to raise a family. It's a global phenomena when a province the size of 3 million people receives the triple crown or the triple A ratings from three major bond rating services that are recognized worldwide. So it's a phenomenal achievement for this province, and Albertans should be very, very proud of what they have done in very short order and be very proud that they are the only jurisdiction in all of Canada to have received those accolades and that support and that strength of conviction from the bond rating agencies.

I wanted to give the hon. Leader of the Opposition some additional material that he can use also to help promote Alberta when he's out and about. I think that again Albertans can be very, very proud of what other worldwide recognized organizations have said about Alberta and the situation, in particular to Budget 2002.

I'm looking at, as an example, the Investment Dealers Association of Canada. They came out and said:

It is encouraging in this context to see that the government, referring to Alberta,

has incorporated prudent projections for economic growth next year and is contemplating further discretionary spending reductions to avoid a deficit and to continue on track with debt reduction. These commitments . . .

And this is very important.

. . . provide assurance of continued wealth creation, employment and sustainable economic growth in the province.

This is from the Investment Dealers Association of Canada in response to Budget 2002. I think it's very important for Albertans to realize that someone who is being supportive of directing capital investment or individual investments to jurisdictions worldwide would say that about a province of 3 million, that it has the assurance of wealth creation and development within our province.

I was very pleased with what their CEO and president, Joe Oliver, had to say. He said:

We are encouraged by Alberta's commitment to sound fiscal management in spite of the difficult economic conditions of last year. The prudent planning assumptions of this Budget, combined with an enviable record of tax reduction and spending control, are setting the stage for continued strong economic performance in Alberta.

Again Albertans can be very proud of the accolades that are coming from these world-recognized organizations, recommending Alberta as a place to be and a place to put investment.

I think also what was very interesting is the Toronto-Dominion Economics review of the budget. They said: "The amount of restraint in store for Albertans over the near term is far from

draconian and most likely a one-off development – a testament to the rock solid fiscal position of this Wild Rose Province.” I think it’s a tremendous testament to Albertans and their commitment to strong fiscal responsibility. They also said, “Today’s plan,” referring to Budget 2002, “will do little,” will do little, “to erode the Alberta Advantage – the provincial government’s catch-phrase for its strong fiscal and economic position.”

The Scotiabank Fiscal Pulse commented on our budget as well. They said, “Alberta is perceived as the leader in fiscal repair among the provinces.”

So, Mr. Chairman, while we may focus inwardly on what this all means and what these business plans mean, I think what it does quite frankly is it sends out a signal of stability and responsibility and accountability from a government to not only the people of this province but beyond the province. It sends out a signal that we are open for business, we are accountable, and we are responsible. I think that with the position that our Premier put in place with the three-year business planning process and the quarterly review, it becomes abundantly obvious that we are the only government in Canada that gets up and gives a fiscal update every quarter to their stakeholder groups or the taxpayers of their jurisdiction, like we do in Alberta. That to me is dealing with reality.

Things change, as we saw last year, a dramatic shift in what the forecasts and the projections were with the economy. When we started off last year, there were the usual criticisms: you’re too high; you’re too low on your revenue; you’re in between; you’re all over the map. Nobody anticipated the impact of the global economic downturn. Nobody could forecast that. When it hit, where was Alberta? We were in the best shape of any jurisdiction in Canada and, I daresay, likely North America to be able to deal with the tough calls, the reality check that came in place. That didn’t come because we were lucky. That came out of the reasoning of having the economic cushion, the fiscal planning, and the solid plan to be able to pull back if necessary. A lot of jurisdictions were not able to do that.

While we may be able to find improvement – and I think we can – I think you don’t just sit on one set of rules for a long time and don’t continually review them. In this government we have a process called standing policy committees, and they do a thorough review, and they criticize where criticism is necessary. They come forward with constructive criticism as to what comes forward in plans. Some plans come back more than once, sometimes more than twice for review by the standing policy committees. They go over these plans before they come forward to form what’s called the government business plan. So while we may have a number of ministries, they all feed into the overall government business plan, and that’s what goes out to represent Albertans in the world, but it also goes back to Albertans so that they can see how the government is managing their money, their affairs, giving forward the responsibilities of course of the core programs of the government.

Now, I wanted to just make a comment, Mr. Chairman. Last week I was in Corner Brook, Newfoundland, attending the finance ministers’ meetings with the federal government, the territories, and the provinces. A number of topics were discussed at the sessions. One of them was the fiscal imbalance within the country. Naturally, the Kyoto accord was there plus the CHST funding framework and naturally the tax collection agreement, which we’re in the process of negotiating right now.

What I found interesting after some of the criticism we may have received from our own jurisdiction was that while we may have had to tighten our belts somewhat this last year, we have been able to proceed on with a competitive system that no other jurisdiction in Canada can have, and we’ve done that because of the framework

we’ve put in place. The whole structure is conducive to attracting investment, to attracting people, and to attracting migration to this province at unprecedented rates. We do that by having the tax structure that we have that is not only competitive across Canada at all levels but our other marketplace that we have to compete with is south of the border. We have to compete with a jurisdiction south. We can’t afford to have our young people moving south. We can’t afford to have the investment going south. We need to have a model – and we do – in Alberta that attracts people to this jurisdiction. As you know, we are continually reviewing our processes, our regulations, our rules because we know that cost of compliance is a huge issue for decision-making models. We know that taxation models are a huge issue. We know that availability of transportation structures is a huge issue. We know that we have to have the best that we can offer in education. We have to have a health system that delivers programs. Those are issues that are all part of the full package that comes forward.

4:00

Sitting at that meeting in Corner Brook, Newfoundland, with colleagues from coast to coast, I listened to a federal Finance minister say: there’s no fiscal imbalance in this country. I thought: how could someone possibly say that? In the community I was sitting in, the minister from Newfoundland had just been talking about the economic update of Newfoundland and Labrador when she informed us that they had a negative birthrate in their province. They have no industry. We traveled with young people returning home for the weekend who had had to leave the province and go elsewhere because there was nothing for them to do. I felt really very sad as a Canadian that we would have that kind of differentiation and have a federal Finance minister say that there’s no fiscal imbalance within this country, that all provinces have the ability through taxation models to raise dollars. I thought: how can you say that? If you don’t have people who are working and you don’t have industries, where are you going to in fact be able to raise those dollars? That led us to the transfer programs and equalization.

If you have a province like Newfoundland and Labrador, you still have to provide roads and hospitals. They have to be funded somehow. I looked at us in Alberta and thought: aren’t we fortunate? Well, we’ve had to tighten our belt somewhat. We were able to turn to our young people and say: “The sky is the limit. You can be anything you want. There isn’t any goal you can’t reach if you’re prepared to work hard, stay with the program, and learn. There isn’t any goal you can’t reach.” In other parts of this country that’s not the case, and it got down to me that here we are in Alberta with all of the benefits, all of the benefits anybody could ever want, and we want more. I go to other jurisdictions. The sad part is that they don’t even seem to have any hope that it’s going to get better. Nothing is going there. It’s very, very sad. I was really upset to think that here we complain about this or that or the other thing in this province when I sat in a province that didn’t have really anything to look forward to. I thought: what a sad state in a country as wonderful as this.

In trying to explain that to the federal Finance minister, I said: how can you do that? We’ve had an issue with CHST. We’ve all heard about the commitment for health funding. Every province raised the issue. Health care is going to be the number one issue for funding in this country. We’re very fortunate in Alberta that we’re dealing with this today. We have a commitment from our Premier, from our health minister, from our caucus to move forward. Other jurisdictions don’t have that ability, but down the road it has to be there. Some of the provinces reported to us that they were in fact spending over 50 percent of their budget on health and sinking fast.

We put forward a proposal through our premiers' conferences to take the ceiling off the CHST. That has been debated now for I don't know how many years – my colleagues who've been to those meetings more than I have would probably know – but you can't expect to have all of the programs offered if there isn't support from the federal government, and I didn't find that coming. I found that very discouraging, and I don't know how other provinces who aren't in the situation we're in are dealing with it. We will manage, and we will have the best programs but not without some belt-tightening. We have a program that we're going to move forward with, and I think it's important that we do that.

The other thing that I thought was interesting that you asked me about was: where are we on the Canada pension plan? Well, from the latest reports we have, the plan is far more secure than it was when the issue was first raised. We had a report that came out last year on it that said that the plan was stable, so we haven't done any further work on looking at an Alberta pension plan alternative at this point.

You asked also a question on: what constitutes a fair tax system? Well, I suppose that if you're sitting at home listing what constitutes a fair tax system, no tax system would seem to be fair if you've just filed tax returns. I just finished completing a number of tax returns for family and friends this last couple of weeks, and every one of them probably at the end thought that this wasn't fair at all. But what do your taxes provide? Well, they provide for a number of issues that we expect and want, issues that we share: our roads, our schools, our hospitals, our universities or colleges. All of these are provided for through our tax system. So as long as we provide effective, good programs that deliver and meet the needs of Albertans, without getting into an intrusionary area, and deal with the core responsibilities of government, then I don't think a government has a problem collecting a tax from people to in fact deliver those programs. It's when they get beyond – beyond – the responsibility of the government or overspend or don't have checks and balances in place that show that they are collecting too much in comparison to the cost of a good program. That's when the system becomes unfair, I think.

We also have a system in Alberta, quite frankly, that I think, in doing this last go-round of tax returns, clearly – and I did tax returns for very young and for seniors and for people in between.

MRS. McCLELLAN: I thought Very Young was somebody's name.

MRS. NELSON: Very Young has somebody's name, but I'm not going to tell you what that very young name is.

They all had complexities attached to the various returns, but in each case the process on the new Alberta return was quite straightforward. In fact, it was probably less cumbersome than before. Clearly, you could see where the exemption on the flat rate was beneficial – some larger than others, granted – and clearly you could see that it was an easier return to complete. I've done tax returns for, well, I guess probably 30 years now, and these were not difficult to fill out, so I don't think there was any difficulty.

The tax collection agreement. We got into a debate on that, and we're still there. One of the things that's outstanding on that issue is the disputes resolution process between the federal government and ourselves, and that became obvious when we had the difficulty with the overpayment of the mutual trust revenues being transferred from the federal government to four provinces. All of a sudden 10 years later you get a phone call, after this problem had existed for 10 years: "Surprise, surprise. You owe us a bunch of money, and we're going to claw it back right now." You go: what kind of a partnership is that? You know, how can you have a partnership that says that

we'll go merrily along for 10 years and then you get a phone call one afternoon saying: "We have a surprise for you. You owe us \$4.4 million, and we're just going to plan on taking it back from you today?" Well, for the province of Ontario that was well over \$3 billion. For the province of Manitoba that was I believe about 10 percent of their personal income tax revenues for one year. So this starts putting provinces into a bankruptcy situation on a plan that had errors in it for 10 years.

So there has to be a resolution process and a process of fairness put in place to resolve these issues. It can't be that just all of a sudden you get the afternoon phone call at 4 o'clock and tah-dah, tah-dah, tah-dah, too bad for you, and here's the arrangement of the partnership. Those were issues that were raised at this finance ministers' meeting, I can tell you that right now, because there are provinces – Alberta will be able to manage – out there that are going to be in serious financial difficulty unless there is some sort of a fair process to resolve this issue, and that has to do with the total, overarching tax collection agreement.

4:10

THE ACTING CHAIR: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you very much, Chairman. I have just a couple of comments that have to do with the budget and budget process. I'm wondering if the Finance minister would comment on the notion of anticipating funding that is available from other orders of government as a line item in the budget, funding that's available and does become available from other orders of government, primarily the federal government, for matching grants that would have to do with research. It's far more difficult to define because we don't know. We can only anticipate what may become available. But we have to have it if we're going to get it from the other orders of government. So I'm wondering if the Minister of Finance could comment on that sometime during this debate.

MRS. NELSON: Well, Mr. Chairman, if I might, on the budget process. You can't build a budget around an anticipated, maybe, program from another government. You just can't do that, because you've got to build it on the best information and the most reliable information that you have that day. It's like having three weeks of price swings in oil or gas. You don't build a 365-day budget on a two- or three-week price swing. You have to build it on the best forecast you have at the time. That's the benefit of the quarterly update.

[Mr. Shariff in the chair]

With regard to matching programs, that quite often happen – and I don't know whether the question was asked of the minister of Transportation or Infrastructure, which are usually the two programs where the matching comes in – there are usually strings attached. It's not just: "Here's your pro rata share of dollars that can go to Alberta. Do with it as you see are the priorities within your jurisdiction." There's usually, "Match it this way or that way," and there are angles. So there is not always a pure matching concept where you're able to deal with the priorities that exist within this province but more at the federal level. You can't really build that into your budget. We always say that the devil is in the detail, and you have to see what's involved in the package before we can jump in there. Sometimes it ends up that we're not in a position to be able to go along with the program because of the strings that get attached to it. They don't meet any of the criteria or needs within the province of

Alberta, and we'd have to take away from other core programs to accomplish something that really isn't in a core program area for this province. So there are some difficulties with that. We don't necessarily build that in as a result of that.

THE DEPUTY CHAIR: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. I rise to continue on some of the issues on the Ministry of Finance. Madam Minister, I enjoyed your conversation about the differences that we have in our provinces, and you went on to talk about how people in Alberta can set their sight on any goal and they can go out and get it. I think the part that you should add on the end of your sentence is, "and do it in Alberta," because in a lot of the other provinces they can still do it, but to do it, they have to leave home.

Just a couple of final comments on the business plan, goal 5 there. You talked a little bit about the availability of capital, I guess, and the growth factors that are important for our province in terms of financing. I was interested in your comments on how you see our venture capital markets developing. Are they working the way they should? The reason I ask this is that a few years ago we were basically a province without our own venture capital initiatives, and I know that's improving now. I just was interested in what you see as our current status, whether or not we're reaching the level of some of the other provinces where venture capital is readily available for our upstart businesses, you know, the new businesses that are getting started, because a few years ago that was a real issue. A lot of them had to go outside, and there's a lot of work that shows that the venture capital groups don't really give money beyond their spectre of close control. Venture capital isn't given halfway around the world like corporate investment capital might be because the venture capitalists like to be able to have a hands-on relationship with the people they're giving that money to. So it's important that we do have a process in place to really encourage a growth in that venture capital industry here in our province.

I guess the other thing – and I'm just looking down here. You talk a little bit again about the Alberta Treasury Branches under goal 5 on page 164. It's interesting, as I read through both the outcomes and the performance measures there, that the implication is that this gets credited to the government. Yet we keep talking about under the new structure that the ATB is arm's length, that it's not part of the government anymore. Why are we still including it, then, in our business plans as though it was something that we could influence? Technically now – at least we're telling Albertans – this is arm's length. There are no decisions made in this House that deal with the day-to-day operation of the Treasury Branches. The long-term philosophy or legal role of the Treasury Branches, yes, is legislated by this House, but supposedly we're out of the day-to-day operation of it. So why should we be dealing with performance measures on confidence and acceptance and buy-in in terms of their programs as part of our business plan here? That should be their annual report, their responsibility to basically their depositors and their loan holders.

That basically, in terms of the goal discussions, covers what I wanted to raise, but on page 167 you're talking specifically about your performance indicators. It was really quite interesting, the perception that's presented by the graph on the accumulated debt, in the sense that you have the legislated schedule as a line out to 2025, but you have the actual debt and the forecast – the implication there is that our debt will be paid off in 2005, because after 2005 there are no bars on the graph. So does this mean that there's something that Albertans should know about in our centennial? You know the implication on that graph is that we are debt free in 2005. So I

would just ask that that be continued out until we monitor off at probably around 2010 or 2012, something like that, because that would give us a better piece of information that we can present to Albertans as to where we are relative to where we started in – what was it? – 1997, Madam Minister, when we passed the debt elimination act and had the 2025 time line. So, you know, that would give us a much better piece of information.

I guess I'll have to admit that I can't read my writing on that note, so I'll have to go on to some of the other ones, some of the specific questions on the rest of the budget, Madam Minister, just a couple that I can put on the record. You can handle them now or later, as you want.

The total voted spending is down – these are the questions that we're presenting to you – owing to the decline in the debt servicing costs. The total voted program budget is rising by more than 10 percent in the ministry support services and Treasury management. What are those increases for? Secondly, what is the investment income revenue line in the ministry's statement of operations? Thirdly, does this investment income include the government investment account then?

4:20

The next question on some of these line items. There's an increase of about \$580,000 on a base of \$1.3 million in the liability management area of program 4. What's that for? What are you going to be doing with that additional money? Is it additional risk management, or what? The banking and cash forecasting area is also rising about \$200,000 on a base of \$1.2 million. What's that for? Is this a dedicated revenue?

Question 5. The voted debt servicing costs show an amount of grants for school construction interest payment. Are they down? What is that?

These are some of the issues that come up when we look at the specific issues of the budget. I guess as we go through the line items, you know, there's a lot of interest there in terms of why some of the line items come up. The question that I would ask in terms of looking at the whole budget debate – and this is kind of what your overview responsibilities encompass – was implied by one of the questions before when they were talking about the subcategories and the line items. The new Financial Administration Act basically gives the minister the freedom to move items in those subcategory areas without authorization by the Legislature. Has that program worked? Has it given us good accountability in terms of the budget debate and program delivery? But also tie that accountability back to the flexibility that it gives to a minister to respond on a quarterly basis, when we have to do the updates that are mandated by that law. So I would like, you know, your opinion or your reflections on whether or not that works. Or have you even looked at whether or not it's working? Have you asked ministers: has it created a benefit, or has it created some hardships?

One of the reasons I ask this is that when we had the ministerial reorganization, when we had the new ministers created after the last election and some responsibilities of programs were transferred from one minister to the other, the programs were transferred, as I understand it, with the dollars based on the budget, not based on the operational expenditure pattern. So if there was a cross-subsidy going on within the ministry, then when the program was shifted to a new ministry, the line item dollars went, not the actual expenditure dollars. So, you know, in effect it was creating a hardship on the, quote, receiving ministry. So I would like to know if the ministry has done anything to look at: has that created any kind of operational difficulty when we're dealing with programs moving through ministries? Are you looking at ways to fix that?

Mr. Chairman, that's kind of run through the list of the questions that I had on the budget. Maybe if things come up as we go through the rest of it, I'll jump up again. But on this basis right now, that's kind of where I'm at. So I'll give the minister a chance to respond again.

Thank you.

THE DEPUTY CHAIR: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Chairman. I want to just finish a couple of comments. The Member for Edmonton-Gold Bar said that he had difficulty with voice mail. I do too. I don't like it at all. I find it quite rude, actually. I feel very strongly that if you take the time to phone, someone should pick up the phone. In fact, this morning I ended up in my office when people were off doing other things, and three phone calls came in. I picked up the phone and said: good morning, Pat Nelson speaking. There was dead silence at the other end. Then someone said: you answered the phone. Well, I've been doing it since I was three, you know. I've been answering the phone since I was three years old, so I'm qualified to do that. They didn't get a voice mail. They didn't get an answering machine because I don't like them.

The other interesting part was on new technology. There was a report somewhere today that Newfoundland was going to ban cell phones. I can tell you that with my old, old cell phone – I don't have the new modern one – when we got down to Corner Brook, mine was the only cell phone from all the ministries all over Canada that actually worked. Everybody else's new digital, whatever – nothing worked except my little old analog cell phone, that's as old as the hills. It picked up, and I actually was able to phone directly back to Calgary from there. So people were saying: your cell phone works when nobody else's does.

I think that when you phone, you should have someone pick up the phone. I fully agree with that. In fact, in some ministries I had before, not this one, I have actually put out: if I phone over and somebody has a message machine on through business hours, you're not there the next day. If people take the time to phone, then you should pick up the phone or call forward it to someone else who will pick it up. Of course, mind you, when I was moved from the ministry, 30 seconds later the old voice mail went right back on again. So I'm not under any illusion there. I don't care for them. I find them not helpful.

The comments you made about FTEs, I did deal with that. We have put additional staff, Member for Edmonton-Gold Bar, into the pension administration. We believe that with the new system it's important to make sure that we have people that can operate those systems. They're very important, and as the trustee of the public pension plans for the province I'm taking that role very seriously to make sure that it is in fact serviced properly. You're quite right. There are some very, very qualified and good people in that operation.

You also mentioned that our capital investment was below budget. Well, that's because we've completed the new system, so that's come down now in cost. The system is a result as to why some of the new full-time equivalents were necessary to run that system. Again, on the insurance side of things we needed to have additional people go into that area to deal with the new requirements of the new Insurance Act to make sure that we could fulfill the obligations.

I was quite pleased with the hon. Leader of the Opposition looking at the chart on accumulated debt. I never picked up on what you were talking about, but I guess we looked at the graph that was on page 167, the same as you did, and it shows the accumulated debt legislated to retire in 2025. Then we have the chart with the best-

known information as to where our debt will go down. From what we have today, it would be highly unlikely – highly unlikely – that our debt would be retired by 2005 or even shortly thereafter, unless there was some unforeseen banner year that came in that no one could forecast, like we had when we had \$9 and \$10 an mcf gas, et cetera. I don't believe that to be possible. I would think that we're probably looking, as the hon. leader said, more likely at 2011 or '12 or even up to '16, depending on where revenues go and where the framework looks. So I don't see that as being possible. I'm disappointed to have to say that, but those are some of the realities in the balancing that you have to do when you're delivering core programs. We do recognize that very clearly.

There was one comment from the Member for Edmonton-Gold Bar that I wanted particularly to make a comment on. He talked about a flip-flop in this budget. There has been no change in this budget whatsoever, zero change in this budget that we presented here in March. What you saw on additional dollars going before March 31 to Transportation and Infrastructure was a commitment from last fall, last October, when we had to pull back \$1.26 billion, \$783 million from Infrastructure and Transportation. We said at the time that if in the fourth quarter the dollars became available, we would replace those things that had been deferred. We had to do that by March 31 because of the year-end. It had no bearing on this fiscal year whatsoever. There has been no change in this budget that has been presented. Zero change, not one cent. So let's be abundantly clear on that. We followed through on that commitment that we made last fall, recognizing that some of the projects had to go forward.

4:30

I think the hon. Leader of the Opposition alluded to building infrastructure deficits. If you have a province that is growing at the pace that this province is, there are difficulties with growth. Growth has to be accommodated, or you have a deterrent for people to come here, and we can't afford to do that. We need to have this province moving forward, and that means building and enhancing roadways and schools and hospitals, et cetera. Those things have to come. Those are realities of life, hard fact realities. So we must keep apace with that and abreast of that, and if that means putting dollars into those programs like we did, then that's the commitment this government has. So we followed through on that.

I just wanted to make that abundantly clear, Mr. Chairman. There has been zero change in this year's budget. Zero change.

With that, I'll take my place and see if others want to comment.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. I rise to make some general observations first on the estimates for the Department of Finance and then ask some questions of the minister. I understand that I have 20 minutes. I don't know how much time I'll use, but it's good to know that I have some time to speak to this budget.

First, some general observations. This is the Minister of Finance's second budget. I think it reflects the general sort of thinking that the minister has brought to her portfolio, but it's a budget which also in many ways very faithfully reflects the priorities of this government with respect to the distribution of tax loads, both with respect to personal income taxes and taxes that the government collects from the business sector.

So I think my first general observation is that the strategy of shifting the relative personal income tax load onto the shoulders of the middle-income earners is continued in this budget. That's

reflected in the unswerving sort of commitment of the minister to stick to the flat tax model. The result of that has been of course shifting the relative burden of personal income tax onto the middle-income earners of this province.

Secondly, it's clear in this budget – it was a little less clear but nevertheless clear in the previous budget that the minister presented – that the indirect taxes, user-fee type of taxes, are preferred rather than a more progressive way of raising needed revenues to provide for important social programs and services that Albertans expect their governments to provide. The examples of the continuing shift in the sort of framework of raising taxes to the individual user of services, to wage and salary income earners is clear. The major increase, one significant increase, is in the health care premiums, a 30 percent increase, and the government has of course argued that this is justified not only by the need for more revenues to be collected from taxes in the province but also – and in particular the Premier has stated it again and again, and the minister has also given the same message – that the individual responsibility principle requires that Albertans pay a larger share of what it costs for them to receive health care services.

This principle of taking responsibility for the services received is very quickly forgotten when it comes to the business world, particularly the corporate world. Certainly if the freeloader principle is to be in a sense discouraged at the level of individual income earners, I don't know why it's the very one that's espoused by this government when it comes to big corporations expecting lower taxes year after year and the government obliging them while telling families and individual Albertans that that's simply not the right way to go.

So this very glaring sort of oversight on the part of this government is quite interesting, that it is not only tolerant but in fact happily espouses a regime of declining taxes for businesses, particularly large corporations, yet when it comes to individual Albertans, it sends the message that they must pay more taxes, albeit in the form of specific taxes such as health care taxes or licence fees or premium fees or others. Over 70 or so different licence fees and other fees have been increased, and as a result we see quite a large increase in the revenues that will be drawn from premiums, fees, and licences. About a 21 percent increase is forecast in this budget from last year.

There's something else here that I may – I think it's more of a question that I'll ask the minister to address. She may have addressed it, and if she has addressed it, then I'll be happy to read it in *Hansard*. Under Revenue in the budget estimates on page 191, other revenue has increased quite dramatically, forecast to increase fivefold more or less, a 480 percent increase. This is the very last item under Revenue on page 191 of the estimates. According to my calculations the increased revenue from that source, other revenues, is 480.83 percent to be precise.

Some other general observations, Chairman, for the minister to perhaps comment on. Reading through the fiscal plan, I came across a statement here that for me to fully understand I will need the minister's help. This is on page 9 of the fiscal plan. At the top of the page there's a line there that says, "We have learned the hard way that caution, not optimism, is needed in planning a budget." Good. Fine. I have no disagreement with that. "Temporary setbacks can last longer than expected." Yeah. Sure. But then the next line: "Ignoring realities can lead to greater pain in the future." Now, I presume you mean all realities. The budget should be based on a clear and sound grasp of realities, positive as well as negative.

4:40

Now, two realities that I find the minister having not paid

attention to have to do with – first, we know that natural resources revenue is volatile because the market is volatile in that, you know, gas and oil. Ignoring this reality, the government has decided to continue with its corporate tax cut policy – this ignores the reality of volatility – and the personal income tax cuts, particularly for the top 5 percent of the income earners, which are the highest income earners in the province. So in the face of a clear recognition that the natural resource revenues, which form a substantial part of government revenues, are volatile – the government is ignoring that when continuing to insist that it must implement the corporate tax cuts, albeit at a slower rate, and to continue with the flat income tax policy, which, as I said, transfers the relative burden of personal income tax quite dramatically onto the shoulders of middle-income Albertans.

The second reality that is ignored by the minister in the budget is the record of the last nine years, from '93-94 to 2000-2001. The government has consistently, without exception, lowballed the revenues by quite a magnitude every year so that over the number of these years from '93-94 to 2000-2001, the government has created a new reality, and that is that its forecast estimated revenues have every year been less by anywhere from a billion dollars to \$6.5 billion in the year 2000-2001. As a result of these lowballed estimates, in reality the total difference over these years between the estimates and the actual adds up to more than \$21 billion.

In reality it's a consistent pattern without exception over all these years. It's not just a matter of being cautious. It seems that there is a systematic bias to radically underestimate those revenues. Again the minister in my view has not grasped the fact that this is a reality and that it's something that she should take into consideration when developing the next year's estimate, as is the case in the budget that we are considering, the last year's.

So these are two sort of general observations. Now, some other questions. Clearly, the minister is very concerned about containing expenditures according to her estimates. In her fiscal plan there are three assumptions that are stated very clearly. Two of them have to do with oil and gas revenues and the market rate. The third one had to do with the dramatic economic slowdown that was feared in the wake of September 11. Now, it's eight months since the September 11 tragedy and the feared impact that it was likely to have on the markets. At least from what I've been reading in the *Globe and Mail* and through listening to the radio and television news, that fear of a dramatic slowdown in the economy and damage to the economy were clearly exaggerated quite dramatically across North America. The American economy is booming. The Canadian economic forecasts all seem to be indicating that the economy will be strong, the growth rates will be strong, and the economy will be robust. Given that, is the minister willing or able to revisit these assumptions? These assumptions are critical to taking the rest of the budget seriously, and if those assumptions themselves are such that we can't rely on those as a dependable basis for revenue forecasts and revenue growth, then the rest of the budget raises questions and is thrown into question.

I know that this government and the minister have been quite busy since the last provincial election in sort of cooling down or dampening the expectations of Albertans. The government's new Assembly, the one we are in now, was less than a few weeks old when the minister read her new budget and already was beginning to dampen expectations, although the whole matter of economic slowdown and the precipitous fall in energy prices for gas and oil were not quite big news yet.

It's clear that there is a political decision to take a certain direction, to increase the cost to Albertans for getting their health care, their driving licences, and such other things as court costs. The

government has said no to people on AISH, has downloaded costs onto seniors, the middle-income ones, those who are just above the very low income levels at which they would either partially or fully qualify for a remission of fees. It has taken away some benefits with respect to eye care, podiatry, and other costs that were previously picked up by the province for seniors. So there is a whole lot of transferring of costs back to ordinary Albertans, many of them on fixed incomes, many of them seniors who have paid their dues throughout their lives, and they're not seeing the benefits of their hard work and sacrifices they made over the years.

I want to express my support for the small business tax reduction, and the minister I hope is listening. I'm pleased that the small business threshold will rise from where it is now to \$350,000 and that the government will maintain that commitment. But I simply can't see why, while the rest of us are paying increased taxes in various forms, the large corporate income tax reduction has continued. These large businesses will enjoy a half percent decrease, while health care premiums will increase by 30 percent.

So these are some of the comments that the minister might want to respond to, and I know that she'll be quite forthright and perhaps quite aggressive in her answers to my questions. Thank you.

4:50

MRS. NELSON: Well, Mr. Chairman, I think the hon. leader of the third party made some valid comments on budget processing. One of the difficulties always is doing the forecasting on revenue. I know how difficult it is and appreciate the difficulty the Department of Energy goes through. I was Energy minister for almost five years, and you do struggle with the forecasts before you present your numbers. There is really no forecaster we've ever found that actually ever hit it right.

That's the beauty of the quarterly update, that we in Alberta are able to look at the reality that sets into the fiscal year recognizing that core programs such as health and education and social programs are dependent upon revenues flowing through to them. I would argue that being overzealous on the forecast or being quite bullish at the time of budget would, if you weren't sure, be imprudent, would not be prudent forecasting, and could in fact put in jeopardy some of those very core programs that we have a responsibility to deliver. I can't think of anything worse than being very bullish on a revenue forecast and then having to partway through the year say: I'm sorry; we're not able to fulfill our obligation in those very key areas. I would much rather we deal with the reality of being somewhat cautious but also looking at taking advantage of the ability to go back to Albertans and say that the trend looks like it's shifting, like we did last year.

I can remember the first quarter update last summer. I went out and said that I had to give a very, very strong statement of caution, and I was accused of being a naysayer, but the economy was taking a downward trend far more than we had anticipated in the budget on all fronts. Now, there was no magic. You could just see the U.S. trend moving forward quicker in the summertime than they had forecasted or the Conference Board or all the experts had forecasted. As we got closer to September, you could see that trend accelerating, and then everybody got hit with September 11. A lot of people blamed all of the economic woes on September 11, but clearly they had begun to become obvious prior to that. We were fortunate that we were able to not only start recognizing them early but make the adjustment.

Now, when that occurred, the world was in an economic turmoil globally. All the markets had crashed down. Chaos was beginning. The commodity prices were just diving all over the place. The projection at that point was that this was long term. Well, fortu-

nately it hasn't turned out to be that way. The recovery has been quicker than anticipated, particularly Stateside, which has had a positive effect on Canada. If the trend moves forward – six months ago I said to you in the statement I brought forward that I would expect it would be 18 to 24 months for recovery to occur. Now I would say to you that probably today my best guess is that we would be looking at 12 to 18 months. But keep in mind that the revenue we have today in our budget is simply returning us to more normal levels of forecasts for our two major commodities of oil and gas.

Beyond that, I don't know where you would go. The beauty again of what we have in this province is quarterly updates. Now, some would say: oh, you shouldn't use that. Well, then you're not dealing with reality, and I'd say that you're not dealing with a full deck. Reality tells you that you should do that. In any corporation you look at where you're going and you do updates. Why would governments be any different when you're dealing with the same economic factors that have impacted delivery of programs that you have to have on your table? You wouldn't be any different from a corporate entity, so why would you pretend that you should set a budget in February for the next 15 months? That's not dealing with reality.

So I think that the process we have of quarterly updates, possibly erring on the caution side, has boded well for Alberta, far better than to get to the other end and say, "We've got a major problem," and pull some difficulty on core programs that are critical – critical – in this province. That to me would be tragic, and I would have some grave difficulty doing that.

I think our process has proven to be successful. It's been applauded worldwide. It's still the best performance that you'll find in all this country, and I think we as legislators need to be supportive of this process so it continues on. Can it get better? Absolutely. Can we do a better job of forecasting as new things become apparent? Yes. Are we looking for recommendations? Yes. That's why we have the Financial Management Commission, to say: are there new ideas we could incorporate in this process to help us move forward? It doesn't hurt to ask people who are doing this daily if there are things we're missing or things we can shift with. At least we're doing that. We're not dug into the rut of never moving beyond. You heard our Minister of Municipal Affairs today say that we are thinking outside of the box. You have to in this day and age. You have to move, because the market moves very quickly today and you can't be left behind. That's the plan we have.

So, Mr. Chairman, with those words I'll take my place.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I welcome this opportunity again to participate in the debate this afternoon. Now, in the hon. minister's response I heard the explanation given that the budget was reviewed through the standing policy committees before it was tabled in the Assembly, and my first question would be in regard to the budget. Was the decision to terminate the community lottery boards reviewed by the standing policy committees before this budget was tabled in the Assembly? We're talking about tax cuts here, and I would like an update on the tradespersons' tool tax cut that was passed and is now awaiting authorization. I would like to know when that's going to happen.

At this time I have four questions regarding the Credit Union Deposit Guarantee Corporation on page 193 of the government estimates. Again, I can certainly wait and receive written response. The four questions. What were the results of the last rate review undertaken by the Credit Union Deposit Guarantee Corporation examining the equity level of the deposit guarantee fund and the

estimated growth in total credit union assets? Two, why are the total assessments in interest collected by the Credit Union Deposit Guarantee Corporation increasing by over \$1 million, or 7 percent, over the last year's preliminary actual in 2001-02? Three, what goal and plans are being developed by the Credit Union Deposit Guarantee Corporation relating to the requirements for all credit unions to meet legislated capital adequacy requirements? And, four, will the minister indicate whether any reviews have been undertaken by the Ministry of Finance, recognizing that this was formerly Alberta Treasury, in the past year to increase the equity and capital base of the credit unions?

On the previous page of government estimates, page 192, of course there are questions that I have in regard to the ATB, or Alberta Treasury Branches. Now, I have a number of questions here, Mr. Chairman, and again a response in writing before the first day of summer I would be very grateful for. Can the minister explain, please, why the provision for credit losses for the ATB is 26 percent, or \$6.5 million, higher than last year's preliminary actual of \$24 million? Again, will the minister provide a breakdown of the \$30.8 million in provision for credit losses for the ATB in 2001-02? And can the minister explain why administrative expenses are 9.2 percent, or \$22.9 million, higher than last year's preliminary actual of \$250 million?

5:00

Now, has the minister considered having the president and CEO of the Treasury Branches appear with her and her staff before the Standing Committee on Public Accounts to account for the ATB operations on an annual basis in order to improve accountability? That would give all members of the Public Accounts Committee a chance to discuss the ATB operations. I would encourage that. It would certainly improve the accountability and the transparency of this government. Certainly the hon. Minister of Energy seems concerned about the accountability and transparency of the government, so this would be a good initiative, to have the ATB officials appear before the Public Accounts Committee.

DR. TAFT: And I'd be there to question them.

MR. MacDONALD: Yes, and the hon. Member for Edmonton-Riverview would certainly be diligent in his questioning of those said officials.

Now, what steps have been taken by the ATB to respond to the following recommendations of the Auditor General: firstly, consider the net present value of future cash flows when selecting the optimum method for recovery of delinquent loans; two, improve its procedures for identifying loans that should be accounted for as nonaccrual; three, improve its profitability measurement systems by allocating all noninterest expenses and fees to products?

Again on the Treasury branches. What steps has the Treasury Branch taken to ensure that borrowers provide comprehensive and reliable information about their business operations and plans and the security they provide before funds are advanced? What improvements has the ATB made with respect to the process of due diligence on the information provided by borrowers? You know, there's been quite a significant beaten path to the courts, particularly in respect to the matter related to existing condos in the north end that have had values placed on them that were high above market values. Well, as a result of some of these activities, we've had a by-election in Wainwright.

Another question I would have in regard to the government estimates here is: what steps has ATB taken to automate the generation and recording of loan fee revenue? What steps, again,

has the Treasury Branch taken to automate and make more reliable and comprehensive the reporting of information on connected accounts, classified advances, letters of guarantee, and letters of credit? Will the minister please explain what guidelines the Treasury Branch has now adopted with respect to granting letters of credit and guarantee? What steps has the ATB taken to address concerns about deficiencies in the process of credit analysis and secured evaluation undertaken by ATB lending officers in evaluating credit applications? What steps have been taken by the ATB to ensure that it complies with the policy of reviewing loans within six months of a corporate borrower's year-end and that the loans experiencing difficulties be monitored through more frequent reporting and reviewing requirements? Will the minister explain the type of information that is provided in the ATB president and CEO's quarterly reports to the minister? Will the hon. minister please make these quarterly reports public given that Albertans are the shareholders of the ATB? That, too, would increase the accountability and the transparency of the Alberta Treasury Branches to the public.

Now, in relation to the hon. minister's office, I have a number of questions here, Mr. Chairman.

DR. TAFT: Have you ever been invited to her office?

MR. MacDONALD: I have never been in the hon. minister's office, and I'd doubt if I ever will.

Can the minister explain why the minister's office budget is increasing by 66 percent this year over last year's budget estimates? Will the minister explain, please, what quality indicators and performance benchmarks have been established within the office to measure outcomes? For example, the New Zealand treasury business plans include performance measures of correspondence received from the public, the numbers satisfied and unsatisfied. I know how the hon. minister feels about voice mail, but what's the turnaround time on correspondence received from the public? What benchmarks have been established for the number of replies to Legislative Assembly questions, ministerial correspondence, motions for returns, written questions, reports to cabinet and Treasury Board? What time frame or due date benchmarks have been established for ministerial, MLA, and public correspondence? It should be noted that the New Zealand treasury provides this information in their business plans. It would be something that I think would be suitable here, and I would encourage the minister to certainly do that. You know, the revolution that was supposedly started in 1994 initiated with some public policy in New Zealand.

Now, going down the hall here to the deputy minister's office or walking across, I would think, a rather nice, soft, comfortable, plush carpet, can the minister explain why the deputy minister's office was over budget by close to 17 percent last year? Again can the minister please explain why this year's budget is 88 percent higher than last year's preliminary actual? What are the outputs and outcomes used to evaluate performance within the deputy minister's department?

Now, I have a few questions here on the corporate services. Will the minister please describe the activities planned by corporate services to justify the 6.5 percent increase over last year's preliminary actual? What outcomes, outputs, efficiency measures, and quality indicators have been established for corporate services in 2001-02? Will the minister provide further information, please, on the reasons for the \$125,000 increase in capital investment planned under corporate services?

Communications. Now, this is always interesting. Regardless of which department you're discussing in estimates, communications is always noteworthy. Always noteworthy. Again in communications from line 1.0.4: what justification does the minister give for the

increase of close to 16 percent over last year's budget estimates? This is especially considering that last year's preliminary actual is 20 percent less than this year's budget estimates. I can't understand why this wouldn't be under the Public Affairs Bureau.

DR. TAFT: It's remarkable.

MR. MacDONALD: Yes, it is quite remarkable.

Now, will the minister provide, please, a breakdown of the \$237,000 in operating costs for 2001-02 for the following: salaries, permanent positions, nonpermanent positions and salaries, contract positions – maybe that's where the Public Affairs Bureau comes in; as I understand it, many of the employees there are just contract employees, and at some point I'm curious as to who pays their WCB, but that's another issue and that's another department – travel expenses, and health care premiums? The rise in health care premiums is going to, I'm sure, tip the balance, because those premiums are certainly significant. No new taxes. What new taxes? Health care premiums. Oh, I better not go there. What outputs, outcomes, efficiency measures, quality indicators, and benchmarks have been established within the area of communications to measure performance? What are the projected expenses again that will be incurred in 2001-02 with respect to advertising this provincial budget?

5:10

Now, will the minister indicate how much of the communications budget is devoted to public relations, consulting services, and graphic design and print production? I thought all that was handled over in the Public Affairs Bureau, but I could be wrong, and I'll certainly stand corrected.

The hon. minister was discussing earlier the standing policy committee on economic development and finance in giving an overview of the budget. What explanation does the minister have for keeping the budget the same as last year's budget estimate even though the preliminary actual from last year was 10 percent less than last year's budget estimate? If we didn't need it last year, why do we need it this year?

What role does the standing policy committee on economic development and finance play in reviewing and approving three-year plans? What role does the standing policy committee on economic development and finance play in the evaluation of the quarterly budget updates? What performance indicators, outputs and outcomes, and benchmarks have been established to measure the success of the standing policy committee in fulfilling its goals and objectives of consulting with Albertans on public policy?

Certainly there was no consultation with Albertans that I know of in regards to canceling the community lottery boards. His Worship the mayor of St. Albert, Mr. Plain, from what I can understand, certainly was not consulted. The mayor of Edmonton was certainly not consulted. The mayor of Calgary certainly was not consulted. I don't believe they were consulted on the transportation and infrastructure issues either, but I could stand corrected on that.

Now, I have a few more questions for the minister in the time that I have left, Mr. Chairman. What standards and guidelines have been established to allow the office of the Controller and the office of budget and management to ensure that individual departments follow consistent internal audit, financial, and reporting procedures? What benchmarks have been established by the office of budget and management for the following performance indicators: accuracy of recording departments' financial information, timeliness of reporting departmental financial information, adherence to legislative compliance, and departmental budgets not exceeded?

Will the minister please explain whether any consulting projects have been undertaken by the budget and management team and in what areas? What review criteria and guidelines have been established by the Ministry of Finance in consultation with the Auditor General which will permit a formal audit of ministry performance measures in annual reports, and what are the time lines for implementation?

Again to the minister: what steps is budget and management taking to comply with the Auditor General's recommendation to provide financial results for each of the four quarters of the fiscal year within the consolidated budget in order to allow for comparison of actual financial performance against the benchmarks of the quarterly reports? What is the time frame for including planned quarterly reports in the annual budget?

Will the minister provide again further information on the plans being prepared by budget and management to ensure that outputs are being fully costed and allocated? What is the time frame for fully complying with the Auditor General's recommendations for costing outputs and related results to cost based on outputs? Will the minister provide a copy of the 2001-02 business plans and budget finalization instructions which guided ministries in the preparation of the three-year business plans for 2001-02 through to 2003-04?

Will the minister please provide an update on recommendations made by the Senior Financial Officer Council, co-chaired by the Controller, with respect to improvements to financial and performance measure reporting? What steps are being taken by the Minister of Finance to comply with the recommendations made by the SFO Council? Will the minister indicate what issues still remain to be resolved which have prevented Alberta from . . .

THE DEPUTY CHAIR: I hesitate to interrupt the hon. member, but the time allocated has now run out. I have to call the vote.

After considering the business plan and proposed estimates for the Department of Finance, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment	\$90,140,000
Nonbudgetary Disbursements	\$167,754,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee now rise and report the estimates of the Department of Finance and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Wainwright.

MR. GRIFFITHS: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her

Majesty for the fiscal year ending March 31, 2003, for the following department.

Finance: operating expense and capital investment, \$90,140,000; nonbudgetary disbursements, \$167,754,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 8 p.m., at which time we return in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:18 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, May 1, 2002**

8:00 p.m.

Date: 02/05/01

head: **Committee of Supply**

[Mr. Tannas in the chair]

THE CHAIR: Good evening. I'd like to call the Committee of Supply to order.

head: **Main Estimates 2002-03**

Innovation and Science

THE CHAIR: I would ask if there are any comments or questions to be offered with respect to this estimate and call on the hon. minister to begin this evening's deliberations.

MR. DOERKSEN: Well, thank you, Mr. Chairman. It is a delight to be here on May 1 on probably the first nice day in spring. I just have to acknowledge the huge number of employees of Innovation and Science who have joined us tonight, and I want you to know that they are not here due to any coercion on my part or anybody else's. They actually wanted to come and visit the Legislature. [interjections] When you get to work with such a fine gentleman like myself, wouldn't you come too? Anyway, I am pleased that they're here to join us, and I hope they find some value in what happens here tonight. If you get up and walk out, I won't feel offended, because I know it's a lovely evening and you might want to enjoy that. [interjections]

Mr. Chairman, if you would bring order to this Assembly, I could continue with my remarks.

I do also want to encourage all members of the Assembly – most of you or some of you have your laptops with you – to log on to www.innovation.gov.ab.ca and for your information log on to a site there on the left-hand side called Sci-Tech Week. That will open up a window that's called Science & Technology Week.

THE CHAIR: Hon. minister, your laptop is wonderful. The only thing is, it blocks out another level of technology, and that's the sound. Proceed, hon. minister.

MR. DOERKSEN: I was convinced I was speaking loudly enough, Mr. Chairman.

After you open that window, there's a section called CoolFlashStuff. If you go and log on to that little thing, you can choose from some interactives: of a butterfly's wings, of a shark, of the moon, of space, a lunar footprint. The one that I would suggest you look at is the one on our solar system, which actually will show you all the revolutions of all the planets. It will count the years off, and you can see the different speeds as a planet rotates around the sun and see how our solar system actually works. [interjections] Okay. This is important.

Now, that's the cool stuff, but what you can also find on that web site is information on the Alberta Supernet. You can read about the Alberta Science and Research Authority. You can read about closing the digital divide between urban and rural Albertans. You can see about Venture Channel connecting Alberta to the Silicon Valley. You can get some information on our nanotechnology institute that's opening up at the University of Alberta and the Alberta Energy Research Institute. Information is there on the Alberta Agriculture Research Institute, the Alberta Forestry Research Institute. There is a wealth of information on this web site,

so while you're listening to the debate, I would encourage you to inspect the web site. Actually, you'll probably have answers to your questions that you hadn't previously realized were there. [interjection]

Mr. Chairman, I apologize. I'll now close up my computer.

THE CHAIR: No. No. There's nothing wrong with your computer. It's just that when you put it up, then you block the mike.

MR. DOERKSEN: Okay. Moving on to the 2002-2003 fiscal plan, Mr. Chairman, Innovation and Science has two core businesses. One of them is research and development, and the other one is corporate information and communications technology. Under the first core business research and development is aimed at enhancing "the contribution of science, research, development and commercialization to the sustainable prosperity and quality of life of all Albertans." You will see throughout our business plan that we focus on people, infrastructure, strategic alliances, and fostering innovation. The cycle of research and development continues to grow and build momentum, attracting private-sector investment. That in turn leads to the creation of new business, greater economic diversification, and improved opportunities for all Albertans. It also ensures that Alberta stays out front, creating its own path to the future instead of following behind.

Mr. Chairman, I alluded to the National Institute for Nanotechnology, which you can find information on at the web site, and that is a strategic partnership between the University of Alberta, the province of Alberta, and the National Research Council. Beginning this year, Alberta and the University of Alberta will jointly invest \$60 million over five years in this national research institute, making Alberta one of the top centres in the world for nanotechnology research. This funding will be matched, of course, through the National Research Council and the federal government. The impact of nanotechnology is expected to be as revolutionary as the development of computer technology or the industrial revolution, affecting our lives in a multitude of ways from energy production to medicine, from bandwidth to construction. With the National Institute for Nanotechnology Alberta will lead the way.

Mr. Chairman, I've been told many times that I look better if I smile. So if I smile occasionally during my speech, I'm trying to bear that in mind.

The National Institute for Nanotechnology stems from the strength of research programs in this province, and in order to continue to simulate this kind of excellence in this fiscal year, we will also work to match Canada Foundation for Innovation funding for research at our educational institutes. Mr. Chairman, in the most recent awards that were given by the Canada Foundation for Innovation, Alberta universities and institutions had a greater or a disproportionate share of the awards from the competition that they offered. We did exceptionally well.

We are undertaking a strategic focus on three priorities: life sciences, energy, and information and communications technology. Through a collaborative effort with other ministries in industry, we have developed strategies for energy and life sciences research. They are aimed at leveraging our strength in these areas in order to enhance quality of life and economic opportunities for all Albertans. Toward this end fiscal estimates for research and development in 2002-2003 are \$96.6 million, including the \$91.6 million allocation to ASRA.

At this point I want to just talk a little bit about the relationship that I have with the Alberta Science and Research Authority, because that is the independent body established with people that have a wide background of knowledge in research and science. They provide strategic advice through the minister to our govern-

ment about the areas that we should be investing in, the areas that would be important to continue to build on for the Alberta advantage. So they are a very important element, or body, within the ministry that I work in.

Our second core business relates to information and communications technology. We look at this from an economic development perspective as well as from the perspective of garnering increased effectiveness and efficiency in the way this government does business. One example I would use with respect to efficiency and effectiveness in terms of delivering e-government is actually prompted by the report of the Premier's Advisory Council on Health. Innovation and Science will work with Health and Wellness to develop a framework and standards for databases and e-health as well as other opportunities that Supernet will create to improve the delivery of health services for Albertans.

8:10

Estimates for 2002-2003 are \$121.8 million for Supernet. This will allow in this year the completion of 27 segments of the network and the start of an additional 24 segments as well as community involvement and conversion projects. Again, for the benefit of the members of the Assembly, you can find the entire bill schedule, along with maps, on the web site that I referred to: www.innovation.gov.ab.ca.

I want to emphasize something about Supernet, because Supernet will provide much more than high-speed Internet access. I'm just going to diverge here a little bit. Going back to the example I used of the solar system that you can pick up off the web site in that fun zone, with those images where you see how the solar system works, if you're using a dial-up modem in some remote part of Alberta, you can't look at that picture because your bandwidth is not capable to deliver that to your computer sufficiently for you to see that. So individuals sitting in this Assembly have a much greater benefit than the vast majority of rural Albertans in particular, which is one of the primary reasons that we have embarked on the Supernet project.

But it is much more than just the Internet, and I have to emphasize that point. This is a scalable broadband data optical network that will allow for real-time services such as e-learning, e-health, e-commerce, and e-government well into the future. If you can imagine a digital image – a CAT scan, MRI, ultrasound – and you're trying to deliver all that information via digital down a pipe to a remote area to look at it, you have to have a very high resolution screen at the end to receive that. In fact, the technology is there, but if you don't have the bandwidth – just go back 50 or 60 years when movies were just starting to come out; you saw the pictures move very jerkily across the screen. You need the bandwidth to eliminate some of those issues, and that's the importance of building a scalable network that can deliver a large volume of digital images to permit that to happen.

I'm going to give you some specifics with respect to the services that will be offered via Supernet, particularly some of the rates that will be charged for government, learning, hospitals, and libraries. There would be a variety of services offered to each of the government of Alberta sites, and they will range from a charge of approximately \$242 per month right up to \$850 per month. My contention is that what we are going to experience is probably a greater demand for that bandwidth than we could ever have imagined. So even though we're building in different levels of service, I think it'll be a very short period of time before the demand for the highest level of service is actually permitted. We're continuing to work with what the commercial rates will be, and we are convinced that the opportunities provided for commercial opportunities within municipalities and cities and towns will be accepted with a high sign-up rate.

We'll continue to work with other ministries to develop a

multitude of ways that government can improve services to Albertans with this network in place. Distance learning, Wellnet, and the Pharmaceutical Information Network are just some of the examples of services that will be enhanced and made more affordable with Supernet.

Supernet is only one prong of the corporate ICT strategy. It is part of the infrastructure that we need to put in place to be able to deliver on some of the other objectives that we want to achieve.

Innovation and Science is working with other ministries to leverage and make the best use of the \$300 million that is spent across government each year for information technology. We will work with ministries to find common standards and solutions for ICT to ensure that the people of Alberta get the best value for the money spent.

The value of this co-ordination is greater efficiency and effectiveness and means that all government can benefit from the expertise housed in individual ministries as well as better communication across government and with the people of Alberta.

One of these kinds of services that you might see in the future and is already being tested is that when you have to renew your registration on your vehicle, you can now log on to the Internet, on to that web-site, and actually order or make your renewal and pay for it through the Internet. The reason I know that, Mr. Chairman, is that I did that. As Minister of Innovation and Science I have to make sure that this is working. That lets anybody from their home, from their office, from another office be able to look after their business from right where they are without having to go down to a registry to complete this.

So, Mr. Chairman, I'm going to actually take my seat and listen intently to the other members of this Assembly as they give me probing questions and comments, and I will do my best to answer the ones I can. The ones that I'm not able to provide the necessary detail on we will commit to providing in writing at a future date, or else if you give us your e-mail address, we might even electronically send you the information. I think that would be in character with what we're trying to do.

THE CHAIR: Before I recognize the hon. Member for Edmonton-Mill Woods, I wonder if we might have permission to briefly revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chair. It's a pleasure tonight to introduce to you and through you and to all members of the Assembly a number of guests we have in the public gallery. They are here primarily to hear the debate on Bill 26. These are people that have long been involved with injured workers in this province. They have provided assistance to many, many injured workers, so it gives me a great deal of pleasure to introduce to you tonight Joyce Waselenchuk, Rick Bremault – now, Len Borowski was up in the members' gallery; he stepped out for a few minutes – and joining them tonight we have Chris Leeuw and Lauren Syrnuk. With your permission, Mr. Chair, I would ask that they now rise and receive the traditional warm welcome of the Assembly.

head: **Main Estimates 2002-03**

Innovation and Science *(continued)*

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. It's always a pleasure to have some questions of the Minister of Innovation and Science. His enthusiasm is contagious. It might have been helpful if he'd talked about the estimates, so maybe with some questions we can steer him in that direction.

One of the promises that the business plan from last year made was that this year, it said

Innovation and Science plans to develop better performance measures and establish benchmarks for the Ministry. Results for these indicators will be reported on in upcoming annual reports for Innovation and Science.

So we were warned last year that this year's business plan – we could look for some changes in its presentation, and I would appreciate maybe if the minister can do some cross-referencing for us so that we could follow some of the measures. I think last year there were six goals, and this year there are eight. There are some commonalities; for instance, the commercialization goal. Although the wording is different, commercialization of research in the area remains an important goal, the application of research in the area also is a goal, and the government as a model user and leader in the use of information technology is a goal.

8:20

Past that I start to lose a little bit when I try to compare it, and the only reason that it interests me, Mr. Chairman, is that it makes it so much easier if we can move from one year's business plan to the next year's and make those comparisons. So I'd be interested, too, from the minister's perspective in terms of whether he thinks that the present scheme they have in this year's Innovation and Science business plan is one now that will remain stable over the next couple of years, or are there going to be some more changes? In particular I think it's important that the measures and the key performance measures and the indicators remain somewhat stable so that we can actually track what's happening from year to year.

One of the indicators that interests me is on page 252, the "Alberta university publications as a percentage of Canadian and global publications." I wondered how that information is gathered. Is it available in a source, and what was the rationale behind that particular indicator? I think it's an intriguing one, it's an interesting one, and I would be interested in some of the reasoning that went on in terms of having it here.

I'm also supportive of the next one, and that is "Alberta's Gross Expenditures on Research and Development" as a percentage of Provincial GDP, and then they compare it with other provinces. I think that's one that I've seen used elsewhere in some American states in terms of making some judgments about the fiscal effort of departments. I've seen it used, for instance, in education departments to try to indicate the kind of fiscal effort the government is making in terms of education, so it's interesting to find it here in Innovation and Science. I think it's a useful one because it does speak to the government's priorities in terms of the area, so it's an interesting one.

One of the new goals or one that seems to – there was a previous goal, number 3 last year, that talked about research application and stewardship of our resources in the environment; I'm paraphrasing what it was. This one is specifically now "to increase energy research intensity that contributes to Alberta's continued prosperity." It is highly, highly specific. I wondered about the technologies, the key performance measure at the top of page 254, the "number of new technologies in Alberta at the demonstration stage for clean burning coal and other feedstocks." The baseline is 2001-2002, and it's zero. I thought that there was some technology that was being proposed by a plant in north Edmonton that proposed using a new technology to burn coal cleanly. They were using that for an

argument for expansion of the plant, and there was considerable discussion in the community about the plant's proposal. So I would like some further information, if the minister has it, on just exactly where that technology is and is it in fact in use at the present time?

On the same page we again have university-based publications as a percentage of global publications in energy research and development, and I really am interested in the source. It just seems like such a colossal task to gather that kind of information. Is there a readily available index that somebody's already done out there, or is this something that's being done here, and how reliable is it, I guess would be my question. It's an intriguing measure or indicator that the ministry has chosen.

There are some indicators under goal 3, the "number of researchers and graduate students at TRILabs" and then the "number of graduate students studying Computer Science and Electrical and Computer Engineering at the University of Alberta and the University of Calgary," and I think those measures are mentioned elsewhere in the business plan. What effect will the capping of enrollment that's been proposed, say, at the University of Alberta have on these measures? Are they going to be fair measures if that capping goes ahead? What are the implications of capping for measures such as this one that attempts to look at graduate and undergraduate participation?

Another new goal or one that's been teased out and is a stand-alone goal now seems to be goal 4, the one "to foster excellence in life sciences research that contributes to Alberta's continued prosperity." It's been picked out, and I guess this is really what I was referencing: "Number of graduates from life sciences-related programs at Alberta universities and selected colleges." My previous comments really apply to this, because the capping of enrollment would certainly, it'd seem to me, have some influence on this particular indicator. I think they're good indicators.

I like this one and the one that follows, "number of faculty researchers and students supported by the Alberta Heritage Foundation for Medical Research." It starts to get a little bit, with some real hard data, to the problem of brain drain and the kinds of, maybe, myths that exist. Is there really a brain drain? I think that if we start having information like this, we have a better handle on that whole business.

Goal 5, the commercialization, is again one that we had previously. It was goal 2 in the previous business plan, and that's the whole area of "commercialization of research in information and communications technology . . . life sciences and other areas of strategic importance." It's really quite an ambitious goal, and again you look at the indicators, the one in terms of the "research investments attracted to Alberta research institutions." We've had this discussion in the budget estimates for the Department of Learning in terms of the impact of commercialization on research agendas at the major research institutions in the province. Is there any concern that the focus on commercialization is going to lead to what I think is being called gizmo research, research with an immediate payoff, which in the long run might be shortsighted? If you go back and look at the research that went into extracting oil from the tar sands, if my history is correct, that was fairly serendipitous. It was important information, but it wasn't information that was gathered initially because of the need to come up with a commercial solution to a problem.

8:30

Maybe this is not the correct department given its mandate. Maybe it's more a concern that should be addressed in the budgets of the Learning department, but I do worry about the province's research agenda. As important and as critical as being able to

commercialize and to attract business investment into research and the kinds of opportunities that that opens up and the contribution to our economic well-being, there is, I think, a broader public research agenda that has to be protected. I've been assured in the past by University of Alberta officials at least that we have a long ways to go before it becomes a real problem, but I still worry about it and wonder if it's something the ministry has addressed.

Goal 6: "To attract, grow, establish and retain information and communications technology . . . and life sciences businesses in Alberta." In sort of my cursory look at the comparison of the two business plans, I couldn't find where that was before in the budget, but that doesn't mean it wasn't there. I would be interested in some background to goal 6, and again I think it's an interesting goal. It must have some overlap with the Economic Development people in government, and I wonder how that is sorted out between departments.

I look at goal 7. This is the one that includes the Supernet indicators and key performance measures. I notice in last year's budget that it said that there were 422 communities now connected, and it's the same in this budget, if I'm correct that that number hasn't changed. Does that mean that all the communities that are going to be connected are now connected? I assume that that's what's happened. There's some great enthusiasm around Supernet, and we had the privilege of meeting with some of the officials involved. I still hear from schools that indicate that it gets to their building, but they still don't have the money they need for computers within the building to make it available to youngsters. I was in one rural high school who sort of indicated that it really was a nonissue for them because they didn't have the money to actually use it effectively.

Again, is there collaboration with the Department of Learning with respect to the Supernet, and what is the nature of that collaboration? It seems to me extremely important to make sure that having gone to that huge expense and effort to get the network throughout the province, the other piece of it is even more important: to make sure that users, particularly students, are able to benefit from the promise of such a technological innovation. So some comments about Supernet. I know that it's near and dear to the minister's heart, so I look forward to hearing from him.

The last one is one that appeared in the previous business plan with a little bit of a different spin on it in terms of government plans, where the government is to be a model user of information and communications technology. This one says not only a model user but one that leads to the cost-effective delivery of effective government administration. It's really, I think, a variation on a theme that we had before.

Those, I think, are some of the specific questions there. If I have another opportunity, there are others I'd like to go back to, Mr. Chairman, to some of the indicators and to ask some questions about them. In terms of the overview I think it would have been helpful – maybe you can't include it in the business plan. I guess, why not? It would have been helpful to have a bit of a chart, an overlay, if you would, which would have sort of directed us from last year's budget to this. I know that's been a constant concern of the Auditor General in terms of departments not sticking with a plan. I think that with this department it has been, and it's been open about the search for appropriate performance measures and indicators. We all expected that there would be some changes, but it would have been nice to have a bit of a summary in terms of the goals and how they've changed and been expanded. That would have helped the reader in going through the information.

I think that's it for the business plan, Mr. Chairman. Thank you.

MR. DOERKSEN: Mr. Chairman, I'm going to respond to a few of the remarks by the hon. member and hopefully enlighten him on some of the questions that he has. It's a fair comment about the change between last year's business plan and this year's, and I've noted those comments. Without a doubt, as a new minister with a new deputy minister we did put our own stamp of direction on the business plan, but I acknowledge those comments that it can be difficult to follow from one year to the other. The way we've structured the goals in the business plan really relates to the core businesses. Your first six goals relate to the research and development side of the equation, and the last two goals relate to the ICT component of the ministry.

You referred to "Alberta's gross expenditures on research and development . . . as a percentage of provincial gross domestic product" as one of our measures, and that's a valuable measure to use. Part of the problem we have with that particular measure is, as you can see there, we're going back to 1999. I'm convinced that if we actually had those numbers for last year, you would see a big improvement in terms of Alberta's position vis-a-vis the other provinces. There seems to be a two-year lag to get those particular numbers. What we're trying to do there with that goal and the second goal is to measure our research intensity, because we think that in terms of developing our province and developing our future, research is the beginning of a long-term investment. The payoffs aren't often until 10, 15, 20 years down the road, and our department is about the future.

8:40

What we have really tried to highlight in the way we structured our goals, particularly in this area, is to say that in research and development intellectual capital is the critical element. If the people leave, so do the ideas. What we're trying to focus on here is retaining good people in Alberta, attracting good people to Alberta and keeping that talent within our province. So within our goals you'll see a consistent approach in terms of people, infrastructure, and innovation.

You made a reference to energy research intensity. Again, I want to point you to – it's not obvious from the business plan – the web site that I referred to, innovation.gov.ab.ca. If you go under Energy Research, you can actually find the Alberta Energy Research Institute business plan, which outlines the goals that they have with respect to energy. Of course, that's co-chaired by the very capable Member for Bonnyville-Cold Lake.

Just quickly in terms of the goals that the Alberta Energy Research Institute has, it's in the area of clean coal technology, clean energy. It's in the area of upgrading technologies. It's in the area of carbon dioxide, or CO₂, management and energy production – I'm actually reading right off their business plan here on my computer – improved oil and gas production and also fuel cells and hydrogen. Fuel cells are largely a distributed power technology, because you have to find a way to store the power in a fuel cell. You still have to create the power, but you want to store it in a fuel cell, and it becomes a form of distributed power.

The strategy that they have outlined in their business plan is critical as we negotiate and talk about the whole Kyoto situation. If you get beyond all of the rhetoric that's going on, we have got to invest money into research and technology to improve our production. It can take us to the next level. It can solve a lot of the issues that we face with the things surrounding the Kyoto accord. We're very keen on working with the federal government, with industry to try to achieve some objectives in that area. I would encourage you, when you have some leisure time, which I know is not that often, to check out the web site. You can get all the information about what they're trying to do on the energy side.

We talk about energy, we talk about ICT, and we talk about life sciences. Goals 5 and 6 talk about the issues of commercialization and growing businesses within Alberta. We're told over and over again that we have excellent basic research in the province of Alberta, but where we can do better is to take that research, take that technology and develop it within our borders. While we're a small population base in terms of the whole global economy, we want to have a disproportionate share of the market of the innovation in developing those companies. Those issues relate to issues of access to capital, issues in terms of management ability that moves past research to actually take and now commercialize the technology that we find. So those two goals in my view are the two important ones that we really have to concentrate on over the next year or two.

Again, I want to make sure that everybody has an opportunity to ask me questions, so I'm not going to answer all the questions.

I did want to go back to Supernet and your question there. If you refer to page 260 with respect to the number of communities, at the bottom of the page you'll see how we want to go for this budget year. We want to connect 133 communities. By 2003-04 we will have 356 connected, and by 2004, which is the end of the build schedule, we'll have all 422 communities, 4,700 locations, all connected to Supernet. The baseline is '01-02; that's actually last year's baseline. Now, there are a lot of connections in the base network already, but most of the significant build with respect to the extended network happens in the smaller communities. This is how we're measuring whether we're achieving our goals. Again, if you refer to the build schedule on the web site, you'll see exactly which communities we're going to, when it's supposed to start, and when it's supposed to be finally connected. So the information in terms of the schedule is all documented quite clearly there for everybody to see.

I've noted your comments with respect to the cost to schools, and I want to assure the member that the Department of Learning is vitally interested in the Supernet project and has been in support of this all the way along. Yes, in fact, we are working collaboratively with them. My job is to build the network, build the infrastructure. Learning, Health: they'll be the content deliverers, which is the information and stuff that will pass over the network, over the infrastructure. So it is important that we work together in terms of achieving our objectives in the infrastructure build.

So those are some comments I'll make. I suspect you'll have some more, and we'll try to get to those if not verbally at least in writing. So I'll take my seat.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. Well, your voice sounds a little better than it did last night. It isn't a great deal better, so I hope you make it through what looks like it's going to turn out to be another long evening.

It's a pleasure to be here this evening to talk about the Innovation and Science budget for the upcoming year. Thanks to all the staff who are here. It's always nice to see staff here supporting the minister, often sending down timely answers to questions that have been asked so we don't have to wait for such a long time to get the responses in writing. Although some ministers are very good about it and try to get it out quickly, it still takes some degree of time. [interjection] Well, yes, certainly you do a pretty good job about getting responses back to us. It's always nice if we can have the written responses back by the time we vote on the budget for the year, Mr. Chairman. That doesn't very often happen, but there are a few ministers who do try to see that that happens.

This is a very eager minister that we have in this particular

department, and that's probably good. Probably the place for him is Innovation and Science because I think that it is where we need eagerness and thinkers and decision-makers who are quite willing to sometimes challenge the status quo. We know that this minister has that reputation, and we have seen him in that kind of a role over the years that he has been in this Legislature. So happy to see him there. [interjection] Well, I can see that there's another minister who's not too happy. You had your bouquets when it was your turn. I have to say something nice before I say all the mean and nasty things that we're well known for saying. [interjections] Right now we've got lots of groans. So good to see everybody's awake.

Really in this department there are mostly good things to say, and the one thing that I particularly want to recognize right off the bat is finally, Mr. Chairman, a ministry where I see that the key performance measures and indicators actually tie into the outcomes and strategies. So here's a department that got it right, which is nice to see. The problem with doing this properly is that then you're measurable from year to year, and you can be certain that we'll be keeping track of what's happening here.

8:50

There still isn't quite the level of detail in the ministry that we would like to see, of course. Even if you can't fit it all in the business plan, it would be great to have access to additional back-up, because really what we get here is a very global sense of what's happening in the department, and it's hard to get to some of the meat of the issues. Sometimes we then are dealing with information that isn't complete so therefore can lead us to conclusions that may or may not be accurate. That has happened in this department in fact with the Supernet. I have to say that as well as it's laid out here in this information and the statements that the minister has made about Supernet both on and off the record over the last year or so, it really hasn't done that program justice I think. So more detail on things like that would be very helpful.

I was with my colleague from Edmonton-Mill Woods and a few of my other colleagues when we had an opportunity to meet with the people who are working on Supernet in the province, and it was an eye-opener. It was actually quite different from what had been explained to us in this Legislature. So that was very good. It seems like there's perhaps, without being too critical, a lack of depth of understanding or an inability to fully discuss and debate what's happening there. So that's an issue where a briefer perhaps for all members of the Assembly would be beneficial, because the concept is an excellent concept, and the technology looks like it's going to work.

I share the reservations that my colleague for Edmonton-Mill Woods has, though, in terms of the ability for some organizations to be able to put the infrastructure within their buildings, to be able to adequately access the technology. Now, I know that from a hospital perspective that won't be an issue. There will be, if not a great cost savings, at least great access returns in terms of accessing support services and specialists and so on and so forth. So from that perspective, there will be a push for them to ensure that they've got all the necessary hardware.

Libraries we know have been chronically underfunded for the past 10 years in this province. I know that the Minister of Community Development will go on ad nauseam about how much more money they're getting this year, but in fact they've been chronically underfunded. So there are some serious problems there. I know that in my own local library, which is heavily used in Mill Woods and particularly heavily used by low-income families, there wouldn't be a computer in the place if it hadn't been for the Bill Gates program, that puts computers in. Most of those are for access by the kids,

which is excellent, who then will be great beneficiaries of the Supernet program. But when I take a look at what they've got behind the desk in terms of equipment for their own administrative purposes, it's substandard, to say the least. So I do worry about access on their side.

Of course, as my colleague has outlined, we still continue to have concerns about the schools. Now, I remember that some time ago I had talked to someone who worked with Supernet, and I expressed my concerns at that time about it to him. He said, "We bring it to the door; they'll find a way to bring it inside." I said, "Corporate sponsorship?" He said: "Whatever. They'll find a way to bring it inside." It's nice to say, "Build it, and they will come," but we know that capital is a real problem. So I share the concerns of the school administrators and my colleague on that. Some schools will be far more creative and will have first choice immediately. Others may not have the abilities to access it, so we end up having tiered standards. I know that's probably not something that is supported by the minister.

I was interested in the minister's comments about the Supernet when he talked about there not being any communities up and going at this time. I'm sure that's what I heard him say. Yet the Supernet people tell us that they've got a pilot project that if not under way is on the verge of being operational in the Red Deer corridor, which coincidentally happens to be the minister's own riding. It's probably just a coincidence. It's great. They've got to do it somewhere, and I'm happy to see that they're doing it in the middle of the province. Well, not really the middle of the province but populationwise the middle of the province. I see that his colleague there in the neighbouring constituency is also very happy about that. So perhaps if the minister could talk a little about that, that would be beneficial.

In the response to the Member for Edmonton-Mill Woods the minister talked about this being a department that focuses on long-term payoffs, and that's a good thing, I think, for Innovation and Science and is certainly where we want your vision and your focus to be. In fact, we could use a little more of that kind of vision and focus from the government in general and in a variety of departments, no doubt. The problem with having a long-term focus is that you have to make sure that you're hitting the marks along the way, that the analysis you do of whether projects continue to go ahead or not or whether they need to shift their focus is a very critical analysis, that the groups hit the marks as they progress through and, if not, get cut loose. So if the minister could talk about the kind of criteria he uses to establish that, it would be helpful.

I am sure that if we'd had that kind of criteria established for past huge problems that looked like they were innovation-based at the time, like NovAtel, those programs would have been canned a lot sooner than they were. So we don't want this ministry to get into any of those same kinds of problems as they tie their goals into the broader government of Alberta business plan goals, particularly those related to "development of value-added industries and exports." It's a fine line between picking winners and losers and interfering in the marketplace and providing the kind of support that makes Alberta a global leader in particular industries.

Perhaps the minister could tell me what he and the department use as the criteria to establish what the difference is, because there's no doubt that pursuing these kinds of goals takes money, and when you add government support into any kind of industry, there is some skewing that takes place. So what's the fine line between interference and general support, and how do you decide really what industries to go into?

He talked about nanotechnology. I think it's a great thing. It's an area where Alberta really does need to focus because we do have a skilled workforce and have the potential to have an even greater

skilled workforce. It is an attractive place for people to come and live. You've talked about some of those things in your statements, and I think that that's a great place to be going. But exactly how do you establish the criteria, and when do you decide that you've played in the marketplace enough?

One of the goals you talk about on page 251, where you state: "Ministry efforts under this core business will, in turn, impact the achievement of the broader Government of Alberta . . . business plan goals, particularly goals related to . . ." and you go down to the second one, and that's "building a skilled workforce." Could you elaborate a little on that for us, Mr. Minister? I am struck by the discussions we had in this Assembly during budget debate last night and this afternoon in question period when there were discussions about aboriginals, specifically treaty and Metis groups, being underrepresented as skilled workers. It seems like this ministry focuses particularly on the higher-end achievers, those people who get through high school and have some sort of technological training.

9:00

But that's not the real crisis in this province at this time. The crisis is in ensuring that all Albertans have a level playing field and have access not just to a very basic education but to an advanced education and that all Albertans have access to the kinds of jobs that you talked about in terms of retaining and attracting people to this province. As that is a cross-ministry goal in several departments, I would like the minister to comment on that. Are you doing any work in that area? Do we see any specific focus or programs that take a look at that particularly disadvantaged group in our province, who really could be a huge benefit? All the talk we have about more immigration and about attracting skilled labourers from outside of the country is all nice and fine, but there are many cost attached to that. It's not just bringing them here. There's the retraining side of it. There's the acclimatization and socialization process. We have a group of people right here who are First Nations in this country and who deserve to have equal access to the good jobs. I'm wondering if in your ministry you considered that, and if so, how? So if you could talk about that for us.

Mr. Minister, you talked a little bit about Kyoto and how Innovation and Science is looking at solving problems through new technology. If you could expand on that a little bit for me, I would appreciate it. I would like to know specifically what you see happening on energy alternatives. We know that ultimately a dollar spent in Alberta on refining technologies and finding solutions is not really as valuable as a dollar spent in a Third World country like China, where for a dollar you can make huge advances: technological advances, CO₂ emission kinds of reductions, and things like that. So how do you see your department really focusing in on that?

Do you see the value-added benefit of existing industries, or do you see your department looking at focusing a greater emphasis on new technologies or technologies that have been around but aren't really well accepted or adapted at that stage? We know about wind: quite viable and starting to become affordable. Fuel cells seem to be popular sometimes, not so popular at other times. So what are you doing to support those two, and what else is happening on new alternatives? What do you see coming down the pike in the next five to 10 years that may look like replacing or supplementing existing energy sources? If you could comment on that, I would certainly appreciate it.

I think that's the majority of my opening comments. I do have some more things that I would like to say if we have time as we go forward, but I think that that is the majority of what I wanted to say to do with the business plan. I'll come back to the budget numbers

specifically a little later on if there's time. Perhaps you could respond to some of my questions.

Thank you.

MR. DOERKSEN: Mr. Chairman, I'm going to have the vice-chairman of the Alberta Energy Research Institute at the end of my remarks make some comments with respect to energy alternatives. If that's okay with you, I'll have him discuss some of those.

But I want to give you a little illustration. It's never wise to use anecdotal evidence as a way of making policy, but I think in this case the example can be instructional. It relates actually to two comments you made, one with respect to libraries and the other with respect to disadvantaged people. A person I know very well works in Red Deer with a recent immigrant or refugee who has come to our community in terms of developing her English language skills. The interesting part is that this same lady goes to our public library and uses the computer and the Internet and the e-mail facilities there to keep in contact with the family she left behind. Now, e-mail technology: you don't need big broadband width to do that. It's an illustration of the importance of libraries having this kind of technology available for them, because it then becomes in effect a community portal which any person in that community can access and learn. So I am very strong on the fact that in the build-out of the Supernet in particular connecting the libraries is among the most important elements.

I did not want to imply that there was no building going on right now, because segment 7, just to set the record straight, actually goes from Rocky Mountain House through the communities of Sylvan Lake, Leslieville, Eckville, Condor, and Benalto. So that is the build. It connects at Red Deer because Red Deer is part of the base network. So just to make sure I clarified that because that segment does not directly benefit Red Deer. It benefits those communities along that segment, but it connects into the base network at the city of Red Deer. And you're right: that one is currently being tested and examined, and we expect it to be up and running in a short period of time. Again, I'm just reading this information right off the Alberta Supernet community roll-out schedule found on the website that, as you were speaking, I pulled up here on my computer just to show you that I actually know how to operate this thing.

Strategic investments. In my opening comments I alluded to the importance of the Alberta Science and Research Authority. Because I don't have the ability or the knowledge to make strategic investment decisions about where we should fund strategic research, I really have to rely on the members of that board, who have better knowledge in those areas than I do, and they also rely, then, on a peer review process. I can't tell you all the details, but we use the services of internationally known researchers to help us look at proposals and projects when we come to making decisions about which research or which strategies should get supported. There's more good stuff out there than we could possibly match.

I didn't mention at all in any of my comments – and I need to mention it here – the Alberta Research Council. It's a big component of our budget. About \$27 million is the money that we allocate to the Alberta Research Council, which is owned by the Alberta Science and Research Authority. It's a wholly owned subsidiary of the Alberta Science and Research Authority, and that of course is chaired by the hon. Member for Calgary-Lougheed. Again, there is a group of people who make decisions on a day-to-day basis about research and what's important, but they also have to present their business plan to the Alberta Science and Research Authority to make sure that what they're doing aligns with the goals that they've set out. So at some point I'm not sure if the hon. member wants to comment on that or whether you want to have more time, but I'm

sure that she might want to give you some information if she has that.

9:10

Commercialization. You touched on that again. What's important here is that when we're looking at what we should do for commercialization, we're looking for the policy levers that will allow the development to take place. We're not talking about investing in specific companies. That is not a policy of our government. It is one that we have left behind. We have to go out and find what the barriers in front of companies are with respect to setting up business in Alberta and to accessing capital. What are things that we can do from a broad policy perspective to enable those kinds of things to happen on a more successful basis?

One of them that we have not adopted in our government which many provinces use is the research and development tax credit. That one's been mentioned to me many times, but that's just an example of a lever that may or may not be beneficial. We've also talked about labour-sponsored venture capital pools, as other provinces have used that mechanism to attract capital.

In Alberta one of the things that we have put in place that is outstanding is our two endowment funds. One is of course the Alberta Heritage Foundation for Medical Research, which started with a \$300 million endowment fund and has grown that and managed that portfolio successfully to where it's now around the billion dollar mark. It has invested in medical research over the years and has a tremendous international reputation. The Alberta ingenuity fund, which is another \$500 million endowment fund, is another example of how we've been able to put money aside that will be strategically focused on areas that are important to us. That is something that Alberta has been able to do that no other province or jurisdiction has had the ability to do, so we are fortunate. Each of us uses different policy levers, different things to try to accomplish our goals, but we will continue to examine those kinds of things.

I'm going to let the vice-chair of the Alberta Energy Research Institute maybe wax eloquent about some of the things that he knows with respect to energy research.

MR. DUCHARME: Thank you, Mr. Minister. The Alberta Energy Research Institute was established going back a little over two years ago. It replaced the former AOSTRA, which had the mandate of enhancing the oil sands recovery rates as far as the oil. When AERI was formed, it was given a little bit different mandate, and that mandate was to expand in all forms of energy, whether it be coal, whether it be hydrogen, whether it be wind power, solar, et cetera. So our mandate has certainly been increased tremendously in the past few years.

We have been very fortunate that we've been able to partner most of our research projects with funding of about 3 to 1. We'll partner with industry partners. We'll also partner with the federal government. We also have some other partnerships taking place with other provinces and the American states.

We are presently working on different major projects such as carbon dioxide sequestration, where we will be capturing the CO₂ and injecting that into formerly poorly producing oil fields of conventional oil. By injecting the CO₂, we're able to enhance the oil recovery and therefore have a place in terms of being able to store that CO₂, which generally goes up into pollution in our atmosphere. We're also very involved in terms of coal bed methane extraction again using CO₂. We will be starting off with some pilot projects in that area. We're also involved in hydrogen. We have made a commitment with other provinces and the federal government that if there is other technology already being developed in other parts of

the country, we would probably partner with them in a smaller role, but in areas where we are the leaders, they would join forces with us. We're presently working in those areas.

So we feel that there are certainly a lot of challenges ahead. Certainly the Kyoto protocol brought on a lot of extra challenges in terms of making us move forward a little faster in terms of our planning, but we believe that we have a strong plan that's in place in terms of being able to address those types of concerns. So the future certainly does look bright for the Alberta Energy Research Institute.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I just have a few comments and a few questions here for the minister. I want to thank him for answering our questions here tonight on Innovation and Science. It's certainly a very, very challenging department and also probably one of the more interesting departments.

I think there are probably quite a few members in here that envy him because he has that position. I know, for instance, that a couple of years ago when the hon. Member for Edmonton-Ellerslie and I were down at a PNWER conference in Post Falls, Idaho, they had a strategy then in Post Falls where they wanted to increase business in the area, they wanted to increase the size of their town, and they wanted the high-tech industries in there. So one of the strategies they had was to have a campus built that could support, that could train, that could attract the types of minds that we need for science and innovation. They had had quite a bit of success.

You know, we've heard of other places that have as well, such as the Silicon Valley, and we have the research triangle in North and South Carolina. These are all success stories of where we've been able to attract and keep some of the brightest minds. I think in the province of Alberta we are blessed in that we have not only a number of universities that are in that position right now, but we also have a number of technical schools that rate with any, which certainly can assist us in this regard.

Now, then, in looking at this particular department – and I'm referring to Budget 2002: The Right Decisions for Challenging Times, Fiscal Plan. I'm looking on page 49 at the 2002-2003 expense by function, and I see that the budget is broken down in the following ways. For the education function we have \$19 million that is being spent there. If the minister could please give us a rough breakdown of where these dollars go. In agriculture and economic development we see that \$122 million of the budget is being spent on that particular function. In general government we have \$68 million, and consolidated ministry expense has a total of \$209 million. If he could provide us with some answers there, please.

As well, in the same book I'm looking now under Alberta Advantage. I'm looking on page 98 at research and development employment. This is the 1997-2001 annual average, and this is the percent of the employed labour force in Alberta who are involved in research and development. What we see here is that Alberta currently is in fourth place when it comes to the percent of the labour force employed here. Surprisingly to me the province in Canada which has the highest percent of labour force employed in research and development was Newfoundland, followed by Quebec and Ontario. Our present average in research and development activities is 11.7 percent of the workforce, and I was wondering if the minister could provide us with projections as to where he would like to see this percentage go. Is it to be maintained at 11.7 percent? Are we projecting a bigger percentage of people to be involved in research and development, or just where do they expect to go in this regard?

9:20

As well, in the same book, Mr. Chair, I'm looking on page 134. These are observations by the Auditor General. In point 26, management of information technology, the Auditor General's observations were:

We again recommend that the ministry of Innovation and Science, with the cooperation of other Ministries, develop systems to assist in the management of government-wide information technology (IT) services and infrastructure.

I notice that the minister did accept this recommendation, and if the minister could please outline the several steps over the past year that he has instituted to assist in the management of governmentwide information technology services and infrastructure.

As well, on page 135 under Systems Development the Auditor General indicates:

We recommend the Ministry of Innovation and Science establish a systems development methodology that can be used as a source of reference when any systems development projects are initiated throughout government, for both outsourced and in-house systems development.

Again, I see that the minister did accept this observation, and he has indicated that "an action plan developed through the Chief Information Officer Council will be completed in 2001-02 to address this recommendation." If the minister could please inform us as to whether this has been completed. If it has been completed, could he detail some of the highlights of this action plan?

Now, then, I also see in the lottery estimates on page 299 goal 2: "To increase energy research intensity that contributes to Alberta's continued prosperity." I look at Goal 2.2: "Support the development of cleaner energy research programs that will make Alberta's coal reserves generally more acceptable for electricity generation." Of course, we certainly know, Mr. Chair, that when it comes to the burning of coal, we have to take the good with the bad, and there are both here. As well, I think that there is a balance here between what the economists wish to see in regard to the development of our vast reserves of coal and what the environmentalists, who probably wouldn't want very much coal burnt, wish to see.

So when we are looking at developing these strategies and this technology for the cleaner burning of coal, what sorts of projections are we looking at here for the amount of coal that we're going to burn? Have we set any targets as to how much coal we wish to burn per year, particularly when we look at the requirements as a province that we have for electricity? As well, to what extent do we want to develop our electricity exports to the United States? So if the minister could perhaps provide us with some insights into those questions.

As well, I was quite interested to see that we are looking at energy management programs for carbon dioxide. This is one of those gases that certainly does contribute to the greenhouse effect. I was reading a book, *The Limits to Growth*, and in reading this book I was quite amazed that the one gas that contributes more to the greenhouse effect and global warming is water vapour in the air. We know that whenever we're burning any fossil fuels, one of the by-products is water vapour. So even though we do have a very clean gas in the atmosphere, it does have an effect. When we look at the projections, those are things that if he has any insights on or if they have any plans, he could pass that on to me.

Back in the late '80s, early '90s I was teaching a science class in St. Albert. At that time I was teaching some of the Myers kids, and of course Tony worked for Fred Stewart, who was quite involved with the development, I believe, of the research park. One of the highlights of that particular year was a field trip that he'd arranged for us to take these students on to the research park and also a couple

of other facilities. As the minister had alluded to earlier, when we are looking at research and development, this is in the future. We are not going to see the payoffs until the future. At that particular time at TRILabs they were dealing primarily with fibre optics, and fibre optics were quite new at that time. It was amazing to me that one little thread could carry somewhere in the neighbourhood of 30,000 phone calls. At TRILabs what they'd done was taken that and through their research had been able to put through 90,000 on that same little wire. Of course, when we see what is happening today with Supernet and whatever, it is certainly amazing, and it is places like TRILabs that have influenced and attracted research to this province in regards to fibre optics.

Some of the other facilities I can recall that we toured were the labs. At Biomira they were doing research at that time on a vaccine to fight breast cancer, and certainly they were doing a tremendous amount of work. So I would hope that the minister would be able to down the road impress upon his colleagues the great need that we do have for research and the great need that we do have to spend money now to gather the benefits later.

[Ms Graham in the chair]

As well, I am extremely interested in the Supernet. It has just fabulous potential, but I also noticed in your plans from last year that you were looking at wireless technology as perhaps one of the methods that could be used at the extremities. If the minister could please update us as to where they're at when it comes to using wireless technology at the extremities and if in fact this is still the plan. It certainly is an alternative but again an expensive alternative.

So with those questions perhaps I might get another opportunity, Madam Chair, to get back up and ask the minister a few other questions. Thank you.

MR. DOERKSEN: Madam Chair, that was a fairly wide-ranging list of questions, and I have to admit that I was struggling in trying to follow you through your pages. But I have picked up a couple that I will answer, and the rest we'll have to try and figure out later.

I'm going to take off on a small tangent here just for a minute, because I'm not sure that I communicated clearly enough at the beginning of my comments the importance of the people who work in the Ministry of Innovation and Science. This past year as we negotiated the Supernet contract and as we started to implement to build the Supernet and as we went out and suddenly had the opportunity for the Nanotechnology Research Institute, they worked awfully hard to bring some of these together. Our business plan focuses on people and intellectual capital, and that's what we have in Innovation and Science, and they have been just absolutely tremendous. So before they leave – the hon. Deputy Premier here couldn't believe that these people are still sitting in the audience listening to the debate. In fact, they are pretty good.

9:30

This is an exciting ministry, and I have to tell you about some of the benefits that come with actually having this portfolio. I had the opportunity to go to the University of Alberta and attend a couple of their awards ceremonies to recognize people that had done very well at the University of Alberta. I got the chance to listen to Dr. Rajotte as he explained the Edmonton protocol, and of course the Edmonton protocol is all about the diabetes research and how that all works, and that's just a tremendous achievement. He presented it in a way so that even a layperson like myself could actually follow what they're doing with that particular research. I also got to listen to another fellow who presented – and I can't even spell this let alone

pronounce it, but it was a guy that was recognized for phenomenological pedagogy. Now, maybe the hon. Member for Edmonton-Mill Woods would know what that's all about, but I got to listen to that as well. It's not exactly related to what we're doing, but it is an interesting portfolio, and I thought the Member for Edmonton-Mill Woods might actually recognize that term.

A couple of points. What was I going to say? Oh, yes. This is what I was going to say. The Member for Edmonton-Glengarry referred to a couple of the recommendations that were referred to by the Auditor General in the budget 2002, and I did finally find what you were talking about there. I think the best answer to that would be, in terms of what have we done to address some of those, to look at goal 8 in the business plan, where it talks about our key performance measures and indicators, and it talks about "adoption of corporate standards by individual departments." The targets that we're trying to do to create some common standards within government ministries begin to address some of those issues, so we do have some targets lined up. The next indicator you can see under Indicators, "Number of cross government ICT applications developed and implemented." You can see the progress we're making in terms of the year some of these initiatives were commissioned and the percent of implementation. I think that answers part of the action we're taking to address the Auditor General's comments. Now, that's probably not a complete answer, and we'll look at those and provide that in more detail later on.

[Mr. Tannas in the chair]

The other thing you asked about was wireless research, and TRILabs is a strategic investment, again through the advice of the Alberta Science and Research Authority, in terms of our investment into TRILabs. They're a very good research body that works in the wireless field. In fact, they're working in terms of setting up what I call a wireless test bed so that companies can actually come in and test their 2.5G or 3G products on this test bed to see if in fact this can actually work in the marketplace. That is a very important research activity. It is the way of the future. It's just a matter of time, a matter of finding the technology, and then taking it to the market. All you have to do is look back about 10 years and see how far technology has taken us with respect to the Internet, computers, even in the Assembly. When I came here in '93, it was unheard of to have a computer sitting on your desk, wired, hooked up, logged on to the Internet, looking at the web site of innovation.gov.ab.ca. Remarkable.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the opportunity to ask some further questions of the minister. I'm heartened that he's listening to lectures on phenomenological pedagogy. I don't have to worry any longer about him being so wrapped up in the science end of things that he's ignoring other important areas of research. It's encouraging that he's over listening to those lectures. I could almost predict who gave the lecture and got the award.

I have some specific questions about the estimates just for some information. Under program 1 the line item is corporate services, and I wonder if we could be reminded again of some of the items that are included in that. I have to admit that I listened to the presentation on Supernet and I was left with the impression that the structure was in place, that these 422 communities were in striking distance. I don't know why I was left with that impression, but that's what I came away with, and obviously that's incorrect. I wondered about the kind of forecasting that's been done for Supernet

for the next few years. They're heavy costs initially, but where will we be going with that?

The co-operation with the school and health authorities has been raised a couple of times. I guess the school authorities are of concern to me because of the other ministry that I shadow and the growing concern about the adequacy of funding for schools and the need for an adequacy formula. There's a \$42 a student allocation made now for technology. I think most schools would indicate that unless there are some outside sources – in a lot of cases that's been parent fund-raising – they don't have the resources to meet their technology needs. I guess I would ask the question: is there a specific plan that's being developed? The minister is indicating that they're co-operating with Health and Learning, but is there a specific plan in place with some measures, some goals in terms of the kind of technology that schools may expect to have supported?

I wonder if we could find a little information in terms of the process in which the contracts are put out to tender for government systems technology. Just how is that done? Under program 3 there's a line item on operations and policy implementation. I wonder if we could have some more detail on what's intended there.

There's a concern that I have in terms of funding government departments out of the lottery funds, and it's a concern I have in terms of the use of lottery money for Learning, but there's a large contribution to Innovation and Science from the lottery fund. Does that in any way worry the minister? Right now I know that seems to be a fairly reliable source of income, but I've seen some predictions about lottery funds and the future of them, and again I have some feelings about it: it makes a difference where the money comes from. I guess I would feel better if there wasn't such a large dependence on the lottery fund for basic departments such as this.

9:40

Have we any information in terms of the funding from Innovation and Science for research infrastructure? Has it matched the actual costs incurred by the universities? This has always been a problem at universities with research groups in terms of making sure that the research funding is really adequate for the actual costs incurred. I know that that's probably more the obligation of the universities than it is the department, but the department does have, I think, a responsibility to make sure that the costs actually are covered.

Under the same program there is "work with Alberta Learning to co-ordinate research-related policies and programs." Is Innovation and Science involved in any of the AISI projects that are conducted by Alberta Learning? Is there a crossover of funding for those projects?

There's been a performance measure that looks at the ability of Alberta universities to attract research funding, and the target is for an increase in federal government research dollars. Now, that target is 104 percent higher for 2004-2005 than in 1998-99, but the projected increase in provincial funding is 69 percent. I wonder if we could have an explanation for that difference.

We've already talked about using a percent of the GDP as a measure, and I agree with the minister that that's an important indicator.

Has the department considered a target for the usage of nonconventional energy consumption as a percentage of overall energy consumption? It seemed to me that might be an indicator that would be useful in terms of monitoring progress in that area. I wonder if we could have some information on the incentives that are there to extract from nonconventional sources.

Those are, I think, some of the specific questions I have, Mr. Chairman. I'll conclude with that. Thank you.

MR. DOERKSEN: Again, Mr. Chairman, just a couple of com-

ments. I want to point out with respect to the comment about the Supernet being within striking distance that in my view for the extent of the build that we have engaged in in Alberta, which is probably unique around the world, two and a half to three years I consider to be in striking distance. That's a remarkable project over a short period of time. I think that it's been extremely well handled, and it will be a remarkable achievement.

The other point I want to make is that many schools already have access to some form of service and have already invested substantial amounts of dollars in technology that is already sitting there and waiting. The biggest impact for Supernet, of course, is going to be in the extended network, where they do not have the same level of service that we can access in the major centres. I made this point in question period, but when you have a dial-up service over a copper wire and you want to download a picture of your grandson or your granddaughter, you can start to download, go away, get a cup of coffee, have a doughnut, come back, and it might be there. Okay? When you upgrade to DSL over copper wire, well, you haven't got time to go get the coffee and a doughnut, so you've got to have the coffee there ready for you, because the picture will be downloaded automatically. But when you jump another 10 to 20 times faster in terms of one of the services that you'll get over Supernet, then you get into the streaming video, the videoconferencing. An enormous wealth of more opportunities becomes available.

So these are the kinds of exciting things that are going to happen in schools, and all I can say is: we'll continue to work with Learning to accomplish some of these objectives. This is new, and there will be challenges there. There's no doubt about that.

With respect to lottery funds, there's been a lot of discussion in this Assembly about making sure that communities benefit from lottery funds. I have to make the point that in this case, with 422 communities, 4,700 locations, that is money that is going back into the community for all of them to benefit. So it is money being returned from lotteries to specific communities.

You also raised the issue of research infrastructure. I have to tell you that we have two major challenges in front of us. They relate to the health research innovation centres, which are proposed at both the University of Calgary and the University of Alberta. With the recent Canada Foundation for Innovation awards some of these projects are contingent upon that infrastructure being built. If you look back, of course, to the budget reallocation we had to do in the last fiscal year, we had to defer some projects on the infrastructure side. This is an issue that we have to face, and through the Financial Review Commission – I'm sure that's the right title – I think they're looking at these entire infrastructure issues and how we might address them. In terms of creating that infrastructure to allow some of that research to happen, it is important, and it's a significant issue that we're trying to help address even through our ministry.

Your comments about incentives I found interesting, because when you're looking for policy levers, you are looking for incentives to encourage the right behaviour. So I appreciated your comments on that.

I meant to mention this earlier, but with respect again to looking at innovation.gov.ab.ca, you can find all the information about the contract that we have on Supernet and how many kilometres of fibre we're going to lay and what the responsibility of Bell is and what the responsibility of Axia is. It's a wealth of information just sitting at your fingertips to use.

Thank you.

THE CHAIR: After considering the business plan and proposed estimates for the Department of Innovation and Science, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:

Operating Expense and Capital Investment \$280,449,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

9:50

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report the estimates of Innovation and Science and beg leave to sit again.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you. Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Innovation and Science: operating expense and capital investment, \$280,449,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Private Bills**

Third Reading

Bill Pr. 1

Synod of the Diocese of Edmonton Amendment Act, 2002

MR. MASKELL: Mr. Speaker, I move third reading of Bill Pr. 1, Synod of the Diocese of Edmonton Amendment Act, 2002.

[Motion carried; Bill Pr. 1 read a third time]

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: Now I'd like to call the Committee of the Whole to order. Again we'll remind hon. members that we only have one member standing and talking at a time.

Bill 9

Child Welfare Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments

to be offered with respect to this bill? The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. Bill 9 has been before us now on a number of occasions. There's been consultation with a variety of groups. I think the most contentious section of the bill is the section dealing with the amendment under section 120. The amendment is by adding the following after subsection (6): "(7) In the hearing of appeals under this section, an Appeal Panel is bound by policy established by the Minister concerning agreements under section 106." That particular section has alarmed parents of children who are handicapped or disabled. They are fearful that the minister in defining policy will narrow the grounds under which an appeal may be granted, and the basis of their fear is that this is in fact what one of the commentators has called a social sterilization. They're worried that children with disabilities can be denied services simply on the basis that the needed services don't fit into that particular government policy. They point out that if there had been constraints on the appeal panel in the past, therapies could have been excluded that have proven today to be beneficial. So their worry is the scope of what the panels are going to be able to deal with and that that scope may be narrowed to the detriment of their youngsters. They're also worried about the implications for this section in terms of the establishment of means testing, that this can open the door to means testing, which they have great difficulty with.

The bill doesn't admit to an impact on families, and that again is seen as a shortcoming, but the fears have been raised, Mr. Chairman. The minister has met with at least one of the groups involved, that I'm aware of, the Alberta Association for Community Living. The minister may want to comment on it, but in correspondence with the minister, I believe there has been an agreement made that the bill will not be proclaimed before the policies that are going to govern the appeal panel are made public and they are given an opportunity to respond to them. I think that that commitment, along with a desire on behalf of parents with handicapped children for a family act, that could be readied for the spring of 2003, is really what they see as the most satisfactory solution. I would encourage the minister to follow up on that.

One further thing. As the policies are developed, I think that it would be wise if the ministry were to involve parents with handicapped children rather than coming forward with a full-blown set of policies that, once they are written, may become more difficult to modify. So I would encourage the involvement of those parents or representatives of those parents as the policies are formulated. Also, in terms of any kind of a new act, families with children with disabilities must be involved in those discussions. Again, I would hope that the minister might make some comment about the agreement not to proclaim until the policies have been formulated.

I think with that, I'll conclude. Thanks, Mr. Chairman.

SOME HON. MEMBERS: Question.

10:00

THE CHAIR: The question is being called, but I think I've got several people who have indicated that they wish to speak.

The hon. Minister of Children's Services.

MS EVANS: I would make this statement about Bill 9. There has been significant discussion about the services and the policies for handicapped children, or as we call them now, resources for children with disabilities, Mr. Chairman. I have agreed and will go on the record as saying that there will be no proclamation of those clauses that deal with those particular resources or the Child Welfare Appeal

Panel until such time as the policies are in place. On that point I certainly agree with the opposition that the need for policy is very clear. It should be there before the Child Welfare Appeal Panel is affected in any way. At the same time I'm committing to this Assembly that I am reviewing the workings of the Child Welfare Appeal Panel even more quickly than that proclamation can take place so that we will never have those situations where people have to be refused something and then go to the appeal panel to get it. That is not the right way to be administering a Children's Services system, and I recognize that. That's why we're going to work very hard on that.

With that commitment, at this time I would just await the pleasure of the chair.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I do have an amendment that I'm just awaiting the copies being brought in, so I'll be pleased to speak a little bit in general about the bill.

One of the things that we have a concern about is the lack of co-operation between Health and Wellness, Learning, and Children's Services. Specifically, we're concerned that changes to the appeal panel might mean that some services might be discontinued.

Mr. Chairman, I have my amendment now. Does the table have it? Yes? Then I will move that Bill 9, the Child Welfare Amendment Act, 2002, be amended in section 8, in the proposed section 120(7), by striking out "bound" and substituting "guided."

Just to speak to that, Mr. Chairman . . .

THE CHAIR: Hon. member, just give us a moment to get the copies passed out. For those who have a copy and those who will soon get one, this is amendment A1.

Hon. Member for Edmonton-Highlands, you may go.

MR. MASON: Thanks very much, Mr. Chairman. In this particular case, you know, we have a concern that the appeal panel is really rendered rather pointless if in fact they need to be "bound" by the policy. We think that it should be instead "guided" by the policy.

Currently the contracts involve services from Learning and Health and Wellness as well as Children's Services. Only Children's Services has an appeal process. Therefore, when an HCS contract is found to be lacking an educational component, the appeal panel has ruled that the component should be included and that Children's Services should pay. The new rules will prevent the panel from giving this financial obligation to Children's Services, but it doesn't indicate how such services will be funded and provided. So I want to just indicate that we feel that the policy of binding the appeals committee is not desirable and that "guided" is a better way to deal with it. So I'll just await the comments, then, of the minister on that, Mr. Chairman.

MS EVANS: You know, Mr. Chairman, there's been significant guiding, I think, in the past, but the real crux of the matter is – and I would just pose this to the House. A policy, if it's a legislative policy that's responsible, is going to have flexibility. I would think that it would have to have flexibility by the very nature of the fact that we're dealing with human beings and not machines, and when you deal with human beings, you have to have some latitude in that policy. The fact remains that we don't have a policy. We don't have regulations. We only have one statement about handicapped children's services currently in the bill, and I think it's just prudent for us to put in place something that the Child Welfare Appeal Panel

feels is more than something that's a little loosey-goosey.

I appreciate the initiative of the hon. member opposite, but I would really beg his indulgence. In fact, I would invite him to review with me what I consider the policies prior to the proclamation – any members of the Assembly, if they chose. I think that getting those policies right will be important guideposts and should be bound by them.

So at this time I would just indicate that I would really prefer the wording that is originally stated. I'll abide by the wishes of this House.

THE CHAIR: The hon. Member for Edmonton-Mill Woods on the amendment.

DR. MASSEY: Thank you, Mr. Chairman. Certainly the amendment is designed to try to alleviate the concern that's been expressed by parents about the very definitiveness of section 120(7) and their concern that it might be narrow. I do however think that the minister's commitment to make sure, before the bill is proclaimed or this section is proclaimed, that the policies will be available. I think that that's really, for those parents that I've talked to, the heart of the problem. They really want to see what those policies are because it will really be very important to them. As I said in my previous comments, I would assume that the ministry will be in touch with those parents as those policies are developed and will be reflective of their interest and their wishes. I think it's an amendment that would be welcomed by the parents.

Thank you.

[Motion on amendment A1 lost]

[The clauses of Bill 9 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I move that the committee rise and report Bill 9.

[Motion carried]

10:10

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 9. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Second Reading

Bill 26
Workers' Compensation Amendment Act, 2002

[Adjourned debate April 29: Mr. MacDonald]

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to join in the debate on Bill 26, the Workers' Compensation Amendment Act, at second reading, which is the time that we speak to the principle of the bill. This is a bill that we waited a long time for, Mr. Speaker, one that we were hopefully anticipating was going to solve some of the outstanding issues with injured workers in this province, and it was a great disappointment to see this bill come forward as it has. There are just a couple of things in the bill that are steps forward, but there are many, many, many steps backward. We know the history of this government. Once they have reviewed legislation, it's a long time before it comes up for review again, so this is going to be a real problem for people in this province for some time to come. I will be speaking this evening against this bill certainly in principle.

An interesting thing happened with this bill, Mr. Speaker, that doesn't very often happen with regard to me in this position, and that is when an Albertan in the province asks to have their voice heard and writes a speech that they wish to be shared with the Legislature for the history of the province so that we can hear what people have to say. Most of the time we table letters that come like that, and that's what people request, but this particular Albertan has been involved in trying to solve the outstanding issues of the WCB for some time and has written a very heartfelt letter, that I will be referring to in my debate.

It opens by stating:

Well, it's a long time coming for this Alberta Legislature to see a comprehensive Worker's Compensation bill that addresses the infamous WCB tactics that have been widely reported on and have devastated workers' lives who were injured on the job and of course consequences and the fallout that affected their families and society as a whole.

We hear that often, certainly in my office. I represent a first-generation immigrant, blue-collar constituency, and we have a great many injured workers in that constituency because of the nature of the kinds of jobs they hold over the course of their employment. It goes on to say:

So on that note I thank the Hon. Minister of Human Resources and Employment for having the courage to bring forward major legislated changes to rein in the out of control quasi-government agency that was allowed to manifest into a self-serving enterprise that was governed by a Board of Directors that were accountable and answerable to no one!

That is not exactly as the legislation reads, but we certainly hear that exact concern expressed by many people throughout the year.

It states:

This Board of Directors were supposed to protect and balance the stakeholders' fundamental rights under the WCB legislation that allowed them to operate a monopoly in a quasi-privatized business with only one requirement which was to balance its books, and in return the WCB would be left to do as they wish, where the Government relinquished all control over the operations of the WCB Alberta. (See bill 16, passed in 1996, by then minister Day)

We had a lot of discussion in this Legislature on that particular bill when it was passed, Mr. Speaker, and there are still outstanding concerns about that.

It goes on to say:

Well, hello. Was anybody paying attention when the WCB found the back way into shifting its costs back to the taxpayer by off-loading injured workers' claims onto social services, AISH, CPP, UIC, Alberta Health Care and many other community sponsored programs.

Yet here we are today 2 1/2 years later still waiting for the government investigations on audits that were done to see how rampant the off-loading by the WCB really was! Mr. Minister where are the results of the internal audits of the government agency?

That's a very good question, Mr. Speaker, and one that we hope gets answered in this Legislature before we have to vote on this particular bill. We have had many injured workers in my office who have definitely been off-loaded who I can legitimately say are injured and unable to work, who have to look for some other recourse when they thought that this program would be there to take care of them and their families in the course of something having happened.

It goes on to say:

We haven't even touched on the human suffering and family costs involved, not to mention the impact on society as a whole.

When we get to committee in this bill, Mr. Speaker, I will be sharing the experience of a person who has become a very good friend of mine who is an injured worker. I will be particularly outlining the experiences of human suffering and the costs involved for him and his family because of an accident that was no fault of his own, that was on the job, and for which he has had zero co-operation from WCB.

It goes on to say:

I can't help but to vividly remember thinking about the [sheer] desperation the injured workers must have been in when they went on a hunger strike and numerous protests that took place across this prosperous province.

Many people, when we heard it in this Legislature, thought those people had nothing better to do and that it was just some jaunt for them, but it was serious. There were certainly costs for those people that were involved in this.

To these victims of workplace accidents and their families my heart goes out to you and as a Legislator my sincerest apologies for allowing the past abuses and tragedies by a fatally flawed experiment that was allowed to manifest into such a scandalous corporation called WCB Alberta.

Well, certainly it is. I am happy to apologize to those workers who haven't been able to get help and whom I haven't been able to successfully help in many cases, not necessarily because of the way the legislation is written but the way it is interpreted and followed.

It goes on to say:

It is a sad day for all Albertans when we as a Government allow the WCB to pit the employer against the worker. Both the employers and workers of this province have been in a lose-lose situation, where it is abundantly clear there is only one winner being rewarded here and that is the WCB Alberta and its employees. One only has to touch the surface of salaries especially of the hierarchy who are making \$355,000 + bonuses and \$200,000 for middle management.

This has often been a discussion in this Assembly during question period and debate, Mr. Speaker, and I am sure that that discussion isn't over.

10:20

It goes on to say:

It's time to put this out of control semi-privatized Corporation back in its place with strong legislation that enshrines the fundamental rights of workers and employers. It is clear that this no-fault insurance scheme has become very adversarial and abusive, where more time, energy and money is but into a blanket denial system where the old 20-80% rule takes precedence over all else.

One must understand that the WCB had realized that about 20% of their claims were of serious nature and were costing 80% of their payouts, therefore the focus and attention was on the 80% of claims that are less severe (1 year or less) were their priority and conversely those 20% of serious injury claims that faced blanket denials will further result in another 80% of those severe injury claims disappearing (off-loaded) from the radar screen.

In fact, Mr. Speaker, this is exactly what happened to the person whom I will talk about later. He fell into that particular group of injured workers that the WCB wanted to disappear off their radar screen.

It goes on to say:

For what [it's] worth the WCB had the numbers game mastered to a fine art, where even the creative surveys year in and year out, were spitting out numbers that the satisfaction rate of about 85% of stakeholders were happy (short time claims), and a mere 15% dissatisfied. Numbers any corporation or business would die for.

All was fine, according to the Government; everybody was proud of their achievements and business success; the hand picked Board of Directors were reporting to the Minister irresponsible for WCB that their operations were the envy of every other province's WCB in Canada.

Well through those rose-colored glasses, (Enron creative accounting) . . .

which we have talked about in this Assembly.

. . . the WCB premiums were going down from a high of \$2.29 per \$100.00 of insurable earnings in 1994 to an . . . "average actual rate" of \$1.06 per \$100 of insurable earnings. The lowest in Canada at the time and unbelievably the lowest premium rate in Alberta since the 1950s!!!

Questionable in itself when you consider all of the outside rising costs that we have experienced over that time frame.

It goes on to say:

How remarkable this Board of Directors and the WCB hierarchy had become, where their number one priority and mandate was the bottom line at the peril or the cost to everything else in its purported mandate. Of course the Minister and the Government at the time were tickled pink with the bottom line and the infamous satisfaction surveys that were fed to them.

To further impress this Government about the WCB's sound fiscal management scheme (see 5 year strategic plan) the B of D decided to artificially reduce and subsidize employer premiums by 62 cents per hundred [dollars] of insurable earnings. To do this they under funded the liabilities and raided the stabilization fund of 156 million that was built up over several years to cover up and hide the under funding of the WCB operations.

Something else, though, that we have scratched the surface on in question period and in debate, Mr. Speaker. Serious allegations, and I would caution the author not to say them outside of this Legislative Assembly, but certainly something that needs to be discussed.

It goes on to say:

On that note, it is my understanding that under Bill 16, WCB amendments, that essentially if the WCB didn't cover its cost of the operation, that the WCB would revert back to the government control. We did have a similar experiment where government privatized a business only to be taken over by the government again. The Minister of Finance has recently spoken up about these provisions in these acts and has acted on it. It's called the Swan Hills environment plant. (Bovar)

As per the WCB's 2000 annual report there is another \$52.4 million under funding and \$130.2 million under funding in 1999, which has reflected now where we all heard of the WCB premium increases for employers going up over 50 percent over two years. Yes, that sounds like a large pill to swallow and an unmanageable amount, but the percentage doesn't tell the true story of how that affected different employer premiums, because 50 percent of what and who's really paying what?

Good questions. Once again, unanswered to this date, Mr. Speaker.

Yet as we speak we are still rated the lowest in Canada for WCB premiums even with a 50 percent increase. So the question begs to be asked, what is really going on within the quasi-government agency?

Also that adds validity to how small employers and sub-contractors are being raked over the coals, such as the roofing industry that pays a high of \$12.24 per \$100 insurable earnings and the engineering industry a low of \$0.26 per \$100 insurable earnings.

Then there's the situation of the partners in injury reduction, where we've seen \$50 million go back to a few big corporations and multinationals. "The entire universal payer and universal coverage is thrown out the window along with the founding Meredith Principle, which is a sad day for employers and employees." I think that it's something. The Meredith principle is something that should have been incorporated into the new legislation as we see it in front of us, Mr. Speaker.

It goes on to state that as he understands it

in Alberta we have certain employers which pay nominal moneys to the WCB in return for their injured workers going through their own disability programs, in return the WCB would stay out of their business and also would not appear on the official exempt list for employers who are exempt for paying WCB premiums in Alberta.

. . . it's clear [that there is] a rudderless ship with no mandate or principles to follow. Is it possible the WCB is being allowed or set up to fail purposely?

Once again that is a question that has often been brought before me. Because of the way that it's set up and managed, it seems like it doesn't meet its purposes for the most part. So one has to ask, then: why does that happen and why does the government allow that to happen? He goes on to state:

The systemic problems with WCB are not going to change over night and seems clear that this vaguely worded legislation is only going to exacerbate the cultural problems within WCB by rewarding them for past indiscretions and abuses by giving them more internal powers, and a free rein with no chance of contravening the WC Act, than ever before in history.

It seems to me that the WCB legislation that kept the WCB from totally contradicting and violating the very principle and reasons they exist is now watered down [even] more. If we are allowing the WCB more latitude, then I'm not sure they are serving the true purpose they were created for in the first place.

We will certainly expand that particular issue in debate at committee, Mr. Speaker.

Further under the proposed vague wording legislation that is to protect stakeholders, it allows the WCB to do virtually anything they want, and yet never contravening the act. But yet under the same amendments the Government is giving the WCB extraordinary powers to arbitrarily find people guilty of contravening the WC Act as long as "the Board is of the opinion that a person has contravened section . . ." That is not even close to being "due process" or a conviction in a court. (See 152.1(1)).

This is the essence of the questions. Many of the questions we have seen from the Member for Edmonton-Gold Bar over these last few weeks when he talks about the secret police and the ability of the appearance of the act to contravene human rights legislation in this country, which of course we will be pursuing, Mr. Speaker. It is a little scary. You know, we heard some members in this Legislature state there were no secret police, but I know of many cases where this secret police squad within the WCB follows people within the province. [Ms Carlson's speaking time expired] Mr. Speaker, I am not quite finished, but I will come back at committee and certainly share the rest of this story.

THE DEPUTY SPEAKER: There are two things to come right now. First of all, hon. Member for Edmonton-Ellerslie, inasmuch as you quoted quite extensively from the letter, you of course will be

tabling it? Secondly, we have comments and questions. Is that what you want to participate in, hon. Member for Edmonton-Highlands?

MR. MASON: Yes, please, Mr. Speaker.

THE DEPUTY SPEAKER: Okay. It's yours.

MR. MASON: I would like to ask the hon. Member for Edmonton-Ellerslie if she would like to continue along the lines of her comments with respect to the so-called secret police of the WCB?

MS CARLSON: Mr. Speaker, as I had started to say, I've had many instances of people in my constituency being followed without their knowledge and videotaped without their knowledge by this secret police squad. While I understand that there are some people who abuse the system, I also understand that WCB's own records places those people at less than 1 percent of people who file claims, so it seems to me on that small justification . . . [Ms Carlson's speaking time expired]

10:30

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: How small a justification, Mr. Speaker?

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. On such a small justification of so few people who abuse the system, a great many injured workers have their rights offended, I believe. To have people videotaped – I have a situation, and I have seen the videotape, because if the injured workers ask for it, it can be provided to them. I have seen videotape of a person . . .

MR. HANCOCK: How many are videotaped? Do you suppose more than 1 percent?

MS CARLSON: Oh, yes. I'm sure it's a great deal more than 1 percent. The Minister of Justice wants to get in. Please ask the question in the formal process.

THE DEPUTY SPEAKER: The hon. Minister of Justice wishes to ask a question?

MR. HANCOCK: Certainly. I'd love to ask a question. I'd like to ask the hon. member if in making the statement that less than 1 percent of people are perhaps abusing the system and then suggesting that a far greater number than that are being followed around and videotaped, she has any hard evidence at all to suggest how many people might be subjected to this type of videotaping. I wonder if she's making it up.

MS CARLSON: I have seen the videotapes myself, and if you were doing your job in your own constituency, you would have seen them too.

MR. HANCOCK: She may well have seen a videotape, but I'm sure she hasn't seen 1 percent of all the claimants to WCB being videotaped. That's the allegation she's making. I'm wondering if she can tell us if she has any hard evidence as to the quantification of the number of people who may be subjected to surveillance because of a suggestion that they may be abusing the process. Does

she have any evidence that there's a large number of people who are being followed? She's suggesting secret police. Does she have any hard knowledge of that other than having seen the odd tape or two?

MS CARLSON: They're secret police, Mr. Speaker. Their whole intent is not to be seen by the people they are surveilling.

MR. HANCOCK: Mr. Speaker, she has absolutely no basis for the comments that she's made about vast numbers of people being followed around by secret police, so she's merely speculating and extrapolating that a few cases of investigations are resulting in a large abuse.

MS CARLSON: I hardly stated that there were vast numbers of people who were being followed. I said that I suggested there were more than the 1 percent who are actually offending the process who are being followed, and I challenge the minister to get his minister responsible for this huge mess to provide the information for this Assembly so that we can properly debate it. All of these backbenchers here know what's really going on in this province.

MR. HANCOCK: Mr. Speaker, I'm wondering if the hon. member is suggesting that by speculating about a problem, she can then put the onus on the minister to come forward with all sorts of information that she speculates exists if she's not prepared to provide this House with hard evidence that such an abuse does exist.

MS CARLSON: Mr. Speaker, if the secret police didn't do the secret tape that was then made public to the person who was being followed, then tell me who did that within the WCB? Who did that? There's a whole department of ex-police people whose sole job is to follow people who have made WCB claims, and I challenge the minister to prove that that isn't a fact in this province.

THE DEPUTY SPEAKER: We have a number of people standing. The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Drayton Valley-Calmar if there's time.

MR. BONNER: Thank you very much, Mr. Speaker. One of the great difficulties that occurred when WCB was moved arm's length away was again . . . [The time for questions and comments expired]

Speaker's Ruling Question and Comment Period

THE DEPUTY SPEAKER: The hon. members know well that Standing Orders permit at the end of the third speaker on a bill at second reading and third reading to ask questions and respond, but the amount of time totally is five minutes. So actually we got quite a few questions and answers. Whether it's to the satisfaction of all is another issue.

We're now ready for the next speaker on this. The hon. Member for Calgary-Montrose.

Debate Continued

MR. PHAM: Thank you, Mr. Speaker. I would like to rise to join the debate on Bill 26, the Workers' Compensation Amendment Act, 2002. I have listened very carefully to what has been said by the opposition member. Even though I do not share a lot of the things that she said, I think that she had some valid points when she criticized the WCB in the way that it handled the long-term claims. However, I would like to encourage the member to look at this Bill 26 in its entirety and vote for the principle of it at second reading, because even though this bill may not be perfect – it may not give

you everything that you look for, and it may not give the injured workers everything that they look for – I do believe that it is a big step forward.

Furthermore, it deals with the openness of the board. It will now force the board to have annual meetings open to the public. I think that's very important because one of the common criticisms of the WCB we have heard over the years is that it conducts its business behind closed doors and is not accountable to anybody. By opening the process to the public at least when it comes to the annual general meeting, the injured workers and the average Albertan will have a chance to scrutinize the way the WCB conducts its business and hopefully can hold it more accountable than it is today.

Another important point that I think is worth our support is on the Appeals Commission. I believe that the most important thing that we can do for the injured workers is to set up an appeal mechanism that can truly be seen as fair and accountable, that can bring down decisions that are not only responsible to the people who pay for the cost of the system but also are fair to the injured workers. Today many of the long-term injured workers complain – and in many cases they're correct to do so – that the WCB mandate seems to have cut them off the benefits roll to save money for the WCB.

Even though a lot of the injured workers are being handled fairly by the WCB, a small percentage of the long-term injured workers seem to consistently have this problem. The thing that they ask for is an Appeals Commission that is truly independent from the WCB, that is as far away from the WCB as possible and has the power to look at their cases on an unbiased basis and bring down decisions that the WCB has to respect. The amendment that we bring forward in this bill addresses all of that. Furthermore, the Appeals Commission will no longer be paid for by the WCB. It will be paid for by the minister, and then the minister will reclaim that money back from WCB. Even though that's a small change, it goes a long way in keeping the Appeals Commission separate and independent from the WCB itself.

When it comes to the decisions of the Appeals Commission, in the past if the WCB didn't like the decision, they could just challenge it or send the issue back through the appeal process again. They didn't have to carry it out. But under this new bill that we are bringing in, the board at WCB now is bound by the decision. Also, it sets in here the time line that the decision has to be implemented in. This is very important, because at the end of the day we will have to accept that there will be cases where the WCB and injured workers can never agree. The best thing that can happen to them and to us is to come up with a mechanism so that we can feel comfortable that they will be able to do a fair assessment and give out a fair decision.

I agree with the member from the opposition side that because we give WCB a monopoly, we are morally responsible for some of the actions that they are taking.

10:40

I would like to thank my government colleagues who have worked extensively over many, many years, who worked on those two committees to bring the information in. I'd also like to thank the Minister of Human Resources and Employment, who is responsible for WCB, for taking these initiatives forward and putting them in a piece of legislation like this.

The one thing that is different between government and opposition is that when you are in opposition, you have the luxury of criticizing the system, attacking it without worrying about the solution, about what you have to do, and without worrying about the cost of it. As you all know, we have several players on this issue. On the one hand, you have the long-term injured workers, and those of you who have followed me over the years know very well that I am a strong

supporter of them and that I'm also a strong supporter of their cause and of their fight for what I believe is rightfully theirs. On the other hand, we also have employers, who have to pay the cost of the system, and we have to be fair to them as well. We cannot just open the system and give people a blank cheque. If we do that, then we will make the system become unsustainable, and the employers will not stick around. Because of that, there are going to be severe consequences for the injured workers, the people that we are trying to help.

People have to realize that another issue that we have been working on for many, many years is the medical panel. With 95 percent of long-term injured workers' cases, you always have a set of doctors on one side, usually the treating physician or the specialist who treats the injured workers. They have medical evidence supporting that the injured workers are still sick and that the injuries were a direct result of a work accident. On the other side you have WCB doctors who say that the injured workers are fit and able to return to work. That is a huge problem, because when it comes to that, the case manager most of the time comes down with a decision in favour of the WCB doctors. In the past the Member for Calgary-Egmont has brought a private member's bill forward looking at setting up an independent medical panel that can look at this medical evidence and hand down a fair decision. That was a very good idea.

In the past the WCB convinced the Legislature that they could do this in policy, that they don't need that in legislation, but in this bill the minister has put it down in legislation, and I think that it is another level of protection that the injured workers don't have today. If you read the bill carefully, you can see not only that the WCB can convene this medical panel; the Appeals Commission also has the right to instruct the medical panel as well if they think that there is conflicting medical information there. So that again is a very positive step for the injured workers.

There is a section in here dealing with the long-term consensus claims that are still outstanding, long-standing consensus matters. The minister had indicated that he's not going to proclaim this section into law until we have had a chance to consult with the employers and with the stakeholders. That is a little bit disappointing for some of the long-term injured workers who have been waiting for quite a while to have these problems dealt with. However, given the fear that the employers out there have, I think that is probably the most practical way that we can bring this issue forward.

I believe that there are many numbers floating out there. Some are saying that this will be, you know, costing in the hundreds of millions of dollars if we want to go back and reopen these old files. I personally believe that this is something that we have to do regardless of the cost, because if people say that it is too costly, what does it mean? What it means is that we have so many cases out there that were not handled properly in the first place. If that is truly the case, then I think we have to ask the question: what is wrong with the system? We cannot say that because the cost is too high, we cannot do the right thing. I don't think that is right.

I personally do not believe that we have that many bad cases out there, and I do not believe that the cost is as high as hundreds of millions of dollars. I think that what the minister is doing is the correct way: going out, giving out this information, giving the stakeholders a chance to provide meaningful input into the process. Hopefully at the end of the day everybody will see it in the same way that I see it, that these are the things we cannot avoid, that we have to deal with as a society. We are so lucky to live in a society where the individual right is respected. The government has gone in many areas trying to correct whatever mistakes were made in the past, and in this area I believe that we will do the same thing.

I do appreciate some of the concerns and some of the worries from members of the opposition about this bill. In 1995 I was the first government member to speak up about the problem of WCB. Over the past seven years I have worked extensively with many, many injured workers from across the province trying to change the system from within, trying to address some of the concerns that they raised. Based on my experience, I think this is a very positive bill. It will help many of the long-term injured workers. If you asked me if it's perfect, does it have a hundred percent of what I want or what I look for, I would say no. But at least it is, as somebody put it, two steps forward and one step backward, so we should probably support it, and because of that, I ask all of you to support this bill in principle. When it goes through the committee stage, then we can focus on section by section of the bill, and if you think that there is something that we can do to improve the clauses of the bill, then we will be more than happy to listen at that time.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Any comments or questions? The hon. Member for Edmonton-Highlands to speak on the bill or to ask a question?

MR. MASON: Well, yes, I will ask the hon. member a question. I certainly am aware, at least to a small degree, of the work that he's done on the WCB, and I commend him for that work. The question I have is really whether or not he has been consistent in his speech tonight about who's responsible and to what degree they're responsible. I heard him say at first that we have to have a balance and we can't go too far in burdening the employers and then something else.

MR. PHAM: I think that I have been consistent not only tonight but over the past several years. Furthermore, we are morally responsible for WCB because we give them the monopoly. However, the employers are financially responsible for WCB because they pay for the cost of running WCB. So we have to make sure that we understand that, and we have to strike that balance to make sure that on one hand we ensure that the injured workers get fair treatment and on the other hand do not abuse the system so that it bankrupts all the employers.

10:50

MR. MASON: What if that balance does not result in the employers being willing to pay the full costs? Who ultimately is responsible for the injuries that the employees have received, and should they be denied full benefits because we can't reach the balance?

MR. PHAM: That, Mr. Speaker, is a hypothetical question. However, I do believe that we have enough money in the system to cover the costs of the long-term injured workers. WCB today can use the current resources that they have to address these cases. In any case, you know, I don't think it is a question of money but is more or less a question of practice. That's what I believe.

THE DEPUTY SPEAKER: I had invited the hon. Member for Edmonton-Highlands to speak and ask questions. Did you now want to speak?

MR. MASON: I will defer to the hon. member.

THE DEPUTY SPEAKER: Okay. Thank you.
The hon. Member for Edmonton-Glengarry.

MR. BONNER: Yes. Thank you very much, Mr. Speaker. It is a

pleasure to rise this evening to speak to Bill 26, the Workers' Compensation Amendment Act, 2002. I also would like to thank the hon. Minister of Human Resources and Employment for getting us to this stage and also those members of the Assembly who did what I thought was an outstanding job on the workers' compensation service review input committee as well as Judge Friedman and his committee, who of course did the review on the appeals system. I think both of these reports were outstanding. They identified the issues that all injured workers felt were of utmost importance.

I think that in debating this bill, one of the things we have to do is to look at the history as to how we got this far. These two reports were initiated by the minister primarily because of the problems and concerns faced by injured workers in this province, again when these injured workers were trying to get fair and equitable solutions to their claims. As well, the issue was brought to the attention of the public by people camping out in front of WCB for over 100 days. We've also had, every one of us in this Assembly, any number of cases where injured workers have not been able to get fair and equitable settlements, timely settlements, just settlements to their claims.

We have had other situations in the past, Mr. Speaker, such as the Sims report. In the Sims report I see that there were 51 recommendations that were made to overhaul the Appeals Commission. Now, out of all those 51 recommendations there was only one – and that had to deal with court challenges – which was not accepted or where the recommendation was accepted and the status was complete or ongoing or whatever. But even after 50 of 51 suggested recommendations were in some form of implementation, the system wasn't working. So, of course, we saw a tremendous amount of frustration in the injured workers, which did culminate in the protest. At that point, the minister got involved, and the minister promised these commissions to look at issues, and we do have the reports in front of us today. Because of these reports, the process continued along and we now have Bill 26.

I thought it quite interesting in the reports and particularly Judge Friedman's – and some of the comments made there are comments that I don't think Bill 26 is satisfying or is going to satisfy. I have huge reservations about Bill 26, and I do think that in some areas, as the hon. member has mentioned, it does move us forward but certainly not forward enough.

I look at a number of comments in this damning report that Judge Friedman had made and one of the issues that he brought up – and his, of course, was on the appeals system. He goes on to say: "... the independence of the Appeals Commission by introducing a system that will make the appeals process more accountable." In some ways that certainly is what has happened here. We do have a tremendous amount more accountability by moving the appeals system away from WCB and into the department, but of course the other part of his recommendation: this not be moved to the Ministry of Human Resources and Employment but under the Minister of Justice. Another recommendation that Judge Friedman had was a "more active role by the Courts," and we do see that in Bill 26. Again, it does give the injured worker one more avenue for fair and just treatment.

I think the greatest reservation that we have is where Judge Friedman goes on to say,

Each Committee member has expressed concern about what seems to be a well-entrenched culture of denial within the WCB and one which treats many long-term disability claimants with suspicion.

Now, we've heard the Member for Edmonton-Ellerslie talk about what some of these injured workers have gone through in the way of surveillance. This is an intrusion into the lives of Albertans. This is an intrusion where Albertans do not have the opportunity, first of

all, of knowing who is filming them or videotaping them or whatever. They certainly have no recourse when the WCB comes and says: we have evidence on tape that you are capable of working, so therefore your benefits are cut off. They have to appeal that.

I saw one of these videotapes. It was of an injured worker that had carpal tunnel syndrome. I saw him just last week again. He cannot make a fist. His hands are so badly swollen. He was a welder. He will never weld again. Yet they had a videotape of this man carrying a small bag of garbage, one of the little Safeway bags, hooked onto his finger out to his garbage can, and they used that to say: "Well, you're capable of working; therefore, we're going to cut your benefits. We'll give you an earning loss supplement. You're capable of doing this work." The man did not have a chance of doing any work. This is what injured workers in this province have been subject to.

Now, you can imagine the terrible impact it has on these people. It doesn't only ruin these people when they are crippled from injuries they've received from work accidents, Mr. Speaker. Not only are their bodies damaged, but then their minds get damaged. That is another area that we don't get to see the figures the WCB has. There are a number of people who suffer psychological damage because of physical injuries. Also we have to realize, Mr. Speaker, that for so many of these people that are injured, it has a serious impact on their families: on their spouses and on their children. It certainly isn't uncommon for a divorce or separation to occur. I was talking with a fellow here yesterday who at the peak of his earnings was making over \$200,000 a year, and it played a terrible role in the breakup of his family when he was cut off benefits, because he cannot work.

11:00

It also has a tremendous impact on employers when they see what has happened to their valued employees who can no longer return to the occupations they once had. As well, when these workers get cut off benefits from the WCB that they should have, Mr. Speaker, we load this on other safety nets that we have, whether it be AISH, welfare, or the Canada pension plan, and the organization that should be hauling the freight and paying the price is not doing it.

So we obviously do have a tremendous, tremendous amount of work to do here in order to make this bill a better bill.

Now, then, the issue that is identified in the bill is certainly accountability. Probably the one greatest error we made when we moved the WCB to arm's length from the department was the fact that we did not put in any checks and balances, that they became accountable unto themselves. It was extremely difficult for anybody to even get their case away from the WCB and into the courts, but it has been done.

As well, when we look here, we see that they have identified that there's going to be a review process for long-standing, contentious claims. I think that is a strength of this bill, but the weakness in this bill, Mr. Speaker, is that many of these long-standing, contentious claims are legitimate. These people have been denied the benefits that they should have had for years. These will amount to hundreds of thousands of dollars.

While this was happening, Mr. Speaker, there's another thing that happened. Again, we go back to the accountability of the WCB. From their annual report we see that in 1999 they started with the rate and benefit stabilization reserve. Now, this is a fund that was set up to deal with long-term injuries, long-term, contentious claims,

whatever. They started with \$211 million. They removed \$55 million from the fund balance that particular year. I suppose the reason was that they knew that this whole process was going to be challenged, was going to be changed. That remaining \$156 million was removed totally from the rate and benefit stabilization reserve. The moneys that had been set aside – all the moneys: the \$211 million we started with, which was absolutely more than adequate to settle every one of these long-term, contentious claims – they removed from that fund.

As well, some of these claims go back prior to 1988, when the Appeals Commission was established. At that time, I think appeals went directly to the board of directors. This government right here, the minister, appointed the board of directors. Does that mean now that this body here is responsible for those long-term, contentious claims that occurred before we set up the appeal process? There are a lot of strong feelings out there that in fact it is our responsibility here, not WCB's. So we do have another issue to look at there: who pays? Now, to turn around and load this back up onto the employers is not correct, particularly when we did remove that from them. As well, we have to remember, Mr. Speaker, that the employers in this province have also had the benefit of some very good investments that the WCB has made with their resources.

Now, when we look at the average actual compared to average required premium rate – in other words, what the employer paid compared to what the cost was to run the WCB – we can start back in, for example, 1996. It cost \$1.50 per hundred to run the WCB, and what people paid was \$1.49. When we look at 1999, the employers paid 58 cents less per hundred than what they should have paid. In the year 2000 they paid 62 cents less. Therefore, the employers have got their break, and the people that haven't got the break are the injured workers.

Mr. Speaker, I look forward to speaking more to this bill when we do reach Committee of the Whole. Thank you very much.

MRS. McCLELLAN: Mr. Speaker, I as well as a number of my colleagues in the House I know have some comments we would like to make on Bill 26. Some very good comments have been made regarding the bill tonight. I know that there will be a continuing debate as to whether the bill goes far enough, whether it corrects all of the concerns that have been raised by a number of my colleagues certainly and members opposite. However, I would concur with my colleague from Calgary-Montrose that it is a good step forward and certainly gives us something to build on and work towards to alleviate some of the concerns of our injured workers who feel that all of their concerns haven't been met.

Mr. Speaker, I would like to comment in some further detail on this bill, but I would move at this point that we adjourn debate.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 11:08 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, May 2, 2002**

1:30 p.m.

Date: 02/05/02

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Please join me in the prayer. Heavenly Father, as we conclude this week's deliberations and return to our constituencies, we pray that we will be renewed and strengthened in our commitments to better serve our constituency and all Albertans. Amen.

Please be seated.

head: **Introduction of Visitors**

MR. TANNAS: Mr. Speaker, I am pleased today to introduce to you and through you to all members of the Assembly a legislative delegation from the Azores islands, a group of nine islands off the coast of Portugal. Because of the large Portugese-Canadian community, which is mainly Azorean, Canada has a special connection with these islands. This delegation is in Alberta to meet with government and legislative officials. Seated in your gallery, Mr. Speaker, is Mr. Pedro Leite de Sampaio, the Portugese consul in Vancouver; Mr. Clelio Ribeiro Parreira Toste de Meneses, MLA, head of the delegation and president of the municipality of Praia da Vitoria; Mr. Francisco Barros, Socialist Party MLA for the island of Terceira; Mr. Antonio das Neves Lopes Gomes, MLA for the Sao Jorge area; Mr. Paulo Manuel Avila Messias, MLA for the Socialists on the island of Terceira; Mr. Jose Humberto Medeiros Chaves, MLA for the island of Santa Maria; Mr. Raul Aquiar do Rego, MLA for the Social Democrats and member of the General Political Commission; Mr. Paulo Antonio de Freitas Valadao, MLA for the island of Flores; and Mr. Aurelio Fernandes, Portugal's honorary consul in Alberta. Accompanying our Portugese colleagues are Mr. Miguel Noronha, Ministry of Community Affairs, Regional Government; Ms Graca Cabral, parliamentary assistant to the Regional Assembly; Ms Eva Costa, JMF Travels and Tours; and Mr. Pedro Pires, translator. I would ask our guests to please rise and receive the warm traditional welcome of the Assembly.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. On behalf of the Member for Banff-Cochrane I'm pleased to introduce to you and through you to all members of the Assembly a very capable and dedicated constituency assistant, Betty-Lynne Topp. She is a professional in managing the exceptionally busy Banff-Cochrane office. She is competent in handling diverse issues, and most importantly she is committed to providing an excellent service to all of Alberta. Betty-Lynne, please rise in the members' gallery and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you Ms Kristina Rentz. Kristina was born and raised in Barrhead. She's an accomplished student currently attending the University of Lethbridge, where she is going into her fourth year in math education to become a high school teacher. I'd also like to introduce Ms Robyn Westbrook. Robyn

grew up in the Swan Hills area and is currently attending Augustana college in Camrose, where she's taking political sciences. They are seated in your gallery this afternoon, and I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Mr. Speaker, I believe that my guests haven't quite arrived yet, so if I could introduce them after.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the House a great group of 50 kids, teachers, and parent helpers who are constituents I also share with my friend and colleague from St. Albert. I had a chance to talk with this group in the rotunda, and they asked some great questions, including some about the new helmet law. They are here from the Ronald Harvey elementary school, and they are with teachers Trent Walters and Jody Bialowas, parent helpers Kim MacEachran, Ron Campbell, and Jennifer Foo. They are seated in the members' gallery, and I would ask that they rise and receive the traditional warm welcome of this House.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. Although my guests aren't here – they'll be here during question period – I would like to acknowledge the visit to the Assembly of 10 very special visitors and five adult teachers that will be accompanying them from Horizon school, which is a very special place in my constituency that serves the needs of young people with developmental disabilities. If they are here later, I will acknowledge them. Thanks for the opportunity to acknowledge their visit.

MR. JONSON: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly seven diligent staff members from International and Intergovernmental Relations. They're in the Assembly today as part of a behind-the-scenes tour of the Legislature. They are Sharon Tone, Renee Bourgon, Deb Broughton, Fay Ramler, Tom Cottrell, Nancy Richardson, and Amy Davis. I would ask that they all please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. In the gallery today are two young women from my Lethbridge constituency office, and I would like to introduce them to you and through you to the members of this Assembly. Of course, they do fine work and actually keep me out of maybe more trouble than I deserve, but in any event I would ask Nychcole Penny and Kelly Sawa to rise and receive the warm welcome of the Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

G-8 Summit

DR. NICOL: Thank you, Mr. Speaker. An April 5 government

memo to the Solicitor General states that the government of Alberta will advise Canada that it will consider banning federal officials, including the RCMP and the Department of National Defence, from provincially held land in Kananaskis unless an agreement is reached on who covers the costs for the G-8 summit. The memo notes that withholding the use of this land “could cause some serious logistical problems for the security planning team.” The memo says that the Department of International and Intergovernmental Relations was drafting the letter for the minister’s review. My questions are to the Solicitor General. Why did the government consider taking steps that would compromise the safety and security of Albertans?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker, and I’m pleased to answer that. The memo that the hon. member is referring to is dated April 5, and that’s when we were in the process of negotiating with the federal government with some frustration. People have to understand that the G-8 is a federal responsibility. It’s a federal initiative, and it’s their party, but the G-8 is in our province. Our number one priority is the safety and security of Albertans and to make sure that we don’t get taxed with any dollars for their party.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Does the minister consider making threats toward the federal government an appropriate negotiating tactic?

1:40

MRS. FORSYTH: Mr. Speaker, if I may, the member has to understand that that memo was addressed to me from one of my special advisers who has been attending all of the G-8 meetings. What the hon. member is referring to is options in the letter on negotiations that we have with the feds. We had to make it very clear to the federal government that we were serious about the G-8. We were concerned about the safety and security of Albertans, and we did not want to have to pay a dime when they were having their party in our province.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given that one of the strategies suggested in the memo was linking the G-8 dispute to Kyoto, health care, and softwood lumber, has the government’s policy on linking disputes of national concern changed?

MRS. FORSYTH: Well, again my number one priority is the safety and security of Albertans. The other thing, Mr. Speaker, if I may, is to make sure that we don’t get stuck with paying for something that the federal government has initiated. We have to look at softwood. We have to look at some of the other things that we’ve gotten hit with, and we were very clear in our negotiations that we were not going to get stuck with paying for anything, if we could.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. The G-8 summit is fast approaching, yet the Solicitor General has been unable to confirm what funding arrangements have been made with the federal government. Albertans deserve to know whether or not they will be on the hook for any costs. Is it true that the Alberta government has

been unable to get the federal government to cover the costs of prosecuting any protesters that may end up being put to court?

MRS. FORSYTH: Yes, Mr. Speaker, it is true that we have been negotiating with the federal government on the prosecution costs, and Alberta believes that we should not have to pay for the prosecution costs of protesters that we’re prosecuting. We have been told in discussions with Quebec that they are facing an \$860,000 bill for one charge for one protester. I say to the hon. member, if I may, that I encourage him to pick up the phone as a Liberal and call his cousins, the federal government, and talk to them.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Attorney General or possibly the Solicitor General: are there possibilities that protesters could be charged under federal law and the costs transferred that way rather than under provincial laws?

MR. HANCOCK: Well, Mr. Speaker, of course people will be charged with the appropriate crimes if the evidence is there to suggest that they’ve been committed. We’re not going to play games with how charges are laid. Prosecutors will act appropriately in accordance with the evidence which the police collect and put before them.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Back to the Solicitor General: do you have any idea what the costs may be if prosecutions were to come about using maybe the Quebec example?

MRS. FORSYTH: Well, Mr. Speaker, I can only tell the member what Quebec is facing. To prosecute Jaggi Singh, one protester, they are facing an \$860,000 prosecution bill. In negotiations with the federal government one of the federal officials said to me: Madam Minister, maybe you shouldn’t prosecute. My response to him was: what kind of an example does that show to future G-8 meetings, and do you really think Albertans would want that?

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton Gold-Bar.

Electricity Billing

MR. MacDONALD: Thank you, Mr. Speaker. Just as Enron, an enthusiastic promoter of electricity deregulation, was a spectacular failure, so, too, is this government’s expensive right-wing electricity deregulation scheme. Understandably, both cabinet ministers and government MLAs are breaking ranks with this expensive right-wing scheme. The Premier talked yesterday about Alberta’s entrepreneurial spirit. Well, part of that spirit is having the smarts to distinguish a good idea from a bad one, something this government apparently lacks. My questions this afternoon are to the Minister of Energy. Since the Premier knows very little about the Balancing Pool’s \$345 million deferral account, can the minister tell us how much Alberta’s monthly electricity bill will go up to recover this amount?

Thank you.

MR. SMITH: The Premier knows a great deal about the new competitive restructuring, Mr. Speaker. In fact, the Balancing Pool will make those determinant decisions.

MR. MacDONALD: Again, Mr. Speaker, can the hon. minister

please tell us when this \$345 million bill will be added to the already 500 million plus dollar bill that we're paying now? When can Albertans expect to see this on their utility bill?

Thank you.

MR. SMITH: It'll be a decision of the Balancing Pool, Mr. Speaker.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: when will this government please come clean, unlike Enron, and provide the true cost to Albertans for this expensive right-wing electricity deregulation scheme that's gone all wrong?

THE SPEAKER: The hon. minister?

The hon. Member for Edmonton-Highlands, followed by the hon. Member for Whitecourt-Ste. Anne.

Municipally Owned Power Companies

MR. MASON: Thank you very much, Mr. Speaker. An internal document from the Ministry of Municipal Affairs that I will table today proposes to give the minister the power to order municipalities in Alberta to sell off corporations which they own. At worst this is a stealthy preparation to force the sale of EPCOR and Enmax on Edmonton and Calgary, or at best it's just another example of the Big Brother approach that the Tory government takes toward Alberta municipalities. To the minister of Municipal Affairs: why is the government circulating draft regulations which would give unprecedented power to the minister to interfere in the internal affairs of Alberta municipalities?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. First of all, I'm pleased that he talked about Big Brother, but it's also important to talk about the Alberta family, which Edmonton and Calgary and EPCOR and Enmax are part of. I'm pleased he has, because at the end of the day we're working together as Albertans. We're protecting all taxpayers. What's important is that we've been dialoguing with both cities. In fact, as I mentioned the other day, we have the only roles and responsibilities committee in the entire nation right here in Alberta. I'd ask the hon. member to maybe look closer in terms of the important partnerships that we have established and have strong with our municipalities across this province.

MR. MASON: Mr. Speaker, why does the minister need the power to force Alberta cities to sell off valuable assets like Enmax and EPCOR?

MR. BOUTILIER: Mr. Speaker, the hon. member, of course, who was an elected city councillor at one point, is aware that under the Municipal Government Act we are in partnership with and work together with municipalities through that legislation. At the end of the day, the buck stops with the Minister of Municipal Affairs when it comes to Municipal Affairs dealing with municipalities, because this Alberta Legislature created them. That's where they were created. So ultimately we're continuing to work with these folks in good partnership, no more and no less.

MR. MASON: Well, Mr. Speaker, I was hoping that the minister would say that he had no such agenda, but he hasn't said that, so I'll ask him why he will not give assurances to the citizens of Edmonton and Calgary that there won't be any forced privatization of their power companies. If he wants to give them that assurance, why doesn't he just withdraw this draft regulation right today?

MR. BOUTILIER: Mr. Speaker, I can assure this House in terms of the agenda that, number one, it's open. In the actual release that was announced today by the New Democrats, they talk about the fact that this is quietly being done. I'm pleased that it's so quietly being done that we're talking about it today in this Alberta Legislature. I think that's important, but even more importantly we're going to continue to work with all of our stakeholders. We've done it in the past; we're doing it in the future. There is simply no hidden agenda here relative to the comments that are being made by the hon. member.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Edmonton-Riverview.

Electricity Billing (continued)

MR. VANDERBURG: Thank you, Mr. Speaker. Today I rise and I'm a very frustrated MLA for Whitecourt-Ste. Anne who has many frustrated constituents that are equally concerned. My constituents of Whitecourt-Ste. Anne have some serious concerns with escalating power bills. My REA members, in getting their latest round of EPCOR power bills, are concerned that they cannot pay the invoice. My question is to the Minister of Energy. My constituents talk to me about their concerns, I advise them to talk to their utility companies, and it's not working. I need your help, sir. Who do they talk to? Who's their advocate on this issue?

1:50

MR. SMITH: Well, Mr. Speaker, I think it's very clear that there's a very strong advocate in Onoway, Whitecourt, Sangudo, and that advocate for constituents is the member, the MLA, the Conservative MLA for Whitecourt-Ste. Anne. There is frustration from various constituents throughout Alberta. There are different levels because different service areas have different issues. The area of Whitecourt-Ste. Anne as well as Rocky Mountain House, Vulcan: these areas are served by UtiliCorp.

Now, the member has asked: who should they contact? They should contact, one, the utility company. There's no question. Secondly, if they're in a rural electrification association, they should talk to them. Thirdly, they should talk to EPCOR as well. This is the utility that's selling them the power. Again, if the issues are not resolved, the individuals are encouraged to contact the Alberta Energy and Utilities Board, who, as I said on Tuesday, Mr. Speaker, regulate a portion of the bill.

To help the process along – and I will table these at the appropriate time – today I am sending two letters. One is to Don Lowry, president and chief executive officer of EPCOR. I will precis this, Mr. Speaker:

The situation has reached a point where additional communication effort is required. I suggest and urge you to mobilize your staff to hold a number of "open houses" throughout the communities where you are experiencing the most calls . . . I would appreciate [knowing the outcome of that].

Also, Mr. Speaker, I am tabling today a copy of the letter that will be sent to Mr. Lowry and to Mr. Green, the chairman of UtiliCorp, now known as Aquila. In that letter I will ask them to clean up the metering data problems and to then advise us of how they're going to do it, what they're going to do, and how they are going to compete fairly with quality customer service in a competitive marketplace.

THE SPEAKER: The hon. member.

MR. VANDERBURG: Thank you, Mr. Speaker, and thank you, Minister. You bring up some issues about responsibility on those invoices that my constituents are getting. Who is responsible for

different parts of that bill? What is the government responsible for, what is the EUB responsible for, and what is the utility company responsible for?

THE SPEAKER: The hon. minister.

MR. SMITH: Well, thank you, Mr. Speaker. The government is responsible for setting the policies, and if there are questions about the specific policy, the market structure, please contact the Department of Energy at 310-0000 and ask for the public information centre.

Secondly, Mr. Speaker, as discussed – and let me reiterate – the AEUB, Alberta Energy and Utilities Board, is the regulator for much of the province, although not Calgary and not Edmonton, and it enforces the policies, acting in the public interest. There is also a market surveillance administrator attached to the Power Pool. So if it's Edmonton or Calgary, let's talk to EPCOR and Enmax. In this member's particular riding it's EPCOR, it's UtiliCorp, the EUB, and the MLA.

MR. VANDERBURG: Thank you for that response, and I'll be glad to be the advocate. When I need your help, I don't need a form letter. I need some good, solid response. Mr. Minister, will you commit to me to give me that help that I need?

MR. SMITH: Just as much as the hon. member provides detailed, concrete information so that we can quickly get to the bottom of the problem and provide the issues that we're responsible for and continue to ask the utility companies, Mr. Speaker, to operate with a sense of customer service. These customers are terrifically important to these providers of electricity. If they fail them now, as more and more choice becomes available, they will lose these customers.

Access to Long-term Care in Calgary Health Region

DR. TAFT: Mr. Speaker, some RHAs behave as if they are becoming fiefdoms unto themselves. For example, the Calgary health region is now telling Albertans from outside Calgary that they can't get on the region's waiting list for long-term care because they are not Calgarians, but the Calgary region will make an exception if the applicants are prepared to pay \$3,000 per month. In that case Albertans from outside Calgary will be placed in long-term care in Calgary immediately. It seems like a rather selective bed shortage. My questions are to the Minister of Health and Wellness. If government policy allows RHAs to intensify residence requirements for services, how is the government going to avoid a patchwork system of health care in which some Albertans have markedly better access than others?

MR. MAR: Mr. Speaker, I think this is a good question. We must work towards ensuring that we have a seamless health care system anywhere in the province of Alberta, where we can say that the standards are satisfactory and that there is co-operation and collaboration among and between regions. Even in the Mazankowski report it indicates the importance of regions working together to ensure a smooth service to Albertans. It talks about: if there is duplication of services where a collaborative effort should be made, then we need to examine that and ask the reason why that is so and take steps to correct it. If we are not satisfied that either the standards or the outcomes of the decisions of a particular regional health authority are satisfactory, then we must examine that and ask ourselves why that is happening and take steps to correct it.

So, Mr. Speaker, it is all about collaboration and innovation among and between regions, because ultimately no one regional health authority can be all things to all people. There must be collaboration among and between those authorities, which is the reason why the hon. Member for Edmonton-Glenora is heading an MLA task force on collaboration among and between regional health authorities.

DR. TAFT: To the same minister: why do residents of Okotoks, Canmore, and Didsbury have to pay a \$3,000 a month charge that residents of Bragg Creek, Cochrane, and Airdrie do not need to pay?

MR. MAR: Mr. Speaker, I'll be happy to look into this particular question for the hon. member, but I can say that we do have a good health care system, that is occasionally excellent. That is not to say that it is perfect in all its operations, nor is it to say that we cannot improve on the collaboration among and between regional health authorities.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. The minister has had the issue on his desk since March 11.

As the Minister of Health and Wellness for all Albertans, what is the minister's position on the policy of the Calgary health region to charge \$3,000 a month to some Albertans and not to others based on where a person lives?

MR. MAR: I think I've stated my position quite clearly in the first two answers in responding to the first two questions set out by the hon. member. There may be a reason for this, Mr. Speaker – I don't know – but I will entertain looking into it for him, and I'll be happy to reply in due course.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Mill Woods.

Age of Consent

MRS. JABLONSKI: Thank you. Mr. Speaker, according to the definition of the United Nations convention on the rights of the child, a child is any human being under the age of 18. The legal drinking age is 18. Children under the age of 18 cannot purchase cigarettes. Children must be 16 in order to have a driver's licence. Yet children at the age of 14 are legally permitted to consent to sexual activity. It is our duty as adults and parents to protect our children, for if we cannot protect our own children, then who can we protect? It is not necessary for me to list the numerous reasons why we should raise the age of consent. Constituents in Red Deer have called me to express their outrage. I recently received a phone call from a mother who could not help her 14-year-old daughter who was suffering from physical, psychological, and emotional damage due to early sexual activity. Ninety-five percent of single teenage mothers end up living in poverty for the rest of their lives. Our Alberta Youth Advisory Panel has expressed that teenage pregnancy and sexually transmitted diseases are their number one issues. My question is for the Minister of Justice and Attorney General. On April 10, 2002, you told the members of this Assembly about this demand for stricter regulations. Can the minister advise the House of any progress he has made in getting the federal government to raise the age of consent?

MR. HANCOCK: Well, Mr. Speaker, as the hon. member has

mentioned, we did make a ministerial statement in the House and included the reference to raising the age of consent. I've written to the federal minister requesting that that change be made. As all members know, this House passed a resolution some two years ago, a resolution brought forward by the Member for Calgary-North Hill, with respect to that particular issue. We have not had progress as yet, and for that reason I'm trying to arrange a face-to-face meeting with the federal minister in June of this year, and that will be the first item on the agenda.

2:00

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. Can the minister explain to all members of the Assembly why the government of Alberta has to push for this change to federal legislation?

MR. HANCOCK: Well, Mr. Speaker, it's important to change the federal legislation because it's essentially to the Criminal Code that this age of consent issue is going to have the most import. I believe we've done everything we can in this province with the Protection of Children Involved in Prostitution Act, for example, under the child welfare legislation treating child abusers – because that's what they are, child abusers – and protecting the children. But it's a criminal sanction that's necessary in order to make this law effective. We have had discussions over the years, the three years that I've been involved. We've pushed this at every federal/provincial/territorial ministers' meeting. We've had most provinces agree, but in a couple of situations provinces have disagreed, and the federal government has traditionally been reluctant to proceed with criminal legislation when all provinces don't agree. Therefore, we're also pursuing consultation with other provinces and trying to make sure that they understand the essential need for raising the age of consent to at least 16. My personal preference would be 18.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Castle Downs.

Teaching Conditions in Calgary Public Schools

DR. MASSEY: Thank you, Mr. Speaker. Coupled with underfunding, the fallout from Bill 12 is starting to hurt students. The conditions that led to a teachers' strike in Calgary are worsening. My questions are to the Minister of Learning. What action can the minister take so that class sizes in Calgary public, already two students above the provincial average, will not increase in September?

DR. OBERG: Well, Mr. Speaker, there are a couple of things. First of all, starting roughly around the first week of June, we will have the blue-ribbon panel up to look at all of these different issues. Over the last couple of days in Calgary what has occurred is that the Calgary public school district has brought out their draft budget, and I must emphasize the word "draft." Included in that budget is a 35 percent increase in expenses – 35 percent. I hope that expenses don't rise around this province by 35 percent, but they are looking at all different options. They are looking at which direction they can go. Quite simply, as an example, the Calgary school board spends \$5 million on lunchroom supervision programs. These are some of the things that they have to take a very serious look at when it comes to budgeting. I will also say that in the budget for '02-03 the amount of dollars to the Calgary public school board increased by \$25 million, despite the fact that their enrolment has held stable. In fact,

it has actually dropped a little and indeed has dropped consistently for around the last four or five years.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister: will the minister ensure that there are adequate resources so that Calgary public elementary and junior high school teachers will not lose all their preparation time come September?

DR. OBERG: Mr. Speaker, the Calgary public teachers presently are under a contract of 23 hours. What the Calgary school board has proposed is an increase of about 20 to 24 minutes a day, up to 25 hours a week. The average around the province is around 24 hours with the range being anywhere from 20 to 28 hours per week. So that would put them in the middle. Again I will certainly stress that this is a proposed budget. I think it is extremely difficult for Calgary public to bring forward a budget at this time when they don't know what their teacher costs are. The arbitration tribunal will be dealing with that and will theoretically be done – at least that's what they've told us – by June 21. So we will see what happens then.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister: can the minister assure parents in Calgary that no more librarian and counselor positions will be cut in September?

DR. OBERG: Mr. Speaker, I will give no such assurance because it is up to the school boards how they rationalize the usage of their funds. They have received, as I've stated in the prior answer, an extra \$25 million this year for a population of students that is declining. It's up to the duly elected school boards to take a look at what is the best way that they can utilize those resources. Quite frankly, I believe in the Calgary public school board, and I believe that they can do it.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs, followed by the hon. Member for Edmonton-Centre.

Municipal Funding

MR. LUKASZUK: Thank you, Mr. Speaker. There have been a number of reports, including a front-page story in yesterday's local newspaper, regarding funding strains on municipalities in Alberta. I also hear similar sentiments reflected to me by local city councillors. To the Minister of Municipal Affairs: do municipalities in Alberta require additional funding sources in order to meet the strains placed upon them?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Well, thank you, Mr. Speaker. Of course, I think we all know that at the end of the day, be it federal, provincial, or municipal, there is only one taxpayer. What I am encouraged by are some of the comments that I've read by His Worship the mayor of Edmonton where he said that he is encouraged by a roles, responsibilities, and resources committee, the first of its kind, because we're looking not just for band-aid solutions but long-term solutions. I might also add that I'm encouraged by the vice-president of the Federation of Canadian Municipalities, where in fact Alderman John Schmal from Calgary indicates that our Premier, through a process that we've developed, is opening the door to further discussion in

terms of the respect and the maturity that we're seeing now within municipalities that have grown. Certainly they are important partners to us.

THE SPEAKER: The hon. member.

MR. LUKASZUK: Thank you, Mr. Speaker. My second and last question is for the same minister. Do the committee and the discussions in which you engaged include perhaps allowing municipalities additional sources of taxation?

MR. BOUTILIER: Mr. Speaker, everything is on the table. As was indicated yesterday, in fact, Ernie Patterson, the AUMA vice-president, made a comment that at the end of the day municipalities are mature, and he's pleased with the fact that we know, as the Premier quoted yesterday, and we believe that municipalities will act in the best interests of taxpayers, no different than the province does. So the bottom line is the maturity they're showing, and the partnership we're having is a good thing.

I just would like to end by saying that the hon. Member for Edmonton-Rutherford, the co-chair of the roles and responsibilities committee, the hon. Member for Whitecourt-St. Anne, as well as the hon. Member for Calgary-Mountain View participate on this committee with the two mayors as well as the president of the rural association of Alberta, Jack Hayden, and the president of the AUMA, His Worship George Rogers from Leduc.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Strathcona.

Regional Health Authority Deficits

MS BLAKEMAN: Thank you, Mr. Speaker. On April 17 the Minister of Health and Wellness was asked, "Will RHAs be allowed to run deficits for the 2002-03 fiscal year?" to which the minister responded, "the letter that I sent out to regional health authorities . . . clearly indicates that they are not to be planning for long-term deficits." Now, however, two RHA boards, which include a member of the Premier's advisory council and a former Tory minister, have openly challenged the minister's directive. My questions are to the Minister of Health and Wellness. In light of this information, will RHA boards be allowed to run deficits for the 2002-2003 fiscal year?

MR. MAR: Mr. Speaker, I'm pleased that the hon. member was able to quote me correctly when I said that the letter that was sent by me to the regional health authorities indicated clearly that there would not be long-term deficits for regional health authorities. That leaves open the possibility that if a regional health authority has some difficulty in the current fiscal year and they can demonstrate that they have a legitimate plan and a detailed plan for how they will deal with that short-term deficit and make sure that it is paid through in the medium term, perhaps in the second or third year, then those business plans may be acceptable. But let's make it very, very clear that this should be an exceptional circumstance.

The regional health authorities have received a significant increase as a whole in this province. The Department of Health and Wellness in the current budget year received a 7 percent increase, larger than any other department of government. What accrues to regional health authorities is an additional almost quarter of a billion dollars, that has been allocated to RHAs throughout the province. We expect them by and large to be able to run their operations on last year's budget plus the increase that they'll be receiving this year.

So, Mr. Speaker, our expectation is that regional health authorities

will for the most part be putting forward balanced budgets, but there can be exceptions for short-term deficits if they have a detailed plan for how they will deal with those deficits in the future.

2:10

THE SPEAKER: The hon. member

MS BLAKEMAN: Thank you, Mr. Speaker. Well, it may be 7 percent overall, but it's less than that for rural RHAs. So given that rural RHAs received an increase of only 4.4 percent, how does the minister expect them to deal with increased labour costs, upcoming labour negotiations, higher electricity prices, and higher health care premiums for their own employees on 4.4 percent?

MR. MAR: Mr. Speaker, every regional health authority, whether it be urban or rural, will have to examine its operations and determine if this is the best way to deliver services. I can say that there have been some good examples of collaboration among and between regional health authorities. However, there is still far too much duplication of services, insufficient attention paid to the opportunities to save money by working together, for regional health authorities to collaborate, to contract with one another. So every regional health authority will have the same challenges in terms of determining what services it will provide to the constituency people that they serve and figuring out the best way to deliver those services.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you, Mr. Speaker. If the minister is willing to allow short-term deficits for I think I heard him say three years running, at what point do these deficits become long-term debt? Year four? Year five? How many years are you going to let them run this deficit?

MR. MAR: I did not indicate that a deficit three years in a row would be satisfactory, Mr. Speaker. I think I made it very clear that if there's a short-term deficit – that is, in the current fiscal year – there must be a way of being able to cover that deficit in the subsequent second and third years. Of course, as the Provincial Treasurer is quick to remind me, all of these things must be approved through our Treasury Board process as well. So there is fiscal responsibility that is incumbent upon the Department of Health and Wellness, this government, but also each and every regional health authority.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Buffalo.

Legislation Dealing with Same-sex Relationships

DR. PANNU: Thank you, Mr. Speaker. Three years ago this month the Supreme Court handed down a landmark ruling. In that judgment Canada's highest court ruled that discrimination against same-sex couples could not be justified and is in fact unconstitutional. Since then the federal government and eight other provinces have amended their laws to end discrimination, but not Alberta. To the Minister of Justice and Attorney General: why is it taking the Alberta government so much longer to end discrimination against persons in same-sex relationships than it took the federal government and the other provinces who have already addressed the problem?

THE SPEAKER: The hon. minister.

MR. HANCOCK: Well, thank you, Mr. Speaker. I think the answer

to that has been given in this House before. We have taken the opportunity to review all our statutes with respect to adult personal relationships to determine what could be done or should be done with respect to the area. We're not content simply to take the narrowness of the ruling with respect to a particular incident and a particular statute but rather would prefer to look thoroughly at all our statutes and come up with an appropriate answer and response and appropriate legislation dealing with all of our legislation, which is satisfactory to all Albertans.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. To the same minister: why is the minister planning to leave intact the discriminatory provisions of dozens of statutes dealing with pensions, insurance, employment benefits, and family law and only planning to amend laws that the courts have ordered him to do by a certain deadline?

MR. HANCOCK: Well, the question is very presumptuous, Mr. Speaker, because the hon. member has no idea as yet exactly what statutes will be proposed for amendment. Going on notice today will be the Adult Interdependent Relationships Act and the Intestate Succession Amendment Act for the purview of the House next week. In those acts we will be dealing with amendments to certain acts but not necessarily all of them.

We will continue to look at all the acts of this province, and have, to see how this act will be applied to all the other acts of the province. It would be more appropriate for me to deal with those issues when those acts are in fact introduced into the House.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. My next question is to the Minister of Finance. Why did the Minister of Finance early in January amend only the management employees' pension plan to end discrimination against same-sex couples while failing to eliminate the discriminatory provisions in other public-sector pension plans?

MR. HANCOCK: Perhaps, Mr. Speaker, although the question was addressed to the Minister of Finance, I could answer that for the hon. member. We took steps in January to deal with pension regulations because pension regulations have to be dealt with in the context of federal definitions and federal regulation and law. So it was very clear with respect to what amendments needed to be made to the pension regulations. The remainder of regulations and laws that did not need to be amended at that time were held until we could complete the thorough review and the recommendation to this House as to what the definition of an adult interpersonal relationship should be and would be and apply that consistency to all Alberta laws.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Lethbridge-East.

Gasoline Pricing

MR. CENAIKO: Thank you, Mr. Speaker. My question is to the hon. Minister of Energy. In the United States a Senate subcommittee completed a 10-month review of U.S. gasoline prices and found that a frenzy of oil company mergers has led to rising U.S. gasoline costs. It also found that major oil companies took actions to keep supplies tight and inventories low in order to increase prices and maximize profits. Could something like this happen in Canada?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. The answer is that we do not believe that something like this can happen in Canada for a number of reasons. One, the market is much more centred around small refiners. There's good regulation around the marketplace. Also, there is a Canadian General Standards Board, that sets standards for how gasoline should be mixed throughout Canada and also for each individual province. It varies with altitude or closeness to sea level or specific areas. We also think that there are some economies of scale and also some distribution networks in Canada to help lower costs and therefore price. Certainly if we were to compare Canadian gasoline prices with other jurisdictions across the world, we'd find that we're amongst the lowest, if not the lowest.

THE SPEAKER: The hon. member.

MR. CENAIKO: Thank you, Mr. Speaker. My second question is to the same minister. What mechanisms are in place, and do you work with the federal government in ensuring that this price-fixing doesn't happen here?

MR. SMITH: Well, we're always pleased to work with the federal government, and the federal Competition Bureau is the access point that seeks to prevent business practices that restrain competition. If a consumer has a concern, Mr. Speaker, the Competition Bureau is case driven, and that consumer just has to contact the Competition Bureau and put their case forward. The bureau then decides if there are grounds for investigation.

As a matter of fact, Mr. Speaker, in March of 1997 there was a Canada-wide investigation of the gasoline prices, and there was no evidence to support any allegations of price-fixing. There have been no recent investigations specifically for the province of Alberta. Prices I saw on TV this morning varied from 63 cents in Calgary to 69 cents in Calgary. All members or interested citizens have to do is go on the web and check calgarygasprices.com or edmontongasprices.com, and they'll see the range of gas prices across this province.

THE SPEAKER: The hon. Member for Lethbridge-East, followed by the hon. Member for Edmonton-Beverly-Clareview.

2:20

Chronic Wasting Disease

DR. NICOL: Thank you, Mr. Speaker. Alberta Agriculture's chronic wasting disease program includes the possibility of the provincial government covering the costs for the mandatory testing of all slaughtered or disposed-of animals. My questions are to the Minister of Agriculture, Food and Rural Development. Is this cost-shared testing program similar to the disease testing cases for other animals in Alberta?

MRS. McCLELLAN: Mr. Speaker, as I understand it, the hon. member was asking about a mandatory testing program for chronic wasting disease. We don't have a mandatory program in place at this point. We have a voluntary program, which has had great success, between 70 and 80 percent participation in it. But I would tell the hon. member that we've been meeting with the industry and had another meeting as late as this morning, and we believe that we have an agreement for a mandatory program. I want to review the details of that program with my staff, then have that back to the industry probably tomorrow or Monday, and then with their agreement be prepared to release the details of that program. I can't say at this point whether that would be part of it.

We have a budget in our department for food safety. The hon. member would know, being the critic for that department, that we increased that budget last year and increased it again by another half a million dollars this year. That of course is for the overall industry, but certainly this would fall into that area.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. The federal government assists in the compensation for animals eliminated. Have you approached them for cost sharing in this prevention program to help us protect our livestock industry?

MRS. McCLELLAN: The federal government participates with the governments of provinces in a variety of ways, as agriculture is a 50-50 shared jurisdiction under the Constitution. Certainly a lot of those areas are in safety nets, but areas that we also look at are areas of food safety.

We're in the process of developing an agricultural policy framework, which is being developed by the 10 provinces, the territories, and the federal government. In fact, I will be attending meetings next week with my colleagues from across Canada to work on details of that, as we hope to have a final agricultural policy framework by the end of June, middle of July. Some of the answers on those areas of responsibility, as food safety is high on the agenda of the AG policy framework, could be answered then.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Why is it that the public picks up these costs, not the industry, in terms of this monitoring and testing program?

MRS. McCLELLAN: I would not say, Mr. Speaker, that the public picks up the costs of these tests. I think that as a government and as governments we have a responsibility to the citizens of this country and certainly we to the citizens of this province to ensure, as much as is in our power, that the food products that they consume are indeed safe. I think the public expects that of us. We do it through co-operation with the department of health through inspection services that are carried out there. We do it through the Canadian Food Inspection Agency. We do it with Health Canada. There is a question with the mandatory testing as to who will pay. It has not been determined whether there will be a cost. What I can tell the hon. member is that it's estimated that the cost could be about \$125 an animal. I would think that the industry might consider that worth participating in, considering the value of the animals and their industry, but those details will be better known next week.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Dunvegan.

Clover Bar Generating Station

MR. YANKOWSKY: Thank you, Mr. Speaker. The 32-year-old Clover Bar generating station located on the banks of the North Saskatchewan River in northeast Edmonton stands idle, a victim of deregulation. This 660-megawatt gas-fired plant, now termed as a white elephant, was bypassed by the power auction because it uses old technology. So there it sits, a perfectly good, environmentally friendly gas-fired plant that power purchasers pass by. My questions are all to the Minister of Energy. I understand that the Balancing Pool intends to sell off the rights to market the power represented by

the Power Pool arrangements it currently holds. Can the minister explain to us what is happening with this power?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker, and in fact I can. The Clover Bar plant is held by the Balancing Pool. This 660-megawatt plant was built in the '60s. It's very simply a function of the price of gas and the utilization of this plan. Clover Bar takes 10,000 BTUs of gas to make one kilowatt-hour. That was the '60s technology. Fast-forward to the '90s and the explosion of what Alberta is very good at, gas-fired cogeneration, and you'll find that the new plants will generate a kilowatt-hour of electricity for 6,500 to 7,000 BTUs of gas. Now, 35 percent of our supply of electricity is gas, and in fact when you look at this plant, 50 to 60 percent of the price of this plant is the price of gas. So a more efficient competition under deregulation and also a long life cycle of the plant is contributing to this.

Mr. Speaker, the other side of the issue is that with regulation they amortize the price of a plant over a long period of time, 35 to 40 years, whereas in the deregulated side this is about 15 years. So what happens today is that we still have the debt associated with Clover Bar over that period of 25 to 40 years coupled with the fact that 50 percent of its operation is its price of gas, and you will find that unless electricity power prices move up, it's simply out of the money and uneconomic for people to purchase the lowest possible power price in Alberta.

THE SPEAKER: The hon. member.

MR. YANKOWSKY: Thank you, Mr. Speaker. Can't the hon. minister tell us why these contracts did not sell in either of the two previous power auctions?

MR. SMITH: Mr. Speaker, I can tell you that the marketplace determined that the power purchase agreement associated with the generating facilities was not what they wanted, so the piece that was offered, some 2,300 megawatts, was not being accepted in the first auction and is now being held over for auction two. The Balancing Pool has put together an auction that does not give anybody specific market power and also is a way of getting smaller tranches of these megawatts into the marketplace. We hope to see positive results, although certainly not guaranteed, from the next MAP auction.

THE SPEAKER: The hon. Member for Dunvegan.

Chronic Wasting Disease *(continued)*

MR. GOUDREAU: Thank you, Mr. Speaker. My concerns are further to the questions raised by the hon. Leader of the Opposition but in a slightly different context. It was at the end of March when we first heard that there was one case of chronic wasting disease confirmed in a farm elk in Alberta. It's now May, and we haven't had any news on the traced-out animal herds that were quarantined. I would like to address my questions to the Minister of Agriculture, Food and Rural Development. Why has it taken so long to find out if any other farm cervids have the disease in this province?

MRS. McCLELLAN: Mr. Speaker, first, it's important to identify a couple of areas at the outset. One, what is really important is that we have a strong detection methodology in this province. When this disease unfortunately was detected, because of that monitoring surveillance tracing system we, being the Canadian Food Inspection

Agency, were able to, one, quarantine the farm and, two, trace every animal that had moved off of that farm. Indeed, that is what has led to the subsequent testing of 12 animals.

Mr. Speaker, I also want to again make it very clear that it is the responsibility of the Canadian Food Inspection Agency for the testing of these traced-out animals. They are the ones who have collected the samples, and they are the ones who will give us the results. It is my understanding that beyond just brain tissue testing they are taking other samples of tissue and testing that as well. Subsequently, because they've gone beyond the routine surveillance testing, this could take a bit longer. We are hopeful that those results will be with us very soon, because of course the 12 farms where the 12 animals are located are under quarantine as well.

2:30

THE SPEAKER: The hon. member.

MR. GOUDREAU: Thank you, Mr. Speaker. My second question is to the same minister. How can Albertans be confident that the elk and deer they consume in restaurants and the meat supplied by the cervid industry is safe? Can the minister advise us what processes and what procedures are in place from gate to plate to ensure this?

MRS. McCLELLAN: Mr. Speaker, I could do that and think it's important. Alberta does have a very strong veterinary infrastructure in place to ensure the health of our livestock populations. That's number one. Number two, when cervids are to be harvested, the meat is inspected at a facility that's licensed by Alberta Agriculture or designated as a federally registered facility. The provincial facilities must also have a food premises permit from the local regional health authority, hence the involvement of Alberta Health that I indicated when the hon. Leader of the Opposition asked the question.

The other thing is that once the carcass has been broken down, it is put in a cooler before packaging and before it's marketed. This meat is stored while the tissue is being tested. Once the test is clear, the meat is then released. I think that indeed, Mr. Speaker, people that understand the method, the rigour of the testing that we go through can feel very, very comfortable in eating that meat in a restaurant or in their homes.

MR. GOUDREAU: Mr. Speaker, the minister of agriculture was quoted in news stories today about the province being close to implementing mandatory testing of farm cervids. Can the minister advise us how the meetings are going with the cervid industry in this province?

MRS. McCLELLAN: Mr. Speaker, I won't take too long with this because I did give some detail on that in an earlier answer. However, it is my understanding – and I'm pleased to hear this – that both parties, that being Alberta Agriculture and the industry themselves, have agreed in principle on mandatory testing. The bottom line, as I understand it, is that we'll have sort of a two-element mandatory surveillance system. This is certainly what we want to talk about with the industry. One would be a practical program that the industry can live with and, two, a higher level program that meets the requirement of CFIA for export purposes to other provinces and countries. That is one of the reasons that it's a bit complex in doing the mandatory program, because we do have to meet export standards if we want to move the meat into other provinces.

I should just say, Mr. Speaker, that last year we completed 2,158 tests. That included farmed and wild mule deer, white-tail deer, and

elk, and they did all test negative. So we've done a rigorous testing, working with Sustainable Resource Development, Alberta Agriculture, and the industry, to ensure that we keep all of our population of these animals as disease free as possible.

There are other jurisdictions – Saskatchewan, Colorado, and South Dakota, to name a few – that have a mandatory program, so we have been able to look at their experience and use that in developing ours. As I indicated earlier, Mr. Speaker, this is important to a large number of producers in this province and I think to the citizens as well, and it's our intention to have this in place as quickly as possible, hopefully next week.

THE SPEAKER: Hon. members, thank you very much for your cooperation today. This is the first time this session that we've been able to work in all of the members who wanted to raise a question today. So that was approximately 40 questions and answers in the time frame allocated.

Hon. Member for Little Bow, you wanted to do an introduction, as did the hon Member for Olds-Didsbury-Three Hills. I do believe that the groups departed in the last few minutes, but if you wanted to read the introductions in, please proceed.

head: **Introduction of Guests**

(reversion)

MR. McFARLAND: Thank you, Mr. Speaker. I appreciate your cooperation.

Today we had the pleasure of having 31 students, three teachers, and five parent helpers come up Vauxhall elementary school, Mr. Speaker, for an annual pilgrimage to see the Legislature, take in the historic sites, and do a little bit of learning while they're at it today and tomorrow. As a former educator yourself I know you'll join me in wishing them a very happy and fruitful learning experience up here.

Thank you for letting me introduce them.

head: **Members' Statements**

THE SPEAKER: The hon. Member for St. Albert.

Positron Emission Tomography Program

MRS. O'NEILL: Thank you, Mr. Speaker. Today I'd like to rise to acknowledge the incredible work and the exciting research done by Dr. Sandy McEwan and his team of researchers based out of the Cross Cancer clinic. They work with a positron emission tomography program, and I'd like to explain what it is, because I think that everyone here in this Assembly would agree with me that it is an exciting project.

PET is an imaging technology that produces powerful images of the body's biological functions and shows abnormalities that cannot be detected by a CT or an MRI. Compounds like simple sugars are labeled with radioactive, signal-emitting tracers and are injected into the patient, and one hour after injection a series of scans are obtained which show the distribution of the tracer in the body. As well as showing the presence of cancer, PET images can probe the biological characteristics of cancer to help improve treatment.

My purpose in acknowledging the fine work done by Dr. McEwan and his team of researchers is to say that this leading-edge research and delivery of health care diagnoses is being done right here in the capital city of Alberta, in Edmonton, at the Cross Cancer clinic. I would like to commend Dr. McEwan and his team for the fine work and the exciting work that they are doing.

THE SPEAKER: The hon. Member for West Yellowhead.

Edson Royal Canadian Legion Joe Wynne Branch 51

MR. STRANG: Thank you very much, Mr. Speaker. It's my pleasure today to rise to recognize the Edson Royal Canadian Legion Joe Wynne Branch 51 as it celebrates its 75th anniversary.

The Canadian Legion came into being in June of 1926. The Edson Legion followed within the year and received its charter on May 18, 1927. In 1929 the Edson and district veterans held their first meeting in the Canadian Legion memorial hall. From day one community involvement has been very important. The memorial hall was used for community events from talent contests to Christmas concerts to weddings.

Our Legion was very busy during the time of World War II. Many men and women from this community volunteered for service. The Legion was a place of connection, comfort, security, and celebration. The original hall burnt down in 1952. A new home was raised from the ashes by dedicated volunteers.

As the community grew, so did the membership in the Legion. In 1961 the Canadian Legion became the Royal Canadian Legion. Our local branch erected a cenotaph with the eternal flame. This stands in memory of the Edson and area residents who did not return home from the two World Wars and many conflicts which have taken place and continue to take place around the world. In 1989 a new facility was opened and officially named the Royal Canadian Legion Joe Wynne Branch 51. Their current membership stands at over 12,000 members.

I would ask that all members join me in recognizing the members of the Royal Canadian Legion Joe Wynne Branch 51 on the occasion of the 75th anniversary. Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Charter of Rights and Freedoms

MR. MacDONALD: Thank you, Mr. Speaker. The words of the Minister of Environment in this Assembly on Monday, April 29, regarding the Charter of Rights and Freedoms is an attempt to reduce public confidence in our judicial system and ultimately in our democracy, founded on the rule of law. Over three-quarters of Canadians support the Charter, and to call it a shameful document is not reasonable, nor is it fair minded.

Public confidence in and respect for the Charter is essential. Unfair and uninformed statements do little to sustain and enhance this public confidence. When there are attempts made to undermine the Charter, all members of this Assembly should take note. I would remind the hon. Minister of Environment of the words of the former Alberta Justice Minister Jon Havelock, who said in 1997, quote: should we really be surprised that the courts have utilized and interpreted the Charter when rendering judgments when in fact that was the anticipated result during the Charter debate? What the politicians have done through passage of the Charter is bring the courts into the mainstream of political decision-making. End of quote.

2:40

As unfair and uninformed as the minister's comments were regarding the Charter, this does not mean citizens cannot criticize. Supreme Court Justice La Forest, in delivering a 1996 decision between the Canadian Broadcasting Corporation and the New Brunswick Attorney General, said:

The freedom of individuals to discuss information about the institutions of government, their policies and practices, is crucial to any notion of democratic rule. The liberty to criticize and express dissenting views has long been thought to be a safeguard against state tyranny and corruption.

Democracy is always in a delicate balance. Last Monday night it tilted too far to the right.

In conclusion, Mr. Speaker, I would like to remind all hon. members of the fundamental freedoms of our Canadian Charter of Rights and Freedoms. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Legislation Dealing with Same-sex Relationships

DR. PANNU: Thank you, Mr. Speaker. Three years ago, on May 20, 1999, the Supreme Court handed down a landmark ruling in the case of M versus H. In that unanimous judgment Canada's highest court ruled that there is no justification for discrimination in family law against persons involved in same-sex relationships. The Supreme Court was clear. Laws that do not provide for equal rights and responsibilities for same-sex couples are unconstitutional, and they must be changed. Similar court judgments have also instructed governments to end discrimination in areas like employment benefits, pensions, and insurance.

Since M versus H the federal government and governments of every other province except P.E.I. have amended their laws to end discrimination against same-sex couples, but not Alberta. In January this year the Alberta government, facing a court challenge, quietly amended the management employees' pension plan to end discrimination but maintained discrimination in other public-sector pension plans. The government also faces an early June deadline to amend the Intestate Succession Act after twice asking the court for extensions.

This foot-dragging from the province is not only a losing legal strategy; it is also a losing political strategy. The continued discrimination in Alberta laws hurts tens of thousands of our fellow citizens. It hurts Albertans who are employed by this very Legislative Assembly, employees whose partners, for instance, are denied access to needed dental and prescription drug coverage.

These Albertans should not be forced to endure another summer of discrimination. I urge the government to make the necessary legislative amendments to all of our discriminatory laws during this sitting. I pledge the full co-operation of this New Democratic opposition to ensure speedy passage.

Thank you, Mr. Speaker.

head: Presenting Reports by Standing and Special Committees

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. As deputy chair of the Select Special Auditor General and Information and Privacy Commissioner Search Committee I would like to table part 2 of the committee's report, recommending the appointment of Mr. Franklin J. Work as the Information and Privacy Commissioner for the province of Alberta.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm presenting a petition signed by 36 Albertans petitioning the Legislative Assembly "to urge the government to not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: **Notices of Motions**

THE SPEAKER: The hon. Minister of Community Development and Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday I will move that written questions appearing on the Order Paper do stand and retain their places.

I'm also giving notice that on Monday I will move that motions for returns appearing on that day's Order Paper do stand and retain their places as well with the exception of Motion for a Return 9.

Thank you.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Speaker. I have one tabling today, and it's signatures on a note from 4,225 individuals who are concerned about the future of the Grimshaw/Berwyn hospital.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have one tabling today, and that is a facsimile note directed to the Minister of Learning from Dr. D. C. Bereznicki with an attachment of their daughter's report card, asking if the minister really believes that they would be able to provide the same level of courses with less money and which courses would they propose the daughter drop in order to conform.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Yes. Mr. Speaker, today I have two tablings. The first is a letter tabled with permission addressed to the Hon. Ralph Klein from Tim Belec of Westrose, Alberta, expressing his serious concern over subsidies to the horse racing industry and reminding the government of the damage it did to the day care industry by eliminating the subsidy there.

The second tabling is a letter CCed to me, addressed to the hon. Minister of Health and Wellness expressing concern over barriers to obtaining health care in Calgary for out-of-region residents.

THE SPEAKER: The hon. Member for Edmonton-Glangarry.

MR. BONNER: Thank you very much. I have two tablings, Mr. Speaker. The first is a petition signed by Albertans from Edmonton and from Lethbridge requesting that the War Amputations of Canada have access to the Alberta motor vehicle operators list for the purpose of the key tag identification program.

The second tabling I'd like to make, Mr. Speaker, is the appropriate number of copies of an article from the *Globe and Mail* of Wednesday, May 1, written by Gary Kenny, and the title is "Canada's silence on Sudan is a vote for oppression."

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have one tabling this afternoon, and it's the appropriate number of copies of a petition to the hon. Premier of Alberta. It is from Clifford

Chadderton, and this is regarding the access to the Alberta motor vehicle operators list by the War Amps of Canada. They do many wonderful things, but it includes the Drivesafe program, the Playsafe program, and the mature drivers program. This petition is organized by Mr. Lloyd Brown of 86th Avenue in the constituency of Edmonton-Gold Bar.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table copies of a letter from Fair Vote Canada, Calgary chapter, addressed to the hon. Minister of Justice and Attorney General of this province and Government House Leader. Fair Vote Canada urges the minister and the government to support Bill 209, Electoral Fairness Commission Act, a bill that stands on the Order Paper in my name.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm tabling a document proposing amendments to the provincial regulations giving the Minister of Municipal Affairs the power to force municipalities to divest municipally owned corporations such as EPCOR and Enmax.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. Today I wish to table the appropriate number of copies of two letters which have been sent by me to the president of EPCOR and also the president of Aquila, formerly known as Utilicorp Networks, asking them to clean up the metering data backlog issue.

2:50

head: **Projected Government Business**

THE SPEAKER: The Acting Official Opposition House Leader.

MS BLAKEMAN: Thank you very much, Mr. Speaker. Citing Standing Order 7(5), could I ask the government to share their projected government business for next week, please?

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On Monday, May 6, under Government Bills and Orders at 9 p.m. we have Government Motion 24, second reading of Bill 26, Committee of the Whole on bills 21 and 24, and as per the Order Paper.

On Tuesday, May 7, in the afternoon under Government Bills and Orders, Introduction of Bills, Bill 28, the Miscellaneous Statutes Amendment Act; Committee of Supply, main estimates for Municipal Affairs; and with the consent of the House thereafter perhaps reversion to Introduction of Bills to introduce Bill 27, the Appropriation Act. Tuesday evening at 8 under Government Bills and Orders, Government Motion 25 with respect to the appointment of the FOIP Commissioner; second reading of Bill 26, the Workers' Compensation Amendment Act; and Committee of the Whole on bills 23, 22, 24, and as per the Order Paper.

Wednesday, May 8, under Government Bills and Orders in the afternoon, second reading of bills 27 and 28 and third reading of bills 2, 4, 5, and 6, and as per the Order Paper. At 8 p.m. under Government Bills and Orders, Committee of the Whole on bills 26, 24, and as per the Order Paper.

Thursday, May 9, in the afternoon under Government Bills and Orders, Committee of the Whole on bills 27 and 28 and third reading of bills 28, 7, 10, 11, 13, and as per the Order Paper under whatever readings might be still available.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thanks, Mr. Speaker. If I might move the usual motion for unanimous consent.

THE SPEAKER: That motion basically calls for providing for more than two hours of Committee of Supply consideration this afternoon.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03**

Gaming

THE DEPUTY CHAIR: As per our Standing Orders the first hour is allocated between the hon. minister and members of the opposition, following which all other hon. members may participate.

The hon. Minister of Gaming.

MR. STEVENS: Thank you very much, Mr. Chairman. It's a pleasure to stand this afternoon and make a few comments in review of the estimates of the Ministry of Gaming and the Alberta lottery fund.

Any time I talk about the Ministry of Gaming, I like to start with the employees of that ministry and the AGLC because they are very committed. They have an incredible depth of experience; many have 10, 15, 20, 25, and even 30 years' worth of experience within the areas in which they practise. We're pleased to have a number of those people with us this afternoon. We have Norm Peterson, who is one of the better values in government as Norm holds positions of Deputy Minister of Gaming and chairman and CEO of the Alberta Gaming and Liquor Commission. Ann Hammond is here with us, the Assistant Deputy Minister of Gaming. Marilyn Carlyle-Helms, also with Gaming, is the director of communications. Ron Crosby, who is with the AGLC, is the executive director of finance and administration. Our newest addition to the executive team at the AGLC is John LaFlamme. John is the executive director of regulatory and in his just recent previous life was the chief of police in the city of Lethbridge. Jeff Wyton, also with the AGLC, is the acting executive director of gaming products and services. Kari-ann Kuperis is also with Gaming and is the public affairs officer. Then last but not least is my executive assistant, Jeremy Chorney.

Mr. Chairman, before beginning my overview, I'd like to take a moment to provide hon. members with some context. First, the Ministry of Gaming is made up of the Department of Gaming, the Alberta Gaming and Liquor Commission, and the Alberta Gaming Research Council. For those of you not familiar with it, the Alberta Gaming Research Council is a broad-based advisory group that assists in directing gaming research activities undertaken through the Alberta Gaming Research Institute. I also have responsibility for the Racing Corporation Act.

Second, Gaming's estimates are presented on pages 205 to 210 of the 2002-2003 Government and Lottery Fund Estimates with supplementary information provided on pages 214 to 223. The 2002 to 2005 business plan is presented on pages 173 to 185 of the business plan volume of Budget 2002.

Third, the Alberta lottery fund estimates are presented on pages 212 to 213. The Alberta lottery fund is administered by the Alberta Gaming and Liquor Commission pursuant to the Gaming and Liquor Act and therefore is quite properly included within the Ministry of Gaming budget material. However, all of the Alberta lottery fund revenues are allocated to ministries through the lottery fund appropriation. Therefore, other than those funds allocated to the Department of Gaming, my colleagues are responsible for the actual disbursement of lottery dollars provided to their ministry.

In the estimates Gaming is requesting funding of approximately \$216 million for 2002-2003. Almost 55 percent of the requested funding, or some \$117.7 million, is operational funding for the Alberta Gaming and Liquor Commission. The AGLC licenses, regulates, and monitors all gaming and liquor activities in the province. The AGLC also manages and operates all electronic gaming activities in the province. The operational funding requested will allow the AGLC to generate over \$1.7 billion in liquor and gaming revenue in 2002-2003 for the province and will help to ensure that the liquor and gaming industries in Alberta are conducted transparently and with the highest degree of integrity. In addition, thousands of nonprofit and charitable groups are provided with fund-raising opportunities, and the gaming and liquor industries in Alberta support employment and business opportunities throughout the province.

Another 44 percent of the requested funding, or just over \$95 million, is for lottery-funded programs and initiatives administered by the Department of Gaming. Of this funding about 98.4 percent, or \$93.6 million, flows from the lottery fund through Department of Gaming programs to various charitable, nonprofit, public, and community-based initiatives including the community facility enhancement program. The remaining 1.6 percent, \$1.5 million, pays for the administration associated with these programs.

The final 1 percent of the funding requested, or just over \$3 million, is split between funding for gaming research, \$1.6 million, through the Alberta Gaming Research Institute and the Gaming Research Council and support services for the department, \$1.5 million, including the minister's and deputy minister's offices, communications, policy and planning, and other support services acquired from shared-service arrangements.

Overall, Gaming's estimated gross expenses are about \$12 million higher than the 2001-2002 forecast and almost the same as Gaming's 2001-2002 budget.

The Department of Gaming remains at 32 full-time equivalents, or FTEs, making it the smallest department in terms of employees.

3:00

Next I'd like to highlight a few items from the Alberta lottery fund estimates. This approach is a little different from previous years since we're also debating the lottery fund estimates. I'll speak briefly to them and rely on the assistance of my colleagues to respond to questions relating to specific use of lottery funds within their ministries.

As hon. members well know, the manner in which lottery revenues are distributed is a direct result of a recommendation from the Lotteries and Gaming Summit '98, in which Albertans let us know that they wanted clear, transparent information on how lottery dollars are spent. This year's Alberta lottery fund estimates quite clearly indicate that we have listened carefully to the priorities of

Albertans and have directed lottery revenues towards those priorities. The Alberta lottery fund provides funding for thousands of charitable, nonprofit public and community-based initiatives. Over \$80 million will be available to granting programs like the community facility enhancement program and the Wild Rose Foundation. Next year our budget plan calls for more than 20 million additional dollars to strengthen those grant programs and foundations. This increase would bring grant funding totals to over \$100 million per year.

Mr. Chair, every Albertan can see for themselves on pages 212 and 213 of the estimates what sorts of other initiatives are being supported through the Alberta lottery fund, and I'd just like to highlight a few. Children's Services has been allocated \$25 million, an increase of more than \$24 million from last year. Health and Wellness has been allocated \$107.5 million, an increase of more than \$24 million from last year. Finally, Learning has been allocated \$84.1 million, which is an increase of more than \$33 million from last year.

I'd like to spend a few more moments giving you a sense of where our 2002-2005 business plan is heading. It is, of course, this plan which will guide how funds provided to the ministry are used. The vision of Alberta Gaming is:

A province that strives to balance choice and responsibility in its gaming and liquor industries, uses revenues derived from these activities for the benefit of Albertans, and provides opportunity for competition and enhanced service in its liquor and gaming industries.

The mission of Alberta Gaming helps to keep this vision clear; namely, "to ensure integrity and accountability in Alberta's gaming and liquor industries, and to achieve the maximum benefit for Albertans from gaming and liquor activities." We've committed to Albertans that gaming and liquor industries in this province will be well managed and that their activities will be conducted with integrity and transparency. The ministry's overall business plan and the AGLC's own business plan indicate how this vision will continue to be a reality in Alberta.

The Ministry of Gaming has identified three core businesses in the 2002-2005 business plan.

1. Develop provincial gaming and liquor legislation and policy and regulate the gaming and liquor industries in accordance with legislation and policy;
2. Manage the Alberta Lottery Fund and administer designated lottery-funded programs to support Alberta communities; and
3. Support leading-edge research on gaming and liquor issues in Alberta.

The first core business relates to the activities of the department and the AGLC. The goals, key strategies, and performance measures associated with this core business are outlined on page 176 of the business plan. One of our biggest challenges is embodied in goal 1.1; that is, Alberta Gaming is committed to developing policies that achieve "a balance between social responsibility and economic benefit to Albertans." Some of the strategies that we'll be using over the next three years to meet this challenge include monitoring the gaming and liquor industries to identify emerging issues and trends to allow for policy development addressing the social and economic implications of these issues or trends, monitoring gaming and liquor policies in other jurisdictions to establish benchmarks and best practices, and also ensuring that Albertans are aware of gaming and liquor policy and are consulted with respect to major policy initiatives.

To ensure that we're on track, we'll continue to ask Albertans if they are satisfied with the conduct of the liquor and gaming industries in the province. We're doing an excellent job in this area, with a recent survey showing that about 80 percent of Albertans are satisfied with the conduct of liquor activities in the province. We're

above target, as well, regarding gaming activities, with 69 percent of Albertans satisfied with the conduct of legal gaming in this province.

The second core business relates to the government's commitment to use lottery funds for the benefit of Albertans and direct it to charitable, nonprofit, public and community-based initiatives. The goals, key strategies, and performance measurements associated with this core business are outlined on page 177 of the business plan. Our strategies associated with this core business include providing community facility enhancement program matching grants to improve Alberta's public-use facilities, ensuring accountability for revenues distributed to the horse racing industry, ensuring that Albertans are informed of the initiatives supported by the Alberta lottery fund, and reviewing the disbursement of lottery fund proceeds to ensure that all funds are being allocated and expended according to policy and intended use. We will again look to Albertans to measure our performance in this area of our business plan and monitor their awareness and satisfaction with how gaming revenues are used.

The third core business reflects our priority of being a key partner in leading-edge gaming and liquor research in Alberta. Strategies to support this core business include the following: collaborating with the Alberta Gaming Research Institute to identify priority research needs, supporting research into and informing Albertans of the social and economic aspects of gaming, and working with the Alberta Alcohol and Drug Abuse Commission, or AADAC, and the gaming and liquor industries to ensure that consumers of alcohol and gaming products are aware of prevention and treatment programs for problem gambling and alcohol abuse. Performance measures for this core business include satisfaction of our stakeholders and awareness of prevention and treatment programs.

In addition to the ministry business plan, a separate business plan is prepared for and approved by the board of the AGLC to guide the commission's operations. That business plan is also included as part of this afternoon's review. The AGLC is guided by the ministry's overall vision, mission, and goals but has identified its own core businesses, which include licensing and regulating liquor activities, licensing and regulating charitable gaming activities, and conducting and managing provincial gaming activities, which are video lottery terminals, slot machines, and lottery ticket sales. The AGLC also has linked goals, key strategies, and performance measures with these core businesses, and this information is presented on pages 181 to 185 of the business plan.

Gaming and liquor are substantial industries in our province, and Albertans demand and deserve nothing less than the most effective and responsible management of these products and activities. As you've just heard, our business plans contain a number of key strategies that reflect our commitment to provide effective policies and guidelines that maintain a balance between choice and responsibility in Alberta's gaming and liquor activities. The business plans also reflect our commitment to maintaining the highest levels of integrity, transparency, and responsibility with respect to our managing gaming and liquor activities.

That concludes my opening comments. I look forward to your comments and questions. Thank you very much.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm pleased to be able to be debating the last of the five ministries for which I'm critic, and that is the Ministry of Gaming. The minister did outline the core businesses of the department and very handily gave the reference page numbers so that people could follow along in their own books at home. I thank him very much for that.

This government pins a lot of hopes on and has a lot of expectations from the lottery fund now. It's a significant revenue generator for the province and, I think, is a keystone in the government's plan on how to move forward. So this is a very important debate to be having this afternoon.

As I started out, I looked in the booklet called Budget 2002, Fiscal Plan. In it, in fact, we do have a whole section that's dedicated to gaming. One of the first things that comes to my eye is at the bottom of the first paragraph. It says that "new and expanded casinos will increase government gaming revenue." Now, I've maintained for some time that contrary to the government saying that it's out to control gaming, I think it's out to expand gaming, and there in fact it is in black and white. I think that specifically what they're talking about here is First Nations gaming policy.

3:10

It's also noted that this

casino expansion and redevelopment requires increased spending by the Alberta Gaming and Liquor Commission, primarily for the purchase and upgrading of slot machines and other casino equipment. The Commission's operating spending is expected to grow from \$87 million [last year] to \$189 million,

more than double, by the year 2004-2005, which is the third year of the three-year business plan that's being presented here. My first question comes out of that. Is it the expectation of the department, then, that they will be continuing every year to buy increased numbers of gaming equipment, and where do they expect all of this gaming equipment to be going? That is a substantial increase in investment, as I said, more than doubling.

When I look at the detail bar that's given at the bottom of page 26, it lists the three-year plans in a number of different areas: the AGLC expense; the CFEP program; racing industry renewal; community lottery board programs, which of course were cut; and other. I'm wondering what the ministry is including under other. If we could get some pretty specific detail about what's under that. As I just sort of looked at numbers here, we've got a 2 and a half million dollar increase in the CFEP program, but then we totally lost the community lottery boards. Then we've got this extra \$40 million at the bottom. It was \$27 million the previous year, so that's increased by \$13 million. You start to add all of these numbers up and think: okay; I think I'm beginning to understand why the community lottery boards had to go. If you divide up their money and allot it into the other places that are getting the increases, it seems like it was more of an internal transfer just to free up money to do what the department wanted to do. So I'll look for some comment on that.

You see, you've got an increase in here. As I said, you're going from \$87 million to \$118 million for the AGLC expense. You're adding in 2 and a half million for CFEP, which is much needed. The program is oversubscribed; it could certainly use more money. But there has already been a lot of community complaint about the increase in the racing industry renewal initiative, going from \$16 million to \$33 million, and then you have this increase of "Other" going from \$27 million to \$40 million. If you start adding up those increases, you've more than accounted for the cut in the community lottery boards.

Now, when I look at the rest of this plan, the First Nations gaming is a keystone in what the government is looking forward to doing here. Very interesting. Again, this is all on page 26. They're expecting that

nearly 60% of government's revenue from slot machines in First Nations casinos will be returned to First Nations through the First Nations Development Fund. The Community Development ministry expects to pay grants to the Fund of \$2 million in 2002-03, rising to \$24 million in the following two years. 75% of the Fund

will be available to support initiatives by First Nations hosting casinos and the other 25% will be available to other First Nations.

So one of the questions that I was asked to bring forward as part of this debate is that I take it from this – and I'm looking for confirmation – that nonnative organizations will be specifically excluded from this fund, that they will not be able to apply for it. Let me just drag an example out of my head. I take it that Big Sisters & Big Brothers, let's say, wouldn't be allowed to apply to this fund. Would they be allowed to apply for the fund if they were running a program for aboriginal/First Nations children? So if I could get some confirmation on that, but I think the answer is no.

The other half of that, the balance of the question, is: if non First Nations organizations are not allowed to have access to any of this money that's listed in this fund, will the First Nations groups and aboriginal groups still be able to have access to other lottery-funded agencies and foundations that these other groups also go to as well? The government seems to be very adamant that there's to be no double-dipping from many other organizations, but I'm just checking to make sure that that rule is being carried forward here and that there is a fairness factor that's in play.

Now, we were talking quite a bit about the racing renewal initiative in the debates on Bill 16, which is setting up the Horse Racing Alberta organization, so I won't be commenting that much on that today.

At the end of this page 26 it says:

In 2003-04, funding for the Community Facility Enhancement Program will increase by \$14 million. There will also be a \$9 million increase for five Community Development foundations to expand support for the arts, historical resources, sports, recreation, parks, wildlife, and other initiatives.

What exactly is the ministry expecting to be done with this additional money? Is this finally the big payback time? Although it's not a very big payback. Is this the long-awaited increase to these various lottery foundations, most of which essentially for the most part have not had an increase since the end of the late '80s? Even then, when we're talking about a \$9 million increase to three foundations, it's not a heck of a lot of money that's going in here. It wouldn't even be keeping up with inflation. So what's being anticipated here? What's the purpose of this? If it was really to catch us all up, then that's not enough money. How is the government going to call this, or what are they going to call it in a press release? Is it inflation or what? What's being anticipated with the increase of the \$14 million into the CFEP program?

Now, that program is very successful. It's oversubscribed. I actually asked a question in this Assembly before our spring break based on a number of groups that were told in the fall that that was it. There was no money left in the pot for CFEP. They'd spent it all, and groups would have to wait and see if in fact the program was renewed come this budget cycle. It was renewed, so I'm assuming – and please correct me if I'm wrong – that it's now been renewed for another three-year cycle. Indeed, it is showing up in here as existing three years from now. At that point, if there's an expectation, it would have \$39 million to disperse instead of the current \$25 million. So if I can get the minister on record with that, please.

Those are just some questions that occurred to me as I looked at this Gaming plan.

Now, as the minister said, the department has had no changes in its FTEs. There were 32 last year and 32 this year. That's interesting given the expansion in spending that is being shown elsewhere. So we've got the AGLC expense rising from \$87 million to \$118 million plus the additional expenditures in the department, but we're staying at the same number of staff. Aside from what I know is

incredibly efficient and dedicated staff, there's a lot more money going through here and no increase proportionally in the staff. Does the minister want to comment on that at all?

The last thing out of this fiscal plan book that comes up is the responses to the Auditor General's observations. Gaming, of course, has been of special attention to the Auditor General in the last couple of years. We are dealing with an extraordinary amount of money here that is funneling through one narrow agency or one narrow channel, and the actuality and the perception that this money is being collected appropriately, monitored, evaluated, and then spent in a transparent way is very important. So comments from the Auditor General are to be taken seriously.

3:20

Now, two numbered recommendations were made by the Auditor General. Number 10, "Compensation to gaming operators." The Auditor General recommends that "the Alberta Gaming and Liquor Commission determine whether compensation rates paid to VLT and casino facility operators represent an appropriate commercial return for services provided." I'm reading from page 130 of the fiscal plan. The government's response to this was:

Accepted. The [AGLC], working with the casino operators, has begun a review of the compensation rates and the establishment of a process to provide ongoing review of these rates. A similar review will be carried out with the VLT operators. The reviews are expected to be completed in spring 2002.

So if I could please have confirmation of this and some details around the review. Has it been completed? Could we see public documentation of what was decided upon or any changes that are being made from these reviews?

I believe – and the minister can confirm this – that part of the changes that were being brought forward in Bill 14 in this session are answering some of the concerns being brought up here, or rather the ministry is making changes in response to the concerns expressed by the Auditor General. I'll allow the minister time to speak about that or in fact to give the answer in writing, and either is perfectly acceptable.

The second recommendation was on electronic racing terminals. The Auditor General recommended that AGLC "improve its management of electronic racing terminal contracts." I notice in this fiscal plan that it doesn't list the rest of it. The Auditor General was pretty hot under the collar about that one, if I remember. The government's response was:

Accepted in principle. A transition plan, providing operators an opportunity to adapt their business plans to the new requirements, will result in termination of the existing agreements or acquisition of the machines by the Commission by December 31, 2003. Compensation rates will be amended at the time of acquisition of the machines by the Commission to reflect the actual cost of doing business.

Now, I have asked the minister this question several times before, and I have not been satisfied with the answer, so I'll try one more time. Given that the contract that the ministry held with each of these operators has in it very clearly that the contracts are open to review and adjustment quarterly, why has the minister refused to make these adjustments? He's now had three opportunities since this was first brought to light given that the Auditor General's report comes out in September, and it did in September 2001. Thus, the minister knew in September 2001 that this was a problem. He's had three opportunities since then on a quarterly basis to go in and say: "That's enough. I can review this. I can adjust these rates right now on this quarterly date." Three chances the minister has had, and he has refused to do it. More than that, he said: "No, no. I'm going to let the contract run out until December 31 of 2003."

So the Auditor General has already said that these people are

getting far more money than they were ever entitled to, yet the minister insists that he's going to keep giving them far more money than they're entitled to for another, at this point, year and a half. I mean: wow, how do I get in on a deal like that? I get the better end of the deal, and gosh, he's going to keep giving me the better end of the deal for another year and a half.

Now, it can be argued: "Oh, these aren't taxpayer dollars. Don't worry about it. Don't sweat it. It's not taxpayer dollars." Well, that may be true. It's lottery or gaming dollars, but the proceeds from these lottery or gaming dollars do flow through into the lottery fund and do flow back out again into two pages' worth of projects that the government pays for out of this fund. To have money not flowing into that lottery fund is money not flowing back out to other projects that the government has deemed important for Albertans. I would deem that forgone revenue. It's not going into the lottery fund, and it's not coming back out, going into projects for Albertans. So I question again: why has the minister refused to stop this process, to adjust the rate instead of continuing to give these operators a bonanza, a windfall, which I think over the period of time of the contract amounts to something like \$21 million?

MR. BONNER: That's a pretty good deal.

MS BLAKEMAN: Yeah, it's a great deal. That's what I meant. How do I get in on one of these?

So those are the questions coming out of the Auditor General's observations.

Moving on now to look at program 3, lottery funded programs, in the 2002-2003 Government and Lottery Fund Estimates. That's on page 209. Under this program is listed the lottery-funded programs that would be deemed to be under the Ministry of Gaming for which the Minister of Gaming is responsible. That includes programs like the community facility enhancement program, agricultural grants to Edmonton Northlands and Calgary Exhibition and Stampede, other grants to fairs and exhibitions, the racing renewal industry I spoke of earlier, the Edmonton Oilers ticket lottery and the Calgary Flames ticket lottery, bingo associations, the community lottery boards, which are now defunct, and other initiatives. I'd like to ask a couple of questions on different areas in this.

Now, with the community facility enhancement program there's been an increase of \$2.5 million. Much needed, as I said. The program was oversubscribed, yes. But with the community lottery boards being cut, we've had the Premier saying and I believe the minister responding to questions from me in the Assembly that they were going to look to assist some or all of the groups that were receiving community lottery board grants. They would somehow look to fund these same applications through CFEP. I understand that the government is a whiz with numbers, but I am really trying to figure out how the minister anticipates disseminating \$50 million worth of grants from 2.5 million additional dollars put into CFEP. The next thing that I hear about is: "Well, not only CFEP but Wild Rose."

Well, my questions are: if the applicants that had been receiving money through the community lottery boards do not hit the criteria under either CFEP, which is facilities – let's face it; if you're not going to renovate something or build something, that program is of very little use to you – or Wild Rose, which specifically excludes your applying for a grant if you can get a grant anywhere else and is specific to assistance with volunteer projects. So for many, many of the groups that were applying to the lottery boards, they were applying to the lottery boards because they didn't hit the criteria for these other foundations.

So how is the government, the minister and his colleagues,

anticipating dealing with these organizations that are now falling through the cracks, which is many of them? Is the minister going to change the criteria for the community facility enhancement program? I've already sent an organization through there. They were given a "Hmm, we'll check on that and get back to you," and two days later a nice little pat on the head, "Sorry, you don't fit." Well, they didn't fit before. That's why they didn't apply to them before. They're not going to get assistance through there, so how is this project supposed to get assistance? They're not going to qualify under volunteer assistance. That's not what this particular project is about.

So what is the minister planning on doing? Is he going to change the criteria completely for all of the lottery-based foundations or the lottery-based foundations that are under his control? It's been made clear by the Treasurer that the lottery boards would not be reinstated. [Ms Blakeman's speaking time expired] Is that my time? All right. I will continue after I've heard the minister respond, and if he's not going to respond, then one of my colleagues will speak.

Thank you.

THE DEPUTY CHAIR: Hon. minister, do you wish to respond?

MR. STEVENS: Thanks, Mr. Chairman. I'm happy to provide some response. The Member for Edmonton-Centre made some early comments with respect to new and expanded gaming. I would remind the Assembly that there was a moratorium with respect to gaming in the province starting in December of 1999. For a period of two years or so the AGLC conducted work with respect to various gaming issues and produced a report last fall, and government gave a response to that report, all of which can be found on the AGLC web site, which set out the general approach with respect to new gaming in the province. It's pursuant to that general policy together with some specific policy that has been added as a result of additional consultation with stakeholders in the industry since that time that we have a process with respect to the expansion of gaming, and I think it is fair to say that the expansion of gaming is a potential in the area of casinos. There are very clear rules with respect to that. There is the potential for the expansion of traditional gaming in that area of casinos, and there's also the potential for expansion of First Nations casinos, once again all in accordance with the rules that are set out on the web site.

3:30

In any event, whether you're talking about traditional casinos or whether you're talking about First Nation casinos, one of the essential elements with respect to a potential expansion is that there is going to be consideration of community support, whether it be, in the case of a traditional casino, in the municipality where the casino is proposed or, in the case of a First Nation casino, on the reserve where that casino is proposed. Failure to have support from the community will probably be a significant factor that the AGLC board will consider in determining whether or not such an application will be successful in proceeding.

Another consideration of course is also going to be the viability of any such proposal; in other words, whether or not the market in which the proposal comes forward makes any sense from a profitability perspective. There are other considerations, but those are two of the principal ones.

Regardless of how you look at it, the expansion of casinos in this province is going to be driven by the market. There are going to be third parties who put forward proposals, and the proposals will be considered by the AGLC and ultimately the AGLC board. If proposals come forward, there's a possibility of expansion. If good proposals do not come forward, then there will not be. What in fact

will happen over time will be dependent on those particular considerations. Having said that, this particular business plan does contemplate that there will be expansion. We do not know with any precision what that expansion will be, but if there is expansion of casinos, there will be a need for additional slot machines. So that has been built into the mix.

There is also the potential of expansion of electronic gaming with respect to bingo, and that is referred to specifically in the material that we are considering this afternoon. Bingos have asked for a greater opportunity to earn revenue, and part of that has been a consideration of the introduction of electronic gaming, specifically handheld bingo and electronic keno. So the AGLC, as we speak, is working in consultation with the bingo industry determining some of the final detail with respect to that. At this point in time we are anticipating that there will be an expansion in that area some time over the course of the next year, but probably there will be no indication of actual expansion until later this year.

With respect to VLTs in 1995 we put a moratorium on expansion there. There was a maximum, or a cap if you will, of 6,000. That cap has remained since that point in time and was reaffirmed in 2001 by this government in responding to the licensing policy review. So there will not be an expansion in that area.

However, with respect to electronic equipment I think it is fair to say that there is always a need to review the electronic equipment to ensure that it is current. Regardless of the state of any particular machine, it is important that the machine be something that provides entertainment. So there is a cost associated with generally upgrading existing machines, whether they be VLTs or whether they be slot machines.

Additionally, machines wear out, and in the case of VLTs we have a very old system both from a software and from a mechanical point of view. So the plan has been for some time and will continue to be going forward to introduce a new software program and new machines. I imagine that slot machines will also be replaced when appropriate simply because they wear out at some point in time. So in answer to the member's question, there is that kind of renewal of the inventory that is built into the overall budget.

There was some question with respect to First Nation gaming and the First Nation development fund and who would be entitled to that. In January of 2001 we announced the First Nation gaming policy, and as part of the First Nation gaming policy we indicated that there would be a fund that would be built based on 40 percent of the revenue from the slots in the First Nation casinos going into this fund. The policy at that time indicated that the purpose of the fund was to provide an opportunity for First Nations to use those funds for economic and social and cultural improvement on the reserves, not to use it for the development and operation of the casino operation. In other words, there was to be a separation of those.

It has been determined that the Community Development ministry is going to be responsible for that particular fund, so the money that comes from First Nation slot machines, at least a portion of it, the 40 percent that is referred to, will ultimately make its way into that fund managed by Community Development. As we speak, the specific terms of the contract relative to that fund are the subject of negotiations between Community Development and the First Nations. The express detail is not available as we speak.

In general, I can tell you that the idea is that First Nations will have access to the fund for the purposes indicated. It is intended that the host First Nation receive three-quarters of that revenue with one-quarter of that revenue being available to nonhost First Nations so that all of the Alberta First Nations will benefit in some measure from that fund.

The Member for Edmonton-Centre asked some questions with

respect to additional funding for our foundations, including the community facility enhancement program, a year out, the '03-04 year. It is anticipated that there will be additional funding in the order of I think about \$14 million for CFEP. It is intended at this point in time that that would expand the existing program and perhaps add a component relative to larger projects, because, as the hon. member knows, we have a limit of \$125,000 with respect to applications under that program. They have to be matching. The nature of our society is such that people have very good projects that could use a larger influx of funds through this program. So while we haven't got the terms of that worked out, we at this point in time are thinking in terms of perhaps developing something that will allow for more than \$125,000 to go into a larger project. That is something that is yet to be developed, but that is the theme and part of that additional \$14 million would be allocated to that type of project as part of the CFEP type of program.

With respect to the money going to Community Development, I believe that's about \$9 million, and I would let the Minister of Community Development comment on what his plans may be for that. I, however, can confirm that as part of this particular year there has been a renewal of the CFEP program for a three-year period, so it is anticipated that it will continue for three years. This year it is \$25 million, and it's currently anticipated that next year it will increase as I've indicated.

3:40

There was a question with respect to the Auditor General and that department's comments regarding reasonably commercial compensation rates for casino operators and VLT operators with respect to electronic machines on their premises. The statement which the hon. member read from the material is accurate. It remains accurate. It is a work in progress as we speak. The purpose of the exercise from my perspective would include establishing a basis for the compensation that is to be paid to those operators.

My memory is that the Auditor General also thought it would be advisable to take a look at whether the amount paid to the charities was also reasonable, and I can't recall whether that's part and parcel of the review or not. But I have this memory that the Auditor General did in fact say: while you're at it, why don't you take a look at whether or not the 15 percent that charities receive is also reasonable? I do anticipate information from that some time in the weeks ahead, but I don't have anything at this point in time.

With respect to the electronic racing terminals, Edmonton-Centre and I have had this discussion during question period, and I've had the discussion with other members during Public Accounts this year, and there's nothing new on this particular issue. There's a history to it. The history simply is that these particular electronic machines were introduced to the province under a special arrangement because certain casino operators back in the mid-90s said that they wanted to bring them in, and an arrangement was made that they would be brought in where the capital of the operators would be used rather than the capital of the AGLC to acquire the machines. So that arrangement was in place. The Auditor General made comments saying that it was an inappropriate arrangement. We listened to him on that particular point. But it's also fair to recognize that the operators had built this component into their business plans, and it was appropriate to give them some opportunity of advance notice in order to have this matter unwound.

So the option that has been provided to them essentially is that the AGLC is prepared to acquire the machines at fair market value and enter into an arrangement, if they wish to have the machine remain on the premises, based on what is commercially reasonable, which at this point in time would be the 15 percent that we operate on with

respect to all of our electronic machines, or at the end of December 2003 have the relationship that currently stands expire. Presumably at that point in time, if the machine is not acquired by the AGLC, then the operator can sell it in some other market.

The hon. Member for Edmonton-Centre asked some questions with respect to what we're doing in reviewing the options arising out of the discontinuance of the community lottery board program. The Premier has indicated what we are doing. I've indicated what we are doing. What we are doing is taking a look at what we might be able to do to assist those applicants who are falling between the cracks; in other words, those applicants who received funding from the community lottery boards over the four years of its life that otherwise do not have access to funds under one of the other programs. We are in the process of identifying what types of applications those would be, what types of amounts those applications would have and things of that nature and taking a look at existing foundations within Gaming, which would be the community facility enhancement program, and also taking a look at those foundations under Community Development. That is where we are at this point in time.

I can tell the hon. member that we know that about 50 percent of the applicants would qualify under CFEP. We know that 50 percent of the amount and 50 percent of the number that were funded by the community lottery boards could qualify under CFEP. The hon. member is quite right that that doesn't address the whole issue, because the issue also includes: well, what are you doing for funding? It's one thing to say to people that they qualify, but if it's the same amount and there are more applicants currently under CFEP than can get funded, you simply add to the list.

But that is also part of the review and a part of what ultimately we will have to take a look at, and that is what we do to address the people who don't have access at this point in time to some foundation for what they otherwise would have been able to apply for under the community lottery board program.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm pleased to be able to start on part two of my comments on the Ministry of Gaming. I'd like to pick up on a couple of things from the remarks made by the minister. I guess the first actually is directed to the Minister of Community Development. This would give his staff an opportunity to read these remarks in *Hansard* and to give me a written response, which I'm very interested in.

I'm going back again to the question on the concept behind the First Nations fund, the question that I had asked earlier and that I'll now redirect to the Minister of Community Development, since he is now going to be responsible for the administration and, one takes it, for the criteria for this fund. Will other groups have access to this First Nations fund or to the 25 percent of it that isn't particularly earmarked for the sponsoring band where the casino is situated? Would groups that are not First Nations groups but are running a project specific to aboriginal purposes have access to this First Nations fund? In the concept behind the setup of this fund that they're currently working on, are those two things included in that concept or excluded from that concept? I'd like to know that specifically, please. Secondly, if other groups are specifically excluded from accessing this First Nations fund, is the same now going to be true for First Nations groups that are trying to access other funds like the Wild Rose or CFEP or any other lottery-based foundation? So if I can get the Minister of Community Development to answer that, I'd appreciate it.

A couple of things here. We have a situation in Edmonton where

three organizations were approved for substantial grants under the Edmonton Community Lottery Board. These three groups were approached in the fall and told: the government has informed us that we are being cut back in midstep here, and we're asking you if you'd be willing to wait for your money until next spring. All three groups – that is, the Kenilworth recreational centre, the Citadel Theatre, and the Edmonton Police Service – agreed, as good community citizens, to wait until the spring for their money. They of course had been assured that they had been successful in their grant application, and of course most of them in fact went on with their work. They received a written notice in December that in fact the cheque would be coming in April.

3:50

Well, Mr. Minister, I'm speaking to you on the 2nd of May. There have been no cheques received by these groups. There doesn't seem to be any money forthcoming. The Edmonton Community Lottery Board is in the position of having to disband now and have been told to do so by the government. The structure is not allowed to be left in place. Exactly where are these groups supposed to get the money that was promised to them? I do put this as a responsibility on the shoulders of the minister. These community lottery boards were creatures of this department and were established by this department. They were established by this government. They are funded by this government. I don't think that because of the fact that this was an Edmonton one in particular, blame should now be placed on those volunteers and people told: tough luck. There are projects here that have to go ahead. They were worthy projects. They were recognized as that, and they were told that they would be getting funds. Where are they getting those funds from, and when can they expect the cheque? There are three very specific groups there that I am aware of in Edmonton, and there may well be other circumstances that exist. I mentioned the Kenilworth arena, sir. There may well be other circumstances in Calgary; I'm not sure. I think this is serious, and it requires the attention of the minister. I am looking for a very specific answer to how those groups are going to be accommodated.

When we were talking about recommendation 9 from the Auditor General, the minister was indicating that the arrangement with the operators for a reasonable return is in progress. Fine. I accept that, but it does say in the fiscal plan here that something will be available in spring. So my question to the minister is: when is spring? This is the 2nd of May. Would spring be by the 15th of May, by the 1st of June, by the 30th of June? I think I can fairly safely say that by the time we're into August, it would be deemed to be summer. So could I get a better indication from the minister of exactly when spring is and when we therefore can be expecting this information?

Now, the minister has also talked about . . . [interjections] My goodness, we have an awful lot of yakking going on here from the Member for Edmonton-Castle Downs. I'm sure he'll get up and debate it when he gets his chance.

When we're talking about the community lottery boards, the minister has indicated that he and the Premier are working on criteria or working on some way that these groups can be accommodated. Now, when could we be expecting an answer there? These groups, particularly the Calgary ones, had already put their grant applications in on the 15th of March, four days before the community lottery boards were canceled, so those were for projects that they were hoping to have go ahead within the next few months. For some of them they expected to have things happening now. So how long do these groups need to change their plans and wait for when they might have access to some other form of money?

Those are the questions coming specifically out of what the minister just gave to me. Back to what the minister was saying

about the additional amount of money under the AGLC expense line. Is the minister telling me or can the minister confirm that all of this extra money is going to be going toward replacement or purchase of new gaming machines, the VLTs or slot machines? This gets significant money. I mean, the increase from last year to this year is \$31 million. Then we add another \$48 million above and beyond for next year. Finally, in the third year we add on another \$23 million, for a total of \$102 million extra every year by the time we get to that final year. That's a lot of slot machines. Can the minister tell me how many machines they're expecting to add – he must have a plan – and how much the maintenance cost is for each machine or how much the replacement cost is for each machine? If they're putting specific numbers in the budget, I take it that the minister has a very specific idea of how much these machines are going to cost, and I would like that shared with Albertans, please.

Now I'm back to page 209 of the lottery funded programs in the estimates book. I'm looking at references 3.0.3 and 3.0.4: Edmonton Northlands for \$7,100,000 and Calgary Exhibition and Stampede for \$7,100,000. Exactly what is it that these groups do for that \$7,100,000? This amount of money has been unchanged since I started looking at these budgets. I'm told that this is a grant for agricultural societies, and living in Edmonton, I'd be very curious to know exactly what it is that Edmonton Northlands does so that it is deemed an agricultural society.

If I think back to when I was a child, we could go to the exhibition grounds and usually tucked away in some corner there would be a best cake and best pie and the best preserves and the best pickled carrots and that sort thing. Is that what they're getting \$7,100,000 for? I know that there used to be 4-H participation, with the kids bringing forward the pig and the cow that they brought up and all of that. Is that what these two organizations are getting \$7,100,000 for? In this day and age, I'd be very interested to see how much activity these two organizations are indeed putting forward for that kind of money. Being that they're both in large metropolitan centres, what are they doing for this money?

A question has arisen as I look at these numbers, and it has generated a little bit of confusion here. I'm sure the minister can settle this quickly. I'm wondering if accounting has been changed a little bit in the way things are shown in the Gaming budget, because it used to be that essentially the costs, the expenses, were netted out of the proceeds of Gaming. It appears now as though they're not. We seem to be getting the outgoing expense line, but we're not exactly getting the incoming line.

I'll give you three examples of that. They are votes 3.0.7, 3.0.8, and one more, 3.0.9, which are listed as a gross expense for the Edmonton Oilers ticket lottery, the Calgary Flames ticket lottery – again, \$2,700,000 for each of them – and bingo associations, \$3,193,000. Now, I know that the \$3,193,000 is to pay for the electronic gaming instruments that will be put into bingo associations that ask for them and that the Ministry of Gaming owns those machines, as they own all of the slots. So isn't this in fact a capital investment? It's not showing up as a capital investment; it's showing up as a program investment. How does the ministry account for that? Generally these had been netted out before, and that doesn't seem to be happening now.

There is confusion as well around the two ticket lotteries. What is that expense exactly? Is that the money that's supposed to be going back to these two agencies, the \$2.7 million? So they're each to expect \$2.7 million in this fiscal year? It's not clear. Or is this somehow the expense? The other thing I'm not seeing: I believe there was an administration fee that the government was taking off for administering these lotteries, and I don't see that administration fee showing up in revenue lines anywhere. So is there an adminis-

tration fee that's attached to this? If so, why isn't it showing up, or where is it showing up? Perhaps that could be outlined for me.

In the many exchanges between the minister and I around the community lottery boards, the minister has repeatedly said that charities in Alberta get \$300 million. I would like the minister to detail that \$300 million, please, because I don't know how he's coming up with this. I'll just say here that I have a suspicion that he may be saying: well, for organizations that take home money from a casino or a bingo in a given year, that amount of money is X. If you add that to the amount of money that's going out in programs directly to nonprofits and charities – I'm not talking about money that's being granted to the Department of Learning or Children's Services or hospitals. Those are government programs. We'll get to that one. I'm talking about programs like Wild Rose, Alberta Foundation for the Arts, Alberta Sport, Recreation, Parks and Wildlife, CFEP, the fairs and festivals line, the legacy line, the hosting for the Winter Games. I'll even throw the research institute and the Gaming Research Council into that. When I add those up, I don't come up with \$300 million.

4:00

I'm really interested in what the \$300 million is, because I would argue that it would not be fair if the minister is doing it to include the take-home money from theingos and casinos, one, because that doesn't benefit all charities and nonprofits in Alberta in a given year. The minister well knows that the waiting list in Edmonton is two years. Plus with paperwork and actually waiting for your given casino in a quarter, you could well be two and a quarter years out before you get another casino. So this is not an annual amount of money that is somehow granted to groups. First of all, they have to be able to qualify for it, and those that are receiving funding through some of the lottery programs in fact may not qualify to be able to hold a casino. I know there have been particular difficulties around amateur sports groups being able to have a casino.

The second thing. At one point the minister said: well, I mean, if they need more money, they can just have more casinos and bingos; they can raise the extra money lost from the community lottery boards that way. Well, really, Minister. I don't think getting in line for a casino two and a quarter years down the road is really a reasonable replacement for money that could have been available to them within a few weeks of their applications, particularly in Calgary, where they applied on March 15 and then the lottery boards were cut four days later.

And with bingos you don't just get more bingos. You're either in a bingo association or you're not in a bingo association. If you're in a bingo association, you are already contracting for your X number of bingos per month, and you don't get more bingos just because the minister decided to cut the community lottery boards. Perhaps the minister didn't understand that that's the way in fact that works, but I felt that at the time it was rather an off-the-cuff and thoughtless remark to make to groups that were in quite a bit of crisis given the bad news that they just had. So maybe he'd like to tell me exactly what that \$300 million is that he keeps talking about.

Okay. Now, I'd like to look next on pages 212 and 213, which are the many different payments out of the lottery fund. One of the things that I would like to note here again is the number of projects that are being funded out of this that I think are core government services. Well, here's where we get into some fancy tap dancing. I don't usually consider members opposite as being particularly artistic, but, boy, did I ever watch the Minister of Learning tap dance the other day in response to my question about whether the funding he was receiving for things out of the Learning department was considered core services. Well, what did I think was a core service?

I said: whatever the definition is being used currently by the Minister of Gaming. So I looked it up. Core: central or most important part or to the depths of one's being. The remainder of definitions around "core" all have to do with ore samples, and I didn't think they were as applicable. But central or most important part and to the depths of one's being.

I was at the gaming summit. People were very clear there that they did not feel that core government services should be paid for out of the lottery fund. They were very clear about that. The minister, I admit, did not have the benefit of being at that particular event and to be going room to room and listening to what people were saying in a very impassioned way, but I would argue that this government has agreed to pay for core government services out of this lottery fund, and that is flatly against what people said at the summit. I always find it interesting what the government chooses to listen to out of any given summit, but in this case we're talking about the gaming summit, what they choose to listen to and what they choose to absolutely forget and never look at again. I think what's happening here is wrong, and I'm not the only person that feels that way.

So those are the comments I have. I know my colleagues are going to talk about other areas under these lottery funds.

Now, I'd like to look at and I have some questions under the ministry business plan summaries. I realize I only have two minutes left, so I will try and return later and get in a few more questions on this. But starting under Guiding Principles, the minister has adopted these. First is: "The integrity of gaming will be ensured." I'm just wondering exactly how the minister plans on ensuring that the integrity of gaming will be ensured. If I could get some detail on that.

"Gaming policies will reflect a commitment to social responsibility." Again, how? I haven't seen the kind of detail coming from the minister that would easily explain the answers to those questions.

The third one: "The financial return to eligible groups from charitable gaming is to be maximized," et cetera, et cetera. I'm wondering how the increase to the Racing Commission fits in with this particular goal. If I could get some explanation from the minister on that, please.

Could I see detail of the process around "the collection and use of gaming revenue" being open and accountable? I don't find it to be particularly, but if we could get some details, particularly on the collection of the money.

"Gaming activities will meet standards of quality to protect the integrity of gaming activities, provide gaming entertainment value to consumers and help to keep gaming dollars in Alberta." I'm interested in how far the ministry is willing to go to keep gaming dollars in Alberta. What's their long-range view here? I'm remembering my experiences at the bingo association, where it seemed each week or each month we were looking at some other enticement to bring people into our particular bingo hall as compared to someone else's, and it did reach the point of absurdity pretty quickly and also started to cost us money, and we had to rethink everything. How far is the minister interested in going on that?

That's my time, so I will continue with this at a later date, or I'll submit it in writing to the minister.

THE DEPUTY CHAIR: Hon. minister, do you want to respond?

MR. STEVENS: Yes, actually, I would like to make a few comments at this time.

AN HON. MEMBER: Take your time; take your time.

MR. STEVENS: I intend to answer the questions I respond to in a thorough fashion.

The Member for Edmonton-Centre had some comment with respect to the community lottery board program, and she talked in terms of some groups here in Edmonton, and during some comments towards the end she referred to groups being in crisis. I think it's important to understand some of the background with respect to this program. First of all, it was broad in scope in terms of who could apply. It was broad in scope in terms of the nature of the application by way of area: education or social services or a community or a library and so on and so forth. I believe there were 10 such categories. But this funding, like funding to any of our foundations, we are told by the community lottery boards, was always less than the number of people who wanted to apply, so I have assumed that regardless of which of the 88 community lottery boards you're talking about, they would have had more applications than they could have dealt with, which is something important to understand. But we did not receive particulars of what that magnitude would be because it was not required.

The thing, however, is that this particular program was a project-funding program. It was not an ongoing forever program. You could put forward an application for a project, and that project may or may not be funded, and a project could be funded over two years but not more. So people are not in a position to say that community lottery board funding was essential to their well-being. They could say it was essential to a particular program that would be funded for one or two years, but they could not say it was there from year to year to year, because the program was not set up for that. So I think it's important for people who talk about the community lottery program to understand that. It was project funding, and that was essentially the essence of that.

4:10

There was an opportunity for operational funding in case of emergency on a onetime basis but not from year to year to year. So anybody who is saying that they lost something as a result of not being able to apply for a community lottery board program would be correct if they said: we lost the opportunity to get funding for a particular project of short duration. But that is something that does not appear clear from the descriptions that the members opposite usually have with respect to this, and I think it's important for people who would want to understand more about this particular issue to realize that that is so and that was very much part of the program from the beginning.

Now, with respect to the community lottery board issue that the member referred to as it relates to Edmonton, there was a letter received both from the mayor of Edmonton and also from the Edmonton Community Lottery Board dealing with this issue. If I recall correctly, the community lottery board letter dealt with the three projects that likely the hon. member is referring to. The letter from the mayor I believe dealt with one of those projects, and it may well be Kenilworth if my memory serves me correctly. The fact is that the community lottery board program was a year-to-year program, and the funding relative to the community lottery board was determined on an annual basis. And the fact is that the community lottery boards entered into a contract with the Ministry of Gaming every year that was for that one year. So this was very much a one-year program. It was not a multiple-year program, and that's an important fact for people to understand.

The particular three projects that the hon. member refers to may well have been approved by the Edmonton Community Lottery Board, but any representations that they might have made to those particular groups were made by that particular board, were not

shared with this ministry, were not shared with the AGLC. In other words, we have no knowledge of any representation they may have made as saying, "You will get funded," other than what is now said postfactum.

What was made clear to groups when it was necessary to revisit government's funding and this ministry's funding last fall was that we had to reduce the amount of funding that was going into both CFEP and into the community lottery board programs and that they had options in dealing with it. They had options of either deciding that there would be certain applications that would not be funded or they could prorate it, but that was a decision that they would have to make on their own.

The second thing that was made clear was that pending the budget process, we would look at addressing the issue relative to equity among the various boards last fall, this particular budget year. Because some boards had spent all of their money and others hadn't, it wasn't possible to roll back those that had spent it all. We said we would do that, but it was going to be subject to budget approval.

Well, the fact is that the budget approval process relative to this particular year has led to the discontinuance of the community lottery board program, and therefore there is no money. It's as simple as that. So the answer I gave to the mayor and the answer that has been given to the community lottery boards, so that we're absolutely express and specific on this point, which is something that the hon. member wanted, was that the community lottery board program has been discontinued. This ministry has no money, and there will not be any funding of those particular projects under the community lottery board program.

[Mr. Tannas in the chair]

Now, you also asked the question: how may they receive funding? Well, they may receive funding in those three particular situations through the community facility enhancement program, because as I understand it, they may well be the type of facility that can apply. At this point in time that is the program that I can refer the hon. member to. I believe that in response to the mayor, that may have in fact been pointed out relative to the one project that he referred to in his correspondence to me.

The hon. member wanted me to advise when spring is going to be here. Chronologically I can advise you that spring is here; physiologically I can advise you that it is not. So the short of it is that spring is yet to come in terms of this particular issue, but I expect that we will have something in the weeks ahead, which was what I originally indicated.

AN HON. MEMBER: Spring hopes eternal.

MR. STEVENS: Indeed, that is always true.

There were some questions relative to Edmonton Northlands. The member is correct that Edmonton Northlands is in fact an agricultural society, and it receives funds. The funds support various programs including the major exhibitions, fairs, trade shows, and various other community and regional events. I would have thought that as an Edmonton representative the hon. member would be familiar with what goes on at Edmonton Northlands. I believe that the \$7 million is provided to the various programs on an unconditional basis annually, and \$100,000 is provided conditionally to support agricultural events held during the year. My understanding is that that has been the way this number has been allocated in the past, and I can advise you that it's the same for the Calgary Exhibition and Stampede. So the answer for Northlands is the same for the Calgary Exhibition and Stampede.

There were some questions with respect to the Edmonton Oilers ticket lottery and the Calgary Flames ticket lottery, at page 209. The member will recall that there was a Breakaway To Win ticket, that started in January of this year. This particular line item contemplates not only that particular ticket but another one later this year, probably starting sometime in the fall, which I assume would be sometime in September or October. So it's two events per year, a number that is reflected in this. What we said at the outset of this was that the profit that would be available, if all went as well as could be expected under each of these two tickets, would be that each team, when everything was paid for, would receive a profit of something in the order of \$750,000 per team per ticket. So that would be, for two tickets, \$1.5 million per team. The way it works is that the sale of the tickets produces \$10 million for two ticket runs. The cash and prizes and commissions that are paid to the some 2,000 retailers throughout the province who sell lottery tickets would in total be about \$4.6 million.

Now, that is paid by the ministry. That leaves net proceeds of \$5.4 million. If you divide that by two, you get \$2.7 million. The deal that was struck with the NHL teams was that they would be responsible for advertising, promotion, printing, things that would be typically the responsibility within the ministry and the AGLC. The fact is that we did not pay those amounts; they did. That would be \$2.4 million, more or less, leaving \$3 million for two tickets. That, once again, works out to \$750,000 per team per event times two.

4:20

Some reference was made to the bingo associations also. This \$3.139 million figure is not capital. What it contemplates is the revenue from the electronic games in question being flowed through to the bingo associations. The way it is contemplated working is that the bingo associations would earn 15 percent as operator relative to the operation of these particular machines and that the net – and when I say net, there would probably be some adjustment associated with the cost of the machines – essentially that profit that was left over after the 15 percent, would be flowed through the Alberta lottery fund back to the bingo associations. So they would approximate a 100 percent recovery on the machines that are in their facilities subject to, as I said, some recognition of the cost of the machines being put in there. It's very much a flow-through of revenue, a figure that is in this particular line, at 3.0.9.

The hon. member made reference to keeping gaming dollars in Alberta and to what the Gaming ministry and the AGLC are doing in that regard. I think it's fair to say that the ministry and the AGLC look very much to the private sector to take the initiatives in this area, but what has happened over time and what we hope to have happen in the future as a result of the policies that we develop is that there is an ever increasing value to the entertainment of the facilities that fall into this particular category. For those people who have been following it, the facilities have continued to upgrade, and new facilities typically have entertainment areas, lounge areas where people can go and have an adult beverage or a beverage of any kind and watch entertainment free of charge. That is the nature of this business. It seems to me that, anecdotally in any event, I hear of people who decide to stay in Edmonton rather than flying to Vegas if they come from, say, Yellowknife. They come to Edmonton, stay in town. If they happen to like going to the casinos, they do that, but there's a mix of entertainment that they find of sufficient quality that they stay here. Really what it amounts to is working with the industry to try and improve standards, because improved standards are a good thing, so that the folks who in fact either play bingo or go to the casinos feel that there's more value here, and that essentially is the general thrust of it.

I will get the hon. member a breakdown based on the material in this document as to what is meant by the \$300 million I refer to. Once again, we have a charitable model in this province which is unique in Canada, and that allows charities and not-for-profit groups to receive benefits of gaming in essentially two ways. One is through access to licences for the operation of casinos, bingos, and raffles. In this past year that will probably be something in the amount of \$190 million. We anticipate that that will be something in the order of \$190 million this year, perhaps more, but that would be the number that I would use because I think we can use history to support that type of number. On top of that, you have the foundations that we are talking about, and I'll dig those numbers out for you. We also have the agricultural societies that get funding. We have another category, other initiatives, which has another \$10 million in it. So when you add all of these things up, it will come in at \$300 million or thereabouts. These are not-for-profit groups, charitable groups who are receiving these funds in this province annually. That is a fact, and we will provide the hon. member with detail on that.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I'm pleased to rise to speak generally to the estimates of the department of gambling and also to put a few questions to the minister of gambling.

Mr. Chairman, I think that one of the things that is most evident from the estimates this year is that gambling is increasingly becoming the revenue of choice of this provincial government. They can add VLTs and they can increase their revenue, and they don't get a backlash, which they would get if they raised taxes or, for example, premiums on health care and so on.

I appreciate the minister's comments, but I have some specific concerns that I wanted to raise. One of them is the question of the demographics of the gambler in this province. I know that there has been some research done in the past with respect to this question, and I would like to know if the government does ongoing research on the demographics of the people who are providing so much of the province's revenue. I refer to a report – this is getting a bit dated now, Mr. Chairman; it's from the winter of 1996 – entitled *Gambling in Canada: A Report by the National Council of Welfare*. It indicates a number of things. One is that governments right across the country are addicted to gambling as a source of revenue. There's an entire section entitled *An Alluring Source of Government Revenue*. I think it's obvious that the problem is not limited to Alberta. There are a number of characteristics of problem gamblers including multiple addictions. Many are addicted to a number of things besides gambling, including alcohol and drugs and so on.

There's also a question of the percentage of problem gamblers and the overlap that occurs with various psychiatric disorders. There are significant impacts in the workplace, there are impacts on the family, and there is a relationship between crime and problem gambling. So the question really is: who is the problem gambler, and to what degree is a certain limited number of gamblers providing a very high percentage of the revenue from gambling going into government coffers? Does the government really know? Do they do ongoing research in this area? Can the minister tell us how a particular group of problem gamblers is defined, how big that is, and how much revenue they provide to the government?

4:30

Another question I have is: what's the balance that exists? One of the goals under core business 1 of this department is that "Alberta gaming and liquor policy achieves a balance between social

responsibility and economic benefit to Albertans.” Well, the economic benefit to Albertans is clear, and it’s also clear that there is a certain small percentage of the money that does go into programs to help people, but what is that balance? Does the minister feel that it’s a good balance, a fair balance, an equitable balance? Maybe he could elaborate a little bit on how the department strives to achieve that balance.

Now, I want to talk about a number of specific issues. The question of the VLT machines and the plebiscites that were held throughout the province a number of years ago is still something that comes up every now and again when I discuss this with constituents. Certainly when I was involved with municipal government, it was during this period when all the municipalities were told by the government that if they would hold these plebiscites and if the people voted to take them out, they would be gone the next day, as the Premier said. They obviously didn’t vote to take them out in the larger cities, but in some smaller places they did, and I think, if I’m not mistaken, that Rocky Mountain House was one of them. I guess the question is: what happened to the commitment to remove the machines? [interjection] Was it in Fort McMurray then? Can the minister assure the House that in all places where the citizens voted to take the VLTs out, it was done, and if not, why not? Is the offer still open? If a municipality wanted to hold another plebiscite today, would the government still be willing to respect that commitment?

I’ve talked a number of times in the House about the subsidy for horse racing, and I’m not going to repeat myself very much today other than to say once again that I think the government has made gambling revenue a key public financial resource that it depends upon for all sorts of essential programs, core government programs. That includes part of the debt reduction strategy of the province, and there’s nothing dearer to the hearts of many Tory members than that. To talk about gambling revenues being provided to the horse racing industry as not being a subsidy is just something that I cannot accept, and I don’t think reasonable people will accept that line of argument either.

The withdrawal of community programs funded through gambling revenue is another issue of concern. Now, the minister has stated quite correctly today on the withdrawal of these programs that they have not been long-term programs. They have been short-term programs, and the program itself was in place for a limited period of time. Nevertheless, Mr. Chairman, it begs the point that they were very, very valuable programs that the community found really empowered them to actively participate in building a solid community. They were extremely well-received programs. I think, quite frankly, that the government has shot itself in the foot by eliminating these programs, but that’s I guess really for them to decide. I do know that these were really beneficial and well received by the people of Alberta, and the money was put to very good use. Quite frankly, I think that putting some of this money in the hands of the people of the province through these kinds of programs is certainly better than just putting it in the hands of various big government departments. So I think that’s something that’s really unfortunate.

Mr. Chairman, the minister talked earlier and the Premier as well I believe has talked about organizations that were funded through the lottery program and about some of the projects and programs falling through the cracks and that there would be things put in place to save those projects and programs from falling through the cracks. So I’d like to know: how does the minister define a program or a project that was previously funded as falling through the cracks? What’s the definition of one that falls through the cracks? What specifically has the government put in place in order to protect those things?

Mr. Chairman, I have a few more comments. There have been some changes that caused some concern, and I’ve raised this before.

I wasn’t satisfied with the minister’s comments before about the role that the AGLC plays with respect to problem premises in some of the communities. Now, these are often vulnerable communities, older and poorer communities, and there are some select premises in hotels, older hotels mainly, where there are chronic problems with overserving. There are police being called for fights, for drugs and a number of things, and they have a very deleterious impact on the surrounding community. In fact, you can trace things. For example, one beat cop told me once about one of these hotels and that there was a big rash of break and enters to vehicles – you know, stereos stolen, windows smashed, that sort of thing – in one of the communities. The beat cop told me that basically the problem is that these are being done by kids, 13- and 14-year-old kids who aren’t supervised in their homes because their parents are down at this local bar, so the kids are left home with no direction, no supervision. The result is that you get an indirect result of the problem.

We have tried in the community to deal with the inspectors from the former ALCB, now the AGLC, and found them to not be prepared to take tough action to clean up this kind of stuff. There’s no excuse for these kinds of premises to continue to operate in any of our cities, Mr. Chairman. They simply should be closed down until they clean up their act. That’s easily within the capability of the AGLC, but that’s not how they operate. You can take it from me.

There are reductions in payments from the lottery fund this time, and I’m concerned about that. The First Nations development fund has been reduced from \$7.8 million to \$2 million, a reduction of \$5.8 million. Aboriginal health strategies, under Health and Wellness, is reduced from \$3 million to \$2.2 million, and Aboriginal Affairs and Northern Development does not receive any direct funding at all from lottery funds for its programs.

Under Children’s Services – and this goes back to some of the questions I had about the balance, the correct balance between social responsibility and economic benefit to Albertans. Children’s Services has had \$1 million eliminated for the fetal alcohol initiative. Now, I’ve heard members in this House talk about eliminating and reducing fetal alcohol syndrome and taking tough action against parents who may be involved in drinking when they’re pregnant, but it’s belied by the action of eliminating the funding for that program. For the permanency planning for children in care, \$200,000 has been cut. There is, however, \$25 million in new funding for family and community support services.

So I think we can see as we go through the estimates, Mr. Chairman, an increasing dependence on gambling revenue for core government services, and that is a concern. That is not a sound way socially, fiscally, economically, or any way to build the financial base of a government. It’s not sound. I think common sense can tell you that, regardless of your political persuasion. It’s very tempting, it’s very seductive, but I believe that we need to have the political will to say no.

With those comments I will take my seat and hope the minister can answer the specific ones. I don’t expect him to answer the political comments that I made, but he’s welcome to do that as well. Thank you.

4:40

MR. STEVENS: I’ll make a few comments at this time. The Member for Edmonton-Highlands talked about research and what we’re doing there. I think it’s fair to say that in Alberta one of the initiatives that we are proud of and one that we think is going to bear significant fruit over time is the Alberta Gaming Research Institute. They’ve been in existence now for three years essentially, and the reality with respect to this type of research is that you have to find

people and then interest people in getting involved in this kind of research. That is slowly happening, and in discussions with the people who are a part of that, I'm happy that while they've been in existence for a relatively short period of time, they are gaining a reputation as being a significant gaming issue research body throughout Canada and North America, and they're going to conferences throughout North America and presenting papers and so on and so forth.

One of the benefits of that particular institute has been a prevalence study, and you asked a question with respect to that, Edmonton-Highlands. It was in the last couple of months that a new prevalence study came out. In fact, there was dissatisfaction shown within the academic area that deals with this type of thing for the previous measure, which was the South Oaks Gambling Screen, or SOGS. That's what had been used in '93 and again in '97 to do prevalence studies here in Alberta. As a result of, among other things, the work of the Alberta Gaming Research Institute, a new index has been established called the Canadian Problem Gambling Index, and a prevalence study has been done here in Alberta and in Saskatchewan. I believe, in talking to the folks that are behind that, that they're essentially planning on within the year having prevalence studies across Canada, so you're going to be able to have a snapshot of not only Alberta but also Canada or almost all areas of Canada as it relates to problem gambling in the year 2001 or 2002. You're going to have some comparative numbers. You're going to have the ability to have a common test applied in a similar fashion because the folks that designed this, as I understand it, have been retained in each of those provinces to do that prevalence study. So we should have a good snapshot, if you will, going forward to where we are today and what we do and what impact the things we do have on the future.

You made reference to the work of AADAC and the funding that they get in this area. AADAC, as you know, is under the Ministry of Health and Wellness, so in some sense I'm hesitant to speak about it. Nonetheless, it's something that is funded as a result of money flowing out of the Alberta lottery fund. They have as their mandate dealing with alcohol and gambling addiction, and we're interested in that.

I'm told that the money that is allocated for gambling addiction issues in this province at this time is what is required given the nature of our society's response to this issue. By that, I mean that if you go back 25 or 30 years with respect to alcohol and alcohol addiction, you might have a similar situation to society's approach to a gambling addiction today. All I'm doing in saying that is I'm repeating what I've been told. I'm told that the money that they received today is essentially sufficient for the needs that they have today in our society.

So we are spending money with respect to the issue of addiction through AADAC, and we are spending money with respect to various gaming issues, many of which are social and psychological in nature, but the list of research that in fact is done is essentially a combination of the work of the council in generating ideas for the institute, who take those and then go out and try and find somebody within Alberta to be interested to actually do the projects. There are limitations in what you can do given people who are interested in gaming research within the province or even within Canada, from what I understand.

You asked a question with respect to the current state of the VLT litigation. Just by way of background, what happened was we had plebiscites in 1998, and the AGLC went out as a result of plebiscites that said, "Please remove those VLTs from our community," and was met with a lawsuit which essentially said that our legislation was defective. We brought in an amendment to our legislation

which we felt addressed the defect. The day following the proclamation of that, we were in court. A Court of Queen's Bench judge here in Edmonton granted an interim injunction at that point in time pending a determination of, I'll call it, the constitutionality of our legislation. So that lawsuit has been outstanding. With that lawsuit being outstanding, the interim injunction has also been outstanding.

I'm happy to say that later this month, this spring, we, I understand, have a pretrial conference involving counsel which should see a trial later this year, say in November, of the litigation associated with the Alberta action, but there is also an intervening situation, namely a case in Manitoba, which I'm advised is very similar on many points to the issues that we are dealing with here in the province. That particular matter has been accepted by the Supreme Court of Canada as a case to be heard, so it will in fact be proceeding there. Our lawyers have gained intervenor status, so they will be in Ottawa in October of this year arguing on that point. It's hoped that the Supreme Court will be able to provide a ruling which is favourable to our position but, in any event, a ruling that will cover off many of the issues that are involved in the litigation.

We don't know when the Supreme Court would rule. They could rule from the bench, or they could rule a month or two months or several months later. Nonetheless, the highest court in our country will be providing a ruling that will be extremely helpful in resolving this matter once and for all. On the basis of what I know, we can expect that the end is in sight. There are actually court dates that should see this matter come to an end.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

4:50

MR. MacDONALD: Thank you very much, Mr. Chairman. I may spring to my step here this afternoon and direct some questions to the hon. Minister of Gaming. It certainly is an interesting department to look over, and it certainly is growing, as the hon. Member for Edmonton-Highlands discussed earlier. It is becoming more and more a centre of revenue generation for this government.

My first question this afternoon for the hon. minister certainly revolves around the community facility enhancement program. For the last couple of years we've seen funding for that remain stable at \$25 million, and everyone in the Assembly knows . . .

MS BLAKEMAN: Twenty-two and a half. It just went up to \$25 million.

MR. MacDONALD: Yes. The comparable for the 2001-02 budget was \$25 million, and this year it's \$25 million, and then the comparable 2001-02 forecast was \$22.5 million. Regardless, we see where the community lottery board grants were eliminated or terminated. My first question to the hon. minister in regard to this would be: was there a discussion at the standing policy committee prior to the release of this budget to eliminate the community lottery board grants? What was the consensus of the standing policy committee in regard to this matter?

Now, I have had calls and certainly expressions of concern regarding the entire cancellation of the community lottery board grants, and certainly the Kenilworth arena is a victim, the city of Edmonton, the neighbourhood is a victim of this unexpected termination of the grants. When the hon. minister encourages the city to look to CFEP as an alternate source of revenue, is the minister at this time considering lifting the cap of \$125,000 on CFEP grants so that organizations like the city of Edmonton and their \$300,000 deficit in regard to the Kenilworth arena rehabilitation, certainly the Citadel Theatre – the Edmonton police force I believe

was going to get some exercise equipment here. There are many organizations, and there has not been an expansion of CFEP to compensate for the number of applications that the minister is encouraging various groups to proceed with to CFEP. So we have a smaller amount of money with more organizations applying for grants. How is this going to work? Will that cap be lifted, specifically the \$125,000? Is that the minister's answer? It's fine to send His Worship Mayor Bill Smith a letter telling him that, well, we can go to CFEP and see what happens there, but is the department going to lift that cap of \$125,000?

Now, the hon. minister would certainly be too young to remember Uncle Ben's Breweries in Red Deer. This was a small independent brewery that survived for many years in this province. There is a goal here – and I have a question in relation to this goal – goal 1.2 on page 182 of the Gaming business plans: "Ensure the manufacture, importation, distribution, sale and consumption of liquor products are conducted according to legislation and policy." My specific question is in regard to the manufacture.

It's been brought to my attention that this may not be a fair and level playing field that has developed here with the bar that has been set in the number of – I believe, Mr. Chairman, it's hectolitres. It may even be 280,000. I'm not sure about this, but the number of litres of product that one manufactures determines what the price of the product is at the liquor store. This obviously is not going to benefit certainly the larger manufacturers of beer, Labatt's or Molson, but does the minister consider this a subsidy to brewers such as Big Rock breweries or McNally's ales? I would encourage members of this Assembly if they haven't tried one to do so. Certainly I would like the minister's view of this. We all know that a level playing field is very important to all businesses, and if there's going to be some sort of price for one group that another group is not going to be able to enjoy, well, I don't think that's fair. Is this the minister's answer to encouraging microbreweries, or what exactly is the policy behind these changes regarding the beer?

I'm told that the price of Labatt's and Molson's products went up with this budget, and with Big Rock, as a specific example, the price has gone down slightly. Now, this hon. member, Mr. Chairman, could stand corrected on that. I certainly haven't purchased any of those products lately, before or after the budget, but this has been brought to my attention by a constituent who works in the industry and is concerned about the direction that this government is perceived to be going in in that it is unfair and not a level playing field for all the brewers. If I could get answers to those questions. If we run out of time, the last day of spring would be appropriate for this member. Written correspondence would certainly be suitable.

Now, the lottery fund summary of payments on page 212, hosting the Arctic Winter Games. There has been a bit of money spent in the past. There's going to be \$500,000 spent this year. Is there going to be a significant amount of money spent above that \$500,000 next year? When are we going to host the Arctic Winter Games? It totally escaped this member, and I've asked several others. Certainly I think we can be cold enough here in January to host the event. Where is this going to occur and when? I would be very anxious to know that, and what money are we going to put into this adventure in the future?

Now, I see also that in Community Development we have started some new initiatives, and if the minister could explain these to me. The volunteer services: we're going to spend \$3.4 million there. We've canceled the community lottery boards, but why are we spending the money here on this issue of voluntary services? What's that about? Sport and recreation: we're going to spend \$1.1 million there, Mr. Chairman. Also, arts development seems to be a new program. Is this going to be the equivalent of the Canada Council

grants at the provincial level? Are we going to give this to artists or artists in residence at the Banff school or perhaps at the University of Calgary or the University of Alberta? What precisely is that money going to be used for?

Now, I go to the travels with Peppy section below this, Economic Development. We're going to spend a little bit over \$14 million there. This Travel Alberta Secretariat, in-Alberta/regional marketing – international marketing for tourism: we're going to spend \$8.4 million. What precisely are we going to do with this money in Economic Development? I certainly hope that this isn't going to turn into some sort of fund where there's going to be fun and no economic development. I certainly hope that does not occur. Tourism destination regions: \$1.8 million. Now, I'm not against – don't get me wrong, Mr. Chairman – promoting and developing further the tourism industry in this province. I think that there will be a day come when that will be the number one industry in this province because of our natural geographic beauty. But this is a lot of money to be spending on this when, again, we've canceled the community lottery board. We just completely wiped that out and started this fund. I'll be watching this fund too in the next year or so.

5:00

Now, the rural initiatives for physicians: \$17.3 million is going to be spent here under the Health and Wellness department. What are the details on these new programs? How many doctors are we planning on recruiting? Where are they going to be located? Are any of them going to be specialists? Is this money just specifically for physicians, or is it going to be used to recruit registered nurses to nursing stations in the north? Particularly in the aboriginal communities I understand that there's a real problem in attracting registered nurses to the nursing stations. Is this specifically for physicians, or could it be used to attract registered nurses to the First Nations communities that are located in remote parts of the province?

The Alberta Energy Research Institute under Innovation and Science is going to get roughly 3 and a half million dollars. This is again a new program. What precisely are we going to spend that amount of money on? Is this going to be to track energy deregulation? Are we finally going to come up with an exact cost here of what this right-wing folly has cost Albertans? Is this what this money is going to be used for? Is it going to be used to determine an export policy for the province, or is it going to be used to determine how we get out of this transmission bottleneck that we're in because of deregulation? Because of the uncertainty over deregulation in the last number of years no one knew whether or when they should build any additional transmission lines. So is this money going to be used to answer any of those outstanding policy questions? Certainly those questions seem to have stumped the government so far.

The Alberta Forestry Research Institute is also a new program, \$1.7 million. What precisely is that going to be used for?

Then we're going to get \$10 million in Innovation and Science for informatics circle of research excellence. If the hon. minister could explain that program and that sum of money, I would be again very grateful. That is a lot of money again.

Now the unconditional municipal grants under Municipal Affairs, \$28 million. Unconditional means no strings attached, and I would have to ask the minister if it's possible for His Worship Mayor Smith to apply for some of this money to finish his arena in Kenilworth. Is that possible? If it's an unconditional municipal grant, what exactly are the criteria for accessing this money? Now, how does this work? Is it unconditional money for an overpass?

AN HON. MEMBER: For Anthony Henday.

MR. MacDONALD: For Anthony Henday. Okay. Well, that's good news, but if there's any money left over, let's finish the Kenilworth arena.

I, too, have a few comments and questions regarding the ticket lotteries for both the Edmonton Oilers and the Calgary Flames. Is there any anticipation that this will grow larger, that this will be successful beyond the wildest dreams of the people who are marketing this ticket lottery? If it will be above \$2.7 million, is a portion of this money going to be set aside for minor hockey? I think that minor hockey players all over the province, including those that want to play at Kenilworth arena, should be given a portion of this ticket lottery if there's any above this set amount in here. There were many times that I was told by other members of this Assembly that originally gaming was going to be a \$20 million to \$40 million revenue source for this government. In a decade, it's gone to well in excess of \$1.2 billion, Mr. Chairman. [interjection] Yes, \$1.7, but net – where did I see it? Yes, total lottery payments to be voted: \$1.2 billion.

Now, Mr. Chairman, there was this astronomical growth there, and I'm wondering: if there's growth with the Oilers ticket lottery and the Flames ticket lottery in excess of the \$2.7 million, perhaps 50 percent of it could be shared with the minor hockey associations across this province. I would be very grateful for the minister's comments on that.

I believe that at this time, Mr. Chairman, that takes care of my questions. I had one more regarding the debt repayment with gaming revenues. At the same time that there's going to be a significant acceleration of debt repayment with gaming revenues, we see \$33 million in gaming money going to build another form of gaming, and this is the horse racing. I would be of the opinion that it's the government here that has a real gambling problem. [interjection] Yes, but we need to talk, and I would encourage the hon. minister to study the fiscal stability fund, the idea that has been proposed for many years by members from this side of the Assembly.

Certainly there are cuts in other areas, and the community lottery boards in my view were significant. That was a compromise that was made after we had the referendum on the VLTs, and it was money to be shared and distributed locally. Why cut programs and have this race to pay off the debt? Certainly we have very good debt repayment schedules in the future. In fact, I believe the Toronto-Dominion Bank states that 4 percent of the gross domestic product of this province is used for debt relief, which is excellent. It's a number that other governments can only dream about. I'll grant that it was a significant achievement. This debt pay-down that's been going on here lately: what's behind this? Are we going to have a big party in 2005? The Solicitor General earlier this afternoon was talking about the feds having a party in Kananaskis, and the hon. minister didn't seem to want to have any part of that. What's going on here? Are we more concerned about the mortgage-burning party in 2005 than we are about having a good distribution of this revenue? This revenue can be – how do I say this, Mr. Chairman? Community groups – whether they're schools, whether they're hospitals, whether they're sporting groups, whatever community

group it is – can count on the government's word. Whenever the government sends out a letter that says that the \$300,000 cheque is in the mail, they can count on their word.

Thank you.

5:10

THE CHAIR: After considering the business plan and proposed estimates for the Department of Gaming, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:	
Operating Expense	\$215,860,000
Lottery Fund Payments	\$1,211,098,000

THE CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Chairman. I move that the committee rise and report the votes for the Ministry of Gaming.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Mr. Speaker. The Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Department of Gaming: operating expense, \$215,860,000, and lottery fund payments, \$1,211,098,000.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. STEVENS: Yes. Mr. Speaker, I move that we call it 5:30 and adjourn until next Monday at 1:30 in the afternoon.

[Motion carried; at 5:14 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, May 6, 2002**

1:30 p.m.

Date: 02/05/06

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature. We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve. Amen.

Hon. members, would you please remain standing now for the singing of our national anthem. I'll ask Mr. Paul Lorieau to lead us.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

head: **Introduction of Visitors**

MR. MASKELL: Mr. Speaker, it's my great pleasure to introduce to you and through you to the members of the Legislature Mr. Arthur Hiller, a gentleman that I consider a good friend, and he is one of the world's great movie directors. Arthur was born in Edmonton in 1923. Along with Leslie Nielsen, a classmate, he attended Alex Taylor, McCauley, and then graduated from Victoria school. He served for Canada in the Second World War and returned home to study law and psychology at the U of A, UBC, and the University of Toronto. In 1955 NBC invited Arthur to join the Hollywood directing team for the daily drama *Matinee Theater*. This led to a great deal of episodic television, including *Gunsmoke* and *Alfred Hitchcock Presents*. He's directed over 30 feature films. *The Americanization of Emily* in 1964, a film about the glorification of war, is the one he prizes the most. In addition to his distinguished directing career, he has served as president of the Academy of Motion Pictures, Arts and Sciences and as president of the Directors Guild of America, and he's still busy in the business.

On March 24 the Academy of Motion Pictures, Arts and Sciences presented Mr. Hiller with the Jean Hersholt humanitarian award during the Oscar ceremonies. He lost his sister Goldie this last year and is in Edmonton for the unveiling of her memorial, which was yesterday. He is being honoured in Toronto on May 28 on the Walk of Fame. While he's here in Edmonton, of course, he's honorary chair of the Victoria School Foundation for the Arts and has presented master classes. Accompanying Arthur is Lindsay Cheney, who was an EA in this Legislature and Alberta film commissioner. Would you both please rise and receive the warm welcome of this Legislature.

THE SPEAKER: I just have to say this. If Mr. Hiller is looking for raw, untested talent, there are 82 beneath him right today.

The hon. Minister of Environment.

DR. TAYLOR: Mr. Speaker, thank you for that word of testimony before I stood up.

Well, I'm very pleased, Mr. Speaker, to introduce to you and through you to the members of the Assembly Mr. Batsukh, the ambassador of Mongolia. He is accompanied by Mr. Badarch, the first secretary and consul of Mongolia. I had the pleasure of meeting the ambassador in Ottawa some time ago at a private function, and I had the pleasure again of having lunch with him today. There are a lot of similarities in the development in their country with what we're doing in Alberta, particularly as it comes to the reclamation of land sites and the development of new industry in Mongolia. We have several companies working in Mongolia's capital city, Ulan Bator, and I actually have friends that live there, so it was with great pleasure that I enjoyed our lunch with them today. I urge them to rise and receive the warm welcome of this House.

Thank you.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to the members of this Assembly employees from Alberta Justice, criminal prosecutions division. These individuals are here on the public service orientation tour, which is being promoted and carried out by the Legislative Assembly Office and your good office. All of these individuals help to protect Albertans on a day-to-day basis and help to make our communities a safer place. I'd like them to rise as I introduce them, and I'd like the House, if they would, to give them the traditional warm welcome and thanks for the good work that they do. With us today are Ms Debora Collins, Mrs. Gina Lothian, Miss Toni Hryciuk, Mrs. Cindy Frewin, Mrs. Nell Lank, Ms Janet Hughes, Mrs. Karen Colwell, Mr. Peter Teasdale, and Mr. Neil Wiberg. I would ask the House to give them our thanks and a warm welcome.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. On your behalf I'd like to introduce to you and through you 23 grade 10 students from the Covenant Canadian Reformed school in Neerlandia, which is located in the Barrhead-Westlock constituency. They are accompanied by their teacher Henry Stel; Grace Van Dasselaar and Suzanne Aikema, the teacher's aides; and parent helpers Rev. Slomp, Miss Otten, and Mrs. Van Grootheest. Danke vell. I'd ask them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you, Mr. Speaker. We also have in the members' gallery today some representatives of the Ministry of Human Resources and Employment. Of course, they're here on the public service orientation tour, but again I want to publicly thank them for all of their efforts as we've moved forward with what has become now the people and workplace department. As I mention each of their names, I would ask them to rise, and then we'll welcome them at the end. We have Elaine Highet, Georgette Thomas, Erma Cardinal, Jolynn Lucas, Linda Olson, Tina DiCesare, Kerri Hill, Susan Rothery, and Susan Robey. Ladies and gentlemen, if you would join me in welcoming our guests to the Assembly.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. I have two introductions today. The first one is a group of students from the Marwayne Jubilee school. Marwayne celebrated its 75th anniversary last year, and with this young group of students the next 75 years certainly look good too. They are accompanied today by their teacher Mr. Dave Schmitt and parent helpers Jeannine Kent, Lana Centazzo, Cam Zarowny, Emil Bystrom, Karen Nohnychuk, and Karen Lapointe. They're in the public gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

1:40

Mr. Speaker, I'd also like to introduce to you and through you to all members of the Assembly Mr. Colin Briggs. Mr. Briggs is a former Albertan who now lives in Vancouver. He is here today on a short visit not only to renew his roots in his home province but to see firsthand the benefits of prudent fiscal responsibility, which we all hope will soon be experienced in his current home, the province of British Columbia. He is accompanied today by Ms Kristiena Koppe. I would ask both Colin and Kristiena to stand and accept the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to members of this Assembly 21 grade 6 students from Keenoshayo elementary school in St. Albert. They are here for the School at the Legislature, the weeklong program, which is a great testimony to the interests of their teacher and the parent helpers. They are in the members' gallery, and they are accompanied by their teacher Mrs. Barb Hubbard and by assistants Mrs. Wendy Macrae, Mrs. Marina Proserpi-Porta, and Mrs. Allison Hermanns. I would ask them to please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm very pleased today to introduce to you and through you to all members of the Assembly two young women who are working in my office. The first, Crystal Willie, started volunteering for me in the fall doing research and has been working for me doing sessional support. She's off to work for Alberta Museums this summer.

The second woman is Kim Lew. Kim has a background in web design and technical writing, and she's joining the office for the constituency of Edmonton-Centre for the summer.

So I would ask them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise today and introduce to you and through you a group of students from Faith Lutheran school in the constituency of Edmonton-Highlands. They've toured the Legislature Building and are now in the gallery to observe today's proceedings. They are accompanied by their teacher Brad Teske as well as Mrs. Debra Miller, Mr. Gary Gordichuk, Mrs. Cathy Pearson, Mr. Michael Ulmer, and Mr. Tony Oostenbrink. I would ask them to rise now and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Sustainable Resource Development.

MR. CARDINAL: Thank you very much, Mr. Speaker. I would like

to introduce to you and through you to the members of the Assembly Kristen Stevens. Kristen will be working in my office throughout the summer. She is seated in the members' gallery, and I would like her to rise now and receive the traditional warm welcome of the Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Electricity Deregulation

DR. NICOL: Thank you, Mr. Speaker. Over the last few years Alberta has gone from the 24th lowest priced electricity jurisdiction in the 150-plus jurisdictions in North America to something above the average in that now. It depends on which month or hour we basically calculate our prices on. We've moved from a public utility with prices totally based on costs to a private monopoly with prices based on speculation, uncertainty, and add-on charges. My questions are to the Premier. Mr. Premier, is it not true that we used to have a system where no taxpayer subsidy was provided to the electricity market, where now we're constantly providing subsidies? We're basically dealing with add-ons, location credits, and subsidies through the Power Pool.

MR. KLEIN: Mr. Speaker, the hon. leader of the Liberal opposition asked a very interesting question, and the answer is yes. I can recall the days when the south heavily subsidized the north, and the government was heavily involved in making sure that southern consumers, where the hon. leader of the Liberal opposition comes from, were paying and complaining bitterly that they had to pay to subsidize northern development.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. But we weren't dealing with a private versus a public utility.

My question again to the Premier: is it not true that we still are transferring taxpayer dollars to the electricity industry? That previous system was a transfer of dollars inside the region under a public utility.

MR. KLEIN: Mr. Speaker, we were indeed dealing with private and public facilities. Edmonton Power, now known as EPCOR, was a city-owned facility, guarded and protected by the hon. Member for Edmonton-Highlands in true socialist fashion. I remember Calgary Power. My gosh, when I was the mayor of the city of Calgary, even to bring up the notion that there should be some competition got the administration so riled up: "Oh, no way. This is our baby. We can get a guaranteed 10 percent rate of return. This is our cash cow." Now there is competition, and yes, we have private-sector companies operating and competing against those state-owned facilities, companies like Calgary Power and Alberta Power.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. The Premier talks about basically moving away from what was a public utility to what in effect is a private monopoly. Is it not true we're basically turning into a private-sector monopoly in our electricity with the combining of all of these different joint agreements that are undertaken and the deal with EPCOR and Enmax basically being the two marketers?

MR. KLEIN: Well, Mr. Speaker, the only difference I see is that first of all we have EPCOR, no longer a state-controlled, socialist organization. We have Enmax, still owned by the city of Calgary but a great debate going on in that city as to whether Enmax should be sold and made competitive in the overall electricity marketing scheme. Of course, we have Medicine Hat, which is a city-owned corporation but does a wonderful job of providing gas and generating its own electricity. Of course, we have TransAlta Utilities and we have ATCO utilities. So I think that there is a wonderful mix of power companies able to provide competition and to provide choice.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Can the Premier tell us how he's going to encourage competition when most of the new generating plants that are being talked about now are being joint ventured between existing generators?

MR. KLEIN: Mr. Speaker, I think that if the hon. Leader of the Official Opposition would really put his mind to this issue, you would find that these companies are doing the commonsense thing. They're trying to achieve economy of scale, and at the end, when they can bring on lower cost power, when the capital costs are lower, it stands to reason that the cost of electricity that will be generated by those plants will be lower priced.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier again: Mr. Premier, wasn't it this government's intention to effectively encourage competition, not joint ventures where they make joint decisions about how they price, how they provide supply, how they deal with the marketplace? What kind of competition is that?

MR. KLEIN: Mr. Speaker, if it makes sense in the business world to merge and to joint venture and it is a good business decision, then it will be done. We find this throughout the world relative to competing businesses. We perhaps find it in the movie industry as well. I notice that in the credits before a motion picture comes on the screen, you see numerous companies involved in the production of a motion picture. Joint ventures and partnerships are nothing new. They're done to achieve cost efficiencies, which in turn are passed on to the customer.

DR. NICOL: Not when you deal with marginal cost pricing, Mr. Speaker.

To the Premier: will you commit to a series of public hearings across the province with Albertans who are flicking the power switch to get their input on their acceptance of electricity deregulation?

1:50

MR. KLEIN: Mr. Speaker, first of all, we are now in a deregulated environment. We have been since January of 2001.

Mr. Speaker, the hon. leader of the Liberal opposition talks about more public consultation. I'd remind the hon. leader that public consultation took place since 1995 on this whole issue of electricity deregulation, as to whether the policy should be changed. On the basis of that consultation, on the basis of the best advice given to us by financial analysts and others, we decided to go into a deregulated market. The public consultation has been done; it's been done in spades.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

Holy Cross Hospital

DR. TAFT: Thank you, Mr. Speaker. In January 1996 a major independent appraisal of the market value of parcels C, D, and E of the Holy Cross hospital in Calgary placed their potential sale value at up to \$20.6 million. A letter from Calgary health region's CEO to Alberta Health in October '96 pegged the value of the land alone at \$8.4 million. A report conducted the following year estimated the value of the land, assuming no use for the buildings, at 4 and a half million dollars to \$9 million. My questions are to the Premier, who has some of this documentation now. Given that provincial policy on the sale of property owned by health authorities states that fair market value should be obtained and given that purchasers clearly valued the buildings as well as the land, can the Premier explain why the land and buildings sold for only \$4.57 million?

MR. KLEIN: Mr. Speaker, first of all, there was an independent evaluation by a group of citizens who made recommendation that this sale was reasonable and was viable. I can tell you that had that property sold and had it been the intention of the successful purchasers to simply tear it all down and build condominiums, then I would say that the retail value of that property would be in accordance with what the hon. member points out. The simple fact is that it was to retain use as a medical complex. To my knowledge there are, I think, well over a dozen different medical activities now taking place at that particular centre.

THE SPEAKER: The hon. member.

DR. TAFT: Thanks. It sounds like a subsidy to the medical business.

Given that various assessments placed the value at \$8.4 million to over \$20 million, why was the property listed at only \$4.9 million?

MR. KLEIN: Mr. Speaker, I don't have the document in front of me, but I suspect that because the use of the land was restricted probably, and that was the value of the land relative to its restricted use.

Mr. Speaker, an interesting preamble to the question. The hon. member alluded to subsidies to medicine. I would remind the hon. member that this government, the people of this province spend over \$6 billion a year on medicine. That is indeed a subsidy.

DR. TAFT: A subsidy to the medical business.

Given that a commercial real estate agent handled the pending sale of the Charles Camsell hospital in Edmonton, can the Premier give us any idea why there is no sign that such an agent was used in the sale of the Holy Cross?

MR. KLEIN: No, I can't, Mr. Speaker, but I'll have the hon. Minister of Health and Wellness respond. Maybe he can shed some light on this.

Again going back to the second preamble or the preamble to the hon. member's third question: a subsidy to the business of medicine or something to that effect, Mr. Speaker. Well, there are about 4,500 doctors operating in this province, and most of them operate on a fee-for-service basis. I don't know what the percentage is. I think it's about 87 percent that is a full subsidy by the people of this province to the operation of those doctors' clinics, which in effect are private businesses.

THE SPEAKER: The hon. leader of the third party.

Kosohkowew Child Wellness Society

DR. PANNU: Thank you, Mr. Speaker. Earlier today the Minister of Children's Services announced that a co-management agreement had been struck to restore authority for child welfare to the Samson Cree First Nation. While I welcome this agreement, it begs the question of why the minister failed to act earlier to address problems with child protection on this First Nations community. The questions are to the minister. Why did the minister fail to prevent the tragic deaths of children from the Samson Cree First Nation by providing appropriate support to their child wellness society and instead engage in a knee-jerk reaction of attempting a takeover of the services after the fact?

MS EVANS: Mr. Speaker, if I understand the question, it asks why previously we were not engaged in active child welfare delivery. It comes back to the delegation for some First Nations to deliver child welfare on their own First Nation with federal funding. The part that we have been sorting out is the influence of provincial standards and of quality assurance. Now, while we're moving to the Alberta response model, which will see a lot of child welfare delivery at the front end – in other words, building community capacity instead of simply taking children into protection – we look forward to a partnership which this memorandum signed today provides, and that is partnering with Kasohkowew in child welfare delivery to make sure that we review the files, to make sure that we deliver as positive and safe and secure an environment for children as possible. So I see what we've done today and our discussions with Kasohkowew as positive things.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. Will the minister agree that revoking the contract of the child wellness society of Samson Cree First Nation was not a constructive solution to the problems facing children on this First Nation, and if not, why not?

MS EVANS: Well, Mr. Speaker, the hon. member and my critic from Her Majesty's Loyal Opposition were both there today, and I tried to start my preamble in a very clear way by stating that there have been two options in delivering care on the reserves: one through the child and family services authorities or, secondly, where First Nations were able to do that and felt confident in their capacity to deliver and we felt confident as well, they were able to take delegated authority. So it didn't leave a lot of options in between.

Today what I think this Assembly can know is that we have defined a new option which we will try and work our best in all the delegated authorities, and that is an agreement that the province can come on-site, do a thorough review of the quality and standards, the files, and make sure that we can assure the Alberta people that we're delivering child welfare in a very positive way.

Further, Mr. Speaker, today I agreed with the Kasohkowew wellness society that we would work hard with them, in partnership with them, to address things which they believe have been serious funding issues, the manner in which they receive federal funds on reserve. In that capacity, I think it's been a win/win today because we're working together in that capacity as well, something that is a federal responsibility but in this case with provincial support, particularly where they require it.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. In addition to getting the federal government to pony up more resources, what additional actions is the minister taking to make sure that the children on First Nations are guaranteed full protection so that tragic situations like this one don't occur again?

MS EVANS: Well, I thank the hon. member for his question. While we can never guarantee, one of the things that will happen this afternoon is that with a very respected member of the Hearthstone child and family services authority, as agreed to by Kasohkowew, we will be in there with a team that will start evaluating the administrative review files, the issues surrounding child care protection, the issues surrounding foster care and foster delivery services, and finally, Mr. Speaker, some of the issues that relate to practice issues that may have been a concern. We have had concerns, it's true, but today a team will go in there and be in support as well as evaluating provincial standards. I spoke afterwards with the chief, and the chief is very satisfied that this is a new framework for doing business with Kasohkowew which may yield very positive results.

2:00

THE SPEAKER: The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Gold Bar.

Provincial Credit Rating

MR. MAGNUS: Thank you, Mr. Speaker. Last Friday Moody's Investors Service changed the rating on Alberta's foreign currency debt. My question to the Minister of Finance: can the minister tell us what impact this will have on Alberta's reputation for fiscal management?

MRS. NELSON: Well, Mr. Speaker, the hon. member is quite right in stating that Moody's has changed Alberta's credit rating. In fact, Moody's last week upgraded Alberta's foreign debt rating from a double A1 to a triple A rating. As many members of this House will know, Moody's is one of the most prestigious bond-rating services in the world. The triple A rating is the highest ranking awarded to borrowers. This did not happen overnight. This happened because of the strong reputation over the last 10 years that this government has built on strong fiscal management within this province.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. Speaker. My first supplemental to the same minister: could the minister tell the House why this international agency has chosen to upgrade Alberta's rating now?

MRS. NELSON: Well, Mr. Speaker, when an organization such as Moody's looks at credit ratings of countries and provinces, it looks at very key indicators of long-term stability and economic strength as well as the public-sector finances at the federal and provincial levels. More than a year ago Moody's upgraded Alberta's rating on the domestic debt to a triple A because of our fiscal leadership in Canada, and I might want to remind the members in this House and Albertans that Alberta is the only province – the only province – in all of Canada and the only government in Canada to have the triple crown on bond ratings and the only one to have both triple A ratings from this rating agency.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. speaker. My final supplemental to the same minister: can the minister tell us what impact this rating change will have on Albertans?

MRS. NELSON: Well, Mr. Speaker, this is an extremely positive ranking and rating for Alberta. What this means is it sends a very strong vote of confidence, not only throughout Canada but internationally, as Alberta being the place to invest, the place to come, the place to set up businesses, the place to set up their family homes, because Alberta has the most stable environment that you can find in all of Canada right in our own backyard. So this is a very major plus for this province for not only economic development but for long-term stability. This is a very great plus for this province.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Rutherford.

Electricity Billing

MR. MacDONALD: Thank you, Mr. Speaker. It's the government that set the rules for electricity billing practices in this province, not EPCOR and other electricity retailers. In fact, in 1999 the Alberta Department of Energy facilitated the formation of the settlement systems code to calculate electricity bills. This code describes a general accounting process that is applied to all energy entering and consumed in a particular area. Quite early in 2001 it became evident that the settlement systems code was not working as well as expected and that improvements were required. My first question is to the Premier. Why is the government blaming EPCOR and other retailers for the electricity billing problems that are going on in all areas of the province when it is this government that developed the faulty system that is causing so much of this frustration and grief that was expressed last week in question period by members from the Premier's own government?

Thank you.

MR. KLEIN: Mr. Speaker, it seems to me – and I don't recall completely the questions that were asked – if my memory serves me correctly, that those questions alluded to service charges attached to electricity bills. I understand that the hon. Minister of Energy has written to both EPCOR and UtiliCorp, I believe, to inquire about this, and indeed the hon. Minister of Government Services has this matter under review. It doesn't deal with electricity rates per se but service charges that are attached to those rates.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: given that in May of last year, a year ago, Alberta Energy facilitated the formation of the business issues group, called BIG, who contracted the consultant Cap Gemini Ernst and Young to develop a plan with recommendations that would include a plan to enable retailers in the Power Pool to bill more accurately, when will this plan be released to the consumers who are dealing with such large increases in their bills? When will this plan be made public?

Thank you.

MR. KLEIN: Mr. Speaker, since the hon. minister is not with us today, I'll take that question under advisement.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again to the Premier, Mr. Speaker: given that the system settlement code is silent on the relationship between retailers and their customers – and one thing with electricity deregulation is that the customers have been left out and now they're paying the expensive bills – why is this allowed to happen? Why are

customers being treated so unfairly with the system settlement code? Thank you.

MR. KLEIN: Well, Mr. Speaker, again I don't know that statement to be true, but when the hon. minister returns to this Legislature, I'll have him answer that question. In the meantime, I'll take it under advisement.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Glenarry.

Mazankowski Report

MR. McCLELLAND: Thank you, Mr. Speaker. Friends of Medicare, backed by the Alberta Federation of Labour, is spearheading a misinformation campaign aimed at derailing the implementation of the Mazankowski report. My question to the minister of health: what is the government doing to ensure that this important work is not misrepresented by those who pretend to be the friends of medicare?

MR. MAR: Mr. Speaker, we've done much. We've delivered over 10,000 copies of the Premier's Advisory Council on Health report to various stakeholders throughout the province. We've had 10,000 downloads on the Internet for the Alberta: Health First document, and many people would be familiar with the public advertising campaign on that. Over 140,000 copies of the Premier's advisory council's report have been downloaded off the Internet. Mr. Mazankowski himself, of course, is making great efforts to reach many different audiences. He has appeared, to the best of my recollection, before Senator Kirby's Senate committee. I know firsthand that he also made a presentation to Mr. Romanow's committee last Tuesday, as did I. Mr. Mazankowski has also sought a wider audience throughout this province, as has this Minister of Health and Wellness, traveled to many different places, spoken with chambers of commerce, spoken to service organizations. People do want to know what in fact is the truth about health care reform in this province, and when they do hear it, they are very encouraged indeed.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. My supplemental to the same minister: are public-sector unions not in a conflict when they finance advertising campaigns aimed at protecting union jobs by financing third-party advertising? Why don't they buy the advertising directly?

MR. MAR: Well, Mr. Speaker, let me say this from my perspective as Minister of Health and Wellness: if that's how a union chooses to use its membership's moneys, then they're perfectly entitled to do so. However, it may come as a surprise to many members of the membership that their moneys in fact are being used in this campaign. But if this is how unions choose to use their membership money, so be it.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. My final supplemental to the same minister is this: are public/private partnerships delivering publicly funded health care in contravention of the Canada Health Act?

MR. MAR: Well, Mr. Speaker, the Canada Health Act has been

subjected to many different interpretations, but I've not heard any interpretation that suggests that a private/public partnership for delivery of public services – it is not in contravention of the Canada Health Act under any interpretation that I've heard.

2:10

I should say, Mr. Speaker, that it is in fact a reality within the public health care systems across this country that private/public partnerships are often used as a means of delivering services in an effective, in an efficient way, and this is something that we want to encourage. But it will be within the spirit of the original Canada Health Act; it will be within its letter. We are the only province, that I am aware of, that has in fact enshrined the principles of the Canada Health Act within our own provincial legislation. It is our intention that whatever reforms go forward in accordance with our responses to the Mazankowski report, the 44 recommendations that we are moving forward on, it is our intention to remain within the letter and the principle of the Canada Health Act.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Red Deer-North.

Engineered Teleposts

MR. BONNER: Thank you, Mr. Speaker. Last week the Minister of Municipal Affairs told the Assembly that he would be speaking to the Safety Codes Council regarding concerns with engineered teleposts. However, on April 17 the Safety Codes Council indicated in a letter that they are taking no further action on the concerns that have been raised. My questions are to the Minister of Municipal Affairs. Who has the final say in this issue, the minister or the Safety Codes Council?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. In fact, the Safety Codes Council acts at the pleasure of the minister, but what I would like to do is elaborate on the good question the hon. member has brought to this House, and it is this. We've been in association with APEGGA. That's the professional engineering group. They are forwarding to the Safety Codes Council a letter indicating the safety and the safe practices that are in existence and that do not provide any type of jeopardy to homeowners.

MR. BONNER: To the same minister, Mr. Speaker. The minister indicated that he was reviewing the situation, but the Safety Codes Council says that Municipal Affairs has already dealt with the situation. What is the real status of this investigation?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. Again the hon. member raises a good question from this perspective. I've asked the Safety Codes Council to provide back to me concrete evidence of what the professional engineering group is doing relative to the question that was asked in this House, and I'm very pleased to say that in the next couple of days I will be tabling that letter to the benefit of all members of this Assembly relative to public safety for homeowners and all Albertans.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister. On May 1 the minister said that he was considering issuing a public

safety advisory. Is this still under consideration, or is the case closed?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you. Again to the hon. member and to the members of the Assembly, I want to assure all Albertans that the safety of a person's home is utmost and foremost for this government and a priority of this government. There is no need for a media advisory relative to that because of the tabling of the letter from the professional engineers, that is going to be publicly tabled in this House.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Mill Woods.

Red Deer River Water Level

MRS. JABLONSKI: Thank you, Mr. Speaker. Recently members of the Red Deer Chamber of Commerce met with both Red Deer MLAs to discuss their concerns about water levels in the Red Deer River and its direct effect on the future development of industry in central Alberta. I understand that there is an agreement between the government of Alberta and the government of Saskatchewan that requires that 50 percent of the water in the South Saskatchewan River system be allowed to flow into the province of Saskatchewan. When the water levels are low in the Oldman and Bow rivers, in order to meet the 50 percent quota, the Red Deer River is required to provide 75 percent of its flow to Saskatchewan. This is a disproportionate drain on the Red Deer River system and will eventually weaken future development in the central Alberta area. My question is for the Minister of Environment. The water agreement between Alberta and Saskatchewan requires 50 percent of the water in the South Saskatchewan River system to flow to Saskatchewan. Why do we not ensure that each of the rivers in the system contributes 50 percent equally? Why is the Red Deer River system required to contribute 75 percent of its flow?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Well, thank you, Mr. Speaker. I think what I want to emphasize first of all is that the 50 percent flow refers to all river basins. The South Saskatchewan River basin is made up of a number of different rivers, the Red Deer being one, and there are about six other rivers that make up that river basin, some of those rivers allocated at close to 100 percent in terms of their allocations. We have a problem in sometimes meeting the 50 percent, which we will meet, so what we do is we move the allocations around from basin to basin or from river to river within the South Saskatchewan River basin to meet the 50 percent allocation. I can tell you that last year the Red Deer River provided 35 percent of the total allocation to Saskatchewan from the South Saskatchewan River basin, and 65 percent was essentially supplied by the Oldman and Bow river basins.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you, Mr. Speaker. How will the minister ensure that the Red Deer River will be required to provide only 50 percent of its water?

DR. TAYLOR: Well, as I said, Mr. Speaker, we must maintain stream flows that are ecologically healthy. One of the measures that

we use for that is the 50 percent of the natural flow. So we try to prevent any river from going to less than 50 percent of the natural flow, because not only do we have a requirement to provide Saskatchewan with the water, a requirement to provide Albertans with the water, but we also have a requirement to maintain the ecological balance or healthy aquatic environment.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. Could the minister please state the purpose of the South Saskatchewan River basin study, and when will it be released to the public?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Yes, Mr. Speaker. What we're trying to do with river basins is have a group of individuals that are using the river basins – you know, the municipalities, the agricultural producers, the industries, the public – meet and develop a utilization philosophy for the river basin, and we do have that study completed. It's called the South Saskatchewan River basin study, and we're expecting to release that in very short order. I would suggest that we'll release that within the next month, I hope.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Highlands.

Kasohkewew Child Wellness Society (continued)

DR. MASSEY: Thank you, Mr. Speaker. The agreement signed today by the Minister of Children's Services and the Kasohkewew children's authority is an admission of government failure, a failure to ensure that adequate systems were in place to protect children. My questions are to the Minister of Children's Services. Are children any safer today than they were 10 days ago?

MS EVANS: Well, Mr. Speaker, I most assuredly hope so. With the provincial support that we will be providing, there will for certain be more staff at Kasohkewew, but let's be quite clear. The funding formula and the desire by First Nations to manage their own child welfare services and their partnership with the federal government mean that this is a three-party partnership. You might say in this situation that the party that's the provincial government just beefed up its supports today considerably while we're going through the process of looking through the practices at Kasohkewew. So to lay it all at the feet of the province when we know full well in this House that the federal government has not funded portions of the child welfare delivery system that are delivered through either family and community support services or other supports elsewhere in our agreements is not a fair claim.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: why wasn't a plan and an accountability framework developed with Kasohkewew right from the very beginning?

MS EVANS: Mr. Speaker, the delegation of authority for Kasohkewew was one of the first delegation orders signed, one of the first in the more recent past. I must say that we have others that even predate the child and family services authorities. Siksika signed an authority for delegation many years ago and has been

performing admirably and quite independently to a large extent in their delivery of child welfare service on that reserve. In terms of what has been happening here, this delegation, unlike some of the newer documents, did not define an either/or, a middle ground, for us doing some work with Kasohkewew: either they had delegation or we revoked it. In this agreement of understanding we've defined a middle ground for working together, something which is like a commissioning or a complete review of the service provided, and we feel confident that through this process we will not only be able to identify strengths and weaknesses, but we'll be able to cite areas for improvement and work on that.

If I may, Mr. Speaker, in September 2002 there is a new agreement for delegation that will come into play if that is the decision at that date for Kasohkewew. During this next interval, these next few months, we'll be able to evaluate whether or not we're able to make a more effective system and whether we'll be able to work with the chief and council and the delegates to the child welfare society to do the best job possible.

2:20

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister, Mr. Speaker: are there other authorities operating without quality assurance plans?

MS EVANS: Mr. Speaker, it is a good question. I've asked that very question about whether or not it's clear and implicit in their delegated authorities whether those assurances are given. We are conducting as we speak a review of that. I think many of us would assume that it is implicit, but I think it ought to be carved in a clearer message so that we know at the time when the provincial government goes in and assesses performance measures if they're complete. So, as we speak, that assessment is being done. I thank the hon. member for the question because it's an important one in making sure we're working not with just the 18 child and family service authorities but all 36 directors of child welfare who are delivering child welfare in Alberta.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Medicine Hat.

Electricity Deregulation (continued)

MR. MASON: Thank you very much, Mr. Speaker. Electricity deregulation in Alberta equals higher prices and a complicated electricity bill that hardly anyone understands including, I suspect, the Premier. The per kilowatt charge for the average Edmonton customer has gone from 7.69 cents in April 2000 to 10.63 cents in April 2002. That's an increase of almost 40 percent. Whereas before deregulation we just paid for the electricity we used, we now pay fixed service charges, 2001 shortfall charges, 2000 deferral charges, and delivery consumption charges. To the Premier: why is the Premier allowing the Minister of Energy to blame the power companies for putting all the extra charges on utility bills when these additional charges are a direct result of the government's own deregulation scheme?

MR. KLEIN: Mr. Speaker, the question was asked previously by a member from the Liberal opposition, and I replied at that time that I would take the matter under advisement, but there is something relative to the figures quoted by the Member for Edmonton-Highlands. He talked about 7 point whatever it was cents a kilowatt hour in April of 2001, I believe.

AN HON. MEMBER: In 2000.

MR. KLEIN: Oh, in 2000. Because in 2001 of course the rebate program was in effect, and in many cases people weren't paying, well, anything. I'm an example, with my condo in Edmonton. I didn't get a bill until I think it was February of this year that I actually had to pay.

But the figure that concerns me most, Mr. Speaker – and I say this just for the sake of accuracy and in the spirit of fairness. He mentions an April date specifically of 10.6 cents a kilowatt-hour. Now, it may have been a particular hour on that particular date when the price spiked to that amount. The hon. Minister of Energy has stood up in this Legislature day after day citing the average daily rates, and I think last week he cited figures in the area of 5.6, 5.7 cents a kilowatt-hour. In the sense of fairness and in the spirit of fairness, why doesn't the hon. minister use those figures instead of the worst case, most highly inflated figure? That's politics at its absolute worst.

MR. MASON: I'm not a minister, Mr. Speaker, yet.

Mr. Speaker, I have the bills right here, and I would ask the Premier to explain to Albertans, who know, despite his fancy dancing in the House, that they're paying a lot more for their power, why they are paying more if this deregulation scheme was supposed to bring prices down.

MR. KLEIN: Mr. Speaker, over time it will, but I would remind the hon. member that there are no guarantees under a regulated system. I can recall many, many years ago utility companies under a totally regulated environment applying to the then Energy Resources Conservation Board for increases in the neighbourhood of 10, 15, 20 percent. Sometimes those increases were adjusted, and sometimes the ERC – no; it was the Public Utilities Board at that particular time – awarded those kinds of increases, and the people, the consumers, the customers had to pay.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Can the Premier please explain how much more electricity prices are going to go up when the \$345 million in the deferral account in the Balancing Pool gets added to their power bills?

MR. KLEIN: Well, Mr. Speaker, I'll take that under advisement, but over the long term – and we do think in the longer term – the primary objective of course of deregulation was to provide competition and to get more power onstream. Under a restrictive, regulated environment, that power was not being built, and as you know, we were facing a critical shortage of power. Since deregulation many thousands of megawatts of new power have been announced or in fact are under construction as we speak. We have 3,800 megawatts alone in the Fort McMurray area, I believe, through cogeneration. We have numerous new plants being announced relative to coal and wind generation. None of this new power would have come onstream in a regulated, controlled, and restrictive environment. It will only and has only come onstream since we lifted the restrictions of a socialist attitude toward the distribution of power.

THE SPEAKER: The hon. Member for Medicine Hat, followed by the hon. Member for Edmonton-Centre.

Municipally Owned Power Companies

MR. RENNER: Thank you, Mr. Speaker. My questions today are to the Minister of Municipal Affairs. Last Thursday in question

period the minister indicated, in response to the Member for Edmonton-Highlands, that the consultation currently under way with municipalities with respect to regulations governing municipally owned corporations is just that, consultation. Despite the minister's assurance that any changes would result from dialogue between the province and municipalities, some constituents in Medicine Hat have expressed concern. Given that the city of Medicine Hat owns and operates both gas and electric production and distribution utilities serving the citizens of Medicine Hat, can the minister advise what if any impact these discussions could have on this long-standing practice?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. First and foremost, I want to say clearly that in serving its citizens, the council in Medicine Hat does a very good job relative to the service they provide. As the hon. member is aware, the city of Medicine Hat has received numerous approvals over the past couple of years relative to that good service. The proposed regulations are simply that; they are proposals. We're asking for consultation, and in fact we've consulted with 360 municipal governments relative to that. That's why we're making it so public. But understandably so, the intent of the municipal government is that they are there to serve municipal purposes, and clearly these regulation amendments that are going forward or being consulted on are important partners in serving that municipal purpose.

THE SPEAKER: The hon. member.

MR. RENNER: Thanks, Mr. Speaker. I take it from that answer, then, that the minister is saying that these proposed regulations would only apply to new acquisitions, not existing corporations.

MR. BOUTILIER: Mr. Speaker, what we're doing is consulting with municipalities like the city of Medicine Hat. It's also important to note that we're consulting with the bigger cities such as Edmonton, such as Calgary, and their respective corporations such as EPCOR and Enmax. What we're doing is reviewing this so that in fact the best interests of municipalities in the guidelines we're offering will be there, so at the end of the day the municipal councils will make the local decisions that best serve their citizens.

THE SPEAKER: The hon. member.

MR. RENNER: Thank you. Well, my final supplementary is simply this: can the minister assure me and my constituents that no matter the outcome from these consultations, any decision respecting the disposition of Medicine Hat's utilities will remain solely the discretion of Medicine Hat city council and not the Minister of Municipal Affairs?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. I'm so pleased the hon. member has asked that question. The decision will lie 100 percent with the elected mayor and council of the respective municipality.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Whitecourt-St. Anne.

2:30

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. The government has never really explained why it dismantled the effective and popular

community lottery boards. The possibilities range from concerns about lack of accountability to government chagrin over local decision-making to denied opportunities for photo ops for backbenchers to low priority ratings from the Premier. The list goes on. Now we hear that a new program is coming out in a few weeks but after the end of session. My questions are to the Minister of Gaming. What exactly were the concerns about accountability of community lottery board grants that led to complaints from government members and were possibly the reason for the cancellation of the program?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. The preamble of the hon. member indicates that the reason for the discontinuance of this particular program was not clear. The fact is that the reason for the discontinuance has been clear in that it was a financial decision, a difficult financial decision that was made by the Treasury Board as part of putting together the budget for this year. That was made clear and has been stated a number of times in this House. There is no doubt that this particular program was a very successful program. There were 88-some community lottery boards throughout the province, and there was a great deal of scope and local discretion with respect to that. So it's reasonable that in the application of that discretion there were variances throughout the provinces and as such there would be difference practices. Some of those practices were different than others, and it's fair to say that some were better than others. That particular difference was noted from time to time, and that would be one of the things which I have heard from some of the members in the House.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much. Well, to the same minister, Mr. Speaker: given that there was no money to reinstate the community lottery boards, where's the money coming from for this new program that will be announced next month?

MR. STEVENS: Mr. Speaker, what I have said in answers previously in the Assembly, going back one or two weeks, is that I have been asked to review the possibility of addressing the applicants to the previous community lottery board that were falling between the cracks. What I understand by that is that I am to review existing programs to determine the scope of those programs and match them with the scope of the community lottery boards. I am to examine where in fact the money was going within the community lottery boards. For example, there were some 10 categories that could be used by community lottery boards: community services, social services, library, education, and so on and so forth. It's important to have an understanding of the nature of the applications: where they were located, the amount of the applications, rural versus urban, and so on and so forth. We're in the process of doing that, and we're matching it with existing programs.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. My final question is again to the Minister of Gaming. I'm wondering if this new program will assist the Sport Medicine Council's program on bicycle helmet safety. This is Bicycle Helmet Safety Month as well.

MR. STEVENS: I must say, Mr. Speaker, that the analysis to date has not made it down to that specific level, so I'm unable to advise

the hon. member as to whether or not that particular group would be able to avail themselves of what might be a program that is modified going forward. Once again, I intend to bring forward to my colleagues some time in the weeks ahead some alternatives that they will consider. I'm sure that they will provide some good advice on that, and I can tell the hon. member that at that point in time I'm sure that we will take into account this particular group to determine whether or not it falls within the scope of what we were talking about.

head: **Recognitions**

THE SPEAKER: The hon. Member for St. Albert.

St. Albert Optimist Club Youth Appreciation Night

MRS. O'NEILL: Thank you, Mr. Speaker. Last week I attended St. Albert's youth appreciation night, sponsored by president Kyle Kirzinger and members of the Octagon Club of Paul Kane high school and organized under the direction of Mr. Dale Smith, an exceptionally energetic teacher at Paul Kane high school who works with the support of the Optimist Club of St. Albert. At that ceremony Bellerose composite high school recognized Matt Roper, Cailynn Blanck, and Avalon Thorne. Paul Kane high school praised Erin Willis, Marin Thomas, and Matt Chapelsky. St. Albert Catholic high school acknowledged Patti Trovato, Michelle Jennings, and Lisa Hryciw. L'ecole secondaire Sainte Marguerite d'Youville honoured Landon Riemer, Colin Jenkyns, and Cherrisse Crockett. All of these young people are young people with attitude, the attitude of caring, giving, helping, working, and looking to a positive future.

THE SPEAKER: The hon. Member for Wainwright.

Wainwright Constituency By-election

MR. GRIFFITHS: Thank you, Mr. Speaker. It is my pleasure today to rise to recognize persons in my constituency who were instrumental in achieving our victory in the recent by-election in the Wainwright constituency. It is impossible for me to name all of the individuals who provided assistance. I would like, however, to mention a few individuals from the team and recognize their incredible efforts towards achieving our success. Thank you to my campaign manager, Henry Czarnota, who helped during the nomination race, and my campaign manager for the by-election, Dick Bruggencate. As well, I'd like to thank Ken Checkel, Brian Heidecker, Jim Klasson, Herb Rock, Darlene Jenson, Bob Foley, Ken and Donna McNeil, and Louis Johnson.

I would also like to recognize the other nominees and candidates who ran a fair and clean campaign and are all credible people who have the same ultimate goal as each of us: to ensure the future success of this province and the people therein.

There are so many people who assisted with the campaign, and I wish I could recognize them all, but I can't. So I would simply like to say thank you to the entire team and the people of Wainwright for giving me a chance to work with you for success and prosperity for our constituency.

Thank you.

THE SPEAKER: The hon. Member for Red Deer-North.

Bruin's Plumbing & Heating Ltd.

MRS. JABLONSKI: Thank you, Mr. Speaker. It's a great Alberta success story when a business starts in the basement of a home and

grows to require a facility of almost 18,000 square feet. On Saturday, May 4, 2002, the Bruin family celebrated the grand opening of Bruin's Plumbing & Heating Ltd.'s new location along with their friends and staff of over 100 employees. I was very honoured to share this milestone of growth and success by cutting a pipe in the grand opening ceremony.

Thirty-seven years ago Cor and Arica Bruin started a small plumbing business in the basement of their home. Their son Herman and his wife, Carol, worked hard to develop the family business, and today a third generation with Marty Bruin and Corinna McArthur continue to serve the growing construction needs of the central Alberta region.

Bruin's Plumbing has dedicated and committed employees who have helped them achieve this success. Many have been with them for over 20 years, including Dave Carritt, Ken Poffenroth, Dave Genes, Randy Fitzgerald, Robert Moores, Bruce Hicks, and Jackie Hewson. Bruin's Plumbing works extensively with the Alberta apprenticeship and industry training department under the Ministry of Learning to develop journeymen in plumbing and heating.

I would like to extend the congratulations of the Alberta Legislature to the Bruin family and their staff. We wish them all the best for their continuing success in the future.

National Nursing Week

DR. TAFT: Mr. Speaker, I am proud to rise in Alberta's Legislature today to recognize National Nursing Week. There are over 25,000 registered nurses in Alberta alone and thousands more licensed practical nurses. Nurses are the backbone of Alberta's health care system. Combining intense training and a remarkable range of skills with a genuine compassion for others, nurses work in high-tech ICUs and in street level walk-in clinics, with pregnant girls and frail seniors, in military units, and in administrative offices.

One way to get a feeling for the difference between nursing and doctoring is to think about the difference between nursing a drink and doctoring a drink. To nurse something means to nurture it, to foster it, to look after it. In fact, the word "nurse" shares the same Latin origin as the word "nourish." As nurses care for us as individuals, they nourish us as a society. So it is only appropriate that as individuals and as a society we take the time to recognize National Nursing Week and the invaluable place of nurses in Alberta.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

International Nurses Day

MR. MASON: Thank you, Mr. Speaker. I am married to a nurse, and I am very happy as well to rise in recognition of International Nurses Day and pay tribute to these health care professionals. These are the women and men who care for the sick, educate new mothers, immunize our children, comfort the dying, and improve our quality of life. Amidst the chaos of the day, nurses go the extra mile for their patients. Nurses continue their tradition of providing care and compassion to the sick, but the profession has dramatically changed over the past number of years. Higher educational requirements and increasing responsibility for patient health have transformed nursing into a full and equal partner in the delivery of health care. Nurses are diagnosticians, educators, researchers, and specialists. We honour their incredible commitment to their work, their profession, and their patients. Our lives are made better as a result of their work.

2:40

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 66 Albertans petitioning this Assembly to urge the government not to "delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

head: Tabling Returns and Reports

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited today with the office of the Clerk by the hon. minister of health, pursuant to the Regional Health Authorities Act: Aspen regional health authority No. 11 annual report 2000-2001; Mistahia health region annual report 2000-2001; health authority No. 5 annual report 2000-2001; Keeweetink Lakes regional health authority No. 15 annual report 2000-2001.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I have three tablings today. This first one is a letter from the mayor of Parkland county, Mrs. Elsie Kinsey; the second one is a letter from the mayor of Spruce Grove, Mr. Ken Scott; and lastly is a letter from Elizabeth George, a constituent from Spruce Grove. All of these letters are regarding their concerns with funding for community lottery boards and their request to move swiftly to either reinstate the community lottery boards or provide an alternative.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise today with the appropriate number of copies of one tabling that's five pages of examples of health care fraud cases involving health care businesses in the U.S. totaling over \$1.26 billion.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have two tablings today. The first one is the official program from the King's University College graduation ceremonies, which took place Saturday afternoon at Ellerslie Road Baptist Church here in Edmonton.

My second tabling is a letter from Dr. Sharon Richardson, the president of the Alberta Association of Registered Nurses. It's dated April of this year, and it, too, is in regards to National Nursing Week, May 6 through 12.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table two letters. The first one is a letter from Brenda Brochu, director of Peace River Regional Women's Shelter. It's addressed to the Minister of Human Resources and Employment and is dated April 29. Ms Brochu is disappointed with the minister's announcement that there'll be no increases in welfare rates at this time.

The second letter, Mr. Speaker, is a letter addressed to the Minister of Health and Wellness. It's dated May 1 and is from Chris Blake, president, Peace River and District Chamber of Commerce. The chamber is concerned with the regional health authority's

budget shortfall, possible closing of beds at the Grimshaw/Berwyn community health centre, and the overall reduction of service to the residents in their region.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have two tablings today. The first is a letter from David Thiele, a councillor with the city of Edmonton, addressed to the Premier. Mr. Thiele is urging the government of Alberta to lower flags to half-mast on the day of mourning to remember and honour the workers who were killed or injured on the job.

The second tabling, Mr. Speaker, is the requisite number of copies of the two utility bills which I referred to in question period today.

THE SPEAKER: The hon. Minister of Health and Wellness.

MR. MAR: Thank you, Mr. Speaker. Sir, I beg leave to table the requisite number of copies of the annual reports of the Alberta College of Optometrists and the College of Physical Therapists of Alberta.

Thank you.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to table today on behalf of the Deputy Premier and Minister of Agriculture, Food and Rural Development the responses to questions raised during Committee of Supply for Agriculture, Food and Rural Development on April 17, 2002.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thanks, Mr. Speaker. Proper notice having been given on Thursday last, it's my pleasure to move that written questions appearing on today's Order Paper do stand and retain their places.

[Motion carried]

head: **Motions for Returns**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thanks, Mr. Speaker. Proper notice having been given on Thursday last, it's my pleasure to move that motions for returns appearing on today's Order Paper do stand and retain their places with the exception of Motion for a Return 9.

[Motion carried]

Natural Gas Venting

M9. Mr. Mason moved that an order of the Assembly do issue for a return showing Alberta Energy and Utilities Board data on natural gas venting for the fiscal years 1996, 1997, and 1998 broken down by company and field centre.

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Yes. On behalf of the Minister of Energy let me say that the Minister of Energy would dearly like to release this data. However, once the member hears the reason he cannot, he I'm sure will accept it. The reason is that the information was not collected in the form in which he has asked for it by the Energy and Utilities Board in 1996, 1997, or 1998. However, the Energy and Utilities Board did start collecting the information in the way that he's asked for it in '99 and 2000 and subsequently released this information to the public.

So because the information was not collected in that form, it can't be released. We have to reject the motion, but the point is well taken. It is collecting the information in the appropriate form and now releasing it.

THE SPEAKER: The hon. Member for Edmonton-Highlands to close the debate.

MR. MASON: Well, thank you very much, Mr. Speaker. The minister has not said in what form the data was collected. I would certainly encourage him to explain how this information was collected. Perhaps it may be useful. But to just say that it wasn't collected in the way I'm asking for it leaves me trying to guess how it was collected. So it's not in my view a particularly fair response to the question.

The motion is a very straightforward request for statistical information. There are statistics, as the minister has said, in the years '99 and 2000 which show an almost 50 percent increase in natural gas venting between those two years, and having access in some form to the volumes of gas vented in 1996 to '98 would help to ascertain whether the increase in gas venting was a one-year blip or part of a longer term trend. So I would ask the minister to tell the House at the appropriate time what information is available and in what form it was collected.

Thank you, Mr. Speaker.

[Motion for a Return 9 lost]

2:50

Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

Bill 206

Fisheries (Alberta) Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Chairman. It is with great pleasure that I rise today and begin debate on Bill 206, the Fisheries (Alberta) Amendment Act, 2002, in Committee of the Whole. I would like to begin by thanking the members of this Assembly for their comments and ideas regarding Bill 206 in second reading. More importantly, I would like to thank everyone for their support as we move into the next stage of debate.

Bill 206 will function similarly to the Agricultural Pests Act and provide the same kind of protection to fish farmers as is currently afforded to livestock and grain farmers. Aquaculturists will now have the ability to protect their investment from pest species like the cormorant just as an agriculture farmer can protect his crops from bears and gophers.

[Mr. Lougheed in the chair]

Bill 206 would also help ensure the protection of the natural fish populations to ensure that this precious natural resource is maintained and enhanced. Bill 206 entrusts Alberta Fish and Wildlife to take an educationally informed approach, ecologically and environmentally healthy execution, and the most cost-effective measures to manage threats to our fisheries, our ecosystems, and our water supplies. The bill urges the government to take the necessary steps to sustainably protect and recover fish populations. Bill 206 also addresses a specific problem that faces many Albertans and the majority of my constituents, and that's the recent explosion of predatory birds around the lakes in northern Alberta that have increased the challenge facing Alberta's fish population and really their increase or their existence.

This is by no means an isolated issue, Mr. Chairman. There are other North American jurisdictions that have recognized the cormorant problem and implemented a course of action to deal with their numbers and destructive habits. Both the state of New York and U.S. Fish and Wildlife have studied the ruin and devastation that birds like the cormorant have caused. The respective governments are already working to determine their best course of action to address the increasing populations. I think that it is very important that all members of this Assembly understand that this problem is not only a problem that I see, that it is not only an issue in the constituency of Lac La Biche-St. Paul. It is a problem that has been recognized across our continent and that is already being addressed in other lake regions.

In the weeks since this bill received second reading, it has come to my attention that a small amendment could be made to improve Bill 206. I would like to move that amendment to Bill 206, and I believe that the members have copies that have been passed out. Nothing in this proposed amendment in any way changes the intention or the principle of the bill. It merely ensures that it achieves its full intent.

If I can, I would like to briefly review it, Mr. Chairman. The amendment in section A is a technical change related to the proposed section 33.1(1) by replacing "adopted" with "established." The original subsection refers to "guidelines adopted by regulation." The proposed amendment to section 44 of the Fisheries (Alberta) Act in the bill already allows the minister to make regulations establishing guidelines for the purpose of section 33.1.

The amendments in section B to the section of the bill relating to the Agricultural Pests Act arise because of the interrelation between the fisheries act and the Agricultural Pests Act. It essentially makes an order under one act relating to Crown land operate under another act. These are just minor changes to ensure consistency.

[Mr. Shariff in the chair]

The amendments in section C are what can be called consequential amendments to the Wildlife Act to ensure that an order under the new section 33.1 of the Fisheries Act is not interpreted as a violation of the Wildlife Act. These amendments will eliminate confusion and ensure that Bill 206 works in the manner that was originally intended.

With that said, Mr. Chairman, I think that I'll end my comments. I would prefer to keep my comments short at this time and would like the members of this Assembly to speak to the amendments. Thank you very much.

THE DEPUTY CHAIR: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Mr. Chairman, thank you for the opportunity to rise today and speak to Bill 206, the Fisheries (Alberta) Amendment Act, 2002. I would like to echo the sentiments of the many members who have already spoken to this bill and thank the hon. Member for Lac La Biche-St. Paul for bringing this bill forward for consideration.

Having reviewed the amendments before us today in committee, I would like to say that they will be receiving my support. They appear to be simple housekeeping amendments designed to ensure that the intent of the bill is carried through into practice, and that intent, Mr. Chairman, is to enable fish farmers to protect their investment from pest species of nongame birds. Bill 206 would create a mechanism and guiding principles by which the Department of Sustainable Resource Development would ensure the viability and protection of fish stocks and the biological diversity of aquatic ecosystems in Alberta's lakes.

Alberta's aquatic ecosystem is very important to this province for a number of reasons. One reason happens to be economic, where local entrepreneurs sell their fish stocks for a variety of reasons including fingerling production, you-fish operations, contract growing, table food market protection, and biological grass control carp, where operators raise sterile carp for weed control in water and for research purposes.

All told, Mr. Chairman, the year 2000 performance measure of the Alberta aquaculture industry has been estimated at \$10.8 million. This translates into a contribution of over \$1 billion to the Alberta economy when you consider commercial and sportfishing and not including tourism spin-off industries. But this industry faces many challenges that require our assistance. Alberta fish populations are at dangerously low levels. Pike catches are only 15 percent of what they were in 1970. Of the 27 walleye populations for which there is data, 21 have collapsed in recent years.

Concurrent with the fish population collapse over the past 30 years, cormorant populations have increased tenfold. Each attempt to restock Alberta's lakes and streams with fish has corresponded to a marked increase in cormorant populations. I think it is important to note that cormorants have no natural predators in northern Alberta.

Cormorants are not only a problem here in Alberta but have also proven to be threats in other parts of North America. In fact, these predators have become a significant problem in the state of New York. In Lake Champlain destruction of vegetation on nesting islands by cormorants threatens populations of common terns, a threatened species. New York is currently involved in a series of cormorant studies and management activities with counterparts in other states, universities, the federal government, and Canada.

Here in Alberta, Bill 206 helps to protect our crucial fisheries industry from these pests by allowing for the improvement of spawning routes through the constructive removal of beaver dams, monitoring and control of predatory bird colonies, and the reconciliation of commercial fishing licences when and where required for the long-term viability of fishery resources. The protection of spawning routes and fish stocks is vitally important, especially in areas where natural predators undermine the hard work and dedication of aquaculturists.

As an Assembly we need to empower these people to properly deal with pests and predators that threaten their investment. We can do that by passing Bill 206. The bill would clarify the role and the responsibility of Alberta Sustainable Resource Development to protect the fisheries resources of the province. This will be done by amending the Fisheries (Alberta) Act to include provisions allowing the minister to issue depredation orders, remove beaver dams, restrict fishing in specific regions, or declare some nonendangered

nongame birds as pests. All of these actions will be taken when in the best judgment of the minister public fisheries or private fish farms are threatened.

3:00

Bill 206 would also amend the Agricultural Pests Act to allow the minister to declare a certain species of nongame birds as pests to aquaculture, thereby giving fish farmers the authority to protect their investment from pest species through lethal methods without a depredation order. The actions proposed by Bill 206 are already possible under a combination of the Agricultural Pests Act, the Wildlife Act, and the Water Act, but current legislation does not compel the government to proactively manage fishery resources.

Mr. Chairman, the members of this Assembly should pass Bill 206 because active management of fishery resources to promote long-term sustainability of the industry would increase the economic stability and growth in northern Alberta. The members of this Assembly should pass Bill 206 because it would enable the Ministry of Sustainable Resource Development, responsible for Alberta fish and wildlife, to ensure that fish farmers have an effective recourse in the protection of their property from pests. The members of this Assembly should pass Bill 206 because under this legislation the spawning routes of all fish species would be facilitated. This would increase the population of fish naturally and thereby reduce the necessity of expensive restocking measures.

Again, Mr. Chairman, I would like to voice my support for the well-reasoned amendments proposed this afternoon, and I would urge all members of this Assembly to pass Bill 206 in Committee of the Whole and bring this legislation one step closer to becoming law. Thank you.

THE DEPUTY CHAIR: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Chairman. I'd like to reassure the hon. Member for Bonnyville-Cold Lake that this is a housekeeping amendment. I think it's very, very important that we have a balance in the ecosystem. That is why the proposed bill has the regulations under the minister in charge and with the use of the expertise of his biologists to be able to establish and maintain a balance in the ecosystem. I would also suggest with your comments in regard to fish farming that this only allows birds to be considered under the pest legislation, if you want to call it that.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chair. It's a pleasure to make a few comments regarding the amendment to Bill 206, particularly comments which reflect what different associations in this province have said when it comes to the state of our fish population in the province and as well the double-crested cormorants. I look at a couple of very reputable people and associations that have been mentioned and certainly one of them being the – we will get to that association shortly here.

One of the situations that is most disturbing about this particular bill is that this situation has been occurring for a number of years. We look at the situation where the population of the bird has been doubling in numbers for a number of years, yet we have not taken the steps to identify why this situation is taking place. Where we had very stable numbers of double-crested cormorants over the years, we now have a situation in this province where this bird population is exploding. Certainly, in my opportunities to speak at

second reading of the bill, the point I made was that the biggest impact on Alberta's fishery resources continues to be the lack of resources that our provincial fisheries management agency is given to manage our fish resource. There are situations that have arisen here.

Now, when we look particularly at the lakes in Alberta, the majority of lakes – and these are smaller lakes. These are very shallow lakes, and they promote the development of our pike and walleye fish stocks, being warmer water fish, and we know that the level of lakes overall has decreased over the last decade or decade and a half. We also know the popularity of not only sportfishing, but we also have tried to maintain a commercial fishing industry here in this province. As a result of that, we certainly have had a huge decrease in the fish stocks, particularly fish stocks in the areas of pike and walleye. These are fish, Mr. Chairman, that normally would feed on the type of food that the cormorant also feeds on. So with the lack of those fish stocks in the lakes, we have seen an increase in the populations of smaller fish in the lake, and the cormorant is one of the major predators of these fish, and they take every opportunity they can to go after these fish.

Now, then, one of the big problems with the amendment and with the bill is that here in Alberta we are passing a bill where we are going to be killing off wild birds who in their natural process, in their natural environment, are eating wild fish. As the hon. member said, we have to keep a balance in the ecosystem, and I fully agree with what he has said here, but the balance in the ecosystem has been disrupted by the amount of fishing, by taking, by decreasing the stocks of pike and walleye. So when we have altered the balance in the ecosystem in that fashion, then certainly the commonsense approach to restoring that is to restore those fish stocks that have been so badly depleted over the last few years. As well, we have to realize that our lakes are not viable when it comes to supporting a commercial fishing operation such as we have in the past. We certainly have to look at changes in that regard as well.

Now, we also have had changes in our regulations as to the number of fish that can be kept in the sportfishing industry, so we have taken some steps yet haven't taken enough steps, and we certainly haven't taken the steps that will allow Mother Nature to fix this problem herself. She does need a little bit of help here, and it is not because of the cormorant. It is because of what we have allowed to happen in those lakes. Usually what happens, as I said earlier, is that the fish populations of these smaller types of fish are normally kept in check. Their populations and their particular place in the food chain is normally kept in check by the pike and the walleye. As it has taken a number of years for this problem to develop and to get to the point where we would actually consider some type of legislation in this Assembly, then certainly it is going to take that many years to restore those populations of pike and walleye, to watch as Mother Nature herself takes care of the populations of the double-crested cormorant.

3:10

As well, I look at one of the major concerns here: what is happening to the commercial fish industry. I notice that the hon. Member for Lac La Biche-St. Paul mentioned the many different areas that the fishing industry in this province relies on, whether supplying fingerlings or whatever. In the whole system here we have to look at not a quick fix by killing off a number of birds, but we have to realize that in doing so, once again we have altered the ecosystem, which has allowed the double-crested cormorants to increase in number. Killing them off in this fashion is certainly going to be an impact by man on the ecosystem, and this quick fix in the long run can impact our ecosystem. I think we have identified part of the problem here, but we haven't gotten to the root of the

problem, and that is: what has happened to the huge amount of stock we had of walleye and pike?

Thank you.

THE DEPUTY CHAIR: Hon. members, just a reminder that we are currently still dealing with the amendment that's before us. Anybody else wishing to speak on the amendment? The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Chairman. It is my pleasure to stand here today and speak to the amendments on Bill 206, the Fisheries (Alberta) Amendment Act, 2002, as introduced by our colleague from Lac La Biche-St. Paul. The amendments add some clarity to the importance of the bill, and I think it's important that we look at the sustainability of Alberta's fish habitat as we would any other sustainability issue in the area of environment, environmental habitat, animals, and so on.

Mr. Chairman, Bill 206 is intended to correct a problem that has existed in our ecosystem for some many years. The livelihood of many Albertans depends on the fish habitat in our lakes and rivers, and this bill with the amendments will allow the Department of Sustainable Resource Development to set up a mechanism to ensure sustainability and viability of fish farming and the fishing industry as a whole. I think it's responsible as a position to provide the means whereby aquafarmers can protect their property from pests. For the last three decades there has been a major collapse in the fish population, and at the same time the cormorant population has flourished. This bird is a very skilled predator of small fish and has the ability to severely deplete fish stocks in the lakes and other bodies of water with an amazing efficiency.

Bill 206 would allow fish farmers to protect their investment and in turn their livelihoods from this and other pest species. Since these birds have expanded their habitats dramatically during the last three decades, they've placed severe pressure on Alberta's fish population. While fish farmers and environmental groups have worked hard to maintain the industry, the cormorant and other pest birds are working even harder to deplete the population of fish to dangerously low levels.

Alberta is a great habitat for the cormorant. As we have heard several times, no natural predators exist to control their population. Snakes and rats are the two major predators to keep the cormorant in check in other jurisdictions, and I know we don't want those here either. We've heard from some members that we have changed the balance in the ecosystem – and maybe we have – by keeping Alberta rat free, but I don't think anyone would suggest that we would want to go back and reverse that just for the sake of ensuring the absolute purity of managing ecosystems. Also, Mr. Chairman, many lakes in Alberta are relatively shallow, and since the cormorant can dive up to 40 feet, the fish have nowhere to hide.

Bill 206 will provide fish farmers and the department with the tools that are necessary to control these problem bird species. It's also important to point out that commercial and sportfishing as well as tourism contribute over a billion dollars to the Alberta economy, and these are certainly impacted by the reduced fish stocks in our lakes and river systems. Bird predation is among the leading causes of fish losses at commercial aquaculture facilities, and by providing reasonable and effective legislation, we can ensure that certain pest species are held to levels that allow for environmental harmony. I emphasize the words "environmental harmony."

Mr. Chairman, the Agricultural Pests Act, which is administered by the Department of Agriculture, Food and Rural Development, allows farmers to proactively manage certain species that threaten their stocks as long as they have been listed as a pest by the minister.

The Fisheries (Alberta) Amendment Act would work in much the same way to protect our fish population from nonthreatened, nongame birds. These pest species have gone unchecked for too long, and legislation is needed to resolve the problems that they're causing.

There are major environmental and economic implications to this issue, and unfortunately the double-crested cormorant is at the centre of most of it. By providing adequate spawning routes, we would facilitate the natural ability of fish stocks to develop, and this can be done by removing beaver dams that pose a problem for fish migration. The bill would also help farmers deal with problem beaver dams when it's appropriate. The facilitation of spawning waters could help increase fish populations naturally, which would also reduce the need for expensive artificial restocking measures. Bill 206 would do more than just control pesky birds. It deals with the development of a healthy fish population and vibrant fish and other aquaculture farming operations. It would require that Alberta fish and wildlife evaluate the aquatic ecosystem and provide effective solutions to problems that are affecting the fishing industry throughout the province.

3:20

This bill is not designed to eliminate the cormorant or any other predatory bird in Alberta but rather deal with their out-of-control population. It is designed to provide a tool for fish farmers to deal with pests that threaten their property and their livelihood. It will also address the issue of managing sport and commercial fishing licences to promote sustainable harvesting. This part of the Fisheries (Alberta) Amendment Act is necessary to ensure that we can maintain a healthy fish population in areas affected by overfishing.

Mr. Chairman, Bill 206 and the related amendments provide a broad framework that will serve as a foundation for effective stock recovery strategies. Only a broad and flexible approach will ensure that we do what's best for Alberta's fish population, for the fishing industry, for our tourists, and for aquatic ecosystems as a whole.

Mr. Chairman, I am supporting Bill 206, and I'd like to encourage all my colleagues in the House to do so as well. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. As much as I would like to speak in support of the conservation of fish and the preservation of fishing, I'm going to have to speak against this bill because I think that the diagnosis that this is based on, the diagnosis of the decline of fish, is off the mark in my view.

I spoke on Bill 206 at second reading. On third reading I find that the bill doesn't really address the problem of why it is that the fish levels have decreased and fishing is in decline in the province. We have heard in the meantime also from the Alberta Wilderness Association. I've looked at some materials from other places, including a letter from one of our recent graduates from the University of Alberta, and in all of these pieces of literature or communication there is an overwhelming opinion which suggests that if we really want to address – and we should – the problem of the decline in fish stocks and therefore the decline in fisheries, we should be doing things other than going after the cormorants, because they are not part of the problem. They are a symptom of the problem.

Here's a letter from Jade Dodd, BSc. environmental sciences from the University of Alberta. The letter is addressed to me. It's a short letter, so I may as well quickly read it. It says:

I was shocked and angered to see an article in the Edmonton Journal on May the 4th, talking about a private member's bill aimed to

reduce the number of Double-crested cormorants near Lac La Biche . . . There is no scientific evidence to support that the reason for declining fish populations has to do with the Cormorants. We have all heard this kind of nonsense before. In fact the American White Pelican and the Double-crested Cormorant were once close to extinction because people thought they were eating too much fish. We have finally gotten back on track with their populations and now some [others are] trying to do it again! Many studies have shown that they don't even eat the sport fish, so my next question is, what is going on in that Legislature that Bills like this have passed second reading, and others, which may have merit can't even get on the floor?

That's the end of the letter from Jade Dodd.

Let me read a few excerpts from a few other communications here, Mr. Chairman. I think that the Legislature and my colleagues actually will benefit from this. There's a news release from the Alberta Wilderness Association. The Minister of Environment might be interested in listening to it too.

A new private members bill, which gives the appearance that the government is doing something to protect our fisheries, only treats the symptoms not the causes. The bill, sponsored by [the hon. Member for] Lac La Biche . . . would allow the Minister to order any regulated measure to deal with any animal or bird that is deemed a threat to fish or fish habitat. Bill 206 indiscriminately covers native and non-native species as well as natural habitat and fish farms. This bill is aimed at controlling increasing populations of double-crested cormorants and their predation on fish farms and lakes.

"Targeting the cormorant is a real red herring" says Dr. Richard Thomas, AWA spokesperson. "Studies done on Lake Winnipeg, and Alberta Fish and Wildlife Division's own data conclusively demonstrate that increased numbers of cormorants are actually a symptom and not the cause. The actual cause is human overexploitation of the province's fisheries."

The ecological process being demonstrated is:

- Over fishing removes large predatory fish such as walleye and pike;
- Baitfish populations, upon which the cormorants primarily feed, are "released" from predation and grow in numbers rapidly and
- Cormorant populations expand in response to the greater availability of [that fish which is their] food.

Then the release goes on to say:

"I wonder if [the MLA for Lac La Biche] has stopped to consider that fishermen and industrial development regularly affect fish and their habitat," stated Jillian Tamblin, AWA Conservation Specialist. AWA recognizes the need to conserve and restore Alberta's fisheries.

So they're not against the goals and the aims and the purposes of the bill, but they do say:

"Better management of fishing pressure, native fish stocks and habitat protection should be the core of any new legislation . . . Fish farms and ponds are not natural systems and need to be looked at separately," she says.

Mr. Chairman, attached to the Alberta Wilderness Association's release is scientific background information with graphs and with fairly convincing, persuasive scientific data, and part of this information deals with the decline in walleye catches. The graphs that are presented here show "the decline in walleye catches at Lac La Biche over the past 60 years, superimposed on pelican and cormorant nest counts from NE Alberta." They learned the cause of the collapse in fishery, but

the birds arrived long after the fishery collapsed and therefore cannot be implicated as a cause. Instead, they are a response to the decline of the aquatic predator (walleye) causing an increase and abundance of small fishes (prey items for walleye). The birds are feeding on this abundant prey source as a replacement for the lack

of a walleye predator in the lakes. It gets even more complicated. The small fishes (perch and shiners) are major predators on walleye fry. Increased small fish densities have resulted in heavy predation on walleye fry. If anything, bird predation on these small fishes is a benefit to walleye.

So that's one piece.

The other piece, Mr. Chairman, is sort of a control group and experimental group study. Again it says that the graph that is presented here in background information

demonstrates that fishing success is very high on the bombing range and very poor immediately adjacent to the range. Basically, this is a control-treatment experiment. Both areas have commercial fishing, cormorants, pelicans, low water, beavers and all other factors that people tend to blame for poor fishing success. The only difference is sport-angling pressure. Angler effort is low on the bombing range and high elsewhere. Success is high on the range and low elsewhere

as a result, so it's the angling pressure that accounts for decline rather than the number of cormorants and other predators in the area.

So, Mr. Chairman, let me look at some more information here. This is a letter that was written by the Alberta Wilderness Association to the editor of the Lac La Biche paper. It says:

Here's a riddle from Lac La Biche. Question: What's black and eats fish? Answer: A scapegoat.

To anyone who cares about protecting Alberta's environment, Lac La Biche . . . is reminiscent of one of those old horror movie series. Just when you thought it was safe . . . up pops another eco-illiterate, complete with a "Nature must be conquered" frontier mentality straight from the Dark Ages.

Is my time over?

3:30

THE DEPUTY CHAIR: Yes, hon. member. The 10 minutes allocated has run out.

DR. PANNU: I'll seek another opportunity. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Chairman. It's my pleasure to rise again to speak to Bill 206, the Fisheries (Alberta) Amendment Act, 2002. This bill is needed in Alberta. It is one which will hopefully protect our fish species and the fisheries industry for many years to come. I would like to first address the amendments that have been proposed to this bill. These amendments are very simple. They provide clarity, and they are nothing more than an attempt to tidy up the wording of the bill. The sponsor is clearly very concerned that the bill is as well written and as clear as possible.

Bill 206 provides us with an opportunity to retain what pests have taken away. It is important that we note that it is not just the cormorants that Bill 206 targets but all pests that threaten our fish stocks around Alberta. Mr. Chairman, this weekend there was a report in the newspaper that said that cormorants are not to blame for the depletion of fish stocks in Alberta but that there were other factors more pressing. Well, that might be the case, but these pests are part of a very large problem in some parts of Alberta, and I would like to support a bill that will try to at least solve one part of the problem facing our fisheries. It is all too often that when people think that some sort of animal is becoming a target of control, environmentalists try to pin the blame on humans. Well, this time I disagree, and I place part of the blame for our depleting fish stocks on pests.

I don't think that cormorants are being used as a scapegoat but rather correctly identify a part of a proven problem, a problem that

Bill 206 attempts to fix. In fact, I would argue that the pests that threaten our fish stocks are a bigger problem than we think. I realize that some argue that the depletion of fish stocks is due to other things like overfishing or environmental factors. That might be true, but I can tell you that there are many dugouts in Alberta that have fish stocks that are not overfished or have environmental concerns but in fact are decimated by pests, mainly hard-to-control cormorants.

Mr. Chairman, I am pleased that nearly all of Bill 206 has stayed the same and that the proposed amendments are simply housekeeping. Further to this, I am pleased that the support for the bill seems to be very solid. I imagine that there are many members in the House who have seen the damage that pests do to fish stocks. One member gave an example in second reading of how the cormorants cleaned out his dugout of fish before his grandchildren were able to fish them out for themselves. Restocking a dugout is very costly, and farmers do not stock their dugouts to feed the rampant cormorants. They do it for their own enjoyment and food supply and not for the birds' supper.

Mr. Chairman, Bill 206 will hopefully put an end to one of the problems that those in the fishing industry are currently facing. Granted, there may be other things that must be done to save some of the industry, but this is a good step forward. I believe that most of those who live in a rural setting understand the problem that pests pose. They understand that there are many issues that wreak havoc on farms and any rural industry. Pests are something that can damage farmers' yearly livelihood in a matter of hours. Bill 206 gives a fish farmer a chance to defend his property. It gives the owner the hope that he will be able to fend off the wild beasts of the air that swoop down and clean out his fish, fish that would go to feed hundreds of people instead of thousands of mischievous birds.

The fishing industry in Alberta has the potential to be very large and very competitive, and I am sure that with the proper management the industry in Alberta will continue to head in that direction. I should say that it will thrive when the pests that threaten our industry can be properly dealt with.

This bill does not attempt to eliminate the pests entirely. What it does is put better control options on the pests. It is up to the Minister of Sustainable Resource Development to ultimately decide on what is a pest, but now the avenue of control will be available. Bill 206 is a solid and a very sensible piece of legislation. It does what many in the fishing industry ask of the government, and that is for better rules to control pests that threaten their livelihood. Many people in Alberta make a living in the fishing industry, and Bill 206 helps them protect their investment.

The amendments that we are debating here today are nothing more than simple housekeeping amendments that will strengthen this bill and make it clear. I would hope that all MLAs who have had a problem in their constituencies with pests threatening the fishing industry will vote for not only the amendments to Bill 206 but also for Bill 206 itself.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I'll rise today to speak at this moment to the amendment and do so in the context of the whole bill. We've been debating this bill now for a couple of weeks and given it some thought. I approached the bill with an open mind, which astonished some members of the Legislature, and I have gone back and forth and back and forth, but the more carefully I read the bill and the amendment, the more uncomfortable I am with it. I'm concerned that the amendment does not address some issues that I see lurking in this bill.

In particular, we all speak about the cormorant and the threat that the cormorant poses for our fish stocks in Alberta, but the bill is not limited to cormorants. In fact, the bill doesn't mention cormorants at all. So I am concerned that this bill in fact is too broad and sweeping and that the amendments don't correct that. Now, if there was an amendment that came forward and specifically narrowed things down to the cormorant, I'd be pleased with that, but the bill reads, "when the Minister determines that a species of animal or bird is destroying or harming, or is likely to destroy or harm, fish or fish habitat," and it goes on from there. It's very, very broad, and it says that "the Minister determines that a species of animal or bird" – that is absolutely wide open. It's not limited at all to cormorants. I was uneasy, or unconvinced at least, about killing off cormorants. I'm very, very nervous about leaving the door wide open to any species of animal or bird except, as is wisely limited here, animals or birds that are endangered.

I think, for example, of other birds or other creatures that may be, in the normal course of their activities, damaging or threatening to damage fish or fish habitat. I spend a fair bit of time at lakes around this province, and I'm always delighted when I see osprey going back and forth just off the shoreline, a magnificent sight. I've been around the province long enough to remember when it was rare to see an osprey, and they've made a comeback. I'm sure this is not the intent of the Member for Lac La Biche-St. Paul in proposing this legislation, but in fact an osprey is a species of bird that destroys or is likely to destroy fish. That's how they survive.

3:40

I think about other creatures, the vast herds of buffalo that used to graze on this great prairie. They were so extensive, their numbers were so vast, that they created their own ecosystem. They in fact prevented the boreal forest from extending down over the prairie because they grazed so extensively. Now, somebody could have argued that they were disrupting the environment. These tens of millions of buffalo were destroying fish habitat and were disrupting streams and so on, and that could have been used to justify the killing of the buffalo.

Now, a more contemporary example, which certainly would fall within the scope of this bill as I read it, would be simply cattle crossing creeks. There is extensive evidence, many, many cases of cattle crossing creeks and really disrupting the fish habitat, in fact totally breaking down the streambeds. They'd fall under this bill potentially.

So those are a handful of examples of my concerns of why I think this bill is too sweeping and why I think the amendment is inadequate to contain the bill. When we leave a bill like this as wide open as we do, while our intentions today may be simply to address the cormorant, down the road we will be or may be enticed to interfere further to correct other issues. As we move in to counterbalance not just the cormorant but whatever comes after the cormorants, I'm concerned that we get drawn further and further and further into the very risky business of trying to actively manage an extensive wilderness ecosystem, and that's exactly what this bill would allow. I can imagine that a few years from now cormorants may be under control if this bill is passed. But some other creature comes along, and then we intervene on that case. Then we find that we have to compensate for intervening with that second creature by going after a third when what we really should have done is held back and let nature take its course, or, as so many others have mentioned here, we should have addressed the fundamental cause of the problem, which I don't believe is the cormorant.

This bill I think potentially opens a Pandora's box of wildlife management issues, and as we open that box wider, more and more

problems come out. Another way I thought of it is that it risks the kinds of dynamics that occur when you get a bad haircut – well, you may wonder what I'm referring to there – like the one I might have right now, some people say. For example, your barber or in my case my wife – she cuts my hair – maybe starts cutting on one side and she overcompensates, so then she goes back to try to correct it on the other side and overcompensates again, and pretty soon I don't have any hair left. The same kind of dynamic could actually occur – and I'm getting serious here now — as a result of this bill. We correct the cormorant problem, but it turns out that that leads us to correcting another problem, which means we have to correct yet another problem, and so it goes until we are in really deep.

So I'm getting increasingly uncomfortable with this bill, and the amendment – well, it does do what a couple of other members have said: it clarifies some issues. It makes perhaps a better use of language. It doesn't address what I see as a very substantial concern. So I'm afraid I will be opposing the amendment.

Thank you, Mr. Chairman.

MR. DANYLUK: If I can, I would just like to address a couple of questions as you referred to the amendment. I'd sure very much be concerned if you were getting in too deep. No. What happened, I would like to suggest, is that fish stocks are very much endangered. I think we all agree. If I can alleviate some of the concerns of the hon. Member for Edmonton-Riverview, this is not what I would consider open season on an animal. It has to go through the government minister's direction. This is also going to be brought forward in consultation with their biologists. This very much talks about the balance of the ecosystem.

I would also like to refer you to section 33.1(2), where it suggests that "'animal' and 'bird' do not include an endangered animal as defined in the Wildlife Act." I think that's very important as well so that we are not threatening animals or birds that could be under the endangered species.

I would like to also make a couple of comments to the hon. Member for Edmonton-Strathcona. He did make comments also in regards to I believe the amendments and one person's explanation of what is happening. I would also like to suggest that I have talked with that individual and have also seen the documentation that he has written, and that's Dr. Richard Thomas. I do believe that we agree on one aspect or maybe numerous aspects, that cormorants are not the only problem. When we refer to cormorants or pests, there have been a lot of things that have taken place that have depleted fish stocks. Without a doubt, not from the comments that he's making but from my comments in answer to you, drought has been one of them. The declining water levels has definitely been one of them. With the decreasing water supply what happens is that beavers have built dams on the mouths of rivers, not enabling fish to be able to spawn going upstream. The fish that we have in Alberta do not have the ability to jump beaver dams to be able to go spawn. So, I mean, that's definitely another problem.

You talk about commercial fishing and angling. We would be in a great situation ourselves, all of us in this room, if we had hindsight as a vision, but what happens is that we can only do what we can to try to better a situation. That is what we're doing right now with commercial fishing as far as rationalization. We are looking at different avenues to try to promote fish. This bill basically only addresses one aspect of it, and you're right. Okay?

I would just like to stress to the hon. Member for Edmonton-Strathcona again that Fish and Wildlife will be the controller of the balance under the direction of the minister, if that gives any ease to your concerns.

Thank you very much.

3:50

DR. MASSEY: I appreciate the opportunity to make a few comments about Bill 206, Mr. Chairman, and appreciate that what Bill 206 proposes is already possible through a variety of other laws that are in place in the province. But I think Bill 206 does really focus on a much broader issue that I don't think we have spent much time looking at in the debate so far.

If you look historically at the relationship between humans and the environment, there seems to have been a notion for hundreds of years now – our attitude towards human nature, I guess since medieval times, has been one of acquiring absolute mastery over nature; that is, we've assumed, with some successes in the Middle Ages, that we could control certain parts of the environment, that we could free ourselves from the scourge of epidemics and drought and various other catastrophes that befell mankind. The successes have grown of course with technology and advances in biology and other sciences, so we have really reached this point where if a pest comes along, like in this case the cormorant, and it threatens an industry, then the natural reaction is: well, if that's what's causing the problem, then let's get rid of it; let's find the best mechanism we can and eradicate the problem.

I think that that kind of attitude is one that is being increasingly re-examined. I think the role of the government in the management of species is being questioned, and it's being questioned for good reason. There's been mention of the endangered species that we have concern with now, and one of the former members said: well, you know, the cormorant isn't an endangered species. Well, neither were the peregrine falcons at one time, nor were the whooping cranes or the trumpeter swans or the burrowing owls. At one time they weren't on anyone's endangered species list, but they are now, and I think that what it points to are the mistakes that can be made if we don't think through carefully our actions before taking on the kind of wildlife management that Bill 206 asks for. I think that it's a question that is continually asked in the province and is going to be asked more and more in the future: how do you balance the management of species and the marketplace? Does the decision always come down on the side of the marketplace?

I remember a member in a previous session in this Legislature making the proposal that the province take on wiping out the gopher population in the province. It was a short-lived bill, as I recall it, Mr. Chairman, but I think again that it was indicative of the kind of thinking: if there's a problem and there's an economic downside to the activities of a certain species, then the solution is to get rid of the species or get them out of the way. Again, I think that that's being questioned more and more if for no other reason than that we have no assurance that today's actions are not going to result in tomorrow's problems. It's not just the action that might be taken with respect to the cormorant and the fish stock in the province. If, you know, the human action alone in terms of trying to alleviate the problem were all that was operating – we know, for instance, with some of the endangered species that we're not alone. We have multiple activities that affect wildlife.

Climate change is an influence on species in the north. Certainly industrial development has had a great impact on species and some species ending up on the endangered list. Herbicides have had a huge, huge impact. The promise was that herbicides were to bring nothing but benefit, and we find that because we didn't have the foresight to predict the long-term impact of introducing herbicides on a large scale, we ended up with problems that at the time when herbicides were first discussed I'm sure no one envisioned. The introduction of different plants and animal species, seemingly innocent at the time, in the long run has had some very negative

impacts on other species of plants and animals. In our own province the roads and power lines, the human activities have again had great influence on some species.

Bill 206 may provide an immediate solution to the problem. I'm not sure that even that's the case, but I'm even more worried about the long-term impact of this kind of activity, and I think that for those reasons, Mr. Chairman, I won't be supporting the bill.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you, Mr. Chairman. I would just like to suggest that the concerns that you have brought forward are not short-term solutions. I believe it is not an isolated solution that we are after; I believe it is a balance that we are after.

Some of the discussion that was brought forward by the hon. Member for Edmonton-Glengarry when he talked about the ecosystem and the balance of the ecosystem I very much agree with. I guess the concern that I may have is: when did the ecosystem start, and where does it end? We know the end is today, because we have the present knowledge, but where did it start? Did the ecosystem start in the dinosaur era? Did the ecosystem start before there was civilization in North America? When did the ecosystem start, and what impact did we already as citizens of this country have on that ecosystem by commercial fishing, by angling? Right?

I believe that what this bill will do will enable some balance and some management, and I would say that that is one of the reasons that it is very much open. It does have some stipulations, as I spoke of before, of not including endangered species, because I think that that's very important.

Mr. Chairman, I think we have seen and we can all agree that the amendments proposed do not change the intention or the principle of the bill but ensure that the bill can achieve what it set out to in a clear and complete manner. I would encourage you to support the amendments to the bill.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you, Mr. Chairman. It's an honour to join the debate in the Committee of the Whole on Bill 206, the Fisheries (Alberta) Amendment Act, 2002. We've listened to a great deal of debate about the need to control the population of predatory birds in order to effectively preserve fish populations in Alberta lakes.

Several members in this Assembly have described personal experiences relating to the behaviour of the double-crested cormorant and how the birds have decimated lakes and reservoirs in Alberta. The hon. Member for Lac La Biche-St. Paul knows more about the horrible effects of this bird than anyone else in the House, Mr. Chairman. I would agree with the other members of the Assembly about the need to implement controls to prevent this bird from causing more harm to Alberta's aquaculture and environment. This situation is getting out of hand in some areas of the province, and the role for this Assembly is to find a solution. The challenge for this government is to act in a serious and sensible way while fulfilling our role as protectors of both Alberta's environment and Alberta entrepreneurs.

4:00

The remedy proposed in Bill 206 is to allow the minister responsible for the Fisheries (Alberta) Act to use existing legislation to control bird species that are destroying or harming fish habitat. The bill has not suggested drastic measures, nor is it suggesting anything new. Mr. Chairman, the double-crested cormorants are destroying

and contaminating lakes and through their ruthlessness and predatory behaviour are undermining efforts to restore lakes damaged from overfishing. Albertans have the expertise and the resources to deal with these birds. The only thing that farmers need is a green light from this government to control the birds' exploding population.

The overall population trend of the double-breasted cormorant is significantly increasing. In 1967 there were only four colonies, totaling less than 200 nests, in Alberta. By 1980 27 colonies with 2,300 nests were documented. The total number of known nesting pairs in 1988 was estimated to be over 15,500 living in over 60 lakes in Alberta. Before the 1970s the population of cormorants was controlled inadvertently with the use of DDT. When decision-makers of the day came to the realization that DDT was terrible and harmful to the ecosystem, there was a ban put on its use, and about that time the government of the day undertook steps to restock fish supplies in the province and inadvertently provided the cormorants with a bountiful food supply. Mr. Chairman, Bill 206 will give the Department of Sustainable Resource Development a mandate to effectively prevent and manage the factors that have created the fish stock problems in this province.

Even though the bird problem described in this Assembly is a very important one, Bill 206 also deals with other issues that currently hinder a healthy development of Alberta's fish farming operations. Providing decent spawning routes will facilitate the natural ability of fish stocks to develop. This can only be maintained by proactively removing beaver dams that pose a problem for certain fish species' migration. Mr. Chairman, Bill 206 will help farmers deal with any problematic beaver dams.

I support Bill 206 and the facilitation of spawning waters that will help increase the fish population naturally, which will reduce the need for restocking measures that often carry substantial additional cost. In light of this drastic situation in Lac La Biche-St. Paul and the growing concern throughout the province, I agree that this legislation is a reasonable approach to an increasingly severe problem. However, I believe that we must also be careful with the implementation and management of this legislation should it pass. We must ensure that further pest control initiatives are as effective as past pest control agencies.

In essence, Bill 206 would amend the Fisheries (Alberta) Act in such a way as to clarify the responsibility of the Minister of Sustainable Resource Development to protect the fisheries resource through the minister's power to issue deforestation orders, remove beaver dams, and restrict fishing in certain areas. Although the minister currently has all these powers, Bill 206 would provide guiding principles to proactive, sustainable management of fisheries resources.

Mr. Chairman, if the department is able to re-establish and secure routes for fish spawning and prevent overfishing, then a large portion of the problem can be solved. However, these steps will not rectify the problems that certain lakes and fishing areas are facing. Taking legislative action to protect our limited fisheries from natural predators is a valuable first step in the strengthening of Alberta's recreational fishing and Alberta fish farms. Bill 206 would effectively complement this government's work of restoring and preserving fish habitats in Alberta. I would encourage all hon. members in this Assembly to support this important legislation.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Chairman. It's my pleasure to rise today and discuss Bill 206, and I believe that this is an important bill for conservation of Alberta's natural habitat and for ecological

balance. Bill 206 would allow the Minister of Sustainable Resource Development to protect Alberta's fish stocks and natural lakes from the predation and overpopulation of nongame birds.

The purpose of Bill 206 is to allow Alberta to better manage and balance the aquatic ecosystem between fish stocks and predatory consumption. Here in committee we have heard the sponsor propose an amendment to the bill which will not impact the intent of the important private member's bill. The bill continues to maintain its purpose, and that is to help maintain a balance in the environment which could very easily become out of control.

Presently Alberta is facing the overpopulation of a predatory pest who raids Alberta's fish stocks and destroys the banks and habitat of the shores around the area in which they nest and feed. The double-crested cormorant is a nongame bird, one that is unsuitable for consumption. It has few natural predators and even fewer here in Alberta. Its population has been rapidly increasing since the 1970s, and presently its population has exploded in Alberta.

At one time, Mr. Chairman, the double-crested cormorant was considered a bird in need of conservation and legislative protection in parts of the world. In the early 1970s the cormorant population was discovered to be drastically declining, and this water habitat bird was placed under protective watch and monitored by many governments and conservation groups around the world.

I think it's important to take note of the population patterns which have been developing in regions similar to ours. The double-crested cormorant in the Great Lakes region became threatened in the 1970s mainly because of PCBs being used in industrial practices. These chemicals were heavily used from the '30s to the '70s in industrial products and manufacturing until they were linked to various diseases and muscle disorders. These chemicals were found to be extremely harmful to humans and ecologically damaging in many aspects. They have, Mr. Chairman, been banned.

By the late 1980s and early 1990s many of the cormorant groups which had been monitored had doubled in numbers of nesting pairs. This rapid population increase was for the most part at that time considered good news to conservationists and bird lovers alike. The conservation programs had been a success, and the cormorant population seemed to be thriving once again. This rapid increase in the cormorant population was considered a good thing after the ban of PCBs because their presence proved that the quality and ecological standards of the industrial Great Lakes area was improving. Having the birds around showed that environmentally the region was in better condition.

However, populations continued to increase, and it became apparent in the early '90s that the Great Lakes region was developing a bird problem. Nesting pairs had exploded from 1,500 to 5,000, counted on one island alone. The cormorant population increased so significantly that a variety of problems began to be associated with the increases, including impacts on aquaculture, sport and commercial fisheries, natural habitats, and other bird species.

4:10

Mr. Chairman, conservation groups in the Great Lakes region, particularly on the U.S. side, have gone to great lengths to investigate the impact of cormorants on the fish population and effects on the environment around their nesting sites. There seems to be a pattern which follows the double-crested cormorant, which is demonstrated in extensive research done in cormorant control in the Great Lakes region. As environmental conditions improve, so too does their population, but their population improved to a point of overpopulation and explosive numbers in some areas, resulting in extensive degradation to the environment. Then the birds expand their nesting territory, and the pattern continues to move in an outward direction.

Mr. Chairman, this pattern has found its way to the beautiful environment of Alberta. The double-crested cormorant has migrated to Alberta's lakes and has already destroyed large areas of habitat and depleted fish stocks. There is need in this case to learn from others' experiences, and we realize that there is a need to react to the population that is exploding in Alberta before it destroys whole areas like it has destroyed whole islands in the Great Lakes region. As well, our fish reserves are an important part of Alberta's resources, and currently they are being threatened by a large and very capable fishing bird that has no natural predators in Alberta. We didn't see the problems that this bird would bring and the aquacultural imbalance it could create in our province 20 or 30 years ago because its population was kept in check by unnatural effects on its eggs.

Complete obliteration is not what Bill 206 is looking to accomplish. However, it is important to recognize that the minister needs to be given the ability to control this significant threat to Alberta's environment and aquaculture. Overpopulation by this nongame bird is a very real hazard to Alberta, and something must be done to ensure that it is controlled and doesn't become the destructive nuisance it is in the Great Lakes region.

I am in support of Bill 206 because I believe it will allow the minister to investigate ways to strike a balance that would be the natural rate of existence with this and other pests and save the environment, which is so important to all of Alberta. I encourage all of my colleagues to vote in the same interest and support Bill 206. Thank you, Mr. Chairman.

[The clauses of Bill 206 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Chairman. I move that we rise and report the vote on Bill 206.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports with some amendments Bill 206. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Public Bills and Orders Other than
Government Bills and Orders
Third Reading**

Bill 205

School Trustee Statutes Amendment Act, 2002

THE ACTING SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Speaker. I rise today to make a few concluding remarks and to move third reading of Bill 205, the School Trustee Statutes Amendment Act, 2002.

I would like just at this point to indicate in summary that what the bill does is amend the Local Authorities Election Act in a very specific way by introducing the fact that an employee of a school district or division, a charter school, or a private school is not eligible to seek election on a school board unless that individual, the employee, "is on a leave of absence granted under this section," and that is the section that specifically indicates that an individual, the employee, upon nomination, must have sought a leave of absence.

I also want to indicate that there are two amendments to the School Act in this statutes amendment act. The first indicates that the only relationship deemed a conflict of interest in pecuniary matters is that of spouse. The other one indicates that every trustee upon election would be required to file with the secretary of their respective school district a disclosure statement. Of course, it would be understood that should circumstances change over the course of their tenure as trustee, individuals would, as we do for Assembly members, update it.

I would urge all members to vote in favour of Bill 205 because I believe it will accomplish two things. It will seek clarity and understanding for the rules. It will also create a greater inclusion model for the participation of all trustees when participating at the decision-making table.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. Just to make a few comments on third reading. I believe that it's an unnecessary bill, I believe that it's punitive, and I believe that it attacks a group of citizens and takes away their rights. I'm disappointed that it's before us at this time and that it hasn't been withdrawn. It is a private member's bill. Should it become a government bill, I think it would have a very negative impact, particularly on rural boards in the province, on the ability of those boards to recruit quality candidates who can contribute to the educational enterprise.

With those comments, Mr. Speaker, I would urge members to vote against this bill.

4:20

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. I wish to add my comments on Bill 205, the School Trustee Statutes Amendment Act, 2002. I have concerns with this bill as it excludes a class of people, namely teachers, from participating in one level of our democratic process. With last week's amendment to this bill teachers may seek office as a school trustee if they obtain a leave of absence from their employer to run in the election. If successful in the election, they would then have to resign from their employment. This is a very high price to pay for a teacher who feels that they may be able to make a difference in our education system.

I served the Bonnyville-Cold Lake area as a trustee for the Lakeland Roman Catholic school district from 1986 to 1992. I received an honorarium from the board at that time for attendance at various board and committee meetings. I know that honorariums have increased in the past 10 years. However, they have not risen enough to provide one with an adequate income to maintain a pauper's lifestyle.

The amendment allows teachers to seek public office as school trustees. However, it made the opportunity available to only the very wealthy teachers or the very lucky teachers: those who may have won a lottery, quit their teaching profession, and now want to try their hand at politics. Chances of finding this type of individual to seek public office are rather slim to none.

Mr. Speaker, in last year's school board election a teacher and friend of mine sought a position for the Lakeland Catholic school board. This individual had taught for all of his career for the Lakeland board and had retired a year or so prior to last fall's election. Over the years he was very respected and appreciated by parents, students, board members, and the community for his teaching skills. This teacher did make a difference in the education of many students. On election night I had the privilege of attending a victory party at his home as he was successful in his first attempt at public office as a trustee for Lakeland Catholic. He was so successful that he topped the polls, supported by most voters in the west division of the school district, who felt that his past experience teaching for Lakeland Catholic would make a difference in the operations and policies of the Lakeland Catholic school board.

You might be wondering where I'm going with this. He is retired from Lakeland Catholic; therefore he qualifies to run as an elected trustee, according to Bill 205. I do not know the exact reason, however, that this teacher decided to seek other employment as a distance education teacher for home schoolers for another school district 130 kilometres away from Bonnyville. Therefore, if this bill that we are now debating should pass, he would be ineligible to seek re-election next time. How can I as the MLA for Bonnyville-Cold Lake deny this teacher that opportunity and the Lakeland Catholic school supporters the opportunity of re-electing this individual in 2004? The majority of the voters supported this individual in 2001, and it's up to these voters to support or not support him in 2004. Election day is report card day for all incumbents at all political levels by the voters and not by the individual MLA who will now decide this teacher's fate by supporting Bill 205, the School Trustee Statutes Amendment Act, 2002.

Mr. Speaker, I respect and support teacher Bob Kleinman as an individual, teacher, and school board trustee, as did those voters in October 2001. I ask the members of this Assembly to also support Mr. Kleinman by voting against Bill 205. As elected provincial officials we must also consider the wishes of our constituents who in October 2001 exercised their democratic rights to elect a teacher to their school board. They elected someone that they felt would represent them well in the education of their children and grandchildren. Allow these voters to decide if he did or did not represent them well as a member of Lakeland Catholic school board rather than letting this private member's bill make that decision.

In closing, Mr. Speaker, I urge all members to vote against Bill 205, the School Trustee Statutes Amendment Act, 2002. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a pleasure to rise today and speak in favour of Bill 205 in third reading. Bill 205 would ensure that individuals who would face a pecuniary conflict of interest in the course of their duties as school trustees are prevented from seeking nomination and therefore election. This bill is not a slight against teachers – far from it – and it is not an attack on teachers. I feel that Alberta teachers do a very good job for our children, and they should be commended for the fine job that they do on a daily basis. What this bill does as amended is ensure that only candidates who are capable of fulfilling all of the obligations for which they are elected would be able to run for a trustee position on any school board in Alberta.

The government of Alberta, Mr. Speaker, delegates much of its authority for the governance of education to locally elected school boards. Decisions made by school boards include adopting an annual budget for the school system, planning and setting priorities for the jurisdiction in light of available resources, making policy to guide the administration of employees toward district goals, and adjudicating in policy disputes while communicating with the community and staff on behalf of that jurisdiction. All of these duties are delegated to local school boards. These responsibilities are extremely important, and when decisions are being made, the board must be able to have a meaningful debate among all of the members who were elected to that school board.

I understand that at some point there will be instances when conflicts of interest will arise and a member will have to excuse himself from that discussion. This is all fine if it happens only occasionally, but as the debate for this bill continues, we have heard many situations where these problems are repeated and multiplied to the point where one trustee is left to make crucial decisions entirely on his or her own. To me, Mr. Speaker, this is not acceptable. If you're elected, you should be available to make tough decisions and to make those decisions consistently. That is why Bill 205 was brought in: to ensure that school boards will have people running for a trustee position and will be available to sit and make those tough decisions.

Bill 205 proposes two excellent reforms to the school trustee act that span the Local Authorities Election Act and the School Act. The first amendment that the bill proposes would be that those elected to a school board will be able to fully participate in debate. The second amendment that Bill 205 proposes would provide clear and narrowed circumstances for pecuniary conflict of interest scenarios arising due to family relationships and financial matters that come before the board.

Bill 205 was brought in so that we could improve the performance of Alberta school boards by disqualifying potential trustee candidates who would likely face conflicts of interest and would have to abstain from important budgetary decisions and voting because of the fact that they are employees of that school district. Conflicts arise because many school board trustees are active teachers and a situation has come up where that employee suddenly becomes the employer. This, Mr. Speaker, is not acceptable.

Imagine, if you will, a board that has five trustees and of those five trustees three are active teachers employed by the province. At some point in the year budgetary decisions must be made. Now, on this board under current legislation three out of the five trustees must not partake in budgetary discussions and deliberations because they are in direct conflict. Therefore, if my math is done correctly – and I think it is – we have two out of the five trustees left to make a tough budgetary decision on the board. We cannot allow this to happen, Mr. Speaker. How can we justify to the voters of this province that we will allow someone to run for a school board position just to have them abstain from the most important decision that they are elected to make?

Bill 205 corrects this problem, and it does so by changing the rules of who can be eligible to sit on school boards. First, I think we need to be clear that anybody in Alberta can run for school board trustee. If you're eligible under the rules, including those in Bill 205, then you can run. However, if you are an employee of the Alberta education system, you must take a leave of absence from your job to be nominated, and if you win the election, you must resign from your previous job. The reason for asking employees of the Alberta education system to resign from their job if elected is so that they will be able to fully participate in the discussions and the debates that come to the school board table. They will be able to make

tough decisions, and they will be accountable for those decisions that they make. Bill 205 makes school trustees more responsible and accountable for their duties. Mr. Speaker, we must all remember that this bill enhances our school boards. As has been stated before in this debate, this bill will strengthen our school boards and will no doubt make our system stronger in the future.

Bill 205 also narrows the scope of individuals who are deemed to share a pecuniary conflict of interest with the school trustee to the trustee's spouse. Currently the School Act identifies trustees' children, parents, and the parents of their spouses within that category. Mr. Speaker, I believe that this is too broad and that we need to narrow the scope so that trustees can do the job that they have been elected to do.

Legislation, Mr. Speaker, currently allows the problem of abstention due to pecuniary interests to remain and to persist. It simply provides that trustees declare conflicts of interest and abstain from related proceedings. As well, it accommodates situations where the whole board is unable to participate by appointing a single official to assume the role of the school board. This is not acceptable, and it is time to step forward and correct this inadequacy.

4:30

Mr. Speaker, one aspect I'm very happy about in all of this is that I believe that the debate on Bill 205 has increased awareness of school trustees and the great job that they do in this province. Everyone in this Chamber believes that their trustees are the best and most committed people to have in charge of our education system. Bill 205 merely allows them to do the job that they were elected to do.

With that, Mr. Speaker, I believe that the changes Bill 205 brings to our school system are very positive. Trustees will fulfill their duties on a full-time basis, and our system will be strengthened. I urge all hon. members in this Assembly to vote favourably on Bill 205.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. I have just a few comments here on Bill 205. Again, I must agree with so many of the comments that the Member for Bonnyville-Cold Lake made earlier. What a great, great contribution so many of these people have made to the educational system here in Alberta over the years, and to think that with this bill they can be denied access without some great financial decision that they have to make in order to represent people – I will continue to argue very strongly against Bill 205.

Now, then, I do certainly agree with some of the amendments that now free up family members of teachers in continuing their role on school boards. I did have the chance to talk with a family member where the dad is a teacher; the mother sat on the school board for roughly 15 to 17 years in Mayerthorpe, a member of the Northern Gateway regional division No. 10. Because of her position on the school board she also had the opportunity to chair the Yellowhead Regional Library Board. I think what a great, great loss she would have been if this legislation hadn't been amended and she could not have sat on those boards. So I certainly do agree with the amendments.

The next thing here is that this is a very punitive bill, and it's punitive in that it does restrict representation of a certain segment of society. As well, it does limit the democratic process, and it limits who people in a community can vote for. Even though somebody is

a taxpayer that has all other qualifications, we are going to cut them out of the opportunity of being a school board member. It would seem to me that rather than introducing and debating a bill, a punitive bill which would limit some people's opportunity to serve on school boards without some financial hardship being introduced, there are other mechanisms that we could use in order to take care of situations the hon. Member for Edmonton-Calder mentioned, where two out of five people were eligible to debate budgetary systems. So there certainly are other opportunities.

As well, it strikes me as quite odd that in debating a bill of this nature, we never heard from the sponsor of the bill as to how many school boards in the province would have less than, say, 50 percent representation because of people occupying these positions. When we look at roles of trustees, the opportunities for there being a conflict of interest are certainly limited. They perform so many other duties, and certainly their wisdom and experience is of great importance. Particularly when we could constitute other mechanisms to handle situations where there is a conflict of interest, then I certainly cannot support this bill.

I think of my first term in the Legislature here, Mr. Speaker, when we had an hon. member from Calgary whose husband also sat on a health board. She would disqualify herself from those particular discussions that we had on the health board. We don't have any legislation limiting those people from seeking an elected representative position in this House, yet we're going to turn around and institute legislation, if this bill is successful, to do that to another group of people. Again, I certainly can't see how the courts would support a bill of this nature, particularly when we're not consistent with what we do in this Assembly with our members.

I would certainly urge all members not to support this bill, and I would urge that because it does disenfranchise one segment of our population, a segment that does have special abilities, that does have a great interest in education and certainly in the course and the history of education in this province has made a considerable contribution to our education process.

[The Speaker in the chair]

Again I thank you for the opportunity to speak to Bill 205 at this stage, and I would urge all members not to support this bill. Thank you.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I'm very pleased to have the opportunity today to speak to Bill 205, the School Trustee Statutes Amendment Act, 2002.

We live in an age where we place a premium on accountability. "The buck stops here" could almost be our motto, you might say. Beyond that, as a legislative body elected by our peers, we have made promises, both while running for office and since forming the government, that we must keep to our respective constituents and to all Albertans. Part of any such promise must include a commitment to steer clear of any conflict of interest, both those that are real and those that are perceived. As public servants we have to adhere to certain laws and regulations in order to avoid finding ourselves in a conflict of interest situation.

We are of course not alone in having to observe such laws and regulations. There is a long-time prohibition on what often is called insider trading on the stock market, for instance, and physicians cannot accept money from drug companies to prescribe particular drugs to the exclusion of others. Quite frankly, NHL hockey referees can't even work games in the same city they're from, and

that goes the same for off-ice refereeing staff. That's how far-reaching the concern of potential conflict of interest is in our society.

Mr. Speaker, school boards are no exception in this matter. Bill 205 takes a two-prong approach to streamlining the circumstances and conditions under which an individual can become and serve as a school board trustee. First, it narrows the limits on who may serve as a trustee, and secondly, Bill 205 nips in the bud any candidacy that might otherwise be plagued by conflict of interest, particularly those of a pecuniary nature.

With its amendment, Mr. Speaker, Bill 205 is now an even better bill than it was in its original format as it makes the nomination and the election procedures for school trustees fully consistent with the Local Authorities Election Act. Currently this particular act mandates that any municipal employee wishing to run for office must take a leave of absence without compensation prior to his or her nomination. In the event that the employee wins the election, he or she must resign from his or her position with the municipality.

At the present time, Mr. Speaker, many of the crucial provisions of the Local Authorities Election Act do not apply to candidates for school boards. At the present time, therefore, an individual can be an employee of the school and run for its school board in an election. Quite clearly this scenario opens up the possibility that a wide range of conflict of interest might arise.

4:40

If passed, Bill 205 would drastically limit the possibility of such conflict of interest by making a person ineligible to be nominated as a candidate for election as a trustee of a school board if on nomination day he or she is a school employee in whatever capacity of whatever school anywhere in Alberta. For instance, under Bill 205 a school employee living in, say, Sherwood Park would no longer be able to run for school trustee in Edmonton any more than he or she could run in Sherwood Park. But, differently, what can't be brought in through the front door won't be brought in through the back door either thanks to Bill 205.

Being a school board trustee is a task that carries with it significant responsibilities. To be sure, Mr. Speaker, it's a voluntary engagement, but beyond that, the person who is elected to the school board is entrusted with nothing less than creating and administering the best possible learning environment for our children. We already know that for a job fraught with such a high degree of responsibility, the pay isn't that great. Trustees tend to get compensated only for the time spent in meetings. Why, then, would someone want to be a trustee? This is a job that not only involves a lot of responsibility, but it also involves making tough decisions, decisions which from time to time a lot of people will not like.

The reasons why someone would run for a position as a school board trustee are probably as widespread and as many as there are trustees, Mr. Speaker, but I think that aside from the strictly personal there is a core value that is shared by all trustees. They really care about public education, and they're really concerned that children in public education get the high-quality education that they deserve. True, to be a school board trustee does not empower someone to shape the curriculum, nor does it bestow upon someone the responsibility to determine how knowledge is transmitted from teacher to student. That said, school board trustees are given wide latitude in a variety of arenas, and chief amongst them are policymaking, communication, and finances.

The public is most keenly aware of the work of school board trustees when their local school board votes on the budget. However, they do not make these budget decisions in a vacuum. In a sense it's fair to say that the school board trustees act as referees when it comes to the budget. Teachers and principals have their

particular areas of concern, and parents have theirs. To mitigate, the trustees come and visit the schools, ask questions, hold public meetings, and then make their decision on what gets funded and by how much.

Mr. Speaker, by establishing restrictions on who may serve as a school board trustee, Bill 205 would also limit the number of occurrences when due to pecuniary interests a trustee must recuse himself or herself from deliberations. Moreover, Bill 205 would establish parameters around the specific kinds of circumstances that would automatically be deemed in conflict for reasons of pecuniary interests.

This bill makes a lot of sense to me. By passing Bill 205, we would make the regulations for school board elections consistent with other kinds of elections that occur from time to time in all municipalities. Clarity, I think we can all agree, is good, Mr. Speaker, and particularly so when it might help us to avoid conflict of interest or perceived conflict of interest. Considering that trustees of school boards tend to wear three different hats – that of policymaker, communicator, and those in charge of the purse strings – it is vitally important that they and their on-the-job performance be squeaky clean. We all know that regardless of how ill-formed a perception might be, it often sticks.

Undoubtedly conflicts of interest will occur in the future just as they have in the past. Bill 205, however, will go a long way in trying to prevent situations such as those that arose in the Northern Lights public school division and the Medicine Hat public school division. We've already heard how many trustees had to recuse themselves in each situation. The numbers themselves may be appalling, but what is an even greater source of concern is that in recusing themselves, they were not able to fulfill the trust that their constituents had placed in them by voting for them. That is why it's imperative that all of us who hold public office at whatever level avoid conflict of interest, real and perceived, whenever possible.

In the case of trustees and school boards the code of ethics of the Alberta School Boards Association states unequivocally that a trustee will

resist every temptation and outside pressure to use [his or her] position as a school board member to benefit either [himself or herself] or any other individual or agency apart from the total interest of the school jurisdiction.

Mr. Speaker, our constituents, be they young or old or in or out of school, deserve Bill 205, and I urge all of my colleagues to vote in favour. Thank you.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNEN: Thank you, Mr. Speaker. I'm pleased to spend a little bit of time discussing Bill 205. As some members may know, I did speak to this bill at committee stage, and at that time I expressed I guess it could be best stated as cautious support for the bill. I recognize that there are some issues. I enunciated at that time the issue with respect to the Medicine Hat board from my perspective as the Member for Medicine Hat, and I recognize that the Member for St. Albert has a very legitimate concern that needs to be addressed.

I guess the concern that I have – and in the ensuing days since I last spoke I have had some of my concerns somewhat alleviated, but Mr. Speaker, as you well know and as all members know, in this world nothing is black and white. It sure would be nice if it was. It sure would be nice if we could know that the issue at hand, the problem that we've enunciated, will be solved for all time by passing this bill. Unfortunately, that's not necessarily the case. On the other hand, I think this bill goes a long way toward solving that problem, and if we discover after the bill goes into practice that there are other

issues that were not addressed by this bill or that there are further interpretations of this bill that do not necessarily conform to the wishes of the House and the understanding the members had during the debate on the bill, then I think that we have at least moved the yardsticks along.

One of the things that concerns me, Mr. Speaker, about the debate that we've had on this bill is the constant reference to teachers. I'm not concerned about reference to teachers. What I'm concerned about is the fact that the bill does not address itself specifically to teachers. It addresses itself to employees of school divisions. I think that's a significant difference. There's been the assumption that this refers to teachers, but it also refers to administrators. It refers to support staff and everyone else who is employed. While we've heard arguments about whether or not teachers should or should not be eligible to serve, I don't think anyone would argue that administrators would be even less in a position to be eligible for standing on school boards.

So that's where I get to my comments about black and white. The issue, no matter what we discuss in this place, always seems to be various shades of gray. I'm going to, as I said before, support the bill. Although I see this not as entirely white, not as entirely fixing the problem at hand, I think it's decidedly moved away from the black side. It is a very light gray. I think it resolves the problems as best we can, and if it doesn't, we can always deal with that at a later point.

So with that, Mr. Speaker, I'll take my place.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I want to say that the advice I was given was to stand on my chair, but I'm pleased to say that I am standing on the floor. I would like to rise to speak against Bill 205.

I spoke to citizens in Fort McMurray who belong to school boards, and quite simply, also, I spoke to citizens and teachers, and the input I received is that they believe that things are not broken and leave them alone. I would like to say that I believe that no matter what background a trustee or a teacher brings, they obviously, as all members of this Assembly would agree, want to serve the best interests of the public. The hon. Member for St. Albert, who's brought this important issue to the floor, I think, though, should be recognized for the important points that she has raised. In dealing with a conflict of interest, obviously her intention – and I do not at all question the spirit of what she's attempting to do – is to look at conflict of interest areas that can be avoided in the future.

4:50

I do believe, though, that there are ways to be able to deal with the conflicts of interest, be it at a municipal council or be it at a school board council, without having to go to this Bill 205. In my discussion, in my background as a teacher, both my wife and I, I can say – and I know that some hon. members in this Assembly who have similar backgrounds have served in some instances where they in fact belonged to one board and actually worked for another board, and ultimately they would not be able to contribute because they would be forced to take a leave of absence.

I think the financial restrictiveness of this could present some problems. As was mentioned by some other members in here this afternoon, unless you won the lottery, you may not be able to participate. I believe that Bill 205, based on the situation that is presently in my constituency – we have had many citizens who in fact work for one school board and actually then serve in an elected capacity in another school board and do a very good job, and I can

say without fear of contradiction that it works very well.

I don't want to lose the intent of what is being attempted to be achieved here, but at this point based on what citizens have talked to me about, I'd like to say that I'll speak against Bill 205 at this time. I think the contribution of be it teachers or be it other citizens, no matter what board they work for or in fact serve in their elected capacity, serves democracy well. Consequently, I will not support Bill 205 at this time, but I thank the hon. Member for St. Albert for having a very, I think, spirited debate on an important topic and serving citizens of all Alberta.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you very much, Mr. Speaker, for recognizing me. I'd like to speak on Bill 205 in its third reading. The last time I spoke on this bill was on April 8, and I laid out in some detail my reasons for opposing this bill. The bill has since been somewhat amended, but the primary objections that I had to the bill stand, and the hon. Member for Bonnyville-Cold Lake has iterated those concerns quite eloquently.

I think the bill really in a sense is trying to address a problem that doesn't exist except in theory and potential, and we can always think of things that might happen. It will disenfranchise or certainly discourage not only 32,000-plus teachers in the province, who do such a wonderful job in serving our public education system and hundreds of thousands of our children in hundreds and hundreds of communities, but it also will take away from many other employees the opportunity to run. So it will affect 30,000-some teachers, their spouses, and if you include all the other employees who will be affected, the count is into hundreds of thousands, and I think the bill goes too far in trying to secure some concern that should be addressed with respect to conflict of interest in so doing. I think there are easier ways, less extreme ways in which the matter of conflict of interest, whether it has to do with an employee working for a school board running for a school board position or an employee or a nurse or a doctor working for a health authority – you know, it has to deal with that, ways in which those matters can be addressed without taking away from such a large number of people the opportunity to run unless they are willing to pay a heavy financial cost, in this case now.

It's a bill that has received considerable debate in this House. The bill comes at a time, Mr. Speaker, with all its faults and the perceived threat as seen by teachers, administrators, educational administrators, and other school employees of their ability to run, an attack on their rights – teachers see it as an antiteacher bill. It's certainly antidemocratic in my judgment. In a House which symbolizes our democratic rights, which is here to protect those rights – for this House to be asked to pass a bill that in fact will limit those democratic rights quite severely for a particular group of people who serves our education system I think is simply something that we shouldn't even think of proceeding with, but here we are with this bill. It's before us. As I said, Bill 205 received some considerable debate, a discussion on it, a debate on it. It may have been drafted long before Bill 12 was drafted. Bill 12 has caused very serious damage to the relations between teachers and the government.

The Member for Airdrie-Rocky View, in relation to her comments on the debate on the estimates for the Department of Learning, drew the attention of those broken relationships and that the government has to make special attempts to repair those. This Assembly has that responsibility as well. Bill 205 is a private member's bill. This Assembly should ask the question of whether or not the passage of this bill will hinder the healing of that broken relationship just as the

hon. Member for Airdrie-Rocky View the other night raised a similar question while we were debating the budget for education under the Department of Learning.

Mr. Speaker, I wish I could support this bill, because the one redeeming feature of the bill is that it narrows the class of people who are now identified as having a potential pecuniary conflict of interest and argues on that basis that it is this group of people that are the ones who should be not allowed to run for school board office unless they meet some very stringent conditions. That's the good part of it. I wish I could vote for that part and still see the rest of the bill defeated. That is not possible.

Mr. Speaker, I have carefully thought about this bill, reflected on it. I would like the hon. Member for St. Albert to have some time to further reflect on the bill; so do the rest of us. In light of that, my desire that we have more time, give ourselves more time, I would like to move that the motion for third reading of Bill 205, School Trustee Statutes Amendment Act, 2002, be amended by striking out all the words after "that" and substituting the following:

Bill 205, School Trustee Statutes Amendment Act, 2002, be not now read a third time but that it be read a third time this day six months hence.

I have a copy of the motion to be distributed, Mr. Speaker. I would like to have that motion distributed now.

THE SPEAKER: Well, all hon. members heard the words of the amendment. The chair will view that as a hoist amendment, and debate will now proceed on the amendment, which is a hoist amendment, and the debate will be restricted to the words of the amendment.

5:00

SOME HON. MEMBERS: Question. [interjection]

THE SPEAKER: I'm sorry. Some hon. member said something but did not rise. The hon. Member for Edmonton-Glengarry on the hoist amendment.

MR. BONNER: Yes. Could we see the amendment first?

THE SPEAKER: Yes. In all fairness to all hon. members it must be circulated. We'll wait until that's done.

Hon. members, there is a document that's being circulated, and basically it says that it's being moved by the hon. Member for Edmonton-Strathcona that the motion for third reading of Bill 205, School Trustee Statutes Amendment Act, 2002, be amended by striking out all the words after "that" and substituting the following:

Bill 205, School Trustee Statutes Amendment Act, 2002, be not now read a third time but that it be read a third time this day six months hence.

So whatever debate that will follow now will be on this amendment, restricted to this amendment only.

HON. MEMBERS: Question.

[The voice vote indicated that the motion on the amendment lost]

[Several members rose calling for a division. The division bell was rung at 5:03 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Bonner	Nicol	Taft
Massey	Pannu	

Against the motion:

Ady	Hlady	Melchin
Amery	Horner	O'Neill
Boutilier	Jablonski	Rathgeber
Cenaiko	Jacobs	Renner
Danyluk	Johnson	Snelgrove
Dunford	Knight	Stelmach
Forsyth	Lord	Stevens
Friedel	Lougheed	Strang
Goudreau	Lund	Taylor
Graham	Masyk	VanderBurg
Haley	McClelland	Vandermeer
Totals:	For – 5	Against – 33

[Motion on amendment lost]

THE SPEAKER: According to our rules, we must now proceed to put the motion for third reading before the Assembly. However, I'm going to recognize the hon. Member for Edmonton-Mill Woods as a result of some consultation that occurred in the last few minutes.

DR. MASSEY: Thank you, Mr. Speaker. I would move that should there be further standing votes on this bill, there be a one-minute division bell.

THE SPEAKER: Such a request, hon. members, requires unanimous consent. Would anyone in the Assembly be opposed, should there be a division, that the bells ring for only one minute?

[Unanimous consent granted]

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 5:17 p.m.]

[One minute having elapsed, the Assembly divided]

For the motion:

Ady	Hlady	Rathgeber
Amery	Horner	Renner
Cenaiko	Jablonski	Snelgrove
Danyluk	Lord	Stelmach
Dunford	Lougheed	Strang
Forsyth	Masyk	Taylor
Goudreau	McClelland	VanderBurg
Graham	O'Neill	

Against the motion:

Bonner	Jacobs	Nicol
Boutilier	Knight	Pannu
Ducharme	Lund	Stevens
Friedel	Massey	Taft
Haley	Melchin	Vandermeer
Totals:	For – 23	Against – 15

[Motion carried; Bill 205 read a third time]

5:20

head: **Public Bills and Orders Other than Government Bills and Orders**
Second Reading

Bill 207

Alberta Wheat and Barley Test Market Act

[Debate adjourned April 29: Mr. Horner speaking]

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I just would like to conclude my comments by simply saying that the family farm in Alberta is extremely important to Albertans, and creating more value-added in the province is the saviour of the family farm. I believe that by allowing choice, we will accomplish that.

Thank you very much.

THE SPEAKER: The hon. Member for Calgary-Mountain View to close the debate.

MR. HLADY: Thank you, Mr. Speaker. I'd like to say thank you to all hon. members for their good discussion and full debate on the issue. The one point that I would like to make to the Member for Edmonton-Strathcona is that there will be no new board out of this. I don't think he understood at the time that this would not be creating a new board. Bill 207 does not eliminate the use of the Canadian Wheat Board. Rather, it seeks to offer choices to our farmers and allow them the options to work in a free market and have the choice of doing what they want.

The one regulation that I could possibly see coming forward at this time would be that there would have to be an opt-in time. So possibly around January 1 every year the farmers would have to make a choice whether they're opting in, using the Canadian Wheat Board as a marketer, or opting out and allowing themselves to do their own choices.

Mr. Speaker, I've had a couple of responses. The Western Barley Growers Association – I have a tabling that I will put forward with the appropriate number of copies – has said a little bit in regard to this bill:

“Alberta farmers will have the opportunity to become full participants in the Alberta advantage with the passage of this bill,” said Albert Wagner, President, Western Barley Growers . . . commenting on Bill 207.

Also, the chief agricultural critic for the Alliance, Howard Hilstrom, has put forward a letter that has said that.

So, Mr. Speaker, I will table those letters and look forward to calling the question.

[Motion carried; Bill 207 read a second time]

THE SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. I move that we call it 5:30 and adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:23 p.m.]

Legislative Assembly of Alberta

Title: **Monday, May 6, 2002**

8:00 p.m.

Date: 02/05/06

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Motor Vehicle Exhaust System Standards

507. Mr. Yankowsky moved:

Be it resolved that the Legislative Assembly of Alberta urge the government to introduce binding and enforceable legislation to make it a provincial offence to operate a motor vehicle with an exhaust system that has been modified such that it no longer meets the standards for noise suppression set out in the Motor Vehicle Safety Act of Canada for that class of vehicle.

[Debate adjourned April 29: Dr. Taft speaking]

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'd like to carry forward the debate I was making before by saying thank you to the hon. Member for Edmonton-Beverly-Clareview for forwarding to me some detailed information and some of the background legislation from the Highway Traffic Act on acceptable noise levels for highway traffic and giving me a sense of how noise from vehicles is controlled. There's even an attachment of the decibel ratings, as I understand it. So I do appreciate that effort by the sponsoring member of this motion.

Having gone through some of the material, as much as I could understand it, and having given some thought to my own experience with the issue of motor vehicles that have been modified and are extremely loud, I'm inclined to speak in favour of this motion. I think it's probably a good idea to extend the legislation controlling the noise standards of vehicles to cover vehicles that have been modified after they've been purchased. There's no reason, it seems to me, that people should be able to go home and modify their vehicles to make them really noisy and get away with breaking the law that otherwise they couldn't break if it were an unmodified vehicle. I like the idea that noise, as I was saying when we adjourned before, is a health issue. There is actually interesting research on the noise effects, the stress effects, and the health effects of being exposed to inordinate noise, and there are moments in this Assembly when we probably all feel that stress and maybe even feel that a health issue is involved in our day-to-day work. Anyway, that's an aside. That might be the subject for a different motion from the same member or somebody else.

Seriously, there is a health issue to excessive noise, not simply going deaf but actual effects from the stress caused by the noise: increased rates of disease, increased rates of cardiovascular disease. So I think I will be supporting this motion, and I encourage others to give it very serious consideration as well.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I finally get up to do a speech. Good evening, everyone. It's my pleasure to rise in support of Motion 507 tonight, which urges the government to work to eradicate an increasing pollution problem in our communities,

specifically altered mufflers which are designed to produce excessive noise. In fact, I am very pleased to support this motion since it is an issue I've been concerned with for some years, and in fact I even introduced a similar request myself some years ago while on Calgary city council, only to be told that this was a provincial matter. Well, now, here I am. You know what they say: if at first you don't succeed, try, try again. So here we go.

Mr. Speaker, as an Albertan let me say that I appreciate the space and the general tranquility found throughout Alberta even in our cities, at least in the residentially zoned communities. It is one of the reasons that I chose to make this the province where I raised my family and enjoyed my life. Walking down some of even our busier streets in the summertime is generally still a pleasant experience because there isn't the dense noise traffic, broken exhaust systems, and so on that some of us are familiar with from having visited foreign cities and countries. Many Albertans I think would agree with me in choosing to live here for some of the same reasons. Cleaner air, fewer crowds, a more comfortable amount of space: these are all some of the Alberta advantages.

However, there is something that often disturbs our enjoyment of this peace, and that would be the quite astounding amount of noise that can be generated by a souped-up muffler. In fact, it's quite an oxymoron when you think about it: a muffler which is deliberately designed to make noise as opposed to muffle noise. Mr. Speaker, why some people would deliberately want to create an excessive amount of noise, deliberately want to upset the tranquil atmosphere of a quiet residential community – well, that's something that I will leave up to psychologists and social studiers to speculate upon.

But whatever sad excuse such people may have to attempt to justify such behaviour, suffice it to say that mufflers which have been altered away from factory specifications to deliberately cause noise pollution I personally do not feel in any way make a positive contribution to our communities. They especially do not make a positive contribution when their owners deliberately roar up and down quiet residential streets early on Sunday mornings or very late on Saturday nights and many other nights as well, which unfortunately happens quite regularly in my constituency and throughout the city as well.

Recently there have been scientific discoveries that prove that there are detrimental and severely damaging effects to people caused by noise pollution. Noise pollution causes stress in many people and can cause a number of other problems as well: loss of sleep, hearing damage, distraction at a critical moment, even heart palpitations. I support Motion 507 because I believe that noise pollution is a problem that is steadily growing in our province and needs to be addressed wherever possible. It is especially acute in the inner city, where there is constant traffic and thus a bit of a problem anyway without the added burden of empowering people who are deliberately trying to disturb others by letting them modify their mufflers. We see it more and more with motorcycles but also with beefed-up sports cars. They rev them up and race them up and down the block to stop at the next red light. Then they repeat the process all the way down the next street. It's distracting, disrupting. As I mentioned, the scientific studies have now proven that excessive noise is even harmful to our health, and it isn't just me or the Alberta health authorities that are saying this, Mr. Speaker.

While Alberta is leading the health revolution in Canada and while we're being innovative in looking at new ways of doing what we can to ensure that Albertans are healthy and enjoy a high-quality life, we should recognize that the World Health Organization itself has recognized excessive noise as not only a nuisance but a health hazard which should be taken seriously. It is also apparently the case that while all of us are affected, babies are particularly suscepti-

ble to the effects of excessive noise. Because of their not-yet-matured state of development, loud noises can damage babies' tender eardrums and may be causing some damage that will be irreversible. If this damage or impairment of hearing happens to an infant at an early age, it can lead to other complications such as speech impairments. A child continues to learn different sounds and tones until about the age of eight, and apparently these developments become difficult if the child is unable to properly hear the sound or audibly recognize certain tones.

As I mentioned earlier, impairment of hearing isn't the only extent of the damage that can be caused, however. Higher noise levels can cause higher blood pressure, heart rates, and increased levels of stress. As many of us are aware, stress creates fitful sleep patterns which affect the everyday activities of the individual. None of us are strangers to stress. I believe, Mr. Speaker, that we have enough cause for stress in our lives without the added pressure of excessive and very unnecessary noise on our streets.

The World Health Organization has also linked excessive noise levels with something else which may not be commonly known. Noise pollution's ill effects have been linked to psychophysiological damage, where a person, especially a child, could become overly fearful of the external world or develop other anxieties or phobias. Of course, it is understood that not every child is going to grow timid and have a hard time developing socially because one overly loud bike blew past him on the street unexpectedly, but these types of occurrences apparently can breed a fear or apprehension which may not be detected until later in life.

If you think about it, how many people still have or have had to get past a fear of dogs from their childhood? You can understand why others may fear bikers or teenagers in hot cars if you think about that. Fears and traumas don't always have to be physically related. You don't have to be bitten to be afraid of dogs. In fact, dogs are commonly feared, interestingly enough, because of their very loud and sometimes unexpected barking, another type of noise pollution. I am concerned that these types of loud noises as made by modified mufflers might be causing similar consequences, and the occurrence of modified mufflers appears to be becoming more and more trendy. I feel, Mr. Speaker, that this is a trend that should be muffled before it gets any worse.

8:10

Now, people have tried to do this before, but under the current situation it is difficult to gauge or measure excess noise. There is no meter or instrument that has been developed to accurately gauge these levels in an uncontrollable environment such as on a moving vehicle speeding down a city street. It is hard to measure the noise emanating from a moving vehicle in exact decibels as added to the background noise in the community. This is why, Mr. Speaker, Motion 507 suggests an easier, more enforceable, and appropriate measure of what should be looked at instead. Banning mufflers which have been altered outside of the manufacturer's specifications would alleviate most of the problems officers have in trying to measure vehicle-specific noise levels.

Mr. Speaker, there's currently a provision in the Highway Traffic Act which sets out regulations for muffler systems. It simply states that vehicles must have an exhaust system, and this system must work without excessive noise. However, the term "excessive" is not defined by the act, and that's what makes it extremely difficult to enforce.

Motion 507 urges the government to determine a definite way of addressing what is or is not acceptable to be driving on our streets. Mufflers which have been modified from the original manufacturer's specifications in order to make more noise should just be disallowed.

All the officer would have to do if he believes that a vehicle is causing excess noise is look at whether or not the muffler has been altered. He wouldn't have to have noise meters, decibel levels measured over a period of time with base background noise levels established first, the engine working at a certain rpm and so on, and all the other technical aspects. All he'd have to do is just look at the muffler and see if it was modified or not.

Mr. Speaker, it is no secret that we are rapidly growing as a province. We spend a great deal of government funding on infrastructure and building roadways to accommodate the increasing population in Alberta. Municipalities do plan their road systems to decrease the increasing noise from extra vehicles. However, some options like noise barriers along highways are very expensive, and these barriers certainly are not an option on most residential streets. I believe that Motion 507 is a reasonable and logical method of cutting back on that type of noise pollution. We have a responsibility to Albertans to continue to protect their quality of life, which is being threatened by a small number of vehicle owners. I think people like to enjoy some quiet in life. I think that if they wanted to be exposed to loud noise that some people think is inappropriate, they could just turn up the rock and roll on their stereos behind closed doors. I don't think they need to be hearing noisy vehicles roaring down the streets.

In conclusion, I will be supporting Motion 507, and I congratulate the hon. Member for Edmonton-Beverly-Clareview for introducing it and for being concerned with reducing noise-related health risks in our communities. I certainly hope that all members of this Assembly will support this motion. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: I have two hon. members. I was looking at the opposition to see whether or not there was going to be a back and forth. The hon. Minister of Environment on the motion.

DR. TAYLOR: Yes, Mr. Speaker. I feel compelled to rise and speak against this motion. I mean, how much are we going to get involved in regulation of people's lives? We now want to, you know, legislate car exhaust. Is the next step to legislate human exhaust and the noise pollution that it causes? There's this whole issue around noise pollution that we already have controlled under the Highway Traffic Act. We don't need more motions. We don't need more legislation. We're far too involved with people's lives already, and this is just another step in being involved with people's lives. It's totally unnecessary.

For people to stand in this House, Mr. Speaker, and suggest that it causes heart palpitations and brain damage—sorry for laughing—is absolutely ridiculous. I don't know where people get this kind of information from. Surely not our researchers. It must be Liberal researchers.

Thirdly, Mr. Speaker, I think this is unnecessary, totally and completely unnecessary. You know, we have, as I've said, a Highway Traffic Act, which controls this. If we do pass this, what's the next step? Are we going to ask people to pass some kind of rule or legislation regarding how loud people play their car stereos when they're driving down the road? Is that the next step?

So I would encourage all members not to accept this motion. It's further interference in people's lives when it's already covered under the Highway Traffic Act, and we don't need that kind of interference. I mean, this Legislative Assembly is going far too far in interfering in people's lives. After all, from my perspective we passed a law on bike helmets which is totally inappropriate, and I know we can't go back and revisit that.

It's a situation where we don't need any more interference in people's lives. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Vermilion-Lloydminster.

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure to rise tonight and provide a few comments from the official Liberals in the House, not unofficial comments as the Member for Cypress-Medicine Hat tried to say.

In looking at this whole motion regarding the noise suppression for cars and what is acceptable noise and whatever, we have to look at the Highway Traffic Act. I'm looking at section 125(2).

No person shall create or cause the emission of any loud and unnecessary noise from a motor vehicle, any part of it, or any thing or substance that the motor vehicle or a part of it comes into contact with.

Now, then, that certainly leaves this whole issue of noise open to interpretation.

I also see in the Highway Traffic Act, if we look at sections 46(1) to (5), that these are some of the things that are covered: an inadequate muffler, operating a motor vehicle with a disconnected muffler, operating a motor vehicle with baffle-plate or other parts removed from the muffler, operating a motor vehicle with an enlarged exhaust outlet on the muffler, operating a motor vehicle with a device increasing noise and causing flame from the exhaust. So here again we do have this basically covered in the Highway Traffic Act already.

As well, when we look at federal legislation, Mr. Speaker, this is certainly much more definitive. It's definitive to the point where when these vehicles are tested – and I'm reading right now from section 2(b)(i): “the exterior sound level does not exceed 83 [decibels] when a value of 2 [decibels] is subtracted from the highest average sound level recorded.” Now, this is certainly a very good standard and one that we all can abide by. When we start looking at mufflers, I think we also have to look at this whole idea not only of altered mufflers but, as the act says, mufflers which have not been maintained, muffler systems which have not been maintained, and those that are there to make automobiles quiet and safe.

As well, we look at this whole issue, Mr. Speaker. For example, if we want to look at *Car and Driver Magazine*, a very reputable magazine which outlines so much when it comes to the operation and the purchase and whatever of cars, muffler problems account for over 30 percent of air pollution in America. I would assume that that same figure applies here in Canada. If we want to look at another very reputable report, *Consumer Reports*, it says that cars with broken mufflers can get almost half the gas mileage of those with new mufflers. So certainly the advantages of operating motor vehicles with proper exhaust systems that are well maintained and functioning well do add tremendous advantages.

Of course, we have to realize that sound waves travel very similarly to water waves in that they do use that wave action, but there's one big difference, and that is that when sound waves are dispersed, they move in all three directions. I'm sure we've all been in a rat hole or in a tunnel or whatever and had some young person who really wants to hear the noise on their car, and they will rev that engine when they're in those positions. We certainly can hear that sound reverberate, and it's probably something that they do down in Cypress-Medicine Hat and get quite a bit of enjoyment from. If they don't, it's probably because they don't have any rat holes.

8:20

Anyway, Mr. Speaker, I do have to agree with the hon. Member for Cypress-Medicine Hat that we do have provisions in the Highway Traffic Act and, as well, we do have provisions in federal legislation as to what standards should be appropriate for the various

vehicles, so I think there's certainly an adequate amount of legislation to deal with this particular problem. Again, if we are going to make any changes, then rather than passing a motion in this House, we should be amending the Highway Traffic Act to include more stringent controls or spell out those controls that are in the federal traffic act.

Again, Mr. Speaker, those are my comments. I certainly don't think that we need any more pieces of legislation. The legislation we have, both at the federal level and the provincial level, is more than adequate for dealing with this situation.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. I guess I'd like to bring this back to why I think this kind of thing should be discussed as a motion and not legislation, because that's where it belongs: as a discussion on probably some problems that Albertans are looking at. If we just go back to the motion and read it, it doesn't mention anything in it about noise. It doesn't say “noise” at all. It simply says that you cannot operate a “vehicle with an exhaust system that has been modified” and “no longer meets the standards” set out in motor vehicle safety. So we automatically presume: oh, it's noisy. Well, it might be, or it might be that the exhaust was designed so that that vehicle fits the emission standards of the country it's running in.

Now, we are a country that's concerned about greenhouse gases and all the emissions we make. Is it right, then, that we can just take the mufflers off, whether they're quiet or not, and allow the emissions to go out? I don't think so. I agree with the hon. minister and members: no, we don't need more laws. We probably have enough laws, but obviously the laws aren't quite clear enough, maybe, about what we allow and what we don't allow with a muffler.

Let's take it just a step further, though, when we talk about standards and not just emission. We've probably all seen these vehicles out now with the little covers on the back taillights with some nice little shape, whether they're little lines – the one we saw on the weekend had a little bunny. A Playboy bunny logo was the total taillight. It's kind of ironic that a Playboy bunny would be the total taillight, but it was. [interjections] I don't write this stuff. Mr. Speaker, what I'm saying is that if there's a minimum standard for a taillight, that should be maintained. I don't think anyone would argue that, whether it's on the roof, on the side, or wherever they put all these now, but when they start to cover them, they start to become hard to see and maybe in certain circumstances impossible to see.

DR. TAYLOR: You obviously noticed the Playboy bunny.

THE DEPUTY SPEAKER: Hon. minister, you have had your chance to speak. You only get one time.

MR. SNELGROVE: I know it would be a great concern to most people, Mr. Speaker. We don't know whether our minister is starting to think like the opposition or they're starting to think like him, but it's scary either way that shakes out.

I just want to make the point that if it weren't so obvious to most people here that mufflers, probably particularly on motorbikes, are a problem, we wouldn't all presume that the hon. member's bill has to do with noise. Much of the information that comes out about it is directed at noise, but his motion says that it should be better than or equal to how the vehicle was designed and built. That's a pretty fair statement. To me, Mr. Speaker, I believe that when we have concerns like that as members, this is where we bring them: through

the motion process, not bills, not something that we can't get down. Nail it down as a motion. If it's a problem, it will be looked after. We'll come to some kind of consensus here, and maybe the minister will pick it up.

If it's a bill, then we have a problem. This is a motion. From the point of view of how the motion is stated, that a muffler should be as good as or better than it was built to meet the standards for pollution, for emission control, I can accept that, and Lord knows that I'm not one that really is in favour of a lot of bills, I've got to admit.

DR. TAYLOR: Bike helmets. Bike helmets.

MR. SNELGROVE: We should stick a bike helmet on every muffler, Mr. Speaker, and we'd kill two birds with one stone.

I know that the hon. member here would be concerned that my speech is too short. The simple fact is that pollution is a major concern of all industrial nations, especially ones with this number of vehicles in them. This motion states: let's leave the controls there. Noise obviously is a problem. I think that with some tweaking our laws can handle it. We don't need a new law. We certainly need to be able to enforce them. Other than that, I would just urge you to give consideration to the fact that it's a motion, not a law, and take it from that.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you, Mr. Speaker. It gives me great pleasure and privilege to speak in favour of this motion. It's quite different living downtown in a city on one of the major arteries, when you hear a bunch of hippies going up and down the street raising a bunch of racket at 2 in the morning versus some country boys going to town with loud mufflers out in the country. Noise control is very, very important if you happen to be where I live. I work very, very hard during the day, so at 2 o'clock in the morning I like to have my rest. You hear some noisy muffler tearing up and down the street and think it's something with 700 or 800 horsepower, and here it's a little Toyota or something. It's this muffler that magnifies the motor. That's exactly what the hon. Member for Edmonton-Beverly-Clareview was telling me about, and I happen to believe him. So I have to support this.

It's one thing to live out in the country and go to town with a couple of straight pipes. There you're just a country boy having a little fun, but in the city it's trouble. Mr. Speaker, that's why it's very important to put a damper on some of these noise amplifiers, and I would like everybody to support it. My windows are rattling at different times of the night, and the speakers – I don't know how big they are, but it's like a rock and roll band inside of a car.

So I would encourage everybody to support the hon. Member for Edmonton-Beverly-Clareview's motion. Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. It's a pleasure for me to rise this evening and add my thoughts to Motion 507. I'd like to start by thanking the Member for Edmonton-Beverly-Clareview for his initiative and efforts to bring this idea forward. I agree with his belief that noise pollution from vehicles is an important issue, and I'm pleased to contribute to the debate.

Vehicle noise pollution is an issue that at its very roots has been

derived from the success of our society. As Canada moves forward as a nation and continues to prosper, Canadians are able to enjoy life more fully. The ability to enjoy each day as we do comes from our high standard of living. This is especially true in Alberta, where we enjoy the lowest overall tax load and have the highest tax exemption rates in the country. Because this government has tried to create an economic environment where people can find opportunities, succeed in business, and still have the best social programs, Albertans find themselves with more disposable income than many others around the world. With increased disposable income Albertans are able to do many things like save, take holidays, renovate their homes, and fix up their cars, trucks, and motorcycles. Many Albertans are automotive enthusiasts. Some enjoy fixing cars as a hobby, and for others it is a livelihood. Whether it be for pleasure or for profit, many of those with automotive knowledge are passionate about their interest. Many modifications can be made to automobiles in this day and age; however, the one that we are concerned with here today can cause a lot of noise and disturb pedestrians, residents, and business owners who live and work along roadways.

8:30

In the eye of an automotive enthusiast muffler modifications have benefits, including enhanced engine performance as well as serving as a magnet for attention for the vehicle as it goes whizzing by on the roadway. Both of these factors are sure to bring the driver some pleasure as he or she drives it down the road. The problem with muffler modification is that they draw attention to the vehicle because they are significantly louder than most other vehicles on the road. When several motorists with modified exhaust systems are in close proximity, the noise can really be quite deafening. I'm sure that all members of the Assembly have been on a busy street in midsummer and heard the roar of engines racing down the streets in packs. I have noticed that as cars, trucks, and motorcycles go by that have been decked out, sometimes I'm unable to hear a conversation that I'm having with someone perhaps on the sidewalk. When I'm unable to hear a person talking next to me, I may miss out on some important sounds that would give me clues as to what's going on around me. With that said, Mr. Speaker, I think that we could agree that the level of noise that some modified mufflers create and the hearing difficulty that results can pose a significant danger to pedestrians.

In fact, noise isn't simply a nuisance. It's harmful to bodily health. Excessive noise is associated with increased blood pressure, headaches, low frustration tolerance, ringing ears, and loss of sleep. Noise levels above 70 decibels increase the risk of heart attacks by 70 percent. I am familiar with the health risks that can be caused by exposure to excessive noise. There is ample medical proof that hearing damage can be disruptive and have life-altering effects. I think that with health and quality of life considerations in mind, it would be of great benefit if we were to examine a way to reduce vehicle noise pollution in this province.

The Highway Traffic Act provides that motor vehicles propelled by an internal combustion engine shall be equipped with an exhaust system that cools and expels gases without excessive noise. It is easy to see the ambiguity that accompanies a term like "excessive." With an imprecise term such as this in place, it is very difficult for law enforcement officers to prove that noise emitted from exhaust systems is too loud. "Excessive" is a term that can be interpreted subjectively and may carry one meaning to one person and a completely different meaning to another.

The other factor that contributes to the difficulty that law enforcement officers have when trying to attain a conviction against a noise-polluting motorist is that there must be proof that someone was

disturbed by the noise caused by the vehicle. With this qualification included, the burden of proof goes beyond measurement or observation on the part of the officer and includes a third party. This inclusion of third-party evidence adds further complications to an already difficult process of attaining a conviction against a vehicle noise polluter. If we were to examine the possibility for comprehensive noise control legislation, the effectiveness of law enforcement agents could be significantly enhanced. If there were a firm guide or limit that motorists and manufacturers could adhere to, this problem could be eliminated.

Calgary city council has already voiced their support for this motion and has stated that they would support any initiative undertaken by the province to address vehicle noise. The city has received several noise complaints from residents along major roadways as well as requests to erect noise barriers along thoroughfares that border residential areas. These large walls serve the purpose of deflecting road noise back onto the roadway while keeping it out of the neighbourhoods. While they are effective and serve their purpose, perhaps the need for large, unsightly walls all around our cities could be reduced or eliminated if Alberta had more comprehensive noise control laws. Reducing noise levels on Alberta highways and municipal roadways throughout the province will increase the quality of life and health of Albertans.

Automotive manufacturers sell vehicles that meet the standards set out in the Motor Vehicle Safety Act of Canada. The standards listed in the act serve to ensure that vehicles that operate on roads in Canada are safe. Safety can certainly be seen to include a reasonable noise level when one considers what it is like to be on a busy street and be unable to hear due to loud road noise. Automotive manufacturers have accommodated the desire to have streets that are as quiet as possible when they manufacturer their products and as a result manufacture quiet and safe mufflers.

Supporting this motion to ban modified mufflers that don't meet the standards of the Motor Vehicle Safety Act will help to achieve an Alberta with less noise pollution and a more comprehensive and effective automotive noise pollution law. The benefits that would result from this Assembly supporting this motion include health and safety concerns as well as infrastructure issues. Hearing loss changes a person's life forever, and hearing damage is something that will never leave those who have suffered from it. I think that removing an unnecessary source of noise pollution is a positive step towards reducing the health risks that loud mufflers contribute to. In addition, supporting this motion may help to keep our neighbourhoods and roadways beautiful and open and not crowded in by large walls that protect residential areas from the intrusive and overpowering sounds of traffic.

I think that even motor enthusiasts can see the merit of this motion. There is nothing that says that they cannot modify their automobiles and motorbikes in any way that they like; however, the components must meet the standards set out in the motor vehicles act of Canada.

I would urge the members of this Assembly to join me in support of this motion. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: We do have the opportunity if we go the full limit to hear from the sponsor of the motion if he wishes to close debate. The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I want to thank this Assembly for extending me the courtesy to present Motion 507 and giving it a fair hearing. I want to thank all of the speakers that spoke for and against Motion 507. Your thoughts and ideas are certainly very valued.

I want to quote from a letter to the editor that appeared in the

Edmonton Journal on January 29, 2002, and it's captioned "Noise bylaw appears silent on late-night snow plowing."

Is there still a noise bylaw? I will tell you why I ask.

I live in the Beverly area . . .

That's my constituency.

. . . where they just love to practice pro-active snow removal at any time of the day or night.

We were scared awake at 1 a.m. on a Monday night by the God-awful rumbling and scraping of a 15-ton front-end loader which was low-blading a parking lot.

So I called the police and the dispatcher said she would send a car out.

Meanwhile, my whole house is vibrating as this scraping noise that could literally raise the dead continued.

At 1:45 a.m., my six-year-old is awake. While we sit and watch the loader, the police come and talk with the operator.

Then I get a call saying, ". . . sir, there really is nothing we can do because this is the only time this poor fellow can exercise his God-given talent to plow this lot."

Did I mention that there was no snow on the ground.

So is there a noise bylaw or did I turn off my stereo so many times for nothing?

Keeping this letter in mind, I want to repeat again what the World Health Organization findings are on the effect of noise on people, and I quote. The recognition of noise as a serious health hazard as opposed to a nuisance is a recent development. The World Health Organization considers the health effects of hazardous noise exposure to be an important public health problem, especially among children. The World Health Organization has linked high levels of ambient noise to social and health problems such as noise-induced hearing impairment, interference with speech communication, disturbance of rest and sleep as well as psychophysiological, mental health, and performance effects such as increases in blood pressure, higher heart rates, and increased levels of stress hormones. These health effects in turn impact on behaviour and also interfere with attentive work and recreational activities. However, whether regarded as a nuisance or as a genuine health hazard, noise exposure is known to affect work, household productivity, quality of life, and property values. Unquote.

8:40

So if noise exposure affects work, keeping in mind the letter to the editor that I just read, what kind of a day did this father have at work the next day when he literally got no sleep that night? I hope that he wasn't an airline pilot, because I sure wouldn't want to be flying with him. What kind of a day did that child have in school? It's a six-year-old child. Be it in kindergarten or grade 1, what kind of a day did that child have in school if it went to school at all? If noise exposure affects household productivity, what kind of a day did the mother have? Whether she went to work or if she stayed home, there probably wasn't much productivity. If noise exposure affects quality of life, then certainly these people's quality of life was affected. If noise exposure affects property values, then these people's property value could indeed be affected. If they, say, bought a house on a supposedly quiet residential street and then it turns into a very noisy street with people roaring around with mufflers that are not up to Motor Vehicle Safety Act standards, then their property values can certainly be affected. And how many neighbours in that neighbourhood maybe paid a visit to their doctor the next day after this snow removal incident? It would be interesting to note, and as we struggle with health care costs, this is something to take into account.

THE DEPUTY SPEAKER: The hon. member will table the document that he quoted at some length from.

[The voice vote indicated that Motion Other than Government Motion 507 lost]

[Several members rose calling for a division. The division bell was rung at 8:43 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Amery	Mason	Stelmach
Evans	Masyk	Taft
Johnson	O'Neill	Yankowsky
Lord	Snelgrove	Zwozdesky

Against the motion:

Ady	Hlady	Nelson
Blakeman	Horner	Rathgeber
Bonner	Knight	Renner
Broda	Lougheed	Strang
Coutts	Lund	Tarchuk
DeLong	Massey	Taylor
Ducharme	McClelland	VanderBurg
Forsyth	Melchin	Vandermeer
Friedel		

Totals:	For – 12	Against – 25
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[Motion Other than Government Motion 507 lost]

THE DEPUTY SPEAKER: Before we go to the next item of business, I wonder if we might have permission for the brief introduction of guests.

[Unanimous consent granted]

head: **Introduction of Guests**

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It's a pleasure this evening to introduce to you and through you to all members of the Assembly a group of injured worker advocates who are here this evening to listen to further debate at second reading on Bill 26. They are seated in the public gallery. They are Joyce Waselenchuk, Darlene Zlokovitz, Ralph Teed, and Rick Bremault. With your permission, Mr. Speaker, I would ask that they now rise and receive the traditional warm welcome of this Assembly.

Thank you.

head: **Motions Other than Government Motions**

(continued)

THE DEPUTY SPEAKER: The hon. Member for Calgary-East.

MR. AMERY: Thank you, Mr. Speaker. Considering the hour and the time left to debate this motion, I would like to ask for unanimous consent to proceed to the next order of business.

[Unanimous consent granted]

head: **Government Motions**

Alberta Treasury Branches Act

24. Mrs. Nelson moved:

Be it resolved that the Legislative Assembly concur with the continuation of the Alberta Treasury Branches Act.

THE DEPUTY SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. In 1938 members of this Assembly did something very special, innovative, and indeed historic. They created a financial institution that would proudly and respectfully serve Albertans for the next 50 years and beyond. In November of 1938 the Alberta Treasury Branches Act was passed, and the bank was established with \$200,000 of government money.

Through good times and bad ATB Financial has been an outstanding asset for the province of Alberta. In recent years ATB Financial has performed exceptionally well. It has succeeded in turning a deficit of over \$150 million in 1997 into a surplus of over \$430 million at the end of the last fiscal year, and that surplus is now approaching \$600 million. Alberta Treasury Branches' financial assets have grown from over \$3 billion in 1997. The majority of those assets are loans to Albertans and Alberta businesses.

Mr. Speaker, previous ministers responsible for the act have indicated that the government will consult with Albertans before any fundamental change is made to the mandate or status of Alberta Treasury Branches. I wholeheartedly agree with this approach. Before we make any decisions with regard to this institution, we must have a thorough review of the financial services industry in Alberta.

Mr. Speaker, I am very confident in ATB Financial's ability to continue to provide excellent service to Albertans and solid financial returns for taxpayers. Therefore, as per the requirements of section 35 of the Alberta Treasury Branches Act, I move that the Legislative Assembly concur with the continuance of the Alberta Treasury Branches Act.

9:00

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands on Motion 24.

MR. MASON: Yes, Mr. Speaker. I know that this is not Committee of the Whole, but I have questions with respect to this for the minister, and maybe she can address them at the end.

First of all, I want to say how much the Alberta Treasury Branches have meant to Albertans. They were formed at a time when the banks were simply instruments to make profit at the expense of the people of Alberta, particularly the farmers. We all know the resentments that occurred and existed when people lost their farms and their property to unaccountable and uncaring corporations based in other parts of the country. Since their creation the Treasury Branches have played a major role in this province and its development and have helped hundreds of thousands of Alberta families in towns, in cities, and on the farms.

I just wanted to express my real concern with the government's direction. I appreciate that the minister has indicated that she's prepared to support the principle of public consultation, but it's our view that the Treasury Branches are seen by the government as a bit of an embarrassment. Here we are one of the most right-wing governments in Canada, and they own a nationalized bank. Yet there was good reason for the creation of that institution, and those reasons continue to this day. So I just want to put on record the position of the New Democrats in this Assembly that the continuation of the Treasury Branches needs to be more than just a motion

put forward on a temporary basis by a government that may well be planning to get rid of it and privatize it. We do not see the Treasury Branches as a target for privatization. In fact, we think that its role as a publicly owned and accountable institution should be expanded in this province, and I think that many, many Albertans would concur with that sentiment.

I would like to ask the minister exactly what the nature of the motion for continuation is. What is the function that it plays, and why is it being brought forward at this time? There's I guess some concern that we have about the nature of this motion and what it means. It doesn't indicate any commitment to the continuation of the Treasury Branches as a public institution. So maybe the minister could just explain for some of us who maybe have not been around as long as others what exactly is behind this motion and why she's bringing it forward at this time.

THE DEPUTY SPEAKER: Hon. Member for Edmonton-Riverview, you can't have a back-and-forth. That's what I was trying to signal. So we'll close debate when the minister wishes to.

DR. TAFT: Thank you, Mr. Speaker. I, like the hon. Member for Edmonton-Highlands, would also hope that the minister is able to answer some questions around the nature of this motion. I'm sure I can say on behalf of the whole caucus that we are unclear why this motion is being brought forward in this particular way. In the way it's phrased, "be it resolved that the Legislative Assembly concur with the continuation of the Alberta Treasury Branches Act," the word "concur" suggests that we're agreeing, concurring with somebody else. "Concur with" is a curious choice of language. Are we being asked to agree to the continuation of an act of the Legislature, and if so, why does this issue even come up? Is this part of the mandatory review of the legislation, and if so, then why aren't we doing a proper review? Is this what the whole review amounts to? One motion and a few minutes of brief debate?

So the real questions for all of our caucus are: why are we doing this, why is it being done in this way, and is this in fact the entire review? If not, is that then why the minister, the Treasurer, links this motion to the issue of selling ATB? That is how I understood her comments. Okay; she may correct me on that. When the minister referred to the need to publicly consult before any sale of the ATB is undertaken – at least that's how I understood her remarks – it made me wonder: is this motion a precursor to the sale of Alberta Treasury Branches? If it is, let's be up front and address that square on. If it isn't, then please correct our impression here.

The Alberta Treasury Branches in their long history, a 64-year history so far, have been a remarkable institution, especially in rural Alberta. I would think that many of the MLAs here will find a deep and abiding loyalty to Alberta Treasury Branches in their constituencies in smaller centres. The Alberta Treasury Branches have been there for farmers and for small businesses when no other banks were there, and they're still there and are offering excellent service and earning the provincial government a substantial return. They are a significant tool of economic stability for this province.

If you look at the other provinces in this country, there are maybe only two things that separate Alberta from other provinces. One is the extent to which we have the astonishing natural resource of petroleum, and the other is owning our own bank. It may be that those two things work together to explain why Alberta is as prosperous as it is and why, for example, rural Alberta is flourishing in a way that perhaps rural Saskatchewan or rural Manitoba are not.

So the Alberta Treasury Branches are important to this province, to the people of this province, and if there is some suggestion through this motion that we're beginning the process or lining up the

necessary factors for the sale of the Treasury Branches, we would certainly like to know that. So, in a nutshell, why are we doing this? That's the question I hope the Treasurer is able to explain.

Thank you.

THE DEPUTY SPEAKER: Are there any comments or questions to be offered with respect to this speech before we go on to the next speaker? The hon. Minister of Finance.

MRS. NELSON: A comment, Mr. Speaker, for clarification for the hon. Member for Edmonton-Riverview. I'm referring to section 35 of the act, which I referred to in my opening comments. The act clearly says:

At least once in every 5-year period following October 8, 1997, the Minister shall ensure that a member of the Executive Council introduces into the Legislative Assembly a motion that would have the effect of facilitating a debate in the Assembly on the question of whether this Act should be repealed.

So all I am doing here is simply saying "let's continue the act" and just fulfilling the obligations under section 35. Nothing more, Mr. Speaker.

THE DEPUTY SPEAKER: Any further comments or questions to be offered with respect to this? The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you. A question to the hon. Member for Edmonton-Riverview. Given the minister's response, it would seem, would it not, that this act is designed to play sort of a game of Russian roulette with the Treasury Branch? Sooner or later the chamber's going to come up with the bullet.

9:10

THE DEPUTY SPEAKER: Hon. Member for Edmonton-Riverview, do you wish to respond to the question?

If there are no further comments, questions, or answers, we'll now call upon the hon. Member for Edmonton-Centre on Motion 24.

MS BLAKEMAN: Thanks, Mr. Speaker. I do understand that this motion, Government Motion 24, asking us to "concur with the continuation of the Alberta Treasury Branches Act," refers directly to or springs from section 35 of the Alberta Treasury Branches Act, in which it's asking a member of Executive Council to facilitate a debate in the Assembly on the question of whether the act should be repealed. I was hoping for a bit more robust discussion, considering how much grist for the mill there is on the Treasury Branches in Alberta. I do agree that they certainly did have an important part in our history, particularly for rural areas and small towns, at which point they were the only banking institution that would be willing to open up, to set up shop so to speak, in smaller rural centres, allowing those centres to have a banking institution. Nobody else would go there. Over time as the rural centres grew larger and there were enough people for competition, we got some of the other banks in there that we're familiar with.

I think at a certain point the activities of the Alberta Treasury Branches and the fact that they were under the direct administration of the government and Executive Council gave rise to a lot of nervousness and some questionable practices. In 1997 I believe there was a move to distance the government from Alberta Treasury Branches, to establish a board of directors that the bank would be reporting to instead of reporting directly to whichever minister was assigned to it. The Treasurer. This was certainly a good move on behalf of the government because then they didn't have to be responsible for answering all those embarrassing questions about

West Edmonton Mall and others that have come up since then, because now they can claim that there's a board of directors in place that makes all of these decisions and the government is not directly responsible. But we certainly did have a point in the last 10 years where the government was directing actually many of the business dealings of the bank, and I think that was cause for great concern.

In that 1997 amendment of the act the government ended up putting in its standard clause for review, that all legislation will be reviewed every five years. I think in some cases it might be seven years. No. It's always five. I personally support reviewing the legislation every five years. As we slowly work our way through some of the older statutes, we come to understand that nobody has opened them up or looked at them in some time. The language is archaic, and there's gender-biased language and all kinds of things in there that really need to be updated. So I support the five-year review. I certainly support it coming up in this Assembly.

At this point I think I'm willing to go with Government Motion 24 to continue the act on. But I'm looking forward to other members, particularly those from rural constituencies, joining in on a robust debate and commentary on the usefulness of the Alberta Treasury Branches and the place that it holds today amongst banking institutions.

So with those comments, I will take my seat and look forward to comments from members of the government. Thank you.

THE DEPUTY SPEAKER: Before the question is called, the hon. minister to close debate? Okay.

[Government Motion 24 carried]

head: **Government Bills and Orders**
Second Reading

Bill 26
Workers' Compensation Amendment Act, 2002

[Adjourned debate May 1: Mrs. McClellan]

THE DEPUTY SPEAKER: Okay; the hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. I'm pleased to rise to speak to Bill 26. I think this is a very important piece of legislation and probably one of the most important to come before us in this spring session, if you can call it a spring session. I want to thank the minister for his hard work and diligence in attempting to resolve some of the questions around the Workers' Compensation Board. They have been a real sore point for many Albertans and for injured workers in particular for a number of years, and it's good that some attempt is being made to resolve the issues. It's also been a real issue and sore spot for the government, and I recognize that there must be a desire on the opposite side to try and deal with these issues once and for all. I think, though, that unfortunately this is not a final resolution to the questions that have arisen around workers' compensation but in fact is a step towards their resolution. The bill contains in my view some positive elements and some elements that are in fact a disappointment. I've characterized it outside the House as two steps forward and one step back, so tonight I'm going to talk about the two steps forward as well as the step back.

I think that this is a question and an issue that really requires all parties in the House to work towards a solution. It's so important and so critical to those people who need compensation and who have been suffering as a result of the lack of fairness in the existing system that I think we ought to try to put aside to a limited degree

the partisanship that normally surrounds the debate around some of these issues and see if we can't work towards a solution on behalf of injured workers and in fact everyone in the workplace who may face the possibility of an accident.

The Workers' Compensation Board and the workers' compensation system in this province are based on the Meredith principle, which the minister has talked about on a number of occasions. The Meredith principles include a number of things. It includes the right of workers to receive compensation benefits at no cost to them for work-related injuries. It's based on the principle that employers are to bear the direct cost of compensation and in return to receive protection from lawsuits arising from injuries. It includes that negligence and fault for the cause of injury are not considerations – in other words, it's a no-fault approach – and it must be a system administered by a neutral agency having exclusive jurisdiction over all matters arising out of the enabling legislation.

The issue in workers' compensation is really one of accountability. The foundation is the Meredith principle, but the structure of the Workers' Compensation Board has to be built on trust. We've got an outcry from workers, and this has gone on for a number of years. I don't have to recount the actions that they've taken to draw public attention to their plight: hunger strikes, camping out, sit-ins, all kinds of activities which come from the desperation that they feel. It demonstrates, I think, that there's been a breakdown in the trust relationship around workers' compensation. The culture of denial which was identified by retired Judge Samuel Friedman in the final report of the Review Committee of the Workers' Compensation Board Appeal Systems means that most workers and in particular a majority of injured workers do not trust the Workers' Compensation Board as it now operates.

9:20

We should also be very clear about who's being protected by the current structure of the Workers' Compensation Board. Primarily it is set up to protect employers. Employers share the risk of paying for workplace injuries, a small price to pay, especially because most injuries are avoidable when proper safety standards are upheld, and they get the benefit of protection from lawsuits. Workers on the other hand give up their rights to legal recourse, and that is a very significant right to give up in a democratic system. The right to pursue justice through established means should not be given up lightly.

So what have workers received in return for giving up this basic right? Well, they're promised, according the Meredith principle, compensation benefits at no cost for work-related injuries. What they have received on the other hand is a culture of denial and a board which essentially behaves like an out-of-control corporation. Justice Friedman's review committee found that 70 percent of respondents rated the appeals process as poor, contrasted to the fact that only 1 percent gave the appeals process a top rating. Clearly, workers are not satisfied with the systems in place.

Now, normally when trust is found to be lacking, we look to more formal mechanisms of accountability. If workers can't trust the Workers' Compensation Board to uphold its end of the Meredith bargain, then there ought to be some mechanism to force employers to do so. In the mid-1990s, however, the minister then responsible for the WCB gave up the Legislative Assembly's right to oversee the board's operation and hold the board accountable for treatment of injured workers, and without that element there is very little accountability. Since then, the WCB has not been accountable, and it's been very evident in all sorts of ways.

Fair claim settlements have been sacrificed in the name of cost cutting. CEOs have been given exorbitant salaries and enormous

golden handshakes. For example, the former CEO, Mary Cameron, was being paid over \$350,000 per year, and when the previous CEO voluntarily left his position as CEO, he received a \$580,000 golden handshake. Given these generous salaries and payouts, it's no wonder that workers are asking themselves: if my claim is being denied, where then is the money going?

Another example of the lack of WCB accountability was the decision to have the WCB donate \$100,000 to the 2001 World Championships in Athletics. The donation was made at a time when the WCB claimed to be facing a cash crunch. It also came at a time when the chair of the WCB happened to be the CEO of the 2001 world championships. Now, that would be considered a conflict of interest in most places, but at the WCB it seems that it was just standard operating procedure.

Now, while lost time for claims has dropped significantly from about 4.7 percent to 2.3 percent, the actual number of claims has tripled, and this clearly implies that more workers are filing claims but that their claims are either being denied or being whittled down. Either way, workers are not getting the treatment they deserve. Why should workers expect to get fair compensation? The employers are holding the purse strings, and the board seems to be interested in protecting its own interests first by doling out generous salaries and gifts and so on to its friends. Employers' interests come second by denying claims to allow premiums to stay very low. Workers meanwhile finish last in the list of priorities. It should be the role of the minister to correct this imbalance, and this legislation was an opportunity for him to do so.

[Mr. Johnson in the chair]

Now, I want to talk about some of the things that appear in this act which I think are beneficial. The first one is to set up an independent appeals system. That is certainly something that I think will benefit the workers in the long run. Even if it's just a perception that there was a conflict there, I think it needs to be corrected, and I think this act does so. It does set up an independent appeals commission, and I think that will give some satisfaction to workers and will certainly reinforce the sense that when an appeal is heard, it actually is going to be a fair process.

Now, another positive section in this bill is section 23, which makes the Auditor General of the province the Auditor General of the Workers' Compensation Board. I think that is helpful in increasing the board's accountability, and I think that it certainly is something which will at least give members of this Assembly considerably more confidence that issues are actually being addressed and problems are being pointed out and solutions are being demanded.

Another portion of the act, section 44, talks about increasing the fines for contravention of the act, and that is something that we are generally as well in support of.

There are issues around medical panels. I know that some injured workers want to see the medical panels make the final decisions, which are binding, but I believe that it's actually preferable for the panel to have a final decision only on the medical assessment. That's one of the most important factors in the decision if not the most important factor. The area of competence of the medical panel needs to be limited to what it is actually able to pass judgment on, and that is the question of the actual medical assessment.

Now, the problem with the bill – and it's a serious one – is the question of the onetime payouts. This is one in which the minister's statements a year ago or more are in contrast to what is actually before us, and I think that the expectations of workers, of people who have been treated unfairly by this system, some of whom have

been introduced in this House, of labour organizations, and certainly of our caucus have not been met in any way by this. This is in fact, Mr. Speaker, one of the biggest disappointments of the entire act. Instead of having a resolution to this question, it's all left open and it's all delegated to the cabinet to resolve. Given the history of this issue and the suffering of workers and the years and years of delays in getting justice, it's natural that this is not acceptable. They don't consider this acceptable, and this is for us a litmus test on the bill.

I have to say that I am very appreciative of the work of the minister. I'm very appreciative of some of the positive elements of the bill, but for us this is the test, and the bill fails the test because it doesn't resolve the issues related to the injured workers who've been denied claims and a satisfactory delivery on what we believe was a commitment to provide a fair mechanism to do that. I'm going to pay some attention to that in the committee stage, because I think there are ways that this can be done, but simply to turn the whole matter over to the cabinet because the employers don't want to pay the costs that may be associated with accidents is a violation of the Meredith principle, which says that the employers bear the responsibility for those costs. So if the workers are truly entitled to benefits, then it must be the employers that pay that, and it is not satisfactory, it is not acceptable to breach that simply because the minister cannot get support from the business community to pay their due. That is not an acceptable answer. There has to be the political will on the part of the government as a whole to insist that justice is done. If the employers don't agree, then surely the government needs to make sure that injured workers receive justice in any event.

Thank you very much, Mr. Speaker.

9:30

THE ACTING SPEAKER: Are there questions of the Member for Edmonton-Highlands?

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Not for questions but for continued debate?

THE ACTING SPEAKER: Right.

MS BLAKEMAN: Thank you, Mr. Speaker. I'm pleased to have an opportunity to rise in second reading debate of Bill 26, the Workers' Compensation Amendment Act, 2002. This bill has been a long time in coming, with a lot of people waiting for it on both sides, I think, with a great deal of anticipation, hoping that it will solve a lot of problems that have been in the system for a very long time. I don't think it is going to solve these problems.

When I look back, there are certain things like taxes and customs that seem to be a law unto themselves, a law above all others, and it strikes me that the way the WCB operates has come to be the same. It operates as a law unto itself, above all other things. It doesn't seem to be impacted by other laws. For example, the WCB predates the Canada Health Act, so it's not subject to it. So we have the WCB being used as a reason to have private health care facilities offering surgeries to WCB patients so that they can run them through faster and supposedly get them back to work faster. Time seems to be an issue of great importance to the WCB at this point. I think we do want to get workers back to work, but it's more than just getting them back on the job. This is about a lifetime, and always injuries take time to heal. There's such a rush to get workers back onto the job now that I think we make mistakes and may cause much longer term health issues and cause ourselves more problems. Unfortunately, at that point nobody else is around anymore, and it's just the worker that's left to deal with this.

The other thing that always comes to mind when I think about the

WCB is that the creation of the WCB was not an altruistic move. This came out of mining accidents in the Maritimes, and it was the coming together of owners saying: we're going to get our butts sued off if we don't come up with a way to stop the workers from suing us if there are terrible mine accidents.

MR. BONNER: The Hillcrest mine disaster in Alberta.

MS BLAKEMAN: The Hillcrest mine disaster in Alberta. I'm sorry; I've been corrected. These weren't mining companies standing up and going: jeez, we think we should start this program for the good of our workers. These were owners coming together going: "This is a serious financial consideration for us if we end up getting sued because we have somehow caused these workers death or injury. We've got to come up with a scheme here where we won't get sued." That's the deal, or at least that's how it started. The workers would be paid a portion of salary, a percentage of salary for the time it took the worker to recover, and along with that, money was put towards rehabilitation.

I have kind of a funny tie to workers' compensation and rehabilitation, because I grew up across the street from what's now called the Millard centre. In my day it was called the Workers' Compensation Rehabilitation Centre, in Belgravia on 119th Street and 71st Avenue. I have very long memories of the workers who went there to try and get rehabilitation so that they could go back to work.

So that's where we're starting from with this. I mean, it is about getting workers back to work, but it's getting them back to work in a healthy way where their long-term health is maintained and regained. It's also an understanding that this is supposed to be about a balance. It's supposed to be about a give-and-take: the workers receive coverage, but in exchange they don't sue the owners of companies. When that starts to break down, when it becomes uneven or imbalanced, we've got a problem, and I think that's what has happened.

Certainly it may not be illegal, but it's darn hard to take. When we have injured workers who are losing their homes or who have to move from an apartment to a cheaper apartment because they're struggling to get their WCB payments and they look and see that the CEO is being paid over \$300,000 a year, it's a bit hard to take. I know that there's been a defence that, well, in the world of business that's what this job is worth. Okay. But the other side of that is that these workers are worth something too, and they're supposed to be getting reasonable compensation, not poverty, not losing their possessions, but some kind of reasonable deal to keep going. I think we've hit a point of imbalance, and that's part of what's causing the struggle here.

I know that Calgary-Montrose spoke in favour of this legislation saying: you know, it's an okay deal; it's not perfect but there's stuff in it that's worth supporting. I guess it's always a question of: is the glass half full or half empty? Usually I think the glass is half full, except when it comes to legislation, because my experience has been that if you accept a piece of legislation that isn't the best you can possibly make it, it's such a long time until you can get that legislation opened up again. It's at least five years, and that's if somebody is working today to get it reopened. So is it acceptable for me to pass what we have in front of us? No, it isn't, because it will be a long time before we get back here, and there are a lot of injured people along the road before this act is opened up and made better, the rest of the glass is filled, the rest of the loaf is baked, or whatever kind of example you want to use.

I don't get a lot of WCB cases in my constituency office in Edmonton-Centre. I don't know why that is. I know that most of my constituents work in the retail and service sector. Perhaps that's

why, although I know that people in the retail and service sector also get hurt on the job. I don't tend to get a lot of people coming into my office asking for help, so I'm by no means an expert on this. I know that other MLAs' offices handle a lot more cases than we do, but one of the things that I do notice coming up repeatedly is the frustration over having the WCB's doctors' panel override what the worker's own doctor has said is the problem. There have been a number of attempts to sort of fix this, but it never quite seems to happen.

It logically doesn't sit right with me when a worker has gone to their own doctor or worked with their own doctor over an injury, when their own doctor says that they need more time or that this is the injury, and WCB says: "No. We're going to do a literature review of the file, and we're going to determine something else." Huh? I mean, how can that possibly happen when you have a WCB doctor who doesn't actually physically look at the worker but can decide from the case file that they're going to override what that individual's own doctor has said? That never sat right with me.

9:40

The other thing that we notice in my constituency office is that there seems to be an automatic turndown, that the first time you apply for WCB, you're automatically going to get turned down, and then the worker has to turn around and go through the whole appeal process. I don't say this with any flippancy, but that does seem to be what's going on here. You really have to question that. Again, what was this deal supposed to be? The deal was supposed to be that we looked after injured workers and helped them get rehabilitated so that they could go back to work and earn a decent living. What's the other side of the deal? The owners weren't sued. We have an imbalance here because we are not looking after those workers well enough.

I also would argue that we're not getting people retrained or getting them back to work adequately either. Part of my concern about the retraining is: "Okay. Fine. You know, you got hurt badly enough. You're never going to go back and do the kind of work you did before." Well, then, for heaven's sake invest the resources to get somebody retrained enough that they can actually make a go of it in another sector. Don't give them this six months' worth of something at NAIT or SAIT where they don't walk out of it with anything that's going to get them a job. I mean, give your heads a rub. How is a 55 year old with six months under their belt from NAIT supposed to be able to go and get a job in a different sector competing with 22 year olds? It doesn't happen. Now you've got a 55 year old who's still trying to support their family and live with some kind of dignity who's been told: sorry, you're supposed to get out there and compete with the young bucks in a different sector that you've supposedly been retrained in. No, you haven't. You know, that's some kind of weird night school thing. You have not been trained in a different career.

So once again I feel that the deal is broken here. It's costly to society when you have those people who don't get adequate training to go into a different sector, a different field successfully. When they're not able to do that, what do they do? Well, I imagine that they go back to their old sector even though they're not supposed to do it, even though their doctor says: don't lift anything heavier than 10 pounds. What the heck are you supposed to do? So you go back. You go back out on the rigs; you go back out as a welder, whatever you used to do, because you know how to do it. You also know that you can get paid 25, 26, 28, 32 bucks an hour doing it, so you go and do it even though it'll probably shorten your life, even though it may cripple you. But you didn't get trained in something else successfully. My other really big beef against what's happening with the

WCB today is that we don't follow through on that. We're not really cementing the deal.

Now, a couple of things in here are good. I like the idea of the annual general meeting being open to the public. A good idea. You can have people come. They can look at the books. They can, you know, follow the proper meeting procedure and get their voices heard. Excellent. I like the idea of the minister being made responsible for the Appeals Commission.

The possibility of an arm's-length appeals panel and the older contentious case appeals. Well, that one kind of fell apart. I know that there was great hope and lots of promises, and then it's been withdrawn. So once again the deal isn't being carried through here. It's in the act; it's supposed to be happening. That's good. But we've already had the minister on record saying that he's not going to do it right now, and he doesn't know when. It's hard to support something that's in legislation when you've already been told: "I don't think so. Well, maybe not, but I can't tell you when." Well, when? Ten years from now? Twenty years from now? I'm supposed to work to pass an act that isn't complete? There's already an acknowledgment that there's not going to be follow-through on some aspects of this. There's a longer time line in there – it's moving it from 12 months to 24 months, also a good idea – and some performance measurements, which are good.

I want to talk about two other issues that I think need work or I guess would go on my bad side of the ledger here. One is around the administrative penalties, which have been increased, and again there's not a balance here. There are much stiffer penalties and punishment, it seems, for the worker side than for the employer side.

[The Deputy Speaker in the chair]

The second is this whole concept – and it's been called many things here in the Assembly, but I'll call it the private followers or private investigators that are contemplated in the act. Again I wonder why there's such effort and such money contemplated being spent to chase down workers to prove fraud when we already know that the incidence of fraud is pretty low. So why are we spending all of this resource to try and catch these supposed bad workers when we know that the fraud rate is low? That doesn't work for me, and I haven't heard a good explanation of why that's contemplated in there. That's the end of my speaking time.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods to ask questions?

DR. MASSEY: No.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods to enter debate.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have an opportunity to speak at second reading of Bill 26, the Workers' Compensation Amendment Act, 2002. I thought I'd start with just a brief overview of the intent and then look at the specific principles that seem to be imbedded in the bill, and we'll make a framework for debate of the specific sections when we move into committee.

The main purpose of the bill of course, Mr. Speaker – it has two expectations, I guess – is to improve the Appeals Commission, the commission that hears the appeals of denied claims by injured workers. The effectiveness of the Appeals Commission has certainly been compromised, and Bill 26 was to address those concerns.

The second expectation for the bill was that it would deal with the

long-standing, contentious claims. All of our offices have heard from injured workers that they weren't dealt with fairly by WCB and have been denied the compensation that was legitimately theirs, and it's unfortunate that the government really hasn't dealt and admits that they haven't been able to deal with these claims in Bill 26. The minister has admitted that these claims may not be settled until he can get a consensus of employers as to the total cost of those claims and who actually is going to do the paying and if there is compensation owed, how it must be payed, and even the kind of punishment that would be meted out if the payments weren't made. That's unfortunate, because that was one of the hopes for this bill.

There are some other issues, I think, that are more appropriately examined when we look at the specific sections, but one of the issues that is going to become more prominent as debate proceeds is the rather sweeping powers of the special investigation unit. The way that this unit operates distresses a number of people.

So with that kind of overview of the bill, I'd like to look at some of the specific principles, Mr. Speaker. I think that one of the main overriding principles is that the Appeals Commission should be representative of the interested parties, and that's a principle that I think we can support. We can support it, yet in this bill the cabinet makes that appointment, so it's open to question, I suspect, as to how unbiased those appointments will be.

9:50

The second principle is that the Appeals Commission should have powers that are similar to those of a legal court. That's an important principle, Mr. Speaker, particularly in this bill, where the commission will have retroactive powers, which are powers that we have to be extremely careful about granting to any body but particularly a body such as the Appeals Commission, and we have to know exactly how those powers are going to be exercised. There's a further complication in that it frees the Appeals Commission from any legal action. I'm not sure that that will hold up to challenge, but at least it's here. That principle that the Appeals Commission should have powers similar to those of a legal court is one that I think we'll want to debate further.

There are some less important principles in the context of the total bill. One principle is that there's need for a clear definition of the term "worker," exactly who is included under the act, and the bill goes to some extent to try to define who exactly the workers are that are covered and those who are not covered by this legislation.

A further principle is that there is a time limit in which claims have to be filed. This would seem to be on the surface a useful and legitimate principle, that you have to file your claims within a specific period of time. Now, whether the time periods identified in the bill are the appropriate ones I think is another question and one again that we'll want to come back to.

There's also some more definitional work. There is a principle that there's a need for a resident clause, defining exactly who is considered a resident of Alberta under the act and can make claims and can be dealt with by the act. Again there's a rider in the bill that this definition can be overridden by the board, and I'm sure we're going to want to come back to that particular item and to raise some further questions about the appropriateness of having such a clause.

The bill is based on a further principle that the obligations of employers after an accident occurs must be explicit. This has caused some problems in the past. The act lays it out very carefully that there are obligations that the employers have to follow, and it lays out the kinds of actions that are to be taken. I think it makes it clear to everyone that's involved what kinds of activities must follow when an accident occurs. I think that's a good aspect of the act and a principle that's worth endorsing.

Some carryovers from the previous act. That the review body is needed for assessments is a principle that's included in this bill, and a further principle is that there's a need for medical panels to adjudicate. These, as I said, are carryovers. There are not a lot of changes, although there are some questions that have to be raised about the review body and the medical panels and their operations if workers are going to be assured that they're going to be treated fairly. The act indicates a need for an assessment review board, and again this is carried over from the last act. There are some questions that have to be asked about that assessment review board and the way that it's intended to operate in Bill 26.

When you move on to further sections of the bill, there's an outline, a principle indicating that the penalties for violations of the act need to be made explicit. There's a section there and there are questions about how public the consideration of violators will be under the act and how much information will be made public about supposed, or alleged, violators. I think it's a rather murky area and an area that most would feel needs to be expanded and needs to be explained in better detail than the act does as it is presently constituted.

So the bill is predicated upon a number of principles, some of them positive, some of them that are open to question, and certainly a number of them where the specifics that support the principles need to be explored further. We do that appropriately at the committee stage of the bill.

With those few comments I'd conclude. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Any questions or comments?

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I've been listening with interest to the comments on this piece of legislation, and we have a tremendous amount of background. Although I've only been an MLA for one year, I've already had a number of visitors expressing various concerns about the WCB and, in particular, most strikingly from constituents who are injured workers. There's not a large number in my constituency, but they are very important. Each one of them matters deeply. Of course, the ones that I've seen as an MLA and I'm sure the ones that we all see as MLAs are the most difficult cases, many times workers with very serious and enduring injuries. So this is, as the Member for Edmonton-Highlands said earlier, certainly an important piece of legislation for us.

I was reminded of the history of the Workers' Compensation Board at a recent funeral I attended, an elderly fellow who had been a judge for many years in the Camrose area actually. He had begun working shortly after World War II at a job painting grain elevators. He was a fellow who kept correspondence throughout his life, and at the funeral they had samples of different aspects of his life. Included in that was a series of letters between himself and his employer at the time expressing concerns over the Workers' Compensation Board. This would have been 1948 or something like that. The employer was writing to him, wherever he was stationed painting these grain elevators, saying: you need to be sure to put rails around your paint platform on the grain elevators because the Workers' Compensation inspectors are going to be coming around and checking up on you. And so on it went. Anyway, it was interesting to watch the correspondence.

I know from the injured workers who have come to see me in my constituency office that a lot of faith was placed in the two reviews done of the Workers' Compensation Board, the one by the Member for Red Deer-South and the one by Judge Friedman. In fact, the workers who have talked to me felt that those were pretty reasonable documents, pretty reasonable reviews, and were looking forward to them being realized in this legislation. I think we're all seeing that

they were only partially realized in the legislation as it is proposed right now, and undoubtedly as the bill moves through committee and so on, we'll have ample chance for discussion of that. There are of course concerns over the medical panels and the Appeals Commission and so on.

10:00

I also hear concerns from employers about the Workers' Compensation Board, and they're frustrated with various aspects, not just the level of the premiums but also, for example, the rigidity with which they feel the Workers' Compensation Board operates. For example, I think of a baker in my constituency who feels it's unfair that he has to pay in a small bakery the same kind of rates as major industrial bakers have to pay when, you know, in a major industrial bakery you might fall into a Mixmaster that's as big as a truck and be whipped into pieces and mixed into a loaf of bread as opposed to in a small bakery where the injuries may be much smaller, much less serious. So he feels there's a real rigidity with the Workers' Compensation Board.

What struck me is that from all sides the Workers' Compensation Board lacks credibility. It doesn't seem that anybody trusts it particularly, and that of course is I'm sure not news to the minister responsible. He's caught between many competing forces, but when things come down to legislation, it seems to me that we need to weigh out the consequences of our decisions for the workers and for the employers. It seems to me that while the employers may be faced with an increase in premiums, maybe a few dollars or depending on the size of the operation maybe substantial, that's a much smaller price to pay than a worker pays who is seriously and permanently injured, the kinds of workers that we all see coming into our offices.

When we reduce it to the simple human scale of who is suffering the most and where should justice fall, it seems to me that the benefit of the doubt should be given to the injured workers, and I think that is very much the conclusion that the reviews of the Workers' Compensation Board came to. I am concerned, when I read about the legislation and see some of the reactions to the legislation, that we forget the simple humanity that should be flowing through this bill, and we forget that people are – while they're not losing their lives literally, they're losing their lives figuratively, people who are so seriously injured that for the decades remaining of their lives they can't live it properly. That's a terrible, terrible price to pay, and I think that those people deserve the benefit of the doubt, and I certainly will be watching as debate goes on to argue where I can, to remember those people, and to understand the pain that I have seen in their faces when they've come to my office and I'm sure the same thing that all of you MLAs have seen as well.

So that's how I will be approaching this legislation. I realize it's difficult. It's complex. I'm not expert in it, but it is ultimately a piece of legislation with a profound impact on individuals' lives, and I'll be watching for that.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Any questions or comments with respect to this speech? If there are no further speakers, I'll call on the minister to close debate. The hon. Minister of Human Resources and Employment to close debate.

MR. DUNFORD: Well, thank you, Mr. Speaker. I want to thank the speakers that have risen in the debate in second reading. I appreciate the comments from all members regarding the principles of the bill, and I know that when we move into committee, there are a number of revisions perhaps that people will want to make and of course they'll certainly be welcome.

I want to, though, reiterate a couple of things at this moment in time, and that is: let's not forget that of the two reports that have been referenced most recently by the Member for Edmonton-Riverview, there were something like 59 recommendations that were made through those two reports. I believe that, not counting the legislation today, 49 of those recommendations have been accepted. Some of them don't require legislation, Mr. Speaker. Some of them have been a matter of policy. The policy has been adopted and accepted by the current board of WCB.

That current board is in the process of hiring a new chief executive officer. One of the things that I'm pleased about this time is that rather than just simply going out and trying to select the new CEO, they've spent time on developing a CEO profile. It was developed, by the way, by the search committee, but then it was adopted by the full board. Once they had that profile developed, then they went out and started to seek individuals, men and women, from probably across this continent – I don't know to what extent – that would fit that profile. Part of that profile is a new sensitivity toward the injured worker and a new sensitivity as to how the needs, the desires, the wishes of that injured worker have been articulated through 83 MLAs that we have on the floor of this Assembly. If there was any motivation for any of this that's happening, it wasn't the board of WCB that caused all of this to take place. It wasn't employers around the province that caused this to take place. It was MLAs and it was injured workers coming together in offices all through this province to try to find a way to deal with this.

Now, here we have a rather comprehensive bill, and I think most members agree with what we're trying to do as we move forward. I hope that as we debate, then, through the rest of the steps of this bill in the going forward that we focus on what I believe Edmonton-Highlands refers to when he talks about two steps forward . . .

MR. MASON: And one back.

MR. DUNFORD: Well, just be patient. Two steps forward, because that's what we're talking about as we move from an old system, as we move forward, and let's remember that the Workers' Compensation Board system of Alberta is not a broken tool or a broken thing here. When you look at how it generally works for most workers within the province, this is a good system. Now, we have a philosophy around this place, and I think it translates itself and it's articulated by all members in this Legislative Assembly, that just because something's good doesn't mean it can't be better, and of course that's what we're trying to do. So we have to go forward.

Now, the step backward I think that people are referring to is the fact that we don't have, as we look at the bill, a coherent, concise way to deal with the contentious claims. I don't feel at this moment in time that I have to apologize for that. I think the record is pretty clear that I want something done in that particular area and that we've provided enabling legislation for that to be done, and actually I take some exception to the general theme that I've heard tonight, the automatic assumption that nothing's going to happen. We don't know that yet. We have contemplated that something will happen, and we're still working our butts off – butts have been mentioned by some of the members as well – to find a way in which we can move forward on that being fair to all of the people.

10:10

One of the things that was not articulated by the Member for Edmonton-Highlands in the Meredith principle was of course the idea that it would be current employers looking after current injuries. We can't forget about that aspect of it. Certainly I'm not forgetting about it, but the overriding concern is that we will find a way to look

at contentious claims, find a way to bring closure to contentious claims, find a way so that each MLA sitting on the floor of this Assembly will be able to look at their constituents and say that there is a process in place now that is better than what we had before and that there will be more confidence in those decisions and that we will try to find a way to go back in history where there's no legal obligation on the part of anybody to do that, so anything that gets done is something above and beyond what is required by law. We're trying to find a way to move forward as hopefully a combined unit, both having done something for the future and having done something for the past.

With that, I move second reading.

[Motion carried; Bill 26 read a second time]

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIR: I'll call the Committee of the Whole to order.

Bill 24
Child Welfare Amendment Act, 2002 (No. 2)

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman, and I rose when I spoke before to this bill in some anger I suppose at it, and I continue to be very concerned about this bill. I won't go on at such length tonight, but again I ask all MLAs here to consider what they're voting on. Just consider a piece of legislation that begins with a clause: "Despite any decision of any court," a piece of legislation that is about taking children away from their families. This is not about mufflers. This is not about fish. This is about families. I have enough knowledge of child welfare situations to realize there are in fact times when that is the appropriate thing to do, but I think that as a Legislature and as legislators we need to weigh very, very carefully a bill that talks about removing children from their families and suggests that that decision should be removed from any consideration by the courts.

This is an exceptional circumstance; not as exceptional as I would like, because we are talking about over 600 cases. I expressed the concern that I'll be mildly surprised, if this is ever challenged, that it actually withstands a legal challenge given the serious, serious nature which it is addressing: breaking up the family. I mean, what's more profound, what's more fundamental to our society than the family and then putting that beyond the courts? I don't think that this would stand up.

[Mr. Johnson in the chair]

So I needed to reiterate that. I've also expressed my views to this Assembly on my great, great disappointment that the situation requiring this bill ever arose, the fact that some 600 children were taken into temporary guardianship and did not have proper case plans filed within 30 days or in some cases even close to 30 days. Again, I will not review that, but I do remain very upset that we have to bring this bill forward.

Thank you.

THE ACTING CHAIR: The Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much. This is actually my first opportunity to speak to Bill 24, the Child Welfare Amendment Act,

2002 (No.2). I share the concerns that have been raised by some of my colleagues, and the Member for Edmonton-Riverview raised my number one concern. We have an obligation as legislators in this Assembly to create good legislation and hopefully to create legislation that won't be immediately challengeable in the courts and hopefully not easy to win by somebody else in the courts. I think that's what we're contemplating doing here with this legislation. By putting forward something that says essentially that it – it's not that it puts itself above the law, but it creates a separate place for it.

"Despite any decision of any court." What? How is it appropriate that we try and inoculate legislation from being challenged in the courts? There should always be an avenue of appeal, and that's why we have the courts and we have things like the Charter, to be able to test legislation to see if it's good. I think this legislation is imminently loseable and that if it gets into courts, it won't stand up at all. That's just time, for anyone that's involved in the legislation, where everything gets suspended while it's before the courts. And it's money, taxpayer money, to have the Crown prosecutors or whoever from the Justice department go up and defend this in court for however many appearances that takes.

So I think we have to be really careful about trying to put ourselves above the courts. I think the courts and the Assembly need to work in a respectful partnership but not in this kind of challenge: you know, I'll say something that means that what you have to say doesn't count as much. In some ways it's counterproductive; I think that's what I would be calling this.

What's really at issue here? Okay; what's really at issue here is that there were some 620 temporary protection orders that existed out there that had not been filed with the courts, contrary to what the Child Welfare Act says. So there was at one point legislation that was brought through this Assembly and debated saying that we need to have these case plans that are filed within 30 days of apprehending a kid and that these are to be registered with the courts at the same time. All right; let's accept that as a given then. That's the way we're going to do this. Well, then let's do it.

10:20

Now, what we have is a repeated failure to do so by the department. Why are we having trouble doing this? Is it because we have a staff shortage? Is it because our forms are confusing? Is it because we are apprehending too many children or not enough children or we're going for too many TGOs and not enough PGOs? Instead of looking at the circumstances around why this isn't working, this legislation just goes back and goes: "Okay; forget all of that. Let's just say that we don't have to do it or, rather, let's just say that we did do it. It's deemed to be done." I think that's much more of an issue.

I'll tell you kind of a little story. I'll take the names out of it. I don't have a lot of children in Edmonton-Centre, so the first time we had a child welfare case come to us, it certainly got the attention of the staff in the office. We had to call a lot of people for help with this because we didn't know who to call, we didn't know who the contacts were, and we didn't know the legislation. This was a whole new experience for us, and we couldn't find out on behalf of the mother what she was expected to do to get her kid back. This was a situation where a couple of kids had been apprehended. One kid was returned immediately. She was trying to get the second and third kids back, I think, and one kid had never been taken. It was one of those quite complicated manoeuvres.

We wrote to the then minister responsible for child welfare saying: okay; what exactly is this parent supposed to do to get these kids back to conform to this? No response. We waited the traditional six weeks for an opposition member to get a response back

from a minister. We didn't get anything. We sent a fax over going: you haven't responded to this letter dated six weeks earlier; here's another copy of it in case the first one got mislaid somehow. No response. We sent another fax after a period of another three or four weeks going: what is the problem over there? We got a phone call back saying that they'd never seen the first letter, ever. Well, the first letter we've now sent twice. So then I had to stop the minister in the hallway and go: what is the problem here? Why can't I get an answer from your office about what this parent is supposed to do to conform to whatever rules or whatever guidelines in order to get her kid back?

Well, you know, if there had been a case plan that had been done on that kid, if there had been a case plan that had been filed on that kid, we would have been able to find out from my office what that parent – maybe it was a father – was expected to do. But there wasn't, yet in the legislation itself we see a need for these case plans to be filed. I can see why they should be filed, so that they become part of a public document and so they become part of the reasoning that the government has essentially gone to court and said: "We're going to take this kid out of whatever situation they're in, and they will become our ward. They'll become a ward of the government. We will look after this child until certain circumstances change." And the circumstances are laid out in that case plan.

So I understand why and I agree with why we should have those case plans and why they should be filed, because I could have had access to that. But at the time this was happening, I'm sure this kid was one of many with no case plan. We can't find out what the parent is supposed to do. The parent therefore doesn't do it. Therefore, when they go back again after a prescribed period of time and say, "Okay; can I get my kid back, please?" the answer is: no, you didn't do what you were supposed to do. "Well, what was I supposed to do? Nobody told me, and there's no access to any information about it." So, one, I think there's a good reason why there's supposed to be a case plan. Two, there's a good reason why that case plan should be filed as part of the court order for the TGO.

Here we have a situation where for whatever reason – we haven't heard any explanation from the minister as to why – all of these TGOs weren't filed. I'll note that there are a series of cases that culminate in this amendment act being brought forward. I think in the first version someone representing the department came forward and said: "Well, yeah, we're supposed to conform to this, and we mean to conform to it, and we will conform to it. We'll get right on that." Then the next time it comes into court, we've got the same department, maybe even the same official – I don't know – going: well, no, actually we're not going to be able to conform to that. Then we end up with this piece of legislation that goes: okay; retroactively for anything after February 21 we're going to deem that this has happened, despite "a temporary guardianship order for which a plan for the care of the child has not been filed in accordance with section 31(3) is deemed to be valid from the date the order was made," and this applies only to temporary guardianship orders made before February 21, 2002.

So it is to get around the problem that these TGOs have not been filed, and somewhere there's something that says that if you don't file it within 30 or 31 days, it's null and void. So we have a situation where the department that is to be the parent for these wards of the government has in fact not completed what they were supposed to do. They didn't follow the law. This act is an attempt to go back and go: "Okay. Forget all of that. We'll just say it didn't have to happen, and then we'll be even." But that's not the point of legislation. We had these guidelines in place for these kids for good reason. As I've already pointed out, it's also good reason so the parents can tell what they're supposed to be doing as well as the

government understanding what its plan for care is. I mean, this case plan or care plan is supposed to have a lot of information in it.

What exactly is the plan to get this child restored back into the family that they were taken from? That's the point of it. What do the parents have to do? What does the government have to do or child welfare have to do? What kind of services and support does this kid need? What kind of service and support does the family need? That's why you have this case plan, so everybody understands what needs to be done to improve the situation and ultimately to reunite the child with their family. That's what we're all trying to do here, and to not have done that for an extended period of time and then to attempt to negate that or nullify that is even worse.

Now, let's get to the real root of the problem here. For whatever reason, you know – I want to know why it wasn't done, and if there was a need for it to be done before, why isn't there a need for it to be done now? I think there is a need for it to be done now, especially in light of the difficulties that this department is seeing. There have been choices about trying to change the delivery of services for these kids by going to a regional health authority system. There's lots of controversy out there about whether that's working or not working, and what's at the heart of this are children and families in Alberta. We know that families get troubled and that kids can get in trouble as a result of that, and I take it that the job of government is to try and move both of those parties to a point of healing and getting back together again to normalcy. So what's the problem? Why can't we get these plans done?

I think that it has to do with two things: one is priorities and the second is resources. This is a larger discussion about what government is for. What's government supposed to do? What ministries are we really supposed to have here? I think this government loses its way sometimes. In its eagerness to be forever reducing the budget and therefore being able to reduce taxes, it forgets that it's responsible for providing certain programs and services, and children's welfare is one of those programs and services it's supposed to provide and provide well. This is not a place to go cheap. It's a place to be careful, because you're affecting a lifetime. Whatever age that child is when it's apprehended, you know, if that kid lives to 80, the actions the government takes will affect that child for the rest of their life. So you've got to take this stuff seriously. I think you have to put the resources into it to show that you're taking it seriously, and at the point where you don't have enough staff resources to write the darn plan and file it with the courts, you've got a problem.

So take a step back, look at how the resources are being distributed, look at what the priorities of the department are. If the priorities of the department really are to have well children and healthy families, then invest in that. It is an investment. Stop looking at this stuff as being a cost. Look at it as being an investment. If the government chooses to always look at these things as a cost, you're always going to be looking for ways to cut the cost, because you're seeing it as a big dollar sign there that's somehow imposing on your ability to cut taxes for somebody. That's what this argument reduces itself to: children are a cost, and we've got to reduce that cost so that we can give the middle and upper income-earning Albertans some kind of a discount, a money-back guarantee. Boy, you've got to watch your priorities with that, because if you keep that up, eventually it's going to cost you a lot more, and we know that. There are all those numbers about how successful Success by Six and all those early prevention and investment programs are.

10:30

What I'm saying here is that I think that what this has really done is to bring into the Legislature and bring into the public eye and into

the media the way this government is viewing children's services. It's viewing it as a cost, not as an investment. I think we've got to change that, flip that around, and start viewing what we're doing for these kids in the programs and services that we're offering to them and their families as an investment. We've got to take that seriously. It doesn't mean that you have to spend more money, but you've got to spend your money right. You've got to take it seriously. You've got to make your priority not just a cost-cutting exercise. That's the concern I have that goes along with this whole bill.

I know that it hasn't received a lot of attention outside of this House, and it doesn't seem like all that many other people are really upset about what's happened here, but I think it's wrong. I think it shows a deficiency in the way we've been approaching this issue. I think that it's probably caused a number of individual MLAs some problems in trying to help their own constituents, because again they can't find out what it is they're supposed to be doing or what the parent is supposed to be doing to correct this situation and get their kid back, so that, you know, costs time and effort and resources from the constituency office level.

Ultimately we are talking about citizens. I know that children, until they reach the age of majority, don't have rights, and I know that they're just viewed as an expense, but it's part of my earlier argument. I think you have to view this as an investment, because I think it ends up costing us a lot more if we don't pay attention at this point in time. Frankly, it's cheaper. It's cheaper to pay attention to these kids now than it is if you end up with kids incarcerated or involved in the criminal system somehow. You know, there are all kinds of other possibilities of where they can go that cost us a lot more money down the line. So invest in it now. What's that saying?

AN HON. MEMBER: Pay me now or pay me later.

MS BLAKEMAN: No. I'm thinking about an ounce of prevention is worth a pound of cure. There you go. It took me a while. That's what's really important here. A stitch in time saves nine is another one. It's about prevention. Do the small thing now. It saves you the much larger thing later.

What we're looking at here is support for a minister and support for a ministry that needs to be able to do the job right and needs to be able to view it as an investment and needs to know that what they're doing is the right thing. Rather than somehow our having children that are called clients or customers, which is even worse, this is government providing a service. This is not a business, and it shouldn't be viewed as a business. It is government providing a service that they're mandated to do. The government has got to be really careful when it starts looking for things to unload, to say that we're not responsible for this and we're not responsible for that.

Well, there are things you are responsible for. One of the things that government is responsible for is children that have to be taken away from their families or apprehended or taken away from a dangerous situation. They then become wards of the government, and we have to look after them properly. One of those is to do the case plan and register it so other people can have a look at it. It's half a loaf to be able to do the case plan and then hide it somewhere where nobody else can get at it and read it and understand what's supposed to happen with it. If you've done the work for the case plan, you should have no problem registering it with the courts, in which case you don't need this act, which then goes about setting itself above the courts by saying: no matter what any court says, we're still right. Well, it's not a condom. You can't protect yourself against this stuff. You've got to do the right thing here. You've got to do the right thing up front.

So I'll be interested in what the other members of the Assembly

have to contribute to this debate in Committee of the Whole, and I'll be interested if the minister is willing to respond here as well. It's not that it's bad legislation, but it's not dealing with the situation at hand. It's not dealing with what needs to happen. It's just trying to cover it up, and that makes it bad legislation.

So thanks for the opportunity to speak to this, and I'll look forward to other members' contributions.

THE ACTING CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I've been looking forward to the opportunity to make some comments on Bill 24, the Child Welfare Amendment Act, 2002 (No.2), and I, like other members in the Assembly, certainly have grave concerns over a bill that overrides the law. It overrides the law because in the original act there were checks and balances put in place which would prevent this very situation from arising.

Certainly one of those was the fact that within 30 days of a child being apprehended, a case plan would have to be filed, and those case plans were very, very important. They identified the needs of the child and the steps to be taken to provide those needs. They list the immediate needs and how they are to be fulfilled for that child, whether those needs be shelter or a secure environment. They also list the long-term needs such as permanency of place, where the child will end up once the temporary guardianship ends.

These case plans also fulfill many other important roles, one being that they will communicate to the parents what they need to know in order to regain custody of their children. Of course, it is vital to the well-being of society that we have strong, functional families. The case plan not only identifies what happens to the child, but it also identifies the scheduled treatment for parents themselves. It is indeed an all-encompassing plan. It sets out required therapy and medication, if necessary, for one parent, both parents, whatever. Again these plans must be set in place, Mr. Chairman, in order that the well-being of the child takes place.

Now, then, as well, the case plans keep social workers accountable to children. The case plans identify the resources required to help the child. Ideally, the case plans also give social workers the reassurance that these resources will be provided by the ministry.

What's happened is that initially over 600 of these case plans were not filed, so at the end of 30 days what happens is that those court orders are not valid. What must take place is that these children must be reapprehended or the parents have every legal right to have their children back, putting those children back into a situation we've already identified as being at risk for children.

As well, there are some other situations here where court orders must be signed by the worker, by the parent, and by the children if they are 12 years or older. Now, in fulfilling these requirements, there are some reasons why this may not take place, and the minister did outline those. In some cases it's very difficult to find the parents, or in other cases, even though they can contact the parents, the parents don't want to agree or co-operate by signing these papers. In some other cases the courts may have adjourned. So we can see why in some situations it might be extremely difficult to get these case plans in order.

10:40

We talk and we pride ourselves so often in this Legislature and we continue to state that we have the Alberta advantage. The majority of us continue to live in a society which is full of advantages, but the advantages aren't shared by everybody. We look at our children that are in these positions, the children that are most at risk, the children

that are most vulnerable. What do we say about ourselves as a society when we cannot add this advantage to all members of our society, particularly those members who are most vulnerable?

When looking at this bill, we have to determine certainly what is the best way to deal with the situation that we find these children in today. It may be a case, Mr. Chairman, as another hon. member has said, that we might have to hold our noses and pass this piece of legislation because in the end it might be the best thing for those children. It certainly does not solve problems. It certainly does not address the ongoing situations that we have in Children's Services. As I said when I rose to speak on this, I still have many great concerns about a piece of legislation that is required to override the law.

I don't know, Mr. Chairman, how many times we would have to do this. Are we going to be coming back in the fall and saying that we need another bill – it may be Bill 52 at that point, which would be the Child Welfare Amendment Act again – to do the very same thing that we're doing here today. The assurances we gave to those children, to those families that we had a system in place that would work, that it would be the best chance for those people just don't seem to be working.

I look at a quote from Mother Teresa: "Loneliness and the feeling of being unwanted is the most terrible poverty." We all know that Mother Teresa's compassion and devotion to the destitute was second to none. Certainly these children cannot be in any worse shape than they are right now. Probably the reason that in the end I will support this legislation is because there are almost 600 children out there that require and deserve much better than they have been provided with so far.

Thank you.

THE ACTING CHAIR: The Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. Just a few comments on Bill 24. I think of two positions on Bill 24 that I heard most recently and that I guess summed up where we are. One was from a social worker who wrote me an e-mail and said: "Okay; we made a mistake. Let's get on with it. This has to be done. Just pass the bill and do what has to be done." That was followed by a second e-mail – I'm not quite sure whether it was from a worker or someone within the department – that said that there's no way Bill 24 should ever be passed by the Assembly, that it's reflective of what's going on in the department, and that it's an affront to pass Bill 24.

There's a real distaste on the part of the opposition, and I know that the minister, too, has mixed feelings about the bill that's before us, but I think in the final analysis there hasn't been an alternate solution come forward that would deal with the position that the department is being put in because of the court rulings. We have to, I suspect, Mr. Chairman, hold our noses and pass this piece of legislation, as regrettable as that is.

So with those comments, Mr. Chairman, I'd conclude. Thank you.

[The clauses of Bill 24 agreed to]

[Title and preamble agreed to]

THE ACTING CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE ACTING CHAIR: Opposed? Carried.

Bill 21

Alberta Personal Income Tax Amendment Act, 2002

THE ACTING CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

[The clauses of Bill 21 agreed to]

[Title and preamble agreed to]

THE ACTING CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE ACTING CHAIR: Opposed? Carried.

The hon. Government House Leader.

10:50

MR. HANCOCK: Thank you, Mr. Chairman. In light of the hour I would move that the committee rise and report bills 24 and 21.

[Motion carried]

[The Deputy Speaker in the chair]

MR. JOHNSON: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 24 and 21.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:51 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, May 7, 2002**

1:30 p.m.

Date: 02/05/07

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. O Lord, grant us a daily awareness of the precious gift of life which You have given us. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country. Amen.

Please be seated.

head: Introduction of Guests

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Legislature 29 students from Hay Lakes school as well as their teachers Doug Lyseng and Nicole Lindberg. If they have not already joined us, I believe they will be joining us momentarily, so I would ask that the Assembly extend to them our traditional warm welcome.

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti.

MR. GRAYDON: Thank you, Mr. Speaker. I'd like to introduce – and I'm not sure that they're here. They didn't check in with my office, and I have no information yet, but I was expecting from my constituency the Grande Prairie Christian school. So if they're here, I'd ask them to rise, and if not, we'll welcome them anyway.

Thank you very much.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I would just like to acknowledge and introduce to you again today the students from Keenooshayo school who are here this week long in the Legislature. They are seated in the public gallery this afternoon. I'd like to acknowledge their presence and ask them to please stand and receive the warm welcome again today.

THE SPEAKER: The hon. Member for Calgary-Cross.

MRS. FRITZ: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of the Assembly a very dear friend of mine, Vicki Dippner. Vicki is visiting from Palm Springs and was absolutely delighted to see all that snow in Calgary. We graduated together from nursing in 1972, and this weekend we had a lot of fun reminiscing with our classmates from the Calgary General hospital at the alumni banquet. So, Vicki, I'm really glad that you're here today, and I'm really pleased and proud to introduce you to my colleagues in the Assembly. I'd ask that people help me give Vicki a warm welcome.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Electricity Billing

DR. NICOL: Thank you, Mr. Speaker. It's the final bill that consumers have to pay that matters, so if the bills are higher, then

deregulation has failed those consumers. The deferral accounts, that the Premier calls hypothetical, exit fees, and other assorted charges since deregulation have contributed to those higher bills. So, too, has the government's faulty billing system. My questions are to the Premier. Why did the government wait over one year without doing anything for higher electricity bills and billing problems when the minister was alerted last year by a report from the Alberta market surveillance administrator that stated that the electricity billing process that the government developed was faulty?

MR. KLEIN: Mr. Speaker, to say that we didn't do anything for a year is wrong. As a matter of fact, we put in place very substantial rebates to shield people against rising electricity prices. Believe it or not, the actual cost of power has gone down since regulated times.

Before I go any further, there's something that the hon. Leader of the Official Opposition has to keep in mind; that is, any citizen of this province can stay on the regulated rate – the regulated rate. I think that the individual or the family can stay on that rate for at least another four years, Mr. Speaker. So if the price of power is going up in a regulated environment, what then is the basis of the complaint from the Liberals?

The actual cost of power has gone down since regulated times. In 2000 the average wholesale price was 13.3 cents per kilowatt-hour, compared to 7.1 cents in 2001 and 3.8 cents so far this year.

Mr. Speaker, I would point out also that rate riders are the legacy of regulation – the legacy of regulation – when consumers had to pay for forecasting errors. The government made a decision in late 2000 to defer rate riders because we felt that it would be easier for customers to pay these costs this year when prices are low than last year when prices were high ostensibly due to a phenomenal rise in the price of natural gas.

Mr. Speaker, there are also some other extenuating circumstances that the Liberals, if they want to be totally honest about this particular issue, would research and talk to the public about: metering and service problems that occurred back in 2000, which are not linked in any way, shape, or form to deregulation. The hon. Minister of Energy has written to companies involved asking them to improve their practices in these areas, and we need to look into all these issues – all these issues – and not just pick and choose and cherry-pick so that consumers know and understand what they are paying for and get true and honest information from the Liberals, who are not providing that true and honest information.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier if he'll listen this time. The billing process was said to be failing. What have you done to correct the billing process, Mr. Premier?

MR. KLEIN: A number of steps are being taken to address some of the issues relative to billing, particularly as they relate to certain service charges that have now been unbundled and are being presented on the bills. Indeed, in some areas of the province those charges are much higher than consumers, customers, originally anticipated. Now, the ministers of Energy and Government Services are meeting with the Alberta Energy and Utilities Board. I believe it's today. Following that meeting, there will be a meeting with the power companies, Mr. Speaker, to get to the bottom of the problem, and if the Minister of Government Services finds that there's anything untoward, he will launch an investigation to ensure that there are no violations, no unfair trade practices.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. According to the Alberta market surveillance administrator, why were the computer programs designed to calculate energy consumption used without being properly tested?

MR. KLEIN: Mr. Speaker, I don't know. That is a highly technical question, and I will take it under advisement for the Minister of Energy.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: why did the government develop this billing policy that allows the load settlement agent, the person who collects the data, to be the operator of the distribution system?

MR. KLEIN: Again, Mr. Speaker, this goes deep into matters of administration, and I will take the question under advisement and refer it to the minister.

DR. NICOL: Mr. Speaker, he's known – these have been reported to him for over a year.

Since this government has a set of regulations a foot high in the library for the electricity industry but none for protecting consumers, isn't it the approach by the government that leads to higher and inaccurate bills for Albertans?

MR. KLEIN: Mr. Speaker, again, the incidents that lead to the hon. leader of the Liberal opposition's statement are of a highly technical and administrative nature.

The fundamental policy has to be addressed, and the fundamental policy relative to deregulation is to allow for competition so that prices overall will come down but, more importantly, to create an environment to allow for more generation of power, using all forms of fuel and sources to generate additional power.

1:40

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: why is the Premier asking for a study into billing issues when the government has already had this study, that's a year old, outlining the problems with the billing? Why haven't you been doing something about those remarks?

MR. KLEIN: Mr. Speaker, this is not a study of the billing issues. This is an examination to determine if there is indeed a violation of the Fair Trading Act.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

Holy Cross Hospital

DR. TAFT: Thank you, Mr. Speaker. Yesterday the Premier said that if it had been the intention of the purchasers of the Holy Cross hospital to simply tear down the hospital and build condominiums, then its value "would be in accordance" with the \$20.6 million that the appraisal indicated. The Premier then suggested that it sold for one-quarter of its appraised value because the hospital building was kept. Well, that's just plain wrong. In fact, the appraisal gave the site such high value because it envisioned keeping the main hospital

building for alternate uses, much as has occurred. My questions are to the Premier. Given that government policy states that, quote, land and/or facilities shall be sold for their fair market value and fair market value shall be estimated by an independent appraisal, end of quote, can the Premier tell us why government policy was ignored when the Holy Cross was sold for one-quarter of its appraised value?

MR. KLEIN: Well, Mr. Speaker, maybe the hon. member will ask former Bishop O'Byrne, you know, why that decision was made or ask former Alderman Jon Lord, who now sits as the hon. Member for Calgary-Currie, who was on the disposition committee. The simple fact is that market value relates to what a person, an individual, or a company is willing to pay for a piece of land. According to my research – and my research comes from talking to people who were directly involved with the disposition committee – one of the four proponents that came forward actually wanted the government to pay the proponent to take the property off their hands. As I understand it, there was no value of any consequence to that property at that particular time, and the price we got was deemed by the disposition committee to be a fair and honest price.

DR. TAFT: Keep working on your research.

Now that the Premier has had more time to consider the issue, let me repeat a question from yesterday. Given that various independent assessments placed the value at \$8.4 million for the land alone to over \$20 million, why was the price for the land and buildings listed by the CRHA at only \$4.9 million?

MR. KLEIN: Mr. Speaker, for an educated person I am absolutely surprised at his lack of knowledge relative to how the real estate market works. He can take where he hangs out his shingle and say: this piece of property is worth \$20 million. But if no one is going to pay him \$20 million, he's not going to get it. You know, you can have any kind of evaluation you want on a piece of property, but if people aren't going to pay it, you aren't going to get that price. It's as simple as that.

DR. TAFT: Well, let's bring some commercial real estate agents into the process. Given that a commercial real estate agent handled the pending sale of the Charles Camsell hospital in Edmonton, why is there no sign that such an agent was used in the sale of the Holy Cross?

MR. KLEIN: Mr. Speaker, there was a process, as I understand it, that was in place. It involved the Calgary regional health authority establishing a disposition committee. The committee was made up of a number of citizens and involved, as I pointed out, a city councillor, in this case the alderman for that particular ward. It involved the clergy because of the religious association that the Holy Cross had with the Catholic church. It involved community leaders. It involved representatives from the RHA, as I understand it, and there was a good and fair and impartial adjudication of all the proposals that came forward, and at the end of the day the committee recommended a sale for a certain price.

THE SPEAKER: The hon. leader of the third party.

Children in Care

DR. PANNU: Thank you, Mr. Speaker. Even worse than placing vulnerable children in unaccredited foster homes is putting them up in hotels and motels. Three years ago the government promised to end the practice of placing children in hotels and motels, yet the

New Democrats have learned that over 30 children in the Capital region are being put up in hotels due to an acute shortage of foster homes and group homes. We have been told that many of the children being placed in hotels are under eight years of age. My questions are to the Minister of Children's Services. Can the minister tell this House how many children in care are being put up in hotels or motels in Ma'Mōwe Capital region and elsewhere in the province?

MS EVANS: Mr. Speaker, to the best of my knowledge the policy is being followed through with; in other words, not using hotels and motels. It's not only a costly practice where we have to do that, but it is a temporary and an emergency practice. There is in fact a shortage of foster parent placements here in the Capital region. There's work being done by the authority to try and find residences for the children in other authorities adjacent to this. I can't give the precise number. Let's be clear that it's not children being placed into hotel rooms all by themselves. It is 24-hour supervision. It is a situation where the children are closely monitored and people are with them. The children are not unsafe. The worst part of this, at least on a temporary basis, is that it is a very high cost. Certainly when we do this sort of placement, it's not done . . .

AN HON. MEMBER: First of all, for the children it's a high cost.

MS EVANS: Mr. Speaker, it's certainly a cost, and it is certainly preferable to have them with temporary guardians or guardians, as be the case, where they are well looked after, but in an emergency situation we have in the past done this and will continue to seek homes for them.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Given that the minister knows that children are placed in these hotels, would she give us the average time for which they stay in the hotel and whether, when there, they are looked after by staff who are appropriately accredited social workers?

MS EVANS: Well, Mr. Speaker, I will be very pleased to provide a briefing from Ma'Mōwe Capital region. It is the only authority right now that may be using temporary foster placements or temporary guardianship within hotels. How many days they will be there: I can't provide that, but I am certain we can get the detail.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Given that the minister can't properly look after these children in government care, why are 186 full-time positions being cut in the Ministry of Children's Services?

MS EVANS: Mr. Speaker, I would hope that because we are providing temporary accommodation in other places, it's not assumed that we're not caring for children or providing proper care. We are doing that. The reductions of Children's Services staff that are in this year's budget are administrative reductions. They are not on-site, where the child interfaces with social workers. They are entirely administrative. The positions that were reduced over the last six months in Ma'Mōwe Capital region took effect to some IT positions. I have a complete breakdown, not with me at the moment, but those positions, administrative positions, had nothing to do with the caseworker/child interface or the work that's done with the families.

G-8 Summit

MRS. TARCHUK: Mr. Speaker, the upcoming G-8 summit in Kananaskis is expected to draw thousands of protesters and will require potentially millions of dollars worth of high-security measures and provisions. As a result, some Alberta businesses in and around the Calgary and Bow Valley areas will need to close entirely during the summit and will experience a loss of income. My question is for the Minister of International and Intergovernmental Relations. What provisions is the Alberta government putting in place to compensate Alberta businesses for losses incurred as a result of the G-8 summit?

1:50

MR. JONSON: Mr. Speaker, as has been mentioned many times in this Assembly – and I think it has to be emphasized – the G-8 summit is entirely a federal event. Compensation for businesses that experience a loss of profit due to the summit would be the responsibility of the federal government, but I would like to add further, and that is that we in the provincial government have been discussing with the federal officials the issue of compensation both for costs incurred by the Alberta government and by Alberta businesses. Negotiations continue on establishing a clear agreement to address these types of issues. The federal government has indicated that it will soon announce a compensation package that deals with these issues surrounding businesses.

THE SPEAKER: The hon. member.

MRS. TARCHUK: Thank you. To the Minister of Community Development: given that tourism operators in the Bow Valley rely on the pristine and natural beauty of the region, what precise policies and procedures does Alberta have in place to ensure that the Kananaskis environment will not be damaged by the summit?

MR. ZWOZDESKY: Well, Mr. Speaker, the G-8 summit, which is occurring June 26 and 27, as we all know, is something that we as Community Development are participating very, very closely with the federal government on because it is their initiative, but in specific answer to what we're doing there, I think the hon. member who represents the area would be comforted to know that we will be ensuring strict adherence to the various acts that might be impacted by this: the Wildlife Act, the Water Act, the Provincial Parks Act, and so on. Secondly, we'll be ensuring that the policies that are in place there, such as the Kananaskis recreation policy, which we've had for many years, will also be adhered to, and thirdly, we'll be stepping up our business, so to speak, with our conservation officers who look after that very special area of the province and ensuring that no random camping is occurring, ensuring that the protections that we have in place are being followed, and ensuring otherwise that nothing wrong or illegal is occurring to the best of our abilities.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Whitecourt-St. Anne.

Working Alone Regulation

MR. MacDONALD: Thank you, Mr. Speaker. Last April the government introduced a working alone regulation for Alberta workers who work for whatever reasons as gas station attendants, taxi drivers, security guards, or store clerks to protect them late at night. Could the Minister of Human Resources please provide this Assembly and all Albertans with an update on how this working alone regulation is working one year after it was implemented?

Thank you.

MR. DUNFORD: Well, Mr. Speaker, of course, the information is correct. We had allowed companies up to April 1 of '01 to comply with the regulation. Since that time, as we carry out normal inspections with our field staff, if they are in a situation where they recognize that a working alone situation might exist, then part of their normal inspection is to see if there's compliance with that. However, the one thing that we can't do and that the regulation was never considered to do was prevent crime. What we were trying to do with the working alone regulation was if something untoward happened at a work site, there would be an opportunity for someone involved in an emergency situation to have the ability to seek help. As a matter of fact, last night we had a rather unfortunate situation take place not only in Calgary but at the particular Subway outlet where Tara McDonald had been killed. There was actually a robbery that took place. So the investigation now will be as to whether or not their compliance with regulations had carried on and whether there's any kind of a situation there that needs to be looked into.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. To the same minister: can the Minister of Human Resources and Employment explain to the Assembly if at that particular work site, at the Subway, the employers and the employees discussed a work safe hazard assessment to deal with late night clerks?

Thank you.

MR. DUNFORD: Mr. Speaker, that was part of the regulation. It's not only good enough for an employer to show an inspection that they have emergency devices, communication devices in place, but the important thing is that it can be shown that the employees in fact are aware that devices or procedures are available and that, yes, they in fact can administer whatever emergency procedure they need to put into place.

As to the question being asked at this particular point in time, I can't confirm whether or not the employee that was involved last night in this particular robbery, which is under a criminal investigation, has been talked to by the employers. Of course, as we get involved with our inspection, that's obviously one of the questions that will have to be answered.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: do employers have to complete a hazard assessment for each employee who meets clients alone at their work sites, or do they have to conduct a new hazard assessment every time this worker enters a new work site?

MR. DUNFORD: Well, it's too bad there wouldn't be four questions for this member, because it sounds like there's another shoe to drop after that one. I'm not sure I understood the question properly, but under the regulation it is contemplated that for a work site and for a work procedure a hazard assessment is done. As long as the circumstances surrounding that work site or that particular procedure within that work site remain the same, then of course the hazard assessment that's been done would apply. If there are changes to that, then clearly they would not meet the regulation if they didn't update and strengthen their hazard assessment.

THE SPEAKER: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Edmonton-Glengarry.

Resource Roads in Northern Alberta

MR. VANDERBURG: Thank you, Mr. Speaker. In Whitecourt-St. Anne I deal with a wide variety of industry – oil, gas, forest companies, and many agriculture operations – that count on resource roads to access their operations. Recently a Federal Court of Canada decision overturned a decision to build a resource road in northern Alberta because of an objection from the First Nation community. My question is to the Minister of Aboriginal Affairs and Northern Development. What are the implications of this decision for my constituency of Whitecourt-St. Anne and other northern resource communities?

THE SPEAKER: The hon. minister.

MS CALAHASEN: Thank you, Mr. Speaker. The case that the member refers to is Mikisew versus Copps, where a permit to build a road from Garden River to Peace Point was quashed because of inadequate consultation with the Mikisew Cree First Nation. My understanding is that the feds are appealing this decision. However, in terms of what our officials from Aboriginal Affairs and Northern Development and Alberta Justice are indicating, the implications to us are that, first, we always have to remember that recent court decisions are making certain provisions that as a province we need to consult where it impacts constitutional and treaty rights. Secondly, we have to look at: what are the implications? We must consider the concerns of First Nations and what that means in terms of what happens to the development in this province. Third is that I think we have to look at what we have to do, and that's to be able to build a made-in-Alberta consultation policy based on the aboriginal policy framework, which was released a while back. My officials are developing such a policy to be able to address the concerns the member has brought to our attention and to make sure that we continue to develop the roads as needed in this province of Alberta.

MR. VANDERBURG: My final question is to the same minister. The Northern Alberta Development Council has spent a lot of time developing a transportation study in northern Alberta and has presented it to this government. How will this affect the plan that's been developed?

MS CALAHASEN: Well, Mr. Speaker, clearly the decision prevents at least temporarily the construction of a road through Wood Buffalo national park, the very road that the Mikisew Cree Nation was against. This also prevents the completion of the plan to connect northeastern Alberta with the Northwest Territories, B.C., and of course Saskatchewan. However, this decision does not interfere with what we call the overall northwestern Canada integrated road concept plan, which is a vision for long-term integration of highways, which my colleague from Peace River has been working diligently on. I would suggest that maybe if he wants to speak to the chair of NADC, he certainly can talk about that specific area. But I think it's important to note that whatever happens, discussions with the feds and my officials as well as Alberta Justice must continue in order for us to be able to ensure that we continue to develop the road plans that have been identified as a vision for northern Alberta.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

2:00 Road Construction and Maintenance Funding

MR. BONNER: Thank you, Mr. Speaker. The provincial government will collect \$569 million in gasoline and diesel fuel taxes this

year. This tax is supposed to pay for road construction and maintenance. However, they're only spending \$526 million on road construction and maintenance. My questions are to the Minister of Transportation. Why is your department spending \$43 million less on road construction and maintenance than the government collects in revenue from the 9-cent per litre gasoline and diesel fuel tax?

MR. STELMACH: Mr. Speaker, the amount collected from fuel taxes roughly averages about \$600 million a year. All of that is spent on Alberta roadways. Part of the 9 cents that we collect goes in the form of a grant to Edmonton and Calgary, which is approximately 5 cents a litre, but all of the money that we raise from fuel taxes goes to roadways. In fact, our budget before the House is about \$893 million, so that includes the 500 and some million dollars, close to \$600 million in fuel tax plus about \$189 million in registry fees and licences.

THE SPEAKER: The hon. member.

MR. BONNER: Yes, Mr. Speaker. Given that the amount of dollars given to Edmonton and Calgary does not approach the \$43 million difference, could the minister please tell us where the extra millions of dollars are being siphoned off to?

MR. STELMACH: Mr. Speaker, the amount of grant to Edmonton based on 5 cents a litre is in excess of \$65 million, and the 5-cent grant calculation to Calgary is about \$85 million.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you. To the same minister, Mr. Speaker: how can the government consider funding road construction and maintenance with a new toll road tax when the fuel tax, which is supposed to be used for road construction and maintenance, is already in place and not being used as intended?

MR. STELMACH: Well, Mr. Speaker, I can ask all Albertans: how about the \$700 million that leaves Alberta every year in federal fuel tax? That's 10 cents a litre, and none of it comes back. In the last 10 years I believe we exported \$7 billion to Ottawa, and we got about 1 percent back, about \$72 million. However, in terms of infrastructure and the amount of fuel tax that we collect, again I would like to repeat that all of that money goes to infrastructure, whether it goes in the form of municipal grants or to hard road infrastructure in the province of Alberta.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Mill Woods.

One-day Sportfishing Licence

MR. HORNER: Thank you, Mr. Speaker. I have a number of very avid sportfishing enthusiasts in my constituency who've come to me with an interesting suggestion. Evidently in Alberta we do not have a one-day sportfishing licence available to people. This means, especially if you're a visitor from outside the province or another country vacationing in our fine province, you have to purchase a five-day licence in order to fish regardless of how long you might be in the province. Some of my constituents believe that tourism could benefit from being able to offer a one-day fishing licence or one-day fishing packages. My questions are to the Minister of Sustainable Resource Development. Can the minister please tell us why we don't have a one-day sportfishing licence available in our province?

MR. CARDINAL: Mr. Speaker, that's a good question. In 2001 there was a committee set up actually of public members and stakeholders to study the consequences of introducing exactly the question the member is asking about, a one-day licence. The committee used a range of data and information sources and really looked at the issue carefully over a period of a year. The committee's recommendation at this time of course is not to introduce a one-day licence, and there are a number of reasons for it. Basically, one is fairness in relation to licences, because we don't have that process available to Albertans or other Canadians, and to have it available for a non-Canadian visiting would be not fair.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My next question is also to the same minister. Can the minister tell the Assembly if it's too costly compared to other jurisdictions for the average Albertan to go fishing for a few days?

MR. CARDINAL: Well, Mr. Speaker, our annual fishing licence for Alberta is \$18 a year plus an \$8 WIN card, which you could use for a five-year period. Visitors to Canada pay \$20 either per day or per week or per year plus the \$8 WIN card, which lasts five years. So I believe it is a good deal, especially for Americans that do come to visit. With the dollar exchange difference, their fees could be considerably cheaper than what Albertans and other Canadians would pay.

At the same time, we are trying to keep the fees affordable for all Albertans and also of course to be fair and encourage non-Canadians that come into Alberta. The advisory committee actually surveyed over 500 people and conducted focus group research and talked to other officials from other provinces and found that what we are doing here is reasonable. We do have to have a balance. We have to have revenues to sustain our resources, and at the same time it has to be affordable. Part of the money goes to the Alberta Conservation Association, which does a lot of good work in preservation of our habitat in the province. Therefore, some of the money is returned to them, and we keep some in order to restock the lakes.

THE SPEAKER: The hon. member.

MR. HORNER: Thank you, Mr. Speaker. My final supplementary to the same minister is simply to ask if the minister would consider reviewing this policy and the allowing of one-day licences.

MR. CARDINAL: Yes, Mr. Speaker. We always continue monitoring situations of this nature, and I promise you that we will do that, but at the same time it is important to note that we do have some free fishing opportunities in Alberta already. For example, we have two free fishing weekends per year. As well, seniors over 65 and youth under 16 can fish for free year-round in Alberta. So we do have that, and I am confident that the licensing that we currently have in Alberta is achieving the balance we require.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Highlands.

School Funding

DR. MASSEY: Thank you, Mr. Speaker. Parents claim that they are both directly and indirectly raising money for school basics. They further claim that they are covering a shortfall in government school funding. My questions are to the Minister of Learning. How does

the department determine the actual costs of operating school programs?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. We fund school boards, not individual programs, and we divvy out the dollars to the school boards based on an allocation formula that has been in place for roughly five or six years. We are constantly looking at finding new ways to divvy out the dollars in a fair way, but we do not look at specific programs.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister: how can you allocate dollars to programs if you don't know what they cost?

DR. OBERG: Quite simply, Mr. Speaker, the dollars go out to the schools to run the programs. We do have things like English as a Second Language which we give specific dollars to, but in general we give the dollars to the school boards to allocate out to their particular schools.

DR. MASSEY: Again to the same minister: how do you determine what goes out to the schools if you don't know what those programs that the boards are going to pay for will cost?

DR. OBERG: Mr. Speaker, I guess I'll repeat it again: it is the school boards who divvy it out to the schools.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Dunvegan.

2:10 Electricity Deregulation

MR. MASON: Thanks very much, Mr. Speaker. Electricity deregulation in Alberta has meant higher prices for consumers and a complicated electricity system that no one really understands. One of these strange creatures in this complicated scheme is the Balancing Pool, which is a fund that's been set up to manage the transition to deregulation. On December 31 of 2001 the Balancing Pool took a billion-dollar write-down in its financial assets. Now, it's the average consumer of electricity who is responsible for making up any shortfalls in the Balancing Pool by having those charges added to their electricity bills. My question is to the Premier. How much does the Premier expect that electricity bills of the average Albertan will go up because of the huge hole that is developing in the Balancing Pool budget?

MR. KLEIN: I don't have any expectations, barring some unforeseen circumstances such as an extreme hike in the price of gas, natural gas – that could be one of the contributing factors. Another contributing factor could be a number of generators shutting down for mechanical reasons at the same time. Another factor could be renewed economic activity that, you know, results in an increased demand for electricity, Mr. Speaker. If everything stays the same, then I would suspect that electricity prices will average out to a reasonable level. I would point out that the monthly average for April in the year 2000, under a totally regulated environment, was 9.4 cents a kilowatt-hour. That's in the year 2000. You can get this information anywhere. If the hon. member prefers to look on the Internet or to go to any source he wants, the figures don't lie. In April 2000 the monthly average was 9.4 cents a kilowatt-hour. In April 2002, just last month, the monthly average was 4.5 cents a kilowatt-hour.

MR. MASON: Mr. Speaker, my eyes are watering because the Premier is blowing so much smoke.

Given that the annual report of the Balancing Pool states that “to the extent the proceeds from any sale” – and this is of the Balancing Pool – “do not cover the fixed cost obligations under the PPAs, the Balancing Pool will be required to fund the difference,” will the Premier admit that the last answer he gave is just a bunch of nonsense?

MR. KLEIN: Mr. Speaker, I really do take strong exception, and I take exception on behalf of the public service employees who are charged with preparing these figures on a month-to-month basis. This hon. member – and I use that term loosely – is calling a dedicated member of our public service a liar. That's what he did.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. If the Premier doesn't understand how our deregulated electrical system doesn't work, how can he expect average Albertans who have to pay their power bills to understand it?

MR. KLEIN: Mr. Speaker, nothing could be clearer than the figures I just quoted, and he said that those figures are wrong. They were prepared by the public service of this province, and what he's saying is that they are deliberately somehow misleading the Alberta public. I'll repeat those figures. Nothing could be simpler. Nothing could be more elementary, elementary enough so that even this hon. member can understand. The average price in April of 2000, in a totally regulated environment, was 9.4 cents a kilowatt-hour. In April of 2002, in a deregulated environment, it was 4.5 cents a kilowatt-hour. I was asked by the media yesterday: what was the price of power? On May 6, yesterday, of 2000, it was 3.7 cents a kilowatt-hour. On May 6, 2002, the average daily price was 1.6 cents a kilowatt-hour.

THE SPEAKER: The hon. Member for Dunvegan, followed by the hon. Member for Edmonton-Ellerslie.

PDD Boards

MR. GOUDREAU: Thank you, Mr. Speaker. Over the past few weeks I've received numerous calls, letters, and visits from individuals who are concerned about PDD. Some are concerned about existing budgets that have varied over the past year. Service providers and clients want to know what they can anticipate from their regional boards. My question to the Minister of Community Development: when will our service providers be given the clear budgets and guideline directions that are so important for their operations?

MR. ZWOZDESKY: Well, Mr. Speaker, we go through a particular process every year about now starting with the budget estimates, which, as the hon. member would know, were provided to all of our community boards and to all members of this House a few months ago. Then over the course of several weeks thereafter, we have our discussions here, and we set what we believe to be our best estimates of what those budgets will be. Particularly during the month of April through our community regional government process our PDD Provincial Board sits down and discusses with each of the CEOs and/or board chairs in the six regional areas what their particular targets are going to be. Those numbers will fluctuate from time to time, but we had a bit of an anomaly last year because of September

11. So there were some minor inconsistencies that had to occur naturally because all government departments were asked to trim back 1 percent. However, the upshot of it all for all areas across the province really was that they still shared in an 8 percent increase last year, and they're going to share in an 8 percent increase again this year.

In the case of the PDD Northwest Community Board, Mr. Speaker, our estimates showed about a \$14.2 million budget or thereabouts, and they can expect about a 7 to 8 percent increase over and above that once we finish our negotiations with the PDD Provincial Board. So that's about as clear as we can be.

MR. GOUDREAU: My second question is to the same minister. Can the minister assure us that PDD contract renewals will be clear and not subject to inconsistencies and various interpretations?

MR. ZWOZDESKY: Well, Mr. Speaker, indeed clarity in our contracts and our contract renewals is something we always do strive for. Having said that, I think we need to understand that actually it's the regional community boards who do that contracting or that contract renewal function for government. In doing that, they will review a lot of factors that might have come into play over the last year. Indeed, it's all centred around the quality of service that local agencies are able to provide.

I would say, Mr. Speaker, that we are really quite happy with the agencies that the community boards are able to contract with, and I hope that no one is undergoing any contract renewal difficulties. If they are, then perhaps there might be, you know, some reasons for that. Otherwise, I think the member can look forward to some pretty positive developments in all areas of the province in that regard.

MR. GOUDREAU: My final question is again to the same minister. Will the minister encourage his staff to have frank and open nonconfrontational discussions with local PDD agencies and service providers, especially in the northwest region?

MR. ZWOZDESKY: Well, my staff, so to speak, which are Community Development staff, don't frequently get involved directly with the community service agencies. It is more often the case, in fact almost exclusively the case that contracts and things of that nature are the responsibility of the community boards and their staff, who in turn will get together with the community agencies and their staff so as to arrive at a mutually agreeable process and budget amounts and so on.

In answer to the question of openness and frankness or whatever it was, I certainly always encourage that with my staff working with community PDD staff, working with local agency community staff, because after all, we are all serving the same individuals. So it's very important, Mr. Speaker, that we do have those kinds of frank and honest discussions, and I'll do everything I can to ensure that they continue in that vein.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Grande Prairie-Wapiti.

2:20

G-8 Summit
(continued)

MS CARLSON: Thank you, Mr. Speaker. The upcoming G-8 summit in Kananaskis presents many security and access concerns for the province. My first question is to the Minister of Community Development. What plans does this minister have in his department to maintain recreational access and control random camping in the Kananaskis area during the summit?

MR. ZWOZDESKY: Well, Mr. Speaker, as I recall, about 95 percent of Kananaskis Country will remain open for normal usage. We are just finalizing some other negotiations which in the end will not only provide for the utmost of security, as I answered earlier today, but will also ensure that strict adherence – or as strict as we can make it – to the acts and the policies and conservation methods is indeed followed.

Now, there will be certain access points, hon. member, that will be shut off and monitored very closely so that we are able to deliver on these promises that we're making. As soon as the federal government is able to release some of that, they will. In the meantime, there is a web site that has been set up. I have that if you'd like it, and I'll give it to you later.

THE SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker. My second question is to the Minister of Sustainable Resource Development. What specific actions is his department taking to mitigate the risks to the forests and the wildlife during this summit?

MR. CARDINAL: Of course, Mr. Speaker, that's a very, very important issue and a very important area to our department and to all Albertans. We will of course continue to monitor the situation very closely. At this time of course it's pretty wet out there, and there's a lot of snow in that region. I don't think there's any danger of fires at this time, but you can be assured that as time goes on, we will be better prepared for that major initiative. We will monitor it closer, and if it requires some action to be taken in relation to fire in the region, we will do it accordingly.

THE SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker. My third question is to the Environment minister. What plans has his department developed to address water access and contamination issues during the summit?

DR. TAYLOR: Mr. Speaker, we have a constant plan to address those issues. We have the Water Act certainly, that goes forward, and we monitor and enforce our river basins and will continue to monitor and enforce our river basins. Particularly during this time frame we will be having more staff in this area.

THE SPEAKER: Hon. members, there was one school group that arrived a little late. Would it be appropriate and okay for the members to allow the hon. member to introduce them?

[Unanimous consent granted]

head: **Introduction of Guests**
(reversion)

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti.

MR. GRAYDON: Thank you, Mr. Speaker. I get so few guests that come to visit me that I want to introduce the same group twice, you see. I would like to introduce to you and through you to our colleagues here a group from the Grande Prairie Christian school. They are a group of nine visitors. With them are some group leaders: Mrs. Debbie Landis, Mr. Dennis Landis, and Ms Larissa Zatkovich. They're joining us and have watched the last few minutes of question period. I'd like us to give them a warm welcome. If they could rise, please.

Thank you.

head: **Members' Statements**

THE SPEAKER: Now, hon. members, I'm going to call upon an hon. member who became a grandfather for the second time last evening to participate first in Members' Statements, the hon. Member for Edmonton-Mill Woods.

Children Living in Poverty

DR. MASSEY: Thank you, Mr. Speaker.

We are the world

We are the children

We are the ones who make a [better] day.

So wrote Michael Jackson and Lionel Richie in 1985. This week Canada will be talking about helping children in poverty so that they are able to make that better day. From May 8 to 10 our country will participate in the United Nations special session on children. One wonders how much life will change for our children living in poverty as a result of this latest world gathering. Why? We are a country of adults seemingly long on rhetoric and short on action.

In 1989 the House of Commons passed a unanimous resolution to eliminate child poverty in Canada by the year 2000. A year later Canada was one of six countries that called for children to have the first call on resources, in good times and bad, at the 1990 World Summit for Children. What have we done since? The number of poor children in Canada has increased by 39 percent. The number of children living in families earning less than \$20,000 has increased 32 percent. Social assistance benefits have decreased 19 percent. Average postsecondary tuition fees have increased 126 percent, and the number of visits to food banks has increased 90 percent. Making a better day may be difficult for the 121,000 children in Alberta who live in poverty. Making a better day may be difficult for poor children who live in substandard housing. Making a better day may be difficult for poor children who see their richer peers two and a half times more likely to attend university. Yes, children are the ones to make a better day, and for that to happen, we need to stop talking and to get to work.

Campaign 2000 has some suggestions. In the next provincial budget let's make children and young people a real priority. Second, make sure the views of children and young people are heard in this Assembly. Third, each of us can support at least one organization that is fighting child and family poverty.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

North American Occupational Safety and Health Week

REV. ABBOTT: Thank you. Mr. Speaker, May 5 to 11 is North American Occupational Safety and Health, or NAOSH, Week, which focuses the attention of employers, employees, and the general public in Canada, the United States, and Mexico on the importance of preventing illness and injury in the workplace. Alberta's economic growth is among the fastest in the nation, and large numbers of people are moving here because of our excellent job opportunities. We also have many new, inexperienced workers entering our jobsites, and they are far more likely to be injured on the job.

As the chair of the Council on Workplace Safety I have the unfortunate task of reviewing workplace fatalities on a quarterly basis. These injuries and fatalities must stop. We must make sure that employers focus on injury prevention and take extra care with new workers, particularly since we know that 50 percent of all injuries happen to workers in their first year at a job. Mr. Speaker, I'm happy to report that there are Alberta employers who have

already greatly reduced their number of work site injuries. They are the models for the rest of the province, but it will take government, labour, and employers to make all provincial work sites safer. Representatives of all these groups will attend the Workplace Safety 2.0 Forum, where we will develop a joint government and industry safety strategy to make Alberta work sites safer.

Appropriately, the forum will take place tomorrow, on May 8, in the middle of NAOSH Week. It is appropriate because through NAOSH Week we are striving (a) to increase understanding of the benefits of investment in occupational safety and health, (b) to reduce workplace injuries and illness by encouraging new safety and health activities, and (c) to inform employers and workers so that they can make their work sites safer.

A list of NAOSH Week contacts and activities has been provided to each MLA office. I encourage my colleagues to attend some of these activities or offer your help to local NAOSH committees. Workplace safety is a shared responsibility, and NAOSH Week reminds us of that.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater.

Redwater Olefin Facility

MR. BRODA: Thank you, Mr. Speaker. Last Tuesday I had the pleasure of having two of my colleagues, the Member for Calgary-Mountain View and the Minister of Economic Development, attend a ribbon-cutting ceremony at the Redwater olefin facility owned and operated by Williams Energy group. This hydrocarbon liquids conservation project is designed to extract and separate NGLs and olefins from off-gas, a by-product of the oil sands upgrading process. Previously these components were used as fuel in Suncor's heaters and boilers. The recovered liquids and olefins are transported in batches via Suncor's oil sands pipeline to the facility in Redwater.

The highlight of this facility is the propylene splitter, which is over 300 feet high. Annual expected production is 130 million pounds of polymer grade propylene, which can be processed into polypropylene, used in making items such as carpet fibres, bottles, and containers. Propylene currently produced in Redwater is shipped to U.S. markets, as there are no facilities that manufacture propylene-based products in Alberta.

Value-added upgrading of Alberta's energy resources remains a priority of the Alberta government. Hats off to Williams Energy for their commitment of close to a \$1 billion investment in the Redwater area, and I look forward to further development.

Thank you, Mr. Speaker.

2:30

Wayne Hampton Canadian Principal of the Year

MRS. GORDON: Mr. Speaker, one year ago, in fact on May 31, 2001, I stood before this Assembly to recognize and congratulate a truly remarkable educator, Mr. Wayne Hampton, a long-time principal of the Lacombe Upper elementary school in Lacombe, Alberta. Last year Wayne most deservedly was named Alberta's principal of the year.

Today I stand before you and ask for this Assembly once again to help me and join me in congratulating Wayne Hampton. He has recently been told that he now has been named the Canadian principal of the year, indeed a most distinguished and prestigious national award, a title only one school administrator in all of Canada wins annually. This award is indeed one of the highest forms of recognition you can receive as it is bestowed upon him by his peers and colleagues, the Canadian Association of Principals.

For the last 14 years Wayne has given of his time, expertise, and energy to the students of Lacombe Upper elementary school. He continues to demonstrate his commitment to these young minds, their parents, and his staff, fostering always a positive learning environment that encourages all to look and think outside the box. He often questions what could be done differently, how best we can change or should we change the status quo. However, in questioning same, Wayne always provides a constructive, well thought-out alternative.

Mr. Hampton was instrumental in my bringing forward Motion 505, recently passed by this Assembly. Motion 505 urged the government to initiate an overall review and re-evaluation of achievement testing in Alberta.

Thank you, Wayne, for all you have done and will continue to do for education, for all the students of this province. It is indeed an honour and a privilege for me to congratulate you, for truly you are an outstanding individual, a proud Albertan, one of our province's best educators, and now a recognized national leader. Well done, Wayne. Well, well done.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Bill 28 **Miscellaneous Statutes Amendment Act, 2002**

MR. HANCOCK: Thank you, Mr. Speaker. Today I request leave to introduce Bill 28, the Miscellaneous Statutes Amendment Act, 2002.

This bill makes minor changes to two pieces of provincial legislation and repeals a spent act for our province.

[Motion carried; Bill 28 read a first time]

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Bill 29 **Intestate Succession Amendment Act, 2002**

MR. HANCOCK: Thank you, Mr. Speaker. I beg leave to introduce as well Bill 29, the Intestate Succession Amendment Act, 2002.

As all members of the Assembly are aware, the Intestate Succession Act has been successfully challenged in our courts because it does not address the needs of people involved in committed interdependent relationships other than marriage when one partner dies without a will. Bill 29 will amend the existing act to include the new term "adult interdependent partner," which will satisfy the requirements of the court. I would advise the House that we are making the most modest of amendments to this act in order to comply with the requirements of the court, because it is our intention to introduce a second bill which will deal more fully with the question of adult interpersonal relationships.

This bill will be required to be passed this spring in order to meet with the requirements of the court.

[Motion carried; Bill 29 read a first time]

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Bill 30 **Adult Interdependent Relationships Act**

MR. HANCOCK: Thank you, Mr. Speaker. I would beg leave to introduce Bill 30, being the Adult Interdependent Relationships Act.

Mr. Speaker, one of the most difficult challenges of government is to achieve two fundamental values of Albertans, which values are sometimes seen to be in competition. In Alberta marriage is an institution that has traditional, religious, social, and cultural meaning for many Albertans, and it is recognized by Albertans as a fundamental principle that marriage is a union between a man and a woman to the exclusion of all others. The terms "marriage" and "spouse" have particular meaning for Albertans, and government policy has been that we will protect those terms even to the extent, if necessary, of using the notwithstanding clause.

But there is also another fundamental value of Albertans, and that's a fundamental value of fairness and equal access before the law, and it is appropriate, when Albertans are in interdependent relationships outside of marriage, to define a legal context for the nature of those interdependent relationships and set out the applicability of Alberta laws to those relationships.

Bill 30 will amend several Alberta laws that address the financial and property responsibilities for people involved in committed nonmarriage relationships that involve economic and emotional dependency. The act covers a range of personal relationships that fall outside the traditional institution of marriage, including committed platonic relationships where two people agree to share emotional and economic responsibilities. The bill is based on the interdependent relationships model introduced in the family law reform project in January 2002.

Mr. Speaker, committed relationships of all kinds create financial dependencies. It's the responsibility of government to ensure that our legal mechanisms help Albertans to deal with disputes when these relationships come to an end. It's our responsibility to ensure that there's fairness before the law. The Adult Interdependent Relationships Act will ensure that Alberta legislation is constitutional, recognizes the values of Albertans, and because this act has the prospect of impacting a great number of Albertans who are in committed relationships, it's our intention to introduce the bill now for public scrutiny and to debate it more fully in the fall.

[Motion carried; Bill 30 read a first time]

MR. HANCOCK: Mr. Speaker, in my enthusiasm I neglected to ask to introduce three people. Can I ask for unanimous consent to do that at this moment?

THE SPEAKER: Anybody opposed?

[Unanimous consent granted]

THE SPEAKER: Proceed.

head: **Introduction of Guests** *(reversion)*

MR. HANCOCK: Thank you, Mr. Speaker. Three individuals and more in our department have devoted copious quantities of time, energy, and study to family law and to the interdependent relationships project. I'd like to introduce to this House and have this House give a thanks for a lot of work that's been done and a lot more work to be done to Nolan Steed, who is a director in civil law, and to Tanya Stewart and Sarah Dafoe, who have been working with him on these projects. If they would rise and receive the traditional welcome of the House.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to table the appropriate number of copies of a letter addressed to me from Marguerite Shewchuk with the Sturgeon Foundation, which is the management body for the senior citizens' housing of Chateau Mission Court and Northridge Lodge in my community. She is requesting my advocacy for additional government funding to the provincial seniors' housing industry.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. A couple of tablings today. The first tabling is the appropriate number of copies from Wendy Ettinger, who is the president of the Edmonton Evergreen Community Association, commenting that since the inception of the smoking bylaw in the city of Edmonton it's reduced that association's volunteer base for working the bingos. They would prefer to have paid floor staff, although they understand that each bingo association has to make their own decision. They're in support of the recommendation by the Alberta Gaming and Liquor Commission.

Then I have three tablings to do with Operation Drivesafe, petitioning the Premier to allow the War Amps access to the driver's licence information. The first is from Robert Raimondi; the second, from Kristi Hansen; and the third, from Salvatore Raimondi.

Thank you very much.

2:40

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have one tabling today. It's the third in a series of tablings, nine pages of examples of health care fraud cases involving health care businesses in the U.S. today totaling over 1 and a half billion dollars.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I would like to table the appropriate number of copies of a decision from the Queen's Bench of Alberta between Thomas Shuchuk as plaintiff and Randy Wolfert, the Workers' Compensation Board, Gene Mudry, Dr. Paul Green, and Dr. Gordon King as defendants and two very important parts of this decision. One was that the

immunity of quasi-judicial tribunals was discussed in *Dechant v Stevens* . . . AJ No. 172; 2001 [Alberta Court of Appeal] 39 (discontinuance of application for leave to appeal to the [Supreme Court of Canada]).

The other particular section here that's of prime importance, particularly as we discuss Bill 26, is section 41:

Therefore, with respect to that portion of the Plaintiff's claim which can be construed as a claim of abuse of public office against Wolfert and the WCB, the appeal against the Master's decision is allowed.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I have one tabling today, and it is a letter that has been sent to Ray Pinkoski, a director, and Duncan Brook, president of the Edmonton-Gold Bar Liberal Constituency Association. This letter is from the Commission on the Future of Health Care in Canada. It's signed by Roy Romanow, and it is a letter of appreciation for that organization's contribution to the public consultations on the future of health care in this county.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table appropriate copies of a letter from Joan Trettler, president, Public School Boards' Association of Alberta. The letter is dated May 1 and is addressed to the Minister of Learning regarding the proposed education commission. The association is making many constructive suggestions towards expanding the commission's mandate, composition, and terms of reference, and we are all holding our breath for the minister to make public the names of people he will appoint and hope that the commission will be up and running very soon.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have two tablings today. The first is a letter from Janice McTighe, executive director of Renfrew Educational Services in Calgary. She is extremely concerned about the government's decision to cancel the Calgary community lottery board funding.

The second tabling, Mr. Speaker, is a letter from Kim Turcotte, the program director of the Abbottsfield Youth Project in Edmonton. She's asking the government to reinstate the community lottery board funding as well.

THE SPEAKER: Hon. members, the chair would like to table five copies of a memorandum from the hon. Member for Calgary-Mountain View requesting that Bill 207, the Alberta Wheat and Barley Test Market Act, be given early consideration in Committee of the Whole.

The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'd like to table today five copies of responses to questions raised during Committee of Supply for the Department of Justice and Attorney General.

head: **Orders of the Day**

head: **Government Bills and Orders**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, after continuing communication on this issue with the Official Opposition and the third party, I seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the estimates of the Department of Municipal Affairs to go beyond two hours, with the vote on these estimates to take place no later than 5:15 p.m. as per Standing Order 58(5) or sooner if no one wishes to speak.

[Unanimous consent granted]

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

head: **Main Estimates 2002-03**

Municipal Affairs

THE DEPUTY CHAIR: As per our Standing Order the first hour is allocated between the minister and members of the opposition,

following which any other hon. member may participate.

The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Chairman. I'm pleased to present . . . [some applause] Especially I thank the hon. Member for Calgary-North West for the resounding applause to my presentation as I was there presenting to him, especially for the very unique comments that the hon. member made during that time.

I'm pleased to present the estimates for Alberta Municipal Affairs, but before I begin, I would like to introduce three individuals who are seated in the members' gallery that are from the Ministry of Municipal Affairs. We have Brad Pickering—he's the acting deputy minister—as well as Lothar Hellweg, who is the senior financial officer; and Laurent Auger, the executive assistant in the minister's office. I would like to say before I ask them to rise that Alberta's public service and the people that work for this government are without question, I believe, certainly committed to serve all Albertans. I believe that these three individuals along with the many others that are within our ministry clearly are there serving the best interests of all Albertans. For that, I would like to ask the three gentlemen to rise and thank them publicly for their hard work in serving Albertans and this Assembly and for the good work they do in terms of dealing with Municipal Affairs. So I ask the three gentlemen to rise and receive the warm welcome. With that, I would like to say to them: thank you for coming.

To members of the Assembly: our ministry is committed to working with a variety of stakeholders to ensure that Albertans live in safe, sustainable communities and are served by open, effective, and accountable local governments. If I could, for a moment I'd like to put it into context in terms of Municipal Affairs. Did you know that in Alberta we have 360 municipalities as of December 31, 2001? Of the 360 municipalities there are four specialized, 64 rural municipalities, 10 towns, 105 villages, 52 summer villages, seven improvement districts, three special areas, and 15 cities. The total number of local elected officials in Alberta this past year at the civic elections in October was 1,946, be it as a mayor, an alderman, a councillor, a reeve, or a trustee, and it really speaks well of the service of these people representing municipal government in terms of letting their names stand and publicly serving.

If I could also add, it's very seldom that you use the term "trillion," but in terms of equalized assessment for the year 2002, there will be close to a quarter trillion dollars of equalized assessments for Alberta that will take place within municipalities, and that's quite substantial. The number is \$237,757,008,505. So it really gives you the magnitude of the role that municipal governments play in Alberta.

2:50

Now, it's interesting to note that approved funding for approximately 600 underground petroleum storage tank sites, approximately 80 municipal tax recovery sites, as well as 430 active retail sites are also part of a program that we have approved and in fact are going to be moving forward to the safety council that is not reflected in our budget, that I draw to the members' attention.

What I would like to do, though, is say that in the coming year we will pursue six goals: "an effective, responsive, cooperative and well-managed local government," as I mentioned, serving the 360 municipalities and almost 2,000 elected leaders; "a well-managed and efficient assessment and property tax system in which stakeholders have confidence"; a very "comprehensive safety system that provides an appropriate level of public safety"; "a disaster services program that enhances and supports local emergency preparedness for . . . emergencies and disasters"—I'll speak later about the

opening we had just yesterday where the hon. member from Red Deer as well as the hon. Member for Wainwright joined me with the new emergency system that was launched in the Red Deer region.

I think it's also important to recognize that from a perspective of expenditures for 2002-2003, the operating expense and capital investment voted for Municipal Affairs totals \$133 million. The funding is broken into four main areas including the local government services division, the public safety division, the Municipal Government Board, and the ministry support services.

For a moment let's talk about revenues. Pertaining to revenues, our ministry statement of operations by program indicates that our revenues will be approximately \$42.2 million. Now, I might add that we will be spending over \$133 million in serving the municipalities that I spoke of earlier, but we will receive about \$40 million from lottery revenues, we'll receive \$12 million in support of financial assistance provided under the municipal sponsorship program, and \$28 million to support the unconditional municipal grants. The remaining \$2.4 million comes from the services rendered to municipalities for assessment as well as the sale of licences and fees associated with safety certificates and a cost-sharing arrangement with the federal government for some of our disaster preparedness programs.

When we take a look at the specifics, let's for a moment look at local government services. This division is responsible for a significant part of the ministry's estimates at \$108.4 million. It's important to note that \$90 million will be like a drive-through window that we evaluate and then send out to municipalities. A number of the key initiatives will be carried out under a variety of nongrant portions of local government services budget, which total about \$18.4 million, and one of our key initiatives will be to encourage and help develop regional partnerships. I'm very proud of that. It is taking place as we speak and a real full credit to the partnerships that the Municipal Affairs folks have in fact partnered with in terms of the municipalities.

Pertaining to the ministry's Roles and Responsibilities in the 21st Century, that's been talked about in this House, I'm pleased to say that the Ministry of Municipal Affairs has clearly put together an excellent framework for which we've received positive feedback from the majority of municipalities relative to looking into the 21st century as opposed to the terminology that we used to hear in the 20th century.

I want to say that in terms of grants to municipalities, what I believe is the real work of this ministry, local government services administers the department's major grants to municipalities according to the \$90 million of its estimates. The major grants, if I could just for a moment, are the unconditional municipal grants program, the municipal debenture interest rebates, the grants in place of taxes program, and the municipal sponsorship program. These are so very, very important and I think are recognized, in partnership with our municipalities, as serving all Albertans well in terms of the dollars being used and taking a dollar and being able to stretch it a lot further than a dollar. That's a real credit to our local municipal governments.

For the public safety division, on the specifics, this accounts for about \$11.6 million, and this is a significant decrease from last year. I expect a question from the opposition on this point, but because of the underground petroleum storage tank remediation program ending on March 31, 2002, this accounts for about a \$70 million reduction. What I am very pleased to say is that the conditional and unconditional grants have not in any way, shape, or form been reduced from last year's estimates, and I'm very pleased with that and the decision that had been recommended by Treasury Board.

We will continue to improve our ability to communicate and co-

operate with municipalities in terms of using information technology to its best advantage. The electronic permit system that's being implemented and accredited to municipalities is an excellent example of technology.

We'll continue to promote and help establish regional partnerships delivering safety code service. The hon. member has brought up an important aspect of Municipal Affairs being the safety code volunteer group, a paid group that works for Municipal Affairs, and I can say that they do a very good job. In fact, on Thursday we'll be recognizing the folks from the Safety Codes Council for helping all Albertans. We'll continue to ensure that safety codes and standards are appropriate and also continue to monitor and enhance where deemed appropriate.

We'll also strive to reduce personal and property loss because of fire by putting more emphasis on education programs for children and aboriginal peoples. I think this is also very important.

I can say, Mr. Chairman, that the Municipal Government Board plays an important role, which accounts for about \$2.6 million. This has jurisdiction in terms of property: deciding the linear property and equalized assessment appeals, limited subdivision appeals, annexations, and intermunicipal disputes.

From the ministry support perspective, the area of the ministry that I want to touch on, it talks about local government services and public safety divisions with legal, financial and communication, human resources, and information technology as well as strategic central reports.

Finally, to conclude, I'd like to believe that we in Municipal Affairs have a good game plan in the business plan that was drawn up. We also have a solid budget for accomplishing the goals and objectives that we have set out for ourselves over the next period of time. I look forward also to hearing from the members of this committee today in terms of what they have to say and the questions they have regarding our estimates. I want to assure everyone in this House that I'll do my very best to answer the questions brought forward, and I thank the members of this Assembly and this committee for listening.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. It is a pleasure to rise this afternoon and speak to the estimates of the Department of Municipal Affairs. I would like to thank the minister and his staff who are present here today for handling what is probably the one ministry which is closest to all Albertans. I'd also like to mention that it is a great opportunity to witness how the minister, who's had vast experience in municipal government, has carried that experience over into the department and is doing a great job of forming partnerships with our municipalities and how in the end this will certainly benefit all Albertans.

Now, then, as I mentioned, the Alberta Municipal Affairs department works in partnership with Alberta's municipalities, other government departments, local authorities, various organizations that focus on local issues, and the private sector to ensure that Albertans live in safe and sustainable communities and are served by open, effective, and accountable government. As I mentioned, Mr. Chairman, there cannot be any program that is more grass roots than this. As the services of any government department ultimately go to Albertans living in municipalities, there are few departments with which Municipal Affairs does not have joint projects or initiatives.

3:00

Now, then, some of the highlights of the ministry this particular

year, 2002-2003. I notice that the gross operating estimates for the department of \$133.081 million reflect a \$70.933 million decrease. That's 34.7 percent from the 2001-2002 budget. I also see that the department's operating expense from 2001-2002 is forecast at 15 percent under budget. The largest budget reduction came from the cuts to the underground petroleum tank program, that the minister has already mentioned in his opening remarks. As well, the capital investment forecast for 2001-2002 is 175 percent of the original budget. The budget was \$830,000, and the forecast is \$2.288 million. There was \$1.2 million invested in disaster services, branch management and programs. There was also an additional \$258,000 spent on capital investment from support services. So those are the highlights of the budget.

As well, Mr. Chairman, we have to look at this whole issue of taxation and look at the fairness and appropriateness of any tax, and it can be judged by a very simple principle. Of course, that principle is that he who pays the piper calls the tune. This is known as fiscal equivalence. We also note that taxes that are poorly designed and implemented can promote urban sprawl, which leads to more transportation and infrastructure problems, which leads to more financial problems. Again, in discussions with our communities we certainly realize that one of their major issues is that they want predictable, sustainable funding.

Now, when we were at the AAMD and C convention last fall, we had municipal leaders who got up and said – and this was quite an observation and I think something that none of us expected. Municipal leaders were getting up and saying: how do you expect us to develop business plans which run from three to five years when we have budgets coming down that don't last three to five days? At that time it was a very good comment and I think one that we have seen as it unfolds – certainly many different segments in our society are saying: what is happening with this whole budgetary process?

So I think that what we have to see, Mr. Chairman, are fundamental changes to the budget management process in Alberta to create certainty in our communities: predictability, stability, and sustainability for health authorities, for school boards, for postsecondary institutions, and especially for local governments. This is particularly important in a province where our revenues are cyclical, where they are still tied to a great extent to the price of crude oil and natural gas.

The Official Opposition has certainly introduced two programs that are gaining a tremendous amount of support. One is the fiscal stability fund. This particular fund, Mr. Chairman, is quite unlike the heritage savings trust fund. This would be a short-term savings account meant to smooth out the peaks and the valleys of our volatile economy. Quite simply, during good years money would be put into this particular account, and when our revenues fall, such as times when the price of oil falls, money would be drawn so that essential programs like health care, education, and our municipalities would be maintained and continued as planned. We wouldn't have to see situations such as we saw in the past year, where even though we've had the second highest revenues in the history of this province, we still were required to make cuts in the budget to essential services.

Now, as well, Mr. Chairman, the second fund would be a targeted savings account called the infrastructure enhancement fund. As we all know, certainly in years such as the previous year to this one, there was a lot of money to go around. So during these years we would be able to put money into this fund to pay for the acceleration, the enhancement of infrastructure projects in the following year. This means that once the money is in the bank, projects can be announced and contracts signed. When we talk to the Roadbuilders and Heavy Construction Association here in the province, this is certainly something that they require, particularly when they are

planning for the long-term sustainability of their businesses and they are buying equipment which is in the millions of dollars and then find out that they don't have work the following year because of cutbacks, huge cutbacks certainly as we had this year. This certainly impacts the whole industry.

One of the impacts that we have is a number of skilled types of labourers or operators or whoever who must be laid off, and they are certainly going to go where the work is. So we lose them to the industry, and as well during these periods when we have a great number of cutbacks in the heavy construction industry and roadbuilding, once those workers are laid off, they move on and find employment elsewhere. Even in good times for us to be able to get those workers back and involved is a very, very difficult procedure.

So we do have a situation where an infrastructure enhancement fund would certainly prevent this type of roller-coaster ride. As well, what it will allow, Mr. Chairman, is the companies that don't have work this year because of the major cutbacks, that probably will go out of business – it would keep these people in business and certainly keep the availability of companies that can do this type of work, keep them going in Alberta so it wouldn't be feast or famine for them as well.

Now, then, in looking specifically at the estimates, we look at program 2, local government services. For some of these answers if the minister wishes to reply later in written form, that's fine, or for the questions for which he does have the information here, he can answer when we're finished, and that's fine if that works for him.

When we look at local government services, if the minister could please provide for us how many full-time equivalents are employed under program 2, local government services. If the minister could also provide for us the breakdown of full-time equivalents by the four subprograms: divisional support, municipal services, assessment services, and financial assistance programs.

3:10

On line 2.1.1, division support, if the minister could provide us with more details on what capital goods were covered by the \$705,000 for capital investments under program 2.1.1 in 2001-2002. Why is this budget increasing to \$820,000 for 2002-03 from the \$705,000 the previous year.

Now, then, on line 2.2.1, municipal services, we look at the budget for this particular program, 2.2. Why is the budget for municipal services increasing from \$7.262 million to \$7.780 million? This is only a 7 percent increase, but it would be interesting to know how this increase will benefit municipalities.

As well, Mr. Chairman, moving down to line 2.3.1, assessment services, why is the budget for assessment services, program 2.3.1, decreasing from \$5.953 million to \$5.909 million. The dedicated revenue is not increasing, so where are the cost savings going to be achieved under line 2.3.1?

Now, then, line item 2.4, financial assistance programs. I want to look first of all at line 2.4.1, unconditional municipal grants. Why has the funding for unconditional municipal grants shifted from general revenues to lottery funds? Last year there was \$36.147 million available, but it all came from general revenue. Now there is \$38.626 million in the budget, but \$28 million of that is from lottery dollars, so if the minister could please tell us why there was a shift from the funding coming out of general revenue to where now some of the funding is coming out of lottery dollars. If he could please as well indicate in his response what changed to make these eligible for lottery dollars. If the minister could also indicate how these dollars will be handed out.

Certainly I think this is an area of interest to all MLAs here in the province. Some MLAs in the past certainly have had the opportu-

nity to pass out dollars but not particularly in their own constituencies, and some MLAs have had that opportunity to distribute these dollars in constituencies other than their own while the MLA for that constituency does not get that opportunity. So if the minister could please elaborate on exactly what process is going to take place in handing out these dollars.

As well, under unconditional municipal grants, if the minister could also please tell us what is the application process. Of course, the grants to our municipalities certainly have taken on a whole new meaning and level of importance when we look at \$51 million that was removed from direct community control in this particular province when we did cut out the lottery boards. So, again, this is a question that I know Albertans in every constituency throughout this province are quite interested in learning the answer to. Certainly there are many, many organizations in the communities who were relying on lottery dollars this year that did not get those. As yet we wait patiently for somebody to outline what is going to take the place of these lottery boards or in fact if they are going to be replaced. Are some of these dollars going to be flowing through the unconditional municipal grants?

I know that the minister certainly is also very concerned about funding to various organizations, particularly in a community such as his, a very rapidly growing community where many new organizations are getting involved. I think back to the Centennial Cup.

MR. MacDONALD: Where was that played?

MR. BONNER: That was played in Fort McMurray two years ago, I believe. I don't recall who the winner of the Centennial Cup was that year. Certainly, through my involvement with the Canadian Hockey Association, they were extremely impressed not only with the job that was done in Alberta in hosting this national event but particularly the great job that the people of Fort McMurray had done in hosting this particular event. They had a firsthand glimpse at Alberta hospitality, and they enjoyed it immensely. I know that the minister was very closely involved in those particular activities, and he and his committee certainly did a magnificent job. So if he would pass that on to the people that worked on that, I would thank him very much for that.

Now, then, as well, we were talking about the application process when we look at unconditional municipal grants. Again I would like to ask the minister: what monitoring is in place to ensure that these funds are used as intended?

Mr. Chairman, I have other questions that I know I'll get an opportunity to ask the minister later. Thank you.

THE DEPUTY CHAIR: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Chairman. I first of all want to thank the hon. Member for Edmonton-Glengarry. For those who may not be aware, both of us had the opportunity of attending Quebec City, if I remember, where the Canadian national hockey annual general meeting was held, and Alberta was bidding on being able to host the national championship and helping all Albertans, and I was pleased to be the co-chair at the time. I want to publicly thank the hon. member because as we were lobbying other members of other provinces, the hon. Member for Edmonton-Glengarry in his capacity representing this region played a key role in making some key votes for us to ensure that Alberta received the national championship that year. He had the opportunity of visiting and obviously in this House two years ago had the pleasant duty of in fact recognizing the young Albertans who were part of the national championship. I want to thank the hon. member because he helped

Alberta receive the bid to host such a national championship, that in fact was televised all across Canada. I want to thank him for that.

I also want to thank the hon. member for his comments regarding the grass roots relative to municipalities. He is so on the mark when he talks about the grass roots of our democratic system being at the local level, and he is absolutely right in terms of the important role that we work with in terms of municipal councils.

Also, he touched on an important point, on partnerships. You know, I don't think anyone in this Assembly will argue that a partnership is: what can we do for you that you can't do, and what can you do for us that we can't do? Really the ability is in being able to take a dollar and stretch it into \$3 and at the end of the day serving that same taxpayer, the Alberta taxpayer.

MR. SNELGROVE: There's only one.

MR. BOUTILIER: There is only one, as the hon. Member for Vermilion-Lloydminster has indicated.

I want to say that the hon. member has raised some very important points, and I would like to work on some of the very good questions that he's asked this afternoon. I certainly have always appreciated his good advice, because at the end of the day we're here to serve all Albertans.

3:20

He did ask a question regarding the application process in terms of the grants that are administered throughout Alberta. We have an evaluation process that we use as all of the applications for grants are evaluated. They're compared to each other. We have a rating system where in fact we look at important criteria such as the partnership with others. In fact, the exact point that the hon. member mentioned earlier relative to partnerships: the more we see municipalities working with their neighbours, I think, the more we're able to see a dollar being able to be stretched from \$1 into \$3. Again, that's a very useful task.

I want to say, too, that all of the applications that we've received from the municipalities, all of the 360, are very good applications, but we want to be able to prioritize them in terms of this evaluation, in terms of: do they partner with their adjacent neighbour so that they can work together in terms of bordering municipalities? These are important criteria that we use in our evaluation.

I must admit that I have not had the opportunity to share with this House the positive feedback. I know that many of the MLAs in this Assembly have received feedback from their elected mayors, Reeves, and councillors thanking them for their support of the regional partnership program and the municipal grant program and also the unconditional grant program, because they know that it really is helping and serving the grass roots, that the hon. Member for Edmonton-Glenarry has rightfully brought to the attention of this Assembly.

Another important point that I believe the hon. member has raised is the issue of certainty, greater certainty for municipalities. During my time studying in Boston, we spent time on Wall Street and on Bay Street, and one of the things in financial markets that investors look for is certainty. It's no different from a municipal perspective. We look for the certainty of knowing what's out there for the years to come. In fact, some of the feedback that I just recently received at the AUMA and the AAMDC – and I want to thank the hon. member. He attends like many other members of this Assembly because we recognize the grass roots in terms of democracy, in terms of: how do we take a dollar, stretch it further, but work in partnership with these programs that we have relative to the important points system that we have? I'm very pleased with the

fact that we continue to work with our municipal associations, and I want to say to both the rural association, Jack Hayden, the president, as well as George Rogers, the president of the AUMA, that they continue to play an important role in terms of our partnerships that we have.

Now, one point that was made relative to that certainty – and I'm pleased to say that the hon. Minister of Finance has indicated that we are having a financial management review committee. Part of the objectives of the financial review committee, I do know, is thinking outside of the box, thinking outside of the box in terms of reflecting the 21st century. Things that might have worked in the '80s and '70s and '90s – maybe we need to think differently today in terms of how we are looking at providing greater certainty to municipalities, which I support one hundred percent, because the more certainty the better decision-making, and with better decision-making the better we are at serving our citizens.

So the financial management review committee, that the Minister of Finance mentioned, that the Lieutenant Governor mentioned in the Speech from the Throne, will be of course going forward with its work. I'm pleased to say that the associations will be contributing as well as our new minister's council on roles, responsibilities, and resources. I know that the hon. Member for Whitecourt-St. Anne is very familiar with the fact that that committee will be presenting to the review committee along with the two associations as well as the mayors of the two biggest cities in Alberta, Edmonton and Calgary. I think that this is an important component of working towards what the hon. member has rightfully mentioned; that is, certainty so that we know better.

One of the comments that was brought up, Mr. Chairman, was that our financial and fiscal year starts on April 1 and goes to March. What I have observed during my time in my former capacity as mayor and now as MLA and minister is that many of the financial reports are staggered. Some municipalities such as mine in Fort McMurray start their fiscal year on the calendar year, January 1. So what happens is that they're attempting to put a budget together in January, yet the provincial budget doesn't come out until April. So there is somewhat of a transitional period there. I think that one of the proposals that has been suggested is that perhaps – be it the federal government, which goes from April until March, or municipalities, which stagger, sometimes January to December – they could try to avoid uncertainty when it comes to the important initiatives that we're trying to endeavour.

The hon. member brought up an important point regarding lottery boards, and I'm pleased to say that the minister of lotteries is doing a review of the lottery board based on avoiding duplication but at the same time ensuring that that \$51 million will still get to the grass roots of communities, and in some form that may be enhanced from what we originally had. I do want the hon. member to know that my colleague is endeavouring to go forward with a review of exactly that, the lottery board, and how we can best serve Albertans relative to that.

The hon. member brought a couple of other points to our attention. He asked, relative to the workforce, the numbers that we have by division, and I would like to say that in this comparable budget year of 2001-2002 we had 317 full-time members of our ministry, and in the estimates for 2002-03 it will be 311. I would like at this time to break it down, as he asked, by division. From the local government services the estimate for the comparable budget of 2001 was 139.5 full-time equivalents; there is an increase of one in the budget estimate this year of 140.5, which is a .7 percent increase. From a public safety perspective in the estimates of 2002-2003 we'll be going to 103, down from 112.2, which is about an 8.2 percent reduction in full-time equivalents of staff.

Relative to ministry support services, we are basically staying the

same, at 51, and from the feedback that we have received from the Municipal Government Board, based on the very active work by a group of volunteers, an incredible service to Albertans, we're going to be going from 14 up to 16 and one-half individuals.

That basically covers the 317 down to 311. So it is a reduction of six individuals, but I am very confident with the staff that we have. We're again trying to look at better ways of serving Albertans, and towards that end it's reflected in our budget estimates for this coming year.

Another point that was made, an important point, was relative to assessments. I would like to just for a moment deal with the issue of assessment in terms of how it impacts our budget. If I could draw the hon. members' attention to page 365, I will endeavour to elaborate on that. From the assessment services perspective, in the comparison of 2002-2003 to 2001-2002 we have a decrease of about .1 percent. The branch is establishing property assessment standard audits. Of course, it monitors the quality of property assessments, and it prepares equalized assessments on behalf of the ministry for every municipality in the province; of course, 360. This branch also is preparing the assessments of all linear properties including wells and pipelines and regulated power supplies, telecommunications and cable systems. So the net decrease that the hon. member had mentioned is limited savings in manpower and overhead costs arising from vacancies and staff adjustments but also the savings from the reduced requirement for contracted services, I'm very pleased to say.

Relative to unconditional municipal grants, there is an increase actually from 2001-2002 of about 1.8 percent, and that \$679,000 is a restructuring grant. These grants are actually going to be provided to reduce the debt of dissolving municipalities to address major infrastructure deficiencies in the communities. This component also includes funding for regional partnerships, which the hon. member, I appreciate, has also mentioned. Also, the unconditional funding, the remaining \$31.6 million, is for the ongoing unconditional grants to municipalities for municipal services.

Now, I would also like to indicate that from the unconditional municipal grant perspective, the ministry forecast is lower because of some restructuring again in the fiscal year, but this has resulted where the restructuring I believe is a better use of our resources and again being able in some cases – if I could give you one example of a municipality such as Warspite. The decision to carry on as a municipality is revised a year or two later when the residents recognize the threat to municipal viability. So, in addition, more regional partnerships are being organized, and I'm very pleased to say that these regional partnerships are reflected, because we now have more applications for funding, and of course evaluating those types of situations is very important.

3:30

I would like also to take the time to say that from a municipal debenture interest rebate we have a decrease of about 17 percent, and this grant subsidizes the interest on certain debenture borrowing from the Alberta finance corporation. The reduction in these estimates is due to the high interest rate debentures being repaid at their terms, and therefore fewer high-interest debentures requiring subsidy remain. So certainly that's a very important initiative as well.

Let me just say in conclusion that the divisional support area from an operating perspective, such as an increase of about 1 percent in operating expense – some of this is due to the fact that we are doing some increase in contract funding to review the department's relationship with the Alberta Urban Municipalities Association as well as the Alberta Association of Municipal Districts and Counties

but also with the Federation of Canadian Municipalities. I'm very pleased to say that Alberta has been invited to attend the Federation of Canadian Municipalities – and the hon. Member for Whitecourt-St. Anne will be attending with me – where in fact we will be speaking about again what is called out-of-the-box thinking with the roles, responsibilities, and resources in the 21st century. I want to thank the hon. Member for Calgary-Mountain View and also the hon. Member for Edmonton-Rutherford as well as the hon. Member for Whitecourt-St. Anne, who participates in that.

The hon. member has raised some good questions, and I want to say that I appreciate his interest and also his co-operation. Clearly, I believe that the positive relationship we have in terms of him asking questions – our ultimate intent is to serve Albertans better, and I appreciate the hon. member's questions relative to our estimates.

Thank you very much.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Chairman, and thank you, Mr. Minister, for those comments. Again, your comments certainly indicate a good understanding of the whole issues that concern the ebb and the flow of communications between municipalities and government at the provincial level.

One of the things that I would like to refer back to is the example you gave of how the fiscal year ends in Fort McMurray at the end of the year whereas in the province our fiscal year-end is the end of March and how there is this transitional period. We have to adopt a system where all municipalities, irregardless of when their year ends, can look at this whole idea of equitable and stable and predictable funding. So rather than just looking at this whole process as a budgetary process which ends at the end of a fiscal year and tries to project it to the next year, then certainly we have to look at what the budgets of our municipalities are going to be from year to year.

I think that particularly it serves us with two purposes. Number one, for those communities that have relatively stable needs, then certainly we can look at the fact that their budgets are going to probably increase at the rate of inflation each particular year. But with our booming economy in some sections of Alberta – and I think of Fort McMurray again as one of them and Calgary as another and other areas, Grande Prairie for certain – we look at areas there and how critical it is that we take those projections as to what those particular centres are going to need and be able as a government to set up a system where that funding will be available based on projections of needs rather than communities having to have the one- or two-year lag because we are not looking at projections far enough down the road to provide that financing.

When we look at the fact that these municipalities do an excellent job in developing their business plans, business plans which operate for three to five years, this certainly would be a better way to service Albertans, to service our communities, by providing them with the type of financing that they require in order to fulfill their business plans, in order to lessen, particularly in the areas of great growth, the impact of that growth on those communities. As the minister knows and all members know that have been in situations where there is rapid growth, that certainly puts a great deal of strain on the infrastructure of these communities, so with a change in our budgetary process we could fulfill those financial concerns of our communities.

Now, then, getting back to line item 2.4.1., the unconditional municipal grants, I think we have seen over the past few years the benefits of forming partnerships with others. Certainly we want to

stretch those dollars, as the minister said, and we want to look at the most efficient way that we can use those tax dollars. We do know that there are a lot of efficiencies, but we also know that communities have the great concern that in some areas they may be forced into partnerships because of funding arrangements. So what communities and municipalities certainly wish is that the whole process is open and transparent, where they can see that there is a benefit for them to be in partnerships, that they can see that they are not being forced into partnerships, yet it's a win/win situation for everybody.

[Mr. Maskell in the chair]

When the committee is making these unconditional municipal grants, if the minister could inform all members of the House as to whether this whole process is open and transparent, whether our community leaders are well informed as to not only what decisions were made but why they were made, this would certainly be of great benefit to our various communities in Alberta. You know, we have so many situations in the province, particularly in recent years, where there has been a great sharing of information, where communities and municipalities have agreed to work on projects and share the costs of projects. I think of the new recreation area which is currently being built somewhere between Spruce Grove and Stony Plain and just what a great facility that is, and I've heard nothing but great remarks. I don't think that, say, even five years ago a project of this nature would have taken place, because of people having the ownership of their own particular local regions. So, again, certainly an example of where the formation of partnerships has benefited a whole region.

3:40

When we do look, then, at these unconditional municipal grants, as I said, if the minister could outline for us how the process works, which of these unconditional grants are given top priority, and of course the whole structure as to which particular grants that are given out have the least priority. If the minister could also, Mr. Chairman, indicate to us, even though these are unconditional grants, just what sort of guidelines municipalities have when they get these moneys. Again, I think that comes into play with what the priorities or the setup is for communities or municipalities to get these grants. If the minister could also please indicate to us how much of the money in this program goes to municipalities and how much is used to cover administrative expenses.

Now, then, under program 2 I want to look at line item 2.4.3, grants in place of taxes. A question for the minister: why was the full budget for grants in place of taxes not spent in the year 2001-2002? As well, under line item 2.4.4, financial support to local authorities, for the minister again: why is the budget for program 2.4.4, financial support to local authorities, increasing from \$730,000 to \$1.001 million? If the minister could please tell us: how will the increase in these particular funds be spent for financial support to local authorities?

The next line item, 2.4.5, municipal sponsorship. We look at this particular line item and see that last year the budget document showed that the operating expense from the municipal sponsorship program was to be \$1.5 million, but these documents show \$500,000. What is the reason for this particular difference? I do have other questions in regard to line 2.4.5, municipal sponsorships. If the minister could please tell us: will there be any changes to the types of funding that can be applied for under this program? How will small types of projects such as, for example, street paving or signs or computers and employee wages and other requirements of the community be covered under this grant?

As well, how does the ministry monitor to make sure that funds

are spent as applied for? I know that the municipalities do certainly have a wish list. They send in these requests for funding, and certainly the ministry would provide moneys based on these requests by the municipalities. Again, if we could find out if there is any system with checks and balances that would cover this particular situation. Now, then, as well, has the ministry ever requested funds to be returned because they were not spent or they were not spent as intended?

At this point, Mr. Chairman, I'll just take my seat and let the minister answer those questions on program 2. Thank you.

THE ACTING CHAIR: The minister.

MR. BOUTILIER: Thank you, Mr. Chairman. Again, I thank the hon. member for raising some important points that I would like to address. Certainly in looking at budgets from year to year, ultimately the objective of this ministry is to have equitable, stable, and predictable budgetary numbers of course for municipalities so that they can best plan in serving, as the hon. member mentioned, the grass roots in terms of serving our citizens.

I would like to, though, in addressing his questions use some examples of partnerships that some hon. members had brought to my attention. The hon. Member for Grande Prairie-Wapiti dropped off the *Daily Herald-Tribune* relative to the city and the county. They have just put together a co-operative deal to be announced. It's a regional partnership between the city and the county of Grande Prairie, ending months of intense negotiations. In addition to existing co-operative emergency services the new agreement will include sharing of leisure services.

The hon. member mentioned some of the initiatives going on relative to Spruce Grove and Stony Plain, and I must say that I am very pleased with that. If I could just for a moment use Wayne Ayling, the mayor of Grande Prairie, where he says:

Today we are able to announce two new agreements between the city and the county. What people don't understand is [that] we have 26 agreements on areas where we co-operate [already].

So we want to continue to build on that regional co-operation.

He's mentioned some other components that I would like to raise as well this afternoon, but on some of the questions that he has raised, which I think are very important, on high-growth areas like Fort McMurray or Calgary or Grande Prairie, clearly . . .

MR. DOERKSEN: Red Deer.

MR. BOUTILIER: Red Deer, of course. That goes without saying. In fact, just yesterday in Red Deer I had the pleasure of opening their new emergency public warning system, and of course that was an investment that we've put forward since September 11. I'm really pleased to say that it's again another regional partnership that is taking place, serving over 2 and a half million people. We're not quite there yet though. We still have close to another half a million Albertans that we want to reach by 2004. I'm so pleased to learn that people are coming from all over North America to study what Alberta is doing because it's the only kind of emergency public warning system in the entire country and for that matter in North America.

Yesterday, as I mentioned, I had the hon. members for Red Deer-North and Red Deer-South as well as the hon. Member for Wainwright attend with me. I'm also pleased to say that the mayor of Stettler was there and the mayor of Red Deer was there, as well as the reeve from the county and numerous other mayors, which I think is so important in terms of demonstrating that partnership.

I would also like to take the time, since the hon. member sitting

next to me to my right played a leadership role – and that had to do with the Future Summit. The reason I say this is that the hon. member has raised an important point regarding future planning. As we know, European cities today plan for 25 and 30 years out. In fact, companies do that as well. We have a three-year planning system that we continue to review and revise, but the Future Summit, which certainly relies on growth, I think was the best example of what's happening 10, 15, 20, 30 years out there.

I know that all members of the Assembly can say that the members involved – and certainly the hon. Minister of Revenue played a key role, and I know that the hon. Member for Edmonton-Glengarry participated. I think it was very important to have Albertans from all walks of life participate in terms of future planning for the next 20 years: what Alberta will look like, not what it is today but what it will look like. I call it the Panasonic way, slightly ahead of our time in terms of thinking out relative to the way we want to go. So I thank the hon. Minister of Revenue for his futuristic initiative in moving 25 to 30 years out in the future.

3:50

The hon. member asked some questions relative to section 2.4.1. I want to say that there is no administration relative to these grants, and I think that's important. I'm glad the hon. member did ask that because what we really are doing is using our existing overhead to be able to administer these grants.

Under 2.4.3 the hon. member also asked relative to the grants in place of taxes, where we had a decrease of about 9 percent, about \$2.8 million. As you know, municipalities cannot collect taxes on Crown property, and in municipalities where the Crown owns property, municipalities may apply each year for a grant in place of taxes for, to those who may not be aware, certain properties that would have been taxable if they were not owned by the government of Alberta.

Now, the primary cause of the decrease in the 2002-2003 estimates is that municipalities have not been raising taxes as much as we previously expected. The province, therefore, has been disposing of the properties, albeit at a declining rate than in previous years.

I also can say that under 2.4.4, which the hon. member asked about, relative to financial support to local authorities, the grants budgeted under the program include grants that go to an evaluation. For instance, \$44,000 went to an evaluation for the Alberta Urban Municipalities Association, which represents a lot of the urban municipalities. Grants have also gone to the Association of Municipal Districts and Counties. As well, we've given grants to institutions. This provides the ministry's financial contribution to the Intergovernmental Committee on Urban and Regional Research. That amounted to \$30,000, but it's an all-important component of regional thinking.

We also have a mediation grant. Again, the local governments have benefited substantially from mediation grants. We have been able to assist municipalities. The ministry will step in with its officials to help only if they are asked to by the local government at the grass roots. I'm very pleased to say that we've been able to assist in that regard as well.

If I could for a moment break down, as the hon. member mentioned, the budgets for municipal grants. We have about \$38.6 million that goes to unconditional municipal grants, and this will provide unconditional grants to municipalities for their parks, public transit system, local policing as well as restructuring and other municipal services. Again, it is exactly what it says; it's unconditional.

I've mentioned grants in lieu of taxes. We provide grants in place of municipal taxes. That amounts to almost \$29 million. As well,

in terms of financial support to local authorities – the hon. member raised that point – this provides conditional financial assistance to municipalities and municipal associations and other agencies with a local government focus. That amounts to over a million dollars. Last but not least, about \$12.5 million goes to municipal sponsorship. These provide limited-term conditional assistance which targets specific municipal needs that they identify. What's really interesting is that rather than the provincial government identifying the top priority, we think it is better for the municipal government to identify their top priority so they best know where they can use their money. We want to continue to encourage that in terms of including, promoting intermunicipal co-operation and innovative projects that are taking place.

Going back just for a moment – I apologize to the hon. member – to the capital investment that he asked about in his previous questions, I want to say that the capital investment budget increased to about \$820,000 from last year. This is due in part to an increase in IT capital projects, particularly those related to the implementation of our municipal excellence program. Our view is that when we have municipalities demonstrating and acting in the grass roots of democracy, helping citizens, we want to share that municipal excellence with the other 360 municipalities we have. So we've undertaken a new program. It's called the municipal excellence program. We're working in partnership with the Alberta urban and Alberta rural associations, and I'm very pleased to say that the first one, which I know the hon. member will be attending, we will be presenting this fall to municipalities in recognition of municipal excellence.

So that's where some of our capital investment dollars are going. I think it is a very worthwhile project in terms of recognizing best practices and municipal excellence. We want to share with all of the 360 municipalities. We do not want to reinvent the wheel. If something is working well, then why wouldn't we share it with our neighbours or share it with people in the northern parts of our province or southern parts of our province? Of course, we always take that opportunity during the annual and spring conventions when we're meeting with our urban and rural associates to share with them the municipal excellence program. This is the first one of its kind, and again the first recognition pertaining to these initiatives will take place this upcoming fall.

I hope I've been able to answer some of the important points that have been raised. Just let me conclude by saying that from a public safety perspective we continue to go forward from an emergency perspective with the safety and protection of all Albertans, and I'm very proud to say that with the announcement yesterday in the launch of our public warning system. It's not going to be able to stop a tornado or severe weather, but what we're going to be able to do is protect citizens by giving them advance notice.

We know the situations that have taken place over the last couple of years. We want to be able to keep Albertans best prepared, and we want to keep them informed. Today I also want to thank the public broadcasters, because this is a private/public partnership with government, where in fact the public broadcasters are there in terms of their role in communicating to citizens, and I really take my hat off to the public broadcasters who have again been able to step up to the plate and partner with our ministry. So that's important I think as well.

With that, Mr. Chairman, I will take my seat and again endeavour to continue to answer the very good questions that the hon. member is asking this afternoon.

THE ACTING CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I've been again sitting and listening with a great deal of interest to the questions from the hon. Member for Edmonton-Glenarry and the responses from the hon. Minister of Municipal affairs. I listened with particular interest to the last exchange from the hon. minister and the commitment that was made at the Future Summit to have long-term planning by this government, and I'm pleased to see that finally there's going to be some long-term planning from this government. It's my view – and it's a view that's shared by many people in the constituency of Edmonton-Gold Bar – that this government plans elaborate public relations schemes that are going to get it by the next general election, and that's it.

I look at the plan here on page 44 of the fiscal plan tables, and it's noted there that from the year 2002 through to 2005, in particular with Municipal Affairs, there is to be in the next three years planned spending that is relatively unchanged, and with the growth that is occurring across the province – and that growth is because of the exploitation of our natural resources and the demand that there is in the international markets for those resources. The growth is occurring because of that, not because of some outstanding planning that's been going on with this government, in this member's view.

If we were going to follow the Future Summit, why do we not have a long-term plan displayed here? If one looks at the budgetary documents for the state of Alaska, for instance, if we want to use a comparison, they have 10-year plans, and they seem quite willing to live with them. Why is this government not doing the same?

Now, on page 46 of the fiscal plan tables under Municipal Affairs, the support for infrastructure has ranged from \$11 million to \$70 million in budget 2001-02, and the 2001-02 forecast was \$39 million. Then for the next three fiscal years there is no money. Can the minister please provide us with the details on this? I am certain that there's going to be an answer forthcoming. Whether it's going to be transferred to another department, whether it's just the binge-and-singe budgeting that has occurred leading up to and after the election, or if it's to deal with the tank farm issue, if I could have some clarification on that, I would be very grateful.

4:00

Then further on in the fiscal plan tables, on page 49, there is an item here – I'm going to have to make sure, Mr. Chairman – for regional planning and development, \$92 million. How much of this \$92 million is spent on planning, and how much is spent on regional development? If I could have a breakdown of this, I would be very grateful to the hon. minister.

Further on we get over to the section on the Alberta advantage. Some people in the province refer to this, whenever they visit the constituency office in Edmonton-Gold Bar, as the government's brag book. The charts and the graphs in here I find are quite selective, and oddly enough they change from one budget year to the next. The electricity prices: now, that changes yearly, whenever we want to compare ourselves to others. Page 99 says: "Leaving more [tax] dollars in the pockets of Albertans." Lately – and it's not the first time this has occurred, Mr. Chairman – there have been public musings by the Premier about sharing or increasing the scope by which municipalities can raise taxes. Certainly it states – and I would note this for all members of the Assembly – that "Alberta has by far the lowest combined provincial and municipal tax burden among the provinces, at 59% of the national average." Now, is that the tax room that the Premier was musing about whenever there was a discussion about changing the tax structure so that municipalities could have some more flexibility with collection of taxes? What specifically would the minister have in mind if the municipalities were going to be given greater taxation powers? Would there be a

little bit of a tax there on sales at the municipal level? Would there be a tax on hotel rooms? Would it be on automobiles? What exactly is the Premier and the government contemplating there? I would appreciate some detailed information from the hon. minister on that issue.

Also, we're always hearing about the low debt and the priority to pay off what debt we have in this province at a rapid rate. In fact, we seem to want to do it before the next election or in that election year, and there are other programs that have been cut because of this preoccupation. We have in this province 4 percent of the GDP of the province owed in debt, and that, as I've said here before in this Assembly, is a very modest amount, and it is looked at with a great deal of envy by other governments. I believe the hon. minister said that there are 360 municipalities. If the minister knows or if the department knows, what is the amount of debt currently held by these 360 municipalities? I certainly know what the school boards' debt is, and I would be interested to know what exactly is the debt of the 360 municipalities, because certainly they have been a victim of downloading by this government over the last number of years.

Now, Mr. Chairman, at this time I also have some specific questions in regard to program 1, the ministry support services. We're looking at about 10 and a half million dollars there for ministry support services. There are a lot of issues here for the minister, and if an answer is not available this afternoon, an answer in writing at a later date, hopefully before the first day of summer, I would appreciate. I regret having to put a deadline on this hon. minister because of my experience in the past, certainly with the Minister of Energy and that department, that one has to wait a long, long, long time for answers, and then when we get answers, they're usually very short answers. A very long, long time.

[Mr. Shariff in the chair]

Hon. minister, please, how many full-time equivalents or employees are employed under ministry support services in the year 2002-2003? What is the breakdown of the full-time employees – I'm going to get rid of that "equivalents" again – by the three subprograms: the minister's office, the deputy minister's office, and support services? Now, on line 1.0.1 we're looking at the minister's office. What is the breakdown, please, of the minister's office budget, which is \$281,000, for salaries for permanent positions, salaries for nonpermanent positions, and salaries for contract positions? How many contract positions are there in the minister's office? Or is it like the Public Affairs Bureau, where everybody, as far as I know, is a contractor of some sort? That'll be interesting to see at some point: the Public Affairs Bureau, the contracts there and how they pay their WCB premiums. But that's not dealing with estimates for Municipal Affairs this afternoon.

Travel expenses are also interesting: if we could have a breakdown of that. Advertising and hosting expenses: that's always of interest.

Now, the deputy minister's office on line 1.0.2. Again, what is the breakdown of the \$487,000 deputy minister's budget for the year 2002-03, again by salaries for permanent positions, salaries for nonpermanent positions, salaries for the contract positions, the travel expenses, and advertising and hosting expenses? For support services on line 1.0.3, to the minister, please: why is the capital investment for support services at 200 percent over budget? I believe the original budget was \$125,000, and the forecast is for \$383,000. If I could get an answer regarding that, I would appreciate it. Again, what is the breakdown of the \$9.4 million operating estimate for support services in 2002-03 by business planning and corporate support, communications, financial services, human resource services, information technology, and legal services?

I would like to now talk a little bit, please, Mr. Chairman, regarding public safety. On line item 3.1, division support, why is the division support budget increasing from \$775,000 to \$856,000? The minister was talking earlier about public safety, and I would like to know: why is the forecast \$30,000 over budget from the previous year? Now, certainly with safety services and fire protection, fire protection is without question very, very important to all Albertans. There has been some concern by Albertans expressed to this member regarding the effectiveness and the reliability of this entire safety code system, and I'll get to that later this afternoon.

4:10

Why are program management costs for safety services and fire protection 89 percent over budget? Why, despite the forecast being 89 per cent over budget, is the 2002-03 budget set at \$356,000? What services are provided under program management? In technical services, line item 3.2.2, why are the forecast costs for the technical services program 30 percent over budget? And, Mr. Chairman, how do these services benefit municipal governments and Albertans? Getting to line item 3.2.3 regarding regional services, what services are provided under these regional services? Again, how do these services benefit municipal governments and Albertans? For the fire commissioner, why are forecast expenses for the fire commissioner's office \$121,000 over budget from 2001-2002? Does that reflect some of the concern that has been expressed to this member from various parts of the province regarding the integrity of this whole system?

Now, the underground petroleum storage tanks. The government was very loud and proud when this program was introduced, but the cancellation of this program seems to be quite a bit quieter. There has been a lot of work not completed. There are other provinces which demand that industry clean up their own mess, but here we're getting the taxpayers to do it. How many tanks are still out there waiting for the next round of oil money to come in so they can be cleaned up? Where are these tanks? Where are the locations of these tanks, and are there any public health advisories or warnings being issued to the public in regard to these sites? Particularly, at some of these sites there can be a significant seepage away from the exact location to various areas, depending of course on which way the underground watercourses are. It depends on gravel; it depends on sand. There are a lot of factors, Mr. Chairman, that can influence how far particularly leaded gasoline can travel.

Now, disaster services, branch management and programs on line 3.3.1. What unbudgeted capital investment was done for the \$1.2 million under branch management and programs for disaster services? Why were operating expenses 40 percent over budget from 2001-02? What services are provided under branch management?

I don't see any questions that this member has, Mr. Chairman, regarding disaster recovery nor assistance for municipal emergency response training. There was certainly in my view a test of this at Pine Lake unfortunately, and I think people worked as hard and as long as possible under those circumstances.

At this time I have questions further on this afternoon, but I would take my seat, Mr. Chairman, and await the response from the hon. minister. Thank you.

THE DEPUTY CHAIR: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Chairman. First of all, I want to say at the outset that the hon. Member for Edmonton-Gold Bar indicated commentary to the point of "elaborate public relations schemes," so I would like to set the record straight. If elaborate public relations schemes are meeting with Alberta urban associations

and Alberta rural associations, meeting with mayors and reeves, then I'm all for elaborate public relations schemes if it means meeting the local elected officials, and I'm sure the hon. member would agree that this is a worthwhile service in terms of working with our partners relative to the fact that we sometimes don't have all the answers, but I'm not afraid to ask my municipal colleagues and partners in terms of what they think. In fact, that's exactly what we have been doing. The Future Summit was an ability to go and ask Albertans what they think as opposed to a government trying to do something. One of the things we do as a government and certainly from Municipal Affairs is ask for their input relative to the important initiatives that we have been viewed across this country as leaders at.

The Municipal Government Act in Alberta is viewed as one of the most progressive and permissive parts of legislation in this entire country. That was recognized by the vice-chair of the Prime Minister's urban task force. He indicated that he views Alberta as a leader. In fact, that was on May 2 on CHED radio. I'd like to take the opportunity now that the hon. member brought this issue to my attention. The hon. member is a Liberal MP, and his name is Bryon Wilfert, and he's the vice-chair of the Prime Minister's urban task force, the Liberal caucus in Ottawa. He was interviewed on CHED radio on May 2, and let me quote for you what he said about Alberta. Could I tell you what he said about Alberta?

AN HON. MEMBER: Tell us. Quote it.

MR. BOUTILIER: He said, and I quote: Alberta is the most progressive when it comes to the new Municipal Government Act. He said: they were very progressive in having municipal governments at the table making decisions along with the province and the federal government on infrastructure. I might say that the hon. Minister of Transportation is here.

DR. TAYLOR: What did he say about the Minister of Environment?

MR. BOUTILIER: He did make reference that they certainly appreciate the Minister of Environment's comments relative to Kyoto.

He goes on to say, and I quote: Alberta has always been in my view very forward looking. I just want to say that I appreciate the federal vice-chair of the Liberal Party who mentioned that, and I think that's very important.

Now, the hon. member also asked about the issue of debt in a very general sense, and I'd like to take this opportunity to say that on a Visa card – he was asking about the debt that Alberta owes and when are we going to retire it – nobody likes to pay interest. That's why over the past many years this province has reduced its interest by over a billion dollars that we don't have to pay to a banker. I don't like paying a banker. The hon. member may like paying a banker interest, but I don't. That's why I try to make sure my Visa card is paid up to date, so I don't have to pay 1 cent of interest.

Now, there's no question that governments across this country actually do have debt. Our province is leading the way, which he said was the envy of many, but I would like to say this. I met and had the pleasure of meeting with the federal Minister of Finance just a few weeks ago. The federal government has a debt of almost \$600 billion, and they're paying interest of over \$50 billion a year – a federal budget of about \$130 billion, but in fact \$50 billion of that goes towards interest, where \$80 billion goes to service and \$50 billion goes to interest. So I'm so pleased the hon. Member for Edmonton-Gold Bar actually brought the point up that I'm very proud, and I thank him for his comments relative to debt reduction. At the end of the day we do not in any way, shape, or form want to

leave a mortgage to our children. What an incredible solid foundation to be left to children. It is popular but it may not be exciting, but at the end of the day when people review this time in history, they'll say that the Alberta government was there to not leave a debt to its children's children. They're willing to burden the responsibility today and deal with it today, and I want to say I'm very proud of that and certainly proud of our Premier's leadership to arrive at that. That's why all other provinces are looking at the taillights of Alberta, and I can say that it's because of the leadership that is here.

4:20

I would like to say that the hon. member has brought up some important points, and I'd like to clarify for the hon. Member for Edmonton-Gold Bar's benefit that in actual fact big companies do not see one single cent of the underground petroleum tank program. This is for ma-and-pa retailers who own a gas station. I know that the Minister of Environment, who's watching and listening intently, is aware that for an environmental remediation program we are leading. We have addressed all of the high-risk underground petroleum storage problems. In fact, I had the pleasure of visiting the hon. Member for Ponoka-Rimbey, where we saw a ma-and-pa who we were able to remediate. They were able to receive a hundred thousand dollars for remediation, and that is an important part of our program that I'm very proud the Alberta government in fact has initiated. It is not at all completed. The Safety Codes Council will be using this over the next year and, I'm pleased to say, will continue to do a very good job on that. So I want to say that I thank the hon. member for bringing that to my attention as well.

Also the hon. member asked some questions relative to full-time equivalents, and he specifically asked relative to the ministry support services, and I'd like to give him the answer directly, as he asked. In the budget of 2001 and 2002 we had 51.1 full-time equivalents in ministry support services. This year we have 51. So ultimately we have a .1 reduction, and I want to say to the hon. member that we are in fact going from 317 to 311 because of the efficient use of the resource that we have within our budget, and I appreciate aiding him.

Also the hon. member asked about support services in terms of the operating expense and the increase of about \$84,000, and he asked if I would break it down by the different branches, and I'd like to do that at this time. The following table, which I'm going to list for you, shows you the difference at the branch level relative to the prior year's forecast and the actual expenditure. In the year 2002 under legal services it was \$376,000. In the upcoming year, 2002-03, it's \$296,000. In communications it was \$286,000 and now is \$309,000 for 2003. In information technology services – this is a very important initiative – we originally had \$5.567 million, and it's broken down now to \$6.095 million. Also from a business services perspective, a slight change, it's going from \$2,054,000 to \$2,100,000. As well, in human resources I'm very proud to say that we're partnering with Government Services. We're partnering with them and sharing human resource initiatives and government services. It's a shared service that we're doing, so the hon. Minister of Government Services benefits again with the Ministry of Municipal Affairs. That's going from 754 to 662 because again we're pooling our resources together, and that's something Albertans have told us. So ultimately we have gone from \$8.937 million to \$9.462 regarding this, and that the hon. member has asked.

Regarding the detail relative to the support services area, I'm very pleased to be able to also provide him with these numbers, and of course the increase is due to just simply marginal manpower costs as a result of the recently negotiated settlements and higher costs related to the contract revisions of information technology services.

As you know, we are in the 21st century when it comes to technology, and technology I think is a real key when it comes to planning for the 21st century.

The hon. member also mentioned long-term planning. I believe I addressed that with the hon. Member for Edmonton-Glengarry. I made reference to the Future Summit and the fact that this government is willing to think outside the box and look to the next 10, 15, 20, 25, and 30 years and ask the question: what will Alberta look like? One thing for certain is that we will not look like a government that has debt. We will be there because we believe in shouldering the responsibility to ensure that we don't leave a mortgage for our children and our children's children, and that's exactly what we're doing, and of course I encourage all governments at all levels throughout this country to take the same approach. It may not be fancy and it may not be exciting, but clearly it's leaving us all a foundation in terms of sustainability, in terms of the fundability in dealing with municipalities.

The hon. member asked a question relative to how we are going to be, from a public relations perspective, dealing with issues. Quite contrary to the hon. member's comments, we established the roles, responsibilities, and resources committee, where we're talking and meeting with our partners at the municipal order of government. I say orders of government, not levels of government, because we are serving the same taxpayer here, so why would we have levels of taxation when ultimately we're serving the same taxpayer? Ultimately I do believe roles, responsibilities, and resources in fact is doing exactly that in consulting with our important municipal leaders. At the end of the day municipal leaders know best when it comes to dealing with the delivery of the local services. The hon. Member for Edmonton-Glengarry – and I appreciate his comment – indicated that they know sometimes what's best, and I can assure you that in my 12 years of municipal government experience that I share that with the hon. Member for Edmonton-Glengarry, because at the end of the day we want to do what is right and what is best for Albertans in partnership with our municipalities.

With that, Mr. Chairman, I would like to say that I'm very pleased with the remediation programs. I'm very pleased with the work that we're doing, and again I'm so pleased to say that we've been able to address the highest priorities in terms of our underground petroleum program relative to site remediation, and I want to say that I've enjoyed meeting with many of the sites relative to the remediation. Now they're becoming healthy and prosperous areas that don't remain economically stagnant, so they are going forward. I certainly appreciate the Minister of Environment's attention to this issue, and I thank him so very, very much for his input relative to this exciting program. I thank him for giving me the thumbs-up on that. With that, I'll take my seat.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. Just two issues I want to touch on that are springing directly from the comments made by the Minister of Municipal Affairs. I just forgot the first one, so it wasn't that memorable. The second one was his talking about intergenerational transfer of debt, and I'm just wondering how he reconciles what he said with the fact that a generation ago, even 10 years ago, it was uncommon for a graduate with a university degree to come out with a \$20,000, \$25,000, \$40,000 debt unless they were in a faculty like medicine or perhaps law, and now it is commonplace. How does he reconcile that? To my mind that is an intergenerational transfer of debt, and this government managed to achieve it in less than a generation. In less than 10 years they managed to transfer a debt that would have been

carried by an older generation over some period of time, like a 25-year mortgage. They managed to transfer it down to the post-secondary student population in less than 10 years, and those students now start their adult life with an average of \$25,000 in debt, so just a little comment there.

The second issue I would like to bring up with the minister is that when I look on page 213 of the lottery fund, I notice and in fact the minister referenced that Municipal Affairs receives \$40 million through the lottery fund: \$12 million for municipal sponsorship and \$28 million in unconditional municipal grants. In fact, I think to be fair, in the past we would have had to add \$50 million to that, because certainly the municipalities were the prime recipients of the \$50 million from the community lottery boards. What we're see now is that the municipalities are really feeling the expectation shift to their shoulders to be funding the same community organizations, nonprofit groups and charities, that were previously funded through the community lottery boards. In fact, I think to be accurate, that figure should have been the \$40 million plus the \$50 million, which is \$90 million that Municipal Affairs was recipient of, moneys from the lottery funds, and now of course that \$50 million has been pulled by the cancellation of the community lottery boards. So what I'm interested in is: how much input did the Minister of Municipal Affairs have in the decision to remove \$50 million that was directly affecting those municipalities that are under his direct control? What plans does he have or what input did he give for how those municipalities are supposed to be making that money up?

4:30

Certainly in the city of Edmonton, which is the one that I know the best, those arts groups and culture groups, sports and amateur sports, helping associations, Big Brothers, Big Sisters, the CANDO society, and the Abbotsfield group – I've tabled dozens and dozens of letters in this Assembly from organizations that all received support through the community lottery board. They of course are now going to be looking to the city of Edmonton to replace that money, and I don't know that the city of Edmonton has that money to replace, to be able to make up the difference. So I'm interested in what part the minister played in the decision to remove the money and what advice he's giving those under his ministry or associated with his ministry on how to make up the money.

Now I'd like to move on and look at my favourite: goals, strategies, and performance measurements. Almost nothing better on a chilly May afternoon to do. When we look at goal 1 on page 308, we have "an effective, responsive, cooperative and well-managed local government sector"; that's the goal. As I follow through on the key strategies, I notice that 1.2.1 says: "Provide governance, administration and management, and land-use planning advice to local governments and associated local service delivery organizations." So I'm wondering: is the plan to develop and maintain these provincial land use policies going to include pulling more authority from the municipal jurisdictions where it now belongs? Is the idea that the government is going to take over more of this? This is particularly of interest when we look at intensive livestock operations. Under this the province took away the municipal councils' right to make local land decisions. Who knows why? I know there's a great deal of supposition and suspicion about how much influence the land developers had over the province. So the question there is around the land use planning advice and authority. Will we continue to see the province pull authority away from those municipal and local governments?

Still under goal 1, I'm wondering: what is the status of the capital region governance review? I'm also wondering: are there programs that are being developed to encourage self-evaluation of excellence?

In other words, what's the status of the minister's give-a-gold-star program for municipal excellence?

I think this question might have been touched on before, because I noticed that the Minister of Environment was being pulled into the discussion. But in my notes I have a question I'd like to ask about the support that's being provided for the reduction of greenhouse gases at a municipal level. Of course, it does involve all levels of government, and given what municipal bylaws have control over, certainly each level of government has a say in how we're going to approach this. So what support is being provided to the municipalities, and what can we look to come out of the Ministry of Municipal Affairs around reduction of greenhouse gases?

I'm wondering what specific land use planning advice or support the department does provide, specific examples. I've come up with a couple. But what are the rest of the examples, or is that it?

I remember that in one of my first years in the Assembly as a rookie there was an impassioned speech, I think maybe even a motion, coming from the then minister of agriculture, who was making a plea against urban sprawl, the point being that some of the most arable and productive land in Alberta has new housing developments being built upon it. So I'm wondering what the ministry is doing to make sure that municipal tax structures are not encouraging urban sprawl and the effect that that also brings on increasing transportation and infrastructure costs. I mean, the further and further and further out we get, the more roads we have to build, the more sewers, the more electricity lines, and all the rest of that infrastructure. That all costs the original tax base money. So where is that?

I'm still on goal 1, page 309. In the performance measurement it seems odd that the level of satisfaction with the local government services division would be based on the division achieving individual performance targets. It's unclear here whether it means that it's the minister's satisfaction that's being measured or who is setting the target. Whose satisfaction is being measured here? That's not clear.

Now, if I move to goal 2 on page 310, "Financially sustainable and accountable municipalities," why was the target for the number of municipalities meeting the criteria of financial accountability lowered from 98 percent in 2000-2001 to 95 percent in 2001-2002? I mean, it's minor; it's 3 percent. Okay; I'm quibbling. Still, it's interesting that we would have an actual from 2000-2001 of 98 percent and we've got a target in 2001-2002 of 95 percent. Why did we expect to go backwards? Then if I follow along in the three-year business plan, we expect 95 percent in '02-03, 95 percent in '03-04, but by '04-05 we're going to increase back up to 97 percent. This is the goal 2 performance measurement: "Percentage of municipalities meeting Ministry's criteria of financial accountability." So what caused the 3 percent drop? Correspondingly, what, after three years of flat-lining at 95 percent, is going to bounce the ministry up to 97 percent? There must be some specific event or change in structure that's anticipated to bounce you up in that last year. So if I could know what that is, please.

Under goal 4, which appears at the bottom of pages 311 and 312 under core business 2, "Safety services and fire protection," the goal is "a comprehensive safety system that provides an appropriate level of public safety." Okay. The performance measurement for goal 4 is based on "the percentage of assessed accredited municipalities, corporations, agencies, and delegated administrative organizations administering the Safety Codes Act that achieve a satisfactory rating." So what is the rating scale, and is there just satisfactory versus unsatisfactory, or are there other levels that are involved here? What performance indicators are measured to determine satisfactory or unsatisfactory? And what support is given to those that receive an unsatisfactory rating? Is there some sort of remedial

program that they get, or what assistance is given them to correct that?

When we look at this particular measurement, I'm wondering: is there consideration given to the volume of work done by a corporation or agency or DAO? I would think that that would make a difference. If you've got a group that handles a large number of safety inspections and they had an unsatisfactory rating, that's going to have far more impact than if you had a number of smaller organizations and one of those gets an unsatisfactory. So there's a question here of – how do I describe this? – equity but also size of organization versus their performance measurement. It can have much more effect. I mean, let's face it. If IBM has a problem, that's going to have far more effect than if a small systems group is offering the same kind of service. So if I could just get an expansion on the detail of how this measurement is arrived at and how remedial corrections are anticipated, that would be helpful.

4:40

Now I'm going to goal 5 under core business 3, "Disaster services." Goal 5 is "a disaster services program that enhances and supports local emergency preparedness for major emergencies and disasters." The performance measurements here are interesting, and I'm sure that there's a good answer for this. There is significant fluctuation in the goal for the number of municipalities that have emergency plans and test them every three years. So in '98-99 the actual number was 41.7 percent, but then this rises to 75.1 percent the following year, and then further improvements in 2000-2001 go up to 87.4 percent. The target for this last year was 100 percent, and then it drops to 40 percent. So again there must be a precipitating event here, that either more municipalities were brought into the group that was being measured or you changed the way you were measuring or something, because you started at 41 percent, you steadily improve, and then you've got a target now in 2002-03 of 40 percent; that's the year we're in. Then next year you expect to go to 70 percent, the year after 85 percent, and then back to 100. So it almost looks like there are two cycles here. You start around 40 percent and in four years work yourselves up to 100 percent. Then what? Drop back again to 40? Why do you have this cycle in here? Again, it could be because you're just including a bigger sample size as more municipalities are required to have the plans. I don't know.

I would also like to get some information about the number of Albertans who are living in communities that meet this performance goal. If we have 95 percent of Albertans who are living in communities that meet this goal, then we know that it's probably a couple of smaller communities that don't have these plans in place. We'd want to be equally concerned about those smaller communities, but nonetheless you're covered for a large majority of the population. So I'm just wondering if we can get some more detail on that.

Finally, I look under goal 6 on page 314. We're under core business 4, "Municipal Government Board." Goal 6 is "an independent appeal system that issues timely and impartial decisions of high quality." I'm looking at performance measurement 3, "Percentage of stakeholders who feel they received fair, unbiased hearings." I'm wondering how many stakeholders – well, there was a new measurement last year, so there's no baseline, no benchmark available. I'm wondering how many stakeholders were in the group that's being included in this, and that would tell me whether it was a large or a small group. How many appeals does the Municipal Government Board hear in a year, and will every person that appeals be surveyed? Who conducts the survey? Is this the department or a private contractor that comes in to do this? How was the figure of 85 percent arrived at? Without seeing what was previous to this, I don't have any context to place the 85 percent in. I'm sure it wasn't just grabbed out of the air. Please, I hope it wasn't just grabbed out

of the air. That does happen in some ministries, but I hope not in this one. So what's it based on? There must be something, some information that we don't have here that I can't tie it to.

I'm also wondering why it remains stagnant. You hit the 85 percent and you carry right on for three years. So you're not anticipating any improvement, or you don't want any improvement, or you're doing nothing to get any improvement. You know, the whole thing about performance measurements is that they can be invaluable management tools, but if you don't carefully craft that performance measurement, it's next to useless to you. This minister is a graduate of a prestigious university with business degrees and public administration degrees, so he understands what I'm talking about. When I look at this, I go: huh? Well, interesting measurements but what did they hook to? How do we put this in context and know whether this is a helpful measurement or not?

I'm still frustrated with this government's haphazard approach to performance measurements. Some ministries are better at it than others. Some are really taking the time and working through and reviewing and adjusting, but they also give all the information so that you can see where they were trying to go and why they changed what they were measuring, if they did that. This government, having started into a plan where you had business plans and you did three-year forecasts into the future, somehow developed your first series of performance measurements, and then most ministries just left it and never went back and started to bring those forward. Performance measurements are hard to get right, and the chance that you'll get them right the first time out is, like, nil. Very few of the ministries have actually tried to go back and develop their performance measurements along, to give them information that's a good management tool and is giving valid information to managers to make decisions on. I'm just pushing a bit here, but I feel that it's worth it to push.

My time is almost up, and I appreciate the opportunity to go through those goals, which are all the goals and core businesses that were available for me. I've made my points on the community lottery boards, and I'll expect an answer back. Of course, I'm always appreciative of answers in writing if the minister doesn't have the time or doesn't have all the information at his fingertips.

Thank you.

THE DEPUTY CHAIR: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, and I want to thank the hon. Member for Edmonton-Centre. She raises some very good points. I'm having a 10-year *deja vu* because I feel like I'm back at Harvard Business School right now in terms of what she speaks of in terms of goals and objectives, and I'll endeavour to answer the questions. Those that I don't have at my fingertips I certainly will provide in writing to her.

The first point I listed, if I was able to keep up – I'm not quite good at shorthand, but I made about 10 points, different issues that you raised that I'd like to address. I'd like to commence with first and foremost that one regarding education and the issue of debt relative to, as you mentioned, 10 years ago. Hon. member, certainly I discovered that our educational system, that the hon. Minister of Learning governs – of course, we have a cap of 30 percent of tuition that will actually go towards covering the cost. I think the point that we don't want to lose is that 70 percent of our costs are covered by the ministry. Certainly I believe and I know the hon. member agrees and that members of this House agree that the 70 percent of government dollars that go towards furthering learning relative to postsecondary is a good investment.

Certainly I know that during my time my wife and I got a quick

example of the expense that Americans experience. After remortgaging our house and selling our vehicles and also building up debt, I began to realize and appreciate the very good postsecondary education system that we have in Canada. I discovered that two years in the United States will actually get me 15 years in Canada in terms of the actual true costs. That's a real credit to the folks that run the postsecondary institutions in our province and also to the Minister of Learning, I might say. So I would like to just briefly say that it is an important investment of time.

The hon. Member for Edmonton-Centre raises an important point on the issue of community lottery boards. For a point of clarification it is actually not \$90 million. There was \$52 million for community lottery boards. The \$40 million that we have – it's not \$90 million. Ultimately \$52 million of that is in the ministry of lotteries budget.

4:50

What I also would like to say is this. I'm very pleased that my colleague the minister of lotteries is in fact doing a review in looking at ways we can enhance the actual community lottery program to be able to provide the efficiencies, to avoid duplication, and very importantly, though, to continue to serve municipalities. The spirit and the point of her question is: how are we going to continue to serve municipalities? Well, I think this review will reflect that, and I look forward, as she does, with interest to the review that the minister of lotteries is doing in terms of how we serve our municipalities, because, yes, it does benefit municipalities.

If I could, during my 12 years on city council we never had a community lottery program, yet we still were able to endeavour and work and be creative and be innovative in what we did. I want to say that as much as the program began to be a very positive one, we're always willing to look at a way of enhancing it. One of my colleagues once said that, you know, the characteristic of any business is in fact flexibility, and if there's a better way to enhance it, we want to look at it. I'm optimistic that that will be the result of the review that the minister of lotteries is doing, so I look forward to that.

The \$40 million, as you know, is of course utilized within municipal government, but the \$52 million again is solely within the ministry of lotteries in benefiting, as the hon. member mentioned, municipalities.

Regarding the issue in terms of our goals on providing advice, we certainly provide land advice when it comes to regional planning and the land advice that we have. But it is that; it is advice. I do support that. Municipalities at the land use designation will ultimately have the decision to make on zoning. Recently a question was asked here by the hon. Member for Calgary-Montrose regarding the city of Calgary on a land use issue. In actual fact, of course, I sent an advisory to the 360 municipalities giving them advice in terms of land use designation. In fact, we have a situation where perhaps the bylaw established is too broad. So we're certainly willing from Municipal Affairs to provide that advice, and we will continue to do that in partnership with our municipal partners.

The hon. Member for Edmonton-Centre raised an important point on the Hyndman report. Of course, I've had the opportunity to talk to the members across the way relative to this, and I'm just so very proud of the work that the report had done with the 22 municipalities through the Alberta Capital Region Alliance. I want to say that the 22 municipalities that are there are working closely. They're proposing a business plan to come forward. It's my expectation that it's going to be back before summer. Hopefully that will be a warm summer day when they will be providing their business plan. I'm encouraged and I'm quite prepared for this government to assist when it comes to regional partnerships with the alliances that the 22 municipalities are making.

I want to thank the hon. member for bringing up the Hyndman report and the good work of ACRA. Just last week I spoke to ACRA when they met in Parkland county. They've done some very good work, and they're working eagerly, the 22 municipalities, on their business plan, which will address some of the issues on how we better serve our taxpayers within the 22 municipalities.

The hon. member also mentioned urban sprawl, which is an important issue as well. At the end of the day the taxation system we have at the federal, provincial, or municipal order of government needs to be fair and equitable. I think that's the principle that we've got to be guided by. I had the pleasure of course of working with 13 communities during my time as mayor, when we actually had an amalgamation. But I'm proud to say that it wasn't forced by this province; it was actually something that our municipalities came up with by working together in partnership.

My belief is simply this: I don't believe that one size fits all. I believe that what may work in northeastern Alberta may not work in another area. What I'm encouraged by from the Alberta Capital Region Alliance is how proud they are of the 22 municipalities in terms of their identity. So the question is: how do we ensure that their identity remains strong but at the same time they still pool those resources so that in fact we don't have a snowplow stopping at a municipal border and lifting its snowplow blade, going through a city, putting its blade down, and carrying on within its jurisdiction. Actually, that happened in the municipality that I was mayor of. I'm pleased to say that we sat down and we realized that we could keep our own identity but at the same time work together in serving our taxpayers. I'm pleased that the hon. member has brought up the principle of fairness and equity in terms of municipalities working together. It needs to be.

I'm very pleased to say that the hon. Member for Peace River – we have four municipalities that are working relative to some disputes that were going on. Our Municipal Affairs people were able to devote some of our resources in a mediation process, and they have actually signed a deal. Full marks to the local municipal leaders, because they know how best to serve their taxpayers. I'm pleased to say that Municipal Affairs just had a small role to play in terms of offering some facilitation and mediation, which I think is also very important.

I don't subscribe to the point that one size fits all, because at the end of the day I believe I'd prefer to have municipalities go forward in partnership. The Hyndman report was a good start to that. The Alberta Capital Region Alliance is working with that, and I'm encouraged by the fact that they know what's best at the local level, as the hon. Member for Edmonton-Glenarry said when he talked about the grass roots of our democratic system.

Regarding municipalities, the hon. member has brought to my attention our being at 95 percent and that we've slipped by 3 percent. She's right, and I appreciate her indicating that. Maybe she's a little bit nitpicky, but the point is that we want to continue to have the attitude that we can do better. I would also like to be able to say that what we have done under goal 5 is that we have taken the cumulative percentage over four years in order to reach our 100 percent. That's what our objective is, and I appreciate the point that the hon. member raised. It's not intended to be confusing, but if there is some clarification, I wanted to offer that today. I thank the hon. member for bringing that to my attention.

Point 7 was the issue of assessing the percentage of accreditation, goal 4. Ideally what we'd like to do is have as many municipal officials as possible accredited, and we're moving in that direction. All municipalities are not there yet, but we want to continue to get there, and certainly we're trying to provide that support in order for them to get there.

You know, in dealing with the unsatisfactory rating, what we want to be able to do – I'll provide it in writing in terms of how we deal with that. I don't have that at my fingertips. But I do know that we're always willing to ask municipalities: what are you doing; what's working well; what can we do better? I'm very proud of the kind of performance ratings that Municipal Affairs has been getting and that we want to continue.

When you do talk about goals, certainly an important point – and I agree with the hon. member – is that the characteristic is flexibility. It's a changing environment. But in a changing environment, then, the question is that we do not want to lose – in fact, I was just reading a book. Jack Wells, the former chairman of General Electric, who spoke in my class while attending Cambridge, said: if it's not measured, it's not done. I couldn't agree more with the hon. member when she says: what is the performance? If we realigned different ministries and departments with the changing environment externally or based on what input citizens say, we still need to be able to bring that historical data with us so that the measurements at the end of the day are there, so they're meaningful and they're measurable, so we can continue to do that evaluation. I want to say that I'm pleased with the folks in Municipal Affairs for doing that, and they do know that it is something that I believe is very important in terms of that measurement and relative to how we can again even do better, which certainly is something I continue to work on with our ministry people.

Just before I take my seat, I would like to say that under the issue of the goal of municipalities in terms of going from 41.7 to 75.1, certainly we'll get more information to you on that. I don't have it with me. I want to say that we want more municipalities, though, from an emergency planning system; we want them involved. In light of the events that have taken place, we're dealing with things like contingency planning in terms of ensuring that we have plans in place if there's some public safety event that takes place, that we have to have contingent planning, and that we have all of that type of facility ready to go if in fact there were an event. We're investing significant dollars on that in the upcoming year.

I want to say that from a public safety perspective, from a program perspective, the hon. member raises an important point that we're going to be looking at regarding the issue. The word escapes me right now, but from a technical perspective we want to be able to come forward in terms of ensuring that there are plans in place. For instance, if this Legislative Assembly for whatever reason was not able to function, we would be able to go to a subsequent facility and continue. The government will go on. It never sleeps, and this Legislative Assembly goes on, so we need a place for us to congregate if in fact for whatever reason we were under some type of threat. That kind of contingent planning is very important, also at the municipal level relative to our emergency planning. I had the pleasure of meeting with 75 of our emergency planners from across Alberta, and we actually talked about the example of the Y2K bug and how we were able to reimplement that program with the infrastructure from the variety of ministries that go on.

5:00

Regarding stakeholders in terms of appeals under the Municipal Government Board, the hon. member asked some questions, and I would like to share with you what actually took place under the Municipal Government Board and what we anticipate. We're increasing by about \$722,000, and it's important to note that property appeals went from under 2,000 appeals in 1998 to over 8,000 in 1999 and linear complaints doubled from 6,000 to 12,000. So they're a very active group of volunteers, and the actual number of hearings conducted by the MGB has increased from 400 to 700.

Obviously, people are willing to take those kinds of appeals to the Municipal Government Board, and I want to take this opportunity to compliment Gerald Thomas and his entire team of people that in fact serve on the Municipal Government Board. I also thank the members who highly recommend people who are good candidates to sit on the board and who have a variety of municipal experience, which I think is equally important.

Before I take my seat, I'd like to go back to the issue of learning, and on the issue of learning I think the hon. Member for Edmonton-Centre raises good questions regarding the fact that we don't want students and I am quite confident the Minister of Learning does not want students going out with huge amounts of debt. Learning is an investment in our future. One of those students who is attending university may be the doctor that comes up with the cure for cancer or may be the new Einstein who comes up with another example of how we can split the atom – who knows what could happen? – or the doctor that may in fact come up with the cure for diabetes, something that would be a very worthwhile investment. We're very proud of the Edmonton protocol and Dr. Shapiro and his team of people, that in fact is now in 13 countries across the world – and it's really quite amazing – in light of the good work the University of Alberta is doing. Certainly I'm onside in terms of how we want to see lots of continued resources going there, and I thank the hon. Minister of Learning for continuing to ensure that gets there. The fact that I had to mortgage my home and sell my two cars when I went to school south of the border – let me conclude by saying this. Two years in the United States actually would have got me 15 years of university in Canada, so it does speak of the tremendous opportunity that in fact we have in postsecondary training right here in Canada and specifically here in Alberta.

So I thank the hon. member for her questions.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Glenarry.

MR. BONNER: Thank you very much, Mr. Chairman. I'm sure the hon. minister was happy that he was in Boston at the time he was and not this particular year after events that just occurred there last week, and I was very happy to see those events, shades of Ken Dryden as a rookie. We might be seeing this all over again, and it's exciting.

Just a few more questions on the Municipal Government Board. Now, this appointed board I believe is a tribunal and certainly does work well, and it does conduct the independent and impartial quasi-judicial adjudication functions outlined in the Municipal Government Act with respect to property assessment appeals, linear property assessment complaints, equalized assessment appeals, subdivision appeals, annex recommendations, and intermunicipal planning disputes.

Now, then, when we look back over the last few years, it seems that the Municipal Government Board is always just a bit over budget, not that much but just a few hundred thousand. If the minister could please explain why this particular board seems to be consistently over budget. Again, is this from the fact that perhaps their caseloads are unpredictable, or have we had a consistent number of caseloads over the years? Do we have an increasing number of caseloads, which would certainly lead to this shortfall each particular year? If the minister could also please inform us as to the backlog of cases for the Municipal Government Board at this time. As well, if he could also inform us of how many appeals did the Municipal Government Board hear in the year 2000. How many would be considered major appeals, requiring a significant amount of the board's resources, or how many were not in this category? Also, if the minister is evaluating the success of mediation disputes,

and if he could also inform us how this particular mediation process is working.

So those are just a few questions that the minister could please elaborate on at this time in regard to the Municipal Government Board. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: Hon. minister, do you want to respond?

MR. BOUTILIER: Sure. If I could.

THE DEPUTY CHAIR: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you. The hon. Member for Edmonton-Glengarry raises an important point. I would like to say, though, that in terms of complaints, we've had complaints increase from 400 to 700 when it comes to appeals, and that's quite a substantial increase. Of course, I think it's reflective of the busy things that are going on in our province. In the 2002-2003 estimates the increase above essentially the budget requirement dramatically increased to hear and decide on significant increases in the number of property and linear appeals. As I mentioned earlier, the property appeals went from under 2,000 in 1998 to over 8,000, so it's almost like a 400 percent increase. I appreciate the hon. member recognizing that our board has not grown by 400 percent, in fact quite contrary to that, yet they are dealing with an incredible workload. I want to take the opportunity again to recognize their good work. Many are former mayors and councillors and people that are active in the community and want to serve in a public service way. Again I want to thank the chair, Gerald Thomas, and his staff, who do a very good job.

I want to say that it is a quasi-judicial body. We hear appeals on decisions of municipal assessment review boards. We hear complaints about assessments for linear property. We hear appeals on equalized assessments. We hear appeals on certain subdivision planning decisions, intermunicipal disputes, annexations, disputes between housing management bodies and municipalities, disputes involving regional service commissions, and any other matter referred by the minister or cabinet. So ultimately it has a huge responsibility. I want to say that, yes, it is an increase, but it's reflective of the very busy activity that Albertans are bringing to them. I think and I'm sure all members of this Assembly would agree without question that they are fair, that they will listen to all sides of the arguments and then make a decision in the best interest of all parties affected.

So with that, I'll take my seat, and I thank the hon. member for raising the question.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chairman. In the last few minutes remaining I would like to take this opportunity to make sure the minister knows that I value the work he does, and therefore I have some interest in asking some questions about his budget and the business plan. Most of the questions related directly to the dollar figures I think have been asked.

I have a question to the minister, Mr. Chairman, related to goal 1 in the business plan. It's goal 1.1.6, "Work with municipalities on challenges of climate change initiatives, including the reduction of greenhouse gases." Now, what I want to ask the minister about this is if he would tell me exactly what his plans are, what kind of resources he's committing, and if those plans are at such a stage of development that they are ready to be implemented. Maybe they are already being implemented. Where in the budget are the resources

allocated to addressing that particular commitment made in the strategy in goal 1?

5:10

My second question relates to key strategies.

Establish and support the Minister's Provincial/Municipal Council on Roles, Responsibilities and Resources in the 21st Century to clarify the government's working relationship with municipalities and support a mechanism to address major municipal-provincial issues.

Is this council already in place? The revision of some regulations that the minister has been circulating having to do with the ability of municipalities – it's the control of corporations regulations. Are the proposed changes, which we in the House spoke about and that we think threaten the ability of municipalities to manage their own affairs – I think the hon. Member for Medicine Hat had some concerns specific to Medicine Hat, but those concerns are broader, I think, and certainly relate to the situation in Calgary and Edmonton. Is that revision of the regulations going to go before that council? Is the council in a position to have public input on the discussion on any proposed changes to the regulations?

So those are my two questions. We have three minutes for the minister to answer, I guess. Thank you.

THE DEPUTY CHAIR: The hon. minister.

MR. BOUTILIER: Thank you. I thank the hon. Member for Edmonton-Strathcona for bringing attention to that. I would like to say on goal 1.1.6, climate change – and I want to apologize to the hon. Member for Edmonton-Centre because she also asked a similar question relative to this important initiative. I could give just one example of where we're working very closely with municipalities. As you know, Alberta is the only province that's developed Climate Change Central, which is, I believe, very important. It falls under the Minister of Environment's purview, and I know he has funding for that as well. I want to say that I had the pleasure of chairing the cabinet committee on climate change. I want to say that the best example is that in the town of Hinton, where the former mayor, Ross Risvold, was involved, who sat on Climate Change Central, they built a new town hall, and they were able to get funding through the regional partnership program to be able to make it the most energy efficient.

What's really interesting is that energy efficiency is the way of the future. When we have municipalities that are constructing, through the co-operation of the Minister of Infrastructure as well as the Minister of Environment, the funding there – if we have more efficiency in the long term, as we look out in the next 20 years, we're actually saving dollars because we're energy efficient. We're reducing greenhouse gases. So it's an important initiative that mostly falls under Infrastructure, and I know that our public service within the government of Alberta has reduced greenhouse gases substantially. Every ministry has a role to play. I might add, for the hon. member raising the point, that every Canadian has a role to play in dealing with the issue of climate change and global warming. It's everyone's responsibility, and I appreciate the hon. member bringing it to our attention. That's just one example of regional partnerships we've used.

I would also like to be able to say that under the roles, responsibilities, and resources council that was formed, this includes membership from the Alberta Association of Municipal Districts and Counties as well as the Alberta Urban Municipalities Association as well as the two big-city mayors, which are the mayors of Edmonton and Calgary, as well as . . .

THE DEPUTY CHAIR: I hesitate to interrupt the hon. Minister of Municipal Affairs, but pursuant to the understanding agreed to unanimously by the Assembly earlier this afternoon, I must now put the following question. After considering the business plan and proposed estimates for the Department of Municipal Affairs, are you ready for the vote?

HON. MEMBERS: Agreed.

Agreed to:
Operating Expense and Capital Investment \$133,081,000

THE DEPUTY CHAIR: Shall the vote be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I move that the committee rise and report the estimates of the Department of Municipal Affairs.

[Motion carried]

[Mr. Shariff in the chair]

MR. MASKELL: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2003, for the following department.

Department of Municipal Affairs: operating expense and capital investment, \$133,081,000.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I seek the unanimous consent of the Assembly to revert to Introduction of Bills to allow for the introduction of Bill 27, the Appropriation Act, 2002.

[Unanimous consent granted]

head: **Introduction of Bills**
(*reversion*)

THE ACTING SPEAKER: The hon. Minister of Finance.

Bill 27
Appropriation Act, 2002

MRS. NELSON: Thank you, Mr. Speaker. I request leave to introduce Bill 27, the Appropriation Act, 2002. This being a money bill, Her Honour the Honourable the Lieutenant Government, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 27 read a first time]

THE ACTING SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:19 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, May 7, 2002**

8:00 p.m.

Date: 02/05/07

[The Speaker in the chair]

THE SPEAKER: Please be seated.

head: **Introduction of Guests**

THE SPEAKER: Hon. members, before we call on the hon. Minister of Justice, in the galleries tonight are young representatives from throughout the province of Alberta who are with us in Edmonton this week as part of the Forum for Young Albertans. The gentleman that has co-ordinated this project on their behalf for nearly 14, 15 years, Mr. Blair Stolz, is with them. They've had a busy itinerary in the last two days and will have for the next number of days.

I want to thank all hon. Members of the Legislative Assembly who have taken time during their schedules during the day to meet with them, to participate with them. All hon. members should know that earlier today they were here in this Chamber. They sat in the desks of hon. members and participated in a seminar with the chairman, and this evening we had our annual opportunity to host them. Again, I want to thank the hon. members who were able to join with us and attend and to thank all of them for taking the time during this part of their school year to be with us. They are in grade 10, grade 11, and grade 12 from various parts of Alberta, and six of them were here a year ago to participate in Mr. Speaker's Alberta Youth Parliament.

A number of them have indicated that as the years go into the future, they would look forward to finding a suitable spot in this Assembly on behalf of various people in the parts of Alberta that they will be living in. So if you would join with me in welcoming them, that would be very nice.

head: **Government Motions**

Appointment of Information and Privacy Commissioner

25. Mr. Hancock moved:

Be it resolved that the Legislative Assembly concur in the May 2, 2002, report, part 2, of the Select Special Auditor General and Information and Privacy Commissioner Search Committee and recommend to the Lieutenant Governor in Council that Franklin J. Work be appointed Information and Privacy Commissioner for a five-year term.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. There has been a select committee of this House to interview and go through the process of recommending to us a new legislative officer for that position, and I think this House would be well advised to abide by the decisions of that committee.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. At this time, regarding Government Motion 25 to appoint as Information and Privacy Commissioner for a five-year term Mr. Franklin J. Work, I too would like to state that the entire Assembly should recognize the efforts of the committee, and I wish Mr. Work well in this five-year appointment. Certainly if this hon. member had his way, there would be an increase in the scope of the work for the Information and Privacy Commissioner. One always must remember

that there's a delicate balance between providing information and protecting the privacy of individual citizens.

Thank you.

[Government Motion 25 carried]

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: Good evening. I'd like to call the Committee of the Whole to order. For the benefit of those in the gallery I'll explain what the committee is. This is an informal part of the Legislative Assembly, and it enables members to ask an unlimited number of questions and to ask more than one time. They can be up and an answer can be given and they can go back and speak again, so they can speak an unlimited number of times. It is a vulnerable stage where it could take many, many, many hours or a brief time. It's where we deal with the clauses of a bill item by item and make amendments and that kind of thing.

The informality you can already see as a number of gentlemen have removed their jackets and that kind of thing. Also, as we see, people are able to move around, and if you're trying to follow your sheet, the members will not be where they're supposed to be except when they're speaking. We have a convention here in the Chamber that we try and remember to abide by, and that is that we only have one member standing and talking at a time. You can see the importance of that later on.

Bill 23

Municipal Government Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Well, thank you, Mr. Chairman. I'm very proud to rise today to speak on Bill 23, the Municipal Government Amendment Act, 2002. As the Member for Edmonton-Glengarry noted in his comments, the bill does reflect the wishes of stakeholders and will help to improve and strengthen the Municipal Government Act. The amendments outlined in the bill will provide a consistent standard of liability protection for municipal officials and for the municipal boxing and wrestling commissions and will improve the equalized assessment process. The proposed amendments provide a standard of good faith for liability for municipal officials and for municipal boxing and wrestling commissions. The proposed amendments also improve the equalized assessment process by eliminating the one-year lag between the preparation of the current year's municipal assessments and the preparation of the equalized assessments.

The Municipal Government Act is a legislative framework for municipal governments in Alberta and is viewed as one of the most progressive legislations of its kind across Alberta. The proposed amendments will help to improve that framework, sir. These amendments are based on consultation with the municipalities, the AUMA, the AAMD and C, and other stakeholders. Maybe I should say: AUMA is the Alberta Urban Municipalities Association; AAMD and C is the Alberta Association of Municipal Districts and Counties. I thank them for that valuable input. These are very, very valuable stakeholders in this process, and, sir, I really do want to end this by thanking the Minister of Municipal Affairs and his staff for allowing me to make these amendments here tonight.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I'm happy to respond in committee on Bill 23. As we see it, the highlights of the bill are that it changes some of the dates for filing property assessment information, and it will be for the year just past instead of the year before that, which is good. Now this is possible because information will be submitted on-line rather than on paper forms, which of course is also good. As much as sometimes we may complain about the increased workload we have from dealing with e-mails and on-line information, there are times when it is very beneficial, and this would be a good example of that.

We also agree with this bill making the amendment so that municipal employees, volunteers, councillors, and boards of directors for boxing commissions will be held to the same standard of performance in good faith as provincial and federal employees. A very important change, and one that we can support. This is one of those rare occasions when there's been a great deal of co-operation between government and the Official Opposition. We have had the time and the opportunity to consult with stakeholders, and they are by and large very supportive of this bill. So we are pleased to not only support this bill but to support a call for the question.

8:10

[The clauses of Bill 23 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

Bill 22

Tobacco Tax Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Chairman. I'd just like to respond to some of the questions that were raised with respect to second reading. One of the first questions in debate had to do with cigars manufactured in Canada being treated differently than cigars manufactured in the United States and asked whether that would raise an issue in North American free trade, and I'd just like to respond. There's no real difference in the tax treatment between the domestic and foreign cigars. The base price on which tax is calculated is the price charged on the first sale in Canada. In other words, in the case of cigar manufacturing in Canada that's the price charged by the manufacturer; in the case of foreign cigars it's the price charged by the importer. Since there's no difference in treatment, there'll be no challenges under NAFTA.

Another one was that the percentage increase in tax was different for cigarettes than loose tobaccos and cigars, and that's in relation especially with respect to loose tobacco and cigarettes. They would be increased to be the same rate per gram, so loose tobacco would equal the same effective tax cost as it would on cigarettes. That would be to discourage any switching from one form of tobacco to the other.

The other question was with respect to a wellness fund, linking the tax to a wellness fund in particular. This bill is in response to raising

the revenue. Our revenue sources aren't dedicated revenue sources. None of our tax policies are dedicated revenues; they're for general revenues of the government. For the smoking cessation programs you'd have to refer to the minister of health's programs in his department with respect to the Alberta Alcohol and Drug Abuse Commission.

I think I'll end my comments there. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. This Bill 22, the Tobacco Tax Amendment Act, 2002, is such a classic Conservative bill. They tell everybody that they're lowering taxes.

AN HON. MEMBER: And they are.

MS CARLSON: Through the front door, but through the back door they're increasing all these other head taxes and all the sin taxes that they just love to increase.

What are we talking about here? A hundred and twenty-eight percent on cigarettes, 183 percent on cigars, and 300 percent on tobacco. Everybody says: well, what does it really matter, because we want people to quit smoking anyway, so this is a good tax; right? [interjections] Yeah; clap. Go ahead. But the fact is, Mr. Chairman, that it does nothing to eliminate addictions, which is the basic problem with people once they start smoking. Do you think people want to pay 10 bucks a pack for smokes out there? No way. Lots of them that I have talked to have said that now with these increases, when there are two people in the family smoking, they're paying a mortgage payment just to buy cigarettes.

The best example I got was from our new member's constituency when I was out there in the by-election from a fellow who was working in a hardware store.

AN HON. MEMBER: You just wasted your time, then.

MS CARLSON: It wasn't a waste of my time at all. It wasn't a waste of time for any of the Liberals who were out there working, because you'd be quite surprised at the information we gathered. We had an increase in votes out there. There's a huge dissatisfaction with government and some of the really stupid decisions they've made in the last little while, particularly all the flip-flops, so don't tell me it was a waste of my time.

What this fellow said to me is that he and his wife smoke: \$300 a month for each of them. That's \$600. That's more than their mortgage payment. This fellow is working for a very low salary in the service industry, and they're having real problems making ends meet. I said to him: what should the government have done? He said: if they're serious about us quitting smoking to lower the health care costs, then what they should have done was initiated some kind of wellness program like making the patch available to people or other kinds of programs. That's what he said.

I think that's a great idea. That would be part of the solution to eliminating the health risk we have for everybody who is associated with smokers but particularly for smokers. What does this government do? No way. You talk to them about some of the solutions they could have if they're going to raise these taxes and put them into general revenue. We just heard from the Minister of Revenue, when someone said to him, "How come there isn't dedicated money then going to providing preventative programs for smokers?" he passes the buck, which is again a classic Conservative ploy in this particular government, and says: "It's not my fault. It's not my department. Talk to the Minister of Health and Wellness."

Well, in fact it is his responsibility, Mr. Chairman. If he's going to increase the taxes and he's going to see that there's a reason for the decrease overall in smokers, then it's his responsibility as a part of this government to see that the money flows through to the end use where it can do the most good. Perhaps this government's policy is not to have dedicated revenue and dedicated sources, but when you're picking the money out of the pockets of Albertans, then there are some instances when it's very important to dedicate that revenue.

I would suggest that gambling, alcohol, and cigarettes are prime examples of that. If they're going to increase these taxes, then we should see a subsequent increase in dollars dedicated to preventative programs and to elimination of health risks. This minister has the responsibility and, I would suggest, the ability to do that when they're deciding where money gets dedicated, and particularly given this minister's background, I would suggest that he get on the record saying that he's quite happy to do that. Two hundred and eighty-one million dollars in increased taxes they have received from this, and I do not see a corresponding \$281 million going to AADAC or to Health and Wellness. That's the challenge that we have for this minister to deliver to Albertans.

With that, Mr. Chairman, I will take my seat, and we can have the vote.

THE CHAIR: Before I recognize any other members in this debate, I wonder if we might have permission to briefly revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE CHAIR: The hon. Member for Calgary-East.

MR. AMERY: Thank you, Mr. Chairman. It's my pleasure to rise and introduce to you and through you to members of the Assembly Mrs. Janis Marz, the wife of the hon. Member for Olds-Didsbury-Three Hills. Mrs. Marz just came back from Spokane's Bloomsday. She is seated in the public gallery. I would like to ask her to rise and receive the traditional warm welcome of the Assembly.

Bill 22
Tobacco Tax Amendment Act, 2002
(*continued*)

THE CHAIR: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Chairman. After those provocative words, I deemed it necessary to stand on my feet and give my two cents worth as well, and it is not very often that I do stand on my feet with the bills.

Mr. Chairman, what I will say is that the \$600 per month multiplied by 12 is yes indeed \$7,200, but the health risks that these people are going through by smoking that one pack a day – a 20-pack a year cigarette smoker, for example, you can almost guarantee will develop lung cancer. The health care costs of that are included in the \$6.795 billion that we just voted on today on first reading of Bill 27, the Appropriation Act, 2002.

When you talk about preventative programs, take a look around North America. Those constituencies, those areas that have high costs of cigarettes have lower consumption, and that is proven time and time again, Mr. Chairman. I am certainly not one to advocate

higher taxes. I am one, though, to advocate higher taxes for cigarettes, and I commend the minister for bringing this forward.

8:20

MS CARLSON: Well, Mr. Chairman, then I have a question for this particular minister. Did he at the cabinet table suggest that all of this money be revenue dedicated to prevention and to elimination of smoking because that's where the money needs to go?

THE CHAIR: Hon. minister, I'm not really sure that you're the sponsor of this bill, but we'll allow.

DR. OBERG: I would love to speak again, Mr. Chairman. Cigarettes cause a huge toll on the general public of Alberta. They cause a huge toll on the health of smokers in this province. The amount of dollars that are spent on smoking-related illnesses – be it diabetes, be it heart attacks, be it lung cancer, be it ulcers; you name it – is astronomical. So to say quite simply that it should be spent on preventative practices is ignoring the whole cost of health care by cigarettes, which is to the acute health care system. When I was in active practice, if you could eliminate smoking, quite frankly you would have eliminated 30 to 40 percent of the reason people came to see doctors. This bill goes a long way in doing that.

THE CHAIR: The hon. Member for Edmonton-Highlands, and then we'll go to Edmonton-Ellerslie.

MR. MASON: Thank you, Mr. Chairman. I'd like to ask the Minister of Learning whether or not he feels that preventative programs are as effective as raising the price of tobacco and whether or not it wouldn't be a sound investment for the government to spend considerably more on preventative programs given the costs to the acute health care system that he has just outlined.

Chair's Ruling
Question and Comment Period

THE CHAIR: Hon. members, we have before us a bill entitled Tobacco Tax Amendment Act, and yes, some of these are debating points, but the minister responsible and who is supposed to answer is here. I know it's wonderful to be able to get the Minister of Learning into the debate. I did allow it before, and if the hon. Minister of Learning wants to take this on – but you're not obliged to. Okay.

MR. MASON: A point of order, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Highlands is rising on a point of order. Would you share with us the citation?

Point of Order
Question and Comment Period

MR. MASON: Standing Order 13(2) permits any member other than the person introducing or responding to the bill or closing on the bill to be asked a question. That does not simply apply to members who are not members of Executive Council, Mr. Chairman. Any member who rises except for the first, second, and last speaker is entitled to be asked questions by any member, and the chair ought not to be interfering in that.

THE CHAIR: Okay. What the hon. member is saying is absolutely correct. The new Standing Orders do permit that on second reading and third reading. This however, hon. member, is committee. In committee members are allowed to stand up for unlimited periods of

time. The rule that you're invoking really is only for the other two readings, and besides that, your citation was incorrect.

MR. MASON: I apologize, Mr. Chairman.

Debate Continued

THE CHAIR: The hon. Member for Edmonton-Rutherford on Bill 22, one trusts.

MR. McCLELLAND: Thank you, Mr. Chairman. I'll be very, very brief, to the comfort of everyone here. I think that it's very important to make the point that there is a very direct relationship between the price, the elasticity of cigarettes, and the take-up, particularly by the young. The opposition knows that and knows that full well. There are times when we know that the opposition must oppose for the sake of opposition. This may not be one of them.

MR. MASON: Now that I'm in sync with everyone else, Mr. Chairman, I'd just like to make a few comments. I did speak to this on second reading. I certainly do not disagree with higher taxes on tobacco, but I certainly do believe that the money ought to be going towards prevention. Given the state of this budget as a whole, I see this as nothing more than a tax grab and, as has been pointed out, from the lowest income group in our society. At the same time that the government is reducing corporate income taxes, as we well know, it seems to me that in this particular case it's not, as some members opposite would have us believe, simply a careful, well-thought-out plan to reduce the incidence of smoking and the related costs in our society. It's not, and I think that's the point.

The relevant point is that this is a tax revenue item. It is considered by the government to be a politically acceptable way to raise taxes after they've repeatedly promised that they would not do so. If it were intended strictly for the prevention of smoking, I'm sure that I would support it and I'm sure that other members in the opposition would support it, but that's not what it is. It's a revenue item. The government is desperate because it's put itself into such a terrible box with the fundamentalist fiscal policies it keeps following that give it no leeway: cutting taxes, no deficits, and lots of promises to the public about increasing program spending. There was no other way out for the government but to raise taxes on cigarettes. So let's dispense with the hypocrisy opposite, Mr. Chairman. This is a tax grab.

[The clauses of Bill 22 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.
The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I move that the committee rise and report bills 23 and 22.

[Motion carried]

[The Deputy Speaker in the chair]

MR. VANDERBURG: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 23 and 22.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: Government Bills and Orders Third Reading

Bill 2 Child and Family Services Authorities Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Speaker. I would move Bill 2, the Child and Family Services Authorities Amendment Act, 2002, for third reading.

The bill essentially, as has been discussed at second reading and in committee, provides for various amendments to the structure and operation of the child and family services authorities, and I would commend the act to the House.

8:30

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make a few comments about Bill 2, the Child and Family Services Authorities Amendment Act, 2002, at third reading. The object of the bill is really twofold. One, it gives the Minister of Children's Services more control over the authorities, and the second one is to actually reduce the size of the board of each authority. We've spoken in the past about the benefits I think of some of the amendments in this bill, Mr. Speaker. I think that the publicity that children's authorities have received in the last several months points out the importance of these authorities and how crucial it is that the government get it right in terms of the makeup and the operation of the authorities.

One of the questions we're continually faced with is: are those authorities effective in doing the kinds of tasks that were put under their purview in 1999? When we address this particular bill, I think we have to ask: will this make them more effective or simply more responsive to direction from the government? I think that on balance, Mr. Speaker, we would agree that it has the possibility of making the authorities more effective, and for that reason we're supporting the bill at third reading.

Thank you.

[Motion carried; Bill 2 read a third time]

Bill 4 Public Health Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's my pleasure on behalf of the hon. Minister of Health and Wellness to move Bill 4 at

third reading, that being the Public Health Amendment Act, 2002.

I think that all members here would agree that health care remains an intensely important part of our proceedings in our daily living, and it depends on very highly skilled and highly trained individuals to make it all happen. Using these individuals as effectively as possible will help meet a very growing and changing demand for health services in our province.

The Public Health Amendment Act before us supports an expanded and more flexible role for registered nurses. In particular, if I could highlight a couple of points, Mr. Speaker, it creates the formal title of nurse practitioner, and it provides authority to make regulations on training, experience, or conditions of employment. I might add how appropriate it is to see third reading of this bill at this particular time given that we are celebrating Nursing Week throughout our province. I wear their badge on my lapel very proudly, as I promised Sharon in my office I would, and I say that because I have many friends who are in the nursing profession and I know how reliant we are upon their services.

Mr. Speaker, to make sure that nurse practitioners have the supports they need, this legislation sets criteria that employers must meet instead of simply listing who can be an employer. Health region CEOs and nurses themselves support these amendments, and this is a very positive step for both rural and urban health regions. I know that we are all very pleased to provide Alberta's registered nurses with opportunities to take on expanded duties, and other health professionals can also look forward to welcoming more nurse practitioners to the health care team.

So on that note, Mr. Speaker, I will cede the floor and look for everyone's support of the Public Health Amendment Act, 2002.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. As we have at the various other readings, we will be supporting Bill 4, the Public Health Amendment Act, 2002. Besides the definition changes that we heard about here, the main change in the bill introduces moving restrictions on who can employ nurse practitioners out of the act and into the regulations.

Moving this requirement out of the act and into regulations could be seen in two ways. In the first way, Mr. Speaker, it ties in with recommendation 11 of our own discussion paper, Making Medicare Better, which states that "the Alberta government should act quickly to ensure that all health care professionals can fully utilize their training and expertise."

In Alberta we are not making the best possible use of our medical professionals; that's well known inside and outside of the industry. These amendments could be seen as a positive use of these professionals, positive by allowing more flexible work arrangements for the nurse practitioners, better use of multidisciplinary teams in clinics, which we have asked for for a long time. Up until now nurse practitioners have only been able to work in areas designated as being under service by Alberta Health, and proposed changes to the regulations could help ensure that these nurse practitioners are better utilized, something we have called for for many years. According to government documents proposed changes to the regulations will allow other organizations such as nonprofit community groups to directly engage nurse practitioners, which of course will be positive on a cost perspective.

The amendments could also be seen as negative for the public health care system. Moving into the regulations the requirements on where nurse practitioners can work takes away some of the legislative oversight we would have over these issues as opposition, a group that is left out of the regulatory process. Moving more power

out of the legislation and into regulations can be seen as negative, and we have seen often in this Legislature, Mr. Speaker, that the devil is in the details, and those details are in regulations. We see the nonpositive effects of those regulations and their impacts consistently on legislation that goes through this Assembly.

We will be supporting the bill. However, we are putting up a red flag to say that we will be watching to see what comes through in the regulations and will be certainly kicking up a fuss if we see something happening down the road that isn't supportive to Albertans, to the profession, and to health care in general.

Thank you.

[Motion carried; Bill 4 read a third time]

Bill 5

Interjurisdictional Support Orders Act

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a pleasure to rise today to move third reading of Bill 5, the Interjurisdictional Support Orders Act.

I consider this proposed legislation to be of great benefit to all Albertans and specifically to Alberta's families. I have seen situations where a former partner, a parent, or, most sadly, a child goes without the support they deserve because the person required to pay support resides outside Alberta. I've also seen frustrated payers of support who feel that the amount of maintenance they pay should be reduced but who must wait up to two years for a variation application they commenced to be heard in Alberta, a provisional order to be granted, documents to be transferred to the recipient's jurisdiction, a confirmation hearing to be conducted there, and the final confirmation order to be returned to Alberta, all before their support amount can be decreased or their arrears reduced, as the case may be.

I understand, Mr. Speaker, that in September 2000 Canada's ministers responsible for justice unanimously approved an initiative to strengthen the enforcement of child support payments when the parents are living in different jurisdictions. They adopted an interjurisdictional maintenance and enforcement protocol aimed at ensuring that provincial and territorial borders are not barriers to child support. In November 2000 Canada's deputy ministers responsible for justice considered and approved a model interjurisdictional support orders act to be implemented by all Canadian provinces and territories. In August 2001 Canada's Premiers agreed to pass their respective versions of this act within one year.

8:40

As one can see, Mr. Speaker, Bill 5 is the result of a series of commitments by all of Canada's jurisdictions to harmonize their reciprocal support order legislation in order to assist Canadian families: parents and, most importantly, children. Given Canada's increasingly mobile population, I'm very happy to see Alberta move so quickly to realize this important objective through the implementation of Bill 5. When the establishment or enforcement of a support order is delayed, parents and children can suffer serious economic hardship. They may also find it necessary to rely on government assistance in that interim.

In reading Bill 5, I am confident that the Interjurisdictional Support Orders Act will make the ability to obtain, vary, or enforce a maintenance order faster and easier. By reducing the number of court hearings in most cases from two to one, I suspect that much of

Alberta's court time and courthouse resources will be freed up so that they can deal with more important matters. Indeed, a courtroom, a court clerk, and a judge will only have to be booked for support applications coming into Alberta. Outgoing applications would only involve the completion of an application package forwarded to the other jurisdiction for a hearing there. If court resources are no longer needed for up to half of the reciprocal support cases under provincial legislation that now require two court hearings, this will mean that documents will be able to be transferred more quickly between jurisdictions and matters will be able to be heard more readily. I should also mention the possibility of non support-related matters being resolved more quickly as a result of this newly available and created court time.

Mr. Speaker, I also think that Bill 5 is very well conceived, because it preserves the ability of both parties to have their evidence heard before the court. Claimants and applicants get to put their case forward in their paper application, attaching legal authorities and their sworn evidence. Respondents have the opportunity to appear in court to convey their side of the story. Further, courts have the ability to request further information from either party if they require it to grant the most appropriate and beneficial court order.

Mr. Speaker, I've also noted Bill 5's appeals mechanisms and its requirements for judges to give reasons for refusing to grant or vary a support order or for declining to set a foreign order aside. These provisions further ensure justice and fairness in all matters of interjurisdictional support.

I am confident, Mr. Speaker, that the streamlined procedures of the Interjurisdictional Support Orders Act will achieve the efficiency that Albertans have been seeking when they are involved in matters of support with someone outside the province. Quite clearly, orders granted in other Canadian provinces and territories should be given priority equal to orders obtained in Alberta. Why should an Albertan have to wait to have their order enforced or face any other obstacles just because their order happens to be from, for example, Newfoundland, Northwest Territories, Prince Edward Island, or Manitoba? I appreciate the way that Bill 5 has removed the need for people in those types of cases to wait 30 days before their order may be enforced. Waiting 30 days just means that arrears can accumulate under that court order. Quite simply, the faster a court order may be registered and enforced, the faster the parents and children get the support they require to meet their daily needs.

Mr. Speaker, national co-operation is crucial in matters that involve the well-being of children. I am glad that Canada's 13 jurisdictions have come to an agreement to pass virtually identical legislation in the form of their interjurisdictional support orders acts. It is encouraging to know that the principles and mechanisms for reciprocally obtaining, changing, and enforcing support orders will be essentially identical across Canada: only one court hearing in most cases, fewer delays in transferring documents between jurisdictions, fewer costs to the parties involved, and faster enforcement of all Canadian maintenance orders.

It is also very encouraging to see Alberta so committed to co-operating with other jurisdictions in matters of spousal support and child maintenance. I see in Bill 5 the possibility for further co-ordination in such areas as the creation of application forms, service of documents, the translation of documents, and the conversion of support amounts granted in foreign currency.

In brief, Mr. Speaker, Bill 5, the Interjurisdictional Support Orders Act, is a very beneficial piece of legislation because it improves and simplifies the way that individuals can obtain a court order under provincial legislation and the way that both payers and recipients can vary an existing order because their circumstances have changed.

This legislation will be welcomed by my constituents and indeed by all Albertans.

I know, Mr. Speaker, that there was great support for this bill in second reading and in Committee of the Whole, and I encourage all members to support Bill 5 in third reading, as I have no hesitation in supporting this piece of legislation. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you. I'm pleased on behalf of the Official Opposition to support Bill 5, the Interjurisdictional Support Orders Act, spring 2002. The objective of the bill is to improve the process for obtaining and varying support orders where the claimant and respondent live in separate jurisdictions. [interjections] I thought we'd say it maybe four times, Mr. Speaker.

At third reading we of course return to the principles of the bill, and I think that that's appropriate. The principles here are important ones, indicating that no matter where you happen to live, that shouldn't be an impediment to you seeking the kinds of orders and relief that you require in terms of the cases you're involved with and that you shouldn't be hampered by jurisdictional requirements in terms of seeking relief in support orders.

So I think the principles that are underneath the bill are sound principles. It should make it easier for claimants to obtain an initial support order from reciprocating jurisdictions. It streamlines the court proceedings. It makes them more efficient in processing applications, and it's extremely important that it be consistent with legislation in other jurisdictions.

With that, Mr. Speaker, we'll be supporting Bill 5.

[Motion carried; Bill 5 read a third time]

Bill 6 Student Financial Assistance Act

THE DEPUTY SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It gives me great pleasure to move third reading of Bill 6.

This is a very good bill that allows for further harmonization with the federal government on student loans. It also allows for direct lending on student loans. I will say, Mr. Speaker, that this has been brought into the House after a considerable amount of consultation with the student bodies, and I will say that all the student bodies are in favour of this bill.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. We appreciate the opportunity at third reading to speak briefly to Bill 6, the Student Financial Assistance Act. As the minister has indicated, this is a bill that has wide student support. It's a good move in bringing student loans under one roof and making the province the financing agent to be responsible for agreements for financial assistance to students, and it gives the minister the power to I think make the loan system a better system and to respond to student needs more appropriately.

As we have from the beginning, Mr. Speaker, we will be supporting Bill 6.

[Motion carried; Bill 6 read a third time]

8:50

head: **Government Bills and Orders**
Committee of the Whole
(continued)

[Mr. Tannas in the chair]

THE CHAIR: I'd call the Committee of the Whole to order.

Bill 26**Workers' Compensation Amendment Act, 2002**

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you very much, Mr. Chairman. It's with a great deal of hope and anticipation that I rise to speak in committee on Bill 26. It's been a long time coming, and before I get into the actual clause by clause, I need to make a few comments with respect to this bill, because it is in essence some of the clauses of this bill that I find that some injured workers are asking me questions about. They don't necessarily understand the intent, so I wish to make a few comments with respect to that.

Having worked on both of these committees, I want to begin by thanking the Minister of Human Resources and Employment for having taken I guess the pleadings of MLAs throughout the province from both sides of the House and having looked at doing reviews that in essence today are leading to their logical conclusions in this bill that we are discussing in the House tonight. I wish to thank the minister very much because I recall that when I first got elected, I think one of the first things that I got involved with in 1993 was some WCB claims.

I can certainly remember at the time not knowing exactly where I was coming from and where they were coming from, and essentially I had to make a somewhat hard decision by saying to injured workers, "Look. I'll do what I can for you until the day that I find out that you're lying to me, and then it's over." Some of those injured workers did not come back, but those who did – and I've been working with them for years – were telling me the truth all along. So I want to thank the minister very, very much for the opportunity to speak to this legislation tonight, and I want to thank everyone who worked on both of those committees to make these changes that we are trying to make to the WCB Act a reality.

I want to express a very special thank you to Judge Sam Friedman, who chaired the appeal system review and who taught us a great deal about fairness and gentle persuasion. I also want to thank the hon. Member for Red Deer-South, who chaired the other committee, as well as all the committee members and all of the people who participated and who I think did a great job of defining precisely where some of the problems are that we're trying to address in this legislation.

But I have heard from a number of injured workers who are not too impressed with this legislation. They have concerns with the clauses that we're discussing this evening, and they want to see specific changes or specific clauses that address each and every recommendation that was made and that was accepted by government. To my knowledge – and I've been involved in every stage of developing this legislation – all 45 or so recommendations are being addressed. Some are being addressed in legislation, some are being addressed in regulation, and some are being addressed by policy statements. So for those injured workers who do not see all 45 or so recommendations falling directly into clauses of the bill, that's the reason. It's because not all of it can be addressed in legislation. Some can be addressed in regulation and some through policy statements.

As I understand it, the only recommendation that is not being addressed in this WCB Act is the WCB authority, who were proposed to be a body between the board and the government, and they were to monitor the implementation of the recommendations that were made by both committees. That is not being recommended anywhere in this legislation. So here I have to suggest to the hon. minister that there is a need to monitor the progress of the changes because organizations do what is measured and don't necessarily do what isn't measured. So, Mr. Minister, I urge you to announce how you intend to monitor how well the WCB are implementing the recommendations of both of these committees.

One of the biggest concerns that is being addressed is the concern about medical panels and how to implement medical panels. I had the honour and pleasure of meeting just yesterday with Dr. Ohlhauser, the former registrar of the College of Physicians and Surgeons, to try and understand the process that he is implementing with respect to medical panels. I've got a lot of respect for Dr. Ohlhauser, because in my nine years here I've dealt with Dr. Ohlhauser a number of times and I've found him to be up front, forthright, and a man with a lot of energy to do the right thing. He answered all of my questions, and I'm confident that he is putting together a framework for medical panels and building a system that will be evidence based, impartial, timely, and fair.

One of the other issues with respect to medical panels was this whole issue of something called independent medical examiners. There were a number of people who would relate the extent to which an independent medical examiner would spend some time with them when they were sent there by the WCB to have an independent medical examination. Many people would say: well, you know, I talked to the doctor for a few minutes, and that was it, and he wrote a report. One of the things that's happened since then is that the College of Physicians and Surgeons have put out a document called Medical Examinations by Non-Treating Physicians; NTMEs they call them. So there are no longer IMEs.

This is a protocol that essentially outlines what a physician needs to do when engaged to do a nontreating medical examination. This I believe should be of interest to injured workers, because exactly what needs to be done with respect to independent medical examinations is now published. So that's another major improvement that has occurred as a result of all of this work that all the members in this Assembly and in the committees did. This will help to ensure that best practices are followed with respect to the future of each individual that goes through a medical examination.

One of the interesting things that was also recommended by the committees was an alternate dispute resolution process, and the recommendation that came about through I believe the appeals committee was to bring early resolution to claim difficulties. As we understood it at the time, other jurisdictions had implemented processes that essentially provided a mediator very early in the dispute to look and see whether or not early resolution of the conflict could in fact occur without having to go to an appeal. Those jurisdictions, some of which are in Australia, have had phenomenal results with this sort of alternate disputes mediation process. What has happened is that there's been improved worker satisfaction and there have been fewer appeals, all resulting in lower costs of claims.

9:00

That is what was proposed. That's not exactly what's happening. The WCB is currently doing an early resolution initiative, which is a pilot project. I'm not going to stand here and suggest that there's anything wrong with it, because I think it's too early to determine whether or not this particular pilot is going to work. All I do is applaud their initiative to try and come up with an early resolution

initiative that will work in the province of Alberta. Again I urge the minister to monitor the progress of this pilot, and without putting a body in place to do that, it's going to be very difficult to see just exactly what progress we're making.

Another major issue that injured workers were concerned about was the accountability to the courts. In this act we are broadening the privative clause to allow an appeal to the Court of Queen's Bench on a question of law and jurisdiction, which is considerably better than what existed, because what existed was something that had to be patently unreasonable. I'm not a lawyer, but if you talk to lawyers, there are very few of those cases that ever succeed. So this again should be an encouragement to injured workers because of the accountability that is being put in this act.

The last thing I want to speak about is long-standing claims resolution. As you know, there are still a number of issues with respect to that. The minister has asked the hon. Member for Bonnyville-Cold Lake, the Member for Calgary-Cross, and myself to try and bring some consensus with respect to that process. I just want to share with you that I believe that what has happened is that employers have quite correctly reacted to misinformation. Initially there were rumours that there could be up to 24,000 such claims, that this could cost – I've seen numbers all the way up to a billion dollars, but \$250 million is one of the numbers that was bandied about. I can't blame employers for being a bit nervous with respect to that, but there's been a lot of work done since all that was brought into place, and I think that we need to sit down with employers and discuss the facts from the perspective of good, solid research that's been done since these rumours first began. It's my view and it certainly has been my experience that when you sit down with an employer and you discuss the reasons why we need to look at outstanding long-standing contentious claims, the reason always is that some claimants were denied natural justice. When people understand that that's what we're dealing with, they all say: gee, if I had known that that's what you were dealing with, I wouldn't be opposing this.

So I believe, Mr. Chairman, that as this committee does its work, we will find that employers care about their workers. I believe that employers will understand that this is not about getting a number of files off our desks; it's about doing what's right.

Thank you very much, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's a pleasure to participate in debate this evening on Bill 26, the Workers' Compensation Amendment Act. I certainly have been receiving a great deal of feedback from supposedly, as they're described, stakeholders from across the province, not only from injured workers but from industry, so I can effectively say from both employers and employees. There are reservations about this bill expressed by both parties.

Now, the hon. Member for Calgary-Egmont stated that every recommendation as discussed by retired Justice Samuel Friedman, by the hon. Member for Red Deer-South, and by various other groups, which so far in this debate have not been mentioned, who participated in this consultation process have been incorporated into the legislation or the regulations that are to be proposed. I don't know how this can occur. Certainly, if it's not there, then it will be in the policy at the WCB. There are many individuals who are expressing the opinion: no, what's in this bill was never discussed. Whose wish list is this bill? This member certainly does not know.

When we're looking at this item by item, line by line, as we must thoroughly do during committee, we cannot do this in haste. We

cannot pass this legislation in a cavalier fashion. We must have a good look not only for ourselves but for employers and employees. This is a major piece of legislation. It has been a long time in the making. With the consultation process and with the studies that have been done, I'm disappointed with this legislation. I think that instead of making less visits to respective MLA offices regarding injured workers and their lack of treatment by the WCB or their perception that they are not being treated in a fair and equitable fashion, this bill is going to increase the traffic. It's not going to reduce it. Whether it is another three years or another 12 years representing that fine area of Calgary, I think that the hon. Member for Calgary-Egmont will eventually conclude that there are several major flaws in this bill.

Now, it's going to take a while to go through this, and it is this member's view that it's going to take a considerable amount of work and effort to improve it, because we just simply cannot pass this legislation as it stands. There are just too many deficiencies in it. We must take our time and we must have a good look at this and we must do the right thing.

Calgary-Egmont suggested to the hon. Minister of Human Resources and Employment a process to monitor the progress of this bill, and the first thing that would come to my attention is: why then would we reduce the amount of time that the board of directors is to meet? This legislation is going to allow the board of directors to meet perhaps, if they so desire, quarterly, every three months. If we were to have an effective monitoring process of this bill, then one would have to consider demanding that the board of directors – this is a billion dollar outfit – should be meeting on a monthly basis, not reducing the amount of times that they are to meet. How are they to monitor the progress of this legislation if they're to have four meetings a year, one of which is going to be the annual general meeting? I don't understand that, and I am astonished by that proposal. This is, as I said before, a billion dollar outfit. I think it needs hands-on leadership, and that has to be provided by the board of directors. If they're not meeting and communicating with one another on a monthly basis, then I don't understand how this can be done.

9:10

Now the Appeals Commission: as I said earlier, in second reading, if this were the only change that was to be made, then perhaps it would be acceptable. I don't know why we have to give the WCB intervenor status with the Appeals Commission. Surely we can have faith in the Appeals Commission. This notion that the board can "make representations, in the form and manner that the Appeals Commission directs": I can't understand why they should have that right to intervenor status. Now, perhaps in the course of this debate my mind can be changed, but we need to wait with the Appeals Commission. I can see how people would want to wait and see how the Appeals Commission deals with their new powers here, because there are some new powers. But binding the Appeals Commission, as suggested in 13.2(6)(b), where the Appeals Commission "is bound by the board of directors' policy relating to the matter under appeal": if the hon. minister could explain why this is happening, I would be very grateful.

Further on here: "The Board is bound by a decision of the Appeals Commission." I have to question: what will happen to the board if there's a breach of this? Is there a penalty? If so, what is that penalty to the board of the WCB? The idea that one can go "to the Court of Queen's Bench on a question of law or jurisdiction": how is this the same as the privative clause discussion and the suggested amendment that was provided in Justice Samuel Friedman's report? If the hon. minister could explain that, I would be very grateful.

Further on here, the “consensual resolution process” I think is a good idea. It will be certainly a less expensive way to deal with issues.

But there are other things further on here that in my view are not very good ideas. When we go through this and we get to the section dealing with “persons deemed workers,” my interpretation of this is that we are excluding small subcontractors. I thought everyone was going to be included, as I understood it, because certainly if you have someone who is injured or unfortunately killed on the job who was working as a subcontractor and was a principal of a company, then that allows a steady parade to the courts. I thought that with this we were going to clean that up. We need to clarify better or more distinctly who is a worker. I’m of the opinion that small subcontractors should not be allowed on a site unless they have WCB coverage regardless of whether they’re a principal of the company or not. A clarification on that certainly would be appreciated.

Now, we all are aware of the change in the family farm. Certainly the growth of the corporate farm in Alberta has in the last 10 years been significant. It would be this member’s view, Mr. Chairman, that it should be specific regardless of where one works, that if one is paid a wage, then there should be some WCB coverage. This would certainly exclude the family farm. But I was horrified, as was a large percentage of the Alberta population, when two employees of Drain Doctor were gassed and unfortunately died on the job on, as I understand it, a corporate farm. How is this legislation going to deal with events like that in the future? The last I heard, the families of those two deceased workers were going to have to pursue some sort of resolution through the courts.

There has been case after case after case in this province of farm workers without WCB and without any form of coverage. They’ve been injured on the job, and now they’re living very modestly on some other income support program, most of the time off the farm that employed them. How is this legislation dealing with their predicaments? I don’t believe it is.

The time limit for claims, the notion that this is going to be for two years, section 26(1): I can certainly support that. But if it’s good enough there, why is it not good enough at the claims adjudication level? Now, certainly section 46(1) currently states:

Where a person has a direct interest in a claim for compensation in respect of which a claims adjudicator has made a decision, that person may, within one year from the day the decision was issued by the claims adjudicator, seek a review of the decision by

a review body appointed under section 45. That will be the new review body. It’s reflected there. But if it’s good enough over here, the time limit for claims at two years, why is it not good enough also in section 46?

Now, spin-off companies. What studies have been done to evaluate the cost of this to premiums in this province? Within the meaning of section 134, does this include spin-off companies of, say, a construction company in this province? Can they use cheaper WCB rates in Alberta to operate in, say, Chicago, Illinois, at a construction site? Perhaps the accident rates are much higher in Chicago, Illinois. How is this going to work? Is this going to be a subsidy to certain Alberta companies? Are we going to find that small businesses in this province are going to wind up subsidizing the payrolls of large multinational corporations?

9:20

We look at the oil well servicing industry in this province, and we recognize that many of these companies have international offices and deal with many different countries. I would remind all members of this Assembly that regardless of where you go, there are different

sets of occupational health and safety rules. Some would be stronger than we have here; in Norway, for instance. The Soviet Union, I would suggest, has very few. How is all this going to work? Who is going to pay for this? What cost-benefit analysis if any has been done on this amendment? My interpretation of this is that this could turn out to be a gigantic subsidy paid for by small and medium-sized businesses in this province to the big shots. Now, if the minister could clarify that for me at this time, I also would be very grateful.

Certainly there is section 33, notice by employer. I have some things to say about that, but I will do that later on, Mr. Chairman.

Now, at section 33(1)(c), to be specific, I think we need to clarify again the difference between first aid and medical aid. My question to the hon. minister would be: what is first aid as determined by the board in comparison to medical aid? That definition could lead to a lot of disputes: “Oh, I didn’t report it because, well, it wasn’t medical aid. I thought it was first aid.” I can hear all this now. I think there has to be a specific definition for this, the reporting of both first aid and medical aid. I think it could certainly solve a lot of issues that this member sees developing in the future.

Now, the medical panels. This in my view is not what was discussed. The role, again, of the GP: how are they going to be able to get involved? There were recommendations in both the Friedman report and the report from the hon. Member for Red Deer-South. I would appreciate a clarification on this as well. Certainly when we see that the medical findings of a medical panel are binding on the board, the Appeals Commission, and all other persons with a direct interest in the claim, that in my view is completely usurping the authority of the Appeals Commission. This needs further explanation as to how this is going to work. At this time I cannot see that working.

Again, the rate stabilization reserve has been struck out, and I think this is just a lame excuse for the WCB to plead poverty and not pay claims out to the frustrated injured workers, the contentious long-standing claims. I think this has been done on purpose. There’s no other reason why this fund was initiated and then canceled.

Thank you.

MR. DUNFORD: Perhaps just as we go along here, I will provide some explanation so that we keep ourselves focused. Some time ago – and I don’t remember the exact date – it had been my practice to get together with opposition critics to go over the sections of a bill that I would be bringing forward, so I want to make sure that that conversation wasn’t lost on the hon. Member for Edmonton-Gold Bar. There are two types of amendments that are in Bill 26. There are those amendments that are dealing with the Friedman/Doerksen reports and with what we are trying to do through a series of symposiums and feedback from the industry as it pertains to some issues as to an injured worker trying to deal with their particular appeal. So we’ve contemplated things that would happen inside the WCB. We’ve contemplated things that would happen with a more independent system. We’ve contemplated things that would happen with a medical panel pilot. We’ve contemplated things that would happen in the courts.

A couple of the amendments the member seemed to raise issue with, and that’s fine. I just want to remind the hon. member that these were amendments that were provided to us by the WCB with the assertion that stakeholder support was behind those amendments. I’d made it very clear that I was not willing to accept an amendment from the WCB that was beyond routine or beyond the agreement of the stakeholders that the WCB has to respond to, primarily of course employees and employers. In working with some of these, such as the fact that it doesn’t extend itself to farm workers, I think it should

be patently obvious, then, as to why it's not there. As far, then, as the first aid definition and medical panels, again these are amendments that have come forward from the WCB with stakeholder support.

The question has been asked: why would we provide the opportunity for the WCB to intervene at appeals? It's really quite straightforward in my view, and that is that if you're going to take something away, you have to consider how you then give back so that the situation can be handled. One of the things that we heard from injured workers from the get-go, from the first time that I ever dealt with an injured worker in my MLA office and certainly the first time I ever dealt with an injured worker after I was called upon to be the minister of this portfolio, was: how was it that the Appeals Commission could make a decision but that because of section 8(7) of the current act, the decision basically could be turned around and almost as if it were at the whim of the WCB? So a very, very major amendment to the current system is the fact that section 8(7) disappears from the act. I'm sure that all hon. members and especially the hon. Member for Edmonton-Gold Bar will agree with that.*

In order to do that – of course, it dealt with the fact of matters of policy – if you're going to not provide the WCB, then, with the opportunity to automatically reverse a decision because they're concerned about a policy issue with what the Appeals Commission has determined, there has to be another outlet for them. You complete the circle. So we now provide the fact that the WCB can make representations on such matters.

9:30

The second item, as I was listening, that the hon. member talked about was worker definition. Again this is a WCB amendment provided to us with the agreement of stakeholders, but as I understand it, it was to simply allow that small contractor the continued choice that he or she currently enjoys.

In terms of time limits the hon. member will recall that it was in this House where in terms of the statute of limitations we went to a basic time period of two years, so on the principle of making an appeal, it was deemed necessary, then, for us to provide the same opportunity to injured workers as we would to any other citizen of Alberta in bringing a matter forward. So that is there.

I don't know that it was even subtle, but the hon. member was talking about how it's going to take so much time to get through these amendments, and I have as much time as the hon. members, and we'll follow their particular lead on this.

I was talking to another hon. member and missed some of the questions during part of his discussion, so I'd invite him to bring those up again. To this point I've dealt with what I've been able to hear and concentrate on. Thank you.

THE CHAIR: The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Chairman. I rise to speak to the Workers' Compensation Amendment Act, 2002. I guess we have to start and look at the parts of the act now that we've talked about the process of getting things in place. When we deal with the specifics of how we're going to see some of the different phases or the different parts of the act actually put in place, you kind of question the good parts of it that are there, and some of them are going to be a significant improvement in the way the WCB works, but others probably raise just about as many questions about the process as we see being solved by the rest of it. So, you know, you have to balance out what parts of the act will achieve the fairness and the opportunity for both the workers and the employers as they deal with the crises or the issues that come up.

I think we have to look at it from the point of view of kind of the overview. The first part of it starts to talk about the new approach, the new system that they're going to set up. They talk about increasing the openness of the WCB, and this is going to be done through a series of annual meetings, but when we start to look at what's going to happen there, it's really basically a presentation of an annual report much more than really a debate of the kinds of things that need to be done to improve or change or refocus the WCB. So you question whether or not it's really going to achieve the two-way dialogue that's necessary to keep the WCB responding to the concerns both of the employers and the workers, whether regular on-site workers or the injured workers that are in the claim process.

What we're going to have to wait and see, then, is whether or not this actually does build into a constructive process at these annual meetings. If it's just going to be a presentation of the annual report, you know, kind of a report from the WCB about what they've done without the opportunity for that second feedback, then it does in effect create some opportunity for increased openness, but it's only an information flow out from the WCB as opposed to any kind of constructive dialogue that could lead to the board being proactive in dealing with changes. I guess even if there is a question period at the end of the annual meeting, that might even facilitate some responsiveness and that would be better than what we've got now.

The other part of that accountability that they talk about is in the context of how they're going to have a review or an audit by the Auditor General. Now, this is an extension of what came out of the reports where they were talking about outside audits, and now we're seeing the Auditor General being the one designated to do that. I think that's probably as good a relationship as we could ask for, because it's the Auditor General's function to basically deal with both the financial audits and the performance indicator audits of the government, and given that the WCB has that relationship through the minister, we might as well have the same consistency and process. So I think that will probably improve the operation, at least the perception of accountability.

Now, an issue comes up here, Mr. Chairman, in terms of all of the same issues that we run into every time we have a report come from the Auditor General in the sense that they go through and say that they find the operation of the agency or the ministry being consistent with the guidelines and with the performance indicators, but in other cases you'll see where there'll be a series of recommendations, and what you end up with is those recommendations coming back year after year after year because the minister or the agency doesn't respond. So I think that if we're going to make a commitment to even having the Auditor General expend the resources that are associated with the kinds of audits that they do, where they look at the broad perspective of both the financial and the performance indicator aspects of the agency, we'll have to make sure that there's a commitment both from the board and from the minister that some degree of legitimacy is going to be given to those recommendations, that Albertans can feel confident that those recommendations from the Auditor General will be given a good hearing and a good possible review as to whether or not they will improve the operation of the WCB.

This goes in, too, to the sections that talk about – and I guess this is more in the minister's promises than it is in the wordings of the bill – the performance measures that are going to come out through regulation, and this is going to be an interesting exercise to watch as we go through this. You know, the minister keeps promising that this kind of accountability will be there, but we see that in a lot of the other agencies and ministries there are performance indicators that are not based on a causal effect, you know, in the sense that the

*see page 1224, left col., para. 6

performance indicator measures a broad spectrum of the activity but they don't really deal with it in the context of the response to initiatives by the agency.

So what we're going to have to deal with here in terms of performance measures is making sure that we're dealing with the degree to which workers get back to work in a reasonable, specified period of time in a healthy way whether or not there are secondary effects caused by the primary injury. These are the kinds of things that we have to look at, because the main objective under those performance indicators has to be: is the worker properly looked after and does the worker get back to work in a healthy condition? All of that has to be done in the context of the premiums that are charged to the employers, but the primary part of that performance measure has to deal with the productivity of our employer/employee relationship, and that's making sure that employees stay healthy and, if they are injured, return to work in a healthy condition quickly. That should be the objective. So those have to be kind of the grass roots of the performance measures that come out of here.

9:40

Just talking about whether or not Alberta's premiums charged to an employer class compared to another province – Mr. Chairman, to me that wouldn't be a good performance indicator, and we've got a lot of the ministries that use those kinds of sounds good, feels good but doesn't mean anything type of indicators. I would hope that the minister takes some real initiatives here to make sure that these indicators that will be put in place do develop a true relationship with what the mandate of the WCB is; that is, making sure that any Alberta worker that is injured gets back to work, gets proper care, and doesn't have any secondary issues coming out of the injury that they suffered in the workplace. We have to make sure that we do that. You know, talking about performance indicators and having an auditor look at the relationship between performance indicators doesn't really mean very much, because all you're dealing with is a transitory change in something that may not really reflect the mandate of the WCB. So we'll be watching very closely to see whether or not those indicators or the performance measures that they put in place do really reflect what we perceive as the mandate of the WCB.

We're also looking at sections of the bill that deal with improvements in decision-making of the board, and some of the other members have dealt with those a little bit.

One of the big issues that comes up a lot when we deal with WCB cases in our offices, when an injured worker comes in, is the relationship between what their doctor is telling them, what the WCB medical staff are diagnosing, and how that works into both a treatment program or in the case of a denial into an appeal process. I would suggest that some of the changes we're seeing here, where the employee's medical team, if you want to call it that, will potentially have a more active role in determining the outcome – I think this has a lot of opportunities to really build confidence with the injured worker and build confidence in the medical community that right now is very frustrated with the way the WCB is handling their patients.

If we look at some of the options that are being proposed, the fact that the medical opinions of the workers will have more significant input I think is going to have to be tested with time, and we'll see how that really does come out, especially when we get to the appeal processes where these kinds of situations that we've heard on a number of occasions in the past have really raised a lot of concerns by the injured workers about whether or not there is a fairness there in the context of their medical team saying that this kind of injury is there, that it resulted from this kind of an accident, and that this is

the treatment process or the treatment regime that should be put in place to help the worker, yet we have the WCB saying no. I would ask here – and I don't see it quite there, but again it's one of these things that we'll have to find by practice – what the role is going to be between the infamous pre-existing condition that has come up so many times when we've had cases come to our office.

I guess here, Mr. Chairman, if we're going to continue to rely on this kind of an out, I guess, for the WCB, what we then have to make sure is that in effect if we're going to say that pre-existing conditions do have a role to play in whether or not complete treatment is provided, then we better be looking at the possibility of dealing with an ongoing physical for employees and do it under the umbrella of the WCB. If we're going to say that a pre-existing condition is relevant, then some degree of awareness of that condition must be a precondition to an employee knowing that they are putting their health at risk by accepting the job.

I see some real tough issues when we have to start talking about how we deal with that. I think that as we see this new relationship in terms of both medical opinions and the findings that are possible developing out of an injury, we have to make sure that we're looking at these from the point of view of how we make sure that employees who go in in good faith and take a job don't end up being the ones who bear the brunt of any kind of finding that may relate to what has so commonly now been called a pre-existing condition, when in effect the injured worker didn't even have any kind of chance of knowing that they were putting their health in jeopardy.

The other issue that I think comes up is the independence of the appeal process and moving the Appeals Commission away from the WCB. I just listened to the minister talk about how this relationship was going to really improve the independence of that commission. Again, I'll accept the comments that the minister made and make sure that as we go through watching how that part of it unfolds, we see how it does work. We really have to make sure that when an appeal process is put in place, there is the independence that we expect. We end up basing a lot of our concept of appeals on what is normally a concept that comes out of the judiciary section of our governments. In there, there is an absolute set of rules and guidelines about the relationship of a hearing, and we haven't had that in the WCB. So I'm really pleased to see this section come in and the minister talk about how that ability of the WCB to influence the Appeals Commission is going to be removed. We'll be watching to make sure that that happens, because we really don't want these kinds of interactions to continue where there is basically an administrative interference in a fair hearing process through this appeal.

I guess when we get right down to the bill and we look at what many people were expecting in this bill as we led up to it, it was some kind of a resolution of the long-standing claims. Now, this it seems is going to be just a commitment there that something's going to be happening. There's a committee struck to look at how it can work out, but it's basically delayed again. I guess if there's a real disappointment in here, it's the fact that the consultations that have gone on already haven't provided the minister with enough information to really be able to recognize the fact that these long-standing claims are in many cases a result of the very things that he's correcting in the act, both in terms of medical opinions and in terms of the independence of the appeal process. That should be enough to recognize that these claims need to have a final resolution and a final process. The longer we put them off, the longer we're going to end up with the complications.

So as we go through, I know that both of the opposition caucuses are going to have some amendments that will help make the bill even better. We have to address those in terms of how they work through.

9:50

Mr. Chairman, just as I conclude, I think I've got a couple of other comments that I want to raise, and one of them has to deal with the administrative review or the administrative supervision that's going to be there and the fact that there will be more ability by the WCB to go out and in effect make sure that there isn't any abuse in the system. When he's putting in this new section, especially when he's increasing the penalties in it, I would ask the minister: does he have information that kind of justifies the degree to which there is any misuse of the WCB, and would more resources put in there trying to apprehend abusers really justify that additional cost? You know, the information that I've had from talking both to some of the WCB administrators and to the people involved in doing reviews of it is that the issues of misuse of the WCB to the extent that you might expect, given the changes that are coming forth in this act, don't seem to be there.

So why is it that we're trying to make sure that more resources are there, to increase premiums to do that, so that we then end up with in effect a group out there who are running around trying to make sure there's no fraud in the WCB? Is it a problem now? Why do we have to increase the number of agents or the number of staff out there chasing down abusers? I don't think that's the kind of thing that sends a good message, especially if the information that we've had in the past is reasonably accurate, that there doesn't seem to be really a preponderance of any abuse. Some of the other changes that we've talked about in terms of this act, in terms of giving employees better hearings and better support from their own medical professions, would tend to reduce that.

I end on those comments, Mr. Chairman, and we'll look forward to some of the amendments that are coming up.

MR. DUNFORD: Well, I'd like to thank the hon. Leader of the Opposition for his comments this evening.

I just want to make sure that every member here in the Assembly is aware that the first annual general meeting open to the public by the WCB is going to be held here in Edmonton on May 30. Of course, I encourage those of us who are not only interested but also available that it might be an interesting meeting to put on your schedules. I'm sure that it being the first, it will probably be crude, but it will be I think similar to any other organization: as you do it more often, then of course you evolve a better system. Certainly we would anticipate that there would be some energy and some controversy that would be surrounding the actual carryings-on in that meeting. It will be interesting to see how it all works out.

At some point in time this bill will be passed, and at some point in time the items that are contemplated will be put into place and we'll start to have some feedback and some way to analyze how it is that we're doing. One of the main things that we have to accomplish – I was going to say “if nothing else,” but there's more than just this that we have to accomplish. Everyone – injured workers, employees, employer groups, individual employers – has pleaded at one time or another that we have a more open and a more accountable system. That's what we're trying to deliver here. Of course, the inclusion of the Auditor General immediately gives at least the perception of the accountability that we've been looking for. KPMG, who do my taxes, by the way, and seem to treat me very well, I'm not sure would resonate throughout the province as much as the Auditor General will. I hope my friends at KPMG forgive me for using them here tonight.

You know, in terms of his audit, again I have to agree with the comments of the hon. member. The performance measures are going to be critical. A previous speaker tonight talked about: what gets

measured gets done. That's the good news. The bad news is that what gets measured gets done. So you want to make sure that you're measuring the right things obviously, but certainly that is going to be a key test. That reminds me, then, to pick up on a comment that was made by the Member for Calgary-Egmont. Yes, we need to get a monitoring system in place and get it under way.

Back to the performance measures. One that I agree with is getting the worker back to work in a healthy condition. This is extremely important, because it won't matter whether the severance from the workplace is through unemployment or through disability; the longer the person is severed from that workforce, the harder it is and the longer it takes to ever get them back into meaningful employment again. So I would accept almost as an automatic that that would be one of the things we'll be looking at. Again, I agree that we need to have more than just some sort of comparison with other jurisdictions.

If I could plead my case at this particular moment in time as to why I could be trusted in this particular matter, it's because we have just recently changed a performance measure in our own business plan. At one time and as recently as last year we were measuring ourselves in terms of workplace health and safety that as long as we were in the bottom third in terms of workplace statistics as it related to injury, then we were satisfied that we in Alberta were doing the right thing. We have completely thrown that out. We are no longer content, we are no longer complacent to be even ranked with other jurisdictions in Canada, because we've now come to understand and to learn that Canada is a very dangerous place in which to work. So we're no longer going to be complacent with that kind of measurement.

As a matter of fact – and I think some of you have registered – tomorrow morning at the Westin hotel here in Edmonton we're going to be talking about Workplace Safety 2.0. We're going to be talking about what we – “we” meaning government and “we” meaning industry, which is made up of both the employers and employees – are going to do about reducing injury incidence in this province by 40 percent. I think it's reasonable to expect that if we get into any kind of performance measurement in terms of assessment rates or anything like that, I won't be content with just the fact that we might measure up well against another jurisdiction.

10:00

The medical opinion, medical panels. Again this is key in order for us to be seen as doing something significant, but it is uncharted water as we speak here tonight, and that is why we are proceeding with the legislation that's enabling, so that a pilot project can get under way and it can be seen, then, whether or not it's workable with what has been suggested. The Member for Calgary-Egmont talked about that a little earlier. Before we enshrine something in legislation, we want to make sure that we have something that's workable.

Pre-existing conditions, I agree, are a tough issue; there's no way to get around it. But hopefully with the medical panel we'd be able to have not only expert eyes within that field of medical specialty, but we'd also have more medical eyes looking at it and coming to an agreement.

Long-standing claims. Yes, it is delayed. The government decision on this is that we want higher stakeholder agreement as to how we move forward with this.

The final concluding comment on the administrative penalties. I don't have it in front of me as to the degree, but any degree of fraud or offence is considered too much, so because of the stakeholder approval that the WCB had, we agreed to include this amendment.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I'm pleased to rise again and make some comments with respect to some of the specific clauses of Bill 26, and what I'd like to deal with now is the appeals committee and the medical panels in particular. I just want to indicate that I think that the major and significant change to the structure of the Appeals Commission is that it will be independent of the WCB and will be reporting to the department. Now, originally one of the recommendations was that it should be responding to and responsible to the Ministry of Justice, I believe, but I think that having it respond to this department is probably acceptable. It creates the condition I think that is necessary towards rebuilding some trust in the whole appeals process of the WCB. In this case justice not only needs to be done; it must be seen to be done. I think the minister has taken the appropriate general step to get things going in that direction, so I commend him for that particular change.

The question really is whether or not the Appeals Commission is going to be actually independent and function in a way that actually ensures fairness for workers. Section 13 of this act indicates that the Appeals Commission needs to buy in to the policy as set by the WCB. That seems to us a reasonable thing. You can't have two bodies competing, dueling establishing policies and so on, but there are some problems relative to that. Section 13.2(6)(c) permits the board to go to hearings. It says that the Appeals Commission

shall permit the Board to make representations, in the form and manner that the Appeals Commission directs, as to the proper application of policy determined by the board of directors or of the provisions of this Act or the regulations that are applicable to the matter under appeal.

Now, it's fair to say that the Appeals Commission has the power to determine the form and the manner of these representations, but what really happens here, Mr. Chairman, is that the board gets a second kick at the cat. They not only set the policy in the first place and apply it in the first place and the Appeals Commission is not just required to adhere to that policy in its decisions, but the board, the WCB, gets another kick at the cat and is allowed to come before the Appeals Commission to not only tell them what the policy is but how they should apply it. Now, this is I think a case of the WCB having too much control, wanting too much control, and not being willing to give it up. Of course, we know that the situation that exists now, before this act was introduced and even today, gives the WCB an enormous amount of latitude, forcing the Appeals Commission, which it appoints and so on, to revisit its decisions if it doesn't agree with it.

This is one of the fundamental conflicts of interest, I would say, that exists in the present legislation. So this particular section is a step forward in that respect, but it still has that vestige of the paternal control of the WCB over the Appeals Commission, and I think that the Appeals Commission ought to be able to make its decisions without the WCB always poking its nose in and trying to tell them how to do that. So I'm going to come back to that, Mr. Chairman. I have an amendment with respect to this particular section which I would like to introduce.

I've got some other things I want to deal with, and one is the question of time lines for appeals. There doesn't seem to be a fixed time line for the processing of an appeal, and there should be a guarantee, in our view, to workers that their appeal will be heard and decisions rendered within a reasonable period of time. We believe that that should be included in the act.

I want to talk about the appeal to the courts. In section 13(4) the Court of Queen's Bench may be appealed to "on a question of law or jurisdiction." Now, that's good and it's bad. It's good because claimants can actually go, if there's an error in law, to the court, and I think that that's a positive thing. But it also allows the WCB easier

access to the courts, which I don't think that they need, and the WCB, if it wants to act in a way that is spiteful or unco-operative or just mean-spirited – and I think that there have been times when that has been the case in recent years, so it's not just some paranoid fantasy that I'm dredging up. If they wanted to be unreasonable and if they really wanted to prevent a particular worker from getting what the worker wanted, they could use their superior resources to tie these things up in court, and what's the guarantee against that happening?

Injured workers – and this will be no surprise – cannot possibly match the financial resources or even the amount of time available to deal with a court case as the WCB. So there need to be some guarantees that the WCB is going to operate in good faith if we're going to lower the judicial bar, and I think that that's important. I think that there should be some provision, if the WCB makes an appeal, for assistance to the injured worker, financial assistance in order for them to deal with their case in the courts. In general we believe that unless there's a point of law specifically that's been violated, the Appeals Commission should be final.

10:10

Now, I want to talk a little bit about medical panels, and I know that there are some injured workers who want the medical panels to make the final decision and make them in a binding fashion; in other words, they want the medical panel to resolve the claim. But we think that it's important that medical panels be limited to medical questions. Their decisions should be binding, but quite frankly their area of competence is on the medical issues which are a key component but not the entire content of a decision by the WCB or by the Appeals Commission. So I think it's probably headed in the right direction on this particular point.

The question is how medical panels are set up and who really controls the way they operate, and it looks to us like the WCB is going to be the gatekeeper of the medical panel. It calls the panel together if it doesn't agree with the medical assessment. If the client's physician has a bona fide medical opinion, the panel can be called, but it's the WCB which determines what constitutes a bona fide opinion. The panel of course is composed of a physician appointed by the worker, a physician appointed by the employer, and a physician appointed by the WCB. So we'd make the same criticism of this that we made about the arbitration panels that were set up around the teachers' dispute, that it's potentially stacked against the workers.

So you've got a committee and it's got three members. One is appointed by the worker, one is appointed by the WCB, which presumably has already got medical opinions indicating that the worker's claim should be denied or reduced, and then the employer gets in on the act and appoints somebody. So what would we normally expect somebody appointed by the employer to do? If it was a question of judgment, which side would they err on in a lot of cases? I think common sense indicates that a lot of these medical panels might find 2 to 1 against the worker. So I would really prefer if we just had a medical panel in which the WCB's medical person and the medical appointment of the worker could jointly determine another physician from a list of people, much as is done in arbitrations normally. I think that there are better ways to do this to ensure that medical panels in fact operate in an objective way.

Now, of course, the first level of appeal, just jumping back to the appeal for a minute – the claim review committee is being eliminated, and we certainly welcome that provision. That was a fairly useless stage, which only served in many cases to delay workers getting their fair day in court. We understand that there's going to be a WCB pilot project around alternative dispute resolution, and we

look forward to hearing a little bit more about that and certainly think that that approach would be considerably preferable to the claim review committee process.

Mr. Chairman, I don't know how you want to proceed or how the minister wants to proceed. I do have an amendment that I'd like to make, and I can make it now, or the minister, if he wishes, can respond before I introduce the amendment. What is your preference?

THE CHAIR: Just so we understand, once the amendment is on and not yet voted on, then we have to deal with the issues of the amendment.

MR. MASON: If the minister would prefer, I'll stand up and make the amendment when he's done.

THE CHAIR: Okay. The hon. Minister of Human Resources and Employment.

MR. DUNFORD: All right. Thank you very much. I appreciate the comments on the Appeals Commission, and I agree. I think it will clarify roles. As I understand things to be, the amendment might have something to do with 13.2, that he talked about, so I won't spend any time right now on that other than to correct an earlier remark that I made. I was talking of section 8(7). For clarification and to correct myself, it's actually section 13(7).*

Just quickly on the medical panels I want to, as best I can, talk about: how do panels in any kind of a situation get selected? It's similar to – and perhaps I would fall back on something I have experience with. That would be under the Labour Relations Code and under a grievance arbitration where the grieved party, through their collective bargaining agent, selects an arbiter. The employer who's grieved against selects an arbiter, and the two of them come up with the chairman. It is not unusual, hon. member, to have unanimous decisions. It's not unusual at all. When you put together an expert panel, they are there to deal with the facts that are in front of them, and I see no reason to expect that medical doctors of a particular specialty that's being looked at under a conflicting medical opinion would be any different than professional arbitration people.

The system can't work if all that happens is that because somebody is picked by somebody, they have to toe that somebody's line. It wouldn't work in workers' compensation boards. If that was to be the way that people were to administer themselves, I'd put my foot down on appeals commissions and say: to hell with it then; I'm not going to have employer and employee reps. I mean, the whole idea is that employer groups and employee groups have somebody that they trust, somebody that they select and that they would put forward, then, to a position on a tribunal, on a board, or on a medical panel that are going to deal with the facts. These people would be professional enough in order to do that.

Now, I don't want to take away anybody's fire in their belly on this type of thing, but really it is a matter of professionalism. If I am selected because of my expertise in that area, you would not lose your integrity, then, by just toeing some line of somebody that picked you. I have, because of my experience as an arbitration member, great confidence in that institution, and I see the medical panel following along with that. So I would encourage all members to know and to understand that as a pilot and as a pilot proceeding, this is worthy of support.

THE CHAIR: The hon. Member for Edmonton-Highlands.

10:20

MR. MASON: Thank you very much, Mr. Chairman. I am going to move an amendment: that Bill 26, the Workers' Compensation

Amendment Act, 2002, be amended in section 7 by striking out the proposed section 13.2(6)(c).

THE CHAIR: Do you want to just move the amendment? We'll call it amendment A1, and we'll ask the pages to please hand it out first to people who are actually sitting at a desk.

MR. MASON: So I move amendment A1. Mr. Chairman, while it's being distributed, I'll just indicate that it would delete section (c) of subsection (6), which would say:

In the hearing of an appeal under this section, the Appeals Commission . . .

- (c) shall permit the Board to make representations, in the form and manner that the Appeals Commission directs, as to the proper application of policy determined by the board of directors or of the provisions of this Act or the regulations that are applicable to the matter under appeal.

It would delete that section altogether.

I indicated in my earlier comments, Mr. Chairman, that I think that this particular section is inappropriate, that it continues the paternalistic relationship that exists with the WCB, and it allows. . .

THE CHAIR: Hon. member, in your haste to get this ready for us, I think you forgot to sign it.

MR. MASON: Do you want to come back to it tomorrow night then, Mr. Chairman?

THE CHAIR: Hon. member, do you have an original somewhere?

MR. MASON: I don't think it came back from the photocopying, Mr. Chairman.

With the advice of the Government House Leader, I'd be prepared to come back to this tomorrow night. My apologies for the confusion, Mr. Chairman.

THE CHAIR: Hon. member, perhaps we'll assume that since we've seen that you've already signed it now and that it is being replicated as we speak, maybe we could continue with the debate and get this nicety finished after the debate has gotten under way.

So we'll invite the hon. member to speak further on his amendment A1.

MR. MASON: Thanks very much, Mr. Chairman. This particular clause which I'm proposing to delete allows the board to make representation to the Appeals Commission as to the proper application of policy determined by the board of directors or the provisions of this act or the regulations that are applicable to the matter under appeal. You are still retaining a relationship between the Appeals Commission and the WCB of subordination, where you have an Appeals Commission that gets told how to apply the policy by the body whose decisions it's appealing. So the commission is not fully equal or fully independent of the WCB, and it should be. This is I think a weakness in the otherwise laudable direction that's been established in this legislation for a completely independent Appeals Commission. So it is on that basis that I'm making an amendment and would urge all hon. members to support it.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. In regard to this amendment A1 as proposed by the hon. Member for Edmonton-Highlands, in respect to my comments earlier this evening in debate on Bill 26, this certainly allows intervenor status by the

*see page 1220, left col., para. 2

WCB in regard to matters before the Appeals Commission. I would urge all members to consider this amendment. I think it is very reasonable. I would urge all members to support this amendment. Certainly this must have been an oversight. I cannot see the rationale. I think we should let the Appeals Commission do their work, and we have to live by that.

In the past there have been cases that have been documented regarding the board, and I don't think that we should be giving the board any more discretionary power. This "shall permit the Board to make representations." Now, regardless of whether it's "in the form and manner that the Appeals Commission directs," it is about policy. Let the Appeals Commission make the decision. It would be my view that they would be capable of this and they will do it. This is just allowing another chance, another opportunity for the board to be even more adversarial. I would congratulate the member at this time for proposing this amendment.

Again, Mr. Chairman, I don't think that there is any need to provide intervenor status specifically here for the WCB in matters before the Appeals Commission. I would urge all hon. members to please, in conclusion, support this amendment. I will cede the floor to the hon. Member for Calgary-Egmont.

Thank you.

THE CHAIR: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you very much, Mr. Chairman. Although I'm getting older, this is one thing I remember quite vividly in terms of the discussion, this particular part. You know, as a concept, having the WCB with intervenor status certainly is not what is intended here. I think that if you read it very carefully, you'll see: "shall permit the Board to make representations, in the form and manner that the Appeals Commission directs." What was essentially intended was that if an issue arose in the course of an appeal that dealt specifically with a policy matter, the board should have the opportunity to explain its policy. That doesn't mean to say that the WCB can sit there in the room and attend the hearing, because "in the form and manner that the Appeals Commission directs" means that they would be invited at the appropriate time to make their presentation that deals with a policy matter but would not be allowed the normal intervenor status of being in the room for the entire thing. So I think it's only fair that if an issue arises that deals with policy, they have an opportunity to explain themselves, not to take part in any other part of that hearing but simply to make the clarification on policy.

10:30

MR. DUNFORD: First off, I think it is understood and must be understood by all members that the Appeals Commission cannot make policy as it relates to the mandate of the Workers' Compensation Board under the Workers' Compensation Act. So we must defeat this amendment not only because of the reasons just stated by the Member for Calgary-Egmont but because the amendment calls for a deletion with no replacement and therefore would leave in the new act a current 13(7), that says:

In the hearing of appeals under this section, the Appeals Commission is bound by policy determined by the board of directors that relates to the matter under appeal.

That's fine. Nothing wrong yet. But here:

And where the board of directors considers that the Appeals Commission has not properly applied that policy or the provisions of this Act and the regulations that are applicable to the matter under appeal, the board of directors may in writing direct the Appeals Commission to rehear the matter and to give fair and reasonable consideration to that policy or those provisions.

I would submit to all members that the amendments that are in front

of us under Bill 26 are immeasurably better than the proposed deletion of 13(7).

With that, I would ask, when it's time to vote, that we vote against this amendment.

MR. MASON: To close, Mr. Chairman, I certainly do not accept the minister's contention that deleting this part of the bill before us leaves in place the section of the old bill which he has quoted. If that were the case, I would vote against it too. That is not what's going to happen because those sections are gone by the passing of this bill. It's just this particular section of the bill that would be deleted.

I guess I take the hon. Member for Calgary-Egmont's points on this, but I would just point out that the wording of this clause which I propose to delete doesn't talk about the WCB explaining what the policy is, and the legislation certainly would bind the Appeals Commission to follow WCB policy. We have nothing against that at all. What it says is that the board may make representations as to the proper application of the policy – in other words, that their application of the policy is in fact the only correct one – and also the provisions of the act or the regulations that are applicable.

The only thing that speaks in favour of it, as Calgary-Egmont has pointed out, is that the representations need to be in the form and manner directed by the Appeals Commission. Still, the wording of it implies that the Appeals Commission must not only follow WCB policy but must follow the application of the policy as set out in the representations by the board, and that is the problem.

Thank you.

[Motion on amendment A1 lost]

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Yes, Mr. Chairman. In light of the good work that we've done this evening, I would move that we adjourn debate, and if I may, in the same motion I would move that we rise and report progress.

[Motions to adjourn debate and to report progress carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports progress on the following: Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:39 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, May 8, 2002**

1:30 p.m.

Date: 02/05/08

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon and welcome.

As we pray, let us also commemorate Victory in Europe Day with the words of Winston Churchill given in London on May 8, 1945.

God bless you all. This is your victory! It is the victory of the cause of freedom in every land. In all our long history we have never seen a greater day than this. Everyone, man or woman, has done their best. Everyone has tried. Neither the long years, nor the dangers, nor the fierce attacks of the enemy, have in any way weakened the independent resolve of the British nation. God bless you all.

Amen.

Please be seated.

head: Introduction of Guests

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. Yesterday morning a number of northwestern MLAs met with the Persons with Developmental Disabilities, northwest region board of directors, and unfortunately because they had to continue the board meeting, they were not able to join us in question period yesterday. Of course, some of them had to travel home last night. One member, however, was able to stay over, and I would like to recognize her as a representative of the PDD board for the excellent work that they do in our area. I would like to introduce to you and to the members of this Assembly Helen Ficocelli, who is seated in the members' gallery, and ask her to rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's indeed a pleasure for me to have another classroom to introduce to you and through you to the members of the Assembly today. These special kids are from Kitscoty in my constituency. There are nearly 47 of them in the members' gallery. They are accompanied today by their teachers Judy Gerich, Kim Aitken, and Bev Toullelan. Their parent helpers are Paulette Williams, Rena Gramlich, Debra Smith, and Kathy Jeffrey.

Before I ask them to rise, Mr. Speaker, I would ask you to convey our appreciation to your people in the Assembly that work so hard to show these students around the building for this particular session and the many. They do such a great job of being our ambassadors. So I hope you will convey to them our appreciation.

At this time I would like all the students to rise and accept the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the members of the Assembly two ladies who have gotten very comfortable at telling me where to go: my legislative assistant, Shelly McCrae, who is also the Member for Dunvegan's legislative assistant; as well as my constituency assistant, Carol Stewart. With them is our STEP student this year,

Kathy Stachniak, who has joined the ranks to help out for the summer. Currently she is enrolled at Grant MacEwan College in management studies and is a graduate of Spruce Grove composite. As all members know, our jobs could not be done as effectively as they are without the help of people like these working behind us. They are seated in the public gallery, and I would ask that they please rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to the members of this Assembly three severely overworked and somewhat underpaid Albertans. Those would be my constituency office manager, Miss Cherry Robinson; my legislative assistant, Miss Barbara Letendre; and my STEP student, Mr. Robert Majeed. I would like them to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. It's my pleasure today to introduce a well-treated and well-respected employee of my office. I'd like to introduce him to the Assembly through you. He's working in my Edmonton-Riverview constituency office for the summer months, and his name is Adam Pommer. Adam has completed his third year of studies in the political science department at the University of Alberta with a minor in English. I'd like to welcome Adam and ask him to rise and receive the traditional warm welcome of the Assembly.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to the Members of the Legislative Assembly Ilke Colakoğlu, who is in our province on a one-year student exchange from Turkey. He is sponsored by the Rotary Club of Morinville. Accompanying Ilke is Connie Lewis, who is one of the hosts from a number of Rotary families that Ilke will be staying with throughout the year. They are seated in the members' gallery. I would ask them both to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of this Assembly Ania Dudek, who is also an exchange student, from Lublin, Poland, who is visiting our province for one year. The St. Albert-Parkland Rotary Club has sponsored her, and she is joined today by Ilke and Connie, who were formerly introduced by the Member for Redwater. She is visiting the Legislature and is seated in the members' gallery. I would ask her to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I take this opportunity to introduce to you and through you to the House three highly valued and very special individuals, all of them sitting in the public gallery. They are Signe Ziegler, a Calgarian, a political science and economics degree graduate from the University of Calgary who is currently working in our legislative office; Rosalie Anderson with a bachelor's

degree in social work from the University of Victoria and a Grant MacEwan College social work graduate, who is doing a wonderful job of managing my constituency office in Edmonton-Strathcona while I toil in this House. The third person is Kristy Harcourt, bachelor of arts, honours, University of Alberta, who has worked with many nongovernment organizations including the Gay and Lesbian Community Centre of Edmonton, and she'll be working in my constituency office over the summer months. I would now ask all three of them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSZYN: Thank you very much, Mr. Speaker. I'm honoured to introduce to you and through you to the Assembly two young ladies. The first one is Jill Jespersen, who is spending her second summer working in my constituency office under the STEP program. In April Jill graduated from Peace River Bible Institute and is planning on taking the licensed practical nursing course. She will be taking some time off from the office this summer because she'll be spending three weeks in the jungles of Ecuador to help build a school. She is accompanied by my constituency assistant, who has been with me basically since I got elected, Carol Guenette. I'd ask Carol and Jill to please stand and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. As part of the public service orientation tour which your office organizes, it's my pleasure today to introduce some public service folks from Municipal Affairs, financial and information technology services. We have with us today Yvonne Arnold, Paulette Takacs, Janna Lloyd, Aaron Nissen, and Rubena Hassan. I'd like to ask them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly two young women who work in my constituency office. Cindy Ho-Pasichnyk, my constituency assistant, is the enthusiastic and expert person who provides most of the advice and help to constituents of Edmonton-Whitemud and is the very pleasant voice that you hear on the phone in our office. She is accompanied today by Stephanie Wilson, a STEP student who has recently joined our office and will be working with us over the summer. They are seated in the members' gallery. I'd ask that they rise and receive the traditional warm welcome of the House.

1:40

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you very much, Mr. Speaker. Once again, as part of the tour that you have encouraged employees to do, to visit the Legislative Assembly and learn about what happens, we have 11 members from Alberta Environment here. They are the strategic direction part of our department. They are the good thinkers in this department that keep us all on the straight and narrow. I'd ask them all to stand and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. I am very pleased to introduce to you and through you to this Assembly this afternoon two very capable members of the Seniors Advisory Council for Alberta. I would have to say that both of them in earlier careers have been very successful educators. They have traveled here today to meet with the Minister of Seniors regarding a council proposal for a supportive housing option for seniors. Would Carol Blyth, member from Calgary and area region, and Dennis King, member from southern Alberta region, who lives in Lethbridge, please rise and receive the traditional warm welcome of this Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Electricity Pricing

DR. NICOL: Thank you, Mr. Speaker. Yesterday the Premier reported selective price comparisons for the wholesale price of electricity in the Power Pool without explaining why total bills are still more today than they were before deregulation. The examples used by the Premier can be misleading to Albertans who are trying to understand why their power bills cost more. My question is to the Premier. Why did the Premier suggest that all electricity costs in the April Power Pool averaged 4.5 cents per kilowatt-hour when there is not a single retailer in Alberta charging only 4.5 cents per kilowatt-hour? The contracts are all higher than that.

MR. KLEIN: Mr. Speaker, my answer was based on the best information I had at that particular time. I think that what we need to do is keep our eye on the big picture. The simple fact is that deregulation is working. When you move from one system to another, you can expect some bumps along the way, but as I said at the outset, let's keep our eye on the big picture. Over the long term as the market develops, we can expect to see increased power generation. As a matter of fact, we are seeing that already with significant new megawatts of power now coming onstream. We can see over the long term better customer services. We can see over the long term a downward pressure on prices, and we can see more options for consumers. That's what the big picture is all about.

Power prices, contrary to what the Leader of the Official Opposition says, have already started to come down since regulated times. Again I'll quote the figures that I have from the Department of Energy. In the year 2000 the average wholesale price was 13.3 cents per kilowatt-hour, compared to 7.1 cents in 2001, albeit with the rebate, and 3.8 cents per kilowatt-hour so far this year on average, Mr. Speaker.

There are some problems in some areas of the province, particularly the west-central area where service charges associated with electricity bills are higher than normal. Both the ministers of Energy and Government Services are looking into this matter. Yesterday, I understand, there was a meeting with the Alberta Energy and Utilities Board, and I believe that Thursday or Friday this week there will be a meeting with the power companies to get to the bottom of this.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. If the prices are going down, can the Premier explain why the current regulated rate option, which is based on the old cost of electricity structure, is cheaper than any of the current contracts offered by the marketers in this province?

MR. KLEIN: Well, Mr. Speaker, that's an option we offered in terms of letting consumers have the option to stay on a regulated rate over a specified period of time – I believe it was five years – but I believe firmly that when that five-year period is over and we're in a completely deregulated environment, then market forces will have prevailed and prices will be lower. That is my prediction.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Doesn't that information confirm that if you have a cost-based structure for determining your price of electricity, it's cheaper than a market base that deals with marginal cost pricing?

MR. KLEIN: Mr. Speaker, I don't know of any incidents where a monopoly-controlled or a state-controlled situation necessarily leads to competitive pricing. It's always been the philosophy and policy of this government and, I believe, of the Liberals to some degree that the market should prevail, and competition generally brings prices down.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Unsigned Memo

DR. NICOL: Thank you, Mr. Speaker. According to government policy cabinet approval was required for the sale of the Holy Cross hospital. Through FOIP the opposition obtained a copy of a memo from the then Minister of Health and Wellness, Mr. Jonson, to the Premier recommending the proposed sale of the Holy Cross hospital. This memo is not marked as a draft and has a file number. However, this memo is not signed, is not dated, and is not on letterhead. My questions are to the Premier. Can the Premier explain why a memo from a minister of the Crown to the Premier and members of Executive Council involving a multimillion dollar deal was left unsigned, undated, and was not on letterhead?

MR. KLEIN: Mr. Speaker, I have no idea whatsoever, and I don't even know if the memo was sent. I would have to see it. Is it typed? Is it handwritten? I have no idea. Perhaps the hon. leader of the Liberal opposition would be courteous enough to send it over so I can have a look at it and perhaps provide him with an answer.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. It was sent to the Premier's office on Monday. He's had it since then.

Is it typical procedure for memos involving multimillion dollar deals to be sent unsigned, undated, and not on letterhead when you're dealing in cabinet?

MR. KLEIN: Mr. Speaker, if it was sent on Monday of this week, I have no recollection of receiving an unsigned memo written by some anonymous person. Perhaps the hon. Leader of the Official Opposition would send the memo or the piece of paper over so I could have a look at it.

THE SPEAKER: The hon. leader. [interjections] The hon. leader. [interjections] The hon. leader. Three times. Please.

DR. NICOL: Thank you, Mr. Speaker. I just wanted to make sure that the Premier had a chance to look at it again. It does have the

minister's name at the bottom. It is written to the executive, to the Premier. My question again is: is it normal process for letters to be sent from one minister to Executive Council without signature, without a date, and without letterhead? It was received through FOIP from the minister's office in the data that they provided to us. It must have been delivered.

1:50

MR. KLEIN: Mr. Speaker, I haven't seen this document. Perhaps it went to Peter Elzinga. I don't know. You know, it's not dated. [interjections] Right. You know, it's . . .

THE SPEAKER: Why don't we move on to the third question. Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

Holy Cross Hospital

DR. TAFT: Thank you, Mr. Speaker. The government's own policy on the sale of property owned by health authorities requires assurance that the property being sold "would not be needed for health care delivery in the future." Similar restrictions were made perfectly clear to all parties bidding on the Holy Cross hospital. The bidder that was ultimately successful in buying the Holy Cross was originally rejected from the shortlist of finalists because it failed to respect this policy, but this bidder was allowed back into the process, bought the hospital, and within weeks of signing the bill of sale had a deal with the CRHA paying for surgical services, a contradiction of the terms of the bid process and of government policy. To the Premier: how can the Premier justify this process when one set of rules was applied during the bidding and those same rules were then ignored once the successful bidder was announced?

MR. KLEIN: Mr. Speaker, I'll remind the hon. member that there was a process put in place, and it was completely arm's length from the government. This sale was completely managed by a disposition committee made up of city councillors, clergy, community leaders, and Calgary RHA representatives. I see that the hon. Member for Calgary-Currie is not with us, but certainly he was on the committee as the city councillor for the ward in which the institution was located. Their stated preference, according to my discussions with him and RHA officials, was to have the site sold to someone who would use it for health-related services. Of three offers received, the committee accepted the highest offer. While the Liberals might think the price should have been higher, there's an old rule in real estate that says that the value of a piece of property is really what people are willing to pay for that piece of property, and for that site we received the most that people were willing to pay. Looking at what has happened on that site, that facility now houses a multitude of health services, including long-term care beds, a pain management clinic, several eye doctors, psychiatric services, and others. So I think the people of Calgary are getting a great deal of value for the sale.

DR. TAFT: I should remind the Premier that it's government policy that cabinet approves, government approves the sale.

Given that the losing bidders said that they were shocked – and that's a quote – to learn that the disqualified bidders won the process, why were the original finalists not allowed to resubmit their proposals under the same terms offered to the winning bid?

MR. KLEIN: Well, Mr. Speaker, I would think that the hon. member ought to sit down with the disposition committee or those members

who are still around, understanding that he's going back about – what? – six years now. I think it was in 1996 or 1997 when this negotiation took place, when this disposition committee was in place. I mean, a number of things have changed since then. The city councillor who was on the disposition committee is now an MLA, and the bishop who was on the committee at that time is now retired, I believe, Bishop O'Byrne. I think that other people have gone. They've done their job, and they did the best they could. As far as I know, we got the best possible value for the property.

DR. TAFT: Can the Premier tell us if it is a conflict of interest for the leader of the successful bid to be simultaneously an employee of the RHA selling the property?

MR. KLEIN: Mr. Speaker, that is a matter for the Ethics Commissioner to adjudicate. I can't comment on whether that individual is in conflict of interest or not. There are rules that apply to regional health authorities, and those rules come under the purview of the Ethics Commissioner of this province. I would ask the hon. member to refer that matter to the Ethics Commissioner if he has a problem.

THE SPEAKER: The hon. leader of the third party, followed by the hon. Member for Leduc.

Children in Care

DR. PANNU: Thank you, Mr. Speaker. Almost four years ago this government made a commitment to a zero tolerance policy for hotel placements for foster children. Yesterday the Minister of Children's Services gave a novel meaning to the term "zero tolerance" when she admitted that there may be as many as 30 or more children today in Edmonton motel rooms. Today the New Democrats have learned that it's not just teens and preteens being put into motel rooms, but toddlers and newborns as young as a day and a half old are also being deprived of an appropriate foster or group home environment. My questions are to the hon. Premier. Why has the government not lived up to the zero tolerance promise it made in a June 23, '98, memo it sent to all child welfare managers and service providers and agencies?

MR. KLEIN: Mr. Speaker, I don't know if the incidents referred to in the hon. member's preamble are true or not true. All I can say is that child care workers act in the best interests of the children. If there are no other facilities available, they try to make sure that the children and their families are housed in the best possible circumstance.

DR. PANNU: Mr. Speaker, it's not a good enough answer by the Premier when children are being put in unsafe places.

Will the Premier at least make a commitment to properly fund group homes and foster parents so that the practice of putting toddlers into hotel rooms can be consigned to history?

MR. KLEIN: Mr. Speaker, certainly adequate resources have been put into Children's Services. There have been subsequent increases at least for the past three years to this particular and very important department.

Relative to the specific question, Mr. Speaker, if there is no foster parent available to take a child, then the child care worker will do what he or she has to do to secure the safety of the child, and in some cases the only available option, on an emergency basis only, might be a motel or hotel room.

DR. PANNU: Well, Mr. Speaker, what we need are group homes so that children can be placed there.

In June '98 there were 27 children in Edmonton hotels. Has any progress been made by this government, or is the Premier completely uninterested in putting resources into anything other than horse racing?

MR. KLEIN: Mr. Speaker, that's an insulting question, to say the least. The minister has pointed out that when an appropriate long-term care facility can't be found – it will eventually be found, but where we have to deal with a child on an emergency basis, it may be that that child will be put into a motel or hotel. I have to stress that it would be with 24-hour supervision. It is a situation where the children are not left alone at all but where they are closely monitored and adults are with them to secure their safety.

THE SPEAKER: The hon. Member for Leduc, followed by the hon. Member for Edmonton-Gold Bar.

2:00

U.S. Agricultural Subsidies

MR. KLAPSTEIN: Thank you, Mr. Speaker. The United States government intends to put into place billions of dollars in subsidies for their agriculture producers. Their Congress approved the bill last week, and it's speculated that the U.S. President will sign off on the bill as early as next week. When this bill goes through, it will have a devastating effect on our agriculture industry, and producers I have heard from are furious and horrified, worried that these subsidies could possibly put them out of business. My question is to the Minister of Agriculture, Food and Rural Development. What is the Alberta government going to do to protect the livelihoods of Alberta farmers from the effects of this bill?

THE SPEAKER: The hon. Deputy Premier.

MRS. McCLELLAN: Thank you, Mr. Speaker. Well, there is no question that we're bitterly disappointed with the recent actions that are portrayed in the U.S. farm bill. This is in addition to subsidies or, we believe, trade-distorting measures that are in the previous bill. We're especially disappointed that they've seen fit to include pulse crops this year. That includes crops such as chickpeas, lentils, and beans, which previously have been excluded. Using measures like this is not very productive. They are not useful to farmers in the long term, and they are certainly not the way to encourage competitiveness and a global marketplace. We're disappointed because we've worked very hard at the WTO level to encourage the complete elimination of farm subsidies both domestic and nondomestic, and to see a major country come forward with additional subsidies such as these certainly is disappointing to us.

Ministers of agriculture from across Canada have asked our lead analysts to look at the bill. I have to say, Mr. Speaker, that it is still a bit of a moving target. The numbers change often, and we don't know what the absolute final details will be, but we've asked for a complete analysis of this. We've asked for a determination of level of injury, and I think that when we have that information, we'll be better prepared to know how to respond.

MR. KLAPSTEIN: Well, my first supplementary question is also to the Minister of Agriculture, Food and Rural Development. What is Alberta's stance on trade injury compensation to make up for the economic injury caused by foreign subsidies?

MRS. McCLELLAN: Well, Mr. Speaker, ad hoc programs are never

the answer long term either for governments or for producers. Producers appreciate it when we are able to provide them some support to counteract measures such as this, but producers prefer to act with some predictability and stability. We are encouraging that we work through our safety net programs, through our risk management programs to develop long-term programs that will indeed counteract some of this injury.

I think it's difficult to say at this juncture, until we understand indeed the total effect of what this injury might be, what measures should be taken. Mr. Speaker, again I have to say that the producers I talked to are very concerned about this, but they would like a long-term solution. They would like something so that they know that they can carry out their operations throughout the year, not ad hoc programs.

Mr. Speaker, I just want to add that in the year 2000 the Alberta government provided about \$405 million additional in an acreage payment to producers, paid on our own, to deal with low commodity prices which we believe come from distortions in the international marketplace. That was 2000. In 2001 a similar amount cost shared between the federal and provincial government was provided to producers for the same reasons. In year 3 we're having the same discussion. That tells me that ad hoc programs don't work and that we need to deal with the long-term solutions.

MR. KLAPSTEIN: My final supplementary question, Mr. Speaker, is also to the Minister of Agriculture, Food and Rural Development. How will this action by the United States affect future trade negotiations?

MRS. McCLELLAN: Mr. Speaker, the hon. Minister of International and Intergovernmental Relations may want to supplement my answer, because he certainly has the lead in Alberta as the minister who interacts with our federal negotiators. But I would say this: we have been very supportive in this province on the reduction and elimination of subsidies. We've played, we think, our part except when we were unable to do so. We're encouraging as agricultural ministers our federal minister to work through the World Trade Organization, WTO, which is one avenue for us. We have the NAFTA agreement, the North American free trade agreement, which also has a mechanism to deal with this, and I remind everyone that we have the Canada/U.S. free trade agreement, or CUFTA as it's known, to also deal with this. On the issue of how this would affect future negotiations, I would say that the Minister for International Trade is most closely connected to this.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Grande Prairie-Wapiti.

Power Purchase Agreements

MR. MacDONALD: Thank you, Mr. Speaker. Details on how Enron controlled power prices in California are now being reported. Here in Alberta the EUB concluded on April 16 that TransAlta's hydro offer pricing strategy caused undue increases in the Power Pool price in certain hours of 2000 to the ultimate detriment of customers. The board ordered TransAlta to make a compensation payment of \$3.7 million within two weeks. My questions are to the Premier. Why were hydrogenerating units such as Bighorn and Brazeau, which are owned by TransAlta, excluded from the original power purchase arrangement auctions?

MR. KLEIN: I have no idea other than maybe – Brazeau and Bighorn I believe are hydro projects. Perhaps the rivers were frozen over. I don't know.

MR. MacDONALD: Astonishing.

Again to the Premier: why are actual water rental and associate charges paid by TransAlta regarding the matter also determined by TransAlta?

MR. KLEIN: Mr. Speaker, I don't want to be facetious. I don't have the answers to those questions. I will take the question under advisement and refer it to the appropriate minister.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: why are so many terms of the hydropower purchase arrangements confidential and therefore withheld from the public, who are owners of the water, the resource that's used to generate the electricity?

MR. KLEIN: A reasonable question, Mr. Speaker. I don't have the answer, and again I'll take it under advisement or under notice and refer it to the appropriate minister.

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Edmonton-Glengarry.

Workplace Safety

MR. GRAYDON: Mr. Speaker, this week is North American Occupational Health and Safety Week, and communities across the province are hosting safety events. While two of the largest fines in provincial history have just been levied for two separate workplace fatalities, I heard that last week another worker lost his life on an Alberta jobsite. To the Minister of Human Resources and Employment: what is the minister doing to ensure that Albertans come home at the end of the day?

MR. DUNFORD: There are two things, Mr. Speaker, that we need to do. One is to educate; the other is to enforce. On the enforcement side we've added to our field inspectors. We've more than doubled the actual work site inspections that we carry out. On the education side we've opened a call centre, we've opened a web site, and we've hired an occupational safety nurse and also a researcher. But we can't do it alone, and that's not enough. There's more involved here in getting workers home safely at night than just the government. So there's a challenge that's been put out by our department to the industry generally but includes both industry and government to reduce workplace injury claims by 40 percent by the year 2004. As a matter of fact, as we're here today, there are something like 150 people that are over at a hotel here in town that are developing a strategy that both government and industry will be able to utilize to reduce this accident toll.

Just to close on a serious, serious note, the hon. member talked about fatalities last week. Well, we had another one last night. This is serious stuff.

2:10

MR. GRAYDON: My first supplemental to the same minister. Getting ideas from Albertans is a great start, but do the 150 people that are meeting today truly represent Albertans, or is this just another meeting of the safety community that's going on?

MR. DUNFORD: As I looked at the registration list, Mr. Speaker and hon. members, certainly we do have safety professionals that are there in attendance today, but I think that as importantly we have CEOs of companies, we have labour representatives, worker representatives, injured workers, and all of the kinds of perspectives

that we're going to need as we move forward with a very ambitious goal of reducing workplace injury in Alberta by 40 percent. What we're saying with that 40 percent, hon. member, is that we're just no longer complacent in this province, that we're setting goals, that we're going to do something about this.

MR. GRAYDON: My final supplemental to the same minister: obviously some good ideas, but how can we be sure that those ideas will be translated into concrete action?

MR. DUNFORD: That's always the challenge – isn't it? – how we go from the rhetoric to positive action. This is one of the things of course that will be of primary concern. Now, the important thing about what's happening today and as we move forward is that we have to have commitment at the very top levels of organizations. To show the commitment of this government, we had the safety initiative actually detailed in the Speech from the Throne. So the government is on record as supporting this initiative. Part of what's happening today and part of the things that we've been doing with industry is getting the commitment from the top down through those organizations of the industry. While many things involved in human relations and human resources can bubble up from the bottom, safety is not one. You have to have commitment at the very top levels before it's ever going to happen throughout the organization, and we're seeking that today. I'm asking for the commitment of these people today, and thank heavens and thank goodness for Alberta workers, we seem to be getting it.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Edmonton-Norwood.

Road Construction and Maintenance Funding

MR. BONNER: Thank you very much, Mr. Speaker. The government exempts certain groups from paying the provincial fuel tax when the gasoline or diesel is purchased for a vehicle that is intended for off-highway use. This exemption policy shows that the tax is supposed to pay for highway construction and maintenance. To the Minister of Transportation: given that the fuel tax will add almost \$600 million to the government coffers this year, money that is intended for road maintenance and construction, why is your department only spending \$526 million on road infrastructure?

MR. STELMACH: Mr. Speaker, I thought I answered that question yesterday, but let's give it a try. There's approximately \$600 million collected annually from the provincial fuel tax, which is 9 cents a litre. There's about \$700 million collected by the federal government, which is a 10-cent-a-litre road tax. Of the \$600 million, all of that money, not by some dedicated revenue but general government policy, goes to the Department of Transportation. Included in that are some fees: licence fees and registrations, permit fees, et cetera, that go towards that same department.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: given that Albertans pay 9 cents per litre at the pump to fund transportation, why does the government want to double tax Albertans with a new road tax on toll roads?

MR. STELMACH: Mr. Speaker, nobody is in any position to double any tax. There was some musing by the federal government to increase road tax by 10 cents a litre. It was supposed to go to the

Kyoto offset. However, I'll defer to the Premier, because I believe that what the opposition is trying to get at is some musing that the Premier made a few days ago that got into the paper, and now they're raising it as a question.

THE SPEAKER: Hon. members, the purpose of question period is to deal with government policy, not musings. Now, if the Premier wants to proceed, go ahead.

MR. KLEIN: Well, Mr. Speaker, who knows? You know, you muse. It is not government policy vis-a-vis toll roads, but I indicated to the media that certainly there are projects that are currently under consideration, and it's no secret. It's been widely reported that one of those projects, the roadway proposed through the Tsuu T'ina First Nation in Calgary to be part of the southwest bypass, would be a toll road. So discussion in a very broad sense about tolls has been going on for some time, and basically the conversation has boiled down to that if – and I underline that "if" – it ever comes about, certainly there would have to be alternate routes that would be free. It wouldn't apply to existing roadways. It would apply to selected new roadways if it ever came about, but that is the policy discussion that we have not had.

As I explained to the reporter – and I don't know if the hon. member was there, but certainly his boss was, the hon. Leader of the Official Opposition. When the reporter asked the question relative to the specifics of tolls, my answer was that you're about 500 miles ahead of yourself. [interjection] Right; 500 miles ahead of yourself. But there's an old saying in politics that yes means yes, maybe means yes, and no means maybe.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the Minister of Transportation: since toll roads will be a double tax – Albertans already pay the fuel tax for road infrastructure – will the minister say no to toll roads right now?

MR. STELMACH: Mr. Speaker, quite frankly, Alberta has always led in introducing new policy in the country of Canada in outsourcing, engineering, design, project management. That saved us considerable operational dollars in the department. Currently we're trying to do two things. One is trying to get at least a few pennies of the 10 cents a litre we send to Ottawa, and if we ever got that, the last thing we'd be talking about, musing about is toll roads.

However, we know quite well that the very tough fiscal policies of this government over the last year have encouraged tremendous growth, an increase in population, people moving from other provinces to Alberta, but when they come here, they don't bring their roads and they don't bring their schools nor their hospitals. As a result we have to look at some new and innovative ways, and it's a policy discussion. I believe that maybe part of the committee that was struck by the hon. Finance minister will look at new ways of helping us build new, badly needed infrastructure in the province of Alberta.

2:20

THE SPEAKER: The hon. Member for Edmonton-Norwood, followed by the hon. Member for Edmonton-Ellerslie.

Prime Minister's Caucus Task Force on Urban Issues

MR. MASZYK: Thank you, Mr. Speaker. On May 2, 2002, the Prime Minister's Caucus Task Force on Urban Issues released an interim

report that included recommendations for improving the way municipalities are funded and improving relations between municipalities and other orders of government. My question is to the Minister of Municipal Affairs. Given that many of the report's recommendations indicate involvement of provincial governments, what is Alberta's response to this report?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. I do want to point out that we are reviewing the recommendations upon the report's release, and I'm very proud to say that Alberta has been viewed by the federal task force as a leader. In fact, this province and its ministry were the first to meet with the federal task force. In fact, the hon. Member for Grande Prairie-Wapiti joined me when we met last August with them.

If I could, just for a moment I'd like to quote from the vice-chair, who is Liberal MP Bryon Wilfert. This is what the vice-chair said about the task force when he was speaking about Alberta when they visited Alberta. He was interviewed on CHED radio on May 2, and this is what he had to say about Alberta. I quote from a Liberal Member of Parliament: Alberta has been very progressive when it comes to a new municipal act; they were very progressive in having municipal governments at the table making the decisions along with the province and the federal government on infrastructure – and I want to first of all recognize the ministers of Infrastructure and Transportation for that – but Alberta has always been – in his view – very forward looking in terms of thinking outside of the box.

THE SPEAKER: The hon. member.

MR. MASYK: Thank you, Mr. Speaker. Can the minister give examples of how Alberta is seen as being head of the pack, so to speak?

Thank you.

MR. BOUTILIER: Well, Mr. Speaker, I can in fact name numerous recommendations that are being made by the federal report relative to what Alberta Municipal Affairs has already started with and are somewhat ahead of the game with. First, as I mentioned in this Assembly, our roles and responsibilities council, which is considered an ongoing consultative and advisory body, is one of the recommendations which of course we have been doing now. The second recommendation was fostering research and best practices. We have established a municipal excellence program to do exactly that in partnership with our urban and rural associations. Three, a regional partnership program for economic development has done a fantastic job supporting regional economic growth strategies with our urban and rural partners. So there are many recommendations. Would you like me to go on? I am not sure if the Speaker would permit me at this time, but I would like to say that we're well on our way on this very important initiative.

Thank you.

THE SPEAKER: It sounds to me that the minister answered his own question.

The hon. member.

MR. MASYK: Thank you, Mr. Speaker. Those are very good answers, and I do appreciate them. Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Highlands.

Water-for-life Initiative

MS CARLSON: Thank you, Mr. Speaker. The government's water-for-life initiative has just concluded, and there is a great deal of skepticism amongst Albertans regarding the government's agenda. My questions are to the Minister of Environment. Why did the Minister of Environment, who is supposed to at least look like protection is part of his mandate, include in the water-for-life booklet the statement that Albertans will have to choose between the sustainability of aquatic ecosystems and economic growth?

DR. TAYLOR: Well, first of all, I'd like to point out to the member that there is not a great deal of skepticism about this process. We have had a number of meetings around the province. We originally had scheduled 12. We have had 15. We've got one more scheduled yet in northern Alberta, and we've had wide consultation with Albertans. In fact, Mr. Speaker, we've had 40,000 hits on our web site since April 15 on this particular issue.

AN HON. MEMBER: How many?

DR. TAYLOR: Forty thousand. Now, I know that member will find that number astonishing, but that is in fact the case, Mr. Speaker. So Albertans have participated in this project. They are not at all skeptical about it, and there will be more participation as we go forward.

MS CARLSON: Mr. Speaker, perhaps this time he'll answer the question. Why did you include the statement: Albertans will have to choose between the sustainability of aquatic ecosystems and economic growth?

DR. TAYLOR: Well, Mr. Speaker, we put out a workbook that was in the neighbourhood of 15 or 18 pages long with a number of questions in it. Certainly one of the questions is, if she's reading it correctly, about Albertans making some decisions about a balance between economic development and environmental sustainability. That is what this ministry is about: it's about a balance between economics and protecting the environment.

MS CARLSON: How does the minister address concerns that this initiative is setting the stage for a push for bulk water transfers?

DR. TAYLOR: I think the member is reading her own press and dreaming wild dreams at night. This is in no way indicated in this position at all.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Meadowlark.

U.S. Agricultural Subsidies (continued)

MR. MASON: Thank you very much, Mr. Speaker. The U.S. farm bill increases subsidies to U.S. agriculture by 70 percent, and subsidies to U.S. farmers will increase by 73 and a half billion dollars over 10 years. These U.S. actions are going to seriously hurt Alberta farmers, yet compared to our neighbouring provinces of Saskatchewan and Manitoba, the Alberta government has been silent and passive. My question is to the Premier. Does the government support the call by the Premiers of Manitoba and Saskatchewan for a federal \$1.3 billion trade injury payment to compensate Canadian farmers, including Alberta farmers, given the damage the U.S. farm bill will do to their livelihoods?

MR. KLEIN: Mr. Speaker, I'll have the hon. Deputy Premier respond in fuller detail, but what the hon. member says is entirely false and wrong. Only two hours ago I had a conversation with the Premier of Saskatchewan, Lorne Calvert. That's the second conversation this week I've had on the U.S. farm bill issue and a plan of action that is being contemplated. I don't know what that plan of action is at this particular time. I know that there is going to be a meeting on Friday. I'll be sending the Deputy Premier to that meeting, which will involve I believe the Premiers of Saskatchewan and Manitoba, to discuss a possible solution to this particular problem.

I know that the hon. Deputy Premier just returned from an agriculture ministers' meeting in Ottawa where that subject was brought up. There are perhaps a number of approaches that can be taken, but as the hon. Deputy Premier pointed out, one of the worst things that we can do at this particular time is to go into a situation that is ad hoc, that provides no sustainability whatsoever. But we are fully onside with the governments of Saskatchewan and Manitoba in terms of challenging what we consider to be an unfair bill under the bodies, the organizations available to us: NAFTA, the Canada/U.S. free trade agreement, the World Trade Organization, and all the mechanisms within those organizations.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, given that the Premiers of Saskatchewan and Manitoba have already developed an action plan and that that includes a federal challenge of the U.S. agricultural subsidies before the World Trade Organization—they've already put out news releases; they've been meeting—why won't the Premier support a federal challenge to the WTO to protect Alberta farmers?

MR. KLEIN: I am going to have the hon. Deputy Premier respond, but before I do, the statement made by the hon. member is absolutely false, and I wish he would withdraw it. A plan has not been developed. A plan has not been developed by the governments of Manitoba and Saskatchewan. What they want to discuss on Friday is the development of a plan. I'll have the hon. Deputy Premier respond because she was privy to the telephone call, and by the way, Mr. Speaker, he wasn't.

MRS. McCLELLAN: Mr. Speaker, first of all, as I indicated earlier today, we do not have a complete analysis of the U.S. farm bill. We don't. The figures were changed yesterday. It's a moving target. It isn't through the process. The President hasn't signed it.

I was at a meeting with all ministers of agriculture yesterday. We discussed this issue fully, and we all agreed that that analysis must be completed before we could discuss a complete course of action. I can tell you and I think evidence will show, if you look at the difference between what agricultural producers have in Alberta and they do in the other provinces, that first up to a microphone isn't the best policy always.

2:30

MR. MASON: Mr. Speaker, given that this news release of the Saskatchewan government states, "Premier Calvert and I are jointly calling on the Canadian government to challenge these new subsidies before the WTO," and given that the Premier is not going to this meeting with other Premiers but is sending the Deputy Premier, why isn't he fighting for Alberta farmers?

MR. KLEIN: Mr. Speaker, I am fighting for Alberta farmers. First

of all, the Deputy Premier will be going to the meeting with the position that we support Premiers Calvert and Doer in calling on the Canadian government to challenge these new subsidies before the WTO and other organizations like NAFTA. We have some problem with

there must be federal funding to [at least partially] . . . level the playing field for Canadian producers and to sustain our agriculture industry against the damage caused by this latest anti free-trade action by the United States.

As the hon. Deputy Premier pointed out, we want something more than an ad hoc approach.

Mr. Speaker, if the socialist governments of Saskatchewan and Manitoba really want to do something to help farmers—to help farmers—perhaps they would get on the Alberta bandwagon and convince the federal government that the Canadian Wheat Board, that monopolistic agency, should allow dual marketing so that we can add value to our crops and reasonably market them.

head: **Recognitions**

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

Esquao Awards

MR. HORNER: Mr. Speaker, it's my pleasure to rise today and recognize a function that will occur on the 24th of this month. It's the seventh annual Esquao awards. The purpose of the awards is to bring attention to the valuable role of aboriginal women in their communities and throughout the province. At this year's ceremonies 29 individuals will be presented with awards. The theme this year is Angels among Us, honouring the struggles of women and their strength to persevere.

It's my pleasure to recognize a constituent of mine, an award winner in the community involvement category, leadership/mentorship, Chief Victoria Arcand of the Alexander First Nation. She's the mother of five children, grandmother of 14, and a great-grandmother of three. She's a tireless and devoted worker for her community and has served as band councillor, secretary, and bookkeeper for the Alexander First Nation for many years. Through all of this, she has also completed her education and achieved a diploma in justice from Grant MacEwan College.

In addition, Mr. Speaker, I wish to also recognize one of our own in this House. The hon. Minister of Aboriginal Affairs and Northern Development is being awarded the Circle of Honour award for the enthusiastic and unflinching support that she's given to the aboriginal women in this province from the very first Esquao award.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

Lauren Chykalsky Premier's 4-H Award Winner

MR. MARZ: Thank you, Mr. Speaker. I rise today to recognize the winner of the 2002 4-H Premier's award, Lauren Chykalsky from Vermilion, Alberta. Lauren also attends the college in Olds. The Premier's award is the highest honour of the Alberta 4-H program, and Lauren is the 39th recipient of this award. She was selected out of 117 candidates during the annual 4-H selections program held this last weekend in Olds. As the Premier's award winner, Lauren also takes on the challenge of becoming the 4-H ambassador and will spend the next year promoting 4-H across the province and across the country. She will be joined by 15 more ambassadors who were also chosen during the selections weekend based on their leadership skills, their enthusiasm, and commitment to their communities and rural Alberta.

I had the pleasure of meeting Lauren and other ambassadors and all the outstanding 4-H leaders during the weekend's events, and I want to say how impressed I was with their enthusiasm and commitment to community service. Please join me in congratulating Lauren and all of the ambassadors and young 4-H members on their wonderful achievements.

SummerActive

MRS. O'NEILL: Mr. Speaker, I rise to recognize SummerActive, a community-based initiative that aims to increase awareness about the importance of physical activity to health. Earlier today I was pleased to join the Minister of Community Development to officially launch this year's program. SummerActive's focus is to target inactive individuals – that's myself – and give them opportunities and encouragement to pursue an active lifestyle. The goal is to meet the nation's target of decreasing inactivity by 10 percent. Physical inactivity remains a serious public health problem. About two-thirds of Alberta's population, including more than one-half of our children, are not active enough for optimal health benefits.

An active, healthy lifestyle has health, economic, and social benefits that reduce the risk of many chronic diseases, increase quality of life, and reduce early mortality. From May 8 to June 21 events and activities will be planned across Alberta. We invite Albertans to participate and to develop their own SummerActive plan.

THE SPEAKER: The hon. Member for Edmonton-Centre.

Interdependent Adults

MS BLAKEMAN: Thank you, Mr. Speaker. Today I'd like to recognize all of the GLBT folks and Equal=Alberta, EGALE, GALA, Julie Lloyd, Murray Billet, Delwin Vriend, and many others, queer and straight, who have continued to work toward equality for same-sex couples in Alberta.

Yesterday the Minister of Justice introduced Bill 30, the Adult Interdependent Relationships Act, for first reading, and while this bill is by no means the end of the road, it is certainly a milestone to commemorate. What all of these people and organizations – and I include current and former members of the Liberal caucus as well – were trying to achieve is recognition, protection, and legal remedies for same-sex couples and for individuals.

The road to get here took us past the Supreme Court ruling on Delwin Vriend's case to include sexual orientation under the Human Rights Act, and now the road pauses briefly at Bill 30 to include some legal remedies and benefits for same-sex couples like those available under the law now for other couples in domestic relationships. It is only eight acts of more than 50 that are included in this new definition, and it's certainly not the whole road but a step along the road in the right direction. I'm very proud to be along on the march.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Edmonton Minor Soccer

MR. MacDONALD: Thank you, Mr. Speaker. Today it gives me great pleasure to rise and recognize what is an important sport to many Edmonton families. The arrival of spring signals the start of another outdoor soccer season not only in Edmonton but all around Alberta. Soccer has provided endless opportunities for many individuals to form friendships while maintaining good physical health. The Edmonton Minor Soccer Association, or EMSA, was formed 26 years ago with the involvement of 30 teams. Today the

EMSA boasts the involvement of 1,500 teams. The massive increase in popularity of this sport over the years has been overwhelming. Roughly 24,000 players will take part in the 2002 outdoor soccer season. Soccer is a sport that requires much time and dedication from those involved. I would like to recognize the efforts of all volunteer coaches and league executives who will be participating in this season. It is my pleasure to recognize the 80 communities in Edmonton that were actively involved in minor soccer. Congratulations to everyone involved with making Edmonton's minor soccer a very successful event.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Fort.

Asian Heritage Month

MR. CAO: Thank you, Mr. Speaker. Today I rise both to recognize and to remind this Assembly that the month of May is Canadian Asian Heritage Month. This is a unique opportunity where our fellow Canadians having ancestral roots in the continent of Asia will have the opportunity to share the culture through various artistic, historical, and educational events.

Our fellow Canadians of Asian heritage have a legacy that has been established by generations of committed, hardworking individuals who have contributed to the settlement, growth, and development of this province. These individuals and many others like them have built this province alongside the pioneers from many different parts of our globe, and today, as in the past, their efforts continue in helping to build and strengthen our communities because of the deep commitment to the quality of life we all enjoy in this province.

I invite all members of this Assembly and all Albertans to join in the festivities of Asian Heritage Month in celebration of our Albertan cultural/social/economic enrichment. Thank you.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

2:40

Leaders of Tomorrow Awards

MR. JOHNSON: Thank you, Mr. Speaker, for the opportunity to rise in the House today and acknowledge some outstanding young individuals who were recently recognized in my constituency. The leaders of tomorrow awards ceremony was held in Wetaskiwin on April 22. Awards were presented to young volunteers in age categories ranging from six to 21 years of age who demonstrated outstanding dedication and excellence in their community service and work. The awards were sponsored by Reynolds-Alberta Museum, Wetaskiwin Credit Union, Rotary Club of Wetaskiwin, and county of Wetaskiwin, who made this event possible and have the thanks of all who attended.

Thirty-three exceptional young people from Wetaskiwin and surrounding areas were nominated to receive the leaders of tomorrow awards. Of those, Katherine Fraser, age 12; Dylan Graff, age 15; and Jody Parchewski, age 16 were the recipients of the awards in their respective age categories. Congratulations to these outstanding volunteers of today and leaders of tomorrow.

Thank you.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have two petitions to present today. The first is signed by a number of Albertans who petition the Legislative Assembly to urge the government of Alberta

“to ensure that Mr. Stockwell Day is made personally liable for any funds required to settle his defamation litigation and that no public funds are used for this purpose.”

The second petition is signed by several Albertans who petition the Legislative Assembly of Alberta “to ensure that maximum penalties are enforced for all crimes committed with weapons and that all youth involved in weapons related crimes be tried in adult courts.”

Thank you, Mr. Speaker.

head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, I wish to table today the annual report of the Alberta Agricultural Products Marketing Council for the year ended March 31, 2002. In the interests of preservation of materials or not inflicting materials people might not want, I would just tell members that if you would like a copy of this document, they are available through my office.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. In question period the other day the hon. Member for Edmonton-Glangarry raised some important points relative to teleposts, and as I committed to this Assembly, I would table from the professional association of engineers their report, which ultimately says that there are no concerns regarding public safety relative to the question that the hon. member did raise.

THE SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. I would like to table a report from a constituent of Calgary-Fort, Mr. Allan Jobson, who was very knowledgeable and active in the WCB legislation and injured worker issues. His report contains analysis, questions, and recommendations to Bill 26, Workers' Compensation Amendment Act, 2002. Along with this tabling my constituent also asked me to hand deliver a copy of the report to the Minister of Human Resources and Employment, the hon. Member for Calgary-Egmont, and the hon. Member for Edmonton-Glangarry.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Speaker. My first tabling is a letter from the Candora Society of Edmonton, signed by 51 individuals and addressed to the Minister of Gaming. These individuals are asking the government to “reverse its decision and restore the Community Lottery Board” funding.

The second tabling is a letter from Dave Hegland, president of the Alberta Pulse Growers, addressed to the Minister of Agriculture, Food and Rural Development. The Alberta Pulse Growers is deeply concerned with the budgetary cuts in the minister's department, especially those supporting the on-farm demo, regional variety trials, and agricultural research associations.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I have one tabling this afternoon, and it is a handout I received at the Shaw Conference Centre earlier today. It's brought forward by the United Food and Commercial Workers Union, local 401, who are organizing a

barbeque for inner-city residents and striking workers there today. This leaflet indicates that the workers desire “to be treated with dignity and respect” by their employer.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a number of tablings today. The first is from William Kelly, who is a constituent of mine and is very concerned about the proposals for canned hunting in this province.

The second is from Jayne Russell, who's sent a letter to the Premier and who is very concerned about confined feeding operations in the province.

The next one is from Jean McKinney. This is a copy of a letter that she sent to the Premier and a number of MLAs. Very concerned about the Bighorn recreational area access management plan.

The next tabling is the appropriate number of copies of *The Leading Veg*, a newsletter published by the Vegetarians of Alberta Association. This group is a “registered non-profit society formed in 1989 to serve people who are interested in learning about, adopting and/or maintaining a vegetarian lifestyle.” They are a nonpolitical and nonreligious volunteer organization. They were also one of the many groups that braved the wind on Sunday, May 5, to participate in Edmonton's belated Earth Day celebrations.

The next tabling is from Margaret Scaia from Lake Louise, Alberta, who is very concerned about the discussions to delist therapeutic abortions as a medical procedure under Alberta health care.

The last tabling is letters from Grace Millenaar of Edmonton, Darrell Nieberding of Edmonton, Larry Dyck of Calgary, and Barry Dahlseide of Leduc, and these Albertans want the government to maintain some access for off-highway vehicles in the Bighorn.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have two tablings today. One is a set of documents, the appropriate number of them, indicating government policy on the sale of RHA properties, market appraisals of the Holy Cross hospital, and correspondence concerning the sale.

The second tabling is I think the fourth in series on the cost of health care corruption in the U.S., six pages of examples of health care fraud involving health care businesses in the U.S., totaling today over \$443 million.

Thank you.

THE SPEAKER: Hon. members, any others? Then the hon. Member for Edmonton-Riverview on a point of order.

Point of Order Member's Apology

DR. TAFT: Yes. Thank you, Mr. Speaker. I'm rising to apologize to the Assembly and to the Premier. I understood that the material referred to during question period relating to the Holy Cross hospital had in fact been delivered to the Premier's office on Monday. Due to a misunderstanding it hadn't been. It has been as of now. So I apologize for that misunderstanding.

Thank you.

THE SPEAKER: Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to introduce to you and through you to this Assembly my constituency office STEP student, Jonathan Roshko. Jonathan is enrolled in a business course at Grant MacEwan College. Jonathan is seated, if he's still here, in the members' gallery, and I would like to ask him to rise at this time and receive the welcome of this Assembly.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you very much, Mr. Speaker. It is a great pleasure today to introduce to you and through you to the Assembly 28 great grade 6 students from the Pine Grove school in Edson. With them today are teachers Mrs. Leah Holt and Mrs. Myrna Field. The parents and helpers that they've got are Mrs. Janet Murphy, Mrs. Lonni Saken, Mrs. Noella Robinson, and Mr. Louis Giannitsos. I'd ask them to please rise in the members' gallery, and I'd like us to give them a great round of applause.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. It's a pleasure today to introduce to you and through you to all members of the Assembly a very close friend of mine and a very active member of the constituency of Olds-Didsbury-Three Hills, Mr. Pat James. Pat is also a councillor with the county of Mountain View as well as on the board of directors with the Alberta Association of Municipal Districts and Counties. I'd like to ask Pat, who is in the members' gallery, to rise and receive the warm welcome of the Assembly.

2:50

head: **Orders of the Day**

head: **Government Bills and Orders**
Second Reading

Bill 27
Appropriation Act, 2002

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm very pleased today to rise and move second reading of Bill 27, Appropriation Act, 2002.

Mr. Speaker, the members of this Assembly have spent the last number of days since March 19, when we brought our budget forward, debating the estimates of the departments and going through detailed analysis of the various ministries and have asked some extremely good questions. I'm sure that most have enjoyed the debate through this session and have taken each department and have voted for the estimates. This appropriation bill basically pulls all of the budget documents and information together, and I'm very pleased with the response from the Assembly. So without too much discussion again I move second reading of Bill 27.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm pleased to be able to rise and in second reading begin to comment on the principle behind Bill 27, the Appropriation Act, 2002. I always find myself in an interesting situation when we come to debate these

appropriation acts. The minister is correct: we debated quite a bit on various departments. I myself asked a number of questions, which is part of my decision-making process, and of course I wasn't able to necessarily get all of the answers to my questions. Part of that happens because the amount of time for each department is fairly limited, two hours or two and a half hours at the most, and in all of the asking of questions, there may not be enough time for the minister to fully respond with all of the answers, so there's always an agreement that we will receive the rest of the answers in writing.

Well, given that we just finished the very last department yesterday, it's impossible for the staff to keep up with that kind of pressure and provide us with the answers within a very short period of time. In fact, I have received answers back in response to two of the ministries that I have debated, that were the very first ones being debated. I have not received the answers back on the other three portfolios that I'm responsible for, so it's a small crisis of faith for me as to whether I vote in favour of the appropriation bill, in order to help everything move along and provide money for various programs that I support and that I know my constituents really need to get access to various programs, or whether in fact I say: "Whoa. No. Sorry; I can't support something if I don't have all the answers to my questions and on principle alone do not support the Appropriation Act."

There are a couple of other issues that are unresolved for me. I'll put them forward now in second reading, and maybe I can get one of the ministers to respond back to me during Committee of the Whole. One of the issues that has been most troublesome to both my constituency and the communities that are underneath the portfolios that I represent was the abolishment of the community lottery boards. I asked a number of questions during debate. I asked a number of questions in question period. I have to be honest; I don't really feel that I got answers to my questions. People still don't understand why these boards that were working so well for them, for which there were so few complaints out and about, were cut. It also affects of course a number of different ministries, because the grants that were being allocated on a local decision-making basis in each of the 88 regions, I think, may well have come out and paid for projects that would normally fall under a number of other ministries.

For example, I've been talking to the – it's a new organization. I'm sorry; I'm not going to remember the full and correct title for it, but under the auspices of the Edmonton Social Planning Council there was a legal guidance centre that was set up. Now, they had secured an amount of funding in the previous fiscal year from the community lottery board and had a working agreement that they could expect fairly securely to receive an equal amount of money from the current fiscal year, and that would have given that project a good start. They would have been steady on their feet and would have been able to carry on.

Now, of course, they weren't able to secure the second year of funding. She said: "Well, what do I do now? I mean, I've got this project half up. It's half rolling, and my source of funding has disappeared." I said: "Well, it doesn't fit under CFEP, it doesn't fit under Wild Rose, and it doesn't fit under AFA." This is a legal guidance thing. You know, where could she possibly go? All I could do was say: go straight to the minister. That's frankly what I've been recommending to a number of different organizations that have come to me asking: where do I go now? I've said: go to the minister that's ultimately responsible for that department.

So there is a very large and very unanswered situation in Alberta, and it's around these community lottery boards. We've now heard, in answer to some of my questions in question period, that there may in fact be a replacement program. Well, again all the same sorts of questions come up. You know, first of all, what was considered

wrong with the old program, and is it going to be fixed with the new program? Again we're not hearing about that.

Another of the groups that has been in touch with me with concerns is the Edmonton Federation of Community Leagues, and of course they have a counterpart in Calgary. I don't know how many members in here know – probably the senior members are aware – that Alberta is fairly unique in the community league programs that we have here. I know that Edmonton with its 140 community leagues is the largest volunteer-based organization, I think maybe in Canada. It has something “the best of” behind its title because it is involving so many people volunteering for the betterment of their communities. So when the Edmonton Federation of Community Leagues speaks, I listen. They're representing a lot of people at a grassroots community level.

They're very concerned with the loss of the community lottery boards, because many of their community leagues of course applied for and received moneys to make improvements and to run programs in their communities. Here's a small sample of what she was telling me. The community lottery boards in Edmonton awarded about 3 and a half million dollars to community leagues and community league affiliated groups in Edmonton. I'll just stop right there and say that that 3 and a half million dollars is a lot of money to lose out of a sector, especially when there's no solution in sight about where there might be a replacement for that money.

I've heard a number of people get up and in response go: well, you know, communities didn't have this money before the community lottery boards, so they can just get on and do whatever the heck they were doing before, and it will be the same thing. Well, that's partly true except that a lot of things have changed in these intervening four years, and one of those changes has been a fairly consistent and continuous transfer of responsibility for programs from the government down to the municipal level and in some cases to the community-based level. We have an expectation that certain programs are going to be carried on in the community now that weren't four years ago, and that's partly what the community lottery board was in fact paying for. So to say “Well, they can just go back and get money wherever they were getting it, you know, precommunity lottery board” is not necessarily true. The program in fact may have been paid for and entirely under the auspices of the government four years ago, and now it's community based. All things have to be taken into consideration here, and we really have to compare apples with apples and oranges with oranges.

Back to the Edmonton Federation of Community Leagues and the over 3 and a half million dollars that they were able to secure in grants. Now, out of that 3 and a half million 58 percent went towards park and playground development; 11 percent towards rink construction; 19 percent, hall renovations and furnishings; 4 percent, facilities, equipment, and programs for children and youth. Five percent was towards employment, and 3 percent towards other innovative projects.

3:00

Remember that before I was talking about how these community lottery boards had impacted far more than just the Ministry of Gaming or even the Ministry of Community Development. This is really affecting what I think is also happening in Municipal Affairs. We were talking about that yesterday, the Minister of Municipal Affairs and myself. In fact, that ministry is getting some \$40 million out of the lottery fund, but really I think they had to include the \$50 million from the community lottery boards as well. For the most part that money directly benefited the municipalities because there was enhancement that the city wasn't paying for and certainly that those groups will now look to the city to get.

These community lottery board funds filled an important gap in funding to recreation organizations, and there are a number of reasons why. In some cases groups like the community leagues – let's use them as a particular example – are not eligible for some other programs because they're not considered charitable. So where there's a criteria that only allows charitable programs through a number issued by Revenue Canada, they're excluded from applying for funds to a given funding source. The community lottery boards were set up in a way where they were very flexible about who they would consider grants from.

One of the other issues that has come up is: well, these groups can just go to CFEP, the community facility enhancement program. Yeah, uh huh, in some cases they can, but in at least three cases the projects that were funded were over the cap that is placed on the CFEP grants. You cannot get a grant for more than \$125,000 through the CFEP program. I'm thinking of the Kenilworth Arena, the Citadel Theatre, and the Edmonton Police Service projects, all of which have been truly left in the lurch, and there's been no answer forthcoming from government on how they are going to be accommodated.

These three groups had been successful in getting a grant, an agreement from the Edmonton lottery board that they would receive grants. The Kenilworth one sticks in my head; I think it was \$300,000 to fix their arena and rink. When the government chose to do cuts back in the fall, six months ago, the lottery boards also gave up the cut as asked, and in the case of the Edmonton Community Lottery Board they went back to some organizations and said: “We can't afford to give you this money right now, but you will get it in April. Would that be okay? Are you willing to accept that?” And the groups, believing of course that the money was coming in April, said: yes, fine, you can postpone the money. Now, if you had gone to them and said, “We're not going to give you the money now, and we think the government might in fact cut the whole program at the end of March. Would you agree to postpone your grant?” they would have said no, because they're out the money, frankly. And that's exactly the situation that they've been left in.

So on those three projects, for example, there's been no answer about how they will be handled. I've heard the suggestion: well, you know, we're talking about renovation and things, fixing up – the Citadel was about access for the disabled and hearing enhancement programs and that sort of thing – oh, well, that sounds like CFEP; why don't they go there? Well, as I said, CFEP has a cap of \$125,000. These were for grants, at least in one case, of double that. So they can't apply. I mean, they can apply, but they're going to get less than half of what they were looking for. I've asked repeatedly if that cap would be raised for either of these three groups or for all, and I've had no response back.

So, again, I'm reluctant to support a budget that can't answer these questions and in particular can't reassure me that these groups that have relied on the honesty and integrity of the government can continue to rely on that honesty and integrity, or if in fact they're just going to be dumped.

One of the other issues that was brought up to me and that I mentioned in the debate on Community Development very briefly and didn't have an opportunity to flesh out a bit is around what's happened with the restructuring of grants in that particular department. Now, part of this was around only one grant. The Department of Community Development instituted a rule that said that you can only get one grant. As part of that, some sort of odd things have happened that I don't think would be the intention of the minister. Nonetheless, I'm going to point out something that's resulted from this, and maybe during Committee of the Whole I can get him to get up and talk back with me about whether he would consider adjusting

the program or finding some other way to alleviate the problem that's ensued from this decision.

We have some artistic touring programs specific to children, and I'm going to use one example by name here, and that's the touring opera. They're not an artist-in-residence program particularly. They are a production. They come in. They do their opera. The kids watch it. The group leaves. What's happened is that their grant program, the touring performing program, got rolled in with the artist-in-residence program. So in combining those two programs the criteria for it sort of got combined. Now there seems to be an expectation on these touring groups that they're also going to do some kind of artist-in-residency program, which may not in fact be appropriate to what they're doing.

It may also be financially impossible for the group to do that. There's a five-hour artist-in-residence requirement here. So there's an expectation that if you're going to be paid by the school, you're going to show up; you're going to do at least five hours of artist-in-residency and then do your performance. Well, for Alberta Opera Touring they need to be doing 200 shows a year to stay alive, which means they have to be doing at least two shows a day. Well, if you're now requiring them to go in and do a five-hour residency plus the performance, that knocks them out right away. They're down to one performance a day. They can't make it at that. So right away that's caused a problem, that kind of artist-in-residency requirement.

The second thing that's happened is the way the grants are administered. That company, again, for example, Alberta Opera Touring, made one grant application – actually two, because it applied for its operating program plus the touring grants – and that would be it. Then they would contract with the various schools that wanted to have them in. Because of the change in the way the program is being administered now, there's an expectation that the schools will make the grant application to apply for the money to have the group come in. Well, those schools, as we know, are already working pretty hard, so they just throw their hands up and go: we don't have the time to do this at all.

Now the onus is in fact upon the member who is running the touring company to do the 210 grant applications for all of these different school groups on their behalf, and of course he's one guy. He's writing the plays. He's doing the tour booking. He's hiring the performers. He's performing in it himself. And now he has to do 210 grant applications? It's a bit much to ask of anyone. That's another problem that's come out of this change in the way things are being approached.

There's some question as well with the change and this requirement or expectation that there'll be an artist-in-residence. There's some question about quality control on what you're getting there. I'm not going to go into that one because I'm not understanding all the issues well enough, but I think it's enough that we be concerned about the fact that we're imperiling some touring groups under these new requirements and under the new grant program, and we don't want to lose those groups. It's not easy to tour. It's hard to tour. I can speak from experience on that one. It's a labour of love, and it's not always easy to get people that are willing to go on tour and to tour into rural areas in Alberta and to tour to schoolchildren. Yet this is something that we all know is a great endeavour. The kids really love it, and everybody really benefits from it, so we don't want to make it any harder than it already is or any less economical than it already is for these touring groups. So I need the minister to take another look at this program, because I think there are some serious problems there in an area that's already difficult to administer.

I know that in the case of Alberta Opera Touring he was mentioning to me that he thought the change in this program was effectively going to cut \$30,000 out of his budget. Again, I told you that this is

essentially a one-man operation. This is pretty lean and mean. You don't get any leaner and meaner than that, where you've got one guy writing the thing; he's acting in it; he's casting it; he's doing the tour arrangements. That's pretty good. We're making it even harder on him and taking away a good source of his money as well.

3:10

There's also a question somewhere else in there I think I raised earlier with the minister on the whole question of why we're expecting the arts sector of Community Development to be paying for what could be deemed an educational component for kids, and that is seeing these touring productions, whether they be the ballet, the opera, a theatre production, or whatever.

So those are the couple of points I wanted to raise. In principle I can't support this appropriation bill until I get the answers to the questions that I had put out there, and I look forward to receiving those answers.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to add my comments to second reading of Bill 27, the Appropriation Act, 2002. First of all, I'd just like to spend a moment or two talking about the process of budget this time. We had some new rules to go by, and this is the time when normally we would evaluate them with regard to how the budget process worked, whether or not this was an effective way to deal with budget. It is one of the more effective systems I think that we've had over the course of my history in this Assembly. I do have a few suggestions that I would like to put on the record for consideration next year.

What happened this time is that we went to budget after Monday night's private members' business and then Tuesday nights and Wednesday nights. Because of the government's wish for haste in getting out of the Assembly, we ended up doing quite a bit of work after 10 o'clock at night on other bills that had to be discussed in the Assembly. While that speeds up the process of how long we're in session, it also creates a great workload for us in terms of research and properly analyzing the bills and sending them out to stakeholder groups, getting the feedback in, and then being on our feet debating issues in the afternoon and evening and then late into the evening. It's very tiring for everyone, not just for us but I would suggest for all members in this Assembly.

AN HON. MEMBER: Poor you.

MS CARLSON: No, it's not a poor me kind of statement. It's a reasonable statement to be made given that people need to work effectively and efficiently. There have always been parts about the process, Mr. Speaker, that I have liked, and for those parts that I don't like, I always put them on the record. It's clear that the government whip would choose to enter into debate on this, and I would welcome that, because we hardly ever see her stand on her feet in this Assembly, so she will have an opportunity . . .

MRS. NELSON: Point of order.

THE SPEAKER: The hon. Minister of Finance on a point of order.

Point of Order Relevance

MRS. NELSON: Mr. Speaker, on relevancy. I believe it's 453 or 457. I'm sorry; I don't have my *Beauchesne's* handy. I thought we

were debating the appropriation bill and not the procedures of the House, rules that were determined prior to us coming into this session.

THE SPEAKER: On the point of order, hon. Member for Edmonton-Ellerslie?

MS CARLSON: Yes. I would suggest that there is no point of order. In fact, the budget process and how we debate the budget over the course of the time allocated is very much relevant to appropriations and to the point that I'm getting to, which is in terms of relevant answers and time spent.

THE SPEAKER: Well, hon. members, on this very important point of order, as the chair refers to citation 453, it says, "A dissolution of the House immediately puts an end to all outstanding orders for Returns." So that clearly is not the appropriate citation.

Citation 457 says:

The Speaker plays no role in determining the correctness of the translation of texts. Members who take issue with the translation of a text before the House should propose an amendment to the motion or bill at the appropriate stage.

So that certainly is an inappropriate citation as well.

Look; the point of it all is that the hon. Member for Edmonton-Ellerslie was making comments. It appears to the chair anyway that there was some movement of mouths from another part of the House, and the Member for Edmonton-Ellerslie responded in kind. That led to another kind of thing. The hon. Minister of Finance stood up on a point of order, saying that that exchange was totally irrelevant. And you know what? The chair agrees: a totally irrelevant exchange – totally.

So would the hon. Member for Edmonton-Ellerslie continue her remarks.

MRS. NELSON: Could I just say . . .

THE SPEAKER: Finished. Dealt with. Dealt with.

MRS. NELSON: I apologize for not having *Beauchesne* handy. It was 459 that I was referring to. I'm sorry.

THE SPEAKER: Well, that's good.

Debate Continued

MS CARLSON: Thank you, Mr. Speaker. I'm happy to continue with my remarks. In terms of the process of how the budget debates have gone, in terms of our being able to spend relevant time on them and give government members an opportunity to respond prior to the vote on the particular budget, I have a suggestion to make. That is that perhaps next budget session we take a look at debating budget estimates on Monday night after private members' business and on Wednesday evening, leaving Tuesday evening free to deal with other bills that are on the Order Paper.

That accomplishes a couple of things. It makes some progress in terms of where we're going on other agenda items, and it also gives us a little more time to review budgets, to go out to stakeholders and get feedback from them, and to be prepared in the Assembly. It also gives ministers an opportunity for themselves and their staff to review the questions that were asked and to supply answers to us in a timely fashion, and we see a timely fashion as being prior to the appropriation bill coming before the Assembly for a final vote. It is quite frequent that we don't receive the answers to the questions from the budget until sometime after that point, in fact. Often it's

certainly after we have taken a recess from the House and sometimes it is well into the next session before the answers come.

Now, there are a few ministers who always strive to give us timely responses, and that we very much appreciate. In fact, I had an opportunity to review the responses from the Minister of Transportation that hit my desk yesterday, which of course was very timely in terms of this budget debate. I have to tell you that the Minister of Transportation is a minister I quite like, and it seems that he tries very hard to do a good job of performing his duties, but in this particular instance I was very disappointed in the kinds of answers that I got back. I had some very legitimate and detailed questions that I requested answers to, and I thought that in the debate I had outlined that rather well. Obviously that was not the case, Mr. Speaker, because the answers I got back were not acceptable by any stretch of the imagination.

[Mr. Shariff in the chair]

One of the questions I had asked him was about transportation grants to all areas of the province and the kinds of cutbacks we've seen, and he went on to talk about the increased grants and the reversal of the decisions that had been made in terms of Calgary and Edmonton. Specific to my comments during that budget debate were concerns that Albertans had expressed to me about this government having an Edmonton/Calgary corridor mentality, and he responded by giving me an answer that only deals with those two cities. In fact, my questions specifically were directed to other areas of the province and the transportation grants there. So I was very disappointed. I thought that we could have some good answers that we could send out to municipalities and to people who were worried about transportation in the outlying areas, and we got back something that is actually good for me and for the Official Opposition in terms of confirming in those people's minds that this government has that particular mind-set. It was less than what I expected in an answer.

I'm hoping that the minister will review those questions and then subsequently the answers that he provided and perhaps upgrade the quality of the answers to something that I can send out, because in the absence of a good answer I'm going to send out the answer that he gave me. People in the province are not going to like it, and I'm sure that he is going to hear from them and that in fact it will cause him and his staff a great deal more work than if he'd just answered the questions in a relevant fashion to begin with.

3:20

Some of the answers that I got were pretty good and covered most of the areas that I had asked about, although I have to say that I am waiting for the answers from Sustainable Resource Development and Environment. I'm hoping that they will provide those.

It's always been my position, Mr. Speaker, that I prefer a budgetary process where we can have access to deputy ministers and other key support staff in departments for the budget process, because while ministers know their departments quite well, they often don't know the specifics of some of the details of the programs, and it's very nice to have access to that staff to get that level of detail in answers. In previous budgets we have had that ability. I know a lot of people didn't like being upstairs for the budget debate, but it was very helpful to get some level of detail on some of the issues, and it was particularly helpful to me. It wouldn't be necessary for all the departments but for some.

Sustainable Resource Development does a very good job these days of having briefing sessions for myself and support staff on issues, where we do have access to people who can give us some detailed answers and some feedback on how policy initiatives and

changes in direction have been received, as they perceive it, and a perspective on how the policy that they are implementing should be implemented. While that always isn't in accordance with how we think things should be done, it certainly is very, very helpful to have access to that information.

In Environment, which is one of the other portfolios that I monitor, we have random meetings but certainly not that degree of access to staff, and it would be helpful to have that.

As well, Economic Development. Now, I know that the minister is definitely a cheerleader for Alberta, and that is his job, no doubt about it. But what we hear are only the ministerial statements in the House. We don't get additional information or support from that department, and that would be helpful.

International and Intergovernmental Relations: the same thing; we don't get an overview of what's happening and specifics on direction. What happens, Mr. Speaker, is that if we have access to that kind of information particularly during budget debate, it cuts down on the number of questions in the House or it makes the questions in the House more relevant and therefore better for the use of Albertans. So I would suggest that the Government House Leader and the ministers consider that when we talk about how the budget process will be undertaken next year.

Once again here we are being asked to vote on appropriations, which are substantive in amount, and we haven't got all the answers. So that's a very tough thing to do. If we'd had the budget a little earlier and there were some sort of mandatory requirement that answers be provided prior to the votes being taken, it would certainly be a lot easier for us to vote on these issues. We're talking about nearly \$17 billion this year, \$2 billion down from last year. So we'll see what happens over the course of the year. I'm quite sure that we'll see revisions over the course of the year or certainly surpluses being built into this year's budget given the way oil and gas prices are going now.

I'd like to spend a few moments talking about what happened to the budget this year. This has been a very interesting budget year. We have seen government bring in a budget on one day and the very next day talk about extra money they had available. We've seen at least three . . . [interjection] Well, that's an interesting point, Mr. Speaker. We hear the Government House Leader saying that the announcement that was made the day after the budget was introduced dealt with surplus moneys from the year prior. I agree that that's where those moneys came from.

The point here is that when you are giving people information on money matters, it is very important that full disclosure in terms of all the moneys available and all the relevant information available to the person in charge of the information be made to those who need the information. In this case it's Albertans. Appearances during that time period – it looked like there were some other protocols being met, not necessarily that of full and open disclosure at the time that moneys were available. Now, I know that the Minister of Finance won't like that, but let's take a look at the optics of that situation; they did not look good.

Subsequent to that we saw two or three more flip-flops on money issues. Before the budgets were decided, we saw the great big . . .

MS BLAKEMAN: Why didn't they flip-flop on the one they needed to?

MS CARLSON: Well, that's right. My colleague from Edmonton-Centre makes a very good point: why didn't they flip-flop on the one they needed to? That's an outstanding issue that we believe we are going to see a flop on probably over the summer when most people in this province are on holidays. At that time the media doesn't give

the same kind of scrutiny to decisions that are made by government.

No doubt, the elimination of community lottery boards in this province created a very big uproar from corner to corner of the province because it's an issue that hits every single community. Now, we have heard lots of reasons why these dollars were discontinued, and certainly the lamest of these reasons was that there was no money for them, Mr. Speaker. There is money for everything this government wants there to be money for, and certainly this is no exception. The support of those organizations . . .

REV. ABBOTT: Yeah, we wish.

MS CARLSON: Well, you know, it's too bad that other people don't get involved in the appropriations debate, Mr. Speaker. They're quite happy to chirp away and add in, and Drayton Valley-Calmar is the first amongst those to engage in debate off the record, so we'll just put those comments on the record for him. [interjection] Yes, just heckling; that's true.

The fact is, Mr. Speaker, that we had many people in this province who were very upset about what happened with community lottery boards. The money is there. We're going to see as this year unfolds that they'll find some other way to provide photo ops for MLAs to present those cheques, not opposition MLAs.

MRS. NELSON: I don't think so.

MS CARLSON: Well, that's right. The Minister of Finance says: I don't think so. The question is: is she saying "I don't think so" to there being any photo ops for opposition MLAs? Well, I don't think that's true either. Is the answer "I don't think so" that there will be no other venue for community lottery board dollars to be disbursed? Well, I think they're going to come up with some new way for those dollars to get into the hands of community members, and it will be interesting to see how that happens.

THE ACTING SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you, Mr. Speaker. I wanted an opportunity to speak on the Appropriation Act because I think it is, as the hon. member across the way indicated, an important piece of legislation. It is important. We've spent many days and many nights in here dealing with these.

As per the earlier comments about the process, yes, I agree that it is tiring, but everything in this Assembly every session is tiring. This year for the first time in years we have a system where all the debates on the budget are done inside this Chamber as opposed to being designated out in subcommittees upstairs where we had two budget discussions going on at the same time, where we had Friday mornings or Friday nights or Saturday mornings or Monday mornings at 8 o'clock, trying to deal with four or five designated subcommittees on the budget. Every single department of government is being debated inside this Chamber, as it should be. So I can agree that it is tiring, but I also think that it's an incredibly huge improvement over where we were.

The beauty of all that is that it came about through a Standing Orders debate and discussion and co-operation between House leaders: our Government House Leader, their leader, and the ND leader. So I think that it's kind of an important point that there was an agreement on this. You know, if you're not happy with it, then I would suggest in all honesty that you speak to the Government House Leader about it, and perhaps we can come up with a way that suits you better.

Going back to the actual appropriation bill, I think it's important that we put on the record what it is that we're actually talking about here. So let's start with that, with what's actually in the bill.

3:30

It starts with support to the Legislative Assembly of \$34,930,000, which is kind of important to everybody that's here, as to the functioning of this building, from security to visitor services to information systems to you name it. It's in there. That's what makes this whole place run. I think that's an important vote.

The office of the Auditor General, which is absolutely crucial to the oversight of government spending and making sure that things work well. The office of the Ombudsman, the office of the Chief Electoral Officer. The office of the Ethics Commissioner is very important to all of us. We all report to him annually, and by the way that's coming up in the next few weeks, so everybody should make sure they've gone. The office of the Information and Privacy Commissioner: that's in here too, Mr. Speaker.

Then it gets into the government expenditures. You know, you have Aboriginal Affairs, \$20 million; Agriculture, Food and Rural Development, \$305 million, not nearly enough, by the way. Nevertheless, I know that our minister will do a great job with it.

Children's Services, something that's been asked about repeatedly in here during question period, always indicating that it's not enough and it's not right, it's \$673 million. I remember when the now minister of sustainable resources was minister of family services, and at that time the children's component of it was about \$186 million. That was back in 1993-94. It is now \$673 million, a phenomenal increase in the amount of money, and I do know that there's an increase in children in there as well but not nearly as much as the increase in the rate of expenditures. You know, if you judge things by money, then you also have to judge it by the increase in the expenditure and the sincerity with which people are trying to help and deal with those serious issues of protecting children in this society. It's sad, Mr. Speaker, anytime that you have a child that needs protecting, but I'm glad to know that we have frontline workers and great people out there trying to perform that service.

We have Community Development, \$569 million, and I know that a portion of that is for the PDD program, which was moved over there this past year. I know that the minister does a very fine job with that particular program, and there again an annual increase is going into it. Can you keep up with the demand? I'm not sure, but knowing that the increases are there, at least we can help to offset some of the pain and distress that exists in our society. Yes, that was where community lottery boards were as well, and it is unfortunate that that program had to be removed at this time.

Every once in a while we need to maybe touch base with reality here on what it is you're trying to do with education, with health care needs, with acute care, with long-term care, with PDD, with children's services, with clean air and water, and a thousand other things that are must-haves, actual you need to have them, not just want to have them. Community lottery boards were a great program to have, but it was never necessary. It was never: wow, the whole world will fall apart if you don't have a community lottery board. You've got CFEP. You've got Wild Rose. You've got the Alberta Sport Council. You've got the Alberta Foundation for the Arts. On top of that, you have about \$180 million a year that's being raised by casinos and bingos for charitable purposes in this province. Over a billion dollars is going back in through these communities, whether it's through health care or education or whether it's through charitable contributions.

You know, this \$50 million of which about half was actually a duplication of funding mechanisms through CFEP, Alberta sport and

recreation, and Alberta Foundation for the Arts may not have been the absolute best use or the only use for that \$50 million. There's a commitment by the Premier and by the minister to review those programs and find the people who are falling through the cracks that can't apply under the other programs and try and find a way to change guidelines so that they can in fact do so, and I accept them at their word on that.

Economic Development, \$51 million, I think one of our truly more important departments as small as it may be in comparison to the overall spending. As an exporting province this is absolutely crucial to the future of everything that we do here.

Our Energy department, \$101 million; Environment, \$103 million, and that's an area where if I could spend a little bit more, I'd probably spend some of it there on water and air to make sure that this province stays as wonderful for our children as it is today for us.

We have our Finance department. We've got Gaming, which brings in a huge amount of revenue for us, and I'm very thankful for that, because when they weren't spending it here, they were spending in Vegas anyway, and I'm glad that it's staying here. I think that's as it should be.

Human Resources and Employment, a billion dollars, very important programs there. Again there was an increase in that one.

Infrastructure for this year, \$847 million. I wish that could be more, and if it hadn't been for the downturn in revenues of almost \$2 billion last year, I think it would be more, but maybe next year things will improve again. In an environment like ours, with the most volatile economy in all of North America, where you can have 15 and 20 percent swings in your revenue – you know, we tried to help out with onetime funding when we had a surplus. When things don't work out, it also has to come back out, because we do not run deficits in this province. I am hopeful that the minister's commission will in fact come up with some ways that we can do infrastructure and transportation spending perhaps a little more logically so that planning can be done not only by government, by communities, by schools, and by municipalities but also by construction companies that make their living here as well.

Innovation and Science, one of my favourite areas. The Supernet I think is just a phenomenal thing for this province. I mean, it's put us just miles ahead of every other place in the world.

Our International and Intergovernmental Relations. I know that it's a small department, but it's incredibly important. It came up again today in question period as to how important our international and national relationships are. If the U.S. is going to go back into huge subsidies for agriculture, where does that leave us? Where does that leave our farmers? Our minister will help us with that, to try and sort that out and take us through the proper procedures so that we can either deal with it at a legal level or have to deal with it at a financial level later, because one way or another you are going to deal with it.

We have Justice and Learning and Municipal Affairs, all incredibly important. Our Revenue department is just small, but it works well with our other minister. There's a great connection there. The Seniors department, incredibly important again. I have aging parents, and I know how important the seniors' benefit program is, and I also know how important the extended health care benefit package was. I know that our Minister of Seniors is working on that, and we will have a solution to that one as well.

Sustainable Resource Development and Transportation. Our transportation system again ties back into Infrastructure, and I know that eventually we'll have a solution for some of those problems.

You know, there's been an awful lot of angst and anxiety and time spent talking about community lottery boards, and I think that one of the things that you need to consider at the end of the day is that of

an almost \$20 billion budget, everybody is really complaining about \$50 million, and that's just not too bad as far as I'm concerned. So thank you for this opportunity, Mr. Speaker.

THE ACTING SPEAKER: Hon. Member for Edmonton-Ellerslie, are you rising on a point of order?

MS CARLSON: No, no. A question. Mr. Speaker, is the Member for Airdrie-Rocky View saying that community lottery boards weren't a priority for this government?

MS HALEY: I think that if you'd actually been listening to my comments, I would have said to you that they had provided a service, that there were areas where there was a duplication between it and CFEP, Alberta sport and recreation, Alberta Foundation for the Arts, and that, yes, it was important, but it is not as important as health care, acute care beds. It is not as important as trying to find a minimum of a 6 percent raise for teachers. It is not as important as making sure we have some money left for seniors.

If I were to complain about one thing, it would be the extended health care. I wish we hadn't had to do that. It was part of an overall package transfer, and if there were one thing I could put money back into, it wouldn't be community lottery boards. It would in fact be something for the senior citizens.

MS CARLSON: Another question, Mr. Speaker. So is the member saying that if there are organizations who fall through the cracks and don't have funding, the government will find other ways of funding those projects?

MS HALEY: I believe that that's been answered several times in question period by the Minister of Gaming, and he indicated over and over again that the guidelines were all being reviewed. We will look at CFEP. We will look at Alberta sport and recreation. We will look at the Alberta Foundation for the Arts. We will look at the Wild Rose Foundation. For the ones that don't fit now, we will see if there is a way to accommodate them. I also think it's important to note that there were people who were applying for those grants under community lottery boards that weren't getting funded either. They weren't getting funded then, and they may not get funded in the future, because they simply don't fit any of the criteria.

THE ACTING SPEAKER: Any other questions or comments? The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Yes. Thank you, Mr. Speaker. I'm just wondering if this is a decision that the hon. Member for Airdrie-Rocky View made by herself, or was this a decision that was made collectively by our entire caucus, that was elected by the citizens of Alberta?

MS HALEY: Well, as the member well knows, we have a very active caucus participation system, starting at standing policy committees, going up through cabinet, back through to caucus, and through Treasury Board and agenda and priorities along the way as well, so it was never made by just one person. As a matter of fact, there were a lot of people that participated in it, and it was an unfortunate decision. There's not one of us that wouldn't wish that we had a \$7 billion surplus this year and that the worst problem that we would have is where to allocate some of those funds. The problem was that we had a \$2 billion shortfall in revenue instead.

3:40

MS BLAKEMAN: Oh, thank you for that question and that answer.

My question to the member. She's pointing out that the Minister of Gaming will be looking at criteria for CFEP and Wild Rose and looking to accommodate groups under that, but we're talking about missing \$50 million. Is she anticipating, then, somehow or does she know somehow that government will be coming up with the additional money to put into those existing grant programs to cover off taking care of these groups?

MS HALEY: You know, in all honesty, no, I don't really think that we'll coming up with an additional \$50 million, but I do think that there might be \$14 million, as indicated in the business plan, in the next year for CFEP.

I want to re-emphasize this point. When I indicated that there was \$25 million worth of duplication, I meant that there was \$25 million of duplication. If a group could go through several granting mechanisms and get money from all of them, was that actually what it was intended to be set up for? The answer is: no, I don't think so. Nor was it intended to be set up for the big major groups. [Ms Haley's speaking time expired] Oops, I'm out of time again, Mr. Speaker, and I'm having such a good time.

THE ACTING SPEAKER: Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make some comments at second reading about Bill 27, the Appropriation Act, 2002. As is the practice, we are to devote our comments at second reading to the underlying principles of the bill. I think the principles are abundantly clear to those of us that have studied the budget and have been in the House. The government has outlined the principles rather clearly in the budget documents. Budget 2002, the fiscal plan, lays out the budget principles. There are five really major principles that the budget is structured around.

The first is that the budget will be balanced every year. I think this is a principle that everyone in the House endorses and that we've endorsed formally through the Fiscal Responsibility Act and the Government Accountability Act in the past, but having agreed with the principle, I think what is equally important is how that balance is attained each year.

The how is where we often, I think, have disagreements in the House, as to how that process will be undertaken. The example of course is the one from last year, where the fall cuts that were made to the budget at that time were in fact very, very painful. There were a number of groups. I met with some of the disabled adults who were living in group homes and their advocates. Having a budget cut appear at the time in the fiscal year that it did worked a great hardship on those individuals. They had committed themselves to workers and to contracts that just didn't have a 1 percent reduction possible in them, so they were looking at some pretty serious adjustments as a result of those cuts. So as important as the budget being balanced is, how we do that balancing has to be a major priority, and that wasn't the only department.

I think the department that of course drew a great deal of attention was Children's Services. There were 18 programs in this city alone that were cut and curtailed, and unfortunately among those programs were a great many that were preventative in nature. I'm afraid that when the fiscal crunch comes, it's the prevention programs that usually are hurt and done away with first, and with respect to Children's Services, doing away with those preventative programs is really short-term gain for long-term pain. They are critical if the future is to be better and if costs in any of those areas are going to be eventually reduced. So while we endorse "the budget will be balanced every year" as a principle, how that balancing is done has to be very carefully thought through.

A second principle that's outlined in the fiscal plan put forward by the government and debated in the estimates is that "debt will be repaid." There has been a great deal of attention arising out of the experiences in the '80s to debt and the ills of the province being deeply in debt and the wasted resources that are sacrificed to interest payments on huge debts. Again, while it's a principle that we all would endorse, the question has been asked and it continues to be asked in terms of: how fast are we paying down the mortgage? How fast is the debt being paid down? This fiscal plan indicates that we are now nine years ahead of schedule, and that I guess is what has been the source of a number of questions about: is that prudent budgeting? Is it wise to pay it down that rapidly or to follow a plan, the kind of thing that most families do when they're doing their budgeting, that allows for a balance between the pay-down of debt and financing and appropriate spending that needs and should be done. I think it's a question that we have to look at very seriously.

If you look at the infrastructure across the province – I look at schools and colleges and universities and the huge amount of money that's going to be required for infrastructure and the comments by the Auditor General that we in fact are remiss in not having a plan in place to appropriately replace facilities as they age and to upgrade them. I think it's a worrying development that the race to get rid of the debt may be sowing the seeds for some other long-term and very expensive costs that are going to have to be borne in the future.

A third principle that the plan outlines, Mr. Speaker, is that "revenue forecasts will be prudent." I think we all agree, given the kind of volatility that Alberta faces with respect to revenue, given that it's based so heavily on resource revenues, that prudence is needed. But the question again is raised: is it prudent to vastly, vastly underestimate revenues to produce surpluses? Again, it's a question that's going to be debated and will continue to be debated, but the forecasts have been wild over the last number of years. There is some basis for it, but you wonder if there doesn't need to be some discipline in making those forecasts.

3:50

A fourth principle that is often part of our budget debates is that "spending plans will be affordable." Again, we can all agree that you have to live within your means. You can't live otherwise without going back into the kind of huge debt that we faced in the past, but I think there are two words that might be added to that principle: that spending programs will be "appropriate" and "affordable." It's the appropriateness of this spending that we have spent the last – I don't know – 30 days debating, because it's in the details of the various departments that we try to make judgments about the appropriateness of the spending that's placed there. There have been some serious questions raised during the budget debates about the various departments and the appropriateness of the allocations that have been made there.

A fifth principle is that "the government will be open and accountable to Albertans," and it's one that the government prides itself on in the number of references that are made to this principle. One of the ways that the openness and accountability is practised is through the business plans, and the business plans have come a long way from those that we saw first in the early '90s. Some of the departments have business plans that are really quite excellent in terms of the public, citizens trying to follow what's actually being done and with the appropriate indicators for citizens to make some judgments. Mr. Speaker, I think in particular of the Innovation and Science department and the business plans that they have put forward. They're still in development, but I think that what they have there is really fairly well done and might serve as a model for other departments.

One of the difficulties we have – and I think, again, the Auditor General has made reference to it – is the changing of business plans. The changing of performance measures and the performance indicators from year to year makes comparisons very, very difficult and makes any kind of history-tracking of specific items really very, very difficult.

There's also a lack of common definition in terms of what is an indicator, what is a performance measure. So it would be very helpful in terms of future business plans to have some cross-department agreement in terms of what those terms mean. By now the indicators, for the most part you would think, would be settled down for departments, and I think it would be very useful in budget examinations to have those plans be fairly consistent year to year so that judgments could be appropriately made.

If you look at the plan as outlined by the government, the priorities are listed as three in the plan. First, Health and Wellness is a top priority, and it takes up 36 percent of this year's budget, Mr. Speaker. Learning is a second priority, and it takes up 24 percent of the budget. The third priority is assistance for those in need. One of the frustrations of the Health and Wellness budget – and this appears year after year – is the huge amount of activity there seems to be. I don't know how many different plans we've had. There was a 90-day plan back in the early '90s when the system was going to be fixed. There have been groups studying the health care system. It's just a most frustrating area in terms of all of that activity actually resulting in a health and wellness system that we're comfortable with and that doesn't seem to be under constant stress.

There are concerns still, I think, within that budget about mental health services and how they're being delivered. I think there were some good items in it, and I think the \$9 million to reduce tobacco use was well spent and well placed, but it's a budget area that I'm still pessimistic we have a handle on.

Thank you.

[Motion carried; Bill 27 read a second time]

Bill 28

Miscellaneous Statutes Amendment Act, 2002

THE ACTING SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I introduced Bill 28 yesterday, indicating that it made some fairly minor and nonsubstantive amendments to two acts, the Employment Pension Plans Act and the Railway Act, and that it repealed a third act, and that is the Small Business Term Assistance Fund Act. In the practice of the House the miscellaneous statutes are agreed to by all parties before they're introduced and usually don't require much more debate than that. This, as I say, is nonsubstantive, and I would commend it to the House.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. It is a pleasure to rise and speak to Bill 28, Miscellaneous Statutes Amendment Act, 2002. It's been the custom in recent sessions to try to minimize the work done through miscellaneous statutes and to ensure that it is minor in nature, and it has been the custom of the government to send over miscellaneous statutes suggestions to us as early as they can in the process so that we have a chance to review them and decide whether or not we are going to support them. If we feel that there are

substantive changes, then we ask for sections to be withdrawn. If we have any concerns about sections laid out in the bill, we ask for them to be withdrawn.

This time, as the Government House Leader indicated, three acts were brought forward for what we see also as being relatively minor changes, Mr. Speaker, and we will be supporting a speedy passage of this particular miscellaneous statutes act through the House.

[Motion carried; Bill 28 read a second time]

4:00

Bill 29
Intestate Succession Amendment Act, 2002

THE ACTING SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I am pleased to move second reading of Bill 29, the Intestate Succession Amendment Act, 2002.

As I'm sure all members of the Assembly are aware, the government has embarked on, as I've mentioned a number of times, an all-encompassing review of family law statutes. In addition, we have also examined the legal treatment of committed personal relationships that fall outside the traditional institution of marriage. Bill 30, which was also introduced yesterday, the Adult Interdependent Relationships Act, addresses the status of such personal relationships insofar as they have access to the laws of the province.

That act is based on the fact that there are Albertans who are in personal relationships of interdependence outside of marriage, people who are emotionally and financially committed to one another on a long-term basis, and the definition of those interdependent relationships is set out in that act and will include long-term relationships, including platonic relationships, which meet the requirement of the act. It's a stiff test but an important one, and it's our intention that the Adult Interdependent Relationships Act will remain on the Order Paper after the end of the spring sitting and over to the fall so that Albertans may have a look at it, may satisfy themselves as to how it applies to them or how it doesn't apply to them, and have the opportunity to examine that. It's important that it sit over because the implications of the act may apply to many people, and they should have that opportunity to understand it before it comes into effect.

However, that being said, it is necessary to deal with one piece of legislation this spring. The Intestate Succession Act in April of 2001 was subject to a court action and crucial provisions of it were struck down by the Court of Queen's Bench in Alberta on the basis that they extended a benefit to a married couple that is not extended to a same-sex couple. The court suspended the declaration of the invalidity of that act until the end of the spring 2002 sitting of this Legislature or until the end of June, whichever occurs first.

Now, that wasn't the first deadline the court had imposed. They had given us 90 days to deal with the act and then extended that to the beginning of April and then extended it at our request until the end of June, and we appreciate the fact that the court understood the arguments that we made, that we were dealing with the fullness of the whole discussion of personal relationships. But we didn't feel it appropriate to go back to the court to ask for yet another extension, notwithstanding that the Adult Interdependent Relationships Act is not going to be passed until this fall.

So we ask the House now to deal with this amendment to the Intestate Succession Act, which will be superceded hopefully in the fullness of time with the debate on Bill 30 by that particular act. There are more provisions and different provisions in that act which

take this further. However, in Bill 29 are the amendments which are needed to keep these crucial sections of the Intestate Succession Act alive until Bill 30 is passed.

The reason we're putting a different definition in Bill 29 than is in Bill 30 is that we did not want to prejudge the Legislature in terms of what the final analysis of Bill 30 will be. The definition of an adult interpersonal relationship in Bill 30 is fairly expansive. It's new ground. It goes further than any other jurisdiction has gone, and it stands to be debated in this House. Personally, I think it's a very good approach that's been taken. It's been well thought out. We've worked on it over the course of the last year and longer in terms of reviewing the act, but it still stands to be debated in this House to be determined. So the difference here in Bill 29 is that we've taken the definition only so far as is necessary to keep those crucial sections of the act alive and no further. That's not for any reason other than so that there are not a great number of different variants available to people who have to avail themselves of the Intestate Succession Act.

What we're asking the House to do is relatively strange but nonetheless I think important, and that is to put this narrow definition and extension into the Intestate Succession Act so that we can keep those provisions of the Intestate Succession Act alive until we have the full debate on Bill 30 this fall. I'd ask the House to understand that provision.

I expect that members of the opposition and others will be very critical of me as the Minister of Justice and of government for not having moved earlier and faster on this, but as I've explained many, many times, this is a crucial area of law, and the whole family law area is crucial and important to many Albertans. It behooved us to do careful study and to come out with what we think is the right approach and then to have Albertans look at that approach. That's the process that we've been using. It has taken longer than perhaps many people would have liked, but I think it's better to be careful and to do it properly. That's what we're trying to do under Bill 30. We need now to amend the Intestate Succession Act as proposed in Bill 29 until we can deal with Bill 30, and I'd ask the indulgence of the House in allowing us to do that.

I would want to say one other thing before concluding my remarks, and that is that the Intestate Succession Act applies where people do not have a will, where they have not taken care of their personal arrangements before something happens to them. That happens because sometimes people are involved in accidents. They didn't expect to die, so they hadn't prepared for it. But the best thing people can do is not to rely on the law to take care of their personal affairs but to take care of their personal affairs themselves. I would encourage Albertans not to rely on the government to keep this law alive.

I admit it was facetious, but at one point in time I said: perhaps what we should do is let this act die and spend some money advertising and letting Albertans know that they should go out and write their will, not just buy a drugstore manual on how to write a will. Get proper advice. It's worth doing. Get proper advice, and do your estate planning. It's the best thing you can do for your family and your loved ones, whatever relationship you happen to be in.

While we're amending the Intestate Succession Act to allow for the provision of other relationships in the Intestate Succession Act so that the law can provide for the distribution of property in unfortunate circumstances, again I would encourage all Albertans to take their own affairs into their own hands, to write a will, to take care of their loved ones, and to take proper care of their relationships so that there don't have to be divisive court actions to determine how property is distributed.

I'd ask this House to vote for Bill 29 on second reading.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I rise to speak in second reading to Bill 29, the Intestate Succession Amendment Act, 2002. I listened carefully to the minister's remarks, and I was considering whether it was possible to congratulate him on something he was ordered by the courts to do. I've decided it is possible to congratulate him, even though he did it because the courts ordered him to, because the truth is that we have had examples in the past in Alberta where that has not been followed through and in fact the province has decided to fight the case further and take it in one case all the way to the Supreme Court, which is costly, and the taxpayers pay for that eventually. The heart of what we're talking about here is people looking after one another and enabling people to look after one another. So I'm willing to give congratulations to the minister.

I'm just going to go back . . .

DR. MASSEY: What about the hire-a-lawyer commercial?

MS BLAKEMAN: Well, we'll come back to the hire-a-lawyer commercial a little later.

I'm just going to review what led us here, because people may not be particularly aware. What happened was that we had a gentleman, Larry Sand, who in fact had been married and had two children, was divorced, and sometime later went into a same-sex relationship, which he'd been in for a long period of time, eight or nine years I think. At this point, he had an untimely death in March of 2000. He was out walking his dog and was crossing the street and was hit by a vehicle. He survived for a couple of weeks in the hospital and finally died in April of 2000, and he died without a will. The point is that one of his children came forward and claimed the estate and didn't share it with the partner.

4:10

As a result of that, his partner in fact hired a lawyer, Julie Lloyd, who took the case forward to the courts saying: look; here's a situation where we have two people that were trying to look after each other. They lived their lives "in a fashion that was analogous to a conjugal relationship . . . they socialized as a couple with friends and family, they shared bank accounts," they purchased a vehicle together, "they roughly shared expenses, they purchased a house together as joint owners, and in essence were an interdependent social and economic unit." They even had retirement plans that were already all figured out. So all of that planning and all of that comingling of assets, and they didn't write wills. Nonetheless, there obviously was a partnership there.

What happened was that the partner was left in a bad financial situation as a result of this, and the point is that when we have people that come together and share a life together and that want to look after each other, they should be allowed to look after each other. That's an equality issue, and when this case was taken forward, the courts in fact agreed with that. Part of that section I just quoted was out of the court documents.

I'll just quote a bit more here from the judge's decision: "The remaining remedy is that of a declaration of invalidity relating to the impugned provisions of the ISA," Intestate Succession Act. However, the judge notes that "the legislature ought to be given some latitude to address the social and public policy issues and concerns." So when people talk about judge-made law, this is not judge-made law. The judge is very clearly saying: this is a problem that needs to go back to the Legislature, and that's where I'm going to send it.

"The legislature should have latitude to devise its own approach, consistent with the Charter" – that means you have to be equal – "and having regard to how an intestate's estate ought to be distributed in a fair and equitable manner, where the intestate had intimate relationships and dependants." Accordingly, the judge directed that "there will be a temporary suspension of a declaration of invalidity of the impugned provisions of the [Intestate Succession Act] for a period of nine months," which in fact took us to January of 2002. The judge notes:

Given the complexity of the issues and a new government (voted in on March 12, 2001), the nine month period ought to be ample, having regard to the fact that the [Alberta Law Reform Institute] has constructed in its report of June 1999 . . . a detailed blueprint for overhauling the [Intestate Succession Act] except for the issue of same sex cohabitants.

So I don't have to chastize the minister. Everyone else was doing it. Very clearly the judge said: Okay; this needs come back to the Legislature to fix what they wrought in the first place or didn't bring forward in an equitable matter that withstands the Charter.

So we do in fact now have – what is this? – on the 8th of May this Intestate Succession Act before us. As the minister pointed out, all it's doing is putting in a definition of an adult interdependent partner.

- (a) "Adult interdependent partner" means, in reference to an intestate, a person, including a minor, who lived with the intestate in a conjugal relationship, outside marriage,
 - (i) for a continuous period of not less than 3 years immediately before the intestate's death, or
 - (ii) of some permanence immediately before the intestate's death, if there is a child of the relationship by birth or adoption.

So that's the definition that we're working with that defines that adult interpersonal relationship. What it's trying to set up is that in situations like we had with Sand and Johnson, it allows and it recognizes that there's a relationship in place that should be treated the same as if there was a spouse. So what it's saying is that if an intestate dies leaving no surviving spouse but leaving a surviving adult interdependent partner, the surviving adult interdependent partner shall be treated for the purposes of this Act as if he or she were the surviving spouse of the intestate.

So it allows all of those things that follow through from this act regularly to follow through to an adult interdependent partner.

It also makes it clear that "if an intestate dies leaving a surviving spouse and a surviving adult interdependent partner," then we're looking at a timing issue, and it lays out how that would be followed as well.

So the larger issue here, as the minister did outline in his opening comments, is that the government hasn't been very good in Alberta in keeping our legislation up to date. They are trying to go through a period of updating and now subjecting legislation to a review every five years or every seven years so that we can try and stay up to date. We do have to look at our understanding of family, look at our understanding of how society operates, understand and incorporate the principles of equality into what we're doing, and understand that in some cases the legislation as it currently sits in a number of different areas is precluding people from looking after one another. Thus we have Bill 30, the Adult Interdependent Relationships Act, being brought forward by the minister at the same time, and that act is looking at changing eight other acts at the moment, one of which of course is the Intestate Succession Act. As the minister said, he wishes to leave that bill for debate and discussion for a longer period of time. He is obliged by the courts to complete the change in the Intestate Succession Act; thus we have this act, Bill 29, coming through on its own.

Also, as the minister pointed out, there is a definition that may be

subject to a change. The definition in Bill 29 is different from what is anticipated under Bill 30. It could be better; it could be worse. I won't comment on that, just that it is different, and in fact it may well be changed once we get to debating Bill 30.

The minister did speak about: if only people had just filled out their wills. He was sort of making a joke, but he was also serious, and I'm serious when I talk about this as well. There are two issues involved here. We should take care of ourselves. We should have RRSPs. We should write wills. We should write down where we left things . . .

MRS. McCLELLAN: On a daily basis.

MS BLAKEMAN: . . . on a daily basis.

We should sign our organ donor card. We should do many things, but, you know, people are human, and a lot of times they don't, as much as they mean to: good intentions, sticky notes on the mirror, and everything. It just doesn't happen for them. That's part of what we're having to capture with a definition like "adult interdependent relationships." It's the same reasoning, because people are human and often they don't take the steps to make an overt act. So they may mean in their head to sign that organ donor card and they believe in it and they're going to do it, but they just never get to it for whatever reason.

We have the same thing when we look at relationships. Some people do take that step. They get married, and it's licensed and certified and everything else that happens. Lots of other people don't. They move in together. That's the beginning of the relationship. There's no ceremony. There's no marking of that. There's a small celebration if they manage to get a pizza sent in and maybe a bottle of champagne that's shared with friends in the living room on the unopened boxes once they've found a place to live together. They never take that step. They never make that overt act beyond that. We have to be willing to capture those people in our legislation.

When we're looking at remedies and benefits that are available to one set of people, we have to make sure that we're capturing that second set of people in our legislation, and that's why we need things like a definition such as we have in Bill 29 and such as is considered in Bill 30, the Adult Interdependent Relationships Act, that will be considered in the fall.

4:20

There are two other things that have been proposed. Interestingly, they're not in this act. One of them was long championed by my colleague the former MLA for Calgary-Buffalo. He championed a written contract agreement where two people could with the advice of a lawyer enter into a contract that essentially said, you know, that such and such an act would apply to the relationship and would bring everything into play. Again, it's something that people have to consciously do: go and talk to a lawyer and get it all signed and figure it all out. People just don't do it.

There was a second proposal, that was put forward by someone else who is now a member of this Assembly, the MLA for Edmonton-Rutherford, who was talking about a registry: again an overt act that people had to take. They had to go down there, and they had to take whatever ID or whatever they needed and sign up and get it registered. Fine ideas both of them, but they don't take into account that most people don't bother to do that. [interjection] Some people don't want to do that. Okay; that's fair.

How do we then make sure that the laws that we have in place that truly affect the dissolution of a relationship – how do we make sure that the laws we're putting in place protect people, that there are remedies available to people who are getting the wrong end of a deal, and for those that are receiving some kind of benefit, that there

is equality in how that is distributed, that we're not just giving it to one group of people and for no good reason, no fair reason, and no Charter-challengeable reason we are not giving it to another group of people? So that's what we're trying to do here with both Bill 29 and Bill 30.

I'm certainly willing to support the speedy passage of Bill 29. I've noted the differences in the legislation; that is, the differences in the definition of adult interdependent relationship that's available in Bill 29 versus Bill 30 and therefore possible changes, that being that it is not making reference to a written agreement, that it is making reference to conjugal in Bill 29. That does not appear in the wider definition that the minister has outlined that will appear in Bill 30.

I think that this is what we want people to do. Yes, we want people to write wills. That would save us all a lot of time and trouble and grief. There might be fewer lawyers around because we wouldn't need to be getting all that legal advice after the fact. We do wish people would take steps to make clear to themselves and to everyone around them and to the authorities what they wish to have happen should things go wrong, and a deal by which everybody understands the rules when you're talking about a relationship dissolving or breaking up. The truth of the matter is that people don't, and we cannot allow a law to stand which does not offer a remedy or a benefit to those individuals simply because they did not take a particular action. It's not fair. It's not justice. It's bad business.

We can ultimately set up a situation where a couple can have arranged to have looked after one another, but our laws don't allow that particular couple, those particular two people, to look after one another, and we can end up with one of those people applying for government assistance because they weren't able to be looked after. Now, that is a tremendous irony when you look at it: that we would have laws that would stop people from taking care of each other and they would end up on society's ticket, society's payroll, because we had decided that a certain group of people wasn't deserving of that. Let's be honest. We're talking about same-sex couples here. That is what we're talking about. We have decided as a society – the overwhelming majority look at this situation and say: fine; if those two people want to get into a relationship, support each other financially and emotionally, fine. They should certainly be entitled to do that. More than that, we should make sure that we don't do anything in our laws that would stop that from happening, that would stop those two people from looking after one another. That is the essence of what we're trying to do with this legislation both in Bill 29 and with what we're looking at in Bill 30.

[The Speaker in the chair]

I, too, regret that it's taken us some time to get here. I understand, just given timing, that that first deadline in January was difficult for us. We would have had to have this legislation before us in the fall session, and that just wasn't possible. The government didn't call us to the Legislature for this spring sitting until the end of February, so we'd already missed that deadline there, and the minister had to apply to the courts to have that extended. So here we are in May of 2002, and I'm very happy to see this legislation in front of us. I'm very happy to know that my constituents, my friends, my neighbours will be looked after, that the legislation will allow them to look after each other, will allow their wishes to be carried through.

I urge all Members of the Legislative Assembly to support Bill 29 in second reading. Thank you.

[Motion carried; Bill 29 read a second time]

head: **Government Bills and Orders**
Third Reading

Bill 23
Municipal Government Amendment Act, 2002

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I'm pleased to move third reading of the Municipal Government Amendment Act, 2002.

These amendments will improve the act by providing a consistent standard of liability protection for municipal officials and for municipal boxing and wrestling commissions. The proposed amendments will also improve the equalized assessment process in which requisitions for cost-shared programs are calculated. As I have mentioned earlier, these amendments were developed in consultation with municipalities, municipal associations, and other stakeholders.

Mr. Speaker, I'd like to thank the Minister of Municipal Affairs and Acting Deputy Minister Brad Pickering for their assistance with Bill 23. As well, the staff – Susan Thomson, Boyd Oberhoffner, Ron Cust, and Blaine Alexander – have done an outstanding job preparing documents and getting me up to speed on the issues covered in Bill 23.

In my concluding comments, Mr. Speaker, I'd also like to recognize the contribution of the opposition Municipal Affairs critic, the Member for Edmonton-Glengarry, and that of others in this Assembly and ask for their support.

Thank you, sir.

4:30

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to speak to Bill 23, the Municipal Government Amendment Act, 2002, in third reading. It is our opinion that this bill does in fact reflect the wishes of the stakeholders. This has been, I believe and my colleagues believe, a good example of where Albertans were listened to and appropriate changes were made, and these changes will, as we see it, improve the assessment practice. We see that this will also improve the liability protection for municipal officials and, of course, the boxing and wrestling commissions, as has been outlined in debate at the various readings. We believe also that in general this will strengthen the Municipal Government Act and will make it more current. So we are happy to join with government members on this and support this piece of legislation.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne to close the debate?

[Motion carried; Bill 23 read a third time]

Bill 24
Child Welfare Amendment Act, 2002 (No. 2)

THE SPEAKER: The hon. Member for Airdrie-Rocky View on behalf of the hon. minister.

MS HALEY: Yes. Thank you very much, Mr. Speaker. I rise to move Bill 24, the Child Welfare Amendment Act, 2002 (No. 2), for third reading.

As you have heard previously, Bill 24 is being proposed to validate temporary guardianship orders that have been technically invalidated by a court ruling. The Child Welfare Act requires that

a child's care plan must be filed with the court within 30 days of a TGO being granted. The plan must outline services to be provided to the child and their family while the child is in care. The court and the child's guardian have access to the filed plan. Most social workers file the plans with the court within the required time, but some workers have not.

It is important to point out, Mr. Speaker, that social workers do prepare plans of care. Make no mistake; these plans are prepared and shared with the appropriate parties, but in some cases they just had not been filed with the court. The courts have been reviewing unfiled plans of care for years. Filing the plans with the court is a formality that has not been strictly enforced by the court itself until now.

Amendments in Bill 24 have very limited application and will apply only to the TGOs invalidated by the court's ruling. The amendments will allow care plans to be filed after the 30-day time limit so long as they are filed within 30 days of the amendment coming into force. They will also allow a temporary guardianship order to remain valid even if a plan of care was not filed within 30 days of a TGO being granted.

On behalf of the minister I want to assure the house, Mr. Speaker, that children will not be placed at risk. In future, plans of care for TGO children will be filed in compliance with the Child Welfare Act. The Minister of Children's Services has brought the issue to the urgent attention of all CEOs of the 18 child and family services authorities. The social workers have been creating and sharing these plans of care all along, but the minister has now asked them to ensure that these plans are filed with the courts within the required period of time.

I ask for support of Bill 24. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to make some comments about Bill 24 at third reading. At third reading we usually go back and centre our remarks on the principles of the bill, but Bill 24 is an unusual bill. It's a bill that is designed to remedy a mistake that has been made by the department, and for that reason it's unusual. It's also unusual in that it's retroactive legislation, and I'd like to speak about that more in just a moment.

The heart of the matter is temporary guardianship orders. Those orders are the ones that are secured by the children's services director under section 31(1) of the Child Welfare Act. I'd like to just review that section, Mr. Speaker, because I think it lays out very carefully how important the care plans are. It says:

The Court may make an order appointing a director as a guardian of a child for a period of not more than one year if it is satisfied that

- (a) the child is in need of protective services, and
- (b) the survival, security or development of the child may not be adequately protected if the child remains with the child's guardian,

but it can be anticipated that within a reasonable time the child may be returned to the custody of the child's guardian or, if the child is 16 years of age or older, the child will be able to live independently.

It's a very serious matter. These are children that can be in danger. They are cases that cannot be taken very lightly. The care of a youngster is going to be transferred from the parent or guardian to the government, so it's a very, very serious matter.

It goes on in subsection (3), and this is the section that has caused the trouble:

Not more than 30 days after an order is made under subsection (1), the director shall file with the Court a plan for the care of the child, including a description of the services to be provided.

That again is an important part of the act, that having obtained an order to take a youngster into care, the director then has an obligation to make sure that there's a plan that is in place for everyone that's involved with that youngster's well-being and rearing to follow, a plan that lays out the obligations. The plans usually outline the kinds of immediate needs that have to be fulfilled – the shelter, the kind of environment, how the environment is going to be secured – and then also it outlines the long-term list of needs such as permanency of place, where the youngster is going to end up once the temporary guardianship order ends.

The plan is extremely important to parents. Parents and guardians who expect to get youngsters back need to know exactly what they are to do. What is their role in making sure, over whatever the amount of time that it takes within that one-year period, that they get that youngster back into their home? If the parents need treatment, if they need to have counseling, if there is need for special training, then that's all outlined in that care or case plan. If there's medication, if there's medical help, then that, too, is part of a case plan. So for the parents it's a crucial, crucial document and one that the proper care of the youngster can't proceed without.

For social workers and for judges and for others that are involved, it's an accountability document. This is a document that lays out their obligations, and it will have the assurance in the plan that the resources that are going to be required to carry out the plan are in place. They're important to the court because it lays out to judges that in caring for the child, everyone involved – the parents, the social workers, and everyone that's going to be involved – clearly understands what their tasks are and what their responsibilities are. So they're very important documents.

They indicate the time lines in terms of a youngster being returned to parents. They also lay out the alternative living arrangements or, if they're going to be different, adoption or private guardianship. They cover really, really crucial matters. The minister has told the House and I think the previous speaker indicated that there were care plans developed for all the youngsters, for the 620 youngsters, I believe it was, whose plans were not filed with the courts, and I'm not sure that's true. I say that having spoken to the minister's office and asked that specific question: were there case plans for all of the youngsters? The response to me at that time was they could not assure me that case plans did actually exist for all youngsters.

4:40

I found that rather devastating, because the importance of case plans became a real issue with the death of the Cardinal boy in the mid-1980s, the suicide hanging. An investigation into that hanging resulted in the recommendation that there be a case plan in place for every youngster taken into care. In that case there wasn't a plan. The youngster had been bounced around from home to home. There was no plan for bringing some kind of stability to his life, and the result was a disaster. So case plans, as I said, were a recommendation that came out of that, a recommendation that the government adopted and, not only adopted, incorporated into the Child Welfare Act under section 31, and it was deemed to be important.

One of the things that's hard to understand in all of this is how the practice came about that they weren't filed. We've heard some explanations that the court clerk said that it was too much paperwork and that they had no storage space, yet I find that really very difficult to accept as an explanation as to why they weren't filed. When the government was in court on one of the cases, they explained to the court that one of the reasons they hadn't filed them is that their resources were scarce, that they were precious, that the social workers would be better spending their time with the youngster than they would be at their desks writing case plans and spending time

filing those with the courts. Again I find that an unsatisfactory explanation, because the case plan is the basis for all action, and you would think that with every youngster there would be a great deal of time and effort and care in preparing those plans. I still am puzzled as to why the plans were not filed, and I'm even more puzzled and I guess disturbed by the thought that in many cases or even in a few cases case plans may not have been actually drawn up at all and didn't exist.

The reason for Bill 24 has been made clear. The Child Welfare Act requires the filing of a case plan by the director of child welfare within 30 days of the temporary guardianship order being granted by the court. It didn't happen, and it didn't happen in 600-plus cases, and the courts put their foot down. The case came before them. They decided that they would not grant a temporary guardianship order because the case plan was not there. It didn't come to a head because there were other ways for the director of child welfare to operate. They could secure permanent guardianship under the act. So there were other routes, and it didn't make this that important, but when the courts invalidated the 600-plus cases, then there was a real problem for the department.

I have asked what kinds of solutions the department considered, and one of the answers was that they could have reappraised all the 600-plus cases if they could find them. There were problems with communicating to the parents of those 600-plus children, so it was really a very difficult problem that the Children's Services department faced. The result was Bill 24. It was deemed the simplest solution; that is, to simply come before the Legislature and pass an act that says that it doesn't matter, that the failure to file a case plan no longer invalidates the temporary guardianship orders, and that any of the orders made before February 21, 2002, are "deemed to be valid" regardless of the court's decision or the filing of a plan. Further, the director is deemed to have complied with the legislation if a case plan is filed before or within 30 days of the coming into force of the new provisions, and that also applies to all orders granted before February 21, 2002. So the legislation is a law that allows the government off the hook, makes legal all of those case studies.

It is a very distasteful bill, Mr. Speaker, one that is rooted in error and has as its solution retroactivity. Retroactive laws I think are a special case of laws and ones that, when they're passed, have the potential of calling into question the stability of our legal system; that is, we have to operate on the assumption for the most part that the laws of the land, the laws that are passed in the province, are stable and can be relied upon. The whole system is predicated on that assumption. When a government has to pass an act that goes back and changes or annuls a previous law, then I think there is major, major reason for concern.

I think that throughout the debate on Bill 24 we've tried to express that concern. We've had representation by a number of citizens who are concerned with what's happening, who have asked that we do everything to delay the passage of Bill 24, yet in the final analysis, Mr. Speaker – and I said this before – I think we all have to hold our noses and pass the bill. I expect that the government feels no better about the bill and having to propose such a bill to the Legislature than we do in having to agree with it.

So I think that with those comments I'll conclude, Mr. Speaker. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'll take this final opportunity to speak to Bill 24, the Child Welfare Amendment Act. This is one of the most distasteful bills that I've seen in my time in

the Legislature, and it is a clear symptom that something is seriously wrong with the Children's Services department in this province. That we have to pass retroactive legislation which deals with the inability of the department to have adequately provided information that was requested by the courts is a very sad day for the province and makes this one of the saddest pieces of legislation we've had here, not in terms of the drafting but in terms of the reason why it's necessary.

If we reflect on what we've heard during this session on Children's Services issues and what we've heard in response to this particular bill, we still don't have the answers, Mr. Speaker. What is wrong with the department? Is there a level of arrogance within the department that they feel that they don't have to comply with judicial laws? Or is this a cry from the staff of the department stating that they don't have the time or the resources to adequately deal with the paperwork and the follow-up plans for the children? There is clearly some sort of systemic problem in that department that I do not feel has adequately been addressed with the passage of this bill.

4:50

We have heard primarily excuses. We have heard a denial of responsibility by the government for children. We have heard repeatedly the minister and a variety of other front bench people state that it is the parents' responsibility to provide for these children, and I don't deny that it is the parents' responsibility. It is the first responsibility of parents, to take care of their children. When there are the cases which we clearly see happening, in this case more than 600 that just weren't dealt with properly by the department, clearly there are more out there where parents for whatever reason don't take care of their children. Be it because they are incompetent parents, be it because they have addiction problems, be it because they don't know how to get out of bed in the morning and feed and clothe their children, whatever the reasons, there are cases in this province, too many cases in this province, where parents can't or won't take care of their children.

Then there is a role for the government to step in and provide that service for the children and to provide more than that service: to provide some stability, some continuity, and whenever possible some training to get those parents up to speed so that they can once again take on their responsibility in parenting. So there is definitely a role for government to step up and be responsible where children are concerned when that responsibility is not provided by the parents. That is not the direction that we have heard with regard to this bill and other issues that are being brought forward.

Temporary guardianship is a real problem for the kids who are taken into temporary guardianship, because it means that they do have families and that the relationship within their family has become so unstable that they have to be withdrawn from that environment. So you're dealing with kids who have faced rejection, who have faced unloving or uncaring or unproviding situations. They are yanked out of that and put someplace. We've heard today about the number of children that are placed in hotel rooms and about the lack of foster parents to provide that kind of interim support during temporary guardianship points in time. I feel that this is going to be my only opportunity to speak to this particular issue during the remainder of this session in terms of the issues that arise out of temporary guardianship orders, so I will take it.

Who should be providing for those children in the interim are foster parents, while a plan is laid out for care with the foster parent and with the parent so that they can take back custody of the kids. My parents were foster parents for many years, and most of the foster parenting that they did was for children who were under temporary guardianship. So I have firsthand experience of what it's

like to deal with those kids who are yanked out of their homes, often in the middle of the night, and need to be placed someplace else. Often it's kids, not one child, so we're talking about siblings who are yanked away from their families and placed somewhere in limbo.

What do they need? Those children need stability, they need love, and they need understanding. They do not get stability, love, or understanding in a hotel room. They do not get stability, love, or understanding when there is no plan in place for their future. What happens then is that they sometimes get left in hotel rooms for a longer period of time, which seems acceptable to the government. I personally feel that no time in a hotel room for any child of any age is acceptable, but they get left there or they get bounced around from foster home to foster home or they get placed back with the parents when there is no plan in place for the parents to be adequate providers. So the government then becomes an accessory to providing instability in that child's life. This government needs to seriously take a look at how they view their responsibility in that particular relationship, and I hope they do.

I believe that this minister takes that role seriously, and I hope that she spends some time this summer reviewing the government's role in providing support for those kids and that she sees that her primary role is to provide a stable environment for those kids to thrive in. That means adequately providing for plans. That means adequately providing for places of residence. If there aren't enough foster parents in this province, then we need to ask the question: why? Why is it that people feel that they can't provide that service?

I have many foster parents in my constituency, and I know that a lot of the reasons come down to money. People say that you should do it for the love of children, and they do. That's why they're there, for the first reason, but the fact is that they still have to pay mortgage payments, for groceries, utilities, extra rooms. The clothing allowance for foster children is not adequate. There isn't enough in terms of resources for sports and recreation, for cultural activities, all of those things, all the add-ons such as school fees. Transportation is a big issue. All of those things lumped together make it impossible for many foster parents to be foster parents these days, so the government needs to re-evaluate that process and ensure that we have the funds in place so that we can provide loving, stable, and responsible environments for those kids to thrive in.

With that, Mr. Speaker, I will take my seat on this particular bill, and I look forward to seeing some significant and substantive changes in this particular department.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. I'd like to speak in third reading to Bill 24, the Child Welfare Amendment Act, 2002. I want to recap a bit about why we got into this and what the effect of this bill is expected to be.

Essentially, when a child is made the subject of a temporary guardianship order, the director of child welfare according to law, according to the Child Welfare Act, within 30 days from the granting of an order – and that's a court order – must file with the court a plan for the care of the child, including a description of the services to be provided. Now, part of the reason for filing it with the court is that it becomes a public document and others can get access to it, including in some cases the parents or the guardian of the child, to find out what the plan is for care. Understand that a temporary guardianship order is intended to be that: temporary. So there needs to be a plan that shows how the child will be returned to its originating situation in whatever time is expected, usually three to six months, the guardians having utilized the services or followed the provisos or achieved the goals that were set out in that care plan. In

the absence of a plan it's very difficult for a guardian or parent or whomever to know what it is they are supposed to be doing in order to get the child returned to them, and we want the child returned because we're looking to provide and to ensure stability in that child's life.

We came into this particular way of doing things as a result of a child who had no stability in his life, and it's an irony to me that now, 15 years later, we're unable to fulfill the commitment that was made to that kid. I mean, that's in effect his memorial, these care plans. We need those care plans so that the guardians and the parents know what's required of them, but we also have them there so that the department and the department staff know what's required of them. In fact when you look, the court has a provision for reviews of temporary guardianship orders which mandates that the court consider whether the director has followed the plan for the care of the child filed with the court. So that's empowering the courts to look and say: "Okay. Did the director of child welfare do what they were supposed to do? Let's have a look at the care plan." Well, the care plan has to be filed with the court in order for that to happen.

5:00

We understand that at the end of a TGO a child isn't necessarily returned instantly. If the child is still in need of services, then the director just has to fill out the required forms and reaprehend the child, and they never leave the foster home where they are. But what is incorporated in this is that the director now has to explain why they weren't able to achieve putting that child back into the home, why they weren't able to achieve all of this during the terms of the temporary guardianship order, and therefore what the department is doing or not doing in providing these services to the guardian and to the child.

So when I look at this bill, in effect what it's saying is that the department doesn't have to follow its own rules, and when it gets caught, it's going to turn to the Legislature to clean up the mess that it's made. I think that ultimately, certainly for the people that I've served out of my constituency office, it's the guardians that lose on this and therefore I think indirectly the children that lose because the guardians weren't able to know what was in the service plan. They didn't know what they were supposed to do to get their kids back in most cases. I've had those people in my office, and they don't know what to do. A service plan should have laid that out for them.

We've heard during the discussion and debate on this bill and through questions that have been asked in question period that the orders all existed. Well, if they all existed, why weren't they filed? Well, maybe they didn't all exist; maybe just some of them existed. You know, there was a reason that we wanted those care plans. They should have been done. They weren't done, so why aren't we going back and saying, "Then do them and do them properly"? Instead, Bill 24 essentially says: forget all of that; we're going to sweep the plate clean and start over again. Well, that's hard news for a lot of families.

My colleague from Edmonton-Mill Woods talked about having to hold his nose and vote for this bill just in order to get this whole thing moving again for these kids. Boy, I find that very tough to do as a legislator when we cannot write legislation well enough and ensure that the government's departments are able to fulfill that legislation. I find it very difficult to then have it come back into this Assembly and go: okay; well, forget it then; it was just too hard. That's unacceptable to me.

There's a degree of arrogance that's in this bill that really doesn't sit well with me. Just the wording:

Despite any decision of any court, a temporary guardianship order for which a plan for the care of the child has not been filed in accordance with section 31(3) is deemed to be valid from the date the order was made.

There's just an arrogance in that statement: well, we'll just override the courts; we'll just change it all then. I think that there's something underneath that that's much worse than simply not upholding what the courts have said.

I think that when we look at words like "taken into care" and "custody" and "protective services" and "guardianship," that's all language that we use around the care of children in this province, and when the family is not able to care for the children for whatever reason, then the state or the government steps in and they assume the role of protector, of intervenor. They're going to make it right. And that's what those temporary guardianship orders are about. How do we make it right? What does everybody have to do to fix this situation? Well, if you're not willing to do that plan that tells everybody what they have to do to make it right, then we're never going to accomplish this and move it forward for these kids.

A little earlier in the debate this afternoon the Member for Airdrie-Rocky View talked about how impressed she was with the Children's Services budget going from 160 some odd million dollars 10 years ago to \$600 million in this budget, and isn't that great, and doesn't that prove how we're doing right by our kids in Alberta. Well, yes, but at the same time I go: gee, how many kids did we have in protection? For how many children was the state a guardian 10 years ago, and how many now? We know that it's more now. So it's appropriate that there's more money now. It's not that that's some great benefice of the government. It isn't. It's necessity. They have to provide for these children.

I'm disappointed – "disappointed" is not the right word – when the government doesn't fulfill that role of guardian, of protector, of intervenor with vigour. I think it's symptomatic of much deeper problems underneath. As we had come out of the court documents, you know, they're saying that they don't have enough resources to do this job. Well, if this is the job that the government is mandated to do as guardian, then they need to provide the resources for it.

I think that this bill has brought to the surface a number of very unhappy situations both within the ministry and within the government, and I'm very sad to see it and angry to see it. I hope that this bill may well inspire the government to do a lot of things a lot better simply because they've been embarrassed into it.

Thanks very much.

THE SPEAKER: The hon. Member for Airdrie-Rocky View on behalf of the hon. Minister of Children's Services to close the debate?

[Motion carried; Bill 24 read a third time]

Bill 7

Agriculture Financial Services Amendment Act, 2002

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Well, thank you, Mr. Speaker. It's an honour for me to move third reading of Bill 7, the Agriculture Financial Services Amendment Act, 2002.

The contents of this legislation will give the Agriculture Financial Services Corporation expanded responsibility for the business assets, obligations, and opportunities of Alberta Opportunity Company. In other words, appropriate sections from the Alberta Opportunity Fund Act are being incorporated into the AFS Act to allow the business of lending and financial assistance presently conducted by AOC to carry on as part of AFSC. So upon proclamation of this amendment the Alberta Opportunity Fund Act is repealed.

Mr. Speaker, this legislation also allows several changes to be

made relative to AFSC's involvement in providing crop insurance and other safety net products. As well, the act changes the individual lending limit from \$1 million to \$2 million to enable the corporation to deal with some projects it cannot deal with now. As we know, the size of project investments being financed has grown substantially in recent years due to the cost of land, buildings, and equipment.

Finally, Mr. Speaker, this legislation will allow AFSC to act as a seeding insurer or an intermediary through which reinsurance can be offered to other government departments to ensure that fluctuating costs due to unforeseen disasters are not a strain on budgets.

The details of this legislation have been discussed in second reading and in Committee of the Whole. In view of the foregoing I would ask the House to pass this bill now.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to have a final couple of words on Bill 7, the Agriculture Financial Services Amendment Act, 2002. This merger is, as we see, proposed as a means of building on the strengths of both corporations and as a means of saving a million dollars. This is a bill that we have supported and are happy to continue to do so. We'll support the government in calling for the question on this particular bill.

[Motion carried; Bill 7 read a third time]

5:10

**Bill 9
Child Welfare Amendment Act, 2002**

THE SPEAKER: The hon. Minister of Finance on behalf of.

MRS. NELSON: Thank you very much, Mr. Speaker. On behalf of the Minister of Children's Services I'd like to move third reading of Bill 9, the Child Welfare Amendment Act, 2002.

This act will amend current legislation to allow for interprovincial movement of children who are involved in child welfare. The proposed amendments would allow an apprehension order carried out in another province or territory to be considered as an apprehension in Alberta. The proposed amendment will apply where it is determined by child welfare officials in both the apprehending jurisdiction and in Alberta that it is in the child's best interests to be cared for in Alberta.

Bill 9 will also streamline the telephone application process for apprehension orders. A justice of the peace will be authorized to handle telephone applications for apprehension orders. Through Bill 9 a child welfare worker would be able to speak directly to a justice of the peace rather than have to page the judge on call.

The bill will also allow the Child Welfare Appeal Panel to be bound by the policies of the resources for children with disabilities program. As the Minister of Children's Services has told the House, this amendment will ensure that programs are being administered by policy and not by appeal. Currently the appeal panel is not bound by policy, so the Child Welfare Appeal Panel may overturn decisions concerning matters related to the resources for children with disabilities. The amendments are necessary, Mr. Speaker, to have the program policies upheld and thereby maintain the integrity of the resources for children with disabilities program.

Mr. Speaker, I would ask the House to support third reading of Bill 9.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have a chance at third reading to make some comments about Bill 9. Bill 9 has upset many parents with handicapped children in the province. They indicated that the future of their disabled children is being threatened by one particular provision in Bill 9, and that's the provision with respect to the appeal panel. The appeal panel in the past has been free to make wide-ranging decisions, and some of those decisions have resulted in youngsters gaining service and therapies that have made an immense difference in their lives. The fear is that a narrow policy would rule out innovative new therapies and constrain the appeal panel to act in a way that might not always be in the best interests of disabled youngsters.

There's been a great deal of discussion back and forth. I know that there have been meetings with the minister, and the good thing that's happened as a result of those meetings is that the minister has promised that she won't proclaim the bill until the policy has been developed. So it's my understanding that the mandate of the appeal panel will not be changed until the minister puts before parents the policies that are going to guide that panel in the future. I think that that's a welcome development with respect to Bill 9.

There's still a great deal of uneasiness among parents with disabled children that their children are going to be hurt in the long run. I think that at this point we have to take the minister at her word that the policies will not be restrictive, that the policies will result in fair adjudication of appeals that are brought before it.

With those comments I'd like to conclude debate on Bill 9. Thank you, Mr. Speaker.

[Motion carried; Bill 9 read a third time]

**Bill 10
Public Works Amendment Act, 2002**

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. I would like to move third reading of Bill 10, being the Public Works Amendment Act, 2002.

The bill simplifies the administrative process. It reflects the relevant court decisions and makes it consistent with the Builders' Lien Act.

Mr. Speaker, I would encourage all hon. members to support Bill 10. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. In third reading on Bill 10, the Public Works Amendment Act, 2002, I'm happy to report that we will also be supporting this bill. It's a situation where we see that the government has done extensive stakeholder consultation, and when they do that, then there doesn't seem to be any problems that come up with the bills. As we understand it, stakeholders do not have all that they want, but they're satisfied with the compromise in this bill.

No doubt, tendering is a complex process, and it's very important to protect taxpayers' money while still giving the government enough flexibility to get projects done. It's good to see that the act now matches the Builders' Lien Act, which we have asked for for some time. We still have some concerns that the time lines in that act may not be sufficient, so perhaps we'll see the government consider reopening the Builders' Lien Act at some point in the future. We would certainly support that. For the time being, not a bad job, and we'll be supporting it.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster to close the debate?

MR. SNELGROVE: No. Thank you.

[Motion carried; Bill 10 read a third time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. In light of the progress that we've made this afternoon, I would move that we adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:18 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, May 8, 2002** **8:00 p.m.**
 Date: 02/05/08
 [The Deputy Speaker in the chair]

head: **Government Bills and Orders**
Third Reading

Bill 11 **Energy Information Statutes Amendment Act, 2002**

MR. STRANG: It is with great pleasure tonight that I move third reading of Bill 11, the Energy Information Statutes Amendment Act, 2002.

Mr. Speaker, the Member for Edmonton-Gold Bar made reference to paramountcy proposed under the Electric Utilities Act. Perhaps the Member for Edmonton-Gold Bar missed the point of the information provided to him during the briefing by the department staff with regard to the concept of negotiated settlements. It is incorrect for the member to characterize a negotiated settlement as a sort of secret deal between two parties regardless of how much they will charge a third party such as residential consumers for electricity. A more accurate way to describe a negotiated settlement is that it is a deal between many parties, all of whom are affected by the deal.

Mr. Speaker, the negotiated settlements that the Energy and Utilities Board has approved relating to electricity rates have involved a number of consumer representatives, with consumer representation generally ranging from residential to industrial customers. A negotiated settlement can be viewed as a process. It is not a decision on or approval of electricity transmission, distribution, or regulated rate tariff. The decision on what those tariffs will be is always made by the EUB even if a settlement has been negotiated.

Mr. Speaker, the EUB negotiated settlement guidelines describe negotiated settlements as "a process that is alternative or complementary to the traditional hearing process in dealing with utility related issues such as tolls, tariffs, and terms and conditions of service." For example, ATCO Electric's 2001 and 2002 transmission facility owner tariff negotiated settlement involved ATCO, representatives from consumers, and the transmission administrator. All of the parties agreed on the amount that ATCO would be paid for the use of its transmission facilities during 2001-2002. Some of the consumer representatives in this particular negotiated settlement included the Alberta Federation of REAs, the Consumers' Coalition of Alberta, which is residential consumers, the Alberta Urban Municipalities Association, the Alberta Association of Municipal Districts and Counties, the Public Institutional Consumers, which is made up of schools and hospitals, the city of Calgary, the city of Red Deer, and the city of Lethbridge. In total there were 16 parties that participated in and signed this negotiated settlement.

Mr. Speaker, a negotiated settlement is generally only filed with the EUB for approval if all or almost all of the parties are in agreement. It is also important again to emphasize that the EUB, with its public interest mandate, must approve any negotiated settlement. This means that the EUB reviews the settlement to ensure that it was fairly arrived at and that it is fair to all consumers affected by it. In approving a negotiated settlement the EUB is required to use the same criteria legislated by the Electric Utilities Act as if a traditional hearing was held. Now, the tariff must be just and reasonable, it must provide for incentives for efficiencies that result in cost savings or other benefits that can be shared in an equitable manner between the utility and the customers, and it must not be unduly preferential, arbitrary, or unjustly discriminatory.

As I've indicated, Mr. Speaker, consumers are represented during the process. This is required by the EUB negotiated settlement guidelines, which state that "all parties with an interest must be given the opportunity to participate fully and have their respective interests properly addressed."

The proposed amendment to the Electric Utilities Act included in Bill 11 only applies if the EUB accepts confidential information as part of a negotiated settlement. The provision for the EUB to accept confidential information in respect of a negotiated settlement is not new. The 10-year time frame simply provides direction to the EUB regarding how long confidential information must be kept confidential. Ten years was chosen to ensure that a sufficient period of time has passed before confidential information might be released, so that any party to a settlement is not harmed or disadvantaged by the release of this information.

Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Well, I am a little put out by the Member for West Yellowhead's opening comments and the tone of his comments. We can make this an easy process tonight, or we can make it a very tough process. We've been very co-operative the last afternoon and evening, passing no fewer than 12 pieces of legislation very quickly, in all cases except for two agreeing with the government, sometimes even with reservations but still voting with them. Then we come to the opening comments on Bill 11, the Energy Information Statutes Amendment Act, which we have had significant problems with throughout debate, and we get the Member for West Yellowhead beginning his comments in a rather chippy manner. And that, you know, could lead to a number of us speaking out on this particular bill at the last opportunity to do so.

MS BLAKEMAN: I'm on fire.

MS CARLSON: There you go. It could be a long night.

We have a number of concerns with this legislation. While we understand, Mr. Speaker, that there is a need for protection of information, it's not clear that this particular bill is a necessary step, amending six acts to, as they say, contain confidentiality provisions for information gathered or acquired by various reporting entities. It's not clear that the FOIP Act endangers that information, and I can say that being one of the sitting members on that committee right now. All six acts amended here already have confidentiality provisions that can provide guidance to the FOIP office anytime it needs to make a decision regarding access or privacy, and it has been my experience in this Legislature that since FOIP was enacted, that office errs on the side of confidentiality rather than releasing excess information. What we need to remember is that FOIP is not about unfettered access to information. There are limits and guidelines, limits and guidelines that are being reviewed by an all-party committee at this moment.

Is it necessary to have this legislation? We don't think so. In fact, by bringing in this information at this time, you wonder how this affects the FOIP review that's happening right now. It is quite common in some cases for this government to make changes or bring in legislative changes just as open reviews are happening, and you have to wonder why. Is it, Mr. Speaker, because there's a lack of government confidence in the government's own legislation or in the review process? Are there doubts that the existing confidentiality provisions are enough? Are there doubts about the FOIP legislation, doubts about the FOIP commissioner? I don't think

there should be. I think that there is a proven track record of the legislation and of the commissioner in handling these kinds of areas with sensitivity. This act, the FOIP Act, was the flagship bill back in September of '93, and now it's saying through this particular bill, Bill 11, that the FOIP Act isn't adequate. So how interesting that these changes are brought in right now, as we're just starting a review of the FOIP Act.

8:10

Why can't we just wait for the review committee to meet and report before bringing in new changes? There are going to be recommendations coming out of that committee, and I wonder how the Member for Edmonton-Calder, who chairs that committee, feels about this legislation being brought in at this time. It's so bad, I think, that the government shows lots of vigilance and enthusiasm about information in the energy sector but not for the private information of individual Albertans, and we've seen many examples of that. We see them go to bat for information that's protected twice, being exempted in the FOIP Act and other current existing legislative provisions, yet the government is weak in some areas such as protecting personal health information and private information on the private sector.

Too bad that this is happening now, at this time. We have to ask ourselves the question, Mr. Speaker: if this bill is passed, what changes? How are things going to change? The only difference is that any department or entities affected would have to review their confidentiality guidelines and perhaps in some cases would be required to make a submission to the FOIP commissioner. Then that commissioner would make a ruling guided by the legislation that's there. That's why we have that act, that's why we have a commissioner, and that's why we don't need this legislation right now. At the very least, we don't need this legislation until the FOIP review has been completed.

With that in mind, Mr. Speaker, I would like to move an amendment that people have on their desks before them on behalf of my colleague from Edmonton-Gold Bar. It states that third reading of Bill 11, Energy Information Statutes Amendment Act, 2002, be amended by striking out all the words after "that" and substituting the following:

Bill 11, Energy Information Statutes Amendment Act, 2002, be now read a third time but that the order for third reading be discharged, the bill withdrawn, and the subject matter referred to the Select Special Freedom of Information and Protection of Privacy Act Review Committee.

Mr. Speaker, I think this is a very important amendment at this particular time because this government needs to put some faith in its own committees and in the chair that it itself appoints. Wait till that review is done, and then decide at that point whether or not this legislation is in fact necessary. This is a government that always prides itself on being less government, yet here we see more interference, more legislation where we really don't need it.

With those comments, Mr. Speaker, I would urge all members of this Assembly to support this particular amendment.

THE DEPUTY SPEAKER: The hon. members are reminded that this will be called amendment A1, a deferral amendment. The hon. Member for Edmonton-Centre on amendment A1.

MS BLAKEMAN: Thanks, Mr. Speaker. I wouldn't usually have risen to comment on Bill 11, but I have to say that I was inspired by the Member for West Yellowhead. So I will rise to speak in favour of this amendment, which frankly is just making a lot of common sense to me.

I'm deeply suspicious when I see the government trying to wiggle

out from underneath laws put in place to control the reach of government and to compel the government to release documents and to be forthright about their doings. There are a fair number of acts that are being wiggled with here. We've got the Coal Conservation Act, the Electric Utilities Act, the Mines and Minerals Act, the Natural Gas Marketing Act, the Oil and Gas Conservation Act, and the Oil Sands Conservation Act, all of these having to do with a sector that's very, very important in Alberta and one to which the government has exceedingly close ties.

When we have legislation like FOIP in place to make sure that our government is doing what it should, revealing what it should, and gives the public an opportunity to get access to documents and to compel the release of documents from the government, I just have to question why we would see a piece of legislation that is so eager to try to get the government out from underneath those obligations. So I'm pleased that the Member for Edmonton-Ellerslie has moved an amendment, that was proposed by the Member for Edmonton-Gold Bar, proposing that "third reading be discharged, the bill withdrawn, and the subject matter referred to the Select Special Freedom of Information and Protection of Privacy Act Review Committee."

The timing is very good for us, or perhaps we have this act before us because the timing is very interesting, what with this select special committee out touring the province and holding hearings and examining things. Maybe that's exactly why we have this legislation brought before us. The timing is certainly a point of interest and I'm sure could be a point of debate for those that are interested. Since we do have that select special committee available to us, then we should be taking advantage of it, particularly where we have legislation that is specifically looking to wiggle out from underneath the provisions that compel the government and all of those questions that follow about why these particular acts and why a sector that is so important to Alberta and that the government has such close ties to.

This, I note, is an all-party committee as well; isn't it? So we have the members from Edmonton-Gold Bar, Edmonton-Ellerslie, and Edmonton-Highlands all sitting on this Select Special Freedom of Information and Protection of Privacy Act Review Committee. Well, good. That reassures me quite a bit that there will be some thorough investigation and thorough thought going into reviewing our FOIP legislation. It's now been around for the required – whatever it is – five or seven years when we get this automatic review. I think that for the most part it's been a very useful document and a useful process to all Albertans. Certainly even the people that we get joining us in the gallery, like we have tonight, in fact can make use of FOIP as well to get access to information that they wouldn't normally be able to get access to. I'm sure there are many Albertans that are interested in why exactly these are all being proposed to be exempted from the FOIP legislation, because that is in fact what Bill 11 is looking at doing. Especially when we have a reregulation of the electrical industry and a number of changes that are being anticipated in that sector with coal and new plants plus changes that are anticipated in the oil and gas sector, there's no better time to be reviewing what's underneath this.

So I think this is a good amendment. It's certainly a timely amendment. We might as well take advantage of the organizational apparatus that is available at this point since the committee is available to meet and to consider this matter. I think this is the perfect time then to approve this amendment that's been proposed, amendment A1, and to indeed put this bill in front of that select special committee for review and a bit more delving into why these acts are being considered for withdrawal from the freedom of information and protection of privacy legislation.

I would urge members to vote in support of the amendment. Thank you.

THE DEPUTY SPEAKER: Any comments or questions?

[Motion on amendment A1 lost]

[Motion carried; Bill 11 read a third time]

8:20

Bill 13
Administrative Penalties and Related Matters
Statutes Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. It's my pleasure to rise on behalf of the hon. Minister of Environment to move third reading of Bill 13, the Administrative Penalties and Related Matters Statutes Amendment Act, 2002.

This bill amends five acts currently administered by Alberta Environment and Alberta Sustainable Resource Development and will ensure that regulated parties face the same administrative penalty process regardless of what laws they have broken. Bill 13 ensures that this government has consistent and efficient administrative penalty processes and is able to respond fairly, quickly, and efficiently when environmental and natural resource laws are broken. Mr. Speaker, over 45 stakeholder groups including industry, recreational groups, and municipalities were invited to consult with Alberta Environment and Alberta Sustainable Resource Development regarding the proposed changes.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to speak to Bill 13, Administrative Penalties and Related Matters Statutes Amendment Act, 2002. When the government brings forward good legislation, we are quite prepared and very pleased to be able to support it, and we are happy to see that the minister is addressing the need for increased and more stringent penalties. We've been asking for this for a long time on this side.

Our concern with this legislation, which still hasn't been addressed even at this late stage, is that it's at least as important if not more important to have a sufficient number of enforcement officers and the funding to support those officers. The minister can bring forward all the legislation and rewrite all the regulations he wants, but if there is insufficient staff to monitor and enforce, then the legislation means nothing. So we do have some concerns about that. This government's reliance on self-reporting is also a problem. We think that there should be more random spot checks or else a significant increase in the penalties for failure to report while self-reporting, but we don't think that it replaces officers and random inspections. Especially as we see this province having an increased pace for resource development, it becomes increasingly important that enforcement be carried out.

We're very happy to see the provision in this bill that increases the personal responsibility for directors for the work done by their companies. It's nice to know that they can't hide behind corporate structures with this legislation. I look forward to seeing how this actually plays out in the business world.

Overall, probably two and a half steps forward and half a step backwards, so we're quite pleased to support this bill and support a call for the question at this time.

[Motion carried; Bill 13 read a third time]

Bill 14

Gaming and Liquor Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Gaming.

MR. STEVENS: Thank you very much, Mr. Speaker. It's my pleasure this evening to rise and move third reading of Bill 14, the Gaming and Liquor Amendment Act, 2002.

As I've stated on a number of occasions, Mr. Speaker, integrity is paramount to the Ministry of Gaming. The Gaming and Liquor Act provides a framework for integrity, and the amendments contained in Bill 14 will ensure that this framework is updated and improved upon. It includes broadening the Alberta Gaming and Liquor Commission's ability to impose sanctions against licensees and registrants who have violated the act as well as strengthening the authority of the Alberta Gaming and Liquor Commission's board to direct that funds raised through charitable gaming activities are used in an appropriate manner.

Bill 14 is a sound piece of legislation, Mr. Speaker, and it will help to ensure that Albertans continue to receive the maximum benefits from gaming and liquor activities in this province.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks, Mr. Speaker. I'm glad to have the opportunity to rise in third reading and debate the anticipated effects of Bill 14, the Gaming and Liquor Amendment Act, 2002. This is a bill that I think has both good and bad in it. That might be too black and white a description. It has both useful and curious parts to it. Certainly I don't object to the minor housekeeping and sanctions that are put in place that allow the commission to better control and fine and get access to premises and ensure that they're able to follow through and chase down people that should be receiving fines: that sort of thing. I have no difficulty with that.

There are some other areas that have come out of the gaming review that I think are contentious. One example that springs to mind fairly quickly is the paid workers that are allowed through this act. Prior to this all who worked bingos and casinos and things – particularly bingos, I think – were volunteers. What will be enabled through this and actually through the regulations that flow from this is allowing a charity or a nonprofit group to pay the floor workers that are selling the bonanza tickets and the odds and evens and those other tickets for them on the floor. This is an issue for some groups that are small and want to concentrate their volunteer resources on doing whatever their particular activity is.

I think that when I spoke in second reading, I was talking about a very small theatre group that I support here in Edmonton called Azimuth Theatre. Since then I've tabled a number of letters from various organizations – the Evergreen association and the Vic Redmen cheerleading squad – supporting the ability for their groups to pay people to work the bingos for them.

I still have the concern. I've raised it; I put it on the record during debate of this bill. I'm not relieved or assured by the minister's response, because I do feel that this sets up another distancing from the charitable model. The minister is very fond of talking about this charitable model, but I still have concerns that the further the groups are allowed to move away from what was the original charitable model in Alberta, the easier it becomes for the government to use the argument: well, we're so far away from that original charitable model that really this charity shouldn't be getting the full amount of the proceeds of a given bingo or a given raffle or whatever; they should be given only part of it, or it should be prorated on the

number of volunteer hours that are going into raising this particular money at this particular activity or other scenarios like that. Certainly for the nonprofits in Alberta that are depending on those revenues to support what they're doing, every penny counts there. I wouldn't want to see them put in a position where for some reason they were now getting less of the proceeds.

That whole question of the charitable model that we have in Alberta: we're the only one that really has exactly this one, and it's by far the most focused on the charity. You know, other provinces each have their own scheme, and they each manage to work fairly well, it's my understanding. I've always felt that ours was the best because it remained rooted in the community and with the volunteers, but it does require a great deal of effort from those volunteers.

8:30

Overall, what we have in this legislation are a number of house-keeping and regulation-keeping changes. There's a section where it's correcting omissions from previous legislation where they could go and find someone who was contravening their liquor licence but they couldn't get at them if the person had gone out of business or in fact if they were conducting business before their liquor licence start date, and this allows some very specific sanctions to take place there. But as I said, there are some other things that make me uneasy.

There's been some discussion as well about having a privative clause in here which would apply to the commission. I personally am less concerned about that in this case, but I know that there are others that felt very strongly that a privative clause, whenever it appears in government legislation to do with a government commission or agency, should be strongly challenged. I certainly raised that point while we were debating this in earlier stages of the bill, and essentially that's section 35 of the amendment act, "A decision of the board under this Act is final." In fact, I think you can still appeal this to a criminal court or a civil court if you want to, but it's meant to stop a sort of never-ending series of appeals by individuals going back to the commission over and over and over again not because the decision was wrong but because the people are unhappy with the decision that was made and somehow want it to be a different decision. This was just to say: "No. The decision that's made is final, and you can't go anywhere else to get it changed."

In fact, I think you can always go into the courts if you wish to get it changed, but then it's on your dime, and certainly for charitable groups that's very, very difficult for them to do. They only have enough money to carry out their activities, and some would argue that they don't even have enough money to do that. So the thought of trying to chase something through the courts is beyond what most groups would be capable of doing, and therefore that's the end of it. Justice is not carried through, simply because people can't afford to do it. There are some that feel very strongly that that privative clause shouldn't be in there. I'm less concerned about it in this case, but I think it's always worth raising the concern.

The act is renaming the VLTs and the slot machines to come under one name called "gaming terminal." Now, I've already raised my concern with the minister that that not be a sneaky way of getting out from underneath the caps on the number of machines, because they specifically talked about VLTs or slots and I didn't want this to be a way to wiggle out from underneath that. The minister has responded to that, and we have him on record there. So I have to assume that that one is going to be okay.

We have the section in here that's gotten the most publicity, which is about minors now not being allowed in areas where there is drinking going on. So if they could have been allowed into a casino before and now it's licensed premises, of course the minor would not

be allowed onto the premises. The result of that is that if you were using that minor as a volunteer, you can't do it anymore, but frankly since they introduced liquor into the casinos some six, seven years ago, that would have been the case for minors from that point on anyway.

So there are some things in here that need to be done and other things that I wanted to put on record that we need to watch, and we need to hold the government to what it's put on the record here in response to my questions to make sure they stay on the straight and narrow there.

I did raise the case of my constituent businessperson around what was happening with the sort of monopoly tunnel that happens with the liquor side of the Gaming and Liquor Commission and the distribution centre there. It does come into a narrow point through the distribution warehouse, and that can cause some problems. So I'm still awaiting a response from the minister on that one that I can pass on to my constituent.

Beyond that, it's hard for me to wholeheartedly support what's in this legislation, but there are a number of things that we need and that allow the commission to carry on business as it's needed. I'm just always on guard that we are not allowing changes to be made that would lessen the importance of the charities and that would lessen their standing or take away any of their opportunities to generate additional income for themselves. This is a business where you can make a heck of lot of money, and I think we always have to stand on guard in Alberta to make sure that the money is going to flow back to the charities and not flow to operators or other people that get involved in the stream here.

With those comments, I'll thank you for the opportunity to speak in third reading.

[Motion carried; Bill 14 read a third time]

Bill 15 Dairy Industry Omnibus Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

MRS. McCLELLAN: Thank you, Mr. Speaker. I am pleased to move third reading of Bill 15, the Dairy Industry Omnibus Act, 2002.

As all members know, this is really, aside from doing some necessary cleanup in the act and housekeeping, turning over the authority to manage the affairs of the dairy industry to the industry themselves, a very positive move. They have proved over the years and to now that they are certainly mature enough and competent to do this.

I do want to take this opportunity, Mr. Speaker, in third reading to thank my colleague the hon. Member for Drayton Valley-Calmar for his work on the bill; he has put in a lot of time. To all of the members who have spoken on the bill, our appreciation for your comments, suggestions, and I believe support for this move.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to have an opportunity to speak at third reading to Bill 15, the Dairy Industry Omnibus Act, 2002. I believe I've been present for the debate on Bill 15 at the various stages and have heard I think a good definition of what the act intends to do and the various responses, questions,

and feedback, and it seems like we are in agreement with the minister on this particular bill. Hopefully it works out as well as is anticipated. If not, I'm sure that we'll be back here. Hopefully the milk board will be able to fulfill its duties as outlined here, and we look forward to monitoring progress on this particular piece of legislation and its outcomes.

So with that, we will support this bill.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I just wanted to rise today to respond to some additional questions that were raised during Committee of the Whole on the Dairy Industry Omnibus Act, 2002. There appear to be three areas identified which require further explanation, so I'd be happy to do that for my colleagues as well as those on the opposite side of the House who asked the questions. First of all, consumer concerns about competition in the market; secondly, producer entry into the industry; and thirdly, consumer input into the decision-making process.

I'm just going to touch briefly on the first question of competition. As we speak, there are 18 dairy-processing companies operating in the Alberta marketplace, a number, I suggest, that bodes well for competition. So this is definitely not a monopoly situation, and I remind members that it is not these processing companies who set the price of fluid milk, the milk that ends up on our cornflakes or our Cheerios; rather, it is the Alberta Energy and Utilities Board which will continue to set that price.

8:40

In regard to the price of milk for processing, that is negotiated between producers and processors. Those prices reflect market conditions and allow both producers and processors to earn a fair return. Now, as far as the industry is concerned, there are certainly opportunities for those producers who have set their sights on entry into the dairy industry. Last year alone we saw 14 new producers join Alberta's dairy industry.

There is no doubt, Mr. Speaker, that there is a high cost associated with dairy farming. However, I would argue that buying a quota is no more cost prohibitive than buying a large grain farm, especially when you consider the cost of land and the cost of equipment. I have heard the comparison that buying a quota is very much like purchasing a franchise. There is a cost associated with the stability in income associated with supply management in the same way that there is a cost associated with buying a brand name company like, say, Tim Hortons for example. These dairy quotas are bought and sold in the open market, and the new board will not be involved in those private transactions, only in licensing of the new producers.

Then the third and final area of questions on this legislation dealt with consumer input into the decision-making process. Certainly under this legislation consumer interests will continue to be protected. This board will be operated in a similar fashion to all other producer boards in the province, including chicken, turkey, and eggs, and I think you will agree that there have been no serious concerns raised about the lack of responsiveness to consumers in these areas. An industry advisory committee with both producer and processor members will be set up under the new board. The committee will look at a broad range of policy issues including consumer concerns such as food safety and quality and will make recommendations back to the board. In that way, the new board will be well informed of changes in the industry, including changing consumer preferences and demands. The new dairy board will still operate under provincial legislation. It will be supervised by the

Agricultural Products Marketing Council, which reports directly to the hon. Minister of Agriculture, Food and Rural Development.

Mr. Speaker, that concludes my research and response into questions raised during Committee of the Whole. In closing, I'd just like to acknowledge the hard work of the governance team members who worked on this project. That team includes dairy producers and processors as well as staff from the departments of Justice and Agriculture. Their time, energy, and commitment were invaluable. This truly was a team effort, and the results are the legislation that we have before us today.

I urge all my colleagues to support Bill 15 in third reading as we move forward into a new chapter in Alberta's dairy industry. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I am pleased to rise to speak to third reading of Bill 15, and I accept the undertakings of the government and the minister that the dairy industry is fully capable of operating the system that is currently operated largely by the government and that we will continue to have an efficient dairy industry in this province and that we'll continue to get good milk, good prices.

I take some solace from the hon. Member for Drayton Valley-Calmar's assurance that the EUB will continue to regulate milk prices. Actually, I did not know that it was the EUB that regulated milk prices, although I knew generally that milk prices were in fact regulated. I hope that the government does not go off on another misadventure and deregulate milk prices in this province, because to be sure, in the short term while they're bringing on additional supply, Mr. Speaker, we would see sudden spikes in milk prices. There would probably be additional user costs that everyone would have to pay for milk prices. We would probably have people from one herd having to sell all of their milk to someone who owned another herd, and the person who owned that herd would have to sell their milk to the other herd. There would be a balancing pool in which the milk would flow in and out, but if there was a shortfall, then of course the costs would be passed on to the consumer or to the 7-Eleven store, whichever is first, but the Premier wouldn't know anything about it.

MS CARLSON: How much would it cost in an election year?

MR. MASON: The other problem, of course, would be that preceding an election year the government would insist that the milk producers sell the milk for less than they paid for it, but they could make it up in the two following years after the election. So, Mr. Speaker, I am taking great, great relief with the assurance of the Member for Drayton Valley-Calmar that milk prices will continue to be regulated in the province of Alberta.

Thank you.

THE DEPUTY SPEAKER: The minister to close debate?

[Motion carried; Bill 15 read a third time]

Bill 16

Racing Corporation Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Gaming.

MR. STEVENS: Thank you very much, Mr. Speaker. It's my pleasure to rise and move third reading of Bill 16, the Racing Corporation Amendment Act, 2002.

This legislation is as a result of the racing industry in Alberta approaching the government with unified voice requesting certain amendments. Particularly there is a restructuring and renaming of the governing body of the industry to speak and act with one voice, thereby enhancing the industry's ability to manage and promote itself effectively. Bill 16 also has new reporting requirements that will broaden and strengthen industry accountability. The industry is required to submit three-year business plans complete with performance measures and report annually against these plans. Bill 16 meets the needs of the industry stakeholders and this government.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker, for the opportunity to speak in third reading on Bill 16, the Racing Corporation Amendment Act, 2002. You know what? I've looked back over my notes and the questions I've raised and the few answers that I received from the minister and I remain unconvinced that this is in the best interests of all Albertans. I understand that the industry itself approached and asked for a number of these changes and the restructuring, but frankly when I looked at this, they restructured so there was supposed to be more of a balance between the horse owners' wishes and the others that are involved in the industry. You know, they expanded the number of members that are on the board, but then they expanded the number of opportunities for the horse owners to hold a seat on the board. So I don't think we got any further ahead there, and I don't see a balance coming out of this. The inequities that they were concerned about seemed to have been carried over but in a slightly different proportion. Nonetheless, they are still there.

Some of the concerns that were outlined by the Auditor General have in fact been incorporated in here around reporting requirements, in fact giving the ministry and the gaming commission the ability to direct the activities and the reporting and to compel a business plan, which the AGLC was struggling with in the previous incarnation, the Alberta Racing Corporation, in which the racing corporation just wouldn't listen to what was being asked of them and resulted in the AG putting in some fairly pointed remarks in his report.

My major concern about this bill is that it's trying to inject money into an industry whose day has passed. Some would use the words "propping up an industry whose day has passed." Well, okay. That's probably fair.

AN HON. MEMBER: It's a rich man's hobby.

8:50

MS BLAKEMAN: Yeah, it's a rich man's hobby.

It seems out of step in today's Alberta, where we're trying to have better access for more people or moving things into a very – it's either general access for people or it's very exclusive. In many ways this is very exclusive, and the government is helping it to be very exclusive. If the real concern here was that it's a labour-intensive sector and there were a lot of people that had employment from this area, okay, but what's in Bill 16 is not going to improve their circumstances one bit. So if we were really looking for improvement for those working people and their conditions, this wasn't the way to do it.

We have an accompanying budget line item that injects \$33 million a year into the racing industry through this Horse Racing Alberta. This just isn't going over very big out in the population. I've had a number of calls. I know that other MLAs have as well. Actually, people are pretty outraged about this.

As usual, I see the government coming in to inject money into this sector too late. It's moved on. It's changing, and when I look in other places to see what's happening, the industry is globalizing, if you want to call it that. The smaller centres are making use of technology through simulcast. The betting that's happening, yes, it's happening in Edmonton, but they're betting on races that are simulcast out of the United States or Europe. Our actual racing, you know, hooves on ground, is diminishing here in Alberta, and those people that are riding and grooming and training aren't going to see much benefit coming out of this bill, but those that are owning horses will probably see a fair amount.

I've raised this issue outside of the House, and it's been raised a number of times in the media, and the response is: "Well, you know, these were friends. What's wrong with that? It's a little bit of entertainment." Well, it's a lot of money for someone's little bit of entertainment; let me put it that way. I just can't support this bill. I don't think that this is a smart approach, and I use that in quotations.

The government is very fond of saying: let's use technology; let's be global; let's get ahead of the game here; let's be competitive. That's not what I see in this bill. What I see is: quick; let's go backwards; let's entrench our privilege and try and make it law and protect ourselves. We're not interested in this anymore, and I think all this bill is going to end up doing is entrenching something that dies or shrivels all that much faster, and in the meantime Albertans will have forgone the revenue that's coming out of the slot machines that are in these racing entertainment centres. They will have forgone that revenue that could have been used for a number of other worthwhile community ventures for a number of years until finally it's obvious that it's just not a viable industry anymore. I think that at this point it is viable, but it needed to reinvent itself, to rejuvenate itself in a different way. This is not the way. So I'm not recommending support of Bill 16.

Thanks very much.

THE DEPUTY SPEAKER: The hon. minister to conclude debate?

[Motion carried; Bill 16 read a third time]

Bill 18

Social Care Facilities Review Committee Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader on behalf.

MR. STEVENS: Thank you very much, Mr. Speaker. It's my pleasure to rise on behalf of the hon. Minister of Children's Services and move third reading of Bill 18, the Social Care Facilities Review Committee Amendment Act, 2002.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have spoken at earlier stages to this bill, and the more I read the bill and the more I consider it, the more concerned I am about it and the more strongly I am opposed to it. The effect of this bill in substantial ways I think is to gut the Social Care Facilities Review Committee. The bill removes inspection abilities from the committee. It brings the committee under much closer purview of the minister, so its independence is reduced, and generally the ability of the committee to do the job that

it was envisioned doing when it was first formed is I think greatly restricted.

I can give some examples as I've gone through the bill. I think of the effect this is going to have under the mandate that has served the Social Care Facilities Review Committee for the last 20 years or so. They've had the ability to go into child care facilities "in which care, supervision or lodging is provided for 4 or more children under the age of 18." That could have included potentially the day home in St. Albert that's the source of some controversy. No longer will that be a possibility, and I think that's unfortunate. I think our kids, regardless of the size of the facility they're in, deserve the right of a certain amount of protection.

There are also a number of other facilities that are removed from the purview of this committee: emergency shelters, residential alcohol and drug abuse treatment centres. Those were facilities I know that members of this committee at one time visited and visited on behalf of the people who used those facilities and tried to understand how those facilities were functioning from the perspective of the residents getting treatment in those facilities.

Let's see. Will day care be covered? Yes, a day care facility is covered, so that's good, but group homes for the physically and mentally handicapped may not be and various other centres may not be either. So I'm concerned as I'm reading this act and in discussions that I've had with the minister before that we are reducing the number of people and the number of facilities that could benefit from the protection of this committee.

I also note the tightening of the minister's hold on the committee. There will be a new section added, as it says in the legislation, to emphasize that the committee is accountable to the minister. The very early vision for this committee was that it would be accountable to the Legislature, and unfortunately that's being lost. My concern is that sometimes the minister needs to have somebody watching over his or her department, and we're going to see less and less of that now, and we'll see either a committee or a watchdog that only operates at the behest of the minister rather than watching the minister's activities directly, so I am concerned about that.

Beyond that, the legislation removes the ability of the committee to investigate complaints. The old act read:

If a complaint is made to the Committee by or on behalf of a person in a facility, the Committee shall investigate the care and treatment and the standards of accommodation received by that person.

That whole section is now repealed, so the capacity of this committee to investigate complaints is going to be if not eliminated certainly seriously reduced, and that's unfortunate. I bet we all get calls as MLAs from people who are wondering who will investigate a particular kind of facility, and it's nice to have a committee like this to refer people to. It's not clear now that that will be their role. In fact, the role of this committee, the ability of this committee to investigate complaints and to appoint complaint officers is removed. Section 13 of the old act allowed the committee to designate "a member of the Committee" or indeed "an employee of the Government . . . under the administration of the Minister" to act as a complaint officer. That's gone, and I know there was a time when this committee would work with the department and select highly qualified professionals from within the department to help them investigate complaints. That's gone now. What's the benefit of that? Who's going to benefit from that? Certainly not the dependent people who are in the facilities that are under this committee.

9:00

Beyond that, the new act will then require the committee to report to the minister after a visit or investigation is made. Again, that seems just like a bringing of the committee under the direct control of the minister, and I don't think that's healthy. I think every government, this government and every government, needs to have

people watching out independently for its actions and watching out independently of the government on behalf of the people under its care, whether that's the Children's Advocate, whether it's the Social Care Facilities Review Committee, whether it's the Health Facilities Review Committee, or whether it's the Ombudsman. It's a principle that we should be strengthening, not weakening, yet what are we doing in Bill 18? We are weakening that principle.

So, Mr. Speaker, because this reduces the capacity of this committee to investigate complaints, because it narrows the scope of facilities under the committee, because it brings the committee much more directly under the minister rather than under this Legislature, I remain unequivocally opposed to Bill 18, and I would urge all members to join me in opposing Bill 18.

Thank you.

[Motion carried; Bill 18 read a third time]

Bill 19

Veterinary Profession Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. I am very pleased to rise today to move third reading of Bill 19, being the Veterinary Profession Amendment Act, 2002.

In conclusion, I wish to acknowledge the significant contribution of the Alberta Veterinary Medical Association, which worked closely with the staff of Alberta Human Resources and Employment to develop these proposed amendments to the Veterinary Profession Act.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am happy to speak once again to Bill 19, the Veterinary Profession Amendment Act, this time in third reading. I think basically we are in agreement with it. Am I correct in assuming that we still have the pharmacists onside with this particular decision? That was of course our main outstanding concern about it. Other than that, things seem to be in order with it, and we'll see how it unravels as time progresses. I'm sure that if people have concerns, they will bring them forward to us, and we may see any tightening up or cleaning up of this bill come forward hopefully in nothing more than a miscellaneous statutes act, which would be minor kinds of changes to it.

So with that, Mr. Speaker, I will take my seat, and we will agree to support this bill at this particular time.

THE DEPUTY SPEAKER: On Bill 19, the hon. member to close debate.

MR. DANYLUK: Thank you very much, Mr. Speaker. I'd just encourage everyone to support it. Thank you.

[Motion carried; Bill 19 read a third time]

Bill 20

Justice Statutes Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader on behalf.

MR. STEVENS: Thanks, Mr. Speaker. On behalf of the hon. Minister of Justice and Attorney General it's my pleasure to move third reading of Bill 20, the Justice Statutes Amendment Act, 2002.

This bill deals specifically with six pieces of justice legislation ranging from civil enforcement to the administration of traffic ticket fines. Most of the amendments to the act in this bill are of a housekeeping nature and were the subject of substantial debate in second reading.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks, Mr. Speaker. I'm pleased to have the opportunity to rise and speak in third reading on Bill 20, the Justice Statutes Amendment Act. I did have a goodly amount of time to be able to bring forward concerns and discuss what's being changed under this act, although that was appropriate because there's more than one act that's being changed by this bill. In fact, there are eight different acts that are being changed. Under the old Standing Orders in fact we would all have had half an hour to debate this in each stage. Because it was changing more than two statutes, it would be considered an omnibus bill. Actually, I think the government got off easy in the amount of time we debated this considering how much time it would have been debated as eight separate acts.

Essentially the bill is amending civil enforcement, fatal accidents, interpretation, limitations, motor vehicle accident claims, provincial offences procedure, public trustee, and survival of actions. Under the Civil Enforcement Act for the most part those revisions were remedial and appropriate. In the Fatal Accidents Act the changes were substantive and I think positive. The corollary act, the partner act to that was the Survival of Actions Act. Certainly that was contentious. Nonetheless I think the right steps are being taken with those two acts in combination. I think that's the best legislation and serves Albertans the best.

In the Interpretation Act the changes are relatively minor and positive. In the Limitations Act the changes are more substantive. Some people feel that they're problematic; others feel less so. Unfortunately, at this time I think only time will tell as to whether that precludes people from being able to bring forward actions because they've passed the limitation or not. I hope we've done the right thing here, but as I say, I'm not sure, and I think time may tell on that one.

In the Motor Vehicle Accident Claims Act the changes are again positive and I think remedial. The Provincial Offences Procedure Act: now, I had questioned the government pretty closely about this, because this is where the government is able to claim back some money for the administration of collecting fines on behalf of municipalities. They needed a way to be able to pay their administration costs, and that's what is being done here. There was some concern on my part that this would affect the amount of money going into the victims' fund, but in fact the minister came forward very quickly and pointed out that it would actually increase the money because the percentage that is always taken off the top for the victims of crime fund is now being taken off a larger amount as a result of the changes being made here. So I'm happy to support that.

9:10

The Public Trustee Act again was controversial because there were concerns there about whether the guardians of minors could be pushed or manoeuvred into allowing an action to commence before the minor reached 18. The other side of that argument is that it now equalizes the position of a minor with a guardian and a minor that doesn't have a guardian. They're now in exactly the same position.

For those young ones that have a guardian and a trustee, if someone did want to bring an action against them, both the guardian and the trustee would have to be notified. I think that gives a counterbalance and an opportunity to make sure that a minor is not taken advantage of. Now, that is in combination with the Limitations Act, and I still have a little hesitation about that, but overall I think it should be fine.

So there is quite a bit of cleanup, housekeeping, minor and major changes that have been made under this act, and I'd prefer to see these come forward in smaller pieces. There's always the chance when they get clumped together like this that we miss something and as an Assembly embarrass ourselves. But I know that different bits and pieces have either been brought forward by the Alberta legal research institute or have been brought forward as a result of a legislative review or a review by the Law Society or various other legal bodies, so I'm sure those changes and what was proposed under those processes should be fine.

I did propose an amendment really for clarification and ease of administration, and in fact it was accepted. Rather than putting in a five-year review following from proclamation – you know, who knows when proclamation is going to be, and it's not written in the act, so it's very hard to determine when your clock started ticking to know when in fact it's going to stop ticking and you're at the next review point. The amendment just asked that a specific date be put in, and in fact that date is June 1, 2002, so we now know that the next review must happen by June 1, 2007. That amendment was accepted.

I know that there are still lawyers and some members of community groups, in particular MADD and PAID, Mothers Against Drinking Drivers and People Against Impaired Driving, that were not happy about the changes in the Fatal Accidents Act and Survival of Actions Act. They wanted to be able to use that combination of statutes to bring retribution upon people who had caused the death in particular of a child. But as I said during the debate, I think there are other ways to do that that are better suited to it. In fact, if a punitive measure is what's being sought, there are other ways to do it. I didn't think that this was appropriate. I think that what they gave us in the Baddeley case was a wake-up call to write clearer legislation. Certainly the courts are entitled to do that. When they see something that they don't think is very clear, they can bounce it back to us. In essence that's what happened here.

So I hope that what we've done clarifies it and that it will stand the test of time. I think it is an improvement. None of us ever want to contemplate losing someone, particularly an individual who is the breadwinner, the economic provider in a family. We want to make sure that the family is protected and that they have access to all possible programs that are in place for them. The Fatal Accidents Act does give us a set amount of money that takes a lot of worry out of the process. You don't have to go to court. I mean, as soon as you've established the facts, that's it; the amount of money is available for you. And it's a substantial amount of money at this point. The amounts are being raised to \$75,000 for an adult and \$43,000, I think it is, for a minor. I think that's appropriate.

So after careful consideration I'm willing to support Bill 20, the Justice Statutes Amendment Act, in third reading. Thank you.

[Motion carried; Bill 20 read a third time]

Bill 21

Alberta Personal Income Tax Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I'm pleased to move

third reading of Bill 21, the Alberta Personal Income Tax Amendment Act, 2002.

This bill combines a lot of harmonization between our own tax legislation and the federal tax legislation through our tax collection agreement. It's fairly straightforward. I reread the *Hansard* for the debate and the dialogue. It does move us into a compatible relationship with the federal tax. It also deals with the situation with the NHL tax.

I would ask hon. members to support this bill in third reading.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to speak to Bill 21, the Alberta Personal Income Tax Amendment Act, 2002, in third reading, more commonly known as the hockey tax. This is an interesting bill.

MR. MASON: That's an offside comment.

MS CARLSON: An offside comment, thank you, for someone who doesn't like hockey. I know that it's not an Alberta sentiment to not like hockey, but in fact I think it is one of the most vicious and obnoxious games that there are. Having said that, I still defend them in terms of the government having their hands in their pockets too. It just seems to happen that every time we turn around, that where the government's hands are.

There doesn't seem to be much opposition to this, and it's interesting to note that the government spins this as an attempt to provide funding for Alberta's two major professional hockey teams without involving direct taxpayer money and that the administration costs will be withheld from the teams to cover the costs of implementing the tax.

So I guess we're going to see what happens with this one, like we do with all the others, see what this tax grab actually looks like. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Well, Mr. Speaker, just very briefly. I can't let the offside comments of the hon. Member for Edmonton-Ellerslie slip through my glove. I just want to indicate that I'm as patriotic an individual in this country as anyone else. I also want to indicate that once again my concern is that the government needs to be taking more active measures to keep NHL hockey in Edmonton and Calgary than just this particular tax. I remind the government that when Edmonton provided assistance to Mr. Pocklington, it was in exchange for a signed, written agreement that the team would have to stay in this city or be offered first of all for a fixed price to local investors. That agreement in fact was triggered despite the attempts of the owner at that time to sell the team. It has remained in Edmonton. It has proven its value, but it is running out in 2004. It might be a good centennial project for the government to find some way to prolong that agreement and extend it perhaps to the Calgary Flames as well.

9:20

This particular tax is another one of the nontax taxes that the government said that they would never bring in. Like the smoking tax, to which there's very little public opposition, it's very hard to be against taxing rich hockey players from out of town. I'm not going to do that, but I am going to say that the government, in providing

assistance to the hockey teams, ought to consider what it gets in return, and that ought to be some extension of the agreement to keep the NHL teams in Alberta. If we have a strict free market system when it comes to hockey, our teams could go the same way that the Winnipeg Jets and the Quebec Nordique went.

Thank you, Mr. Speaker.

[Motion carried; Bill 21 read a third time]

Bill 22

Tobacco Tax Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Finance on behalf of your colleague the hon. Minister of Revenue.

MRS. NELSON: Thank you very much, Mr. Speaker. I am pleased to move Bill 22, the Tobacco Tax Amendment Act, for third reading on behalf of the hon. Minister of Revenue.

There has been a very good debate on the bill and I believe good support within this Legislature. The amendments contained in this bill will increase tobacco taxes, which is part of the overall tobacco reduction strategy that has been put forward. The amendments will also help to equalize the tax rate on loose tobacco and increase the tax on cigars. In addition, there are provisions that tighten up the control to reduce the ability to smuggle tobacco products into the province. We are also delighted to see, Mr. Speaker, that other provinces have followed suit in their quest to reduce tobacco use and to try and guide our young people from the use of tobacco by increasing their taxes at least across western Canada, and we understand that the move is moving east.

So I'd like to again on behalf of the Minister of Revenue ask for the support of the House for third reading of Bill 22.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. We have had, as the minister has indicated, reasonably good debates on this bill, and I think we will be supporting it. It's a case where we took two steps and we could have taken a couple more. I would have liked to have seen a couple more. The steps we've taken are to raise the price of tobacco, which will discourage smokers and especially I think discourage young kids from starting smoking, a commendable and important step forward. I think it is encouraging some people to quit smoking, and that's commendable.

My hope, which grew briefly through the fall and I suppose through January, and in fact one of the things that I actually agree with in the Mazankowski report is the notion of a wellness fund and boosting wellness.

THE DEPUTY SPEAKER: Hon. Member for Drayton Valley-Calmar, you have a seat. Please remain in it.

DR. TAFT: Thank you, Mr. Speaker. The revenue from this tax will be in the range of \$300 million, I believe. When we put that in the perspective of the total provincial budget, of course every dollar counts; every billion counts. In fact, it would have been – what is that? – hardly 1 percent, 1 and a half percent or something of the total budget and less than 5 percent of the health budget.

If that \$300 million had gone into a wellness fund – and I would urge the government to consider this for next year – we could have had I think a genuinely revolutionary effect on the wellness initiatives, the wellness programs and business of this province. The

long-term benefits of that for health would have been enormous, a huge, huge step forward, if we had taken the revenue generated from this tax and put it into a wellness fund. Now, there is a dream. There is something for our government to latch onto and to run with. Maybe the government will consider that for next year. You have a chance here, by dedicating the revenue from this tax to wellness initiatives, to make a genuinely historic difference to Alberta and indeed I think as an example to all of Canada and potentially the world. So two steps forward; let's take two more steps maybe in the next budget.

With those comments, I'll wrap up and indicate that we'll be supporting this bill. Thank you.

MR. MASON: Mr. Speaker, I'm just going to indicate once again that I have a real concern about this bill. I do not believe that the stated purpose behind the bill, that being the reduction of smoking, is the only reason behind the bill. I believe that this is another example of the government selecting taxes to which there is little public opposition as a means of increasing its revenue, and I want to remind the government once again that this tax increase will fall disproportionately on low-income Albertans. Thirty-nine percent of people who did not complete high school smoke compared to 14 percent of people who have a university education, and people in the lowest income households were nearly twice as likely to be current smokers, 30 percent, as were those in the highest, which is 16 percent.

At the same time as the government is introducing tax reductions for corporations, I think that we cannot support this just on the basis of the approach of increasing taxes on low-income Albertans while reducing them for the wealthiest.

Thank you, Mr. Speaker.

[Motion carried; Bill 22 read a third time]

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIR: I'd call the Committee of the Whole to order.

Bill 26
Workers' Compensation Amendment Act, 2002

THE CHAIR: I would invite comments, questions, or amendments to be offered with respect to this bill. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I have a signed amendment which I would like to introduce, and I'll just provide that to one of the clerks.

THE CHAIR: Hon. member, would you move it? Once you've moved it, then we'll call that amendment A2, and we'll give everybody a copy.

9:30

MR. MASON: Thank you, Mr. Chairman. I will move that Bill 26, the Workers' Compensation Amendment Act, 2002, be amended in section 48 in the proposed section 157.1 by adding the following after subsection (4):

- (5) If a fund is established pursuant to a regulation made under subsection (2)(a), the Board must increase employer premiums by an amount equivalent to 3 cents per employee, the proceeds of which shall be directed to the fund.

Mr. Chairman, one of the biggest disappointments for me and for many Albertans who were looking forward to this act was the fact that an agreement or a solution to the question of the outstanding claims issue had not been achieved before the legislation was drafted and brought before the Assembly. So what the minister has done is to simply delegate these matters to the cabinet to resolve and given the power to the cabinet to approve through regulation whatever solution ultimately is considered palatable by all of the stakeholders. In this case, I think primarily it's several business organizations that have been leading the charge against the onetime tribunal that has been recommended to deal with this.

The difficulty is of course that that leaves everybody in limbo while the work goes on, and we think it ought to have been included in the act. We think that a stronger section would be preferable, one that lays out exactly how the tribunals will be established and how the awards will be adjudicated and who will pay for them. Those are the questions that need to be resolved.

Mr. Chairman, I have taken the opportunity to communicate in writing to the minister on this matter because the amendment as it's set out here really only deals with a small part of what I think a solution might look like. The only piece that this deals with is the establishment of a fund and setting a rate for a fund that would deal with a fund to pay out the onetime costs. I'm going to take the liberty of reading from the letter that I've sent to the minister, which sort of lays out what we think a solution might look like a little bit more.

The New Democrat Opposition is disappointed that Bill 26 doesn't contain a clear resolution to this issue, but rather leaves the matter to be resolved later, delegating authority to implement whatever solution is reached by the cabinet. Nevertheless, we acknowledge the difficulty in reaching a consensus among the stakeholders around this contentious issue.

A key difficulty has been the active opposition of certain business organizations to proposals for a one-time tribunal to resolve long standing contentious claims. As we understand it, there are two main objections: First, these claims are the financial responsibility of businesses active at the time the injuries occurred and ought not to affect rates of currently active businesses. Second, the costs of reconsidering these claims are unknown and may be excessive, driving rates beyond what businesses can afford.

Since it is obviously impossible to retroactively charge businesses which may no longer be active for the costs of settling these claims, the alternatives are to charge businesses now active, which, I might add, includes many of the businesses active at earlier times when some of the injuries did occur,

to place the financial burden on all Albertans, or to deny justice to injured workers. In our view, the only realistic alternative that meets the Meredith principle that the Workers' Compensation system is founded on, is the first one. It is not the general taxpayers of Alberta who should be responsible for the costs of compensation, but rather employers as a whole.

Despite inflated estimates promoted by some business organizations, uncertainty over the ultimate costs of resolving these claims and the effect on WCB rates is legitimate. As these claims are extraordinary and their costs are one-time expenditures, it may make sense to separate them from the regular rates through the use of a temporary surcharge. The use of a temporary surcharge could be at a fixed and affordable rate. We suggest that 3 cents on employer WCB premiums might be a reasonable amount, which would not place an undue burden on businesses. It would remain in place until the extraordinary and one-time costs of these contentious claims were met, and then would be canceled.

A surcharge also has advantages relative to the uncertain final cost of resolving the contentious claims. The surcharge can be implemented before the final costs are known, and continued until all costs are paid out. If costs are higher than expected, the sur-

charge does not increase, but is collected for a longer period. If costs are less than expected, the surcharge can be lifted sooner.

We believe this proposal merits consideration as part of a resolution of the difficult issue of resolving long standing compensation claims. It ensures that legitimate claims can be paid, keeps taxpayers off the hook and keeps rates for business affordable.

We urge the minister and we urge members of the Assembly to give our proposal careful consideration.

Thank you, Mr. Chairman.

THE CHAIR: On amendment A2. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chair, I am quite happy to support this amendment I think as it stands, because it sure seems like a way better idea than what I've seen so far in the legislation or in discussions from the minister or from WCB.

I have a real problem with the way this onetime tribunal has been set up without any funding. Injured workers for years and years have been looking forward to this review of the WCB. They have been looking forward to a fair or at least a reasonably fair process where if they were injured and were unfairly dealt with in the past, there would be some sort of tribunal set up where they could be legitimately reassessed through an independent kind of process, where if it was determined that they were in fact more injured or injured differently than WCB had originally decided, there would be the appropriate funds to support that claim. My expectations were that those appropriate funds would be retroactive.

Well, of course, what we see come in is good, the tribunal, in a fairer than before process, also good. But where's the money? Once again the government ducks and hides when it comes to cash on the line for things that they don't support. If it's business, good; if it's injured workers, bad. So I don't see how this tribunal is going to be any good at all if it doesn't back up its position with money, and this amendment puts money on the table. I'm not sure if this is the exact formula or the right way to get there, but it's sure better than what we have right now.

I can't tell you the number of times that I've had injured workers in my office who are frustrated beyond belief. I represent a primarily blue-collar, first-generation immigrant community in my constituency, and that means those people are workers. They work with their hands for the most part, are involved in physical labour or the kinds of work where there are a lot of associated injuries, and these people often don't have a lot of other options in terms of retraining or educational opportunities or different kinds of work. So when they get injured at the workplace, they often have very few other options than WCB. Now, I know that WCB has said: we can retrain anybody. But I'll challenge that, and I'll talk about that in a moment.

First of all, I want to talk about what happens when these injured workers come into my office. They are the breadwinners of their families. They work hard. They believe in working for a living. They believe in fair treatment between themselves and their employers and in the implicit contract they have with the government and with WCB, that if they get injured in the workplace, they're going to be taken care of and taken care of in a fair process. They give a good day's work for the dollars that they earn. They keep their end of the bargain, and then when they get hurt, what happens is that WCB slides away from their side of the deal in many, many cases. So what happens then is that not only don't they have the coverage they thought they did; they don't have any money coming into the family, they're injured, hurt, can't work to the same ability or to any ability. They have fights at every single step of the

way through the WCB process to try and get assessed, to try and get assistance, to try and get the money that they feel is due to them, and when they are stalled and blocked at every step of the way, they become very frustrated and they become very, very angry. We've all heard of cases in the past where these injured workers have spun out of control.

9:40

If you were to walk into that WCB building just north of us here now, you'll see the bulletproof partitions everywhere and high level of security that they have because of past incidents. I don't condone that kind of violence at all, but I see how injured workers get to that point. They are completely frustrated by the process. They cannot put food on the table for their families. They have been in most cases the sole provider or at least a key provider forever for their families, and now they can't do any of that and they don't know where to turn. They turn to their government, and the government also turns them away and doesn't give them any help.

We have been dealing with cases, like our colleague from Calgary-Egmont said the other night, for years and years and years, trying to get legitimate workers dollars or retraining or retraining in jobs that they can actually do. I have many cases. The one that stands out in my mind the most is a person who is a really good friend of mine. He is a first-generation immigrant, and his English isn't perfect by any stretch of the imagination. He has worked very hard all his life, and he has done a great job of supporting his family. Well, about six years ago he got injured on the job. A pallet fell on his leg, and a great big chunk of his calf was torn away, all the muscles and so on. He was in the hospital for a long time, in rehab for a long time, and at the end of the day what does he get assessed by WCB? That he is 20 percent impaired.

His leg, by his own doctor's standards and by an independent orthopedic surgeon's standards that he went to, is half an inch shorter than it used to be, which creates all kinds of physical problems and pain problems. A chunk of his leg is missing, the calf muscle, and it's gone forever, and there are lots of things he can't do. The WCB doctors measure it and find it one centimetre shorter one time, and the next time they don't find it shorter at all. Now, you tell me about those inconsistencies. What do they say? The guy can work. What can he do? He can be a parking lot attendant. So fine. Parking lot attendants. We all know how they work: they have a stool to sit on, but mostly they stand at their job and mostly it isn't protected from the weather.

Well, this is a guy who's in severe pain, on severe pain killers all the time, who needs to lay down for at least 15, 20 minutes at a minimum every two or three hours. You tell me how he's going to do that being a parking lot attendant. It's not possible to do. [interjection] Well, you know what? It's a real problem for him, and because of the long history of problems there have been an insurmountable amount of problems with him and his family. They nearly lost their house. They, too, were subject to the secret police that we now have a memo on, that the Minister of Justice says don't exist but who actually sent us a memo, so we can confirm tonight that there are secret police.

The secret police monitored him. He walks with a cane – we saw the video – and they monitored him over three successive days. [interjections] It's on the amendment, Mr. Chairman, specifically with regard to why employer premiums must be increased so that when people go to this tribunal, they can get recourse, because in the past it hasn't been.

So in the monitoring of this, what do we have? Three really, really boring days of watching this guy walk around periodically outside with his cane as he should be, watching his son lay down sod in the backyard. Of course, they were hoping to catch him laying the

sod. I know exactly what they were up to, but it didn't work, because he can't. Why? Because he's severely injured and can't lift things and has serious problems with anything that requires bearing any weight on that particular leg.

Is this fellow going to have any recourse in this situation as it stands now? You know what? They're going to find that he is more injured and less employable than previously determined. But I'll tell you what, Mr. Chairman: so what? It's not going to make one penny's difference in his pocket. In fact, it's going to increase his frustration level, because this government is going to say that they don't have enough money. So unless I see the minister respond in a way that lays out a better option for these people, I am very happy to support this particular amendment because at least it finally addresses the money issue, which is the issue of paramouncy that's missing from this particular legislation.

THE CHAIR: The hon. Member for Edmonton-Centre on amendment A2.

MS BLAKEMAN: Okay. Well, this is interesting. I remember the minister saying that the point of WCB was that current employers pay for current employees. I need my glasses on; I can't see him nod. I think that's what he said: current employers' premiums are to pay for current employees.

MR. DUNFORD: That's the general gist.

MS BLAKEMAN: That's the general idea. Okay. I think that under normal circumstances that's probably the truth, but the problem is that we didn't have a process in place in the past that treated those workers who had concerns and who were not treated fairly at the time or who feel that they weren't treated fairly at the time. That process wasn't funded adequately, and they did not get awards that allowed them to retrain or to have a pension or whatever would have been the outcome of that. The money wasn't called for at that time to support whatever those decisions were. To say now, "Oh, well, too bad; the sins of employers past shouldn't be visited on today's employers," just doesn't work, because what it ends up doing is leaving out a group of people who have been failed by the system.

[Mr. Lougheed in the chair]

The interesting thing – and this was partly addressed by the Member for Edmonton-Ellerslie – is that normal people expect that processes will be in place for them when they need them. When they call the police, the police will come. When they need an ambulance, the ambulance will come or the fire department. They know or they believe that there is a workers' compensation process in place for them so that if they get hurt as a worker, they will be looked after. That's what they believe. They don't understand until they actually get hurt and they're not feeling well and they're not thinking as fast, when they're not as alive to all the different nuances of what's taking place around them, that in fact that's not necessarily so or that there are provisos in play so that there are limitations on something or there's a set minimum that's available for X. They get into a system and they go: "This isn't what I thought the deal was. I thought the deal was that as a worker I go to work on time with my tools, sober, and I work hard. If I get hurt as a result of being on the site or doing my job, there's a deal in place whereby I will be looked after."

When I talked about this act the last time, I talked about the origin of the WCB and how this was not an altruistic gesture on behalf of employers. It was in fact to save themselves from getting sued for causing the death or severe disability of workers. So the employers

come out of this with their end of the deal intact, but the workers don't, and there is I think both a perceived and a very real inequity in what is happening. The minister has acknowledged that in the past. I think that this legislation was going to be an attempt to address that. When the legislation came forward, the minister was still saying that we were looking at the contentious long-term claims process, and while this legislation has been up before us in the House, there's been a withdrawal from that saying: well, you know, the employers don't want to pay for that, and the government is certainly not going to step into this.

9:50

What's being proposed in this amendment being brought forward by the Member for Edmonton-Highlands is a scheme by which a fund could be established that would pay for awards for these long-term claims. I think it's still debatable. Maybe there is a place for the government in this particular area. I mean, if the government didn't have the processes in place in the past that would have made those contentious claims work out better or be resolved more fairly or however you want to put it, maybe the government should be stepping up to the plate now. Given what I'm saying, I would think that the government would be eager to support what's being put forward by the Member for Edmonton-Highlands, which is proposing that in fact the employers pay for it.

Now, you know, people think of Edmonton-Centre as being the head offices, the big businesses, the corporate downtown, big companies, but in fact there are a lot of small businesspeople in Edmonton-Centre: all of those food kiosks and newsstands and photocopy outlets.

DR. TAFT: How small are they?

MS BLAKEMAN: Oh, lots of them are a one-person or a family operation. Some of them have become quite successful, and they have 10 or a dozen employees now. You know, there are more small employers downtown in fact than there are large employers if you just want to look at numbers alone. How would they handle this amount of money, increasing an employer premium by an amount equivalent to 3 cents per employee? Three cents per employee doesn't sound that bad, but it ends up being 3 cents per employee for every hundred dollars of payroll. So it changes it from a hundred dollars of payroll to \$100.03 per payroll. That's probably manageable for a small employer who's looking at five or six employees.

It's a tough decision, but I think that somebody has to step up to the plate here. We can't keep passing the buck around. This is a possible solution, and at this point I'm willing to accept it until I see something better. I don't see the government coming forward with anything better frankly. All that happens is that we dither and the Rome of some workers' lives burns while we try and figure out how to get somebody else to pay for something here. I don't get a lot of WCB claims in Edmonton-Centre, but with those claims that I get, boy, you know, those people have been through a very difficult time. It's frustrating for them and it's frustrating for me when I can't help them.

So at this point I'm willing to support this amendment, as I say, until I see the government come forward with something better. Thanks.

THE ACTING CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Thank you, Mr. Chairman. It's a pleasure to rise and participate in the debate this evening and specifically on amendment A2 as proposed by the Member for Edmonton-High-

lands. I certainly can see the merit or in this case the wisdom behind the hon. member's amendment here to create a fund to deal with long-standing and contentious claims of the WCB. Now, there are various reports as to what amount of money is specifically needed and how many workers are going to be affected by this. I've heard as low as 300 workers would be going before the long-standing, contentious claims tribunal and as high as 15,000 workers that have been wronged through the WCB process. I have heard figures as low as \$50 million and higher than \$200 million to finance the program to address the wrongs of the injured workers.

Now, certainly remarks were made here in the Assembly not only by this member but several others, and these remarks centred around the elimination or the termination of the rate and benefit stabilization fund, that had been wisely introduced by the WCB in I believe the year was 1996. This had grown into a fund that had millions of dollars in it before it was reduced and then terminated in I believe it was the last annual report. It is my view that if this fund, the rate and benefit stabilization fund, had been left in place, there would be no need today for this amendment as proposed by the hon. Member for Edmonton-Highlands, and there would be no need to have a debate on whether we can afford to deal with long-standing, contentious claims. We had the money, and we spent it or we put it into the accident fund. When we spent it, in this case, employers' premium rates did not increase, and this was convenient around election time. We didn't want to upset the business community and have skyrocketing WCB premiums, but as soon as the election was over, we saw two double-digit increases, Mr. Chairman. I understand that there's another one coming this year. It's \$1.81 or \$1.82 to have full payment – \$1.81 per \$100 of payroll – to meet all the commitments of the WCB. [interjection] About 11 cents less than that? I could stand corrected.

MR. DUNFORD: One sixty-eight.

MR. MacDONALD: One sixty-eight. Thank you very much, hon. minister.

The elimination of the rate and benefit stabilization fund has now allowed us to plead poverty on this issue. We have no money to settle these claims, so we have this proposal in amendment A2.

I have the following questions, and hopefully the hon. member or another member of the Assembly can help me with this, Mr. Chairman. If this fund was to be established pursuant to subsection 2(a) in the proposed section 157, the board, it indicates here, "must increase employer premiums by an amount equivalent to 3 cents per employee." How much money are we looking at here? Is it 3 cents per \$100 of payroll? How long is this money going to be collected? I think we're going to wind up with a sizable sum here. I have no idea, and if the hon. member could tell me this, I would be very grateful, because I don't know whether I can support this amendment without that information.

I would think that this is a sizable amount of money. I would think that if this amount is to be put in a fund, then at some time we're going to have to check for the administration of this fund. I don't want to give the new Auditor General, Mr. Dunn, any more work, but I think this would be an ideal place for the Auditor General and his staff to work from, Mr. Chairman, to keep an eye on this fund and to see that it's being managed correctly. I certainly would like to know precisely how much money per year will be raised by the establishment of this regulation. In light of the fact that we're now pleading poverty on this issue and we have no money, as I said before, I think the rate and benefit stabilization fund was created was to deal with issues just like the outstanding contentious claims. We had the money, but we got rid of it unfortunately, and

now we are to deal with this. If the hon. member could clarify for the Assembly how much money is going to be raised, I would be very anxious for his comments on this.

10:00

This is an improvement. There are other issues that I think we're going to have to debate with Bill 26 regarding the long-standing, contentious matters, but this amendment certainly would provide a source of revenue to start the whole process of hearing from the frustrated workers who for one reason or another have been unjustly treated by the entire WCB process. I don't think there are legions of these injured workers, Mr. Chairman, but certainly I think the number is much greater than 300, and hopefully it's much less than 15,000.

This is a debt. If these injuries are related to the workplace, this is a debt owed. It cannot be considered a future or current cost. These people were legitimately injured in the workplace, and their injuries have been ignored. Their lives have been as a result diminished. Many of them are frustrated; their families are frustrated with this. We can't continue with further study on this issue. We know what needs to be done. I would encourage the hon. Member for Edmonton-Highlands to please explain, if he has the data here regarding the pool of money, how much will be raised. Will it be specific to long-standing, contentious claims?

If I could, Mr. Chairman, at this time cede the floor to the hon. Member for Edmonton-Highlands. If he could provide that answer, I would be very grateful. Thank you.

THE ACTING CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. I'm pleased to respond to the member. In my opening comments I did deal with a number of these questions, but I certainly don't mind going through them again.

The idea is that these are onetime claims. They're not ongoing claims, and they ought not to affect the general rate that businesses pay for WCB. So the idea is that there would be a surcharge that would be put on that would be a fixed amount. This can be modified. I'm certainly not wedded to this, but I understand that it's about 3 cents on the current amount that is paid, and the minister can correct me if I'm wrong. The standard rate is about \$1.86 that businesses pay, and that's per \$100 of payroll. Is that correct?

MR. DUNFORD: A dollar sixty-eight.

MR. MASON: A dollar sixty-eight, and this would be a 3-cent surcharge. The idea is that you fix it and then you run it as long as is necessary to pay the costs. You can start collecting it before the costs are known, but if the costs of the contentious claims are more than you expect, you collect it a few more years. If they're less, you terminate the surcharge earlier. When the contentious claims are gone and paid for, the surcharge is canceled. So it's a temporary thing. It's a reasonable price that businesses can pay.

We estimate – and this is just us with our small, limited resources – that the 3-cent charge would collect about \$11.7 million per year that would be put in the fund. Depending what the costs are of resolving the contentious claims, that surcharge would run for more years or less years to pay them off.

We also think that it's reasonable because you can tell businesses right away how much it's going to be and that it won't go up. You know, they may pay it a bit longer if the costs are higher than expected, but you can fix that and they can fix that in their business plans and their budgets and so on. So that's the general idea. I hope that helps.

MR. MacDONALD: Yes. Thank you. I would like to express my gratitude to the hon. Member for Edmonton-Highlands in regard to amendment A2. Certainly whenever we consider that there has been this plea of poverty that we cannot afford to make these adjustments or have a fund to deal with the long-standing, contentious claims, this certainly is a step in the right direction. I don't know if it's everything that is needed at this time, but when we consider that the rate and benefit stabilization fund was created to deal with just such a matter as this and it was, as I understand it, a standard policy pertaining to the insurance industry that funds be established to deal with emergencies, then this seems to be a solution that has been put forward. It is going to be certainly in the statute for everyone to see.

[Mr. Tannas in the chair]

I would at this time encourage all hon. members of this Assembly to have a close examination of this amendment A2. It may not be perfect, but when we eliminate the rate and benefit stabilization fund, this is the next best thing. I would encourage all members to please support this amendment. Thank you.

THE CHAIR: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: I'd like to begin by thanking the Member for Edmonton-Highlands for providing an opportunity to debate an amendment such as this. I want to indicate right from the get-go that I'll be urging members of the Assembly not to support the amendment, but that doesn't mean that your amendment is not for consideration. What we'll be doing is taking this type of a process and handing it over to the committee that we've already announced in the House. That's the committee made up of the MLAs from Calgary-Egmont, Bonnyville-Cold Lake, and Calgary-Cross. What they are responsible for is trying to find a process that we can get stakeholders to all agree to so we can move forward.

I want to make sure that the member understands that I appreciate the effort that's been put into the amendment that we have before us. I think it showed some thought. I think it showed a willingness to try to find a solution, to try to understand the current dilemma that the minister finds himself in. On the one hand, by having section 157 here in this bill, I am making a clear statement to injured workers that I haven't given up on this situation, that we're still in the face of some fierce opposition to this, that we're still trying to find a way to resolve it. When I listen to some of the other members' comments tonight, all I can conclude, Mr. Chairman, is that again I've found a perfectly Canadian solution to some situation: nobody agrees with it. You know, instead of having people recognizing that one side of the issue is strongly opposed to it, instead of looking around and trying to find some sort of understanding and some support from the other side, well, they've got the other side against it as well.

Nevertheless, Mr. Chairman, we will sort through this, and we'll

be able to sort through it as long as we continue to have amendments with the thoughtfulness and the sincere concern that we see here in A2. It's too bad it has to go down tonight, but it's a suggestion that will live on after tonight in the committee.

10:10

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. I'd like to express my appreciation to the minister for his comments. I certainly was expecting that the amendment may not pass. I've been called a slow learner tonight, but I'm not that slow a learner.

Nevertheless, I appreciate his comments. I do believe that we need to try and resolve this issue and all put our best efforts forward because I think the injured workers certainly are expecting it. I understand some of the difficulties the minister has been facing and certainly would like to do my best to help him resolve it, but ultimately it's his responsibility to resolve it. We will certainly be holding him accountable if he fails to do so, but in the meantime he can be assured of our full co-operation.

Thank you.

[Motion on amendment A2 lost]

THE CHAIR: The hon. Deputy Government House Leader.

MR. STEVENS: Yes, Mr. Chairman. I move that we rise and report progress on Bill 26.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following: Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Concur.

THE DEPUTY SPEAKER: Opposed? So ordered.
The hon. Deputy Government House Leader.

MR. STEVENS: Yes, Mr. Speaker. I move that the Assembly stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 10:16 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, May 9, 2002**

1:30 p.m.

Date: 02/05/09

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome.

Let us pray. Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance. Amen.

Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. I'm pleased and honoured to introduce to you and through you to the members of the Assembly Mr. Walter McNary of Camrose, who is seated in your gallery. Mr. McNary was a part of the department of agriculture for many years in this province and is responsible for many programs which continue today. Mr. McNary is a pioneer in the agriculture industry and was involved with the 4-H program where he started the public-speaking component of the program in the late '50s. He is also the founder of the farm green certificate training program, which has served our province so well for so many years. Later on I will be giving a member's statement on the green certificate program.

Accompanying Mr. McNary is his wife, Myrtle, and Doug Taylor, who was Mr. McNary's first employee in the department of agriculture under Hugh Horner in the early '70s, and he continues to work in the department on the green certificate program.

I would like to ask Mr. McNary and Myrtle and Mr. Taylor to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker. It's indeed a pleasure to rise today and introduce to you and through you to the members of the Assembly a very special couple from my hometown of Vermilion. Mr. Walter Scott has been involved with the department of agriculture for many years, too, and was instrumental in working with the green program. Mrs. Jan Scott has just recently retired from the Vermilion health care complex in Vermilion and was instrumental in keeping the reputation of Vermilion as providing the best patient care in Alberta. I say that in all truth, and everyone in Vermilion knows that. They are also, incidentally, the very proud parents of Canada's Olympic – and I'm sure it will be announced soon – silver medalist, Ms Beckie Scott. So it's with extreme pride that I introduce them to you and through you to the people today. I would ask them to rise and please accept the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you. I'm pleased this afternoon to introduce to you and to members of the Assembly a young constituent of mine from Calgary-Lougheed, Ms Roseanne Warren, who is seated in the Speaker's gallery. Roseanne is a grade 10 student at Western Canada high school in Calgary, where she is enrolled in the full IB program. She's a well-rounded student, participates in many athletic activities, and is also completing her grade 10 in piano. She is considering a career in law, hopefully followed by politics. She was

very enthusiastically looking forward to participating in Mr. Speaker's Youth Parliament this year until it unfortunately had to be canceled, but we have arranged for her to be here today to tour the building. Thank you, Mr. Speaker, for the meeting with you and for the picture with you, and she will be joining us for question period. I'd now ask Roseanne to rise in the Speaker's gallery and be recognized by the Assembly.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. On behalf of myself and the hon. Member for St. Albert it's my pleasure to introduce to you and through you today to all members of the House six guests from St. Albert and Edmonton who are seated in your gallery. These were guests of mine and the hon. Member for St. Albert for lunch today. The group contributed a substantial amount to the St. Albert Rotary auction earlier this year to be with us today. We had a wonderful lunch and a great discussion at noon as well as a tour of the Lieutenant Governor's office and your office, Mr. Speaker. They are Lauren Robertson, Jeri-Lynn Robertson, Mike O'Dell, Charlane O'Dell, Cal Malhiot, and Don Milligan. I would ask that they rise and receive the traditional warm welcome of this House.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Well, thank you very much. You know, it's a true sign of spring around this place when buses full of children from Medicine Hat start making the six-hour trek from southeastern Alberta to visit us in the Legislature. I have a group of such students to introduce this afternoon, but, Mr. Speaker, with your indulgence I would also like to mention that this morning I had another group from Medicine Hat, who unfortunately were not able to join us for question period. I would like to acknowledge that 26 students and I think around eight parent helpers from St. Louis school in Medicine Hat, accompanied by their teacher Mr. Buday, toured the Legislature this morning. Unfortunately timetables necessitated that they be other places this afternoon, but I'd like to acknowledge them, and I look forward to visiting them as soon as the photographs that we took this morning are completed.

This afternoon, Mr. Speaker, through you I would like to introduce to all Members of the Legislative Assembly a group of 90 students who, as I mentioned, have joined us from Crestwood school in Medicine Hat. They are accompanied by a number of parents and teachers. I'd like to identify their principal, Mr. David George; the vice-principal, Mr. Mark Traber; teachers Mrs. Karen Shaw, Mrs. Kathy Western, Mrs. Jackie Sehn, Mr. Wade Lawson, Mr. Gary Ziel; as well as parent helpers Mr. Barry Bitz, Ms Deb Kopp, Mrs. Barb Klein, Mr. Bruce Hill, and Mrs. Edith Heim. They are seated in both galleries, the members' gallery and the public gallery. I would ask them to rise and receive the traditional warm welcome from all members of the House.

MRS. GORDON: Mr. Speaker, it gives me a great deal of pleasure today to rise and introduce to you and through you to members of this Assembly a number of guests from the Multiple Sclerosis Society of Canada, Alberta division. May is Multiple Sclerosis Awareness Month in Canada, and the carnations placed on your desks today are representative of one of the society's major fund-raisers, their annual Carnation Day. Over the next few weeks other fund-raisers are also planned in many of our communities across Alberta: the MS bike tours as well as the MS Super Cities walking tours. Our hon. minister of health earlier today agreed to bike on

behalf of MS. I encourage all to participate. Help us raise much-needed dollars for ongoing MS research. Seated in the public gallery are Ms Joyce Kropiniski, board member; Ms Kim Dowie, board member; Mr. David Johnston, president; Mr. Jim Robinson, vice-president; Mr. Kim Cassady, manager, social action; and Ms Heidi Erisman, the new executive director of the Edmonton chapter. I would ask that they rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Deputy Premier.

MRS. McCLELLAN: Thank you, Mr. Speaker. Today we have a very special guest in your gallery, Linda Chupka. Linda is a longtime employee of Alberta Agriculture. She's presently the executive assistant to my deputy minister, but today Linda is here to observe the work of one that she is very proud of, and that is her son Craig Chupka, who is one of the pages in the Assembly. I ask you, Linda, to please rise, and could we extend Linda the very, very warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Well, thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to members of this Assembly 12 elementary school students and their parents – Anita Labreche, Greg and Pamela Galan, and Claudia Shaw – from the Brookside home school in my constituency of Edmonton-Whitemud. They're of course here today to observe and learn with keen interest about our government. They're seated in the members' gallery, and I'd ask that they please rise and receive the warm welcome of the members.

1:40

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. Today I'm very proud to introduce to you and through you to members of this Assembly two constituents of mine from Calgary-West. Jerry Lehoux has been in Edmonton for a SCONA conference, SCONA being Scholarship Consultants of North America. Jerry is involved in the administration and distribution of USC education savings plans, which are really RESPs. Brenda Wood is the founder and now executive director of the very successful and ever growing Friends of Seniors Foundation, a program in Calgary which won a minister's seniors service award in 2001. I would ask Jerry and Brenda, who are in the members' gallery, to please rise and receive the traditional warm welcome of this Assembly.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Holy Cross Hospital

DR. NICOL: Thank you, Mr. Speaker. The Premier has referred in recent days to the work of the Holy Cross disposition committee and has indicated his confidence in its proceedings. Documents obtained by us show that the disposition committee originally planned to reject the bid from Enterprise Universal. Within days, however, this decision was reversed, the letter was revised by the CRHA CEO, and Enterprise Universal was invited to resubmit. It's clear that the disposition committee was not arm's length in its decision-making. My questions are to the Premier. Was the Premier ever contacted by

the backers of the Enterprise Universal bid concerning the purchase of the Holy Cross?

MR. KLEIN: Mr. Speaker, perhaps I was. I would like to know who Enterprise Universal Inc. or company is.

DR. NICOL: The people who bought the Holy Cross.

My second question, Mr. Speaker, is: was the Premier ever made aware that the Holy Cross was appraised at up to \$20.6 million?

MR. KLEIN: According to my information there were a number of appraisals based on the best and possible use, and according to the note that was provided to me, there was an upside value if the property was to be zoned to its highest possible use and if indeed there was a buyer who wanted to buy the property at that particular price. But as I understand it, Mr. Speaker, there were some complications associated with this particular site in terms of demolishing the hospital, the removal of the asbestos, and so on, the environmental cleanup, and to the best of my knowledge no developer wanted to go to the expense to undertake that very expensive cleanup. Therefore, the disposition committee accepted what they deemed to be the best offer.

In answer to the hon. member's first question, if he's alluding to the Huang brothers – Peter, Ian, and John – as the proprietors, or the owners, of that particular company, yes, they did approach me, and I indicated to them that a disposition committee would be struck to make a proper adjudication of this.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: given that cabinet approval was necessary for the sale of the Holy Cross, were any supporting documents or copies of appraisals provided either to the Premier or Executive Council before the approval?

MR. KLEIN: Mr. Speaker, I can't recall if formally any particular documents were provided to me or any other members of cabinet. Perhaps the then Minister of Infrastructure or public works – I forget what it was called at that particular time – might have received some documents. Clearly, one of the proponents visited me – I believe it was in Calgary – to outline what their proposal was, and I indicated to them that this would be a subject for adjudication by the disposition committee.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. We have a hospital sold shortly after \$20 million was spent on renovations. We have a disqualified bidder allowed back into the process who wins the bid and then is allowed terms unavailable to any other bidder, and it turns out that the leader of that bid was a senior official of the Calgary health region. We have a hospital on 8.6 acres of prime land in the hottest real estate market in Canada being sold for one-quarter of its appraised value. My questions are to the Premier. Does the Premier consider it acceptable practice to have a public tendering process in which bid conditions are changed for one bidder and not for the others?

MR. KLEIN: Mr. Speaker, again this is going back many, many years. I would remind the hon. Leader of the Official Opposition that the sale was managed by a disposition committee made up of city councillors, clergy, community leaders, and RHA reps. Their

stated preference, as I understand it, was to have the site be sold to someone who would use it for health-related services. As I understand it, this was advertised nationally, not just locally but nationally, and of the three offers received, the committee accepted the highest offer. While the Liberals may think that the price should be higher, there's an old rule in real estate that the value of a piece of property is what people are willing to pay for it. For that site the RHA received the most that people were willing to pay. The fact is that in that facility there now are a multitude of health services, including I believe it's some 40 long-term care beds, a pain management clinic, several eye doctors, psychiatric services, and others. I simply don't know what the Liberals are driving at.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given that the government is prepared to sell our public hospitals and has cited the Holy Cross as an example of how it should be done, will the Premier freeze the sale of all health facilities in this province until a full investigation into the irregularities of the Holy Cross sale is completed?

MR. KLEIN: Mr. Speaker, there are no irregularities, and to suggest that there were is I believe an insult to the good-thinking people and the community-minded people who served on the disposition committee. What he is suggesting is that they brought about some irregularities, that what they did was in some way underhanded, and that is wrong. He's talking about people the likes of former Bishop O'Byrne. He's talking about a Member of this Legislative Assembly, the hon. Member for Calgary-Currie, who was then a well-respected member of Calgary city council, and a lot of other people, community leaders and so on. You know, I have to stand up and stick up for these people. They're good, solid citizens who did the best possible job.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: given all the irregularities, will the Premier call for a judicial inquiry into the sale of the Holy Cross, where we can subpoena witnesses and have the truth come out?

MR. KLEIN: Mr. Speaker, why? You know, this is six years old. We want to get on with the future. I mean, this sale took place a long, long time ago. To my knowledge it was a perfectly normal sale under the circumstances of the day, and it was properly adjudicated by a disposition committee.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. Yesterday the Official Opposition tabled a memo from then Minister of Health Jonson to the Premier and Executive Council. We obtained the memo through FOIP, and it contains a FOIP index number and an action request number. To the Premier: can the Premier explain why the memo states that, quote, the Calgary regional health authority board entered into negotiations with Enterprise Universal in September 1996, end quote, when requests for proposals to sell the facility had not even been sent out then?

1:50

MR. KLEIN: Mr. Speaker, first of all, the Liberal opposition tabled this. I received a note of apology, and I understand that the hon.

member did apologize to the House for saying that it had been delivered to my office when in fact it hadn't been, but there's nothing untoward about this. This is a copy that is attached to the original, and I have the original in front of me. To answer my question, it says:

Following independent appraisals the property was listed at \$4.9M for over a year. There have been limited enquiries, mostly at the \$2M range. In September 1996, the Board entered into negotiations with Enterprise Universal Inc. which have resulted in an agreement under which Enterprise Universal Inc. will purchase the property for \$4.575M. This offer appears to be the best purchase price currently available and represents fair market value. The sale would also eliminate the reported annual expenditure of \$1M by the RHA to maintain the safety and security of the property.

I assume that that took place following the recommendation to the RHA by the disposition committee. There's no reference to that here in the memo. I don't have all the correspondence on it, but I hardly think it's worth the time and effort that the Liberals are spending on this particular issue unless they want to come clean and tell the Legislature and the public what they're after.

DR. TAFT: Given that we're not going to get offers on a property if we don't ask the full value of it and given that every appraisal available valued the property at well above \$4.9 million, can the Premier explain why the memo he refers to indicates that the property was listed on the market at \$4.9 million, well below appraised value?

MR. KLEIN: Mr. Speaker, I have no idea, and I'm just making some assumptions here, because, as I say, this matter is over six years old. It says:

The Agreement [also] has been reviewed with respect to the Provincial Policy on the Sale of Property Owned by Health Authorities and found to be compliant with the Policy. The Agreement requires the purchaser to agree that the property will not be used to provide private hospital or acute care inpatient health services.

That should be good news to the Liberals. "However, it does not preclude the use of the facilities to provide outpatient, day surgical services or supportive long term care programs" – and that's exactly what the site is being used for – "in compliance with existing legislation." As far as I know, everything is in compliance with the existing legislation. "The purchaser is proposing to use the property to deliver post-secondary education services," not bad, "residential development" – I guess maybe there's something around there; I don't know – "and a variety of complementary health services," which I do know are being provided. What is the problem here?

DR. TAFT: Well, given his quotes here today and given that government policy on the sale of property owned by RHAs, which we tabled in the Legislature yesterday, clearly states that property being sold should not be needed for future health care delivery, why does this memo as he just quoted it substantially contradict that policy? Is policy just made on a whim here?

MR. KLEIN: Mr. Speaker, it does not contradict or violate in any way the policy. It says that it can't be used for acute care. It can't be used for a hospital, a private hospital. It accommodates a number of clinical applications, and that's perfectly permissible under the Health Care Protection Act.

THE SPEAKER: Hon. the Premier, it would be helpful, too, if that memo would be tabled in the Assembly at the appropriate time if it hasn't already been.

MR. KLEIN: I'll be happy to table it. I'll have those copies. That was the original, not the stuff they tried to table yesterday.

THE SPEAKER: At the appropriate time we'll have the right thing. A point of order?

MS CARLSON: A point of order.

THE SPEAKER: Okay. We'll deal with it later as well. The hon. Member for Edmonton-Highlands.

U.S. Agricultural Subsidies

MR. MASON: Thanks very much, Mr. Speaker. Tomorrow in Regina there's a key meeting to chart a plan to protect prairie farmers from the protectionist U.S. farm bill. Every Premier and every leader of the opposition from the three prairie provinces will be there except the Premier of Alberta. The Alberta government's silence on this issue is deafening. My question is to the Premier. Why is the Premier refusing to attend this crucial farm summit tomorrow in Regina?

MR. KLEIN: Mr. Speaker, first of all, I'm unable to attend tomorrow's meeting because of prior commitments that I have in Calgary. I am meeting with senior energy officials in Calgary to receive a briefing that is essential to my upcoming mission to London and Ukraine. I explained this to Premier Calvert on the telephone, and he understands. He's fine with it. I don't know; if he's fine with it, why isn't the hon. member? The Deputy Premier, who's also the minister of agriculture and our rural lieutenant, will be at the meeting. Alberta producers, farmers can be confident that their concerns will be addressed.

Now, I've had two substantive phone calls with Premier Calvert. He has offered to lead the western provinces' response to the U.S. farm bill matter, and I've indicated to him that Alberta supports his leadership role and that we will co-operate in the development of a joint plan of action. What that plan of action at this particular time might be, I don't know, but as the Deputy Premier said yesterday, the Alberta response to this important matter can't be judged by who's first up to the mike or by how many news releases are issued and that it can sometimes be more of a public relations exercise than it is substantive action.

We are working with other provinces. We'll continue to work with other provinces and the federal government on a thorough evaluation of the U.S. legislation and its potential impact on farmers, and once that evaluation is completed, this province will participate in a joint plan of action. We also have to be careful – and I think the minister emphasized this – that any aid programs, whether federal or provincial, don't simply spark a subsidy war that would end up hurting the agriculture industries in both countries.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. How many people will lose their farms while this government is getting its act together?

Given that the Premiers of Saskatchewan and Manitoba . . .

THE SPEAKER: Hon. member, please. I heard a question.

MRS. McCLELLAN: Mr. Speaker, I'll be happy to assist the hon. member with that question. This government has put in place, far ahead of the other provinces, programs that would ensure the sustainability of Alberta farms. I would remind the hon. member

that while the other areas were having discussions, maybe some press releases, maybe the odd news conference, this government put a disaster assistance program in place. Some years later others joined, including the federal government. I would also remind the hon. member that this province has the best safety net program of any province in Canada for its producers. If you want to look at the viability of farms in this province, I will undertake to get for the hon. member the sales of land and values of land in the two provinces that he is referring to, and then he could draw his own conclusion as to which farmers are best supported by their government on a long-term basis.

MR. MASON: Mr. Speaker, why does the Premier put a priority on a briefing about things in Ukraine ahead of fighting for the interests of Alberta farmers? Why isn't he leading the Alberta delegation to Regina?

MR. KLEIN: Mr. Speaker, I have the greatest confidence in the Deputy Premier, and so do Albertans. Secondly, this hon. minister knows more about agriculture than that member would ever hope to know about farming. When this hon. member falsely and maliciously talks about people losing their farms, he's talking about this hon. member, who is a farm woman. Her livelihood is at stake, as are the livelihoods of many members of this caucus who also depend on farming to support their families, unlike this hon. member, who, you know, has been stuck in the city for so long that he has no understanding of what farming is all about.

2:00

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Gold Bar.

MR. McFARLAND: Thank you, Mr. Speaker. My questions today coincidentally still deal with something called a U.S. farm bill, and I hope our minister of agriculture will accept a question from a real farmer, not somebody who is born again. Along with many rural constituents of mine who are full-time professional farmers and don't totally understand things like the U.S. farm bill, I want the question directed to the minister to be worded this way. Minister, we understand that the President of the United States has not yet signed this bill, but at the same time what is the exact status of the bill? What inference does it have to my farmers, to me, and to the others of us in this Assembly that do farm?

MRS. McCLELLAN: Mr. Speaker, as I understand, the process with the farm bill was ratified by the Senate last evening in fact, and it is expected that it would be signed off by the President sometime in the next two weeks. That's the legislative process of this bill.

Mr. Speaker, what does it mean for farmers? Well, you know, it's interesting. The actual amounts of dollars in this bill are not much different than what were paid out last year, contrary to what you would think by reports. What it does is take the baseline of support for U.S. agriculture and adds the onetime payments or ad hoc payments into the base and carries them out over six years, so in fact it would appear at first blush that it may be even slightly less in actual dollars. However, the breadth of this bill is what is of concern. This bill doesn't just cover payments to producers. It covers things like export credits. It covers conservation, environment. It covers food aid and many things like that. So the complexity of this bill is what makes it somewhat difficult to do a very quick analysis and a very quick response. We want to take the time to have that in-depth analysis and make sure that the response that we have, whatever it is, is meaningful to our producers.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker. I hope I'm not in a conflict of interest for asking the question.

Particularly with respect to cereal producers and pulse growers what impact will this proposed bill have on those particular producers?

MRS. McCLELLAN: Mr. Speaker, certainly it locks in the subsidy levels on grains and oilseeds, and as I indicated yesterday in the House, what is even more bitterly disappointing to us is that it also draws in this year pulse crops, a growing opportunity and expanding crop in this province. So despite the fact that we've been dealing with subsidies on wheat, oilseeds, and other grains, this is added to it as well. Those subsidy levels are there in the bill. They're locked in for a period of time, and of course it takes away the competitive advantage that the efficient farmers in our province have. Very difficult for farmers in Canada to compete against treasuries of countries like the U.S. and the European Union.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you, Mr. Speaker. A final question: should this bill prove a financial hardship on Alberta farmers, what programs do you contemplate or what programs are available to assist our producers here in Alberta?

MRS. McCLELLAN: Mr. Speaker, there's no question that there is a comprehensive set of safety nets in this province and in many areas in Canada. First of all, the farm income disaster program, which has been mentioned, does deal with loss of income and responds only on a disaster basis, so if you have a continual set of low prices, that obviously isn't the answer. The second thing that is available is the NISA program, of which there are significant accounts, and that can be drawn on by producers in times of low payments. The other program though, that is I think more apt to respond to this and could respond to it in the long term, is your safety net program in crop insurance. Crop insurance prices are set with an anticipation of what the initial world price will be. You take your production risk into account. There is some cost of production factored into that, and if you have a crop failure or a shortfall, you can draw on that program.

Mr. Speaker, I want to take less than a minute to say that we have been working with the two prairie provinces over the past year to try and include in that safety net program a revenue component. Indeed, had that been put in place for this crop year, we probably wouldn't be having this conversation today to this degree. Unfortunately, they weren't able to come to the table with that program.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Bow.

Electricity Pricing

MR. MacDONALD: Thank you, Mr. Speaker. Many Albertans are real angry at this government because of real high electricity prices. This has been caused by the electricity deregulation scheme that was proposed by this government. Now, a recent Power Pool Council report determined that through a practice known as the silver bullet, the Power Pool Council in Alberta is concerned about price manipulation at the Power Pool. My first question is to the Premier. What steps is the Premier taking to avoid this silver bullet, which did not exist before the government moved to a marginal pricing system?

MR. KLEIN: Well, that's a real interesting question. Mr. Speaker,

I have no idea what a silver bullet is, you know, other than the Lone Ranger. I don't know. Perhaps the hon. member can explain what this silver bullet is all about.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: what is the additional cost of surveying the bidding process for the Power Pool considering the new incentives for pricing manipulation that come with your now ideologically defunct electricity deregulation scheme?

MR. KLEIN: Well, deregulation certainly is not defunct, Mr. Speaker. It is alive and well and providing the environment for more competition. We see more power coming on almost on a daily basis, and over a period of time it will provide a competitive climate, which should result in a downward pressure on prices. So deregulation is hardly defunct. It's alive and well. There are a few bumps along the road. One of them is due to service charges connected with electricity bills, and both the ministers of Energy and Government Services are looking into this matter. I understand they'll be meeting with the power companies tomorrow. They've already met with the Alberta Energy and Utilities Board, and hopefully we'll get this ironed out. But on the whole prices are not on average abnormally high. They are high in some areas but not on average and throughout the province.

2:10

THE SPEAKER: The hon. member.

MR. MacDONALD: Mr. Speaker, thank you. Again to the Premier: will the Premier please commit to tabling in this Assembly on Monday the Cap Gemini report on billing practices and the London economic study on the electricity industry overhaul and overview in Alberta, to provide full transparency and accountability for the practices in this province before there's a backbench revolt in his own caucus because of high government involvement in the electricity industry?

MR. KLEIN: Mr. Speaker, there is, needless to say, not a backbench revolt in this caucus. As a matter of fact, the MLAs who have constituents who have been affected by high service charges connected to power bills have been very diligent in bringing these concerns to caucus, and it's a result of those concerns being expressed in a straightforward, forthright manner that the appropriate investigation was undertaken by both the ministers of Energy and Government Services.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Centre.

Energy Research Strategy

MS DeLONG: Thank you, Mr. Speaker. Many of my constituents are concerned about climate change, and some of them are grappling with whether Canada should sign the Kyoto protocol. We've recently been hearing something new about an energy research strategy. My question is for the Minister of Innovation and Science. Can the minister tell us what it is about and how it was developed?

MR. DOERKSEN: Mr. Speaker, indeed innovation and research is a critical component in Alberta's approach to climate change. Before I outline some of the key principles in the energy strategy, I would encourage all members to check out the Alberta Energy

Research Institute web site on the worldwide web at .aeri.ab.ca or .gov.ab.ca, and you can find the entire strategy.

The ultimate goal of innovation and research in our province is to make sure we extract value from our vast resources of coal and oil sands while maintaining our commitment to the environment. Mr. Speaker, there are five primary goals that the Energy Research Institute has set out. The first one relates to using our high-grade, low-sulphur, clean coal in the production of energy. We're also looking at upgrading technology, the management of carbon dioxide, or CO₂, which is one of the climate-change components, improved oil production, and looking at fuel cells and our hydrogen economy. The whole research strategy is a fundamental part of Alberta's approach to climate change.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you. My first supplemental is to the same minister. How will this research institute strategy help us develop our made-in-Alberta approach to climate change?

MR. DOERKSEN: In fact, Mr. Speaker, the Minister of Environment is developing an Alberta approach to the Kyoto alternative in conjunction with the Ministry of Innovation and Science, the Minister of Energy, and in fact all of our colleagues. The Prime Minister is starting to agree with the Alberta position that we need to obtain credit for our clean energy exports, and in our relentless pursuit of excellence towards zero emissions in coal production, we expect that we will obtain clean energy credits for our coal energy production as well.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. To the same minister: can the minister tell us how this strategy will benefit the province?

MR. DOERKSEN: Mr. Speaker, the Alberta Energy Research Institute, which of course is capably co-chaired by our colleague from Bonnyville-Cold Lake, took over from where the Alberta Oil Sands Technology and Research Authority, commonly known as AOSTRA, left off. We have seen the results of that research in the past over a great length of time paying us huge dividends with respect to jobs and royalties in our oil sands production. Furthermore, we can take the technology that we develop and actually adapt it to other areas, and I'll use a very small example. The coating that we use in pipelines to prevent pipeline corrosion has been adapted to be used inside of soup cans to prevent the soup cans from corroding. As we use technology in one area, we can adapt that into other areas and export the knowledge that we have in Alberta. So things are very positive from a value-added point of view in our province.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Meadowlark.

Community Lottery Boards

MS BLAKEMAN: Thank you, Mr. Speaker. The Minister of Gaming has said that the decision to cut the community lottery boards was for financial reasons, and yesterday in the appropriation debate the Member for Airdrie-Rocky View confirmed that the entire government caucus participated in this decision. My questions today are to the Premier. If it was a financial decision to cut the \$50 million community lottery board program, where was the new money

to come from for this modified program that the Minister of Gaming has lately made reference to?

MR. KLEIN: Mr. Speaker, we always said that we would try to find a way to enhance CFEP, and that is being worked on right now. The details certainly haven't been announced, but we want to be able to come up with a program that is available for those who truly need help and for those organizations that fall through the cracks.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you, Mr. Speaker. Well, given that the only budget increase for the existing lottery programs or foundations was a \$2.5 million increase for CFEP, how is the \$50 million cut going to be addressed? In other words, which other groups now getting grants from the existing lottery foundations are going to get dumped so you can give the money to the community lottery board applicants?

MR. KLEIN: Mr. Speaker, it's all speculation on the hon. member's part at this particular time. There are ways of moving dollars around within program budgets, and money can be moved around to provide for those organizations that truly need the money. There is an assumption on the hon. member's part that it's going to be \$50 million. Well, we don't know. We do know through our assessment of the community lottery board program that about 60 percent, I believe it was, of the programs were receiving funding from other lottery programs as well as from community lottery boards, so that leads one to speculate and to wonder whether \$50 million is in fact the right figure. So we're working on this. It's going to involve some shuffling, but it's also going to involve the identification of some priorities relative to community services that really are needed in the community.

If the hon. Minister of Gaming wishes to comment further, I'll have him respond.

MR. STEVENS: Thank you very much, Mr. Speaker. We've been taking a look at the community lottery board program in the past year, and I think there are some very interesting statistics that come out of it. One of the things that we've said is that we want to address those smaller applicants who did receive funds and who were falling between the cracks. What I can tell you, for example, is that applicants who received under \$50,000 comprise some 95 percent of the applicants who received funds from community lottery boards, making up 62 percent of the money that was allocated. If we take a look at those who received \$25,000 or less, that made up 87 percent of the applicants, who received about 41 percent of the funds. So what that indicates is that that particular program was very, very good for small applicants, and I think that's one of the things that we have to address as we work through this particular issue.

2:20

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you very much, Mr. Speaker. Will groups such as the Carstairs library or the skating and gymnastics clubs that were previously funded by Community Lottery Board No. 66 in Kneehill county be deemed worthy and needy under this new criteria for this new program?

MR. STEVENS: One of the things that we're looking at again is identification of where the funds went to, Mr. Speaker. There were about 10 different categories that the community lottery boards dealt

with. They had community services, sport, recreation, parks, environment, culture, social services, health, libraries, and education, and there was widespread funding throughout each of those areas. I think it's fair to say that as we review this particular issue, we're going to be mindful of those groups that do not have access to existing granting programs, and that is one of the things that we're going to look at very carefully. It may well be that the two groups that you refer to fall into that category, and we will take them into account as we work through this issue.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Edmonton-Glengarry.

Enoch First Nation Development

MR. MASKELL: Mr. Speaker, I understand that the proposed Enoch destination development would be a significant development and would be built on the corner of Winterburn Road and 79th Avenue. These are both city of Edmonton roads. With a development of this magnitude there'll be a huge increase of stress on a pair of already heavily overloaded roads. In fact, at the moment they are country lanes. These roads need to be replaced by roads of freeway standard. The plan is already in place to extend the Whitemud Freeway to highway 60. I am sure that the city of Edmonton and the Enoch First Nation have already approached the Minister of Transportation about the roads. The Edmonton-Meadowlark constituents and the community of Lewis Estates are outraged by this proposed development happening at all. My first question is to the Minister of Transportation. Who is going to be responsible for the cost of these roads, and what is the schedule for construction?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. The Public Highways Development Act only applies to those roads and land that are adjacent to a provincial highway network system. As put by the hon. member, the roads in question are not adjacent to any provincial highways, so as a result the roads are the responsibility of the municipality. The current location proposed by the developers is 79th Avenue about four kilometres east of highway 60. I will say that even though the development is not adjacent to a highway, we are interested, though, as to how this development, given the amount of traffic that it will generate, will affect the roads away from the development, even four kilometres away. My information is that representatives from the developer have been meeting with our Department of Transportation, and we are requesting further information with respect to the development.

MR. MASKELL: My first supplemental is to the Minister of Gaming. Given that this is good economic development without a casino, how can the community of Lewis Estates block the inclusion of a casino in this development?

MR. STEVENS: Well, Mr. Speaker, on March 1 of this year a moratorium that had been in place on new casino applications was lifted. That moratorium had been in place since December of 1999, and during that moratorium period we worked hard to establish clear and transparent rules with respect to how new casino applications would proceed.

The particular development that the hon. member refers to is a potential First Nation casino, and the rules with respect to First Nation casinos are essentially identical to those with respect to traditional casinos. So there must be consent from the members of

that particular reserve by way of a band resolution. Thereafter, a complete application has to go to the Alberta Gaming and Liquor Commission, which is the body that is responsible for evaluation and ultimately the decision with respect to whether a casino is ultimately approved. They have a set of rules which addresses such issues as integrity, facility and operational standards, and they have to work through those. That process will have as part of it the ability of groups to raise concerns or objections, if you will, with the AGLC. It will be necessary for the AGLC to address those appropriately as they arise. They understand that, and I'm sure that that's what they will be doing.

MR. MASKELL: Mr. Speaker, my final supplemental is to the same minister. If the casino becomes a reality, how do some of the casino profits flow to the community outside of the Enoch First Nation for community services such as roads?

MR. STEVENS: I think it's important, Mr. Speaker, to understand that the First Nation gaming policy was put into place in January of last year and that it was part of the overall gaming policy. The splits with respect to the slot revenue, which I'm sure is what the hon. member is referring to in his question, are essentially the same as the traditional casino. There's 15 percent that goes to the operator, there's 15 percent that goes to the charity, in this particular case a First Nation charity – and those funds have to be used appropriately – and 70 percent goes to the Alberta lottery fund, as is the case with a traditional casino. In the First Nation's situation 40 of that 70 percent goes into a fund called the First Nations development fund, which will be under the auspices of the hon. Minister of Community Development, but that leaves 30 percent that goes into the Alberta lottery fund, which is used for the benefit of all Albertans.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Edmonton-Highlands.

Alternative Communications Policy

MR. BONNER: Thank you, Mr. Speaker. Recently I had the pleasure of meeting with several members of Alberta's deaf community along with some representatives of interpreter services groups. They expressed to me serious concerns regarding a lack of interpreters and the government's failure to implement its alternative communications policy from 1995. My questions are to the Minister of Community Development. What has the government done to facilitate the implementation of its alternative communications policy since it was released in 1995?

MR. ZWOZDESKY: Well, Mr. Speaker, I have met with some representatives from that particular community, and unfortunately we haven't made the kind of progress on that particular issue that you would probably be referring to. But if you have some specific people in mind that you'd like me to meet with, I'd be happy to meet with them. Frankly, I haven't heard from them for a little while, but it is something that I will be reviewing over the summer period. It's on the radar screen.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: given that a document entitled Recommendations for an Alternative Communications Service, from the Premier's Council on the Status of Persons with Disabilities, states that "the current reorganization of government departments . . . [has] created an uncertainty with

regards to accountability and responsibility for the immediate funding and provision of interpreter services,” can the minister tell us what his department has done to streamline services for the deaf?

MR. ZWOZDESKY: Yes. In fact, Mr. Speaker, last year the Premier’s council did an extensive consultation throughout the province, and we’ve now just about completed the Alberta disability strategy. That will be available very soon, and I think all members will be quite happy with that. It was an extremely good process. I don’t have the number in my head of people who actually participated in that process, but we did go to various parts of the province with the issues that are of importance, some of which the hon. member has raised. So as soon as that’s available, I’ll be happy to provide copies of it for the public’s consumption.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: given that one of the recommendations from the Premier’s Council on the Status of Persons with Disabilities is for “an increase of \$400,000 . . . to address the immediate needs for interpreter services in Edmonton, Red Deer and Calgary,” can the minister tell us whether this recommendation was accepted, and if so, how the money was allocated?

2:30

MR. ZWOZDESKY: Well, Mr. Speaker, I’m familiar with the number that the hon. member is referencing. I have seen that, and that is perhaps one point of view with respect to the dollars that might be needed should a program like that in fact be endorsed. If you’ll just wait for the report to come out, I’ll be happy to comment further on that. I don’t have a specific amount of money targeted for that specific point at this stage.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Lac La Biche-St. Paul.

Interdependent Adults

DR. PANNU: Thank you, Mr. Speaker. The Alberta government in an effort to mollify right-wing supporters who wish to deny rights to gay and lesbian couples has decided to create a tortured definition of an interdependent adult relationship. No other province has gone this route, but the Alberta government needed a way to satisfy the courts without upsetting social conservatives. However, the government has failed to publicly acknowledge that the federal legislation which extends pension benefits to same-sex couples will not recognize platonic interdependent relationships as valid grounds for those claims. My questions are to the Minister of Justice. Would it not be easier to be honest about what the government is doing, namely extending civil rights to these Albertans, rather than hide behind the thinnest of veils to satisfy a political need?

MR. HANCOCK: Well, Mr. Speaker, I think that the premise that the hon. member has put forward is absolutely wrong. What I’ve said time and time again in this House and outside of this House is that we took a very careful and thorough examination of family law, a very careful and thorough examination of the results, and we’ve brought forward I think very forward-looking and progressive legislation to deal with all types of personal relationships. Some people think that it’s impossible or difficult to say the word “gay.” I don’t believe that, but gay is not everything. There are lots of relationships, and all of those relationships must be dealt with. There’s no sense going piecemeal and dealing with one thing at a

time. It’s much, much better to do a thorough and complete analysis of the law, understand the fundamental principles under the law about fairness and who should have access to the law and extend that fairness and access to all appropriate groups at the same time.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Fair enough.

If the notion of legally recognized and platonic relationships does not receive public support, will the government continue to move forward with the legislation to end discrimination to same-sex couples as the courts are demanding?

MR. HANCOCK: Well, Mr. Speaker, that asks for speculation, and it’s not appropriate in question period to deal with issues of speculation. What I can say is this: we’ve done a thorough and complete analysis of the law, we’ve brought forward a very careful and well-thought-out bill, in my humble opinion, and I think that the Legislature and the people of Alberta will be pleased to adopt it.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. To the same minister: will the government at least make the changes to its own pension and benefit plans to allow and accept same-sex relationships so that gay and lesbian Albertans don’t have to drag the government through expensive, long court battles all over again?

MR. HANCOCK: Well, Mr. Speaker, the hon. member would know if he’d been paying attention that in January certain amendments were made to some of the government’s pension legislation, and I presume that once we’ve done a thorough review of all the regulations, other amendments may well be brought forward.

THE SPEAKER: Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: Introduction of Guests

(reversion)

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce a friend and a remarkable Albertan and a remarkable Canadian. He’s a Second World War hero. He’s a former Member of Parliament – as a matter of fact, he was Canada’s delegate to the United Nations – a former Member of the Legislative Assembly, a former member of Calgary city council, and a member of the Order of Canada. He has done a tremendous amount of work throughout this province, particularly in the city of Calgary, most recently with the Homeless Foundation. It gives me great pleasure to introduce to you and through you to all members of the Legislature Mr. Art Smith. I would ask Art to rise and receive the traditional warm welcome of the Assembly.

head: Members’ Statements

THE SPEAKER: The hon. Member for Calgary-West.

Friends of Seniors Foundation

MS KRYCZKA: Thank you, Mr. Speaker. The Friends of Seniors

Foundation is an eight-year-old Calgary community service based charity that successfully creates caring partnerships between teens and seniors in care centres. Its mission is to foster friendship between youths and seniors to enhance their quality of life. Founded in 1994, it began with 24 students and 12 seniors volunteering to have a lunch date with each other. Today FSF has grown to 224 students matched with 108 seniors, and there's a waiting list of 15 schools and care centres. Even the founding member, Brenda Wood, did not anticipate this huge demand.

In addition, over the past few years the foundation has also been asked to assist organizations outside of Calgary in setting up similar programs. The Friends of Seniors Foundation encourages a sense of leadership and social responsibility in our youth by partnering students who are looking for a chance to explore career paths, develop social skills, and experience volunteerism with seniors who often are isolated and lonely but have a wealth of knowledge and wisdom to share. One of the FSF's initiatives has been to produce a biography guide available to the general public for the recording of family history and life stories. When given the opportunity to connect, the result is an increase in well-being for both groups and their communities, and the relationships that develop are incredibly caring, deep, and often flourishing into long-lasting friendships.

FSF has grown far beyond lunch dates, and its programs definitely help to meet the need created by the increasing strain of an aging population on our support systems. FSF's goal is to offer their programs to every interested school and care centre in Calgary and to be available to other communities by offering a licence agreement that would provide a program and a resource manual, train the trainer workshops, and ongoing professional support. This incredible intergenerationally based foundation should be highly commended for wanting to share its experience and expertise by modeling their program provincially and nationally. The Friends of Seniors Foundation is truly a unique and successful program that is enhancing the quality of life for many of our precious resources, our seniors and our youth.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Environmental Report Card

MS CARLSON: Thank you, Mr. Speaker. As we near the end of this legislative session, I am pleased to rise and provide the government with an environmental report card including grades and suggestions about how they could improve their performance.

On forests: B, nearly a B plus. While some resource companies are working together on better forest management practices, the government should acknowledge its responsibility and ensure that forest management plans are not secondary to drilling operations. Completing a report called *Beyond Merchantable Timbers: Seeing the Forest as a Vital Ecosystem* would be a good starting point.

Water: an incomplete so far, pending the results of the water-for-life initiative. The Minister of Environment has put on a very lovely road show, but Albertans aren't ready to trust him yet. We'll wait to see what actions come out of this. A ban on interbasin water transfers would improve this grade when it's assigned. Albertans are not pleased with the freshwater that is being used to enhance oil recovery. Unless the plan is to have us drink oil, there should be some study in this area. More action on watershed management plans would also be appreciated.

Air, soil, and water quality: a B minus. In this area the government could benefit from making policy decisions using baseline and cumulative impact studies. Standards should be set with an eye on

best practices based on scientific research, not just on shareholder reports. Having a more active role in the promotion of new technology should be given some consideration.

Fish habitats: sadly, Mr. Speaker, a solid F. The government needs to quit blaming the cormorants and clean up its act. Committing sufficient resources for fisheries management is essential. A report on what really caused the mess in the commercial fishing industry is a good summer research project. Too many people were allowed in, or the rules were not enforced. We'll be looking for some answers here. Less talk and more action would help this grade. There are a number of groups in the province anxious to assist in this area.

Albertans look forward to the government following up on these suggestions so that we have still some nature left to appreciate.

Thank you.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

Green Certificate Program

MR. JOHNSON: Thank you, Mr. Speaker. Agriculture continues to be a major contributing factor to the success of our economy in Alberta. The success of the industry can be partially attributed to the programs that have been developed that encourage and train our youth in the agriculture industry. In co-operation with the farming industry since 1975 Alberta Agriculture, Food and Rural Development has managed an apprenticeship-style skill-training program for youth called the green certificate. Thousands of graduates have learned cow/calf, dairy, beef, crop, sheep, and swine skills. These people have filled jobs as technicians, production supervisors, managers, and family farm partners. The success of the program would not have been achieved if it had not been for one man: Walter McNary. Mr. McNary developed the green certificate program in the early 1970s, and the program was based on teaching students an on-the-job approach to learning the agriculture industry. Along with his first employee, Doug Taylor, and then Walter Scott the program was developed and began to grow. Doug Taylor and Walter Scott, previously introduced today, continue to lead the program.

2:40

Today the green certificate program has evolved into an extremely successful avenue for young people to become trained and pursue a career in the agriculture sector. It boasts thousands of graduates and has become a blend of the interests of trainees, trainers, and employers to improve the overall standard of performance in farming. A recent development in the green certificate program was to have the program accepted by Alberta Learning, and now hundreds of high school students are accessing the program to learn valuable work skills. The program also has become a great rural development tool, which shows that Walter McNary's vision still lives on within the program.

Walter McNary recognized the need for skilled training on farms in Alberta and in Canada. He is clearly a pioneer in our agriculture industry, and I would like to thank him on behalf of my constituency, which he is still a part of, for starting a program that is widely revered across Alberta.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. The Premier, the Energy minister, and the Government Services minister have all

failed to address concerns about electricity deregulation presented to them by not only the Official Opposition but also one full year ago by their own market surveillance administrator. As a result, cabinet members and even the normally tame backbenchers have begun to revolt.

The Power Pool Council wrote a decision based on the market surveillance administrator's work which identified a number of issues in electricity billing. The report noted that for small customers "the actual hourly consumption is never known," and the subsequent need for profiling "means that there still remains a source of some error." In some cases unaccounted for energy represents 25 percent of a bill. Furthermore, the computer programs designed to settle energy consumption were incorporated without having undertaken the rigorous testing that one would normally expect in such situations.

The settlement systems code developed by the government for deregulation "is silent on the relationship between the retailer and its customer. This relationship is subject only to normal commercial laws that apply in Alberta and is not specifically addressed in any regulations." This lack of concern for consumers is epidemic in this government's electricity deregulation scheme. Deregulation was not developed for consumers but for corporations, and that is why it is the corporations who are benefiting, not consumers. The report reinforces this when it states that the system settlement code

deals only with the relationship between the [load settlement agent], the Power Pool and the retailers, but does not include customers. There is a basic issue of fairness to be assessed with respect to the treatment of customers.

EPCOR and Enmax are not to be blamed. It is the government that set these rules. That is where the blame lies. Electricity should be a service, Mr. Speaker, not an expensive commodity.

Thank you.

head: **Presenting Petitions**

THE SPEAKER: Hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you. Mr. Speaker, I rise to table a petition which is signed by some 117 Albertans petitioning the Legislative Assembly to urge the government of Alberta to roll back postsecondary tuition fees by 30 percent.

Thank you, Mr. Speaker.

head: **Notices of Motions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise pursuant to Standing Order 34(2)(a) to give notice that on Monday I will move that written questions 5, 6, 7, 8, and 9 be dealt with on that day. Since there are no written questions or motions for returns beyond those which I have just cited, there will be none requiring a motion to stand and retain their place. We will have dealt with them all, and we're very pleased to announce that.

Thank you.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I am pleased to table five copies of the memo which was referred to by the Premier earlier in question period today.

THE SPEAKER: The hon. Minister of Sustainable Resource Development.

MR. CARDINAL: Thank you very much, Mr. Speaker. I'm pleased to rise in the Assembly today and table the appropriate number of responses to questions raised in the Committee of Supply on April 16, 2002. There were indeed some very good questions put forward by the opposition and our members that afternoon. I am very confident that the responses our ministry has developed are very informative and appropriate to these important issues raised.

Thank you again, Mr. Speaker.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I am pleased to table the requisite number of copies of the special areas trust account audited financial statements as of December 31, 2001.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have three tablings today. The first is a letter from Shirley Heather-Kalau, chief administrative officer for the village of Coumts, noting that the mayor and council for the village passed a resolution on April 10 in support of the reinstatement of the community lottery boards.

The second is a letter from Patricia Barr on behalf of the Carstairs library board again asking that the community lottery board program be reinstated.

My third tabling, Mr. Speaker, is from Don Hepburn, chairman of the Normandeau Cultural and Natural History Society. He's writing to the Premier and the members for Red Deer-North and Red Deer-South asking for the community lottery boards to be reinstated.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have one tabling today. It's the appropriate number of copies of eight pages of examples of health care fraud cases involving health care businesses in the U.S. Today's series totals over \$1.025 billion.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have one tabling today. It is an information letter regarding the Shaw Conference Centre strike. This letter is presented by the UFCW local 401, and it encourages everyone to call the mayor, the city councillors, the Citizen Action Centre, and EDE to see if there can be a successful resolution to this labour dispute.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table one set of 21 letters from residents of Edmonton addressed to the Premier. These residents are concerned about the lack of housing for people suffering from mental illness and physical disabilities, and they are urging the government to work with the municipal and federal governments in ending homelessness in Alberta.

Thank you, Mr. Speaker.

MR. MAR: Mr. Speaker, I beg leave to table the requisite number of copies of the annual report of the Mental Health Patient Advocate and also my responses to motions for returns 5, 6, and 8.

head: **Projected Government Business**

THE SPEAKER: The Acting Official Opposition House Leader.

MR. BONNER: Thank you very much, Mr. Speaker. I'd now ask the Government House Leader to provide us with the projected government business for the week of May 13 to May 16.

THE SPEAKER: The Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. On Monday, May 13, at 9 p.m., under Government Bills and Orders I anticipate that we'll deal with Government Motion 26. We would then go into third readings on Bill 27, the Appropriation Act, 2002, and Bill 29, the Intestate Succession Amendment Act, 2002, Committee of the Whole on Bill 26, third reading on Bill 26, and as per the Order Paper.

On Tuesday, May 14, prior to Government Bills and Orders we anticipate introducing Bill 31, the Security Management Statutes Amendment Act, 2002. We anticipate the attendance of Her Honour the Lieutenant Governor to provide royal assent to bills passed by this House and thereafter as per the Order Paper. It is potentially anticipated that we may be moving an adjournment motion on Tuesday afternoon pursuant to Government Motion 26 if that's passed by the House.

2:50

THE SPEAKER: The hon. Member for Edmonton-Ellerslie advised earlier in the question period that she'd be rising on a point of order. Is someone proceeding on that point of order?

MR. MacDONALD: Yes, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

**Point of Order
Allegations against a Member**

MR. MacDONALD: Yes. Thank you, Mr. Speaker. I rise on behalf of the hon. Member for Edmonton-Ellerslie. The citation I would like to use is Standing Order 23(h), "Makes allegations against another member." The hon. Premier in an exchange with the Official Opposition in question period – and I don't have the benefit of the Blues; I don't believe they're here yet. The response was inappropriate.

Now, the opposition has no authority over what comes from FOIP, and FOIP, freedom of information and protection of privacy, as we all know, never provides anyone with an original copy. In regard to the document this certainly has an action request on it. It is action request 47315, and it has a six-digit control number from the FOIP co-ordinator, 000060. It is a document that has been presented to the opposition, and the opposition brought it forward in the Assembly. It is not improper, it is not incorrect, nor is it incomplete.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Well, thank you, Mr. Speaker. The fact of the matter is, though, that the hon. member has missed the whole point of it. What happened apparently, it would seem – and one has to make assumptions on these things – is that the members opposite provided a FOIP request and got copies of documents. An hon. member in the House in the first exchange then asked a question about why a document would not be on letterhead and not be signed. Well, the reasonable answer to that presumably might be – but it would be speculation – that they got the file copy from the file that they FOIPed. The document is obviously addressed to other people. It's addressed to the Hon. Ralph Klein, Premier, and members of

Executive Council, and of course the signed copy of the memo and the letterhead copy of the memo might reasonably be found on the files of the people it was sent to.

But the question was raised in the House in an attempt to make some suggestion of impropriety, I would suggest, so the hon. members themselves on the opposite side who brought argumentation into the process and tried to suggest impropriety by talking about an unsigned memo that was not on letterhead – that was the insinuation the opposite side brought forward. So when the hon. Premier comes forward with a memo on letterhead and signed, which one might reasonably find on the files of the people to whom it's addressed, and then refers to the fact that they're doing "stuff" – I think "stuff" is a very, very polite reference to what was being attempted by the opposition. [interjection]

THE SPEAKER: No. Just once, hon. member. It's not a debate. No. The hon. member has already made his case.

As far as the chair in attempting to understand this – umbrage was taken by the hon. Member for Edmonton-Ellerslie and the hon. Member for Edmonton-Gold Bar when the hon. leader of the government responded and basically said the following after the chair had asked the hon. Premier to table the material: "I'll be happy to table it. I'll have these five copies. It is the original, not the, you know, stuff they tried to table yesterday." This may be a disagreement in the utilization of words, but it's not a point of order.

**Speaker's Ruling
Decorum**

THE SPEAKER: However, the chair would like to advise that an hon. member did very clearly violate Standing Orders this afternoon, and that's Standing Order 13(4). There was no intervention of the chair because the chair has chosen repeatedly never to intervene when an hon. member is making a member's statement, but when the hon. Member for Calgary-West was providing her statement, there was a clear violation of 13(4), and 13(4) states that "when a member is speaking, no person shall . . . pass between that member and the Chair," and one individual did.

head: **Orders of the Day**

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: I'd call the Committee of the Whole to order.

**Bill 27
Appropriation Act, 2002**

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I have not had an opportunity yet to speak regarding Bill 27, and certainly I still have a number of outstanding questions. One has to look at the entire schedule, the votes that are presented, whether it's the Legislative Assembly Office or the various departments of the government – Aboriginal Affairs through to Children's Services, Energy through to Transportation – look at this bill and see the solid figures and wonder how a government that had prudent fiscal management could somehow spend 20 percent of its budget outside a fiscal framework. Now, I certainly hope this is not going to

happen with this bill, but one must learn from our mistakes.

We look at the planning that has gone into the budget, and we look at some of the flip-flops that have occurred and some of the doublespeak that has been heard by various groups across the province. We look at the changes to the transportation grants. We look at the uproar that caused with not only the mayor of Calgary and the mayor of Edmonton but various municipalities across the province that all had concerns about this. It was changed; it was very quickly changed to consider the interests of the citizens of those respective communities.

Now, we look at Gaming and what has occurred there. When we look at this entire budget – many individuals in this Assembly are reluctant to speak in this Assembly regarding the issues because there's another process for those hon. members, and that's the standing policy committees. They can go to the standing policy committees, which are not accessible to members of the opposition. Our constituents expect us to analyze the budget in this Assembly, but hon. members of this Assembly who can attend the standing policy committees and have a part to play in the proceedings can, it is suggested, influence the budget.

3:00

Now, whatever department we're looking at at some point, Mr. Chairman, is going to go before a standing policy committee. I'm going to speak specifically about Gaming and the changes to the community lottery boards at this time. How this termination of the \$51 million or \$53 million program happened, I'll never know, but I can happen to guess the discussion that must have taken place. It must have been a vigorous, heated political debate at that standing policy committee to decide that we're going to terminate this program, and it was with a great deal of excitement and fanfare that the program – I believe it's 1998 – was initiated, and it was terminated. Now, I of course am not allowed to go there, but I can only assume that this happened after this vigorous debate in the standing policy committee.

In light of the referendums and the votes and the discussions that occurred across this province regarding the whole issue of VLTs and whether it was right or whether it was wrong to accept money or the profit from those machines, the community lottery boards were a compromise. It was supposedly the political fix to appease a lot of people who were uneasy for one reason or another about accepting this form of funding, and it was very well run. The volunteer boards throughout the province certainly knew the communities, because the majority of those volunteers would of course live in those communities, and they knew where the money was needed. How we could in this process of discussing the budget before it is tabled in this Assembly at the standing policy committees eliminate or terminate that program is beyond me.

We're going to take a significant amount of the gaming revenue and use it for debt repayment. It wouldn't surprise me if our debt, which is currently near \$6 billion, is not as great as one would think, and perhaps this surplus that we're looking at is going to be greater. Mr. Chairman, I can only imagine what might occur in this Assembly if that event were to happen long before the centennial year of 2005 and what a great deal of fanfare. The public relations experts would be, to say the least, zooming around and making sure that every Albertan was aware of this event.

Now, part of the reason for the success is going to be because of course we had to cancel that one program: the community lottery boards. We can even have up here in the corner by the brass rail a trumpet, and you would think that this would be from the medieval courts of England. There would be a banner on the trumpet that will say, "Debt reduction achieved," and it will roll down as the player

begins to play his tune. That's fine, I suppose, but what sort of damage is already going to be done to the Alberta communities as a result of this canceling one program and concentrating specifically on debt reduction?

When you look at total revenue, it is going to be impossible for this goal to be achieved. The economy is not that robust. Personal income tax is scheduled to be roughly 24 percent of our revenue. Nonrenewable resource revenue is going to be roughly 19 percent. Corporate income tax is going to be 8 percent. Premiums, fees, and licences are going to be roughly 8 percent. Well, we know that there have been significant increases in premiums, fees, and licences. We know that nonrenewable resource revenue is at the moment going to be much greater than what was anticipated in the budget. How much greater? We certainly don't know, and we can't rely on it. It astonishes me that so few Albertans realize that conventional oil production has been in a state of decline in this province and conventional oil production has been in a state of decline for 30 years. We still make a sizable amount of money on conventional oil royalties, but it is not nearly what we make in royalties from natural gas. As the price of natural gas increases, so does the royalty rate, but we certainly are, whether it's because of geopolitics or economic activity, seeing quite a surge in oil prices, Mr. Chairman.

Now, there is a robust economy and personal income tax that may be a little greater than perhaps what was anticipated, and the same can be said for corporate income tax, but we cannot have this flip-flop all the time. A budget must mean something. If Albertans are suspicious of this process and this budget, you can't fault them for having suspicions, because leading up to the election, we saw some undeniably uncontrolled, unexplained spending patterns. You couldn't keep up with the announcements. The large majority was achieved, and then there was again this plea of poverty, and oops, we may have overestimated some things, and there has to be, certainly, reductions. I don't know if those policies are planned, are thought out well enough.

If we're going to have this concentration or this emphasis on nonrenewable resource revenue in this province and everything is going to depend on the price of oil and the price of natural gas and other natural gas liquids, I would have to say again that it's time for the government to swallow their pride and adopt the fiscal stabilization fund, the idea that has been proposed for a number of years by the Official Opposition. It is a bill that is before the Assembly under the name of the hon. Member for Lethbridge-East. I don't know how to encourage or to sell the government members on this idea, but at least over the period of the summer study this idea, acknowledge that the hon. Member for Lethbridge-East is right and that it's the right thing to do.

3:10

I see that at the front of this booklet we have the title *The Right Decisions for Challenging Times*. Well, one of those right decisions is the establishment of the fiscal stability fund, and particularly now that we're going to be lucky enough to have perhaps a few more dollars than we had anticipated whenever this document was being drafted and this bill was being drafted, perhaps now is the time to put some of this money away in the Nicol fund. That's what we could call it, Mr. Chairman. Yes, I think that's a suitable name for the fiscal stability fund. When we have the next downturn in resource revenue, this money could be drawn off. It could be perhaps used to help finance Economic Development. It certainly could be used in the Health and Wellness portfolio so that the regional health authorities, regardless of how many of them there are going to be, whether there are going to be seven or 17 or maybe two – I heard a number today that there could be as few as two: one in the north and

one in the south. Certainly the officials there would know, whenever they're doing their budgets, that regardless of the commodity prices that are set internationally or in the case of natural gas in North America, there would be money available to fund the programs.

The same would apply to Human Resources and Employment. In fact, it would allow the minister there to perhaps plan to have an increase at least to match the rate of inflation or to consider the consumer price index to allow the citizens of this province who are living very modestly on SFI benefits or on AISH benefits to know that there would be an annual increase in their benefits to match at least the cost of living increases. We all know, Mr. Chairman, that rents have gone up because of increased economic activity and citizens moving to Alberta from other places in Canada, from other places around the world for that matter of fact. They're driving up rents, because of course accommodation is scarce, and one of the first groups to be affected by this is citizens who are living modestly on those benefits, and that's through no fault of their own. Many of them have disabilities of one form or another that prevent them from participating in the workforce. So the Minister of Human Resources and Employment in planning the budget of that department would certainly be a beneficiary of having a fiscal stability fund.

Now, infrastructure. Gosh, we have projects that are planned, and then they're canceled. We have contractors who are looking two and three years down the road, sometimes beyond that whenever they're financing construction machinery. Some of this machinery is very, very expensive. Whenever they're purchasing this equipment, they sort of have to look a little bit into the future, and while they gamble a bit, they make a business decision that, yes, I'm going to be able to utilize this machine in my operations and eventually pay for it. If we had a stability fund, there could be much better planning for infrastructure projects, whether they're overpasses or roads or bridges or maybe even the highway that hopefully will be built from Fort McMurray across to the Peace district. Hopefully, this highway will at some point in the future be built. I don't know what we'd name that highway either.

AN HON. MEMBER: Cardinal Drive.

MR. MacDONALD: Cardinal Drive is one name that has come forward for that highway. It would certainly be a long drive. I'm told it would be four hours at 100 kilometres an hour. That would certainly be a long drive. Before we construct Cardinal Drive, I think we need a fiscal stability fund.

Now, certainly with Learning when we look at what happened recently with the public education system across the province, we had no money to settle the teachers issue. Suddenly we had I think it was \$51 million to put on the table to discuss the issue of the pension liability with the teachers. I'm grateful that someone found the money somewhere. That is interesting, because while this whole issue was developing, Mr. Chairman, I and several others in the Liberal caucus thought that there was a sensible solution to this in the money that was already set aside for debt repayment. Some of that could have been used, and certainly that plan would have worked. It certainly would have worked at the time, and it would have prevented so much confusion. It would have prevented all the bad feelings that have occurred between the government and the teachers across the province. Hopefully, those relationships between the teachers and the government will improve, but if we had a fiscal stability fund, we wouldn't have had relations that way either.

At this time, Mr. Chairman, I will cede the floor to a colleague. Thank you.

THE CHAIR: The hon. Minister of Transportation.

MR. STELMACH: Thank you, Mr. Chairman. I don't normally rise and participate in some of the debates in the House, but I just wanted to clarify some information from the hon. member across the way – and it will be recorded in *Hansard* – that isn't true. He said that the Transportation budget has been changed. The Transportation budget has not been changed. You're still voting on \$893 million. So don't again try and confuse Albertans by our fourth-quarter results, which ended on March 31, 2002. We started a new budget on April 1, so what we're voting on is from April 1, 2002, to March 31, 2003. What was done before March 31 according and pursuant to the rules of the Fiscal Responsibility Act, again on the preliminary fourth-quarter results, was to put back some of the money that Transportation had given up in the October correction for very good reason: we could not end the year in a deficit. Okay? So \$155 million of the \$300 million that was given up in October came back to this department.

However, the only way that we could give that money back or use that money in the Department of Transportation was to then give it to municipalities, which brought all of their funding back to historic levels of the previous year. We could not take any of that money and put it into our own infrastructure, the provincial highway network system, because the rules say that we can only progress pay. We don't build roads in January and February in this province, so we had nothing to progress pay.

There was no flip-flop of any kind on the budget. The budget that I brought forward through Committee of Supply was \$893 million, and that's what we're voting on. We're not voting on any additional money.

The reason we did what we did was to ensure that we kept the municipalities whole at least to March of 2003 to give both the government of Alberta and municipalities an opportunity to work out some sort of a new arrangement pursuant to the Financial Management Commission, that's now in the process of hearing various presentations from many stakeholders. That will give us a better idea of how we can put more predictability into the Infrastructure and Transportation budgets of the province. I just want to again reiterate: no flip-flop; we followed the rules.

3:20

Where did the money come from? We knew that corporate tax revenue was payable by the end of February, and that was about \$200 million over what was forecast. Given the unbelievable cold weather in March – nobody predicted that in October, I know that for sure, the coldest March in 122 years, I believe – we knew the gas volumes as a result of that cold weather. Of course, I suspect that the colder it is, the more gas people use to heat their homes and that industry uses as well. As a result we then had the better predictability of what our royalties would be on that volume of gas sold during that period of time.

So for the purposes, Mr. Chairman, of just ensuring that we have the correct facts in *Hansard*, that the public is going to read tomorrow, I thank you for the opportunity to just put some of that information on the table and correct it.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. MacDONALD: Mr. Chairman . . .

THE CHAIR: Hon. Member for Edmonton-Gold Bar, Edmonton-Glengarry had indicated last time that he wished to speak.

MR. MacDONALD: Yes. Mr. Chairman, he was gracious enough

to provide me with an opportunity to respond to the remarks that have just been presented to this Assembly by the hon. Minister of Transportation.

Last year certainly the budget was \$1.5 billion, and as the hon. minister noted, there is a significant reduction this year. There's more to this than salt, sand, and gravel. There certainly is. Everyone knows that the winters are cold in this area of the world. When we have that much of a flip-flop from one year to the next, it is very, very difficult for anyone to plan.

Now, perhaps the hon. minister sent a memo and said that we're going to have a cold winter, and perhaps as a result of this I don't know what my budget is going to be, but it may be reduced. I don't know that. A lot of municipalities across this province, certainly from what they expressed in the rotunda here after the budget was announced, didn't get the memo. The hon. minister is entitled to his opinion, and so are Albertans.

Thank you.

MR. STELMACH: Just for the record, I wasn't expressing an opinion. I was simply stating fact. You know, in terms of opinion the opinion was that it would be nice if we could predict the weather six months hence, but sometimes it's difficult to predict it two days in advance, let alone half a year.

The truth is that our budget again is from April 1 to March 31, and I hope the hon. member across the way knows what he's going to be voting on, not on fourth-quarter results.

Knowing how cold the month of March was and the volume of gas that was used during that period of time and the fact that we knew that we had \$200 million more in corporate tax, that would have all gone against the debt by March 31 if we hadn't given it to municipalities, not returned it to the department, had been silent on it. Can you imagine the kind of uproar or the flip-flop that would have occurred in June when the municipalities would have found out that we had this money and we didn't restore some of the historical funding to them? So I think the decision was right. There wasn't any kind of a flip-flop. We said that any new money coming in the same fiscal year in the fourth quarter would go back to those departments that gave it up. So we did exactly what we said we were going to do in the month of October.

THE CHAIR: The hon. Member for Edmonton-Glengarry, followed by the hon. Minister of Finance. Just back and forth.

MR. BONNER: Thank you very much, Mr. Chairman. It's a pleasure to get up and speak to Bill 27, the Appropriation Act, this afternoon and certainly to make some comments about the whole process that we've endured this year. I suppose it all started for me when I attended an AAMD and C meeting in south Edmonton. So many people at that meeting that particular day expressed concerns about how Municipal Affairs wanted our municipalities to have three- to five-year business plans in place, ready to go, and the comments that came back at that particular meeting were: how do you expect us to have three- to five-year business plans when you are running one- to three-day budget plans?

Certainly the municipalities were very, very frustrated with this whole process of the budget this year. The AUMA was very frustrated with this whole process. The road construction industry in this province was set on their heels. Because of what had been forecast that they would have for spending in upcoming years, they had made plans based on this. Of course, when revenues aren't there, then certainly things have to be cut back.

As well, when we are looking at the whole budgeting process, there is a much better way to do it. We can't certainly look at year

to year from here. We have to look at next year as well, and we have to look at what our costs are going to be next year. We have to figure in things like inflation. We have to have stable, predictable funding in order that those businesspeople in this province that make huge investments to supply the services and the skills that we require can fulfill those and won't be left holding the bag when all of a sudden we have a hiccup wherever it may occur and the money isn't there. So, yes, we do have a lot of work to do in this province on budgeting.

If you look at any good budget, there is a stretch factor not only in revenues. There's also a stretch factor that comes into play in our expenses. Now, unfortunately that stretch factor has only been factored into expenses, and we saw that last year when so many dollars were allocated to various types of programs in this province, were based on projections that money was paid out, and all of a sudden we had to put the brakes on and say that there is not going to be enough revenue, enough cash flowing in the way the economy in the world was going and the way we had prices in natural gas and oil being cut back. So we do have to look at both sides of this issue, and that, Mr. Chairman, was totally, totally unforgivable when you think that that year was the year when we had the second greatest revenues in the history of this province, and we are making cutbacks. Now, that tells us that there is a serious problem with our budgeting process.

When I look at this year – and again I'm going to refer to the government's own document. I'm going to refer to Budget 2002: The Right Decisions for Challenging Times, the fiscal plan. We look and we see in here on page 31:

There is a wide range of views about what balance will actually be achieved between these factors. Oil price forecasts range from US\$18.00 per barrel to over US\$26.50 over the next three years. Budget 2002 assumes that oil prices will average US\$20 per barrel for the next three years.

Now, certainly there isn't much flex there. There certainly isn't much stretch. We are going to be basing our budgets on a lowball forecast, yet we certainly aren't doing that to our expenses. So what we do is we make these grand announcements of all the projects that are going to happen, of everything that is going to happen in settlements to our various public services, yet when the revenues aren't there, then of course we have to start scaling back. We have to start making cutbacks if we are going to fulfill our own laws that we have made in this province.

3:30

As well, the Minister of Transportation has outlined here that because of situations and the way our economy goes and a cold March, we certainly can't predict accurately those extra revenues that would flow in in March. We all know that we've been having not only different weather patterns in this province for many centuries, but we've also been having this whole cyclical type of revenue where it is a boom or a bust. We are going to have good years where moneys flow in; we're going to have difficult years. I can only think what sort of shape this government would have been in if they would have had to endure the \$10-per-barrel oil prices that the Getty government had to. Does that mean we stop education in this province, we stop health care? Or do we run a deficit, as they had to do? Yet in the year when we have the second-most revenue in this province's history, we are making cutbacks. What does that say about the whole process? It tells us that we're not very good.

Now, then, the hon. Member for Edmonton-Gold Bar once again mentioned this whole idea of a stability fund. This is starting to gain widespread acceptance across this province, and it certainly is one of those programs that will make certain that we don't have to make cuts to essential services when we do have a cutback in revenues, as

we had in the past year. We didn't only have the cutbacks in revenues because of our oil and natural gas prices; we had a tragedy in New York that impacted the entire world.

So it is time in this province that we did have some prudent fiscal management, and as part of that management, we don't base it on hoping that we have large sums of money at the end of the year to pay off a debt while we're making cuts to essential services, while we have provincewide strikes in education. It isn't working.

So when we do look at a number of programs that are impacted here, we also have to look at some other things. I noticed when the hon. Member for Edmonton-Gold Bar was talking about us having a Cardinal Drive, the Member for Edmonton-Castle Downs said: well, we should call it Liberal Drive, where you can only go in reverse. But I'll tell you what: Albertans would have loved it if so many of these fees that have been announced, user fees in place of taxes, would have gone in reverse instead of increased. In the year that we have the second-most revenues, we increase user fees to Albertans. [interjections] Mr. Chairman, I would invite any of the hon. members to please join in the debate. They have the opportunity. I know that their constituents would love to hear from them. They would like them to fulfill their promise from the election that they will be the voice in this Assembly for their constituents, but not in the form of comments like the Member for Edmonton-Castle Downs. No. They certainly don't want to see their driver's licence renewal . . .

MR. MacDONALD: And they even campaigned on health care premiums.

MR. BONNER: Ooh. Yes. Well, I'm getting to that too, I think. Yes.

Driver's licence renewals: the current fee going from \$40 to \$55. Very good. Not a tax. A user fee. A driver's licence reclassification is going from \$5 to \$13, and agent services fees, which have increased \$7 on the same service where they didn't have that before. We have name or address changes going from zero dollars to \$13, and again an agent service fee is \$7. We have reinstatement for alcohol suspension going from \$140 to \$200. We have reinstatement for nonalcohol suspension going from \$25 to \$50.

Now, when we look at vehicle registrations, Mr. Chairman, we have many Albertans affected by this. I think that we have probably as high per capita number of cars as any other province in Canada. When we look at that, we look at passenger vehicle registration. The current fee is \$48 going up to \$61. We have motorcycles and off-highway vehicles going from \$30 to \$36. We have recreation and other trailers, onetime fee going from \$30 to \$100. Commercial trailers up to 34,000 kilograms: the range was from \$96 to \$1,848, and that's going up to a minimum \$106 to an upper fee of \$2,033. We have commercial trucks that range from \$66 to \$3,138, and that's going to increase to \$73 as the base amount to a high of \$3,452. Now, we also have restricted commercial vehicles, and again these fees are going up. Government plates: onetime fee going from \$16 to \$61.

School buses, the vehicles that transport our students to and from class: certainly we have much more reliance on school buses in this province at this particular time, simply because we're not building schools. I heard the hon. Member for Edmonton-Castle Downs at a public forum tell his constituents how they were going to have a new high school in Castle Downs, but I haven't heard any announcements of that yet. As well, public buses, this price is going up. Mr. Chairman, this government hasn't done very well.

We've had a campaign going on in Afghanistan to wipe out terrorism. There are threats that we're going to have further

campaigns to wipe out terrorism, possibly in Iraq, and the price of oil keeps going up. We continue to have more and more revenue pouring in, yet we keep increasing user fees.

Now, then, we had hon. members in this House – in fact, I believe it was the hon. Member for Edmonton-Manning who proposed that we eliminate health care premiums. I thought that was an excellent motion, and I supported that motion, especially when I think that we are one of the two provinces in Canada that continues to have health care premiums that must be paid by individuals.

Everyday we hear in this Assembly about the Alberta advantage. Where is the Alberta advantage for these people that have to pay health care premiums? Where is the Alberta advantage for all those people that had an increase in their fees? Where is the Alberta advantage, Mr. Chairman, when we have the biggest strike in the history of the province in our public education system? Where is the advantage when we have parents that must be out fund-raising for essentials in education? And how sad it is that we are looking at bringing legislation into this House which will eliminate parent fund-raising for essentials in education.

3:40

I see, as well, that certainly the people that are involved in the horse race industry are experiencing the Alberta advantage. They have a \$33 million line item in the budget. I see the people that are operating Swan Hills are getting \$26 million. This is to process hazardous waste from outside the province. Now, then, we look at our community lottery boards, the very grass roots of the people of this province, the people in a local situation, the people writing their propositions, their requests for funding, the people that know where that funding should go, and we cut out the community lottery boards.

As well, we have seen, certainly since the budget came in, flip-flops on the fuel tax revenue sharing. We have certainly seen a flip-flop on what's happening with students taking grade 10 credits. We have seen the education minister in the press, not in negotiations and certainly not at the local school board level, where it should have occurred, offer \$53 million to teachers' pensions, withdraw it, and now we see it's back on the table, and it is to stop job action that has taken place. Certainly we've bungled this whole issue with the teachers.

AN HON. MEMBER: We?

MR. BONNER: Yes, "we." Because I'll tell you what. I sit in this Legislature along with 82 other members, and we better take responsibility for what happens in this province, and I certainly don't have any problem standing up and saying that on that particular issue we didn't do a very good job.

AN HON. MEMBER: Do you think the three of you can handle the whole government?

MR. BONNER: I think we're going to get the opportunity.

Now, then, we did have work stoppage in education. We did have work action by teachers. We had protests. We had protests in St. Albert. We had protests out here on the steps of the Legislature. We had protests by all levels of education. We had the chairman of the Edmonton public school board certainly not supporting a letter from the provincial chair that complimented the government on their handling. We are looking here at a very, very poor budgeting process.

We also know, Mr. Chairman, that we have what we call the Alberta advantage. We certainly have had a huge influx of people to this province, and they have moved into Calgary, Edmonton, Fort

McMurray, Grande Prairie, I believe Brooks as well. These people have had incredible influxes of people moving into their communities from other parts of Canada and the world. Yet when this occurs, they place just a tremendous pressure on the infrastructure. It places tremendous pressure on our hospital system. It places tremendous stresses on our schools. It places tremendous stresses on the transportation systems. I still think of the number of people in Calgary and what's occurring here in Edmonton as well – our transportation systems are being taxed with the number of people on them.

Mr. Chairman, I know my time is winding down here, and I must say that this particular budget has fallen short of what Albertans expected. This particular budget didn't deliver what Albertans need, and they certainly don't need user fees that are increased instead of taxes. They don't like being told they live in the province with the lowest taxes when user fees go up. So I look forward to further debate on this issue.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Chairman. It's always difficult to follow an astute and an eloquent speaker. It's a good thing that I don't have to worry about that today.

But I do want to thank the previous speaker for bringing up the topic of a high school in Castle Downs. He may be aware of the fact that despite his lack of involvement Edmonton Catholic school board has reprioritized its infrastructure and expenditures and will be building a high school in Castle Downs, and I believe it has not much to do with this particular member of this House. However, if he does want to do away with all the user fees and expenditures that he is not happy with, at the expense of which programs, and would it be at the expense of a high school in Castle Downs that he would do away with those expenditures?

THE CHAIR: The hon. member.

MR. BONNER: Oh, thank you very much. It always is a pleasure to respond and . . .

THE CHAIR: The hon. leader of the third party was standing up? No.

Okay, sorry. The hon. Member for Edmonton-Glengarry.

MR. BONNER: Yes, it is an honour to respond to that, and certainly, Mr. Chairman, the whole point of my address was – and I'm sorry that the hon. Member for Edmonton-Castle Downs missed it – if we budget properly, we do not have to cut. Certainly I've had a very long involvement with the Edmonton Catholic school system . . . [interjection] Oh, we can handle that. Give us a shot. We're going to show you how to do that in the near future.

As well, Mr. Chairman, I've had a long association with the Edmonton separate school board going back to 1969, when I had the opportunity to student teach at St. Cecilia's junior high and then again to have employment in Edmonton separate schools with Mount Carmel, with St. Cecilia's. I had quite an extensive time coaching various sports at Archbishop O'Leary. In fact, one particular year our basketball team managed to get to the 4A provincials, and we were doing a very good job there. As well, I've had three children that have gone through that system, that have received just excellent education, and I certainly take my hat off to all those teachers who entered education and remained in education and, you know, had full-time employment for a number of years and certainly got a great

view of what happens in the school systems. It's unfortunate that those people who tried to enter education and for whatever reasons didn't stay in education have a very narrow focus on what happens.

As I was saying, Mr. Chairman, there are many, many needs in this province which continue to go unmet even though we have tremendous revenues flowing in at this particular time. As well, when I look at our school system, we had I think last year in the budget \$800 million committed to infrastructure in our school system, yet those had to be deferred, and I wonder in many cases if they ever will see the benefits of what at one time was put out there for them.

Of course, Mr. Chair, I certainly welcome the opportunity to address those issues raised by the Member for Edmonton-Castle Downs, and I certainly enjoyed that, and now I would like to cede the floor so other members may participate in the debate today. Thank you.

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I move that we adjourn debate.

[Motion to adjourn debate carried]

3:50

DR. TAFT: Mr. Chairman, a point of order.

THE CHAIR: The hon. Member for Edmonton-Riverview.

Point of Order Recognizing a Member

DR. TAFT: I feel unquestionably that I had risen well before the Member for Edmonton-Whitemud to participate in the debate, and I wasn't recognized.

THE CHAIR: You certainly were. My indication was that the minister was going to – but in any event, the precedent is that if you are having a debate, which we've been having this afternoon for – what? – an hour and 20 minutes or so, and it's been back and forth and back and forth, so right now it's forth. The chair has no means of discerning what contribution any member might make to the debate, but those are the rules. Then if there's a tie, it is usually to the person who first goes. As you know, hon. member, we often have lists.

DR. TAFT: Just to point out that under Standing Order 17 it reads, "When two or more members rise to speak, the Speaker calls upon the member who, in his opinion, first rose in his place." It's my view that I rose several seconds before the Member for Edmonton-Whitemud.

Thank you.

THE CHAIR: The chair would agree wholeheartedly with what you said. You did rise ahead, but as I was saying, when you're in a debate, it goes back and forth. The opposition doesn't have the right to have continuous speakers on an item, and we've had several government speakers on this occasion, and as I say, the chair indicated that he understood that the Government House Leader was going to speak on the item. The chair has no knowledge of what that might be.

On the point of order the hon. Government House Leader.

MR. HANCOCK: Yes, Mr. Chair, if it would help, I would assure

the hon. member that we have no intention of precluding debate. There are a couple of other items that we had understood we'd move to this afternoon, and we have to come back to this item, in any event, this afternoon. So he'll have the opportunity to speak to it, presuming that the other matters get dealt with, as was our understanding.

THE CHAIR: Okay. We did have a motion. It was voted on, and the motion was to adjourn debate on Bill 27. We've now done so.

Bill 28

Miscellaneous Statutes Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. At this time I have just a few remarks regarding Bill 28, the Miscellaneous Statutes Amendment Act, 2002. Certainly this has been discussed by the Official Opposition caucus. There was no hesitation in supporting the Employment Pension Plans Act. This is, to say the least, housekeeping.

The Railway Act: at some time there was a considerable amount of discussion in caucus regarding this, whether we should support this or not. The hon. Member for Edmonton-Glengarry, long before his days as a teacher in the separate system in the city, had some experience as a railroader, as I understand it, and his knowledge of the railroads of this province is much more detailed than mine. I do notice that there is a slight change here in the amount of notice that has to be given publicly whenever the railways change, and I have been assured that this is not significant.

THE CHAIR: Hon. member, you from time to time go and begin to talk to the row of people next to you. It's impossible to hear you, and I don't know whether *Hansard* has any problems. I've got this cranked up as high as I can, and I'm missing it.

MR. MacDONALD: Yes. I apologize for that, and I'll try to conduct myself more appropriately in the future. With that, I will conclude my remarks on Bill 28, the Miscellaneous Statutes Amendment Act, and I will cede the floor to another colleague. But in my defence, Mr. Chairman, I must say that I have few friends in this Assembly, and this gentleman is one of them.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I do appreciate the opportunity to rise and particularly talk about the section on railways in this particular act. As we know, since the early 1900s we've had quite a change in railways in this province. We saw first of all a very rapid growth in railways in the early years of this province and in the growth of branchlines, and it seemed that everybody at that particular time was getting into this whole idea that railroads were the way to go. Certainly Alberta was the place to build them or one of the places, because we did have such a vast agriculture industry, as we still do today, and we did develop these lines.

Now, as well, what a lot of members in this Assembly might not know – and I'm referring to this book called *The Golden Province*.

MR. HANCOCK: Point of order.

THE CHAIR: The hon. Government House Leader on a point of order.

Point of Order Brevity

MR. HANCOCK: Yes, Mr. Chairman. We're in committee on Bill 28, and while the rules don't specifically preclude debate on any bill in this House, this is the Miscellaneous Statutes Amendment Act, and the custom and practice of parliaments is that the Miscellaneous Statutes Amendment Act is agreed to by all parties before being introduced in the House and does not in this case, I might say, suffer debate. So there's nothing to preclude debate in the rules, but it is the custom and practice and the understanding of all parties that anything that's in the House has already been agreed to. Therefore, it's unusual that we would have more than the introducer and perhaps one perfunctory response. So I'm wondering if the rules have changed, if we don't have that custom and practice in our parliament as is customary in all the parliaments across the British parliamentary system.

THE CHAIR: The hon. Member for Edmonton-Glengarry on the point of order.

MR. BONNER: Yes. Well, I appreciate the opportunity to respond to that point of order. I must say that the minister's department certainly took a great deal of time and effort to inform us on the sections of the bill, and certainly I agree with the comments that the hon. minister has said, that, yes, we do in fact agree with the bill, and we're certainly not proposing any amendments or changes. We're supporting the bill. We just had a few comments, and I would like that opportunity to comment on this, if I may.

So that being said, Mr. Chairman, and before the hon. minister rose on his point of order . . . [interjection] Yes?

THE CHAIR: That concludes your comments on the point of order?

MR. BONNER: That's correct.

THE CHAIR: Okay. On the point of order there's no rule or citation offered with respect to it. Certainly it is the custom and practice that the chair has experienced in 13-plus years; nevertheless, the hon. Member for Edmonton-Glengarry, as he says, has only a few comments to make, and perhaps we should hear them.

MR. BONNER: Thank you very much for that ruling, Mr. Chairman, and I will keep my comments very brief to keep in the spirit of the House.

Debate Continued

MR. BONNER: As I was saying, this particular book, *The Golden Province*, is a history of the province by Ernest Watkins. I'm sure most members in this House do not realize that at one time in this Assembly we actually had a minister of railways. We did, and it was Premier Rutherford* that also assumed that title as minister of railways. As I promised, I will keep my comments brief. The department certainly has done a very good job in the latest change in the way railroading is done in this province. Certainly with the number of branchlines that are no longer in use in this province or have been taken over by different operators than our major national companies that used to run the railways, there were requirements that had to be put in place. They have done an excellent job through consultation with all the various providers of these lines, and the

*See p. 1289, right col., para. 1, line 3

requirements that were necessary to have been fulfilled.

I would again want to thank the House for this opportunity to make those comments. Thank you.

[The clauses of Bill 28 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

4:00

Bill 29
Intestate Succession Amendment Act, 2002

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It is also a pleasure to participate in debate in committee on Bill 29 this afternoon. Certainly this is a bill that has caused considerable interest throughout the province, and the hon. Minister of Justice has provided an explanation in this House regarding Bill 29. I believe it's at least adequate in its response to the Johnson versus Sand case of April 2001, ensuring that Alberta's Intestate Succession Act complies with the Charter of Rights and Freedoms.

The Charter of Rights and Freedoms has been discussed at length in this Assembly. Some hon. members of this Assembly may have significant difficulty – they certainly expressed that publicly – in that it was a rather I believe shameful document, but I don't think those remarks would be reflective of the Assembly and the members. It might be just targeted to one or two isolated members, Mr. Chairman, but certainly not to everyone, and this bill would be a reflection of that.

Now, Mr. Chairman, this bill also adds a definition of a personal partner to the Intestate Succession Act, and it also deals with a surviving personal partner and the recognition that they will receive the spouse's share under the act so long as there is no surviving spouse. Certainly at this time I believe that this act, as discussed earlier, will be compliant with the Charter of Rights and Freedoms. When we think of legislative leadership, I guess I could call it, as has been displayed here by the hon. Justice minister, I think we have to recognize the leadership that has been displayed here, because I believe that this will prevent or halt any further decisions to proceed to a different level of court on a matter of what is considered basic rights for every human being. It is a bill that one has to support.

With those remarks, Mr. Chairman, at this time I will cede the floor to another hon. member of this House. Thank you.

THE CHAIR: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Chairman. In looking at this and reviewing it over the past weeks, I find it difficult to speak to this bill without speaking about Bill 30 as well. I think the two are intertwined, and by dealing with Bill 29 first, I think we're putting the cart before the horse.

The bill speaks to amending a number of provincial acts to extend benefits and obligations to people involved in committed interdependent relationships, but it leaves it up to the courts to decide what is committed and what is not committed. Because there are no signed

agreements required, they're optional. No vow is publicly made as in a marriage relationship. So as I read this, it comes to me that it's attempting to make all types of relationships equal to or perhaps even more equal than marriage relationships in the fact that it doesn't require a written commitment or vows, and it leaves it to the courts.

Perhaps the minister would respond to some of my comments or questions. In section 3.2 it states:

If an intestate dies leaving a surviving spouse and a surviving adult interdependent partner,

- (a) the surviving spouse shall take no part in the intestate's estate, and
- (b) the surviving adult interdependent partner shall be treated for the purposes of this Act, except clause (a), as if he or she were the surviving spouse.

I'm not a lawyer, but just on the surface it would look to me that a surviving interdependent partner would take precedence over the intestate's spouse.

The other thing I've got a concern about is leaving it up to the courts without a signed agreement. What constitutes a legal interdependent partner? If you have two people that decide to share a room together for three years – it could be college students – and one came into an inheritance from his deceased parents and then got killed in an accident, although the relationship may be just that of roommates, it might provide an opportunity for the other roommate, whether it was a male/female, male/male, or female/female type of relationship, to claim that there was an interdependent relationship actually established but that they were keeping it secret. So then you'd have the issue before the courts to have to decide this. As I said, not being a lawyer, perhaps there could be a good case made for that particular thing, to have a former roommate decided by the courts to suddenly be an heir to an estate. If that's what the bill is proposing, I would certainly have problems with it.

4:10

I believe that it's just another step in normalizing all other types of relationships and granting them the same status as marriage between a man and a woman, and it would be unfortunate, I think, if that happened, because I believe that already marriage relationships have a degree of discrimination against them in government policies, such as benefits for seniors. If they decide to move in together, they no longer get paid the same rate they would as singles. They get reduced, so they're not being treated equally as married couples. I believe, from the scientific evidence of dealing with situations in my own constituency office with children from uncommitted couples, whether either from failed marriages or common-law relationships that have had children as a result, those types of situations seem to have more problems than the very committed ones. I don't seem to have any problems with people coming into my office from very committed married relationships and dealing with irresponsible parents that have left children to one or the other and not properly looked after them. It just seems like we're going down a path of eroding that institution of marriage instead of looking at ways to reinforce it as a government and recognizing that the best opportunities for children are with a committed father and mother, and that is through marriage.

So those are my general comments, Mr. Chairman, and if the minister would like to respond to some of the questions that were raised, I'd be happy to hear his response. Thank you.

THE CHAIR: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Chairman. A couple of concerns have been raised with respect to Bill 29 coming forward now and the relationship between Bill 29 and Bill 30, and I would be the first to

suggest that it would be preferable to have the opportunity to deal with Bill 30 and not have Bill 29. Unfortunately, as I mentioned in second reading, we are under a deadline where the Intestate Succession Act, or portions of it, will become of no further force and effect at the end of the spring sitting of the Legislature or the end of June, whichever comes first, if we do not make amendments to the Intestate Succession Act. In making a determination about the contents of Bill 30, it was considered to be, and quite appropriately I think, important for Albertans to understand the implications of Bill 30, to have the time to understand that and have the time to determine how it might have implications for any relationships they might be in, and therefore to debate that in the fall. So unfortunate though it may be, we have to bring forward Bill 29 now and have it passed by the Legislature this spring in order to preserve the efficacy of the Intestate Succession Act.

I appreciate the comments that have been made by the hon. member, but it is necessary because it would be a worse situation not to have the Intestate Succession Act than to have the Intestate Succession Act amended by Bill 29. The hon. member referenced the comment in section 3 in 3.1 and 3.2: "as if he or she were the surviving spouse of the intestate." Again, the language is changed in Bill 30 in those precise sections to other, perhaps more appropriate language. The problem with using the language that's in Bill 30 in this bill is that you also have to amend a number of other acts such as the Administration of Estates Act and the Wills Act, which refer to the Intestate Succession Act definition of spouse. So in order to make the change that we need in order to keep the Intestate Succession Act alive – I understand the chair is looking over at the corner there at others who might want to participate in debate.

THE CHAIR: The chair would invite the four busy fellows in the back corner to withdraw from the Chamber and go out into the Confederation Room and carry on their lively and funny discussion there rather than drowning out your own Government House Leader.

The Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. The point that I was making was that there are other acts which refer to "spouse" as provided for in the Intestate Succession Act. So we do not wish to redefine the term "spouse" in a manner we don't wish. We have to put language in the act for the time being, until Bill 30 comes forward, to say that if there's not a spouse, someone stands in the spouse's place. That doesn't make them the spouse, but it makes them stand in the spouse's place. That's the reason for the circuitous language here. It's unfortunately necessary if we don't want to amend all of the other acts, and we don't wish to amend all of the other acts until we deal with them in Bill 30.

With respect to the example of the two college students one of the things that we should put on the record, Mr. Chairman – and I think it needs to be stated over and over again – is that when people enter into relationships, they take on responsibilities. Sometimes they do that without knowing or making conscious decisions about what responsibilities they're entering into. There are court challenges right across this country on various acts and various definitions. For example, if an individual owns a house and decides that their boyfriend should move in with them, they may be unwittingly exposing themselves to a dower claim. That has not been determined as yet by the courts, but it could very well come before the courts and be determined. There may be people in our province who are exposing themselves to claims under the Dower Act and are not aware of it. They're not aware of the responsibilities they've taken on by entering into a relationship, by moving into a circumstance. All it takes is one person to challenge the act. So it behooves us to

clear up the law to make sure that the law is very clear for people, and Bill 30 will do that. Bill 29 will do it on a temporary basis with respect to the Intestate Succession Act.

We also have some experience with the courts in terms of defining these relationships, and while it is entirely possible, as the member suggests, that somebody could bring forward an unwarranted claim, make a claim about a relationship that they did not have, one of the things Albertans respect – we know this from discussions we've had; we know this from polling we've had – is the court's ability to make a decision with respect to when relationships exist and when they don't exist. That's a decision based on facts, the facts as found by the court and put forward. That relationship is based on a number of factors.

So it's not just a question of two college students or two people being lumped together because they happen to decide to share the same residence. There are other factors which have to go into it. There would have to be proof in the case of Bill 29 of a conjugal relationship. In the case of Bill 30 and more appropriately in terms of the broader context there would have to be proof of more than just the fact that the two people were living in the same house. We found such relationships in common-law situations already under the law, and the law has continued to be expanded and expanded. It behooves us to make sure that Albertans have a clear understanding of how the law might apply to them and when they might be able to access the law in order to deal with situations when the relationship comes to an end. That's really what we're talking about here. It's not creating relationships, but when a relationship comes to an end, how do you take care of the dependencies that have been created, and how do you distribute the property?

I hope that clears up some of the questions that the hon. member asked.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thanks very much, Mr. Chairman. It's my pleasure to speak to Bill 29, a bill which has been a long time coming before this Legislature. Yesterday during second reading of Bill 29 the hon. Member for Edmonton-Centre deliberated on whether or not the minister should be congratulated for this piece of legislation. On the one hand, as the member observed, the minister has been forced to make these changes because of a court decision just over a year ago. On the other hand, this government has a track record of forcing gay and lesbian Albertans to challenge unjust laws in courts and before the Human Rights Commission. In the end the hon. member decided that congratulations were in order if only because the minister has not chosen to drag Albertans before the Supreme Court once again in a futile attempt to save patently unfair legislation.

The New Democrats, however, Mr. Chairman, cannot be so generous. It is not enough that the Minister of Justice is finally amending one piece of legislation more than a year after being told to do so by the Court of Queen's Bench. In her comments yesterday the hon. Member for Edmonton-Centre gave a fairly detailed account of the court battle that led to the decision regarding the Intestate Succession Act, so I won't say too much more on the subject other than to congratulate and thank Brent Johnson and his lawyer, Julie Lloyd, for their dedication and hard work in this fight. There is of course an entire community of Albertans who are involved in this struggle, but in this case Mr. Johnson and Ms Lloyd deserve special recognition.

4:20

The reality of why we are currently amending the Intestate Succession Act goes further than last year's Court of Queen's Bench

decision. In fact, the roots can be traced to the Supreme Court's decision in 1998 that sexual orientation should be read into Alberta's human rights legislation as protected grounds and the Supreme Court's May 1999 decision that same-sex couples deserve the same rights and obligations as their heterosexual counterparts. So really we have Bill 29 before us today because the Tories have finally understood what the rest of Canada has known for two years. It is no more acceptable to treat people badly, to exclude and marginalize them because of their sexual orientation than it would be acceptable to marginalize them because of their race or age or religious affiliation or level of income.

The strategy of this government regarding the obligations to gays and lesbians in Alberta has been to delay, delay, and further delay again. The government fought Delwin Vriend all the way to the Supreme Court, delaying the inevitable and necessary inclusion of sexual orientation in our human rights legislation. The government fought Brent Johnson in a spiteful attempt to exclude him from the protections guaranteed by the Intestate Succession Act. Let's be clear. While the government delays, real people lose out economically, socially, and emotionally. Real people, Mr. Chairman, suffer real discrimination.

Let's be clear on another point. While this government has stalled, delayed, and retreated, eight other jurisdictions, led by New Democrat governments in Saskatchewan, British Columbia, and Manitoba, have passed omnibus legislation to update their statutes and promote equality for their citizens. In Ontario alone over 60 pieces of legislation were amended and have been amended for nearly two years.

In Alberta two years after the M versus H decision and four years after the Vriend decision, what do we have? On the one hand, we have Bill 29, which is a patch. We have legislation that does the bare minimum to protect the Intestate Succession Act. On the other hand, we have a complex and unwieldy piece of legislative quicksand, that is bound to create more problems than it solves.

It's not my intention to debate Bill 30 here, but given that the minister intends to replace the patch we're currently debating with the provisions of Bill 30, I would like to raise some initial concerns. The first concern is that it's not a good way to approach legislation. The approach of the government in bringing forward Bill 29 and Bill 30 is an attempt to pretend that gays and lesbians don't exist in this province. It is an attempt to tell Alberta social conservatives: "Don't worry. This bill isn't really about recognizing the love and commitment in same-sex relationships. It's about creating economic contracts between two Albertans, preferably severely normal Albertans." In their attempt to placate one group of Albertans at the expense of another, the government has raised a whole new set of concerns. What if three sisters, for example, move in together and would like to form an interdependent partnership? Which two would be included and which one would be excluded? What would happen to the third person?

By creating the fiction of interdependent relationships, Mr. Chairman, we have opened a whole can of worms, that I think is going to create problems for the government and for the legislation. Do we expect that conflict of interest laws should be the same for spouses as they will be for interdependent partners? Bill 30, the companion to Bill 29, will produce a raft of unintended and unanticipated results. This is particularly ironic given the very simple results that the government should have been targeting. First of all, amend the 80 pieces of legislation that discriminate against same-sex couples. Second, give clear recognition of the validity of same-sex relationships.

It comes down, Mr. Chairman, to a question of political will and timing. This is a government that passed the very harsh and contentious Bill 12 in a matter of days and a government that uses

closure more than any other in this country. They clearly have no problem getting legislation passed when they want it. So we are left asking why it has taken four years to bring the smallest amount of rights to gay and lesbian Albertans when it took only four days to restrict the rights of teachers in Bill 12. Given this government's track record on issues of civil liberties, open debate, and inclusive democracy, perhaps it is not such a mystery. It's no wonder that a recent national poll showed that Canadians by a very wide margin, including Albertans, trust the courts more than Legislatures and governments to protect civil rights of Canadians. It's no wonder, and one of the main reasons is this government itself.

The New Democrats will support this legislation, Mr. Chairman, but we will not congratulate the government for doing now what it should have done years ago.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Chairman. I appreciate the opportunity to make some comments on Bill 29. I recognize that it's part of a larger plan of legislation that the government has. It's a plan of legislation that I expect, as it all unfolds, we will work with the government to implement. As a number of other speakers have commented, it's a plan and it's legislation that is long overdue. It seems to have been a painful birthing process, and it will continue to be a painful labour I'm sure for some of the members of the government, but we will do our best to ensure that justice is done and that human rights for everybody are respected. This is not about giving anybody special rights; this is about respecting everybody equally.

One of the strange things that always strikes me in these kinds of debates is how relationships end up being viewed. It's gradually come to me that long-term relationships are assumed to be all about sex. That's the great concern in this kind of legislation, that the fundamental basis of a relationship is sexual. Actually I think that what we need to be talking about and recognizing is that long-term relationships aren't about sex. They're about love; they're about caring. They're about caring for other people regardless of their gender, regardless of whom they may be. It's simply in a long-term relationship a matter of commitment, and that's what matters. That's what counts, and that's what we should recognize as a society.

There was a famous quote by Pierre Trudeau that the government has no business in the bedrooms of the nation, and I think that's true. We need to recognize that principle in law, and we need to recognize that everybody in a long-term relationship has some rights regardless of the gender of the people involved in that relationship. Relationships of the kind that are discussed here I think are about people making themselves complete as individuals. We are by nature social human beings. There's almost nothing more desperate than somebody who is enormously lonely, and there's nothing more sad than people who are isolated and left to themselves and are ultimately and fundamentally incomplete. I think that it's a basic drive of human beings to look for social companionship, to look for people with whom they feel that through a long-term relationship they can complete themselves.

So I think the basis of a long-term relationship is ultimately about love and fulfillment, and the sexual aspects of it in the long run are secondary, and I think we should regard them as secondary. Unfortunately, too often in these kinds of debates that principle is ignored, and we get all wrapped up in the supposed eroticism of relationships or the sexuality of them. I just think that's misguided.

4:30

When we're looking particularly at Bill 29, I think anything that

sorts out confused inheritance and estate issues is a good thing, and I think that we are moving in that direction with Bill 29. It's a step in the right direction there. It was forced on the government by the courts, as any number of observers have said, but finally the government has come around to address it.

So the fact that there will be more clarity and there will be a recognition of a broader range of relationships through Bill 29 I think is to be commended. For those reasons, I will be supporting this bill and looking forward to Bill 30 and the rest of the legislative program of the government to address these issues.

Thank you.

[The clauses of Bill 29 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that we rise and report bills 28 and 29 and report progress on Bill 27.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 28 and 29. The committee reports progress on Bill 27.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders** **Third Reading**

Bill 28 **Miscellaneous Statutes Amendment Act, 2002**

THE DEPUTY SPEAKER: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Speaker. I move Bill 28, the Miscellaneous Statutes Amendment Act, 2002, for third reading.

As is the custom and tradition of Canadian parliamentary democracies, miscellaneous statutes are agreed by all parties ahead of time and should not require debate.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. Just one note. In my brief comments that I did make to enlighten members of the

House of the rich history of railroads in Alberta, I mentioned that I thought Rutherford was the minister of railways, but in reviewing the case, the minister was John Boyle,* a young Edmonton lawyer and Liberal Member for Sturgeon.

Thank you.

[Motion carried; Bill 28 read a third time]

Bill 29 **Intestate Succession Amendment Act, 2002**

THE DEPUTY SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I move Bill 29, the Intestate Succession Amendment Act, 2002, for third reading.

Mr. Speaker, I won't dwell on the act, as we've talked both at second reading and committee about the need for and why we're proceeding with this act in advance of Bill 30, which we'll deal with in the fall. I did want to just respond briefly to the remarks by the Member for Edmonton-Highlands in terms of two characterizations. First, that anybody has been dragging their feet with respect to dealing with the issue. I for one do not believe that it's dragging one's feet or in any way inappropriate to do a complete and thorough review of the law to understand the philosophy behind the law and the underpinnings of the law before one brings forward amendments to the law. If that thorough and complete review has resulted in the fact that we have to make a minor amendment to one bill in order to keep it alive until the full debate can happen on Bill 30, then that is entirely an appropriate process. I would have preferred that we didn't have to, but we do have to in order to keep those sections of the law alive.

With respect to the comments that were made about trying to hide behind a broader definition, we should be I think quite proud of the fact that we can look at the whole concept of how society develops. We each as individuals have responsibility for how we live our lives, and it's not the government's responsibility to tell us how to live our lives or government's responsibility to tell us what kind of relationships we can have or not have. It is government's responsibility to make sure that when relationships break down and if parties have not taken care of their loved ones and their dependants, those loved ones and dependants have some access to fairness before the law. It is not for us to determine what type of loved ones or dependants they might be, but only that loved ones and dependants do exist in relationships.

Many of us would encourage the concept of married relationships in society as being a stable way to have families and to promote our society, but many other people live in different relationships, whether they're common-law relationships or same-sex relationships or relationships that have nothing to do, as the Member for Edmonton-Riverview mentioned, with the concept of sex at all. Quite frankly, the whole concept of personal relationships and the question that's here under the Intestate Succession Act has nothing to do with sex. It has everything to do with loving relationships, relationships where people share property and unfortunately where they haven't taken care of some of the essential details with respect to their own personal relationships before they die, and that's what we're dealing with in the Intestate Succession Act.

One thing I'd like to put on the record yet again, Mr. Speaker, that's very, very important for all of us to remember is that people should take care of their personal affairs, and then they don't need the law to do it for them. If they take care of their personal affairs and write a will, the Intestate Succession Act need have no applicability to them. A family member might still have access to an estate

*See p. 1285, right col., para. 10, line 5

through the Family Relief Act, which provides for those where people have dealt within their will in a manner which didn't take care of people who were dependent upon them, but under the Intestate Succession Act most Albertans avoid any need for the Intestate Succession Act to be applicable to them, and all Albertans can avoid it by writing a will. I would encourage all Albertans to do that because it is a far preferable way to avoid any dispute, to avoid any question about who gets property, to avoid almost all need to go to the court, and does it in a manner which is much fairer to the family, leaves the family intact, reduces any ability for squabble within the family, and is a much, much fairer way to leave your dependants and your loved ones when you go.

So while it's necessary for us to deal with the Intestate Succession Act this afternoon and to pass this amendment in order to keep it alive, I think it would be preferable if all Albertans were to take care of their affairs through writing a will, and I would encourage them in the strongest terms to attend to that right away and not wait for disaster to happen in their family or to a loved one.

[Motion carried; Bill 29 read a third time]

4:40

head: **Government Bills and Orders**
Committee of the Whole
(continued)

[Mr. Tannas in the chair]

THE CHAIR: I call the Committee of the Whole to order.

Bill 26
Workers' Compensation Amendment Act, 2002

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. This is again legislation that is going to take considerable time in this member's view to debate. It is unfortunate that we have the closure motions that are on the Order Paper today, not only for committee but also for third reading. When one considers the effort that has been made by various groups in the province, the two reports of significance that there were on the activities of the WCB, and various stakeholder meetings, it is unfortunate that we would have to use closure on this bill at two stages. However, I have a number of questions still outstanding, and the most disturbing thing is that again we are having a bill that is in my view going to allow too much discretionary power to the WCB.

Now, to the Human Resources and Employment minister. There are various sections here that are going to have to deal with the administrative penalties or the fines that can be given out by the WCB, by the SIU. Mr. Chairman, it is interesting to note that there has been this notion that they're only for employers, these administrative penalties, and if the hon. minister could clarify this, I would be very, very grateful.

[Mr. Lougheed in the chair]

Certainly there are offences here listed in the new section 152.1(1). When the board "is of the opinion that a person has contravened section 19," which deals with an offence, a person who, for instance,

- (a) fails to make prompt and explicit answers to an inquiry made under section 18 . . .
- (b) fails to comply with a notice given under section 18 . . .
- (d) otherwise obstructs, hinders or interferes with the Board, or a

person acting on its behalf, in the making of an investigation under section 18

is guilty of an offence.

Now, that individual or that group of individuals would be eligible for an administrative penalty.

You can go on to 33(1), which is notices by employers. How much of a problem is this currently for the WCB regarding notices by employers? We can go here a little further, Mr. Chairman, down to section 87, and that's on transportation of injured workers. Now, again, how often has there been noncompliance in regards to this?

Section 103 is the section that's going to deal with the statement of wages by employer, section 105 would deal with an employer commencing business, section 106 deals with an employer ceasing to be an employer, section 108 is dealing with employers' records, section 109 deals with persons who might be employers, and section 110 deals with separate statements for each industry. Section 138 deals with board order ceasing to employ workers, section 139 deals with unauthorized deductions, and section 140, agreements to waive act void, and posting of notices, section 145.

Now, if individuals, Mr. Chairman, assume that these are administrative penalties that are going to be levied on employers, then that's the end of it. But I would like an explanation, and there have been some assurances given throughout the province that these administrative penalties that can be levied by the special investigative units do not apply to employees.

Section 147(3) on confidentiality of information. This can be reviewed "notwithstanding subsections (1) or (2) of section 34(4), where a matter is being reviewed or appealed under section 46," which is the section on panels, "or 120" to deal with the review of the decision by either the current claim services review committee or some other alternate means. But these administrative penalties – is this not going to force injured workers to keep everything secret in their dealings with the WCB? We all know what the Canadian Charter of Rights states about freedom of the press and the media's ability to report. Will this section in this amended act prevent an injured worker from going to the press with their story? We have to consider this.

[Mr. Tannas in the chair]

Now, there are members in this Assembly that are shaking their head at this member's interpretation. But I think that is wrong, and it is further intimidation, and the potential for abuse by the WCB towards injured workers could increase if this is the case. Why? The culture of denial that was expressed so eloquently by Justice Samuel Friedman is certainly continuing with this section.

Section 151(1) is also dealing with the person and that person certainly in these cases could be an employee. Why do we need this law or this rule that will allow and increase the powers, give this special investigative unit sweeping powers? I cannot accept this.

4:50

If we could go even further, into the new section 152, we're going to add after subsection 4:

(4.1) A person who pays an administrative penalty under section 152.1 in respect of a contravention may not be charged under this Act with an offence in respect of that contravention.

Now, that tells me that the WCB does not want this to go to court and risk full public disclosure, and as I said earlier in second reading, I don't believe that this is right. Are we giving the WCB board here the authority to level Criminal Code offences? Is that what we're doing with this section? I can't understand why we need this.

There have been many groups that have expressed frustration.

There are many groups that have contacted this member and have stated that they are not going to support this legislation, because all these legislative initiatives were not part of the discussions. I would like to know, Mr. Chairman, how this happened. How was this bill drafted, and why are so many people now claiming that all these discussions took place? There was never any mention of this in the review process.

Now, the Industry Task Force Association in their analysis and comments on Bill 26 stated that before they could support this bill, "the following are amendments to Bill 26" that have to be made. In section 13.1(1) they question that "sub-section 8 was removed during the final meeting." What meeting they're referring to I cannot say, but it's their view that this "should not be included in Bill 26." They go on to say that subsection 9, Mr. Chairman, in the same section 13.1(1) "was not discussed during the review process and should not be included in Bill 26." Those sections would be concerning the Appeals Commission.

Subsection 8 is quite interesting. I would have to ask the Legislative Assembly for guidance on this. Can favourable claims also be readdressed? Can that be reversed where there's a claim in favour of the injured worker? Could that also be readdressed?

Now, section 26(1):

Sub-section (1)(a) with regards to increasing the 12 months to 24 months was not discussed during the review process. The [Industry Task Force Association] does not agree with the increase because Section 26(2) does not confine a worker or dependant to the 12 month time frame.

That's another issue they had.

Now section 33(1), Mr. Chairman. Again the Industry Task Force Association states:

except in those cases where only first aid, as determined by the Board, is rendered, . . . was not discussed during the review process. Workplace Health and Safety has jurisdiction over the First Aid Regulation for the province. The WCB should not be defining first aid.

That is another concern of this Industry Task Force Association.

As was expressed earlier, section 151.1 – and this is the wide-sweeping powers again: "Sub-sections (1), (2) and (3) were not discussed during the review process and should be removed from Bill 26." I would be very grateful for an explanation of this by the hon. minister.

Now section 152. The Industry Task Force Association's comments regarding this:

Sub-sections (1) and (2) with regards to increasing . . . fine of not more than \$25,000.00 . . . a further fine of not more than \$10,000.00 for each day . . . was not supported during the review process. The concept of increasing fines to gain compliance in this case is not justified. To the best of our knowledge the WCB has never enforced the present legislation. The rationale of the increasing fines is not supported by any data which suggests that there would be an increase in compliance with the increase in fines. The [Industry Task Force Association] does not support the increase in fines.

Section 152.01. Again, "this section was not discussed during the review process and should be removed from Bill 26." This deals with:

Where a corporation commits an offence under this Act, any officer, director or agent of the corporation who directed, authorized, assented to, acquiesced in or participated in the commission of the offence is guilty of the offence and is liable to the punishment provided for the offence, whether or not the corporation has been prosecuted for or convicted of the offence.

Now, this Industry Task Force Association feels that this was not discussed, the administrative penalties.

Section 152.1: "Sub-section (1), (2), (3) and (4) with regards to the increase in fines was not supported during the review process . . .

The [Industry Task Force Association] does not support the increase in fines."

Now, the Industry Task Force Association goes on to say: "In conclusion, if Bill 26 is not amended as per the cover letter and the above, the ITFA cannot support Bill 26." That would confirm to this member that as good as this consultation process was, perhaps the spirit and the intent of the various reports are not reflected in this bill.

Mr. Chairman, I at this time would like to propose an amendment to Bill 26, and I would like to have one of the pages circulate the amendment, please, first a copy to the chair and respectively to all members. This amendment is to move that Bill 26 be amended in section 5 in the proposed section 7(1) by striking out "3 months" and substituting "1 month." I believe this amendment shall be referred to as A3? Is that possible, Mr. Chairman? Yes.

5:00

This amendment as proposed, amendment A3, would certainly be a reflection of what was mentioned earlier in debate by the hon. Member for Calgary-Egmont, who said that there must be a continuous monitoring of the progress of this bill. I thought the hon. member was absolutely right, because with all these changes that are going to be going on with the WCB, regardless of whether this member agrees with them or not, Mr. Chairman, it would be more beneficial if the WCB board of directors met more often, not less often. It astonishes me why the board of directors – there could be the possibility of them meeting quarterly or four times a year. In respect of what the hon. Member for Calgary-Egmont said, I don't think the quarterly meetings would be adequate to monitor the progress of the WCB. It is a huge corporation with millions and millions of dollars in the budget, and there certainly are many, many concerns. For instance, if we look at the premium increases, that's only one concern of employers.

Mr. Chairman, in conclusion, I would urge all members at this time to support amendment A3.

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: I'd like to move that we adjourn debate on Bill 26.

[Motion to adjourn debate carried]

Bill 27 Appropriation Act, 2002

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I appreciate the roundabout way in which I'm getting the opportunity here to speak, the final comments we can make on the massive Appropriation Act, Bill 27. This in many ways drives the whole legislative timetable for the spring session. There's simply an immense amount of money involved in this legislation. I think it is the one that our constituents, all of them, want us to be the most thoughtful on and to express the most comments on. So I'm going to take just a few minutes here to put some of my wrap-up thoughts on this piece of legislation.

I need to again hammer home the concern – and it just grows and grows and grows; it grew again today with some comments that came out in question period, and it came out yesterday even in Public Accounts – that the budget process of this government is out of whack, it's out of line, and it's out of date. We have a situation where the government through its quarterly budget updates and so on I think is in fact allowing itself to get buffeted and rearranged and

redirected every three months. It gets pushed off its priorities far too easily because of the nature of the budgeting process, and I'm certain that that's going to happen again. We saw that happen over the last year, over the last few years, and I'm sure other MLAs are hearing this same concern. Municipalities are saying: what kind of budget process is this? School boards: what kind of budget process is this? Regional health authorities. Heavens, we're still in a situation now, six weeks into the fiscal year, where the regional health authorities are trying to sort out their budgets. It's a process that needs to be completely revamped.

I've thought about how we've got to this position and what our inspiration is. What is the government's inspiration for this particular approach? I think that in many ways the government has been influenced by the budgeting practices of the petroleum industry. The petroleum industry is an industry that by necessity turns itself on and off on a few weeks' notice. It can crank up when the price of oil or gas goes up, and it can crank down very, very rapidly. Because that industry is so important to this government, to this province, we have taken on the culture of that industry in our budgeting process, and I think that's a profound mistake. You don't see other businesses behaving that way, and you shouldn't see governments behaving that way: cranking things up, cranking them down, cranking them up, cranking them down month by month, quarter by quarter, year by year. It is no way for us to be managing the wealth of this province and the budget and the finances of this government, and I strongly encourage the government to reconsider the way it has handled and does handle its finances.

I'm on the record many times, but I repeat this. If I'd had the chance to respond to comments from one of the government members earlier in the afternoon – the question came up: well, if we want to stabilize things and spend more money, where are we going to get that money? We should, I believe, reverse the decision to go with a flat tax. That decision has cost the coffers of this Treasury over a billion dollars, and it has fueled the roller-coaster ride of finances that we're stuck on now. Every time things go up or down, we're following like a roller coaster. The most reliable, predictable source of income for any government in the developed world is income tax. It's steady. It doesn't go up and down particularly rapidly in the way that corporate taxes go. It certainly doesn't go up and down at all in the way that royalties go up and down. Yet what have we done? We have shrunk that basis of our income to a dangerously low level, and I am not at all in isolation in making those comments. Indeed, I know right-wing economists who have said the same thing.

We have got ourselves into a difficult position with that decision. We have also got ourselves into a position of profound injustice. We are in a situation . . . [interjections]

THE CHAIR: Hon. members, if you wish to speak, please give the speaker the courtesy that you would like to have for yourselves and speak in your turn. Right now it's Edmonton-Riverview, not an assorted group of others.

DR. TAFT: Thank you, Mr. Chairman.

The other concern I have with the flat tax is that it is fundamentally unjust, and when we combine the flat tax with the health care premiums, which by any other definition is a tax, we are now in a province where the highest percentage tax is paid by the working poor, and that is just unfair. Why do we have people who are working full time and earning \$30,000 or \$40,000 or \$50,000 a year paying a higher percentage of their income in taxes than people making \$200,000 a year? It is regressive, it's wrong, and we should reverse it.

I want to make a number of other points here, and I'll just run through them quickly so that the hon. Member for Edmonton-Highlands can have a couple of minutes before we adjourn from committee. The way we've handled Children's Services in this budget I think is shameful, and in our budget process I think it's shameful. The fact that we are at this time reducing or tightening up preventive children's services when, if anything, we should be expanding that expenditure is just craziness. We're short-term there to the point of being self-destructive, and I think that's very bad practice.

5:10

Municipalities have expressed to us in no uncertain terms that they cannot manage under the kind of budgeting practices that we have now. There's not enough money in this budget to allow the municipalities to fulfill their responsibilities. Health care premiums have gone up dramatically, and there are indications that if the Mazankowski report is followed, they will go up even further, a tax grab that hurts the working poor the worst. It should be reversed. As my colleague from Edmonton-Glengarry pointed out, there are only two provinces in this country with health premiums, and we should ensure as soon as we can that there is one, and that would be B.C.

So, Mr. Chairman, I have many grave concerns with Bill 27. I have many grave concerns with the entire process through which we arrived at Bill 27. I hope that the next time we're up here debating an appropriations act, in 2003, we have a very, very much improved system on how this is handled so that we can vote as legislators knowing what the business plans of the health authorities are, knowing what the needs of the school boards are, and not facing a situation which is inevitable today, where just weeks or months from now there are going to be changes to the budget. What's the purpose of this?

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I appreciate the hon. Member for Edmonton-Riverview ceding the floor so that I could have a couple of minutes. I would like to express my disappointment with the manoeuvres this afternoon of the Government House Leader, which have really precluded a lot of time for debate on this \$18 billion appropriation bill. It looks like I'm only going to get about two minutes to talk, so that's about \$9 billion a minute.

I do want to talk about some of the issues. The main issue is that I believe this budget is the chickens coming home to roost for a whole set of misguided, overly fiscally conservative, hawkish even, policies that the government has knitted around itself. It's painted itself into a corner on the whole budgetary mission: the ridiculous debt reduction policy of this government, which requires so much of the money to go toward debt reduction; the repeated policies of deliberately underestimating revenue of the government so that it looks like there's no money at the start so that they've got every excuse to cut every program they want to cut and do anything they want, and then they look like financial geniuses at the end of the year because they've got billions of dollars in surplus. That is not genius at all; that's just smoke and mirrors.

The flat tax that the government has brought in trims off a vast amount of income tax paid by the wealthiest Albertans and gives them great tax cuts but does very little to benefit the majority of Albertans who work for a living. The continuing emphasis on corporate income tax cuts at the same time as they're bringing in so-

called nontaxes like increases in smoking, health care premiums, and so on hurts the working families. They're continuing on the backs of the working people of this province to cut corporate taxes. They have become, as the Member for Edmonton-Riverview has indicated, overly dependent on oil and gas revenue, which is extremely volatile.

So we see the spectacle this session of the minister cutting children's preventive services, one of the best investments a government can make, because the price of oil and gas is less than expected. You see the Finance minister running around in a very frightened fashion, cutting and hacking, taking a percent off every department, because the price of oil and gas is less than is expected and she's afraid that if she runs a deficit, she's going to go to jail. You know, we see the increasing dependence on lottery revenues, over a billion dollars of revenue, and again that's a tax on people who can least afford it; it's an attack on vulnerable people.

So, Mr. Chairman, I am completely opposed to Bill 27. I talked as fast as I can, given the government's disregard for the financial accountability that this Legislature provides.

Thank you.

THE CHAIR: Under Standing Order 61(4) I must put the question proposing the approval of the appropriation bill on the Order Paper for consideration by the Committee of the Whole. So we have for our consideration, then, Bill 27, Appropriation Act, 2002.

[The clauses of Bill 27 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed?

SOME HON. MEMBERS: Opposed.

THE CHAIR: Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report Bill 27 and report progress on Bill 26, such as it may be.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports Bill 27. The committee reports progress on Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. on Monday.

[Motion carried; at 5:18 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, May 13, 2002**

1:30 p.m.

Date: 02/05/13

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome. Hon. members, I would ask you to please remain standing after the prayer for the singing of our national anthem.

Let us pray. Our Father, we thank You for Your abundant blessings to our province and ourselves. We ask You to ensure to us Your guidance and the will to follow it. Amen.

Now would you please participate in the singing of our national anthem in the language of your choice. We'll be led by Mr. Paul Lorieau.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Banff-Cochrane.

MRS. TARCHUK: Thank you, Mr. Speaker. I would like to welcome a very special and distinguished group seated in the Speaker's gallery. They are called the CCAF fellows and are participants in a nine-month international fellowship program based in Ottawa. They are visiting us today as part of a weeklong tour of western Canada. The fellowship program is a collaboration between the office of the Auditor General of Canada, the Canadian Comprehensive Auditing Foundation, and the Auditor General of Quebec. The program is sponsored by the Canadian International Development Agency and is designed to expand knowledge and understanding of public-sector accounting and auditing as practised in Canada. Fellows work with the audit teams, attend pertinent courses, and their experience is designed to help them address auditing issues in their home environment.

Mr. Speaker, I'd like to now introduce Mr. Jashim Uddin from Bangladesh, Mr. Claudio Castello Branco from Brazil, Mr. Bachchu Dahal from Nepal, Mr. Abdoul Madjib Gueye from Senegal, Mr. Robert Cheyo from Tanzania, and Ms Hend Gongi from Tunisia. They are here today with Mrs. Donna Bigelow from the office of the Auditor General of Canada, Kimberley Speek from the CCAF, Lori Trudgeon and Dale Borrmann from the office of the Auditor General of Alberta. Again, they are seated in the Speaker's gallery, and I would ask that they please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the House a gentleman seated in your gallery who is a constituent of mine and a friend. Our guest is also a councillor from Sturgeon county in the

Calahoo area. Mr. Paul Kolesar is also a buffalo rancher and is very interested in expanding Alberta's buffalo industry. I would ask Mr. Kolesar to rise and receive the traditional warm welcome of the House.

MR. GOUDREAU: Mr. Speaker, it's also my pleasure to introduce to you and through you to the members of this Assembly a great group of energetic and dynamic grades 6 and 7 students from the Lloyd Garrison school of Berwyn. They're energetic because some of them had to get up at 4:45 this morning to drive down to be with us here this afternoon. Berwyn is approximately 500 kilometres northwest of here in the heart of the Peace country. This group is very special to me as it is the first school group that I've had the pleasure of introducing in the Legislature. They are seated in the public gallery, and they are accompanied by their teacher Mr. Rob Hoban and parent helpers Mrs. Davies, Mrs. Sukeroff, Mr. Shaw, Mrs. Reyda, and Mrs. Savoie. I would like them to stand and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I have two introductions today. The first is a group of 21 students who are here from Keenooshayo elementary school in St. Albert. They are seated in the members' gallery, and they are another class of grade 6 students here at the Legislature for the week. They are accompanied by their teacher Mrs. Barb Hubbard and her assistant, Mrs. Ann Proulx, and by parent Mrs. Dawn Elhalabi. They are seated, as I said, in the members' gallery, and I'd ask them all to please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. It gives me great pleasure to rise today to introduce to you and through you to members of this Assembly Brier Merrifield, who is seated in the members' gallery. Brier has recently begun working in my Calgary office at McDougall Centre as a summer student through the STEP program. Brier is a third-year student at the University of Calgary, and we are very pleased that she has joined us and has already proven very valuable on several projects. Brier, welcome. I hope that your experience with us this summer also proves to be both valuable and enjoyable. I would ask that she stand now and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I have two school groups to introduce this afternoon to you and through you to all hon. Members of this Legislative Assembly. The first one is from the north end of the Edmonton-Gold Bar constituency, and that's the Terrace Heights school. There are 20 fine and hardworking and capable students from Terrace Heights this afternoon visiting the Legislative Assembly. They are accompanied by Mr. Tom Jaques, teacher, and also by Mr. Rob MacLean and Mrs. Wendy Loney. They're in the public gallery, and I would now ask them to please rise and receive the warm traditional welcome of this House.

Mr. Speaker, the second is a school group from the southern half of Edmonton-Gold Bar constituency, this time from St. Brendan school. There are 34 in total in the delegation from St. Brendan school. They are led by teachers Edwina Schwede, Shauna Smith, Jose Mendoza, and Jennifer Spearman. Also accompanying the group this afternoon are parent helpers Janine Campbell, Arlene

Thompson, Gloria Pigat, and Lori Rackel, who also is the volunteer president of the Ottewell Community League, one of the most progressive and largest community leagues in the entire city. These grades 5 and 6 students from St. Brendan are from one of Canada's greenest schools. I believe they're all in the public gallery, but some of them may be in the members' gallery. Would they please rise and receive the warm welcome of this Assembly.

Thank you.

THE SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you, Mr. Speaker. Today I have the distinct pleasure of introducing a very special couple who are friends of mine. Jonathan and Allison Lorentzen have recently come from Slave Lake. In fact, they have been very active in the community, so active that they've been major supporters and volunteers of mine for the last three elections. He's one of the reasons I'm here today. After the 1997 election he was so pleased and he felt so lucky that he decided to marry Allison, one of the greatest joys of his life. They now live in Medicine Hat. They are seated in the public gallery, and I'd ask that they rise and receive the warm welcome of this Legislature.

1:40

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. The other introduction I'd like to make to you and through you to members of this Assembly is two very accomplished young women who live in St. Albert. Amy Venne, who manages the constituency office of St. Albert, is seated in the public gallery, and she is accompanied today by Laura Harrison, who is a third-year political science student at Carleton University in Ottawa but makes her home in St. Albert. They are seated in the gallery, and I would ask them both to please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. It's with pleasure I introduce to you and through you to members of the Assembly two individuals. The first is Pat Edmonds. Pat is the manager of the constituency office in Edmonton-Mill Woods and has been capably at that job since 1993. She's accompanied by Denise Varga. Denise is a social work student who's finding plenty of opportunity for her to practise her craft in our constituency. They're in the members' gallery, and with your permission I'd ask them to rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. It's my privilege and pleasure to introduce to you and this Assembly very special guests today. I have three groups. I'd first of all like to introduce the My Alberta contest winner from the Lesser Slave Lake constituency. She lives in High Prairie. Her mother works for Alberta Children's Services as an assistant manager. Her mother's name is Judy Delorme, and Danielle is with us. She did a picture of an Alberta rose that's exemplary. I'd ask her to stand with her mother. She's in the members' gallery. Look at that beautiful little girl. Thank you, and thank you, too, Mr. Speaker, for arranging to meet with them.

I'd also ask some very stalwart volunteers and mentors of mine in

Sherwood Park to stand. They are Donna Clarkson, Maggie Carr, Brenda Whitlock, June and Gordon Ash, Ed DeGrande, and Penny Young. They're here today to observe the proceedings in the Assembly. They're seated in the members' gallery, and I'd ask if they would stand and we'd give our warm and traditional welcome.

Last but not least, Mr. Speaker, I'm not sure if the 33 students from Archbishop Jordan have arrived yet, accompanied by teachers Yolande Joly as well as Audrey Gordey and parent Lorraine Forbes, but they are expected here this afternoon. If they would please stand if they're here. If they're not, I think they might be a little late.

THE SPEAKER: The hon. Member for Drayton Valley-Calmor.

REV. ABBOTT: Thank you, Mr. Speaker. It is also a pleasure for me to rise today and introduce two very capable people. They both work in my constituency office in Drayton Valley. One is my office assistant, Terri Johnston, and the other is my summer student under the STEP program. Her name is Jody Kok. She's here for the summer. I'd just like them both to rise and receive the warm traditional welcome of the House, please.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I rise today to introduce an old friend, but I say that in the kindest of terms. We've known each other since we were 10. That makes her about 22. I see her sitting in the members' gallery. Would Peggy Louis please rise and be recognized by the House. Give her the warm welcome she so rightly deserves.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Holy Cross Hospital

DR. NICOL: Thank you, Mr. Speaker. The Premier has claimed time and again that the Holy Cross disposition committee operated at arm's length from the government. However, the Premier admitted last week to having met with the owners of Enterprise Universal Inc. about their bid to buy the Holy Cross hospital. My question is to the Premier. Is it normal practice for the Premier to meet with individuals who are in the midst of a bidding process on government assets?

MR. KLEIN: Mr. Speaker, I meet with thousands of people, literally, have met with thousands of people since I've become the Premier and before that as Minister of Environment, before that as the mayor of the city of Calgary. During bidding processes if there's a process in place, the message is simple: there is a process, fulfill the process, abide by the process, and fine. That's all there is to it, and I don't mind looking at any proposal at any particular time.

Mr. Speaker, what bothers me about this is that the Liberals do not have the courage to say directly – but they do it through implication, through innuendo – that there were some irregularities in the sale of the Holy Cross hospital site. They will never stand up in the House or outside the House and say what the problem is. You know, this is so typical of the Liberals. They try to sow the seeds of distrust and wrongdoing, and they have absolutely no evidence to support their innuendo.

Mr. Speaker, the Member for Edmonton-Riverview and his left-wing friends at the Parkland Institute routinely produce flurries of paper, so-called academic papers in their vain efforts to discredit the

government. The member seems particularly obsessed with finding something evil in the work of the fine people of the Calgary regional health authority. If I may paraphrase a scholarly quote of my own: this sound and fury signify nothing. So far their efforts have only produced yawns and lawsuits.

THE SPEAKER: The hon. leader. [interjections] The hon. leader has the floor.

DR. NICOL: Thank you, Mr. Speaker. Will the Premier tell the House whether or not at the meeting with the owners of Enterprise Universal they discussed the plans to use the site under contract with the CRHA for insured day surgery?

MR. KLEIN: I have no idea, Mr. Speaker. I recall vaguely seeing their proposal and saying: "Lookit; there's a process in place. Go to the disposition committee and take it up with the RHA. Interesting proposal."

Mr. Speaker, this type of dirty politics has hurt the Liberals in the past – and we've seen that; that's why there are seven over there and 74 over here – and it will continue to hurt them. Albertans have shown time and time again that they don't like the politics of personal mudslinging.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Did the Premier take any actions on behalf of Enterprise Universal after that meeting?

MR. KLEIN: No.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. In complete contradiction to what the Premier said last week, the confidential report made by the disposition committee for the Holy Cross says that the Holy Cross site "was not to assume any ongoing financial or contractual support from the CRHA . . . The 'health care' usage could not be insured services under the Canada Health Act." Yet within weeks of the sale the new owners were being paid by the CRHA to conduct procedures insured under the Canada Health Act. None of the other bidders were told that this was possible. To the Premier: did the Premier's meeting with Enterprise Universal have anything to do with the terms of the bidding and contract being changed?

MR. KLEIN: No.

DR. NICOL: To the Premier: why was one bid given preferential treatment over the others?

MR. KLEIN: Mr. Speaker, I don't know. Again I defer to the hon. Member for Calgary-Currie, who was a city councillor at the time, was on the bid committee. I'm advised that there were something like 12 proposals received, that the disposition committee was made up of someone appointed by the mayor of the city of Calgary, appointments from the RHA. Former Bishop O'Byrne was on the committee, as I understand, and a number of community people. They adjudicated all of the proposals. As I understand, it was advertised nationally. The proposal that was eventually accepted was the best proposal received. As a matter of fact, I'm informed by the hon. Member for Calgary-Currie that in one case the proponent actually asked the RHA to pay the proponent to take the site off his

hands. So it seems to me that there was hardly a tremendous effort on the part of the proponents to pay what the Liberals say was the appraised value at that particular time.

1:50

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. How can the Premier justify a process where one set of rules was used during the bidding and those rules were then ignored once a successful bidder was announced?

MR. KLEIN: Mr. Speaker, I don't know the details following the sale of the land and the arrangements that were made between the RHA and the proponents, nor do I get involved in that kind of detail. Unfortunately, the House rules don't permit me to ask the minister at the time to comment. This goes back six years, and I have no idea – no idea – what arrangements were made between the RHA and the successful proponents. All I can say is that there's been a review of this particular situation. Everything was found to be aboveboard, but again I will ask the Liberals: if they have an accusation to make, then make it. Make the accusation. You know, show the courage and stand up and make an accusation of wrongdoing, but do it outside the House, because you know, there's already one lawsuit against one of the hon. members relative to one of the proponents associated with this issue. Perhaps there might be more. Who knows?

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. Legislation and policy are clear. Regional health authorities are not under the jurisdiction of the Ethics Commissioner, yet last week the Premier told this Assembly that conflict of interest rules for RHAs "come under the purview of the Ethics Commissioner of this province." That is not true. To the Premier: why did the Premier tell this Assembly that RHAs come under the Ethics Commissioner when surely he knows that is not true?

MR. KLEIN: Mr. Speaker, I stand to be corrected, but I thought that we had amended the guidelines to put RHAs, municipalities, school boards, and so on under the same rules of ethics and FOIP that we're under.

DR. TAFT: Given that RHAs are – and I've confirmed this with the Ethics Commissioner – beyond the jurisdiction of the Ethics Commissioner, can the Premier tell the Assembly if it is a conflict of interest for the leader of the successful bid for the Holy Cross to be simultaneously an official with the RHA selling the property?

MR. KLEIN: I have no idea, Mr. Speaker. The hon. Minister of Health and Wellness is not here. I don't know who's responsible. [interjection] Well, I'll have the hon. acting minister respond. Maybe he can shed some light on this.

MR. ZWOZDESKY: Well, Mr. Speaker, I'm not intimately familiar with the exact question that is being asked by the member, but I will undertake on behalf of the Minister of Health and Wellness to ensure that he receives a proper answer as soon as possible.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Will the Premier admit that well-connected Tories got the inside track on the bidding for the Holy Cross?

MR. KLEIN: Mr. Speaker, there was a process. I've gone through the process a dozen times. A dozen times. I don't know if the disposition committee knew that the proponents – first of all, to set the stage, about 70 percent of the people in this province are Tory supporters. Thank God. It goes without saying that all I can meet with are 30 percent of the people. You know, about 15 or 20 percent of those would be Liberals and the others NDs, and who knows where the others are from. That means I can't meet with any of our supporters. I think it's very, very fortunate that we have so many supporters in this province, and I apologize to no one for meeting with our supporters. As a matter of fact, as I said, I've had thousands of meetings since I've been in this government, and I would imagine that the vast majority of those people would be our supporters.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Security Management Legislation

DR. PANNU: Thank you, Mr. Speaker. Tomorrow, after 37 days, the government is pulling the plug on one of the shortest spring sittings in recent memory. The government has decided to wait until the final day of this very short session to introduce a bill that deals with as yet unspecified threats to security in this province. My questions are to the Premier. Will this legislation help actually do anything to increase the security of Albertans?

THE SPEAKER: Whoa. It's kind of hard to ask questions about something that is yet to be introduced, and I just put that caveat on any kind of response here. The Legislature has not seen such a bill that I'm aware of.

MR. KLEIN: Mr. Speaker, you're absolutely correct. A bill has not been tabled. It's on the Order Paper, I'm advised, for tomorrow. Notwithstanding the intention to table the bill that to my knowledge will be a bill that will introduce a number of minor amendments, I believe, housekeeping kinds of things, there have been a number of steps taken from a policy point of view to address the events and the security of this province post September 11. Indeed, there have been ongoing discussions led by the Minister of International and Intergovernmental Relations. The Solicitor General has been involved with various phases of industry, authorities responsible for security, and generally, as I understand it, security has been beefed up or the issue has been addressed in a very significant and in a very serious manner.

If you wish, Mr. Speaker, I can have the hon. Minister of International and Intergovernmental Relations supplement.

THE SPEAKER: No.
Proceed.

DR. PANNU: Thank you, Mr. Speaker. Since this legislation was supposed to respond to the events of September 11 and the subsequent events, why has it taken the government so long to enact such legislation, especially since it won't be passed until November 2002 at the earliest?

MR. JONSON: Mr. Speaker, it is quite correct that we have been working on legislation suitable for the needs of Alberta with respect

to security, and I acknowledge the leader of the third party's point, and that is that it is a piece of legislation which will probably take some time to discuss and to have before the public for reaction, but that has been the case with all governments tackling the whole issue of security as far as the legislative framework is concerned that is best for a province or for a country. We want to make sure that the legislation we put in place will do the job in the long term. Unfortunately, the whole issue of there being a concern and a risk as far as security is concerned is something that is not going away within the next few months. We're in it for the long term, and we want to have the best legislation possible.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you very much, Mr. Speaker. My second supplementary is to the Premier. Will there be any erosion of the civil liberties or privacy rights of Albertans as a result of the government's antiterrorist legislation, and if so, in what ways?

2:00

MR. KLEIN: Mr. Speaker, I think it's sort of stretching it a bit, to say the least, to say that this is antiterrorism legislation. Certainly the bill speaks to boosting security and making some amendments, some adjustments to the way we do things, but it is hardly an antiterrorist bill. I believe that has been addressed by the federal government.

No, Mr. Speaker, to answer the question, it will not in any way, shape, or form violate the civil rights of Albertans or other Canadians for that matter.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul, followed by the hon. Member for Edmonton-Mill Woods.

Agricultural Policy Framework

MR. DANYLUK: Thank you very much, Mr. Speaker. Alberta's and Canada's agriculture and agrifood sectors are key contributors to the high quality of life enjoyed by citizens across our province and country. Lately I've been reading and hearing reports about the development of a new agricultural policy framework that is being worked on by the federal and provincial governments. I understand that there was an announcement made at the conclusion of the meeting on the development of a formal agreement on this framework. My question is to the Minister of Agriculture, Food and Rural Development. Can the minister advise us on the progress of the framework and how it will positively impact producers?

MRS. McCLELLAN: Mr. Speaker, the agricultural policy framework certainly is a work in progress. It began in Whitehorse last June with agreement from all of the provinces, territories, and federal government that there were five chapters that we needed to work on. Those were food safety and quality, environment, sector renewal, risk management, and science and research, all vital to the sustainability of this industry. I'm pleased to say that at our meetings last Monday and Tuesday in Ottawa we reached agreement on those chapters and have asked our officials to do some final work, which we believe will lead to the signing of an umbrella framework at the end of June in our official meetings.

I think the U.S. farm bill, the actions of that speak very much to the need for this agricultural policy framework for this country and certainly for our province to take this industry into the future. Mr. Speaker, critical to that will be the chapter on safety nets and risk management. Our producers don't like ad hoc programs. Governments don't like ad hoc programs. We like predictability and

sustainability, and we believe that this agricultural policy framework will lay out a road map for this important industry and for the future.

THE SPEAKER: The hon. member.

MR. DANYLUK: Thank you, Mr. Speaker. To the same minister: can you expand on the five chapters and their progress and benefits?

MRS. McCLELLAN: Well, Mr. Speaker, there's no question that all five chapters are very important to the industry. I've mentioned risk management and safety nets, but I think that food safety is one of critical interest to all Canadians, in fact to all people who receive our quality produce. We have a reputation in Canada for producing a very high-quality, safe food, and we want to build on that reputation. We believe that we can brand Canada as a safe, reliable source of food.

The other sector that I'll just mention, Mr. Speaker, although they're all important, is science and innovation. Actually, the reason that our agricultural industry has been so successful and is now an \$18 billion contributor to this province's economy annually is largely due to science and research. This has allowed our producers to introduce new crops, new technologies, new processing methods, which has led it to be the largest single manufacturing sector in this province. So we encourage further work in that area, and we're working very closely with the Minister of Innovation and Science in our province for an agricultural research strategy for Alberta.

THE SPEAKER: The hon. member.

MR. DANYLUK: Thank you, Mr. Speaker. My second supplemental to the same minister: who is responsible for the monetary support for this new framework?

MRS. McCLELLAN: Mr. Speaker, the risk management safety net side of it is already funded pretty well in whole. There may be some adjustments in that area. We are having discussions with the federal government on the other four chapters. Certainly it has been recognized by the federal government that programs that we have in place will be recognized and can be recognized as a sharing. For example, in the environment the agricultural environmental sustainability initiative has done great work. We have worked through the CARD program. We've increased our funding in food safety in this province in each of the last two budgets, and we expect that to be recognized. Traditionally the funding has been 60-40; 60 federal, 40 provincial. We don't see that changing, and we'll work out the details on funding after June.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Norwood.

Education Funding

DR. MASSEY: Thank you, Mr. Speaker. To protest the underfunding of schools, parents in Banff, Canmore, and Exshaw are considering withdrawing their children from provincial achievement tests. They would join 50 parents in Calgary who have made the same threat. My questions are to the Minister of Learning. Why are parents being forced to such extremes to have their funding concerns addressed?

DR. OBERG: Well, Mr. Speaker, over the past couple of weeks we just passed the budget – I believe it's in third reading today – which saw a huge increase into the Department of Learning of roughly 4

and a half to 5 percent that was increased in the Department of Learning budget. So when it comes to funding, the school boards have received 3 percent on their general grant this year plus a guarantee for teachers' salaries. So there is the money there.

With respect to the specific concern about parents withdrawing their kids from achievement tests, I would just put it out to the parents that I really would urge you not to hold your kids hostage in this. The achievement tests are something that is excellent for kids. It helps us to improve our curriculum, Mr. Speaker. We have the number one curriculum and the number one school system in the world and part of that obviously because of the teachers and the students, but part of that is also due to the achievement tests, where we continually look at the curriculum. So I caution the parents not to do that when ultimately it's their kids that will suffer if that occurs.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. It doesn't make sense. If there's money available, why are parents taking such drastic action?

DR. OBERG: Well, I agree with you: it doesn't make sense. I think it does not make sense to hold their kids hostage in situations like this. I don't think it makes sense to cause the kids to not have an improved curriculum. Mr. Speaker, it is quite unfortunate. I agree with the member: it just doesn't make sense.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister, Mr. Speaker: has the minister threatened to disband parent councils who participate in the protest?

DR. OBERG: No.

THE SPEAKER: The hon. Member for Edmonton-Norwood, followed by the hon. Member for Edmonton-Gold Bar.

Landlord/Tenant Legislation

MR. MASZYK: Thank you, Mr. Speaker. One of my constituents who is a landlord has brought to my attention the frustration he's having with the length of time it's taking to have a tenant evicted. My question is to the Minister of Government Services. What recourse is available to landlords in a situation where they are finding it difficult to evict a tenant in a timely manner?

THE SPEAKER: The hon. minister.

MR. COUTTS: Well, thank you, Mr. Speaker. I certainly am aware of some of the concerns around the cost and the timeliness of the eviction process in terms of landlord/tenant disputes, particularly when you have a difficult or maybe an unruly tenant. I certainly can appreciate the frustrations that are put forward by landlords. But that being said, the legislation that we have in place serves both landlords and tenants, and it's called the Residential Tenancies Act. It sets out the rights and the responsibilities of both landlords and tenants in this particular province.

What we do have are some mechanisms that landlords can use if there has been what they feel is a breach of the contract or a breach of the landlord/tenants act. It gives a landlord the opportunity to go through Provincial Court rather than the conventional Court of Queen's Bench so that it can be speeded up and get an eviction

notice out. However, they do have to let the tenant know that an eviction notice is coming, and it gives the tenant an opportunity to write back and voice their objections.

2:10

As well, I should point out that there is a lawyer referral service that can provide the names of lawyers that your constituent could consult, and the first half hour of that service is free to tenants. There are other mechanisms such as alternative dispute mechanisms that can be used, but, Mr. Speaker, most of the landlord/tenant disputes can be referred to our office so that people can really find out what the landlord/tenant act is all about and what their rights and responsibilities are.

THE SPEAKER: The hon. member.

MR. MASYK: Thank you, Mr. Speaker. My first supplemental question is to the same minister. My constituents believe that the balance is tipped in favour of the tenants. Are there any plans to bring new legislation to protect the rights of the landlords?

Thank you.

MR. COUTTS: That is a very good question, Mr. Speaker. I want to point out for the hon. member that Government Services gets a lot of complaints about the landlord/tenant act from landlords and tenants alike. What we find is that landlords think that tenants have all the rights and tenants think that landlords have all the rights. So what we're doing is we're currently reviewing our Residential Tenancies Act in Alberta today. We've gone through a research stage where we're looking at various landlord/tenant situations across Canada, and we're taking that information and putting it together along with our own Residential Tenancies Act, that is presently in place, and looking at ways that we can upgrade it to facilitate landlord/tenant disputes.

We'll be going out with a consultation very, very shortly this summer. That consultation will look for input from both landlords and from tenants. What I'd like to point out to the hon. member and to all members of the House is that currently there are about one million renters in this province, and of those one million renters, the few complaints that we do have coming in in comparison to the amount of renters that are out there show me that in Alberta today the majority of tenants and the majority of landlords really understand their roles and responsibilities to the act and the legislation as well as to their communities. So I'm very, very pleased at the fact that there are so few problems, considering the numbers of people that we have renting.

MR. MASYK: My final question is to the same minister, Mr. Speaker. How would my constituents get involved with the review?

MR. COUTTS: Mr. Speaker, certainly we'd like to see landlords and tenants get involved with the consultation, and when the consultation paper becomes available, I'll make sure that all constituency offices have a copy of it. As well, particularly you can get the consultation review to your constituent so that he or she may be able to get involved as well as any constituents that you have in the constituency that have had difficulties in the past with understanding landlord/tenant disputes or the Residential Tenancies Act. We'll make sure that that is available and publicized throughout the province.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Medicine Hat.

Electricity Pricing

MR. MacDONALD: Thank you, Mr. Speaker. Just as Enron, an enthusiastic promoter of electricity deregulation, was a spectacular failure, so too was this government's expensive electricity deregulation scheme. My first question is to the Minister of Energy. Why did the government decide to go to marginal pricing, where the last highest bid for electricity sets the price for all bids, rather than stay with incremental cost dispatching, where power is brought on in the cheapest, most cost-efficient way possible?

Thank you.

MR. SMITH: Mr. Speaker, the policy is a matter of record.

MR. MacDONALD: Again to the same minister: why did the minister choose a pricing system that favours generators over one that favours consumers while still providing generators with a healthy profit?

MR. SMITH: Well, Mr. Speaker, I was just looking at the average Power Pool price for 2001. The January price average is 13.1 cents, a cumulative 2001 average of 7.1. The price to date, 2002, 3.8 cents a kilowatt-hour. When you have prices cut in half, it's very hard for me to believe that a generator would benefit from that. So what has to happen is there have to be pathways and choices for consumers to be able to access the same price points that wholesalers are able to offer in the Power Pool. Also, with large companies and large industrials, for the price that they purchase power at, we should be able to have everyday consumers purchase power at that same price.

Mr. Speaker, that's very much a part of what we're working on today with the individual transmission companies, who have the regulated side to offer, as well as the generators and the utility companies that offer this and the great number of stakeholder and consultation groups that the government has used to get through this policy of deregulation. That has resulted in lower prices overall, and it certainly prevented any type of blackout from ever occurring in this province.

MR. MacDONALD: To the same minister: if prices are lower overall, when will the consumers see on their bill the \$345 million that's currently outstanding in the Balancing Pool deferral account? When are you going to add that to their bill?

MR. SMITH: Mr. Speaker, we are not going to add that to their bill. The member clearly knows that the Balancing Pool, that was around during regulated times, is also around in deregulation. In fact, that entity gets money from the sale of the power that it manages as well as incurred the costs when regulated, inefficient power was running. That's also added to their cost. It's a very public process. Those documents are available in the public domain, and in fact it's simply an equation of money in, money out, which makes for either a rebate, which would be a surplus measure, or a negative number, which would be a deferral account.

Mr. Speaker, this process was a culmination of some eight years of consultation with consumers, with generators, with utilities, and with other members of the Alberta public. We do know that competition has the ability to lower prices or certainly lower the increase in prices. If in fact we would have been under the regulated model, we would have had to spend in excess of \$4 billion just to bring the power that's here today.

THE SPEAKER: The hon. Member for Medicine Hat, followed by the hon. Member for Edmonton-Glengarry.

Zero Tolerance Policy in Provincial Parks

MR. RENNER: Thank you very much, Mr. Speaker. Over the past 15 to 20 years a growing popular trend has seen camping trips during the May long weekend become the unofficial kickoff for high school graduation celebrations in my area. Out of concern with the increasing rowdiness in provincial campgrounds and to ensure the safety of both young people and other campground users, park officials instituted a zero tolerance policy on enforcement of alcohol-related offences last year within Cypress Hills provincial park. My questions today are to the Minister of Community Development. Can the minister advise what analysis has been conducted within the provincial parks administration to determine the effectiveness of last year's clamp-down on campground activities?

MR. ZWOZDESKY: Well, yes, Mr. Speaker. We're all aware of the upcoming grad season and the desire of young people to get out and explore our wonderful parks areas. I'm sure that numerous people will be visiting the very beautiful area in the Elkwater region. But to directly answer the question, we have done some analyses and reviews of the zero tolerance program which the hon. member refers to, and it will tell us information with respect to rowdy behaviour, what has worked and what perhaps has not worked to curb that type of behaviour, and also with respect to safety and precautionary measures that worked very effectively last year. I just want to say that the parks staff are working very closely out there on these reviews with local RCMP, the city of Medicine Hat police, Red Cross volunteers, and with the mobile unit people. So there's quite a bit of information that has been comparatively looked at, and it appears that the zero tolerance policy has been quite effective.

THE SPEAKER: The hon. member.

MR. RENNER: Thank you, Mr. Speaker. What feedback if any has the government received regarding the zero tolerance policy?

MR. ZWOZDESKY: Mr. Speaker, in a general sense the feedback that we've been receiving as a result of zero tolerance in the area referred to has been very positive. We've heard from students who used the park facilities last year. We've heard from the counselors and teachers and parents and other uninvolved parties such as day and night parks visitors, and all of those analyses and all of those results indicate that we're on the right track there. We want to ensure the safety of our users and of the students in particular in this case, so we're very pleased with the feedback that we've been receiving. Overall, hon. member, you would be pleased to know that we've seen a decrease in the total number of incident-related activities.

2:20

THE SPEAKER: The hon. member.

MR. RENNER: Thanks, Mr. Speaker. My final question: does the government intend to pursue the same zero tolerance policy again this year?

MR. ZWOZDESKY: The short answer, Mr. Speaker, is yes. We will be following the same procedure. In fact, we'll be stepping it up a little bit. Again we will be sending notices out – and some have gone out, I understand – to the schools in the area, to the students, and to the parents. We'll be doing some infomercials on local media outlets. There will be talk show appearances to highlight this particular circumstance. In the end, from our point of view as Community Development and responsible for parks and protected

areas, we'll be increasing the number of conservation officers and again will be working on this zero tolerance policy very closely with the Check Stop people, the local RCMP, and other highway maintenance individuals so that we ensure a very safe and a very enjoyable experience for the students, the parents, and other park users.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Edmonton-Highlands.

Temporary Employment Agencies

MR. BONNER: Thank you, Mr. Speaker. The Premier and this government should have a greater appreciation and sense of urgency for the plight of the homeless and the poor. They are, after all, the last to share in the benefits of Alberta's current economic growth. One such group that has been left to the ravages of the streets are those who visit labour exchanges for temporary employment. Some of these labour exchanges are unfairly capitalizing on people who seek a way out of poverty and unemployment. To the Minister of Human Resources and Employment: given that temporary workers may be sent to jobsites for which they are hastily prepared, will the minister review workplace safety training at temporary employment agencies?

MR. DUNFORD: Mr. Speaker, the answer to that will be yes. I'm glad that the member has raised this particular issue. We're about to embark on a huge initiative here in the province to reduce workplace injuries by 40 percent. Of course, whether it's permanent or temporary work, if somebody is injured on the work site, then they come into our system, so we want to deal with it.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: will the minister explain why the government allows temporary employment agencies to charge a worker who leaves an unsafe work site with the cost of bringing another labourer to that same site?

MR. DUNFORD: The hon. member will have to send me details on the issue, Mr. Speaker. I don't know the answer to that specific question as we are here today.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: given that a temporary employee who leaves a work site for any reason, including unsafe conditions, may be denied payment for hours already worked, will the minister review the business practices of temporary employment agencies?

MR. DUNFORD: Mr. Speaker, we have employment standards in place. Of course, it's always contemplated under that legislation that if someone is working and an agreement has been made as to the rate of pay and the work is done, then that rate of pay should be forwarded. I would indicate to the hon. member and to other members here in the House that if they are aware of those kinds of situations, we have employment standards offices around the province. As a matter of fact, we have a call centre that actually handles an incredible number of calls each and every year, and we're very proud of that information we're providing. So restitution is available if we hear about the specific cases.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Wetaskiwin-Camrose.

Programs Review

MR. MASON: Thank you very much, Mr. Speaker. Last July and August a five-person committee of MLAs consulted extensively on low-income programs. Holding these consultations last summer was justified because the government said that there was some urgency to address concerns about the inadequacy of these programs. How times and priorities change. The Minister of Human Resources and Employment has had the two reports since last October, and they've been buried ever since in a great, deepening pile of dust on his desk. To the minister of Human Resources and Employment: why is the minister attempting to evade the scrutiny of the Legislature by delaying the release of the low-income review until the session is over?

MR. DUNFORD: Mr. Speaker, one report is titled *What We Heard*, and the other report that apparently has found its way into the public domain through some sort of technique – I'm never sure how it happens – is called *What We Recommend*. The government response has to go with that MLA recommendation. We've made it a matter of process in this particular case that all three reports would be released at the same time. As much as the hon. member knows how capable I am in these situations, we have run into a couple of wrinkles, and we're not going ahead with it until we're satisfied that we have the government response. Also, I want to assure the hon. member that just in case – just in case – the leak came from anywhere near his domain, I will not change my agenda because of leaked documents.

MR. MASON: How convenient, Mr. Speaker.

Why doesn't the minister tell the Assembly before it adjourns for the season if he's going to accept or reject key recommendations of the MLA committee such as adjusting shelter allowances to market levels or using a market-basket approach to ensure that AISH and social assistance recipients can afford increases in the cost of living? There are many people in dire straits that have been waiting months and months and months for this, Minister.

MR. DUNFORD: In answer to the specific question the answer will be yes; we will be accepting some of the recommendations. We will be accepting other recommendations in principle, and we'll be modifying other of those recommendations. When we release all three reports, certainly it'll have the indication for each and every recommendation with it.

MR. MASON: How enlightening, Mr. Speaker.

This is to the Deputy Premier. Since Albertans had expected government action not only on the low-income programs review but also on the expert panel on delisting health services, the ambulance services review, and the adjudication of long-standing WCB claims, why is this government showing disdain for this Legislature by putting off these political hot potatoes until the Legislature has finished sitting?

MRS. McCLELLAN: Mr. Speaker, contrary to the methods that the third party might use, we look to having good consultations, making sure that we understand the issues, and having an appropriate response before we come out with these issues.

Mr. Speaker, the ambulance report was mentioned. This is a very complex area. It involves private ambulances. It involves municipal ambulances. It also involves some volunteer areas, and some hospital ambulances probably are still operating. It's important, when we take these issues on, that we approach them through the

consultation process and that when we have recommendations, we give those recommendations the courtesy of a thorough airing and discussion and respond with appropriate recommendations. This government has a history of doing that, and we will do it in all of these cases.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Ellerslie.

Future Summit Report

MR. JOHNSON: Thank you, Mr. Speaker. My constituents, the people of Wetaskiwin-Camrose, played an important part in the Alberta Future Summit 2002 consultation as I held two successful MLA forums in both communities last fall. I've been asked by many of these people for an update on what is going on with the Future Summit following the February 4 and 5 gathering in Red Deer. My question is to the Minister of Revenue. As co-chair of this public consultation initiative when do you expect the Future Summit final report on those strategies and ideas for action Albertans deliberated over to be presented to government?

2:30

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. The Member for Wetaskiwin-Camrose is right. He participated substantially throughout the process of the Future Summit consultation last fall and through Red Deer on February 4 and 5 of this year. As well, many of the members of this House have participated as well as Albertans all across this province. It's been an outstanding process. We anticipate that the report should be delivered to us by the end of May. It was co-chaired by the Alberta Economic Development Authority and the government. Doug Mitchell, the other co-chair, and I will be looking forward to receiving that report in the last week of May.

MR. JOHNSON: To the same minister. As one of the publicized recommendations from the Future Summit was that government should establish some sort of revenue-balancing or leveling fund, can the minister give us an idea if government has examined this strategy?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. There were many great strategies articulated by delegates at the Future Summit. We look forward to getting the report so that we could look at those recommendations in more detail. We can say, though, in respect to that one concept of stability and sustainability and predictability of revenues and a stabilization fund or otherwise that we have been examining a revenue framework inside the Department of Revenue over the past year. There's also one other committee that's very instrumental in this; that's the Financial Management Commission, that's been appointed by the Minister of Finance, that's looking at some of these accounting and financial issues. We look forward to both of those reports in the near future.

THE SPEAKER: The hon. member.

MR. JOHNSON: Thank you. To the same minister. Skeptics would say that this report could end up on the shelf collecting dust. How are you going to ensure that this doesn't happen?

MR. MELCHIN: Mr. Speaker, it's been the commitment from this government and certainly from Premier Klein at the onset when this Future Summit consultation process was put out that we will review and act upon the strategies. We will take part. We will commit to a full response by government this fall. We're looking forward to having a chance to review it amongst our processes. But it doesn't stop just with the government; this is part of all Albertans. It's going to be everybody in all Alberta participating in the future and the formulation of those policies.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Olds-Didsbury-Three Hills.

Grizzly Bear Protection

MS CARLSON: Thank you, Mr. Speaker. Since 1997 I have been asking questions in this Assembly about the protection of grizzly bears. Each time the minister responsible assured Albertans that the government was monitoring and studying but made no commitment to action. Let's see if the government can improve on its record today. My questions are to the Minister of Sustainable Resource Development. Will the minister upgrade the status of the grizzly bear from "may be at risk" to "threatened with extirpation," as recommended by the Endangered Species Conservation Committee?

THE SPEAKER: The hon. minister.

MR. CARDINAL: Thank you very much, Mr. Speaker. That's a very important question. The recommendations from the conservation committee, which is chaired by the Member for West Yellowhead, I just received a while ago in my office. We're reviewing the recommendations, and I am in the process of forwarding a letter to the member indicating some of the changes that we'll be looking at in relation to that report.

In relation to the grizzly bear situation, Mr. Speaker, there are about a thousand grizzly bears in Alberta and another 40,000 grizzly bears in B.C., adjacent to Alberta. We have a well-managed hunting season for grizzly bears. Out of the thousand there are only about 15 taken out each year. This is something we need to monitor very closely. It is critical. It has to be monitored because one of the dangers of the wildlife out there today – and a lot of us may not be aware of it – is that a lot of the animals become too tame and urbanized, which in turn is creating a major problem to our urban centres and also to the public out there as far as safety. So I believe that a balanced hunt and a balanced protection of animals is necessary for the benefit of the animals also, not only the public.

MS CARLSON: Mr. Speaker, will the minister make a commitment to reviewing and upgrading the status by the end of May, which is what the committee has been requesting?

MR. CARDINAL: No, Mr. Speaker. Again, you know, the Liberal way would be just to close it, to just close everything down. That's the way the Liberals go. We don't do that. What I said earlier is very, very important, that in order to keep our wild animals healthy and productive, we need to make sure they remain wild. What has happened in the past 10, 15 years is that a lot of our wild animals, including deer, elk, moose, cougar, wolf, and coyotes and other animals, have become too tame and are now in conflict with the public. In fact, with deer and elk alone last year there were 6,000 accidents with cars. Now, there is something wrong with our system. That is why it's so critical that we study the area, monitor the area, and make the proper decisions.

MS CARLSON: All these years and still no commitment.

Mr. Speaker, given that the minister stated earlier in this Assembly that he will be immediately initiating recovery plans for the grizzly bears, will he make those plans public and table them in the Legislature?

MR. CARDINAL: All I'm saying, Mr. Speaker, is that the recovery plan has to be flexible. Protecting animals the way we've protected animals here the last 15 or 20 years has worked to a certain extent. In fact, maybe it's worked too well. The animals have become too tame, and we have too many on our roadways, too many on our farms, and too many in towns wandering all over amongst the people. So there has to be a balance. It's very important that the animals remain wild for their protection.

head: Recognitions

THE SPEAKER: The hon. Member for St. Albert.

Dr. Linda Pilarski

MRS. O'NEILL: Thank you, Mr. Speaker. On April 5, 2002, Dr. Linda Pilarski was awarded the prestigious Cinader award at the annual meeting of the Canadian Society for Immunology in Blue Mountain, Ontario. The Cinader award, the top immunology award in Canada, is given annually in recognition of excellence in scientific research and contributions to the field of immunology, the study of the white blood cells that protect our bodies against infections.

Dr. Pilarski, a resident of Spring Lake, is professor of oncology at the University of Alberta and senior scientist at the Cross Cancer Institute. She previously received the YWCA woman of distinction award in science and technology as well as a McCalla professorship and a Killam professorship from the University of Alberta. She has published over 150 papers in scientific journals. Dr. Pilarski and her colleagues are currently working in the field of nanobiotechnology, the science of the very, very small; in this case, manipulation of individual molecules from individual cells to design devices able to provide rapid automated testing for genetic abnormalities in aggressive cancer cells.

THE SPEAKER: The hon. Member for Calgary-Bow.

Grant MacEwan Literary Awards

MS DeLONG: Thank you, Mr. Speaker. I rise today to recognize the recipients of the Grant MacEwan author's award and the Grant MacEwan young writer's scholarships, who were honoured at the 2002 Alberta book awards on May 11. It was my pleasure to attend this event on behalf of the Minister of Community Development.

The Grant MacEwan literary awards were launched by the Alberta government in recognition of the late Dr. Grant MacEwan and his achievement in literary excellence. A prominent writer, politician, and historian, Dr. MacEwan was very involved with the development of culture and education in Alberta, and the awards help to nurture Alberta's literary talent in the spirit of this legacy. Every year an author's award of \$25,000 is presented to an Alberta writer for a book that is reflective of Alberta and Dr. MacEwan's interests, and scholarships of \$2,500 are presented to four young Alberta writers for essays of the same criteria.

There was a tie for the Grant MacEwan author's award, and the winners were Ken McGoogan of Calgary for *Fatal Passage* and Aritha van Herk of Calgary for *Mavericks*. The young writer's scholarships winners are Sarah Beamish of Edmonton, Timothy J.G. Cole of Calgary, Lindsay Stamhuis of Edmonton, and Brenna D. Wilson of Edmonton.

Thank you.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

2:40 **Alberta Cattle Commission**

MR. JACOBS: Thank you, Mr. Speaker. I'm pleased to rise and give recognition and congratulations today to the Alberta Cattle Commission for being a winner of the 2002 international gold quill awards announced by the International Association of Business Communicators, sponsored by Mercer Human Resource Consulting. "We are honoured to receive this award, especially with it being an international award where we were judged against entries from around the world," says Joanne Lemke, Alberta Cattle Commission manager of public affairs. The Alberta Cattle Commission captured a gold quill excellence award for the refreshed If It Ain't Alberta, It Ain't Beef image campaign presenting real women from the industry, the RancHERS, as ambassadors for Alberta beef. "It was a total team effort, involving our staff, our promotion committee of cattle producers, our agency partner Communication Incorporated, and of course the RancHERS," adds Lemke.

The Alberta Cattle Commission was specifically acknowledged for media relations and the profile created by the Alberta beef campaign. The campaign competed among other projects in Australia, Belgium, Brazil, Canada, China, Croatia, England, Hong Kong, Japan, Mexico, the Netherlands, New Zealand, Philippines, Saudi Arabia, Scotland, Slovenia, South Africa, Switzerland, and the United States. Winners will be honoured at a gala banquet on June 10, and winning work plans will be on display during the International Association of Business Communicators 2002 international conference.

Thank you.

THE SPEAKER: Hon. Member for Edmonton-Ellerslie, you can have two minutes.

Vaisakhi Day

MS CARLSON: Thank you very much, Mr. Speaker. Today I would like to recognize the Edmonton Sikh community, who celebrated Vaisakhi day with a religious parade through the streets of Mill Woods on Saturday. Vaisakhi, the birthday of Khalsa, comes about this time of spring. It's close to the Christian festival of Easter and Jewish Passover, both festivals celebrating spring, goodwill, and new beginnings. Vaisakhi, traditionally on April 13, is a traditional harvest seasonal festival of northern India. The harvesting of wheat is started at this time and is considered a harbinger of wealth and prosperity. It is important and celebrated by all communities in India, but within Sikhism it has special significance. On this day the Tenth Guru, Guru Gobind Singh, created the order of Khalsa.

Thousands of people lined the streets in Mill Woods on Saturday between Gurdwara Siri Guru Singh Sabha on Gurdwara road and Gurdwara Mill Woods to witness hundreds of participants, and the parade included sword-fighting demonstrations, music, and floats. We congratulate the community and particularly the organizers on the successful completion of the fourth annual Nagar Kirtan parade.

THE SPEAKER: The hon. Member for Lacombe-Stettler.

Multiple Sclerosis Awareness Month

MRS. GORDON: Thank you. May is Multiple Sclerosis Awareness Month. Canada has one of the highest rates of MS in the world with Alberta having the highest prevalence in all of Canada, and closer to where I live, one of the neurologists practising in Red Deer estimates, between eight and 10 David Thompson health region residents are diagnosed with MS each month. Although the cause of MS is unknown, its course unpredictable, and its cure is as yet

undiscovered, many exciting strides have been made. We now have some exciting new drug therapies that are helping considerably, particularly those afflicted with the relapsing/remitting type of MS. The MS Society continues to be a leader in funding much-needed MS research in Canada. However, as this research is very expensive, fund-raising is necessary. Many fund-raising events will be held across Alberta this month and next – bike tours, super city walking tours, charity golf tournaments, and of course the annual carnation campaign – where dollars raised could well blossom into a cure. As honorary spokesperson for the central Alberta chapter, whose bike tour will be held on June 22 and 23, it is contingent upon me to encourage you, your family, and your friends to participate in one of these most worthwhile events. MS lives here. Can we count on you?

THE SPEAKER: The hon. Member for West Yellowhead.

Dr. Stuart Iglesias

MR. STRANG: Thank you very much, Mr. Speaker. It is a pleasure to rise today to recognize one of my constituents, Dr. Stuart Iglesias, a Hinton area physician, who is the first recipient of the new rural physician distinction in practice award. Sponsored by the government's Alberta rural physician action plan, the rural physician distinction in practice award honours all rural physicians who provide outstanding medical service to Alberta's rural communities every day.

Dr. Iglesias was selected as the 2002 recipient for his superb contribution to rural medicine, rural anesthesiology, and obstetrics. Aside from running a busy family practice for the past 18 years and teaching family medicine at the University of Alberta, Dr. Iglesias has also found time to volunteer for a number of community organizations.

Dr. Iglesias will receive his award June 19 at a celebration cohosted by the Alberta rural physician action plan and the Hinton community. I'd ask all to join me in recognizing Dr. Stuart Iglesias, recipient of the rural physician distinction in practice award.

Thank you.

Beverly Towne Community Development Society

MR. MASON: Mr. Speaker, I rise to recognize an outstanding organization in my constituency of Edmonton-Highlands. The Beverly Towne Community Development Society are recipients of the Solicitor General's community crime prevention award. Beverly Towne Community Development operates the youth options program, an initiative that identifies the needs of youth at risk and provides them with alternatives, those being recreational activities.

Colleen Fiddler and Lorne Demchuk, two staff members, develop activities such as a summer golf program, a Friday night basketball program, and a number of others. As well, they oversee the youth council, who has taken on some interesting projects: a community garden project and a toxic materials roundup day. My congratulations to them for receiving this award and for the fine work they are doing in Edmonton-Highlands.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 82 Albertans petitioning the Legislative Assembly to urge the government to not delist services, raise health care premiums, introduce user fees, or further privatize the health care system.

Thank you, Mr. Speaker.

head: **Tabling Returns and Reports**

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited today with the office of the Clerk by the hon. Minister of Revenue: responses to questions raised on April 24, 2002, Department of Revenue, 2002-2003 Committee of Supply debate.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. It's my pleasure today to table the requisite number of copies of the Safety Codes Council annual report for the year 2001 as well as a commentary by the chair of the Safety Codes Council, Dr. Ken Sauer.

MR. DOERKSEN: Mr. Speaker, I also want to table copies of the 2000-2001 annual report of the Alberta Ingenuity Fund, which of course is the trade name of the Alberta Heritage Foundation for Science and Engineering Research. As usual, Members of the Legislative Assembly and all Albertans can get additional copies on the worldwide web at albertaingenuity.ca.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to table with the Assembly the responses to questions that were asked during the estimates on April 11 that I was unable to answer at that particular time. We now have the written answers.

THE SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I rise to table the requisite number of copies of a memo addressed to the government members' research team.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. I rise today on behalf of the Minister of Community Development to table with the House five copies of a document from Human Resources and Workers' Compensation Consulting regarding Bill 26.

Thank you.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I have two tablings today. One is from the town of Carstairs and the other is from the town of Didsbury. They are both resolutions of nonsupport for the Kyoto protocol, and the appropriate number of copies are all here.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I rise today to table copies of 87 letters from people who want the Minister of Sustainable Resource Development to adopt the recommendations of the Endangered Species Conservation Committee regarding grizzly bear protection.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I'm rising to table the

appropriate number of copies of what I think is an enormously important document brought to my attention by a constituent. It's a new physician charter that was simultaneously published in February in both the *Lancet* and the *Annals of Internal Medicine*. It was developed through an international effort including the European Federation of Internal Medicine, the American Board of Internal Medicine, the American Society of Internal Medicine, and the American College of Physicians, and I recommend it to anybody who's interested in health care.

Thank you.

2:50

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to make two tablings today. They are both letters. I have appropriate copies of the first letter that's written by Ms Marie Miller, president of the ladies auxiliary to the Grimshaw/Berwyn and district community health centre, addressed to the Minister of Health and Wellness. Ms Miller is expressing deep concern about the future of their hospital in view of the proposed budget cuts being made to the Peace health region.

The second tabling, Mr. Speaker, is a letter from Mrs. Marlene McCann, chair of the joint board, Coaldale United Church. This letter is addressed to the Chinook regional health authority expressing her congregation's serious concerns with the reduction of health services in Coaldale and the transporting of patients to other communities that this might cause.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I have two tablings today. The first is a letter from the Ital-Canadian Seniors of Edmonton. These seniors are very disappointed with the government decision to cancel the Edmonton Community Lottery Board funding.

The second tabling is a letter from Mrs. Audrey Marie Borden addressed to me. Mrs. Borden is a client of Alberta Easter Seals and is concerned with the hardships that disabled people like her are facing due to the government's elimination of community lottery boards.

THE SPEAKER: Additional members?

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you, Mr. Speaker. There are a couple of young women that are in the Legislature today performing job shadowing on this particular minister, and I'd like to introduce them to you and through you to the Assembly. We have Jolene Moscaluk and Andrea Matias. If they would rise and receive the warm welcome of the Assembly.

head: **Orders of the Day**

head: **Written Questions**

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, proper notice having been given on Thursday, it's my pleasure to move that written questions 5, 6, 7, 8, and 9 be dealt with today. It was already noted earlier that there are no motions for returns to come forward.

[Motion carried]

Health Care Premium Accounts

Q5. Dr. Pannu moved that the following question be accepted. As of April 1, 2002, what is the total number of employer health care premium accounts and the total number of individual/family health care premium accounts, and of the individual/family accounts what percentage are seniors' accounts?

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I'm pleased to respond on behalf of the hon. Minister of Health and Wellness and indicate to the member requesting this response and to all members that we will be accepting Written Question 5.

THE SPEAKER: The hon. member to close the debate.

DR. PANNU: I want to thank the minister for his response, Mr. Speaker.

[Written Question 5 carried]

Health Care Premium Accounts

Q6. Dr. Pannu moved that the following question be accepted. For each of the fiscal years 1999-00, 2000-01, and 2001-02 how many health care premium accounts were in arrears by one day or more, by three months or more, and by one year or more, what is the total amount of those arrears in each of these three fiscal years, and what percentage were employer accounts, individual/family accounts, and seniors' accounts?

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again on behalf of the hon. Minister of Health and Wellness I'm pleased to advise all members that the government will be accepting Written Question 6 under the hon. member's name.

THE SPEAKER: The hon. Member for Edmonton-Strathcona to close the debate.

DR. PANNU: Thank you, Mr. Speaker. I again rise to express my appreciation for the government's acceptance of Question 6.

Thank you.

[Written Question 6 carried]

Students Finance Board

Q7. Dr. Pannu moved that the following question be accepted. Upon completion of studies what was the average debt load of postsecondary students who had received assistance from the Students Finance Board in the fiscal years 1990-1991, 1995-1996, and 2000-2001?

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. In keeping with this government's spirit of openness and accountability, we'd be more than happy to accept this question.

THE SPEAKER: The hon. Member for Edmonton-Strathcona to close the debate.

DR. PANNU: Thank you, Mr. Speaker. I'm really delighted to hear from the Minister of Learning that he's open to answering such questions. I appreciate the fact that he accepts this question without reservations.

Thank you.

[Written Question 7 carried]

Human Rights Complaints

Q8. Dr. Pannu moved that the following question be accepted. What was the average waiting period from the filing of a complaint with the Human Rights Commission to conciliation in the fiscal years 1990-1991, 1995-1996, and 2000-2001, and what was the average waiting period from conciliation to investigation of a human rights complaint in these same fiscal years?

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, this is a very well-intentioned question, and quite frankly it's one which I've spoken with the member about and we're going to accept with some amendments. I understand that those amendments have been circulated to all members present, and in fact I did have a bit of a discussion with the hon. member. I would like for purposes of the record at the appropriate time to explain why the amendments are necessary. In the meantime what I'd like to move is the amendment, if that would be in order.

The amended written question would read as follows:

What was the average waiting period from the date a complaint was accepted by the Human Rights and Citizenship Commission to the date the file was assigned to conciliation in the fiscal years 1999-2000, 2000-2001, and 2001-2002, and what was the average waiting period from the date conciliation was concluded to the date complaints were assigned to investigation in these same fiscal years?

Mr. Speaker, speaking to the amendment, if I might just proceed, I just thought it would be beneficial to share with members of the House what prompts the amendments, just to be clear. First of all, when accepting a question, we need to put it into the proper parlance of what it is that is being sought here. I just say that because since we started a new tracking system called CHRIS, which is patterned after the Canadian human rights information system, some of the wordology has changed ever so slightly. The first part of this amendment deals with striking out, for example, "from the filing of a complaint with" and substituting the words "from the date a complaint was accepted by." This amendment aligns the written question with the different stages of complaint handling within the Alberta Human Rights Commission such that potential complaints, when they are submitted to the Alberta Human Rights and Citizenship Commission for review and assessment, undergo a bit of a testing, if you will, because not all complaints, when they are first brought to the attention of the Human Rights and Citizenship Commission, are necessarily accepted by the officers who work there.

Of course, the logical question is: well, why not? Part of the

answer, Mr. Speaker, is because some of those complaints that are referred to the Human Rights and Citizenship Commission may fall outside the commission's mandate or jurisdiction, that is quite common, or perhaps the complaint, at the time it was made, was not made within a certain time period that may or may not be applicable in that particular case. So once staff members do speak with or review with a potential complainant the nature of that particular complaint, then they determine whether or not it is accepted, and then the process starts from there.

Adding the words "and Citizenship" before the word "Commission" simply clarifies the exact body.

By striking out the words "to conciliation" and substituting "to the date the file was assigned to conciliation" is one other point I'll comment on briefly. This amendment aligns the written question again with the different stages of the complaint-handling process. A complaint that is accepted by the commission may not be immediately assigned to conciliation. The amount of time that it sometimes takes for the conciliation process itself will of course vary among the different files, and it's also dependent on the parties and the progress they're able to make amongst themselves.

3:00

The second last change, Mr. Speaker, deals with the fiscal years that were requested versus the years being advanced. I should say that the information that has in fact been requested is simply not available in the form that you would like for the years prior to 1999-2000 because, to be very clear, data from previous years was not converted into the commission's new case management system since it came into force in 1999-2000. That's the CHRIS system. Although the commission did have a case management system prior to CHRIS, it did not provide the type of information in the form and manner in which the member was originally asking. So even if performance indicators such as were requested were available for earlier years, it just wouldn't be comparable to the 2001-2002 year, for example, for which we have the most current information.

The complaint resolution process, Mr. Speaker, has undergone some major changes and some very good improvements since that time. For example, the term "conciliation" and the term "investigation" are now separate processes. They used to be sort of wound together, but they were not separate processes back in 1990-91, which I think is the first date the hon. member was inquiring about. Today they are separated, and they're much more easily identifiable and distinguishable for it.

The final point, Mr. Speaker, is the request in my amendment to strike out "from conciliation to investigation" and substitute "from the date conciliation was concluded to the date complaints were assigned to investigation." Again, this amendment would align the written question with the stages of the complaint-handling process, because if conciliation is not successful or in some cases even if it's declined by either of the parties in question, then the complaint may be assigned to investigation. So there may be a waiting period between the completion of the conciliation stage and the assignment of the complaint to the investigation stage by a human rights officer, and that primarily is due to a very large volume of complaints that the commission might receive in a given period of time for processing.

Those are the reasons, for the record, Mr. Speaker, with respect to why the amendment is posed in the way it is. I want to just conclude by saying that I've always tried to make as much information available on all the questions. On behalf of the ministry I that represent, I think we can say that we've always tried to be very forthright and very forthcoming with responses to these questions, particularly when we're dealing with as sensitive an area as human rights.

So, hon. member, I'm doing the best I can to provide the information, and I hope that's acceptable to you, as we discussed last week. Thank you, Mr. Speaker.

THE SPEAKER: On the amendment. The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. First off, I want to thank the minister for the detailed explanation that he's given for the amendments that he's proposing but in addition for the personal consultation that he engaged in with me prior to today. So thank you, hon. minister, for both of those acts of kindness.

Some of the amendments that the minister is proposing are most reasonable. They make sense. For example, amendment (b), adding "and Citizenship" before "Commission": that's the official title of the commission. So that's fine. Some of the others are clarificatory, and in that sense they're helpful.

I have concern, however, with the problem that the new tracking system has caused with respect to your ability to address my question going back to '90-91, and I want to explain to you why I sought the information at five-year intervals, from '90-91 to I think '95-96, and then 2000-2001. It was to give us some sort of measure of the changes in response time, if there are any, from the initiation of the complaint to the conclusion of the complaint, and I'm sure you would be as much interested in finding out whether or not that time period has gone up or shrunk.

The question was initiated or instigated in the first instance because I had received some complaints in my constituency office from a few of my constituents who complained about the fact that they didn't really know, since there is no regulated or legislated period within which the commission must respond and conclude the investigation, the whole process. They were very frustrated in the fact that they didn't know how much time it takes typically for complaints to be heard so that they could compare their own waiting period with that and see whether or not that's reasonable. Given that, that was the reason for the request going back to '91.

Just because the data from the period prior to '99 cannot be easily converted to the new tracking system that you use in my view is not a good enough reason not to try and put that kind of information up front, make it public so that those judgments can be made by Albertans who are concerned about the way the commission works, especially because the commission's resources have remained frozen over the last 10 years and in fact have slightly declined over the last three. That's why people wonder whether or not the ability of the commission to address their concerns and complaints in a reasonable time is being eroded by the freezing of the resources of the commission, thereby impairing the ability of the commission to do precisely what Albertans expect this government to do, which is to make sure that human rights violations or complaints related to those are addressed fairly and accurately and in a reasonable time. So I'm disappointed, and I find it difficult to support (d), number 4 in your proposed amendments, Mr. Minister.

And the last point I want to make, Mr. Speaker, has to do with the last part, which says: by striking out "from conciliation to investigation" and substituting "from the date conciliation was concluded to the date complaints were assigned to investigation." When the minister spoke to me last week about this matter, I wasn't able to point out to him why it is that I find it difficult to accept this part of the amendment, but I've thought it over, and at least for those cases that move from initial probing to the acceptance of the request, for those I think we need the data going all the way back from the day the initial complaint was received through the date of acceptance and from that point on forward to the conclusion of the matter, whenever

that ends, whether it ends at conciliation or whether it ends at investigation later on. I don't know why it would be difficult for the minister to provide the information on those cases which ultimately get accepted, to go all the way back to the date from which the complaint was first received to the day the complaint was finally disposed of.

Thank you, Mr. Speaker.

THE SPEAKER: Recognition of the hon. Deputy Government House Leader at this time would conclude the debate on this amendment. The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I don't wish to prevent others from speaking at this stage, but maybe they'll speak at the next stage. I thought it would be important just to shed a little bit more light on the hon. Member for Edmonton-Strathcona's points and specifically some of the questions that he raised. I want to be perhaps clearer than maybe I was. I thought I had been, but maybe I wasn't as clear as I had hoped to be.

The information that is being requested that goes back to the 1990-91 period theoretically in a perfect world could be found and brought forward, but, hon. member, honestly, the amount of time it would take to go back and reconvert that information that you are requesting, the length of time that it would take to do that – the cost, the time, and the number of staff people that we have there – would simply be, in my view at least, an unbearable length of time. Just because the two systems – the one we use today and have been for the past three years is now more of a nationally based approach. When I compare that with the business of getting on with the complaints that are before the commission and respecting its independence and letting it do its own thing and so on, simply suggests that we'll give you what we can that can be done in a reasonable period of time. I think that when you see the information that might come forward, the point that you are trying to address will show up, and that is: what is the government's record, if you like, in terms of how quickly some of these cases can be dealt with?

3:10

With respect, then, to the specific point about the response times having perhaps what you might call bookends, Mr. Speaker – in other words, from the date something is received – can we put in stone a certain date by which it must be resolved? I wish, I truly wish that were possible, but the types of cases that come forward – and while I don't ask for this information, I do have people writing to me about their particular cases, so I am familiar in that vicarious way with some of the cases that might be coming in from time to time. Having looked at all of that, I can tell you with some great assurance that some of the cases are indeed very complex. I don't know where one would begin to say justice had been served if you put a time limit within which it must be reviewed and done.

My experience – and I've been through this as a private member, and I'm sure you have as well – is that you want to be thorough about it. Obviously, you want to be expeditious and expedient, but you want to be so thorough about it. I fear that we would be perhaps risk being counterproductive if we put too firm a time line on it. Nonetheless, the point is made and accepted by the hon. member asking it that we do need to be more vigilant about the time frames taken here, and I think that's really what is sort of at the heart. So I will undertake, when this information comes out, to not only share it with you but to speak with you again about it and see what we can do to address those areas in need.

The other issue, Mr. Speaker, is with respect to the point about the different methods used to arrive at some form of resolution. Perhaps

it should be stressed that the first attempt to resolve a complaint, as I understand it, is the conciliation approach. That is the first thing that happens. This is voluntary. It's a nonadversarial approach to resolving these disputes. It involves having a neutral person or a conciliator, which, as most members should know, helps both the complainant and the respondent to identify the issues, to discuss the factors surrounding the issues, and to generate possible solutions. I should say that the objective of conciliation is simply to reach a settlement which is acceptable, totally acceptable or for the most part acceptable to both parties without having to go through the other stage, which would be investigation. Nonetheless, investigation is another method of resolving.

Just very briefly for the record the investigation stage is an impartial gathering, an impartial collection, an examining of the facts that surround the points raised by the complainant and within the complaint itself. The objective of investigation is to try and determine whether or not the complaint has merit. If the complaint does have merit, then obviously a different route may be taken. An investigation that is conducted if conciliation is inappropriate, unsuccessful, or declined by either party could well be the outcome. If the hon. member likes, I could provide you a little bit more in writing to augment that, or we could chat about it as we did before.

Having said that, Mr. Speaker, I do want to conclude just by saying that human rights are very fundamental. They're extremely important to all of us, and we're doing everything that we can to ensure that those rights are not only protected but that when those complaints about potential human rights violations are received, they are dealt with as expeditiously as possible.

In my final comments I just want to say that I also respect the independence of the Alberta Human Rights and Citizenship Commission. They're doing I think a very good job in addressing this most fundamental and most important area of all. So I hope that that gives a little bit more information with respect to why we are hoping to proceed with this amendment and why I hope it will carry some favour in the end with all members of the House.

Thank you.

THE SPEAKER: All parliamentarians in the House will have noted that the last series of comments from the hon. Deputy Government House Leader were entirely out of order as they violated Standing Order 25(2) whereby "no reply is allowed the mover of an amendment." There was such great synergy here this afternoon in the House that we proceeded with it, but we will not consider this to be a precedent for the future.

So we currently have before the Assembly an amendment to Written Question 8 as moved by the hon. Minister of Community Development.

[Motion on amendment carried]

THE SPEAKER: The hon. Member for Edmonton-Strathcona to close the debate.

DR. PANNU: Mr. Speaker, I just want to thank the minister for the undertaking that he has given to me. We will work together to resolve some of the concerns that I have, and I hope I won't have to bring further questions to the House in written form on this issue.

Thank you, Mr. Speaker.

[Written Question 8 as amended carried]

Health Care Premiums

Q9. Dr. Pannu moved that the following question be accepted. Of the moneys the government received from health care

premiums for the fiscal years 1999-2000, 2000-2001, and 2001-2002, what amount was remitted by employers, and of that amount how much was paid by employers on behalf of employees?

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's my pleasure on behalf of the hon. Minister of Health and Wellness to indicate to the House that both he and the government will be accepting Written Question 9 as requested.

THE SPEAKER: The hon. Member for Edmonton-Strathcona to close the debate.

DR. PANNU: Thank you, Mr. Speaker. I want to thank the Minister of Health and Wellness and the Deputy Government House Leader for this good news, particularly the Deputy Government House Leader for being the bearer of the good news.

Thank you.

[Written Question 9 carried]

head: **Public Bills and Orders Other than
Government Bills and Orders
Third Reading**

**Bill 206
Fisheries (Alberta) Amendment Act, 2002**

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. It is with pleasure and some relief, I'll admit, that I rise today to move and begin debate on Bill 206 as it is read a third and final time.

I would like to start by thanking all the members of the Assembly for their thoughtful contributions to the debates that have taken place about the Fisheries (Alberta) Amendment Act, 2002. There have been a great deal of valuable ideas that have come forth from both sides of the House as we have discussed this legislation, and I am pleased that all members of this Assembly have taken such an interest in the idea.

I think that the high level of interest has been generated out of the necessity to find sustainable solutions for Alberta fisheries. For many years now Albertans, aquaculturists, commercial fishermen, and anglers have expressed their unending frustration with an unchecked predator that has hindered the stability and growth of Alberta fishing. As I have said before, this legislation will help promote and support growth in Alberta's fishing industry in conjunction with responsible fishing. It is one piece of the puzzle that we hope can align with other initiatives to enhance and help Alberta fisheries become more sustainable.

As members of this Assembly we are all aware that Bill 206 deals primarily with pest control. As we have discussed repeatedly, the double-crested cormorant has been identified as a major pest in my constituency. Preyed upon by rats and snakes, the cormorant has no natural predators in northern regions of our province. The absence of a natural check and balance for this species has allowed it to flourish at an incredible rate. The overwhelming numbers of birds are helping deplete our fish stocks to dangerously low levels.

3:20

Stop for a moment to consider that we have been stocking the lakes and streams around the province for decades in order to combat low fish stocks and instill stability. With each attempt to

encourage fish population growth, there has been a marked and corresponding increase in activity of cormorants. Mr. Speaker, this leads me to believe that the stocking strategy that has been used has unintentionally provided cormorants with an easy food supply. I think that this legislation is an excellent complement to those worthwhile stocking strategies while stopping its negative consequences.

[Mr. Shariff in the chair]

Mr. Speaker, in a four-lake area in my constituency last year there were approximately 46,000-plus cormorants, and it is estimated that they consume about 6 million kilograms of fish each year, realizing that all are not edible, game, or sport. This figure far surpasses the fish limit of 465,000 kilograms placed on commercial fishermen over a 25-lake area in the zone; in fact, 12 times the commercial limit.

AN HON. MEMBER: How many times?

MR. DANYLUK: Twelve times.

Mr. Speaker, I think that we can all see that figures like these clearly show that there is a problem, and we need to address it. In the same manner that Alberta farmers have the ability to control pests that prevent them from achieving maximum efficiencies in their agricultural endeavours, Alberta's aquaculturists will be able to practise the same manner of control over pests that affect them. Through this legislation I think we can recognize the importance of the Alberta fishing industry.

Pests come in all sorts, Mr. Speaker, whether they are mosquitos in the park, gophers in the field, or coyotes in the pasture. We have come to accept that pests like the ones I have just mentioned need to be controlled. The cormorant is another pest just like them, and it is essential to the stability of Alberta fisheries that we start to implement measures of control over the cormorant.

Alberta is not the first jurisdiction to acknowledge these foul fowl as a problem. U.S. Fish and Wildlife has begun searching for options to deal with the cormorant problem south of the border. The affected area stretches from Texas to New York and over to Oregon and into Canada. It is definitely not localized. The birds are a real problem, Mr. Speaker, and I am thankful that there is enough support for us to begin dealing with them here.

This legislation has not been brought forward on a whim. This legislation has been drafted and debated because of a problem that is the most prevalent in northern Alberta constituencies in this province. My constituency is especially troubled, and that was my initial motivation for bringing Bill 206 forward. I have now been educated to realize that we are not isolated.

I would like to ask the members of this Assembly to join me in support of the Fisheries (Alberta) Amendment Act. Your support is essential to the sustainability of Alberta fisheries.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am happy to address Bill 206 at third reading. I had an opportunity to speak to it earlier when it was introduced in second reading and subsequently an opportunity to talk to a number of organizations and people since the time of its introduction. What I have discovered is more people and more organizations who don't like this bill than those that we had first listed when we debated this in second reading. To the credit of the member who introduced this bill, I know that he has done some follow-up with some of those organizations, so I was a little

surprised with his opening comments, that as part of this educating process he didn't refer to the concerns that they had shared with him. Perhaps he should have addressed those concerns as he wrapped up his comments on this bill. So that's too bad. Perhaps someone else in that caucus will bring those concerns forward.

The Member for Lac La Biche-St. Paul is correct when he says that there is a problem with fish stocks in this province, and I have been talking about that problem since 1993 in this Legislature. [interjections] Well, it's too bad – I know that the Member for Drayton Valley-Calmar likes to just barge into debate without standing and taking his place – but this isn't the right thing to do, to bring in this kind of a bill.

This isn't actually solving the problem. This is addressing a symptom, not the actual problem. We have talked for years about what the basic underlying problems are surrounding fish stocks, and I commiserate with the Member for Lac La Biche-St. Paul, particularly for his commercial fishing people in the region who rely on fish stocks for their livelihood. What we have here are classic problems, most of them stemming from the government's lack of action on addressing what has been a growing problem here in this province.

We see problems that have contributed to this fish issue of unlimited harvests. We've seen supplies that have been decimated. A lot of it is a problem with staffing in the department. There hasn't been consistency or co-ordination. The department's been renamed, reorganized, economized, downsized, privatized. Knowing what the responsibilities are and having the adequate staff to follow through and monitor have been a particular problem with this department. We haven't seen any continuity even in the restocking that they've done.

In the time that I have on this particular bill I would like to address some of the concerns that were brought forward by the Alberta Wilderness Association. I'm hoping that the Member for Lac La Biche-St. Paul also got a copy of their release. He didn't refer to it in his comments, but then he didn't refer to any of the conversations that he's had with the people who are opposing this bill. The Alberta Wilderness Association released a press release on May 1 with Bill 206, the Fisheries (Alberta) Amendment Act, as the subject. The title of their press release is "Bill 206 is a Red Herring," of course quite an appropriate name for this particular bill. What they talk about here is that this private member's bill actually creates the impression that the government itself is doing something on this legislation. Now, I know that private members don't represent government position officially, but we often see private members' legislation introduced in this Assembly that subsequently is at least a trial balloon for government policy that comes down the road, or sometimes it is used as kind of a band-aid solution to address a bigger problem.

Their concern here is that this private member's bill "gives the appearance that the government is doing something to protect our fisheries" and that it "treats the symptoms not the causes." I completely agree with that statement, Mr. Speaker. I believe that that is what's happening here. They talk about this bill allowing "the Minister to order any regulated measure to deal with any animal or bird that is deemed a threat to fish or fish habitat." This bill is a problem from more than just the cormorant's position. It

indiscriminately covers native and non-native species as well as natural habitat and fish farms. The bill is aimed at controlling increasing populations of double-crested cormorants and their predation on fish farms and lakes.

You would think that if that was the only species that they were specifically identifying and going after, it might not be quite as big a problem, aside from the fact that this is more of a feel-good measure than actually addressing the systemic problems here. What

Dr. Richard Thomas, who is the AWA spokesperson on this particular issue, says is that

targeting the cormorant is a real red herring . . . Studies done on Lake Winnipeg, and Alberta Fish and Wildlife Division's own data conclusively demonstrate that increased numbers of cormorants are actually a symptom and not the cause. The actual cause is human overexploitation of the province's fisheries.

3:30

He goes on to say that the ecological process being demonstrated is that "over fishing removes large predatory fish such as walleye and pike." We know that's been an ongoing problem. We know that that's been the subject of numerous studies by Alberta fish and wildlife. We know that that's part of the reason why now we're starting to see limits going into lakes and commercial fishing being stopped. One of the other processes being demonstrated here is that "baitfish populations, upon which the cormorants primarily feed, are 'released' from predation and grow in numbers rapidly," and "cormorant populations expand in response to the greater availability of food."

In essence what they're saying is that the government's poor planning and inability to properly manage the fish stocks is the cause of the increase in the cormorant population. So now you're going to penalize a species and other species that haven't been causing problems, potentially, because the government hasn't been able to properly manage fish stocks, and that is the wrong answer to this particular issue. Dr. Richard Thomas goes on to state that he wonders if the member who introduced the bill "has stopped to consider that fishermen and industrial development regularly affect fish and their habitat." Sorry. That's not attributed to Richard Thomas; that's Jillian Tamblyn, the AWA conservation specialist.

"AWA recognizes the need to conserve and restore Alberta's fisheries," they state in their press release. "Better management of fishing pressure, native fish stocks and habitat protection should be the core of any new legislation," says Tamblyn. "Fish farms and ponds are not natural systems and need to be looked at separately," she says. And that's very true. We now start to see some preliminary measures occurring within the responsible department on this issue, but it's closing the barn door a little late, Mr. Speaker.

We're in a situation now where we've seen the only legislation that the government talks about bringing in are regulations that will be reducing the number of commercial fishermen in this province, and then because they're forced into a situation where these people are going out of business, the government is then going to pay them to get out of the business of fishing. So because of mismanagement over a series of years and one particular industry we see the government having to bail out business again. Totally irresponsible, lack of foresight, and too bad it had to happen in this province. It didn't have to go there at all, Mr. Speaker, had we started to address these issues much sooner than what actually occurred. I don't think the government has the answers now in terms of how to repopulate fish stocks in the province.

I talked to a number of people on the weekend who were very surprised that this would be the kind of legislation that would go through here in the Assembly. I would urge the Member for Lac La Biche-St. Paul to work closely with the Minister of Sustainable Resource Development in pushing him to ensure that we have a management and restoration plan in place as soon as possible for restoring fish stocks in this province, because it is certainly a very key issue. Many people make their living from fish in this province from a commercial perspective, from the commercial fisheries being able to keep some prices down in the next level of industry, which is primarily restaurants and resale. Also, fishing provides a great deal of tourism dollars to this province and recreational opportunities for people who live within the province.

If we lose this particular industry, Mr. Speaker, we are facing great economic losses, not to mention the kinds of problems that will occur in the food chain and ecological cycle of this province. So I urge people not to support this bill at this time.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to participate this afternoon in the debate on Bill 206, the Fisheries (Alberta) Amendment Act, 2002. I have listened to various speeches in this Assembly and have certainly read in the newspapers the accounts that some hon. members of this Assembly have had with the double-crested cormorant. If you look at a book on the birds of Alberta, Sangudo would be just on the extreme western section of its range. It certainly, from what I can read, has been a very destructive resident of Sangudo, and the range of this bird pretty well goes north of Slave Lake right to the national park at Wood Buffalo. Now, it will reside in our province from April through October. There are quite a few claims made about its consumption of fish, but I believe that habitat and species management certainly goes beyond giving permission to destroy birds on Crown land.

I've been looking at the information that's available on this bird, and certainly they do have anywhere between, Mr. Speaker, two to four eggs in the nest. I don't know what proposals have been made or whether it's been a consideration that there be just complete nests destroyed or whether there be eggs removed from the nests. I don't know what is the answer, but I'm not convinced that we have taken all the measures that are necessary. The cormorant populations are a concern, as I understand it, across Canada. In the United States the cormorant can be easily seen on the Seal Rocks near San Francisco at Cliff House or even on the coast of Maine. They're almost on every buoy and channel stake in the harbours in Florida. But to think that they are the reason for the decline in our fish stocks I think may be overstated.

Now, I don't know what sort of research has gone into the drafting of this legislation, whether there is scientific background to this. Certainly the hon. Member for Lac La Biche-St. Paul quoted the tonnes of fish that have been consumed by these birds, but there are other factors, I believe, in the decline of our fish stocks. We look at the increase in forestry. We look at oil and gas development. We look at irrigation projects. They would certainly all threaten in some way fish habitat.

I think we should get more information before we pass this bill on just exactly how the cormorant is impacting fish stocks. To order the destruction of an animal or animals based on hunches or hearsay I don't think is sufficient. I would question this government in how many resources have been utilized to determine the status of fish stocks across the entire province and how much of this science-based research has been done to determine why stocks are at the current levels. Is it simply the diet of the cormorant, or is it a series of factors?

3:40

Now, we look at question period a little earlier in this session, Mr. Speaker. There were certainly questions directed to the government on their plans to buy back fishing licences, and this has to show that perhaps there is some cause for concern there for our declining stocks. I think we should be addressing these issues before we look at killing the cormorant. I mean, it seems quite odd that we would resort to this tactic.

The cormorant has large colonies as I understand it. My research

indicates that there could be up to 3,000 pairs. This bird certainly has family values, and I thought this was something that was relished and cherished by this government. The males have elaborate courtship dances, including dances in the water where he presents the female with material to build a nest. The male will also dance to mark out a nesting site for the couple. Now, most of these nesting sites, as I understand it, are at ground elevation, so if one wanted to remove one or two eggs from those nests, perhaps it would be easily done. I don't know how aggressively they defend their nests.

AN HON. MEMBER: Very.

MR. MacDONALD: They are very aggressive in defence of their nests.

Now, there is, as I said earlier, Mr. Speaker, a clutch between two and four and sometimes maybe more in that nest, but both parents take part in the incubation as well as care for the young. The young are covered in black down and certainly have aggressive appetites, eating food provided of course by the parents, and the young are fed about six times a day. Once they are about a month old, certainly with our climate here and the need to I guess fly south in October, development progresses quite quickly. The birds begin to fly about a month and a half after they are born, and they divide up into small groups. They feed during the day by swimming and diving for fish, and it's interesting that they swim and dive for fish so aggressively in Alberta, but in other areas where they're observed, they don't swim or fly too far from land. So they seem to be living differently, shall I say, around Cold Lake. They have problems where they have to dry their wing feathers, and for that reason biologists indicate that they don't normally travel great distances over water. Perhaps another hon. member of this Assembly can explain to me if they have different behaviours here, or is that just the narrative from fish and wildlife biologists?

Now, it's interesting, as I said, that the nests can sometimes be found in trees but are more commonly found along the ground in crowded colonial sites. This, at some time after there was research done, would perhaps be a suitable time to remove one or two eggs from the nest, but to shoot these birds I think is wrong, and I will not support this bill at this time.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make some comments about Bill 206. I think that if we first of all look at the background of the problem, there's really been little attention given to the cormorant numbers and very little attention given to the problem itself. There is, you know, the material that's been presented to us during debate. There's been little scientific knowledge brought to bear on the issue. Certainly there have been none of the kind of long-term studies that one might expect given the kinds of action that the bill proposes in terms of a particular species.

The history of the cormorant is that they were low in numbers when the sport fish populations of northern pike and walleye were healthy. So as long as those two species were plentiful, the numbers were always low, and populations only increased after northern pike and walleye stocks collapsed. The increased cormorant numbers are speculated, at least, to be more a reaction to the collapsed pike and walleye populations than the cause of the declines. Better management I guess is what the bill demands, better management of our fishery resources, and that in the long run is probably the best solution in terms of keeping the cormorant population in balance.

So I think there are a couple of issues. The fact that there hasn't been the kind of study that such a move as proposed in the bill would anticipate and the fact that the attributes given in terms of the increase in cormorants are maybe incorrect I think should lead us to have second thoughts.

One of the problems is that the provincial fisheries managers don't have the kinds of resources they need to conduct the field studies, the long-term studies that would be useful when we're trying to make a decision about supporting or not supporting the bill in front of us. If those managers did have the resources that they required, then there would be early warning signs. We wouldn't be left to find ourselves in the situation that we do today, having to react to what is in fact a crisis. We would have the kind of data that we need to make I think more appropriate long-term decisions. But it seems to be more typical of the province; they continue to move into a reaction kind of mode, particularly with the fisheries.

Since 1995 Alberta has had to put in place recovery plans for the bull trout, Arctic grayling, northern pike, and walleye. There's some indication that similar action is being planned for lake trout and yellow perch. So we seem to be in a position of having to react rather than to be in a position of having information that we use to plan and control and make better long-term decisions. I think most of those interested observers would agree that it's really time that the province got out of this approach to fisheries management – that is, a crisis management mode – and gave the kinds of resources that are needed to the provincial fisheries managers so they can do the job that one might expect of them.

3:50

I guess the message is that we should be doing the science first and that before you take action, you identify what the problems are and you put in place a management plan and you monitor what's happening. There are relatively few preliminary studies in terms of even the cormorant numbers and no studies we can come across that seem to study why the number of cormorants seems to be increasing. Again there isn't a provincial management plan for the cormorant, and that's really what's needed. There has been no real study of the preferred control methods, of what is the best way to control that population. It seems that we end up coming forward with management activities before we've properly studied the problem. Here we are putting in place control measures without really having any kind of information on the repercussions of that approach to the problem.

I think that we've all received a number of e-mails on this, and I have drawn my remarks from some of those e-mails, Mr. Speaker. One of the points that I think has been made is that if nothing else Bill 206 has really been very useful in terms of raising public awareness as to the kinds of fisheries and aquatic resource problems that we have. If for no other reason it's been useful in that public relations aspect.

I think it's also been pointed out to us that there is existing legislation where exactly the kinds of things that are anticipated under Bill 206 could have been done, and that's the federal Fisheries Act and Alberta's Water Act. Those two pieces of legislation allow for what's being done in Bill 206 and, furthermore, could provide many more benefits to Alberta's fishery resources than Bill 206 does. So there is existing legislation there. This action can be taken.

I think the other point that needs to be made, Mr. Speaker, is that we do need a long-term monitoring program for fish populations which includes water quality and water quantity studies and that it's not good enough to lurch from crisis to crisis. I think the government has an obligation to start to put the dollars back into the aquatic resources budgets that would allow them to do the job they are hired

to do and would allow them to begin monitoring and making sure that before laws like Bill 206 come before the Assembly the proper study and background work has been done.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Lac La Biche-St. Paul to close debate.

MR. DANYLUK: Mr. Speaker, I do have to answer a couple of questions; I'm sorry. First of all, I would just like to suggest to the members opposite that I have referred in the Committee of the Whole to some of the points that were brought up by a number of organizations. I would also like to suggest that this is not a presentation that was done on a whim. It was one that was science based. There is no doubt some question as to what is science based, because there are numerous groups and numerous organizations that have biologists, and I very much value their input.

I have also concurred with members opposite that my bill addresses a small part of the challenges that face fish populations and the attention and dedication that is needed to enhance fish stocks through the province. I would also like to suggest that the bill will support the positive initiatives that the government has taken. I would also say that no one has the exclusive answers for the fish stock challenges, but this government is doing something about it. I do not want to stand by and be part of the demise and the destruction of fish stocks and the collapse of our lakes. I believe that this bill does enhance fish stocks in Alberta, and it is a small part that I believe I can play.

Thank you very much.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 3:56 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Abbott	Herard	Oberg
Ady	Horner	Renner
Broda	Hutton	Shariff
Cao	Jablonski	Smith
Cenaiko	Johnson	Snelgrove
Coutts	Jonson	Stelmach
Danyluk	Lord	Stevens
Doerksen	Lougheed	Strang
Evans	Lukaszuk	Tannas
Forsyth	Lund	Tarchuk
Friedel	Masyk	Taylor
Fritz	McClelland	VanderBurg
Goudreau	McFarland	Vandermeer
Haley	Norris	Zwozdesky

Against the motion:

Carlson	Mason	Nicol
MacDonald	Massey	O'Neill

Totals:	For – 42	Against – 6
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[Motion carried; Bill 206 read a third time]

4:10

head: **Public Bills and Orders Other than
Government Bills and Orders
Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: I'll call the committee to order.

Bill 207

Alberta Wheat and Barley Test Market Act

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Chairman. It is my pleasure to rise today to speak on Bill 207, the Alberta Wheat and Barley Test Market Act. This bill would establish test market conditions for a 10-year period where Alberta farmers could operate within the freedom to sell their product to whomever they choose at any price under any conditions. I stand today in wholehearted support of Bill 207.

In this discussion there is important information that should be made known. The entrenched institution, the Canadian Wheat Board, which from hereon in I will refer to as the CWB, sustains myths and misinformation to guide our beliefs. Mr. Chairman, I am not prepared to accept the board's self-serving trade methods at the expense of our farmers' livelihoods and our grain industry. The farmers of Drayton Valley-Calmar and the farmers of Alberta deserve better.

With my time today I would like to analyze the current monopoly situation and put it in the much-needed perspective of current farming and distribution needs in Alberta. In doing so, I'll explore the benefits of Bill 207.

Mr. Chairman, this bill at its core is about the disruption of a monopoly. The benefits in this case would be widespread for Alberta farmers and eventually the Canadian grain market as a whole. Any situation where a monopoly exists legally or illegally breeds inefficiencies. That is to say that it encourages inefficient production simply by not rewarding innovation and personal cost efficiency. Further, by limiting supply, it certainly infringes on our growth. Economic profits go unrealized. This represents a dead-weight loss felt in the end by the farmers themselves. By untying their hands, these profits would be realized automatically and distributed efficiently.

Mr. Chairman, the monopoly situation can be clearly seen under certain conditions. Let's look at OPEC. The demand for oil is so steady and the product differentiation so limited that above-normal profits can be realized through collusion among parties. This end is undermined when a party either refuses to participate in the first case or turns on the original collusion agreement. We see these textbook monopoly cases mostly in global commodity markets where international law is undefined, and this collusion, generally illegal under fair business tribunals, is allowed to exist.

Here, Mr. Chairman, the CWB ensures complete participation; that is, farmers are forced, legally required to sell their grain exclusively to the CWB. Since 1919 farmers' choice to sell has been wholly dictated. The CWB's argument attempts to emulate the OPEC economic motivations. They say:

The delivery monopoly and the control it gives the CWB over the western Canadian inventory of wheat and barley are essential to carrying out the sales strategy . . . Without the monopoly, the CWB would be selling in direct competition with other sellers of Canadian grain. Such competition among sellers would quickly reduce the market price for a given quality of grain.

Mr. Chairman, this assumes too much. This assumes that the world market demands a homogenous product with a very steep demand curve. This assumes that Canadian downstream industries and consumers take the board's price as law when making their own business decisions. This assumes that innovation and market-affecting cost efficiency at the ground level are needed. This assumes that all competition is negligible with regard to its own pricing decisions, and this assumes that a monopoly seller does not limit effective selling or pricing options.

Mr. Chairman, first, we can agree that wheat products are in high demand. What differentiates this industry from a true monopoly situation is that great diversity exists and the market accepts and desires even more diversity. The argument for a monopoly structure doesn't hold when a product is sufficiently diversified. There is a growing market for variety and quality that is simply not being addressed under the CWB's control.

Secondly, under the CWB structure whatever price they say is the price that goes. Consumers and downstream agents take this price as given, heaven sent if you will, and make all individual decisions based on this given price. With such far-reaching effects from flour producers to transport ships to a family's loaf of bread, let us hope that the given price is indeed the most advantageous price. Mr. Chairman, this is simply impossible for the CWB to achieve. The only way to guarantee efficiency in this sense is to let market forces prevail and let the market itself determine the equilibrium price. So consumers and other downstream agents are paying inflated prices that ultimately skew consumer decisions, and in industry investment and research and development budgets can be affected also.

Thirdly, in this increasingly attractive and competitive global industry there is a distinct need for innovation, new developments, and cost efficiency. Currently under the CWB there can exist no independent reward mechanism. All of the product goes into a pool, and the price they give you is the price you get. So this offers no incentive whatsoever to improve methods or quality and no incentive to find new ways of doing things. In any other industry this restrictive policy would not be accepted.

Fourthly, we clearly do not find ourselves in a pure monopoly situation because the commodity market supports a few large players. In effect, we are operating within oligopoly conditions and pricing under a monopoly structure. So by giving farmers the freedom to sell privately, we will maintain our dominant output position and allow competition on price, variety, and quality.

My fifth and related point, Mr. Chairman, argues that selling limitations are tied directly to these pricing limitations. There are large markets available with increasing demand that simply cannot be fully captured by the CWB working alone. From port arrangements to term contracts to hedging agreements to trade provisions our industry would be better served if the farmers themselves were in control. For instance, a farmer could choose to set up long- or short-term contracts across a variety of markets.

Mr. Chairman, I urge the members of this Assembly to join me in my support of Bill 207. This bill will aid farmers across Alberta and encourage improvements throughout the industry. Over 80 percent of Alberta farmers want the ability to sell their grain to any buyer, which includes the Canadian Wheat Board, in domestic and export markets. Let's give them this chance. Let's get behind our farmers in this very significant and profitable local industry.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

4:20

MR. MASON: Thank you very much, Mr. Chairman. I rise to speak

against Bill 207. I know for many members opposite that's heresy, but it only underlines the fact that this is a religious rather than a political thing. It shows that the members have a religious belief in markets which is not borne out in any scientific way.

This is a bill which is intended to undermine and ultimately destroy the Canadian Wheat Board, and it is part of a government policy of favouring the growth of large-scale corporate farms at the expense of small producers. This bill will be in our view another nail in the coffin of the family farm in western Canada, and there are lots of people from all political walks of life who believe that preserving the family farm is something that is worth doing. I would remind the hon. minister of industry of that.

There are some very simple things that I think need to be identified. If you're selling a product and you're the only one that has the product and there are many, many buyers out there, the market power is with the seller, with you, and you can get any reasonable price for your product, depending on how badly the group of buyers needs it, but if there are multiple vendors of a product, in this case wheat, and only one or two buyers, then the power of course resides with the buyers. If you examine the market, it's the latter model that exists. There are many, many farmers who sell their grain to very few buyers.

The people who talk about the free market are the same people who make the mistake in the energy industry in terms of the production of electricity. Where there are so few producers, it's reversed. There are so few producers of electricity and it costs so much to be involved that in fact no real market can exist. In this case, eliminating the Canadian Wheat Board – and that's what this bill is really all about – will favour agribusiness. It will favour large-scale corporate farms, and it will accelerate the elimination of small and medium-sized farms in western Canada.

It attempts to set up a dual market. Now, it's interesting that the Canadian National Millers Association, which represents the value-added processing industry that this bill is supposed to help, argues that a dual market would create supply uncertainty and discourage value-added processing in Canada. The Canadian National Millers Association supports either an open market altogether or a single desk but not a dual market.

I want to talk a little bit about the myth, Mr. Chairman, that there are an unlimited number of buyers out there, that farmers will have a choice and be able to sell their grain, because in fact that's not the case. There are a relatively limited number of companies that will buy the grain plus some brewers and so on, but there's a relatively small number of potential purchasers of the grain. So to suggest that farmers will have a free market to deal with when they sell their grain is just completely false, and again it speaks to the fact that this is more an article of theology with some of the Conservative members than it is a scientifically proven theory.

I think that another myth that exists is that there would be greater choice, but in fact there are only a few multinational corporations, a handful of brewers and millers, as I said, and these processors themselves are constantly amalgamating and growing larger and fewer. Farmers are then expected to increase their efficiency by expanding their operations, and that doesn't actually increase production. It only reduces the number of farmers by having fewer farmers farming larger sections of land. So the Canadian Wheat Board is therefore not limiting choice. Rather, it's ensuring that farmers are able to put collective pressure on a small number of buyers.

Now, the federal Auditor General's report of February 27, 2002, found that the Canadian Wheat Board has been fairly successful at predicting prices and has increased its accuracy over the last three years. The Auditor General's report also notes that the market is

becoming increasingly complex because of global competitiveness and found that the Canadian Wheat Board's marketing capacity was a major strength.

Another myth that's being spread by proponents of killing the Wheat Board is that farmers will benefit from increased prices. The Canadian Wheat Board plays a key role in procurement and transportation, and without that, the farmer or the purchaser will have to bear those costs.

A myth also associated with the proponents of this bill is that an open market can coexist with the Canadian Wheat Board. Advocates of the dual market would like to take advantage of the risk sharing which is created by pooling while capitalizing on the occasional high prices in the cash market, and that would mean that when prices are high, grain would be marketed privately while the Canadian Wheat Board pool prices lag behind. When prices are falling, the pooling prices would again lag but this time would be above the prices achieved through private marketing. Farmers would therefore prefer to sell to the Canadian Wheat Board at this time. However, the Canadian Wheat Board would therefore be operating in a deficit. When prices are rising, farmers would not sell their grain through the Canadian Wheat Board, and when prices drop, farmers would sell through the CWB, causing the pool to sell larger quantities at lower prices and in a tougher marketing environment.

Mr. Chairman, one of the last things I want to deal with is the proposition by proponents of the bill that getting rid of the Canadian Wheat Board will increase the value-added sector in Alberta. Value is added because the Wheat Board is able to consistently guarantee high-grade grains. Purchasers already benefit from the stable procurement offered by the Canadian Wheat Board. Value added through processing would not be passed on to farmers.

I just want to say in conclusion that there is a whole complex of policies of this government which seem designed to develop a corporate model for agriculture in this province where large-scale, investor-owned operations predominate. It's not just this act, but we see it in any number of other policies of this government. The government is not being clear with Albertans about where it's taking agriculture. They're certainly not being open and honest about that policy direction, because quite frankly many Albertans would not support it if they knew. So we see this act. Instead of just saying that we want the Canadian Wheat Board to be eliminated, it sets up dual marketing, knowing full well that dual marketing is going to undermine and eventually lead to the destruction of the Canadian Wheat Board and therefore the livelihoods of many family farms and farm families.

So, Mr. Chairman, in conclusion I would urge all members to oppose this bill. Thank you.

THE DEPUTY CHAIR: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Chairman, for the opportunity to rise today to address Bill 207. I will be supporting this bill because it will benefit my constituency and it will benefit this province.

Section 2(2) of this bill outlines how any deal with the federal government and the Canadian Wheat Board would have to include the right of Alberta farmers to sell their wheat or barley to either the Canadian Wheat Board or to any buyer of their choosing. This is a very important section and in essence the heart of this bill.

Mr. Chairman, I proudly represent a northern constituency, one where people place a great deal of importance on rugged individual freedoms. This is not only the way of the north, but it is also a creed of this province. Bill 207 speaks to this and the individual freedom

of farmers, be they from Athabasca or Drumheller, to control the product they grow and maximize the potential for profit.

4:30

This bill, Mr. Chairman, could have called for disbandment of the Canadian Wheat Board, but it didn't. This bill could have denied choice to farmers much the same as the Canadian Wheat Board has done to our farmers, but it didn't. Instead, Bill 207 calls for the establishment – and I stress “establishment” – of a test market that offers Alberta producers choice. They can continue to market their wheat and barley through the Canadian Wheat Board, or if they feel that they can get a better deal elsewhere, then absolutely they should have the ability to do so.

When allowed choice and the opportunity to control their own destiny, Alberta farmers have always accepted the challenge. In fact, we can see the strength of choice and the freedom in the oat market. I recently was reading about Alberta's oat industry in the spring 2002 edition of *Alberta Food for Thought*. The article interviews Mr. Ray Lottie, oat buyer for General Mills. Mr. Lottie helps to buy oats to make Cheerios, the best-selling cereal in North America. Cheerios is made of whole-grain oats, and virtually every last oat in this cereal is Canadian-grown with a significant portion coming from – you guessed it – Alberta. General Mills has a one-third share of the \$12 billion North American market for ready-to-eat breakfast cereals.

That translates into a huge need for produce, Mr. Chairman, a need that saw General Mills buy roughly 12 percent of the entire Canadian oat crop in 2001. That accounts for around 300,000 acres of Canadian oats. As the magazine points out, “Even though oats from Manitoba and Saskatchewan are closer to the company's Minneapolis-area processing plants, and therefore cheaper to buy,” General Mills still comes to Alberta to purchase oats. The people at General Mills demand quality and specifically look for certain physical and nutritional qualities. Alberta farmers help to provide that quality. Mr. Lottie points out that “a bowl of Cheerios packs a lot of nutrition, and that's due in large part to the quality of the oats. Alberta's a great place to grow oats, and we are pleased to be a major buyer.” High praise indeed, Mr. Chairman, a testament to our producers' ability to produce a high-quality product and capture a share of the market.

I think it is no coincidence that domestic processing of oats has increased 12-fold since it was removed from the CWB in 1989. We need the same ability for our producers to take control of their lives and products when it comes to wheat and barley. Bill 207 will allow us to move in this direction. Bill 207 will also help us capture a greater share of value-added processing. This is an area where western Canada has fallen behind, and for an entrepreneurial province such as ourselves it is an area where we can do much better.

Mr. Chairman, one can only look at the numbers to see how we are falling behind in value-added processing. It is a fact that western Canada produces 95 percent of Canada's wheat but has only about 31 percent of the flour milling capacity. Eastern Canada does the vast majority of wheat processing. It is a fact that when we look at our immediate neighbours to the south, there is two to three times more wheat milled in the northern tier American states compared to Canadian provinces. The volume of durum processed in the northern tier states is also higher than in the prairies. It is a fact that if we were to look at a percentage of grain production that is processed domestically, the ratio has increased from 10.7 percent to 11.9 percent in Canada since 1989. It is also a fact that over the same period of time the same ratio of domestic grain processing has increased in the United States in excess of 60 percent. It is a fact that the U.S. processes more than twice as much malt barley as

Canada, yet they have only about half the barley production relative to Canada.

It is also interesting to note that the domestic crush of canola has increased 125 percent and that canola oil and meal shipments have doubled over the five-year period from '93-94 to '97-98. I don't think I need to remind hon. members that canola is a crop that has somehow miraculously escaped the protection and assistance of the Canadian Wheat Board.

Mr. Chairman, the Canadian Wheat Board does not add value for western farmers. It adds costs. In fact, the Canadian Wheat Board's general and administrative expenses have increased by 45 percent over the past five years and have doubled over the last 10 while export values have fallen. It is time that we add competition to the marketing industry to benefit this province and her proud producers.

Mr. Chairman, I would urge all members of the Assembly to support this bill and, as the hon. Premier said in question period last week, get on the bandwagon to convince the federal government that the Canadian Wheat Board should allow dual marketing so that we can add value to our crops and reasonably market them.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Chairman. It is my pleasure to rise today to speak on the Alberta Wheat and Barley Test Market Act, Bill 207. With this opportunity I would like to offer a few points of support for Bill 207. I will show how the CWB's restraints are at the core harmful, and I will highlight some of the major benefits of the proposed bill, 207.

Currently, Mr. Chairman, farmers are obligated to sell their products to the Canadian Wheat Board. Farmers have no other choice. The CWB then has exclusive decision-making control on pricing, selling arrangements, marketing, and quality pooling. When you take these powers away from the farmers, you negatively influence and limit their production decisions all along the line. For instance, our farmers are unable to best choose the desired output or how to best offer quality variations. These decisions can only be made in response to supply conditions. By keeping our farmers operating blindly, the CWB's control inevitably hurts the farmer's position, profit, and prospects.

Our province's wheat and barley industry, Mr. Chairman, is being handled by regulations that are restrictive, harmful, and distinctly anti co-operative. Our farmers produce in a globally competitive market, and specifically the goal of economic efficiency simply cannot be met with state agency control. It's vital at this time to put decision-making and flexibility into the hands of the farmers. Also, it should add the same flexibility to the CWB.

4:40

Mr. Chairman, this bill offers many benefits. First, an Alberta farmer would be operating under free market conditions. Alberta wheat and barley producers would receive market value for their product, which could very well be higher than the CWB's imposed price. The ability to compete and succeed freely in a competitive market is a fundamental principle in Alberta. Indeed, the opportunity for success through our own efforts is a key ingredient of the Alberta advantage. It's distinctly unfair that the hardworking farmers are not afforded standard marketplace freedoms. Certainly they should be rewarded based on their own decisions and their own product, not as set by the CWB rate.

Second, the bill helps Alberta farmers make better production decisions. At the end of the day, Mr. Chairman, a farmer offers up a product to sell. In order to make important decisions, a farmer

must be able to gauge market demand and interact with consumers directly. These decisions include whether to invest in new technology or develop new methods or how much quantity to produce and which varieties or characteristics are demanded. It seems that presently farmers produce for the CWB to satisfy the CWB's limited pool requirements. This is an unacceptable framework which is ultimately harmful to the consumer.

Bill 207 enables the farmer to produce directly for the consumer. Let's suppose that there is new or increased demand for a particular type of wheat. An individual farmer is able to better respond to this increased demand, because under Bill 207 the farmer sells directly to the buyer. This establishes a personal business relationship, making communications and feedback much easier. Bill 207 creates an incentive to cater to buyers that is not present under the CWB's control. Competition ensures that the buyer's needs are best met. The farmer who offers the product closest to that demand wins the business.

Third, this new marketing environment could bring secondary processing investments to Alberta. As the supply market changes to better serve actual demand, new opportunities for processing will become available. For example, suppose there is a demand for a specialty or heavily refined grain. The CWB's limited pool categories cannot satisfy this market. Under Bill 207 a farmer can choose to offer the product perhaps by making a capital investment in new refinery equipment. If not, that opportunity is available to whoever can provide it most efficiently and at the best price. Here we see the possibility of secondary processing investment. This could mean farmers diversify their operations, or it could mean the emergence of value-added industries. Either way, Bill 207 can only improve the position of Alberta farmers and the agricultural industry.

Fourth, Bill 207 provides for market opportunities both in Canada and internationally. Farmers will be able to personally market their products. This will lead to searching out new markets and fighting to capture them. Likewise, there will exist the motivation to retain and expand existing markets. In a competitive environment this process is ongoing. Globally we see an ongoing shift towards the elimination of barriers to trade. Tariffs are being reduced, and transportation is becoming more efficient and accessible. These globalization changes are causing huge markets to open throughout the world. A new opportunity, for example, is South America.

Bill 207 facilitates individual incentives. These global trends will be fully incorporated into the farmers' production and marketing decisions. This will only help to eventually increase sales on international markets. Allowing free competition will not sabotage our goals of capturing market and making profit. It will increase our markets, allowing us to increase market share and allow profits to be fully realized by farmers on an individual level.

Lastly, Mr. Chairman, let me note that Bill 207's aim is not to abolish the WCB. The bill proposes a 10-year test marketing allowing the government of Alberta to explore the . . .

AN HON. MEMBER: You're on the wrong bill.

MR. BRODA: Okay. The CWB then, the Canadian Wheat Board. My apologies if I've been making that mistake. It's almost similar, you know.

In fact, Mr. Chairman, if the CWB is concerned with farmer profit, industry innovation, growth, and quality assurance, then the bill allows them to work alongside independent farmers to contribute in a free market atmosphere.

In conclusion, I am glad that my colleague the Member for Calgary-Mountain View has brought forward this bill. It is well considered, relevant, and overdue. I suspect, Mr. Chairman, that

other provinces will be drawn to our decision, and I suspect that this decision will gain speed. This bill gives our farmers the freedom and opportunity they need to best compete in a competitive environment. It is important for farmers and their families, our regions' farming industry, and the province as a whole. I recommend that all members support Bill 207.

Thank you.

THE DEPUTY CHAIR: Hon. members, before I recognize the next speaker, I just wish to draw your attention to *Beauchesne* 458, which states: "Members are not to cross between the Chair and a Member."

The hon. Member for Lloydminster-Vermilion.

MR. SNELGROVE: I think that's an excellent procedure.

Well, Mr. Chairman and colleagues, it's truly a pleasure to stand here today and give you my take a little bit on the Wheat Board issue.

AN HON. MEMBER: Sing us a song.

MR. SNELGROVE: I'll testify.

The thing I'd like to put forward to some of the opposition concerns – one is that somehow this bill may damage the Canadian family farm. Well, in fact since 1963, when we had 221,000 permit holders, we're now down to 100,000 completely under the control of the Canadian Wheat Board. If that's a friend of the family farm, I'd like to see an enemy. There's no question that when you have no one to compete with to buy your product, then you're at their mercy. However, it was also said, you know: there's just no one else out there to buy the wheat. Well, duh. They won't let them buy the wheat. From the minute you seed your crop, it's not yours. It's unfortunate that in this country we feel that it's all right for Ontario and Quebec to have a choice to market, but western Canada can't. That by itself should be enough to trip the lights that say that there's something wrong in Canada when half of the country doesn't have a choice that the other half does.

It goes back to the discussion the federal government had about the Wheat Board. It was unfortunate at the time how boring it was to have to watch the TV, but at the time, Mr. Chairman, 22 Reform members that had been involved in farming all their lives were debating 14 lawyers from Ontario about the future of the Canadian Wheat Board. You know they're going to lose that argument, but it's unfortunate those decisions are made down there.

I just want to go on a little bit about an example on my farm. We came out as a government a few years ago with a program to help the farmers with \$10.29 an acre, and that was supposed to help. The cost to our farm to sell our malt barley to the plant at Alix worked out to \$60 an acre. Picked up by trucks in our yard and dumped at Alix, never got near an elevator, never got near a rail line, never got near a Wheat Board office, but the cost to our farm was \$60 an acre. Now, that's just a little bit excessive, but there's no one else who can buy it.

I understand the position that when you're selling grain, if you're the only one that's selling it, if you've got all the marbles in the marble game, you win. That's fine for an export market. That would work if in reality we were the only ones with wheat to sell, but that's not true. The biggest problem we have is that we see how connected we are to the world markets, and the American farm bill is a concern of ours. The only way around that is to have value-added industry in our province and our country, because we cannot stop what they're going to do. It's that simple. The European countries and the Americans have no interest in our little game here.

They don't care if we play or not. So to worry about what they do at this point seems a little bit irrelevant.

The thing I'd like to point out too that I think we've lost out on – so much of it is Alberta's history, and it's been an advantage that we don't promote; this isn't really a topic that comes up too much – is the simple fact that we are the only province that's rat free. If you've ever had the occasion to go to the ports on the coast and watch the trains unload your grain, which comes – in Alberta, for example, if you show up with a load of grain and there's any trace of deer waste in it, it's condemned. The entire load goes to feed. Yet all across Canada we can have rats run through all of our food with no questions asked. As long as we keep it under the acceptable amount, then we can make flour and sell it.

4:50

Well, in Alberta the acceptable amount of rat manure in our wheat would be zero. Now, to market our flour around the world to a lot of countries with wealth and with the demand and say, "This is the only flour in the world that's rat free" – and that is a simple fact – we have never tried to promote that, but we can't, because the Wheat Board owns our wheat the minute we plant it. We've had a tremendous job done in Alberta by the Alberta beef association and the Canadian Cattlemen's Association selling the best quality product around the world, and it works. We have the best product. We would also have and do have the best wheat, along with Saskatchewan, our neighbours. They have rats. You put yourself in the spot of most housewives when you go to the grocery store and there is a bag of flour that is completely rat manure free. It's just another marketing tool we've never tried. In fact, we mix all of this together and ship it off. As a matter of fact, when the wheat is full, we dump more screenings back in it to get the tonnage, and then we add water to get the weight. There's no quality sold around the country with our wheat to suggest that we do have good wheat till it gets to the coast, it's true, but after that it's not.

Mr. Chairman, I would like to say this: there's a lot to it. The Wheat Board may have served us back in the '40s and '50s, but its time has come and gone. The train has left. Let's get on with it. Let's give people the right to sell what's theirs and make them make the choice.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. I just rise today to express a few comments on this bill. One of the things that comes out as we go through and look at the idea that we have to have choice and we want to have choice in marketing our products – I don't think that in effect creates a lot of discussion for very many people when you start raising that issue, and Alberta farmers recognized that in their plebiscite. I guess the issue that comes up in the context of the bill that I've tried to figure out over the last month or so when I've been spending time and thinking about this is: how do we go about actually implementing it in the context of a test market? We've got a lot of the services that are associated with marketing grains in Canada that are undertaken by the Canadian Wheat Board. In the U.S. and in Europe these are done by different agencies, not the marketers. So in effect some of the margin differential that we experience here in Canada is a reflection of that different service provided within the context of that market. In other words, some countries are using tax dollars as a subsidy for what we're paying through the Canadian Wheat Board margin.

I think the real issue that we have to start looking at is the process that we go through here. I think it must have been about '95 or so

that we had a plebiscite in Alberta about grain marketing, both for the barley growers and the wheat growers. We ended up thinking about how we deal with the issues of giving them choice. I read through a lot of the material that was in *Hansard* and listened to a lot of the discussion today that hasn't got into *Hansard* yet, and we keep talking about monopolies. Well, in the context of the Canadian Wheat Board the term "monopoly" is irrelevant. What it is is a legislated single marketer. It's not a monopoly, because a monopolist has to have the ability to control price, and the Canadian Wheat Board doesn't. What you've got is that in effect the Wheat Board markets into the international market, into the domestic market, pools the prices, and takes off the margin. So it's really a marketing agent as opposed to somebody who buys, takes the risk, and resells. In effect, it's a single-desk marketing agent which has, you know, a very significant margin when we compare it to a lot of the other grain marketers out there who actually buy, take ownership, and then resell with their own risk involved.

So if we're going to do this, I guess the question that I ask as well is in terms of how we go about implementing it. One of the things that the agricultural products marketing act does is it commits to Alberta farmers the process of market co-operation, depending on how that gets defined. The process under that AG marketing act is that a business plan is put forward by a group, it's promoted across the industry, and it's then voted on by the industry whether or not they as an industry want to enter into that kind of a market strategy. If we look at how these choices are made, here what we're doing is we're basically saying that we're going to change a marketing plan that's under legislation, although it's federal, without that same kind of commitment to the producers of this province where they in effect will have the democratic right to approval of their market choice. I think that's got to be a critical part of this bill. I would hope that if it becomes implementable, what we'll see is a true grassroots approval process put together with the farmers in the province. I would hope that that wouldn't be as broad based, in the context of "Do you want choice?" because in many ways what we've got to do is look at the current structure that's there. The domestic market is very, very corrupted, if you wanted to say, by the relationship between the producers, the Wheat Board, and the buy-back provisions.

You know, I had a couple of the Wheat Board executive and staff come in and try to explain to me how their domestic resale or buy-back provisions were supportive of the industry. But in many ways they're making sure that every producer pays the marketing margin no matter whether they sell through the board or in effect sell down the street through the board, where the costs associated with that marketing margin mostly are associated with the international market. So what we need to do is make sure that one of the things that we deal with in the context of an option – in listening to how both the federal government and the Canadian Wheat Board actually operate, I would guess that section 2(1) under the act is almost an unachievable part of the bill, because it says in there: "enter into an agreement with" the minister or the Canadian Wheat Board. Well, I can't imagine either one of these at the federal level ever agreeing to this.

But if we can in effect look at it from the point of view of how it gets operated, part of this process is that we've got to make sure that the domestic market gets to have more competition in it, a better reflection of the true costs of marketing within the domestic market as opposed to the total market margin that's there, associated with the international market, which includes all of the country intelligence, which includes all the market intelligence, which includes weather, all of these kinds of issues that the Canadian Wheat Board undertakes. We've got to see if there are ways that that can be

worked out as part of trying to provide more opportunity within the domestic market.

Mr. Chairman, I really see that if we look at it from the point of view of where we could make some progress, it would be in the context of this domestic choice that we're talking about. If we start dealing with the international market, then we end up getting much more involved with the federal jurisdiction, interprovincial issues, but if we were to take and deal with it from the perspective of a domestic market for our value added – you know, a lot of the movement of the value-added from Alberta to the east has been associated with the historic grain transportation subsidies, more so than the Wheat Board, but that is now past us. We are in a situation now where western Canada doesn't really have in a sense the local volume to justify value added, so we've got to make our value-added industry an international component, and that's where we have to work.

5:00

One of the things that we've read a lot about in the last 10 days especially – but it's been brewing for two or three months – is this new U.S.S farm bill and how it is really going to have an impact on Canadian grain producers especially. If we look at it from the point of view of how they go about providing support to their industry, in effect a lot of their industry support comes through value-added purchasing, which raises the local price and supports the margin of the value-added producer. So we end up in effect creating a government subsidy direct to the value-added industry to establish in the U.S.

What you end up with, then, is these producers looking at: should we establish in the tier right below Canada, get access to similar but not as good quality grains in the northern U.S., and then have access as well to Canada? That's one of the things that they're looking at when they make these choices, because they do have that federal, quote, farm bill component that subsidizes their production under the activities of the support for value added. So what you end up with, then, is not really having the international choice that we would like to see for individuals to locate their value-added industries, and you know, I had already indicated that I see some real issues with the buyback margin that is charged by the Canadian Wheat Board, but it is, as I said, reflective of those costs.

The other thing that we look at is the issue of how much competition we're really going to have. I've been surprised in the last little while as we saw some of our grain handling groups in effect give up co-operative status and become shareholder corporations, and the producers are losing control of those entities as well. How long before they start to become part of the international food conglomerates and deal with the issues of how to in effect give up some of the control that we had here?

One of the things that we really have to also look at is the whole issue of: is there a way through actions like this by the government, by the producers that we can in effect facilitate greater differentiation of quality to cover the issue that we heard from the previous speaker in terms of, you know, the purity of our grain so that people get the product they're buying? This needs to be brought out.

I guess, Mr. Chairman, that what I'm trying to do is talk a little bit about some of the options that we should be looking at, that we should be pursuing, trying to make sure that our producers do get some choice, some options, even though under this umbrella, if it were to happen that the Canadian Wheat Board was to allow a test market or the minister was to allow a test market in Alberta, that would all be rolled under. We may have to do this on an incremental basis rather than go for the full issue, because what we're going to see is that there will be I think a less friendly reception to this at the federal level.

I guess that as the act moves along, if we can get some kind of an idea of how they would see the actual marketing plan being presented to farmers, to get their input in terms of their choice of whether or not it's right before we go and negotiate with the federal government or the Wheat Board – that would be something that I'd be looking for as well. You know, we've got to make sure that this is the kind of issue that the farmers in the province recognize.

One of the things that came out very plainly after the plebiscite on producer choice was the fact that a lot of individuals felt that they wanted to be able to still use the Wheat Board, but they wanted to give their neighbours a choice if they wanted to. They're going to have to have assurances before a new program is put in place that choice still will exist. I guess what we want to look at is that if you decide to opt out of the Wheat Board as a province or provide choice as a province, if a producer wants to market through the Wheat Board or market through a choice alternative, then what are the options for in-and-out movement? Can they be provided with an opportunity to move back into a choice situation or do they have to stay in the Wheat Board if they choose to stay at the start or the other way around?

One of the things that is imperative for the Wheat Board to operate is a degree of certainty of supply. They're trying to achieve that now with more contract, but they're also going to have to have an option that if a producer takes the choice route, they in effect stay there. Similarly, if they choose the Wheat Board route, will they be required to stay there? So what we need to do is make sure that the movement in and out is fully defined, so we can then deal with it from the perspective of how producers in effect would be able to, you know, make their choice. Would they have to signal at the beginning of the year with a contract? Would they have to basically sign up for a two- or three- or four-year program? A lot of the marketers deal with long-term delivery contracts. These are a bunch of the issues. We need to make sure that producers all have a chance to discuss and to discuss at length before they end up committing to a test market. We need to make sure that producers understand what they're getting into.

I wasn't able to find in some of the information that I looked at on this bill what the implications are of a choice situation. The ability to deal with the market, how we share the costs of marketing that are developed and are in the public domain under the Wheat Board: how do we get those put in place?

So, you know, in the end, Mr. Chairman, I think that before this act moves forward and moves into a position where farmers are going to feel either comfortable with it or totally opposed to it, a lot more information has to be provided to them. I know that I've had a few calls: support this. I've had a number of calls saying: don't support it. Basically, it boils down to: how is it going to be implemented? That's the question that almost everybody is asking, in the sense of: what are the trade-offs? How will they deal with it from the perspective of moving from one market to the other? What would be the relationship between the Alberta producers in the Wheat Board versus the Alberta producers operating under a choice situation?

5:10

So, Mr. Chairman, I think that with those few comments I'll take my seat. I'd really appreciate some clarification on some of those points that I've raised, if it is possible, to see exactly how we would go about implementing it. You know, to say that we're going to create a choice situation sounds good and sounds easy, but in the operational aspects of it it's very complex, very complicated and is going to require some really tough decisions between how the relationship between all producers and the Wheat Board works,

because the Wheat Board provides more than just the single-desk marketing.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Chairman, for the opportunity to speak on Bill 207, the Alberta Wheat and Barley Test Market Act. We've heard a number of opinions – most of them I agree with – but I want to add my two bits' worth on why I think this bill is important; namely, to touch on some of the benefits and also to make a comment or two on a few of the skeptical comments that I've heard.

First of all, Mr. Chairman, the core of Bill 207 is all about the idea of choice. We know that free markets have always been important for all of our industries, and Bill 207 would give our farmers a similar choice, and that choice would be whether to participate in the Canadian Wheat Board or to market their product independently. This freedom is enjoyed by the eastern provinces of Ontario and Quebec, and the Wheat Board's monopoly control over prairie grain farmers is not only unfair, but it's a downright insult. This bill simply asks for the same choices that other provinces now enjoy.

Personally, I see the Wheat Board monopoly as nothing more than a central government effort to retain control. We know that 80 percent of Canada's agricultural land is located in the western provinces, yet this archaic central institution continues to manage the product of our agricultural land. It was set up 67 years ago to deal with wartime conditions, but our federal governments – and that includes all of them since then – have either never figured out that these conditions have since changed or they assume that our farmers are not intelligent enough to make market decisions on their own. Now, this control has to end, because our farmers deserve the same market choices that eastern farmers and other Canadian industries have.

The Canadian Wheat Board justifies its monopoly by claiming that it has the farmers' best interests in mind. It's that old we know what's best for you mentality, and I intend that to be in the most sarcastic way. I'm not suggesting that this is a move to undermine Alberta farmers, but what's at stake here is whether the farmers can choose to be represented by the Wheat Board. It is after all the year 2002. All our markets are global, and why is it that only prairie

farmers are told what's best for them? I believe that the farmers are as capable as anyone else of choosing this for themselves.

Let's use the comparison of going to a stockbroker to manage your investments. Wouldn't you want to choose a broker that you are comfortable with? Wouldn't you want one that represents your best interests? Don't you think that the ability to make that choice yourself is rather essential? How would you like it if you had no choice in this regard? How would you feel if you were simply assigned a broker and your business was going to be lumped together with everyone else's?

Mr. Chairman, in view of the time I would move that we adjourn debate.

[Motion to adjourn debate carried]

THE DEPUTY CHAIR: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I would move that the committee now rise and report progress.

[Motion carried]

[Mr. Shariff in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports progress on Bill 207.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, in view of the hour I would move that we now call it 5:30 and adjourn until 8 p.m.

[Motion carried; the Assembly adjourned at 5:17 p.m.]

Legislative Assembly of Alberta

Title: **Monday, May 13, 2002**

8:00 p.m.

Date: 02/05/13

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Travel Assurance Fund

508. Mr. Amery moved:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to establish a travel assurance fund to compensate airline consumers who do not receive travel services purchased from a registered travel agency due to the agency's bankruptcy or insolvency.

THE ACTING SPEAKER: The hon. Member for Calgary-East.

MR. AMERY: Thank you, Mr. Speaker. It is with great pleasure that I rise this evening to begin debate on Motion 508. This motion encourages the government to establish a travel assurance fund so that Alberta consumers traveling at leisure would be protected in the event that they do not receive the services that they have purchased from a travel provider. Many Albertans have asked for a travel assurance fund that could help them if they were left stranded at points around the world as the result of a travel provider going out of business. Recent world events have bolstered that request.

As we all know, the events of September 11 changed the mood towards and the methods of travel for people in North America and all around the world. The demand for air travel services dropped drastically due to the fears that resulted from the horrific tragedy that occurred. When the demand for travel services began to decline, planes began taking to the skies with a lot of empty seats and airlines began to lose a lot of money. Financial woes grounded a number of carriers as part of the fallout from September 11, including Swissair, Belgium's Sabena, Canada 3000, and Ansett Australia.

In the month of October, Mr. Speaker, Canada 3000 was facing losses that were too much to overcome. The airline was forced to declare bankruptcy and put a full stop to service on November 11, 2001. This action taken by Canada 3000 was the only option available to the carrier. However, it left thousands of Canadians either stranded at locations across the globe or out of pocket for the cost of a ticket that they could not use or both in some cases. When you consider that Albertans as a population are taking around 12.5 percent of the trips made by Canadians with only 10 percent of the national population, it is safe to assume that a significant number of those stranded by Canada 3000 were Albertans. Unfortunately, many of those Albertans affected were left with no formal financial protection against the failure of a travel provider.

Mr. Speaker, there are several forms of protection that consumers can purchase to protect their investment in the event that the trip that they have planned does not go according to plan or not at all. One option is cancellation insurance, which consumers can purchase directly from the airline. Cancellation insurance allows travelers to recoup their ticket expenses if they are unable to take the trip for a limited number of reasons. While it is a valuable option that many consumers use, this form of ticket insurance cannot be claimed against in the event of airline bankruptcy.

Mr. Speaker, travelers can also expect certain levels of consumer protection from some credit card companies, that would reimburse them if they were unable to receive the goods which they had

purchased due to supplier error or bankruptcy. Additionally, there is the Internet sales contract regulation, which sets out to protect Alberta consumers who make purchases over the Internet as well as those abroad who make Internet purchases from Alberta companies. These forms of protection undoubtedly help the consumers in their quest to get a fair deal for their dollar and to receive what is entitled to them after making a purchase.

However, these remedies do not suit or are not available to all Albertans. Despite the general movement towards e-commerce many consumers are still hesitant to make purchases over the Internet. If they do not purchase their holiday tickets over the Internet, then the Internet sales contract regulation cannot apply to the ticket that they purchased. For travelers who pay with cash, in the event that the travel services purchased are not delivered, then there is no form of protection available to them.

Mr. Speaker, that leaves the consumer protection policies offered by credit card companies as the remaining measure of protection. Many young Albertans as well as those with troubled credit histories are unable to obtain a credit card. As well, some card companies don't offer consumer protection. Because they are unable to obtain a credit card or the right kind of card, these people will have no protection available to them in the event of an airline failure.

Despite the convenience and added benefit of consumer protection, not everyone holds a positive view of credit cards and credit card use. There are people who have credit cards but would rather pay for goods and services in cash despite our movement toward a cashless society. Many families from across the province have values and ideas about money that include avoiding the use of credit cards. Many of my constituents use cash for all of their purchases. As a result, I have several constituents who were left facing a significant loss of airline tickets because their trip was canceled when Canada 3000 declared bankruptcy and stopped service. I also had constituents who were left stranded in different countries across the world with no one to turn to.

I believe that it is time that we as a government took a step to protect Albertans from financial loss due to airline failure. Mr. Speaker, Motion 508 would do just that. Its purpose is to urge the government to examine an instrument of protection for airline consumers who have no protection against airline failure in these turbulent times for the travel industry. It is possible to establish a travel assurance fund that is supported, financed, administered, and distributed by the travel industry. A travel assurance fund would make consumer protection available to those Albertans who cannot access it or will not access it by other means. In the event that an airline that Alberta consumers have purchased travel services from through a registered travel agent should declare bankruptcy before they are able to deliver the goods purchased, Albertans would have an avenue to access compensation.

Mr. Speaker, the fund that I envision would be paid into directly by travel agencies without government money. The fund would offer protection to consumers through Alberta travel agents on leisure travel purchases in the event of carrier bankruptcy. Both the liability fund and the administrative costs would be paid for by the industry. The travel agents of Alberta would put a small amount, around half a percent of gross earnings perhaps, towards a general fund. In turn, the travel agents who pay into the fund would be able to offer their clients an assurance that the money they have put into the trip will be refunded to them in the event that their trip does not take place due to bankruptcy or insolvency.

Mr. Speaker, under such a fund new and existing travel agents in Alberta would register with the administrative body of the travel assurance fund and make an initial payment into the fund as well as smaller payments over time based on their total sales. If and when

the assurance fund reaches the predetermined maximum figure necessary for liability claims, the travel agents of Alberta will no longer have to pay into the fund, at which point if a claim is made against the fund and it is drawn upon, then the travel agents would resume their payment schedule until the fund has been replenished to the predetermined level.

Mr. Speaker, currently in British Columbia, Ontario, and Quebec there are programs very similar to the one I have described up and running that offer protection to consumers who do not receive the services that they have purchased from travel services providers or travel agents. The programs are established by government legislation, funded by the travel industry, and then administered and distributed by industry. All three of the provinces have programs that are slightly different. Each has different qualifications and standards regarding who and what should be covered under the liability fund, and each makes an interesting case study. I believe that a lot could be learned from these provinces if we were to implement an Alberta model. I also believe that by taking a closer look at the programs that are already in use, we could provide Albertans with protection against an unstable airline market in a turbulent post-September 11 world and enable Alberta travel agencies to offer a value-added product.

A travel assurance fund would provide an opportunity to create a registered association of Alberta travel agents, who could unite to promote their services and increase their business by presenting a value-added product to consumers of travel agent services. Under the travel assurance fund, Mr. Speaker, the industry would have self-regulated control over the collection of funds and the distribution of settlements. The industry would establish the administration office and hire the personnel to run it. The fund would then provide Albertans with a choice to use travel agents and receive the benefits of the travel assurance fund.

Mr. Speaker, in light of recent world events I believe that this is a reasonable and responsible step that we as government can take to protect our citizens. The travel assurance fund would provide consumers with a choice, not an obligation. It would provide travelers with peace of mind that they can recoup their money in the event that a travel carrier went out of business.

Mr. Speaker, I believe it is time that we as government took this step to provide our citizens with an option for protection against airline failure, and I urge all members of the Assembly to join me in supporting this motion.

Thank you.

8:10

THE ACTING SPEAKER: Before I recognize the next speaker, would all members who have electronic gadgets please turn them off, especially if they're making noise? Laptops are allowed. Thank you.

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I am pleased to speak to Motion 508. I listened carefully to the comments of the sponsoring member, and they made a lot of sense to me, so that must confirm that it's a good idea. Certainly, as the hon. member indicated, the fallout for the travel and tourism industry after the attack on the World Trade Center was profound. We all heard of the experiences of people caught in airline collapses and travel agent bankruptcies and especially Canada 3000 airlines.

I know of people who had purchased tickets and paid for the tickets and were never able to use them, although I also know of somebody who had actually purchased tickets on a credit card that was registered in Ontario, and they were able to get their money

refunded because they hadn't done it in Alberta. They had done it in Ontario, and Ontario had taken steps, as the hon. member indicated, some time ago to protect their travel consumers. So this is maybe an area where we ought to look seriously at catching up to other provinces. In fact, it's not just B.C., Ontario, and Quebec; I think a number of other provinces have one form or another of protection for their traveling public.

The value of tourism in Alberta is enormous. It hasn't grown perhaps in the last few years as much as we would like. There have been changes and cutbacks and turmoil and so on in Travel Alberta. I hope that that's settled down, but I'm not sure that it is. The kinds of wonderful investments that we saw drive tourism in Alberta in earlier years, things like the great museums – the Tyrrell museum and the Remington museum and the Reynolds museum and so on – all those things that are so important to tourism have fallen a bit by the wayside, I might say. Certainly we've not seen very many new initiatives like those, and as a result the tourism industry in this province has slowed and actually in some areas is in a bit of a recession. So I think that this symbolically would indicate that as a Legislature we do recognize the importance of travel and tourism as an economic stimulus.

I think we should also remember how important travel is to people's getting out into the world, to their own personal growth, to their education, formal or informal, to their ability to look at the world from many points of view, understand different cultures, different languages, even different cuisines, which I'm always interested in. So I would certainly argue that travel is very important. Tourism is very important, and steps like this, which seem pretty reasonable, will help those industries and those activities.

Consumer protection is important. Consumer protection I think every civilized country in the world recognizes as vital. Consumer protection goes along with free marketplaces. There are tremendous theories and tremendous theorists who put forward the notion that marketplaces in fact cannot survive without regulation and without things like consumer protection. I'm thinking for example of some other people here – some of you may have heard of a fellow named Joseph Stiglitz, who was until recently the chief economist of the World Bank.

AN HON. MEMBER: Is he a Liberal?

DR. TAFT: One of the members is asking if he was a Liberal. He's I think American and British by heritage, but if he lived here, he might well be a Liberal.

He's actually broken ranks – this is the chief economist of the World Bank until about two years ago – with the so-called Washington consensus, the formal position of the World Bank and the IMF, and has argued that there needs to be more government intervention, more things like consumer protection in marketplaces. This is a fellow who's widely expected to win the Nobel prize in economics. He's already walked away with every other major prize in economics.

So he's arguing for consumer protection, for the need for government intervention in marketplaces, for the idea that unregulated markets are not sustainable. When somebody like that speaks, I think we should all listen, and I think this is the kind of initiative that his arguments, his theories, and he himself personally would probably support. In fact, not only that; he would probably say it is necessary for the healthy survival of the travel business and the tourism industry. Consumer protection of course is something I think that our record as a Legislature is a bit spotty on. This would be a step to erase one of those spots, but I wish we would maybe see other motions here, other activities on things like protection for

electricity consumers, for example, who are feeling right now quite left out to blow in the wind with their concerns, or maybe we should be looking at protection for consumers of family day homes. We've certainly got an angry group of people around family day homes. So there are spots, a number of spots on our record in consumer protection, and we all know that one of those has been around the travel industry. This private member's motion will, if it's acted on by the government, address one of those concerns.

I can't speak for my other caucus colleagues – we have a free system over here – but I think I'll be advocating with them to wholeheartedly support this motion. I can't see any drawbacks to it. The way it's been described to me is that funding will be provided by the industry and the fund itself would be, if I'm correct, administered or managed by the industry. Now, how complex that becomes, I don't know. It may be that it's better to have it administered through a government agency. I'm not sure. I don't know if this would require legislation, a particular act, maybe something like a travel industry protection act or something like that, to establish the rules and to ensure that all the funds are properly accounted for and properly audited, properly distributed to make sure that people actually got the protection that they were expecting.

But those things I think could be sorted out. They have, as the hon. sponsoring member indicated, been sorted out in other provinces, so I have no doubt that we could sort them out ourselves. In fact, I wonder why we haven't done this sooner. Is there a reason that we fell behind other provinces in providing this kind of protection for the traveling public of Alberta? Undoubtedly, hundreds and perhaps thousands of Albertans have lost a substantial amount of money each personally and cumulatively – maybe millions of dollars; I don't know – through travel agencies going bankrupt or for other reasons failing to meet their obligations.

So, Mr. Speaker, I'm a wholehearted supporter of this particular motion. From what I've heard so far, I can see, at least I hope eventually to see, other points of view brought forward. Maybe new information will come along that changes my mind on this, but I'm in favour in general of consumer protection. As I said, I think it's essential for business and commerce to succeed, so I think this is a great step, and I'll be looking for further debate on it.

Thank you, Mr. Speaker.

8:20

THE ACTING SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I'm pleased to add a few thoughts on the debate on Motion 508, as proposed by my colleague the hon. Member for Calgary-East. In the mid-70s my wife and I established a travel agency and ran it for approximately 13 years, and then we sold it. Ten years later our son repurchased our old travel agency. Because of this connection with the travel industry and travel agencies both in the past and in more recent years, I spoke to the Ethics Commissioner before agreeing to speak on this private member's motion. I have some anxiety about the wording of the motion, and I'll just read bits of it anyway:

to establish a travel assurance fund to compensate airline consumers who do not receive travel services purchased from a registered travel agency due to the agency's bankruptcy or insolvency.

The part I like is to "urge the government" to look at it. I have some anxiety, as I said.

I am pleased that the Member for Calgary-East, though, has brought the matter to the Legislature for discussion. The goal of course is a laudable one: protection of the consumer. I think it's a commendable goal, but I think the wording and hopefully the operation of this thing would be made much better.

First of all, Mr. Speaker, I'd like to review for members for a few moments anyway how you acquire an airline ticket, as the motion suggests, "from a registered travel agency." However, that's an interesting one, because the hon. member has suggested that maybe the registered travel agency would contribute to this assurance fund, and of course we all know now since September 11 that most airlines won't pay the travel agency zip. Air Canada, Air New Zealand, Qantas, United, American Airlines, Delta, and on and on and on no longer pay even 1 cent to a commission. Years ago in the good old days it was 8.25 percent on the ticket, so that's interesting that they would pay for something that they don't even receive a benefit from unless they surcharge. A little irony there.

How else can you acquire a ticket? Well, there's the airline's city desk. Most airlines of any import have an airline city desk in the city which they fly into and out of. At the airline's check-in counter at the airport you can also buy them, purchase tickets and so on. You can also phone the airlines and by mail and cite your credit card or whatever, and they'll either mail it to you or you can pick it up. You can also do it on-line, and if you're not dealing with a reputable agency online, then that's another issue. There are travel clubs where you can get them. Many corporations and companies employ in-house travel agents. It's not a travel agency, but it's a travel agent within that company, and they make travel arrangements for company employees and officers. They also will provide sort of as a gratuitous service holiday travel for company employees. There are credit cards and other kinds of promotions that you can get. You know, air miles – you buy at Safeway or at Shell or something like that, and you can get your airline tickets from those rewards from the Royal Bank of Canada, and there are some other methods I'm sure which escape me at the moment except for the ones that buck-a-shops can get.

In the motion we're only going to deal with one source of airline tickets, when I've just outlined nine sources. Okay, given that there's a wide variety of ways to acquire an airline ticket, this motion then deals only with the first source of airline tickets and would not protect consumers who acquire their airline tickets from any of the other sources. So this is where I think the "urge the government" to look at is an important element of this. I would submit that all ticket sources must participate in the proposed travel assurance, because they too themselves may face bankruptcy or insolvency, and that might be either the seller themselves or the customer that would acquire them. We only have to look at the recent example of Canada 3000. It should be noted that Canada 3000 had sales desks in malls all across Canada, and if you get too specific on this one, it would miss all of those kinds of ticket counters. I don't think we've seen the complete fallout of the Canadian event on travel agencies, insurance companies, and credit card users.

Mr. Speaker, there are at least four currently existing situations or opportunities to protect the traveling consumer. First, many travel agencies sell travel insurance policies as well as insurance agencies sell travel insurance policies, and some of these policies include within them bankruptcy protection in addition to the trip cancellation for health reasons or a traveling companion unable to go with you or whatever it is, but many of these policies are limited as to the total amount that can be paid out. So that's one possibility. A few travel agencies actually carry their own protection for their clients. I know of one Alberta group of travel agents that covered all the losses for anyone who traveled on Canada 3000 and refunded their money.

A third method of protection is the method of payment, payment through certain gold or platinum or specific kinds of credit cards that carry within them cancellation, bankruptcy protection as a service to the special card owners. The holder would need only to check with those issuing credit card companies to find out if they're covered or

how they can be covered and change their grade of credit card. A fourth method that I can think of is that if it is a travel agency and they are issuing tickets and they are approved by IATA, the International Air Transport Association, there's a limited form of backup on air tickets, as each registered company has to have a dedicated deposit or a term deposit that covers a big percentage of their monthly amount that they take in. That is held by IATA, and that is to be used to pay for airlines tickets in case of bankruptcy.

But I think we're missing something, and that is: people are doing some other kinds of travel and holidays besides airlines. There are other products sold by travel agencies and other kinds of businesses. Cruises comes to mind, and there you can be into big money. You can, if you want to go around the world, pay up to \$125,000. There are other kinds of travel, and they may or may not have an air travel package. So I think that if we're going to really get into this, we have to consider all of the kinds of things that consumers have at risk, and that certainly would be one. Bus tours are a very popular kind of holiday travel, whether it's in Canada, the United States, or Europe. Train travel for many people is an adventure in itself, whether it's through the Rockies or the Orient Express or across the Australian desert. There are a number of holiday tour companies, which in my experience on occasion are subject to bankruptcy. We only have to recall that Sunflight, the largest tour company in Canada, went out of business 20 years ago, so a lot of people got burned on that. I know one travel agency that made sure that all of its clients were not burned.

As one travel agent said: if all points of sale of travel products were required to contribute or collect a premium for the insurance fund, it might be a level playing field, but to single out the registered travel agency is shortsighted and would be unfair. That's why this motion needs to be considered as an invitation to the government to consider all aspects of the travel industry before legislating compulsory insurance to protect the traveling public.

I thank the Member for Calgary-East for bringing this matter before the Assembly for our consideration. Thank you, Mr. Speaker.

8:30

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have a few comments on Motion 508 as presented by the hon. Member for Calgary-East. It is certainly different for this Assembly to be discussing the issue of consumers and consumer protection. Certainly whenever we look at electricity deregulation, consumers were the last thing on the mind of the government, and it's consumers that are now forced to pay sky-high electricity bills. To see an hon. member of this Assembly come forward with a motion that I think is at least examining a deficiency in our consumer protection laws that was made only too evident to Albertans just this past Christmas with yet another example of an airline that had financial difficulty – I regret that I missed the opportunity to hear the hon. member's speech regarding Motion 508. However, at this time I do have a few questions.

[The Deputy Speaker in the chair]

Is this travel assurance fund to be set up with, say, a 50-cent surcharge on a ticket, or is it going to be some form of tax issued on each ticket that's going to be pooled? Hopefully it would never be needed, but unfortunately with so much deregulation on the go now, certainly there are spectacular failures and consumers are left holding the bag. How is this fund, in the hon. member's view, to be

established? Is it going to be the consumers, is it going to be industry, or is it going to be shared by both? Has the hon. member in the drafting of this motion ever considered that perhaps there should be a bond set by the airlines themselves? There should be a performance bond very similar to what an auctioneer or an auction house would have to have so that in case something does go wrong, well, the bond is there, Mr. Speaker. Has that idea ever been discussed when this motion was being drafted?

At some point, I think for the convenience of all hon. members of this Assembly, just precisely what are other jurisdictions doing? I understand that B.C., Quebec, and Ontario have some form of consumer protection. As I understand, their law is different. If during the course of debate I could have those questions answered, Mr. Speaker, I would be very grateful.

Again, in conclusion I would like to commend the hon. member for bringing forward this motion in light of the fact that consumers across this province, not only in the tourism industry or the travel industry but in many other incidents, are left holding the bag.

Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker, for allowing me the opportunity to join in the debate on Motion 508, which asks the government to establish a travel assurance fund. As the Member for Calgary-East pointed out earlier, when we saw airlines like Canada 3000 fold abruptly last year, when we saw many Albertans, indeed many Canadians left in the lurch. I mention Canadians deliberately. This is truly a Canadian problem. However, in the absence of a viable national airline strategy and the virtual national monopoly given to Air Canada, it is obvious that federal legislation designed to clean up this mess will not be forthcoming. This is nothing new. However, it is often the case that we as a province ought to work to ensure a fair and predictable market for Alberta consumers when other levels of government will not do so. Motion 508 provides the key to doing so.

Mr. Speaker, since our two national airline carriers were combined into one, our skies have been governed by a virtual monopoly. Many smaller companies, such as Canada 3000, Royal Airlines, and CanJet, amongst others, have gone out of business. Although CanJet has a plan to re-establish itself in the east, these other companies will remain out of business. However, they don't all go out of business. Some, like our excellent airline from Calgary, WestJet, a good Alberta company, have fought the odds to make very good strides.

The issue raised in Motion 508 is another case of the federal government not knowing when to open up the airline business to real competition for the benefit of consumers. Although I understand that the upcoming federal legislation will severely limit Air Canada's ability to oust smaller carriers from the discount market, it still doesn't end the virtual monopoly, and it still doesn't make me comfortable about the state of the airline industry in Canada. It'll be a long while before I am comfortable with the way the industry operates here in Canada, and I'm sure that many Albertans feel the same. This is why Motion 508 is so important.

Mr. Speaker, I support 508 because for once the consumer is put first in the airline industry. It says that as a government we understand the turmoil that Alberta consumers have been put through, and it says that we are willing to help the travel industry set up an arrangement through which the consumer can be assured that they'll either get their flight or get their money back.

I want to make it clear that the arrangement proposed by the hon. Member for Calgary-East will not cost the government or the public a cent. We will be the legislators of the fund and not its operators or

its financiers. This is very important. Regular Albertans should not have to compensate for the hard luck of put-out travelers. Although if through the use of a registered travel agent consumers willingly pay a slightly higher price to ensure that they receive their flight, then who are we to get in the way?

In the end it is up to each travel agency to enter into the fund or not. If they don't want to enter, they do not have to. This only means that they will not be able to offer to customers the peace of mind that the fund provides. But that's their choice and their business, and it's not our job to tell them how to run their businesses. However, if we can take nonintrusive measures that help them to operate more easily, why wouldn't we do it? Mr. Speaker, Motion 508 suggests such a nonintrusive measure. It provides the consumer with more assurance that they will not be left on the tarmac without a flight or their hard-earned dollars due to the airline going out of business suddenly.

At its roots, Motion 508 can help to ensure that consumers will be more confident in the tourism industry. They'll then spend dollars, which helps our Alberta travel agents. This confidence is a win/win situation for business and consumers alike.

8:40

This model has a precedent, too, Mr. Speaker. Ontario, Quebec, and British Columbia have travel assurance funds which are legislated by the government but not funded by the government. We should not forget that travel assurance protection is something that both travelers and travel agencies alike have called for. Both the Alliance of Canadian Travel Agents as well as the Canadian Association of Tour Operators have called for legislation in this area of passengers' protection as well, so this isn't an idea that has come from the blue, from nowhere. It is a reasoned motion supported by industry and intended to solve an immediate problem that many Albertans have faced or are afraid of facing. Better yet, it is an industry- and consumer-driven solution.

Mr. Speaker, I have real cases in my constituency. A number of my senior constituents had lost their money, quite a sum of hard-earned savings, I should say, during the collapse of the Canada 3000 airline, and in that light I urge all members of this Assembly to support Motion 508.

Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Minister of Government Services.

MR. COUTTS: Thank you, Mr. Speaker. I'm pleased to rise this evening and join the discussion on private member's Motion 508. I'm quick to rise tonight because of some of the things that I had heard during the 45-minute debate we've had on this at this point in time. I really want to applaud the hon. Member for Calgary-East for bringing this particular thing forward, because I'm very confident that the hon. member brought it forward out of a concern for his constituents. I'm sure that after the collapse of Canada 3000, when people had their flights canceled or found themselves stranded somewhere else or were in an airport or maybe even on their way to an airport to take a Canada 3000 flight for that dream holiday that they'd saved a lifetime for, he got some calls from his constituents wondering just what the government could do to help alleviate the particular situation that these folks found themselves in with the airline, who had basically taken the dollars to provide the service and then didn't deliver on that service.

It's his concern, not necessarily to be concerned about electricity and all of those types of things but a concern for his constituents, to see if there were a mechanism by which they could, if they didn't

pay by credit card or if they didn't pay by other means that had some kind of security behind it, take advantage of what might be present for the government of the day to help bail them out and to actually see if he could get some action through the airlines. So I applaud the member for that.

Many of these consumers and constituents of the hon. member instantly, when the Canada 3000 situation happened, pointed to Ontario and to Quebec and to British Columbia and asked why there was no such fund in Alberta, and that was a very good question. I think, Mr. Speaker, your comments when you were sitting as the hon. Member for Highwood and your expertise and your background pointed out how complicated the travel business is, and exactly who's responsible for what makes it very, very difficult to administer these kinds of funds.

As a matter of fact, if we go and take a look at the province of Ontario, the Ontario compensation fund basically simply shifts the burden to the travel agent industry, and that carries the responsibility to reimburse the consumers if a provider fails to deliver the service. The lack of provincial jurisdiction over airlines keeps that province from persuading the airlines to support the fund directly, so you know who it goes back to. It goes back to the people that bought that particular package from that particular travel agent, and a portion of those funds would go into an assurance fund. As a result, particularly in Ontario's case, the fund would not apply to consumers who book travel and pay money to travel agents, nor to consumers who book directly with an airline. The fund still only protects a select number of consumers, and the travel agent industry in Ontario has expressed some very deep concern over the responsibility that it must carry for the travel service providers when the particular situation is out of their control.

So it's because of concerns like that and the history of the travel agents' network, which, when consulted about putting in an assurance fund a number of years ago, said: well, maybe it's just not the right thing for Alberta, and how would we do it, particularly when the federal government controls this industry? It's because of these concerns and the many concerns that have been brought forward to our office of consumer protection that my department is going out and reviewing the travel industry. They're not only reviewing it here in Alberta, but they're also reviewing it in other jurisdictions and seeing what does work in Ontario, Quebec, and British Columbia and what doesn't work in those provinces. Therefore, what we want to do is we want to determine a solution that could meet Albertans' needs in an effective way.

Unfortunately, it has become apparent to us that there are many issues which would keep a travel assurance fund from being a fully effective way of protecting consumers. Provincial travel compensation funds have in the past been established to compensate consumers only if a travel agent goes out of business. Attempting to regulate compensation when a travel provider like an airline fails is problematic because many travel providers are beyond provincial control, as I mentioned, the problem they have in the Ontario model. This fact makes it difficult for the province to persuade our providers to help finance such a fund. In fact, the airlines have already voted against Canada's participation in a global passenger protection plan which would have protected Canadian air travelers against airline failure. That was similar to a checkoff type of fund, but the airlines have said that they don't want to have anything to do with that.

Even if airlines were within provincial jurisdiction, there are many other travel providers to consider. The hon. Member for Highwood brought a number of those instances to case, and particularly cruises and prepackaged vacation tours are also fast growing segments of our travel industry. And as we found out, travel clubs and the regulations that we have had to put around them have also changed

the travel industries. Cruise lines are also out of provincial jurisdiction and are often governed outside of Canada.

The travel industry has changed and continues to change, and the solution that we choose in Alberta needs to be flexible enough to respond to those changing conditions. The question of who would pay for a travel assurance fund must be considered. In a day and age when consumers must pay a host of security fees and other charges in order to travel, we would evaluate whether or not Albertans are willing to pay the additional charges needed to maintain an assurance fund, and that will be part of our review. Even when the fees are levied on travel agents, the fees are generally passed on to the consumers, and of course we would have to look in our review at the whole facet. We would talk to the travel industry, we would talk to the motor carriers, we would talk to the airlines, and we would talk to the travel agents, travel clubs, and everyone affiliated with booking an experience.

So, Mr. Speaker, these factors and any possible alternatives to an insurance fund are certainly at this time being examined by my department, and it is only after this particular work is done and completed that I believe we can be in a position to properly address the situation. But I really want to commend the hon. member for bringing this particular motion forward as a solution, as another part of the solution for protecting his constituents. He deserves our just regard for that.

Thank you.

8:50

THE DEPUTY SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. Thank you for the opportunity to speak to Motion 508. I must admit from the outset that I do have concerns with Motion 508 and the call for the establishment of a travel assurance fund. Having said that, I do understand and appreciate the motives of the hon. Member for Calgary-East for proposing this motion. The instability within the airline industry can be frustrating for both corporate and leisure travelers, especially when that instability results in an airline going bankrupt. Different financial realities have forced the hand of many airlines, including Canadian Airlines and more recently Canada 3000.

All members of this Assembly I am sure have heard from friends or constituents affected by the closure of these airlines. The story of Canada 3000 is especially striking in that over 50,000 Canadians were affected by the bankruptcy of this airline. Several of those lived in my constituency. Many Albertans were not only left stranded around Canada and foreign lands, but many passengers also had to face the tough reality that they had to pay for a trip that they could no longer take and that potentially would not be refunded by the company. In the instance of one my constituents, they had paid for a trip that was not to be taken until the 15th of December. However, they could not be reimbursed by virtue of their credit card until after the trip was to have taken place, so their whole family was out all of the money that they were planning to spend on their Christmas vacation. So it was not a pleasant nor an easy nor a comfortable situation for them.

It is of course in this climate that the hon. Member for Calgary-East brought forth this motion. His consideration and regard for these individuals is commendable, and ultimately something does need to be done to protect passengers from the instability found in the airline industry. I don't know, however, if Motion 508 is the answer.

The motion calls on the government "to establish a travel assurance fund" that would be used "to compensate airline

consumers who do not receive travel services purchased from a registered travel agency due to . . . bankruptcy or insolvency." I assume the hon. member would have the government set up a fund similar to those found in our sister provinces of British Columbia and Ontario. In both instances the fund is established legislatively by the government but is administered and funded by provincial travel agencies. While it has been stressed that there would be no direct cost to government, I am concerned that an unforeseeable event that might plunge an airline company into financial problems would leave the government and ultimately the Alberta taxpayer on the hook to cover compensation under this fund. While it is unfortunate that travelers could face problems when an airline goes bankrupt, such as the case of Canada 3000, I do not believe that the taxpayer should be responsible for insuring a service that should be governed by the general principles of buyer beware.

Even at that, Mr. Speaker, protection is already available for consumers today without the assistance or guidance of government. Travel experts have been recommending for years that potential travelers should use their credit cards when booking flights to ensure that the consumer is protected in case the flight does not proceed. This is the advice that the United States Federal Maritime Commission was giving consumers who booked with American Classic Voyages, which filed for bankruptcy in October of 2001. Clients were told by regulatory authorities to get charge-backs from the credit card companies, and in fact they did receive them. I would imagine that the majority of travelers use their credit cards and would be eligible for assistance.

Another concern that I have with respect to this fund is the idea that those eligible for assistance are only those customers that purchased their trips through a travel agent. This is the way that the travel industry compensation fund is governed in Ontario. Media Metrix Canada, which measures Canadian's use of the web, has reported that 16.4 percent, or 2.1 million Canadians, visit travel web sites, and growing levels of comfort for people pursuing financial transactions over the Internet will only see this use increase with time. Travel industry experts have commented that the way the industry is evolving, it appears that more and more airlines are issuing their very best offers on their own web sites, thus encouraging more individuals to comparison shop on their own. These trends all point to a general movement away from the use of travel agents and a general emphasis on the individual to make their own travel plans. One has to wonder, Mr. Speaker, if we would be moving forward on an issue where the people of this province would be moving in a different direction. That is certainly not to say that the many travel agencies that exist and service the residents of St. Albert and beyond are not very scrupulous and diligent in delivering service to their customers.

Another concern that I have has to do with the proposed passenger protection plan. This plan was worked out over the past four years by the International Air Transport Association, representing the world's scheduled airlines, and the Universal Federation of Travel Agents Association, which represents the world's travel agencies. The plan would have an airline passenger pay a mandatory fee of about \$1 to \$1.20 Canadian. That levy would be considered an insurance premium and would provide for complete refunds the next time a scheduled carrier declares bankruptcy. The plan has been endorsed by France, Spain, Switzerland, Italy, and several countries in the Middle East and Africa. While it has not yet been adopted for Canada, industry officials are hoping for another vote on the plan to proceed sometime this year. Why, Mr. Speaker, would we move ahead on Motion 508 when industry is responding with what seems to be a reasonable plan to protect consumers? Would our plan be significantly different from what is being proposed under the

passenger protection plan? I think we need to answer some of these questions before we establish our own fund.

My final concern, Mr. Speaker, deals with why it would be incumbent upon this government to respond to this situation. It seems to me that the federal government is responsible for regulating and overseeing the airline industry. It is also apparent to me that it has been the federal government's policies that have unnecessarily shackled competition in this nation to prop up and maintain a former Crown corporation, a Crown corporation that now monopolizes an industry to such an extent that it routinely bullies and browbeats competitors.

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for St. Albert, but the time limit for consideration of this item of business on this day has now concluded.

9:00

head: **Government Motions**

Adjournment of Session

26. Mr. Hancock moved:

Be it resolved that when the Assembly adjourns to recess the spring sitting of the Second Session of the 25th Legislature, it shall stand adjourned until a time and date as determined by the Speaker after consultation with the Lieutenant Governor in Council.

THE DEPUTY SPEAKER: This is not debatable under Standing Order 18(3).

[Government Motion 26 carried]

head: **Government Bills and Orders**
Third Reading

Bill 27 Appropriation Act, 2002

THE DEPUTY SPEAKER: The hon. Government House Leader on behalf of.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move Bill 27, the Appropriation Act, 2002, for third reading.

We've spent since March 9 in full and complete discussion of the various estimates provided for, and it would be timely to vote the appropriation and allow government to get on with the business.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm glad that I get the opportunity to speak about the anticipated effect of Bill 27, the Appropriation Act, in third reading. I wanted to make just a couple of points, sort of a cleanup. In the last week or so people that I've chatted with in the community have pointed out that we are debating the third reading of the Appropriation Act tonight: were there any sort of last points they wanted to make sure were raised for the government to think about as this budget is implemented throughout the year? A couple of things have come up again.

One was issues around historical sites and heritage preservation and museums. The issue there that was put to me was around support for this sector. I think that at this point it's a question of infrastructure support to make sure that our facilities are being kept up and maintained. Certainly we've had changes in the way that many of these sites are administered, with it being transferred to the friends-of organizations. That seems to be going fine at this point,

although I've never seen any evaluation of the change. We are going into I think our third year under that structure, so I would be interested if the Minister of Community Development can provide us with some sort of evaluation of whether in fact this change in administration has accomplished what they said it would at the time. I think that we went into that structure in '98, so we're four years into it at this point.

In particular I was speaking to someone that had been active for a long time with historical preservation, and her concern was simply just around the resources that are available for that sector to keep the museums up and to keep collections going and I think to keep up the expertise of the people working in that sector as well. You know, there are always new possibilities around that. I'm thinking in my constituency of what's going on around the Rosedale power plant, which was the site I think of the second Fort Augustus, and the First Nations burial grounds that are located there. We're starting to find in Edmonton that in fact we do have much more of a history than we thought we had, and we need to start actively working with that. So I was asked to raise that issue, and I'm happy to do that for her.

I also spoke briefly with a neighbour who works in the medical sector, and his point was that there were not enough doctors. I think that we've all been seeing in the paper responses from people working in the health care sector that they're feeling overworked and have just run out of steam, that they can't cover off the cracks that people are falling through anymore. There are a couple of different approaches to that. I don't know that it's automatically about: there should be more doctors. I think that there are ways of restructuring the health care system that we still have not done that could make the delivery of health care services more effective and more interesting. One of those is around changing roles, the roles that we have the doctor in and also the support staff. Nurse practitioners and midwives for example are one way of changing and updating our health sector that we haven't really looked at with any kind of dedication, and I think that there are both savings and efficiencies there but also a better delivery of health care for many people. Certainly there's been a demand for midwifery services.

The third issue that I wanted to just cover off before I move on is the additional comments that were made by the Premier and the minister and some others around the community lottery boards during question period last week. One of these that has really come home to me is around the fact that the government has been saying that groups that were applying to the community lottery boards in fact were eligible to apply under the CFEP grant, which is the community facility enhancement program. In fact, that's probably true for those groups that were looking for money for renovations of buildings – in other words, bricks and mortar – or for equipment, the purchase of particular items that are going to be used in the location: tables, chairs, lighting instruments in a theatre, that sort of thing. I think that's true, but what needs to be remembered here is that these grants are structured differently.

I've just been asked to write a reference for one group. They were applying or were going to apply or had applied to the community lottery board for money for lighting and sound equipment for a theatre space. I believe they needed \$40,000 to do this, and under the community lottery boards they could have applied for the \$40,000. Now, I know that they've already raised other funds to support this. The \$40,000 isn't the total bill by any means, but there's no community lottery board left for them to apply to, so they're having to apply to CFEP. Well, with CFEP they can't apply for the \$40,000. They're going to have to apply for \$20,000 and come up with another \$20,000 through their own fund-raising endeavours. They are already raising additional money there. So the 50-50 matching from CFEP puts additional onus on the groups

to go out and do even more fund-raising than they were already doing, and that's a significant difference from what was being offered by the community lottery boards.

So it's disingenuous of the minister and the Premier to indicate: oh, well, they could just go and apply under CFEP. It's not the same thing at all. I've actually been surprised at some of the statements coming from the government's side about how these different programs did work, because I think there's a level of knowledge that is lacking there.

Finally, the attitude that seems to have been brought forward around the community lottery boards from questions in question period last week that somehow a number of these groups are nefarious. They're bad. They're double-dipping. They're nasty little groups, and they shouldn't be eligible to apply. This was part of the reasoning why the community lottery boards were taken away. This really surprises me, because most of these grants, as was pointed out, were in fact under \$50,000 an application, or they were applying for less than \$50,000 or less than \$25,000. These are small community groups. So I'd be interested in hearing more from the minister or from others or individuals as to what dirty dealings were afoot here. What's the accusation that this money was somehow being misspent or wasn't being accounted for or that these groups were somehow double-dipping and weren't accounting properly for the use of these funds?

My experience has been that they were generally very small organizations, and the money was very valuable to what they were doing. Just because they can't afford a chartered accountant to do their audit, I don't know that that makes them somehow unscrupulous or that they have nefarious dealings. So I think it's only fair that if there are going to be those kinds of accusations made or innuendoes made, we hear a little bit more about that just for the sake of those groups.

So Bill 27, the Appropriation Act: passing the budget that's been proposed. It's been an interesting budget. Well, I think it's been a budget of broken promises. We had the promises to the seniors in 1997 that there would be no increases in health care premiums for them, that there would be no increases ever again. Well, that promise was certainly broken, because seniors are all paying the higher health care premiums along with everyone else. So there was a broken promise.

9:10

MR. MacDONALD: I heard that some people campaigned on that.

MS BLAKEMAN: Oh, yes. A lot of people campaigned on that.

Another thing that was widely publicized and talked about prior to the election was how teachers would be rewarded and could believe that they were going to be rewarded along the same lines and with the same percentages as those that were granted to the doctors and nurses. That certainly didn't happen, and many teachers and others feel that that is a broken promise. There were promises from the children's summit about early prevention programs for kids. There are broken promises, as most of those were in fact reduced or cut. So I don't think it's a budget to be proud of by any means. I think it is a budget of broken promises, and certainly a number of citizens feel that way.

I think that there are some other philosophical agendas that are being put forward under the economics of this budget, and one of the things that I'm noticing is that this is a budget that was removing local decision-making from areas like municipalities or the community lottery boards and putting that decision-making behind closed doors.

A number of examples of that – we've got the community lottery

board program being canceled, and we don't know what's being anticipated to replace it, but it's been made pretty clear that it won't be local decision-making that will be involved. The decision will be made by the government behind closed doors or perhaps through one of the existing lottery foundations. We've had decision-making taken away from the RHAs as we look at consolidating the RHAs down to five or six of them from the 17 that we've got. We had the closure of the Agricorp and the consolidation there, going from a number of locations in almost any town of any size down to a phone line, a call centre, just a couple of them that are actually still open for a walk-in. So, again, taking it away from the local vicinity – the municipality, the grass roots, the community – and centralizing the service or the decision-making behind closed doors.

We've got the children's authority, same thing: no, no, no, the children's authority isn't really allowed to make those decisions; they'll be made behind closed doors with cabinet approval. We've got the school boards who've lost some of their ability to make their own decisions in negotiating with teachers, taken right away from them with Bill 12, another example of government pulling all the reins into their little hands and going behind closed doors to make those decisions. It's much more difficult for citizens to know why the decision is made or even what decision is made. It's certainly more difficult to view the decision-making process and to hold people accountable.

I also see as sort of an offshoot to this that decision-making or at least research functions are being handed to sort of handpicked friends, and this concerns me when I see friends of the government from the corporate sector being chosen to head up things like the delisting of medical services. So there we have someone who has spent their life in the corporate sector, in the business sector, in the energy sector who is now going to head up a committee that's supposed to be deciding how a public service is going to be administered or distributed.

DR. TAFT: These companies lobbied for electricity deregulation.

MS BLAKEMAN: Yeah.

You know, it's just a small thing, but it sure makes me curious about the direction that things are going in. So we have decision-making being pulled into tight little fists that then go behind closed doors and make decisions. Then their friends are sent very carefully out to manage this information-gathering, decision-making process, and their expertise is coming from the private sector when we're talking about delivery of public-sector programs like health care.

I don't think that this has been a happy budget, particularly, for the government. There have certainly been some hot moments for them, and I don't think it's been a happy experience for Albertans.

DR. TAFT: Not the ones I've spoken to.

MS BLAKEMAN: No. Not the ones that have been in touch with us. Certainly not.

I think those local communities, again, like the municipalities, the school boards, the child welfare authorities, the Agricorp offices, community lottery boards – it's a power grab by the government. They're taking all of the decision-making away from the grass roots, from the people that can look around and know exactly where the money is going or who needs it or who's got a good reputation, and it's all being centralized.

I think that another part of the big broken promise is around the VLTs. It's important that we remember what the history is there before it gets erased and rewritten on us. Essentially the community lottery boards were put in place as a response to the municipalities'

vote in the '98 municipal elections. There was a plebiscite that would allow communities to vote to have VLTs removed from their community. Now, let's not forget how much money this means to this government. This government doesn't get the DTs; they get the GTs. They've got those gambling tremens. [interjection] There it is. The Minister of Economic Development is demonstrating it for us all. Boy, they've got to get that fix. They've got to have that gambling money, especially from the VLTs. That's where most of it comes from. I mean, the vote was very close. It was almost 50 percent either way, and the government response was: "Okay. Fine. We'll put some of this money back into your community."

Now, you've got to remember that there are hundreds of thousands and in some cases millions of dollars being vacuumed, being sucked, being snorted out of Alberta communities. [interjections] My goodness, they're all getting excited at that one. Well, it gets a strong response. That money was leaving those communities, and those people didn't like it. They wanted some of that money back into their communities, and they wanted to be able to control what it was used for. Thus we have the community lottery boards put in place, which were distributing back a minuscule portion, a tiny, tiny percentage of the money that was being vacuumed out of these communities. Now that promise has been broken. That money has been taken away. That money is no longer going back into those communities. They no longer have the local decision-making to decide where that money is going to go, which group is going to get it, and what are the activities, programs, and services that are going to benefit from lottery dollars in their particular community.

This was a budget of a couple of flip-flops, and I was really hoping that the government was going to go for a hat trick. They had the gas tax distribution. They flipped on that one, flipped on the transportation. They flipped on the credits for grade 10. They were going to put a cap on how many credits a grade 10 student could take, which was essentially capping how much class they could take. The government was only going to pay the school for X number of credits. Thereby every school would now have to reduce what they were doing.

MR. MacDONALD: Those were the flips.

MS BLAKEMAN: Well, those were the flips. So those were two. I was hoping they were going to go for a hat trick, which would have restored the community lottery boards, but no hat trick.

MR. MacDONALD: Is the flop their credibility?

MS BLAKEMAN: Oh, yeah. I can see that my colleague is getting really excited by this debate. He's likely to jump up and talk about it.

I think what we've got on the one side are these flip-flops, this indecision, this sort of bad planning, and on the other side we have the broken promises, so I'm not surprised that the government is looking to have this third reading hustled through for Bill 27, this Appropriation Act. I think that in the end run the groups that have paid the highest for this – it is really balancing this budget on the backs of children: the cuts to children's services and the cuts to the schools. That's what I'm going to remember this budget of 2002-2003 for. It's balancing on the backs of Alberta's children.

Thanks, Mr. Speaker.

9:20

THE DEPUTY SPEAKER: Before we go further, I wonder if we might have unanimous consent to briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: Introduction of Guests

THE DEPUTY SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed a pleasure to rise and introduce to you and through you to all members of the House this evening two very special constituents of mine who have popped by to take in a few of the proceedings this evening in the House. I believe it's likely their first visit to the Chamber, so I do want to welcome them. They are here for a meeting with myself and the hon. Minister of Transportation surrounding some very important issues out in the Hurstwood area. They are two advocates for the constituents who live there, and they're wonderful gentlemen. I would ask now that Kevin Nero and Bill Bock please rise and receive the warm welcome of all members.

head: Government Bills and Orders Third Reading

Bill 27 Appropriation Act, 2002 (continued)

THE DEPUTY SPEAKER: Are you ready for the question?

[Motion carried; Bill 27 read a third time]

head: Government Motions

(continued)

Time Allocation on Bill 26

27. Mr. Hancock moved:

Be it resolved that when further consideration of Bill 26, Workers' Compensation Amendment Act, 2002, is resumed, not more than two hours shall be allotted to any further consideration of the bill at Committee of the Whole, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. We have now been in discussion of Bill 26 for some five hours. It is a very important bill. With the passage of this particular motion it would provide for another two hours, and then there would of course be the opportunity for further discussion at third reading, which I would anticipate would take at least another two hours. With the five hours that have been in debate so far and the four hours additional, at least that I anticipate, that'll be nine hours. With nine hours of debate Bill 26 will be in the top 10 of bills debated in this House over the last 10 years, and that puts it into very good company.

AN HON. MEMBER: That's shameful.

MR. HANCOCK: Now, Mr. Speaker, the other matter. The member opposite yells "shameful," but in the process of this House in the time that I've been House leader, I've discovered one truism, and that is that if the opposition really wants to bring forward an amendment which they think is purposeful and has merit, they share it with the government in order that we can consider it and see whether we can pass it. If they're simply bringing forward amendments for posturing purposes, they don't do it, and we just spend time debating in the House. In seeing the debate that's proceeded so far in Committee of the Whole, it appears to me that the latter is extant, so I would commend the House.

THE DEPUTY SPEAKER: Hon. Member for Edmonton-Riverview, you have up to five minutes to debate the motion.

DR. TAFT: Okay. Thank you, Mr. Speaker. I respond, I'm sure, on behalf of all members of the opposition and even members of the third party if they were here to respond. The concern we have is that what's happening here, for everybody to understand, is that closure is being invoked. We have, on the basis that we've already debated one of the largest and most important bills of this session for a total of five hours, the government now arguing that that's enough and it's time to restrict the time that's left. So they will allow us a further four hours to finish up in committee and third reading, and I think that's an affront to democracy. I see a number of people in the gallery. I would imagine that they would agree. Nine hours of debate, grand total, for a bill that is going to affect every significant business – small, medium, and large – in this province and beyond that every single worker who's covered by WCB or who was once covered by WCB. It deserves more than nine hours of consideration.

As MLAs every one of us here has any number of files in our offices, tragic files of people with broken lives and broken bodies because of the WCB or because of their work, and the WCB they feel has not attended to their concerns. We can deal with all of that in this Legislature, the one place that's really where debate is on the public record. Can we deal with all of that in a total of nine hours? The government feels that after a mere five hours it's time to shut it down and limit us to only two more hours at each remaining stage of the bill. I am standing to object on behalf of democracy. This is no way to run a democratic society. This is no way for this government to earn the respect of its citizens. [interjection] The hon. Economic Development minister is yelling at me to stop it. The WCB is crucial to the economy of this province. If you think it's so important for us to shut it down, you stand up and justify why you believe that after five hours your government has a duty and an obligation to shut us down.

Mr. Speaker, I don't have confidence but I hope that tomorrow this government at least suffers some repercussions in the media for this sort of closure, and I hope that as this habit gets stronger and stronger – I think this is the government that has the record in Alberta history for invoking closure the most often.

MS BLAKEMAN: Oh, by far.

DR. TAFT: By far, I'm told. Sooner or later this will catch up to this government because the people will recognize this arrogance for what it is.

Thank you.

THE DEPUTY SPEAKER: Hon. minister, there are no further discussions on this.

[Government Motion 27 carried]

head: **Government Bills and Orders**
Committee of the Whole

[Mr. Tannas in the chair]

THE CHAIR: I'll call the committee to order.

Bill 26
Workers' Compensation Amendment Act, 2002

THE CHAIR: We have anticipated this moment. We ask for further comments, questions with respect to amendment A3, which is

currently the topic that we're on. That amendment was proposed by the hon. Member for Edmonton-Gold Bar.

The hon. Member for Edmonton-Gold Bar on A3.

MR. MacDONALD: Yes. Thank you very much, Mr. Chairman. It's different with this amendment A3 now that we have closure on this bill. The government can put whatever spin they want on this, but certainly the closure motion that was discussed a little earlier is just a silk glove over an iron fist, because to describe this as being in the top 10 in bills that are going to be discussed in this Assembly in the time requirements is totally wrong.

9:30

The hon. Member for Edmonton-Riverview talked earlier about how important this is to Albertans. We need to have increased accountability not only in this Legislative Assembly but of the WCB. That's why I proposed amendment A3, to move that Bill 26 be amended in section 5 in the proposed section 7(1) by striking out "3 months" and substituting "1 month." This does not mean that because an amendment is suggested by a member of the opposition, it is somehow frivolous, that we have to run to the hon. minister's office like delinquent children to the principal's office. That is not what democracy is all about. An Assembly is a place to exchange ideas.

Whenever you have, Mr. Chairman, a bill such as this, an extensive overhaul of the WCB where you had public consultation after public consultation and now you're going to have more public consultation, are you going to tell me that you're going to limit this committee to nine hours so that they can only have nine hours to discuss the outstanding contentious claims? Talk about not understanding the spirit of democracy and the function of a Legislative Assembly. For the hon. House Leader to propose Motion 27 and then I believe it's going to be Motion 28 later on tonight is wrong. That is why we have to increase the accountability of the WCB, and to think that we are going to increase their accountability by reducing the number of times that they meet in a year is wrong again.

Now, the possibility of the WCB meeting every three months indicates to this member a hands-off approach by the board of directors. I think we need more meeting times of the WCB, not less, particularly if this bill is going to be rammed through this Assembly without any public scrutiny at all. [interjection] No, there is no public scrutiny when you have closure.

What exactly are we going to be doing here, and what message are we sending to the board of directors? This amendment relates to how often the WCB must meet. The current legislation requires the board to meet every two months. In the interest of openness, transparency, and accountability, all needed for the WCB and welcomed by the Minister of Human Resources and Employment, the minister will now be extending the requirement for meetings to quarterly, or every three months. It is my view that the board should meet more often, not less.

Let's have a look at some of the reasons why the board perhaps should meet. The hon. Minister of Economic Development is talking always about how unique the situation is in Alberta. Well, this is one of the unique situations that employers are having to deal with, and that's double-digit increases in their premiums. Many employers are not in favour of this Bill 26, and I don't have to go to the hon. minister's office to explain this to him. We've had a 27.4 percent increase in premiums this year. We're going to have another double-digit increase in the near future. In the last five years we've had the number of workers covered by the WCB increase from roughly 1 million to 1.3 million, and the entire workforce has not expanded at the same rate, Mr. Chairman.

The number of new claims reported has gone from 118,000 to 146,000, the number of new lost-time claims has gone from roughly 37,000 to 41,000, and the number of fatalities accepted is unfortunately roughly over two Albertans a week. Yet we are going to have closure on this bill. We have no respect for democracy, and with this closure motion I'm told that we have less respect for those who have lost their lives on Alberta work sites. We have the opportune time in this Assembly now to try to work and improve this. But what are we doing? We're going to have four hours of debate on this.

Now, when you see the problems that the board of directors has to deal with whenever you see the percentage of new lost-time claims and you look at two of the major issues that the WCB board of directors is going to have to deal with, the first one is certainly the growth of claims and claim costs. It's skyrocketing. The number one problem is the direction the WCB is going in its health care procurement. They're increasing their delivery through the private operators, and that is driving up costs. Whenever we think of the increase in claims and claim costs witnessed recently – and it is expected to continue – we've got to recognize, Mr. Chairman, that there's certainly sustained growth of the economy and the workforce, as I said earlier, but employers are paying these costs. We need to ensure that the board of directors is doing everything possible to ensure that this is a very well-managed corporation, I'll call it. When you consider the growth of claims and claim costs, I would urge all members of this Assembly to support this amendment A3.

One of the next most important policy issues for the WCB in the future in this member's view is the challenge to the workers' compensation monopoly, and if the compensation board is going to be meeting quarterly, perhaps that's not often enough to discuss this issue. There are certainly issues for them to discuss, but one of the issues is going to be how we deal with the workers' compensation system as it comes under increasing pressure from groups urging the introduction of competition. Now, we all know that whenever you introduce competition to health care, it doesn't work. We all know that it doesn't work with electricity deregulation. Perhaps it's going to work with compensation, and this is why we're so cavalier in this legislation and so cavalier with our use of closure. If this pressure is to grow and is to be felt by all the stakeholders and the government, the WCB should be meeting more often, not less, to analyze the current system and to be accountable to those that are paying the premiums, the employers.

It's fine to have an annual meeting and to have it open to the public, but I'm curious as to how long that public meeting is going to last. Is it only one hour? Is it going to be two hours? Is it going to be three hours with a lunch provided for all the public who come? It is my understanding that historically the WCB chairperson used to travel the province and rent a meeting room in a local hotel and hear firsthand the experience of Albertans in their dealings with the WCB.

9:40

In conclusion, Mr. Chairman, I would urge all members of this Assembly to support this amendment and think before you vote on this that we need to have an openness, a transparency, and a WCB that's accountable to both employers and employees. Reducing the dates in the year on which the board of directors is to meet I think is unwise, and I would urge all members at this time to vote in support of amendment A3.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Riverview on A3.

DR. TAFT: Yes. Directly on the amendment, Mr. Chair. Thank you

very much. I think we have said from time to time that there are things in this bill undoubtedly to support. One of the things, however, that jumped out at me right away as a concern is the idea that the board should meet less often rather than more often. The fact that they were only meeting six times a year as it was for a very major organization struck me immediately as a question, and reducing that to only four times a year seems like an even bigger concern. So when I look at this amendment and I see that it is to require the board of directors of the Workers' Compensation Board to meet monthly, I think it's a good idea.

I think that if there were time, if there were provisions, we could perhaps have an amendment to the amendment and maybe allow 10 meetings a year or something like that, but there's no question at all that there is a need to have the board of the WCB meet more often, not less often. That's exactly what this amendment is driving at. If we allow this bill to pass unamended on this particular point, we'll have the board of directors of – what's the budget of the WCB? – a multibillion dollar organization meeting four times a year, and each one of those meetings is a few hours long. It just seems like a real breakdown in accountability, an abdication of this government's expectation that the WCB board will even pretend to be accountable.

So it is vital. It is vital for both the workers benefiting from the WCB and the employers paying for the coverage through the WCB that they see that their organization is meeting more often. The board of directors is there to hold the organization accountable. That's why a board of directors exists. Indeed, I find myself wondering if there are not legal concerns at some point for members of the board of directors if they don't meet often enough, because there is, as I'm sure we're all aware, becoming a well-established body of law that directors of major corporations can be held personally accountable for the activities of that corporation. Well, at what point does a member of a board of directors fail to meet reasonable standards of accountability by not attending or not holding enough directors' meetings? So I think we may be getting to that point soon if we continue in this trend.

I also wonder – and maybe the minister could fill me in on this – if the proposed quarterly meetings, four meetings a year, for the board of directors includes the annual general meeting or if that is a separate, special meeting on its own, because that could become even more of a concern. If we have one AGM and three other board of directors' meetings, then that's simply woefully inadequate.

MR. MacDONALD: Does the Tory caucus meet that often?

DR. TAFT: Certainly they meet more often than that. They meet weekly during session, and so they should. So they should. They have a lot to be accountable for, as does the WCB.

I hear frequently not just from workers covered by the WCB but from employers, especially small business employers, in my constituency who have issues with the WCB. They might in fact like to have the opportunity to present to the board of directors of the WCB directly. Now, wouldn't that be a refreshing idea, if maybe four or five times a year the WCB held public meetings, half of them for workers and half of them for employers? Were you suggesting this, Hugh? They could be open to the public, and they could listen directly, face to face, to their supporters, who pay their premiums, and to their workers, who are covered, and hear their concerns. But they will certainly not have time to do that if this amendment is not passed.

So I would encourage government members – I can see they're paying attention here – to support amendment A3 and require not less accountability and less frequent meetings of the board of directors of the Workers' Compensation Board but more

accountability and more frequent meetings so that the people of Alberta, the employers of Alberta, and the workers of Alberta can see that a job is being done the way it should be done.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Chairman. I wasn't going to get up, but we've been listening to the hon. members chastise us for not spending enough time to try to make this bill better, yet we get amendments like this one. Essentially this particular clause states that they can meet at any time, but at no time shall more than three months elapse, so that means they could meet every week if they have to. I don't know why it is that we're not spending the time of this House, now that the hon. member knows that he's got a limited amount of time, to deal with important issues within this bill.

I know that the hon. member probably has, you know, the goodwill to try and improve this bill, and I would certainly listen to amendments that make sense to make this bill better, but to spend this kind of time on this kind of a clause to me means that it's not a very serious thing. Yet there's a family in the city of Calgary tonight, you know, who have a father in the hospital and two sons and a wife in a vigil for an injured worker who couldn't take it anymore. So let's get serious.

THE CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. Amendment A3 is certainly a serious issue. This is a billion dollar organization. When we give in Bill 26, as it's been presented to this Assembly, flexibility for the board of directors if they wish to reduce the amount of meeting times, then that is wrong and that is not considering the needs of any injured worker or any employer in this province. Sorry.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Centre on amendment A3.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'd like to speak on amendment A3, which is proposing that section 7(1) strike out "3 months" and substitute "1 month." As the Member for Calgary-Egmont has noted, that is in fact the minimum period of time that can elapse between meetings. So what's been changed here and what the government is proposing as part of the changes under Bill 26 is that instead of having to meet at least every two months, it would have to meet at least every three months. And the Member for Calgary-Egmont is correct; they could in fact meet more frequently. They could meet every week or every day or every hour if they wanted to. It's not precluding that, but what tends to happen in these cases is that people look at what the legislation says. It says three months, and that minimum becomes the norm. It becomes the ceiling. It becomes the benchmark that everybody shoots for. So if it says three months in the act, that's when everybody is going to meet, once every three months.

Okay. Well, is that a problem, to have the board of directors for the Workers' Compensation Board only meet every three months, four times a year, potentially having the AGM as one of those four times? Yes, I think that is a problem. So we have an amendment brought forward by the Member for Edmonton-Gold Bar, who is proposing that the minimum be every month, that the board of directors for the Workers' Compensation Board would have to meet at a minimum every month. I think that's reasonable for the amount

of money that the Workers' Compensation Board is dealing with, for the number of people's lives that it affects, both the employers and the workers, for the number of regulations that have to be adhered to, and for the programs and services that are being offered by the Workers' Compensation Board. I don't find that a monthly meeting, at a minimum, of the Workers' Compensation Board is unreasonable to expect, coming from this institution.

9:50

Part of what's involved here is the responsibility, what we would call the duty of care in the nonprofit sector, the duty of care of a director. The director is under an obligation to be informed about what's going on, and a director should, then, be using that information to make good decisions. Ideally, that's what is being set out here. As the Member for Edmonton-Riverview pointed out, particularly in the States, which always tends to be more litigious, we are seeing an increasing number of court cases where people are being held individually responsible for those decisions that they're making in the context of sitting on a board of directors, whether that's a corporate board or a nonprofit board. It's happening in both places.

I think there is an onus on directors to be meeting often enough to be kept up to speed on what's happening. Okay? With an organization as big as the Workers' Compensation Board, how often would they need to meet to stay on top of what's happening in the programs, how many new cases are being opened, how much money is flowing out, any changes that are being anticipated, pressure from the community? Is it unreasonable to say that they should meet at least every month to stay on top of that information and to be able to make good decisions? Let's face it; without good information you don't make good decisions. So how do we try and set up legislation so that the board of directors of the Workers' Compensation Board can meet frequently enough to have a good exchange of information and, further to that, make good decisions?

So I'm more than willing to support amendment A3, brought forward by the Member for Edmonton-Gold Bar. Is there a good reason not to do this? Is there some reason why it would be a bad thing to have these directors meet, at a minimum, every month? I don't know. Is there not enough money to pay the directors for their time spent at meetings? Is that too large a figure? Well, given the controversy we've been following in the newspaper recently about the pay scale for the CEO of the Workers' Compensation Board, it seems to be felt that the six-figure income is fine; that's to be expected working in that kind of sector. I'm assuming that directors are paid for their appearances or at least reimbursed for their travel expenses, but I don't think the amount of money that it's costing them to bring these directors together should be a deterrent to having them meet at least every month.

I was also intrigued by the suggestion from the Member for Edmonton-Riverview that perhaps with that many meetings they could open some of these to the public. That I find very interesting. I don't know if it's opening it to the public so much as opening it to its own stakeholders; that would be the employers, who are paying the premiums, and the workers themselves. It can often be very instructive to come and watch how people get information, what kinds of reports they're given, what kind of briefing they're given by the administrative staff, the surroundings they meet in even, how long they meet, what time of day they meet. It can be very interesting.

We've got a number of people joining us in the gallery tonight, and I'm sure they're finding it a very interesting experience to see how a time guillotine is used in place of closure in Alberta. I'm sure they're learning a lot about how decision-making happens here, what kind of information is provided to people and the level of discourse that takes place in the Assembly.

I understand that members of the government caucus are

frustrated. I understand that they've already decided this behind closed doors and they know what they're going to do. They've had their five-minute briefing on it, and they're frustrated. They don't want to be in here. They don't see this as contributing to democracy at all.

MR. SNELGROVE: Speak for yourself. We're having a great time.

MS BLAKEMAN: I'm so sorry. Evidently they're having a great time talking and chatting with one another. Fine. If that's how they want to spend their time in the House, fine.

I understand that government members are frustrated with this process of being in the Legislative Assembly, with having members of the public come in and listen to what's happening.

MR. NORRIS: It's an honour to be here. We like being here.

MS BLAKEMAN: Oh, I'm glad to hear that. That's the most positive thing I've ever . . .

THE CHAIR: Hon. members, hon. minister, if you wish to speak to this amendment, I would be happy to recognize you when the next occasion arises. Right now we have the hon. Member for Edmonton-Centre, and then after that I will recognize you if you so desire.

Edmonton-Centre.

MS BLAKEMAN: Thank you. That's excellent. I'm glad that we're able to engage the minister.

I was talking about how willing people were to spend the time in this House debating this and the importance of having an open process where people can come and watch how you make decisions and what kind of information you have when you make those decisions. I think that's a good process, an important one that needs to be upheld in a democracy. So I'm certainly in favour of the additional suggestion from Edmonton-Riverview that some of those meetings happening at a minimum of once a month would in fact be open, as I said, not necessarily to the public but certainly to the stakeholders that have an intimate concern with how the WCB operates and how it makes its decisions. That seems perfectly reasonable to me. In a day and age where money counts and there's a lot of it around, accountability is very important, especially when you're taking hard-earned money from employers. Of course, I'm always more concerned about the effect that government programs and services have on small- and medium-sized employers. That's hard-earned money for them. They need to know that the decisions that are being made and the programs that are being put in place are going to serve them well too.

So I'm glad I had this opportunity to get up and speak in favour of this amendment. I think it's a good idea to set up the legislation so the board has the discretion or the leeway to call meetings at least every month and more frequently if they so wish. I think that at least a monthly meeting is very reasonable and is probably prudent in light of the complexity of the affairs of the WCB and the amount of money that is being distributed and contemplated in their decision-making process.

Thank you very much.

10:00

THE CHAIR: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Chairman. I would like to speak on the amendment and would just like to remind the hon. member that when she casts aspersions about our intentions, there's not one

member in this government that doesn't want to make things better. We're trying to make it right, and we're doing the best we can. For you to sit there and say that we aren't here for the honour of the people that put us here is absolutely false and malicious, and I'm not going to take it.

MR. DUNFORD: Well, Mr. Chairman, I think it'd be important to put on the record just what's happening here tonight. I think it'd be important, and I think members of the opposition would almost hope that my words show up on a page other than one their speech is on. The rhetoric that has been involved in this amendment tonight is worthy of sending to your constituents. There's no question about it. But the thing that disturbs me in this House tonight, based a little bit on what the Member for Calgary-Egmont talked about, is that there are serious situations out there regarding injured workers and their relationship with the appeals system of WCB. What Bill 26 is there for is to provide for a more open and accountable WCB system.

[Mr. Shariff in the chair]

Now, in order for that to happen, I took the unprecedented move of meeting in my office with the hon. Member for Edmonton-Gold Bar, the hon. Member for Edmonton-Glengarry, and the hon. Member for Edmonton-Highlands, and I did the unprecedented thing of working with a document that normally is not seen by opposition members, but this was how important in my view it was to move this legislation forward so that we could start to see the policy change, the legislative change, and the regulation change that's required in order to make the WCB system in Alberta one that is even better.

What is apparent to me now is that the hon. Member for Edmonton-Gold Bar has not talked to his caucus about the situation that happened. I listened to the Member for Edmonton-Gold Bar, and I've listened to him now for a number of years. I understand the way that he approaches topics, and that is fine. But for him to allow the Member for Edmonton-Riverview and the Member for Edmonton-Centre to then stand up and talk about an amendment from a focus that this was a government amendment – and of course it is, because it's in our bill. But not to have explained to them that this was a WCB amendment that was forwarded for us to consider – WCB said: look; if you're opening the act because you want to do something for injured workers, we have some housekeeping things that we would like to have looked after at the same time. I said: "You know, that'll be fine, but it'll have to be routine. I am not prepared to accept an amendment from WCB that is controversial in any way. I'm going to have enough controversy with what I'm trying to do for injured workers in this province without getting into some of the particular battles that they might have." It was explained to the Member for Edmonton-Gold Bar and it was explained to the Member for Edmonton-Highlands and the Member for Edmonton-Glengarry that there are two sets of amendments here that you need to be looking at: again, one that is initiated by WCB and the other that is initiated by this government and what we're trying to do with the injured workers.

We have now spent – I don't know. Is it 45 minutes? There must be a timer. We have spent 45 minutes listening to the rhetoric about the concern they have for injured workers, the concern they have about democracy on an item that has come to us as a routine matter from WCB, accepted by the stakeholders of WCB. We were assured as a government caucus that the amendments initiated by WCB had been fully explained and fully agreed to by their stakeholders. So what have we here tonight then? We have a bill that is to bring a more open and accountable WCB system on behalf of injured

workers, and we're spending 45 minutes wondering how often the board of directors should meet. Not only that, but other than these three esteemed members there's nobody else opposed to it. The employees group from WCB, the employers group from WCB, all of their stakeholders said: this is a routine amendment, and we're bringing it forward for you while you have the bill open for this to move forward.

So rhetoric and posturing tonight – I don't know if we've ever seen this kind of stuff before. We've got injured workers in the gallery that have to sit and listen to a discussion about when the board of directors should have to meet. Ladies and gentlemen, members, we are here to provide an open and accountable system for the WCB, not to worry about when directors have to meet.

DR. TAFT: I appreciate the passion with which the minister raised his comments, but this Assembly needs to understand that this is where the ultimate public debate on bills occurs. This is where accountability for the government and its agencies, including the WCB, rests, and this is where it is absolutely reasonable to discuss how often the board of directors of the WCB is required to meet. So it is well within our rights, indeed it is within our responsibilities as representatives in a democratic society and members of the Legislature of Alberta to raise these kinds of issues and to debate them. I see absolutely nothing wrong with that. Where else am I to hold this debate?

Thank you.

[Motion on amendment A3 lost]

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. Now, we're going to continue with debate on this bill, and certainly there are many amendments which will improve this bill. First, in discussion of this bill I have to wonder: if the government is so sincere about the health and welfare of injured workers and about employer premiums and openness and accountability of the WCB, why did it wait so long after it had all those reports, whether it was the Friedman report or whether it was the report from the hon. Member for Red Deer-South, before doing anything, before any actions were taken?

Again, good legislation has everyone involved. It is true that there was a meeting in the hon. minister's office regarding this. But I am like the Industry Task Force Association; not everything that was in the three-column document was discussed. Just because an individual has a chance to have a consultation process with the minister does not necessarily mean that there's going to be concurrence. That is a notion that this hon. member, as it was discussed by the Minister of Human Resources and Employment – perhaps there is a lack of understanding of what a democratic process is.

Mr. Chairman, I have another amendment that I certainly would like to discuss this evening, and at this time I would ask one of the pages, please, to distribute it to all members.

Now, the Member for Calgary-Egmont . . .

10:10

THE DEPUTY CHAIR: Hon. member, just one minute while we at least get a copy at the table. Hon. member, we require an amendment that has an original signature of yourself.

MR. MacDONALD: Okay. I inadvertently left it off.

THE DEPUTY CHAIR: We have this amendment before us, and we

shall refer to this amendment as amendment A4. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Thank you very much, Mr. Chairman. Amendment A4 on Bill 26, Workers' Compensation Amendment Act, 2002, would read that Bill 26 be amended in section 6 in the proposed section 7.1(4) by adding the following after clause (b):

- (b.1) a report outlining the termination benefits payable to the President;
- (b.2) a report outlining bonuses exceeding \$500 paid to a member of the board of directors and any employee of the Board.

There have been many issues put forward this evening about improving the accountability and the openness of the board of directors of the WCB, and this is another one, Mr. Chairman.

Now, the Premier expressed some concern – and I don't have the exact quote from the Premier. But when the Premier was informed that the last termination benefit paid to a retiring president of the WCB – and this is going back to I believe the spring of 1998. It was \$580,294. That was the retirement allowance paid to the president, and this was in accordance with the contract of employment. When the Premier of the province was made aware of this by reporters, he was astonished. I forget again, Mr. Chairman, what the exact words were, but the Premier thought it was excessive.

We think of compensation and how many of the injured workers feel so frustrated. They have a great deal of difficulty understanding how we can have a rich compensation package or a termination package for the president, yet injured workers have to go through hoops, and some of them are unsuccessful when they deal with the WCB in getting compensation for their injuries.

Again, I think it would be in the interests of having a better WCB. Certainly the recruitment process is going on for a new president. It may be over for all this member knows; certainly the hon. Minister of Human Resources and Employment would know better than I. But I believe that the termination contract should be a public document. I believe that whenever this bill was drafted, it was simply overlooked, and I at this time would like with this amendment A4 to ensure that it is not and ensure that that information will be public information. The next time that employers across this province have a double-digit premium increase, whether it be 11 percent or 27.4 percent or perhaps 10 percent, they will be able to consider this rather lucrative secret contract. That's one reason why I think everyone should support amendment A4.

Of course, the next issue is the whole issue of bonuses. There are those in this province that say that there is a system of achievement bonuses in the WCB that is based on the number of files. Certainly this member doesn't know that to be fact or fiction, but to think that there would be bonuses paid to WCB employees based on whether or not an injured worker were to receive benefits would be wrong in my view. This amendment would again allow public scrutiny of this whole issue of bonuses – why they are given, who they are given to, and when – and it certainly would increase in my view the trust factor between workers, their employers, and the WCB. Certainly I think it would reduce the anxiety and the frustration of all injured workers across this province. I would urge all members to accept this amendment. Even though it wasn't cleared with the Human Resources and Employment minister's office before it was presented to this Assembly, don't let that stop you. Support amendment A4 to Bill 26.

I think that in the little bit of time that we have, we can take a bad bill, discuss it publicly, where it should be discussed, and try our best to improve it. The first thing that has to be done – the entire

board has to be accountable to the citizens, and this would increase that level of accountability, Mr. Chairman.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Chairman. I'm going to try again. I know that the hon. member must have some serious amendments that would make an improvement to this bill, but to look at this amendment, "a report outlining the termination benefits payable to the President" – the hon. member knows that the Auditor General will be looking and overseeing the WCB as a result of this bill. The same thing with the second one: "bonuses exceeding \$500 paid to a member of the board of directors and any employee of the Board." Again, the Auditor General will be able to report on those things. I would really urge the hon. member to call the question on this and get on to some serious amendments.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I'm pleased to speak to amendment A4, presented by the hon. Member for Edmonton-Gold Bar. I'm inclined to support this particular amendment because I think it's generally trying to inject a little more accountability in terms of the functioning of the board, but it doesn't really get to the basic matter. The basic problem with the WCB in my view in terms of the structure of the board and matters related to that is the model that's being used. Instead of a normal public board that is accountable, we've established some sort of private-sector model of a board in which it operates, in my view at least, too far at arm's length from the Legislature, too far from the minister, and not under the normal rules that apply to public boards.

10:20

We've seen for example a dramatic escalation in salaries that are paid. It doesn't meet the normal tests of openness. This whole idea that it's spun off as a corporation I don't think has served either the workers well or served the Legislature well. I think that the hon. member is trying to get at this, but I certainly don't understand why we have to pay \$300,000-and-up salaries to the president of the WCB when civil servants, senior officials of the government, deputy ministers, and so on, get a fraction of that money and have more responsibility. I don't understand it.

I know that members opposite have criticized the president of EPCOR for making all the money that he's making and probably rightly so, yet here's a board directly under our control, under the government's control, which can be controlled. That is a choice. The fact that it's an independent board is a choice made by the government and by the Legislature. That is exactly my point: you don't have to make that choice. In my view, you should not make that choice. You should not make it completely independent, and you should not let them irresponsibly waste employers' money, that's supposed to pay for workers' benefits, on things like excessive salaries, excessive separation benefits, and things like funding international sporting events with money that should belong to the workers. Obviously, the independent model is not appropriate, at least in our view, and it should be replaced with a model that existed before, where you have a public board with higher degrees of accountability, higher degrees of transparency, and lower levels of pay for the senior officials.

I think that the hon. member is trying to get at that with this amendment, so in this case I will support it.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. Again this is an issue of accountability. It's being dismissed in some comments as unimportant, but I think that if we went to the taxpayers of Alberta and to the employers paying benefits, we would find that indeed they would be very interested in this amendment, which after all is a small amendment but it is significant. I know and I think we all know that the public and workers and employers were all very concerned about the termination settlement for the previous president or two presidents ago now. They're very concerned about the settlement package that was provided to the president who recently left, and they will want to know what that information was. There's no reason in the world that I can think of that this can't be put through.

Similarly, we hear rumours – certainly the very good report by the hon. Member for Red Deer-South admitted that there were rumours or stories going about – that employees of WCB were being paid bonuses to deny requests. Well, if we can clear that sort of thing up, why don't we do it? If we can have a record that spells out exactly why and when bonuses are paid, why not do that? Why not take away some of the suspicion and some of the mystery that surrounds the WCB? That's all this amendment is about. It's simply about better accountability and better transparency. So I think it's well worth considering, and I hope some other members of this Assembly would agree in that.

All of us hear concerns about the mysterious operations of the WCB. Some of that undoubtedly is myth. Some of it is rumour. Some of it is false. Maybe some of it is true. Whatever we can do to shine light on it we ought to be doing, and this amendment here, amendment A4, would help do that. It would achieve that. So it serves everybody. I don't see a downside to this. It serves the workers. It serves the employers, who pay their premiums. It serves the public. It serves the board of directors, and I think it would serve this Legislature, because it would show that we are concerned about open, transparent, accountable government agencies like the Workers' Compensation Board.

So I will be supporting this amendment. I heard the hon. Member for Edmonton-Highlands say I believe that he would support the amendment, so I hope some of the government MLAs look at that as well.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I'm pleased to support the amendment. I'm a little disappointed in the government member taking the opportunity to comment on the quality of the amendments. I think the substance of the amendments is what's under debate. To indicate that the salaries of the president and the chief executive officer are not a significant issue I think is to ignore the very actions of this government, which has said that the salaries of board employees and those organizations dealing with the public are very important and in fact made a number of moves to make public the salaries of public board members, the superintendents of schools, and a whole host of salaries that in the past had not been part of the public domain this government worked very hard to have declared. So I think it's unfortunate that the government member decided to ignore the amendment and make comments about the validity of it, at least in that member's eyes.

[Mr. Tannas in the chair]

This particular motion is one that has been the subject of public debate. There was a great deal of outrage when the salaries of the president and the chief executive officer of the WCB were made public. We had calls to our constituency office about it, and I'm sure that most members of the Assembly had similar communications from a public that was really quite outraged at the magnitude of the salaries. It cast a rather striking dichotomy. Here were injured workers who claimed that they were being denied in many cases rather modest claims by an organization that had this very, very rich, to say the least, salary grid in place for executive members. So I think that that public outcry was not lost on government members or members of the WCB.

[Mr. Tannis in the chair]

If we look at the kinds of arrangements that have been made with the previous CEO, I think the fact is quite evident that that information needs to be made public, and that's what this amendment will allow to happen, Mr. Chairman. It outlines the termination benefits payable to the president and the bonuses exceeding \$500. When you look at the provision in the last CEO's contract, termination benefits of \$580,294, being the retirement allowance paid to the president and chief executive officer in accordance with the contract. That's a huge amount of money, Mr. Chairman, and one that I believe the public in the public interest has the right to have reported on an annual basis, should that change.

So with those comments I urge members of the Assembly to support A4. Thank you, Mr. Chairman.

10:30

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Chairman. I welcome the opportunity to rise this evening to speak to Bill 26, the Workers' Compensation Amendment Act, 2002, and specifically to the amendment proposed by the hon. Member for Edmonton-Gold Bar. His proposal is to section 7.1(4), adding the following after clause (b): "(b.1) a report outlining the termination benefits payable to the President." I think this is an exceptionally good amendment. It is an amendment that is welcomed not only by employers but by injured workers. In light as well, Mr. Chairman, of the comments made in Judge Friedman's report, where he says that "each Committee member has expressed concern about what seems to be a well-entrenched culture of denial within the WCB," I think this is just one other area where that culture of denial takes place.

When we look at the annual reports of the WCB – and we're using their figures totally here – and we look in 1996, the termination benefits were \$704,000. Now, in 1997 these rose to \$925,566, and in 1998 \$1,166,372. As we continue along, in 1999 we had termination benefits of \$1,304,452. Probably the one that's most upsetting is when we look at termination benefits for the year 2000. Those have now risen to \$2,344,044. I don't know how any hon. member in this House could say that this is a frivolous amendment and one that shouldn't be considered not only by the members of this House but for the good of all Albertans. If we are truly going to make the WCB a transparent and accountable organization, then this is certainly a first step. When I see that in 1996 we had termination benefits of only seven hundred and some odd thousand dollars and now we look at the year 2000, which is the last we have recorded, where we have termination benefits of over \$2.3 million, what an incredible rise in termination benefits over that short period of time. So this is an exceptionally good amendment.

Now, as well I have other concerns that I think this amendment will address. I see again the amendment put forward by the hon. Member for Edmonton-Gold Bar: "(b.1) a report outlining the

termination benefits payable to the President." Of course, when we look at the previous CEO to the one that just retired earlier this year, the termination benefits were absolutely outrageous. In fact, they were so outrageous that the *Reader's Digest* even featured the type of termination that this particular individual was granted. Again we had a situation here this year, in early 2002, when we had the president and CEO of the board resigning, terminating her contract one year before she had to. Yet with the way our reports come out, Albertans won't have any idea what her termination was until the 2002 report comes out, which I believe is June 1, 2003. So this person will not have been an employee of the board for somewhere in the neighbourhood of 14 to 15 months, yet Albertans won't know what type of separation package she got. This is totally unacceptable to injured workers, who at this particular point are the focus of the Workers' Compensation Amendment Act, 2002, Bill 26. It's totally unacceptable when they have benefits that have been denied them, and we are having a tribunal system set up in order to deal with these cases. As well, it's totally unacceptable to employers, who see the premiums continue to rise and rise, yet they don't get an opportunity to look at termination benefits to the president.

So definitely I am in full support of amendment A4. I know that employers in this province are in support of this, and I know that injured workers in this province are in support of it. I cannot understand why members in this House would not support this exceptional amendment.

Now, then, as well the second part of the amendment, "a report outlining bonuses exceeding \$500 paid to a member of the board of directors and any employee of the Board." Again, Mr. Chairman, we have had numerous complaints, and I must commend the minister on listening to those complaints and certainly taking the action first of all of having two reports done, one by Justice Friedman and one done by the MLAs. Both reports focused on a particular group of injured workers. These are the 15 percent of injured workers who are not satisfied with the WCB. This is the 15 percent of injured workers who have been denied, cut off, had their benefits limited over this time. With one fell swoop of the pen they've had benefits terminated, reduced. They don't know how they're going to pay rent, buy food, and get medication. They certainly realize that they're never going to go back to the type of employment they had before. This can be done to them, yet they don't have any way of checking out the very bonuses that those people that did that to them have. As well, these injured workers are subjected to surveillance if there's even the slightest question . . .

MR. MacDONALD: Not surveillance.

10:40

MR. BONNER: Surveillance.

. . . that perhaps we could use surveillance to limit their benefits. Here we have injured workers who are subjected to surveillance, and they are put into a position where they are having to scrape by. In many of these cases, Mr. Chairman, these people end up losing their wives, losing their families, losing all their possessions, losing any savings that they've had just to try and eke out a living. We have people who work as case managers, as adjudicators, as supervisors, as managers, and we have people working in surveillance that get bonuses, yet injured workers are not afforded this basic human right of the Meredith principle, and that is that because they're injured at work, they should not become a burden to themselves, to their families or friends, or to society. They cannot get the basic requirements from WCB to exist from month to month, yet we cannot provide a detailed list here of bonuses exceeding \$500, which I think is quite reasonable.

So I'm in full support of this very worthwhile amendment A4, and

I would certainly hope that all members in the Assembly will support this amendment. Thank you very much.

THE CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. I'm happy to speak to this amendment A4, that's before us on the floor. This has been something that we've asked for for a long time. We waited and waited and waited for a very long five hours of debate that we've seen so far on this bill prior to this evening's work – and five hours doesn't seem like very much to us, but I know that other people feel that it's been a very long time – but lo and behold there's been no good amendment come forward. Of course, the best thing would have been if we had seen this as a change proposed in the legislation, Mr. Chairman, but perhaps that was too much to expect. We have seen instances where the government has supported amendments, and this would certainly be an act of good faith not only to all the injured workers out there but to the employers, who are paying the premiums and are therefore paying the bonuses of these people in this organization.

I have a fundamental problem with people working for an insurance company, which this in essence is, being paid bonuses to kick people out of the program. It seems obvious the kinds of problems that can be within an organization that pays bonuses to people to kick those very people that they're supposed to be supplying a service to out of the system. Definitely the incentive for the workers is to get people out and off the system. Definitely that is not what the program was intended for, and I don't think that that was the intention of the employers either, who are paying the fees. They are paying an insurance premium to take care of injured workers. They expect, therefore, administrative costs to be as low as possible. They do not expect, I believe, that their premiums go to pay bonuses to employees within the system.

So I have a real problem with the way that this whole system has been operating over the past years. From a philosophical perspective I am completely opposed to the bonuses. If they must exist, then at the very least what we can do is have openness and accountability and transparency throughout the entire process. That would do exactly what this amendment says, and that is "a report outlining bonuses exceeding \$500 paid to a member of the board of directors and any employee of the Board." When? Not after the fact, as we see it appearing in schedules of salaries and benefits, but as they're occurring. That's exactly what this amendment is asking for, to amend in section 6 the proposed section 7.1(4) by adding the following after clause (b): "(b.1) a report outlining the termination benefits payable to the President." Not way after the fact once that person's long gone and likely long gone out of this province. Also "(b.2) a report outlining bonuses exceeding \$500 paid to a member of the board of directors and any employee of the Board."

Openness and transparency: that's all we're asking for. That's what this government campaigns on. That's what this government says it does all the time. So put your money where your mouth is and just be open and accountable. Support the amendment, and we will see that happening. I will be the first person in this Assembly to stand up and applaud the government for having taken that direction every single time that we see that information tabled in this Legislature. I would like the minister to tell us what would be wrong with that kind of a system. I can't see anything with it, and I see it as a much better system.

I imagine at some point in the near future, when we see premiums rising again on WCB premiums to businesses, businesses are going to start to demand that kind of transparency because they want to know where their money goes and they want to know that they're

getting good value for the dollar. I believe that knowing what those bonuses are is part of that good value. So I would urge all members in the Assembly to support this particular amendment, a very good and worthwhile amendment.

MR. DUNFORD: Mr. Chairman, I think we could be somewhat sympathetic toward the amendment if there was taxpayers' money involved here, but the opposition knows full well that WCB is a system entirely funded through assessments to employers. So all of this heartbreak and angst that they have over openness and transparency is already there. Now, maybe none of them are employers. Maybe none of them have ever had employees. I don't know that, but certainly they have employers within their constituency that they could be working with to access this information.

I obviously was feeling some frustration and perhaps even anger over the length of debate on A3, but now that we're into A4, Mr. Chairman, I'm gaining a great amount of confidence. What I realize now is that amongst the group across the way, they seem to be almost in full, entire agreement with what we as a government are trying to do to make a more open and accountable system as it relates to the appeal process, as it relates to something that would really help injured workers.

On the two amendments that we've been dealing with tonight, in the fact that they're based on the operations of WCB, if they want to use their two hours this way – and clearly they do – then that's fine. The Member for Calgary-Egmont and certainly myself have spoken. I know the frustration that other members on the government side are feeling about how we're not progressing toward hearing what should be done for injured workers. They're spending all of their time concerning themselves about the board and now about the CEO. I think, hon. members, that we should take this as a good sign. This is a good sign that the opposition doesn't have much by way of constructive amendments to what we are already trying to do. I think we should accept that as an endorsement of what it is.

Of course, in defeating A4, I mean, that's a matter of perhaps some concern to the member that brought it forward, but I'd like to thank the member for continuing to bring these kinds of amendments forward, because then it shows the support that he's providing us in trying to deal with injured workers.

[The voice vote indicated that the motion on amendment A4 lost]

[Several members rose calling for a division. The division bell was rung at 10:48 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Blakeman	MacDonald	Nicol
Bonner	Mason	Taft
Carlson	Massey	

11:00

Against the motion:

Ady	Horner	Masyk
Broda	Hutton	McClelland
Cao	Jablonski	Norris
Cenaiko	Jonson	O'Neill
Coutts	Kryczka	Renner
Ducharme	Lord	Stelmach
Dunford	Lougheed	Stevens

Evans	Lukaszuk	Strang
Friedel	Lund	Taylor
Graham	Marz	Vandermeer
Hancock	Maskell	Zwozdesky
Herard		
Totals:	For – 8	Against – 34

[Motion on amendment A4 lost]

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Mr. Chairman, I would like to propose an amendment to Bill 26, and I'm always pleased to stand up to the hon. minister of industrial development.

I move that Bill 26, the Workers' Compensation Amendment Act, 2002, be amended in section 19 in the proposed section 46.1 as follows: (a) by adding the following under subsection (2):

(2.1) a claimant may request the Board or the Appeals Commission to refer his or her medical issue to a medical panel, and such a request must be supported in writing by the claimant's physician.

And (b), in the proposed subsection (4) by striking out "The Board may make rules governing" and substituting "The Board and the Appeals Commission shall jointly make rules governing."

THE CHAIR: Hon. member, are you prepared to share these with the rest of the committee? This will be called amendment A5.

MR. MASON: Thank you, Mr. Chairman.

THE CHAIR: Hon. member, please proceed.

MR. MASON: Ready to rock and roll there, Mr. Chairman? Okay.

Mr. Chairman, I am proposing this amendment because I think not just me but people who follow this on the workers' side as well have made the suggestion that while the medical panels are a good idea and constitute a real improvement, the way they function is still too much under the control of the WCB. This amendment is an attempt to strengthen the independence of the medical panels, to give the workers more equality in the functioning of the medical panels, and to as well make sure that the Appeals Commission has the same authority with respect to medical panels as the WCB itself.

What we have right now is that the WCB is the gatekeeper of the medical panel. It's the WCB that calls the panel together if it doesn't agree with a medical assessment. If a client's physician has a bona fide medical opinion, the panel will be called, but it's the WCB that determines what a bona fide opinion is. As well, as I've mentioned earlier in debate, the panel is composed of a physician appointed by the worker, one by the employer, and one a physician appointed by the WCB, so that can lead to a medical panel which is stacked against the worker.

I know that the minister has talked in the past about, you know, the professional ethics of the physicians involved and how this provides protection for the worker because everybody's just going to be entirely objective. I think that if this were the case, Mr. Chairman, we would not have seen the physicians employed by the WCB in such conflict and such consistent conflict on one side of the question, in favour of denying workers' claims, which has led to other problems that we're still grappling with. So I think there's a principle, and it needs to be taken into account. That is that he who pays the piper calls the tune, and that is only partly offset by professional responsibility. I think the evidence is clear that

physicians who are appointed by the WCB have taken positions which are consistent with the policy of the WCB at that time, so I'm not convinced.

But to come back to the amendment, specifically it says:

A claimant may request the Board or the Appeals Commission to refer his or her medical issue to a medical panel, and such a request must be supported in writing by the claimant's physician.

That means, on the principle the minister has outlined of professional ethics and responsibility of the physician, if that physician puts forward a position that there's a certain cause of an injury and it's work related, that needs to be taken into account, and they can then make a request in writing for a medical panel. That's both at the WCB and at the appeals level.

The second clause of the amendment says simply that "the Board and the Appeals Commission shall jointly make rules governing" the operation of medical panels. That again balances the power of the WCB, which is still unfettered in this act with respect to medical panels. It gets to make all the rules and forces a situation where the Appeals Commission can also be involved in setting the rules.

So I think those two pieces together would strengthen the act, Mr. Chairman. I would urge members on both sides of the House to support this because I believe that it is in the best interests of workers in Alberta and would strengthen the legislation and provide a fairer and more level playing field with respect to the operation of the WCB and its Appeals Commission. Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Centre and then the hon. Member for Calgary-Egmont.

MS BLAKEMAN: Thank you, Mr. Chair. I'm glad to see this amendment and have the opportunity to speak to it because this may answer some of the questions and concerns I had around medical panels, but then again it may not. So I have a couple of questions, and maybe the mover of the amendment, the Member for Edmonton-Highlands, can answer that.

When I look at section 19 of Bill 26, which is amending section 46, I'm not seeing the specifics that I was expecting to see. It doesn't talk about the three members that were going to be on the medical panel. It doesn't talk about them not – sorry. Let me start over. The situation we have now with the medical panels seems to be one that causes a lot of problems; I think that can be agreed upon. This needs to be changed. But when I look at what's being put forward under this section for medical panels, it isn't as thorough as I was expecting to see. So I started looking through the information that has been produced by the government in support of this act and generally in discussion, going through news releases and things.

11:10

In a news release from April 22 under a bullet it says, "Create a medical panel process to resolve differences in medical opinion that affect a worker's claim." Okay. Yes, indeed, that is what we need. I think the situation that's of most concern is where we have a medical panel, a WCB medical panel, which contradicts the medical opinion of the worker's physician or specialist, and in many cases this medical panel does it by paper. It doesn't actually interview or examine the worker. So that's what we wanted fixed. Certainly the recommendations that came out of the Review Committee of the Workers' Compensation Board Appeal Systems, chaired by Judge Samuel Friedman, was talking about a much more careful setup for this medical panel.

When I look at a backgrounder on Bill 26, on page 2 now it starts giving the sort of information that I was looking for. It says:

Where there are conflicting medical opinions, it is intended that a

medical panel can be initiated by the WCB, by the Appeals Commission, or by the physician of an injured worker to get an independent, expert, consensus-based medical opinion.

Aha. Where is that in the legislation? I don't see it. It is in a backgrounder and I appreciate that, but is someone supposed to be 10 years from now waving around this backgrounder to say that this is what the government really meant, or is it intended that the specifics of this come out in regulations?

There is a pilot project running. There are performance measurements that are being submitted to the minister, and the "medical panels will be established from a list of physicians prepared and approved by the College of Physicians and Surgeons of Alberta." So this is all in the backgrounder to Bill 26, but it's not included in what's in there. Now we have an amendment. I don't see that the amendment is giving us this information or the specifics of it either.

There is an issue in here that I'm a little concerned about. When it's looking for a request that "must be supported in writing by the claimant's physician," one of the problems we've had in trying to assist constituents is that they can't get their doctor to co-operate, for whatever reason. I know that it could possibly be because the physicians are not paid to prepare letters and requests and things like this, so that tends to get put on the back burner of any physician, with all the work they have to do. I'm just wondering if by including this, had the mover anticipated that it can be difficult to get a written response from a physician? And if we're making this that the request "must be supported in writing by the claimant's physician," that could be putting a worker in a very difficult position trying to get that information. I'm a little concerned about that, so maybe the member can answer me there.

I understand the impetus behind having the Appeals Commission and the board jointly making rules, but I'm a little concerned about how cumbersome that would be and if that in fact is going to resolve where the problems are here. I'm asking this because I'm just thinking of the kinds of cases that I get in my office. I've got one case running now – I'll call him W – which is ongoing. I mean, it's a file that's an inch and a half thick of continued conflict between what his own feelings are about his condition, what his physician is saying, what specialists are saying, and what the medical panel then says in denial of benefits. There have been reinjuries in this case, which are also very difficult to track, and at times it seems like you've got battling medical opinions.

Okay. Medicine is not an exact science. Sometimes it's an art. Nonetheless, for these workers trying to get this sorted out, it can be very onerous. I think there's an underlying concern that the medical panel supplied by the WCB needs to be actually examining the worker but without putting the worker into a position where they become a ping-pong ball. They just go to this office and get examined by this person and then this person and then this person, and then everybody argues about what the correct medical diagnosis is or who should be held responsible for it.

So I guess I'm looking for a bit of an expansion of what was intended, if I could get the mover to speak to that. Having explained what I'm looking for, I don't know that this is in fact answering that. There are some things I'm interested in supporting in this amendment, but I am concerned about the request in writing, and I am also concerned about it not addressing the other problems that we're seeing with these medical panels.

Thanks, Mr. Chairman.

THE CHAIR: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you very much, Mr. Chairman. Just a few comments with regard to this. I think that (2.1) is essentially already

there, and it could be that the hon. member has not had the opportunity to look at the background documents that the Member for Edmonton-Centre quite correctly identified. Just for the record – and this is, you know, being put together by Dr. Ohlhauser, whose job it is to bring all of the rules under which this will operate – the initiation of medical panels can be at WCB request, appeals body request, or when a medical opinion is provided by a physician that the WCB disagrees with. In your case, when you've got a physician that has an opinion and the WCB disagrees with it, well, that's a conflict of medical opinion automatically, so the physician can initiate it, the board can initiate it, or the appeal body can initiate it.

I think the hon. Member for Edmonton-Centre was quite right by saying that there is essentially a pilot project going on to establish all of these processes.

The second part of the amendment is talking about the board and the Appeals Commission jointly making rules governing – I haven't been able to think through that, but the Appeals Commission is a quasi-judicial body, and I'm not sure that I can find any examples where a court gets involved with the service provider in making rules. We call that judicial activism, I think. I'm not sure that would work, but I do have a concern with respect to part 4(b), where it says: "the determination of what constitutes a difference of medical opinion for the purposes of subsection (2)."

I understand from having had a discussion with Dr. Ohlhauser that essentially how they contemplate doing this is that whenever there is a contention that there is conflict of medical opinion, it won't be decided there. It'll go to Dr. Ohlhauser's operation, and that's where it's going to be decided. So I have a feeling that this pilot project is going to work very well. I understand the hon. member's concern, but I don't think we need these amendments because they're redundant.

11:20

THE CHAIR: The hon. Member for Edmonton-Gold Bar on amendment A5.

MR. MacDONALD: Thank you very much. Yes, on amendment A5. Mr. Chairman, this is an interesting amendment. It astonishes me how whenever this legislation was drafted – I consider this a correction of an oversight, and I would commend the Member for Edmonton-Highlands for bringing it forward this evening. Certainly in the Friedman report and also in the report from the hon. Member for Red Deer-South there was considerable attention paid to the role of the general practitioner, the family physician, or the attending physician in regard to an accident. In the time that I have had to look at this amendment, I think this would increase the role or hopefully increase the influence of the attending physician or the claimant's physician.

Also, I'm encouraged by the fact that since the Appeals Commission is going to be bound by the medical panel and its findings, they are going to have more of a role in outlining

- (a) the appointment of the members of a medical panel,
- (b) the determination of what constitutes a difference of medical opinion for the purposes of subsection (2), and
- (c) the practice and procedure applicable to proceedings before a medical panel.

I would at this time remind all members of this Assembly who are currently present that the Appeals Commission is bound by the medical panel. There are those who thought – and I certainly am one of them – that the medical panel is usurping the authority of the Appeals Commission, but this goes in some way to correcting that, and I would encourage all members of this Assembly to support this legislation.

We need to consider the difference of a medical opinion arising in

the course of the board's evaluation of a claim for compensation under this act and where a difference of medical opinion occurs when a specialist medical opinion is refuted by a board's consultant that does not have equal medical qualifications or expertise related to the area of injury as the Appeals Commission case law requires. Now, in the course of the debate on amendment A5 if that question could be answered perhaps by the Minister of Human Resources and Employment in the time that we have left unfortunately, I would be very grateful.

However, Mr. Chairman, at this time I would encourage all members to please vote for amendment A5, as proposed by the Member for Edmonton-Highlands. Thank you.

MR. DUNFORD: Just a couple of things on amendment A5, Mr. Chairman. First of all, to congratulate the Member for Edmonton-Highlands again for the thought that has been put into the amendment and, of course, for the prenotice of the amendment. I've had this amendment in my possession now for quite a number of days, and we've been able to examine it. I want to provide the hon. member some time to speak, to perhaps close the debate on A5, so I'll be quick.

The Member for Calgary-Egmont said it I think as good as I possibly can, and that is the fact that a conflict that is in existence creates the need for the medical panel. It's quite appropriate that that would come, then, from the attending physician of the claimant or in this case of course an injured worker.

The way in which (2.1) is written is really striking at the heart of the idea, but I recognize that it perhaps wasn't as clear in my opening statements when we got into this particular area. It's the medical panel that's one of the key ingredients of course of Bill 26. As we all know, it's a difference of a medical opinion that has led to a lot of the injured worker files that we as MLAs all have on our desks. So I'm encouraging members of the Assembly that (2.1) is not necessary and that it be defeated.

On the second one the reason that we wouldn't want the Appeals Commission making the rules is again as the Member for Calgary-Egmont had indicated, but also, hon. member, we're trying to get the conflicting medical opinion done with before it even goes to the appeal. Now, we have to provide provisions, as we're doing in the pilot project, for the Appeals Commission to call a panel, but if we can be successful in having an operation where the conflicting medical evidence is handled before the claimant moves on to the Appeals Commission, we in fact then, I think by definition will have negated the need for many appeal hearings that we currently are involved in.

So I'd encourage all hon. members to defeat A5.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman, and thanks to the hon. minister and the hon. members who have raised issues with respect to this. I just want to indicate, first of all, to Calgary-Egmont that it's not the background documents or the administration or the policies outside the act that we're debating, because those can change very easily. We need to look at the legislation specifically, and it's the wording of the legislation that we need to be concerned with. So I appreciate what he is saying, but I don't think it affects the amendment particularly.

To reiterate, I guess, or just to conclude on the reasons for this, section (2.1) – and I don't believe it is redundant – makes it clear that the claimant has the right to “request the Board or the Appeals Commission” – and that's an important piece – “to refer his or her medical issue to a medical panel,” and then that has to be supported by the claimant's physician.

THE CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Highlands, but pursuant to Government Motion 27, agreed to May 13, 2002, after two hours of debate all questions must be decided to conclude debate on Bill 26, Workers' Compensation Amendment Act, 2002.

[Motion on amendment A5 lost]

[The clauses of Bill 26 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed?

SOME HON. MEMBERS: No.

THE CHAIR: Carried.

[The voice vote indicated that the request to report Bill 26 carried]

[Several members rose calling for a division. The division bell was rung at 11:30 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Ady	Hutton	McClelland
Broda	Jablonski	Norris
Cenaiko	Jonson	O'Neill
Coutts	Kryczka	Rathgeber
Ducharme	Lord	Renner
Dunford	Lougheed	Shariff
Forsyth	Lukaszuk	Snelgrove
Friedel	Lund	Stelmach
Graham	Marz	Stevens
Hancock	Maskell	Strang
Herard	Mason	Taylor
Horner	Masyk	Vandermeer

Against the motion:

Blakeman	Carlson	Massey
Bonner	MacDonald	Nicol

Totals	For – 36	Against – 6
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[Motion carried]

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee now rise and report Bill 26.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has

had under consideration and reports Bill 26. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Third Reading
(continued)

Bill 26
Workers' Compensation Amendment Act, 2002

MR. DUNFORD: Mr. Speaker, I'd like to thank everyone for the participation up to this point, and I'd like to move third reading of Bill 26.

THE DEPUTY SPEAKER: The hon. Leader of Her Majesty's Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I rise tonight to speak to Bill 26, the Workers' Compensation Amendment Act. You know, in conclusion as we get into third, we have to talk now about what this bill is going to do as it gets implemented, whether or not it's going to work, whether or not it's going to do what we set out to achieve with it. I think the big issues that we see in it still have to do with how the medical panels get struck, how they operate, whether or not they truly are independent as true mechanisms to deal with kind of a consensus-building process so that both the injured worker and the employer and the process work. I think that there's still really some question in the bill about whether or not the injured workers will have a fair hearing through the process of the medical panel, whether or not they will be able to bring out fully all of the issues that are appropriate as they seek to have a solution.

I guess the main thing here is that we have to make sure that the opinions that are brought in are intended to build a consensus and that they don't even have a perception of being biased one way or the other in the context of how the material that is presented can be heard. I think there seems to be a sense right now that we're going to have to see how this works, because in the context of whether or not the injured worker's family physician or primary physician is going to have the input that's appropriate still needs to be looked at.

I guess the thing that was expected a lot in Bill 26, as we worked up to its introduction and process through the House, was whether or not there was going to be a resolution process in it for the long-standing claims. What we see is that there's no really easy solution to those that's going to be proposed by this. We still get to wait to see how they're going to be dealt with, yet this was one of the most critical issues that precipitated the whole review of the WCB, to see whether or not it was working. I think you would expect that with the amount of review that they went through and the amount of input that was there to look at what happened and how these cases came to be long-standing, unresolved cases, there should have been a real mechanism that could have been developed to really look at these cases.

If the issue was one about who pays and who doesn't, I think it's quite appropriate that we should be looking at the fact that in the process something fell through so that it didn't actually work.

Maybe instead of having these long-standing claims fall back to the current employers as a financial penalty, we should be looking possibly at the idea, because it was a process that was put in place, because it was the process that was bad and not the judgment of either the employer or the employee, of relieving the employers from that and maybe dealing with a taxpayer support for that long-standing part of it. You know, these are the kind of things that would look at it from the point of view: when everybody works to the best of their ability with the rules that are in place, how do you go back and review those processes when you find out that the process was at fault, not necessarily any of the participants in it?

I think that this is something that we should really make an effort to move quickly on so that the injured workers that are still facing uncertainty, still facing more time before they find out where their case is going can actually get a sense that something is being done for them. We want to make sure that, you know, we can move on. If the new processes that we're putting in place here are going to be given a chance to work, they can't be biased or in any way influenced or kind of given a bad environment to work in if these other claims are still going on, because what we'll have is the public perceiving some of the long-standing claims – they'll think of it as being a new claim. They'll think of it as being something different. We need to work that out so that we can get that out of the way and see if this new process actually does work.

I think that we really need to review critically and monitor critically whether or not the new medical panels will really provide that degree of objectivity and impartiality that's intended. We don't want the WCB to have the kind of absolute power that it had under the old processes, where they can just in effect continue through until their solution is the one that comes to the front. That's not a fair hearing for anybody involved, neither the injured worker nor the employers. So we need to make sure that that works out okay.

11:50

I guess one of the other things that we have to look at is basically whether or not the decision-making processes in the WCB are going to be in a sense improved. That was another one of the objectives that we were setting out to achieve here. If that is going to work, if this is going to develop and grow and be monitored, then we'll have to make sure that the decision-making processes through the board, through the Appeals Commission, that the independence there really works to facilitate quick resolution of the cases and resolution that can be accepted on both sides.

When I spoke the other day, Mr. Speaker, I made a comment to the fact that we have to start looking at some of the issues that come up as we go through these and deal especially with the medical opinion part about how we deal with the tendency that we've seen with the WCB lately to have every injury blamed on a pre-existing condition. If that's the case, then how are we going to deal with that in the context of employment offers and employment options? If we hire an employee in good faith, then we have to assume that that employee is acting in good faith and believing that they are able to carry out that activity. It's not appropriate for us then to go back through a WCB process and say: well, you shouldn't have taken the job in the first place. That doesn't appear to be an appropriate response. If we actually take someone on, we take them on in the condition they take the employment. We shouldn't be falling back on pre-existing conditions as a means of getting out in effect of giving them coverage under an injury. I guess as we move through the whole process, we have to make sure that it does work.

The annual meetings now are going to have to be held in the open on a regular basis. We'll see whether or not that does give the WCB a more open perception. I guess, Mr. Speaker, we've all seen

meetings where you can come and have good debate. Other meetings you can go to and it's in effect a presentation. In other words, the board or the CEO stands at the front, gives you a report, and the meeting's over. There's no debate, no feedback, no interaction. So it's going to be a matter of time until we see how interactive and how informative those annual meetings can be.

The other part of the accountability that we were seeking here was the role of the Auditor General. I think this will bring out some really good aspects of a review and an accountability practice within the WCB, because the Auditor General is effectively the watchdog over all government agencies. So, you know, it would in effect create some consistency in measuring process and in measuring accountability so that we can look at it relative to other agencies or other departments within the government and see whether or not this kind of action and activity that goes on under the WCB really gives a sense of any kind of improved accountability.

The final area that I had on my notes that we were trying to talk about in terms of getting some improvement here in the context of the material was how we develop performance measures for the WCB and whether or not that in effect is going to be useful in measuring how they deal with injured workers. I guess to the minister I would suggest that some of the things we need to look at here are, you know, the degree to which we get people back to work, the speed with which we get them back to work, and the completeness with which we get them back to work. It doesn't do a worker much good to go back to work and two days later have a relapse or a supplementary injury resulting from a weakness that was still there from the previous injury. So it is important that we look at that kind of performance measure and that we have some benchmarks in terms of both the effectiveness from the employers' point of view in terms of getting their employees back with minimal disruption, but also the most important one has to be the complete recovery of that injured worker in the sense that they're back into a productive employment situation. If it isn't the job that they were injured in, then there had better be performance measures in there that include looking at retraining options, alternative employment options, light-duty options, all of the different aspects that come about with trying to make sure that the injured workers do get back into a sense of contribution and self-control over their life.

That's the whole purpose of employment. Out of all the WCB claimants that I've had in my office in the last nine years, Mr. Speaker, I don't recall one of them being in there not wanting fair treatment, not wanting to be an active participant, not wanting to be able to go back to work. That's just the nature of the people in this province: they want to feel part of it. So we've got to make sure that they do get a chance to get back into some kind of a productive activity. In the individual and the infrequent cases when disability is permanent, when disability is to the extent that re-employment or retraining is not possible, then we have to make sure that the workers are treated with the dignity that they need to have and that they deserve to have in the context of having contributed and having been injured in that contribution, because they still have been an important part of our province and an important part of what we are as a society. So, you know, we don't want to just kind of shuffle them off to a back room and forget about them. They have to be able to live with a degree of dignity and sense of contribution. That's part of what we want to make sure these processes provide to them. So as we go through that, we need to look at it for all of these kinds of issues.

I guess the other aspect of the accountability is where we're looking at the increased role for the monitors, the review agents, the investigators, to see whether or not any fraud is occurring on either side. You know, it's an unfortunate part of any kind of an operation,

but I think it's something that we need to look at and make sure that there is a relationship between the effort and the dollars spent on that and the incidents of real abuse of the WCB system. It would be interesting to see if there was any information out there that shows the extent to which abuse of the system is ongoing and whether or not additional resources as suggested by the bill will really contribute to a better system. You know, when I asked for it earlier, there was nothing provided that said that this is the degree to which we need to have additional investigative services because this is the number of cases that we know are going on out there or that we suspect are going on out there that don't have proper monitoring and where there could be abuse. If that's the case, then what we've got to do is make sure that there are, I guess, good judgments made as to whether or not those resources are being used properly or being used wisely.

12:00

I think the idea that we're out there looking over the shoulder of everybody just to make sure that they're following the rules is a little bit severe in the context of the perception of the trust that's implied between this kind of a self-insurance type of system, where it's put in place supposedly for the well-being of everybody, the cost reduction of everybody. To assume that individuals are going to be taking advantage of it would not, I think, be appropriate. So I guess it boils over to where we're going to go with the trust that we build up in this whole process. As we move through and look at some of the other issues that come up, we need to make sure that we end up not pushing people into a paranoia in the context of, you know, somebody always going to be looking over their shoulders.

But if we follow through, the main thing that we have to look at is that the medical appeal panels have to be there. I think we're always going to have trouble with conflicting information. Mr. Speaker, our basic assumption in our health care system is that the individual and their family physician and associated specialists have played the central role in our health care systems. We have to make sure that that same trust and same health delivery model is kept in place as we move through the process of trying to resolve both the long-standing claims and any new claims that go through to the medical review, because what we want to do is make sure that in effect there's no sense of one side having more power than the other, especially not for the board.

We had amendments in committee that looked at how the bonus structure applies and whether or not it should apply and how it should be reported. I think this is something that we still need to look more seriously at because the idea of the objective of the WCB should be in the context of fair treatment of the employee, the injured worker, getting them back to work and not having an excessive cost for the employer. But if we're going to be creating bonuses based on the quickness or the speed with which a case is resolved or the number of cases that are cleared, what we're doing is that that whole bonus structure is predicated on the idea that we can basically short-circuit or shorten the process time to get somebody back healthy, get them back to productive work. That should be the basis of measuring any kind of a bonus system instead of just the number of cases that you close or the number of cases that you're operating.

I think this is the kind of system that if there has to be one, that's where we should be going with it instead of this process that's out there right now. It's hard to imagine how a bonus system to get people off, get them out of the active file group is consistent with the idea that somebody should be back to work in a productive way, in a quick way. I guess the only way you could do that is in a long-after-the-fact process: make sure that if there are going to be

bonuses, they're based on if that person is back to work and still working, say, a year after. Is that person back to work in a relative time span compared to other individuals with similar kinds of injuries?

I'm not so sure that with the basic self-insurance or co-insurance process that we had in place for the WCB, bonus systems really are functional. They don't work in that kind of a competitive model because we're not dealing here with looking at what are competitive economic processes; we're looking at a service model. We need to have the bonuses built around the delivery of that service, again if we really have to have those bonuses in the first place.

As we look through it, I think the main thing is to make sure that as we move into the next phase of the WCB under this new act, the processes are going to work, that we end up making sure that we carry through with the promises of ongoing solution that have been made to both the people of the province and the injured workers that, you know, this process doesn't stop with the passage of this bill and the implementation of this bill. This process has to be a continual dialogue between the employers, the workers, the injured workers, and the board, because they are the administrative unit that overlooks it.

I guess if we see anything in the bill that really doesn't move in the right direction with the WCB, it's that unless you can interpret it into some things that I haven't been able to see, there doesn't appear to be any new mandate for the WCB that's associated with facilitation. It still is a closed shop. It still is a top-down process. They still have the option to make sure that the appeals panel effectively gets their opinion, the process of requiring that the appeal panel hears the medical evidence from the WCB, yet the bill doesn't have the same requirement that they have to hear the medical information from the injured worker's panel of doctors. We've got to make sure there's a perceived balance in it and that it works out so that there are some processes that can come together.

Mr. Speaker, I think that kind of covers the points that I wanted to bring up at the end of this bill. We need to make sure that, as I said, we don't let it stop here. There are still a lot of things that are outstanding. There are still a lot of things that the minister has promised us are in development or will be improved, so we've got to make sure that we have a kind of commitment from the minister that these processes and this progress will be actively reported to this Legislature, the people of Alberta, the injured workers of Alberta, and the employees of Alberta. That's how this system will continue to grow and continue to actually carry through the intent that was expected to be covered by this bill, which in effect wasn't covered by the bill in a lot of cases because there were a lot of areas where people were expecting to see something in the bill and it didn't end up being fully or evenly partially covered in it.

12:10

This kind of ongoing dialogue needs to be kept in place, some kind of monitoring that goes beyond just an internal review by the WCB. The minister needs to continue to do that kind of review so that Albertans, especially injured workers, have a chance to get their input to the minister so that they can feel that if there are still processes that haven't been fully resolved, they can be worked on. You know, I hope that we don't have to wait as long for another amendment act as we did for this one, because it just builds up both a caseload and a frustration level. I don't think that any of us want that at this point, when we're trying to make a system here that works.

With that, Mr. Speaker, I'll take my seat and let someone else comment.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that we adjourn debate on Bill 26.

[Motion to adjourn debate carried]

head: **Government Motions**

(continued)

Time Allocation on Bill 26

28. Mr. Hancock moved:

Be it resolved that when an adjourned debate on third reading of Bill 26, Workers' Compensation Amendment Act, 2002, is resumed, not more than two hours shall be allotted to any further consideration at this stage of the bill, at which time every question necessary for the disposal of this stage of the bill shall be put forthwith.

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. In the brief time that's allotted to speak to the motion, I would just indicate, as I did earlier today, that up until the time we commenced discussion in Committee of the Whole, we had spent five hours on the bill. We've now spent another two hours and 45 minutes on the bill. It is an important bill. We've heard a lot of comment in the House. But it's clear, and it's been made clear to me as House leader that if the bill was to be passed in a reasonable time frame without further delay, time allocation would be necessary.

Time allocation is an appropriate methodology. In discussion on the moving of time allocation in Committee of the Whole I might say that members of the opposition, either in speaking to it or yelling about it – I don't remember which – had indicated that this government has a reputation for using time allocation, or closure as they put it inappropriately, more than any other government. The fact of the matter is that time allocation and closure both are used far more frequently in the federal House by their Liberal cousins than ever has been done here. Time allocation, however, does have its place, and its place is in order to deal with a matter which is clearly not going to come out of committee because the opposition, in doing their job, brings forward amendment after amendment and clearly with the indication of delaying or not allowing the debate to close. That was clearly the case in committee.

Now we're in third reading. Two hours in third reading is more than enough time to allow every member of the opposition to speak, but it does not allow for amendments such as a hoist amendment or a deferral or referral to committee, which would be only delay tactics in any event. Therefore, to prevent those sorts of tactics taking place, I'm taking the opportunity to move the motion now.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar in the five minutes.

MR. MacDONALD: Yes, Mr. Speaker. Again I have to express my disappointment and my dismay. This closure motion – there are so many issues left that have not been discussed regarding Bill 26, and this is the forum where they should be discussed. There are so many outstanding questions.

When we think of what is not going to be discussed, it certainly would come to this member's mind that the definition of a material change, which is very important whenever one considers that the special investigative unit of the WCB can issue a penalty because

someone, an injured worker perhaps, failed to inform the board of a material change – we're not going to have an opportunity to discuss that with this closure motion. We're certainly not going to have the opportunity to discuss how much discretionary power we are now giving the board of directors of the WCB. We are not going to be able to discuss in detail the termination of the rate benefit stabilization fund and allow the WCB to plead poverty in relation to the issues put forward for and on behalf of injured workers.

There are so many issues that we're not going to have the opportunity to discuss. Meanwhile, WCB premiums are going through the roof. There is no one – and the hon. minister spoke earlier about people not consulting with the office of the Human Resources and Employment minister. However, all the questions that were asked in second reading have not been answered by this minister. Some of those questions are relating to the premiums and the increases in premiums. How is Alberta business to operate with ever increasing WCB premiums?

The definition of a worker: who is going to clarify that? There were questions expressed, but there were certainly no answers. There is no chance now of getting any answers.

There's the issue of the subsidization of Alberta companies that are going abroad. Who is to pay for those WCB premiums? Are they going to be paid for by the small businesses of this province, or how is it going to work?

All these questions were asked, but there are no answers from this government. All this government can do is invoke closure and try to pretend again that it is a silk glove, and in reality it's a silk glove over an iron fist. There is a large majority in this Assembly. This debate on this bill allows the opposition an expression, and in a democracy they are entitled to that expression. All members are. There were a lot of stakeholder meetings. Certainly this hon. member was not invited. But this forum, this Assembly, is where every member can express their view on this bill.

To put a time limit on this bill when there is so much currently wrong with the WCB and to allow the special investigative unit sweeping powers, powers to fine – there is no guarantee that due process will or can be followed. It's wrong to suggest that the administrative penalties are just for employers, because in section 147 and in section 151 they're also for employees. I don't think it is reflective of Alberta or the intentions of its people for an outfit such as the WCB to have this wide, sweeping discretionary power, and that's to set their own laws and set their own penalties. I will be very surprised if this over the course of time stands up in court.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The time is up.

MR. MASON: I would request unanimous consent to have five minutes as well.

THE DEPUTY SPEAKER: All right. The hon. Member for Edmonton-Highlands is requesting five minutes on the motion. This requires unanimous consent.

[Unanimous consent granted]

THE DEPUTY SPEAKER: You have it, hon. member. [some applause]

MR. MASON: Well, thank you very much, Mr. Speaker, but I don't think they're going to be thumping when I'm finished.

12:20

AN HON. MEMBER: We'll all be sleeping.

MR. MASON: I don't think they'll be sleeping either.

Mr. Speaker, there is clearly a difference of approach here between the New Democrat opposition and the Liberal opposition about how to deal with this bill. I happen to think that there is some merit to this bill, although I'm not going to be supporting it in third reading because I think it fails to deliver the goods. The Liberal opposition has taken a different approach and is using a different set of tactics. The fact of the matter remains that this motion by the Government House Leader is completely uncalled for. If the Liberal opposition, if the New Democrat opposition, if, heaven forbid, some members of the government caucus wish to make amendments and wish to talk on this bill, there is no reason – we were told at the outset by the Government House Leader that he expected this session to last until the first week of June. Now, some of us are not quite that naive, but the fact remains that there is a great deal of time left in the anticipated schedule of this session of the Legislature to hear every single amendment and to hear every word, even if some of those amendments might be frivolous and vexatious. What is that? In a democracy what is that? Is that such a terrible thing to have to suffer for democracy?

This government double-shifts its Legislature so that it can push things through faster than many, many Legislatures in this country. We sit fewer days than all but a few Legislatures in this country, and I can't believe that in a province as vigorous as Alberta, as strong and as developing – thanks more to oil and gas than to the policies of this government, I might say – we have a Legislative Assembly that uses closure so often, that uses time allocation, that has to be out so that everybody can be back to their constituencies and out to the cottage for the weekend instead of debating what needs to happen in this House.

I think it's a shame that the government is using closure. We were afraid of this when these new rules were brought in. We were afraid that it would be altogether too easy for the government to make use of these elements of legislation, and it's coming to pass. It's so easy for them to put in time allocation. Oh, you've got two hours. We spent five hours debating this bill. Well, you know, the workers had to camp out. The workers had to go on hunger strikes. They had to force the government to deal with it. We have a bill that would take some steps in the right direction but clearly is not going to address all of those concerns that those workers fought for years for, and this government wants to deal with it in seven or eight or nine hours. Well, I'm sorry. It's not enough. If opposition members want to introduce amendments – there's no excuse for this. There's no excuse.

I would like to close, Mr. Speaker, by thanking the Assembly for giving me unanimous consent to say what I had to say. Thank you.

THE DEPUTY SPEAKER: Hon. members, having heard the motion as proposed by the hon. Government House Leader, does the Assembly agree with Motion 28?

[The voice vote indicated that Government Motion 28 carried]

[Several members rose calling for a division. The division bell was rung at 12:24 a.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Ady	Hutton	McClelland
Broda	Jablonski	Norris

Cenaiko	Jonson	O'Neill
Coutts	Kryczka	Rathgeber
Ducharme	Lord	Renner
Dunford	Lougheed	Snelgrove
Evans	Lukaszuk	Stelmach
Forsyth	Lund	Stevens
Friedel	Marz	Strang
Graham	Maskell	Taylor
Hancock	Masyk	Vandermeer
Horner		

12:40

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I want to rise to speak to Bill 26 on third reading and indicate that I'm disappointed. Much was promised with this bill; somewhat less has actually been delivered. There are some things that it does that are very positive. It creates I think an independent Appeals Commission. It sets it apart. It will not be subject, as it was in the past, to the dictate of the WCB. It will report to the minister. So it will be structurally independent, and I think that's a positive thing. There are going to be public meetings of the WCB and the Appeals Commission, and I think that's positive as far as it goes. It does allow people who have a concern or a grievance with the WCB to come and at least watch the WCB and listen to them and hopefully raise some concerns.

Against the motion:

Bonner	Mason	Nicol
Carlson	Massey	Taft
MacDonald		

Totals: For – 34 Against – 7

[Government Motion 28 carried]

head: **Government Bills and Orders**
Third Reading

Bill 26
Workers' Compensation Amendment Act, 2002
(continued)

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. Well, this is inevitably on its path to becoming law, and I genuinely believe that the minister has the best interests of workers and of employers at heart. I think what we're looking at is a bill that is a result of compromise and debate and give-and-take, and unfortunately it's pretty obvious that some of us aren't fully satisfied with the results here, but it is what it is. It's going to be law, and we're going to have to live with it, and the person who has to make it work ultimately is the minister.

Tonight I was visited by an injured worker, a man whose life for 25 years has been profoundly damaged and permanently derailed by a fall during some construction work. This is a man who feels that justice has not been done under the Workers' Compensation Board to this point. He's had a long, long string of frustrations and failures, of denied medical appeals, of tests and tests and tests, of lawyers helping him out, and he is desperate. He is desperate, and there are dozens, probably hundreds of people like him in this province. Ultimately, they are now looking to the minister to help them as they struggle to survive, and in some cases I worry they actually lose the will to survive.

So when we look for example at part 8.1, "long-standing contentious matters," and I see so much of that section, as I understand it, under regulations and therefore so much directly in the hands and the decisions of the minister, then I have to do nothing less, I guess, than plead with the minister to take these cases seriously, to consider what he holds in his hands as he weighs out what goes into these regulations. It is literally people's lives. It is families, it is bank accounts, it is dreams, and those are his to hold, to make, or to destroy.

As I go through this file, there is test after test at the Misericordia community hospital and health centre, lawyers' letters, Alberta Mental Health Board, all kinds of testament to how this man has suffered and how he deserves another break.

So I leave it with the minister. Take these issues to heart. Stand up to the people who do not want these workers treated the way they should be treated. Justice should be done, and it lies in your hands.

Thank you.

It creates medical panels that create the opportunity at least of resolving some of the issues that have arisen repeatedly over and over again where there are disputes between an injured worker's physician and the paid physicians of the WCB who found, in my view as a matter of policy, pre-existing conditions and injuries as a way of reducing the financial drain on the WCB in order to protect employers' premiums. I think this is one of the major mechanisms, one of the most important ways in which the serious issue of long-standing appeals has arisen.

The bill also provides for the oversight of the Auditor General, and I think that is a positive thing and may well give the Legislature at least some additional insight into the operations and some increased accountability.

The bill is deficient as well. The bill fails to give enough teeth and true independence to the Appeals Commission. In some ways it remains subordinate to or at least lesser than the WCB in key areas. It doesn't have the same authority with respect to the rules under which the medical panels operate, for one thing. The public meetings are fine, Mr. Speaker, but in lots of ways they're window dressing too, because obviously they're just an opportunity to provide some exchange between the WCB and people that may have an interest in it. Obviously the board will continue to meet however often and will be able to make decisions in private, and that's where the decision-making of the WCB lies, not in the public meetings, which are simply a reporting mechanism. So they're good as far as they go, but we shouldn't assume that they really mean that the WCB is going to be accountable to the public unless the WCB wants to be accountable.

I think the problem remains of the model that's been chosen, not chosen by this minister but chosen some time ago, of a fairly independent body in which the accountability is as much to the people who pay the bills as it is to the government. We have seen what I consider to be abuses of that power, and it's not good enough to say that it also occurs in other provinces where they have similar structures. The problems arise because of the structure that's chosen, and they'll arise in any political jurisdiction if you pick a particular model or structure that removes public accountability for the WCB. Because it's not taxpayers' money supposedly, you will get the same kind of thing as we've seen: inflated salaries, inflated severance, and not enough attention to the worker.

The medical panels that have been set up are still dominated in many respects by the board of the WCB, which remains the gatekeeper and sets the rules under which they operate and under which they are called, and we have not leveled the playing field in that area, as much as it is a step forward, Mr. Speaker.

The biggest disappointment of all with the act and the area where

it has most clearly failed to deliver the goods is on the question of the onetime tribunals which were proposed and endorsed as well by the minister. I guess the minister ran out of time in attempting to get stakeholder consensus on this issue. I don't know if he's ever going to get full consensus from the stakeholders. But the fact remains that these injuries occurred, and if in fact the tribunals find that they were work-related injuries and that people didn't receive what they were entitled to or received less than they were entitled to, then it is the responsibility of the employers to pay that. The government must simply express that position clearly, without naively expecting that businesses are automatically going to buy into it. There needs to be the political will to enforce that solution. Particularly this last issue, the failure to deal in the legislation with a solution to the onetime issues of the contentious and long-term cases, is the reason that I can't support the bill. That is the deal breaker, I think, as far as we are concerned.

I want to say, though, that in terms of working on this bill with the minister, I do recognize when someone is trying to do the right thing, and I believe that this minister is trying to do the right thing. I hope that ultimately when the cabinet deals with the onetime cases, the onetime tribunals in the last section of the act, that delegates the authority to resolve it to the cabinet, in fact a good solution is found, but I think it's going to require that the government simply must work out the best possible solution and bring it forward. I wish that they had done it before the bill came before the Assembly. I wish the minister luck in resolving that issue. I'm sorry that I cannot support the legislation, because I think a considerable amount of effort went into it, and most of that effort has been in the right direction, as far as I'm concerned, Mr. Speaker. I hope that it does provide at least a significant step forward for workers in this province and hope that that does come to pass.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Unfortunately we are already at third reading of Bill 26, and even more unfortunate than that, we are now under the hammer of time allocation. It's very unfortunate that this government felt that they had to take the heavy-handed tactics of time allocation. If we work out the numbers, what does it look like is the maximum amount of time that we could have spoken to this bill? If everybody took their full 15 minutes, which second speakers get, and everybody had the full five minutes of questions and answers like they could have had at third reading, the very maximum amount of time that we could have been on this bill in third reading is another five hours. That's one more day, afternoon, evening sitting, and it's over with. Then within the legislative process, according to the Standing Orders that we have in this Assembly, it would have been done. Would that even have occurred, Mr. Speaker? That would have meant that everybody took their turn to speak. A hoist amendment was brought in. We all spoke again. Five hours maximum time.

12:50

What have we seen so far? We've seen two speakers now in third reading who haven't used the maximum amount of time available to them and no questions and answers. So would it be going the full five hours? No. Absolutely not. For sure not with this government in charge, because now we're limited to the 120 minutes plus the approximately 27 minutes that our leader spoke to this bill. That is absolutely shameful when we talk about a bill that affects so many people's lives, that so many people have a legitimate interest in

seeing being the best possible bill to deal with workers' compensation issues.

When we take a look at this legislation now really in the final moments before it becomes law, can we really answer the basic questions, the concerns, and the problems that people have brought forward to us? I would say no, that the outstanding issues haven't been resolved. There have been cases in this Legislature where the government has brought in legislation that could be improved with amendments, and they've accepted them and gone forward. Some of the amendments that we've seen brought forward in this Legislature have been legitimate amendments that have dealt with concerns, particularly of injured workers. Injured workers have brought forward concerns and organizations who work on behalf of injured workers have brought forward those concerns to us. Yet the government dismissed them as being not substantive and is not going forward on any of them to make the legislation that is still flawed – it could have made it better, but that's not the choice that the government makes.

I have to give full credit to the minister. He has worked very hard on this, and he's done some good work on this bill. There are no two ways about it. I really respect the fact that he's been in this Assembly, that he's been up answering questions and trying to explain his perspective on the issues. Sometimes I've agreed with what he's said, sometimes I haven't, but he has put in a big effort on this particular bill and I think needs to be recognized for that. [some applause] Well, it's true. You can clap for that, because he has worked hard on this legislation.

Unfortunately, it's not going to be as good as we could have hoped. Does it actually address the ultimate concern that I have with all of those injured workers that I see in my office who expected the system to protect them once they got injured and who for a variety of reasons were virtually abandoned by the system in most cases, with the people who come in who are so frustrated, who are absolutely at the end of their rope, often who are financially destitute or certainly in a much less stable financial situation than they expected to find themselves in even after being injured? Will this solve those problems, those long-standing files of people who have been seriously injured? Are they going to get the treatment now that they deserve to get from the WCB? The answer is still, I believe, unfortunately no.

I'm not satisfied with the way the appeal panels will be run. We have all kinds of documentation coming in to us from a variety of sources that the medical panels and the way that they're going to be implemented is still significantly flawed.

We have more information on the secret police, Mr. Speaker. It's unfortunate that the memo that was sent to my colleague from Edmonton-Gold Bar and CCed to the minister wasn't also sent to the Government House Leader, because it clearly outlines that there is a secret police force within the WCB, as we had talked about. [interjection] Yes. Absolutely. He and I got into some debate on this bill on a previous night when he said to prove it, and now the proof is here. They in fact sent the memo to all of us.

Am I satisfied that this legislation ensures that those people that work in this department are working in the best interests of injured workers? The answer to that is still an unqualified no. When we even see the information that they sent forward here, Mr. Speaker, and which we haven't really had, I don't believe, adequate debate in this Assembly on, they state that "there is no doubt that most claimants and employers are honest and forthcoming, with only a small number of people that engage in fraudulent activity." That statement is true. My colleague from Edmonton-Gold Bar tells me that less than one-tenth of 1 percent of the WCB claims are fraudulent, yet I know in my own constituency from workers who

have come into my office that more than that percentage just in my own constituency have been subject to investigation by this particular unit.

They go on to say that all SIU members, special investigations unit members, "are duly registered peace officers under the Police Act and subject to its requirements." Secret police, Mr. Speaker. They do a public relations aspect to their work. They investigate the employers as well as the employees. They say, "There is nothing secret about this unit, although we do try to protect the privacy of everyone and to not unduly embarrass people caught in fraudulent behaviour."

Then they do go on to say that they do perform surveillance activities, so I think that's the part of the secret police that we were talking about. They say that their investigations that are commenced "must pass the legal test of 'reasonable and probable grounds' first and the members of the unit have access to legal advice and the Crown Prosecutor's office if any issue is in doubt." What qualifies, then, Mr. Speaker, as reasonable and probable grounds? They talk about: "All persons who have the opportunity to defraud the Accident Fund are subject to investigation by the SIU and this includes workers, employers and service-providers such as medical practitioners." So in fact every single person that has anything to do with WCB meets the test of reasonable and probable grounds. I think it's very important that Albertans know that this is part of the mandate and that in fact you have a high likelihood, not a low likelihood, of being followed by private investigators and surveilled by this particular department if you place a WCB claim or if you in fact are registered as an employer that pays WCB funds. I don't think people know that, and I think it's important that that be brought out here.

AN HON. MEMBER: The secret is out now.

MS CARLSON: Yes. It certainly is.

They say that they saved the fund \$11 million last year, and that's very good. I'd like to see a breakdown of that, Mr. Speaker. We haven't had the time in this Assembly to get that kind of information. They say that they've saved it, but what did they cost the system? We don't see that breakdown either, so I think that that information should be available. I think employers and workers need to know the costs of running this surveillance team and other aspects of the SIU's job description as they lay it out here. That's an issue that's unresolved as we come to the vote on this particular legislation that I think hasn't been fully or adequately discussed.

We have a number of questions that are still outstanding at this time, and I would like to just address a few of those. Most of these questions that I will be addressing come from information provided by Kevin Becker of Lethbridge. He sent the information to the minister and to members of the Assembly, telling in his opening comments here a review of when he first asked for information and when he received information back from the department. He states here:

Although we expressed our concerns to you in detailed correspondence dated January 29, 2002 it was not until today, April 24, 2002 that I received a response from your office beyond your cursory correspondence acknowledging the receipt of said document and the referral of this document to your department.

So we have February, March, and most of April just to get some responses back.

The department clearly feels that that's a reasonable time line, yet the government does not feel that spending 10 hours in debate on this particular bill is reasonable to do. So, Mr. Speaker, there is something wrong with that particular kind of time allocation as we

see it being imposed here in this Legislature. If it's okay to spend nearly three months to respond to correspondence, then it should be okay to spend at least 10 hours of debate on a bill that is substantive and does in fact affect many people's lives.

1:00

One of the questions still outstanding is:

Will the Government of Alberta amend this draft legislation removing the 46.1(5) which stipulates that medical panel findings are binding on all parties and therefore not open to appeal?

This, as I have heard in debate, is probably the biggest outstanding issue that hasn't been adequately addressed.

Another one.

Will the Alberta Government ensure that the claimant's treating physicians will have the right to provide input to and appear before the WCB medical panels and that this right will not be subject to the medical panel chair's sole discretion?

A very good question, one that we've often had to deal with in our office in dealing with these claims.

Will the Government of Alberta ensure that the claimant's health-care providers who agree to participate in or provide input to WCB medical panels will be afforded appropriate remuneration?

Also a very good question.

There are many more questions here that are still outstanding. My time is running short. I'll just go through a couple more of them.

If a claimant is wrongfully denied tomorrow and they appear before the tribunal and are successful in a further appeal a year later, are they any less entitled to the retroactive benefits they would have received the year prior having received a fair and impartial hearing at the onset?

A lot of it is the money in this case because these people often are unable to find reasonable or gainful employment after being hurt. This appeal process is onerous. Getting the settlements is an onerous task and puts a great deal of hardship on families.

Will the Government of Alberta consider legislation that allows claimants the choice to request a review by the WCB Board of Directors under section 8(7) as well as the right to proceed to the Alberta Court of Appeal?

It's been touched on by the minister, as I hear it, but hasn't been adequately addressed, as I can see.

"Who will be responsible for hiring WCB appeals advisors?" A very good question and one that's been talked about here by my colleague from Edmonton-Gold Bar extensively.

Fully another four pages of questions and information and another two pages of recommendations reported as being implemented that this person has concerns about, stating that they're not evidenced as being practised at this particular time.

At the end of the day, Mr. Speaker, can I go back to my constituency office and look these injured workers in the eye, not fraudulent injured workers but legitimate injured workers, and say that this bill is going to substantially improve how injured workers in this province are treated? Unfortunately, I can't, and that is really, really unfortunate in this particular case. In some cases I'll be able to tell them that things will have improved. Overall do I believe that injured workers in this province are going to be better off tomorrow than they were today? The answer to that is: not substantially.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity in third reading of Bill 26, the Workers' Compensation Amendment Act, 2002, to review the bill in its final form after the kind of shaping that's gone on in previous stages. Of course, unfortunately there hasn't been much formal shaping of the bill with

the rejection of the amendments, but there has been I think much public shaping of the bill, just as there was a public perception of the WCB that extended far beyond those who had direct involvement with the organization. There is a shaping of the bill, and I think that if we at third reading go back and look at some of the principles and what that shaping seems to have done with respect to those principles, it will give us a better idea of how the bill may actually operate in practice.

There are a number of principles embedded in the bill. I think one of the paramount ones was that the WCB had to be made more accountable. That has dominated the activity of government, the two committees that reported, and the kinds of presentations that were made to them was this whole notion that the board had to be more accountable both to employers and to injured workers. There are a number of provisions in the bill that have actively worked to try to support that principle. The involvement of the Auditor General in overseeing the work of the board and the Appeals Commission is part of this accountability. Much of it has yet to be developed, and we heard the minister comment on this in Committee of the Whole.

One of the basic concerns in terms of the accountability is some assurance of fairness. Fairness I guess has been at the heart of most of the controversy surrounding the board, and it is certainly for workers who appear at our office an overriding major concern. The charge has been that they weren't dealt with fairly and their claims weren't dealt with fairly. There are going to be performance measures developed, and the ones developed surrounding fairness I think are going to be some of the most important.

There is a concern about the timeliness of decisions, and the bill tries to in part address that, but again there are going to be some more measures developed, and they'll add to the kind of accountability that I think people expect.

There's a concern about the financial stability. Again, there'll be some performance measures developed in that area that will help the accountability concerns.

The concerns about returning injured workers to their jobs and how that can be tracked and how that can be expedited I think sets up another set of performance objectives. One of the major concerns is this whole business of communication. The myths that surround WCB and its operations have to be almost as numerous as the complaints, so the kind of communication that's developed and the kind of standards that are set for those communications I think are going to be important. So a major thrust to the bill and a major concern is making the WCB more accountable. If we're asking how the debate has shaped that principle, I think for a good part in many ways there is more accountability under Bill 26 than what there was previous and I think that in some sections it has satisfied concerns about accountability, but it is a work in progress, as I indicated and as the minister has indicated.

1:10

A second principle that seems to be very important in the bill is balancing. There must be a balance between the interests of workers and the interests of employers, and that's really a very, very difficult balance to achieve. In many ways their interests are diametrically opposed to one another, although at some point they do converge in terms of putting in processes and mechanisms to have disputes resolved, but getting that balance between their interests is an extremely important part of the bill. There have been a number of injured workers who have been in the gallery night after night watching the bill proceed through the Legislature, and certainly their perspective is that the bill does not reflect their interests. Now, how widespread that perception of the bill is remains to be seen, but at least there is a core of injured workers who believe that the

employers are the big winners in terms of this particular bill. I think that's balanced by the fact that there was no agreement on how the costs for contentious claims could be resolved. I think that in large part we won't know how well that principle has been imbedded in the bill until we actually see the bill in operation for some time.

A third principle that guided the bill is that the WCB had to be more open, and there are some mechanisms built into the bill, some specific mechanisms. We're promised that there are going to be newspaper ads and some attempt to publicize the annual meetings of the board and the Appeals Commission, and there will also be an annual report that will contain information that will supposedly shed more light on the operation of those two bodies. As I already indicated, the Auditor General is going to be involved in reviewing the financial operations of the two bodies. So there have been some specific moves to make it more open, obviously not enough in terms of the operation of the investigative unit. There's real concern over how that unit operates, and the kind of openness and in fact even the legality of some of the things that are undertaken remain questions to many people. In terms of that principle, I think the judgment is mixed in terms of the shape of the bill.

A fourth principle that the bill supports is that the Appeals Commission must be more independent of the board. Again, we've achieved this in part, maybe in large part, through having the commission report to the minister and also by taking away the WCB's ability to direct the Appeals Commission. I think those are two moves that go a long way to establish the independence of the board. How that will actually work in practice remains to be seen.

A fifth principle is that more definitive time lines must be followed when the Appeal Commission's decisions are implemented. Again, it's been a contentious area. Injured workers in our offices complain constantly about time lines that are missed or time lines that are never established. I think the bill has taken some moves in the right direction to make sure that the appeals are handled in a timely manner and decisions announced in the same timely manner. If you're an injured worker, those time lines become extremely important, and I think it's positive to see the couple of provisions in the bill that deal with those time lines, although I suspect there are still some concerns that need to be addressed.

A sixth principle that seems to be embedded in the bill is that medical differences should be resolved by a medical panel, and that that's an independent panel. Again, there are some concerns about that. The panel seems to be a good way to go about trying to resolve those, but there are concerns that those panels will usurp the power of the appeal panel itself, ending up with a situation which may not be the most satisfactory. Again, I think it's one of those things that is only going to be played out when the bill is passed and becomes legislation and we see the whole business in operation.

There are many more principles that could be identified, Mr. Speaker, but the last principle is the one that long-standing, contentious claims must be resolved. I guess this is one of the major concerns about the bill. In fact, I guess it's a significant failure that this really, really very difficult issue hasn't been resolved, or there isn't a process. I guess there's a process in place to try to resolve it, but it's really very unfortunate that the kind of work that is now under way was not done so that it could have been a part of the bill.

So going back to just that limited number of principles, Mr. Speaker, I think the report card on them is uneven. I think the reporting in the media about the bill has certainly shaped public perception. I would suspect that for many people it's: let's bide our time and give the bill an opportunity to work. They'll reserve their judgments until they actually see it in operation.

I think for injured workers there's been so much distrust of the WCB over the years that almost anything that is done is going to be

judged very, very suspiciously. I think that that suspicion is out there still, and it's only going to be the successful operation of these changes that will help to eventually dispel that. But it's a long history of workers being dissatisfied and in recent time employers being dissatisfied that has to be overcome, and it's a large order for a bill.

So with those comments, I conclude. Thank you, Mr. Speaker.

MR. STEVENS: Mr. Speaker, I move that we adjourn debate on Bill 26.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 1:30 p.m. today.

[Motion carried; at 1:20 a.m. on Tuesday the Assembly adjourned to 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, May 14, 2002**

1:30 p.m.

Date: 02/05/14

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. O God, life and health are precious. When they are lost, all of us are impacted. Let us remember those who are no longer among us with the most positive of thoughts, and let us reach out with compassion, understanding, and prayer to those who suffer. May God bless them all and extend eternal salvation in the heaven of peace. Amen.

Please be seated.

head: **Introduction of Guests**

MR. LOUGHEED: Mr. Speaker, before I introduce the family of a fine young man, our head page, Brent Shewchuk, I'd like to mention that today is Brent's last day with us. He's been a page since November of 1999. Brent, we appreciate your service.

With us today in your gallery, Mr. Speaker, are Brent's father, Dr. Michael Shewchuk, a dentist in Edmonton; Mrs. Sharon Shewchuk; Jeff Shewchuk, Brent's older brother and a student at the U of A – he's just finished his third year in sciences – Ryan, Brent's younger brother, who attends Jean Vanier in Sherwood Park; and as well sister Vanessa, who's a student at Father Kenneth Kearns in Sherwood Park. I'd ask the Assembly to give them the traditional warm welcome.

MR. BRODA: Mr. Speaker, on your behalf I would like to introduce to you and through you Mr. Raymond Westbrook and Mrs. Karen Westbrook, who reside at Thunder Lake in your constituency. Mr. and Mrs. Westbrook have resided in the Swan Hills area for the last 15 years. They are seated in your gallery this afternoon, Mr. Speaker. I would ask them to please rise and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the Assembly this afternoon two very special and capable young adults who look after both my constituents and my government work in the Legislature: Lisa Hofmeister, who is the assistant in my Calgary-West office and formerly worked for a Liberal member in Fort St. John, B.C.; and Warren Chandler, who works in my Edmonton office as a leg. assistant and formerly worked for the hon. Member for Lethbridge-West. I would ask these two young people to please rise and receive the traditional warm welcome of the Legislature.

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. It's a real privilege for me today to be able to introduce to you and through you 10 incredible young people that we've had the privilege of getting to know and work with, particularly during the last year but essentially over session, when we really make them work hard writing speeches and greetings. They do all of the research on private members' bills and motions, and they've just done an outstanding job. I'd like them to rise as I name them and to receive

the warm welcome of this Assembly once I've introduced all 10 of them. I'd like to start with Carla White, our senior researcher who's just done an incredible job of herding this group of young people around; Matt Steppan, our number two, who just got married a week ago; Jason Ennis, who came from the Airdrie-Rocky View constituency, as did Jeff Haley; Frank Ostlinger, just a wonderful man that joined us; Gregory McFarlane; Kelly Nicholls, who's unfortunately going to leave us this summer but has been a tremendous asset to us; Mike Simpson; Bartek Kienc, our summer student but who also worked for us part-time during the winter; and Alan Ferrier, our latest recruit. So please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have three introductions today. I'm pleased to introduce two new members of staff in the Liberal caucus office. Kirsten Odynski is a recent honours political science graduate of the University of Alberta and has joined our staff as a research analyst. Elaine Jewitt-Matthen, who is entering her senior year's studies at the U of A and is also a student of politics, is our STEP employee this year. They are joined today by Susanne Glenn, my researcher.

MR. BONNER: And mine.

MS CARLSON: And also this member's researcher. She keeps us on-line and on track and does just an outstanding job. I would ask that Kirsten, Elaine, and Susanne please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. We have the honour of being visited today by five members of the 408 tactical helicopter squadron. Among us today in the public gallery are Captain Colin Coakwell, Captain Ryan Tyler, Captain Leslie Wenzel, Captain Jason Tuckett, and Honorary Colonel Bart West. I would ask them to rise and receive the warm traditional welcome of this Assembly.

Mr. Speaker, also among us are two constituents of mine, tireless volunteers in many societies and associations within Edmonton-Castle Downs and greater Edmonton. They are Ms Vicki Lindsay and Mrs. Winnie Bogosoff. I would also ask those fine ladies to rise and receive the traditional welcome of this Assembly.

Thank you.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. As you know, there are meetings constantly held throughout the Legislature today. There was one with UtiliCorp Networks, EPCOR. Also, it's good to see ATCO represented in terms of Colonel West. It's nice to see him here as well. I'm asking Fauzia Lalani, seated in the public gallery, to please rise and receive the warm welcome and recognition of the Assembly. She is the chief executive officer for UtiliCorp Networks Canada and is an Albertan with a number of years of customer service experience.

THE SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. It's a pleasure to be able to stand this afternoon and introduce constituents of Calgary-North West. I'm delighted to welcome them here to the Assembly. Marilyn Marks is accompanied by two other members of the Alberta

grandparents' association, Jim Keating and Helen Zadorozny. We're delighted to be able to welcome them. They're here as concerned grandparents about access rights to their grandchildren. I'd like all members to give them the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of this Assembly employees from Alberta Justice judicial libraries and from the Court of Appeal. These individuals are here on the public service orientation tour, getting to know us better in terms of the public side of government, the elected side of government, and what's happening with respect to the Leg. Assembly. These tours have been promoted by your good office and the Legislative Assembly Office. From judicial libraries Sylvia Martin, Beth Ernst, Mary Baxter, and Susan Frame; and from the Court of Appeal Sandy Timmer, Marge Smith, Verla Sharp, Sandra Bachand, Kim Nayer, Julie Antunes, Lynne Krause, and Margaret Pawlikowski. I'd like them all to please rise and receive the traditional warm welcome and a strong thank you from this Assembly for the good work that they do for Albertans.

THE SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Thank you, Mr. Speaker. It is indeed a pleasure and an honour today to introduce to you and to every Member of the Legislative Assembly 63 very enthusiastic and keenly interested visitors from Tofield high school. They are seated in the members' gallery, and they are accompanied by Mr. Fred Yachimec, who is no stranger to this Assembly as he has been a wonderful volunteer with Mr. Speaker's Youth Parliament, as well as Mrs. Deedee Perrott and also a lady that has worked very closely with our department over the years, who is also the chief administrative officer for the town of Tofield, Mrs. Cindy Neufeld. I would ask these wonderful students to please rise and receive the traditional warm welcome of the Assembly.

1:40

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure this afternoon to introduce to you and through you to all Members of the Legislative Assembly my STEP student for the summer, Cheryl Pereira. Cheryl is attending the University of Alberta, and the many people who served here in the 24th Legislature will recognize Cheryl. She was a member of our page corps here and did a fine job at that time and is doing a fine job in Edmonton-Glengarry. So I'd now ask Cheryl to please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. It's my pleasure to introduce another STEP student, who will be working with the hon. Member for Edmonton-Gold Bar. Her name is Linda Wilcox. She's already proven to be a great addition to our team. I'd ask her to rise and receive the warm reception of the Assembly.

Thank you.

head: **Oral Question Period**

THE SPEAKER: First Official Opposition main question. The hon. Member for Edmonton-Ellerslie.

Provincial Water Strategy

MS CARLSON: Thank you, Mr. Speaker. Late this morning the government released the summary of their water-for-life consultation. This gave Albertans an opportunity to share their thoughts and ideas on the future of Alberta's water within the constraints that the government set for them. Of course, the government didn't tell the Official Opposition what they were up to. All my questions go to the Minister of Environment. In light of the opposition to limiting water policy to the four fundamental objectives identified, will the minister commit to expanding these objectives?

DR. TAYLOR: Well, Mr. Speaker, as I pointed out the other day, we heard from a lot of Albertans. We had 40,000 hits on our web site, and what we heard now goes to the minister's forum. We asked Albertans a number of questions in the workbooks. That information all goes to the minister's forum, which is going to be happening in Red Deer on June 6 and 7. There will be stakeholders at that minister's forum from industry, from environmental groups, from water users, from irrigators, from cities, from rural Alberta. It's a broad spectrum of Albertans which will then look and analyze this data and make recommendations to the government from there. Right now this is just information. We will be getting recommendations to the government from this minister's forum.

MS CARLSON: Mr. Speaker, will the minister answer the question that Albertans asked him? How does the minister define sustainable economy?

DR. TAYLOR: Well, Mr. Speaker, sustainable economy is one that balances both the economic development and the environment. You cannot move forward on economic development that destroys the environment. That is very clear. We heard that in our sessions, and that has been our policy consistently, but there is a myth, that this opposition likes to perpetuate, that you must separate a healthy environment from a healthy economy. There's a World Bank study and there's the World Economic Forum study that clearly point out that a healthy economy is equivalent to a healthy environment and a healthy environment is equivalent to a healthy economy.

MS CARLSON: Mr. Speaker, if that's the minister's position, then why does the Environment minister's business plan call for a move away from strong, enforceable regulations to weak, suggested codes of practice?

DR. TAYLOR: Well, that's absolutely ridiculous, Mr. Speaker. We are not moving away from enforcement and enforceable codes. What we are doing is providing education to people so that people clearly understand what our codes mean and what they say. We believe that once people clearly understand this, they will live up to their commitments. I can assure you that if they do not live up to their commitments, they will be enforced heavy and hard.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Mr. Speaker, I do agree that it is ridiculous, but it's the minister's business plan, not ours.

The minister's business plan describes the current regulatory system for protecting our water resources as intrusive. To whom is he catering with his plans to move forward towards unenforceable codes of practice?

DR. TAYLOR: Mr. Speaker, we are not moving forward to unenforceable codes of practice. I have very clearly said that. We have a very strong enforcement division. We will continue to enforce. I just passed out a document about two weeks ago in this House that pointed out all the enforcement actions that we have taken, over a million dollars in fines that we have assessed last year, and we will continue to do that. Because we're trying to educate people and prevent a mess before it happens does not mean that we are not enforcing.

MS CARLSON: Good answer; not correct.

The government has already given a break to intensive livestock operations by having a code of practice rather than enforceable regulations for handling manure when other water-reliant industries are looking for the same treatment, and where is he going with this policy of lowering the current regulations?

DR. TAYLOR: Her initial statement is certainly not true, Mr. Speaker. In fact, it might be characterized as a puffball question. Once again I will repeat my answer: we are not lowering our standards. Does she not hear?

MS CARLSON: Mr. Speaker, given that a water policy based on conservation rather than diversion makes sense environmentally and economically, will the Environment minister make a commitment today, then, to strengthen conservation regulations rather than doing what his business plan says and moving to weaker codes of practice?

DR. TAYLOR: Well, Mr. Speaker, I would insist that we are not moving to weaker codes of practice. I have said that; I repeat that. But she does make an interesting point that conservation is very important, and as part of this water strategy that we are developing, certainly conservation must be a very large part of that strategy. I can give you a couple of examples. Urban Calgary has 50 percent of the city metered and 50 percent of the city not metered. In the 50 percent that's not metered, the water usage is twice, doubled. Conservation would make sense to put meters in all of Calgary. That's a very practical example. So conservation certainly has to be very much part of what we do, and it will be part of what we do. I will agree with the member on that, and we will continue to monitor these situations as we go forward.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

Children's Services

DR. MASSEY: Thank you, Mr. Speaker. In response to questions raised in the Assembly, the Minister of Children's Services has made a number of promises to Albertans. My questions are to the Minister of Children's Services. On March 7 the minister promised to provide more information about the tragic death of Aaron Grey, who died in care last December. Is that information now available?

MS EVANS: Mr. Speaker, about a week ago I read and reviewed a report and asked for some adjustments. It will be available very soon.

Mr. Speaker, if I can just take a moment. There are some special case reviews that are not complete because of various stages of their investigation, and there are some of the other processes that are taking a little time. I would just beg the hon. member's indulgence and would commit to providing what I'm able to provide, noting confidentiality requirements, as soon as possible. I have done in fact

the follow-up on the member's behalf about those issues that we committed to during this session, and it will still be forthcoming.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. To the same minister. On March 18 the minister promised to implement the recommendations of the Corvette Crier fatality inquiry. Has that been done?

MS EVANS: Mr. Speaker, many of those recommendations have been done, in fact were worked on and commenced as early as 1999. I can be more specific and provide the status of all those recommendations, and I think a very good-news story is that we're working very much in a partnership to review the files and the administrative things on the Kasohkewew First Nations authority and receiving a lot of co-operation and finding in fact that many of the recommendations from that earlier report had been accomplished and are still looking forward to completing our work there.

1:50

DR. MASSEY: To the same minister, Mr. Speaker. On April 24 the minister promised to table the regulations that protect children in private day cares. Has that been done?

MS EVANS: Mr. Speaker, not only with day cares but with day homes we will be coming back. It's taking a little longer than we had hoped. We have a number of proposals that have been received again recently from some of the people that are operators. We want to very carefully look at those. They will be taken through the standing policy committee process. When in good time we are prepared to bring them forward, we will, but it's taking some time.

Mr. Speaker, I had hoped again that we would have those available by now, but we do not have them available, and when we have them available, we will release them. I also hope that we'll be able to satisfy the hon. member that our work has been something that has netted some very positive results.

We're still in the process, Mr. Speaker, of implementing some of the early child development programs that have been initiated, and taking that opportunity to have very positive outcomes for children as part of the overall plan has taken a little longer than we'd hoped.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Manning.

Provincial Fiscal Policies

MR. MASON: Thanks very much, Mr. Speaker. Taxes, fees, and health premiums for average families went up. Schools were needlessly put into turmoil while corporations got tax breaks and horse racing got handouts. That pretty much sums up the spring session of this Legislature. If we were handing out gold stars for bad budgeting, the easy winner would be the Minister of Finance, who brought down what is probably the worst budget in the entire history of Ralph's world. My questions are to the Minister of Finance. How can the minister justify sticking Albertans with \$722 million in tax hikes, including a 30 percent tax hike on health care premiums, just so that the government can look like heroes by paying off the remaining debt before the Premier rides off into the sunset?

MRS. NELSON: Well, I thought, Mr. Speaker, that the hon. member may have paid attention during the lengthy debate of the budget process in this Legislature. There certainly was ample opportunity to have a review of every department that came forward in that

process. I must say that while he may be critical of the fiscal situation in this province, almost everyone who reviews financial situations of provinces and other governments has in fact given Alberta a gold star. In fact, once again a week ago we received the triple A rating for our foreign debt. So we are the only government in all of Canada and possibly North America who has had triple A ratings from three major bond-rating agencies. The investors groups have applauded us for our plan, as have the major banks: the Canadian Imperial Bank of Commerce, Scotiabank, et cetera.

This budget, Mr. Speaker, dealt with priorities. It dealt with the priorities in health care, and it dealt with the priorities in education through the Learning ministry. It also dealt with priority spending. The difficulty was that it didn't have everything for everyone in it. It was a budget that dealt with realities. It dealt with the economic times that we're facing in not only Alberta but the country.

So what's the position of the province? Well, quite frankly, we are a province that has the lowest overall tax regime in the country. That means that dollars stay in the pockets of Albertans, not in the government's hands, and they can make the decisions on how to spend their money. It's a province that has the best economic growth. It is the province that is well sought after by people migrating to this province on an annual basis, actually to the size of the city of Medicine Hat. All the positives are there, Mr. Speaker, and it's unfortunate that this hon. member has gone through this session without recognizing those positives that are here in this province.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. How is it that the Premier can provide financial information about our projected surplus to selected members of the news media, telling them that last year's budget surplus will be more than half a billion dollars, while the Minister of Finance refuses to disclose that financial information to this House when she is asked in question period and in budget debate? Why won't the minister tell the House the facts?

MRS. NELSON: Well, Mr. Speaker, I presume that the hon. member is referring to the fourth-quarter final results from last year's budget. I have said in this House a number of times that the actual final numbers will be ready around the 1st of June and that they will be presented as soon as they are in fact available. What the hon. member doesn't understand is that while there are lots of estimates that can be made as to what those numbers will look like, the final actual numbers will not be available until just about 60 days after the final production occurs in oil and gas, which was March 31, so I don't have those final numbers. I wish I did, but I don't have them, and as soon as I do have them, I will make them available to Albertans.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. If there is another huge accidental-on-purpose budget surplus this year, will the government commit to scaling back the 30 percent hike in health care premiums, or does the government think it's more important to further reduce corporate taxes?

MRS. NELSON: Mr. Speaker, striking the balance is always a difficult task when one has to look at having the best economic advantage in the country. That means having the lowest tax regime. It also means having priority spending taking precedence, and let's not forget paying off our debt, which is another important aspect of the triangle of striking the right balance in this province.

In this year's budget I believe that we have met the priorities in some very challenging times within this budget structure, and we're moving forward, Mr. Speaker. I think it puts us in good stead within the province, but let's remember always that the one advantage we have in the province of Alberta – and we're the only government in all of Canada – is that every quarter we fully update Albertans as to the fiscal situation within this province with the quarterly updates. We will continue on that path so that Albertans are always aware as to what the fiscal picture is for the province of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Manning, followed by the hon. Member for Edmonton-Gold Bar.

North Edmonton Ring Road

MR. VANDERMEER: Thank you, Mr. Speaker. Anyone who drives the Yellowhead through Edmonton is immediately aware of the need for a ring road around the city. The northeast corner of our city is a significant contributor to the city's economic well-being and to the surrounding region as well. Traffic volumes and the city's economic well-being demand attention to be given to the northern segment of Edmonton. Building the northern extension is necessary for continued economic growth, jobs, and tax revenue to pay for health and education, and as an added benefit a ring road would relieve congestion on the Yellowhead. My question is to the Minister of Transportation. Could he please tell us if the province has any plans to accommodate a ring road around the north of Edmonton in the near future?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. At the moment we are proceeding with the most southerly western portion of the north/south trade corridor. This will be connecting highway 16 west to the Calgary Trail, which will lead to highway 2. That project is currently under way. The balance of the ring roads will be built as budgets are determined in the future. Obviously, the member makes a number of very good points in terms of relieving all of the traffic pressure on the Yellowhead and also on the Whitemud. In fact, I believe that by 2005-2006 transportation officials in the city of Edmonton are indicating that the Quesnell Bridge will be at capacity.

MR. VANDERMEER: Mr. Speaker, my first supplemental question is to the same minister. Land costs are a major portion of highway construction, and the northern extension of the ring road is a significant project. Does the province anticipate buying any more needed land there?

MR. STELMACH: Mr. Speaker, this government in the '70s had invested a considerable amount of money into what's called the transportation utility corridor. This is about \$600 million invested by the taxpayer in land around the city of Edmonton and the city of Calgary. The land is in place. The Minister of Infrastructure is just completing some final details, maybe buying some additional parcels where the anticipated interchanges will be going in, but definitely the land is in place, and when the dollars are available, we can proceed with the ring roads in both cities.

2:00

MR. VANDERMEER: The final question to the same minister, Mr. Speaker: what can the minister do to accelerate construction of these necessary roadways?

MR. STELMACH: Well, Mr. Speaker, thanks to the input from

government members and input and direction given by the Minister of Finance in forming the financial management review committee, these are of course issues that the committee will be looking at: how we can fund some of this badly needed infrastructure in the future, possibly looking at different strategies but knowing quite well that this infrastructure has to be put in place as soon as possible because we do have a tremendous congestion in two of the largest centres here in the province of Alberta, where the population is simply increasing annually.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Olds-Didsbury-Three Hills.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. Last summer the Minister of Energy welcomed Enron's entry into the electricity industry in Alberta as vindication that the anticipated deregulation scheme is working more or less as promised and said at the time, quote, Enron's announcement is a signal that this power market is here to stay, end quote. Just as Enron was a spectacular failure, so too was this government's expensive electricity deregulation scheme. It doesn't help to have a minister who only provides false, glib assurances. My first question is to the Minister of Energy. Since this minister still hasn't been able to complete his industry restructuring review almost eight months after first anticipated, how long will he delay the findings of the new task given to him by the Premier, a task he was incapable of undertaking on his own?

MR. SMITH: Mr. Speaker, actually I think the fact is that this power market is here today, this power market is here to stay, Enron is gone, and certainly half of his members are gone from last year.

MR. MacDONALD: Mr. Speaker, given that what else is gone is the credibility of this government as far as the electricity deregulation scheme goes, can the minister, who has so far refused to do so, please explain to Albertans who are paying more for electricity each month why their bills have gone up?

MR. SMITH: The deferral accounts that cover the price of power bought in 2000 and in the year 2001 have, through the EUB and through a discussion with a consumers' advisory group at each utility, been placed on these bills. In fact, Mr. Speaker, the bills from the ATCO service network do not have a rate rider, and the price of electricity there today is 4.76 cents.

MR. MacDONALD: Again to the same minister, Mr. Speaker: why does the minister continue to offer false assurances to his colleagues that deregulation might one day – one day – lower bills when such tactics have already led to a revolt in his caucus and also with his cabinet colleagues?

MR. SMITH: Well, I think that defining a revolution might be an interesting piece, Mr. Speaker, but what we do know from this caucus and what we do know from these cabinet colleagues is that they ask clear, concise questions about government policy. They in fact have candid, direct meetings with the utility companies that are involved. In fact, UtiliCorp/EPCOR, an area where there have been the highest deferral accounts placed – there was an active 90-minute meeting today.

So in fact I would say to the hon. member that this government is on the case every day, on the case with every cabinet colleague, on the case with every private member, and is far, far ahead of the

opposition in looking at issues that are important to Albertans and important to this government.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Glengarry.

Education Review Commission

MR. MARZ: Thank you, Mr. Speaker. Earlier this year it was announced that the Minister of Learning was to put in an arbitration process to resolve the salary issues amongst teachers as well as establish a commission to investigate and make recommendations on teaching and learning conditions. Many of my constituents are getting quite anxious for this process to start. My question today is to the Minister of Learning. Could the minister tell me when this commission will be established finally so that they can begin their work and start on this review?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. At the end of April we signed an agreement with the Alberta Teachers' Association and the Alberta School Boards Association that essentially led to a decrease in the labour issues around the province. Part of that deal was the ability for the Alberta Teachers' Association and the Alberta School Boards Association to have input into the composition of their committee. That input came into my office yesterday. We plan on having the committee up and rolling I'm hoping by the 1st of June, but as I say, we were waiting for the input, and we hope to get it up and going as quickly as we can now.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Could the same minister comment or explain what type of public input opportunities the commission will be providing?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you, Mr. Speaker. One of the things that I will be doing is sitting down with the chairman of the commission and taking a look at how things will proceed, but we certainly anticipate that at a minimum there will be Internet access into the commission, that there will also be some type of questionnaire that will be sent out, as well as focus groups. I believe that these are probably some of the best ways to get input into this commission, and certainly we value the opinions of all Albertans and will ensure that each and every Albertan has the opportunity to put information into this commission.

THE SPEAKER: The hon. member.

MR. MARZ: Thanks again, Mr. Speaker. Could the minister tell me if he's still anticipating that this commission will be able to complete their work by August 30, 2003?

DR. OBERG: Yes. Certainly, Mr. Speaker, I can give the guarantee that they will be done by August 31 of 2003. As a matter of fact, I am hoping that it will be done significantly before then. One of the issues that we have to look at, as was certainly pointed out in the input from the ATA and the ASBA, is that we have to make sure that it is a very credible job, that it is a good job and not a rushed job. I would anticipate that hopefully we're looking at around January,

February of 2003, but again by far the most important element is that it's a credible, good job.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Little Bow.

Education Funding

MR. BONNER: Thank you very much, Mr. Speaker. The Minister of Learning has told this Assembly that parents should not have to fund-raise to buy basics such as textbooks. A couple of weeks ago he informed us that his department had audited 22 schools, some of which had been fund-raising for textbooks, and determined that the schools had sufficient funds and that fund-raising was unnecessary. My questions today are to the Minister of Learning. Are those 22 audits public?

DR. OBERG: Mr. Speaker, no, they're not, but we certainly intend on making them public.

MR. BONNER: As well to the same minister, Mr. Speaker: will any future audits of schools be made public, or will we have to take the minister at his word when he says that schools don't need to fund-raise?

DR. OBERG: Mr. Speaker, absolutely. As the hon. member is well aware, anything that we do in our department is public knowledge through the freedom of information and privacy.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. To the same minister: if parents raise money not for textbooks directly but in order to free up school money to purchase textbooks, does the minister consider this as a sign that schools are underfunded?

DR. OBERG: Well, Mr. Speaker, that's one of the issues that we're currently looking at as this issue has been raised. As I mentioned, in the 22 schools that we looked at, this was not what was going on. However, it has been raised, so we are looking at ways to counteract that. I sincerely hope that is not happening, but we are taking a look at the whole fund-raising issue.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Centre.

Fusarium-infected Grain

MR. McFARLAND: Thank you, Mr. Speaker. My questions today are to the Deputy Premier and the Minister of Agriculture, Food and Rural Development. As you are aware, Alberta is a major producer of barley, but recent shortages of feed have increased the importation of barley from other areas. Particularly, those entering our province are coming with possible fusarium-infected supplies from Manitoba and southeast Saskatchewan. This increased importation increases the possibility of the spread of the disease throughout Alberta. My question is to the minister. Can you tell me what is being done currently to curtail the importation of fusarium to Alberta to protect our industry?

2:10

MRS. McCLELLAN: Mr. Speaker, undoubtedly fusarium is a very serious fungus that causes fusarium head blight in cereal crops and absolutely can devastate cereal crops. The losses in Manitoba and

Saskatchewan are staggering. We have been working on a policy on fusarium. It has become more of an issue because of the shortage of feed and the importation of corn from the U.S. which also is infected with this, and we've looked at a zero tolerance policy. Currently we're discussing this with the stakeholders. This includes the malting industry, it includes the feeding industry, it includes the seed industry, and it includes producers.

One of the concerns we have, Mr. Speaker, of putting in place a policy of zero tolerance is: can we police it? We do not want to give false assurances that we're managing the problem if indeed we can't police the importation of it. We have to also look at the impact on the feeding industry. Cattle have a fairly high tolerance for fusarium. It passes through them, and the fungus indeed is destroyed. However, chickens and hogs have a very low tolerance for this, and it can cause illness and death. So I think it's important that we have that full discussion with the industry and bring forward a policy that will reflect the importance of keeping this fungus out of our province yet recognizing the impact on the industry as a whole.

MR. McFARLAND: Thank you, Mr. Speaker, and thank you to the minister for your concern on the tolerances. As a supplementary, what are you doing to curtail the importation of the fusarium into Alberta?

MRS. McCLELLAN: Mr. Speaker, at present there is nothing that precludes grain coming in with fusarium. We are looking at a policy that might have zero tolerance for importation. That would indeed mean that every load of grain that came into that province that has this possibility of infection would have to be certified fusarium free. This is a fairly significant process. You want to make sure, one, that it's necessary and, two, that you can police it.

One of the things that we have done, Mr. Speaker, to assure ourselves that this is not a problem in our province is that we've entered into a research project, if you wish, where we cost-share with producers the cost of testing seed. The other thing we do is we strongly recommend to all producers that are seeding these grains that can be infected that they have their seed tested, that they ensure that it is fusarium free and in that way are not introducing it themselves into the province.

THE SPEAKER: The hon. member.

MR. McFARLAND: Thank you. A final supplemental to the minister: who will actually be responsible for certifying or inspecting the truckloads or railcar loads of the various grains that are coming in with potential fusarium in them?

MRS. McCLELLAN: Mr. Speaker, at the initial stages of our response to this, if we went to a zero tolerance, it would be the vendor's responsibility to ensure that there was a certification that accompanied it.

The other thing that I should just remind members is that fusarium is a registered pest under the pests act, so ag field men in our province have the ability and the authority to do random checks and can do that and in fact are doing that. Action that can be taken on any load of grain that is found to have fusarium infection could mean it would be turned back to its source, impounded, and dealt with.

Mr. Speaker, we should have a policy in place I would expect in the next three to four weeks, after we conclude our industry consultation.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Strathcona.

Commercial Fisheries

MS BLAKEMAN: Thank you, Mr. Speaker. On April 25 the Minister of Sustainable Resource Development said that Alberta's commercial fishing industry was too large for the amount of fish we have in our lakes and was not economically viable and, further, that it was difficult to manage. My questions are to the Minister of Sustainable Resource Development. Who is to blame for Alberta's fisheries no longer being economically viable? Did the government issue too many commercial licences, or are the operators overfishing?

MR. CARDINAL: Mr. Speaker, that's a very good question, because I don't believe there's been mismanagement of our lake fisheries at all. It's a very sensitive area. The commercial fisheries have been around for, you know, a long time. At one time it was very productive because the scale of commercial fisheries was very small and localized, and a lot of people made a good living at it. Since then the industry has grown. At one time there were over 2,200 commercial fishermen.

DR. TAYLOR: How many?

MR. CARDINAL: Over 2,200. Now that has dropped to 800, and they have about 34,000 100-yard nets right now. We want to reduce that of course down to about 200 licences and reduce the yardage by half so that it's better managed and makes the people who are in that business more economically viable, with the opportunity for them to plan also. At the same time, a number of them who might want to get out of the industry because it may not be viable for them will have the opportunity to sell their yardage to the government, with some compensation per 100-yard net and also some compensation per zone.

That is only one part of the overall plan of having sustainable fisheries, both recreation and sport fisheries, in Alberta. That is one part of the plan. The other part of course is ensuring that the sportfishing industry also is managed well. Again, that is a very sensitive area, because we only have about a thousand lakes in Alberta in total, while Saskatchewan and Manitoba, places like that, have close to 100,000 lakes. Of course, in addition to the commercial fishermen, we also have 300,000 sportfishermen out there going for the same source as the commercial fisheries.

MS BLAKEMAN: Okay. Well, it's either the fishing operators or the sportfishermen.

Given that the government is offering a buyout package, there must be additional reasons for the collapse. How did we get to the position where we had too many operators? How did the government allow that?

MR. CARDINAL: Well, Mr. Speaker, there are a lot of pressures of course. On one hand, we have a very positive economic atmosphere in Alberta, and the population has grown. The economy is booming in Alberta. There are a lot of people attracted from other jurisdictions. Besides what we have here in Alberta, there are people coming in from Saskatchewan, there are people coming in from B.C., and there are people coming in from other jurisdictions, moving to Alberta for jobs and business opportunities. That is the good news. The negative side of it is that it provides more challenges to manage our natural resources such as the fisheries. It's a challenge, but you can be assured that the plan we're moving forward with will work.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Mr. Speaker, the government licenses a wide range of businesses and offers no compensation when market conditions change and businesses close. So why are the fisheries different? Why do they get a buyout package? Why are they so special?

MR. CARDINAL: Mr. Speaker, I don't think we're treating the commercial fisheries as any more special than anyone else. It's something, in fact, that the Commercial Fishermen's Association of Alberta has been looking for since – I know I've been involved since 1991. The original plan was a recommendation to provide some compensation for them to get out of that business. When you look at the comparison between the commercial fisheries revenue for Alberta and the people that are in it, it's about \$5 million a year. On the other hand, with 300,000 people that do sportfishing, it's a \$350 million industry. So when you compare those two, it's only wise to take some of the dollars raised on the sportfishing side, move those dollars, and reduce the commercial fisheries to a manageable level. You can manage those fisheries a lot better than we can now, and we will continue monitoring the situation.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Red Deer-North.

2:20 First Nations Skills Development Programs

DR. PANNU: Thank you, Mr. Speaker. Earlier today I sent the Minister of Human Resources and Employment copies of two memoranda from senior officials in his ministry. These memos indicate that effective September 1 this year aboriginal people living on First Nations reserves will no longer be eligible for training allowances under the skills development program. Up to 1,000 aboriginal people involved in skills upgrading programs will be cut off by this shortsighted policy change. My questions are to the Minister of Human Resources and Employment. How can the minister justify the blatant double standard of providing living allowances under the skills development program to all eligible Albertans with the sole exception of aboriginal people living in First Nations communities?

MR. DUNFORD: Mr. Speaker, we're currently involved in one of these little jurisdictional matters that arise between the federal government and a provincial government periodically. I think most of the preamble to the question was substantially correct, but the hon. member was not pointing out to the Assembly this afternoon that under a skills development program normally we provide for tuition, books, and living allowances. Of course, we still do that for all Albertans that are involved in our upgrading programs, but when it comes to First Nations people that are still living on the reserve, what we have indicated to the chiefs through letters – the minister of aboriginal affairs and myself have been meeting with various groups – is to provide the understanding that the living allowance portion for a First Nations person on reserve is the responsibility of the federal government and that we in the provincial area will continue to fund tuition and books. So there really should be no apparent difficulty, no apparent change to the amount of support that any Albertan would receive no matter where in Alberta they live.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Given the high rate of

unemployment in most of these locations, isn't paying living allowances for skills upgrading an excellent investment to ensure that these citizens do get a hand up rather than a handout?

MR. DUNFORD: I absolutely agree with the tenor of the question. We want to be providing hand ups and not handouts, and this is a way for the federal government and the provincial government to work together in seeing that that happens. Now, as a matter of fact, Mr. Speaker, we've actually gone even further than that, because in previous years when we discovered that we were paying those living allowances, there was a certain part of our budget that was being utilized that way. With the agreement of the federal government, we no longer have to move budget dollars in that particular area, but we're going to keep those dollars within the aboriginal framework of training programs that we have. Currently, as we speak, we're actually out there looking for partnerships with industry, with First Nations people, with the federal government, with the provincial government, and of course also with the support of my colleague in aboriginal affairs, to keep that money involved in the training of First Nations people.

DR. PANNU: Should the federal government fail to step up to the plate, will the minister guarantee that every person who lives in a First Nations community will be treated equally with all other Albertans and that the province will continue to cover living expenses beyond September 1, 2002?

MR. DUNFORD: I don't know that I should have to guarantee that, Mr. Speaker. We're finding co-operation with the federal government in this area. I plan to travel to Ottawa later this month to meet with the minister on this very topic. I believe that they'll fulfill their commitments, so a guarantee won't be necessary.

I don't think that any of us should speculate at this particular time, hon. member. I think that the federal government is there where they're needed, the provincial government is there where needed, the First Nations people themselves are there where they're needed, and I see this program moving forward.

THE SPEAKER: The hon. Member for Red Deer-North, followed by the hon. Member for Edmonton-Riverview.

Persons with Developmental Disabilities Program

MRS. JABLONSKI: Thank you, Mr. Speaker. Red Deer-North is the home of Michener Centre, a community designed for the needs of persons with developmental disabilities. Just as society has evolved over the past 50 years, so has Michener Centre. The mandate of the persons with developmental disabilities program supports community inclusion. I understand that PDD has some very successful programs for persons with developmental disabilities that enable them to live, work, and participate in their own communities. My question is for the Minister of Community Development. If community inclusion is a choice, is there still a role for centres like Michener Services in Red Deer?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Well, thank you, Mr. Speaker. I think the key point in the question is the word "choice." As most members in the House might recall, when I authored the Building Better Bridges report, a significant review that was done provincially, I had specifically indicated that Michener Services, or Michener Centre as we colloquially refer to it, would be an important facility for PDD

residents there under the issue of choice. So the PDD residents and/or the future residents or the families who are helping make those difficult decisions would have a centre such as Michener open for that purpose.

There are a number of centres that are referred to as government-sponsored centres, such as Michener, which provide an outstanding service, Mr. Speaker. We have the Eric Cormack here in the city. We certainly have Youngstown Home in east-central Alberta. We have Bow Park Court and Scenic Bow, which have some facilities in Calgary.

I should point out, Mr. Speaker, that the centre that we're talking about in Red Deer, specifically Michener Services, has been the recipient of at least four Premier's awards over the last three or four years alone for the excellent service provided there by their staff and by the medical and other personnel on-site. So the short answer to your question, hon. member, is that yes, there will continue to be a role for a service such as Michener Services in Red Deer.

THE SPEAKER: The hon. member.

MRS. JABLONSKI: Thank you. My supplemental question is again for the Minister of Community Development. In what way does the government support community inclusion for persons with developmental disabilities?

MR. ZWOZDESKY: Well, Mr. Speaker, that's at the heart of the PDD system in our province. Community inclusion is provided for by basically the community-based agencies. However, they are helped significantly by the province and by the government of Alberta, primarily through funding, but there are other types of supports. Then it is up to the community agencies through our community governance model to provide, deliver, design, and support those programs that are customized for PDD recipients throughout the province. So there are a number of things that these community agencies will do with this funding that impact and directly affect the daily living, the residential supports in some cases, outreach programs, employment support programs, and so on with respect to our PDD recipients who are living in the community and enjoying and experiencing life as the rest of us are.

MRS. JABLONSKI: To the same minister: in what way does the government of Alberta support the programs and needs of PDD residents at Michener Centre?

MR. ZWOZDESKY: Well, briefly, Mr. Speaker, Michener Centre, or Michener Services, has the whole package there. They provide not only residential programs, support programs, day programs, but there's a full breadth of medical programs, nursing, physical therapy, dental, and pharmaceutical. There's access to spiritual programming and a wide, wide variety of recreational sports activities with very high visibility for those individuals in the community. So there's quite a bit that this government is doing in respect to Michener Services.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Meadowlark.

2:30

CT Scans

DR. TAFT: Thank you, Mr. Speaker. My questions will be to the Minister of Government Services. In recent weeks the opposition has raised concerns about a business in Calgary now offering full-

body CT scans at a charge of \$1,200 not to diagnose symptoms but merely to screen healthy people. This is now being aggressively advertised in Calgary, and I'll table a copy of the ad in a moment. Full-body CT scans are actively discouraged for screening purposes by a wide range of medical authorities because they expose people to worrisome levels of radiation. Under question the minister of health advised that this was for the College of Physicians and Surgeons to regulate. However, it appears that it may be difficult for the college to act because of limits on its jurisdiction. To the Minister of Government Services: given that the minister of health has taken a hands-off approach and that the power of the College of Physicians and Surgeons may be very limited in this matter, does the Minister of Government Services have any jurisdiction to ensure public safety on this issue?

MR. COUTTS: Well, Mr. Speaker, this definitely sounds to me like it is something that should be under consideration by the department of health and the College of Physicians and Surgeons. In terms of Government Services getting involved in a consumer complaint here, I haven't received anything in my office that is even geared towards that at this point in time, but if the hon. member wants to give me the details, Government Services, like we do with all complaints that come into our shop, will definitely take a look at whose jurisdiction this should be under and get back to the hon. member.

DR. TAFT: I appreciate the response.

Given that the very nature of this service exposes healthy people to amounts of radiation considered undesirable by many medical authorities, is it possible under legislation that this sort of service could be closed down?

MR. COUTTS: Well, again, Mr. Speaker, it would seem to me that there would need to be some kind of research on that kind of an implication on an individual's health, and that is better served by the department of health and the College of Physicians and Surgeons to do that research. If our department is part of that research, by all means we'll certainly get back to the hon. member.

DR. TAFT: It feels now like pinball.

Anyways, does the Alberta government have any capacity, experience, or expertise in regulating public services that involve radiation exposure to the public?

MR. COUTTS: Well, Mr. Speaker, there's absolutely no ping-pong here whatsoever. We in government make sure that we go through the proper procedures. In this case it is with the department of health and certainly with the help of the people that do the regulation as well as consumer affairs. We work together on these types of things, so there's absolutely no ping-pong involved with this department.

THE SPEAKER: Hon. members, before recognizing several hon. members for participation today in Members' Statements, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. It is indeed a

pleasure to rise here this afternoon and introduce to you and through you to the members of this Assembly 21 of Edmonton-Calder's finest senior citizens who are members of the Inglewood seniors group who meet at the Inglewood Christian Reformed Church. I had the pleasure of meeting these 21 individuals prior to question period. I understand they're very active and they do many outings, and I'm glad that they came to the Alberta Legislature to watch the proceedings here this afternoon. They're in the members' gallery, and I'd ask that they rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of the Assembly Mr. Harry Supernault, the chairman of the Metis Settlements Appeal Tribunal. He is also attended by Ms Sarah Daniels, who is the tribunal secretary and executive director of the Metis Settlements Appeal Tribunal. I'd ask that they rise and please receive the traditional warm welcome of the Assembly.

head: **Members' Statements**

THE SPEAKER: Hon. members, we're now into Members' Statements. I certainly do not intend to edit the hon. member's statement, but I'm going to call on the hon. Member for Red Deer-North, and I cannot fathom in my head how the hon. member could speak for two minutes about the glories of the Red Deer Rebels when they lost last night.

Jack and Joan Donald

MRS. JABLONSKI: Thank you, Mr. Speaker. Only I have chosen a far more suitable subject for today.

People everywhere search for the secret of success. Red Deer's 2001 citizen of the year, Mr. Jack Donald, has discovered this formula. Take one smart, ambitious, hardworking gas jockey; add one determined, tenacious, hardworking partner; mix in a great location like Red Deer; throw in a pinch of risk; include generous portions of volunteer work, public service, and family; add the Alberta advantage; bake for 38 years; and presto, you have success. Jack Donald was chosen by the members of Red Deer's three Rotary clubs to be Red Deer's citizen of the year not only because of his remarkable business success but more importantly because of his great contribution to his community.

Jack and his wife, Joan, who is the wind beneath Jack's wings, arrived in Red Deer in 1964, opening a bulk station on Gaetz Avenue. They now supply through Parkland Industries, purchased by Jack and Joan in 1976, about 450 retail and wholesale stations under the Fas Gas and Racetrack banners. They both have devoted numerous hours of organization and hard work to fund-raising for Red Deer College, the Red Deer regional hospital, STARS ambulance, the Westerner Exposition, and many other community projects. Jack and Joan have helped make their community of Red Deer and central Alberta one of the very best places in the world to live, work, and play. Jack also served as a Red Deer city councillor for two years, was chair of the province's Tax Reform Commission in '95, the co-chairman of the '98 Tax Review Committee and the 2000 Business Tax Committee as well. When his province needed him, Jack was there.

Mr. Speaker, two minutes is not long enough to tell you about all the work, public service, and volunteer hours that Jack and Joan have given to this great province. In the middle of all this extraordinary effort they also managed to raise and stay close to a beautiful family, who are walking in their footsteps.

Congratulations to Jack Donald for being the very worthy recipient of the Red Deer citizen of the year award and to his wife, Joan, who walked beside him every step of the way. You have both inspired your family and friends and all those around you. Alberta salutes you.

THE SPEAKER: Well, the hon. member is aware that should she have requested unanimous consent to continue, the Assembly might have provided it.

The hon. Member for Calgary-Fort.

Lifelong Learning

MR. CAO: Thank you, Mr. Speaker. The economy of Alberta depends on innovative, well-educated, skilled, and adaptable people who are able to respond to an ever changing . . . [A member passed between the chair and the member speaking]

THE SPEAKER: Sorry, hon. member. That is totally inappropriate decorum. Totally inappropriate.

I'm going to start again with the introduction of the hon. Member for Calgary-Fort. Please start again.

MR. CAO: Thank you, Mr. Speaker. The economy of Alberta depends on innovative, well-educated, skilled, and adaptable people who are able to respond to an ever changing world. To take advantage of the opportunities of this knowledge-based economy and society, Albertans recognize the value of identifying and pursuing lifelong learning opportunities. Lifelong learning is about acquiring and applying knowledge and skills throughout our lives. Lifelong learning is to help reach employment goals, to enjoy a high quality of life, and to be contributing and responsible citizens.

During the public consultations held at many places across the province, over 450 Albertans from many walks of life shared their ideas for improving opportunities to continue learning. It was recognized that Alberta already has a strong learning system that is accessible, affordable, flexible, and responsive to the learning opportunities. However, consultation participants noted that more effort is needed in some areas to encourage more adults to re-embark on learning.

The lifelong learning committee reaffirms the government's commitment to building a globally recognized lifelong learning culture and community in Alberta. Learners, parents, instructors, volunteers, learning service providers, business, industry, government, community and professional organizations all share in the important task of building this lifelong learning culture in Alberta.

As the chair of the lifelong learning committee I would like to thank our committee members the hon. MLAs from Dunvegan, Wainwright, Innisfail-Sylvan Lake, and the many community adult learning councils, educational institutions, professional societies, learners, and the capable staff of the Ministry of Learning. I'm looking forward to the implementation of the lifelong learning culture in Alberta.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

2:40

Project S.O.S. Helicopter

MR. LUKASZUK: Thank you, Mr. Speaker. It was just a simple question from 630 CHED's Bob Layton in a November 2000 editorial, and it said: why doesn't Edmonton have a police helicopter of its own? While Ed Bean of Crystal Glass challenged Bob's

audience to match a hundred thousand dollar donation, Edmonton's businesses and citizens stepped forward, and the rest is history.

Mr. Speaker, working with the Edmonton Police Foundation, Project S.O.S. Helicopter has raised funds to lease Air-1 for one year. The foundation has now gone another step further to raise funds to buy the police helicopter. To raise these funds, they are selling lottery tickets at \$100 per ticket, and they have over 1,854 prizes to be drawn on July 25, 2002.

So far, Mr. Speaker, in eight months alone the Air-1 helicopter has responded to over 1,200 emergency calls, safely handled 22 pursuits with no injuries – all offenders were apprehended – and one major incident on January 2 with four consecutive pursuits had 11 individuals being arrested. As you can see, Project S.O.S. Helicopter is a very good cause, and anyone who can help with their fund-raising, just pass on the word and we will be able to assist the Edmonton Police Foundation in their quest for safety in our city.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Future of Health Care

DR. PANNU: Thank you, Mr. Speaker. This morning the New Democrat opposition presented its recommendations to the Commission on the Future of Health Care in Canada. We note that health reform is not a question of whether change is needed. It is. The question should be: how should Canada's health care system be changed?

New Democrats pioneered medicare and are committed to ensuring that it effectively serves the future needs of Canadians. We believe that reforms that advocate turning health care into a market commodity should be rejected. Health care is a public good, not a market commodity, and as such is best delivered by public institutions, nonprofit organizations, and health care professionals whose primary motivation is patient care, not shareholder profit.

The Alberta government by adopting the Mazankowski report is beginning from the premise that medicare is broken and cannot be financially sustained. Their disastrous agenda of privatization will mean that the sick, the injured, and those with chronic illness will pay more for the care they need. New Democrats want to strengthen and sustain medicare, not demolish it. The best way to contain health care costs is to expand medicare coverage, not shrink it. Reducing public funding of health care will not eliminate health care costs; it will only shift the cost to private insurers and out-of-pocket payments. There is no evidence that variable health care premiums, implementing medical savings accounts, or any other such cost-shifting plans either save money or improve efficiency. There is evidence, however, that when the opposite happens, costs in total do rise.

Some of our recommendations to the commission are that the federal funding share must be restored to a 50-50 funding partnership with the provinces, phased-in pharmacare, home care programs, and more 24-hour primary care centres with physicians, nurses, and other health care professionals working together as a team.

Medicare works. We need to take public health care to the next stage and make it a truly comprehensive service, one that guarantees equitable and timely access, high quality of care while remaining cost-effective and affordable.

Thank you, Mr. Speaker.

head: Introduction of Bills

THE SPEAKER: The hon. Minister of Justice and Attorney General.

Bill 31**Security Management Statutes Amendment Act, 2002**

MR. HANCOCK: Thank you, Mr. Speaker. I beg leave today to introduce Bill 31, the Security Management Statutes Amendment Act, 2002.

Following September 11, Mr. Speaker, our Premier asked the Minister of International and Intergovernmental Relations to head up a security committee to re-evaluate and update security measures to ensure that Albertans were ready and the Alberta government was ready to deal with and to help prevent any threat of terrorist activity in our province. The task force conducted a thorough review and asked Justice to review all the statutes in the province with respect to emergency measures and security measures to make sure that Alberta was ready. The review, I'm pleased to advise, revealed that Alberta's disaster legislation and other legislation is strong and effective to keep our province safe.

We did find, however, Mr. Speaker, that there were some areas where the laws could be updated and improved and specifically to allow for dealing with issues of prevention rather than waiting for something to happen, and the bill that I'm introducing this afternoon proposes a number of amendments to provincial laws to enhance the protection that we provide to Albertans and the province's infrastructure, industry, natural resources, and environment. The law does this while respecting the rights and freedoms of all Alberta. It's a proactive step which will help to ensure that Alberta has the legal and strategic mechanisms in place to address any threat, public health emergency, or crisis.

As I've previously advised the House, Mr. Speaker, it's our intention to let the bill sit on the Order Paper until the fall session so that Albertans have a chance to look at the bill to see how the measures provided for impact on their daily lives.

I would ask leave to introduce the bill for first reading.

[Motion carried; Bill 31 read a first time]

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited today with the office of the Clerk by the hon. Minister of Gaming: responses to questions raised on May 2, 2002, Department of Gaming, 2002-2003 Committee of Supply debate.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. Today I have four tablings. My first one is the written answers to questions raised by the opposition during Committee of Supply for my department on May 1 of this year.

The second tabling is the details of the grants, supplies and services, capital assets, and other from the general revenue fund for the year ended March 31, 2001.

My third tabling is the Members of the Legislative Assembly pension plan annual report for the year ended March 31, 2000.

Finally, Mr. Speaker, my fourth tabling is the Report of Selected Payments to Members and Former Members of the Legislative Assembly and Persons Directly Associated with Members of the Legislative Assembly for the year ended March 31, 2001. Additionally, the Clerk's office has copies for each of the members, and I have also taken the liberty of sending each member of the Assembly a copy to their legislative office. Due to the physical size of this tabling I will provide one copy of each of the tablings, and my office delivered four copies of each tabling to the Clerk's office earlier today.

THE SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. I wish to table today with the House questions and answers from April 17, 2002, Committee of Supply and questions that the Premier took under advisement for me May 6, May 7, and May 8.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to table with the Assembly today a publication by our Department of Human Resources and Employment entitled *Seekers and Storytellers: Aboriginal Role Models Share Their Career Journeys*.

THE SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you, Mr. Speaker. Today I'm pleased to table with the Assembly five copies of the annual report of the Metis Settlements Appeal Tribunal for the year 2001, and I'm very pleased to see that the chairman is seated in the gallery as well as Sarah Daniels. In fact, the tribunal has been very busy in the last while doing all sorts of things, and one of the exciting innovations actually has been the creation of case management panels. These panels hear preliminary issues, from the merit of appeals to whether to grant time waivers or interim decisions. I see that they're doing a really great job, so I'll file these today.

Thank you.

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thanks, Mr. Speaker. I have three tablings. It's my pleasure to table five copies of the victims programs status report for the year 2000-2001. The report details the \$1.3 million provided by my ministry to Alberta's 73 programs and 108 victims' services units, all run by volunteers that last year helped more than 38,000 victims of crime.

Mr. Speaker, I would also like to table five copies of the Law Enforcement Review Board annual report for 2001-2002.

Mr. Speaker, I'd also like to table the required number of copies of the response to Written Question 4 and Motion for a Return 1.

2:50

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I wish to table today in a timely fashion five copies of the responses to the questions raised in Committee of Supply for the Ministry of Municipal Affairs.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I rise today with the appropriate number of copies of the activity report of Alberta Economic Development Authority. As you know, this is a volunteer body made up of businesspeople, men and women from throughout the province who from time to time advise the government on economic development and policy. I have the appropriate number of copies today.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I rise today to table five

copies of a resolution of nonsupport for the Kyoto protocol by the village of Breton. It's signed by the mayor, Alan Barker. I know that our Minister of Energy and Minister of Environment are working on a made-in-Alberta plan, and that's exactly what these people are looking for.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to table the appropriate number of copies of two letters that I received from constituents, both with respect to the community lottery boards. One is from Susan Riege, who is the chair of the play space enhancement project committee at Leo Nickerson elementary school, and the other one is from Mrs. Elizabeth Atkinson. Both of them have expressed their desire for the implementation of the moneys to be put to use in St. Albert.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I rise today to table copies of letters from my constituents regarding the deferral of the south Calgary high school project. I'm tabling 157 letters and e-mails from my constituents asking us to restore funding for the south Calgary high school project.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have the appropriate number of copies today of a large advertisement running in Calgary newspapers for full-body CT scans essentially for the purpose of screening. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Speaker. With your permission I'd like to table the appropriate number of copies of an article which appeared in the *Calgary Sun* this morning, and in the article it outlines how an injured worker from Calgary has filed a \$3.5 million lawsuit against the WCB for the treatment he received there. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's with sadness that I rise to table today the appropriate number of copies of four amendments to Bill 26, the Workers' Compensation Amendment Act, 2002. Unfortunately, because of the use of closure, these amendments did not even have the opportunity to be discussed in this Assembly. The Legislative Assembly is the place to deal with amendments . . .

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table two documents. Both are in the number of required copies, five copies of each. The first one is a set of two memos from the Ministry of Human Resources and Employment, written by senior office holders. One memo is from December 4, 2001, and the second one is from April 25, 2002.

The second set, Mr. Speaker, is five copies of the New Democrat opposition's submission to the Romanow Commission on the Future of Health Care in Canada. Its title is Strengthening and Sustaining Medicare for Albertans, May 2002.

Thank you, Mr. Speaker.

head: **Orders of the Day**

head: **Royal Assent**

MRS. McCLELLAN: Mr. Speaker, Her Honour the Honourable the Lieutenant Governor will now attend upon the Assembly.

[The Deputy Premier and the Sergeant-At-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

THE SPEAKER: Hon. members, in a matter of seconds the hon. Deputy Premier will return with Her Honour, and I want to thank the hon. Member for Clover Bar-Fort Saskatchewan today for acknowledging the retirement of the head page. [applause] The head page is also an articulate young man, so I will read to you a letter that he has sent to all of you through me.

Mr. Speaker,

Sadly my time as a page has passed. It has been my pleasure serving the [Legislative Assembly of Alberta] for the past 3 years. I am very fortunate as a page. I am the only page to have the "hat trick" in a long time. First serving as a page, then second as Mr. Speaker's page, . . . and lastly serving as the Head Page. This has been the most rewarding experience of my life. Thank you!

Yours truly,

Brent Shewchuk

P.S. We should go and golf this summer!

The hon. members may also like to know that in the year 2001 in both the spring and the fall sessions – that is, in the calendar year 2001 – this Assembly spent 36 days at work with an accomplishment of 12,403 minutes. Thus far in the year 2002, this Assembly has sat for 37 days, and as that clock hits 3 o'clock, it will have arrived at 12,312 minutes.

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

THE SERGEANT-AT-ARMS: All rise, please. Mr. Speaker, Her Honour the Lieutenant Governor awaits.

THE SPEAKER: Sergeant-at-Arms, admit Her Honour the Honourable the Lieutenant Governor.

[Preceded by the Sergeant-at-Arms, Her Honour the Lieutenant Governor of Alberta, Lois E. Hole, CM, and the Deputy Premier entered the Chamber. Her Honour took her place upon the throne]

HER HONOUR: Please be seated.

THE SPEAKER: May it please Your Honour, the Legislative Assembly has at its present sitting passed certain bills to which and in the name of the Legislative Assembly I respectfully request Your Honour's assent.

THE CLERK: Your Honour, the following are the titles of the bills to which Your Honour's assent is prayed.

- 2 Child and Family Services Authorities Amendment Act, 2002
- 4 Public Health Amendment Act, 2002
- 5 Interjurisdictional Support Orders Act
- 6 Student Financial Assistance Act
- 7 Agriculture Financial Services Amendment Act, 2002
- 9 Child Welfare Amendment Act, 2002

- 10 Public Works Amendment Act, 2002
 11 Energy Information Statutes Amendment Act, 2002
 3:00
 13 Administrative Penalties and Related Matters Statutes Amendment Act, 2002
 14 Gaming and Liquor Amendment Act, 2002
 15 Dairy Industry Omnibus Act, 2002
 16 Racing Corporation Amendment Act, 2002
 18 Social Care Facilities Review Committee Amendment Act, 2002
 19 Veterinary Profession Amendment Act, 2002
 20 Justice Statutes Amendment Act, 2002
 21 Alberta Personal Income Tax Amendment Act, 2002
 22 Tobacco Tax Amendment Act, 2002
 23 Municipal Government Amendment Act, 2002
 24 Child Welfare Amendment Act, 2002 (No. 2)
 27 Appropriation Act, 2002
 28 Miscellaneous Statutes Amendment Act, 2002
 29 Intestate Succession Amendment Act, 2002
 202 Environmental Protection and Enhancement (Clean-up Instructions) Amendment Act, 2002
 205 School Trustee Statutes Amendment Act, 2002
 206 Fisheries (Alberta) Amendment Act, 2002
 Pr. 1 Synod of the Diocese of Edmonton Amendment Act, 2002

[The Lieutenant Governor indicated her assent]

THE CLERK: In Her Majesty's name Her Honour the Honourable the Lieutenant Governor doth assent to these bills.

THE SERGEANT-AT-ARMS: All rise, please.

HER HONOUR: I wish you all a good, well-deserved holiday. [applause] I really would like to give you all a hug, but I can't.

THE SPEAKER: Your Honour, before leaving, please wave to everybody. There.

[Preceded by the Sergeant-at-Arms, the Lieutenant Governor and the Deputy Premier left the Chamber]

[The Mace was uncovered]

THE SPEAKER: Please be seated.

Hon. members, as we await the return of the hon. Deputy Premier, I'll just replay those numbers that I gave you a few minutes ago. In the calendar year 2001 in an accumulation of sitting in both the spring and fall sessions there was a total of 36 days, for 12,403 minutes. In the calendar year 2002 this is the 37th day of the sitting of this Assembly, an accumulation that at 3 o'clock today was 12,312 minutes. So if the hon. Government House Leader keeps you here for another 85 minutes, you will have surpassed the total amount of minutes spent last year.

head: **Government Bills and Orders**
Third Reading

Bill 26
Workers' Compensation Amendment Act, 2002

[Adjourned debate May 13: Mr. Stevens]

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'm pleased to be able to join in the debate on Bill 26 in third reading. I'd like to make just a few comments about the anticipated effect of this bill.

In essence what we have here is really a private institution that is regulated as a consumer protection function I think by the government. When we look at the buildup of concerns that had happened over a number of years of operation of the WCB, the top three on the hit parade of concerns were the long-standing, contentious claims, the way the appeals process worked, and the conflicting medical opinions and how those were handled. Of course, the conflicting medical opinions and the appeals panel are fairly closely linked. So those were the three areas where people most looked for change.

[Mr. Shariff in the chair]

I think that when we look at the bill and what we anticipate the effect to be, we have, I would say, uneven results. A great deal of work was put into the long-standing, contentious claims section. This has been considered over a long period of time by two review committees, Justice Friedman's committee and the MLA review committee. This is a question of: is the glass half full or is the glass half empty? Without the agreement or the buy-in of who would be funding any rewards or payouts of a contentious claim appeal, it has the effect of being neutered in the legislation that's been put forward, and although the minister has appointed yet another MLA committee to meet with employers' representatives to try and encourage a buy-in both philosophically and monetarily, we will not know whether that's successful before we're expected to pass this bill in the next hour and 15 minutes. So it's inconclusive as to whether this bill is successful in addressing that concern.

There's again a good deal of work that is done in the bill around the appeals process and setting up the appeals process as being separate from the WCB board of directors. In fact, there is a very clear move to have the Appeals Commission report directly to the minister, which separates it from the influence and direction of the WCB, so the WCB cannot direct the Appeals Commission on how to behave or what to consider or what not to consider. That is a success. That is addressing one of the top three concerns on our hit parade here.

The final concern was the conflicting medical opinions. Now, this is the question that I was asking about during Committee of the Whole debate yesterday. I had referred to a backgrounder that came out with the media release from the department announcing the first reading of the bill, and I was pointing out that some of the information that I was hoping to find written into the act in fact only appeared in this backgrounder. My concern is that people are more likely to be able to find the act now and read it than they are to be able to find a media release backgrounder that was an attachment some years in the future.

In particular I'm looking for how that conflicting medical opinion medical panel is intended to operate, and I'm not getting a clear outline of that from what is in the legislation. The backgrounder is suggesting that

where there are conflicting medical opinions, it is intended that a medical panel can be initiated by the WCB, by the Appeals Commission, or by the physician of an injured worker to get an independent, expert, consensus-based medical opinion.

That's what's missing for me: independent, expert, consensus-based medical opinion.

3:10

Now, when I went further back than that, I looked at what is commonly referred to as the Friedman report. In fact, the proper name for that is The WCB Appeal Systems: Are They Working

Well? Final Report, Review Committee of the Workers' Compensation Board Appeal Systems, sessional paper 130/2000. Again, I was reading the section on the medical resolution committee, it's called in this report, dealing with the issues of "conflicting medical opinions, WCB Medical Adviser documentary reviews, and the cost of obtaining another medical opinion."

Now, this is where the issue arises for most of my constituents. They end up in a situation where their doctor says one thing, the paper review, file review in other words, done by the WCB review panel differs from the worker's physician, and that's where it all seems to come off the rails. So it was anticipated by the Friedman report that – and I'm quoting from page 17:

Some people believe that the Medical Adviser should be compelled to discuss the matter with the treating physician and interview the worker, especially when a Medical Adviser's advice differs from the diagnosis of the treating physician.

In other words, trying to get everybody together in the same room to talk about this rather than having someone review someone's file documents, and that in my experience has been a point of great frustration for the workers.

Then it goes on to talk about having to pay for medical opinions, and they didn't believe that that should be the case. Now, that one I'm not as familiar with.

I also looked at some of the documents that have been prepared or e-mails that I've received from injured workers' associations and what they were feeling, and certainly they agree that what's in the legislation on the medical panels does fall short of what the Friedman committee's intent was in looking for a transparent process for reviewing these medical issues.

There are no quality-control safeguards to the independence of the medical panels, and it is leaving the formulation of the panels again up to the WCB. I don't know that that's as much of a concern as some people would think it is. The appeal panels are no longer under the direct influence of the WCB, so I don't know that the medical panels are such an issue.

The other issue that's come up around this – and this one gets confusing, and I hope that there's going to be an answer. I have tried to review *Hansard* to see if this question has been raised previously and whether the minister had answered it, and I don't see it, but frankly I could have missed it. That is the question of the indication that the findings of the medical panels will be binding on everybody. Well, if that's the case, then what's the point of an appeal? If what the medical panel has said is binding, then how do you appeal that? You're taking the same information forward again, and it can't be changed or altered. So what changes in the appeal?

This is different from where you have a very narrow focus on something like with the Ombudsman. The area that the Ombudsman has to investigate is really about whether an employee has provided the service that they were supposed to provide, and that's a fairly narrow focus. We're not even talking about that narrow a focus here. We're just saying that this set of information can't be altered or changed in any way. Then are your appeal panels even going to have any effect on this? Again, I'm not a lawyer. I don't have a legal opinion on this, but it strikes me that there could be a hitch in the git-along of the legislation here.

I'm assuming that the minister would have examined this and dealt with his lawyers in the legislative review committee, so perhaps there's an explanation for it. Otherwise, I think we could get into – what's that term that you get when you're doing finances on the computer? – circular logic, which is the little error message that you get, where we just keep going around in a circle here. We've already determined in one part of the act that the medical panel information is binding, and then we go on to talk about what's

possible in the appeals act, but the two things now seem to be not in conflict with one another but not working together either. So those are the questions I have on the ultimate effect of that area.

There are a couple of other areas that I still think there is concern about, and they're linked. One is the special investigations unit, and the second is the increase in fines. One of the things that I find is a common error – lots of people make it, so I'm not faulting the government specifically – is that in trying to catch a few wrongdoers, they subject everyone to punitive measures or to an ordeal that is unnecessary. I call it the gate-crashers school of management, where in trying to stop a few people from gate-crashing a party, they subject everyone else to sort of long lineups to get tickets and show the tickets and get through the proper gate and everything else. None of that really addresses stopping the gate-crashers. Besides, were the gate-crashers that bad? Not that I'm saying that any kind of fraud being committed on workers' compensation should be allowable, but I have serious questions about the level of security and investigation that is encouraged through this act.

I think most people aren't aware of this. I suppose: why would they be? Unless you're covered by WCB or an employer that is paying into WCB, why would you know that there is this sort of special investigations unit set up? I think that based on the response of people and their reaction to having the video cameras mounted and videotaping public spaces in places across Canada, the reaction has been pretty consistent from Canadians saying: butt out of my life; I have an expectation and a reasonable expectation that I can go about my life without being videotaped and essentially checked or spied on.

There's a very fine line here that I have concerns about. I wonder if with this section or what's being allowed here with the special investigation unit and the fines that go along with it, we haven't set ourselves up for a Charter challenge on this one. I'm actually kind of surprised that we haven't had a Charter challenge already based on what seems to be a fairly frequent and freewheeling use of electronic means of recording people's activities, one presumes, in the hopes of finding them doing something that they're not supposed to do and therefore proving that there has been a fraudulent attempt to obtain WCB benefits. I suspect that that happens because the workers don't have enough money to mount a Charter challenge, but that day is coming. So I'm concerned about the effect of the sections that are enabling that and are encouraging it.

Also, around the fines – I tried to find out who had recommended that the fines be increased to such a substantial amount. It does strike me as being a bit punitive – no, very punitive; let's be frank there – and I don't know that that again is going to really scare anyone off from committing that fraud. It's just going to . . . [Ms Blakeman's speaking time expired]

THE ACTING SPEAKER: Any questions or comments for the hon. member?

The Minister of Innovation and Science.

3:20

MR. DOERKSEN: Thank you, Mr. Speaker. I wanted to address the Assembly this afternoon because in fact I chaired the MLA WCB service review report, and I just wanted to talk about some of the things we had in the report and some of the things that the bill is addressing and to further encourage the board to be vigilant in the exercise of their duties, particularly with respect to injured workers. I do want to go back in time a little bit just to refresh again the memory of the members and indeed of all Albertans as to the process we went through in establishing some of the recommendations that came out of the report that I chaired.

One of the things that we intended to do right from the start was to talk to injured workers. We did not want to try to replicate a satisfaction survey that the Workers' Compensation Board put out on a regular basis. We actually wanted to talk to the people who were not satisfied and to find out what recommendations we could bring forward that would help to improve the system.

At the same time, Mr. Speaker, I knew from the outset that even with the filing of our report, the implementation of the recommendations, there were still going to be workers or employers that would not be completely satisfied. So we really entered into this whole examination, the whole study, to try to make the system better for a lot more people, and at the end of the day, when the legislation is complete and some of the recommendations that we have made which are more on the policy side or service delivery side are implemented, if in fact we have made things better for injured workers or at least a certain number of them, then I will be content that in fact we have achieved the outcome that I particularly desired.

A number of the recommendations within the report are not contained in the legislation because some of them have to be dealt with on a service review basis, from a case manager point of view, interacting with injured workers and assessing the case. So there were quite a number of our recommendations that in fact have to be dealt with in another place other than just through legislation.

One of those of course had to do around the whole area of communication with injured workers. There seemed to be certainly a disconnect or an element of distrust between the case worker and an injured worker. They both had their reasons and their rationale for the decisions that were being made, but we said: whatever you can do to improve the communication at that level will make things better. There needs to be clarity as to why decisions were reached when they were reached and to make sure that there was a full and proper examination of all the circumstances in making a decision. So, clearly, while that's not contained within the legislation, Mr. Speaker, communication was we thought a critical element, and I'm not going to spend a whole lot more time on that particular area.

I've talked briefly already about case management. In the feedback that we got from injured workers, the relationship with the case manager came up continually, and that was a very critical area that from a service point of view the Workers' Compensation Board had to look at and needs to look at on a continuous basis. To just implement certain strategies or procedures one day and think that that's going to answer the question forever just isn't good enough. This has to be an ongoing evaluation of what we are doing well, what we can do better, and what needs to be changed. So, Mr. Speaker, I would encourage the board to pay particular attention to case management, to the service levels, and to continue what I referred to in another question in this House as a relentless pursuit of excellence.

That is a critical element when it comes to dealing with injured workers. When you're injured, Mr. Speaker, the last thing you want to have is a confrontation with a case manager from the Workers' Compensation Board, because that's the time when you're the most vulnerable, when you're looking for help, and that's the time when the case manager has to be most empathetic and try to find how that help can be delivered within the parameters under which they are dealing. So our recommendations talked a lot about case management, and again a lot of those have to happen from a management point of view, from a service delivery point of view.

Mr. Speaker, we also talked a lot about accountability. This is where the legislation begins to have a significant impact with respect to the recommendations that we put forward in our report. The first one which we recommended was actually outside the mandate of the committee, but we heard about it so often that we thought that we

could not leave this recommendation alone. That was to do with the independence of the Appeals Commission. There was an overriding sense from the injured workers that when they went to the Appeals Commission, they needed to know that this was an independent body, that it could not be influenced by the board and could not be influenced by outside parties, that they actually would get a fair and impartial hearing in determining a decision that was reached on their file. So even though it was outside of the mandate of our committee, we felt that we had to make that particular recommendation in our report, and in fact the legislation, Bill 26, provides for that independence. That's a significant step forward, and I am pleased to see that the minister has brought that forward and has in fact acted on that recommendation.

I would note also that for the most part during the deliberations of the two committees that were going on at the time, the one that I chaired and the one that Judge Friedman chaired, we did not talk to each other, although we had a common committee member. When we reached the end, I in fact sat down with Judge Friedman, and we just talked a little about what we had heard. There was a surprising consensus between the two of us that independently we had come up with many of the same overarching recommendations. I thought that that just gave more credibility to the recommendations we in fact put forward in our report.

[The Speaker in the chair]

One of the other significant recommendations had to do with an independent audit body. What we were striving at there is that it's one thing to do a financial audit whereby you just confirm the numbers or the cheques that were sent out, you confirm money that was received, and you make sure that the money got to the person intended. It's just making sure that the columns add up. That's what I consider a financial audit. Now, that's very important, but it needed to go beyond that. We were looking for an audit process that in fact looked behind those numbers and said: in view of the evidence before the case manager and the policies that they were under, did in fact the right decision get made? That's why we recommended this independent audit body that would go beyond the financial audit and actually look back and say: was the evidence there? Were the decisions, once they were reached by case managers or the Appeals Commission or whatever, then acted upon and followed through? In that respect under section 23 of Bill 26 it amends or puts in a new section where it in fact says that "the Auditor General is the auditor of the Board and the Accident Fund." So we've brought greater scrutiny, I believe, to the financial audit part of that. Then further it goes on to require the board to report "any other performance information that the Minister requires." It's on this point that I am encouraging the minister to make sure that that additional audit procedure in fact takes place under the authority that is given in the act. Clearly the authority is there to look behind the numbers to make sure that on a random basis you could check individual files to make sure that decisions are in fact acted upon and put into place.

3:30

Related to the accountability aspect that we emphasized in our report also came a recommendation from our committee. I do want to talk about this because this is a very important one. Our recommendation said that "the case manager must honour a decision made by the Claims Service Review Committee, Appeals Commission, or whichever new body might be established." What we found was that there were some cases where an Appeals Commission would in fact make a decision in favour of an injured worker and then the board

would not implement that decision. There was no requirement for the board to implement that decision, and we said that clearly the board needs to be bound by a decision of the Appeals Commission. I am pleased to see in this act that that in fact has been entered into the bill. That's under section 13.1 where it does state that the board is bound by a decision of the Appeals Commission and by any decision rendered on an appeal or review of a decision of the Appeals Commission. So once you've had the hearing before the impartial Appeals Commission, the board is now bound by the decision that is reached by the Appeals Commission. That is an important element, because the board should not be allowed to overturn or change any decision that the appeal body has made because that in fact would render the whole appeals process immaterial and irrelevant.

There are two other elements that I want to bring up. One has to do with conflicting medical opinion. I noticed that the previous speaker questioned the medical finding of the panel to be binding on the board. I recognize the concern that was raised, but I might look at it from another point of view which is similar to my last point. That is that one of the issues we faced with injured workers was that when they came with their medical situation and were then required to go to a practitioner that was assigned by the Workers' Compensation Board, the previous medical opinion that was given by their local practitioner or a specialist was seemingly sometimes overturned and sometimes without even having an examination. Those are some of the comments that we got back from talking to injured workers and also from some of the written responses that we received from them.

So what we are saying here is that once a medical decision has been reached through this medical panel, again that is binding upon the board. In fact, they now have to accept the fact that this medical decision has been reached, and they now have to follow through with whatever compensation. [Mr. Doerksen's speaking time expired] Mr. Speaker, could I have unanimous consent to continue for another two minutes?

THE SPEAKER: Hon. members, the hon. Minister of Innovation and Science requests unanimous consent to continue. Is any member opposed?

AN HON. MEMBER: No.

THE SPEAKER: I believe the next member is the hon. Member for Edmonton-Strathcona.

DR. OBERG: Can we have questions?

THE SPEAKER: Yes. Sorry.

DR. OBERG: Thank you very much, Mr. Speaker. I would really like to know what else the hon. minister had to say.

MR. DOERKSEN: In response to that question, I really wanted to talk about the long-standing claims, because that has been an important issue at our constituency offices and as we debated the legislation. All I wanted to point out is that through the recommendations of our report we remain committed to that. The process is taking longer than any of us would have hoped, but we're committed and have put in the legislation the fact that we will act upon those matters in conjunction with further consultation. So while the process has been delayed, we are committed to following through.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I was just very interested in what the hon. minister was saying and wondering if he could continue, please.

MR. DOERKSEN: Well, Mr. Speaker, actually I did manage to cover the point that I wanted to cover. I appreciate the opportunity to answer those questions. Thank you for that opportunity.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and speak for a few minutes on Bill 26, Workers' Compensation Amendment Act, 2002, in its third reading. When I look at this bill and what it accomplishes and what it contains and what it leaves out, it reminds me of the way in general the session that's just about to end has been characterized by flip-flops and broken promises. Flip-flops and broken promises, including money disappearing, reappearing in the Transportation budget. Before the election the government promised that there would be no increase in taxes, yet in this session we saw an increase in health taxes of 30 percent. Another flip-flop: the Learning minister told us that he would cap grade 10 credits, then reversed himself, and then reversed himself again.

Unfortunately this bill, Bill 26, also represents 18 months of promises, followed by six months of backtracking due to I guess pressure from some quarters, essentially the employers, over the review. There are some good amendments in this bill however, and I will touch on those later.

The most important recommendation coming out of the MLA review committee, the creation of a onetime review body to examine long-standing, contentious claims, has been watered down in this legislation. That is a disappointment, Mr. Speaker, because I, like many of my colleagues in this House, have had to deal with complaints coming from constituents whose lives have been ruined first by injury and then by denial of claims, with continuing problems in recovering from the very serious injuries they have had. They lost their income. They lost their jobs. Some of them lost their families and certainly lost their health. They have these claims that they need addressed effectively and quickly, and the watering down of that provision in this bill is therefore a great disappointment to them and to me, one who was privy to their concerns and has made representations on their behalf to various places and bodies.

3:40

More than this watering down, the very realization of this review body has been jeopardized by pressures from employers, I'm told. The review body I think was a very, very important step to take. I would like to make a few comments about why this review body is so important. I'm not simply rehearsing some clichés or platitudes here, because I'm well aware of the devastating impact that injury can have on workers. I'm sure many of my colleagues in this House are aware of the devastating effect that injuries and fatalities have either on workers or on their families or both.

Through my constituency office, Mr. Speaker, I've been involved in several extremely contentious claims, some of which are over a decade old, and that's a long time for anyone to wait. Meanwhile, many of these people have nothing to fall back on. They're simply pushed into poverty and despair and continued physical suffering. What we have found with such workers is that when the WCB system fails, its failures, its errors, its mistakes, its omissions become compounded and certainly impact negatively the lives of workers who are injured and who duly expect that they will have the protection that the Workers' Compensation Act is supposed to provide to them. What is worse is that workers whose claims have

been denied by the WCB often find themselves with no other recourse. Because of the very nature of the WCB legislation they have surrendered their right to go to another place to seek redress to their complaints through the courts.

I've seen examples where injuries have led to failed WCB claims which were then compounded by inadequate access to our health care system. I've spoken with workers who have been denied benefits by the WCB yet were unable to work because their injuries impaired their capacity to work. The WCB says that they should go back to work, yet their own physical condition is such that they're unable to go back to work. And if they try, because of their injuries or impairments they simply are not hired or there's a very low likelihood that they'd be hired by an employer because they look sick, they are sick, they limp, and they groan. They simply lose any opportunity to find a job, and they are denied benefits, so they are between a rock and a hard place. It's very difficult, and they find their lives complicated and made miserable because of this WCB framework failure. These people are forced to turn to supports for independence as a result and in the worst cases have been denied benefits there as well. It was sort of a place of last resort to go to, a last resort step, yet they're faced with refusals and negative decisions there as well.

Such injured workers, Mr. Speaker, should be focusing their attention and their energies on healing their bodies and preparing for their return to work, rather than having to be mired in a life of despair, loss of hope, and continuing physical pain and suffering. Instead, they are forced to jump through hoops and fight their way through the WCB bureaucracy and its unfathomable maze. So it's clear to anyone who is willing to see that there's a real need for justice for these workers, and it's my hope that a review body will be able to deliver such justice.

My colleague from Edmonton-Highlands introduced an amendment during the committee stage of this bill which we believe would have fostered a fair compromise between employer concerns regarding costs, the government's responsibility to ensure that the WCB is held accountable, and the real needs of injured workers for a fair review of their claims. Basically, this amendment would have introduced a small surcharge that would have been added to employer premiums. This surcharge would have been used to fund any onetime awards that came out of the review of long-standing claims. If the actual costs were bigger than projected, then the surcharge could be extended. If, on the other hand, the actual costs were less than projected, then the surcharge could be eliminated sooner than anticipated. Essentially the surcharge would have ensured that employers took responsibility for compensating workers that were injured on the job. There is nothing radical or revolutionary about it. This is always a fundamental component of the Meredith principle. Employers would be able to meet their obligations without having to find the financial resources all at one time.

Although the amendment was defeated, the Minister of Human Resources and Employment expressed considerable interest in the amendment and support for the ideas embodied in the amendment and promised to pursue the idea. I commend him for keeping an open mind on this. We the New Democrat opposition look forward to seeing this problem resolved and hope that a fair and trustworthy review process can be established in a timely manner, even though in this bill that is likely to become a legislation there is no statutory provision to pursue that exclusively.

I want to conclude, Mr. Speaker, by saying that I'd like to acknowledge at least a couple of positive steps that this legislation takes. I am pleased to see the increase in various penalties and fines, and one hopes that these increases in penalties will help promote safer working environments and safer workplaces. We are also

happy to see that the Auditor General will now be the auditor of the WCB and that the scope of the audit is also broader than it's normally assumed to be; that is, it will go beyond a financial audit, which is good. Hopefully this will help to increase the transparency and accountability of the board.

Ultimately, because of the fact that this bill fails to address up front the matter of dealing with those long-standing claims and is not willing to put the statutory weight behind that process, we'll be unable to support Bill 26, and that's regrettable. There are lots of good things in the bill, but it does fail in one crucial respect.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm not going to speak long on this bill, and I normally wouldn't be up talking at all. However, as the MLA for Calgary-Foothills I had the opportunity to go through a process with workers' compensation and with the board. I don't often have an awful lot of cases in my constituency, but this particular one I wanted to talk to and why I support this bill. I have to say in all honesty that I normally wouldn't be too much in favour of this type of legislation; however, after the experience that we have gone through in our constituency, I believe that this is the right direction and this is a solution that is absolutely necessary to deal with some very, very difficult circumstances that do arise.

3:50

I want to start off, Mr. Speaker, by complimenting the authors of the report of the Workers' Compensation Board Service Review Input Committee that filed their final report in October of the year 2000. I also want to thank one of our colleagues, the Member for Calgary-Montrose, who certainly has an awful lot more cases dealing with WCB than I do and was very helpful when I had to deal with a particularly difficult case. I am going to refer to the actual case without naming the constituent, of course, and the process we went through, and maybe people will understand why I support this piece of legislation.

About three and a half years ago I met a constituent who phoned me who was having some severe difficulties with the existing WC process. His name was James and he was 44 years old. In 1979 he had been a painter, an outside painter, and had fallen off a roof and broken his back. He was hospitalized for a year while they did corrective work on him and actually implanted a steel bar in his spine with clamps to hold the spine in place. There was an awful lot of rehabilitation that had to take place, and he worked very hard to literally get back on his feet. He went back to work, and this time he worked as an inside painter to take away the risk of the outside.

Well, that worked fine until he went to move a fridge when he was painting an apartment building and the back snapped again. What happened was that the back had not, I guess, healed and knitted together properly. Again he was back in hospital and off work, went through rehabilitation and went back to work again as a painter. This is what he was trained to do. He was back inside painting apartments, and in 1983, while he was trying to work albeit not as full-time as he might have because he was still injured, a heater fell over and caught his trousers on fire and burnt his leg. He was rushed to hospital and had to have extensive surgery to deal with the burn. So now we've had the back broken twice and a burnt leg. They had to do some skin grafting and try and heal up this extensive third-degree burn on his leg.

He tried to go back to work, but he wasn't recovering well. He would get part-time jobs here and there and in the meantime was

going through a process with WCB for the time that he had been off work to try and get some coverage for that time frame. All of his savings and moneys that he and his wife had had were gone because he'd been out of work through the recovery process.

There were three clear cases of where he'd been injured on the job. When he contacted my office and myself, I thought: "This can't be that difficult. The case is quite clear. Someone has been injured. There's a process in place, and this should be followed and a resolution reached rather quickly." It seemed like a fairly clear-cut case to me. Well, of course, then we got into the process, and while we had reports that showed the caseworkers had checked – he had filed medical evidence from various doctors, some being from specialists in skin surgery that had been involved and the people who had monitored him at the hospital in Calgary, that showed he had definite damage. In fact, when I actually physically met him, he was in a body cast from his neck to just below his thighs. The report from his caseworker said that he only had a 35 percent disability, yet he couldn't stand, he couldn't sit, and he couldn't walk. He could barely lay down. He was in a body cast. They said: oh, he doesn't have a disability. I thought: there must be an error; these files can't fit the person that I'm sitting here with. There was medical evidence from the hospitals, from his attending doctor, from his own doctor that said that he would never be able to work again. In reviewing it, though, the medical examiner from the other side said that there was nothing wrong with him and he would have limited disability and should be able to return to work. There was total contradiction. So I got involved in this particular case extensively, almost on a weekly basis, and I had not done that before.

Then we got into where he was injured in 1997, and he'd been reinjured again, not as extensively as before but basically it disabled him totally. I went through the process of phoning the WCB offices, acting on behalf of my constituent, which I thought I should do as the MLA for Calgary-Foothills. This was my job, to help my constituents. I basically got shuffled three to the left and four to the right. I wasn't very happy, to the point where I was actually going to camp out on the front steps with the people that I had seen doing that. I was not a very happy camper.

Things progressed, and then I got further in the file. There was a thing, Mr. Speaker, that came in 1999 from the Calgary regional health authority. It had sent him a letter saying: we regret to inform you that when you were in having your surgery for the burn on your leg in 1983, you were likely given a bad blood transfusion, and would you please proceed immediately to the lab for testing for hepatitis C. So my constituent then went over to the regional lab, and sure enough he tested positive for hepatitis C. So here's this poor gentleman in a body cast, broken back twice, burnt leg, and now hepatitis C.

I then further took it upon myself to phone the Ernst & Young people down in Montreal who were dealing with the tainted blood issue to see if I could get some help for this constituent from that angle. They said: well, we only deal from 1986 forward; everyone before 1986 has passed away. I said: well, not my constituent, and he's been identified as having hepatitis C. They basically told me to get lost, that this would be dealt with through his estate and that there was nothing that could be done.

Then I got mad. My Welsh blood came out, I have to admit, and I went and served as his representative at his appeal process, the first I went through, and I had oodles of paper and thought: we're ready for this appeal. I was advised that MLAs shouldn't really do that, that it should be a legal person. I'm not a lawyer, but I thought: no; I'm intimately into this case; I am going with my constituent. So I did, and we lost. I was shocked. I couldn't believe that with such a clear-cut case, all the evidence there medically and professionally, we lost. So I said: we're not going to stop.

They even played a game on me. In the middle of the last election, during the writ time, they called and said, "We're going to have a follow-up final appeal," of course naturally thinking that anybody running for election would not take the time out of the campaign to go. Wrong-o. I dropped the campaign, and I went to the appeal with my constituent, James, in his body cast, in a wheelchair. I took him in, and again they said: you're not a lawyer. I said: I can represent this constituent as well as anybody can because he is right and he has been wronged. We went through that appeal process, and we had the facts. We laid them out. It was the final type of appeal. We won the case, Mr. Speaker. We won the case finally and got a settlement for James retroactive to 1997. We got recognition that in fact he was disabled.

The point I'm trying to make is that the process was so difficult. The process was so cumbersome that here was my constituent in a body cast who'd spent years and years without help, with total frustration, in financial difficulty, and he had to rely upon his MLA to come and help him out when the system should have been there to respond. I remember when I was an employer in the oil patch, which paid high premiums, and we used to complain. We paid those premiums willingly so that if someone had the misfortune of being injured on the job, they would be cared for. No one wanted to see anybody go without or be injured and their families go without. That was what the purpose was.

Well, if the hon. minister had told me about this process a few years ago, I would have thought: I don't think there's an alternative. I've been through the process with my constituent, now more than one. I don't recommend it for anyone. It's very difficult. It's very heartrending. But this provides the alternative, because what we have right now is not working. It's just not working, so we need to move forward with this. We have to give assurances to our industries that we're not looking for skeletons. We're looking for fairness. We're looking at providing our injured workers with hope that there is an end to the dispute and that there's a resolution coming forward. This isn't about going and grabbing money. This is about dealing with this issue up front and providing dignity and hope back to our injured workers.

4:00

I would say to all hon. members that while it may not be perfect, it may not be exactly what we all want, sometimes life isn't like that. Sometimes we have to take a hard stand. I know James and his wife, Dana, have had almost 20 years of living hell, and I don't mean to say – that's not a nasty word in this form, Mr. Speaker. I've watched them deteriorate, and I can tell you that about a week after the last election, when we finally got the final word that James' case had been awarded, there wasn't a family that was happier, because they were able to actually pay their rent, buy their groceries, and have a little bit extra to pay for some of the things that they hadn't had. Now, it's many years late, but at least it's there.

So I would applaud the minister for bringing this forward. Again I applaud the committee that went out and looked at this square on, looked at the process and with some difficulty brought it forward. I don't think there can be an MLA in this Legislature that doesn't have tough cases come through their constituency door. I think that it's incumbent on us to move forward.

I thank the Assembly for this opportunity to talk about James, because in my view this bill is for James. Thank you.

THE SPEAKER: Questions or comments, hon. members?

The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure

to rise this afternoon and speak to Bill 26, the Workers' Compensation Amendment Act, 2002. I think that in speaking to it at third reading, there are some very critical things that have to be brought out on the floor when we address the final form of this particular bill.

The Minister of Finance talked about contradictions, and certainly any MLA that's ever dealt with WCB knows that there are contradictions, whether it be from the employer's side, whether it would be from the injured worker's side. I've said this before and I say it again. After five years in this Assembly we are on the floor and we are discussing Bill 26, and it only came about because we had a minister who was committed to making the system better, because we had people like Judge Friedman and the all-MLA committee chaired by the hon. Member for Red Deer-South. They did a marvelous job at what they'd set out to do. I think, Mr. Speaker, I can say in all honesty that they did too good a job, because what people had called for and what we ended up with here are different. They are different. It certainly is a great starting place.

I think that there's still a lot of work to be done on this bill. We have to realize that this bill was brought forward not for the 85 percent of people who have a strong approval of WCB, the people who get the injuries that heal in a relatively short period of time or whatever. This was brought up for those 15 percent of injured workers who have contentious claims. These are long-standing claims, and in many of these cases these people will never be allowed because of their physical condition to return to the type of employment they had.

The other thing we have to realize here too, Mr. Speaker, is that when this bill came forward, so many of these types of people that are injured in this way – these are people that are in very labour-intensive jobs. For them to look at retraining, to look at some other line of work, they certainly have a great deal of difficulty.

Anyway, there are so many things when we look at this bill that I think are improvements, and there are a number of things that I wish I would have seen in the bill. You know, we're dealing with contradictions. We have the Member for Red Deer-South, who did such a marvelous job chairing the committee, finishing his time speaking to the bill and asking for unanimous consent to continue speaking when closure was brought in to limit the amount of speaking time by members. I certainly think that the Minister of Learning was very sharp on his feet there and made the request of the hon. Member for Red Deer-South to get in those final points because I think they're critical to this whole process. But we still have the contradiction that here we're bringing in closure, yet we have a minister of the Crown asking for additional time. Something is not working there.

Now, then, what is one of the things that we wanted to bring into this bill which was lacking? It was certainly accountability. One of the major principles of Bill 26 was to bring accountability to a system and to a board which would represent not only the injured worker but the interests of the employer as well. There always is pull and push, and this system will always exist in this fashion. It will occur in this fashion, Mr. Speaker, because we do have an employer who is paying for the system, because we do have an injured worker who certainly wants benefits, benefits which will allow him to live with respect and dignity, benefits when he can't return to work or she can't return to work to at least have some quality in their life.

Unfortunately, this whole idea of fairness in the system has not been there, and we have seen in these particularly small numbers of contentious claims where this has not happened. Because it hasn't happened, we've had any number of breakups of families that have been destroyed, of lives that have been destroyed. How many of these people that have these long-term, contentious claims would

say, "They injured my body first, and then they injured my mind."? The chances for them to ever return are very, very small.

Now, then, in looking at the bill, as I've mentioned, there are a number of issues and principles that were addressed here. Certainly one is fairness, and we want fairness for the injured worker. I think that particularly from Judge Friedman's report there have been over time situations that have arisen in WCB that certainly do contribute to this culture of denial. We see a system that has evolved, and what I think Bill 26 was attempting to fix was this whole situation where we had injured workers who probably throughout their employment years had been in labour-intensive jobs, people that certainly did not have the resources, did not have the knowledge to combat the system to get fair and equal treatment.

4:10

I think that what we've seen here are some attempts in this bill to move this forward, and as I look at this bill I certainly like the greater importance of medical panels. However, I'm not in favour of the way the board has so much input into the medical panels. So the rules governing the makeup of those medical panels again does not indicate a totally level playing field for the injured worker.

As well, when we talk about accountability, Mr. Speaker, I certainly support the idea of the Auditor General now being involved in the workings of the WCB, and I think that in the report he or she would certainly bring to the attention of Albertans and particularly employers, who are paying for this system, situations like occurred in 1999, when we had \$1.3 million in termination benefits.

AN HON. MEMBER: How much?

MR. BONNER: One point 3 million. People got paid those types of benefits while the WCB was in the process of losing \$130 million.

MR. MacDONALD: That's performance.

MR. BONNER: Yes.

I think what also would happen is that the Auditor General would look at something called the rate and benefit stabilization reserve, which had \$211 million in it. Now, this is for the type of claims that we're talking about here, and this money could definitely have been used to help settle some of these long-standing, contentious claims.

I see that in 1999, \$55 million was removed from this fund. It certainly didn't go for the purposes for which it was designated. That left us with \$156 million, and I see in the annual report of 2000 that the other \$156 million was removed from the rate and benefit stabilization reserve. I think this is certainly something that the Auditor General would have commented on and been quite critical of, this board doing this particular thing in light of the fact that at that point these investigations and these review committees were in place.

As well, I think what the Auditor General would look at when we're talking about accountability in the system is the average actual compared to the average required premium rate for operating the WCB. He would certainly look at WCB figures, and referring to page 35 of the annual general report, the 2000 report, we have a summary where in 1997, for example, it cost the WCB \$1.50 per hundred to operate and employers paid \$1.50 per hundred. As we move forward to 1999, it took \$1.64 to operate the system, yet employers were only charged \$1.06. So 58 cents per hundred was not collected from the employers, so they did not fund their own system. Now, then, in the year 2000 the average cost of operating the system was \$1.74, yet employers were only charged \$1.12. Again, when we're talking about a system that is accountable, when

we talk about a system that is fair, how can people not be paying what it costs to run the system? Yet we have injured workers who are not getting fair benefits, and that after all is why the minister did put forward Bill 26.

Now, then, as well, when we look at Bill 26, I think that there certainly is more openness in the way the board is doing business. I see in section 7.1(1): "The Board shall hold an annual general meeting, which must be open to the public." I've had calls from injured workers all over this province who are looking forward to attending that first board meeting. I think this is a positive. I think when we are talking about accountability and we have a board that had revenues in our latest statements here of \$825 million and managing assets in the neighbourhood of \$4.28 billion, the board of directors should be meeting quite often and certainly more than every two months.

The other thing that I want to get in before my time is up, Mr. Speaker, is this idea of this whole special investigation unit. This unit has been used extensively, particularly on the type of claims that the bill is trying to identify or take care of, and those are the long-term, contentious claims. The violation of people's privacy in order to get some type of footage for a very, very small portion of people who are getting benefits that they shouldn't get is totally inconceivable. I can't think of anything that is a greater violation of injured workers' rights than the special investigation unit. Not only are they photographed, but family members have been as well. They're quite concerned that the tapes they get are edited tapes. Certainly what I would have liked to have seen in Bill 26 were some checks and balances on these types of things.

Mr. Speaker, in conclusion, I wish I had more time to speak to Bill 26, but that is it. Thank you for this opportunity.

THE SPEAKER: Question and answer period. The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. I wonder if I could ask the hon. member opposite why there seems to be this fixation with the number of meetings per year of the board of directors when the board of directors is able to meet as often as is deemed necessary. What is behind this notion that because the board is not mandated to meet every month or every two weeks, somehow this equals the Workers' Compensation Board being dysfunctional? The legislation does not prohibit meetings.

MR. BONNER: That's an excellent question, Mr. Speaker, and certainly one that I know employers and injured workers have a great concern with. We are looking at a board of directors that's handling over \$4 billion of employers' money here in the province of Alberta and they are not scheduled to meet on a regular basis. I think that is certainly not accountability.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. If the board of directors of, for instance, the Royal Bank meets once every six months – and they deal with a lot more money. Is the criteria for the

number of meetings that are held the amount of money that is handled or the need to meet as a board of directors?

4:20

MR. BONNER: Again, this has to deal, Mr. Speaker, with this whole idea of accountability. The board of directors for the Royal Bank is responsible to shareholders. The WCB in my estimation is responsible to those people who are paying the freight, and that's the employers in this province, and it should be at their direction when they meet, not the board's.

Thank you.

MR. SNELGROVE: The opposition seems to think that if they feed the horse enough oats, the birds will get fed too. I was just curious: how many employees have any of the opposition members had in their business careers?

MR. BONNER: Well, I really can't say how many people have been in business. When we talk amongst the people here, I know that the hon. Member for Edmonton-Gold Bar has been involved in the business community. I have, and I know that the hon. Member for Edmonton-Mill Woods has also been self-employed at some point. So, yes, a number of people I think have had that type of experience. I know that the Leader of the Official Opposition was certainly a farmer and very successful at it.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you again, Mr. Speaker. Is it possible that the Member for Edmonton-Glengarry is confusing the role of management with the role of the board of directors?

MR. BONNER: No, Mr. Speaker. Obviously the hon. member has missed the point here. We are talking about accountability, and this hon. member is certainly missing the point that the board of directors has a very vital role to play in the operations at the WCB and that as well they are very, very responsible for their . . .

THE SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Glengarry, but pursuant to Government Motion 28, agreed to on May 13, 2002, I must now put the question before the Assembly.

[Motion carried; Bill 26 read a third time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure to move that the Assembly adjourn pursuant to Government Motion 26 agreed to by the Assembly on Monday, May 13, 2002.

[Motion carried; pursuant to Government Motion 26 the Assembly adjourned at 4:24 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, November 19, 2002** **1:30 p.m.**
 Date: 02/11/19
 [The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Hon. members, would you please remain standing for the singing of our national anthem as we're led by Mr. Paul Lorieau.

HON. MEMBERS:

O Canada, our home and native land!
 True patriot love in all thy sons command.
 With glowing hearts we see thee rise,
 The True North strong and free!
 From far and wide, O Canada,
 We stand on guard for thee.
 God keep our land glorious and free!
 O Canada, we stand on guard for thee.
 O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

head: Introduction of Guests

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. It gives me great pleasure to welcome back to the Legislature Mr. Roy Hale, who devoted 31 years as this building's carpenter. He retired in April of 1985. Those of you who remember when Roy was here will attest that no task was impossible, and he always came and left with a smile. There are lasting examples of his work in the building. Indeed, the gavel in the cabinet room, which hasn't broken yet, was made by him and passed from Premier to Premier. Roy is here today with his granddaughter Sherilyn Hale, who is studying anthropology at the University of Alberta. Roy and Sherilyn are seated in the members' gallery. I would ask that they both rise and receive the warm welcome of this Assembly.

THE SPEAKER: Hon. members, we have quite a list today, so please be a bit patient.

MR. JONSON: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly Mr. Mark McCullough. Mr. McCullough is executive director of the Alberta Building Trades Council and a member of the Alberta government's Kyoto External Advisory Committee. Mr. McCullough's professional experience places him in an excellent position to provide our government with labour's perspective on the Kyoto protocol. His long career, beginning as a journeyman ironworker, includes representing labour organizations on projects such as the construction of the NOVA Chemicals expansion in Joffre and the Shell Scotford upgrader in Fort Saskatchewan. He joins us today to witness the tabling of the government's Climate Change and Emissions Management Act. Joining Mr. McCullough is Adrien Graci, public relations manager for the Alberta Building Trades Council. I would ask that they both stand and receive the traditional warm welcome of the Assembly. They are seated in the members' gallery.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly Mr. John Lynch. Many members of the Assembly will recognize Mr. Lynch, who resides in my constituency of Edmonton-Whitemud. He's here today to observe the proceedings of the House. John is presently the executive director of the Social Justice Commission with the Archdiocese of Edmonton, but he's previously served as a member of the Metis Settlements Transition Commission and an executive director with the Human Rights Commission. John is seated in the members' gallery, and I'd ask that he rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. It's my pleasure today to introduce a young Albertan who really reflects the energy that we have in this province, and that's both natural resource energy and also youthful energy. He is a member of Mount Royal College in Calgary. He comes from Fort McMurray, and he also is the president of PC Youth here in Alberta. I'd like to ask Blake Robert to rise and recognize the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It also gives me great pleasure to rise today and to introduce Mr. Darren Aldous. Darren is the vice-president of villages for the Alberta Urban Municipalities Association and also a village councillor in the wonderful town of Breton, where I lived for 11 and a half years. Darren is accompanied today by his two beautiful daughters, Bobbi and Bailee, and I'll ask them all to stand and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. It's an honour and a pleasure for me to introduce to you and through you to members of this Assembly two good friends, who serve this government and the people of Alberta very well. Serving as a volunteer in a central Alberta community and now as executive director of the PC Party is Marilyn Haley. With Marilyn is another good friend, my constituent and a distinguished member of the PC Party. Born in Red Deer and raised on a farm in Delburne, he operated a small cow/calf herd that paid for his education. Admitted to the bar in 1980 and a founding partner in the 10-member Red Deer law firm of Sisson Warren Sinclair, he serves farmers and small businessmen. He's married to Sandy and has a handsome young son, Mitchell, and a beautiful little daughter, Natalie. Dedicated to serving his community and his province, we are honoured to have Mr. Chris Warren, president of the provincial Progressive Conservative Party, with us here today. They are all seated in the members' gallery, and I would ask them to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It's my pleasure indeed to introduce to you and through you to the members of this Legislature 16 special guests today from Meadowlark elementary school. They're spending the week here at the Legislature taking part in the special programs that we run for students. The 16 include Ms Armelle Moreau, their teacher, and parent Mrs. April Kiely. Meadowlark elementary school, would you please rise and receive the warm welcome of this Legislature.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of the Assembly a couple of classes from Fultonvale elementary school accompanied by Mrs. Karin Bittner, Mrs. Karen Shevy, student teacher Miss Crystal Myroniuk, and several parents.

Also, from Wye school are three classes accompanied by their teachers Janet Manson, Carol O'Connell, and Allison Baker.

In addition, Mr. Speaker, to these teachers and these classes and the parents that are accompanying them, I'd also like to introduce from the Alberta Disability Forum Ms Bev Matthiessen accompanied by Kim Cassidy. I'd ask them all to rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly a constituent of mine who has joined us here in the Legislature for his first time. Mr. Mario Rossetto from Medicine Hat is a newly elected first-term member of the Medicine Hat Catholic school board and is in Edmonton attending the deliberations of the school trustees, and I'm very pleased that he took some time off to come down and join us here at the Legislature and see how business is conducted at this level of government. Mr. Speaker, would you please join me in asking members of the Assembly to give Mr. Mario Rossetto, who is, I believe, seated in the members' gallery, a warm round of applause.

1:40

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you very much, Mr. Speaker. Before my father passed away, he said to me: son, please don't forget the Sally Ann; they were there for us during the Second World War providing us with hot tea, warm blankets, and kind words. Over the past 20 years I've tried to do my small part to assist the Salvation Army and have met a wonderful group in that organization, and today in the public gallery is one of those extraordinary, selfless individuals, Captain Mark Hall. Captain Hall spent several weeks at ground zero in New York assisting the rescuers and the victims' families after the horrendous acts. He also assisted our province in honouring those victims in this very Assembly on September 11. Mark Hall is a minister, and I believe he enjoys playing the clarinet. I would ask Captain Mark Hall to please rise and accept the warm welcome and thank you from this Assembly.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to the members of this Assembly four groups of individuals, who are seated in both galleries, and they are members and executives of the Alberta College of Social Workers, Alberta Teachers' Association, the Edmonton Social Planning Council, and last but not least, the Family and Community Support Services of Alberta. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: Hon. Member for Edmonton-Centre, I know that

your groups are not here yet, but chances are that it'll be 3 o'clock before we finish.

MS BLAKEMAN: That's fine. Thanks.

DR. PANNU: Mr. Speaker, my guests are also late arriving, so I'll seek your permission later on.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you a person who is here to talk to her representatives about SFI and AISH rates and who I hope is in the gallery, Helga Mathison, and her attendant, Andy Nicolai. Would they please indicate and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and to the members of this Assembly four individuals. We have Mr. Ed Greenberg, the director of public affairs and government relations for the Alberta Forest Products Association; Mr. Mike Heck, president and CEO of the Federation of Alberta Gas Co-ops and chair of the Alberta Rural Utilities Association; Mr. Kim Royal, president of the Alberta Motor Transport Association; and Mr. Brian McCready, vice-president of the Alberta branch of Canadian manufacturers and exporters. They are here today in support of the introduction of our bill Alberta's Climate Change and Emissions Management Act, and I'd ask them to rise and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. In the gallery today I just noticed that there are two very good friends of mine as well as of many Members of this Legislative Assembly. To you and through you to members of this House I'd like to introduce them and ask them to stand when I name them. Bart West from ATCO is with us today as well as Alan Hallman from Calgary, and I'd ask them to stand and receive the warm welcome of this Legislature.

THE SPEAKER: The hon. Minister of Government Services.

MR. COUTTS: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to members of the Assembly four gentlemen who are sitting in your gallery who have something to do with every single solitary member of this Assembly and every single solitary ministry of this Assembly. It gives me great pleasure to introduce the watchdogs of this Assembly and their offices. Today we have with us Mr. Fred Dunn, the Auditor General of the province of Alberta; Mr. Bob Clark, the Ethics Commissioner for the province of Alberta; Mr. Frank Work, the Information and Privacy Commissioner for the province of Alberta; and the Chief Electoral Officer for the province of Alberta, Mr. Brian Fjeldheim. They are sitting in your gallery. I ask them to please rise and receive the traditional warm welcome.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to all members of the Assembly Ruth Cardenas, who's with Chrysalis; Phyllis Javorsky, who's with the Muscular Dystrophy Association;

and Tanya Starr, who is a social work student with Grant MacEwan Community College. They are seated in the members' gallery, and with your permission I would now ask that they rise and receive the traditional warm welcome of the House.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I rise again to introduce to you and through you to the Assembly three representatives of the United Nurses of Alberta who are here to observe today's proceedings: Jane Sustrik, Bev Dick, and Karen Craik. I would ask them to rise and receive the warm welcome of the Assembly.

Thank you, Mr. Speaker.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Children's Services.

Sharla Marie Collier

MS EVANS: Thank you, Mr. Speaker. It is with an enormously sad heart that I rise today to speak about a tragic loss that has befallen us. On Saturday a young youth and child worker, Sharla Collier, was killed in Lethbridge, and a 14-year-old boy has been charged with her first-degree murder.

This is a tragedy that is unfathomable. It was unforeseen, and the resulting shock and disbelief makes it all the more difficult to understand. We're all tormented that this terrible act has occurred. It is so senseless. We share the enormous grief over the death of a young woman who wanted only to help, a woman who was committed to children and youth. It is a tragedy we all bear with heavy hearts. Still, the depth of our grief is so much less than of those who loved her and knew her personally. My heart goes out to all who are hurting: her family, her fiance, friends, and coworkers.

On behalf of the government of Alberta and of the Ministry of Children's Services I want to express profound sadness and sympathies to the families, friends, and loved ones of Sharla Collier. This is such a trying time, and there are many questions that we hope and pray will provide answers and eventually some comfort and peace to the family.

Sharla had graduated this year from college and was making a difference in the lives of young people in our province. We should all be proud of her accomplishments and give thanks to all those who work to make a difference and to benefit children and youth. This work is of critical importance to families and to our society, and I'm deeply concerned that ministry and agency staff have safe work environments and that we do all that we can to ensure that a tragedy like this will never happen again.

I've called a special investigative review, to be led by an independent third party, to look into the circumstances surrounding this case. This review will examine all aspects of what happened, including supports and services that were provided to the youth involved and, most paramount, the issue of staff safety. We cannot prejudge or speculate about what may have occurred but must let due process lead us to the answers and lead us to better practices that can do more to ensure the safety of all of our workers. Sun Country child and family services authority has already begun a review and debriefing, and we can expect their findings soon. It will be something we can all learn from.

This tragedy is heartbreaking. It has shaken our world. I pledge that this ministry shall ensure that every possible lesson that can be realized from these reviews will be shared openly with staff from all regions to prevent any similar tragic occurrence.

Thank you and amen.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. Korvette Crier, Aaron Grey, Angel Kerrigan-Kinahan, Shaniece Kerrigan-Kinahan, Shayleen Lightning, Lonnie Thom, Kristen Johnson, Helen Rose Rain, Aaron Bull, Jarius Cabry: just some of the children who have died while in care of this government since 1999. Now we have Sharla Marie Collier, not a child but a child/youth care worker. Again the minister has promised an inquiry. Death after death is matched with inquiry after inquiry followed by promise after promise by the minister to seek out and eliminate the root causes of these tragedies. We can no longer tolerate hand-wringing, platitudes, and procrastination.

1:50

In the words of the agreement this country signed at the United Nations special session on children earlier this year, the time has come to put promises into action. Children, not million-dollar ad campaigns, must have the first call on public resources. We must commit now to putting children's needs first, eradicating poverty and investing in children, leaving no child behind, providing care for every child and listening to children and ensuring their participation.

Social workers are on the front line trying to turn those commitments, our commitments to the UN, into action. They sometimes work in danger, but we must minimize their risks. What more lasting tribute could there be to Sharla Collier than to finally have action that results in the protection of social workers and the children in their care?

Thank you, Mr. Speaker.

head: **Oral Question Period**

Kyoto Climate Change Agreement

DR. NICOL: An international panel of world-renowned scientists overwhelmingly agrees that in order to halt devastating effects of global warming, immediate action must be taken to reduce greenhouse gas emissions below 1990 levels. To the Premier: will your made-in-Alberta plan reduce Alberta's total greenhouse gas emissions below 1990 levels by the year 2012? By the year 2020? Maybe by the year 2050?

MR. KLEIN: Mr. Speaker, what we plan to introduce – and I'll have the hon. Minister of Environment speak to this issue – is a piece of legislation that was developed in consultation and will be further developed in consultation with industry – because it's very unlikely it'll be passed this session, and there'll be lots of time for further discussion – that not only serves to reduce greenhouse gases and address the issue of climate change but will ensure that the economy is sustained. I think this is most important.

You know, jobs mean a lot to a lot of people. Mr. Speaker, a healthy lifestyle where people can grow up in a family secure in the knowledge that the breadwinner of that family will have secure employment is just as important as the issue of climate change. What we have to achieve is sustainability, and that's exactly what the legislation speaks to. I'll have the hon. minister respond.

THE SPEAKER: Hon. minister, the purpose of question period is not to debate a bill that the hon. members have still not seen, so let's restrict our questions and answers accordingly.

DR. NICOL: To the Premier: given that total emissions will actually increase under Alberta's plan, is the Premier saying that scientists are wrong about the need to decrease total emissions below 1990 levels?

MR. KLEIN: Mr. Speaker, I'm not going to get into a debate relative to the size or the economics of the Kyoto protocol. As a matter of fact, that's what is fundamentally wrong with the protocol: that there is such a wide variety of opinions on this particular matter. You have scientists arguing relative to the actual amount of greenhouse gases that have to be reduced to address effectively the situation. You have vast differences relative to the economic impact of the Kyoto accord on the Canadian economy. You have the Suzuki Foundation and other environmental groups saying: oh, my gosh, it'll be a \$200 million net positive benefit. Then you have the Canadian Manufacturers & Exporters association saying that the annual negative effect of the Kyoto protocol will be some \$27 billion. Well, that's a huge, huge difference, and it tells me that this member across should be talking to his Liberal cousins in Ottawa, saying: let's get our act together on this particular issue.

DR. NICOL: To the Premier: why doesn't the Premier promote the creation of a domestic emissions exchange where every region and every sector contributes equally to per unit costs of emission reduction instead of some unattainable program?

MR. KLEIN: Mr. Speaker, I would invite the hon. leader of the Liberal Party to look at the communique that was agreed to by all the ministers of environment and all the ministers of energy which outlines 12 principles that must be adhered to if, in fact, we are to have a Canadian-made solution to this particular problem. Those 12 principles are reasonable; they are, to say the least, intelligent; and they represent a political consensus that to me is representative of the Canadian population. That is a made-in-Canada solution, not a federal government, made-in-Ottawa-behind-closed-doors solution.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

DR. NICOL: This government, through its expensive propaganda campaign, is trying to convince Albertans that its anti-Kyoto plan will reduce emission levels when we all know that's not true. But that's not the only way the government has tried to influence Albertans. This government has also led Albertans to believe that the Kyoto campaign would only cost \$1.5 million. To the Premier: is it not true that this government spent substantially more than the \$1.5 million on anti-Kyoto television ads, print ads, radio ads, glossy brochures, and public opinion polls?

MR. KLEIN: I don't know exactly how much has been spent, but I can tell you that the amount is minuscule compared to what the feds in Ottawa are spending to brainwash the Canadian public.

DR. NICOL: Can the Premier explain why he chose to spend in excess of \$2.5 million on the anti-Kyoto campaign when SFI rates have not increased in 10 years in this province?

THE SPEAKER: There's a complete disconnect in that question. The hon. member.

DR. NICOL: Can the Premier explain why he chose to spend in excess of \$2.5 million on the anti-Kyoto campaign when SFI rates have not increased in 10 years?

MR. KLEIN: Mr. Speaker, I can speak to one component of the question. As I said, I'm not quite sure how much is being spent on the campaign – I'll get those exact figures – but whatever we're

spending is worth it because we're talking about billions and billions of dollars of potential negative impact to the Alberta economy. There hasn't been an issue this serious facing the people of Alberta and indeed the people of Canada since the dreaded national energy program of the 1980s.

2:00

What the Alberta government is doing is a small part relative to what is happening across this country and the amount of time and effort and, indeed, money that is being spent by other organizations that support our position for a made-in-Canada solution, starting with the Canadian Steel Producers Association, the Canadian Trucking Alliance, the Independent Contractors, Motor Coach Canada, the Alberta Chambers of Commerce, the Canadian Chamber of Commerce, the Canadian Chemical Producers' Association, the Canadian Council of Chief Executives, the Alberta Chamber of Resources, Automotive Parts Manufacturers' Association, Used Car Dealers Association of Ontario, Canadian Electricity Association, Canadian Fertilizer Association, Canadian Manufacturers & Exporters Association, Canadian Plastics Industry Association, Business Centre on the Environment, Business Council of British Columbia, Canadian Association of Geophysical Contractors, Alberta Building Trades Council, Alberta Economic Development Authority, Alberta Forest Products Association, Professional Engineers, Geologists, and Geophysicists of Alberta, Canadian Association of Oilwell Drilling Contractors, Canadian Federation of Independent Business, Canadian Steel Producers Association . . .

I'm not quite finished.

THE SPEAKER: Well, in the spirit of fair play we'll recognize the hon. Leader of the Official Opposition for his third supplemental.

DR. NICOL: Thank you, Mr. Speaker. Since the Premier is responsible for the Public Affairs Bureau, why don't you know how much they're spending on the anti-Kyoto campaign?

MR. KLEIN: Mr. Speaker, I will find out momentarily, immediately after question period, and provide the information, but as I say, the campaign is reasonable, it's intelligent, it's factual, and, believe me, it represents the views of the people of this province that there are serious and legitimate concerns relative to the Kyoto protocol. If there's one thing for sure, the people know where the Alberta government stands on this particular issue, but they have no idea where the Liberals stand on this issue.

Mr. Speaker, *Hansard*, April 18, 2002. This is attributed to the hon. Member for Edmonton-Ellerslie, who says: "I don't necessarily agree that the Kyoto accord should be ratified by Canada. I don't think that it takes us where we need to go." Then in the *Edmonton Journal* – and it must be true – the hon. Member for Lethbridge-East says: this Kyoto is a direct opportunity for Alberta to stand up and challenge the federal government; we cannot allow the federal government to take advantage of a province. Then in a Liberal news release dated September 3 the hon. leader of the Liberal Party says: "There's no easy way for the federal government to implement Kyoto . . . Albertans need to be ready for a fight if it goes against our best interests." Then in the hon. leader's report from the Legislature the hon. leader says, "Kyoto may have a negative impact on our economic growth," but the newsletter goes on to say: "Kyoto [is] a catalyst for a better society . . . For every job lost to Kyoto, a new one could be created." But he doesn't say how or when or the implementation plan. Then he says in the *Edmonton Sun* – again it must be true – I'm not endorsing the federal plan until I've seen it.

Well, you know what? None of us has really seen a plan. If it's going to hurt Alberta, I'll be on the steps of the Legislature saying that it's no good. You should be there, believe me.

THE SPEAKER: It'd be helpful, too, for hon. members to receive the tabling of such quotations.

Third Official Opposition main question. The Legislative Assembly's latest bride, the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Loud voices backed by big money don't make this government's anti-Kyoto campaign right and certainly don't help consumers. This government has done absolutely nothing to help Albertans become energy efficient. This is alarming considering that research proves that educating consumers about emission reductions is not enough to change their behaviour. All my questions go to the Minister of Environment. How much money has this government invested in energy efficiency programs for Alberta consumers?

DR. TAYLOR: Well, Mr. Speaker, let me start by saying that this government has surpassed the 1990 target of 6 percent. We have won awards. We're the only government in Canada to win three awards for our reduction of greenhouse gases.

AN HON. MEMBER: How many?

DR. TAYLOR: Three.

Further, Mr. Speaker, at the present time we are 22 percent below 1990 levels. [interjection] Yes, 22 percent.

AN HON. MEMBER: Absolute baloney.

DR. TAYLOR: No, it's not baloney. It is the truth, Mr. Speaker.

THE SPEAKER: Whoa. Please. Hon. minister, how about if we participate through the chair. The hon. member later may have a chance, but right now we're going to recognize the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Answer? No money.

Will the minister confirm that while Climate Change Central has a goal of zero emissions, they can do absolutely nothing because this government gives them absolutely nothing for project funding? Nothing.

DR. TAYLOR: Well, Mr. Speaker, once again the member is totally wrong. I mean, it shouldn't be surprising. This government has committed through the Department of Environment to fund the energy efficiency office at Climate Change Central. We have already committed – now, I'm going by recollection here. I believe we have already written a cheque for \$200,000. That's from memory. We've committed up to \$2 million. So as we go forward, we also fund Climate Change Central. I believe our commitment is \$2 million this year alone to the Climate Change Central office, and Climate Change Central is a very effective mechanism to work with the public, to work with industry. In fact, last year for every dollar we gave Climate Change Central, they got \$4 to \$10 from other sources, a match of \$4 to \$10 for every dollar. These people opposite, who obviously have changed their mind and are now taking their orders from Ottawa in an attempt to get their finances straight, have to recognize that when you can get \$4 to \$10 for every \$1 committed by government, that's an effective utilization of taxpayer money.

MS CARLSON: Mr. Speaker, as always, long on promises, short on deliverables.

How come Manitoba, the territories, and British Columbia have all committed millions of dollars to energy efficiency programs while Alberta, the richest province in the country, continues to do nothing at the consumer level to address the number one issue in this country at this time?

DR. TAYLOR: Mr. Speaker, we have quite clearly said that we are prepared to commit dollars. We have said that. We have said that we will match federal dollars. We're still waiting to hear what the federal dollars are going to be. We have yet to hear a commitment from Ottawa in terms of what the Ottawa government is prepared to do. As we go forward with the budget that comes down, I'm sure you will see actual dollars. Hopefully, we'll have heard from the federal Liberal government by then.

THE SPEAKER: The hon. leader of the third party.

There's a high level of interest here today.

2:10

Electricity Rates

DR. PANNU: Thank you, Mr. Speaker. In the long seven months since the last sitting of this House we have continued to see no action from this government on high power bills. Since deregulation was introduced, the bottom line of every power bill of every family in this province has increased. Whether you live in Edmonton, Calgary, Fort McMurray, or Lethbridge, you pay a lot more now than you did before the last election. My question is to the Minister of Energy. When can Albertans ever expect to see lower bills from deregulation? When will Albertans arrive at the promised land of low bills resulting from deregulation?

MR. SMITH: January 1, 2003. January 1, 2004.

DR. PANNU: The minister is trying to save us come carbon dioxide, Mr. Speaker.

Is the government going to leave Albertans on the hook for the next two years and then throw money at them just before the next election? That's my question to the minister.

MR. SMITH: Well, Mr. Speaker, the only thing stupider than saying an incomplete sentence in public is to have a paper report on that incomplete sentence, but then the only thing stupider than having the paper report on an incomplete sentence is having an elected member comment on a stupid report from the paper.

DR. PANNU: Mr. Speaker, my last question to the minister, the brilliant minister in this cabinet: can the minister point to a single residential power bill that has actually gone down since his government's deregulation, any single bill?

MR. SMITH: Well, Mr. Speaker, I accept the compliment with grace and humility.

Mr. Speaker, the hon. member can, in his own research, in his own group, go through power bills that are across Alberta, and he will see that there are different regulated rate options across Alberta. He will see the lowest, being an ATCO account at some 4.76 cents to 4.9 cents, and the highest one, being EPCOR at 6.7 cents. He will also see Albertans paying deferral accounts for the power that they used in 2000, when regulation was still a part of the Alberta metric, and deferral accounts for 2001.

So with deregulation, as the *Globe and Mail* has said appropriately

and as the professors from the University of Alberta have said, Alberta is on the right track. We have a competitive marketplace. There are 2,000 new megawatts, and we are seeing a route down to lower prices, Mr. Speaker. We're seeing fair prices; we're seeing honest prices. But, most importantly, what we don't do, like NDP governments when they were previously in power in other provinces – and I pray that the day never happens in Alberta – is we do not hide behind Crown corporations with taxpayer debt that has to be supported by future generations, preventing economic growth and wealth generation.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Mill Woods.

Kyoto Accord Ratification Process

MR. McCLELLAND: Thank you very much, Mr. Speaker. My question is to the Minister of International and Intergovernmental Relations. In 1997 the United States Senate by a vote of 95 to 0 declined to ratify the Kyoto protocol because it did not require any commitment of developing countries and to ratify a protocol of this type without an implementation plan was considered to be ill advised. Therefore, the treaty was never taken to the president, then President Clinton. In fact, it was killed by the Senate in a unanimous vote because it was deemed by the Senate to be against the national interest. My question: what role does the Canadian Senate have in the Kyoto accord ratification process?

MR. JONSON: Mr. Speaker, as the hon. member indicates, the Canadian Senate has no particular guaranteed role in the ratification of international agreements. In Canada the Prime Minister has indicated that Parliament will be asked and expected to approve the Kyoto protocol, but in actuality and constitutionally all that is required is an order in council of the federal cabinet in order to ratify an international agreement of this type.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. Will Alberta use its constitutional authority to ensure that the question of an elected Senate representing the national interests through the interests and representation of the provinces is brought to the next first ministers' conference?

MR. JONSON: Well, Mr. Speaker, in terms of constitutional authority, certainly, that will be part of a wide series of actions that we'll take in this particular case, but I would just like to indicate that we are working on the whole matter of Senate reform. The hon. Premier has written a letter to the Prime Minister asking that he respect the democratically expressed wishes of Albertans by appointing, a very small step but a very important one, one of the province's Senate nominees to replace retired Senator Nick Taylor. We already have in place the Senatorial Selection Act. In 1998 Albertans elected two Senate nominees, but neither has been appointed to the Senate to date. Overall, the provincial government wants to take this opportunity of there being a vacancy in the federal Senate to revisit the whole issue of Senate reform and its importance to Alberta and to western Canada and, we think, all of Canada, and this is going to be a major initiative of government.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Meadowlark.

Children's Services Authorities Funding

DR. MASSEY: Thank you, Mr. Speaker. Sharla Collier's fiance claims that her death was preventable. It appears that understaffing and lack of resources to adhere to good practices in the Sun Country children's authority resulted in tragedy. My questions are to the Minister of Children's Services. How can the minister claim this tragedy was unforeseeable given that social workers escorting children have previously been attacked?

MS EVANS: Mr. Speaker, today I spoke with a very saddened fiance named Chris. We talked about his comments about how the death could have been preventable, and he made a very strong and powerful statement to me. He said that he would not have approved of his fiancee going one-on-one with the youth but that she had such remarkable discretion, loyalty to profession, and the capacity to work with youth without divulging the contents of her job in an unprofessional fashion that she never even shared with him that on more than one occasion she may have been alone with the youth that might have – and I stress the words "might have" – compromised her future.

Mr. Speaker, today we don't have answers. Today we have questions, much as the member opposite has cited. How do these things happen? What took place? What was the history? Was this preventable? Could there have been procedures in place? In Children's Services we have a binder of accountability for agencies in the staffing, in the requirements for safety for the workers, but that doesn't tell us the story in the case of Sharla Collier's death. So today with the investigative review process, with the participation of the advocate, who has asked to be a member serving on this panel, we will work with the people both from outside of our department and with the staff in question in the agency to discover whether or not the processes were correct between the Sun Country child and family services authority agencies in their jurisdiction and whether or not we are being prudent in following up on the protocols of safety of the workers.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, and again to the same minister: why, when Sun Country has been underfunded, was an additional million dollars cut from their budget this year?

MS EVANS: Mr. Speaker, from time to time we make adjustments in Sun Country budgets, like we do in every other budget. I would not want this House to be under any misapprehension that adjustments made in budgets in Sun Country reflected in any part on the funding for the agency in question and that in any way should we jump to the conclusion that there were adjustments in budgets that affected the case surrounding Sharla Collier.

We have made other adjustments, Mr. Speaker, as a result of delegation of authority to one of the First Nations in the region. We are working constantly to get those funding allocations correct. But I'll be pleased to provide the hon. member opposite the full details of how Sun Country has been funded in this past year, any recent adjustments, and anything that he would wish relative to those budgets.

2:20

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. Again to the same minister: why, when children's services authorities are already seriously understaffed, did the minister cut 186 positions from the budget?

MS EVANS: Well, Mr. Speaker, we haven't cut 186 positions from the budget. In fact, we are working for the reduction of staff through natural attrition and finding ways to be more cost-effective, but not once have we made a reduction of staff on the front lines affecting child service workers. There were not the reductions that have been inferred by the member opposite. I know that there have been some reductions of staff in the Ma'Mowe service region, but those have not been staffing adjustments that have compromised the health and safety of children.

First Nations Gaming and Entertainment Complex

MR. MASKELL: Mr. Speaker, my constituency borders the Stony Plain Indian reserve no. 135. Constituents in the neighbourhood of Lewis Estates and constituents of the Edmonton-McClung community of The Grange are deeply opposed to the negotiations taking place between the Enoch Indian band and the city on providing service for a proposed casino and entertainment complex. Of the 16 casinos operating in Alberta, not one is built directly across from residential communities. My question is to the Minister of Gaming. Can the Alberta Gaming and Liquor Commission refuse a licence to a First Nations applicant for a casino on a reserve, and will the residents of Lewis Estates and The Grange have an opportunity to have their concerns heard?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. As a result of a two-year consultation process that ended last year and which was affirmed and approved this year, an eight-stage process with respect to applications for new casinos, including casinos on First Nations reserves, was established. That eight-stage process must be completed in full by the applicant or applicants and reviewed by the AGLC and the AGLC board before any application will be successful.

One of the steps in that is step 5, which talks in terms of the AGLC receiving detailed proposals from applicants, which will go out and ultimately become the subject of some public knowledge and which will allow for the public to provide input to the AGLC. The AGLC will have to deal with various inquiries and comments that are received from members of the public. The proposals, however, must receive a complete evaluation by a selection committee, using stringent criteria which are in writing, which are part of policy, and which, I can advise, can be found at the AGLC web site. I would encourage those who are interested in this matter to take a look there to see all the things that any successful applicant must do.

So, in short, any applicant to the AGLC with respect to a casino, whether it's traditional or First Nations, is not assured success. They must comply with all the requirements, and those requirements are set out in great detail.

MR. MASKELL: My first supplementary question is to the same minister. How would the minister respond to those people who feel that First Nations are getting special treatment when it comes to owning and operating a casino?

MR. STEVENS: The First Nations gaming policy, once again, Mr. Speaker, was part of the licensing policy review in January of 2001. This policy was announced by the government and accepted at that time as a result of extensive negotiations between First Nations people and this government under my predecessor's leadership. The goal of the policy was to provide an opportunity for a direct economic and social benefit for First Nations people.

Having said that, the criteria with respect to the First Nations

casinos are virtually identical to those of traditional casinos with a couple of notable exceptions. The AGLC is responsible for the policy with respect to this. They will make the decisions with respect to all such applications. First of all, the First Nations charity will be able to hire volunteers. That is a difference. The casino must be on a reserve that is established as of January 2001; that is different from traditional casinos. Lastly, the allocation of certain of the proceeds that go through the Alberta lottery fund – namely, 40 percent of those proceeds – will go back to First Nations communities for the improvement of economic, social, and cultural matters on the reserves.

MR. MASKELL: My second supplemental is also to the same minister. If the AGLC chooses to issue a licence to Enoch, will the province step in and ensure that Edmonton taxpayers aren't footing the bill for servicing this casino?

MR. STEVENS: Well, Mr. Speaker, the question calls for speculation, and of course we don't do that.

The fact of the matter is that the Enoch First Nation and the city of Edmonton, like good neighbours, are discussing matters of common interest with respect to this proposal, and I'm sure that as good neighbours they will continue to do what is right and come to a reasonable resolution of the matter.

Kyoto Climate Change Agreement

(continued)

DR. TAFT: Mr. Speaker, in 1990 the Alberta Department of Energy released a detailed analysis showing that Alberta could reduce greenhouse gas emissions to 7 percent below 1988 levels without new technology and achieve huge economic benefits. This is or at least should be the real climate change plan. My questions are to the Premier. Why is the Alberta government now relying on a vague plan drafted by spin doctors in the Public Affairs Bureau when for more than a decade it has had a credible and detailed study showing how to beat Kyoto targets while achieving a return on investments?

MR. KLEIN: Mr. Speaker, I take exception to the statement that this is a vague plan. This is much more than a plan; this is legislation. This is legislation committing us to an action of greenhouse gas reductions to make a significant, meaningful, and intelligent contribution to the issue of global warming.

All I can say is that Alberta is firmly committed to working with Albertans – industry, business, environmental groups – to reduce greenhouse gas emissions, and I will say that the Kyoto protocol, as it is now written and devised by, ostensibly, European theorists, is not the Canadian way. Indeed, our largest trading partner, the United States, figured that out a long time ago and said: we can develop our own plan to address this problem. That's exactly what they are doing. Mr. Speaker, I would remind the hon. member that Canada is the only country in the western hemisphere that has agreed to targets, targets of minus 6 percent of 1990 levels by the year 2012, which industry says is unrealistic.

Our Climate Change and Emissions Management Act reaffirms Alberta's ownership and responsibility for the management and development of its natural resources. That is very important, unless the hon. member is suggesting, as his federal cousins have suggested, that we really don't have any constitutional authority over our natural resources. Well, it happens to be in the Constitution. It provides a legal framework to put Alberta climate change plans into effect in an intelligent, reasonable, and responsible way, and it shows that Alberta is serious about reducing greenhouse gases.

Mr. Speaker, this is more than a plan. This is a legislative framework for action. It will allow us to put the details to the plan as regulations much more than this big document that the feds have put out. This will actually be in regulation. It will meet the targets that the federal government would expect Alberta to meet under the Kyoto protocol but under a longer time line, absolutely under a longer time line. This is to ensure that our economic sustainability is viable over a long period of time, and it's a time line that certainly won't harm the economy and at the same time will address in an intelligent way the issue of global warming.

2:30

DR. TAFT: Mr. Speaker, will the Premier admit that the Alberta government in its own study had already demonstrated that greenhouse gas emissions in Alberta could beat Kyoto targets without new technologies by 2005?

MR. KLEIN: Mr. Speaker, I will have the hon. Minister of Environment respond, but I can tell you that numerous steps have been taken since 1990, starting, as a matter of fact, even before that time, when I was Minister of Environment and established the Roundtable on the Environment and Economy. Since then, we had the Clean Air Strategic Alliance formed. We have the voluntary challenge, where, indeed, if you talk to certain industrial sectors, they have already achieved those targets. There are some, however, that have not. We're not talking about all industries, and I'm sure the hon. member isn't talking about all industries. We have Climate Change Central, and I would remind the hon. member that relative to the voluntary challenge 163 Alberta companies have signed up. So this represents to me an honest and sincere effort, certainly since 1990, to address the issue of climate change.

I'll have the hon. minister . . .

THE SPEAKER: Well, we've already gone six minutes on this, and we've only had two questions.

The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Now, we have the Minister of Environment saying that the Alberta government has already achieved and beaten Kyoto targets, and the Premier is saying that industry cannot. Is the Premier saying that government is so much better than the private sector?

MR. KLEIN: No. The only government saying that government is so much better than the private sector is the federal government. They have no faith in the ingenuity, the intelligence of the private sector to address this. They bring in this goofy, concocted scheme to tell industry what they must do, Mr. Speaker, with no regard whatsoever to the economic impact that that kind of a protocol will have on the economy of this province and, indeed, the economy of the government. That is being irresponsible. Industry is acting in a totally responsible and intelligent manner on this particular issue.

THE SPEAKER: The hon. Member for Calgary-West, followed by the hon. Member for Edmonton-Gold Bar.

Calgary Philharmonic Orchestra

MS KRYCZKA: Thank you, Mr. Speaker. The Calgary Philharmonic Orchestra is widely known as one of Canada's best orchestras. However, they have experienced some financial difficulties and, in fact, went into receivership a number of weeks ago. Calgarians, including my Calgary colleagues and myself, have a great deal of love and pride for this orchestra and sincerely want to

help it succeed. My first question is to the Minister of Community Development. Could he tell us what he has done or is able to do to help the Calgary Philharmonic Orchestra through this difficult period?

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Well, I certainly agree that the Calgary Philharmonic Orchestra is among the best in Canada, and I would even say that it's probably one of the best in North America. That's one reason why, through the Alberta Foundation for the Arts, this government provides among the largest of financial grants possible to that organization.

In terms of what I personally have done, I should let the member know that I have spoken on the telephone with some of their representatives. I've corresponded with them. I was even in Calgary last week to meet with several of them, and after a few hours of discussion we certainly got apprised of the current difficulties that they face.

I think it should also be noted that the Calgary Philharmonic Orchestra, as is in keeping with all major performing organizations in this province, has a signed agreement between themselves and the Alberta Foundation for the Arts with certain deliverables, if you will, built into that agreement. One of the things that we as a government and I as a minister in this area pledge to do is to help them through this difficult time, but that will be dependent upon a very sound, viable business plan, which I know they are working very aggressively to complete as we speak, and I have every confidence that with their own resources, with their own outreach, their own support network of corporate and private funders in the Calgary area, along with us as a partner, we will be able to see this situation resolved for the betterment of the orchestra in the long term.

THE SPEAKER: The hon. member.

MS KRYCZKA: Thank you. My first supplemental, again to the Minister of Community Development: can the minister tell us if there is provincial money available for the Calgary Philharmonic Orchestra?

MR. ZWOZDESKY: Well, certainly there is money available to the Calgary Philharmonic Orchestra. In fact, I think this past year and for the past couple of years it's been in the order of \$700,000-plus per year, which is extremely helpful to them, but it's important to note that the government of Alberta through the Alberta Foundation for the Arts cannot be the only funder. I am aware that they are talking with the federal level program people in this regard, and I am aware that they are also speaking with their own corporate community. They're actively engaged in meetings with the employees, with the musicians, with their own board members, and they've had some successful fund-raisers in the last little while, and I think that spirit needs to continue, obviously. We for our part are simply waiting for their plan, which I understand will be given to us very shortly, that one way or the other proves the viability of the Philharmonic Orchestra well into the future. We're all expectant of that, and I have every reason to believe they're going to deliver on it and so will we.

THE SPEAKER: The hon. member?

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Edmonton-Highlands.

Supports for Independence Review

MR. MacDONALD: Thank you. On November 8 an important

message to Progressive Conservative constituency presidents was delivered by a former Progressive Conservative MLA that urged, quote: let's not allow our MLAs to plunder the heritage trust fund to cover for their recent incompetent handling of our affairs. End of quote. Another example of that incompetent handling of affairs is the half million dollars this government has spent on a low-income review when they already knew that what the low-income citizens of this province needed was an increase in their benefits. We cannot forget, Mr. Speaker, the hungry, the poor, the unemployed in this province, and unfortunately this government has. My first question is to the Minister of Human Resources and Employment. When will Albertans on income support programs like AISH and SFI get extra income to cover the rising costs of electricity bills, which have skyrocketed because of this government's Enron-like electricity deregulation scheme?

Thank you.

MR. DUNFORD: Well, there was a lot in the preamble, and of course as far as the question is concerned, we do have a couple of reports out there now, Mr. Speaker, a low-income review, What We Heard and What We Recommend. The MLA committee that was responsible for all of that good work has certainly, I think, endeared themselves to most Albertans and, hopefully, to the very people that they are trying to help. We are looking at the recommendations as we speak. We are attempting to make changes that we can within the budget this year, and of course as all of the members in the House would be aware, it is the season for business planning.

THE SPEAKER: The hon. minister.

MR. SMITH: Mr. Speaker, if I may just supplement on his last, as usual, erroneous comment. In the year 2001 there were two cheques of \$150 per individual sent out by this government. In 2001 there were four times \$150 cheques sent out by this government, and in the entire year of 2001 more than \$2 billion were paid back from auctions to everybody who had a meter at the rate of \$40 a month.

MR. MacDONALD: Mr. Speaker, to the Premier this time: given that this government in 2002 has left the poor behind the Alberta advantage, given the fact that there has been half a million dollars spent on studying the issue, when will this government quit pleading poverty and give the SFI and the AISH people of this province a wage increase?

Thank you.

2:40

MR. KLEIN: Mr. Speaker, that issue is under review, and I would remind the hon. member that relative to AISH I believe we're one of the only jurisdictions in Canada with a program of that particular nature. The philosophy of this government – and I believe it's the philosophy of the people of this province – is to provide help, meaningful help, for those who truly need help in society, to give a hand up rather than a handout. It's always been the policy of this government to find ways and means to get people off the welfare rolls and back to work and to provide them with meaningful employment so they can have a sense of self-esteem and a sense of pride, but we firmly believe that those who truly need help in society – truly need help in society – should get that help, and we're fully committed to that philosophy.

MR. MacDONALD: Again, Mr. Speaker, to the Premier: can the hon. Premier live on \$402 per month in this province whenever rents are over \$500 a month for decent, affordable housing?

MR. KLEIN: No, Mr. Speaker, and neither could the hon. member. I'm sure that the hon. minister would look at a situation relative to the situation as it affects a particular family and make that determination. As I've said before, for those who truly need help in society – those who truly need help in society, who cannot fend for themselves – it is the policy and the philosophy of this government that we will look after them, but it's also the policy and the philosophy of this government that we will use all means at our disposal to help people get off the welfare rolls and back into meaningful employment.

THE SPEAKER: Hon. members, the time for question period has now left us for today but the hon. Premier to supplement an answer given earlier.

Kyoto Climate Change Agreement

(continued)

MR. KLEIN: Yes, Mr. Speaker. I thank you for allowing me to supplement an answer to a question posed by the hon. Leader of the Official Opposition. He asked: how much is being spent by the Public Affairs Bureau to communicate the government's position on the Kyoto protocol? The Alberta government announced a major advertising campaign to advise Albertans where they can get information on Alberta's position on Kyoto. The cost of that advertising campaign is \$1.5 million. Additional costs for production, printing, distribution, and research bring the total for the campaign to \$2 million as of the end of October of this year. I can add that staff were seconded from some ministries to put together public information materials such as a web site and two tabloid publications. Additional materials were provided by Alberta Environment.

Now, this is important. As of November 8 the government's Kyoto web site received more than 83,000 hits, and approximately 48,000 copies of documents were downloaded. There have also been more than 5,000 calls to the toll-free Alberta Connects phone line, which is all part of this campaign. Polling, again part of the campaign, indicates that Albertans support a made-in-Canada solution to climate change. A recent survey showed that 72 percent of Albertans want the Canadian government to withdraw from the Kyoto protocol and develop a sensible, intelligent, responsible, made-in-Canada plan.

THE SPEAKER: Hon. members, since 1986 we've followed the practice of when an answer is supplemented with a delayed response, the individual who raised the original question can have a brief supplementary question followed by a brief supplementary answer.

DR. NICOL: Thank you. Mr. Premier, you talked about the financial obligations and the financial commitment. What about staff? Is there a value you could put on the staff that were seconded into that program as well?

MR. KLEIN: Mr. Speaker, I'm providing the information that was provided to me, and that was that staff were seconded from some ministries to put together public information materials such as web sites and two tabloid publications. Additional materials were provided by Alberta Environment. This is all done in-house to represent not only a government position on this particular matter, this very important matter, but to communicate properly and effectively the consensus of the majority of Albertans.

head: Members' Statements

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

Say Hay Campaign

MR. MARZ: Thank you, Mr. Speaker. I rise today to recognize the efforts of all those who have offered their support to Alberta's producers during 2002. Due to the widespread drought this year has been extremely difficult for Alberta's crop and livestock producers. The tenacity, resiliency, and commitment of our producers is always admirable but particularly so in a year like this one.

A positive that stands out in light of the challenging year is the outpouring of support from people across the country. Eastern Canadians sent hay to the west to help feed our livestock through the Hay West campaign. As part of that effort the government of Alberta contributed \$200,000 to harvest and bale eastern Canadian hay. Thousands of Albertans attended the Say Hay benefit concerts held in Edmonton and Calgary, raising over \$1.5 million. The support from rural and urban communities alike was encouraging and heartfelt. On behalf of all Albertans I would like to thank the organizers, performers, and volunteers who donated their time and talents, as well as all those who supported this Say Hay campaign.

This government has also worked very hard to ensure we wouldn't let our producers down. We responded with a \$324 million farm income assistance program, an acreage payment that would get money to producers as quickly as possible with as little administration cost as possible.

All told, Alberta producers have access to more than \$1.4 billion of assistance to help respond to the drought, including the emergency water pumping program, the Alberta farm income disaster loan program, grasshopper control program, and the Canadian farm income program as well as the crop insurance program.

We're also planning for the long term. The implementation of the Alberta drought risk management plan will mean more timely and accurate monitoring and assessment of drought impacts on the farm economy and more targeted, timely, and cost-effective drought response measures, if needed. We're also working on improving and enhancing other long-term funding programs, and we're discussing changes to crop insurance to make it more responsive to weather variances and extremes.

The ag industry this year will be recovering from the effects of this drought over the next several years. We hope, however, that we have seen the worst of this drought and join producers across the prairies in looking towards a better year next year. I sincerely thank all those Albertans who have recognized the value of agriculture to our province and have shown their support to Alberta's agricultural producers in this difficult year. Hats off to them all.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Bicycle Safety Helmets

MS CARLSON: Thank you, Mr. Speaker. The Sikh Federation of Edmonton has asked me to bring forward an issue important to them. The federation believes the implementation of the new Highway Traffic (Bicycle Safety Helmet) Amendment Act on May 1, 2002, has highlighted an administrative oversight concerning the application of the legislation to practising Canadian Sikh youth. The community states that they are fully supportive and appreciative of the government's efforts to enhance public safety through legislative and other means. The power of the law and the penal measures contained therein do provide good reason for people to keep safety in mind. However, they believe that education and good training can be considered to be equally effective in achieving the desired public safety results.

As is evident from the statistical picture presented to the minister in May 2002, the marginal additional potential risk of entrusting the

parents with the safety considerations in respect of their practising Sikh youth is, in their belief, reasonably manageable and acceptable. Resolutions in other jurisdictions include allowing practising Sikhs to ride bicycles in British Columbia without having to compromise on their religious requirements.

In view of the foregoing the Sikh community of Alberta is seeking the Minister of Transportation's intervention to suitably modify the implementation of protocol to allow the practising Sikh youth to enjoy bicycling without having to compromise on their religious requirements by wearing bicycle helmets.

Thank you.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

2:50

National Addictions Awareness Week

MR. JOHNSON: Thank you, Mr. Speaker. As chair of the Alberta Alcohol and Drug Abuse Commission I'm pleased to inform the hon. members that this week, November 17 to 23, is National Addictions Awareness Week. During this week AADAC and its community partners support a variety of activities to increase awareness of substance abuse and gambling problems and solutions. Two examples of this year's activities include a kick-off breakfast in Grande Prairie and a wellness walk in Calgary. The events planned for this week offer hope and encouragement to individuals suffering from substance and gambling problems by encouraging and celebrating healthy lifestyles. I'd like to remind the hon. members that AADAC and its funded agencies offer information, prevention, and treatment services through a network of offices and facilities in over 40 communities throughout the province.

Earlier this year AADAC was given the lead role in implementing the Alberta tobacco reduction strategy. As the hon. members are aware, tobacco is addictive and is the leading cause of avoidable illness and premature death in Alberta. Initiatives are now under way to treat and prevent tobacco use, particularly amongst youth. Again related to youth, AADAC was recently credited for having, and I quote, the best campaign for increasing youth resiliency that I have found, end quote, which is high praise from an international authority with the U.S.-based Resiliency in Action organization. AADAC's resiliency campaign empowers youth to take positive action to rise above difficult life circumstances.

AADAC's involvement in National Addictions Awareness Week, the resiliency campaign, the Alberta tobacco reduction strategy, and other initiatives help to create healthier communities and demonstrate the government's commitment to the health of Albertans. AADAC's theme, Making a Difference Together, conveys the message that it is the responsibility of all Albertans to work together and make a difference in preventing addictions problems.

In closing, I would like to thank the hon. members for their support of AADAC. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Drayton Valley-Calmor.

Corporal John Archer Sergeant David Scribner

REV. ABBOTT: Thank you, Mr. Speaker. It is with great pride that I rise to recognize two members of the Drayton Valley Legion who are recipients of this year's Nobel peace diploma. Sergeant David Scribner and Corporal John Archer are recipients of this honour due to their courageous work in keeping the peace on the Mediterranean island of Cyprus. For his efforts Sergeant Scribner has also received the Canadian peacekeeping service medal.

Mr. Speaker, not only do these awards help us once again

recognize Canada's exemplary record in the area of international peacekeeping, but they also serve as a reminder that the ability to make the world a better place is in each and every one of us. That two soldiers from Drayton Valley-Calmar could help to secure the peace for people halfway around the world is truly humbling. That they would risk their own lives for the betterment of those in Cyprus is nothing short of inspirational.

Mr. Speaker, I had the honour of presenting scrolls of congratulations from the Legislative Assembly of Alberta on this past November 11, Remembrance Day. These two men are great Albertans and great representatives of the wonderful people that I am honoured to work for every day as the MLA for Drayton Valley-Calmar. I invite all members of the Assembly to join me in recognizing their achievements.

THE SPEAKER: Hon. members, before we go to the next order in our Routine, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have two groups to introduce today. In no particular order, I'd like to introduce to you and through you to all members of the Assembly some of the members of the Edmonton Quality of Life commission. They are seated in the public gallery, and I would ask them to please rise as I say their names: Rev. Don Mayne, Rev. Dr. Bruce Miller, Betty Farrell, and Patricia McGoey. I would ask you to please join me in welcoming them to the Assembly today.

The second group that I'd like to introduce are people associated with the Alberta Committee of Citizens with Disabilities. Again, they are in the public gallery, or they were, and I'd ask them to rise as I call out their names. We have the president of ACCD, Karan Smith, with staff members Brian Laird, Manuela Coelho, Sylvia McKeeman, and Jacinthe Lessard. I believe that observer Gordon Forbes is also here. Again, I would ask you to please welcome them to the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. It's my pleasure to introduce through you to members of the Assembly six people from the Alberta Disabilities Forum. I would ask them to rise as I introduce them to you, if they are here: Mary Bell, Bruno Fantini, Sheena McLean, Marlene Williams, Lorne Lentz, and Marcella Cloran. Please give them a warm welcome.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have two introductions this afternoon. For the first one, I'm very, very pleased to introduce to the House and to you two prominent leaders of university students in this province: Mike Hudema, who is the president of the students' union of the University of Alberta and represents over 30,000 students, and Anand Sharma, who is the chair of the Council of Alberta University Students. Both of them together represent close to a hundred thousand young Albertans who attend our universities. They are playing a leading role in the campaign by our students to

have their tuition fees frozen first and then reduced. I welcome them to the Legislature and ask them now to please rise and receive the warm welcome of the Assembly.

Mr. Speaker, my second set of guests is here to express their deep concern on behalf of Albertans who live on low incomes, whether they are on SFI or recipients of AISH. These guests are Sharon Sutherland, Schizophrenia Society; Justin Harper, HIV Edmonton; and Elizabeth Kubelka, Heather Robertson, and Robin Krajacic, social work students from Grant MacEwan College. If they're still in the public gallery, I ask them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to the members of the House six members of the county of Cardston council visiting in Edmonton today and this week for the AAMDC municipal convention. I'm very pleased to introduce to you Councillor Floyd Smith, Councillor Neil Miller, Councillor Randy Janisko, Councillor Harlen Cahoon, Councillor Ida Lowe, and administrator Bryan Phillips. I would ask that you please give them the warm welcome of the House.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. Also, I would like to introduce to you and through you to the rest of the Assembly a municipal councillor that is attending the same fall conference today. His name is Don Mudryk, and Don Mudryk hails from the St. Paul area. He's also an elk and bison rancher as well as a businessman. So if I could ask the Assembly to give him the traditional warm applause.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I'm submitting this petition on behalf of St. Joseph's church on restructuring health delivery programs in Alberta.

Thank you.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. On behalf of the hon. Member for Barrhead-Westlock I am pleased to present a petition signed by almost 200 of your constituents. This petition urges the government of Alberta "to remove abortion from the list of insured services that will be paid for through Alberta Health."

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I rise today to present a petition signed by 147 parents of Cardinal Newman school petitioning the provincial government to address the need for adequate and flexible provincial funding of education in Alberta.

3:00

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I have a petition to present today urging the government to "remove abortion from the list of insured services that will be paid for through Alberta Health," and it's signed by 1,071 Albertans from central and southern Alberta.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I am pleased to rise and present a petition to the Assembly signed by 57 Albertans, but expressing the concerns of tens of thousands of Albertans, urging this government to “not delist services, raise health care premiums, introduce user fees or further privatize health care” in this province.

Thank you, Mr. Speaker. There’ll be more on the way – there are – on an everyday basis.

head: **Notices of Motions**

MR. JONSON: Mr. Speaker, it is my pleasure to give notice of the following motion.

Be it resolved that the Legislative Assembly of Alberta affirm its support for an amendment to the Constitution of Canada to provide for an elected Senate which would represent the interests of all provinces through equal representation and through effective powers and, further, that the Legislative Assembly of Alberta urge the government of Alberta to undertake consultations with all provincial governments on this amendment and, further, that pending such an amendment the Legislative Assembly of Alberta calls upon the Prime Minister to summon to the Senate to fill vacancies related to Alberta only those who are Senate nominees pursuant to the Senatorial Selection Act of Alberta and, further, that the Assembly confirm the recommendations of the report of the Select Special Committee on Upper House Reform, which were unanimously endorsed by this Assembly on May 27, 1985, and again on March 10, 1987.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. Pursuant to Standing Order 30 and after having provided your office with the appropriate notice, I wish to inform you that upon the completion of the daily Routine today I will move to adjourn the ordinary business of the Assembly to hold an emergency debate on a matter of urgent public importance; namely, the government’s failure to address the looming crisis being faced this coming winter by low-income and disabled Albertans.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes, Mr. Speaker. In accordance with Standing Orders, and in particular Standing Order 15, I hereby give notice to all members of this Assembly that I intend to raise a question of privilege in this House later this afternoon at your direction.

Thank you.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Justice and Attorney General and the hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Following consultation between ourselves and the House leaders for the opposition I would request leave of the House at this time to withdraw Bill 30, which stands in second reading on the Order Paper, in order to allow later the introduction of Bill 30-2 on the same subject matter but including extensive amendments which were promised to this House after reviewing all the acts of government and making Bill 30 applicable to those acts.

THE SPEAKER: The request being made by the hon. Government

House Leader is for a unanimous request in favour of granting such consent to withdraw Bill 30, the Adult Interdependent Relationships Act, from the Order Paper. Would any hon. member opposed to granting such leave please say no. Well, that being the case – if nobody said no, then presumably everybody said yes – it’s carried.

The hon. Minister of Justice and Attorney General.

Bill 30-2

Adult Interdependent Relationships Act

MR. HANCOCK: Thank you, Mr. Speaker. In appreciation for that consent of the House, I would now beg leave to introduce Bill 30-2, the Adult Interdependent Relationships Act.

As I indicated this spring in introducing Bill 30 itself, one of the most difficult challenges of government is to achieve two fundamental values of Albertans which are sometimes seen to be in competition. In Alberta marriage is an institution that has traditional, religious, social, and cultural meaning for many Albertans, and it’s recognized by Albertans as a fundamental principle that marriage is a union between a man and a woman to the exclusion of all others. The terms “marriage” and “spouse” have particular meaning for Albertans, and government policy has been and continues to be that we will protect those terms in our legislation.

But there is also another fundamental value, and that’s the fundamental value of fairness and equal access to the law. Bill 30-2 introduces again the definitions and the terms that were set out in Bill 30 this spring but, as I indicated just previously, after holding the bill over for debate over the summer and for the public to consult and also allowing us, having achieved at least some measure of support for the definitions, to look at all statutes of government and make sure that our definitions of “marriage” and “spouse” were consistent and that we had a terminology to use in respect to all other types of personal relationships which needed access to the law. So Bill 30-2 in my humble submission, Mr. Speaker, does that job, and I look forward to debating it in second reading and beg the support of the House.

[Motion carried; Bill 30-2 read a first time]

Speaker’s Ruling Numbering of Bills

THE SPEAKER: Before I call on the hon. Minister of Environment to proceed with his introduction, just let me make the following statement. In the light of the research that we’ve undertaken with respect to the procedure we’ve just undergone, this marks the first time that we’ve ever had a dash-2 bill in the Legislative Assembly of the province. As all hon. members will know, bills are usually numbered sequentially. The hon. Minister of Justice and Attorney General has proposed that the bill be numbered 30-2 to assist people in knowing that this is the second version of Bill 30 this session. For future followers of the proceedings of the Legislative Assembly and all those historians in the years to come who may find some confusion with what has happened, the chair wants to indicate that the unique numbering of this bill will not become the practice of this Assembly and that it should not set a precedent to be followed in the future. What the Assembly has just done is dealt with Bill 30-2.

Now, listen attentively to the hon. Minister of Environment.

Bill 32

Climate Change and Emissions Management Act

DR. TAYLOR: Thank you, Mr. Speaker. I request leave to introduce Bill 32, not 30-2, the Climate Change and Emissions

Management Act. This bill being a money bill, Her Honour the Lieutenant Governor, having been informed of the bill, recommends the same to the Assembly.

When this Assembly passes this Legislation, it will enshrine in law the commitment of this government to take action on climate change, Mr. Speaker. It is a very important issue, and this will provide, as I say, a legal framework for reducing greenhouse gases in this province. We need realistic solutions to climate change that recognize the value of the environment but also recognize the value of the economy, and it is a difficult balance. We also need solutions that provide certainty to all sectors of our economy. This bill will provide these solutions and is an important step to addressing this important climate change issue.

Thank you.

[Motion carried; Bill 32 read a first time]

Bill 34
Seniors Advisory Council for Alberta
Amendment Act, 2002

MR. WOLOSHYN: Mr. Speaker, I request leave to introduce a bill being the Seniors Advisory Council for Alberta Amendment Act, 2002.

[Motion carried; Bill 34 read a first time]

head: Tabling Returns and Reports

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited with the office of the Clerk by the hon. minister of health: pursuant to the Public Health Act, section 7(2), the Public Health Appeal Board annual report 2001; pursuant to the Dental Disciplines Act, section 8(4), the Alberta Dental Hygienists' Association 2001 annual report; pursuant to the Health Professions Act, section 4(2), the College of Dietitians of Alberta annual report 2001-2002; pursuant to the Nursing Profession Act, section 11(2), the Alberta Association of Registered Nurses 2000-2001 annual report; and responses to written questions 5, 6, and 9 asked for by Dr. Pannu on May 13, 2002.

3:10

MRS. McCLELLAN: Mr. Speaker, unquestionably Alberta sports teams continue to thrill and excite the fans in this province, and this was certainly the case last Sunday when the Edmonton Eskimos won the right to represent western Canada in the Grey Cup game, which will be held in the city of Edmonton next Sunday. I am pleased to table on behalf of the Premier a copy of a letter sent to Mr. Tom Higgins, coach and general manager of the western division champion, the Edmonton Eskimos. If I might, in the letter the Premier expresses his congratulations on behalf of the government to the Eskimos on their exciting victory in the western final and extends very best wishes to the Eskimos as they represent the west in this coming weekend's Grey Cup game. Members might note if they read the letter, the Premier is predicting an Eskimos win. The Premier closes by saying how proud all Albertans are of the Edmonton Eskimos and wishes them well in the upcoming game.

MR. JONSON: Mr. Speaker, on behalf of the Premier I would like to table five copies of a letter from the Premier to Prime Minister Chretien dated November 19. This letter expresses Alberta's desire to see the appointment of one of Alberta's elected Senate nominees to the vacancy in the upper House left by the retirement of Senator Nick Taylor.

Thank you.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of a letter that our Premier received from the Motor Dealers' Association of Alberta. As you know, the Motor Dealers' Association represents a number of car dealers who are involved in retail sales and service of cars. Their letter offers unqualified support of the Alberta government's position on Kyoto, and I would like to read a short quote: "We are firmly against Prime Minister Chretien's position of signing the Kyoto Protocol at any costs and without knowing specific implementation details." This is more evidence that a growing number of businesses in the Alberta economy understand the devastating effects of Kyoto, and I table the appropriate numbers now.

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I wish to table various documents relating to the government's financial affairs and those of the Ministry of Finance. Some of these documents have been public since we last sat in this House. Pursuant to section 10 of the Government Accountability Act I'm tabling five copies of the annual report of the Government of Alberta that highlights a \$772 million surplus despite a year of very extreme revenue volatility. This report is for the fiscal year 2001-2002 and includes consolidated financial statements.

Mr. Speaker, I'm also pleased to table the annual reports on behalf of the following ministries and their agencies, as required in section 14 of the Government Accountability Act and section 45 of the Legislative Assembly Act. That would be for Aboriginal Affairs and Northern Development; Agriculture, Food and Rural Development; Children's Services; Community Development; Economic Development; Energy; Environment; Executive Council; Finance; Gaming; Government Services; Health and Wellness; Human Resources and Employment; Infrastructure; Innovation and Science; International and Intergovernmental Relations; Justice; Learning; Municipal Affairs; Revenue; Seniors; Solicitor General; Sustainable Resource Development; and Transportation. These reports have been delivered to the Clerk's office as they are too numerous to bring into the Assembly.

Also, Mr. Speaker, pursuant to section 9 of the Government Accountability Act I'm tabling five copies of the first-quarter fiscal update for the year 2002-2003, which shows increased spending on disaster assistance.

I'm also tabling five copies of the first-quarter activity report for the year 2002-2003, which describes the major achievements of our government in support of our core businesses.

Finally, Mr. Speaker, further to the establishment of the Financial Management Commission in March of this year I am tabling five copies of the commission's report entitled *Moving From Good to Great*, dated July 8, 2002, and five copies of our government's response to this report, dated September 26, 2002.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. The Alberta Alcohol and Drug Abuse Commission as an agency of the government of Alberta reporting to the Minister of Health and Wellness contributes to the health and well-being of individuals, families, and communities in Alberta. Today it's my pleasure to table AADAC's 2001-2002 annual report. This report summarizes the activities and achievements of the commission in providing alcohol, other drug, and gambling prevention, treatment, and information services to the people of Alberta.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I'd like to table 350 signatures from citizens living in the Whitecourt-Ste. Anne constituency. These residents urge the Alberta government to reduce the price of electricity to sustainable levels by whatever means necessary until true competition develops to keep prices down.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of eight letters that I received in my constituency regarding the protection of the Bighorn wildland recreation area.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. This afternoon I have three tablings. The first one is a pamphlet entitled *Educating Against Racism*. It's put out by the Canadian Race Relations Foundation, and I would urge all hon. members of this Assembly to have a look at it, please.

The second tabling is a copy of a letter I received from the hon. Minister of Human Resources and Employment on October 17, 2002, and this was in regard to the use of binding arbitration to resolve the matter between the United Food & Commercial Workers' Union and Economic Development Edmonton.

The third tabling this afternoon, Mr. Speaker, is an ad from the *Edmonton Journal* dated July 31, 2002, and this is in regard to Albertans who have an interest in the Labour Relations Code review.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to table five copies of a workbook and five copies of a brochure launched last month at West Edmonton Seniors. These are both entitled Money Matters for Seniors. This project was headed up by the Kerby Centre in Calgary along with a coalition of public- and private-sector agencies to get information out to seniors on how to protect their financial resources.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. Today I rise to table my open letter that I'm asking my assistants, Marie Martin and Sandy Wilson, to send to federal and provincial legislators across Canada on the subject of the Kyoto accord ratification. The thought of this letter was formed after I attended with the hon. Member for West Yellowhead the Kyoto public forum at the U of A, where the federal Minister of the Environment presented his position.

Just bear with me . . .

THE SPEAKER: No, no, no. It's okay, hon. member. Perhaps the hon. member might want to utilize Members' Statements opportunity, but we'll accept the tabling today.

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of a report prepared by Alberta Energy in 1990 called A Discussion Paper on the Potential for Reducing

CO₂ Emissions in Alberta. I should note two things. It does illustrate that there was work going on on this issue in Alberta more than 10 years ago and that, in fact, this work was derailed by the government's cuts in 1994.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have two documents here on my list for tabling, but one has been already tabled by my hon. colleague from Edmonton-Riverview, so I won't bother to do that, except to say that it would have saved Alberta \$2.2 billion a year, and it would have cut the emissions by 7.3 percent by 2005 had that report been implemented.

My tabling, therefore, the only one that should be tabled, is one which is signed by 112 low-income Calgarians, addressed to the Premier, requesting "a substantial increase in the rates of the low-income programs" so that they may purchase their own Thanksgiving dinner come next year, Mr. Speaker.

Thank you.

3:20

THE SPEAKER: Hon. members, pursuant to section 46(1) of the Conflicts of Interest Act, chapter C-23 of the *Revised Statutes of Alberta 2000*, I'm pleased to table with the Assembly the annual report of the Ethics Commissioner. The report covers the period April 1, 2001, to March 31, 2002. A copy was distributed to members on October 9 of this year.

I'm also tabling with the Assembly the report by the Ethics Commissioner into allegations involving the hon. Member for Athabasca-Wabasca, Minister of Sustainable Resource Development, dated August 19, 2002. This report was distributed to members on that day.

As well, pursuant to section 4(2) of the Election Finances and Contributions Disclosure Act I'm pleased to table with the Assembly the annual report of the Chief Electoral Officer for the calendar year 2001. A copy of this report was distributed to members on October 29 of this year.

I'm also pleased to table with the Assembly the interim report of the Alberta Electoral Boundaries Commission, entitled Proposed Electoral Division Areas, Boundaries and Names for Alberta. A copy of this report was distributed to members on September 17 of this year as well.

head: Request for Emergency Debate

THE SPEAKER: Now, before going to Orders of the Day, we'll call on the hon. Member for Edmonton-Strathcona with a Standing Order 30 submission.

Low-income Albertans

DR. PANNU: Thank you very much, Mr. Speaker, for this opportunity to put this motion before the House. The motion deals with a matter of urgent and pressing necessity, that being the incoming crisis being faced by low-income Albertans as a result of the government's failure to take action.

Speaking to the urgency of this motion, disabled and lower income Albertans have been forced to wait far too long for this government to address what can only be described as a serious looming crisis. I urge you, therefore, to allow this debate to proceed this afternoon. It's been 18 months since the government launched its review of low-income programs. It's been six months since the government, after numerous delays, finally made public the

recommendations of the low-income review. The low-income report contained many useful recommendations, yet here it is six months later and the government has failed to act on any of the major recommendations in the report.

The cold weather is fast approaching. For some Albertans this coming winter the lack of safe and affordable shelter could be a death sentence. This week, Friday, the Edmonton Coalition on Homelessness will release its annual report and count our homeless Edmontonians. Given the extremely low vacancy rate and skyrocketing rents it's widely expected that the number of homeless Edmontonians will once again rise to intolerable levels.

It's urgent that we debate in this Assembly this afternoon the question of why the government is leaving \$67 million in federal housing money lying on the table by refusing to increase its contribution to build new or renovated affordable housing units. The government's failure to address the need for more affordable housing is creating a genuine emergency, Mr. Speaker, an emergency requiring the immediate attention of members of this Assembly. It's imperative that we debate in this Assembly this afternoon the question of why disabled Albertans have received only one increase of 5 percent in their AISH benefits in the past 10 years, while we as MLAs receive an increase in our pay every single year. It's urgent that we debate in this Assembly this afternoon why the government has failed to maintain at least minimally adequate levels of social assistance rates.

I also remind you, Mr. Speaker, that as of November 1 the province of Alberta now has the lowest minimum wage of any Canadian province. Alberta's minimum wage is lower than New Brunswick's; it's lower than Newfoundland's. Even many of the government's friends in the small business community are embarrassed about Alberta's unwillingness to ensure that those who work can earn a living wage.

Mr. Speaker, speaking to the urgency. During this fall sitting we will be soon beginning debate on the supplementary supply estimates. We will be voting additional dollars for fighting forest fires and drought and extra dollars for deferred capital projects like roads and bridges, yet there are no additional dollars being voted to build affordable housing. There are no additional dollars for AISH or social assistance recipients. We need to debate why this is so when the needs of low-income and disabled Albertans are every bit as urgent.

In conclusion, Mr. Speaker, I urge you to rule in favour of this Standing Order 30 motion and ask the House whether debate on this most urgent matter should proceed. Thank you.

THE SPEAKER: Hon. members, I will recognize two additional speakers, but please remember: we're now talking about the urgency of the subject. We're not debating the question; it's the urgency under Standing Order 30. The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you, Mr. Speaker, for recognizing me. I want to just take a moment, though, to indicate to you that in the House today, of course, are members of the MLA low-income review committee, who did some fine work and have submitted reports. Also, throughout the introduction of guests and visitors we've had various people that have been recognized, all of whom, of course, are working in the particular area of concern that is behind this particular motion. I want to add my voice, then, to that concern in trying to look at what are the right things to do in this particular area.

I'm simply standing here talking, then, about the urgency of the matter, and I do not believe that there is the need for an emergency

debate. There's no question that the government is helping people, helping low-income Albertans. Again, it was indicated earlier in question period about our AISH program, the fact that it is without comparison within Canada. The MLA committee and two committee members, Thomas Lukaszuk . . .

THE SPEAKER: Hon. minister, this subject before us now is urgency of the motion, not the question. We haven't made a decision on it yet.

The hon. Member for Edmonton-Gold Bar on the urgency of the Standing Order provision.

MR. MacDONALD: Thank you, Mr. Speaker. This issue, this motion as presented by the hon. Member for Edmonton-Strathcona, the looming crisis being faced by low-income Albertans as a result of this government's failure to take action, is an urgent matter. We all know what time of the year it is, how very cold and extreme conditions can be not only in this city but throughout the province. There has to be an emergency debate in this Assembly, in this Legislature, regarding how Albertans on low income are going to be able to survive the winter, because we know that there's been half a million dollars spent, and the government has not made a commitment to those citizens and their needs.

In conclusion, Mr. Speaker, given that the government of Canada and the provinces and territories have reached a broad consensus that their first priority should be children in poverty and persons with disabilities, I urge all Members of the Legislative Assembly to support the call for an emergency debate on the looming crisis faced by all low-income Albertans.

Thank you.

THE SPEAKER: Hon. Government House Leader, you wanted to participate? Urgency, please.

MR. HANCOCK: The question, as you've pointed out on more than one occasion, is urgency, whether we ought to suspend the normal debate of the House to debate this particular question because of its emergent nature. I would suggest to the House that we have opportunities and we have had opportunities to debate this issue. It's not a question of whether it's an important issue, not a question of whether it is important to the people involved, but it's a question of urgency. I would suggest to you that we've given notice of motion with respect to supplementary supply coming up, so there are opportunities to debate.

The member in bringing forward his motion indicated primarily the issue of dollars. We had a budget debate last spring with respect to the budget for this whole year. There was an opportunity to discuss this exact issue during that budget debate, and there are opportunities again as we discuss how government money is budgeted and spent through the supplementary requisition that's coming forward this very Thursday and again in discussion on the appropriation bill. So I would submit to you that it's not urgent to suspend the normal workings of the House today in order to deal with the issue, even though it may be and is a very important issue.

MS CARLSON: Mr. Speaker, speaking with regard to the urgency of this issue, we need to correct a few things that the Government House Leader has stated here. I do not see anything forthcoming in supplementary supply which gives us the opportunity to actually debate this specific issue. Yes, in fact, we had an opportunity to debate the original budget last spring, but in fact many things have changed in this province since that time and this time, not the least of which are rising electricity costs. The expectation was that this

government would have taken some action on reviewing and actually implementing increased dollars to SFI and AISH payments to individuals in this province. None of that has been forthcoming.

3:30

With the coming of the cold season, with the expectation that electricity prices are once again going to be skyrocketing beyond belief, and when we take a look at the other kinds of rising costs also included in that – rising education costs for anybody who's trying to retrain or support their families – in fact, we have a very urgent matter before us. This is, in fact, the very first and the only opportunity we will have to fully debate those kinds of issues in this Assembly this fall.

THE SPEAKER: Hon. members, thank you to those members who did participate in the debate in this application under Standing Order 30(2). The Speaker must now rule on whether or not the request for leave to adjourn the business of the House is in order, and it's on that subject that, unfortunately, the Speaker must make a ruling.

First of all, let me indicate to all hon. members that notice of the application was received in the Speaker's office at 2:50 p.m. on Thursday, November 14, so the requirement of providing at least two hours' notice to the Speaker has been met.

To be in order, Standing Order 30(7) requires that "the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration." The chair does not believe that this matter constitutes a genuine emergency so as to require the House to set aside its ordinary business to give this proposal its immediate consideration. The chair does not want to detract from the seriousness of the issue that the hon. member raises but wants to note that the request itself is not too convincing on the issue of immediacy as it refers to a "looming crisis" rather than one that is immediate.

The chair also notes that on the Order Paper supplementary estimates will be before the Assembly, and that might provide an opportunity for members to speak about the government's spending priorities, which is what this application appears to be about. For future reference members may wish to consult *Beauchesne*, paragraphs 387 to 390, and pages 587 to 589 of *House of Commons Procedure and Practice*. To be clear, the chair finds that this request is not in order.

The hon. Member for Edmonton-Gold Bar on a Standing Order 15 application.

Privilege Contempt of the Assembly

MR. MacDONALD: Thank you, Mr. Speaker. I rise on a question of privilege this afternoon. My point of privilege is in relation to an advertisement placed in the *Edmonton Journal* on Wednesday, July 31, 2002. The advertisement is a call for public submissions relating to the Alberta Labour Relations Code to an MLA committee or an MLA review committee.

I am raising this point of privilege in hope that you, Mr. Speaker, will find that there is a prima facie case of privilege. I believe that the executive branch of government has committed a contempt of parliament by confusing itself with the Legislative Assembly, the legislative branch of government. I further believe that only this Legislative Assembly can appoint MLA committees and not the executive branch, the government of Alberta. I earlier tabled copies of the advertisement in question to assist you and the table in deciding on this matter.

Mr. Speaker, the legislative branch over many centuries has fought hard to win certain principles and privileges that the execu-

tive branch may not overstep or overtake. The reason why we have parliamentary privileges, both in particular to individual members and corporately to the entire Legislative Assembly, is to protect the legislative branch's rights and privileges from being overtaken by an executive branch that is constantly seeking to expand its powers at the expense of the other two branches. The question on which my point of privilege turns is this: is it proper for the executive branch to masquerade as the legislative branch? I believe that the proper answer to this question is no.

The advertisement that I have just tabled features Alberta's coat of arms at the top, and it makes one reference to an MLA committee and one reference to an MLA review committee. The executive branch in Alberta has traditionally used the standard blue Alberta logo in its news releases, letterhead, reports, brochures, newspaper advertisements, and other documents and literature, while the legislative branch has traditionally used either the symbol of the Mace or the coat of arms, such as the one depicted in the advertisement in question. I would note with interest, Mr. Speaker, that the office of the Speaker, which is the head of the legislative branch, uses letterhead featuring a gold-coloured coat of arms, similar to the one in the advertisement.

It would appear that the general public and certainly constituents in the riding of Edmonton-Gold Bar, that I'm proud to represent, believe that the MLA committee or MLA review committee referred to in the advertisement is a committee of this Legislative Assembly, when, in fact, this is not the case. Proper committees of this Legislative Assembly, such as the Special Standing Committee on Members' Services or the Standing Committee on the Alberta Heritage Savings Trust Fund, usually have members from both sides of the House and enjoy the rights and privileges of the entire House, such as shielding witnesses from civil molestation through parliamentary privilege.

The MLA committee or the MLA review committee referred to in the advertisement is actually a committee of the Progressive Conservative caucus, and its operating expenses are paid out of the budget that this House annually allocates to the executive branch. Such a caucus or executive branch committee does not enjoy the rights and privileges of an actual Legislative Assembly committee. It does not enjoy terms of reference in the form of a resolution from this House, and any findings or reports that it issues certainly do not reflect the opinions of members from this side of the House, for whom one in every three Albertans voted in the last election.

Mr. Speaker, what I'm getting at is that this advertisement of an MLA committee or MLA review committee purposely masquerades as a committee of the Legislative Assembly; thus, the executive branch is confusing itself with the legislative branch. I believe that this advertisement amounts to a contempt of parliament, which, as you know, is any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions, obstructs or impedes any member or officer of the House in the discharge of their duties, or is an offence against the authority or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its members, or its officers.

Furthermore, *Erskine May* defines contempt as being an act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of [his or her duties], or which has a tendency, directly or indirectly to produce such results.

In this case, Mr. Speaker, I believe that the executive branch through its advertisement intended to confuse itself with this Legislative Assembly by calling itself an MLA committee or MLA review

committee. Therefore, the advertisement is an offence against the authority, dignity, and performance of the functions of this House and its members.

It is important that the individual members of this House and the general public understand the difference between the legislative and executive branches of government. The legislative branch deliberates on and legislates laws. The legislative branch is also the keeper of the public purse and gives the executive branch a sum of money each year to carry out the enforcement of those laws and programs that the legislative branch sees fit. The executive branch exists merely to establish and maintain an infrastructure that carries out those laws and programs that it has been provided a sum of money for.

The advertisement in question is a deliberate attempt to confuse the members of this House and the general public. The executive branch cannot be allowed to usurp the identity of the legislative branch of government, especially since the MLA committee or MLA review committee that the advertisement refers to has not been sanctioned by the Legislative Assembly via a resolution and does not have among its members elected officials from this side of the House.

Mr. Speaker, at this, the earliest opportunity afforded to me, I have briefly set out the facts as well as the relevant quotes from parliamentary authorities that show that there is a prima facie case with respect to the executive branch's usurpation of the legislative branch's identity. On page 227 of *Maingot* it states that the Speaker asks simply: "has the Member an arguable point?" If the Speaker feels any doubt on the question, he should leave it to the House by finding that there is indeed such a case.

3:40

I urge you, Mr. Speaker, and all members of this House to carefully consider this matter. I am seeking your declaration that this advertisement represents a contempt of parliament because it is an offence against the authority and dignity of this House and its members. Should you find that I have a question of privilege, I am prepared to move the necessary motion. In the case that you find that there's not a question of privilege, I would still ask that you direct the government to be careful in its publications in future and refrain from calling committees of individuals of the government party, who happen to be Members of the Legislative Assembly, MLA committees or MLA review committees.

Thank you.

THE SPEAKER: Hon. Government House Leader, if you're prepared to make comment today. If not, we can hold it over until tomorrow.

MR. HANCOCK: Well, Mr. Speaker, if you thought that there was any merit to the discussion and wanted to have in-depth submission on it, I'd be prepared to leave it over. I would only make preliminary comment to say that this is hardly the stuff of contempt. Contempt is a most grievous charge, which should be reserved for the most grievous actions. The advertisement could only be described – taking it at its worst would be that members of the public might possibly have been confused, but one cannot infer from the advertisement itself the deliberate intention that the member referenced.

There's no indication that it's a committee of the Legislative Assembly. It's not held out as a committee of the Legislative Assembly. It clearly is a committee of MLAs – that's clear from the advertisement itself – but hardly a question of parliamentary privilege which impedes the rights of the individual members of the

House or indeed impedes the ability of the House to do its job, which are the true questions of privilege.

I'd be more than pleased to make detailed submissions on the point if you thought it was necessary or appropriate. I think this might be more appropriately dealt with, however, by the Speaker simply indicating that committees of MLAs when they're not committees of the Legislature ought to take a little more care, perhaps, in outlining in their advertisements so that there's no inadvertent misleading of the public as to whether it's a committee of the House or simply a committee of MLAs.

THE SPEAKER: Hon. members, I think that one should digest the words in the submission made by the hon. Member for Edmonton-Gold Bar, who obviously spent some time preparing his argument. I would point out as well that certainly notice arrived in my office at 10:59 this morning, so there wasn't even a great opportunity for myself to peruse other than having heard him orally. We'll come back to this matter tomorrow afternoon and invite hon. members to continue to participate in this as we work our way through this particular matter.

head: **Orders of the Day**

head: **Government Bills and Orders**
Second Reading

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Might I at this time request the unanimous consent of the House for the introduction to second reading of Bill 30-2? It's unusual to ask for second reading on the same day as you have third reading, but in this peculiar circumstance, that you've alluded to earlier in your comments, I believe it's appropriate.

[Unanimous consent granted]

Bill 30-2
Adult Interdependent Relationships Act

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased today to speak to Bill 30-2. You've alluded earlier to the unique numbering of this bill. We believed it was prudent and had discussions with the House leaders and the critics opposite with respect to the appropriate format to bring this bill back to the House for discussion so that all members and indeed all members of the public might have a better ability to truly understand the nature of the amendments which were proposed to be brought forward this fall. We could have in fact brought amendments to committee at the appropriate time. However, by incorporating them directly into the bill, we believe that it makes a better opportunity for people to understand the true nature of the bill. I am thankful to all members of the House for allowing us the use of this unique procedure.

As members know, a slightly different version of the bill was introduced in the spring session. It remained on the Order Paper until now so that Albertans could have a chance to look at it and to provide their comments to members. As noted in the spring, this time of reflection was important because the bill has the potential to affect many people, and Albertans needed the opportunity to study and understand the provisions of the bill before it was passed and before it comes into effect.

[Mr. Shariff in the chair]

Mr. Speaker, I would indicate again, as I did in introducing the bill, that marriage has a traditional, religious meaning. It's a sacrament to many of us, a sacrament of our religion, and it's a relationship that is fundamentally between a man and a woman. Alberta law will continue to recognize this distinction, and the preamble of Bill 30-2 identifies the following principles: "marriage is a union between a man and a woman," "a spouse is a person who is married," and the term "spouse" is used throughout the bill and throughout all Alberta legislation to refer exclusively to a married partner. At the same time, this bill recognizes that there are Albertans in interdependent relationships outside of marriage.

Mr. Speaker, it's important that Alberta's legislation addresses the different ways in which people associate and create interdependency. Over the years courts and lawmakers have recognized the need for laws that allow people in committed personal relationships outside of marriage to deal with the financial and property issues that they face. Rulings at all levels of court, including the Supreme Court of Canada, have said that people involved in similar types of relationships must have similar access to the law and that provincial legislation may be found unconstitutional if it does not provide equal treatment to those relationships.

We believe that Alberta laws should not only extend to those in committed conjugal relationships but should also extend to those people who are involved in committed platonic relationships where there is no less a financial and emotional interdependency. Committed relationships of all kinds can create financial interdependencies. Government does not create these relationships; people do. But it is our duty to ensure that our laws help Albertans address the emotional and financial responsibilities which are created through those relationships and which then have to be taken care of when those relationships break down. This bill, therefore, covers a range of personal relationships that fall outside the traditional institution of marriage, including committed platonic relationships where two people share emotional and economic responsibilities. Currently there are many Albertans in personal relationships of interdependence outside of marriage who are emotionally and financially committed to one another on a long-term basis and who do not have access to the law when these relationships come to an end. This bill is designed to address that need.

Looking at it, one will see the term "adult interdependent partner" used throughout the bill. To become an adult interdependent partner, two people must be in a relationship of interdependence for at least three years, or less if there's a child of the relationship. Alternatively, two people who are living together or who intend to live together may enter into a written adult interdependent partner agreement. The signing of such an agreement signifies that the individuals agree to take on the obligations of that type of relationship and the obligations which are set out in Alberta law.

Some concerns have been expressed that this legislation would broadly capture all existing platonic relationships within the definition of the adult interdependent relationship regardless of the intention of the individuals in question. Concerns have also been expressed that people will unknowingly and unintentionally find themselves with rights and obligations that they should not reasonably have expected to take on. It is not the intention of this legislation that any two people living together as roommates for more than three years would qualify as adult interdependent partners. It is not the intent of this proposed legislation that every parent and child or brother and sister living together would qualify as adult interdependent partners. However, there are special platonic relationships that could meet the definition of a relationship of interdependence.

These would be platonic relationships where the partners have an intense personal commitment to each other and where they clearly consider themselves to be a couple, although the relationship is platonic.

So let's be perfectly clear. The bill does not extend obligations to and ought not to be interpreted to extend obligations to those people who are in a casual platonic relationship or to a normal family relationship where family members routinely assist each other, where an adult child moves in with a parent or where a parent moves in with a child, where two family members or two unrelated people choose for whatever reason to share a living space. This act applies only to and ought to be applied only to those people, whether in a conjugal or platonic relationship, who have that close and intense personal relationship that creates that special bond between the parties and the economic, financial, and emotional interdependence that would normally be associated with a marriage or common-law relationship as we now know them. For those related to each other, such as a parent and adult child, the relationship would require something more than you would normally expect in a normal parent/child family relationship. So the intent of this proposed legislation is only to include those platonic couples that have a relationship that is analogous to other recognized relationships or common-law relationships.

3:50

The bill also, Mr. Speaker, outlines how an adult interdependent relationship is ended either by the passage of time during which the adult interdependent partners live separate and apart, by having the partners enter into a written separation agreement, or by marriage or the entering into of a new adult interdependent partner agreement with a third party.

Over the summer and fall months we've received some feedback, and we've had an opportunity to fine-tune the bill to make sure that it is as clear as it can be, and as also promised in the spring, we've added amendments to a large number of acts so that the term "spouse" when it's used throughout Alberta legislation is used in a singular way so that the definition is the same in all of our legislation and so that adult interpersonal partnership replaces in many acts the concept of a common-law relationship, expands the number of people who might be involved in that type of a relationship, and makes a clear definition where there was once a varied number of definitions of the length of time and when a person is considered to be in that type of a relationship.

Just as an example, Mr. Speaker, in some 60 acts across our legislation in Alberta we previously defined in some of those acts the term "spouse" to include a common-law relationship or a relationship outside of marriage. That will no longer be the definition of a spouse in Alberta law. Spouse will be restricted to a relationship where people are married, a man and a woman in that relationship. The adult interpersonal relationship will take what in some parts of our legislation had a common-law relationship of one year living together. Other acts had common-law relationships of five years of people living together. Some had three years living together. It makes one definition which applies to anybody who lives in that type of a relationship outside of marriage.

So, Mr. Speaker, you'll see the consequential amendments included in this bill and the amendments that ensure that the status of adult interdependent partners is the same throughout Alberta legislation. There are a large number of these consequential amendments to over 50 bills. I won't go through each and every one of them, but just as an example the Powers of Attorney Act will be amended to ensure that a person giving a power of attorney cannot be subjected to duress or coercion by that person's adult interdepend-

dent partner. Another is the Protection against Family Violence Act, where amendments will allow a person to apply for a protection order if an adult interdependent partner has subjected them to violence or the threat of violence. The Income Support Recovery Act is also amended so that adult interdependent partners as well as spouses of benefit recipients are competent and compellable witnesses in proceedings under the act to recover benefit overpayments. Provisions of the Civil Enforcement Act that govern seizure of the property a debtor shares with the spouse have been expanded to apply that to property that a debtor shares with an adult interdependent partner.

Finally, there are a number of laws dealing with conflict provisions that are proposed to be amended. For example, the Municipal Government Act has a provision to deal with the consequences of a councillor or the councillor's spouse having a pecuniary interest in a matter. The amendments would make the pecuniary interest of a councillor's adult interdependent partner subject to the same sort of scrutiny.

Now, I should be clear to the House, Mr. Speaker, that it would be our intention not to proclaim the sections of this act which deal with conflict of interest provisions until the next election for the body affected. So for municipal governments or school boards or Metis settlements or, indeed, our own House the provisions with respect to conflict of interest of an adult interdependent partner would not come into effect until a person chose to run again in the election, and then they would know that they are running with those rules in place.

There are a couple of amendments that are a little different from the standard definition, and that, Mr. Speaker, applies to the tax and pension statutes, where we must align our definitions with the federal tax definitions to ensure that the tax statutes and pension statutes are enforceable in accordance with the agreements that we have with the federal government and make sure that they are not delisted in the case of pension plans. So the more limited definition of pension partner has been used in those circumstances.

Mr. Speaker, Bill 30, now Bill 30-2, has been the subject of a considerable amount of discussion certainly through our caucus process. It's been tabled in the House and left for Albertans to address. It is a bill which I believe will say to Albertans that now find themselves the subject of obligations when court decisions are made – instead of waiting and hearing that, they will now know that when you enter into a relationship of an intense personal nature of the type of a common-law relationship or a married relationship, one ought to be cognizant of the obligations that one is taking on. One ought to enter into that type of a relationship knowingly, and this bill will make it clear to whom the law applies and what kinds of laws apply to them and what happens if you don't take care of your own affairs.

It should be clear as well that family law and the laws of personal property are what I would call default laws. They only apply to people who don't take care of their own affairs. So if you write your own will, you need not be worried about the Intestate Succession Act. If you take care of your property affairs, if you take care of the obligations that you incur, then you ought not be concerned about Alberta law telling you what to do. It is a default provision. But if you do engage in responsibilities, if you create dependencies by way of your relationship with someone else or if you submerge your assets with someone else's assets so that you become dependent on them, then this law presumes and Alberta law currently presumes that one ought to be responsible for the dependencies that they create. That is the gist and the substance of Bill 30-2. It's a bill which allows Albertans to continue with the independence that they have to set their own path, to plan for their own futures, and to take care of their own affairs, but it sets in place default provisions which

give Albertans access to the law when they need it, when relationships break down and when through either inadvertence or otherwise they have not taken care of the dependencies that they have created. I would ask the House to support it.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. This bill has been a long time coming. It feels to me like I've worked half my life to see this legislation or something like it in front of us and see it pass, although at the same time I'm quite astonished at how fast we have progressed through the courts and the better understanding of the need for equality when we look at relationships, and that's happened inside of my tenure in this House, starting from the 1998 court decision on the Delwin Vriend case.

I'd like to put on record and thank some of the people and agencies who I think helped get us this far and who certainly gave me advice and guidance, and I'm appreciative for it. That would include Julie Lloyd; Equal=Alberta; Egale; GALA, especially Murray Billet and Fred Dicker; Charles Bidwell and Alberta Diversity; Kristy Harcourt and GLCCE; and all of the others that I know have been advocating for inclusion for some time.

As I mentioned in my comments for Bill 29, I'd like to thank the minister as well, although I suppose it can be argued and it has been argued that thanks may not be necessary when, in fact, we've arrived here because the courts have told us to arrive here. Nonetheless, I appreciate the personal effort that the minister has put in in trying to guide this legislation, and he has certainly been very open to meeting with me and having his staff made available for any questions, and I appreciate that. That is not what we usually see coming from the ministers, and it's a much more pleasant way to work.

So we're in second reading today, and that, of course, is on the principle of the bill. As I talk about the principle of the bill, we have to understand that we came to be here mostly as a result of the follow-through from the Supreme Court decision on M and H, in which the courts essentially said that given any number of different kinds of couples, we really cannot treat one kind of couple differently because of their sexual orientation if all other components of their relationship are the same. We can't consistently deny remedies and benefits, obligations and responsibilities to a couple based on that particular criteria.

4:00

As the minister mentioned, the law does in fact provide various remedies and benefits to couples, and with that comes responsibilities and obligations. The minister is correct in saying that if people just took care of their own business, if they'd just write their own wills or look after their own personal property, we wouldn't need to have provincial laws that covered things like intestate succession. But as I will mention a couple of times, people are human and they don't follow through on that. They don't take the good advice of what we're trying to get them to do here.

Was there a problem? Yes, there was. Certainly, the courts were very clear that we were creating a position of inequality that was not acceptable. Following that is the question: well, will legislation alleviate that or solve that problem? Yes, it had to be a legislative result. It was legislation that the courts were looking at when they were trying to make these decisions, and in fact the courts came back to the legislative arm and said: "You must fix this problem. It's on you to do it." So, in fact, we did have to have legislation of some kind to address this condition.

The final question is: is this the piece of legislation to fix the issue that we have before us? I think the answer to that is yes and no.

Why do I say no? I think there are two parts to that. One is the inclusion of platonic relationships, and the second is the preamble.

Now, that preamble. I've heard from a number of people about it. Many people do see it as hurtful. One person even called it hateful. The preamble sets it out so that it's ranking the adult interdependent relationship as second. There are three different clauses in the preamble that uphold as better or in first place in some way, shape, or form the institution of marriage. I have to say that I wonder why such effort is put into saying that heterosexual marriage is best. Why is there such a need to go into such a strong defence? Is that institution so fragile that it needs the constant repetition to convince people somehow? I have a greater belief in this institution than, obviously, the government does.

Certainly, people who are working with gay youth have told me that every time sexual orientation is listed as less than equal, it has very strong and immediate and dramatic repercussions. They see youth who are treated worse at home and in many cases even thrown out onto the streets. So to have a preamble that makes that distinction so clearly, that does that ranking so clearly, that underlines that inequality so clearly, you can see why people say to me that it's hurtful or even hateful.

So this legislation that I've worked so many years for – I would be much happier with this bill if we weren't having to face those words in the preamble. I will come back to this preamble in Committee of the Whole and in third reading, because I think we don't need to be doing that when we are trying to bring everyone to an equal footing. I think the preamble is redundant and it's regressive. Let's face it; even in Ontario, where they came to the same point and had to create the same kind of legislation, they just fessed up and said: "The courts made us do it. We didn't want to do it. The courts are making us do it. Done." I would even be happier with that in a preamble in Alberta than somehow underlining and restating constantly this inequity.

Now, the second reason that the bill is not perfect is the inclusion of nonconjugal or platonic relationships. This is interesting because it has in fact created two opposing arguments around the inclusion of nonconjugal or platonic relationships. Some people argue that it goes too far, that there's a net being thrown out that captures a number of people who don't want to be captured, and it's inappropriate that they would be captured by such legislation. Some people argue that this is just a political reality to get this bill passed in Alberta today. Well, that's quite possible. I have certainly heard from lawyers from the wills and estates division and the family law section of the Canadian Bar Association arguing that it will create huge numbers of people clogging up the courts as they try and get in on free goods.

I think that as with any instance where you create new legislation – and we are in fact doing that here. We're not amending an existing bill; we are creating new legislation. I think that any time we do that, there is going to be a certain amount of testing it in court. Do I think the courts will be clogged up? No, I don't. There are nine different criteria that are laid out at the beginning of the bill. I think that what's important here – and I hope I can draw the minister out and get his comments enshrined in *Hansard* for people in the future to look back on. What we need to know is: is it expected or understood that there is a ranking of that criteria? Is one of them weighted more heavily than another? Is there an alphabetical or a numeric order that should be followed, or is it a matter of, well, you know, best seven out of nine? Or do you have to have all of the criteria? Or whatever. That's not clear, and when we're using that criteria to uphold the definition, I think it does need to be more clear. So I'm hoping I can draw the minister out and get his remarks on record on that one.

The inclusion of the platonic relationships. Alberta is the only one in Canada, out of all of the various provinces, territories, and the federal government, who are all dealing with the issue of including same-sex relationships in their legislation, that has gone farther and has included these nonconjugal, platonic relationships. I noticed that the minister is always careful to say that he's talking about committed platonic relationships and not casual platonic relationships. Interesting choice of words.

As I say, many people are not happy about this and think that it's going to cause a lot of problems and put a bad light on the bill, clog up the courts and confuse a lot of people and capture people who don't want to be captured underneath this legislation, create division in families, et cetera. It's maintained that all the things that we're trying to alleviate would in fact be created by this.

I would have agreed with them up to a couple of weeks ago, but I discovered – and I probably should have known about this earlier – a document that's been prepared by the Law Commission of Canada called *Beyond Conjuality: Recognizing and Supporting Close Personal Adult Relationships*. I'll just quote briefly from that if I may.

The law has not always respected these choices, however, or accorded them full legal recognition. While the law has recently been expanding its recognition beyond marriage to include other marriage-like relationships, it continues to focus its attention on conjugality. The Law Commission believes that governments need to pursue a more comprehensive and principled approach to the legal recognition and support of the full range of close personal relationships among adults. This requires a fundamental rethinking of the way in which governments regulate relationships.

Indeed, it does. It's possible that Alberta is either leading the way, is so far ahead of the pack that many would not believe it, comprehensive and leading the pack, or we've gone off on a tangent here from which it would be hard to find us and drag us back.

4:10

I just want to lay that argument out that in fact there is a body or a group of people who are looking at the whole concept of dependency and of relationships in our society. We know that governments, legislatures are in favour of stability. A stable country, stable communities help create a stable economy and prosperity and health for the whole community and the whole country, so it's in our best interests that we support relationships that will create that kind of stability. What we're talking about here is understanding that there is more than one kind of relationship that creates that stability. To go beyond the obvious that we've talked about over the last 10, 20, or 50 years, which would be the common-law relationships and then same-sex relationships, to go to committed platonic relationships – well, I guess time will tell. We'll see whether we do need to be incorporating that or not.

Now, I want to raise this next point just as a caution because I think it's a possibility. I hope that that's not the intention of government, that the government is not setting out to deliberately create a situation where no one in Alberta can ever apply for assistance because it could be argued that at some point in their lives they were in some sort of adult interdependent relationship in some way, shape, or form and therefore the individual is told: "Sorry. You can't collect social assistance from us. You lived with someone five years ago. Go back to them for support payments and get your support from them or sue them through the courts for that." I hope that that is not underlying all of this, but it is a possibility. This legislation will make that possible.

The missing piece in that is how much retroactivity the courts will allow, and we have seen that particularly in B.C. Now, B.C. has got wacky politics, as far as I'm concerned, and often wacky law, but

here we go. We have two examples recently coming out of B.C. One was a couple of years ago, actually, in which one of a married couple who had long been divorced developed a debilitating disease and went to court and sued the other member – the husband or wife, I don't remember; I think it was the husband – for support, and the courts granted it. They had been divorced for a long time. Like, we're talking 10 years. So to have the ability to reach back through time like that and create that obligation surprised me.

We have another case before the courts right now, again in B.C., I think, yes, in a matrimonial property settlement in which the wife has gone back to court to open that up again. The support that was granted from the husband was for the support of the children, who are now grown and leaving the house, and the wife is going back for further support because she wasn't able to get on with a new career; she was raising the kids. So, again, that's reaching back through history and dinging that person in court for that kind of support. Well, I just want to raise that and set it out.

What we have with this legislation is: is the glass half full or half empty? After years of working on it, is it enough? I lean very strongly towards saying the glass is half full, and yes, it's enough for now. Let me talk about what I see as very positive.

When we first looked at a definition, I was advocating for a definition that would not require an overt act. In other words, it didn't require a couple to go to a registry or to make some kind of overt act, because people don't do that. If they were going to do that, they would have gotten married, but they don't. They decide they're going to move in together, and the biggest overt act they have is when they order the pizza and the cheap bottle of champagne and sit amongst the packing boxes in their new apartment. So they don't make an overt act that puts a legal framework around their relationship. They don't. That's when it falls to us to make sure that there are laws in place to catch them when it falls apart and to make sure that they do follow through on their obligations to each other.

The minister has already talked about how – well, let's go over the three parts of it: essentially any two people who live together for more than three years, or less than three years if there's a child involved, which, again, is recognizing something important to society, that we have children in secure relationships, or the third way into the relationship is through a written agreement. Now, that's not going down to a, you know, KVP or whatever is the local private registry and signing up for something. That can be a contract that two people write and sign with each other and keep in their own possession. Maybe nobody else ever has to see it until they need to pull it out.

I know that the Member for Edmonton-Rutherford had campaigned on the federal level for a registry in which people would go in and actually sign up for something somewhere, but I found that that was a limiting factor. I very much wanted to see a more open definition, and I'm very pleased with the definition that I see in this legislation, and I note the care that's been put into the nine criteria. I wanted this legislation to be able to cover and to capture those people who should be captured by it.

I've already talked about how people are human and don't do what they're supposed to do, which is why we need to write the legislation for wills and estates, a change of name, guardianship, fatal accidents, intestate succession, all those other laws that are covered under this, and there are some 60 of them in this bill. But really what that's about is creating that framework, those laws which endow those responsibilities and obligations onto couples and which make those remedies and benefits available.

THE ACTING SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you very much, Mr. Speaker. It's really a pleasure and something of a surprise here for me to have the opportunity to speak to this bill today. I really didn't think that we were going to have the opportunity to speak to it quite so quickly, but I want to preface my remarks by first offering my most sincere congratulations to the Minister of Justice and Attorney General for bringing this bill forward. It's been my experience over the years that in dealing with rights that accrue to people, sometimes there's a lot more heat than there is light in the arguments presented both for and against the subject matter.

Now, this bill, the Adult Interdependent Relationships Act, does a number of things. It provides certainty around relationships of a conjugal nature between a man and a woman. It provides the opportunity for people who live together not in a conjugal relationship to have structure around that relationship and, in particular, structure around the dissolution of that relationship. Importantly, what it also will do is provide structure and responsibilities and rights to those in a relationship of the same sex which is of a conjugal nature.

Now, this kind of legislation didn't start yesterday. It started with the introduction of the Charter of Rights and Freedoms, and it started when our society became more of an individual rights based society and less of a collective rights based society. It doesn't really matter whether we agree with it or we don't agree with it. The reality is that the Charter of Rights and Freedoms includes with it an equality provision, and the equality provision is that all citizens shall be treated equally and have equal rights. It doesn't say: all citizens with whom we happen to agree in certain aspects of our lives. It says: all citizens.

This created all kinds of difficulty because same-sex conjugal relationships, either male or female, lesbian or homosexual, have a certain amount of incendiary reaction in other aspects of society. It happens for good and proper reasons as determined by those who hold those views, and they have the perfect right to hold them. But the reality is that rights accrue to us as human beings because we are human beings. They do not accrue to us because of the sexual nature of our human being, the sexual nature that we have, provided, of course, that that sexual nature is within the law.

4:20

Now, we were faced, then, in our country with a situation where we had to, because of the court but also because it was the right thing to do, evolve to give respect to relationships, some of which we didn't agree with. So how are we going to go about doing this? Well, there are in this debate, in my experience, 5 percent on either side. . .

MS BLAKEMAN: Point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre on a point of order.

**Point of Order
Decorum**

MS BLAKEMAN: According to the House Leader's Standing Orders, we are in second reading, and I notice that the Member for Drayton Valley-Calmar has in fact changed seats. Wouldn't it be appropriate that he resumed his proper place?

THE ACTING SPEAKER: There is no citation; however, the point is valid, and all members need to be in their appropriate seats.

The hon. Member for Edmonton-Rutherford to continue.

Debate Continued

MR. McCLELLAND: Well, thank you very much for giving me the opportunity to proceed. It's interesting that on a bill of such importance such a matter of little importance is important enough to change the flow. But it did give me an opportunity to get some of the background information that I have acquired over the years to try to get onto the record, and I may not find it.

I wanted to speak about the genesis of the notion that came from the ecumenical council in Toronto when they were charged with: how do you go about squaring the circle? How do you go about doing the right thing without at the same time injuring the sensibilities of the people who feel offended by it? And it seemed to me that the incendiary nature of it was centered around the term marriage. As I was saying, there are, in my experience, 5 percent on either side of this debate who are really charged with it and are really passionate. The 90 percent of the people in the middle just want to do the right thing and live and let live. So the notion then came as a registered domestic partnership, which is essentially what this is without the registration. That idea was that in forming this legislation, you respect the term marriage, that has deep societal and religious significance and must and should be respected. It should be respected because people feel strongly and it has tradition behind it, and that in itself is reason enough.

On the other side of the equation there are those in committed same-sex relationships that are worthy of respect by society regardless of whether we as society, individually or collectively, agree with the sexual nature. The relationship that these two people share is of value to them and by extension to society. So the notion, then, was that there are many relationships in society which have value, which may or may not have a sexual relationship. The essence of it is: the sexual nature of a relationship is none of our business. Period. Whether a relationship is sexual or whether it is not sexual has nothing to do with the value of that relationship between the two persons in that relationship. They may choose to have a sexual relationship; they may choose not to. It's none of our business.

[The Speaker in the chair]

So, then, how can we say that we want to as a society give strength to interpersonal relationships that are dependent? The way, perhaps, to do it and the way that is envisioned in this legislation is to say: if you take sex out of the relationship – because it's none of our business anyway – then what does it matter if it's a platonic relationship or a relationship of a conjugal nature? You put the relationship ahead of the sexuality involved in the relationship, and you provide for that. You provide the structure for that. The question comes up: if we do that, it's going to cost us a fortune. Well, it isn't. The reality is that with the rights come also the obligations.

According to the Law Commission of Canada and according to the Department of Finance, there's virtually no effect one way or the other on the public purse because of this kind of relationship. Keep in mind that we're asking people to accept the obligations that come with the relationship. For instance, I had in my previous life received numerous calls and letters from people receiving old age pension that felt that it wasn't right that two people living together that weren't married would receive an old age pension as a single person, yet two people living together married for many years received an old age pension as a married couple, which was about 25 percent less than it was individually. People who lived together for a long period of time wouldn't get married if there was a reason they couldn't. Under this regime in the same circumstance people would

be receiving the old age pension exactly the same as a married couple would. With the rights come the obligations. It's not a one-way street. Now, this is not federal legislation, so I need to make the point that it wouldn't affect the old age pension because this is provincial in nature.

Now, I would like very much for people who may be reading this – and in future, if and when this ever does go to the Supreme Court, the justices will take into account the preamble of the bill. The preamble very clearly identifies that marriage is a relationship between a man and a woman, heterosexual. That will be the foundation upon which the justices will make any determination that has anything to do with the bill. They must take that into account.

They must also take into account the debate that takes place on this bill in this Legislature before it's passed, because they are obligated to sense the mood of the Legislature. They do not have the unfettered right to make law in their own place. They must take into consideration the notion, the ideas behind the law, as expressed in the Legislature. One of the things that they're going to be looking at will be: does this legislation provide equality for citizens regardless of their sexual orientation? Make no mistake; that's where this is eventually going.

Because we have clearly identified in the preamble to the bill the definition of marriage and because the Alberta Legislature has already passed a law with regard to the definition of marriage and because all of the rights that accrue to anyone regardless of the conjugal nature or the lack of a conjugal nature in this co-dependent relationship are exactly the same, it's my opinion that should this ever come to the Supreme Court, the Supreme Court will rule that there is equality provided for all citizens. But it must be understood that this law clearly, without doubt, recognizes that there will be same-sex conjugal relationships encompassed in it. It very clearly says that same-sex conjugal relationships are covered in this law and, therefore, that all of the rights, all of the privileges, and all of the responsibilities that are premised upon marriage, without the term marriage, are premised upon a same-sex conjugal relationship, and there should be absolutely no mistake in that.

4:30

Now, with that understanding, it's hopeful that as this goes forward, citizens of Alberta and, I think and I hope, citizens of Canada will take the lead from this legislation. As my colleague opposite mentioned, you can look at this legislation in one of two ways: the cup is half full, or the cup is half empty. Well, I think that the cup is full and just about as full as it's going to get, and I think it's to the right degree. I think that we have very carefully considered all of the forces at play here and have tried to fashion a compromise that will satisfy legitimately the concerns of 90 percent of Albertans and by extension 90 percent of Canadians.

There will be people who will not be happy with this legislation. There will be people on either end of the debate. But let us not allow this incredibly important social issue of conscience to be driven by the 10 percent, the 5 percent on either side. Let's let the 90 percent of people who want to live and let live and do the right thing drive this debate.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, I might point out that Standing Order 29(2)(a) now kicks in for five minutes. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I would like to ask the hon. Member for Edmonton-Rutherford this question: if he believes that the Supreme Court and the Constitution of Canada have

required that equality be provided to all individuals, irrespective of their sexual orientation, then how does denying marriage to same-sex couples meet that particular principle?

MR. McCLELLAND: I thank the Member for Edmonton-Highlands for his question because that is the question that will be on the lips of the 5 percent who want marriage. There are people who feel that if marriage is not there, the bar has been lowered and they'll never get it. In my experience, politics and life is an honourable compromise, and the compromise that is asked in this bill is asked of the 5 percent on one side who will have everything premised upon marriage save the term "marriage." The compromise is asked of them to accept that so that the 5 percent on the other end, to whom this is the most offensive of legislation, will accept it.

This, in my experience, is a generational thing. In my experience, two generations from now people will look back on this and say: well, what's the big deal? But politics is about having consideration and concern for other persons, and at this stage, at this time there are people who feel very offended by this legislation. Their rights and their feelings are every bit as important as the people on the other extreme, and that's why this is an honourable and a just compromise.

THE SPEAKER: The hon. Member for Edmonton-Highlands, still within Standing Order 29.

MR. MASON: Thank you very much, Mr. Speaker. Again to the hon. Member for Edmonton-Rutherford. I take it from the hon. member's statement that he has not argued that it does in fact meet the principle of equality; he is simply saying that it is a compromise. So the principle is not met but instead compromised.

MR. McCLELLAND: No, not at all. The Member for Edmonton-Highlands has made the point that unless the term "marriage" is given to same-sex conjugal relationships, it isn't the same as heterosexual marriage because of the conjugal nature. That's what is behind the question. But the point is that marriage is a term used historically with deep religious and historical significance to define and describe a heterosexual relationship. So as not to offend that sensitivity and that sensibility, the term "marriage" is reserved. It's a word. All of the rights and all of the privileges and all of the obligations premised upon marriage flow to persons of same sex in a conjugal relationship or not or strictly a platonic relationship. So the equality rights provision is met.

What is not in this bill purposely and I think appropriately is marriage because of the reason I've stated several times: because of the fact that this debate should not be driven by either extreme. It should be driven by the 90 percent of Canadians in the middle who want to live and let live and do the right thing.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Again to the hon. member: has the hon. member considered the solution which has been found in many countries and, I think, in particular in European countries, where they draw a distinction between a civil marriage and a religious one?

THE SPEAKER: The hon. member has eight seconds.

MR. McCLELLAND: Well, marriage is religious, and there are many churches today who will provide for marriage of same-sex couples. It's up to them.

THE SPEAKER: The hon. Minister of Innovation and Science.

MR. DOERKSEN: Thank you, Mr. Speaker. I want to spend a few minutes on this bill today referring primarily to the preamble and the ongoing discussion with respect to the importance of marriage. Those of you who were in this House in the year 2000 will remember that a private member's bill under my name amended the Alberta Marriage Act, and in fact, at that time, for the first time in this Legislature's history we inserted the definition of marriage as being between a man and a woman into Alberta law. I recall quite clearly the debate that we had at that time on this bill, and in fact I think there was close to unanimity. There may have been one or two people opposed to that definition, but all members of the Legislature were supportive.

Where the disagreement came at that time was that that bill actually also included or invoked the constitutional override to protect the definition of marriage, and the comments at that time in the House were: "Well, why would you want to use that constitutional override at a time like this when the definition of marriage will never be challenged? This is an issue that is sacred to Canadians for all kinds of reasons and won't happen."

In fact, subsequent to that, in the House of Commons they had a vote around the definition and overwhelmingly again supported marriage, as we have stated in our preamble here, as a union between a man and a woman to the exclusion of all others. It was less than two years after people saying that there would be no challenge that, in fact, there were applications made in other provinces for marriage licences, which, of course, we tried to establish as the provincial constitutional responsibility and one where we had some say in the matter.

4:40

What I'm trying to highlight to this Legislature is the fact that this is not going to stop. I think we're going to continue to see challenges to the definition of marriage in our society, which is why it is important in this bill to establish what the policy and position of the Alberta government are at this time so that when those challenges come, we will be quite clear with Albertans as to what we have said is important. In that respect, Mr. Speaker, in this bill we have said that in this case a marriage is between a man and a woman to the exclusion of all others, and in fact we have said in our press releases and policy statements around this bill and around this issue that we would in fact protect that definition through the use of the constitutional override.

We have added one other thing which I think is significant because actually it goes further than the bill that I had proposed in 2000. We now include a definition of spouse to refer to a person that is married. This bill will now provide common definitions for spouse in all of our pieces of legislation, and I think this is a very important element. In fact, it has changed several acts that were previously amended to reinforce the notion that when we say "spouse," we do in fact mean spouse as a person who is married. Further, Mr. Speaker, we have also said in our press releases and in our policy statements that we would also, in the event that that definition were challenged in front of a court, use our provisions under the constitutional override of the Charter of Rights and Freedoms to insist that in Alberta at least the definition of spouse will remain as it reads in this application.

Mr. Speaker, it was important for me to make that case because I think that people are going to refer back to the debate not only on Bill 202, the Marriage Amendment Act in the year 2000, but this bill also. They're going to read *Hansard* and see what the members were saying at that time. For me it was important to make sure that

the public understood, in fact, what our intention was with respect to the definition of marriage and the definition of spouse.

The remainder of the bill deals with issues to do with economically dependent relationships where individuals have made the choice to enter into relationships other than marriage. Through various court decisions we have decided that, in fact, there are some economic dependencies that arise because of relationships, and this, again, provides a definition of an interdependent adult relationship so that those rules can then apply to all individuals who have a relationship outside of marriage.

Mr. Speaker, I just wanted to put those comments on the record, and clearly, from my own point of view, the lock around the definition of marriage and spouse was the reason that I was and will be able to support this bill.

THE SPEAKER: Hon. members, Standing Order 29 kicks in.

SOME HON. MEMBERS: Question.

[Motion carried; Bill 30-2 read a second time]

Bill 31

Security Management Statutes Amendment Act, 2002

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased today to rise now to also move second reading of Bill 31, Security Management Statutes Amendment Act, 2002.

As you know, this bill was introduced on the last day of the spring session and remained on the Order Paper until now to provide Albertans again with an opportunity to look at the bill to see how it might impact their daily lives. The Security Management Statutes Amendment Act clearly was set out as a bill which resulted from the complete review of all our statutes to respond to public security threats that we might have information on. But, clearly, anytime you do that, one has to also look at the rights of individual Albertans to make sure that they're not being abridged in an unnecessary way or that we potentially have the opportunity in statute to take away rights of movement or rights of speech or other fundamental rights without there being an absolutely essential need to do so.

So it was necessary to put the bill out, to leave it available for the public to look at, to develop a degree of comfort with it, to understand its purpose and its necessity, and to provide us any feedback. I can report to the House that I have received almost no feedback at all from the public, which would lead me to believe that the main reason for that is that the changes being proposed to Alberta statutes are reasonable and are respectful of the rights of Albertans. I believe that Albertans recognize that the bill contains modest provisions that will help to ensure that our province will be prepared to meet various types of threats or emergencies as they might arise.

Mr. Speaker, the September 11 terrorist attacks in the United States last year shocked and horrified the world. They made us realize that terrorism is real and there's a significant threat for North Americans. Since that time, there have been a number of incidents worldwide which, while by order of magnitude have not paralleled September 11, have certainly kept alive the concept that as a government we must be mindful of the security of the people in the province and we must take real steps to ensure to the extent possible that our security is looked at, is protected.

So in Alberta we took decisive action following the attacks on Washington and New York. Our Premier immediately established a ministerial task force to examine the implications of the attack, to

see what implications it may have for Alberta. The ministerial task force, led by the Minister of International and Intergovernmental Relations, did a significant amount of work in the weeks and months following the attacks: reviewed current emergency plans, tightened security where necessary, worked with our Solicitor General with respect to public security issues that fell into her purview, expanded our contacts with other governments and organizations, and provided the information to Albertans. The task force also worked in coordination with energy and utility companies to review and strengthen security measures at key infrastructure sites.

A comprehensive crisis management plan has been developed to clearly outline the roles and responsibilities of governments and organizations in the event of a terrorist attack. Other measures to date include the addition of staff assigned to handle crisis management planning, the introduction of mandatory criminal record checks for Alberta government officials working in sensitive areas, and ensuring that departments continue their work in developing business resumption plans so that crucial government services would continue in the event of any kind of emergency.

4:50

By that litany of issues one can see that this is, in fact, not a Justice initiative, and it should be clear to all members that by moving this bill for second reading, I'm merely acting as always, of course, on behalf of all members of government, who worked very hard in reviewing all of their acts to get to this point. In fact, the lead role in this process has indeed been with the Minister of International and Intergovernmental Relations and with the hon. Solicitor General. Mr. Speaker, I'd like, then, to thank the Minister of International and Intergovernmental Relations, the Solicitor General, and all the other members of the task force on security for the significant efforts that have been made over the past year for all Albertans.

Albertans pride themselves on having safe and secure communities to work and raise our families in. An important part of ensuring this important objective is to have a sound and effective legal framework. Bill 31 is the result, as I've mentioned, of a governmentwide review that the ministerial task force asked every government department to undertake within their areas of responsibility and with respect to the legislation which falls under their purview. Where applicable, departments highlighted specific legislative changes that would enhance our ability to prevent terrorist activities and would improve our emergency preparedness in the province. The amendments cover a range of areas and are designed to protect the province's infrastructure, industry, environment, natural resources, and, indeed, the people of Alberta.

These changes do not represent a major overhaul of the province's legislative framework. As we reviewed our disaster legislation and other applicable legislation, we found that, actually, in most cases it provided a very appropriate level of coverage. What it did not in some cases do, however, was provide the opportunity to use that framework in anticipation of a terrorist threat or other threat to the security or safety of individual Albertans. Rather, it required a response to those threats. So these changes simply fine-tune existing laws by enhancing the tools that we have in place to avoid a crisis or to react to a crisis in a swift and decisive manner.

As I've said before, we enjoy numerous rights and freedoms in Canada, and the government of Alberta takes those rights and freedoms very, very seriously. Albertans respect rights and freedoms of each other, as we've just debated in this House with respect to a previous bill. That's why amendments in this bill and the security legislation that already exists in Alberta strike an important balance between protecting rights and freedoms and ensuring the safety of Albertans.

Mr. Speaker, Bill 31 amends 17 Alberta acts. These amendments

will strengthen Alberta's laws to make it more difficult for those seeking to obtain false identification through provincially issued documents such as drivers' licences; provide a mechanism to prevent charitable organizations from raising funds for groups associated with terrorist activities; enhance the province's ability to control access to public lands and highways during times of heightened security, crisis, or emergency; enhance the ability of public bodies to withhold sensitive information from public disclosure when it is determined that it may compromise security; enhance the authority and responsibilities under the Public Health Act to address public health emergencies; and provide regulation-making authority in respect of security planning requirements for critical infrastructure in the energy sector.

I'm confident, Mr. Speaker, that Bill 31 will help to ensure that Alberta has the legal and strategic mechanisms in place to address any threat that may be made against our province and its people. I believe that the measures being proposed in Bill 31 are prudent and modest, and I would urge all members of this Assembly to support Bill 31.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. You know, I think we see once in every generation an event that is so momentous that it changes the course of that generation; it imbeds itself in the psyche. An example of that, for instance, would be the assassination of John Kennedy. They say that it took away the innocence of the United States at that time, and I think that I'm going to argue that September 11 had the same effect upon this generation. It took our innocence away; it gave us fear. As a result of that, we started to look around at our society differently. I think it actually changed the way our society behaves. That's what a terrorist act can do. It makes us aware of our own fragility. It became very clear that a group of very determined people could wreak havoc upon us and cause us to change the way we go about our lives and the way we go about our businesses.

So flowing from that, there's no question in my mind that it's prudent of government to take steps to make sure that we're able to protect ourselves as much as possible, that we have disaster planning in place, and that we have resumption of business in place. I think that's a prudent act of government. But I also think that there needs to be a balance to that, and it's incumbent on this Legislature to make sure that balanced against these disaster plans and the ability of government to take action where necessary is the protection of the freedoms of Albertans.

The minister was just talking about how Albertans respect the rights and freedoms of others. I agree. I think Albertans do respect the rights and freedoms of others. I'm not so sure that the government always does. So I think part of our job here as we debate this bill is to press the government to make sure that what's being put in place with this act does in fact protect all Albertans from unnecessary restriction of their freedoms and their rights.

One of the things that most concerns me about this legislation is the vagueness of it. There's a paucity of detail here, and I think it's important that we do press the government to put that reasoning either into the act or put it into *Hansard* so that people can review *Hansard* and understand what was intended here. So I hope others will join me in pressing for that.

A couple of things are expanding the powers of government. On the one side we've got an expanded definition of "emergency" that comes through in this legislation. We've got an expanded definition of "public health emergency." We're also expanding the ability of

government to withhold sensitive information or withhold information from scrutiny through the Freedom of Information and Protection of Privacy Act, the FOIP Act. When government starts giving itself extraordinary powers, we've got to be very, very careful. I'm not saying that we don't need this piece of legislation. As I started out, I think we do need it, but I think we have to be very careful to make sure that the government doesn't grant itself powers that it can then use at some time in the future as a means to limit Albertans' freedom of movement and access to information about what government is doing.

The devil really is in the details here, so I am looking to the minister or to the other ministers that are associated with the acts in this bill. I mean, let's be clear. We're talking about fairly wide ranging. This bill covers changes in the Alberta Energy and Utilities Board Act, the Change of Name Act, the Charitable Fund-raising Act, Dangerous Goods Transportation and Handling Act, Disaster Services Act, Electric Utilities Act, FOIP, Government Organization Act, Judicature Act, Motor Vehicle Administration Act, public parks, Public Health Act, Public Highways Development Act, Railway (Alberta) Act, Traffic Safety Act, Vital Statistics Act, and Wilderness Areas, Ecological Reserves and Natural Areas Act. That's covering a fair range of possibilities for the government to expand its powers and restrict the freedoms of Albertans, so it's very important to strike that balance and to get as much information out there as possible on this one.

I'm always concerned when the government wants to restrict access to information. We have a good FOIP Act here in Alberta, and I think credit should go to my colleague Gary Dickson, who was the previous Member for Calgary-Buffalo, for working so hard on that. He could be a pain sometimes, but I think he knew what he was doing on that one.

AN HON. MEMBER: Agreed.

MS BLAKEMAN: Thanks for the agreement on that one.

I know that if Gary were standing here – I can see the ghost of him sitting in that seat over there, saying: there's too much that's being left up to regulation and subordinate legislation, way too much. Of course, that regulation is always developed behind closed doors by the government. We may or may not ever hear what it is that they've decided to do, and I think that it's important that we lift that veil of secrecy and get some of that detail out here in this House. I think that privacy is a concern that is in a number of these sections, so the question is: well, what's the oversight for the preparation of these regulations? How can we be sure that the steps that the government follows are appropriate and not unnecessarily intrusive into the lives of Albertans? I don't see that protection in this legislation as it sits right now.

5:00

Interestingly, the minister mentioned that he had not heard from any or very few Albertans with regard to this act, and I have to agree with him. I am baffled because I would have thought that people would have immense interest in this act, but I have sent it out all summer and did not receive substantial feedback on it. So I think there's a reason that we need to be very careful here, and of course I'm just going to hold the government and the minister in particular to account on this. I am searching for that balance between government convenience and the public and personal freedoms. You know, it's a natural tendency for a group of people to try and set things up in a way that's very convenient for the way they want to operate, but my response to that is: too bad. We're a Legislature. We're responsible to be as transparent as possible in the decision-making

to the people of Alberta, and I think that's something that needs to be upheld here.

One of the issues aside from those expanding powers in those areas I mentioned earlier – and how the powers are being expanded is not very clear, or what the limitations on the expansion of those powers are is not clear. But the other thing is: how is it determined that a terrorist threat is present? In a number of these bills and in what's being changed overall by this legislation is this terrorist threat. Well, who determines it? Who determines that any given act is some sort of terrorist threat? Does CSIS do it and phone up the Alberta government and say: "Okay. Pay attention. We've determined this is a terrorist act"? Or does the Alberta government, you know, decide that it's a gray day outside and therefore they've decided that X, Y, or Z is a terrorist act? That's not clear enough in this legislation.

I think that it could be argued that some acts are so obvious that there's no question. I don't think any of us are going to argue that flying a jumbo jet into an office building full of workers at the peak of their workday is anything but a terrorist threat. I think that's agreed upon. My concern is that government is giving themselves extra powers here, and I want it to be very clearly laid out for Albertans to be able to see under what circumstances they can decide to act upon those. When does that gate open? When do we click over onto that definition?

I know that we've got a number of ministers whose acts are involved in this legislation, and I'm hoping that we can get some different points of view from them on the record on this, because I think that's a crucial point. If we can decide that a group of individuals who are protesting on the steps of the Legislature – who determines whether or not they, perhaps, could be a threat to the security of Alberta? I think it can be argued that just about any definition could be put in place. So what are the limitations that are placed on that? That particular, you know, "who's determining" turns up in quite a few of these acts.

Now, I think that a lot of the rest of my comments are more particular to definitive sections in this legislation, so it may be that I won't go into the sort of line-by-line, word-by-word, clause-by-clause breakdown of the act. I'll leave that to Committee of the Whole. But I do want to underline what my concerns are for this act now, and that is that we get a much clearer idea of where government is going to go as they give themselves expanded powers, what the limitations are on those powers, who's determining under what circumstances we've got something deemed a terrorist activity. For example, there are changes that are being made to the Alberta Energy and Utilities Board. Well, does the Alberta Energy and Utilities Board get to decide when something is a terrorist activity, or do they wait to be told that by the Minister of Energy or the Premier or who? Who decides this, and what's the criteria for deciding it? So I'd like to see some of that put onto the record here and made more obvious for people.

I also want to make sure that Albertans aren't subject to unusual scrutiny here. This government does have a tendency to do that, again, I think, because it's convenient. If we look back at what was recommended in the MLA review for the Police Act, there was a suggestion there that there be unstaffed aerial drones that would operate surveillance in rural areas in Alberta, and I'm deeply suspicious about activities like that. You know, who's collecting this information? Who's reviewing the information? For how long is it kept? Who gets access to it? All of those questions need to be answered when we look at collecting any kind of information on people.

It was supposed to be a great idea that when the registries, which were a government service, were privatized, Albertans didn't need

to worry about any kind of outside interference in personal information about them. But that's exactly where all the problems have come, because when you have government in charge of that kind of information, there is a dedication to the policies of the government first. When you have that in the private hands, you have a dedication to a paycheque first, and that's where it starts to break down.

So I'm looking for a clearer definition and clearer idea from government about what the limitations are, what the details are, and how we make sure that we're not infringing upon Albertans' personal freedoms and rights without a darn good reason under very specific and well laid out circumstances.

Thanks for the opportunity to speak to Bill 31 in second reading. I do support the principle of this bill, but I certainly, obviously, have a number of concerns that I'd like to see addressed.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I am pleased to rise on second reading and speak to Bill 31, the Security Management Statutes Amendment Act, 2002.

I want to say at the outset that it was clear after the events of September 11 that a review of security, including a review of security legislation, was in order, and I think that it was appropriate that the government ought to have done that and that they did it. I think that it's clear that almost all Albertans would agree that in some areas the tightening of security in order to provide for the protection of Albertans was also in order. I think that there are certain aspects of this bill, Mr. Speaker, that do that, so in an overall sense I am not opposed to many of the aspects of this bill. I think it was timely and necessary.

There are a couple of areas that give me a considerable degree of concern, Mr. Speaker, and we did hear from some groups about this. One of the groups that we did talk to was the Edmonton Mennonite Centre for Newcomers. That's an organization dealing with immigrants and helping them become adjusted to Canada, to Canadian society, to help them make the transition socially and economically to life in Canada. I think that one of the concerns that organizations like that have is that many of the security provisions – and I'm thinking particularly now of the United States – are applied differentially according to the profile of the individual that is concerned. I know that the Canadian government has been very, very critical of the policies of the American government in respect to this.

Racial profiling is clearly a fact of life. So the question really becomes: how do we fit in with that? Well, there's a section in the act, Mr. Speaker, which clearly gives the minister, any minister using their own discretion, the right to share information but not with Canadian security agencies or with Canadian governments, the federal government in particular. I'll just for reference indicate that it's an amendment to the Government Organization Act, sub (2) after section 9, and it says:

A Minister may share with

(a) the government of a foreign jurisdiction . . .

It doesn't say what foreign jurisdiction.

. . . the Government of Canada or the government of any province or territory, or a department, agency, board or commission of such a government,

(b) another department of the Government of Alberta, or an agency, board or commission of the Government of Alberta, or

(c) a police service in or outside of Canada

information that is relevant for the purpose of combating terrorist activity.

It gives very, very broad latitude to any minister of the Crown acting on their own without reference to cabinet, to the judiciary, to the Legislature to share information.

5:10

You know, if I can get back for a minute to the situation in terms of immigration to the United States, not just immigration but border security with the United States. There was a piece on the national news a couple of nights ago which indicated that there's concern that there's going to be employment discrimination within Canada in the sense that companies who have employees who are from a Muslim background or from Arab countries originally will not send them to the United States because of the treatment that they receive there and particularly when they attempt to enter the United States. There have been Canadian citizens who have been whisked away and deported from the United States or held without trial, and their relatives have been unable to find out what has happened to them, and this is all well documented. So we're actually seeing the impact in Canada where Canadian companies are now taking a look at which employees they are able to send on a business trip to the United States, which is, of course, far and away the largest single trading partner we have.

So the question for me, Mr. Speaker, then, is: what restrictions are there? What safeguards are there in order to protect people who are Canadians or perhaps not Canadians but landed immigrants from having information at the unfettered discretion of any minister of this government transmitted to any security agency or foreign power? There's no restriction on what those powers might be or what agencies they might be. I would view it with a lot more comfort if there were some more restrictions on that authority, and I would prefer that ministers of this provincial government not be dealing with foreign intelligence agencies at all, that they should be dealing through Canadian agencies and let them make those sorts of decisions. That's an area that I think is of very great concern and probably, perhaps, not well known among many communities here in Canada, but I think if it were better known, the reaction on that point might have been considerably greater.

A related topic, Mr. Speaker, is the ability of the government to withhold information that they would otherwise have to disclose under our freedom of information laws. Again, without proper scrutiny by anyone this can be a decision that can be made internally, secretly, without oversight by the Legislative Assembly or the public. If the government determines in its, again, unfettered discretion that something is related to security matters that may involve the potential for a terrorist threat, they can withhold that information from the public, from the Legislative Assembly, from the opposition. That is a serious erosion of the ability of this Assembly to have oversight on the government's activities. Again, there may be cases where this is, in fact, valid and desirable. But where is the scrutiny? Where is the test that we could apply in order to make sure that the government is not misusing that for its own purposes? I know that the members opposite would never dream of doing that, but another government might come along and trample on the rights of Albertans in a way that is not dreamed of by the drafters of this legislation. So, Mr. Speaker, those are two very serious reservations which I have to this act.

I guess the third one is the question of the definition of terrorism. Now, we would all agree that the acts of September 11 and the persons and organizations that perpetrated them are, in fact, very, very severe, reprehensible acts of terrorism, but if you look at the definition of terrorism in history internationally, you'll find that it is not nearly as clear and cut and dried as looking at September 11 would maybe have us believe. For example, Nelson Mandela spent nearly 30 years in prison in South Africa, and the charge that he was convicted on was terrorism against the South African government. He later went on to be the President of South Africa and perhaps one of the most admired statesmen in the world today. Similarly, to use

an example that I don't think stands on a par with Nelson Mandela, the Prime Minister of Israel at one point was Menachem Began. He was considered by the British authorities to be a terrorist, yet he became the Prime Minister of Israel. Another example: Yasser Arafat was considered by many, including the Israeli government, to be a terrorist. He later went on to become the President of the Palestinian authority and a recognized international figure that spoke at the United Nations, and he's since been redescribed now as a terrorist by the government of Israel.

So all this is just to make the point that the definition of terrorism can move back and forth with the historical and the political circumstances. Again, I think that there is a considerable degree of latitude, and while we would all agree that the definition of terrorism clearly applies to the events of September 11 and many other events in the world, there are events that could take place or that have taken place in the world where there would be some dispute.

So that, again, Mr. Speaker, leads me to conclude that the bill is too broad, lacks sufficient safeguards, and opens the door, potentially, to abuse and to continued discrimination against people based on their national origin or their race, depending on the policies of any foreign government with which a minister on their own decides to deal. That is something that I would hope the government would look at and be prepared to introduce amendments to during the committee period.

With that, Mr. Speaker, I will take my seat. Thank you.

THE SPEAKER: Hon. members, Standing Order 29(2) now is available.

SOME HON. MEMBERS: Question.

THE SPEAKER: The hon. Minister of Justice and Attorney General to conclude the debate?

MS CARLSON: No, no. There are more speakers.

THE SPEAKER: Fine. Fair game.

Okay. We've now gone beyond Standing Order 29(2). We'll recognize the hon. Member for Edmonton-Ellerslie.

5:20

MS CARLSON: Thank you, Mr. Speaker. I'll make, perhaps, just a few comments and then reserve the rest of my debate for later on this evening. I'm happy to have an opportunity to speak at second reading of Bill 31, Security Management Statutes Amendment Act, 2002, and do concur with most of the comments that I heard from my colleagues Edmonton-Centre, in particular, and Edmonton-Highlands.

I think that after September 11 this country in addition to other countries was perhaps overly cautious and aggressive in terms of where they went on security issues, and I would have to state at this point in time that I would hope this government would proceed with caution. The Member for Edmonton-Highlands indicated a number of instances where I share concern, particularly as representative of a first-generation immigrant population in my constituency. There is now a very real perception of what terrorists look like, and they look like a lot of people who are very law-abiding citizens and members of my community. So that concerns me.

It also concerns me here this afternoon, the first opportunity we've had to debate this bill, that we've only heard from one minister, being the Government House Leader, who has responsibility for this bill. In fact, it directly impacts at least 15 other ministers in this Assembly, and I believe that we need to hear from those folks in

terms of why they feel it's necessary to proceed in the manner in which we are proceeding with this particular bill. So I am hoping that before we come to the end of the discussion on this bill, we'll hear from those ministers and get their perspective on why it's necessary to make all of these changes.

I also have a lot of concerns about FOIP and how it's going to be affected. I think that I'll reserve the section-by-section comments, though, until we go into committee and look for a little more participation on the side of the government.

With that, Mr. Speaker, I would like at this point in time to adjourn debate.

[Motion to adjourn debate carried]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Yes. Mr. Speaker, I move that we adjourn until 8 this evening.

THE SPEAKER: Would the hon. Government House Leader like to clarify: what would we come back to at 8 in the evening?

MR. HANCOCK: Well, Mr. Speaker, in light of the fact that debate was adjourned and I'm anticipating we'll be finished debate on this bill before we go into committee, I assume that we'll come back in the House.

[Motion carried; the Assembly adjourned at 5:23 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, November 19, 2002**

8:00 p.m.

Date: 02/11/19

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

Before I ask you to continue on second reading, I wonder if we might have unanimous consent to revert briefly to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

THE DEPUTY SPEAKER: The hon. Government House Leader, followed by Edmonton-Strathcona.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure this evening to introduce to you and through you to members of this Assembly 11 scouts and their scout leaders, John Burnham and Dustin Burbank, along with assistants Mike Shaw and Daniel Bateman. They're with the 176 LDS Scout Troop from my constituency of Edmonton-Whitemud. They're here this evening to observe the proceedings of the House and are sitting in the members' gallery, and I'd ask that they please rise and receive the traditional warm welcome of the House.

THE DEPUTY SPEAKER: The hon. leader of the ND opposition party.

DR. PANNU: Thank you, Mr. Speaker. I rise with pleasure to introduce to you and through you to all members of the House 15 of my constituents. I shall name them very quickly: Candice, Cassie, and Eric Behr; Brett Kapsos and Paula Kapsos; Todd Keeler; Krystal McLain; Cam, Cossette, Michelle, and Sky Mussetter; Jared Pitcher; Jen Poulin; Corey Rowe; and Becky Smith. These guests include among them one of the daughters of our colleague from Cardston-Taber-Warner, and I'm sure that he is delighted to see his daughter among the visiting guests up there.

These young men and women are members of youth groups of the Church of Jesus Christ of Latter-Day Saints. They range from age 12 to 18 and meet every Tuesday to learn various skills which include cooking, knitting, singing, et cetera. These young men and women are here to witness democracy in action and prepare themselves to become active citizens. These guests are seated in the members' gallery, and I would now ask them to rise and receive the warm welcome of this Assembly.

THE DEPUTY SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Speaker. I would like to rise and introduce another one of my daughters, who is here tonight from Cardston. To you and through you I would like to introduce Mrs. Jolene Jacobs-Strang, who is visiting with us from Cardston. She, I think, came to watch her sister Paula get introduced. I would ask that she stand and receive the warm welcome of the House.

head: **Government Bills and Orders**
Second Reading

Bill 31

Security Management Statutes Amendment Act, 2002

[Adjourned debate November 19: Ms Carlson]

THE DEPUTY SPEAKER: Are there any further speakers, or are you ready for the question? The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I welcome this opportunity to rise and speak to Bill 31. I got caught a little unprepared. My apologies for that.

Bill 31 is the Security Management Statutes Amendment Act, 2002. It's a very important bill. It's wide ranging in terms of the powers that it seeks to assign to ministers and others in order for them to be able to undertake certain investigations, release information, or seek information and share it with others, including, I must say, Mr. Speaker, some foreign governments. This bill is inspired by, I think, genuine concern for our security. There's no doubt about it. All of us do want to make sure that there are appropriate security measures available so that all of us could feel safe and secure, including the institutions from which we benefit so much, but I think there has to be a balance between concerns for security and concerns for those rights and freedoms that define an open and democratic society.

The enemies of open society, people who dislike open societies and democratic societies, would be delighted to see us make compromises that lead us astray from our fundamental commitments to the very values, the rights, civil liberties, and human rights that define our civil society and that then define our state and its capacities and its powers. The powers of the state to investigate matters that we generally agree should remain within the confines of privacy for all of us, powers that tend to reach into the very sacred values which define our society and its aspirations to become even more civil, more democratic, and more open, should always be received with critical scrutiny. This bill, while it is intended to enhance the ability of our government, the ability of our police forces, and the ability of the people responsible for our security, including ministers, I think is excessive in the kind of powers that it seeks to bestow on those who have those responsibilities for ensuring that we get the security that we need.

I had a quick look at this bill, and it does, of course, extend the rights of cabinet and other authorities to make regulations regarding oil and gas facilities, electrical facilities, park and wilderness areas, highways and railways in respect of terrorist activity or threat of terrorist activity. It also allows authorities to ask for more information from people seeking to change names, to transport dangerous goods, to enter courtrooms, or to get identification. It allows the minister responsible to refuse to register a charitable organization if the organization is named in a certificate under the federal Charities Registration (Security Information) Act. There are several other provisions, including allowing the minister to share information with other jurisdictions when relevant for the purpose of combating terrorist activity and extending the Disaster Services Act and the Public Health Act to allow greater response to perceived or real threats.

So it's really quite wide ranging. It will affect many of the existing statutes of the province, and in my view, from a first quick reading of it, it seems overboard in giving the powers to ministers and other authorities that I think will infringe seriously or certainly would potentially threaten the civil rights, human rights, and the rights to liberty and freedom that we have and also could fundamentally damage the project of keeping and enhancing the open and democratic nature of our societies. We must never give in to any threats, internal or external, to terrorists or others, to our fundamental commitments to openness, liberty, freedom, and democracy.

8:10

So I have serious concerns, Mr. Speaker, with respect to these provisions. It seems to me that the federal securities act – I apologize for not being able to recall its exact name; I think it was called Bill 36 – has received a great deal of national attention, debate. Outstanding legal experts, constitutional experts, civil liberties advocates have all expressed grave concerns about the way in which that bill is likely to damage our ability to guarantee to our citizens those very basic rights which define our society as an open and democratic society. So it's with some degree of concern that I rise and speak on this bill. While I understand the motivations behind it, I don't think the measures proposed in it are needed in the fullness in which they are being demanded here.

I just want to read to you a few of the concerns that have been expressed to us in writing. We obviously sought some advice from concerned Albertans and citizens. I just want to read a few excerpts from two of the letters that I brought with me. These are e-mails, and here is what the writer says.

I doubt I need to reinforce the general viewpoint that [Bill 31] is excessive – that there are huge powers given to a few people by this bill that seem hard to justify to me. If the police and other security personnel are doing their jobs then these sort of broad powers would not be all that necessary. It feels to me like the international preoccupation with this that arrived at the national level last year is now arriving at the provincial level. The absurdity of this is that I think none of these measures are liable to actually be very effective with terrorism should it really happen. But what they do do is make all of us paranoid, cause us to live in more fear that we are surrounded by potential terrorism that can surprise us any day and that makes for a more suspicious society where the chances of anyone different being distrusted is greater.

So that's just a part of what the writer of this e-mail states.

The second e-mail, very briefly, just a short one, is even more forceful in expressing concerns by the writer. The writer says:

This bill, in the name of preventing terrorism, is designed to curtail Albertans' basic human rights. What business does the provincial government have to be fiddling around in the area of national security which belongs under federal jurisdiction. This piece of Draconian legislation needs to be fought tooth and nail and you will have my support in your efforts to do so.

The point is that these are very serious concerns, expressed sometimes in very strong language, by ordinary citizens in whose name we stand up and speak here and enact laws and legislation.

At this point I will not go into the details of the bill. I need to give it a little closer scrutiny and examination, and I'm sure that at the committee stage I will have my chances to speak to various clauses of the bill and seek to amend it if I so decide.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Minister of Justice and Attorney General to close debate.

MR. HANCOCK: Well, thank you, Mr. Speaker. I'm pleased to add just a few words in closing debate on this bill. Some of the comments opposite have indicated that security is a national issue and that we ought not in this Legislature concern ourselves with the security of our public, with the citizens of Alberta. I think that nothing could be further from reality in terms of what our obligation is to the public of Alberta. When we have an industrial complex in this province which provides energy for much of North America, when we have security issues which could be of interest around those complexes, but more than that, dangerous substances which are being handled both within our major communities and within the countryside, we have an obligation to be prepared for any eventual-

ity, and we've seen through the dramatic events over the last year and a half what those eventualities might be. It's not our job to scare the citizens of Alberta or to become paranoid about the challenges which we might face but to take prudent response and to be prudently prepared for those eventualities. So I just add those comments in suggesting that the House might consider passing this in second reading and deal with the details in committee.

[Motion carried; Bill 31 read a second time]

head: **Government Bills and Orders** **Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: I call Committee of the Whole to order. For the benefit of those people in the galleries this is the informal part of the Legislature. The members are free to wander around, hopefully not to engage in lively discussion except in their own place when they're recognized for speaking in debate. It allows us to ask a number of questions and that kind of thing or to go back and forth in a freer fashion and a less formal fashion than in the Assembly.

Bill 25

Alberta Corporate Tax Amendment Act, 2002

THE CHAIR: Are there any questions, comments, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Glengarry.

MR. BONNER: Yes, I'd like to make a few comments, Mr. Chairman, at this stage of the debate on Bill 25, the Alberta Corporate Tax Amendment Act, 2002. The object of this particular bill is that the amendments enact the second phase in the reduction of the corporate income tax rates in Alberta as announced in Budget 2002. It will also parallel a number of changes that have been made recently in the federal Income Tax Act.

8:20

We have to realize that small business in this province is what drives our economy, but at the same time I also have to question how we can continually give tax cuts and rebates to people in this province when the most disadvantaged members of this province have not seen an increase, and I'm talking of those people who are on AISH, those people who are on social services, those people who are on supports for independence, and these people have not seen any significant increases for years. We hear time and time again how this province is so unique to have a program like AISH, yet those people certainly don't benefit the way that so many others in this society do. It seems, as one of these people had said to me, that if you're not a productive member of this particular society here in Alberta, whether you're a senior or on AISH or supports for independence, you certainly don't see any benefits and you certainly don't see any part of the Alberta advantage.

So I think that what we require here, Mr. Chairman, more than anything else is a balance. If we are going to be giving tax cuts in this province to small business, we should certainly make certain that we have put into place those supports required by people on a fixed income or on some type of social assistance.

Now, then, as well, Mr. Chairman, we also have to look from the point of view that two years ago we had the second largest revenues in this province that we've ever had, yet this particular government saw fit to cut back so many vital programs in this province. So we do have a major problem that we have to look at here when we are

looking at the Alberta Corporate Tax Amendment Act, 2002, in that it is addressing certainly small business and less tax for small business, but at the same time at whose expense does this come? We certainly don't see any indicator of that here.

Now, then, last year the government reduced business taxes by \$286 million. They cut the general income tax rate to 13.5 percent, cut the small business rate to 5 percent, and raised the small business threshold to \$300,000. They also eliminated the capital tax and reduced the capital gains inclusion rate to 50 percent. At that time, Mr. Chairman, they announced a schedule for further reductions that would have raised the small business threshold to \$400,000 this year and cut the small business rate to 3 percent by 2003 and the general rate to 8 percent by 2004. The government also announced that this plan would proceed subject to affordability, but who is this affordable for? Certainly not all Albertans.

Under the current fiscal circumstances the government has decided to modify the original business tax reduction schedule, so now under Bill 25 as of April 1, 2002, the general rate falls to 13 percent, the small business rate drops to 4.5 percent, and the small business threshold increases to \$350,000. These cuts will save Alberta businesses somewhere in the neighbourhood of \$81 million. The government still plans to cut the general rate to 8 percent and the small business rate to 3 percent and increase the small business threshold to \$400,000, as affordable, but they are certainly slowing down the pace of the planned reductions.

The other changes contained in Bill 25 are primarily technical in nature to increase the readability and the functionality of the act as well as to parallel changes in the federal Income Tax Act.

When we look at the sectional analysis of this particular bill, the major change is in section 15(1), which amends section 21. Under this section the general rate is reduced from 13.5 percent to 13 percent. These reductions are effective as of March 31, 2002, so they will be retroactive to that point. Section 16(1) amends section 22 of the original act. The changes here involve raising the small business threshold to \$350,000.

The remaining sections involve primarily technical changes intended to parallel amendments to the federal Income Tax Act. For example, Mr. Chairman, section 17 of Bill 25 amends section 23 of the original act, which deals with foreign investment income. The federal government has done a lot of work in this area, and the changes in this section are intended to parallel the work done by the federal government. The additions made in 17(4) clarify the rules surrounding a corporation's foreign investment income through the Canadian banking system as well as access to tax credits. Section 21(1) amends section 30 of the original act to adjust for federal changes in order to ensure that mutual fund companies in line for a reduction do not get more back than they pay in tax.

Other changes are made to improve the readability of certain sections as well as the functionality of the act. For example, section 2(c) repeals 1(6) of the original act since it was causing problems with tax calculations. Section 1(6) dealt with a corporation that had a tax year greater than 365 days and yet was treated as if it were 365 days. Another example would be section 7(1), which amends section 14.2(1) by removing the requirement for a copy of the federal election form in order to participate in the provisions of this section, which is the transfer of property to a corporation. The section was intended to apply to all corporations. The need to submit a form negated the effect of the section.

Other changes, Mr. Chairman, that improve the functionality of the act include section 14(1), which broadens what is considered as royalty income to cover all areas pertaining to hydrocarbons, metals, and minerals. Sections 18 and 20 repeal sections 25 and 26.5 respectively, dealing with the Alberta rental investment tax credit,

since this program is no longer in effect other than the carryover from the previous years. No application for this program could have been made after 1990. This simply takes it off the books other than the carryover subsection to handle any firms that still have not claimed their full amount.

As I said, I do have some concerns when we do have a bill such as Bill 25, the Alberta Corporate Tax Amendment Act, in front of us here when other sectors of this province, particularly the seniors, the people on AISH, the people on supports for independence, are not seeing any raises and yet we are cutting taxes.

So with those comments, Mr. Chairman, I will sit down and listen to further debate on Bill 25. Thank you very much.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

8:30

DR. PANNU: Thank you, Mr. Speaker. I rise to make some general observations on Bill 25, the Alberta Corporate Tax Amendment Act, 2002, as we begin the debate at the committee stage of our deliberations on this bill. To provide sort of a backdrop to my comments on this bill, I just want to note that earlier this afternoon I rose and under Standing Order 30 called on the Speaker to accept my request for an emergency debate on the peril in which we have potentially put our low-income citizens, citizens who are on SFI, supports for independence, programs and citizens who are severely handicapped adults and need our assistance. I also in those comments drew attention to the unfortunate decision of this government to keep the minimum wage in this province at \$5.90, which is the lowest rate for minimum wage in this country. New Brunswick, Newfoundland, and all other provinces have a higher minimum wage rate. That's the background against which I think we have to assess the needs of one sector of the community.

MR. BONNER: Are we not the lowest in Canada?

DR. PANNU: We're the lowest in the country, in Canada, yes.

When I look at this bill and what it proposes to do, it certainly is an attempt to further reduce already very favourable rates of corporate tax, particularly for large corporations.

The second feature of this bill is that it, in a sense, ties the two sets of reductions together. It puts them in the same bill. If I want to support one section, I must support the other. Let me talk to these two sections. One part of the bill proposes a reduction of the corporate tax rate for large corporations from 13.5 percent to 13 percent. The other part of the bill does what I think is quite justifiable: a proposed reduction, if you wish, in the small business tax rate from 5 percent to 4 percent and also raise the small business threshold from \$350,000 to \$400,000.

Now, I am enthusiastically supportive of giving some tax relief to small businesses. Small businesses are where most of our young people work. Small businesses are where most of the people who work for minimum wages work. Small businesses also create more jobs. Small businesses serve our communities more than large corporations. So there's every reason to think that a tax relief provided, as proposed in this bill, to small businesses will do a great deal of good both through local economies in our communities and to people who work in the enterprises and the businesses we call small businesses. It's also quite appropriate, given the inflationary trends and other things, to raise the threshold from \$350,000 to \$400,000, to make a distinction between what should be deemed as small business as distinct from what should be deemed as large corporation. So that part of the bill presents no problem. I can support it. I want to support it. I'm enthusiastically supportive of it.

It's the other part of the bill which offers a tax cut to some of the largest, wealthiest, and most profitable corporations in the province. That reduction from 13.5 to 13 percent has to be judged in terms of both the need for it, the justification in terms of fairness, and the impact of it on our provincial revenues. We have seen all kinds of taxes go up, including the health care tax by 30 percent. We have seen medical services for seniors and others being rolled back or stripped, and there are other taxes on the way, from the cost of registries to what have you, court costs. Tuition fees are going up by 6, 7 percent. Why are we doing that? So that we can pay for these tax handouts or tax breaks to large corporations? Taking from the young students, from seniors, from the poor so that we can give to the richest of the corporations not only in this province, not only in this country but in the world makes absolutely no sense. Whether you use the touchstone of fairness, justice, or need, I cannot justify to this House my support for that part of the bill, which is section 15, which offers yet another tax cut to the large corporations.

So if we are not willing to look after the most needy, the most vulnerable citizens of this province, if we are not willing to spare our seniors, who have worked hard all their lives building the society in which we live and the fruits of which we enjoy, if we're not willing to invest in our young people in the province, those who attend our colleges and universities in the hundreds of thousands, if we are willing to increase the burden of going to school onto their shoulders, why is it, then, that we are, at the same time, ready, as this bill proposes, to make further tax concessions to corporations, who don't need it? There's no guarantee that any money that they save because of these tax cuts will necessarily be invested in this province. That's the old idea of the so-called free enterprise, the market-driven decisions that corporations make. They're not obliged because we give them some taxes back to invest those taxes in this province.

For all of these reasons, Mr. Chairman, I regret to say that I will have to oppose this bill unless I can get at least one section of it amended, and I'll need your direction as to when I can propose that amendment.

I'll sit down with those comments.

THE CHAIR: The hon. Minister of Revenue.

MR. MELCHIN: Thank you. I'd just like to respond a little bit to some of the questions that were raised. Appropriately identified in this bill, the bulk of it has to do with, as was said, paralleling federal amendments. That contains really the bulk of what's in here. Our taxable income, the income which we use as a basis for calculating the provincial tax, is used on the basis of an act to which both provincial and federal governments comply in the calculation of taxable income. So most of these, as mentioned, are to accomplish just that purpose, to parallel federal amendments.

That said, the provincial changes, as was talked about, to change the general corporate tax rate from 13 and a half to 13 percent and to reduce the small business rate to 4 and a half and to increase the small business threshold from \$350,000, as everybody has stated here, is correct. I would point out that the personal and corporate income tax reductions that we have put in place already over the past few years have not led to a decrease in the absolute dollars that we've collected. In fact, we have continued to collect even more dollars in personal and corporate income taxes. Part of the real benefit, if we are supposedly concerned about those that are in need, is to see how we create more wealth, how you and I have more money to care for all the personal needs and everything else. So it is critical when it comes to things like the right tax structures for it.

You mentioned that reducing the thresholds does a great deal of benefit to small businesses. It does; we concur with that. But

reducing the thresholds and the rates for all companies also has a great deal of benefit for jobs, employment, investment, and opportunity in Alberta.

8:40

Just to give you an illustration, this is why Canadians in greater frequency are investing more and more of their money in the United States, in the stock markets in the United States, in U.S. corporations versus Canadian corporations. They get about 15 percent higher returns in the stock markets in the United States than we do in the Canadian equities. So those reflect the profits that our companies make. It's purely a price question. If our companies are not able to get a sufficient return, and taxes are a part of that cost, then the investors, you and I, are choosing not to keep our money right here in Canada to support our own companies. It is important that we be competitive not just with the other provinces in Canada but throughout the world, and our tax rates in Canada continue to be yet still higher than those of our major trading partner, the United States.

It's for those reasons that we will continue to implement, as we said, the reductions in the corporate tax, which will continue to see that the Alberta advantage thrives, that we have opportunities for jobs, greater employment, greater investment opportunities, and more chances for our corporations to thrive and to succeed in the decades and generations ahead.

I'll conclude my remarks there.

THE CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Mr. Chairman, I would like to propose an amendment if this is the right time for this.

THE CHAIR: Have you got copies?

DR. PANNU: Yes, I've got copies here.

THE CHAIR: Okay. Good.

DR. PANNU: I'm ready for the distribution of the copies, Mr. Chairman.

THE CHAIR: Hopefully, hon. member, the original is going to come here.

DR. PANNU: Certainly, Mr. Chairman. It's on its way.

THE CHAIR: Move it, and then we'll wait until everybody gets a copy. Okay?

DR. PANNU: Okay. Mr. Chairman, let me read the amendment, then, for the record. The amendment, in the name of my colleague the Member for Edmonton-Highlands, reads that Bill 25, Alberta Corporate Tax Amendment Act, 2002, be amended as follows: "Section 15 is struck out." It's a very simple amendment, Mr. Chairman.

I would be happy to very briefly speak to the amendment. I understand that all hon. members have a copy of the amendment before them. The amendment simply proposes that section 15 is struck out. If we look at what section 15 does, it lowers the tax rate for corporations from 13.5 percent to 13 percent. I submit to you respectfully that we cannot support this sort of tax reduction given that there are so many pressing needs such as money for health care, education, low-income programs – and the list goes on – and given that the government is crying poverty as an excuse for not acting on

these priorities of Albertans. I heard the Minister of Revenue talk about that we already have enough money, that we are in fact generating more income tax dollars and more corporate tax dollars. If that is the case, I wonder: why doesn't he stand up and call on his government and the minister of education to take action forthwith to reduce the class sizes that need to be reduced in this province?

I would like the Minister of Revenue to stand up and call for an immediate increase in the rates that we pay for supports for independence programs and for recipients of AISH. It appears that we have room there to be generous towards corporations. I just would appeal to him to do the same or ask for the same kind of treatment when it comes to our postsecondary students, when it comes to funding our K to 12 classrooms, reduction of class sizes – and I can go on – and health care. We could certainly afford to reduce the health care premiums, which he voted for increasing by 30 percent.

I'm curious that the Minister of Revenue would draw attention to the fact that revenues are going up in this province, yet he agrees with his own cabinet members, his own colleagues on the government side in saying that there's a need to increase taxes for health care, the need to increase tuition fees for postsecondary students, and there's no urgency for us to act and provide resources to school boards so they can reduce the class size for our young children, at least from kindergarten to grade 3, the years when the foundations for a more solid performance in later years in school are laid down.

If he were to do all these things at the same time as he is calling for a tax decrease for corporations, I might find his argument convincing. In the absence of such commitments and in the presence of his total silence on this, I find it very difficult to accept his argument and be persuaded to vote for yet another tax cut for corporations as proposed in this bill, Mr. Chairman. I certainly would like to hear from other members to see what justification they have. Just to increase wealth while at the same time claiming poverty – we want to decrease taxes because it will lead to more investment and more jobs and more wealth – doesn't make sense to me.

He asks us to follow the American model. Well, in America we have the Enrons of the world, and those Canadians who invested there got cleaned out completely. Worldcom: another story. I think he should be far more circumspect in making recommendations from the floor of this House encouraging Canadians to invest in a market which guarantees 15 percent returns. Does it? I just ask him that question. He should be more specific about what he says in the House because as a minister of the Crown what he says here is taken very seriously by Albertans, and I think he has to give some evidence for his recommendations, for making suggestions that somehow the nirvana, the paradise, is out there south of the 49th parallel.

Huge scandals. Absolutely enormously shattering scandals. The life savings of tens of thousands of hard-working Canadians, Albertans, and, of course, I'm sure, millions of Americans have been simply sacrificed at the altar of those great big corporate giants who have been found to be indulging and engaging in practices which are not only corrupt but which are scandalous to the point that CEOs are now being dragged through the civil courts and the criminal courts.

8:50

In view of that, I think we need to have a balanced assessment presented to Albertans about what it is that we want to do by reduction of tax to the corporations while at the same time wanting to increase the tax burdens of direct or indirect taxes from students to seniors to the sick in this province to everyone else.

Given that, Mr. Chairman, I hope that members of this House will support the amendment that I've just proposed so that it cleans up this bill and all can vote for it then. Let's vote for this amendment,

which will make it possible for me to vote with the Minister of Revenue to pass this bill through the House.

Thank you.

THE CHAIR: Hon. members, this is amendment A1.

MRS. McCLELLAN: Mr. Chairman, I would just like to make a few comments on the amendment, and I certainly would say at the outset that I do not support the amendment. We're fortunate to live in a province that has a very dynamic economy. Unfortunately, we don't have time in this House to go through the whole course on economics 101 and through the rest, but I think that there are a number of people in this House that have a business background, that do have some understanding of the private sector, so we won't go into those details.

However, I heard the Minister of Revenue state very clearly that the policy of this government, which is to reduce taxes on a corporate side, a small business side, and a personal side, has led to an increased and robust economy in this province. So by the very virtue of that, Mr. Chairman, I would suggest that it would be very ill advised for anyone to support the amendment.

Mr. Chairman, we've heard lots of rhetoric about our health system, our education system, the supports that we give to seniors and those who are less fortunate. Well, I would suggest to you that the facts speak quite contrary to what we've heard. Health: the Capital regional health authority, which we are in, has for two years in a row been noted as the best health care delivery system in Canada. I don't think they do that on less than adequate funding. Seniors' programs: we have a huge in-migration of seniors into our province, have for a number of years, because indeed we support our seniors in a manner, I think, that gives them dignity and also respects the contribution that they've made to the growth of this province.

Education. Mr. Chairman, I'm one of nine children and not, certainly, from a wealthy family, especially in the years I was growing up. You know, my parents did not expect somebody else to educate their children. Every one of those children had an opportunity for an education. Certainly there was sacrifice on behalf of the parents, but they also felt it was a duty and a responsibility. I think we had better put some duty and responsibility back into our thinking, and we had better change our thinking on education. It is not a burden to students to go to university and college; in fact, it is an investment in their future.

Instead of talking about the possibility of their spending 30 percent of the cost of tuition, maybe we should talk about the 70 percent that the public in this province proudly contributes to their education. Why do we do that? Mr. Chairman, we do that because it is a known fact that in Alberta we have the most highly educated workforce in Canada. We can look at national results, national examinations and find that our students perform at the top in almost every subject. That tells me that we have a good education system, and, yes, the Minister of Learning continually strives to make that better.

We have one of the most generous student loan programs of any province in Canada, and if the members in this House would like to see less burden, perhaps we could talk to the federal government and ask them to contribute to the remission policy that this government has, that ensures that no student leaves our system with an unfair burden that they can't manage in the workforce. We do have a system of remission. We do have a system that says that you will leave school and be able to repay your student loan. Why would you do that? You would do that so that more students have the opportunity to go to school. When the student loan policy was put in in this province, it was put in to ensure that no student would go without

the opportunity for a postsecondary education, not that all of us simply didn't help with our children's education. We have a responsibility as parents to prepare for that eventuality, and goodness knows there are all types of instruments out there today that allow you to do that with a very small amount of money put aside each month.

But I have to come back to the narrowness of this amendment. What do we really want for this province? Do we want our economy to grow? Do we want more businesses to invest so that we can enjoy the strong social programs that we have in this province? I would suggest that the government members in this Legislature want to see the economy grow. We want to see more people invest in our province. We want to have more taxpayers, and we want to have more tax dollars not by increasing taxes, not by putting an unfair burden on people but by ensuring that people want to invest here. I think the in-migration in this province, the fact that we enjoy the highest number of head offices of any city in Canada today, speaks to a very sound fiscal policy and tax structure that this government has put in place.

Mr. Chairman, this amendment will do nothing to ensure that those who can't help themselves will have more. It will do nothing to ensure that class sizes will change in schools. It will do nothing to ensure that our health system sustains. It will do nothing to ensure that our students have an education at a cost that they can afford. If we defeat this amendment, if we continue with a tax policy that says "we will not overburden our citizens," we will continue to have investment from all over Canada come to this province, and we will enjoy the best social programs of any province in Canada.

THE CHAIR: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Well, thank you very much, Mr. Chairman. I must speak to this amendment after hearing the comments of the hon. minister in telling us what a great opportunity students have in this province for an education.

I had the opportunity earlier this year, Mr. Chairman, in September, to travel with a group of other MLAs from this Assembly. We toured a number of parliaments and countries in the British Isles, and it was amazing when we started talking to the people in southern Ireland. Now, southern Ireland has had people moving out of there. They've had a brain drain for years similar to what Alberta is experiencing right now.

In meetings with them we talked, and of course we all know that back in the 1960s – I believe it was 1962 – the Republic of Ireland decided to provide free education for division 1, division 2, and division 3, which of course is grades 1 to 6, 7 to 12, and postsecondary education for everybody. They did that back in the 1960s. Now, then, today southern Ireland enjoys many of the economic benefits that Alberta is experiencing, and in fact they might even be ahead of Alberta.

DR. TAFT: And they don't have oil or gas.

MR. BONNER: Yes, and they don't have oil or gas revenues.

In discussions with their parliamentarians the question I posed to them was: is there any correlation between your free education policies that you established back in the '60s and your economic success of today? They all said: yes; there is a direct correlation between free education and the economic success that they are getting today.

9:00

Now, then, the minister said that students have absolutely no

trouble getting loans. Well, I have a constituent that contacted me that's attending DeVry institute in Calgary. They got loans for the first year. They got loans for the second year, but in their third year, when they required money, they could not get a loan. Now, this is a 21-year-old student living away from home, and because his parents got a raise, this young man does not qualify for a loan in this province. No. This young man has to stop his training at DeVry because his parents cannot afford to send him there and he can't get a loan. This is the Alberta advantage for this young man, and it certainly isn't coming off the same song sheet that the minister was just speaking about.

So, yes, I think we do have to look at this amendment and look at it seriously. We certainly want a competitive atmosphere here for our businesses, but as well I think that the hon. Member for Edmonton-Strathcona has a point, that perhaps there are some people in this province that aren't paying their fair share.

With these comments, Mr. Chairman, I will take my seat, and I thank you very much for this opportunity to speak to the amendment.

THE CHAIR: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Chairman. I just would like to clarify something that has just been said with respect to southern Ireland, first of all, and I'd also like to speak with respect to the educational opportunities that are there.

While we are discussing an amendment to a bill --and that amendment proposes to remove a whole section, which the previous speaker, the Member for Edmonton-Glengarry, just referenced – I'd like to clarify the fact that it was because of tax breaks most recently allowed by the government of Ireland that the students, therefore, not in the '60s, not in the '70s, not in the '80s, but in the '90s were given these subsidies for postsecondary education, which is what has allowed them to have a workforce now that is highly competitive and an economy that is humming. They're not looking at a brain drain, but they're looking at a return. It is because the government in its wisdom gave tax considerations to companies and to corporations in order for them to have an economy that would provide for their peoples who cannot assist themselves, social programs that are of great assistance to the quality of life for those who need those social programs that are financed by those companies that are indeed looking to invest and wanting to continue to invest and grow in Alberta in our particular case.

The other thing that I would like to remind everyone of as we are looking at this amendment is to consider how we all – and I would say most of us here – enjoy the arts, we enjoy the opportunities that we have for festivals, and they are large corporations who very frequently are the sponsors for these community social events that are very often available to those who are in great need.

So when we are looking at this amendment here, I suggest we defeat it because these are the organizations and these are the companies and the corporations that I do believe are the ones that contribute to a society that looks after those who cannot help themselves.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. It's great to have some active debate this evening. I've listened carefully to all the comments on this proposed amendment, and I think I could challenge various things; for example, the comments from the Member for St. Albert pointing out the value of major corporations to the arts and then reflecting on comments earlier that the Calgary Philharmonic is bankrupt functioning in the centre of the biggest business

community in western Canada. But I won't go there too far. I think there is, in fact, an issue here of perception and a sense of fairness, and we all know that fairness and justice not only need to be done, but they need to be seen to be done. What I'm sensing here very clearly – and I share this concern – is that while we are proposing to give through Bill 25 a tax break to the largest and wealthiest corporations in this province – and it's one in a long series of tax breaks – we haven't shared that equivalent wealth or anything like it with some of the most needy members of our society.

We're all aware that the support for income rates hasn't gone up in close to 10 years now. We know how desperate the situation is for AISH recipients. We know that school fees are going up. The municipalities are desperate for infrastructure funding. Tuition fees at universities are rising far faster in Alberta than anywhere else in the country, far beyond the rate of inflation. We know that regional health authorities outside of Edmonton and Calgary are desperately trying to hang on. We know that the Lakeland regional health authority is on the brink of collapse because of inadequate funding.

So we have across this province a disparity, and I think that's what we're addressing here. I don't think we in this caucus, at least speaking for myself, are in principle opposed to a tax cut, but what I would like to see is a fairness in the distribution of the wealth. Our concern is that the track record of this government tilts very heavily in favour of the wealthy and the powerful and tilts very sharply away from the impoverished and the helpless. So that's the fundamental issue that's led to sparks this evening.

I would be much happier with Bill 25 if there were an adjoining bill or series of bills that did things like raised AISH rates or raised SFI rates or limited growth in tuition fees, and the fact that we aren't seeing that I think is an important symbol of where the loyalties and the interests of this government lie. They lie first and foremost with the corporate masters of this province.

With those comments I'm going to speak clearly in favour of this motion and congratulate the third party for bringing it forward. Thank you, Mr. Chairman.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 9:09 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Blakeman	Pannu	Taft
Bonner		

Against the motion:

Abbott	Fritz	Magnus
Ady	Goudreau	McClellan
Amery	Graham	McClelland
Boutilier	Griffiths	Melchin
Calahasen	Hancock	Oberg
Cao	Hlady	O'Neill
Cenaiko	Horner	Rathgeber
Danyluk	Jablonski	Stelmach
DeLong	Jacobs	Stevens
Doerksen	Johnson	Strang
Ducharme	Knight	VanderBurg
Dunford	Lord	Yankowsky

Totals:	For – 4	Against – 36
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[Motion on amendment A1 lost]

9:20

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Chairman. I just had one quick question. When the government looks at reducing the amount of money that it would be collecting – and it's anticipating reducing this income tax rate from 13.5 to 13 percent, so they're forgoing an additional .5 percent revenue – what are the performance measurements? What are the expectations of the Minister of Revenue, some measurement or target that he's looking to achieve with this additional half percent? What does he expect the outcome to be? What are the attainable targets that he's shooting for with this? If I can get that on the record, please.

MR. MELCHIN: It's been stated throughout, both in the throne speech, in the budget when it's come forward as an address, that this isn't the only tax cut. This has been the start of a sequence of reductions in corporate tax rates as affordable. This is a half percentage drop, or reduction, in the rate this year, and it still is the plan that we'll continue to reduce the rates, as affordable, over the next number of years. The combined package was an \$81 million tax cut to businesses, but we expect, as it has been previously also, that the economic activity in the province will increase, creating more investment opportunities here in the province, which leads to more jobs, which leads to more people having the opportunity to accomplish all the things that they would personally like to do in their lives.

It is part of the business plan performance measures of the Department of Revenue that we have the lowest tax loads, both personal and corporate, which we do have, and we want to continue to maintain and have that Alberta advantage. It is a very significant component to why the economy is strong in Alberta, so we'll continue in that direction.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. Didn't answer my question. If you're not going to be collecting \$81 million, then what exactly are you expecting to achieve? In not collecting the \$81 million, it's the same as giving the \$81 million to someone else. It is forgone revenue. What is your specific performance measurement for that \$81 million? You say that it's part of a larger issue and trickle down and yada, yada, yada, but how are you to know that this was a worthwhile effort unless you have some achievable performance measurements and targets in place? What specifically were you anticipating gaining for the people of Alberta from this half a percent or, if you wish to look at it another way, from this \$81 million? Get specific. What are you looking to gain? A year from now if I stand up and say, "What did you gain from this; what did you get for the \$81 million; what were you expecting specifically to achieve?" how can you measure how well you're doing if you don't set yourself performance measurements that you can measure against, some targets that you can achieve?

AN HON. MEMBER: We have business plans, good heavens.

MS BLAKEMAN: Well, fine. Good. What is it for the \$81 million then?

MR. MELCHIN: Our objective is to continue to position the province to be the best place to work, to invest, and to create jobs.

We all have an opportunity. By setting a climate where you have competitive tax rates, it will accomplish that. That's what has been the history already. As we've mentioned, already in our personal and corporate tax reductions as we've had thus far, we have not seen a drop in absolute dollars. I can't say specifically what will happen in this upcoming year, but I can say that that is the general trend. When you allow people to retain their money, to invest in the priorities of their own business, in their own personal expenditures, it does create more opportunity for everybody to attain their dreams.

So we want to be competitive, and that is part of the thresholds we will have: to be the lowest tax load for both corporate and personal. Those are our thresholds, and we want to look not just within Canada, but we are going to look throughout the world that we are a place that is attractive throughout the world for people to come and invest.

[The clauses of Bill 25 agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that the committee rise and report Bill 25.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration and reports Bill 25. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

MR. HANCOCK: Well, Mr. Speaker, this being the first day of the fall session and work having proceeded at such a great pace, I would move that we now adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 9:28 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, November 20, 2002** **1:30 p.m.**
 Date: 02/11/20
 [The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. Our divine Father, as we continue our work this day, we renew our thanks and ask that we may continue under Your guidance. Amen.

Please be seated.

head: Introduction of Guests

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you very much, Mr. Speaker. [some applause] Thank you for that thunderous applause.

Mr. Speaker, it's an absolute delight for me to rise today. As you know, the constituency of Edmonton-McClung produces some very interesting and wonderful things, not the least of which are the kids from Ormsby elementary school. They're here today with their teachers Mrs. Linda Vanjoff, Mr. Thomas Lock, Ms Tina Yonge, and they're all in the members' gallery. I'd ask them to rise and receive the warm welcome of the Assembly. Edmonton-McClung is great.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It's certainly my pleasure to rise today to introduce to you and through you to the members of the Assembly six great individuals from my constituency and probably known to quite a number of you. They are also on county council in Thorhild, and I'd like to introduce them. First, we have Henry Zolkewski, the reeve of the county; the deputy reeve, Lyle Kuzik; Nick Lazowski, councillor; Kevin Grumetza, councillor; William Kowal, councillor; and the county manager, Robyn Singleton. They're here for the AAMD and C convention and are here to observe us, so please welcome them.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. I'd like to introduce to you and to the members a constituent from High Level, Dianne Hunter. In fact, she's the CAO of the town of High Level. She's here today as part of the AAMD and C conference and a little later this afternoon a meeting with our Solicitor General. She's standing in the members' gallery, and I would like our members to give her the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. It's my great pleasure to introduce to the House through you 27 students representing St. Augustine school. They're accompanied by their teachers Miss Elana Siminton and Christine Wong and by parent helper Dina McMahon. We would ask them to please rise and accept the warm and gracious welcome of the House.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have the honour of introducing to you and to all members of the House today Ms Shirley Barg. She's vice-president of Athabasca University Students' Union and a member of the Council of Alberta University Students, an organization called CAUS. She along with all the members of the CAUS, close to a hundred thousand students, is trying to convince the government to reduce tuition fees. She's also among those students who are wondering why the government, on the one hand, is letting tuition fees go up while the government is actively engaged in cutting the corporate taxes in this province. I think Ms Barg is there, and I'll ask everyone to welcome her.

Thank you, Mr. Speaker.

head: Oral Question Period

Provincial Fiscal Policies

DR. NICOL: This government's priorities are really mixed up. Over the past three years millions of dollars in capital improvements on schools have been put on hold, and 135 schools are rated by this government as in poor condition. Meanwhile, this government continues to give handsome bonuses to its managers, with some bonuses as high as \$29,000, more than many Albertans earn in a single year. My question to the Premier: how can you justify nearly \$3 million in staff bonuses to employees of Alberta Infrastructure over the past three years while thousands of students are sitting in run-down schools?

MR. KLEIN: Mr. Speaker, I would like to point out that across Canada I believe that our senior public service employees, sad to say, are amongst the lowest paid. What we try to do, within a reasonable degree, is bring them into scope so as not to lose them to other jurisdictions and, indeed, the private sector. I would point out that many of our deputy ministers, certainly many, many of our assistant deputy ministers, earn far less than school superintendents.

THE SPEAKER: The hon. minister to supplement.

MR. LUND: Mr. Speaker, I think it's important to recognize that under the new century school program, which was started two years ago, there was some \$1.1 billion – \$1.1 billion – spent on schools.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you. Given that \$3 million could have provided 1,700 poor children with hot lunches every school day for three years, but instead it went to feed the bureaucracy, can the Premier tell us what his priority is: hungry children or bonuses for well-paid employees?

MR. KLEIN: Naturally we're concerned about hungry children, and we address the issues of poverty and certainly have programs in place to accommodate those who are truly in need in society, Mr. Speaker, and we'll continue to do that.

Relative to the salary issue, Mr. Speaker, I would remind the hon. leader of the Liberal Party that our senior public service employees had their salaries frozen for five years in a row, then took a 5 percent rollback. Right now they're in a catch-up phase, but, as I said previously, they are nowhere near what other senior public service employees get paid across this country, certainly absolutely nowhere near what they get paid in the private sector.

DR. NICOL: Given that \$3 million in bonuses were handed over to well-paid employees in just one government department over the

past three years, including one bonus of \$29,000, can the Premier explain why he can't toss a few crumbs to low-income Albertans who haven't seen a raise in 10 years?

MR. KLEIN: Mr. Speaker, low-income Albertans are receiving a lot more than a few crumbs. I point to AISH in particular, one of the programs that is unique in Canada. It's the policy of this government, as I stated yesterday, to provide a hand up rather than a handout and to accommodate those who truly need our help and to help those who are on welfare and are able to work to get off the welfare rolls and to find employment and to earn a living in a dignified manner.

DR. NICOL: Over the past five years this government has gotten fatter and fatter. It's abandoned any pretense of fiscal responsibility and restraint. The government's own numbers show that it is spending \$358 million more on salaries, wages, and benefits than it did five years ago, coincidentally the same amount needed by the Calgary board of education for deferred maintenance projects. Mr. Speaker, not only does this government have its priorities all mixed up, I'm afraid it's been seriously infected with a bad case of chronic wasting disease. My first question to the Premier: how can you justify spending nearly one-third more on government salaries and wages while Albertans are paying more user fees and receiving fewer services? Was the \$184 million increase in health premiums this year alone to pay for this bloated payroll?

MR. KLEIN: Mr. Speaker, I find it quite ironic and quite contradictory that the hon. member would be asking this particular question since it's the Liberal Party that consistently and constantly demands of this government to spend more for teachers, more for nurses, more for doctors, more for social workers, more, more, more, and when we provide reasonable salary increases, they complain. I don't know really where they're coming from. Do they want more for teachers, doctors, nurses, nurses aides, and other public service employees? They're constantly crying for more and more money. When we pay them more money, then they complain. I can't figure it.

1:40

DR. NICOL: Mr. Speaker, it has to do with good management. We would do it better.

How can the Premier justify a 26 percent increase in Executive Council salaries over the past three years and a 117 percent increase in deputy minister salaries, benefits, allowances since 1997 when schools are crumbling and SFI and AISH recipients have not received any increases?

MR. KLEIN: Mr. Speaker, as you know, relative to SFI and AISH that matter is under review, the result of the low-income review, and that situation will be addressed. We've heard from representatives of various groups representing people who are deemed to be in poverty, and we'll deal with that particular situation.

Relative to Executive Council salaries and the salaries of other public service employees, Mr. Speaker, what we try to do is make sure that, as best we possibly can, our salaries are in line with other jurisdictions. Unfortunately, we haven't been able to meet the salary allotments that are given in many other jurisdictions, but we try our hardest to do that. In other words, we try to treat people fairly, and that's what it's all about.

DR. NICOL: I ask you, Mr. Premier: when are you going to keep your promise to reduce the size of government and return to a smaller cabinet, reduce it from the 24 that you have?

MR. KLEIN: Mr. Speaker, 24 is not bad on a percentage basis considering the huge majority we have and the very measly minority they have.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Glengarry.

Heritage Savings Trust Fund

MR. BONNER: Thank you, Mr. Speaker. Today the Minister of Revenue announced that the heritage fund has suffered losses of \$1.3 billion in the first six months of this year. Another blow in a long line of attempts by this government to deplete the heritage fund is the most recent survey, with one trick question and three others that show that all this government wants is to spend, spend, spend the fund. My questions are to the Minister of Revenue. Why doesn't the survey on the future of the heritage fund provide Albertans with a meaningful opportunity to indicate that they want this fund saved for the future?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. I don't think we should ever apologize for consulting with Albertans. You know, there are four questions in that survey, and I'm glad that he's reminded. It's an opportunity to invite all Albertans to complete that by this Friday, which is the close date, November 22. Of the four questions, two come from the original mandate of the fund: that of a long-term endowment, which a portion of it has always been dedicated to and a portion quite likely will forever be dedicated to.

The other question: what to do with capital? Over \$3.5 billion has been invested in various projects like the Walter C. Mackenzie centre, the Tom Baker cancer centre, Kananaskis park, a variety of projects that benefit now and future Albertans.

The other two questions are a direct result of the Future Summit recommendations: that of sustainability – should that form part of it? – and should the debt be paid down? We're following up as a promise to Albertans through a public consultation to put their ideas forward so that Albertans can have the choice.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Why does this minister spend \$365,000 on a manipulative and meaningless survey instead of holding a referendum and getting meaningful direction from Albertans?

THE SPEAKER: The hon. minister.

MR. MELCHIN: Thank you, Mr. Speaker. On a fund that has such great value to Albertans, it is important that we do take time to not just survey but that we also give time to educate and inform and allow them to participate in the democratic process. This is very much part of it, and we're pleased to have it.

THE SPEAKER: The hon. member.

MR. BONNER: Thank you, Mr. Speaker. Given that the larger this government becomes, the more the heritage fund shrinks, how many ministries will it take to spend the heritage fund?

MR. MELCHIN: You know, the heritage fund, I must say at the outset, is here to stay. It's here to benefit not just current generations

but future generations of Albertans, and that's what the survey is about.

THE SPEAKER: The hon. leader of the third party.

Rural Health Services

DR. PANNU: Thank you, Mr. Speaker. Tory MLAs are in open revolt against this government's plans to close rural hospitals. The Lakeland health region, chaired by a former Tory cabinet minister, is refusing to do the government's dirty work by closing or downgrading rural hospitals in northeastern Alberta. Three cheers for him. Rural Albertans are furious with this government, and rightly so, especially when they know that this government is generous with tax cuts to big corporations that don't need a penny of their social welfare. My question now to the minister of health: why is the minister content to have as his legacy the closure or downgrading of public hospitals in rural communities?

MR. MAR: Well, Mr. Speaker, first of all, I think that the chairman of the regional health authority out in Lakeland would be most astonished to have the support of the hon. Member for Edmonton-Strathcona.

Let me say that we have a commitment to maintaining a level of services in rural Alberta that is sustainable. That sustainability must be not only for people that live in Calgary and Edmonton, but it must also exist for people that live in Hairy Hill, Two Hills, Pincher Creek, Red Earth Creek. Whether it's in Fort McMurray or Fort Macleod, Mr. Speaker, we have a commitment to maintaining our facilities in rural Alberta where they are required. There are and have been examples where facilities for any one of a number of reasons may have been converted to long-term care centres.

We, of course, have different ways of delivering health care throughout the province. We have teleradiology. We have telehealth. We have telepsychiatry. We have many ways of making sure that our administrative systems are as effective and as efficient as possible. But to make it clear, Mr. Speaker, our goal is to try and decentralize the delivery of services in health care. We are making better use of facilities that exist outside of Calgary and Edmonton, and there are outstanding facilities throughout rural Alberta, but the crux of the matter is that we are maintaining and in some cases able to improve delivery of health care in rural Alberta.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. I don't think the minister got Mr. Isley's message clear and loud.

How can the government insist that rural RHAs can operate on funding increases of 2 percent this year when their costs have increased closer to 6 percent?

MR. MAR: Mr. Speaker, there have been increases to regional health authorities. While it is true that some regional health authorities get a 2 percent increase, other regional health authorities have had up to a 7.8 percent increase, and the reason is that we fund on the basis of population. The more population you have, the greater your growth in population, the more funding attracts it. Also, our population funding formula recognizes that there are increases as a result of dealing with an older population, of dealing with a lower income population, of dealing with the aboriginal population, and our funding reflects that.

Now, it is correct, Mr. Speaker, that there are some regional health authorities that because their populations have either been stagnant

or in some cases have been decreasing, in those cases the funding increase that they get is less than in areas where the regional health authorities have experienced growth or an aging population. So one of the solutions that has been proposed and will be decided upon through the process of going through our standing policy committee, our caucus, and our cabinet is to determine how we will deal with these issues with smaller regional health authorities that may not be sustainable two, three, four, five years out.

1:50

DR. PANNU: Mr. Speaker, the minister is going to have a hard time selling his solution to rural Albertans.

My last question to him: does the minister agree with the Premier when the Premier insulted rural Albertans by describing their hospitals and health facilities as nothing more than local employment centres?

MR. ZWOZDESKY: Point of order.

MR. MAR: Two things, Mr. Speaker. First of all, what the hon. member said is patently untrue. Secondly, in answering his question about who has the interests of rural Albertans best in mind: the caucus that is represented in the government of Alberta. I can't name one NDP member from rural Alberta.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Gold Bar.

Automobile Insurance

MR. JOHNSON: Thank you, Mr. Speaker. Over the past months there has been a flurry of media coverage on automobile insurance in Alberta. These reports indicate that auto insurance premiums are on the rise and will continue to rise if something isn't done about it. Recently it was also announced that a large insurance company and two smaller auto insurers operating in Alberta would stop writing new auto insurance policies in the province. My questions are all to the Minister of Finance. My constituents would like to know what they can do if they are unable to find an insurer to cover their automobile.

THE SPEAKER: The hon. minister.

MRS. NELSON: Thank you, Mr. Speaker. It is unfortunate that there have been three corporations that have decided to not take on any new customers. That's a corporate decision they have made, but there are another 60-odd insurance companies that do underwrite auto insurance actively in the province of Alberta today. It is the law that you must carry automobile insurance in this province, and if any constituent is having difficulty, they should be aware that there is a facility corporation that is available if it's the last resort for them. So there is availability of auto insurance. If they're having difficulty finding it, they need to just phone the Insurance Bureau, and they will direct them to the appropriate facility.

MR. JOHNSON: In regard to rising premiums, my constituents would like to know what your ministry and the government are doing about this issue.

MRS. NELSON: Well, Mr. Speaker, I think all insurance companies are facing the difficult task of rationalizing the costs of claims that have gone through. Some of the payouts have been very, very large for catastrophic accidents, so as a result the premiums have gone up.

We've sort of tracked this a bit, and it looks like it's almost a 10-year cycle that insurance seems to go through. It peaks out and then levels off and goes for roughly eight to 10 years and then ramps up again. I think we're probably in that ramp-up cycle right now, which is making it difficult for all of us who do have to buy insurance because we are all seeing our own policies going up. It's part of the cycle. There's not really anything we can do. It's the cost of business, unfortunately.

MR. JOHNSON: Mr. Speaker, can the minister also take this opportunity to tell this House what effect the September 11 terrorist attacks in the United States has had on the insurance industry? Does the insurance industry cover acts of terrorism?

MRS. NELSON: Well, interestingly enough, I guess that if you look at your homeowner plan, there's a new statement on the plan this year that says that it does not cover acts of terrorism, which I don't think we had before, and it is now showing up. Acts of war and acts of terrorism are being identified as being exempt from the coverage of your personal policy. So that has been eliminated. I think that as a result of the devastation that did occur last year, a lot of insurance companies felt that they had to remove that coverage or the assumption of the coverage from their policies, so they're not included on most homeowner plans.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-Currie.

Manhattan Resources Ltd.

MR. MacDONALD: Thank you, Mr. Speaker. Hundreds of concerned citizens residing in the county of Strathcona have recently attended a series of public meetings regarding Manhattan Resources' proposal to drill six sour gas wells. It is my understanding from attending a meeting along with the hon. Member for Edmonton-Glengarry that companies must go through an intensive process of notification and consultation prior to obtaining a licence, and if this process is disregarded, then the consequences are severe. My first question is to the Minister of Energy. Why was public consultation in this matter not done in accordance with the standards of the EUB?

MR. SMITH: Well, Mr. Speaker, without taking the time of this House to correct the misinformation that the member, as usual, puts forth in his preamble, I will say to you that the matter is in front of the board. The Alberta Energy and Utilities Board is a quasi-judicial board in this province.

MR. MacDONALD: Again to the same minister, Mr. Speaker: how did Manhattan Resources receive approval for a sour gas battery prior to conducting the required public consultation?

MR. SMITH: Mr. Speaker, this member is trying to tear down the reputation of the Alberta Energy and Utilities Board, that is known to be one of the best if not the best regulating boards in the world today. Their information is clear, their information is transparent, and their regulations are available for everyone to follow.

MR. MacDONALD: Again, Mr. Speaker, to the same minister. Given that nearby residents were told that there would only be a potential for .01 percent, or 100 parts per million, H₂S and apparently landowners in the vicinity where the wells would be drilled were given documents that illustrate the true potential of H₂S at .66 percent, or 66 hundred parts per million, how can the minister

explain this inconsistency when he is the person that's in charge of the EUB?

MR. SMITH: Well, Mr. Speaker, the parts per million of intelligence required to ask that question is zero.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Centre.

Green Power Production

MR. LORD: Well, thank you, Mr. Speaker. Apparently more good news on the alternative energy and energy conservation front in Alberta. Two days ago the Alberta government, through Infrastructure, issued an RFP, a request for proposals, calling for a supplier or suppliers to provide the government with at least 25 percent of its electrical needs from alternative energy sources. Along with this announcement was a reference to an energy retrofit program which is apparently modifying Alberta government buildings. My first question is to the Minister of Infrastructure. Could the minister explain what the goals of the Alberta energy retrofit program are, specifically in terms of quantifying any taxpayer impacts on electrical bills as well as greenhouse gas emission impacts?

THE SPEAKER: The hon. minister.

MR. LUND: Thank you, Mr. Speaker. Of course, back in the mid-90s and in the early '90s this government had been talking about what we could do and what people could do to reduce consumption and therefore reduce the emissions. But, as usual, we in government want to back up our talk with action, so we developed a plan and a program whereby we looked at structures and determined what we needed to do to have a three-year payback period. Then we stepped forward after that program and looked at a five-year payback period.

2:00

We've found that by doing a lot of retrofitting in our buildings, whether that be putting in the more efficient furnaces, heat exchangers, changing to different types of lights, insulating buildings, putting in efficient windows, all of those kinds of things, that would reduce our need for and consumption of fossil fuels, and also we moved, then, into the vehicle area and looked at how we could reduce our consumption of fuels and, of course, the use of automobiles. It was quite interesting, because currently, today, we have completed the five years. As a matter of fact, in this very building we were working on this retrofit this summer, but we have now pretty well completed the five-year cycle. We have now reduced our emissions to 22 percent below the 1990 levels, and by the year 2005 we'll be down to 26 percent below, and we'll see a savings of about \$5 million annually on our utility bills simply through this retrofit program. So if you take that over a 20-year period, you suddenly see that there's about a hundred million dollar value in this program that simply reduced consumption.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. Again to the Minister of Infrastructure. Now, since green power is not subject to depleting reserves or fluctuating world prices of oil and gas, does the minister anticipate that having the government acquire a green energy supplier might in fact help stabilize government budgets going forward, or does green energy supply come with large risks attached as well?

MR. LUND: Mr. Speaker, there are, of course, a number of projects and ways that green power can be produced, ranging from biomass cogeneration, some hydro and, of course, wind energy. The fact is that when the hon. member talks about stabilization of budget, we are in the RFP asking for a longer term contract, so that would help stabilize the budget.

However, I must point out that there are some other benefits that we will be very interested in, and those relate to: how can you help the environment with the purchase of green power? So we'll be looking for what the purchase of this green power does to reduce emissions that are pollutants, not just the CO₂ and things like methane but other things that could be considered pollutants; for example, a particulate or SO₂ or nitrogen oxide, those kinds of things that could be health hazards.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. My last question is to the Minister of Energy. I'm wondering whether the Minister of Energy could confirm whether or not electricity deregulation in Alberta, which has been criticized in some quarters, has had any effect on the development and business viability of green power production in our province, especially as compared to other provinces which have not deregulated.

THE SPEAKER: The hon. minister.

MR. SMITH: Well, thank you, Mr. Speaker. The answers to those questions are yes, yes, and yes. The benefit of deregulation allows many optional forms of power to come onstream, and we've seen that with coal-fired natural gas generators. We've seen that with biomass projects. We've seen that with windmills. In fact, with the recent announcement of Fort Macleod and the McBride area – once that's finished, we will be the number one wind province in Canada. We'll have surpassed Quebec. We will have done all this, of course, without any taxpayer investment put towards this type of product. The market is making the decision about the benefits of wind power to local industry in southern Alberta and, of course, the benefits to the electricity grid in the province.

HIV/AIDS Risk in Prison System

MS BLAKEMAN: Mr. Speaker, a recent study by the Canadian HIV/AIDS Legal Network has Alberta ranked second to last in a harm reduction rating for preventing the spread of HIV and hep C in our prisons. Prisoners do not have access to the most basic HIV prevention methods that are available outside prison. In Alberta people are not just receiving a jail sentence but potentially a death sentence. My questions are to the Solicitor General. Why has the department chosen not to protect inmates from HIV and hep C?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. The hon. member is referring to a report that has just crossed my desk. I can tell you that Alberta is very conscientious about the HIV and AIDS in our prisons. We are protecting our correction officers; we are protecting our prisoners, but I can tell you that in this province the one thing we are not going to be doing in our young offender centres is handing out condoms to our young offenders.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Has the department done a cost-benefit analysis which leads them to believe that it's cheaper to pay for years of hospitalization and drug therapy than to buy a bottle of bleach and some needles?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. The Alberta government is very conscientious about what's going on in our prisons. I can tell you the one thing that this government will be doing. We will not be handing out needles and bleach in our prisons. I have to be concerned about my correction officers and the damages that can be done to them by bad needles. I don't believe that we should be promoting drug abuse in our prisons. I will tell you what we will do though. We will promote drug and alcohol education, and we will also provide them a methadone program if the medical officer on duty deems it fit.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Has the minister considered the government's liability when prisoners under their care get HIV or hep C in prison and are then released into the general public? You are not protecting the spread of this.

MRS. FORSYTH: Mr. Speaker, it's a known fact, believe it or not, that sex does occur in our prisons whether we agree with it or not, but I can tell you that we in Alberta are not going to be promoting sex in our jails.

THE SPEAKER: The hon. Member for Calgary-East, followed by the hon. Member for Edmonton-Mill Woods.

Seniors' Benefits

MR. AMERY: Thank you, Mr. Speaker. The average total income for an Alberta senior in constant dollars for the year 1994 was \$24,398. In the year 2000 that average dropped to \$23,146 using the same constant dollars. We have many seniors on fixed incomes who have lost health benefits over the years. Their food, their shelter, their utilities, their property taxes have all gone up considerably. They are suffering financially. To the Minister of Seniors: what is the Minister of Seniors doing to help those seniors meet at least their basic needs?

THE SPEAKER: The hon. minister.

MR. WOLOSHYN: Thank you, Mr. Speaker. The mandate of the Ministry of Seniors is to ensure that seniors in this province are well looked after. We focused our resources on the seniors most in need. As a result of that, we have two financial support programs, one being the Alberta seniors' benefits program, which supplements income. We currently have a large number of people on that. The other is a special-needs assistance program which provides a lump sum payment of a maximum of \$5,000 for seniors who run into extraordinary financial circumstances. These people who qualify for special needs have to already be on the seniors' benefit, because they are at the bottom end of it. In addition, the special needs this year has expanded its coverage to the people on the seniors' benefits program with respect to some dental and optical needs because the extended health program had been terminated in Health this past March.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker, and I thank the minister for his answer. Seniors are aware of these benefits and these programs.

Since seniors have expressed concerns about the future of these and other financial benefits available to them, what is your ministry doing to compensate them for the loss of their buying power and to ensure that their current benefits are maintained and benefits for future seniors will be there when they need them?

2:10

MR. WOLOSHTYN: That question is one that the ministry has been reviewing and reviewing and reviewing. What we would like to do would be to introduce some sort of a cost-of-living increase, but due to current financial circumstances within government as a whole, we can't cover the current budget, if you will, let alone increase it, but that would be one of our hopes. The other is we're conducting an internal review of the threshold to see if it is appropriate, but I would like to say, though, that about half the seniors in this province do not pay health care premiums. They only pay a portion or are totally excluded from them.

THE SPEAKER: The hon. member.

MR. AMERY: Thank you, Mr. Speaker. Given that there are huge concerns among seniors about the future of the Blue Cross prescription coverage for seniors, could the minister advise the House and the Alberta seniors if there are any changes on the horizon for the Alberta Blue Cross coverage?

MR. WOLOSHTYN: Mr. Speaker, as Minister of Seniors I do not support further reductions in any seniors' programs. I have also been a recipient of correspondence with this concern, which refers specifically to the Blue Cross program. At this point in time I have not been made aware of any effort to reduce that.

The ministry responsible is Health and Wellness, and if the minister so chooses, he may supplement my answer.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Highlands.

Funding for Postsecondary Education

DR. MASSEY: Thank you, Mr. Speaker. Tuition in Alberta has increased 208 percent. While some countries are committed to fully accessible postsecondary education by not charging students any tuition, we now have proposals on the table for even more expensive differential fees. My first question is to the Minister of Learning. What is the government doing to combat the sticker price shock that scares students from low-income families away from postsecondary schools?

DR. OBERG: Well, thank you very much for that question. I will address one of the points that was given in the preamble, and that was the whole idea about the countries who do not charge any tuition. Mr. Speaker, in countries such as Australia they attempted to have a no-tuition policy, and very quickly what they found is that the demographics of the population attending university did not change in the least, so what they have subsequently done is gone back to charging tuition.

Mr. Speaker, the other issue that he brought up was the whole idea of what we are doing about the sticker shock, and I will say that that is an excellent question, because that is one of the issues that is out

there for the students. They see the price; they don't necessarily see the benefit. I think that for anyone who has ever set up a small business, in order to come out of university after four years with an average of around \$17,000 in debt and be essentially – essentially – guaranteed a job, that's a great investment.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you, Mr. Speaker. My second question is to the minister of municipalities. Given that student residences are charged property taxes, will the Municipal Government Act be changed to eliminate that tax, thereby helping reduce rents for low-income students?

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. Obviously, I want to say that the housing for students today, the work that is being done – we're looking at reviewing the Municipal Government Act, but as you know, the Municipal Government Act of Alberta is one of the leading pieces of government legislation in all of Canada and is certainly recognized that way. What we are contemplating when we open up amendments are all of our options.

DR. MASSEY: Thanks for nothing.

My third question is to the Minister of Learning. How can the government's underfunding of universities do anything but force a two-tier system, one for the rich and one for everyone else?

THE SPEAKER: The hon. minister.

DR. OBERG: Well, thank you, Mr. Speaker. I guess there are about two or three different ways that I can answer that. First of all, what I will mention are the student finance programs that we have. Presently in Alberta we have excellent student finance programs, where if a student cannot afford to go to school, they can take out student loans up to the tune of around 10 and a half thousand dollars per year and pay back about \$5,000 per year. So, basically, they've received \$5,500 free for doing that from the government of Alberta, from the people of Alberta.

The second point that I wanted to make on tuition fees: the supposed gospel according to *Maclean's*, which came out last week, showed that the University of Alberta was, actually, number 29 when it came to tuition and fees; the University of Calgary was number 31; and the University of Lethbridge was number 38. Keeping that in mind, Mr. Speaker, what you also saw in the same appraisal of what was happening on the university scene in Canada is that the University of Calgary was number 4 for funding, for operating budget, and number 5 was the University of Alberta. So what you see is high operating budgets and lower than average tuition in Alberta. That's a pretty good deal for students of Alberta.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Innisfail-Sylvan Lake.

Carbon Dioxide Emissions

MR. MASON: Thanks very much, Mr. Speaker. Yesterday the government claimed that CO₂ emissions are a natural resource and, therefore, constitutionally, belong to Alberta. Now, if this position is upheld, then the New Democrats will certainly want to nationalize the Minister of Energy. What's more likely, however, is that Alberta's ridiculous position will be laughed out of court. To the

Minister of Environment: will the minister table in this Assembly any legal opinions the government has obtained that support the proposition that CO₂ emitted by coal-fired power plants, SUVs, and, yes, even people breathing is a natural resource under the Constitution of Canada?

DR. TAYLOR: Well, let me clearly give you an example of how CO₂ is a natural resource. We are presently working with the government of Saskatchewan. We're working with EnCana Energy and pumping CO₂ out of North Dakota into southern Saskatchewan to help in the recovery of oil. It goes down into the ground and helps the recovery of oil, so CO₂ is very clearly a natural resource that has an economic benefit to it.

MR. MASON: Well, Mr. Speaker, if CO₂ is indeed a natural resource, will the government commit to capturing most or all of the CO₂ emitted in Alberta and then obtain the best possible price for it on international markets?

DR. TAYLOR: Well, I'd like to thank that member for such a fine question. If he's read our plan and understands what we're trying to do in our greenhouse gas reduction plan, one of the issues we have in Alberta is that we have two sources, Mr. Speaker, that are producing over 50 percent of our greenhouse gases, 50 to 55 percent. Those two sources are the oil industry and coal-fired power plants. Now, as we spend money through the Minister of Innovation and Science's budget on research to separate the streams so we can separate the NO_x, the SO_x, and the particulate matter from CO₂ and get a clear and pure stream of CO₂ – we can collect it at these major sources – yes, as we go forward, we would like to see a pipeline in Alberta that is specifically for CO₂, that can be utilized in economic recovery and stored underground.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. The minister has anticipated my third question, which I'll ask anyway. Can the minister please tell Albertans what plan the government has for value-added manufacturing for this wonderful new resource industry? Or are they just going to build a pipeline and ship it all to the U.S.?

DR. TAYLOR: Since I've already answered his question, you know, there's no reason for me to answer it again, Mr. Speaker.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Edmonton-Riverview.

Ticketing by Special Constables

MR. OUELLETTE: Thank you, Mr. Speaker. Through discussions with local municipalities it's been brought to my attention that the overall policy of police patrols along primary highways has been altered. Specifically, the town of Penhold has been advised that the town can no longer ticket traffic violations through the town of Penhold along highway 2A, even though Penhold school is adjacent to highway 2A and the majority of students must cross 2A multiple times each day. My questions today are to the Solicitor General. Is it true that the Department of the Solicitor General has stated that special constables can no longer ticket on primary highways, including those highways that run through municipalities?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. I'd like to say that, first of all, special constables have never had the authority to ticket on primary highways – never. They have the authority to ticket on secondary highways, but when secondary highways were changed to primary highways from Alberta Transportation, we agreed to allow that to happen till after the policing review.

Mr. Speaker, I appreciate the hon. member's frustration, but my number one priority in my department is to ensure that the highways are safely manned by fully trained and qualified officers and that the residents in that area receive effective and adequate policing. Special constables do not have the same training and qualifications as police officers. Special constables are also not paid at the same level as fully qualified police officers. While this makes it a little more affordable for jurisdictions, they are not qualified to perform all of the duties of a police officer, including enforcement of the Highway Traffic Act on primary highways.

2:20

MR. OUELLETTE: I don't know. Maybe I'm wrong here, but I thought that 2A always was a primary highway.

What is the hon. minister doing to address concerns of local residents that the RCMP feel that the local detachment will not be able to provide the level of service on this highway that the community has been accustomed to?

MRS. FORSYTH: The member is correct: highway 2A is a primary highway, and the responsibility is that of the RCMP. I understand his frustration. We have called the assistant commissioner of the RCMP. We have said to him: your responsibility is to man that particular highway. My understanding is that the assistant commissioner of K Division is meeting with the town of Penhold's staff sergeant this week.

MR. OUELLETTE: So can you tell me, then, hon. minister: are you going to refund all the money that's been ticketed by these constables in the past?

MRS. FORSYTH: It's been brought to our attention by the hon. member, and he can bring it back to our attention at any time.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

Impact of Climate Change on Health

DR. TAFT: Thank you, Mr. Speaker. It's come to public attention in the last few days that there's been a surge in deaths in Ontario from the West Nile virus, which is carried by mosquitoes which are spreading into Canada from the south as a result of climate change. As well, we have a medical officer of health, Dr. David Swann, fired from his job for expressing professional concern over the health impact of climate change. My questions are to the Minister of Health and Wellness. Does the minister have plans to amend regulations to protect the job security of medical officers of health?

MR. MAR: Mr. Speaker, regional health authorities throughout the province have looked at the issue involving Dr. Swann. In fact, the relevant health authority, in this case Palliser, had also looked at its practice with respect to how it had dealt with Dr. Swann. It made every effort to bring Dr. Swann back. There were a number of comments that he made on the conditions upon which he would return to being the medical officer for Palliser. I understand that the board made that offer. Dr. Swann has now decided to go to Iraq instead and practise his profession in Iraq. Each regional health

authority has looked at this particular issue, and I think that they are dealing with it appropriately.

DR. TAFT: I'd say that in short, then, there are no plans to protect the job security of medical officers of health.

My second question is to the same minister. Has any attempt been made by the government to measure the health impact of climate change on Albertans?

MR. MAR: I think that the Minister of Environment is well on this particular file, Mr. Speaker. We do co-ordinate with work that is being done out of his department. Our focus has really been on things that are much more closely associated with issues related to health care. We are more concerned about ensuring, for example, that people get the highest level of cardiac care in this province. We made an outstanding announcement today about our continued support for a cardiac centre here in the city of Edmonton. That is more meritorious of our consideration than the issue raised by the hon. member.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. Given that earlier this year the Minister of Energy said that if climate change affected the health of one child, he would recommend against resisting Kyoto, will the Minister of Health and Wellness or the Minister of Environment ensure that the health effects of climate change are made a priority in this government's climate change plans?

MR. MAR: Mr. Speaker, again, I think this is a different way of asking the same question. I have complete confidence in the ability of the Minister of Environment to deal with these issues and that we will co-ordinate. The Minister of Environment has the issue well in hand. If he were to come to me and suggest that there is credible evidence that it is a health issue, then, yes, I would bring it forward.

THE SPEAKER: The minister to supplement.

DR. TAYLOR: I'd just like to clarify this kind of misinformation that the Liberals and the federal Liberals continue to put out. They assume that the brown smog, which is causing health conditions, is an issue covered under Kyoto. [interjection] The only brown smog we have in here is from you, Dr. Taft.

As we go forward, Mr. Speaker, it's quite clear that Kyoto is about greenhouse gases, 98 and a half percent of which is carbon dioxide. Carbon dioxide is not a pollutant.

THE SPEAKER: Hon. members, before we proceed to Recognitions, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Speaker. It's my honour today to introduce to you and through you to members of this Assembly 14 students from St. Albert Catholic high school who are here in the public gallery today. They are accompanied by their teacher Mrs. Tamie Bentz and by the student teacher who is with them this week, Ms Sophy Norng. I would ask them all to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you very much, Mr. Speaker. Today I have the great pleasure of introducing on behalf of my colleague from Sherwood Park 51 important people who are from the Woodbridge Farms elementary school. They are here with their teachers and group leaders Mrs. Busch, Ms Ackerman, Mrs. Setchell, and parent helpers Mrs. Robinson, Mrs. Joly, Mrs. Bourque, Mrs. Field, and Mrs. Schaffler. They are seated in the members' gallery, and I'd ask that they stand and receive the warm welcome of the Legislature.

head: **Recognitions**

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

Lud Prudek
Stan Price
James Helm

MR. MARZ: Thank you, Mr. Speaker. This year's inductees into the Agriculture Hall of Fame were recognized for pioneering work in crop and livestock industry research and development. In addition to these achievements, each inductee has been a key individual in the creation of industry associations and actively involved in communication and development in their area.

Lud Prudek from Bow Island is recognized for his leadership role in initiating and developing dry bean pulse crops into a hundred million dollar Canadian industry. He also made significant contributions to other specialty crops and pioneered gated pipe irrigation.

Stan Price from Acme led the development of vertically integrated food production from farmer to consumer and is the founder of the Sunterra markets retail chain. Stan pioneered the development of modern hog market production practices, promoted the need for national grading standards and development of value-added processing.

Dr. James Helm's work in the area of feed grain development led to the creation of 23 new varieties of barley and triticale, establishing Alberta's Field Crop Development Centre in Lacombe as a worldwide leader in scientific excellence, productivity, and innovation in cereal breeding programs. He's also recognized for his significant contribution to the development of the Canada/Alberta barley agreement.

I know that all members of this Assembly will join me in recognizing these outstanding Albertans and their outstanding achievements and congratulate them on their induction to the Alberta Agriculture Hall of Fame.

2:30

THE SPEAKER: As the hon. member violated the one-minute rule, I will not be calling on him for a second recognition.

The hon. Member for Lac La Biche-St. Paul.

Tom Maccagno

MR. DANYLUK: Thank you very much, Mr. Speaker. I am honoured to recognize Mr. Tom Maccagno from the Lac La Biche-St. Paul constituency, who was recently presented with the very prestigious Canada's recreation fisheries award. Tom Maccagno has been actively dedicated to fishery resources in Alberta for over the past 30 years. He has played an instrumental role in the education of people across the country on the importance of a balanced fish habitat and the preservation of their populations. Tom was involved in the establishment of the provincial walleye and pike task forces

and has been a frequent spokesman on behalf of fisheries and fish habitat. He can also be credited with the act of support and involvement in the development of the Alexander Hamilton park, which is a fish enhancement project in Lac La Biche.

Each year the Minister of Fisheries and Oceans Canada honours five deserving individuals or organizations for their contribution to the conservation, restoration, and enhancement of Canada's recreational fisheries and their habitat. Mr. Maccagno was one of these fine recipients, and I would like you to join me in congratulating this dedicated Albertan for his accomplishments.

Thank you.

National Child Day

DR. MASSEY: Today is National Child Day. The theme this year is: A World Fit for Children. This theme grows out of the commitments made at the 2002 United Nations Special Session on Children. Making the world fit for children requires a comprehensive, affordable, and accessible education system.

In Alberta we've made little progress. At the postsecondary level our efforts are a national embarrassment. Many European countries like Denmark, France, Germany, Norway, and Sweden ensure an accessible system by not charging tuition fees. Our record is dismal. Declining government support has resulted in tuition covering more and more of postsecondary schools' operating costs. The withdrawal of government funding has seriously limited accessibility for lower- and middle-income families. High-income families were two and a half times more likely as those from low-income families to have attended university in 1998. One can only surmise that the increases have made the problem worse.

On this National Child Day we should be assuring youth from low-income families that qualifying students will find our institutions accessible and affordable.

Count of Homeless Persons

MS BLAKEMAN: On October 23 I participated in the fifth Count of Homeless Persons in Edmonton organized by the Edmonton Joint Planning Committee on Housing. Teams of volunteers surveyed people at drop-in centres, libraries, bottle depots, and in certain areas on the street and in the river valley. Organizers commented on how many people had expressed an interest in the homeless situation and had come out to help. As a result, the count was able to take in areas of Whyte Avenue, downtown, Stony Plain Road, Boyle/McCauley, and near the Skyreach Centre. The results of the count will be announced this Friday, November 22, as part of National Housing Day and are expected to help identify the magnitude of the problem and what changes, if any, have occurred since the last count.

I'm looking to this government to react to this count with concrete plans and targets to reduce homelessness and increase the stock of affordable accommodations. With matching money available from the feds, this province is able to do more. Buying more flop mats is not a long-term solution.

Thank you.

THE SPEAKER: The hon. Member for St. Albert.

McHappy Day

MRS. O'NEILL: Thank you, Mr. Speaker. Today marks the 13th McHappy Day in McDonald's Canada history. Since 1977 more than \$16 million for Ronald McDonald children's charities across Canada has been raised with one simple objective: to help children in need. This year McHappy Day is being held in Canada in support

of World Children's Day, representing an unprecedented worldwide effort to benefit children in need everywhere.

This morning I was invited by Dola Ritter to join the team at St. Albert's downtown McDonald's restaurant in helping to raise funds for three specific projects in our communities. First of all, the Ronald McDonald House is raising funds for an expansion to the house. As Edmonton has become a major pediatric treatment centre, the house has become very busy and waiting lists are commonplace. The Stollery Children's Health Foundation is raising funds for the Cochrane Collaboration. The focus is to build an on-line resource library available worldwide. The Juvenile Diabetes Foundation is also benefiting.

National Child Day

MRS. JABLONSKI: Mr. Speaker, today 350 children and youth gathered at the Winspear Centre in Edmonton to celebrate National Child Day. We celebrated the United Nations Rights of the Child, that demands nourishment and protection for all children everywhere. Eleven-year-old Camille Holland sang the national anthem with the voice of an angel, accompanied by students of the Suzuki charter school. The Kokopelli Youth Choir sang with rhythm that energized the atmosphere. The City Centre Education Project Band played *Song of the Serengeti*, and I heard the wind rustling through the trees and the animals grazing in the grass. A presentation on freedom of expression by a group known as Youth One proved to me that our children and youth, of which we have 840,000, making us the youngest population of all the provinces, are growing strong and healthy in this province.

But, Mr. Speaker, there are some children who are not growing strong and healthy in this province, and it is time that we as a society change our weak words and meaningless platitudes into actions that truly protect our children. Demand from the good people of Canada that we raise the age of consent from 14 to 16. Demand that child pornography not be accepted as art, and demand that child poverty be eliminated. Then and only then can we truly celebrate National Child Day.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thanks, Mr. Speaker. I am pleased to rise today to present a petition signed by 77 Albertans in my constituency petitioning the Legislative Assembly to urge the government to deinsure abortion.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 83 Albertans urging the government to "not delist services, raise health care premiums, introduce user fees or further privatize health care."

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. I have a petition here today approved for presentation by Parliamentary Counsel signed by 40 Albertans regarding the deinsuring of abortion.

head: **Notices of Motions**

THE SPEAKER: On a Standing Order 30 application, the hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I rise today to give notice that later on this afternoon I plan to make a motion under Standing Order 30, and I await your further direction.

Thank you.

THE SPEAKER: Hon. member, did you have a second one? Standing Order 40?

MR. MacDONALD: Yes, I certainly do, Mr. Speaker. I would like again, and following your direction, to propose a motion, this time in regard to the democratic deficit that exists in this province, at the time instructed from the Speaker's chair.

Thank you.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Environment.

Bill 33

North Red Deer Water Authorization Act

DR. TAYLOR: Thank you, Mr. Speaker. Once again I am pleased to introduce some groundbreaking legislation. It's called Bill 33, the North Red Deer Water Authorization Act.

Mr. Speaker, ensuring a healthy and adequate and sustainable drinking water supply for all Albertans is important for this government; in fact, a top priority. And that's what this act does. When passed by this Assembly, this legislation will ensure safe drinking water to Lacombe, Ponoka, Blackfalds, Red Deer, and the First Nations community at Hobbema. This is a community-led solution, community-led direction, and I think it's going to be excellent legislation, so I'm pleased to introduce it.

[Motion carried; Bill 33 read a first time]

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. As was mentioned in this House, the Association of Municipal Districts and Counties is meeting this weekend. I'd like to table today the requisite number of copies of a resolution that was endorsed by the entire association that was initiated by the central Association of Municipal Districts and Counties, where it briefly says that: the AAMD and C relative to the Kyoto resolution support the province's position on Kyoto, urging the government of Canada to delay any vote on the ratification until a workable implementation plan is in place consulting all provinces.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a letter from Edmonton's mayor and city council supporting Bill 212, the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2002, which will be introduced as Bill 206 in the spring 2003 session. This legislation would allow police officers to seize vehicles or provide an alternative measures program for offenders involved in

prostitution-related offences in an effort to reduce the negative effects of street prostitution in Alberta's communities.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

2:40

MR. MARZ: Thank you, Mr. Speaker. Today I have two tablings. The first is 36 letters from constituents asking that the abortion procedure that is currently paid for by Alberta Health be deinsured.

The second is a letter encouraging the government to officially confirm square dancing as the official folk dance of Alberta, and that is followed by 131 signatories.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I'd like to table five copies of a letter from a constituent in support of ratifying the Kyoto accord. They make note that "the actions of the Alberta government on the Kyoto Protocol constitute a violation of Alberta's membership in this international community."

Thank you.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to table the appropriate number of copies of a letter sent to me by Mr. Chad Axling of St. Albert requesting the designation of the Bighorn wildland recreation area as a wildland park, using the original 1986 boundaries.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have two tablings today. My first tabling is a letter from the municipal district of Northern Lights No. 22 addressed to the Minister of Health and Wellness expressing their deep concern over the Peace health region board's decision to cut active care beds in Grimshaw and to reduce preventative health services in their municipality.

Mr. Speaker, the second tabling is a document from the Lakeland regional health authority pointing out the Minister of Health and Wellness's high-handed approach to health care. It also accuses the provincial government of downloading the ambulance operational costs to municipalities.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise at this time to table five copies of a document. It's a program called: A Celebration and Reflection of 100 years of Quality Craftsmanship. It's the program to celebrate the 100th anniversary of the United Brotherhood of Carpenters & Joiners in Alberta. They have existed in this province since 1902 and helped, as a matter of fact, in the construction of this very Assembly. There are notices of congratulations in here from the Governor General, the Prime Minister and, certainly, the Premier of Alberta. It is noteworthy that this organization has celebrated its 100th anniversary and looks forward to contributing to the prosperity of this province for another 100 years.

Thank you.

THE SPEAKER: Hon. members, before proceeding, then, to Orders of the Day, we have some parliamentary business to attend to. If I understand this correctly, we have a point of order that was raised by

the hon. Deputy Government House Leader, a point of order raised by the hon. Member for Edmonton-Strathcona, we have a point of privilege to deal with that stems from yesterday, and we have a Standing Order 30 application and a Standing Order 40 application from the hon. Member for Edmonton-Gold Bar. So let's proceed in this way: first of all, the point of order presented by the Hon. Deputy Government House Leader.

Point of Order Allegations against a Member

MR. ZWOZDESKY: Thank you. Mr. Speaker, I rise pursuant to Standing Orders 23(h), (i), and (j). Under 23(h), as we will all know, it is improper for a member in this House to make allegations against another member. Under 23(i) it's improper, also, to impute a false or unavowed motive to another member, and under 23(j) it's improper to use the kind of language that might create disorder.

Now, having said that, it's my recollection, Mr. Speaker, that during the heat, the cut and thrust, as they say, of debate, as part of his preamble to a question to the hon. minister of health the hon. Member for Edmonton-Strathcona, that being the leader of the ND opposition, indicated words that he avowed, which are not true, toward the Premier. I don't have the Blues. I've requested them, but they haven't been prepared yet. But I believe the hon. Member for Edmonton-Strathcona gave an indication that he'd somewhere thought he heard, saw, or read that our Premier had indicated something to the effect that rural hospitals are nothing more than local employment centres or words to that effect. I know that's not true, and I think that everyone else here knows that's not true, so I would simply ask in the spirit of the understanding of this House that the hon. Member for Edmonton-Strathcona kindly do the honourable thing and simply withdraw the remark since it's clearly not true. It's clearly false, and it obviously has been used in some very purported and totally out-of-context way, even though, I stress, I know it's not true. So I will give the hon. Member for Edmonton-Strathcona the opportunity to please withdraw that comment.

Thank you.

THE SPEAKER: Hon. Member for Edmonton-Highlands, you're participating in this?

MR. MASON: Yes. Thank you, Mr. Speaker. To respond to the assistant Government House Leader's point of order, I have here the words attributed to the hon. leader of the third party, the Member for Edmonton-Strathcona, that are in fact correct, and I would beg to indicate the two articles from the *Edmonton Journal* in which the Premier was quoted. Here on the 17th of November the Premier was quoted as saying that "hospitals do employ people, but they do not survive, they do not exist, to accommodate employment." The next day, on the 18th of November, the Premier's comment was:

Our government and our party have to keep in mind that the health system does not exist primarily as an employment agency or a local economic tool, said Klein. That's the message I'm trying to get out there today. It's going to affect us all and it's going to take some courage.

So, Mr. Speaker, while the Member for Edmonton-Strathcona may have exaggerated slightly the meaning of the Premier, it is clear that the Premier has made similar comments, and I have not seen any attempt on the part of the Premier to correct this reporting through letters to the editor or otherwise.

THE SPEAKER: Hon. Member for Edmonton-Strathcona, is this on a similar point of order? You also indicated that you wanted to raise a point of order. Are we talking about the same subject matter? I'd

like to bring them all together if I can. If not, I'll deal with these two points of order separately.

DR. PANNU: Yes, Mr. Speaker. I heard the Premier utter a word or two while I was raising the question. He called: it's a lie. Then I heard the Minister of Finance say something to the effect: you're a liar. It's a serious matter.

My point of order is intended to draw attention to the use of these words, which I hope you will consider as unparliamentary. *Beauchesne* 485 under Unparliamentary Language does require the members of the Assembly to be careful in the use of words and certainly not use the words "you're a liar" in addressing other members or what other members say.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Deputy Government House Leader on this point of order. Now, I've put the two of them together. We'll deal with them both.

MR. ZWOZDESKY: I wanted to deal with the first one first. If you'll allow it, I'll do that, and then we'll talk about the second one.

THE SPEAKER: Yes.

2:50

MR. ZWOZDESKY: Okay. Thanks. I appreciate the Member for Edmonton-Highlands raising the point that he just raised, and I am aware of what was in the particular paper as referenced, even though I know that we don't like to get into those things. I think that if the member reads the entire quote and puts it into context, the intention there was simply to say that hospitals, of course, do employ people and they certainly do not exist only for that purpose, because it goes on to say that they exist for "people who are sick and injured," to accommodate those people. So if you read it all in context, I think that clears that matter up.

With respect to things that may have been said across the bow that probably aren't in *Hansard*, I believe the hon. Minister of Finance has a statement to make.

MRS. NELSON: Mr. Speaker, I did use the words: the hon. member told a lie. I should not have done that. I should have said: made an untrue statement. So I would like to retract "lie" but put in "untrue statement."

THE SPEAKER: Anybody else want to participate in these two very important points of order?

Well, thank you very much for that. Here is what was said. The hon. Member for Edmonton-Strathcona:

Mr. Speaker, the minister is going to have a hard time selling his solution to rural Albertans.

My last question to him: does the minister agree with the Premier when the Premier insulted rural Albertans by describing their hospitals and health facilities as nothing more than local employment centres?

Then the hon. Minister of Health and Wellness:

Well, first of all, two things, Mr. Speaker. What the hon. member said is patently untrue. And secondly, in answering his question about who has the interests of rural Albertans best in mind: the caucus that is represented in the government of Alberta. I can't name one NDP member from rural Alberta.

Well, let's just deal with some of these things. First of all, thank you very much, hon. Minister of Finance. Her remarks were not picked up in *Hansard*, at least definable to her, so she has come clean by admitting in the House that she was responsible for them.

That's the honourable thing to do. That is the honourable thing to do.

Secondly, the hon. Member for Edmonton-Strathcona violated the rule of this House about preambles by including a preamble on the last question, which was, of course, a no-no, which, of course, then gets other people excited. The question itself, you know, is rather arguable in terms of:

My last question to him: does the minister agree with the Premier when the Premier insulted rural Albertans by describing their hospitals and health facilities as nothing more than local employment centres?

Okay. It could be argued that it might be out of order because it doesn't really deal with government policy. What it does is attempt to get personal views and opinions. Then the response from the hon. Minister of Health and Wellness: "What the hon. member said is patently untrue." It didn't call him a liar, but there's an oblique way of basically saying the same thing.

I guess the whole point of this is that we arrive in this place and we do get excited and we do get moved, and strict adherence to all of the rules would have ruled out the question and probably ruled out the answer and would have forced another intervention from the Speaker, which meant that, really, question period would not become very interesting to too many people other than the Speaker, who would say that this is really boring. Hon. members like the flow and the back and forth, but I think that if we temper it with decent language and if we temper it with overall understanding and the whole thing, we'll serve everybody a lot better.

If quotes are attributed to statements in newspapers and the like, we've always followed the tradition that we're not going to ascertain the truth of anything found in newspapers, but I guess it is used by hon. members from time to time to make the point, as the hon. Member for Edmonton-Strathcona did today, and it elicited responses. I think the key thing to all of this is let's just try and avoid the hostility, and if we do it with some degree of humour, then I suppose that some people will say, "Well, that's witty," and that's the highest form of debate that we can aspire to and attain. So, all in all, let's say that we've dealt with those two points of order.

Privilege Contempt of the Assembly

THE SPEAKER: Now we will hear further with respect to the point of privilege that was raised yesterday by the hon. Member for Edmonton-Gold Bar. When we left it yesterday, the Government House Leader basically was given an opportunity to return today for comments with respect to this matter, but before we get to that, I would invite the hon. Member for Edmonton-Gold Bar if he has anything more to say with respect to this point of privilege. Or shall I just proceed to recognize?

MR. MacDONALD: No, Mr. Speaker. Please proceed to recognize.

THE SPEAKER: Okay. Then the hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. I would like to start by repeating the comments of the House leader yesterday; namely, that we still believe that it is not, with all due respect to the hon. Member for Edmonton-Gold Bar, the stuff of privilege. Nonetheless, the government agrees that the word "government" should have been in front of "MLA committee" in the advertisement.

Its absence was an oversight. There was no intention to breach the rights of this building and its members. Let's be serious here for one second. Can anyone in this Chamber today say that their rights or

the rights of this building were trampled upon by an oversight about a word in front of "MLA committee"? Everyone on that committee is an MLA, thus it can technically be called an MLA committee. To be properly titled, it should have said: government MLA committee. But in fairness to this side, it was not called a legislative committee; it was not called a Legislative Assembly committee; it was not called an all-party committee. It was called what it was because that is what it was.

In hindsight, in light of this issue being brought to our attention, the government apologizes. It will be called the government MLA committee in the future. But, surely, this is not the stuff of privilege. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. In listening to the hon. member, the Deputy Government House Leader, I certainly hope that this will not happen again. I have certainly a different opinion, but the authority, the dignity, and the performance of the functions of this House and its members go across the province.

In conclusion, Mr. Speaker, I would like to remind all hon. members of this Assembly that committees such as this, in my view, have no basis in law, and they cannot offer witnesses that are called to testify before them the parliamentary privilege of being immune to civil action for defamation or slander arising from any of the comments that they may make before that committee. So I think it's very, very important, and one cannot forget that there should be all-party committees formed.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, on this point I believe that this matter appears to have been resolved. The hon. Member for Edmonton-Gold Bar was completely within his rights, and he followed all the procedures that we have by notifying my office correctly and by applying under Standing Order 15(2).

I think, as well, that the highest possible resolution of this issue was afforded to the House yesterday in the best traditions of parliamentary democracy by the hon. Member for Edmonton-Gold Bar, when he did offer alternatives. I'm pleased to say today that the Deputy Government House Leader has taken up the alternative, and I think we've concluded this matter with a better understanding of the distinctions between the legislative branches and the executive branches and the importance of keeping them apart from one another. So thank you very much for that.

Now, the hon. Member for Edmonton-Gold Bar on a Standing Order 30 application.

head: Request for Emergency Debate

Electoral Boundaries

MR. MacDONALD: Yes. Thank you, Mr. Speaker. I certainly will be brief, and I hope that there will be a sense of urgency with this Standing Order 30. When I look up in the public gallery and I see that 33 percent of the people are already asleep, I'd better be very brief with this.

For the record:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance – namely, the issue of urban and rural split – particularly in the context of electoral district distribution, which is listed as a priority in the interim report of the Electoral Boundaries Commission, where it is proposed that the city of Edmonton lose one district, specifically, and unfortunately in my view, the district of Edmonton-

Norwood, which has had a significant history of over 50 years in this Assembly, and it has been represented by Progressive Conservative members, New Democrat members, and Liberal members.

However, when I rise today, Mr. Speaker, I certainly urge debate in this Assembly on the interim report. The interim report, which was tabled in this Assembly yesterday afternoon, on page 24 states, "The Legislative Assembly needs to give priority to seriously considering how the urban/rural split issue will be addressed in the future." On the next page it states in bold type as well, "The Legislative Assembly should consider the resources allocated for constituency offices." In order for the commission to carry on from the interim report to the final report, it is my view that we urgently need to discuss the interim report and, if possible, give some further direction to the committee.

3:00

This is a very important matter. The issue which is defined as a priority in the interim report, which we discussed, has caused friction in the past in our province. There's no doubt about that, especially when it comes to the matters of electoral distribution. Mr. Speaker, this is an urgent matter, again, because there has been an increasing sense of alienation between the rural and urban populations not only in the province but, unfortunately, across the country. This issue needs to be debated before any further actions, in my view, are taken by the commission.

The interim report of the Electoral Boundaries Commission has made several points which, if implemented, will increase the friction again between rural and urban Albertans. Rural Alberta stands to lose two seats under the proposed boundary redistribution. The city of Edmonton stands to lose one. In my view, not only should we keep the 19 in the city; we should be getting another one as well. Each side of the debate . . . [interjection] Yes. Okay. Thank you, Mr. Speaker. We need to discuss this now, and we cannot allow any more confusing statements to be made on the urban/rural issue. We need to speak about the province as a whole, the economic growth that's occurring, the dramatic growth that's occurring not only in Calgary but, certainly, in Edmonton.

In conclusion, I would urge all members to support this motion because it is very, very important not only for the city of Edmonton but for the entire province. I look forward, Mr. Speaker, to the comments of other hon. members of the Assembly in regard to Standing Order 30. Thank you.

THE SPEAKER: If hon. members wish to participate, I would invite a brief participation on the urgency of the Standing Order 30 application. However, hon. members should know that I am prepared to rule.

The hon. Deputy Government House Leader.

MR. STEVENS: Just a few comments, Mr. Speaker, on the issue of urgency. The wording of the motion is interesting in that it's not completely clear what the discussion is to be. If we're talking about an urban/rural split, which seems to be the focus – clearly that is the case today; I'm sure it will be the case tomorrow – and if it is a question that Edmonton is losing a seat due to an unjust formula for splitting the province into urban and rural seats, then I would make these points.

The Assembly does have before it an interim report from the Electoral Boundaries Commission, and no final report has been tabled. Concerns about the proposed map should not be debated here as an emergent matter but brought up during the next round of Electoral Boundaries Commission's consults scheduled for December. The commission, which is looking at redrawing boundaries, is

comprised of five members: two proposed by the opposition, two proposed by government, as well as a respected Albertan as the chair. To declare that we need an emergency debate on what they are doing before they are finished doing it shows a lack of faith in the commission and its all-party appointees.

There's a suggestion in this application that the drawing of electoral boundaries should not pay any attention to the split between urban and rural ridings, but the act which governs the work of the commission specifically states that those, other than the chair, who are appointed to the commission must be a resident in a city and the other a resident outside a city at the time of their appointment, which is a fairly clear indication that the law expects the urban/rural dichotomy of this province to be fairly taken into account when the commission does its work. For all of those reasons, Mr. Speaker, I submit that there is no need for an emergency debate under Standing Order 30.

Thank you.

THE SPEAKER: Well, hon. members, we're only debating urgency here, nothing else. The only word I want to hear from members is "urgency," why this Assembly should abandon the work scheduled for today to focus on this motion. I don't want to hear any arguments other than urgency. Just urgency.

The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you, Mr. Speaker. You've made it quite clear. The only thing is that I have only about two seconds to try and change gears here to follow your instruction. However, it is my constituency that is at hand, so I felt somewhat obligated to bring sort of a defence forward. But on the note that you brought forward regarding urgency, the hon. Member for Calgary-Glenmore made it quite clear on urgency too, and I would probably lean in favour of him. Nevertheless, I do bring mine forward. It is my constituency, and that's why I felt compelled to bring a defence forward.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie. Urgency.

MS CARLSON: Mr. Speaker, on the point of urgency, in fact, the Deputy Government House Leader made the point. There is only one opportunity for us to discuss this prior to the final submissions being made to the commission. They have made the interim submission, they are taking a few more submissions, and then there will be a final report. That report is binding subject only to a court challenge, and therefore it is of absolute importance that this is the very last chance we have to debate this particular issue which is hugely important to many, many Albertans. So I would urge you to rule in favour of the urgency of this particular point as made by the Deputy Government House Leader.

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you, Mr. Speaker. Just very briefly, there is no urgency, and this is not the only opportunity that anybody could debate it. As a matter of fact, when the final report is submitted and as it goes through the parliamentary process, it will in fact be in this Assembly, where the legislation is impacted. That is the place where you can debate it. That's what this place is for.

THE SPEAKER: Okay. On this point, hon. members, first of all, under Standing Order 30 the onus is on the hon. member to bring it to the attention of the House at the earliest possible opportunity.

That earliest opportunity would have been yesterday, not today. That could have been ruled out only on that one technical point as it is.

Secondly, what's the process? The process is simply that this Assembly has created by way of a motion a decision of this Assembly that there be an independent Electoral Boundaries Commission. This Electoral Boundaries Commission was given its mandate from this Assembly. It's absolutely correct, then, that five individuals were appointed to this commission on the basis of appointments by the Speaker upon the recommendation of two from the Premier, two from the Leader of the Official Opposition. There is some protection with respect to that for hon. members.

The commission then went forth, did its thing, submitted an interim report, which was provided to all members a few days ago but tabled in the House yesterday. The commission has already advertised that it will be hearing additional comments from individuals by a certain date. I believe it was sometime in November that they were hearing submissions, and they will be holding some public hearings or meetings sometime in December.

By the law of this Assembly it has to provide its final report back to this Assembly, as I recall, by March 24 of the year 2003, at which point in time that report will come to this Assembly for full, thorough debate, and it is the members of this Assembly who will make the final decision on what will be implemented, not the commission. This Assembly must pass appropriate legislation with respect to that matter. There will be ample opportunity, as there has been in the past.

Hon. members should know that I've been through this now on at least three or four occasions with respect to electoral boundaries and redistribution, and the final say with respect to it will be made by the men and women of the Legislative Assembly of the province of Alberta. So this particular application today basically says that it wants to interfere with the process, and until we get a final report, I don't know how this could be viewed as urgent. This is not applicable under Standing Order 30.

3:10

head: **Motions under Standing Order 40**

THE SPEAKER: Hon. members, Standing Order 40 requires unanimous consent of the Assembly. Make your argument.

Election of Committee Chairs

Mr. MacDonald:

Be it resolved that this Assembly move immediately to amend the Standing Orders to allow committee chairs to be elected by secret ballot by all Members of the Legislative Assembly so that democracy, transparent government, and parliamentary reform may be brought to Alberta as well.

MR. MacDONALD: Now, Mr. Speaker – and it's on the Order Paper today under Government Motion 32 – we see the motion as presented by the hon. Member for Ponoka-Rimbey yesterday. We look at some of the legislative committee chairs, that include the hon. Member for Edmonton-Glenora, the hon. Member for Banff-Cochrane, the hon. Member for Calgary-Lougheed, the hon. Member for Leduc; as well as the chairs of the standing policy committees, which include, for the record, Justice and Government Services, Learning and Employment, Energy and Sustainable Development, Agriculture and Municipal Affairs, Health and Community Development, Economic Development and Finance. I see no reason in light of this motion – I shall call it Motion 32, that's currently on the Order Paper – why, if we're going to talk about electing Senators and we're going to have a better democracy as a

result, we could not elect in this Assembly these committee chairs as well. Certainly we elect the Speaker, the Chair of Committees, the deputies. Why not elect the standing policy committees?

Now, Mr. Speaker, on the statement of urgency and the absolute necessity of this motion, I will be brief. This motion is of urgent necessity for several other reasons. The first is that we have a discussion which will be coming our way in the near future to recommend democratic reforms for government in this country. While this is a positive step, it is urgent and pressing that this government also show our intention for democracy and parliamentary reform in our province before we start prescribing it to others. Secondly, this motion is urgent because the good people of this province who have long been in favour of democratic reform want it at all levels of government.

Now, this motion will show to Albertans and, indeed, to all of Canada this Assembly's true feeling that democracy is a precious and valuable resource. The urgency and true necessity of protecting democracy at the first opportunity must be a priority of all elected officials. The federal House of Commons had all-party support to pass a similar motion, and if we do not have the same, it shows that Alberta itself is suffering from a democratic deficit.

In conclusion, Mr. Speaker, if we do not act quickly on ensuring democracy in Alberta, how can we ask others to do the same? Thank you.

THE SPEAKER: Hon. members, it's a Standing Order 40 application the hon. members will determine. It requires the unanimous consent to proceed.

[Unanimous consent denied]

head: **Orders of the Day**

Transmittal of Estimates

MRS. NELSON: Mr. Speaker, I have received a certain message from Her Honour the Honourable the Lieutenant Governor, which I now transmit to you.

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: Hon. members, the Lieutenant Governor transmits supplementary estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2003, and recommends the same to the Legislative Assembly.

Please be seated.

MRS. NELSON: Mr. Speaker, prior to moving a number of motions relevant to the supplementary supply estimates, I wish to advise that this morning I provided the government's 2002-2003 quarterly budget report for the second quarter to all MLAs.

We have also made this report public as required by section 9 of the Government Accountability Act. I am now tabling this quarterly budget report as the amended consolidated financial plan. This revised plan is required by section 8 of the same act whenever a second set of estimates is tabled during the fiscal year.

I am also tabling, Mr. Speaker, the second quarterly activity report for 2002-2003. This document describes the major achievements of our government during the recent period.

I now wish to table the 2002-2003 supplementary estimates. These supplementary estimates will provide additional spending authority to eight departments of the government. When passed, these estimates will authorize an \$822,853,000 increase in voted operating expense and capital investment.

head: **Government Motions**

29. Mrs. Nelson moved:

Be it resolved that the message of Her Honour the Honourable the Lieutenant Governor, the 2002-03 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 29 carried]

30. Mrs. Nelson moved:

Be it resolved that pursuant to Standing Order 58(9) the number of days that Committee of Supply will be called to consider the 2002-03 supplementary estimates for the general revenue fund shall be one day.

[Government Motion 30 carried]

**Select Special Ethics Commissioner and
Ombudsman Search Committee**

31. Mr. Stevens moved on behalf of Mr. Hancock:

Be it resolved that

- (1) A Select Special Ethics Commissioner and Ombudsman Search Committee of the Legislative Assembly of Alberta be appointed consisting of the following members – namely, Mrs. Tarchuk, chair; Mr. Ducharme, deputy chair; Ms Blakeman; Mr. Friedel; Ms Graham; Mrs. O'Neill; Dr. Pannu; Dr. Taft; and Mr. Tannas – for the purpose of inviting applications for the positions of Ethics Commissioner and Ombudsman and to recommend to the Assembly the applicants it considers most suitable for appointment to those positions.
- (2) The chair and members of the committee shall be paid in accordance with the schedule of category A committees provided in the most current Members' Services Committee allowance order.
- (3) Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid subject to the approval of the chair.
- (4) In carrying out its responsibilities, the committee may with the concurrence of the head of the department utilize the services of members of the public service employed in that department or the staff employed by the Assembly.
- (5) The committee may without leave of the Assembly sit during a period when the Assembly is adjourned.
- (6) When its work has been completed, the committee shall report to the Assembly if it is then sitting. During a period when the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

[Government Motion 31 carried]

Senate Appointments

32. Mr. Jonson moved:

Be it resolved that the Legislative Assembly of Alberta affirm its support for an amendment to the Constitution of Canada to provide for an elected Senate which would represent the interests of all provinces through equal representation and through effective powers and, further, that the Legislative Assembly of Alberta urge the government of Alberta to

undertake consultations with all provincial governments on this amendment and, further, that pending such an amendment the Legislative Assembly of Alberta call upon the Prime Minister to summon to the Senate to fill vacancies relating to Alberta only those who are Senate nominees pursuant to the Senatorial Selection Act of Alberta and, further, that the Assembly confirm the recommendations of the report of the Select Special Committee on Upper House Reform, which were unanimously endorsed by this Assembly on May 27, 1985, and again on March 10, 1987.

THE SPEAKER: The hon. Minister of International and Intergovernmental Relations.

3:20

MR. JONSON: Thank you, Mr. Speaker. The resolution before the Assembly does two things. First, it is a strong statement in favour of an elected, equal, and effective Canadian Senate; in other words, a triple E Senate. It affirms Alberta's desire for a Senate that represents provincial interests within our federal system, and it reconfirms this Assembly's endorsement of the recommendations of the Select Special Committee on Upper House Reform, previously endorsed in May 1985 and March 1987.

Second, Mr. Speaker, the resolution calls for the Prime Minister to appoint one of Alberta's Senate nominees to the Senate. In 1998 Albertans elected two individuals to represent our province in the Senate, and the Prime Minister has so far refused to appoint them. In my view, this a rejection of the democratic value shared by all Canadians. This month Senator Nick Taylor retired from the Senate, which means that the Prime Minister will soon be appointing an Albertan to the Senate. It is the perfect opportunity for him to show support for democracy by appointing one of Alberta's Senate nominees. This resolution clearly and firmly calls for him to do just that.

Mr. Speaker, in considering this resolution, it is helpful to review some of the recent history of Senate reform discussions and especially Alberta's role in them. Reforming Canada's Senate is not, by any means, a new idea. In fact, discussions of reforming or changing the upper House are as old as the country itself. It is not a new issue, but it's certainly an issue that has gained prominence in the last 20 years. During that time Alberta has been a leader in calling for Senate reform.

In 1982, on the heels of much heated anger and resentment in the province over the national energy program, the Alberta government issued a discussion paper called a Provincially-Appointed Senate. The paper was designed to stimulate discussion within Alberta and across western Canada about gaining greater provincial representation in Ottawa through a reformed Senate. The paper proposed that Senators be nominated by the provinces and that the Senate be more focused on representing provincial interests. These ideas led to much interest and discussion among Albertans and western Canadians, and the Alberta government responded by creating a legislative Committee on Senate Reform in 1983.

The committee was given the mandate to examine the appropriate role, functions, and structure of the Senate within Canada's federal system and to make recommendations for change. Headed by then MLA Dennis Anderson, the committee studied the issue thoroughly, held a series of public meetings, and received submissions from many Albertans. In March 1985 the committee tabled its report entitled *Strengthening Canada, Reform of Canada's Senate*. The report called for Senators to be elected, for an equal number of Senators from each province, and for the Senate to be given effective powers. Essentially, it was the birth of the idea of a triple E Senate. In May 1985 the Legislative Assembly voted unanimously to accept

in principle the recommendations of the report, and I was honoured to be able to participate in that debate.

Mr. Speaker, the momentum in favour of Senate reform continued through the annual Premiers' conferences in 1986 and 1987, and reform of the upper House was included as part of the Meech Lake accord in 1987. The accord set the stage for future constitutional negotiations on Senate reform. Support for an elected Senate expanded to other parts of Canada in 1987 and 1988 and was endorsed by a special joint committee of the Senate and House of Commons and by a National Conference on Senate Reform held at the University of Alberta.

In 1988 Alberta elected its first Senator, Mr. Stan Waters, and he was appointed to the Senate by Prime Minister Mulroney in 1990. Mr. Waters represented Albertans very well until his death in 1991. He stands as the first and only elected Senator in Canadian history, and I certainly hope he is not the last.

Mr. Speaker, with the failure of the Meech Lake accord in 1990, constitutional negotiations began once again, and this time a triple E Senate was included in the negotiations, thanks, I think we can say, to Alberta's leadership. In 1992 a final agreement was reached, the Charlottetown accord, and it included a reformed Senate that would be elected and, for the first time, have equal representation from the provinces. There was much debate as to whether or not it would be effective in representing provincial interests. In the end, the majority of Canadians voted against the accord, and constitutional negotiations moved to the back burner. However, Albertans never gave up on the idea of Senate reform, and neither did the Alberta government.

In 1998 Alberta conducted another election to choose two Senator nominees. More than 890,000 valid ballots were cast, and two individuals were elected: Mr. Bert Brown and Mr. Ted Morton. To date the Prime Minister has refused to appoint either of them to the Senate, even though he has had two opportunities.

Mr. Speaker, in 1999 Alberta amended the Senatorial Selection Act to allow Senate elections to be held prior to Alberta vacancies opening in the Senate. This was in response to the Prime Minister's refusal to acknowledge the hon. Premier's repeated requests that he hold off on filling vacancies until Albertans have had an opportunity to select their choice in an election.

Looking back over the last 20 years, it is clear that Alberta has been a leader in calling for Senate reform. Our province has done more than talk about it. We have taken action by putting forward solid proposals and giving Albertans the opportunity to have a say in who will represent them in the Senate. This resolution is another step in that process.

Mr. Speaker, I believe this resolution is coming at the appropriate time for two reasons. First, it has become very clear that we need improved provincial representation at the federal level. In recent years we have seen the federal government ignore provincial interests on a host of issues. Currently, we are concerned about the Kyoto protocol. The matter of gun control is still very much an issue. The Wheat Board is another topic that would benefit from discussion by such a body as an elected Senate. A whole host of municipal issues are on the list. Those are only a few of the topics that I think would benefit.

Alberta has had to lead the way in opposing many of these issues through costly court challenges, public awareness campaigns, and other approaches. Mr. Speaker, if we'd had a triple E Senate in Ottawa, these efforts may not have been necessary, but as it stands now, the Senate fails to represent provincial interests in any tangible way. Its powers are, at least to some degree, only theoretical. It does not have equal representation from the provinces, and it is made up of appointed individuals only.

Mr. Speaker, the second reason that the time is appropriate for this resolution is that democratic reform has once again come to the forefront of federal politics. The discussions so far have centered on procedural reforms within the House of Commons and giving backbench Members of Parliament increased influence in federal decision-making, but there's no reason that Senate reform cannot be part of these discussions. It would be interesting to know what the Liberals in Ottawa who are leading the discussions on democratic reform think about Senate reform. This resolution, I hope, will lead to that question being asked. Alberta has an opportunity to once again take the initiative and push Senate reform back onto the national agenda.

Mr. Speaker, I conclude my remarks by calling on the Members of the Legislative Assembly to take a stand on this issue and to support this motion.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

Point of Order Dividing a Motion

MR. BONNER: Thank you very much, Mr. Speaker. Before I begin debate on this motion, I would like to get some procedural advice from the chair, if possible. I rise in regard to *Beauchesne 557(1)* and page 478 of *Marleau and Montpetit*. *Beauchesne 557(1)* says:

A motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately. The Speaker has a discretionary power to decide whether a motion should be divided.

Mr. Speaker, we're asking for this particular motion to be divided because in fact it has several distinct propositions. There's a precedent for this in the past. On February 27, 1995, when a former Provincial Treasurer divided an opposition motion moved by the former Member for Calgary-Buffalo into two parts, it was divided in midsentence because it contained two distinct propositions. The final decision on this lies with you, and I am certain that you will find that Motion 32 before us contains several distinct propositions.

3:30

Mr. Speaker, we'd like to recommend a process for dividing this motion up. There are some natural divisions within this motion which should be looked at separately, and I would ask you to consider dividing out the third paragraph, which says,

and, further, that pending such an amendment the Legislative Assembly of Alberta call upon the Prime Minister to summon to the Senate to fill vacancies relating to Alberta only those who are Senate nominees pursuant to the Senatorial Selection Act of Alberta,

from the other three as it deals with slightly different material than the other three clauses. We would ask that the other clauses be dealt with as one.

Thank you.

THE SPEAKER: Well, then, pending a response from the chair with respect to this request, the chair is prepared to hear comments from other members with respect to its merit.

MR. JONSON: Well, Mr. Speaker, I thank the member across the way for his interest in this resolution, but the motion that is before the Assembly is one which deals with, in my view, one concept. It is a concept that has to have the three elements in it; that is, we have to be talking about an elected, equal, and effective Canadian Senate to have what our goal is, and that is a more effective Senate in Canada to represent the interests of Canadians and particularly the interests of the areas or regions of Canada and specifically the provinces.

Mr. Speaker, I think we're talking about one overall concept here, and I do not think that it is appropriate to try and take apart what is a well-understood concept and debate it in two or three or four pieces.

THE SPEAKER: The hon. Member for Edmonton-Strathcona on this division proposal?

DR. PANNU: No, Mr. Speaker.

THE SPEAKER: Well, from a procedural point of view, anyone want to make an argument? A procedural argument? The hon. Leader of the Official Opposition.

DR. NICOL: On the division of the motion?

THE SPEAKER: Yes.

DR. NICOL: Mr. Speaker, in the context of looking at this, the idea of support for the concept of the triple E Senate is unique. It stands fully in the context of a specific initiative that we can take. The next step, then, if that initiative becomes a reality, is: how do we go about the elections? In effect, if we tie the two parts, the support for the concept of the triple E Senate with an election which occurred in the past, we're basically tying the two of them to the idea that an election that has occurred in the past was relevant within the support for the triple E concept as approved and as requested today, and I think it would be appropriate to divide the two of them out.

Let's talk about the triple E Senate and then, secondly, let's talk about: was the previous election in the spirit of the support for that triple E concept? If it was, then, yes, the people who were elected in that can become the candidates for appointment or be sent to the Prime Minister asking that they be the people appointed. But, secondly, if we don't, what we can deal with then is a secondary debate about what is an appropriate way to carry on an election for that Senate. By tying the two of them together in one motion, I think it complicates the process of: do we support the concept of triple E and tie to it the previous process of elections, or should we be dealing with elections as a separate issue once we get the triple E concept approved?

That's, Mr. Speaker, why I think it would be very appropriate for us to handle them as separate debates and separate votes in this Legislature. Thank you for considering that.

THE SPEAKER: On the procedural point of the division, the hon. Member for Drayton Valley-Calmar. A citation would be helpful.

REV. ABBOTT: Thank you, Mr. Speaker. Pardon me?

THE SPEAKER: A citation from parliamentary tradition would be helpful.

REV. ABBOTT: Well, just following up on the reasoning that was given by the member opposite, if you look at the motion, Mr. Speaker, it says here very clearly that it is a resolution to amend the Constitution of Canada. It's one issue, and all that the second, third, and fourth parts of the motion do is just explain how that amendment is going to take place. It seems very clear that this is just one issue, and I think that dividing it would actually cause it to be several issues. So I think that it would be best to leave it as it was presented by our hon. minister.

THE SPEAKER: Well, hon. members, *Beauchesne* very, very

clearly has a citation with respect to this dividing motion, section 557.

A motion which contains two or more distinct propositions may be divided so that the sense of the House may be taken on each separately. The Speaker has a discretionary power to decide whether a motion should be divided.

Section 557(2) states:

It is only in exceptional circumstances, and when there is little doubt, that the Speaker may intervene and, of his or her own initiative, amend the motion proposed by a Member.

Well, there's absolutely no intent from the chair to amend the motion.

The question of division is an interesting one. This is not the first time that this has occurred in this House. In fact, it occurred as recently as one year ago almost to the day, on November 21, 2001, when we had the debate on Standing Orders, if all hon. members will recall, that such a motion and such a suggestion was made to the Assembly. The conclusion at that time was that there would only be one debate with respect to the Standing Orders but that there would be a number of votes rather than one vote, and that seemed to work intelligently and quite capably with this.

In looking at the motion, it strikes at least the chair that it is not that complicated a motion. It may be a bit longer than most motions but, in terms of the overall intent, would not seem to require an intervention from the chair with respect to this matter. It would probably serve the debate well that, in fact, the four items are separate in sum, but others will argue that they're all together, and I don't think I can be motivated to intervene for a division with respect to this matter today.

The hon. Member for Edmonton-Glengarry does have the floor if he wishes to continue his participation.

Debate Continued

MR. BONNER: Yes. Thank you very much and thank you for that interpretation and ruling, Mr. Speaker. It is appreciated.

The debate over a triple E Senate has occurred on more than one occasion in this House, and the hon. minister has given us a bit of a history. When we look, we can see that when we follow a chronology of progress on the triple E Senate, in August of 1982 the government of Alberta released a discussion paper on Senate reform, and this was followed in March of 1985 by the Alberta Select Special Legislative Committee on Senate Reform recommending a triple E Senate. In May the report was unanimously approved by the Legislative Assembly of Alberta. On March 10, 1987, the triple E Senate was once again unanimously approved by the Alberta Legislature, and I think that I would like to draw the point to all members' attention that it was unanimously approved by the Alberta Legislature.

[The Deputy Speaker in the chair]

On July 2 and 3, 1987, the first ministers agreed to the Meech Lake accord, bringing Quebec into the Constitution and guaranteeing constitutional conferences on Senate reform. This was followed on September 9, 1987, by the special joint committee of the Senate and the House of Commons recommending that first ministers pursue Senate reform on a priority basis. On May 18 to 21, 1988, the western Premiers unanimously endorsed the triple E Senate model. On August 17 to 19, 1988, all Premiers agreed that Alberta would lead discussions to promote triple E Senate reform.

3:40

From September 1988 to February 1989, led by the federal and intergovernmental affairs minister, Alberta's Senate Reform Task Force discussed Senate reform with the federal and all provincial governments. Also in February of 1989 the government of Alberta

introduced the Senatorial Selection Act. With this act Alberta would become the first province in Canadian history to select its Senators democratically.

Now, as well, without a doubt, one of the reasons we are discussing this particular motion today is the recent retirement of Senator Nick Taylor, who served this province very well not only as a Senator but as an MLA and as leader of the Liberal Party here in the Assembly. He moved in the Assembly on March 10, 1987:

Be it resolved that the Legislative Assembly support an amendment to the Constitution of Canada to provide for an elected Senate, which would provide protection for the interests of the lesser populated regions through equal representation and through effective powers.

Again, we continue as the Official Opposition to support the motion that was moved by the then MLA back on March 10, 1987.

Now, then, this current Official Opposition supports Senate reform. We feel that there is a great need for Senate reform, and certainly if you were to poll Albertans, the majority would support some form of Senate reform, and those reforms vary as well, Mr. Speaker. Some Albertans feel that we shouldn't have any Senate, and certainly a number of others feel that Senators could be elected. Of course, in all of this there is due process. We continually come back to debating the merits of Senate reform here in the Legislature, yet we are not, it seems, moving forward to the point where we can get the other provinces onside to enough degree to get the feds to open up these discussions.

Now, then, as well, with an elected Senate we also have to consider that there are going to be some very worthy Senators who would not have on their own merits the resources to be elected to a triple E Senate. One Senator that I had this discussion with was Senator Thelma Chalifoux, certainly an outstanding Senator, a Senator who represents all Albertans but, as well, a minority group here in Alberta and has done a marvelous job. I think of the political climate when Senator Doug Roche was appointed, certainly a man whose credentials are unquestionable in this province and a man who represents Albertans as a Senator and does a marvelous job and a person that I am proud to say is one of our Senators.

We do have to look at the possibility that in an elected Senate we're not going to get everything we want, but two of the key things that I support in Senate reform is that with an elected Senate we would have representation that would reflect the views of Albertans and accommodate the needs of all Canadians. I think, Mr. Speaker, that would certainly be one of the areas that we would look at as being a better system than the current appointed system that is happening.

If we do have a triple E Senate, an elected Senate with equal representation from each particular province, then the principle of equality of all provinces in a federal state will take place, so it certainly will balance off the differences in population that we do have across this country. As well, if we do have Senate reform and a triple E Senate and we do send Senators from this province that are duly elected, then what we must also ensure in this reform is that there are effective powers in the Senate.

So, Mr. Speaker, I want to reiterate that it's been the Official Opposition's position for many years here in the Assembly that we support a triple E Senate with elected Senators, and I would urge all members of this Assembly to support this motion.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Airdrie-Rocky View, followed by Edmonton-Highlands, followed by Edmonton-Rutherford.

MS HALEY: Thank you very much, Mr. Speaker. I am absolutely thrilled to be able to talk about the triple E Senate and why we need

one. This is something that has been a big part of my life for a very long time. Back in the early 1980s – and I was a little bit younger then than I am today – the federal government came along with a program called the national energy program, and it decimated a lot of this province. It devastated the town that I was living in, which was a very small city called Airdrie, at that point around 6,000 people, and within months we had over 500 empty homes as people packed up and moved out of our city and out of our province and went home because so much of our industry was being shut down.

While it's true that there was, in fact, a global recession that was starting, it was a thousand times worse here than it ever needed to be because of government intervention in the economy, and the government was, in fact, the federal government. I couldn't understand then and I don't understand today why a federal government would in fact hurt any of the parts of a country. It didn't make any sense. At the same time, there was an election going on up in Olds-Didsbury, where a separatist won, and our options at that time, as I saw them, 20 years ago, were whether or not it matters being part of this country, and if it does, in fact, what do you do about it? One of the things that mattered to me, I thought: well, nobody wants to give up on a country, so let's talk about a triple E Senate.

I met Mr. Bert Brown, who's now one of the Senators-elect, and have since also had the opportunity to meet Mr. Ted Morton, both really interesting men who believe that if you're going to be part of this country, you've got to be treated equally, and the only way you can do that is, in fact, if you have an elected, an equal, and an effective Senate.

As I watched going through the '80s and as I watch today as we're talking about things like Kyoto, I see the similarities, and they're absolutely staggering. Twenty years have gone by since the first attempts at trying to bring a triple E Senate to this country, and in that 20 years we've suffered inside this province. We've had all kinds of issues with the federal government, and the federal government chooses not to listen, and our one salvation, from my perspective, is a Senate that is, in fact, equal, elected, and effective for all of this country, not just for Alberta but not just for Ontario and not just for Quebec.

3:50

Well, why does it matter? It matters because this year alone, for example, Alberta will pay over \$9 billion more into Confederation than it gets back out, and we have at the same time an inequity in tax bases for corporations in this country, where it's okay to say to the energy industry: you can pay 28 percent. Every other industry can pay 21 percent, but the energy industry is based largely in Alberta, so that's okay. It's not okay. It wouldn't be okay if it were in Nova Scotia. It wouldn't be okay if it were in Newfoundland, and it's not okay just because it's here. It's not okay that we have a Canadian Wheat Board that the east doesn't have to deal with but we have had imposed on us for over 50 years, and you can't even have a conversation about it. It's not okay that you have gun control laws that make no sense at all, where you spend \$800 million registering guns. Nobody even knows how many guns are registered or how many aren't. My own mother tried to register a gun, spent three years, has had at least 15 phone calls with people in Ottawa trying to straighten out a gun that hasn't been fired in 60 years, but, hey, she's clearly a risk to this country. We just do things, and there's no logic to it. My logic, my basis is that without a triple E there's really little point in trying to defend an Alberta inside this country.

You know, one of my colleagues has a republic of Alberta hat. I don't have the hat, but I'm looking for one. I'm very, very proud of my province, and I'm very, very proud of my heritage. I'm also incredibly proud of the fact that when the oil patch needed invest-

ments in the '40s and the '50s and the '60s and the '70s – most of Canada couldn't be bothered – the money came here from the United States. They believed in our oil patch. They helped us develop it. They turned us into a have province from a have-not province, and we've been punished ever since, and I'm frankly tired of it. My hope is that a triple E Senate at least could give us an opportunity to have an equal, effective, and elected voice in the government of this country.

A few years ago in the Senate in the United States, on a vote of 95 to 0 – five people were away – because they have an elected and an equal and an effective Senate in the United States, 95 people voted against the Kyoto protocol. It never even made it to Congress. It didn't need to. The Senate killed it, and they killed it because it wasn't fair to all regions of their country, a concept apparently alien to our federal government: you don't need to hose down one part of your country so that another part can do what? So we can look good on an international stage? We produce 2 percent of global greenhouse gas emissions. We heat an entire country, a cold country. We sell clean-burning oil and gas to the United States. We have the cleanest coal in the world here, but we have to feel guilty about everything, and I'm tired of feeling guilty. I want some equality, and I want it now.

When I look back at what was happening 20 years ago, a little snapshot of history, newspaper clippings pulled out of the Legislature Library – okay? – in 1981 Jean Chretien told a packed audience of school trustees: the wealth of the country must be shared if there is to be equal opportunity across Canada. Well, the Prime Minister was in Alberta about a year ago and made the same comment. Nothing changes. The script probably got retyped, but it's the same script. At the same time, in 1981, the federal government came up with a \$3.25 million advertising campaign to promote the national energy program and tell everybody that it was a good thing and it won't hurt a bit, so just let it go; go for it, guys. Canada's oil policy, a real-life nightmare. Just one more time with feeling. Twenty years later we've now got some of our key tar sands projects being put on hold and being reconsidered while everybody tries to figure out what Kyoto will really do to us. More of the same: the NEP, Jean Chretien. Yes, it is. It's more of the same. It's 20 years later. It's *deja vu* all over again.

Then because they killed the oil industry, they came up with something they called PIP grants, nice little tax incentives, so that, you know, you could back in to other people's oil wells, but hey, that was okay because it was the Canadian way. Right? They spent \$6.5 billion buying Petro-Canada, but that was okay too, because the money was coming out of Alberta because they had a two-price system for our oil. Life was good. What was not to like? People in the east could get our oil and gas at less than world price. That was okay because it was Alberta. Well, it's not okay. It wasn't okay then, and it's not okay now.

Jean Chretien made the comment: as a national government we have preoccupations of a different nature than Alberta; it is a matter of finding an acceptable formula. There was no formula. It was the raping of our province. That was a formula that worked. It sold for them. It worked really good. Thank God that Brian Mulroney and the Progressive Conservatives got elected and managed after six years of destruction in our province to repeal the national energy program and give us a break.

You know, just one example is 13,000 people laid off in one week in Canada. "Energy ad Campaign Defended by Lalonde," because he had to defend it. Alberta's economy was battered, but that was okay.

"Gray Told NEP Caused Steel Layoffs," but they didn't react because that was okay. They were out here too. They were mostly

in Saskatchewan, where IPSCO was working at the time.

"Little Hope for Canada's Work-seeking Youth." Yeah. What about our kids? What about their future? You know, where does that fit? Maybe the triple E gives them some hope for a future where they're part of a country and they're an equal partner in that country. I don't think it should be asking too much.

"Oilpatch Frowns on 'Son of NEP,'" because the NEP was so bad, they finally, after several years, decided to design it again, and it was called Son of NEP. No doubt after Son of Sam, a serial killer in the United States.

The Auditor General came out in 1981 or '83 and said that he's right. The minister said that we're at close to collapse. Our country's economy was close to collapse. And now we want to do it again? Why? So our Prime Minister can look good on an international stage? I don't need him to look good out there. I need him to do his job here.

"GNP Falls by 2%." How much will it fall this time as we go through this? Ottawa treats our economy like an enemy target, and here we are all being told again: "Don't be hysterical. There's nothing really bad going to happen here. Just get over it, Alberta, and play ball." I don't want to play, Mr. Speaker.

Mortgages were up to 20 percent at that time. Is that our next little thing that's going to come? We're going to move from the low interest rates to high interest rates as we try and back up our 63-cent dollar again. They were trying to back it up to 81 cents then. Almost destroyed us.

"The Economy in a Nutshell – Liberal Tomfoolery." It's an interesting comment.

We live in a country which has been blessed above all others . . .

We live in a garden that can feed half the world. We have mineral riches beyond measure . . . We are one of the few industrial nations with the capacity for self-sufficiency in petroleum supplies . . . Our people are resilient, hardworking and resourceful. But we have one fatal flaw. We like to elect governments which dream up contradictory, ill-conceived, paradoxical policies.

And we've got another one that's doing the same thing. It's not really another one. It's pretty much the same guys. They're still there. It's 20 years later, and they're still doing it.

"Emergency Debate Sought over Economic Crisis." They finally admitted we were in a crisis, and that was just before their government fell. Thank you, God.

"Shell, Gulf Blaming NEP for Sharp Drop in Earnings." Yeah, I'll bet they were.

"Once a Great Nation of Producers and Entrepreneurs," by Jim Gray. That's one of the most incredible articles I've ever read – and it was done in 1982 – talking about what's wrong with a government that takes away the incentive from hardworking Albertans to want to do what we do best, which is produce riches in this province that feed the rest of our nation.

When we look at our country, it is indeed a wonderful country. I've been in parts of this country. I'd like to keep it together, Mr. Speaker, but we can't do it without a triple E.

THE DEPUTY SPEAKER: Just before recognizing the hon. Member for Edmonton-Rutherford, I'd refer hon. members to Standing Order 29(2)(a). It may cause further debate.

The hon. member.

MR. McCLELLAND: Well, thank you very much, Mr. Speaker. For many in this Chamber the opportunity to speak to the Senate, particularly the triple E Senate motion, is something that I think is treasured, because it's something that many of us have worked towards for many, many years. As we all know, in order to achieve anything in life, but particularly anything politically, there is one

absolutely necessary ingredient, and that is unwavering resolve. If we are ever going to achieve a political end, we will achieve it because we have given it our best and we have given it unwavering resolve. There is one person in our province to whom that description, unwavering resolve, most closely fits as it relates to Senate reform, and that person is Mr. Bert Brown. We welcome Mr. Brown in the Speaker's gallery today.

4:00

Now, the triple E Senate has over the years taken on a political majesty that it may or may not be able to deliver on, but the notion of a triple E Senate represents the capacity of our country to deal fairly with its disparate parts. The notion that we had to do something, that we had to treat all of the regions and the provinces in Canada fairly came to a head, as was earlier mentioned by the Member for Airdrie-Rocky View – at least it came to a head in my consciousness – in relation to the national energy program, to the CF-18 maintenance contract, to the many examples of political favouritism that protected the rich resource base of votes of the federal Liberal Party and the federal Conservative Party. Both seemed to some of us to be different sides of the same coin. Both, in order to get elected, had to pander to that part of the country which was rich in votes. You fish where the fish are, and that's what they did.

The resentment here in western Canada was palpable, and there were many expressions of that resentment at that time, some of them in separation and others in more a positive vein: the notion of a triple E Senate. Mr. Brown, I recall, sold those little triple E pins that people would wear, and gradually there was a groundswell of interest and support for the notion of a triple E Senate. It was something that was so far beyond the pale that it was impossible to achieve, but unwavering resolution brought it to the point where a senatorial election was held in Alberta.

Now, it was held in Alberta after the Meech Lake accord, which really had the intent and the purpose to redefine and to put substance around Quebec's place in Canada. The Meech Lake accord was essentially to give comfort to Quebec, to ameliorate some of the separatist tendencies in Quebec. Meech Lake also gave a nod to the reform of the Senate, and it was the first time, to my knowledge, that the federal government actually gave an important nod to the notion that in order to appease Quebec and in order to speak to the security of the people of Quebec within Canada, some thought should also be given to the west.

Meech Lake was not successful. It was a roll of the dice that didn't turn out the way it was expected to. That was to some a tragedy, to others a blessing. It fell apart because of Elijah Harper, a member of the Legislature of Manitoba who had not been brought onside and who in the waning hours of the debate, as members will recall, declined to give his unanimous consent, and the Meech Lake accord did not go further.

Eventually that led to the Charlottetown accord, which did not find support across the country at all towards the end of the debate, and for some people that also was a tragedy. But the Charlottetown accord did give the country the potential of a two and a half E Senate. It did change some of the responsibilities, some of the powers of the Senate. It gave us an elected and effective, to a lesser degree than the current Senate, and not quite an equal Senate.

The Meech Lake accord failed, and the notion of Senate reform was doomed for some time in part because Canadians just didn't want to talk about constitutional things. We had much bigger fish to fry, namely our economy, and that had to be addressed. There was no passion whatsoever.

Then, of course, in 1995 the Quebec referendum came within a

hair of being lost by Canada and won by Quebec, and that caused the Prime Minister in reaction to the referendum in Quebec to bring to the House of Commons a resolution that would define Quebec's place as a unique society in Canada. That resolution went through the House of Commons. It was a nod to Quebec. It really, other than the psychological impact, was rather meaningless.

The most meaningful constitutional gathering that took place in that time, though, was the Calgary framework and the declaration of the Premiers in Calgary. How soon we forget. That was only five years or so ago. If I may read the seventh point from the seven in the Calgary declaration:

Canada is a federal system where federal, provincial, and territorial governments work in partnership while respecting each others' jurisdictions. Canadians want their governments to work cooperatively and with flexibility to ensure the efficiency and effectiveness of the federation. Canadians want their governments to work together particularly in the delivery of their social programs. Provinces and territories renew their commitment to work in partnership with the Government of Canada to best serve the needs of Canadians.

Now, does that sound like the federal government's position and the current Prime Minister's position as regards the Kyoto protocol? I don't think so. The arrogance displayed by the Prime Minister, represented by the power vested in the office of the Prime Minister with absolutely no checks and balances, is what has led to the renewal of interest in reform of the Senate and the triple E Senate in Alberta. If we as federalist Canadians are not able to give substance to the sense that people in Alberta and in other regions of the country do not have a place in the country that is on par with the power of the votes of Ontario and Quebec, then there will develop a schism in our country beyond anything that the federal government has ever experienced in regard to Quebec.

What we're talking about in this motion is, in my opinion, exceptionally important in the historical affairs of our country because, as the Member for Airdrie-Rocky View indicated, there are many of us here in our province who are proud Canadians but will not go through another national energy program. So if the federal government is paying any heed whatsoever to the debate that takes place in this Chamber, in this Legislature, they will see behind the motion the reason that exists here in Alberta and is reflected not just here but in other provinces.

Now, we may or we may not end up at the end of the day with a triple E Senate. There exists in Canada today the understanding that Canada is regional in nature – Atlantic Canada, Quebec, Ontario, the prairies, and British Columbia – and that these are natural, geographic, and interest groupings. It may come to pass that we will get "elected" and that we will get, by nature of being elected with the powers existent, "effective," and we may end up with "equitable" rather than "equal." The important thing is that these negotiations take place in the interests of our country and of our province. The important thing is that our Premier show the same unwavering resolution when it comes to the negotiations with the other Premiers and the government of Canada that Mr. Brown has shown over these many years, because it is unwavering resolution that will see this through to the end.

4:10

Nothing that I have said should be construed as in any way denigrating the quality of the people that are in the Senate. There are some exceptionally fine people and there are some exceptionally fine people representing Alberta in the Senate today. It's interesting to note, however, that after Alberta had the senatorial election and Alberta had two Senators-in-waiting, the Senators appointed to represent Alberta were of a much higher calibre, in my opinion, than had previously been considered.

Having said that, Alberta's place in Confederation is up for grabs. Make no mistake about it: if we are not able to find our place in Confederation with honour, if we are not able to have representation in the Parliament of Canada that balances the power of the office of the Prime Minister to give voice to the important perspectives of the provinces, including ours, Canada is going to be in for a very difficult constitutional time once again. And none of us want that.

So I would urge this Legislature, other Legislatures, and the Parliament of Canada, first of all, to understand this motion as a warning shot across the brow, to take the Kyoto ratification process off the Order Paper, to consult with the provinces as was promised in the Calgary declaration, and then to work with the Premiers and urge our Premier to show the same unwavering resolution that Mr. Brown has shown over these many years. Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Wainwright.

MR. MASON: Thank you very much, Mr. Speaker. It was with interest that I listened to the comments of the members who have just spoken on this matter. It may surprise some hon. members to know that the New Democratic Party in Canada was a pioneer of Senate reform. Long before the triple E Senate reared its head, our party, going back to the early 1960s, was calling for the abolition of the unelected Senate of Canada.

Mr. Speaker, I sometimes agree with some hon. members' sentiments, and one that I've heard often in this Chamber is that we are overgoverned in this country. I certainly believe that an additional layer of politicians at the national level needs to be examined quite closely: the impact of that, what it is supposed to achieve. In this case what it is supposed to achieve is the prevention of things like the national energy plan ever happening again, according to the hon. Member for Airdrie-Rocky View. It may, as the hon. Member for Edmonton-Rutherford says, be – and I'm paraphrasing – a little bit oversold. It may in fact not deliver what is expected of it. Those expectations, based on what the hon. Member for Airdrie-Rocky View had to say, are very, very high indeed.

What we are going to have, I think, is a more complex federal system. It may be more representative. It may give more power to the provinces, but it will in fact present, I think, a number of constitutional challenges and costs, and I think that there are other avenues that could be followed in order to improve the functioning of the government in this country.

I believe, having been here now for a little bit over two years, that there is a major reform of democracy which is required right here and, indeed, in the federal parliament and probably in many, if not most, of the provincial legislatures right across the country. I think we should look at that. The hon. Member for Edmonton-Gold Bar talked about the democratic deficit this afternoon, and I believe that that is, in fact, a serious problem. So we ought to look at these issues, I think, as a package rather than single out one silver bullet that we believe is going to solve all the problems in the country.

If you look at some of the issues that have been mentioned – for example, the power of the Prime Minister's office is mirrored in this place in the power of the Premier's office. The attempts of the Liberal backbenchers to get more power have been faintly mirrored in this place and I think need to be a lot stronger. There are some things that are apparent here where we lag behind even what has happened in the Parliament of Canada. We had the Minister of Intergovernmental Affairs talk about the wonderful step that had been taken in Ottawa by the backbenchers in extending their power to elect chairs of committees, yet overwhelmingly the government

members voted down the attempt to bring the same thing here.

We don't have all-party standing committees in Alberta, and they do in the Parliament of Canada. What we have here is all-government committees that masquerade as parliamentary committees, and we saw evidence of that in the point of order that was made today. The government likes to pretend, when it's convenient, that these single-party committees, these government committees, are actually somehow part of this Legislature's processes, and they're not. They may be part of the government's processes, but they are absolutely not a part of the process of this Assembly. I think it's time that the members came clean with Albertans on that whole question because we have a system here where the role of the government and the role of the Assembly have become blurred, the role of the Progressive Conservative Party and the role of the government have become even more blurred, and the role of business and the role of government has also become blurred. The democratic deficit is probably highest right here in Alberta.

I want to talk a little bit about some of the other aspects of democracy, if we are really interested in improving democracy federally, that we could talk about here in Alberta. The most serious one is the first-past-the-post system, where individual constituencies elect by plurality the representatives of this Assembly, and it distorts the will of the people. It distorts the will of the people in Ottawa, and it distorts the will of the people in this Assembly. There is no way that the percentage of Conservative MLAs in this Assembly matches the number of people who voted for the Conservatives in the last election. They would have won the election – and I'm quite prepared to admit it – but I'll tell you, not in the numbers that are represented here. So the will of the people of Alberta has been distorted.

REV. ABBOTT: Point of order.

4:20

THE DEPUTY SPEAKER: Point of Order. A citation, please.

Point of Order Relevance

REV. ABBOTT: *Beauchesne* 459, relevance and repetition difficult to assess and enforce. Mr. Speaker, we are dealing with a government motion to amend the Constitution of Canada, and the member opposite there is talking about some provincial election history that has nothing to do with the motion.

THE DEPUTY SPEAKER: All on the matter of relevance, hon. member.

MR. MASON: Well, Mr. Speaker, I view the point of order as simply a tactic of harassment. I'm clearly speaking against the amendment, and I'm giving my reasons. The main reason is that there are real democratic priorities that we ought to be addressing right here in Alberta. I trust my clock will be stopped during this time.

THE DEPUTY SPEAKER: Any further discussion on this?

The hon. Member for Drayton Valley-Calmar has risen on a point of order citing 459, Relevance and Repetition. As the hon. member has indicated, relevance is not easy to define. In borderline cases the member should be given the benefit of the doubt, although the Speaker has frequently admonished members who have strayed in debate.

One would think that there is some relevance if we are talking about making parliamentary institutions more democratic, that you

might make, albeit some people may think erroneous, other references to what they deem as undemocratic or a democratic deficit. As I say, the hon. member may not agree with the relationship, but it's perfectly within the hon. member's right to suggest that that is relevant.

The hon. Member for Edmonton-Highlands.

Debate Continued

MR. MASON: Thank you very much, Mr. Speaker, for that. I want to indicate that I think that the first-past-the-post system has distorted the will of the people of Canada as represented in the parliament of Canada and that if it was replaced with a proportional representation system, there would be much broader views expressed and you would not have the one-party dominance in Ontario that gives the Liberal government an almost unlimited lease on power. So there are other ways to deal with it, and that's my point on this matter.

I want to say something about the Senate election that took place, that the other parties, aside from the Reform and Conservative parties, did not contest the election, in fact challenged the legitimacy of it. Municipalities challenged the government's high-handedness in forcing them to take this on at their cost. There was a high proportion of spoiled ballots, and the results, frankly, Mr. Speaker, are far too stale for us to urge the federal government to appoint these people. This is a stunt, and it is not a legitimate constitutional action in any way.

Mr. Speaker, I would like to introduce an amendment, if I may, to this, and I will wait for this to be distributed. Do I need to read it now, Mr. Speaker?

THE DEPUTY SPEAKER: You may read it, and then we'll wait till everyone has a copy.

MR. MASON: Before reading it?

THE DEPUTY SPEAKER: No. You may read it unless it's 20 pages long. If it's short, read it. Then people will have the sense of it, and then it's going to be delivered to the table and hopefully the original is going to be given to the table. The original copy of the amendment must be presented to the table as well as four other copies.

MR. MASON: Yes. The original copy is on the front. Thank you, Mr. Speaker. I will move that Government Motion 32 be amended as follows: in the first paragraph by striking out "to provide for an elected Senate which would represent the interests of all provinces through equal representation and through effective powers" and substituting therefore "to abolish the Senate," and by striking out everything after "consultations with all provincial governments on this amendment." This has been approved by the Parliamentary Counsel.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands on amendment A1.

MR. MASON: Thank you very much, Mr. Speaker. How much time am I allowed on this amendment?

THE DEPUTY SPEAKER: Well, you're allowed in the whole motion, including your amendment, 15 minutes, following which there can be five minutes of questions. Then we go on to the next speaker, but it would have to be on the amendment.

MR. MASON: Thank you very much, Mr. Speaker. The amendment would change the government motion so that we were in support of the abolition of the Senate.

Now, you've got to go back to the history of the Senate in Canada. It did not have the same history as the United States. People would like to institute or impose American political institutions into Canada, but they don't necessarily fit. If you examine the early history of Canada and the development of its institutions, the Senate was intended to represent the House of Lords in the British system. There was a very high, for the time, property requirement, and they deliberately made it of a nature that only wealthy people could be members, attempting, without the history of the autocracy in Canada that existed in England – the lords and nobles and dukes and all of those kinds of people – to create that here in Canada. So it was not elected on purpose.

It has always been, in our view, a bastion of anti-democratic views. It has never been publicly accountable, and it is appointed by the Prime Minister. All provincial assemblies that had a bicameral system have abolished their upper Chamber. The last to do so was the province of Quebec, and I think it was in 1967 or 1968 that they abolished the last upper Chamber, appointed in a similar fashion by the Premier of Quebec as the Senate of Canada is. It's obvious to me that the Senate of Canada has never been consistent with a democratically elected system.

Now, people want to take the step of making it elected and making it democratic, and that's fine. As I've said earlier, Mr. Speaker, I don't think that that is the solution to Canada's constitutional problems. I think there are many other things that we could do to reinvigorate our democracy in Canada and in Alberta.

The Senate has seen any number of scandals of people not attending. As we know, they had to actually go down and virtually drag a guy out of Mexico in order to get him to attend to even the slightest amount of his duties. The Senate does not contribute in a meaningful way, in my view, in the view of my party, to the political life of this country. It is a place of patronage writ large, the perfect place for various bagmen and party workers and people to whom the government owes favours to be appointed. One or two occasionally are actually appointed on their merits, and in some of those cases we actually have some of the very finest people involved in government across the country, and I would like to say that some of the recent appointments of Senators in Alberta have fallen into that category. Some members may not agree.

So, Mr. Speaker, just to conclude, my amendment would serve the function of putting this Assembly on the record as calling for the abolition of the upper House in Canada so that we would have a system of government that was democratically elected, and we could start on the step of extending democracy in Ottawa and in Edmonton, and I think that that's where we should go.

Thank you.

4:30

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford has already spoken on this. I presume that by standing you're going to ask a question or a comment.

MR. McCLELLAND: It's not on the amendment but on questions and comments.

THE DEPUTY SPEAKER: Yes, and the table has reminded me that you may also speak again on the amendment at a later time.

MR. McCLELLAND: Thank you, Mr. Speaker. This is in the nature of Standing Order 29, questions and comments. I'd like to ask the

hon. Member for Edmonton-Highlands: given the federal nature of our country and the constitutional nature of the provinces and of our constitutional relationship with the federal government, in the absence of a second Chamber, the Senate, how would the regions and the provinces offset the weight of the representation-by-population of vote-rich Toronto and Montreal, and how could there be any potential effective balance in the relationship between the provinces represented by the Senate and the power of the office of the Prime Minister?

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. The hon. member has touched on some important things. First of all, the weight of the members of Ontario would be reduced by a proportional representation system, so there would be more diversity amongst the Members of Parliament from across Canada and from central Canada. I think that the Constitution clearly provides strong protections for the provinces, and I don't think that we need a Senate to represent the provinces. This province is perfectly capable of representing itself. I think there are some other developments and evolutions that could take place in terms of provincial and federal conferences, as we used to see when Mr. Trudeau was the Prime Minister. So basically I'm of the view that we simply do not need a triple E Senate to protect our rights.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford, if there are no other members.

MR. McCLELLAND: Well, thank you very much. Proportional representation requires a list. The list is put together by the leader of the political party. If the Prime Minister puts together the list and those on the list are there at the pleasure of being put on the list by the Prime Minister, would that not further concentrate power in the hands of the Prime Minister and further complicate and further denigrate the very democracy that the Member for Edmonton-Highlands wants to achieve?

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you for that, Mr. Speaker. I certainly can't speak for the Liberal Party of Canada, nor would I try, but certainly I know that within our party, and I'm sure if we had a system within yours federally, there would be a democratic decision that would be made with respect to the list. It's not just the leader that assigns the list in places where we have this kind of system. There are only about three democracies left that have the system that we have. I think Australia, Britain, the United States, and Canada are pretty much it in terms of these ridings rather than proportional representation.

MRS. NELSON: Mr. Speaker, I wasn't going to speak to this amendment, but I feel rather compelled to, if I might speak against it.

THE DEPUTY SPEAKER: Okay. I think, unless the clock has run out, that we're on comments and questions on the last speaker.

MRS. NELSON: Oh, then may I make a clarification through a question?

THE DEPUTY SPEAKER: Okay. Yes.

MRS. NELSON: Back in the original discussion the hon. member made the comment that we didn't have standing committees out here in this province like they have in other parliaments, and actually he sits on two select standing committees of this very Legislature. I was wondering: was he referring to reducing those standing committees in our Legislature and giving up his membership on them?

The second thing I was wondering. I appreciate his frustration level that there must be with not having the Senate effectively representing the province of Alberta, but I fail to understand as to why he would like to move away from a system that would have, clearly, representation from all sectors of this country in Ottawa so we could be dealt with fairly through an equal representation, as opposed to being gobbled up again by central Canada, which is the proposal he's putting forward.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. The second question is rhetorical. The first one . . . [Mr. Mason's speaking time expired]

THE DEPUTY SPEAKER: The tyranny of the clock. The time for comments and questions and answers to either the comments or questions is up for this particular speech. We're on the amendment. I have two people who have indicated that they wish to speak to it.

Hon. Member for Wainwright, were you wishing to speak on the main motion itself or on the amendment?

MR. GRIFFITHS: The main motion.

THE DEPUTY SPEAKER: The main motion.

The hon. minister expressed an interest in speaking on the amendment. The hon. Minister of Finance.

MRS. NELSON: Well, thank you very much, Mr. Speaker. I have to speak against this amendment, and I have to assume that this was put forward out of total frustration. I'm going to go back a little bit in time. Back in 1981, when the patriation of the Constitution was taking place – Mr. Bert Brown, who's in your gallery, will remember this – I was one of the fortunate people that belonged to a group called the Canadian citizens' Constitution committee. We were concerned about the representation across Canada and the different acts of the provinces that joined Confederation and what the changes would be in the Canadian Constitution, particularly with the introduction of things such as the Charter of Rights and Freedoms.

We traveled across Canada and talked to over a million people, in fact collected signatures to stop the move by our federal government. We went through the British parliamentary system and actually met up with 60 Lords from the House of Lords in England to plead the case to stop the patriation because of the unfairness that there would be with the democratic principles that we had in Confederation originally, that they were not going to be represented within the Constitution that was being put forward because, clearly, there was a difference and a determination to have a dominance in central Canada of the whole country.

Well, we presented a million signatures to the House of Commons in Canada. Of course, they were totally ignored, and so we went to England. We met with the Prime Minister and with the House of Lords, and they were supportive. Sixty Lords in the House of Lords were onside with what we were trying to put forward so that there would be fairness within Canada. Because of the vast size of this

country we don't have the population base in western Canada to effectively be represented in Ottawa. The bicameral system seemed to be the only alternative that we could have, similar to what they had in the United States. They experienced the same vastness of their country, but they had a difference between population bases throughout the land.

Having an equal representation in the Senate, having the Senate elected, and having the Senate actually have effective powers became critically important. We lost the case in our presentation, obviously, because we ended up with not only not having sort of an effective situation within the Constitution but also having the Charter of Rights and Freedoms tacked on, which really becomes a contradiction to democracy because it protects people against the willful destruction of the majority, which is a democratic process, and we were in contradiction.

[The Speaker in the chair]

So I hope that when we look at trying to have a say in what happens within a family and through the Senate, it is not going to be rejected by the hon. member, because I think it's a mistake. Clearly, we recognize that we don't have the population base in western Canada to have equal representation in the House of Commons, but the Senate is supposed to be the sober second thought. It's supposed to be made up of the minds that would look clearly at a certain level of the bill, at third reading of the bill, and make a determination if this is in the best interests of the country. That can only be accomplished if you have equal representation. That can only be accomplished if there's an effective process for it to be followed, and, clearly, as we have enunciated here in Alberta, the people should be chosen by the people.

4:40

So to throw that all out, to me, would be the last straw. I don't feel that we should give up on triple E. I think it's the only salvation that we have in parts of Canada outside of Ontario and Quebec because we're not going to have the population base, but clearly we want to be part of the program. Clearly, we want to be part of Canada. We've said that time and time again, but it's getting very difficult when we don't feel that we have any representation in Ottawa.

We went through a process in Alberta a few years back where we actually elected Senate candidates, and we said: we want these people to represent us in the Senate. The people of Alberta voted. They selected their candidates. The arrogance of the federal Liberal Party to ignore that process has been outrageous. It's unconscionable. We're used to it out here, but we need to fight to have fairness. We need to fight to have representation. We need to be treated equally. In all other aspects we're asked to contribute, to be a partner, and Alberta contributes immensely to Confederation, and we're prepared and we want to do that. We want to be part of the family, but that can't be a one-way street. We have to have the opportunity to be there.

So I would hope that you won't give up on having that say, because I think that would be a big mistake. I think the effective use of a bicameral system in the United States has been very successful for smaller states, for smaller jurisdictions. Their congress, of course, is rep-by-pop, but the bicameral system in the House has two Senators from each state. It's been very effective. It's a process I don't know why we're fearful of in Canada. We'd still have the House of Commons. I don't know why we're so frightened of it, unless it's like my colleague from Airdrie-Rocky View mentioned earlier: we might actually be heard. We might actually be heard in

Ottawa. It would be a novel concept to ever have it happen.

So when we look at this, Mr. Speaker, I hope that all members who clearly vote against this motion to abolish the Senate – I don't think that that's in the best interests of Albertans, and it's certainly not in the best interests of Canadians. We need to have a vehicle to be heard, but we need it to be fair. We need it to be a triple E: elected, effective, and equal. All we're asking for is to go back to that so that every part of this country can truly have a voice and be heard in Ottawa. What can be so tough about that? Surely nothing.

Thank you.

THE SPEAKER: First of all, hon. Member for Edmonton-Highlands, I do believe Standing Order 20 would preclude you from participating again.

MR. MASON: I have questions.

THE SPEAKER: You want to go to questions or comments? Okay. That's perfectly fine.

MR. MASON: Thank you very much, Mr. Speaker. To the hon. minister: I appreciate your speech and relatively moderate tone and the appeal. I appreciate it, but I want to ask a question. The Senate elections that took place in Alberta I believe are nearly four years old. Had those Senators been appointed immediately thereafter, their terms would now be coming to an end. How long is that election going to be valid, in your view? How long do you believe that election that took place nearly four years ago will entitle the individuals who, quote, won it to be Alberta Senators-in-waiting, and when will the government hold a new election so we can ascertain the will of the people at this point?

MRS. NELSON: Mr. Speaker, the premise was that if Albertans selected their candidates, they would be appointed to the Senate. The difficulty is that that was totally ignored by the federal government, and I believe, quite frankly, that Albertans are still waiting for the Senate candidates who have been elected as candidates to be recognized by the federal government. Again, this is not hard. Albertans duly elected these people at the polls, and I think they should be recognized by the federal government. That's the bare minimum, and we'll perpetuate the fight until they are appointed in the Senate. I think that's a process that Albertans would want us to stick to, so I would hope that they would agree to continue on.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar on the question-and-answer section, please.

MR. MacDONALD: Yes. Thank you very much, Mr. Speaker. I have a question for the hon. minister in regard to her remarks pertaining to the amendment as proposed by the hon. Member for Edmonton-Highlands. The hon. minister spoke about the arrogance of the federal government in their refusal to accept the choice that was made by Albertans in regard to the two individuals who were selected to be on the waiting list for Senators. If that's fair enough and there's an arrogant pattern by the federal government, what happened to communities in Alberta that voted to get rid of VLTs? What did this provincial government do in relation to that, if the federal government is arrogant in their refusal to deal with the Senate elections?

MRS. NELSON: Well, I don't know where the hon. member has been. I would normally say "hello?" at this point. But if you've forgotten, there have been court cases that have been ongoing on that

very issue. So, you know, there's a process through the judiciary that is taking place as we speak on those cases. We would be negligent if we jumped in and interfered in that and dialogued on that in this House. We would not do that because they're before the courts now.

We're talking about a Senate election.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, still in the question-and-answer section.

MR. MacDONALD: Yes. Thank you, Mr. Speaker. Again to the hon. minister: does the hon. minister consider it fair to force Alberta communities that make a democratic choice to go through the courts?

MRS. NELSON: Mr. Speaker, I always understood – and I'm not a lawyer – that the courts were available to all and that if people chose to challenge things, they had the right to go to court. But I would probably ask the Minister of Gaming to comment on that.

MR. STEVENS: Thank you. I may comment under Standing Order 29. The facts behind this situation simply are that this Legislature passed legislation to put into effect the plebiscite results in those communities. That was challenged, and as a result the matter is before the courts. My understanding is that this Legislature has fulfilled its role, and the courts are fulfilling their role pursuant to the right of individual Canadians to make challenges with respect to legislation and to raise constitutional issues.

THE SPEAKER: The hon. Member for Edmonton-Highlands. There are 16 seconds left in this section.

MR. MASON: On a point of order, Mr. Speaker.

THE SPEAKER: On a point of order?

MR. MASON: Yes.

THE SPEAKER: Well, we'll just wait 10 seconds and see if there's an additional question in the comment section.

Okay. We'll now recognize the point of order.

Point of Order Relevance

MR. MASON: Thank you, Mr. Speaker. I'm just looking for the citation here. I believe it's 29(2), that says:

A period not exceeding 5 minutes shall be made available, if required, to allow members to ask questions and comment briefly on matters relevant to the speech and to allow responses.

I believe that this applies to questions and answers of the person who just spoke, and I guess I would ask for a ruling on whether or not it can be referred to someone else.

4:50

THE SPEAKER: Well, the chair has been listening very attentively to this debate this afternoon, even in his office because of the technology we have. It seems to me that not too many minutes ago there was a question of relevance raised in the House when the Deputy Speaker was in the chair, and the Deputy Speaker responded that to the greatest degree the widest range would be applied this afternoon with respect to this debate.

It is absolutely correct, hon. member, that the chair might have intervened when the hon. Member for Edmonton-Gold Bar raised his question. The chair thought for a moment that there was a major

disconnect here between the two subjects that were being raised but, in terms of bending over backwards to accommodate the wishes of all hon. members to have the widest range of opportunity by way of example, allowed it to proceed. Of course, presumably, then, those who would respond to the question should have a similar kind of thing now.

So the question specifically was: would it have been appropriate for the hon. Minister of Finance to actually ask and for her response to have been supplemented in this case by the hon. Minister of Gaming? It seemed to me that in listening attentively to the question, with the need for complete accuracy in the response, the minister who might most appropriately provide the most important information in this case would have been the Minister of Gaming. So it's only in terms of the pursuit of knowledge for all members that the chair allowed that to proceed.

I take it that this point of order has now been concluded and we are simply on the amendment to the motion and there are additional members who would like to participate on the amendment.

The hon. Member for Edmonton-Strathcona on the amendment.

Debate Continued

DR. PANNU: Thank you, Mr. Speaker. The amendment is an attempt to fix what we see as a fatal flaw in the motion before this House. Therefore, it's very difficult to speak to the amendment without speaking to the flawed nature of the motion itself. So with your permission I would like to proceed to make a few comments.

This motion, which is being amended by way of the amendment that my hon. colleague from Edmonton-Highlands has put before the House, really has a certain context and background. The question was raised earlier: for how long does this election of Senators remain valid? It took place in conjunction with the municipal elections in 1998. Those municipal elections have since happened again. Albertans have the right to ask the question of whether or not the Senate election should follow the same cycle, and those who want to represent Alberta through election should have run again at the last municipal election, with a question as to the validity of the election that took place in '98. In November of 2002 we are over four years since that election took place, so there are serious questions about whether or not what we're talking about really should be valid.

This raises the question: shouldn't there be a statute of limitation on Senators-in-waiting? This motion before us, which will be amended, hopefully, by this House in the remaining 20 minutes or so of the time that's available to the House, is silent on it. I think it needs to address that issue. If we're serious about democracy and we don't want to make a mockery of it, then these serious issues should be addressed. Albertans have a right; they are entitled to ask if there is a limitation on the Senators-in-waiting. Otherwise, we are simply ignoring an issue which lies at the very heart of the whole process of democratization and the argument made to make a triple E Senate, which is presumably a step towards a more democratic federal government arrangement. So the issue of whether or not there should be a statute of limitation is something that should be addressed in the motion. Since it's not, I think the amendment made by my colleague is something that should be seriously considered and that will allow some discussion on this.

Another issue, Mr. Speaker: Senators get to serve until age 75. As such is the case, since there's no statute of limitation on this particular situation in Alberta, does this mean that one gets to be a Senator-in-waiting until one turns 75? Another vital question that bears both on the motion and the amendment to it.

Moreover, there are serious questions as to the meaningfulness of this so-called Senate election. Let me make some arguments there. First of all, there was only one political party, the former Reform Party, that fielded candidates. The provincial Conservatives, those

great champions of the elected Senate, failed to field a candidate of their own. There is a certain mentality here that one party is all you need to run a government. That used to be the case in some other places. I hope it doesn't come to be the case here.

AN HON. MEMBER: Name some of those places, Raj.

DR. PANNU: I would like to name names here, Mr. Speaker, but it's the case that one-party states run one candidate per constituency. There are no contests. I mean, here we don't walk into a situation, which becomes a matter of routine, where if there is only one party running candidates for election, we should celebrate that fact and stick to the results of that kind of phony election. [interjections]

Mr. Speaker, may I proceed?

THE SPEAKER: Well, hon. member, I was going to interject at this point to in fact remind hon. members that the hon. Member for Edmonton-Strathcona does have the floor.

DR. PANNU: Thank you, Mr. Speaker. My second argument, speaking to the amendment, by the way. I have to refer to the motion as I speak to the amendment. Almost 72,000 Albertans chose to spoil or reject their ballots. That's a huge proportion. That's a huge number. [interjection] For the Minister of Finance 75,000 Albertans don't matter, but that's a large number, this despite the fact that some electronic voting systems used by some Alberta municipalities are not designed to count spoiled ballots. Had they been so designed, the number of spoiled ballots counted and recognized would have been much larger, I submit.

Everyone agrees; we agree that the current unelected Senate is not desirable. We need to take firm steps towards renewing democracy – Canadian democracy, Alberta democracy – despite the fact that the Prime Minister recently made some excellent appointments from Alberta. I name Mr. Roche, a distinguished Albertan who has served his country and his province with distinction over his lifetime, and Mr. Tommy Banks, a well-known musician in this province. They were good appointments. Too often, however, the appointments have been made of political insiders of the government of the day. [interjections]

THE SPEAKER: Perhaps hon. members might just make contact with me. I gather we're not going to have enough time in the five-minute question-and-answer exchange here, so I'll start keeping a list now of all people who want to raise questions to the hon. member when he concludes.

DR. PANNU: Thank you, Mr. Speaker, for providing some peace and quiet here so that I could make my point.

So it is true that the pattern in which appointments to the Senate have been made looks very much like the way the appointments are made here in this province by the Premier of this province to all kinds of important commissions, committees, boards. I have never been consulted by the Premier of the province over the last six years that I've been in this Assembly before he appoints people to the regional health authorities or when he appoints a financial management commission or the education commission. I've been completely left out of this. So I think the government side should feel quite comfortable with the way the Prime Minister of this country, whether it's Chretien or Mulroney before that, made those appointments.

We do need to change that system in the Senate here in Alberta and elsewhere. So the motion falls short of addressing these key issues that must be addressed, and that's why the amendment that

I'm supporting here is something that leads not only a serious discussion and examination in this Assembly, but I hope it receives massive support so that we can move on to taking important steps that need to be taken to make our governments here and in Ottawa more accountable, more democratic, more transparent for all Canadians, for all Albertans.

5:00

There are two possible solutions to this reform of the Senate: reform the Senate to make it elected and accountable or abolish it. We say, Mr. Speaker, that we'll be making a good start if we abolish the Senate altogether and then find ways of democratizing the House of Commons and this Assembly. The best way to do it – and this is what dozens and dozens of other established democracies in the world have already done – is to move to proportional representation so that this House and the House of Commons represent in a true form regional diversity, political diversity, cities and rural areas and municipalities, and other forms and sublevels of government.

We need to take seriously the question of broadening democracy, renewing democracy, revitalizing democracy, and if that is a goal on which we all agree, then the motion before us, obviously, is something that needs to be repaired. I think the amendment that the Member for Edmonton-Highlands is making is an attempt to address that serious flaw in that motion, and that's why I support the amendment, Mr. Speaker.

Thank you very much.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you. On a question, Mr. Speaker?

THE SPEAKER: Yes, indeed.

DR. OBERG: Mr. Speaker, the hon. member has just expounded on the virtues of one Mr. Tommy Banks, who was just appointed to the Senate a couple of years ago. Mr. Banks certainly is a wonderful person. He's a musician, but he really does not have any political expertise, nor has he ever been elected before, to my recollection. Given the fact that Mr. Banks is a well-known musician, given the fact that he has little political experience, I was wondering if the hon. member would back as the next Senator from Alberta Mr. Chad Kroeger from Hanna, who is the lead singer of Nickelback. Obviously, Mr. Kroeger has sold a lot more records. He has a lot bigger popularity than Mr. Tommy Banks has around Canada and around the world. So I guess my question is: using a similar type of criteria – and I would add that Mr. Kroeger has one other criteria, which is that he comes from a long line of politicians, as his grandfather was a former member of this Assembly – would the hon. member back Mr. Chad Kroeger from Nickelback as the next Senator from Alberta?

DR. PANNU: Mr. Speaker, thank you for the opportunity to address this vital question that has been posed here. If political experience were to be the precondition for getting elected or appointed to political positions, more than half the members of the Assembly would not be here. At least the Member for Edmonton-Strathcona wouldn't be here. I had no political experience before this. That's an argument that makes no sense. If the constituents of Edmonton-Strathcona in their wisdom made the decision to elect this member knowing that this member before he was elected had no political experience, then who am I to say that the conditions should be different? That's why I disagree with the premise of the question that to be elected or appointed to a political position, you have to be

a political bagman or you have to be a member of a party. No. I think these are matters that we should leave to the best judgment of the people who are making these judgments, who are the sovereign citizens of our province and of this country.

Thank you.

THE SPEAKER: Additional questions? No additional questions? Then on the amendment.

Sorry. Hon. Member for Edmonton-Highlands, you are on the question-and-answer section?

MR. MASON: No. I am asking if I am allowed to close.

THE SPEAKER: No, sir, you're not, under Standing Order 20.

[Motion on amendment A1 lost]

THE SPEAKER: Now, I have been notified that the hon. Member for Wainwright wishes to participate. Is this correct?

MR. GRIFFITHS: Thank you, Mr. Speaker. I am pleased to have the opportunity to speak to this motion today. When I was a youth – the operative word there being “was” – I became very involved in federal politics and the relative issues that many Albertans concern themselves with at the federal level. Some of the issues surrounded taxation, debt, and deficit levels. I'm proud to say that this province and this provincial government led the way on reforms regarding those issues. We now see that most of North America and, yes, even our federal government have adopted at least some of the financial practices of this great province. Financial reform was achieved primarily through a shift in the priorities and values of this province and later this nation. That shift in priorities translated into a shift of the will of the government of this province and, again, much later on, this nation. I was pleased to see that.

Financial reform, however, was only one step in the process of change needed at the federal level. Even more important than financial reform was, and remains to this day, the need for democratic reform at the federal level. You see, Mr. Speaker, if democratic reform was achieved, then true government accountability could be possible at the federal level, and with such accountability having a government that acts on the will of the people would be natural, inevitable, and a pleasure to see.

So I worked hard to bring the need for democratic reform to the attention of the media and the federal government for many years. I advocated on behalf of the candidates who ran in the senatorial election that was held in this province. Those candidates knew the issues of this province as well as those of the country. Those candidates had the commitment to represent the concerns of the people of this province. Those candidates had the commitment to attend Senate debates and meetings and to speak on behalf of their province and their constituents, and the two Senators-in-waiting, as they have been dubbed, still have a keen awareness of the issues. They still have a commitment to represent the concerns of the people of this province, and they still have the intention of one day attending Senate debates and meetings to work and speak on behalf of the citizens of this province, by whom they were duly elected.

Mr. Speaker, those are much different circumstances than exist today. Today we have a situation where attendance at senatorial hearings, meetings, debates, and, most importantly, votes is extremely low. There is no current requirement for Senators, Senators who are currently determined and appointed solely at the pleasure of the Prime Minister and at times the displeasure of the provinces, to show up for any of those important functions. Senators cannot be fired. They are never elected and, therefore, never face re-

election. In other words, they are never held to account by the people they are supposed to represent. Currently they are accountable to no one but the one individual who gave them their wonderfully rich position paid for by the taxpayers and, I'd like to add, the taxpayers that they have no accountability to.

Mr. Speaker, appointing Senators may have been acceptable when it was commonly thought that only wealthy landowners were intelligent enough and aware enough of the issues to vote. Since that time, however, our nation has matured and so has its citizens. Since its inception this nation has grown to achieve acceptance as an independent nation. Since that time we and the world as general citizens have developed a deeper understanding of the basic democratic principles, principles of economics, and an understanding of the delicate relationship between society and its needs and the government that attempts to meet those needs.

The notion of a Chamber full of wealthy and wise men whose sole purpose it was to be the sober second thought to the potentially dangerous decisions made by the elected and presumed ignorant masses is an Archaean idea that must make way for the 21st century. It is time that this nation adopted a triple E Senate. Most everyone in this province knows what a triple E Senate is and what the three Es stand for. This is just another indication that this province and its people are aware of the potential to improve democracy in this nation, to improve the quality of representation within the federal House and the benefits that it can have on the quality of decisions that will be made. The triple E Senate that so many Albertans have called for all these years is one that is elected, effective, and equal.

5:10

Much debate has been made about how equal the Senate should be if it were reformed into the 21st century. I believe there's only one option. The number of Senate seats should not be developed and divided according to regions. The only true equal Senate must be formed on the same basis that this nation was formed upon; that is, Mr. Speaker, it must be recognized that this federation is bound by the principle that no one province is more equal than another. No one province's concerns outweigh another's. Just as our Charter and our courts uphold the position that no one person is more equal than another, that we live in a partnership, a collective where all citizens have an equal voice and equal rights, so, too, must our parliamentary system uphold that principle. A bicameral system where one Chamber holds true to the principle of one person, one vote and another Chamber that holds true to the principle of equal votes for equal provinces must be made.

The second E, effective, is something that is necessary if the Senate is going to carry out its function as a Chamber of sober second thought, and, Mr. Speaker, they already possess much of the powers that are necessary to make the Senate effective already, today, right now, but what the Senate lacks is a mandate and real legitimacy so that it can fully utilize the power it possesses, so we come to the first E, the most important E; namely, a move to an elected Senate.

As democracies go, Mr. Speaker, it is accepted in principle and practice in democracies around the world that the representatives of the people, those who would make our laws and lead us by design, must be elected through democratic process by the people they represent, and as we stand here today, half of the federal government, one House of our bicameral system, is not democratic, not elected, and not responsible to the people. For a nation as progressive as ours that calls to the rest of the world to follow its lead on social, political, and economic issues into the 21st century, it is difficult to imagine that our federal government would refuse to put into practice those same principles of democratic and responsible government that it so freely advocates on the world stage.

It is obviously time for this nation and the federal government to

move into the 21st century by adopting a triple E Senate, but for those who have doubts about such a move, I would like to point out a few benefits to adopting such a change. First, Canadian unity has long been a hot topic. For a long time provinces and Canadians have debated the success of Confederation. It seems apparent to me, however, that the frustration they sometimes exhibit comes less from the type of cost-benefit analysis and more from a feeling that they and their province's issues have not been heard at the national level. A triple E Senate that is elected by the people and provinces that elected them based on equality of provinces with effective powers to debate, investigate, and vote on issues would allow all Canadians and all provinces the opportunity to participate at the federal level, and, Mr. Speaker, the only effective democracy is a participatory democracy, and the only way we'll get participation is with a full triple E Senate.

Current issues of provincial and national scope such as Bill C-68, Kyoto, the Canadian Wheat Board, taxation levels, and the like would find an avenue for debate and reflection. Indeed, past problems surrounding things like the national energy program and the Charlottetown accord could have been debated more intelligently and perhaps been solved before they came to conflict. Provinces and regions would have a process by which they can bring their concerns to the national table, and by bringing these concerns to the table, we will begin to truly understand each other, which can only bring us closer and enhance national unity. Mr. Speaker, wouldn't it be great if we debated the issues, made the decisions, and got on with prosperity instead of sacrificing that prosperity to discord and disunity as we have for the last 20 years? I believe it would.

As I conclude, Mr. Speaker, I would like to say that I am proud, proud of this government. Just as this government put fiscal responsibility and accountability on the agenda of every government and every politician on this continent, so, too, will this government bring the agenda of full and meaningful democratic and responsible government to the national agenda. Now is the time for us to lead the rest of Canada in achieving this vision of a Senate that reflects the true nature of Canada, a Senate that is based on legitimacy of elections, a Senate that speaks to the equal partnership among provinces in shaping the nation's future, and a Senate that effectively participates in the national political debate. I support this motion, and I call today on the federal government of Canada to recognize this request, recognize the province of Alberta's duly elected Senators, and show their commitment to beginning the process of change toward a triple E Senate.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. I would like first to most sincerely congratulate the hon. Member for Wainwright on, I believe, his maiden speech in the Chamber and one of which he will rightfully be very proud.

My question to the hon. Member for Wainwright has to do with the first E of the triple E Senate, equal. My question is: in the hon. member's opinion how many Senators are necessary in the upper Chamber to effect a critical mass so that the Senate could do its work?

MR. GRIFFITHS: Twelve times four is 48.

THE SPEAKER: Other questions? The hon. Member for Edmonton-Rutherford to the mike, please, since you were cut off.

MR. McCLELLAND: The reason for asking that question is that therein lies the problem. In the United States, because of the number

of states, it's relatively easy to arrive at an equal Senate that gives a critical mass of a hundred. In our situation we're faced with the fact that the Atlantic provinces, sparsely settled in terms of population, have – and we agree on the notion of the equality. But if we were to, say, arrive at a hundred seats across the country, which is essentially the same as we have now and reflects the American experience, that would mean that there would be probably nine Senators representing each province. That would then mean that there would be an awful lot of people moving to Prince Edward Island, because the odds would be better than winning a lottery, and that's why the notion of an equitable Senate rather than equal, effective, elected by region – would we end up with an equitable relationship? I wonder if I can have your comments surrounding that notion.

MR. GRIFFITHS: It's a very complex issue. I'm not diametrically opposed to an equitable Senate, but I believe the evaluation has to come back to whether you consider this Confederation a balance of 12 equal provinces or three or perhaps four equal regions. I am committed firmly to the belief that it's 12 equal provinces. Every single one was formed by an act, and I believe that's a principle that we have to adhere to. I do believe that if we based it on equitable representation and divided the country into regions, we would again find controversy in a Senate where we would pit region against region and still wind up with much the same problem that we have in the House of Commons right now.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Mr. Speaker, thank you. Perhaps the hon. member has in mind dividing Ontario into three so that we might have 12 provinces.

My question to him is around the validity of an election that took place four years ago. If the federal government does not accede to the request of this Assembly and appoints individuals other than the ones being proposed, how long do we have to go before we decide that that election was invalid? I think the hon. Member for Edmonton-Strathcona has already indicated that another municipal election has come and gone with no vote being held by the provincial government to update the selection. So how many years will go by before it's time to have a new senatorial election in Alberta?

5:20

MR. GRIFFITHS: That's a very good question. I'm surprised I'm saying that, but it is a very good question. Typically, I think, using the U.S. example, from all across the world, different levels of government have their elections staggered over different periods of time. So with municipal elections being every three years, provincial being every four to five years, we could fix a time somewhere between five and seven years, and I would be favourable to that.

On the question of how long before the current Senate elections become invalid, that one is difficult to answer, because I know the hon. Senators-in-waiting personally and know how committed they are to the job, and I do believe they could still do the job. But to be honest, to answer your question, I don't believe that we need to even consider that fact. The only option if we're going to bring this country together and be effective is to get this done now, and we'll worry about the next elections when they're in.

THE SPEAKER: On the main motion, hon. Minister of Gaming.

MR. STEVENS: Yes, Mr. Speaker. Given the time, I move that we call it 5:30 and that we adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:22 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, November 20, 2002** **8:00 p.m.**
 Date: 02/11/20
 [Mr. Shariff in the chair]

head: **Government Motions**

Senate Appointments

32. Mr. Jonson moved:

Be it resolved that the Legislative Assembly of Alberta affirm its support for an amendment to the Constitution of Canada to provide for an elected Senate which would represent the interests of all provinces through equal representation and through effective powers and, further, that the Legislative Assembly of Alberta urge the government of Alberta to undertake consultations with all provincial governments on this amendment and, further, that pending such an amendment the Legislative Assembly of Alberta call upon the Prime Minister to summon to the Senate to fill vacancies relating to Alberta only those who are Senate nominees pursuant to the Senatorial Selection Act of Alberta and, further, that the Assembly confirm the recommendations of the report of the Select Special Committee on Upper House Reform, which were unanimously endorsed by this Assembly on May 27, 1985, and again on March 10, 1987.

[Adjourned debate November 20: Mr. Stevens]

THE ACTING SPEAKER: Please be seated.

The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity this evening to join the debate on the triple E Senate, the resolution, and I thought I would spend the allotted time doing three things: one, taking a brief look at the history of Senate reform in the country; second, trying to respond to the question "exactly what is it we want?"; third, how have we been going about trying to achieve that goal? I think those three questions are really very important as we consider this issue.

It's not a new issue. I think as the Member for Edmonton-Rutherford indicated this afternoon, it was shortly after the BNA Act was passed in 1867 that we started second-guessing the Senate and the role of the Senate. It was seven years after the BNA Act was passed. The discussions at that time were around the province, trying to come up with a scheme that would have the provinces given a role in the selection of Senators, and those deliberations came to naught. There were also some concerns at the same time with term limits, trying to make the service of Senators limited in terms of time. There was also talk again, even at that early date, of abolition, that we should do away with the Senate because it didn't have a legitimate role in a democratic government.

The next time that the debate really surfaced was in 1909, and again this was a debate within the Senate itself, proposing term certain appointments for Senators. The term at that time that they were suggesting was that it be seven years. As early as then, 1909, almost a hundred years ago, there was a proposal put to the Senate that two-thirds of the Senators be elected. Of course, those initiatives came again to naught.

In the 1960s – it was some years later – the whole notion of institutional reform became not a topic just in terms of the Senate but in terms of our national institutions, and again Senate reform came back on the country's agenda. It seems to have been a result of a central government that at the time was interested in institu-

tional reform. There was a lot of discussion and a lot of study, and a lot of different propositions were put forward. The proposals that came out of that era are the ones that are still with us today. They really can be grouped into three groups. One was the notion that the Senate somehow or other could be rehabilitated and that rehabilitation would be best done with the involvement of the provinces.

So there were a number of proposals, and you can group those proposals in terms of the involvement of the province and the balance of that involvement that would be exercised between them and federal government. One of the proposals was that the provinces would nominate and determine half of the Senators and that the federal government would nominate and determine the other half. A second group of proposals was put forward, and they were proposals that were aimed chiefly at having the provinces determine the makeup of the Senate. Again there were a variety of proposals put forward. The third group of proposals that was being quoted at the time really centred around the Senate being a proxy for the provincial governments.

So we've had a history – and it really blossomed in the '60s – of seeking Senate reform. Of course, nothing came of those proposals and, again, it was in the 1980s that really the big move to the election of Senators came forward.

MR. MASON: That's what the NDP have.

DR. MASSEY: I'll get to the NDP in a minute.

The move to elect Senators became very important to reformers and to those who looked to improve our democratic institutions. In the west it was the Canada West Foundation in 1981 that really laid the foundations for the kind of proposals that we see before us in the Assembly today. Those proposals, as we've oft said, have been based on three propositions: that the Senate be elected, that there be equal representation, and that that representation be effective.

It's interesting because we get so caught up in talking about the triple Es and beating up on each other and other levels of government because we don't feel that things are equal or effective. When you look at the deliberations of the Alberta select committee in 1985, they went further than that and started to really look at the substance and the form of that elected Senate. I think in the deliberations thus far we haven't heard much attention paid to the proposals that sit behind the triple E proposition. There were, I think, six of them that are fairly important. One would be that the Senate would have the power to initiate any legislation except a money bill, and they could initiate bills with respect to their own budget. They would have a 180-day suspensive veto over ordinary legislation or constitutional amendments, so there would be that six-month delay. They could suspend legislation for six months, and that would be fulfilling their obligation of providing a sober second thought for legislation.

A third proposition that came from the Alberta select committee in 1985 was that there would be a 90-day suspensive veto over money or taxation bills, so a three-month delay made possible over money bills. The Senate would have power to amend any bill. A fifth proposition is that they would have the power to veto any bill except the supply bill, and that was with good reason, so that the business of the country could continue. It wasn't seen appropriate in that proposal from the committee that the Senate could veto supply bills. The last one that was part of the proposal was that they would have the power to ratify nonmilitary treaties. So rather clearly defined powers for the Senate coming out of the Alberta select committee.

8:10

Now, that's sort of a short, brief history of where we've been with

the triple E proposal. I asked myself as I listened this afternoon: what do we really want? Is this really what we want? If this is really what we want – we want a triple E Senate – then how do we go about it? As I listened, I heard how benevolent American oil companies had come to Alberta's rescue. I heard that the national energy program was imposed on Alberta, yet I distinctly remember photographs in the local newspaper of the Premier of the day quaffing champagne with the Prime Minister on the signing of the national energy program. I heard a great deal of federal bashing and derogatory things said about the federal government, and it caused me to ask: do we really want the triple E Senate? If that's really what we want, is that the way you go about it? If you really want an agreement with someone, do you start out by beating them up? If you're really serious about achieving an end, do you make sure you get them madder than blazes before you sit down at the table? I would argue that you don't, Mr. Speaker.

I still think that the leadership, that statesperson that's going to lead and be successful in negotiating a triple E Senate, has yet to be identified, because we haven't heard it – at least, I haven't heard it – in the discussions on triple E in this Assembly, and I haven't heard it in Alberta from outside this Assembly. So I think we're still looking for that leadership. I think that the kind of sober, deliberate strategy that needs to be in place for us to achieve the goal that we want has yet to be designed, and I think it's rather unfortunate given that it's been since 1985 that we've been on record as supporting the triple E Senate.

I think the debate has been healthy. I don't think that it's furthered our goals as a province to this point, and I look forward to what's yet to be said, Mr. Speaker, in the hopes that that might be the case.

Thank you.

THE ACTING SPEAKER: The hon. Member for Calgary-Montrose.

MR. PHAM: Thank you, Mr. Speaker. I would like to join the debate at this time because I think that it is a very easy motion to support, and I am quite amazed at the opposition that I have heard from the other side. I think that the Member for Wainwright and the Minister of Finance have made a good case today as to why we need a triple E Senate and why we need to support this motion at this time. I am not going to waste the time of the Legislature by repeating what has already been said, but I would like to focus on the argument from the opposition as to why they don't support this motion.

The first reason that they opposed it was because of the statute of limitations. They put the question – and it's a very good question – that if a person is elected as a Senator and doesn't get appointed by the Prime Minister, how long does that person remain a Senator-elect, and at what time will the statute of limitations kick in? It is a good question, but it's also a very sad question because that is not the right question to be asked. The right question that should be asked is how and why the Prime Minister of Canada refuses to go with the will of the people of Alberta when we have elected the Senators. The question is: why does he have to wait so long to appoint that person? That should be the question, because every Albertan should feel insulted by having the democratic process and our democratic will completely ignored by the Prime Minister. I feel very strongly that as elected officials we should promote and do everything in our power to pressure the Prime Minister into respecting the will of the people.

The second issue that was raised by the opposition in opposing this motion is they complained that last time only the Reform Party of Canada ran candidates for the Senator position. I hope that we do

not ignore the will of the people just because the NDP and the Liberals failed to field any candidate to run for those positions. In 1997 in my own riding the NDP did not bother to have a candidate run against me, and the Liberals were that close to not having a candidate running against me, too. I could have won by acclamation that year. Last time the NDP really struggled to come up with a candidate at the last minute, and I'm hoping that your lack of success at the ballot and the lack of action of the Liberal Party and the NDP do not stop people from the Alliance or the PCs from running for these positions. After all, we can only set up the democratic process. People can run, and people can vote. Whoever participates is up to them.

I keep hearing: what can we do as a group to somehow bring this issue forward and ask the federal government to work with us to bring in a triple E Senate? I, personally, hope that having this kind of debate, having people from all parties look at this issue and speak with one common voice to pass this kind of motion unanimously in the Legislature will speak volumes about our desire to bring our concerns and bring our voice to Ottawa. I hope that the opposition members will join us to pass this motion unanimously, because it is very, very important to speak with one unified voice for our province. We do not gain anything by playing politics with this kind of motion.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The chair just wants to seek clarification. I note that the hon. Member for Edmonton-Highlands has already spoken. Is that correct?

MR. MASON: Yes. This is under the section which allows questions of the previous speaker.

THE ACTING SPEAKER: Okay. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. To the hon. Member for Calgary-Montrose: why do you believe that there's something wrong with opposing something which is contrary to the constitutional arrangements of our country? By that I mean that whether we like the present Senate or not or whether we like it in the form that it's in or not, the Constitution of the country now provides for Senators to be appointed by the Prime Minister of Canada. This particular motion and the actions of the government up until this point around the Senate have been extraparliamentary. They're not by any means illegal, but they don't follow the Constitution of the country. They are, instead, a tactic to try and advance a particular agenda and a particular vision of the Senate of Canada. So what is wrong with opposing a political action which is, I guess you could say, extraconstitutional? It's not within the Constitution of Canada.

THE ACTING SPEAKER: The hon. Member for Calgary-Montrose.

MR. PHAM: Thank you, Mr. Speaker. This kind of question is the exact reason why the public today do not think much of politicians. The Constitution is written by the people and for the people. It is not a piece of paper that stays forever unchanged. As we come along, the people's will will dictate what kind of Constitution that we as a country will have.

The people of Alberta have spoken very loudly many, many times in the past that they would like to see a triple E Senate, and we, every one of us, can easily see the reason why they want such a thing. How many times have we felt that, you know, our voice and our concerns are being ignored by the federal government? How

many times have we heard our constituents tell us that they do not feel Albertans and the west are being taken seriously by Ottawa? All of those concerns, all of those reasons are the reasons why we have to work together and ask the federal government to bring this thing in. Remember: the Constitution was written by the people for the people. It is not a piece of paper that cannot be changed forever.

8:20

MR. MASON: Mr. Speaker, just a quick comment. I take issue with the member's view that the Constitution was written by the people for the people. It was written by the Prime Minister of Canada and a number of the Premiers of Canada for them.

THE ACTING SPEAKER: Hon. Member for Calgary-Montrose, do you want to respond to this?

MR. PHAM: Again this hon. member doesn't realize one thing. Without the people of Canada there is no Prime Minister of Canada. Without the people of this province there is no Premier of this province. The Premier and the Prime Minister are only the servants of the people. They are there because of the will of the people, and they represent the people.

THE ACTING SPEAKER: Hon. Member for Edmonton-Gold Bar, did you want to ask a question?

MR. MacDONALD: No, Mr. Speaker. I would prefer to join in the debate at the appropriate time, which you will declare. Thank you.

THE ACTING SPEAKER: Any other member wishing to ask a question?

The chair recognizes the Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to rise this evening and participate in the debate on Motion 32. Again we're going through the public debate on Senate reform not only for this province but, I believe, for all of the country. Certainly, Senate reform, in my view, is overdue, but I'm very suspicious of the nature of this motion at this time. You know, considering that it's coming up to Grey Cup weekend, this is a classic example of a political pump and fake, because this government wants to divert public attention from the real issues.

Now, when we look at this, this is simply nothing new, Mr. Speaker. We have seen the debate before over the triple E Senate, and this is an example. All I have to do is look at the important message to constituency presidents that was given out the past weekend by a former Conservative MLA of this Assembly. With what that individual had to say about the current government, well, I can see, certainly, why they would decide to put forward a motion to debate Senate reform.

Now, I have no problem with having elected Senators, no problem at all with this notion, but we have been well served by Senators that have been selected regardless of whether it's by the current Prime Minister or past Prime Ministers of this country. We have been very lucky in this country with some of the representatives who have gone to Ottawa to serve this province in the Senate when you consider the work that Senator Douglas Roche does, when you consider the work of a former member of this Assembly, a former cabinet minister in this government, Senator Ron Gitter, and when you consider the work of Senator Nick Taylor. One only has to go to a literacy conference and see the work that the hon. Senator from Lethbridge, Mrs. Fairbairn, does. [interjections] Perhaps if some of the hon. members of this Assembly would go to one of these

conferences and see the good work that that member of the Senate does to improve the literacy rate in this country, particularly with adults, they would be a lot less frivolous with this debate and perhaps take it seriously.

Now, when we consider the remarks of other hon. members of this Assembly – and I did notice and listened with a great deal of interest to the initial remarks from the hon. Member for Wainwright. I must say that I agree with that hon. member's notion. He was going on about the elite capacity that could be generated with just Senate nominations from the Prime Minister's office. At one time a person had to be a landowner, and you had to meet certain requirements. I believe it was even male at one time. You had to be male and be a landowner. I could be corrected and I will stand corrected if another hon. member can give me the historical data on this.

MS CARLSON: I think that it wasn't until the '30s that women could be Senators.

MR. MacDONALD: It wasn't until the '30s that women could be Senators, I'm told.

MS CARLSON: Aboriginals even later.

MR. MacDONALD: Aboriginal citizens of this country – that is an example, and the hon. member is absolutely right that one has to be very careful about the restrictions. They were discussed earlier this afternoon. However, when we look at this Senatorial Selection Act, that was introduced by this government, it's in direct contradiction to what he had to say.

Now, Mr. Speaker, I would encourage all members of this Assembly to read section 9 of the Senatorial Selection Act. One has to have 1,500 or more electors nominate a person. I don't think that you should have to have 1,500 people nominate you for any public office. I'm sure that the Member for Edmonton-Highlands, when he had that bill in the by-election on the defence of public health care, certainly didn't have to go around and get 1,500 people to sign his nomination papers. I'm sure that didn't happen.

MR. MASON: No. But I could have.

MR. MacDONALD: He probably could have, but he did not need to.

In a mature democracy you should not need this. So I can't understand why this government would have in the Senatorial Selection Act that you have to have 1,500 citizens and "the signatures of the electors nominating a candidate shall be witnessed by another elector." What's so democratic about that? I don't understand this.

Then, Mr. Speaker – and this adds more to the argument by the hon. Member for Wainwright and his concern that the senatorial elections will be just for the rich and the famous. You have to have this list of signatures, but you also have to have \$4,000. It doesn't say in here whether it's Canadian dollars or American dollars. The hon. Member for Edmonton-Mill Woods was making some suggestions earlier, and I would have to question that. A deposit of \$4,000 is undemocratic – undemocratic.

MS CARLSON: How do they get it back?

MR. MacDONALD: How do you get this money back? I do not know. Certainly, you have to have, I'm told, 10 percent – is it 10 percent or 20 percent of the vote?

However, I consider the \$4,000 deposit completely undemocratic, and I would be very anxious to hear the comments of the hon. Member for Wainwright regarding this, because he certainly, I

thought, hit the nail on the head. In this act, passed by this government, that's undemocratic. It's completely undemocratic.

Now, we can call for a triple E Senate and the election of this person, but it's hypocritical for this government to promote an elected Senate and then turn around and vote against a motion that I presented to this Assembly this afternoon. We're always complaining about the federal government: the federal government is this; the federal government is that. Yet we could have genuine democratic reform in this House, and we could have the election of standing policy committee chairs. We could have an election the same as we elect the Speaker, by secret ballot. When you think that instead of having – I don't know who this mysterious group is. I don't know whether they're in the Premier's office or in the Progressive Conservative Party. I have no idea because I'm a member of the opposition. Who comes up with this list of names and the reasons for selecting various members of the Progressive Conservative caucus to these SPCs? Why can't that be a vote by all members of this Assembly? We should have a vote on this. I think it would be an excellent idea to have a vote. Elected committee chairs.

8:30

If we're so concerned about democratic reform and the democratic deficit across the country, let's elect all the chairs in this Assembly. Let's change the rules and do it now. Let's have more free votes to allow backbenchers to disagree with the government. Let's have more free votes. Let's have more open discussions on the closure of rural hospitals. Let's have more discussions on electricity deregulation so that the backbenchers from rural Alberta don't read about it in the *Edmonton Journal*. That's where they hear about it first. Let's talk about having our own House in order.

Now, certainly, as chairperson of Public Accounts I'm willing to run for election of that chair, and if I'm defeated, well, then, I'll sit as a member and get to ask questions of various cabinet ministers. I think that would be a delightful way to spend the morning, particularly with the trouble that this government is having in managing their affairs, Mr. Speaker.

Fixed election dates, election dates set in legislation so that we don't have the government calling an election when it suits their convenience. This has been tried in British Columbia. Perhaps we should have a debate on that in this Assembly. A parliamentary calendar is another notion for democratic reform that we could certainly use in this Assembly. And we could have perhaps a few more sitting days in this Assembly, Mr. Speaker.

MR. LUKASZUK: And listen to you?

MR. MacDONALD: Now, there's an hon. member from the government bench who said, "And listen to you?" Well, I happen to represent the one-third of Albertans who did not vote for this government, and in a democracy every voice counts, and you should have respect for that.

Another issue that perhaps we should be dealing with other than through this slogan bill to elect a Senator is to have a lobbyist registration. The hon. Member for Calgary-Montrose talked about the mistrust that the public has for politicians. Well, perhaps if we had a registration of lobbyists the citizens would be much more comfortable and much more trusting of politicians. They would know who they're talking to. You know, one only has to go out of this Assembly at 5:30 in the evening and see the Co-op vans, the big white ones, parked out front. Who are they picking up and where are they going? I wonder if the *Edmonton Journal* readers would be interested to know that.

Now, Mr. Speaker, I urge all Canadians to take an active interest

in Senate reform and this Senatorial Selection Act, which selected by the citizens' choice two citizens to go on a list. As deficient as this act is, the citizens, at least some of the citizens, made a choice, and I understand now that one of those citizens is Mr. Bert Brown.

Perhaps I can get the assistance of other members of this Assembly. I don't know if any of the current members of the Senate from Alberta are farmers. In light of the drought and the issues of wheat marketing perhaps it's time we have a Senator from Alberta representing farmers. I think hon. Lieutenant Governor Olson was the last person from an agricultural background – and I could be wrong – that served in a formal capacity in Ottawa.

It is noteworthy that this is an individual who, I believe, a number of years ago on his wheat field carved into the field the three E's. As a farm kid who learned to drive a combine, that's a feat in itself. It was visible from the air, it was visible from the Calgary airport, and it was recorded and noted across the country. I know that individual would serve very well in the Senate, and that was a choice. That name came to the top of the list through a process in Alberta. I'm not going to call it democratic because of these high fees and this idea that only certain people could run. But I think that may be a start to ending the western alienation that has occurred in this end of the country because of this propaganda campaign from the government, which in my view has been anti-Canadian and propollution.

Now, we have to start somewhere, and to alleviate the western alienation, Mr. Speaker, I would think that perhaps this is a suitable first step: to recognize the choice that was made through a flawed election – granted; it was – by Albertans and send Mr. Brown to the Senate. As much as I disagree with the government using this motion as a diversionary tactic to take away from the issues of public health care and public education and electricity deregulation and what that has cost citizens, I support Mr. Brown and his trip to Ottawa.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Under Standing Order 29 we have five minutes for questions. The hon. Member for Drayton Valley-Calmor.

REV. ABBOTT: Thank you, Mr. Speaker. If the hon. Member for Edmonton-Gold Bar is serious about democratic reform beginning in this Assembly, my question is: would he be willing to step down as the Public Accounts chairman and put that position to a secret ballot vote of the committee? Walk your talk.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes, Mr. Speaker. Not only to the members of that committee but also to the entire Assembly. And not only that; I would at this time like to remind the hon. member of one of the rules under which the Public Accounts chairperson has to be selected. It's the only chair that is selected from the ranks of the opposition. So if the hon. Member for Edmonton-Highlands wants to run, go for it. I'll be delighted to run.

Thank you.

MR. GRIFFITHS: Mr. Speaker, I'm very confused by the Member for Edmonton-Gold Bar's questions and comments. It seems, just for clarification, that he was upset at the 1,500 signatures and the \$4,000 fee outlined in the bill, and I'm assuming for my question that it's because his party can't find 1,500 signatures and \$4,000 to run a candidate. Given that any bill can be amended and the changes could be made, and given the fact that this bill was written by this

government and it really doesn't matter since the federal counterparts to his party won't follow it anyway, I'm wondering if he thinks those two minor changes, the signatures and the funding, will allow his federal counterparts to approve our Senators.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. In regard to the democratic deficit that's in this province, if this Assembly would meet for perhaps more than 11 days in the fall – when you consider that the Senate of Canada meets for 84 days a year and the Alberta Legislature sat for 36 days, perhaps if we had a longer session time, we could amend this flawed bill and get rid of the notion, the elitist idea, that you need 1,500 signatures or \$4,000.

Thank you.

8:40

THE ACTING SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. To the Member for Edmonton-Gold Bar. He was quite critical of the select committee recommendations on upper House reform. Does he prefer the status quo, which is the Prime Minister of Canada having absolute authority in appointing these Senators, to those recommendations?

MR. MacDONALD: Mr. Speaker, if the hon. member had been able to listen to my remarks and if there hadn't been the interference and the chatter from the Tory backbenchers, he would have realized that I support the idea of democratic choice for a Senate.

Thank you.

THE ACTING SPEAKER: Hon. Member for Edmonton-Ellerslie, are you rising to ask a question or to speak?

MS CARLSON: No. To enter into debate.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to enter into debate on what I see as a rather frivolous motion having come forward from the government. Definitely what it looks like to me is that when we have had this particular position, which is to support a triple E Senate, almost unanimously by all parties for more than 15 years, what would be the point in bringing forward a motion like this at this particular time?

The point, of course, is that it happens to coincide with a number of things: one, Senator Nick Taylor's retirement this past weekend; two, the upcoming football game and the lack of available media attention for anything this government wishes to do; three, the lack of substantiveness in the fall agenda as we look forward to limited debate in very few areas, including your own Kyoto bill, which to my understanding is going to have a very, very limited opportunity for people to participate in in debate and may or may not be passed this fall session – most likely not.

So what we have is a make-work project and a frivolous kind of motion that has a number of issues involved in it that are interesting for us to take a look at, Mr. Speaker, and a few things that we need to talk about. This is absolutely nothing new. This debate has been had and re-had and had again in this Legislature over the years. It's unfortunate that it comes at this time as a stand-alone package and

doesn't roll into the package a number of other parliamentary reforms that we have asked for many times over the years and should have been . . .

MR. LUKASZUK: I guess Mr. Martin will deliver on those gifts.

MS CARLSON: Well, you know what? That's an interesting comment that I hear chirping from the backbenches.

SOME HON. MEMBERS: Middle benches.

MS CARLSON: The backbenches of the government members. They say that Mr. Martin will bring in some sort of reform. First and foremost, this government should clean up its own backyard, Mr. Speaker, and they should bring in parliamentary reform. There's a very, very long list of situations that they could act on, that the federal government has already acted on, and not the least of those are something that we've been asking for for a long time, and that is all-party committees to hear the presentations and do the pre-bill legislative work that comes into the House and from which opposition members are particularly excluded.

MR. MacDONALD: Do you think they would be in that mess with electricity deregulation that they are? I'll ask that later.

MS CARLSON: They absolutely would not be in the mess they have now with deregulation, amongst many, many other issues, because, Mr. Speaker, for at least six years we've said to this government on deregulation that you have to – and this is rocket science for you guys, I know, but you finally got it when dealing with the feds on Kyoto – bring in the plan before you bring in the law. Go figure. When did they get it? Not when deregulation has been passed. They fritter around for six good years, not letting anybody know what the rules are. Deregulation comes in. Capitalization has not happened in the companies. There are all kinds of problems with meshing new companies and the delivery of service. We're into brownouts; we're into price peaks. Why? Because this government didn't bring out the rules. Interestingly enough, they get it just like that when it comes to talking about Kyoto. When it's somebody else's problem to solve, they know what the answer is, but when it's their own problem to solve, they simply can't get there in spite of the long-term debate that we had on this issue.

So had we had parliamentary reform in this particular province – and that would have included all-party committees – they would have heard this at an earlier stage. Then what happens at that stage? I know I hear the argument all the time from the government side that what happens if we have all-party committees is that they have to listen to us complain in the committee and then they have to have it all rehashed again in the Assembly. Well, Mr. Speaker, anyone who has worked with me in an all-party committee in the past 10 years knows that that isn't, in fact, true.

For those very few legislative all-party committees we have, they know very well that the issues that are outstanding are discussed in the committee almost to exclusion with the exception of the FOIP committee, where I had a real problem with the conduct of the chairman. There would have been all kinds of instances where we had wrinkles happen in the committees or issues come up that were dealt with within the committee structure. In fact, when the recommendations or the information came to the Assembly, I supported it. In fact, in many cases, for instance with PNWER, I have stood up in this House and soundly supported the government action in that kind of a committee, and that is what happens when you have all-party committees.

Mr. Speaker, people don't have to believe me on this issue.

AN HON. MEMBER: And they won't.

MS CARLSON: Well, the backbenchers won't believe me. That's true. But anyone who looks at the federal system will see, in fact, that it is quite effective. Draft legislation that comes forward goes to the individual committees, that are all-party committees and in the same proportions as the elected membership in the House, which is what we suggest here.

I don't mind being the only person in opposition on a committee, but I think that what you get by putting someone who is in opposition on a committee like that is way better legislation. In this government they all seem to think the same on the committees and follow each other sometimes like lemmings. What happens then is that you get mediocre legislation, and they don't see the holes in the legislation. When you add just one other voice to the committee structure, what you get is an opening up of the vistas, Mr. Speaker, and people who can see beyond just exactly whatever the mandate of the government in power happens to be for that day. If it's the federal Liberals or if it's the provincial Conservatives, it doesn't matter. Too many people with the same ideas draft mediocre legislation. We have seen that time and time again in this Assembly when we've had to bring in amendments, when the government has amended their own bills, or when they've pulled their bills because of that kind of a situation.

When you have all-party committees, what happens then is that many of those issues are resolved in the committee structure, so when it gets to the Legislature, the passage of the bill is really quite quick and you very, very seldom have a rehashing of the old issues. So, in fact, another mandate of this government would be met by having all-party committees, and that would be that we would spend less time under the dome in the Legislature. That certainly would meet one of their criteria, which is to be here as seldom as possible and have public debate on issues as seldom as possible.

It's true that on the truly controversial, really, really poor pieces of legislation we would still have debate, and sometimes it would be protracted, but for the most part legislation would come into the Assembly and follow through in a very fast fashion. We have had some examples of that, Mr. Speaker. We've had a few ministers who have worked very co-operatively with their critics and brought them in and discussed the legislation, and in fact we have one before the House right now, which is Bill 30-2.

In fact, how much debate did the government get from the Official Opposition in second reading on that bill? The critic, and that was it. Why? Because most of the outstanding issues, when we talked about it in terms of the overall perspective of the bill, had been dealt with outside of the Legislature. So we had very speedy passage of that. I suggest to this government that that would happen on any number of issues. I've had a good working relationship with a number of ministers over the years, and we have had very speedy passage of some good legislation. Why? Because we had open communication prior to it hitting the floor of the Legislature.

AN HON. MEMBER: Relevance.

8:50

MS CARLSON: It's very relevant, and that's the whole problem. The backbenchers just don't get it, and someone needs to clue them in. This discussion is very relevant to the topic of the night, and I actually thank the government for bringing forward this very frivolous motion, because otherwise we wouldn't be able to talk about any kind of reform in this Legislature in a constructive manner at this time. That's just the start of the list, Mr. Speaker, that we have talked about for a long time.

Free votes, true free votes, not the kinds of free votes that we see here in this Legislature, would be well followed by all parties in the Assembly on all issues. There would be nothing wrong with the occasional backbencher standing up and supporting their constituents' majority view rather than some compromise position that they've worked out at their caucus table, and Albertans would like to see that more often. In fact, a system like they have in other jurisdictions, where they have eliminated parties and have people run as whomever they are but not on a party system and then have cabinet and the Premier elected from within those who are initially elected by the people, is a much fairer system and results in a great number of free votes and would be a model that I would certainly support seeing come forward in this Legislature.

You know, one of the things that we'd like to see for sure is accepting of opposition bills and motion ideas at the time when they actually hit the floor of the Legislature. I've said lately that we should be copyrighting our ideas for good bills, because this government has a habit of stealing them, Mr. Speaker. If we would copyright them and sell them, then we'd be able to pay off our debt faster, and that would be good for everybody. Then people would be able to acknowledge where the idea first came from.

That stealing of good ideas has happened forever. The very first bill that hit the floor of this Legislature when I was elected was the freedom of information bill, which happened to be our former leader Laurence Decore's idea two years before. So the Conservatives are a little slow on the uptake, because it generally takes them two years before they take a really good idea and run with it, things like the stability fund, which they are now talking about. We could have good legislation in here if they took our bills up front rather than later.

As my colleague talked about, elected committee chairs would be very good and something that the federal government has certainly started to talk about, and we need to have that. The fixed election dates so that you can't gerrymander the date of the election would be something we're looking forward to. Parliamentary calendars so that we actually knew when we were coming in and when we weren't going to be here. Lobbyist registrations: what a great idea.

AN HON. MEMBER: You have it. It's called NDP.

MS CARLSON: No. Nice try, but once again the backbenchers don't get it, Mr. Speaker.

Having said that, there is one other issue that I really wanted to address here this evening, Mr. Speaker. When I was reviewing what happened here in the Assembly this afternoon, I saw that the Member for Edmonton-Highlands had actually two amendments that he wanted to bring forward and only had an opportunity to bring forward one. So in the spirit of co-operation, looking forward to free votes and standing policy committee all-party representation and elected committee chairs and a better perspective of a working environment here in this Assembly, I propose to move on behalf of the Member for Edmonton-Highlands the following motion. Do you want to have this distributed first?

THE ACTING SPEAKER: Hon. member, it would be fair to have at least those amendments given to the pages so they can be distributed.

MS CARLSON: Yes, Mr. Speaker. We'll have to have this photocopied, so I will read it out and then give it to the page for photocopying and talk about it in my remaining time.

REV. ABBOTT: That's out of order.

MS CARLSON: It isn't out of order to do it this way.

It would be that Government Motion 32 be amended by striking out

and, further, that pending such an amendment the Legislative Assembly of Alberta call upon the Prime Minister to summon to the Senate to fill vacancies relating to Alberta only those who are Senate nominees pursuant to the Senatorial Selection Act of Alberta.

Mr. Speaker, why I think this is a good motion to support is that given the time lines that Senators retire . . .

REV. ABBOTT: Point of order.

THE ACTING SPEAKER: Hon. Member for Drayton Valley-Calmar, are you rising on a point of order?

REV. ABBOTT: Yes.

THE ACTING SPEAKER: Okay. You've been recognized.

Point of Order Amendments

REV. ABBOTT: Standing Order 23(1) talks about breaking the tradition of the House, and the tradition of the House is that if you're going to have an amendment, then it has to be photocopied and ready to be handed out immediately. I believe that the member opposite is wasting the valuable time of the House.

THE ACTING SPEAKER: On the point of order, the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Well, Mr. Speaker, this particular member is a newbie to the Legislative Assembly and hasn't seen some of the practices in here before. Certainly, when an amendment to a motion is brought forward on behalf of another member, there is not always full communication with the table officers in terms of whether or not the requisite photocopies have been made. Generally speaking, what the Speaker would do at that time is take a short break. However, because I don't want to waste the time of the Assembly, I'm quite prepared to state my comments at this time while we are waiting for that particular amendment to be distributed.

THE ACTING SPEAKER: Hon. Member for Drayton Valley-Calmar, the chair did not hear correctly the citation, so I'm just wondering whether the citation was 23 or 42.

REV. ABBOTT: It was both, actually: 23(1) and also Standing Order 42.

THE ACTING SPEAKER: Does any other member wish to speak on the point of order?

Hon. Member for Edmonton-Ellerslie, you may continue.

MS CARLSON: Thank you, Mr. Speaker. Finishing on that particular point of order, I would refer you to *Beauchesne's Parliamentary Rules & Forms*, sixth edition. If you will look at Amendments to a Bill, page 206, Notice of Amendments, at 695(2) it states:

The practice has been that Members proposing to introduce amendments have given them to the Chairman and to the clerk of the committee who ensures that they are translated, compiled and circulated for the information of the members of the committee.

That is, in fact, what I've done. It's gone to the page, and it is now going out for photocopying, to be brought back in here to be debated.

MR. MASON: Well, Mr. Speaker, I'd like to raise the question now. The hon. Member for Drayton Valley-Calmar clearly only referenced Standing Order 23(1), which says, "Introduces any matter in debate which offends the practices and precedents of the Assembly." Now, how introducing a motion without having 90 photocopies completed is introducing a matter in debate is certainly a question that I would need elaborate explanation to make head or tail of. With respect to offending the practices and precedents of the Assembly, I think it's very clear that this is not offending the practices and precedents of the Assembly.

In connection with number 42, which was raised by the chair but not by the hon. Member for Drayton Valley-Calmar, it says, "A substantive motion or any amendment shall be in writing before being debated or put from the Chair and shall contain no preamble." I think that clearly, Mr. Speaker, the motion was in writing, because I saw the hon. member produce it in writing. It has been approved by Parliamentary Counsel. So very clearly number 42 does not deal with a number of copies at a particular point in time. I see now that, in fact, the amendment is being distributed to members, so perhaps when your ruling is complete, we can get on with the debate.

Thank you.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar rose on a point on order citing Standing Orders 23 and 42. The hon. Member for Edmonton-Highlands had initially given this amendment to Parliamentary Counsel. The hon. Member for Edmonton-Ellerslie moved the motion on behalf of the Member for Edmonton-Highlands. Now, it is correct that the hon. Member for Edmonton-Ellerslie did not have the number of copies required to circulate; however, as I indicated, the motion was given to Parliamentary Counsel. It has now been photocopied, and all members do have a copy of it, so we shall proceed with debate.

9:00

Debate Continued

MS CARLSON: Thank you, Mr. Speaker. I would ask for a reading of how much time I have left in debate. A minute and a half? Thank you very much.

One of the reasons why I supported this particular motion brought forward by the Member for Edmonton-Highlands is the timing of when Senators retire. While we know that they have to retire at the age of 75, there are also a number of other circumstances that occur that cause them to retire early, so they don't have set retirement dates per se. In fact, most of the time due to illness . . .

AN HON. MEMBER: Chronic wasting disease.

MS CARLSON: No. Chronic wasting disease is this government's problem, not the Senators' problem, and I'm hoping that some of these backbenchers will do more than just chatter and will enter into debate on either this particular amendment or the general motion.

So the problem is that it could be some time before, in fact, one of these nominees could be available to take their seat, and I think, Mr. Speaker, that when there is a vacancy, then we should have a general election so that people in the province have the opportunity to take a good look at the candidates and decide to choose to send someone to Ottawa who will best represent their interests.

AN HON. MEMBER: We did that.

MS CARLSON: But the problem is that you didn't do that in accordance with the rules and that person has been waiting for some time.

Now, is that person still the best possible candidate? None of us gets elected and waits for six months or a year or six years before we can take our seat. It's in a timely fashion. You take your seat, generally speaking, within a month after having been elected.

THE ACTING SPEAKER: Hon. Member for Edmonton-Highlands, are you rising for the five-minute question or on the amendment?

MR. MASON: I'm rising on the amendment, Mr. Speaker.

MR. MacDONALD: Mr. Speaker, I have a question for the hon. Member for Edmonton-Ellerslie, please.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar is being recognized for a question.

MR. MacDONALD: Thank you very much. Now, I was listening with a great deal of interest to your remarks. Could you clarify for me, please: when the federal cousins of this current Progressive Conservative group were in power in Ottawa and when they introduced the GST, was there an extra Senator forced – and there's no other way to describe this but forced – upon the citizens of this province by the Progressive Conservative government in Ottawa?

MS CARLSON: Mr. Speaker, as everyone in this Assembly well knows, the answer to that is yes, and in answer to the other question that came from the backbenchers, who for some reason don't have the ability to rise to their feet in the proper manner this evening, Paul Martin has not promised anybody an appointment. That includes me, and you see me today speaking in support of the triple E Senate, an elected Senate.

THE ACTING SPEAKER: There being nobody else rising to ask a question, the chair recognizes the hon. Member for Edmonton-Highlands on the amendment.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise to this most excellent amendment that's been put forward by the hon. Member for Edmonton-Ellerslie. I couldn't have hardly done better myself.

AN HON. MEMBER: That is true. You couldn't have done better.

MR. MASON: No, no. Absolutely not.

I just have some comments. I have three main points I wish to make, Mr. Speaker. The first point that I would like to make is that the reason that this amendment ought to be passed – it has the effect of taking out the section that says that the people who are the so-called Senators-in-waiting ought not to be appointed to the Senate. It leaves intact those portions of the bill calling for a triple E Senate, but it singles out and removes the section that says which particular individuals through which particular process ought to be appointed.

The first reason why I support that is that the election was a sham in the first place. It was a sham in the first place. It was forced on the municipalities. They were required to hold this across the province during municipal elections because the province was too cheap to pay for the election. It was using different forms of balloting in different municipalities. The municipalities protested against this. The other parties, apart from Reform, boycotted the process. There was a high percentage of spoiled ballots, and the whole thing was a publicity stunt on the part of the Progressive Conservative government in an attempt to appease the Reform element that was then so strong in the province. It was not some-

thing that had any constitutional validity whatsoever. So I say that that election in the first place was nothing but a sham.

The second thing that I think we need to take into account in voting on this amendment is that too much time has now passed since that sham election, including another municipal election, for these to be valid. If you were to give a fixed term of four years to an elected Senate position, which I'm sure everyone would agree with if they support a triple E Senate, it doesn't mean you win one election and you're good till you're 75. It means that there would be a fixed term or some sort of normal term, which is usually around four years. Their terms would be coming to an end anyway, so it would be time to refresh their mandate and to see if, in fact, the people of Alberta still supported those individuals.

This little bit of democratic nicety seems to be totally lost on the authors of this resolution, Mr. Speaker. It's four years since this election took place. If it were four years since our election took place, we would all be getting ready for a general election. The province, furthermore, had an opportunity to renew the mandate of these individuals or to allow the people of Alberta to put forward other nominations if they had used the last municipal election again to force the municipalities to pay the cost of this government's publicity stunts, but they didn't do that. This is an afterthought. They'd completely forgotten about Senate reform at the time of the last municipal election, just a little more than a year ago. Why are they dredging it up now? Why?

That brings me to my third point. What is the intent of this motion? The government – and we've heard it. We've heard it from the backbenchers, we've heard it from the middle benchers, and we've heard it from the front benchers. [interjection] Mr. Speaker, I might add that that is probably the middle benches, and this is the deep backbench over here.

I just want to indicate that it's clear to me that the government is lining up any number of issues with which they can find fault with the federal government, and unfortunately there's no shortage. There's no shortage, and I will acknowledge that. But they're lining them up. You can just see it now. Oh, there's the Wheat Board. There's the gun control, which most Albertans have always supported but not this government. Even when the government took its own polls, it learned – well, what do you know? A large and significant majority of Albertans support gun control in Alberta, but that doesn't dissuade this government from attempting to speak on behalf of the people of Alberta on this issue, in a federal area of jurisdiction I might add. So they're lining up the Wheat Board, they're lining up gun control, they're lining up Kyoto, and they're attempting to create the fiction that it's a new national energy program. They're ignoring that people in Alberta have also supported that particular treaty. All of these things are being lined up, all these big problems with the federal government.

Then they bring forward this resolution on Senate reform. You might think that the government is looking for an external boogeyman on which to focus the anger of Albertans so that Albertans forget about a bungled electricity deregulation program or a teachers' strike that was unnecessary, declining schools that are falling apart all over the province . . .

9:10

MR. MacDONALD: How do you spell declining?

MR. MASON: With a K.

. . . privatizing of health care, underfunding of health care, the taking away of workers' rights, all sorts of problems, a booming economy yet 20 percent poverty, all of these issues, the anger of rural Albertans about hospital closures or issues relating to water or

to factory farms, all of these things, the growing discontent particularly in rural Alberta against this government. So they are lining up the federal government. Mr. Speaker, I ask you: what would this government do if it didn't have the federal government and EPCOR to take the blame for all of their mistakes?

AN HON. MEMBER: Blame you.

MR. MASON: Well, I'm sure they would try, Mr. Speaker. They would certainly try, and I've seen it every time I ask a question about power deregulation. The fact that I was on the Edmonton city council means that I'm suddenly personally responsible, if you believe the Premier, for the electricity deregulation mess in this province, and the gall of it is just breathtaking.

They will not – they will not – take responsibility for what's going on in this province. They want external enemies, they want internal enemies, and they don't want the people of Alberta to stop for one minute and think about who's really messing up the situation in this province, which is otherwise so bountifully blessed with natural resources and beauty.

Mr. Speaker, that's what I think of this motion. Quite apart from the question of where we stand on whether there should be a triple E Senate or no Senate or a Senate that's appointed by Prime Ministers, the question is: what role is this motion playing in the whole political scheme of things of this province? The role that it's playing is to set up a straw dog for this government to shoot at because they don't want to take responsibility for their own actions.

With that, Mr. Speaker, I will take my seat. Thank you very much.

[Motion on amendment lost]

THE ACTING SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I don't want to take too much time away from the enthusiasm that members of the House have to vote on this very important resolution and motion, but I did want to speak. While some of the members opposite supported the concept of an equal, effective, and elected Senate – and I think I heard them all support, except the Member for Edmonton-Highlands, and I certainly heard a good litany from the Member for Edmonton-Mill Woods as to the efforts that have been taking place, primarily sponsored, I might say, and promoted by Alberta and Albertans to get effective governance at the national level – I was disconcerted and quite disappointed by the attempt to use the debate on what is a very important, fundamental question for Canada and for Canadians, effective governance at the national level and having a national Parliament which is there for all regions, all provinces of this country. The basic concept of the balance of the Senate, which it's supposed to provide to the House of Commons, is not there because it is not effective, it is not equal, it is not elected, and it does not have accountability to the people.

Members of the opposition have taken the opportunity of this debate to call the motion frivolous. Mr. Speaker, that is aggravating in the extreme because this is not a frivolous motion. It is a very timely motion. There is a vacancy in the Senate of Canada, a vacancy because a member of the Senate appointed from Alberta has retired due to reaching the age limit of 75. It is very timely to talk about how Alberta might be represented in the Senate of Canada and how we might promote what Alberta has always been a strong promoter of, and that is the triple E Senate, or the equal, effective, and elected Senate. There is no more important time to talk about that kind of a motion than when there's a vacancy from Alberta. So it's not a frivolous motion, and to even suggest for a moment that

somehow the Grey Cup has something to do with a topic that has been close to the hearts of Albertans for decades with no movement on the national stage by their national cousins gets my blood boiling.

Mr. Speaker, we do have to revisit this again and again and again because the national Liberal Party has no interest in true governance in this country and no interest in effective governance in this country. They want a monopoly that they get from the population of Ontario and Quebec. They don't want effective governance. So the time has come again for Alberta to raise this important issue on the national stage, and the way to raise this issue on the national stage is to pass a resolution in this House empowering our minister of intergovernmental affairs and our Premier to take this discussion across the country, to talk to other provinces, and to start again the discussion on how we can truly have an effective national government that represents all regions, that represents all provinces, and does it effectively and has a mandate from the people.

The opposition quibbles, Mr. Speaker, because we have in this province as a method of promoting the concept of Senate reform adopted the Senatorial Selection Act, and it's an important act.

DR. MASSEY: Reform starts at home. Why not here?

MR. HANCOCK: We'll get to reform at home in a moment.

The act is a methodology for us to say that it's important for people to be elected, and the act itself has been very effective. The two members that were elected in this last Senatorial selection have not been appointed to the Senate, but I would hazard to say that if you can look at the appointments to the Senate from Alberta and compare them to appointments made in any other province across this country, we have had more effective Senators appointed because the federal government has paid more attention to who they're appointing from Alberta. Senator Doug Roche is a good Senator. He's not elected, but he's a good Senator. Senator Tommy Banks, from my own constituency, is a very good Senator, not elected but a very good Senator. Senator Chalifoux is a very good Senator, not elected but a good Senator.

Why have we had these good Senators appointed from this province? It's because the Prime Minister has had to pay much more attention to who he appoints in this province than who he does elsewhere. If you look at the appointments from elsewhere, they tend to be old Liberal Party hacks or cabinet ministers or others that he wants to move out to create a vacancy so someone else can be elected to the House of Commons. That hasn't happened in Alberta, and I doubt that it will.

The opposition uses this resolution to talk about reform, and it's always good to talk about parliamentary reform and how we can do governance better. There is no more important topic. But the opposition doesn't raise those issues in appropriate and timely manners. They raise it, instead, in the context of a very important discussion on Senate selection to detract from what is the true issue here. I'm happy to debate with them and talk with them at any time about parliamentary reform, about how we can do governance better, about how we involve citizens of Alberta in discussions on bills and on legislation and on how they're truly governed. We can have that discussion at any time, but today we're talking about the Senate. We're talking about something that's close to the hearts of Albertans, a triple E Senate.

The time is now. It's time for us to start the discussion yet again. It's not repetitious; it's not frivolous. It's quite important, and I think we should endorse this unanimously out of this House. I would urge the Member for Edmonton-Highlands to accept the fact that we're not going to promote the abolition of the Senate, so he should come onboard, make this a unanimous vote calling for a

triple E Senate. If we're going to have a Senate anyway, join us, make it unanimous from this House, and start the march across this country to a triple E Senate.

THE ACTING SPEAKER: Under Standing Order 29 we have five minutes for questions. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have a question for the hon. Member for Edmonton-Whitemud, the Minister of Justice. Now, in the event that in the next number of years the Prime Minister of this country at the time nominates that hon. member as a Senator, will he accept the nomination without an election?

9:20

MR. HANCOCK: Total speculation. It would never happen that the federal government would approach me to go to the Senate, but I would always say that I will serve the people of Alberta in the best way I can and at every opportunity that I can. If I had that opportunity, I would make use of that opportunity to change the Senate from within.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Well, thank you, Mr. Speaker. Obviously, the temptation for the minister is far too great to go sit in a place like the Senate.

My question is to the minister. He has challenged us on this side to debate legislative reform of this Assembly in the appropriate time and not during a debate on the triple E Senate. Will the minister bring in a package of parliamentary reform to this Assembly so that we can talk about it and debate it?

MR. HANCOCK: Mr. Speaker, every year after session closes I invite as Government House Leader the Opposition House Leaders of both parties to bring forward reforms that they think might be appropriate to the rules of this House and our practices of this House. In fact, in the last year we did one of the more substantive reforms of the House rules that we've done in a long time. That package was brought to this House and debated on the floor of this House, and I didn't hear in that debate, that I recall, any calls from the members opposite of the nature of the things that they talked about tonight. However, I will again say that at the end of this session we will ask Opposition House Leaders, as we always do, how we can improve the practice and the process of this House, and we'll have opportunities to debate them again.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Oh, thank you, Mr. Speaker. First of all, a comment and then a question. The comment is that the most honest thing I've heard from the Government House Leader here tonight is that he is quite prepared to 'snorfle' at the trough after this particular career is over.

My question to him is this: can he state categorically that we have never talked about all-party committees in any of those discussions? Also, would he comment on what happens to the good ideas that we bring forward in those House leader meetings? Most of them end up on the floor.

MR. HANCOCK: Mr. Speaker, I've never, ever indicated that I would be prepared to 'snorfle' at any trough or whatever the terminology was. The question that was asked was whether or not

a person would serve in the Senate if called to do so, and I think being called to serve the public is one of the highest callings you can have, whether it's being elected or not. The Member for Edmonton-Highlands indicated that he ought not to be criticized, because the Senate in its current form was the constitutional form of the country. That is not a dishonest thing to do or a dishonourable thing to do, to say that one would try and serve at the best level possible.

Now, with respect to the discussions that House Leaders have, I did not refer to the discussions that House Leaders have in those meetings, because, as the hon. member knows, those meetings are always held on the basis that we don't discuss what happens in those meetings. But what I did say is that the result was a package which was brought to the floor of the House, and that hon. member and every member of this House has the opportunity to debate the House rules when a resolution to that effect is brought to the floor of this House.

MR. MASON: Mr. Speaker, will the hon. minister be straight with the House and tell them that all we talk about is amendments to the Standing Orders and that even when we don't agree, we get a whole package forced down our throats by this minister and his fellow behind him? What about things like fixed terms? What about things like multiparty committees? What about things like proportional representation? What about a package of meaningful change that goes far beyond the Standing Orders of this place?

THE ACTING SPEAKER: Hon. Minister of Justice, do you want to respond?

MR. HANCOCK: Well, the hon. member opposite's seatmate, as I understand it, as a bill before the House . . .

THE ACTING SPEAKER: The five minutes that's allocated under Standing Order 29 has now elapsed.

[Government Motion 32 carried]

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

**Bill 31
Security Management Statutes Amendment Act, 2002**

THE DEPUTY CHAIR: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Chairman. Now back to some of the more serious business of the Legislature.

AN HON. MEMBER: The Senate is not serious?

MS CARLSON: The way that this government brought forward that last motion was frivolous in nature, not serious, and I stand by that. That is not a motion that we have to rehash every couple of years when there is agreement by more than a large majority of people in the Assembly.

Bill 31 deals with quite a different set of proposed changes, though, Mr. Chairman, and I think changes that we need to be cautious about before moving forward. I know that we've heard from the minister and from the critic that few people have actually contacted them on this bill, even though it's been held over for the summer. I'm not sure what the reason for that is, but I think that

there is some reason for us to believe that the absence of comment means a large majority of support for this particular bill. I think a lot of people don't understand the ramifications of this particular bill down the road, and I'm not saying that frivolously. I'm concerned that perhaps even government members don't understand the kinds of . . .

MR. HANCOCK: You speak for yourself; they can speak for themselves.

MS CARLSON: Well, the problem is, Mr. Minister, that they don't speak for themselves, so in the absence of them speaking for themselves, somebody needs to make some comments that may be provocative enough that they rise to the challenge and finally say something on the record in this Assembly rather than chitter-chattering in the background from the far, far backbenches that they sit on.

AN HON. MEMBER: Are we distracting you?

MS CARLSON: No. I have to tell you that backbenchers making comments that are mostly not relevant does not bother me at all. In fact, it only extends the amount of time that I can find to talk about things. So keep up the good work, boys.

On Bill 31 there are a number of changes that are going to happen to a variety of acts which affect a variety of ministries. In fact, I count that at least 15 ministers are affected by the kinds of changes that we're seeing here. The problem with that is that we haven't heard from those ministers in terms of whether they support this particular bill or the kinds of ramifications that they expect to fall out of this particular legislation. So we need to proceed with a very cautious hand.

As I go through this, I think my overriding concern is that we must really be cognizant that there is a balance between government convenience from the perspective of being able to just step in and take over security measures as compared to the public and personal freedoms. Now, we've seen some very good examples in the past year in the States about how personal freedoms have been taken away from people and perhaps not with full justification. The chairman represents a constituency very much like my own. There is these days the perception of what a potential terrorist looks like, and that person looks like a lot of the people who live in my constituency and the chairman's own constituency. In fact, we have to be very careful that the kinds of choices, the powers that we give government cannot unduly harm people who are good, upstanding, law-abiding citizens or, if not citizens of the country, full participants through landed immigration status, refugee status, or whatever the status may be, that just because they look a certain fashion, they aren't prejudged when they go to border crossings and try to get on airplanes and so on. It looks to me like this bill might end up being a massive kind of power grab that can be of some concern to us.

9:30

When we talk about the sections of the bill, it allows for the exemption of material from FOIP, and having just coming from the all-party FOIP committee, Mr. Chairman, this also concerns me. I think that this is probably the most contentious part of this bill and really hasn't been given a thorough review or full scrutiny at this particular point in time. As we all know here in the Assembly, FOIP already allows the denial of access to information on account of what they call "prejudice [to] the defence of Canada or of any foreign state allied to or associated with Canada" and also to "the detection, prevention or suppression of espionage, sabotage or terrorism."

Then, Mr. Chairman, the question truly becomes: what's wrong with this clause for the context of this bill? That's something that

hasn't been debated here and I think needs to be explained before we come out of committee. It wasn't explained from the principle perspective in second reading, and I haven't heard anything so far that talks about it at this stage.

What also is lacking in this bill, Mr. Chairman, as we see it, is that in many places there is the question of how to determine that a terrorist threat is present, and that's something that we haven't heard any discussion on. It was something that I would have expected to have heard from the Solicitor General because we all know that after September 11 she put in a number of security measures on the grounds of the Legislature, that to me seemed quite frivolous and a waste of time and not very effective. People can come into the parkade still. People can come into the building still. People can park by the building still. We don't see any kind of serious scrutiny happening there. We see a revolt from some of the backbenchers in terms of having to carry their name tags and all kinds of associated problems.

So what we've done is increased costs of government. To what effect, I would ask. That's some of the same kind of concern we have here. You can put up a brave front and a frontal attack whenever you think there may be a problem, but how, in fact, do we determine that a real threat is present? If the security around this building is any gauge – now, I'm not talking about in this building itself; I'm talking about primarily the Annex and the grounds surrounding it. I don't think it's very effective. If we had a true terrorist threat, I am not convinced that the people in this building would be safe.

That begs the question: even with this act coming in place, how do we know that it's going to be effective in other regions of the province? We have some pretty big primary targets in this province, and I think that should be something that concerns all of us. On the one hand they're talking about bringing in new rules that potentially can take away more powers from Albertans, but on the other hand we find that what they have put in place so far isn't very effective. So now we're going to have people without power or rights or freedoms and an ineffective kind of security system. That is absolutely the worst of both worlds, and I haven't been convinced to date that that will change with this particular legislation. So I think that there are some details of that that need to be talked about.

What are the processes? We should know at least in a general sense what the co-ordination is between CSIS here in Canada and other kinds of jurisdictions, particularly with the States, who is our neighbour country. Those things haven't been talked about yet, and I think that they need to be, and that's just really a problem.

If we talk about some of the sections, we have some concerns, and one is in section 1, Mr. Chairman, where they talk about giving the Alberta Energy and Utilities Board the power to shut down a facility or a pipeline or whatever they have and make regulations to protect such facilities from terrorist threat or attack. So the section allows the board to make the regulations which can potentially restrict access to information from such facilities. FOIP can be overridden if these facilities are under such a threat. So these broad, sweeping powers are in the original act already. Do we need this here? Up until now the EUB has only had the power to make regulations dealing with the operations of a facility, not to interfere with its operations.

You know, we constantly hear in this Assembly challenges on how the EUB makes its decisions and operates. Do we want to give them these kinds of additional sweeping powers? I'm not convinced that they're running a tight ship now or, in fact, a fair ship in some cases, so if that's the case, why would we give them more powers where they can shut down facilities? I'm not sure that's the proper avenue, and we should be taking a look here. And how are they

going to deal with false alarms? I think that's also an issue that hasn't been talked about.

We have concerns about whether or not favourites can be played when it comes to approving developments or interfering in pipelines or facilities. If something could be without proper justification dubbed as a terrorist threat, if it's not FOIPable, then how are we ever going to know their justification? After the threat is over, there is no reason why that information shouldn't be made public. Operations can be delayed. So those are the kinds of issues that we need to talk about.

When we talk about section 2, which amends the Change of Name Act, we've a question, and that's if the director would see it as unnecessary for such a check if the person were changing their name for their own protection because they were the victim of a criminal act, like witness protection or, as is sometimes the case, people who have been harassed by former spouses. That happens quite often. In fact, I know of a young woman who attends the same high school as my daughter who had her name changed for that very reason. How would this affect that kind of thing? This wasn't answered, and we have some concerns about that.

I think of primary importance is personal security, and if people have a reason for changing their name, such as witness protection or personal safety, moving away from an abusive family member or a stalker or something of that nature, is this still going to apply to that person? We need some details. We haven't heard those. We need the parameters, and we need some justification for why we need to do this and what the boundaries would be. We haven't seen any criteria, and that is a bit of a problem for me.

Section 3, that amends the Charitable Fund-raising Act, also brings up some concerns. When we take a look at what happened with the 2001-2002 Auditor General's report, it was recommended from the previous year that the ministry beef up compliance with the Charitable Fund-raising Act, and it also indicated in that report that the ministry created a risk assessment model to focus on future inspections of accounts. Under the act currently the minister can deny registration to any organization whose directors or managers are convicted of a criminal act in Alberta or elsewhere where the minister feels the person convicted should not be dealing with contributions or solicitations, and that seems to be pretty strong and seems to me to be adequate.

So why are we needing the change that we're seeing come forward in section 3? It exempts the minister or agents of the minister from being sued by acting in good faith and allows the minister to suspend or cancel the registration of a charitable organization or the licence of a fund-raising business if it is certified under C-16, a federal bill, which is the one, I believe, trying to stop charitable fund-raising of dollars being sent to fund terrorist activities in other countries.

9:40

As we heard in earlier debate on this bill from the Member for Edmonton-Highlands, many of those people who were deemed terrorists in the past are now heads of government. Some of them are re-deemed as terrorists. In fact, that seems to be the nature of history on this globe: today a terrorist; tomorrow a head of government. That's a question that we have to ask in terms of how these kinds of rules are . . . [interjection] Well, I was looking at you when I said that, for no good reason; I'm sure.

So I think that's a problem, and we haven't had it explained. [interjection] Yes, of course. Senator Dave. I forgot. You'll just end up as a Senator. I don't think terrorists are allowed to 'snorfle,' but I don't know. Maybe so.

At any rate, it's something to be talked about in a serious nature in this bill.

Section 4 is one that deals with the Dangerous Goods Transportation and Handling Act. We see new regulations forcing companies

and people to make a security plan against terrorist threats. So a good idea; right? But where's the beef on this one? We need to see something a little more substantive. This is one of those feel-good statements that doesn't really have any consequences or actions to it. We want to see some action, more than just saying: please do this. There's nothing here. This is one where we could have used some more detail and some substance, and it isn't there.

Section 5 is an issue, the Disaster Services Act. They talk about the definition of emergency being changed by taking out the words "imminent event" and replacing it with "an event." Now, this one is very scary, Mr. Chairman, because what does that mean? Why are we taking out a proactive element and replacing it with a reactive element? This is particularly alarming. The chance, the opportunity for the government to take more powers than they may need to without justification is very real here. We have seen that happen time and time again in other countries and requiring significant actions by other countries to try and correct. When you think that Canada's major role in international events has been a peacekeeping role, now we're actually switching places with some of these countries whose behaviour we have abhorred by potentially taking this kind of aggressive action.

Disaster Services has a few questions that we would like to ask: the possibility for government to make regulations and ministerial orders for persons who are utilizing property or operating in a manner that is hazardous to others or others' property, independently or as a result of some event, and makes contingency for that person to work with local authorities to alleviate the hazard and have a plan to deal with the situation which may result from the hazard. So things like a farmer with chemicals which might be used to blow up the town square: that's an issue. What we need is to have some questions answered. What are the time lines? What is the definitive amount of time that we may interfere in what would be the normal business life of the people involved? We should only be restricting people for a set time before the ruling or the order or the regulation is received. Now, those are the kinds of questions that we need to ask there.

This section also voids the FOIP Act in terms of gaining access to information which can be used for preparing or administering a response to a crisis. So why are we taking the Disaster Services Act materials completely outside of the scope of FOIP? That's a real problem. Under this kind of amendment the Information and Privacy Commissioner cannot even look at the crisis management plan documents. Now, I understand the need for security around these kinds of documents, but all this cloak and dagger stuff can also be counterproductive when we try to find a balance between protecting people's privacies and their freedoms.

The question really becomes then: doesn't the government trust the FOIP Act? As we know from just having sat through a review by that committee, there are very good controls in place and very well thought out and tested and true procedures by which information can be protected. So why do they want to circumvent this process? That's a serious question, particularly when we see that in this province the Auditor General raised several questions in the last annual report with regard to the state of emergency plans for this government. So how are we to know that the government is prepared for an emergency if we're denied access to look at the plans? A very real concern and something that needs to be addressed.

Sections 6 to 14 still need to be reviewed. We have questions about all these sections. I think that we would like to see these questions answered before this bill gets passed. We have many of the appropriate ministers here with us this evening, who could start to address these particular concerns.

Let's do this bill properly, Mr. Chairman. That means that we get

the questions answered before we actually vote on the bill. If we don't have the questions answered in debate, you can be sure that we will be following up in writing because this is a serious bill. Changes to security in this province have untold ramifications for the people in this province for many, many years to come. We need these answers. We need them in a timely fashion. Perhaps we'll be satisfied with all the answers. But how are we to know in order to vote on this bill at this time?

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. This is quite an interesting bill, the Security Management Statutes Amendment Act, 2002, as proposed by the Minister of Justice. Certainly, when we look at events since September 11, 2001, to the present time and the instability in the world and when you consider this province's vital strategic interest not only to the rest of this country but also to our ally to the south because of our natural resources and the fact that we export so much fuel to the lower 48 states and to central Canada, security has to be certainly taken seriously. I take the matter of security quite seriously. When one considers that it was just a day or two ago in the media that a security expert stated that this country could be a possible location of a terrorist attack, one cannot be too careful.

At this time, Mr. Chairman, I have two concerns about the broad, wide-sweeping powers that this bill is going to give this government, and I don't know if they have the management maturity to deal with these wide-sweeping powers. I have my concerns. One of the concerns that I have as I go through this bill is: when will these wide-sweeping measures be reviewed? Is there a process? It certainly has escaped this member if there's a review process for the wide-sweeping powers that are promoted and promised in here. When will they be reviewed?

The hon. Member for Edmonton-Ellerslie certainly talked about the review that was done earlier this summer and into the fall, as a matter of fact, with the freedom of information and protection of privacy legislation. There's a review process there. There are many statutes besides that where every three years in this Assembly there is to be a review process. Certainly, times change, and I think there should be a formal process of review in Bill 31.

I would be much more comfortable with this legislation if there were a sunset clause. Perhaps it's in here and other hon. members can participate in the debate and point me in the right direction in regard to the sunset clause, because I would be very anxious to see that some of the legislative changes that are discussed and proposed in this legislation have limits.

9:50

Certainly, I look at the changes to the Provincial Parks Act, the amendment as proposed. Whenever we're talking about prohibiting or restricting access, whether it's travel or whether it's a short visit to a recreation area or a park, I have some concerns that this may get out of hand. For instance, let's say that a group of citizens take a notion that they want further enhancement of that park. Could the government under some dark, clandestine policy such as this restrict, I'm almost saying, the freedom of expression of a group of individuals who may have a different view of the use of the provincial park than the government?

Now, the Wilderness Areas, Ecological Reserves and Natural Areas Act: the same would apply to this. Why do we need to do this? What is the justification for this? Is this simply to stop citizens from protesting against, say, a logging operation on the edge of the park? Is this to do with international terrorism, or is it to do with stopping peaceful protests, which I consider legitimate, legal in this

province? Citizens have every right to speak out. When you get a government that has sort of lost its way after 32 years in power, anything could happen.

AN HON. MEMBER: How many years?

MR. MacDONALD: Thirty two years.

To use this bill under the guise of international terrorism to perhaps restrict or limit the citizens, I would have to urge caution with this.

I can go through this. I look at the Government Organization Act. I look at the Electric Utilities Act. I look at the Freedom of Information and Protection of Privacy Act. Speaking directly to the Electric Utilities Act, Mr. Chairman, I don't know if it's necessary. When I deal with the Electric Utilities Act now and I put in a freedom of information request, sometimes I think the Department of Energy considers a FOIP request from the Official Opposition a terrorist act, because I'm given no choice on getting the information. I must go through every manner possible to try to get information from that department regarding the activities of that department. That's my duty; it's my responsibility.

When I consider this legislation and the security measures, well, I'm not so sure. You'll have to excuse me for my suspicions, but with my own experience with FOIP, Mr. Chairman, I have every right to be suspicious. A democracy is only as transparent and accountable as the accessibility of information by citizens from their duly elected government.

Now, in conclusion, Mr. Chairman, I would again like to caution the government and the sponsor of this bill. Perhaps in due course of the debate they will explain what sort of review process they have in mind for this legislation because of its broad-sweeping powers. Is there a sunset clause for some of the measures that are proposed under various provincial statutes?

At this time, Mr. Chairman, I would like to adjourn debate. Thank you.

[Motion to adjourn debate carried]

THE DEPUTY CHAIR: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I'd move that the committee rise and report.

[Motion carried]

[Mr. Shariff in the chair]

MR. MARZ: Mr. Speaker, the Committee of the Whole has had under consideration and reports progress on Bill 31.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 9:57 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, November 21, 2002** **1:30 p.m.**
 Date: 02/11/21
 [The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. O Lord, grant us a daily awareness of the precious gift of life which You have given us. As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country. Amen.

Please be seated.

head: Introduction of Visitors

MR. JONSON: Mr. Speaker, I am pleased today to introduce to you and through you to members of the Assembly the consul general of Korea, Mr. Park. He is accompanied today by his wife, Mrs. Park, and the Korean consul in charge of economic affairs, Mr. Han.

Korea is Alberta's fourth largest trading partner, with two-way trade totaling nearly \$1 billion last year. Korea is also home to Alberta's longest standing sister province relationship, dating back to 1974. Our friendship with the province of Kangwon has certainly been fruitful over the years. The consul general's visit is a good opportunity to discuss ways to develop and expand Alberta's relationship with Korea. We very much appreciate the consul general coming to Alberta so soon after his appointment, and we anticipate a productive and mutually beneficial relationship with him over the coming months and years.

I would ask our honoured guests to please rise and receive the traditional warm welcome of the Assembly.

head: Introduction of Guests

THE SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. In politics we talk about parties a lot, but today we have some very special guests here who really know what the word "party" is all about. It's my pleasure today to introduce to you and through you to all members of this Assembly nine of the over 60 legendary volunteers of the Calgary Grey Cup Committee who are here in Edmonton this weekend to help kick off the Grey Cup festivities in an appropriate manner for the 54th year in a row. I would ask that they rise and remain standing as I call out their names. They're seated behind me in the public gallery. Then after that, I would also like to introduce to you and to all members of this Assembly the world-famous Stampede queen and princesses, who are also here today and who, I might add, are much easier to look at than some of our Grey Cup boys are. I would ask Chairman John Falck along with my former colleague Alderman Ray Jones with the city of Calgary, Aengus Watson, William J. Lundrigan, Arlene Porter, Mac Hasnany, Marv Jones, David Collins, and his lovely wife, Denise Collins, to all rise and receive the warm traditional welcome of the Assembly.

Mr. Speaker, I would now ask if this year's Calgary Stampede queen, Miss Karen Collins, could also rise along with Stampede princesses June Marie Innes and Natalie Havens and receive the warm traditional welcome of this Assembly.

Thank you.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I am pleased today to introduce to you and through you to members of the Assembly a class of law students from the University of Alberta who are here today as part of their course in legislative process and legislative drafting. Their instructors are Parliamentary Counsel Mr. Rob Reynolds and Legislative Counsel Mr. Peter Pagano. I believe the students are seated in the members' gallery this afternoon. I would ask them now to rise and receive the warm traditional welcome of the Assembly.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to introduce today two classes from James Mowat school in Fort Saskatchewan. They're accompanied by their principal and teacher, Mr. George Sebest, and also Ted Fellows. Some parents are accompanying them as well. I'd ask them to rise – they're in both the members' and public galleries – and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce three classes from Muriel Martin school in St. Albert. They are accompanied today by their teachers Mrs. Katie Boyd, Miss Christine Griffiths, Mrs. Brenda Kane as well as parent and teacher helpers Mrs. Alana Kirkhammer, Mrs. Gisela McKerracher, Mrs. Brenda Prychitcko, Mrs. Velvet Baker, Mrs. Wanda Kondruk, Mrs. Debra Fiddler, Mrs. Lynn Carolei, and Mrs. Susan Ormandy. They are seated in both the public and members' galleries, and I'd ask them to rise and receive the traditional warm welcome of this Legislature.

THE SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to the members of the Assembly Ken and Yvette Vanberg. Ken and Yvette were part of the Albertan business group that I had the honour to lead to tour the province of Shandong in China in August. They are here to visit the Assembly and also to do something very, very interesting; that is, to recruit in his business a person who is blind, named Lorne, and persons who are both deaf and can't speak, Lori and Ryan. So this is a very, very interesting opportunity for people with disabilities. May I ask Ken and Yvette, who are in the public gallery, to stand up and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's with a great deal of pleasure today that I rise and introduce to you and to members of the Assembly a family from the Nobleford area of Little Bow who have come up as a family to observe the proceedings of the Legislative Assembly. It's with pleasure that I introduce Bert and Caroline Vande Bruinhorst, their children Jonathan, Sarah, and Rhode. Jonathan attends Calvin Christian school, and the other two children are home schooled in the Vande Bruinhorst household. I would ask that they please rise and receive the warm welcome of the Assembly.

head: Ministerial Statements

THE SPEAKER: The hon. the Premier.

Federal Kyoto Implementation Plan

MR. KLEIN: Thank you, Mr. Speaker. I rise today to discuss Alberta's response to the reportedly final Kyoto implementation plan from the federal government, which was released today. Let me begin by saying that our government will study the federal plan in detail – and that process has started already – and we will consult with our provincial counterparts to assess its viability. As a matter of fact, I had a preliminary discussion today with Premier Hamm of Nova Scotia.

At first glance the revised federal plan is a little better dressed than its predecessors, but it is still woefully inadequate, and there are deeper concerns. I want to stress Alberta's strong disappointment that the federal government continues to impose a unilateral plan on the provinces and the territories time and time again. Premiers have urged Ottawa, again, time and time again, to sit down with them and work in partnership to develop a truly national, truly Canadian solution to climate change. But time and time again Ottawa has said no. Time and time again Ottawa has said: we'll tell you the way it's going to be.

Some federal ministers have said that there's no point trying to work with the provinces because the provinces are never able to agree on anything. Well, Mr. Speaker, that defeatist attitude says much more about federal arrogance than it does about the provinces, because working together, the provinces and the territories have reached a significant consensus on the climate change issue. They have developed a set of 12 principles, which they all believe should form the foundation of a national plan on climate change. They have all said that until Ottawa commits to those principles and commits to developing a national plan with them, then the Kyoto protocol should not be ratified.

1:40

Today the federal government has released a plan that does not incorporate all 12 principles articulated by the provinces. The plan, while it incorporates a few of our ideas, does not reflect the provinces' priorities. Even more worrisome is the fact that the federal plan gives no indication of what the true costs of the Kyoto pipe dream will be to Canadians.

A national news story out today reports that Industry Canada, an agency of the government, believes that its own political masters are deliberately underestimating the costs to Canada of Kyoto and underestimating them substantially. Now, of course, the feds are backing away from this paper's findings as fast as they can, but I think there's more truth to it than they care to admit. According to the news story, Industry Canada calculates that Kyoto will result in a 33 percent decline in the energy industry with a loss of 14 of every 100 jobs in that sector. That is very significant, Mr. Speaker. The government of Alberta will not let that happen, and other provinces will not let that happen. Despite being aided and abetted every step of the way by the two opposition parties represented in this Legislature, the federal government will not be allowed to hurt this province or any province in order to meet some rigid, illogical goal.

Do provinces want to address climate change? Well, the answer, of course, is yes, without a doubt. The federal government would have Canadians believe that it alone – it alone – holds the monopoly on environmental concern, but the record indicates otherwise. The record indicates that Canada's provinces have been the true leaders in environmental stewardship, and they intend to be just as effective in dealing with climate change.

Here in Alberta the government, of course, has introduced legislation that when implemented will result in significant reductions in greenhouse gas emissions, and I'm talking about real

reductions. The federal government, on the other hand, is talking about sending possibly billions of dollars, hard earned dollars in Canada, out of this country to buy emission credits abroad. The result will be the completely unnecessary transfer of Canadian wealth to other countries with no reduction in emissions that contribute to global warming. That, Mr. Speaker, is not environmental stewardship. That is politics, crass, self-serving, duplicitous, obscenely expensive politics, and Alberta will not be a part of it.

Mr. Speaker, I have spoken with almost every Premier in Canada about the climate change issue, and while we differ on some points regarding climate change, we agree on the important items in the debate. Above all, we agree that climate change is not something to be addressed by a federal organization or a monopoly. As the Premiers of British Columbia and Newfoundland jointly wrote in today's *National Post*:

We can and must meet the challenge of climate change, in a way that works for the benefit of all Canadians . . . We have the opportunity now to harness that innovation and expertise and work together as federal, provincial and territorial partners to develop a "Made in Canada" strategy.

So I join with Premiers Campbell and Grimes, both Liberal Premiers I would remind the hon. leader of the Liberal opposition, and all Canadian Premiers in urging the federal government to sit down with us – sit down with us – and work on a national solution that incorporates the provinces' 12 principles rather than asking us to accept this plan as the only possible solution.

Why is there this incomprehensible rush to ratify the Kyoto protocol? Why? I don't know. Why can't Ottawa take the time to meet with us as equals so that we have a common understanding, rooted in reality, of what it will take to address climate change and how much it will cost? Why must Canadians accept artificial, rushed deadlines imposed by the Prime Minister when the magnitude of the issue demands thought, collaboration, and common understanding? These are questions that go unanswered, and until they are answered, this government will not rest in opposing the Kyoto protocol. It will not rest. It will not rest in protecting the jobs of Albertans and all Canadians, and it will not rest in its work to protect the future economic prosperity of Alberta and the strong communities and array of opportunities that arise from that prosperity. Albertans expect no less, Mr. Speaker, and they will receive no less from each and every government member of this Assembly.

DR. NICOL: Mr. Speaker, the Alberta Liberals support ratification of Kyoto. We believe in the science of climate change and in the decade of work completed by countries and scientists on establishing a first step to reduce CO₂ emissions. We recognize that ratification of the protocol poses a significant challenge for Alberta. We believe the targets set out in the Kyoto protocol are good and achievable. We are, however, disappointed with the first phase of the federal government's implementation plan rolled out today.

Now more than ever we expect positive leadership from our provincial government. We believe the government of Alberta must constructively engage the federal government in its plan to implement Kyoto rather than its current policy of antagonizing and escalating already tense relations. Constitutional challenges, boycotted meetings, and other actions of hostility will not serve the best interests of all Albertans. This government should promote the Alberta advantage, not disadvantage. Failure to do so will negatively impact Alberta and become a self-fulfilling prophecy. This is about what we can do, not about what we can't.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Yes, Mr. Speaker.

THE SPEAKER: I'm sorry, hon. member. Please sit down. There is no provision in our practice for a member other than the spokesman for the Official Opposition to respond to a Ministerial Statement other than with the unanimous consent of the members of the Assembly. Would the member like me to ask if the hon. members would?

MR. MASON: Mr. Speaker, we were called by the government and asked if we would prepare a statement, and we did.

THE SPEAKER: Hon. member, the government does not control the practice of the Legislative Assembly of the province of Alberta. If the hon. member would like the chairman to ask the question, "Is there unanimous consent in the Assembly to allow the hon. member to participate in the ministerial statement process?" the chairman will ask that question. Just nod yes or no.

Is any member of the Legislative Assembly in the province of Alberta opposed to hearing from the hon. Member for Edmonton-Highlands?

[Unanimous consent granted]

THE SPEAKER: The hon. member.

1:50

MR. MASON: Thank you, Mr. Speaker and members of the Assembly. The Alberta Conservative government has never missed an opportunity to miss an opportunity when it comes to taking meaningful action to address climate change. Instead of working cooperatively with the federal government and other provinces to address the important issue of climate change, this government has chosen to be obstructionist.

I remind you that until its resignation in May of this year, the Alberta government actually co-chaired a federal/provincial committee that was studying the economic impacts of the Kyoto protocol. The decision to resign from this federal/provincial process was made well before Prime Minister Chretien decided in September to move forward with Kyoto ratification before the end of this year. The Alberta government has a responsibility to stand up for Alberta's interests. However, the government's destructive approach will leave Albertans isolated and without influence on this most critical issue for the future of the province.

The Alberta government also missed an opportunity to take meaningful action by ignoring a detailed report produced by the energy efficiency office of the Alberta Energy department in 1990. This paper set out detailed policy measures that would have enabled Alberta to reduce greenhouse gases 7 percent below 1988 levels by the year 2005. Instead, this government axed the energy efficiency office, and greenhouse gas emissions have instead risen by 20 percent.

The Alberta New Democrats have consistently urged the government to stand up for Alberta's interests by negotiating an implementation protocol which protects our economy and sets reduction targets based on energy consumption rather than on production. The government has not only failed to take action on climate change issues; they have left Alberta vulnerable to decisions made by others.

head: **Oral Question Period**

Government Contracts

DR. NICOL: Handing out lucrative contracts without going through

an open and transparent tendering process is not just bad business. It's downright abuse of power. For a government that's so big on the benefits of competition, it's ironic that its own policies don't require competitive bids for all government contracts. My question is to the Premier. Since the Ministry of Infrastructure regularly hands out consulting and project management contracts without going to tender, how can Albertans be assured that plum, lucrative contracts aren't being handed out to government friends and supporters at taxpayer expense?

MR. KLEIN: Mr. Speaker, I'm not so sure that that statement is true, but I will have the hon. Minister of Infrastructure respond as to the procedures and the requirements that need to be followed before contracts are let.

MR. LUND: Mr. Speaker, of course, depending on the size of the project and what kind of details we need, we sometimes go through a very long process of, first of all, requesting for interest, and we have a request for qualifications. Then we have a request for proposal, and then of course we deal with the results of all of those processes. On a lesser project we may just simply ask for a call for proposal. In other, even lesser cost types of projects we may outline the project and then ask for bids. So those are the types of procedures that we follow. If the hon. member has an example where this hasn't been followed, which he seems to indicate, I would sure like to know about it.

DR. NICOL: Mr. Speaker, to the Premier: what is stopping this government from giving a company or an individual preferential treatment while excluding other contractors who are just as experienced and maybe even less expensive?

MR. KLEIN: Mr. Speaker, I'll defer to the hon. minister.

MR. LUND: Mr. Speaker, as I said in answer to the first question, if the hon. member knows of a situation where the procedure hasn't been followed, I want to know about it.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you. To the Premier: can you respond to the Auditor General's report, pages 158 and 159, which clearly outlines that in the Department of Infrastructure there are potential serious breaches of contract competition and renewal? Can you explain that?

MR. KLEIN: Mr. Speaker, we take very seriously the recommendations of the Auditor General, and we have given an undertaking to the public that we will respond in detail to the Auditor General's recommendations. I'll ask the hon. minister as to where we are relative to the progress on those recommendations.

MR. LUND: Mr. Speaker, as the hon. Premier has clearly indicated, we do take any allegations very seriously. We're in the process of investigating exactly what the Auditor General was talking about, and we're going to make sure that if there was a mistake, in fact, it doesn't happen again.

Use of Government Credit Cards

DR. NICOL: Unauthorized credit card transactions, no documentation to back up expenses, no control over the way government credit cards are used: that's the way this government operates, and millions

of dollars are at risk because of negligence by this government. The freewheeling use of government credit cards is out of control, and an investigation by the Auditor General is now under way. To the Premier: are some cabinet ministers forcing staff to misuse their credit cards in order to cover over or expand ministry expenses?

MR. KLEIN: Mr. Speaker, no. And if I ever find out about any minister forcing misuse of credit cards by anyone, they won't be a minister. I'll tell you that for sure.

DR. NICOL: To the Premier: then how do you respond to the Auditor General's concerns that imply that those kinds of things are happening?

MR. KLEIN: I'm not so sure he implies those things are happening, Mr. Speaker. There was a case, as the hon. leader of the Liberal opposition knows, of a senior public service employee being charged. That matter is now before the courts, and I believe that there's an ongoing investigation or a review as to how this kind of thing could happen. I can tell you that there is no direction from any minister of the Crown to direct any employee of the government to inappropriately or wrongly use a credit card.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. In reference to the cases that the Premier just talked about, are out-of-court settlements being considered?

MR. KLEIN: Mr. Speaker, I really can't discuss that. As I understand, this is a criminal matter, and it doesn't involve any out-of-court settlement. You know, maybe the Attorney General can shed some light on this matter, but I would be very, very surprised if anything like that was anticipated.

THE SPEAKER: I also want to caution care that this doesn't fall under the sub judice rule, but the hon. Minister of Justice and Attorney General might comment.

MR. HANCOCK: Mr. Speaker, I think your comments are entirely appropriate. There is a civil case as well as the criminal case, and both of them are before the courts.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

Health Care Spending

DR. TAFT: Thank you. Mr. Speaker, \$67,800 a day 365 days a year: that would hire over 350 registered nurses, provide long-term care for 500 sick elderly Albertans, or eliminate the deficits of almost every rural RHA in Alberta. Sixty-seven thousand, eight hundred dollars a day is \$25 million a year, which is what this government is spending to study the implementation of the Mazankowski report. Of this, over \$5 million is spent on nothing more than the salaries, travel costs, luncheons, and paper shuffling of committees. My questions are to the Minister of Health and Wellness. Given the staggering amount being spent on these committees, including a committee getting \$550,000 to co-ordinate the work of other committees, why has this minister hired a special adviser in his office at a further cost of over a hundred thousand dollars per year? How much advice does this minister need?

MR. MAR: Mr. Speaker, that pales in comparison with what we spend on health care in this province, which now ranges in the magnitude of \$6.8 billion. That is in the magnitude of \$19 million a day. We spend \$1.4 billion on physicians. We spend roughly \$1 billion on nurses. We spend roughly \$3.8 billion on our regional health authorities. We spend in the magnitude of some \$360 million on drugs alone. Ensuring that we have the appropriate system put in place to make sure that we deliver an effective, efficient, publicly paid for, publicly administered, high-quality service in this province is what this is all about. I should point out that the \$25 million is for the implementation of all of this. It is not for committee work, as has been suggested by the hon. member. He should do his homework.

2:00

DR. TAFT: If the numbers are so small, why doesn't he pick up the rural RHA deficits?

Given that one of these implementation teams has a budget of 6 and a half million dollars and another has a budget of \$10.2 million, will the minister provide full details to the House on the tendering and accountability processes for ensuring this money is well spent?

MR. MAR: Mr. Speaker, if the hon. member wishes to see how the government is spending its money and pursuant to what authority, he can certainly look at our business plans. They are the most transparent, open, accountable business plans in this country.

DR. TAFT: Given that these committees are behind schedule and the senior management of the Department of Health and Wellness is in obvious confusion and disarray, why doesn't the minister just admit that his government's attempt to pre-empt the Romanow report is a costly lame duck?

MR. MAR: Mr. Speaker, what a load of poppycock. Look at what the cost of the Romanow commission report is; right? Let's look at the cost of the Romanow report, something in the range of \$15 million to \$20 million, frankly with a set of recommendations that any one of us probably could have drafted on the back of a cocktail napkin.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Airdrie-Rocky View.

Air Ambulance Services

MR. MASON: Thank you very much, Mr. Speaker. The minister of health recently appointed the MLA for Peace River to the selection committee tasked with the responsibility of awarding an air ambulance contract for the Peace River area. Prior to his appointment this MLA had written a letter in support of Advanced Paramedic, one of the applicants. To no one's real surprise Advanced Paramedic was awarded the contract. To the minister: did the minister know that the MLA for Peace River was backing one candidate for this contract over the others before appointing him to the selection committee, and if not, why not?

MR. MAR: Mr. Speaker, the RFP in 2002 was put out for air ambulance services, and the purpose of this was to meet the increased numbers of patients that need to be transported by this particular service. Peace regional did submit two options, one of which met the criterion under the RFP and the other one did not.

The selection committee consists not only of the hon. Member for Peace River but also the hon. Member for Calgary-*Buffalo*, who, of course, is well known for his knowledge in the area of ambulance, and also the hon. Member for *Little Bow*. There was also a

physician from Saskatchewan air services, an expert in the area of air medical transport. There was also an aircraft industry consultant that was brought in as part of the RFP process.

There were 12 tenders in total. Ten were renewed in other parts of the province. One that was not renewed was for the Peace regional, that had been submitted. It would appear that the reason why it was not accepted was because it came in at a higher cost than the successful bidder, and the reason it appears so, Mr. Speaker, is it appears that they were using revenues from the air ambulance service to subsidize their ground ambulance service. I should point out that there was a unanimous decision made by the selection committee in the RFP process for the successful bidder. It was a fair and reasonable and completely transparent set of circumstances.

MR. MASON: Mr. Speaker, does the minister not consider that the fact that a member of the selection committee had written a letter of reference for one of the applicants actually creates a tainted process, and how can he guarantee the people of Peace River that, in fact, this was a fair selection process?

MR. MAR: Mr. Speaker, I resist the temptation of the hon. member to unfairly besmirch another member of this Assembly for activities that they may have done. If he has an issue with respect to how this hon. member, the hon. Member for Peace River, has conducted himself, if he wishes to submit a complaint to the Ethics Commissioner, then he may do so.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. My questions are to the minister. Why did the minister appoint someone to the committee, whether it be an MLA or not, who was obviously an advocate for one of the applicants before the selection process even got under way, and will the minister fix the process and throw out this tainted bid?

MR. MAR: Mr. Speaker, if the hon. member, again, wishes to make his allegations outside of this House or if he wishes to bring it before the Ethics Commissioner, he certainly may.

THE SPEAKER: The hon. Member for Airdrie-Rocky View, followed by the hon. Member for Edmonton-Ellerslie.

Federal Kyoto Implementation Plan

MS HALEY: Thank you, Mr. Speaker. My questions are all to the Premier. In light of the federal government's release today of their final plan on Kyoto could you please, Mr. Premier, tell this House if you or anyone in this government was provided with the ability to have any input into this report or if you, in fact, received an advance copy before it was released today?

MR. KLEIN: Mr. Speaker, the answer is no, and this is really quite consistent with the actions of the federal government to date. No, there were no consultations. I understand that the report was released to the media before it was sent to the provinces. This is the government's idea of consultation, and it's a bad one.

MS HALEY: Mr. Premier, in light of your answer has the Prime Minister responded to a request for the first ministers' meeting, and if not, why not?

MR. KLEIN: No, he hasn't. He has indicated, however – and I'm

getting this secondhand from Premier Hamm, who is chair of the Premiers' conference – that if the Premiers want to discuss Kyoto at the January first ministers' meeting, when it will be convened to discuss health care, they're welcome to do so, but whether the Prime Minister will listen is another matter.

MS HALEY: My final question, then, is: in light of the comments made in here today by the member from the New Democratic Party, his comments that the government is somehow isolated, Mr. Premier, do you know how the other provinces or Premiers are responding in Canada today?

MR. KLEIN: I do, and it appears that all of the provinces are outside with the 12 principles that were drafted by the ministers of environment and the ministers of energy. Clearly, the plan refuses to recognize and discards completely three of those principles, and they are key principles to Alberta and the rest of Canada.

We are not isolated. Mr. Speaker, the Premier of British Columbia, their minister of environment, and their minister of energy are clearly concerned and have expressed publicly their concern. The Premier of Ontario stood up with me in Toronto to express his concern. Premier Grimes of Newfoundland is gravely concerned and so is Premier Hamm of Nova Scotia because they're just in the process now, in the infancy, of oil and gas development in those two provinces, and of course the province of British Columbia is hoping to embark on offshore development.

Mr. Speaker, just today the NDs, the New Democrats, in Saskatchewan issued a press release which is very consistent with the ministerial statement that I issued earlier, and I'm going to read the press release. It's dated today, Regina.

Saskatchewan's industry and resources minister is fuming over Ottawa's latest plan for implementing the Kyoto climate change treaty.

An NDP government.

Eldon Lautermilch says the plan presented today is a unilateral federal action that is being "rammed down the throats" of the provinces and territories.

The provinces and territories have provided the Chretien government with 12 principles they wanted included in an implementation plan.

Lautermilch says the federal government has rejected three of those outright and changed seven.

He says Saskatchewan cannot, and will not, accept Ottawa's latest plan.

So, Mr. Speaker, for the hon. Member of the ND Party to say that Alberta is isolated is an absolute falsehood. An absolute falsehood. He should stand up and apologize to this Assembly, especially in light of his own party, now governing Saskatchewan, being firmly on the side of Alberta on this issue.

2:10

Labour Negotiations

MS CARLSON: Mr. Speaker, first the government intervenes in teacher negotiations. Then the government intervenes with nurses and docs. Now they want to set a standard for intervening in all collective bargaining processes. To the Premier: does this government understand what collective bargaining and arbitration mean?

MR. KLEIN: Yes, we do.

MS CARLSON: To the Premier: then how does the government answer the charge that this new policy they are floating is a socialist policy, not free market based? Mr. Premier, you look like Pierre Elliott Trudeau on wage and price controls.

MR. KLEIN: Mr. Speaker, again the Liberals are conducting their research in the *Edmonton Journal* and the *Calgary Herald*. Clearly, public-sector salaries account for about \$10.8 billion of the government's budget, and each increase in public-sector salaries costs the province about \$108 million, and since government funds the public sector, we have to ensure that salary settlements are sustainable over the long term. We need to do that so we can budget and budget properly. So we do have a group of government members looking at strategies to deal with the impact of public-sector salary increases on the provincial budget, but I can tell the hon. member that no concrete proposals have been brought forward to cabinet or caucus or Treasury Board.

MS CARLSON: Mr. Speaker, my final question is to the Minister of Economic Development. From an economic development perspective do you support an end to free market based negotiation in this province, as led by your boss?

MR. NORRIS: At the outset, Mr. Speaker, I generally tend to support everything my boss says. It's usually the way that the Alberta people feel, and it's the way I feel, certainly.

Once again I think the hon. member opposite is drawing conclusions based on illogical premises, so I don't think I can respond other than to say that we support anything that moves the free market ahead, and the conclusion that you've reached is, while very interesting, totally disagreeable.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Edmonton-Centre.

Security of Registry Offices

MR. McCLELLAND: Thank you, Mr. Speaker. My question is to the Minister of Government Services. On Tuesday night someone broke into an Edmonton registry office and made off with a computer and printer used to create Alberta drivers' licences. Can the minister tell us if these loathsome miscreants now have the ability to create licences and bogus ID cards?

MR. COUTTS: Mr. Speaker, law enforcement agencies will tell you that break-ins are an area of opportunity for criminals and very often they don't know what they're going after. We don't know what the thieves plan to do with this particular equipment that was stolen on Tuesday night, but we shouldn't just assume that they could plan to produce a fake driver's licence.

That being said, the equipment that was stolen on Tuesday night isn't enough just in itself to produce a fake driver's licence. In Alberta today we use a special paper stock, and that paper stock is kept in a locked compartment separate from the equipment. That particular paper stock was not stolen in this case. Encryption or any other security measures also make it very, very difficult for an unauthorized person to obtain any information on the database. Therefore, an individual who steals the equipment would have to be familiar with our processes and our unique applications and how it works.

Detective Joe Pendleton is an utmost authority on national security measures and identity fraud, and he is with the Edmonton economic crime squad. He has said to us that no fake IDs have ever been found in Edmonton that had been produced by equipment stolen from registry agents' offices, so that would tell me that criminals do not have the necessary knowledge to handle that equipment. So it appears to me that the bad guys just don't get it.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you, Mr. Speaker. That would indicate, then, that this was believed to be a random act and that this is not part of a concerted effort by a group to target registry offices.

To the same minister: can the minister tell the House, without breaching security, what measures have been taken to ensure that other registry offices are protected?

THE SPEAKER: The hon. minister.

MR. COUTTS: Thank you, Mr. Speaker. There have been a handful of incidents like this in one or more of our 120 registry agents' offices across this province, and that handful of incidents amounts to about 1 percent. Nevertheless, we are concerned about the possibility of criminal misuse when it comes to our technology that we're presently using. My department recently issued a request for proposals for a new centralized high-security processing facility for a new driver's licence, and that new facility will make it less vulnerable to these sorts of incidents.

Government-issued drivers' licences are one of the only official identification documents that contain a photograph of the cardholder, and that makes it a very acceptable form of identification for law enforcement agencies, for retailers, for financial institutions, and for employers. Given the current desire for increased security, Alberta's current system must be replaced to stay ahead of the technology. So new technology and a new security card facility will ensure that our licences are trustworthy, that they're credible, and that the documentation used will only be used by Albertans whom they serve.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you. To the same minister: with the centralization of all these records, what special steps are being taken to protect the privacy of Albertans?

MR. COUTTS: That is a very good question. The request for proposal is going to require that the vendor perform a privacy impact assessment and a consultation with our Privacy Commissioner to make sure that those rights under the Freedom of Information and Protection of Privacy Act are upheld. We have consulted with various security and law-enforcement agencies as well as with other jurisdictions, and we have decided on using a polycarbonate card so that the personal information can be imbedded on both sides of the paper stock, and a laser engraver will be used for that personal information so that it will be highly secure. Once the information is permanently put onto those cards, it will be extremely tamper resistant. The information can't be mechanically nor chemically taken off the card without making the card a useless piece of identification.

So, Mr. Speaker, it's important to note that the security features will not involve DNA, will not involve fingerprints but may include a facial recognition so that registry agents can see that that person in front of them is also the person that we have on file.

2:20

Heritage Savings Trust Fund

MS BLAKEMAN: Mr. Speaker, against the wishes of Albertans this government has continued to use the heritage fund as a pawn in its game to politicize the budgeting process and continues to plan to turn the heritage fund into a stability fund. My first question is to the Minister of Revenue. Why does this government continue to employ a high-risk investment strategy when Albertans have said to protect the fund?

MR. MELCHIN: Mr. Speaker, if they might remember, there was a

significant review of the heritage fund done in 1995, and the legislation was changed in 1997, which led as a legislative parameter to maximize the long-term returns of the fund. It was from that major review and legislative parameter that we do invest in equities. We know that Albertans say that they value the fund, that it's there for the future. It will be there for the future. It's that opportunity for growth in a diversified portfolio that will ensure it will maximize the benefit and the value not only today but for all Albertans in the future.

MS BLAKEMAN: This question is also to the Minister of Revenue. Why does this government think that the volatile heritage fund, which lost \$1.3 billion in just six months, can serve as a stability fund?

MR. MELCHIN: We're mixing two different issues. I'd first like to say that this is the only fund of its kind in any province in Canada. It's a great fund. This fund has earned over \$25 billion of income over its life. It continues to benefit us. You don't invest with the aspect of taking zero risk. There are ups and downs in the marketplace, but the equities do outperform fixed income in any one year.

With the other aspect of a stabilization fund, there is a survey out right now with all Albertans to let them have both an understanding of the fund and its options for the future and whether or not a sustainability option should be regarded with the heritage fund. We're following up on recommendations of consultation with Albertans. It was the Future Summit delegates' suggestion from all of that input gathered around the province that that form part of it. We allow Albertans to provide us that input, and it's a promise to them that we will supply back and provide them the opportunity to choose.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. My final question is also to the Minister of Revenue. Given that Albertans have already told this government I think five times in the last eight years not to turn the heritage fund into a stability fund, why is this government asking them again? What is it about the word "no" that this government doesn't understand?

MR. MELCHIN: First off, I said yesterday – and we won't even today – that we'll never apologize for consulting with Albertans. This is the only survey that has ever asked the question why we should save. In 1995 it asked: should we make a long-term decision now or wait until the government pays down its debt and balances the budget? That was the question in 1995. We have accomplished much since then. We have reduced the debt from \$23 billion down to \$5 billion. It's in response to that, that our financial house is in order, that we can follow up on a long-term decision about why we're saving.

It is about that purpose, and there are multiple reasons. The heritage fund was created in 1976 with multiple reasons to save. It was never just a one, sole, single purpose oriented fund, and it's for that reason that we're asking Albertans about its long-term mandate.

MRS. NELSON: Mr. Speaker, for clarification, the Financial Management Commission put forward a recommendation that we provide for a sustainability fund for this province. We have responded to the recommendations of the Financial Management Commission and accepted their recommendation but amended that, in fact, a sustainability fund should be established but not using the heritage trust fund. So we are proceeding with a sustainability fund

development. We're putting the implementation plans together now.

In the meantime, there is a process of dialogue that is going on with Albertans with regard to the future of the heritage trust fund, but for the time being and in the future, we are going forward with our sustainability fund without the heritage trust fund. So we are not coupling the two together, unless the people of this province tell us to do otherwise.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Mill Woods.

Education Delegation to Asia

MR. CAO: Thank you, Mr. Speaker. Given that the Alberta government puts education and training of citizens as top priorities, with an increasing annual funding now reaching close to \$5 billion, and also given that the minister just recently led an education delegation to several Asian countries, my question to the hon. Minister of Learning is: what is the purpose of such a delegation tour?

THE SPEAKER: The hon. minister.

DR. OBERG: Well, thank you very much, Mr. Speaker. There are a lot of reasons why we go to foreign countries. For example, the Korean consul general, who was just here, is a good illustration of that. I'll just outline two today. First of all, probably the most significant thing we can do in an education system is to allow for the globalization of our students. To give students the ability to go to school shoulder to shoulder with someone from China, Japan, or Vietnam is an invaluable resource.

The second reason that we led this delegation is quite simple, and it's called economics. Our postsecondary institutions are active in an average of 22 different countries around the world. By having a minister with them – in fact, they asked me to go – we were able to get into doors, to open doors that they could never get into before. For example, we were allowed into the ministry of education in China. If you think about it, the ministry of education of China looks after a billion and a half students. The immensity of it is just amazing. Overall it was an extremely successful trip.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. To the same minister: could the minister tell us what was achieved or learned for Alberta from those countries in terms of governance, class sizes, or the education results?

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much. Well, Mr. Speaker, on our trip we had scheduled and, indeed, attended 71 meetings in four countries over a period of about 16 days. We talked to a lot of people. There were roughly 15 to 20 MOUs signed by our institutions and, indeed, one signed by myself on the apprenticeship and industry training in China. So we will be helping China do the apprenticeship and industry training.

In direct response to the hon. member's question about what we learned, I will say that there were probably only two or three things that we learned, specifically, that we can benefit from over here. The rest of the reason for this trip was to sell our expertise to these countries, and those countries are hungry for it. As a matter of fact, there was a proposal put forward by the ministry of education in

China to work with them to open up two schools in China, utilizing our teachers, our curriculum, and our diploma. So we are presently doing the due diligence on that and making sure that it is a feasible project.

Again, overall, a lot of things done, a lot of people met, and a huge amount of business. It could quite easily be estimated that we did in the \$25 million to \$30 million range in those two weeks.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. To the same minister: how does the minister see Alberta's education system and institutions in the world education business?

DR. OBERG: Mr. Speaker, I talked about our postsecondary institutions being active in an average of 22 countries, but I will say that we are, really, very much a fledgling on the world scene. Australia, for example, right now does around \$10 billion worth of business overseas when it comes to education. Canada, in general, does between \$4 billion and \$5 billion in foreign countries, with the lead being taken by British Columbia, Ontario, Quebec, and indeed New Brunswick. Interestingly enough, in talking to the people in China, Newfoundland had just been over there about three or four months ago.

So, Mr. Speaker, it is a good way to promote Alberta. It is a good way to allow our students to have the advantage of being close to their counterparts in other countries. It's a good way to proceed with economics for a postsecondary system, but most important, just a good way to learn about other people.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Highlands.

2:30

Postsecondary Tuition Fees

DR. MASSEY: Thank you, Mr. Speaker. Contrary to what the Minister of Learning told the House yesterday, high tuition fees are a barrier for students. In a survey by the Learning department 70 percent of respondents cited the overall cost of postsecondary education as a barrier, and 66 percent specifically marked increased tuition as a barrier. My questions are to the Minister of Learning. Why are Alberta tuition fees higher than in any other western Canadian province?

DR. OBERG: Mr. Speaker, I don't have the actual numbers with me right now, but I believe that the University of Saskatchewan is significantly higher than our universities.

DR. MASSEY: To the same minister, Mr. Speaker: with Alberta participation rates of 18 to 24 year olds in postsecondary education almost the lowest in the country why does the government continue to support a high tuition policy?

DR. OBERG: First of all, Mr. Speaker, we do not support a high tuition policy. As I mentioned yesterday, our universities are number 21, number 31, and number 38 in the last *Maclean's* poll on tuition and fees charged.

The reason our participation rate is not as large is a couplefold. First of all, we have a very highly developed technological school industry in the province of Alberta, where a lot of kids go to technology school. Second of all, our Apprenticeship and Industry Training Board is second to none. We currently have 42,000 students that are involved in apprenticeship. Mr. Speaker, the third

reason and probably the most effective reason right now is because we have jobs. There are a lot of jobs out there. Many students are opting to get into the workforce first, before they go to university to finish their education.

THE SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister: how can the minister, a beneficiary of low tuition rates, now deny young Albertans the same opportunity?

DR. OBERG: Well, Mr. Speaker, when you actually sit down and do the math, what I paid in tuition when I went to school – and again, that was back in the late 1970s. I don't want to age myself, but I really do believe that I paid anywhere between \$1,500 and \$2,000 tuition. I stand to be corrected on that.

DR. MASSEY: Nine hundred and fifty-three dollars.

DR. OBERG: No. Actually it wasn't, not for medical school. Consequently, when you extrapolate that forward, what you see is that it is very comparable to what it is today. It has risen but, Mr. Speaker, in all fairness, everything has risen. The important thing to remember about tuition is that people sitting in this Assembly, people driving the taxi cabs in Alberta, people driving the dump trucks pay 75 percent of a student's cost for education.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-McCall.

Electricity Pricing

MR. MASON: Thank you very much, Mr. Speaker. In an attempt to hide the colossal failure of deregulation to deliver lower power prices, the provincial government has done everything in its power to pin the blame on EPCOR. Yet power bills have increased in every part of the province, including those that are not served by EPCOR. I've recently begun holding public meetings around Alberta, and I've found that even in the rural heartland of the Conservative government people are not buying the government line. My question to the Minister of Energy is this: how does he explain the higher prices, between 40 and 60 percent, paid by consumers in areas outside EPCOR's service area since deregulation?

THE SPEAKER: The hon. minister.

MR. SMITH: Well, Mr. Speaker, thank you for the question from the member. The morning was spent with the Alberta Association of Municipal Districts and Counties. While I did have an opportunity to talk personally with some individuals who had specific issues regarding their bill or wrong meter reads or poor estimates, there were, in fact, no questions raised by that group at the meeting. I know that there are continuing concerns, but there are other issues in rural Alberta, which I think is an important piece.

Now, in the EPCOR/Aquila network there have been numerous, overwhelming, many – you would know yourself from being in that services area, Mr. Speaker – amounts of complaints that are rife with incorrect meter readings and have meter deficiencies. We asked nicely. We asked with vigour. We asked with force. Then we asked with the regulation in place for EPCOR and Aquila to correct these meter readings, and they are in fact taking action. The EUB has set up a call centre that will respond to these calls as the meters come in as of December 2.

The simple answer to the member's question is that if he goes back over his bills – if any rural Albertan would give him one, particularly after their position on the Kyoto accord, which is going to cost rural Albertans many jobs. I don't know if I'd want to be an ND out there in that part of the world talking in Conservative ridings. But if he were to read those, he would see that there are deferral accounts. Deferral accounts are the cost of power bought in 2000, when, as a matter of fact, this government still entertained a regulated model for power, and in 2001 when the power was deregulated. So there's been a combination of factors which has created these deferral accounts to be placed in these accounts that shall end at the end of 2003.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Since the minister has no answer to the question of higher electricity prices for Albertans, why, then, is the government singling out publicly owned EPCOR for regulatory punishment while letting U.S.-owned Aquila, which is actually making the mistakes reading the meters in the EPCOR service area, off the hook?

MR. SMITH: Mr. Speaker, that member has no idea about high electricity prices until he sees the full effects of the Kyoto protocol, which he supports, his party supports being implemented in this province, that's going to cost 14 out of every 100 oil patch workers their jobs. And you support that?

On the issue of electrical deregulation what the member forgets conveniently is that Aquila is operating under a regulated part of the electrical business and is subject to the full regulatory rigours of the Alberta Energy and Utilities Board. If he cared to spend some time, Mr. Speaker, going through that piece, he would see that there are financial penalties in there and there are management penalties in there. So not only is he trying to rip Albertans off on the Kyoto side, which he's trying to support; he's also misinformed about deregulation.

THE SPEAKER: Hon. member, I don't know if you had an opportunity to hear the complete answer. There seemed to be a lot of exchanges going on at the same time. I will not invite the Minister of Energy to repeat his response.

MR. MASON: Well, Mr. Speaker, that would render the Kyoto accord completely useless if he did that.

I'd like to ask the minister, Mr. Speaker, why he is singling out EPCOR and the 650,000 Edmontonians who own it for unfair and discriminatory treatment by his ministry.

MR. SMITH: Mr. Speaker, firstly, he said that if I repeated my former answer, I would render the Kyoto protocol useless. If, in fact, that was all it took in Alberta, I would do that tomorrow. I would do it today. I'd take a bullet to get rid of the Kyoto protocol because that protocol is going to take jobs, prosperity, and development away. EPCOR won't have to worry about profits because the \$9 billion worth of transfer payments and the power that EPCOR generates themselves in a free marketplace will be decimated under the Kyoto protocol.

2:40

Mr. Speaker, to the Member for Edmonton-Highlands. We are asking for commercial solutions in a commercial marketplace. All EPCOR had to do in the 20 months since the start of deregulation in combination with Aquila Networks was fix the meter-reading

deficiencies and billing irregularities in their billing area. We have seen in this deregulated electricity market a company such as ATCO, that pays full taxes, that supports over 110,000 customers in northern Alberta, bring in lower prices than they did under regulation. "How can the private sector do this?" you wonder.

Mr. Speaker, at Enmax in Calgary, also owned by the city, we have seen a lower rate – a lower rate – than what EPCOR offers in their Aquila network and in the Edmonton area. So I would ask the member with his prior experience: how do the 650,000 customers sitting in Edmonton, the 650,000 shareholders that do not have any choice about getting rid of their risk, their exposure after a particular damning report on the exposure of EPCOR, escape the liability?

THE SPEAKER: The hon. Member for Calgary-McCall.

Mandatory Second Language Instruction

MR. SHARIFF: Mr. Speaker, the Minister of Learning indicated at the annual Alberta School Boards Association conference this week that he is looking to implement mandatory second language studies in schools. My question is to the Minister of Learning. Is this a new policy direction for Alberta Learning?

DR. OBERG: Well, Mr. Speaker, it is a new direction, but it is actually a direction on the direction of this Legislative Assembly. As the hon. member remembers, I'm sure, in May of 2001 there was a motion passed by the hon. Member for Wetaskiwin-Camrose urging Alberta Learning to institute mandatory second languages by the year 2006-2007, and indeed we are following through on that. We take what happens in this Legislative Assembly very seriously, and we are following through. Despite that fact, I will also say that it is something that I support and it is something that is the right direction and the right thing to do for the students of Alberta.

THE SPEAKER: The hon. member.

MR. SHARIFF: Thank you, Mr. Speaker. My first supplemental is to the same minister. Can you explain why this policy is being implemented, and what language it will be? Will it be French, Ukrainian, Spanish, Vietnamese, Polish, or what language?

DR. OBERG: First of all, Mr. Speaker, what we see when we look around the world is that our students, our population is increasingly mobile. The days where we could put up the drawbridge around Alberta and say that you're never going to go to another country, you're never going to hear another language spoken, are gone. Quite simply, it's our obligation as Legislatures. It's my obligation as the Minister of Learning to prepare our students to go out into the world, and one of the best ways that I can prepare our students to go out in the world is to ensure that they have a second language.

Mr. Speaker, the other important question and something that I really want to make clear: there is a great deal of evidence that shows that when you learn a second language, the third, fourth, fifth, and sixth languages come that much easier. So in direct answer to your question, from my point of view, I really don't care which second language it is that they learn. It could be French; it could be Spanish; it could be Mandarin. But the propensity for a student to learn more than two languages when they know fluently two languages is so great that any second language will do.

MR. SHARIFF: Mr. Speaker, my final supplementary is also to the same minister. Does mandatory second language instruction mean that every school across the province will need teachers trained in

second languages, and will the money come from the existing budget or will the government provide additional resources?

DR. OBERG: Well, Mr. Speaker, that is, in all fairness, the million dollar question. One of the issues we're looking at is how we can bring the second languages out to the Gem, Alberta, to the Standard, Alberta. How can we do it? One of the very impressive things that is on the horizon is the Supernet. We really feel that through videoconferencing we can have teachers that are expert in languages deliver it over videoconferencing to students in small rural areas. I think it's impractical to assume that we will have that many second language teachers by the year 2006-2007; therefore, we have to look for alternative ways that we can allow these students to learn, and Supernet, in all fairness, is probably looking like the best way.

Again, that's why we said 2006-2007, because these are some of the hurdles that we have to overcome. Another very large hurdle, of course, is curriculum, and we're in the process of developing curriculum in all these different languages so that we can institute it. Just because it's hard doesn't mean we shouldn't do it. It's extremely important.

THE SPEAKER: Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I seem to be speaking a lot today. It is a great pleasure to introduce to you and through you to the Members of the Legislative Assembly a gentleman who has served on the Irrigation Council and who is now presently a councillor for the county of Newell. I would ask Chris Vermeeren to rise and receive the warm welcome of the Legislative Assembly.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I hope that my guests have been able to stay. I'd like to introduce Anand Sharma, who's the chair of the Council of Alberta University Students, who is concerned with the high cost of tuition, and Scott Winder, the coordinator of that organization, who is also concerned with the high cost of tuition. I would ask them to both rise if they're still here and receive the warm welcome of the Assembly.

Mr. Speaker, a couple more: Gail Hogarth and Kris Andreychuk, who are first year social work students at Grant MacEwan College. They're working in the constituency offices of Edmonton-Highlands and Edmonton-Strathcona respectively as part of their practicum requirement. I'd ask them if they're still here to rise and receive the warm welcome of the Assembly.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Edmonton-Riverview.

Support for Low-income Albertans

DR. TAFT: Thank you, Mr. Speaker. The Government of Canada as well as the provinces and territories agreed during the social union initiative that their first priority should be children in poverty and

persons with disabilities. The prices of utility bills, food, shelter, and other necessities are jumping higher and higher, but the money paid to recipients of supports for independence and assured income for the severely handicapped stays the same. More and more of these people have to decide between heating their homes and buying food for their kids. Take a moment to consider which you'd let your child do without: heat or food.

Forcing a single person to live on \$402 a month is appalling, considering that a very modest apartment costs that much to rent. When asked if he could live on \$402 a month, on Tuesday the Premier admitted that he could not. Why, then, should any other Albertan? The time to help low-income people is now.

Alberta Health estimates that 1 in 8 Alberta children live in poverty. That fact means that innocent children are not getting the same opportunities to develop and grow as other children in this province just because they are poor. Alberta's Human Resources and Employment minister recently announced that parents on SFI could retain their health benefits after finding work and leaving the program. I commend the minister for this. Now, what about the other families trying to put food on the table with the pittance left over after they pay rent? Those people have a right to adequate health care too.

An MLA low-income review committee cost the government more than half a million dollars earlier this year and proved the obvious: Albertans living on SFI and AISH need more money to live. The meagre sum they now receive barely allows them to exist. This government is always talking about giving people a hand up instead of a handout. A good example of this would be to increase the exemptions for people living on SFI and AISH so they are encouraged to work and gain valuable experience by keeping a larger portion of the money they earn. AISH and SFI recipients need a raise, and they need it now.

THE SPEAKER: The hon. Member for Calgary-Currie.

Canadian Unity

MR. LORD: Thank you, Mr. Speaker. It appears to me that the latest intergovernmental dispute that we are having over Kyoto is being used by western separatists to promote their agenda, which is unfortunate because, clearly, Kyoto is not just an Alberta argument; it is a Canada-wide argument. In fact, far from being a reason to separate from Canada, Kyoto may actually be uniting the country, just not uniting it in a manner that our esteemed Prime Minister had originally anticipated.

On the subject of separation I've always wondered why so many citizens across this country have always wanted to jump from the frying pan into the fire, so to speak, so much so that I wonder if Confederation has ever really been given any sort of fair chance. I ask that question, Mr. Speaker, because you don't have to read a lot of western Canadian media headlines from the past century to quickly reach the conclusion that we have always been shortchanged out here. But, then, that's really just one side of the media's story; isn't it? As I always say: every coin not only has two sides; in fact, it actually has at least three.

2:50

Not surprisingly, it turns out, with a little research, that eastern Canadian media coverage over the past century has a distinctly different version of events. For example, eastern media coverage would have you believe that the NEP didn't actually cause the real estate collapse out here at all. They claim that high interest rates did it and that it didn't suck tens of billions of dollars out either, and whatever impact it had, that was money that was going to go south

of the border anyway since the industry was 85 percent American-owned at the time. In fact, some easterners still talk about the first national energy policy, the Diefenbaker plot, in which they apparently had to massively subsidize us. Of course, there was that Avro Arrow project.

So I guess we should ask, Mr. Speaker: if the eastern headlines with such a different version of the facts cannot be believed, why should western headlines be any different? Personally, I think Canadians from coast to coast seem to get along pretty well with each other, at least whenever we aren't discussing the latest newspaper headlines. So let's not be manipulated into breaking up this incredible country.

Thank you, Mr. Speaker.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you, Mr. Speaker. I rise today to present a petition signed by approximately 389 people from mostly my constituency. The main part of the petition is:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to remove abortion from the list of insured services that will be paid for through Alberta Health.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thanks, Mr. Speaker. I rise today to present a petition on behalf of the Member for Lesser Slave Lake. It's signed by 48 Albertans requesting that the government "remove abortions from the list of insured services."

Thank you.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. I rise to table petitions bearing 136 names mostly from the communities of Coaldale, Coalhurst, Diamond City, Enchant, Hays, Iron Springs, Monarch, Nobleford, Picture Butte, Turin, and Vauxhall, areas in our constituency. The petitioners are urging the Legislative Assembly of Alberta to deinsure abortions.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I rise today to present a petition signed by another 166 people from throughout Alberta asking that the government take action to recognize and protect Bighorn country. This brings the total so far of petitions signed to 4,521 people from Alberta who wish to have this protection established.

head: **Notices of Motions**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Normally at this time, as the House would know, I would be rising to move a motion that written questions and motions for returns stand and retain their places, but since there are none on the Order Paper, I thought I would just bring it to the House's attention that that is the case.

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Learning.

Bill 35

Teachers' Pension Plans Amendment Act, 2002

DR. OBERG: Thank you very much, Mr. Speaker. I request leave to introduce Bill 35, the Teachers' Pension Plans Amendment Act, 2002.

Mr. Speaker, this allows for \$60 million to be paid to the teachers of Alberta, or a little over \$1,800 per teacher, as was concluded in the good faith agreement that was signed in the spring of this year.

[Motion carried; Bill 35 read a first time]

head: **Tabling Returns and Reports**

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited with the office of the Clerk by the hon. Minister of Finance: pursuant to the Alberta Municipal Financing Corporation Act, section 30, the Alberta Municipal Financing Corporation 2001 annual report and the Credit Union Deposit Guarantee Corporation 2001 annual report.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of a report from the Canadian Plastics Industry Association which calls for a made-in-Canada solution to the Kyoto climate change.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to table the appropriate number of copies of a letter of congratulations to CKUA Radio, who today are celebrating their 75th anniversary. This is an important cultural icon in our province, a unique model. Today I was very pleased to be there with the hon. Member for Edmonton-Centre, and I think the hon. Member for Edmonton-Glenora may have dropped by or will be later. I know this House supports what they do because it's launched the careers of many a broadcaster, many an artist, and the volunteer network is incredible. So I'll table this on their behalf and congratulate them now.

Thank you.

MRS. McCLELLAN: Mr. Speaker, I wish to table today the annual report of Livestock Identification Services Ltd., which incorporates the Brand Act, the Livestock Identification and Brand Inspection Act, the Livestock and Livestock Products Act, and the Stray Animals Act, and their associated audited financial statements for the year ended March 31, 2002.

Additionally, Mr. Speaker, I would like to file a copy of the news release issued today announcing that the Alberta farm water program deadline for the completion of projects to help secure long-term water supplies has been extended to March 31, 2003, from November 30, 2002.

Also being filed, Mr. Speaker, is the Farmers' Advocate of Alberta annual report for 2001.

Mr. Speaker, copies of these reports are available through my office if members wish.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I'm tabling the requisite number of copies of a letter which I've received from Michael Chandler. Michael is a resident of the Protegra group home, and he

is very concerned with funding cuts by the Edmonton PDD community board which will impact the frontline staff who assist him with his daily living chores.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I'd like to table five copies of a letter from a constituent, Brian Blair, who is reacting to a discussion some time ago about the possibilities of denying health coverage to those who were not wearing seat belts or engaging in other high-risk behaviors.

Thank you.

THE SPEAKER: The hon. Minister of Government Services.

MR. COUTTS: Thank you, Mr. Speaker. I'm pleased to table today the appropriate number of copies of the 2000 vital statistics annual review. This review summarizes all births, marriages, deaths, and stillbirths which occurred in Alberta during the year 2000.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I'm pleased to table five copies on behalf of my colleague the hon. Member for Livingstone-Macleod. These are copies of letters signed by 407 constituents who requested that the Headwaters health authority boundaries remain as they are at the current time.

THE SPEAKER: Hon. members, before I call on the Opposition House Leader to raise a question, might we revert in the Routine to the section known as Presenting Reports by Standing and Special Committees?

[Unanimous consent granted]

head: **Presenting Reports by
Standing and Special Committees**

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. As chair of the Standing Committee on the Alberta Heritage Savings Trust Fund I would firstly like to thank Karen Sawchuk, the committee clerk, for the fine work she does on behalf of our committee.

Today I am tabling the report of the Standing Committee on the Alberta Heritage Savings Trust Fund for the 2001-2002 fiscal year.

Thank you, Mr. Speaker.

head: **Projected Government Business**

THE SPEAKER: The hon. Opposition House Leader.

MS BLAKEMAN: Thank you, Mr. Speaker. I would now ask if the government could share with us the projected business for next week.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yes, indeed, we'd be happy to share that. On Monday afternoon under Introduction of Bills we'll be introducing Bill 37, the Occupational Health and Safety Amendment Act, 2002, and then we'll be proceeding with Private Members' Business, Written Questions, and the usual Routine. At 8 that same evening we'll deal with Motions Other than

Government Motions, and under Government Bills and Orders we'll do second reading, we hope, of Bill 36, the Appropriation (Supplementary Supply) Act, 2002 (No. 2); Bill 35, the Teachers' Pension Plans Amendment Act, 2002; Bill 33, the North Red Deer Water Authorization Act; and Bill 34, the Seniors Advisory Council for Alberta Amendment Act, 2002.

3:00

On Tuesday the afternoon Routine will include second reading of Bill 32, the Climate Change and Emissions Management Act. The evening session will include Bill 32, Climate Change and Emissions Management Act. After second reading of that, we'll go to Committee of the Whole, which will include Bill 36, Appropriation (Supplementary Supply) Act, 2002 (No. 2), and Bill 31, Security Management Statutes Amendment Act, 2002.

On Wednesday the Routine for the afternoon will include second reading of Bill 32, Climate Change and Emissions Management Act and, we hope, third reading of Bill 36, Appropriation (Supplementary Supply) Act, 2002 (No. 2). Anything remaining at second and third readings will be taken upon further consultation with the opposition members. On Wednesday evening we will continue with second reading of the Climate Change and Emissions Management Act, then going on to Committee of the Whole, Bill 30-2, Adult Interdependent Relationships Act; Bill 31, Security Management Statutes Amendment Act; Bill 35, Teachers' Pension Plans Amendment Act, 2002; Bill 33, North Red Deer Water Authorization Act; and Bill 34, Seniors Advisory Council for Alberta Amendment Act; and, as per the consultation with the opposition, perhaps others.

On Thursday, Mr. Speaker, we will have second reading of Bill 37, Occupational Health and Safety Amendment Act, 2002, and anything remaining at second and third readings will be subject to consultation with the opposition, as per normal.

head: **Orders of the Day**

head: **Committee of Supply**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Chairman, after communication on this important aspect of today's business with the Official Opposition and the third party representatives I seek the unanimous consent of the Assembly to waive Standing Order 58(4) to allow this afternoon's consideration of the supplementary estimates to go beyond two hours, with the vote on these estimates to take place no later than 5:15 this afternoon, as per Standing Order 58(5), or sooner if there are no additional speakers.

[Unanimous consent granted]

head: **Supplementary Estimates 2002-03
General Revenue Fund**

MRS. McCLELLAN: Mr. Chairman, this afternoon we're going to deal with a number of supplementary estimates, and in the interests of moving that forward, I will be of course doing the overview on Agriculture, Food and Rural Development, as well as the Department of Learning for my colleague. Ministers who wish will make comments, obviously, before each one of their estimates, and it would be considered that we might do them as ordered in the book unless the opposition members have a particular order they'd like us to change around.

Agriculture, Food and Rural Development

MRS. McCLELLAN: This supplementary estimate in Agriculture, Mr. Chairman, is fairly straightforward. When we look at agriculture in the year 2002, there are a number of words that come to mind: challenging, a disastrous year, record dry conditions not seen for more than 130 years. More alarming, most recent soil moisture reports tell us that 90 percent of our agricultural area still has insufficient moisture for cropping next spring, so obviously we certainly need above normal spring and winter precipitation to reduce this risk for next year.

In view of this, Mr. Chairman, this government moved fairly quickly to try and answer some of those challenges that our agricultural community was facing. We declared a disaster in the agricultural community on August 20, 2002. The supplementary estimate in total that we're requesting, \$405,118,000, was approved by Treasury Board on July 16 and 24 based on the ministry's first-quarter forecast updates. For the members, \$349.3 million is for the farm income assistance program; \$324 million of that was in acreage payments; \$15 million was to deliver the Alberta farm water program, the deadline of which was to be November 30, which today we extended to March 31 due to pressures and need. The application deadline is extended to May 31, 2003.

It's a bit confusing if you are not familiar with this program to understand why your project completion would be March 31 and your application deadline would be May 31. However, in the interests of responding to a critical need for farm water projects, understanding that the people who would use this program are quite capable of looking at program guidelines and understanding whether their project would qualify or not, rather than having producers go through a cumbersome application process and approvals and hence delaying their project getting off and running, we've done it in a bit of a different way. I must say that it was very, very gratefully received by the agricultural community, and I want to express our department's thanks to the other departments who have co-operated in making sure we could try and respond.

There was \$10.3 million there to deliver to the grasshopper control assistance program.

The additional dollars: \$55,818,000 to make grant payments to Ag Financial Services for crop insurance and the farm income disaster program, \$25,917,000 for the provincial share of crop insurance premiums and \$29,901,000 – you can tell I'm a farmer; it's hard for me to even say thousand – for additional provincial costs for FIDP, based on the first-quarter estimated indemnities of \$121,000,000 compared to the budget of \$90 million.

Mr. Chairman, these are fairly straightforward. I don't think anybody will question the need for those dollars. There may always be some debate over whether they've all been expended in the way that one might think is right; however, I can tell you that the majority of the money is in the farmers' hands, and certainly that was our government's first concern.

In having visited with a great number of producers over the last months and recently with 1,000 representatives of Alberta Municipal Districts and Counties who were in town this week, just concluding their meetings today, I felt very good about the response from the producers. I might say that Alberta Municipal Districts and Counties were greatly involved in the development of the programs and have made a commitment to continue to work with us on our drought management plan so that in the future we'll be better prepared to respond if indeed we have to face a year like this again. I think we all pray most fervently that we don't.

I look forward to questions, if I can, for clarification indeed, or if members just have comments, we can cover those at this time. Thank you.

Sorry, Mr. Chairman. I think I am to move that estimate. I would

move that the Assembly approve this spending of \$405,118,000 as the supplementary estimate for the fiscal year ending March 31, 2003.

3:10

THE DEPUTY CHAIR: The hon. Leader of Her Majesty's Official Opposition.

DR. NICOL: Thank you, Mr. Chairman. Just a couple of comments on the programs. You know, I think the real issue is clarification, because a lot of the questions that came through my office, both as the agriculture critic and also as an MLA in a rural area – a lot of people in Lethbridge farm outside town even though they live in my constituency – had to deal with the proper transfer of definitions. There were some concerns about: if this were truly a drought disaster program, why is it that, you know, the program was being paid out in the way it was, not related to any kind of a definition of drought? For this, I'm speaking mostly here about the farm income assistance program, or the acreage payment program, as a lot of farmers refer to it. It went beyond acres. It also paid out on the basis of hives for honey producers. It paid out on the basis of square footage for greenhouse operators. That payout is the one that I'd like to ask a question about.

A lot of individuals came to my office and said: well, if it's a drought payment, what's that got to do with greenhouses? This is a very controlled environment. How do we justify to them if it's drought in a controlled environment situation how come we're making payments? So I put that to the minister so that I can judge her response now to the response that I gave when people would ask about it.

The other question that comes up in the context of the whole way we made the payouts. There was a lot of concern about the acreage payment program. There was a lot of discussion about why it was provided on a blanket basis across the whole province. I attended a number of meetings over the summer where farmers were asking questions about this, you know, trying to get clarification on what it was. How was it designed? I guess the issue that comes up is: when we're responding to questions from farmers, are we giving them clear answers?

I was disappointed, I guess is a way to put it, in a response that was given by one of the departmental officials when asked in a meeting just outside Edmonton here, south and east of here, about the acreage payment program and why it wasn't earmarked and why it was paid equally to all acres. The individual got up and made a comment. Well, they showed north, central, and southern Alberta and said that the average carrying capacity and the average productivity in those areas were basically the same. Mr. Chairman, that may be true if you do it on a north, central, and south basis, but if you actually look at it on an east, central, and west basis, that's where you see the productivity differentials in this province because that's where soil classifications run. They run north and south so that, in effect, it's that way that the product differentials show up if you deal with land base in this province.

You know, it was kind of interesting. Everybody in this House knows that I farm in southern Alberta, and my farm happens to be irrigated. Now, I'll start by saying that because I haven't applied before for public support programs, I didn't get the little form in the mail that would allow me to check the box and send it back, but in the context of eligibility, I could have for the land on my farm.

It's quite interesting because this is an irrigated farm which has a whole bunch of public money already in that infrastructure that provides, in effect, drought-proofing for me. The way it worked – and I know there are some other irrigated farms where a higher yield

was not experienced this year because of cooler temperatures and crop varieties, but on my particular farm I had my best yields in five years. I also had probably the best prices in 20 years. Not only that; I didn't have to irrigate as much this year because in our particular area we did get rain this year. So instead of irrigating my normal three times for the crop mix that I had, I only irrigated once. From all of that combination what you saw was public subsidy for the infrastructure, high yields, high prices, lower costs, and I still could have – and I emphasize “could have” – received the acreage payment. You know, this is what's wrong when we put together programs that, in effect, are blanket programs.

Now, I truly respect the minister's wish to get these dollars out quickly, and, yes, this is one of the ways that it can be done, although in the end there were a number of farmers still calling late in the summer saying, “Where are the dollars?” And you would say, “Well, did you send in your form?” So there was a timing issue there as well. In effect, the acreage payment based on last year's acreage registrations was a good approach if you wanted to pay it to everybody and everybody was going to be given the same response. We used the acreage payment, Mr. Chairman, last year on the basis of some drought, but an awful lot of the issue last year was the high cost of inputs caused by energy price increases, the very high cost of fertilizers because of natural gas prices spiking during the winter and spring of last year. So you could get to the idea that, yes, a blanket acreage payment issue probably was the easiest way to do it a year ago, but if the payment was made this year solely on the basis of drought, that being the disaster, then we had to deal with it in a different way this year.

[Mr. Tannas in the chair]

We look at it also in the sense that, yes, there were other factors besides the drought. We had an unbelievable year for grasshoppers this year, but we also had the grasshopper program, which, in effect, provided support to farmers who were in that area and offset some of the costs – and I emphasize “some of the costs” – associated with having to undertake more intensive pesticide application to deal with those grasshoppers. But it wasn't broad-based enough to justify an acreage payment to everybody. It should be targeted.

Mr. Chairman, I would like to submit to the House here that the more effective way for us to have handled that program this summer would have been to allow for an early application for a farm income disaster payment. That's the program that's been in place. It has been there for farmers, and it would have targeted the dollars to individual farmers who actually were experiencing income reductions.

3:20

If we look at it from the point of view of the crisis that was there from the drought, the way to overcome that and to in effect make this program more useful than what the previous FIDP would have been was to have said: “Okay. Normally we pay out on a FIDP based on a positive margin. If you get down to a zero margin, you don't get a payment.” Well, in a crisis/disaster situation like we were facing this year, it would have been very reasonable to say that a negative payment, say, 25 percent or 30 percent of our negative margin, would have been eligible. That way we would have extended the public support beyond the level that was provided through the normal FIDP program, but we would also have targeted the public money to the individuals who truly needed it. That would have in effect helped us.

In order to deal with this on a rapid basis – I've talked to a number of people, and almost everybody that I've been able to chat with on

how they deal with this has their farm business plans on record with some financial institution. Even the financial institution that I deal with says that it would have been very reasonable for them to sit down and review the financial plan of their customers and make an estimate of where they stood financially for this year. We could have then paid out on a proportionate basis for the potential loss they would have had under a FIDP program. We wouldn't have had to go to the acreage payment that gave it to everybody instead of to the people who actually experienced a farm income loss. If we would have done that, you know, the banks could have then, in effect, almost by turning around and turning on their computer, issued a credit to the farmer's bank account, subsequently issued a debit to the government's bank account, and just have been a pass through for that money.

Now, to make sure that it was accurate – you know, if a farmer went in with false records and the bank manager or the bank loans officer was making a decision on the basis of the records provided, we could do two things: pay as a percentage of what was owed, just like we did under the early FIDP program that was available and just like we did for the acreage payment. We paid a percentage until it was verified. That way, what we could do is pay the percentage of the claim through the bank, and if there was an error made or on final application in the spring, after tax time, we could have then said: okay; if we overpaid you, you have to pay it back on the basis of a refund, but if we owed more . . .

MRS. McCLELLAN: If you've ever written that letter, boy, it doesn't come easy.

DR. NICOL: The minister says that it doesn't come easy to do that, but I think most farmers out there would recognize the fact that it would be responsible for them to do it. That way, if we only pay out a percentage – and I emphasize this. If we only pay out a percentage, we would not have very many farmers asking for dollars back. We have an obligation for the program to be put in place in a way that we are being responsible for those public taxpayer dollars. The minister is over there laughing at this idea, but really it's a commitment to the public that we are spending their dollars wisely rather than what we're doing, which is just giving away money to people who truly don't need it in a crisis situation. So I point that out, Mr. Chairman, as a way that this could have been done that would have been much more effective and much more efficient in the context of making sure that we were wise managers of the public dollar.

The other areas that we paid out in terms of the ministry of agriculture under the programs for crop insurance – this is just basically a reflection again of, you know, the exceptional disaster year that we had this year, and I think we have to be expecting that. I guess I would ask the minister how the reinsurance component of it actually fits together with that, whether or not it was covering some of that, how much we saved by doing a reinsurance.

The other one that you look at there is, in effect, how we deal with explaining again the payments, as I said earlier, to the greenhouse, but that's the area that we have to look at in terms of what the true purpose of these payments was. If we're going to make the payments more broad based than the publicly perceived disaster – and last year, from the perspective of the public, they saw drought as the disaster, not the issue of high costs or other aspects. So if it was in response to high costs, we need to make sure that that is part of the news release, the explanation, the public information package that's put out there, because it came back to my office on a number of occasions about why it was that a number of these groups were getting the dollars.

With that, Mr. Chairman, I think I'll stop on this particular

ministry, and we'll deal with it from the perspective of where we're at. I think we can be much more proactive in the future if we properly design our support programs so that they do reflect the true aspect. I have proposed on a number of occasions that we should be looking at an insurance program rather than a public handout program, one that's participatory. I've explained this on a number of occasions, including to a couple of the minister's staff, and we need to make sure that we look at this as an alternative, look at it as an option for really sharing risk management with both the public and the producers. If we do that, then we're making sure that the risk management component is truly part of the decision-making of producers rather than just kind of waiting, if disaster strikes, then expecting a public handout. If we do this as a partnership, do it in a way that producers get access to this kind of signal that they have to be active in participating in their risk management, I think our programs will be much better.

Just for this House's information I spoke with an individual who had to go outside Canada, actually, but has managed to put together an insurance program very much like the one that I've talked about and has at this point seemed very satisfied with the way it's worked for them in terms of guaranteeing their costs of production through an insurance program which is totally funded by that producer as opposed to even any kind of public support, public sharing of the premiums that had to be paid, like we used to do under crop insurance.

In conclusion, that would be the only other comment that I would raise for the minister. A number of people asked why we stopped this year the premium-sharing for crop insurance, and I was just basically giving back to them the explanation that the minister gave at budget time last spring of why that was not going to be carried forward. I think that, you know, in that context, public decisions, political decisions, budget decisions get made and people accept that, but in effect to me that's a much more effective way to make sure that we involve producers in risk management by expanding the insurance programs and cutting back significantly on the direct handout programs.

Thank you, Mr. Chairman.

MRS. McCLELLAN: I just want to try and deal with a few questions. We've been down this road before, so I'm not going to take a whole bunch of the House's time. It's always easy to design a program in theory but much more difficult to respond when you've got 75 percent of your agricultural acreage in the province, including grass and forage – and your cattle are going out to the markets, 25 to 50 percent of the herds could be demolished, losing your breeding stock. You know, you can do it. You could do a production-based model, and we would be like the federal government, who have studied how they're going to put their \$600 million of assistance out to producers and ensure that the people who needed it the most got it. Well, the feds studied it for four or five months, and what did they do? They put it through NISA. Well, if you're in northeastern Alberta and you haven't had a crop for four out of five years, I can say, "Boy, have you ever got a good net cash sales record." If you've been in southern Alberta in nonirrigated areas and you've had four out of five years of devastation, boy, have you got a good record in NISA and are you ever going to get a dandy bit of help from that program when the cheques start to come. Now, the first moneys are deposited into NISA accounts, and I'm grateful for that. Isn't that wonderful? But it's very questionable as to whether the producers can even trigger it, because the triggering mechanism in that program hasn't worked for the life of the program and still doesn't.

3:30

That's why Alberta went out of this program in 1996, and it's why we will not go back in it until the federal government listens and improves that program to respond to Alberta farmers: beginning farmers, developing farmers. I mean, I am all for putting money away. You know, I think farmers deserve to have some type of retirement to look forward to. NISA was intended as a net income stabilization program. It is not, and that money should not have been delivered that way, and that is why Alberta did not take their cost sharing and put it into that program.

What we did do was deliver some help to producers, and the first cheques did go out within 10 days, and the administration of costs of that program is under 1 percent. The last federal program that they designed, where they went through all of the rigmarole, cost them 20 percent to administer, they tell me. Well, would I prefer the money to be in producers' hands or in an administrative nightmare? I prefer this way.

I've talked to some farmers that didn't approve of the program and the way it was done. I've talked to a few that said that there are a few that got some money that shouldn't have. Well, maybe they didn't have crop for the two, three years before that. When it's 75 percent plus of the acreage and the fact is that a lot of those so-called wonderful crops are still not off, I think Mother Nature had a great way of leveling it.

We addressed the issue of productivity on pasture. You know, I had a lot of help from some of my colleagues in this room that talked about native forage or pasture being different than tame. We looked at all of the records. The records are that it has about a 2 and a half percentage production increase on stocking rates, and that's exactly what we paid out: \$10 on seeded or tame and \$4 on native. That's two and a half times, so I think that leveled out, and the producers that I talked to agreed with that.

Why did we include greenhouses? Well, I had calls from a lot of greenhouse operators that said: "Thank you very much. Very few people recognize that because we're in a controlled environment, we had additional costs with the heat and the drought. We have to have water, of course, for our plants. But not only that, we had the problem of cooling." So their costs were up a great deal because of the weather this year. With market gardens, the same. And hives: I don't have to explain that one.

You know, the ultimate answer is this: you improve your safety net programs. Had we been able to have safety net program improvements in place for this year, we would not have been dealing with this drought, acreage, or whatever. However, the federal government had launched a review of safety nets. They had just simply put their foot down and said: until we conclude that review, until we sign off on the ag policy framework which moves us forward on these new things, we're not going to participate in changes to crop insurance.

So we did it that way, and over the past several months I probably have talked to more farmers than most in this area. There are a number of my colleagues here, though, that I know have talked to about as many. Unquestionably, whether they agreed with every aspect of it, they said: "Thank you. Thank you for responding. Thank you for showing that you care and for trying to get it out as quickly as you can." I believe we made a difference. We did not lose the breeding stock that we had feared we would. So we did it. If you could've done it through a FIDP program – well, first of all, it's a Canada/Alberta program, so there you are. You've got to go and negotiate with the feds. This deals with an income tax year, and that's not till next year, and I don't think producers could've waited. So it's really never easy to do these things.

The best thing is to put the best safety net program in. Well, we

do have those plans. We have taken them through our system here. We've worked extensively with producers. We're negotiating with the federal government, and it's sure our hope that we're going to sell those contracts next spring. But I have no doubt that when we come to debate that, there will be, "You should've done it this way," and "You should've done it that way," and I'll listen. I'll be polite, and I'll say: okay; that's good. But the majority of the producers in this province – from north, central, south, east, and west – have agreed with what we're going to propose in that program. It is the right way to go: have good safety nets.

I can also tell producers and every member in this Assembly that when we introduce the changes to these programs, when we have an insurance program that we believe will provide the risk management tools that producers need, they are going to have an opportunity to buy in or manage their risk on their own, and this minister will not be dealing with ad hoc payments in the future on these issues. Hon. Leader of the Opposition, there is absolutely no question that we will recapture all of our insurance money this year. That's an absolute. There is no question.

So, as I say, yes, there are a few farms that probably got \$7.35 an acre. Peanuts. I would suggest to you that if we had tried to do the production modeling and had attempted to pay this out, draw lines, I would still be getting phone calls, letters that the lines were in the wrong place, that I used the wrong model, that the moisture wasn't there, that the production wasn't there, and we would not have over 80 percent of the farmers with their cheques. I get the same calls and letters you do – probably more of them – that say: you told us this money would be out, and I haven't got mine." As soon as I checked, I found out that there was an error on the application. In fact, the odd time he hadn't applied or even sent it back. But even better than that, some farmers are very aggressive, and they applied more than once. They had a chance to e-mail it back, so they did. They weren't sure if that worked, so they faxed it, and in case that fax didn't go through, they thought they'd send it through the mail. Just in case Canada Post didn't mail it, maybe we should check again and make sure it did. I think the record is seven applications on the same, but I don't blame them. They're aggressive, they need the money, and they wanted to make sure their applications were getting in.

Generally, it's gone very, very well. Very few errors on land, but we can't pay for the same land twice, so when there is an error, we do have to deal with it. Quite often these are where there's more than one person involved in the farm. The land is in individuals' names and they farm together, and it makes it a little bit more difficult to sort it out.

So it's gone very well, but let's just remember the bottom line. Let's work hard together to get out of it, because it doesn't matter how many ways you dance around on this one: you are not going to get the perfect solution in an ad hoc payment. Somebody will always be on the wrong side of the line. Somebody will always get something, or at least the perception will be that somebody got something they didn't need or couldn't use.

Generally, I have attended Farmfair, Agri-Trade, AAMD and C, and as I toured the barns in Agrifair, where you'd have thought we'd get more criticism in the north because of this, it was consistent: "Thank you. Thank you for responding quickly. Thank you for making it simple." Farmers don't like complicated forms, which FIDP is. "Thank you for recognizing that there's a problem out there, and most of all, thank you for continuing to try to put safety net programs in place so we don't have to deal with this again." Most of all, for all of us, let's just pray for better conditions for next year.

3:40

THE CHAIR: We have several people who have indicated, hon. minister, that they would like to speak. Edmonton-Mill Woods had earlier indicated he might wish to speak. The Leader of Her Majesty's Loyal Opposition and the Minister of Municipal Affairs would like to speak.

DR. NICOL: For a short time, Mr. Chairman. I just wanted to reiterate to the minister on her concerns about the NISA program and the federal application of the support through the NISA program: a terrible way to do it. I agree with everything she said, that that is not the way to do it. It's not getting the dollars in the hands of individuals when they need it, how they need it, and in response to the needs, so I'm fully in support of what the minister is saying. The federal government application through NISA should never have been supported. I've never said that it was a good way to do it, and I wanted that on the record, because it was implied that just because it was the federal government doing it, I supported it. I've never supported that idea. I do support the idea that the minister is talking about in terms of making sure that in the future we have those programs in place and that we make sure that in the future they are farm participatory. That is absolutely essential, and I'll do what I can to help the minister make that work.

THE CHAIR: Okay. I do have a list for speaking next if we're not on agriculture. [interjection] You can come back to agriculture later. Anyway, I've got several people who wish to speak on agriculture still.

The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. My questions are for the Minister of Agriculture, Food and Rural Development. Thinking both of the supplementary estimates and the very substantial amount that's required for the farming income assistance program, my concern is that next year these kinds of things may come up routinely in supplementary estimates. Is she looking ahead at all to a long-term trend in expenditures of this nature and folding those into the budget so that we don't need to return to supplementary estimates with such dramatic numbers year after year? Is there a long-term trend in which we may be concerned about increasing disastrous agricultural conditions, and if so, are those being built into the budget so we don't need the supplementary estimates year after year?

MRS. McCLELLAN: I quite understand if the hon. member doesn't understand all of the jargon in this business. Farm programs are quite complex – there's no question – and unless you take it upon yourself to really study them, some of the jargon does kind of fall away.

When I talked about risk management, when I talked about the insurance programs that we are negotiating now with the federal government, you heard me say that had we been able to conclude those negotiations last year and implement changes to our insurance program this year, we would not have been looking at the \$324 million program in acreage. We definitely still would have been dealing with water; we would've been dealing probably with grasshoppers, because those issues would be there.

Under our crop insurance program we insure about 40 different crops. So it's very inclusive, but until we can fix the inadequacies in that program so that it is a genuine insurance program, we will be faced with this. It is not our intention to deal with ad hoc programs next year. It is our intention to successfully conclude negotiations with the federal government to improve our safety net programs so that the risk management tools that producers have will be there.

They can buy in, or they can say: I can do it on my own. The exception would be for disasters that occur in noninsurable areas. Of course, we have that through my hon. colleague the Minister of Municipal Affairs where he deals with matters that are uninsurable.

There is also a contemplation by the federal government and under discussion with the producers that the new NISA program – they call it super NISA – would have a disaster component to it. Discussions aren't far enough along in that area to know, but the short answer is: I do not anticipate having to do this in future years, pending the success of negotiations of having a safety net program that truly responds to producers.

If you consider that it's insurance, one of the best ways to describe it to a person who is not familiar with using the program is that if you insure your house for \$150,000 and it burns down, you have replacement insurance at a certain level, and you expect to get that. With that same house – you built it, and it's a \$150,000 house – you insure it for \$150,000 and, unfortunately, it burns down again the next year, you would expect to get your insurance if all things were proper: it was something that happened; it wasn't set or anything. And you could go to the third year in the same context. However, in agriculture and crop insurance the difficulty we've had is in the indexing. So if your production goes down and, as happened to us in the past two or three or four years, the price of the commodity also goes down, in fact, you are not insuring the cost of your production or the value of your product, truly. So we have to deal with those things. When we deal with that in these negotiations, we can say to producers everywhere in this province: "Here's your insurance program. This is your risk management tool. You buy in. You pay your share of the premium, and you're on your own." Remember that the two levels of government pay 60 percent of the premium, and they pay 40 percent. So we will be able to do that.

I apologize if some of our jargon makes it a little bit more complex, but when we talk risk management, that is the safety net programs. If those safety net programs respond to the needs of the producer and provide an insurance that is appropriate for what they do and what they produce, we will not have to go to these types of programs in the future.

THE CHAIR: The hon. Member for Edmonton-Riverview?

DR. TAFT: No. That's fine. Thank you. I appreciate that.

Aboriginal Affairs and Northern Development

THE CHAIR: Okay. The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Thank you very much, Mr. Chairman. I'm here today to request a supplementary estimate of \$32,150,000 to provide funding to the Peigan, otherwise known as the Piikani First Nation, pursuant to an agreement among the Piikani First Nation, the government of Canada, and the government of Alberta.

Since 1986 Alberta had been in litigation with the Peigan Nation, otherwise known as the Piikani, regarding the ownership of the beds, shores, and water of the Oldman River and the legality of the construction of the Oldman River dam. The First Nation had filed nine specific claims against Canada regarding related matters, several of which had an impact on Alberta as a third party. This settlement arose out of negotiations that followed a protocol agreement signed by the Premier, the former minister of intergovernmental and aboriginal affairs, and the Peigan chief and council in October of 1998. Mr. Chairman, the Piikani Nation has voted to accept the settlement agreement regarding the Lethbridge northern

headworks system, the Oldman River dam, and related issues. The voting occurred, and 522 said no and 722 said yes, so I'm asking the Assembly to accept \$32,150,000 for the fiscal year 2002-03.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I had a couple of questions for the minister. I'm sorry; I didn't hear all of the minister's remarks as well as I should have. How many more settlements are in the works now, or are there other settlements that the department is involved with? Are there some projections of the future costs of settlements, and is there any way that the settlement costs can be handled in the business plans of the department? I guess the last question I'd have is: what is the federal government's role in these settlements? Are they contributors? What arrangements are in place?

3:50

MS CALAHASEN: Mr. Chairman, first of all, his first question: how many more settlements in the works? There are a few that are still in the works. However, there are different settlements that we have. We have land claim settlements, and then we have legal settlements. So many of them are in the works. We've got land claim settlements that are still outstanding. Just as an example, the Bigstone Cree, the Fort McMurray, and the Fort MacKay, as well as the Lubicon and a number of other land claims are still unsettled.

DR. MASSEY: How many?

MS CALAHASEN: I don't have that number, but I certainly can get it for you, and I can pass it on to you.

Offhand, as I was just indicating, there have been the five that I outlined, and there are a number of others that are still coming through the system. Those are settlements that we get called on only after the federal government says that these are settlements that should go ahead from a land claim perspective. So we don't control that. The feds basically identify it as a land claim, and then we get called on as a third party.

In terms of any projection of future costs of settlements: no. These are negotiated; we try to make sure that we negotiate instead of litigate. So what we're trying to make sure is that we do these settlements as they come. We don't know what the future costs of these settlements could be.

In terms of whether or not it could be handled within the department business plan – because these are negotiations that take place, you don't let anybody know that you may want to settle at \$32 million or otherwise. What we do is try to make sure that we go through the negotiation process. We determine from the negotiation what we come to and where we land.

THE CHAIR: Okay. The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Chairman. The minister whistled through her notes with such enthusiasm that I missed a few of the points. I know there was a reference to the Oldman River dam. Could you go through that slowly for me and help me along on that, please? Thank you, Madam Minister.

MS CALAHASEN: Okay. Thank you. I forgot to answer a question. There was a question asked about the federal department involvement. The federal department has to be involved in these three parties of settlements. The government of Canada is also part of this whole negotiation, anything to do with that as well as land

claims. So they are part and parcel of any negotiation that would take place within this whole category.

In terms of what you were saying, actually it was a settlement agreement, and that was to deal with the Lethbridge northern headworks system and the Oldman River dam and other related issues surrounding the Oldman River dam.

DR. TAFT: This is a very large piece of money relative to your total department. Could you elaborate a little bit? Were there liabilities? Was this to compensate for the loss of land? What's this for?

MS CALAHASEN: Mr. Chairman, as I indicated, we have been in litigation with the Peigan Nation regarding the ownership of the bed, the shores, and the water of the Oldman River and the legality of the construction of the Oldman River dam.

THE CHAIR: Edmonton-Riverview.

DR. TAFT: Thank you. Just so I understand correctly, this is to compensate the Peigan band for the loss of their ownership of the bed and the shoreline of the Oldman River that resulted from the construction of the Oldman River dam. Is that correct?

MS CALAHASEN: Yes, it is, most of it in terms of looking at the ownership.

DR. TAFT: How much did the federal government pay in this same settlement?

MS CALAHASEN: They pay the same amount as we do, equal amounts.

THE CHAIR: Hon. Minister of Municipal Affairs, you've been jumping up and down. Do you wish to speak?

MR. BOUTILIER: I'm just casually rising at this moment. I would like to speak on any issue, if I could.

THE CHAIR: You're on.

Municipal Affairs

MR. BOUTILIER: Thank you. My purpose today as minister of Municipal Affairs is to ask for, actually, \$17,685,000 to cover the unbudgeted costs of dealing with three provincial disasters this year. The disasters were the flooding in the Lethbridge area, where I know the Leader of the Official Opposition was impacted as well as many other MLAs, also the flooding in the Edson area, and the forest fires in north-central Alberta.

Now, the purpose of this province's well-regarded disaster recovery program is to assist Albertans with uninsured – and it's important to recognize and note “uninsured” – damages resulting from extraordinary events. We are not here to replace the role of an insurance company but to deal with those industries, those institutions and organizations, and citizens who cannot get insurance and, ultimately, to reimburse municipalities for the emergency operation costs that they incurred in responding to these events.

Now, since 1995 the provincial government has paid over \$115 million in disaster recovery assistance. It's important to note that it is not possible to budget for events triggered by Mother Nature. Municipalities rely on us to finance the immediate response they mount when disaster strikes. I want to also say that if we do anything less, we really are not living up to our promise and helping

Albertans, especially when they do need some help during these unfortunate events.

I want to also say that Treasury Board has agreed in principle with the funding for the disasters. I thank the Minister of Finance for her understanding and sensitivity toward this issue. Albertans and municipalities expect and need us to be there to help and address the costs of recovering from disasters.

If I could take a moment, though, I'd like to give you just a brief bit of detail of the municipalities and regions that were impacted, starting first with the 2002 southern Alberta disaster recovery program. The flood: in fact, costs amounted to over \$15.6 million, which has been approved pursuant to section 4 of the disaster recovery regulation. The program will compensate residents, municipalities, farmers, small businesses, and others for losses resulting from flooding that occurred in southern Alberta this past June. Municipalities are also compensated for the emergency operation costs associated with the flooding and infrastructure damage. We will, of course, recover about \$8.7 million from a cost-sharing agreement with our federal counterparts in the areas that have been affected.

I would like to recognize and appreciate the help of MLAs as their particular regions were impacted, especially also the municipalities and other government public bodies and organizations. The occurrence of floods in certain areas located within the geographic boundaries of the county of Lethbridge, Cardston county, the county of Forty Mile No. 8, the county of Warner No. 5, Cypress county, the municipal district of Pincher Creek No. 9, the municipal district of Taber, the municipal district of Willow Creek No. 26, and the municipality of Crowsnest Pass during the spring of 2002 caused extraordinary losses and damages to residences, farmers, businesses, and others that I've mentioned in those areas. I want to say that I sincerely thank the MLAs in those regions, who have been very supportive of the program we have been advocating and helping Albertans who, of course, face these disastrous events.

The second disaster was in north-central Alberta and is regarding the north-central Alberta disaster recovery program for fires. That was over a million dollars approved pursuant to the disaster recovery regulation. I will say that the fires that took place in areas including the regional municipality of Wood Buffalo, the municipal district of Opportunity No. 17, Lakeland county, Smoky Lake county, Sturgeon county, the Elizabeth Metis settlement, and Fishing Lake Metis settlement during the spring and summer of 2000 resulted in emergency response costs for municipalities of over a million dollars.

4:00

The third and final disaster in this past year was that of the flood that took place in the Edson area, over a million dollars for the west-central Alberta disaster recovery program. On August 29 the municipality and others experienced significant loss, and of course this program is intended to compensate, again, uninsurable losses, where Albertans couldn't get insurance. The government is not intended to be a substitute for insurance companies, but we're there with a hand up for residents and others during a time when they could not receive the insurance necessary. That is the intent of the program. We're executing it, I think, very well.

I want to say that I appreciate the MLAs' support in the respective areas that I've listed here today for the affected areas that experienced some real disaster, and of course what I'm proposing today is really direct action on behalf of my ministry and government to react to the needs of Albertans.

Thank you, Mr. Chairman.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I'm concerned about the amount of money that taxpayers are on the hook for for disasters resulting from extreme weather events. I know that the topic of Kyoto is a very hot and sensitive one in here, and we'll just set the Kyoto accord aside for the moment but address the issue of climate change.

I think there are at least some members of the government who acknowledge that regardless of Kyoto climate change is occurring, and one of the warnings that comes with climate change is an increase in the number of extreme weather events. Most people studying the field will acknowledge that.

In fact, one of the biggest commentators on raising concerns over our climate change and an increase in extreme weather events is the reinsurance industry, the industry that insures the insurers, Lloyd's of London and so on. They, in fact, were one of the first industries to begin raising alarms over climate change, and they are one of the most outspoken, as I'm sure the minister knows. The concern for me here is that as the reinsurance industry pulls out of insuring private property for extreme weather events, our liabilities as taxpayers potentially increase because suddenly we're looking at uninsurable damages.

So when I look at millions of dollars here for fires and floods and then hundreds of millions of dollars in the agriculture business for drought, I have to ask this government, in particular the Minister of Municipal Affairs: what planning is your government undertaking to address the reinsurance industry's concerns over the increase in extreme weather events as a result of climate change?

THE CHAIR: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Chairman. I want to first of all say that I am quite convinced, contrary to comments made by federal ministers relative to the issue of the connection between drought and Kyoto, and I believe quite clearly that there is no connection. What I am speaking about today is something that we have experienced over the past, literally, hundreds of years, and as we've become organized in our society in dealing with those who need a hand up, that's exactly what we're doing. I also want to say that this government has been recognized across Canada in terms of our sensitivity in responding to Alberta's needs in dealing with these programs.

We do not intend ever to be a substitute for insurance. In fact, if I could for a moment, there have been some situations where fires have occurred and, actually, citizens have chosen to be underinsured. You know, it can really tug on your heart when an Albertan is coming forth saying: well, you know, I need the government's help. But the answer to that particular individual, a resident, after they've lost their home is that they chose in a free-market economy to underinsure their property, and that is something that has no role for the government. I want to assure the hon. member that the government will not be a substitute for what is the responsibility of citizens.

In this particular example this is uninsurable. It's a decision being made by industry on what they will insure.

I might also add that I'm quite convinced that tornadoes are not in any way connected to the issue of Kyoto, yet there are many insurance companies that will not cover tornadoes because of the fact of the high risk of it. What happens is that insurance companies go forward and do an analysis in terms of what is happening and the frequency. Like it or not, insurance companies are businesses too. They are looking for a return on what it is that they are doing, and they, obviously, don't apologize for wanting to make money, so they're saying no to certain areas quite simply because they think it's not in their business interest.

Now, that is their decision under a free market economy, but at the same time for those that are pulling back on the uninsurable examples that the hon. member has raised, I think that in the long term every government is going to have to look at it, but I do not in any way, shape, or form see that in any way connected to Kyoto.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I was trying to set the Kyoto accord aside. Let's just forget the Kyoto accord for now. The climate change can be separated from Kyoto. I just need the minister, if he can look to the chair, to be on record that he's saying that he sees no connection between climate change and extreme weather events. Did I understand that correctly?

MR. BOUTILIER: Let me be very clear, Mr. Chairman. What I said: there are federal cabinet ministers – and the hon. member across the way is suggesting that potentially there could be a connection. First of all, I will ask that question back through the chair. You are suggesting that there could be a connection between the weather phenomena we're experiencing today and the issue of Kyoto, if I understand the assertion of what you're saying. Through the chair to the hon. member: are you, in fact, saying that?

DR. TAFT: I'm trying to set the Kyoto accord aside as a treaty. Just forget the Kyoto accord. Climate change separately from any international treaty, just as an event in itself. Well, maybe he doesn't even accept climate change; fine. I'm just wanting to be on the record because it does affect this debate. I suppose, then, that there are two questions. Does the minister believe there is any climate change, and if he does, does he see any connection between climate change and an increase in extreme weather events?

I never mentioned federal cabinet ministers. I did mention the reinsurance industry.

MR. BOUTILIER: Thank you. First of all, relative to your comment on climate change – do I accept climate change? – I think it is quite clear historically, over the many thousands of years, that they have scientific proof that indicates that there have been changes in the weather phenomenon. I am not a scientist; I know that the hon. member is not a scientist. So relative to scientific fact we only can give our opinion, and my opinion is quite simply this: over time the issue of climate changing, the issue of global warming, which is another term that is used when dealing with Kyoto, federal ministers have taken the time to suggest that that's the reason why we have a drought in Alberta. It's because of Kyoto. I believe that that is simply not true. In fact, scientists have suggested that as well.

DR. TAFT: Okay. That's fine. We're struggling to communicate here, with moments of success.

So if we now address the reinsurance industry. I don't know where these federal cabinet ministers came from, but I'm sure we'd all happily forget them. The reinsurance industry, which is the industry that underwrites the insurers, consistently for years has raised concerns about increasing numbers of extreme weather events causing more and more massive damage and more and more cost to the industry, and as a result they are pulling out of some areas and some kinds of insurance, which increases the number of things that are uninsurable. So my question to the minister is: so we don't have supplementary estimates so often and so large to cover disasters, is there any long-term planning occurring in his department to address an increase in the number of extreme weather events and an increase in taxpayer liabilities to cover uninsurable expenses?

4:10

MR. BOUTILIER: Mr. Chairman, I appreciate the hon. member's comment relative to uninsurable, because there are some who would suggest that the government should in fact be covering the citizens who have the option of insuring but choose not to, and we will not cover that.

Regarding your original comment, that we are struggling with communication, I don't believe that is the case, and let me be very articulate in this way. You've mentioned federal cabinet ministers this afternoon as well, and when we talk about federal cabinet ministers, it's important to recognize that they have linked Kyoto and climate change and the drought that we are having in Alberta with the fact that – there's a connection. When we talk about struggling with communication, I totally agree with the hon. member relative to what some of the federal cabinet ministers have been saying, but what I will say is this: insurance companies today, since September 11, as you know, have not only just pulled back on exposure relative to the issue of weather phenomena; they've pulled back on the issue of terrorist threat. Their exposure is greater and higher today, so they have to readjust their industry. So it is more than just, as the hon. member mentions, that of weather phenomena. It deals with the whole aspect of the exposure that insurance companies have today.

Now, your question has been this: is the government looking at long-term planning? This government is certainly always looking at long-term planning, but let me be very specific. I believe that the supplemental estimate process that we've been employing for many, many years, recognized by your counterparts in other provinces across Canada who say that we have one of the best disaster recovery programs in this entire country – so, ultimately, I think we're doing it right the way we are doing it as we speak.

DR. TAFT: I surrender.

Thank you.

THE CHAIR: Okay. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. I'm hoping that we could move next to Infrastructure. Is that possible?

THE CHAIR: Yes, it's entirely possible. You'd like to speak on Infrastructure?

MS BLAKEMAN: Oh, the minister has to go. All right. So Learning, followed by Infrastructure.

Thank you.

MRS. McCLELLAN: I would like to raise the supplementary estimates on Learning, and we have agreement to proceed.

Learning

MRS. McCLELLAN: The supplementary estimates for Learning are related to the teachers' pension funding. This increases Learning's authorized spending in the 2002-03 fiscal year by \$35 million, and this increase is needed, I think all members are aware, to implement part of the April 2002 agreement between the government, the ATA, and the Alberta School Boards Association. The agreement states that the government will, for a one-year period only, pay the teachers' share of the unfunded liability costs of the teachers' pension plan. This \$35 million increase relates to the September 2002 to March 2003 period. Teachers had their payroll deductions for the unfunded liability suspended effective September 1, 2002, to

August 31, 2003. So this supplementary estimate is to cover this commitment. I don't think it's news to anybody in this Legislature that this agreement was made.

So on behalf of the Minister of Learning I would be happy to entertain any questions. However, I think this is about as straightforward as you can get it. If there are comments on the agreement or the reasoning for it, I'd be delighted to keep track of those for the minister.

Thanks.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman, and I thank the government for the handling of the issue. They've been good enough to accommodate us in bringing this ahead as a separate bill and not as part of the miscellaneous statutes amendments, as was previously considered. So we very much appreciate that it's brought forward in estimates and then again today, when Bill 35 was introduced. It handles it.

I think it's a good move, Mr. Chairman. I think the wisdom that prevailed and allowed the agreement to be reached between the ASBA, the ATA, and the government to bring an end to the kind of conflict that had characterized education in the province in the last couple of years was a good move. I think it was unfortunate that it got to the point that it did before it was recognized, particularly by the minister, that there was only one way to go forward, and that was for everyone to sit down and try to agree on some collective action to make things better.

I think that there have been a number of lessons learned from what happened. I think we all agree that the strikes were unnecessary, unfortunate and that the path to strike was one that many of us saw and tried to warn against. However, that's past history, Mr. Chairman. The arbitration awards have been made. I think that there's a feeling in the province that this is a time for a new beginning, and the parties are determined to make sure that that actually happens. I'm delighted that this is here. I think it's good. I guess it raises questions about what happens when this agreement is finished. Then where do they go in terms of the unfunded liability and the teachers' pension plan? That'll be a topic, I suspect, for the budget this coming spring.

With those comments, Mr. Chairman, I'll conclude.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chair. Learning and education are such important issues and, in fact, components of the household I grew up in, and they continue to be important to me personally and important to my constituents, so I just wanted to speak very briefly about the symbolic importance of what we see before us today. I do see this as a gesture of goodwill that came forward from the government as part of a very unhappy process that we went through in the spring, and I'm glad to see that it was offered. I know that it's appreciated by the teachers, and I'm glad that the government was able to find a way to make some kind of peace offering, as it were, to those teachers during this negotiation.

You know, I spoke often during the strike, during Bill 12, before and after it, about appreciation for teachers and for education and what an important component it is if we want to be a smart Alberta, if we want skilled workers, if we want to lead, especially in the information technology world that's coming upon us. We have to have education to move us forward there. I was really unhappy that the government did what I felt was interfering in the collective bargaining process by putting that figure out in a separate line item

in the budget to begin with, which I still see as the beginning of all of this. I guess I see what's coming forward in this supplementary estimate as the end to that particular chapter, and I hope we never have to go there again. There was certainly antagonism and hostility from both sides, and I hope we all learned a lesson from that.

4:20

I appreciate that the government was wise enough to come forward with this offer. I am not, as you know, in favour of supplementary estimates, or supplementary supply, with some exceptions, and I'm certainly willing to support this exception. I think we needed to see it, and I think it's important that the government followed through on its promise. Here it is in front of us, and I do support it. Thanks for the opportunity to speak to that.

THE CHAIR: The hon. Minister of Infrastructure.

Infrastructure

MR. LUND: Thank you, Mr. Chairman. Today we're coming forward and asking for a supplementary estimate of some \$15 million. You can see that by reallocating \$20 million from health facilities into school facilities, we're able to then remove the 10 schools that were deferred back in the fall of 2001, in order to get them moving. Also, we were able to then put toward the capital accommodation projects of \$1.6 million and toward the centennial projects of \$5.4 million.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. I appreciate the opportunity to ask some questions about the Infrastructure budget. In particular, I would like to ask, if I could, about the innovative funding projects that the department is involved in and the effect on Infrastructure and the building programs given the current market conditions in terms of construction costs.

I had a call from a local school that had gained \$2.2 million in innovative funding for the construction of a Telus learning centre, and when the project went out for bids, the prices came in and they were \$500,000 higher than what had been allocated for the project. As a result, now the project is at a stall, and nothing is happening. The concern is that as the days go by, the costs are going to get even more out of reach. In terms of not just that particular innovative project but all the building projects at the current time, is that the experience? Are things coming in over top of estimates, and how does the department handle it when that happens?

MR. LUND: Mr. Chairman, I'll make a few comments on those questions. They're good, timely questions. What happens in some of these cases – and the one that you cited is a good example. When a project comes in over the estimated approved budget, we then go back and start to look, and in some cases we work directly with the lowest bidder to see how you can pare down those costs. Sometimes it requires some redesign of a project in order to get it down to the number. Now, I can get you more information about where this one is at specifically. I don't have it right before me. But that's generally what we do.

Now, your concern about the costs going up. As a matter of fact, we've got two schools right now where the boards simply rejected the tender bid that came in and will be retendering in January because we believe that the costs are going to go down again. It varies around the province. There are some places where the market is hot. Where there are a lot of housing starts, for example, and a lot of commercial buildings, then the tradespeople are in short supply,

so your costs go up. It's interesting as we look at some of the components of a bid and how some of them – I saw some the other day where some of the work was a hundred percent above what we estimated it would be. Well, that's simply a function of supply of workers. So we're constantly monitoring it. Because of our small budget, we are trying to make sure that projects come in very close to budget, but we do recognize that in some locations where the market is hot, we are going to have to find more money for a project. We recognize that.

DR. MASSEY: Thank you. I appreciate that explanation.

Following up on that. To the minister: is there a fund set aside to cover those kinds of problems when they arise? Or are they dealt with on sort of a case-by-case basis?

MR. LUND: We don't have a fund set aside specifically for this. That's why we're trying to move them back to the original numbers, because those are the budgeted numbers. Actually, when we started out the fiscal year, we put in about 1 percent. That's what we had. So in some locations, like I said, we simply have to find more money or else the project can't go. I have really appreciated the co-operation of regional health authorities. We didn't ask these two school boards to completely stop and re-tender, but they made that decision themselves because it's so difficult for us to find extra funds. But we did have that small portion to start the year with that was unallocated, and it wouldn't take very long and that would disappear if we allowed every project that comes in to go even though it was over budget.

THE CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. Just to follow that. I guess one of the difficulties with the J. Percy Page project – and that's the Telus project – is that they have another partner. They have private industry involved in helping fund it, so it makes it even more complicated for them to try to work out some resolution.

I had one other question. In the write-up it says that \$20 million is being allocated from other areas, and I wondered what those other areas were.

MR. LUND: The \$20 million all came out of the health area into the schools, and we were able to do that because last year we had done the very opposite. So what worked one way last year we brought back this year.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you. I'm wondering if the minister has with him and can either read into the record or could provide perhaps as a tabling a list of those projects that are now back on. This is a fairly loose list that just says that you're putting a bunch back in, but we don't know which ones you're talking about. So if he could either read into the record which projects are now back on or perhaps provide a tabling Monday or respond in some way to give us a list of what, in fact, is being covered.

The other thing I'm interested in is: does the minister have any sense of whether these projects will now be completed? We had money at the beginning of the year; money was pulled; money is being put back in again. We've still got four months to the end of the fiscal year. The way this government goes, the money could be pulled out again. So what kinds of assurances does the minister have that now that this money is reinvested or available to him again, the projects, in fact, will be completed? Or maybe the Treasurer wants to supplement that.

So that's my second question. The first is the list; the second is the guaranteed completion. I'll let you answer those questions, and then I'll make a further comment.

Thank you.

MR. LUND: The 10 schools that we had put on the deferral list last fall that we allowed to move with this money that we got were the two high schools in Calgary, the new Devon K to 9 catholic school, in Fort McMurray the Dr. Karl A. Clark elementary school, Leduc composite high school, the new west Lethbridge middle school, in Ponoka the St. Augustine school, in Red Deer the Lindsay Thurber comprehensive high school, in Sherwood Park the K to 9 multi-campus learning facility, and then in Spirit River the Central Peace high school. So those schools had been put on deferral last fall, and we allowed them to go.

4:30

Now, one of the things you ask about: are these solid? Like, \$35 million certainly doesn't build those schools, but we made sure that we have the money in the next three years to complete those projects. I just won't accept that we start a project and stop it. So once these have started, they're going to be completed, and we have the assurance of the Treasurer that there won't be money pulled back this year.

Now, the other projects, those projects were like in the centennial. We have the archives. In order to complete that project, we needed some more money. To complete the Lougheed house in Calgary, we needed some more money. The Tyrrell museum needed a bit more. So that's where those dollars will complete those projects.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. Nice to get that clarified and get that reassurance that this whole process wouldn't be yo-yoed again, and I appreciate hearing from the minister.

I think one of the things that I noticed the most and I find the most frustrating with capital project budgeting from this government is that yo-yo effect. The money is there; the money is not there. And I appreciate the minister saying: once we've decided we're actually going to go ahead with it, we've guaranteed the moneys in place to complete those projects. But there were other projects, you have to agree, that were originally on the list and got halted and have not been restarted. I hope that the minister is considering the concept that was put forward by the Leader of the Official Opposition on an infrastructure enhancement fund which would allow funding to be set aside in a sort of steady, consistent pace, which allows a more consistent, thorough fund to pull from in order to proceed with building capital projects out of the Infrastructure ministry.

I can't begin to imagine how difficult it is as an individual out there, whether you're with a school board or a hospital or a regional hospital or a children's authority, trying to plan for capital budgeting when who knows what's going to happen. You could get it approved, and then it could be stopped three months later. I mean, it's immensely frustrating to try and figure out: how do you mix in your partners? How do you encourage your commercial partners to get onboard for a specific period of time? At this rate you could have a capital project that's stretched out over years and years, and eventually you start to lose those commercial partners, those corporate partners that came in with you.

So I strongly encourage the government to look at something like an infrastructure enhancement fund where money could be put in over a period of time to build it up, and then draw from that so that once there is a need established and it's been approved, it's going to

happen rather than this back and forth, up and down sort of thing.

Those are my comments on this particular area, and if there are no others, maybe we could go to Community Development. Thank you.

MR. LUND: Well, I must comment on the hon. member's last comment. We are doing that, trying to have a fund, but we're going beyond that. We're looking at other innovative ways to fund infrastructure buildings, like P3 projects. We're working closely with some developers to move down that road because that's a win/win for everybody when we can get there. It was very difficult for us when we lost the funding, but the fact was: who knew that there was going to be a September 11? Who knew that there was going to be such a huge crash in the market and that we were going to lose \$1.7 billion? Those kinds of things are very, very hard to foresee. So, yes, we did run into a difficulty where we thought that we had a solid budget for 2001-2002, but with those events, of course, we simply didn't have it. We are working toward a different, more solid way of funding these capital projects.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. I just got sort of inspired to react to something there, and I'm just going to contest a bit the minister's proposal that these P3 projects, private/public partnerships, are a great idea. I don't know that they are all the time, and I'm going to give you one example to think about. The government is responsible at this point for a new courthouse space in Calgary, and part of what's being looked at is: would that be in an existing building? Would there be a new building? Well, it's downtown Calgary or probably has to be, so it's probably going to be an office tower.

When you take a step back and go, "Wait a second; we're talking about a courthouse here," what are the buildings when you drive into a town that are the ones that catch your attention and say, you know, these buildings give a town or a city stature? They're going to be your town hall followed immediately by your courthouse and then whatever other kinds of civic buildings or arenas you would have there that make you proud. In this instance when you're talking about a P3 partnership, for example, with the courthouse, what edifice, what symbol of justice are we going to have in a high-rise building in downtown Calgary?

So I'm just arguing with you that I think there may be a place for P3 partnerships. I don't know where that would be yet, but I certainly don't see it as the panacea, and I don't see it as the solution to everything. I think that government is responsible for building certain things and maintaining certain kinds of buildings, and I guess I'm arguing with you right now that things like courthouses are one of those sets of buildings that should be stand-alone. They should have a particular place. There's a much larger argument about, you know, schools, because we're talking about combining schools with shopping centres and things like that. I think we have to be really careful when we move into that area where the government is the only decision-maker about a building and about who's funding it and about how long it takes and how much it costs. Every partner you bring on is another partner that you compromise with.

I just wanted make those comments in response to the minister.

MR. LUND: Well, I can't let those go by either without comment, because I'm not interested in symbols. If we can get a true P3 in the courthouse in Calgary and save \$300 million, I'm going to take it. That builds a pile of schools. That builds a pile of health facilities. That builds a whole bunch of things that we can do over at the universities to get more research in. It does a whole host of things. So as far as symbols are concerned, forget it.

THE CHAIR: On that note, the Minister of Community Development.

Community Development

MR. ZWOZDESKY: Thank you, Mr. Chairman. I am pleased to be here today to speak about the supplementary supply requisition, if you will, for the Department of Community Development, specifically as it relates to the Western Heritage Centre. I should say that the town of Cochrane and the Department of Alberta Community Development have been working very diligently and very thoroughly toward finalizing an agreement that would see the transfer of the former Western Heritage Centre and the Cochrane Ranche site – in other words, the land and the buildings associated with the same – over to the town of Cochrane for what is called a nominal sum.

It's always been the intention of my objectives – and I believe it was also my predecessor's intentions as well – to try and give the community a first opportunity to come up with what I have often referred to as a community-based solution to the possible continuation of that Western Heritage Centre to the degree that it could resemble in the future what it was set up to do in the past, and that first opportunity was given to them quite some time ago following the financial collapse of the Western Heritage Centre Society, who basically ceased operating in January of 2001. Around about December 31 of 2000 basically they handed over the keys to Community Development and said that they as a community-based organization society in that area could no longer keep the doors open and the lights lit and so on and turned over the keys. In recognition, however, of the fact that this centre has the contributions of many different individuals and businesses and organizations – quite a number of them have been involved in it – we wanted them to have the first opportunity to see what they could come up with that would see the centre continued somehow into the future.

4:40

In the end, the town of Cochrane came up with a plan and said that they would like to take it over, so we reviewed that plan. It fits the requirements of a community-based solution and so on; however, there has been some opposition to that by a few members of the community. I don't know to what extent exactly, and in fact they have requested the town to hold a plebiscite, so that will be done in the next week or so. We're simply in a waiting pattern. But what this particular supplementary estimate does is it makes good on what we said we would do as stewards of that property and building, and that is simply to say that we would get an evaluation done, which is in accordance with policy and procedures here, and we've done that. It's come out to \$3.7 million, and that's the amount being requested.

I should note in concluding, Mr. Chairman, that this would be recorded, if you like, as a grant in kind which represents fair market value for the land and buildings. When we talk about nominal sum, we're probably talking about something in the two-figure range or perhaps single-figure range. Nominal sums typically are very, very low amounts. In any event, it will be a surplus neutral transaction and will not have any direct effect on the net operating results of the government.

The approval of this supplementary estimate will allow the ministry to complete the final transfer of the land and buildings, and it is in keeping with Alberta Community Development's intention of seeking the community-based proposal, which is a best-use proposal that I referenced earlier. The town's proposal does include redeveloping the building into a combined municipal office, an arts centre, a seniors centre, a museum complex, and so on and will maintain, I hope, virtually all of the artifacts, in so far as possible at least, that they've accumulated, artwork, whatever else they might have there

that reflects the rich and important heritage of that part of our beautiful province.

So that's basically it in a nutshell. I'd like to answer any questions should members opposite have any. Thank you.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. Well, I think we could call this the Frank Bruseker memorial supplementary estimate because I'm aware that my previous colleague had an awful lot to say about this project, I think beginning and ending with the words "white elephant."

The government must be very pleased to be moving this particular property and entity off of its books. I mean, I remember visiting this site about 10 years ago, before the facility itself was built, and it was a great museum. It was not big; it was quite small. It was in a little log cabin perched up on top of a hill, and I really enjoyed it. I learned a lot. It was great. I learned all about ranching in southern Alberta in the early years and the pioneers and all that good stuff, and there was a bit of land and a trail you could sort of wander around on but no big thing, and maybe for reasons we'll never know now, much grander plans were seen and a lot of money was sought and was secured to put towards a much larger facility far beyond a simple little museum and a couple of trails. That project grew and it grew. That little elephant just kept getting bigger and bigger until it ate the whole thing.

Certainly, while I've been elected, I've gone back and forth with various members of the society and people from the town, folks on all sides of this debate, about whether the government should continue to prop it up and put more money in by way of grants or pay off debts, and as the minister said, finally in December of 2000 or January of 2001 the government received back the keys from the society, who had thrown their hands up and gone: we just cannot operate this.

In fact, if you look back, it doesn't take long to find out that their projections of expected visitors and concurrent revenue that was expected to come into that facility were never realized, and the projections were wildly off to begin with. They were essentially setting themselves up as though they were Head-Smashed-In Buffalo Jump, and that's a UNESCO world site. I mean, this museum was just not going to draw the same kind of people, and it didn't, but it was a very grand scheme.

Now we had the problem of a huge facility, a lot of commitments to people, including the collection of western art, sculpture that is housed in the building, plus an extensive collection of western pioneer memorabilia and artifacts, none of which we want to lose, and some of them are in this facility because it is climate controlled and all of that, things that require that kind of technology and humidity and climate control. It would be a shame for Albertans to lose those artifacts and pieces of art, to have them taken out of the building, and I'm pleased to hear that the town is willing to continue to run the facility and to house the various things that were there before.

So we had a situation where I think the government got conned into or was willing to look the other way. It was willing to help their friends build a memorial, lots of different stories I hear about it, to create this facility in the first place, and it just didn't work. There was not enough of a draw to it; nonetheless, the building had been built. The artifacts, the artwork, the memorabilia were now in it. It was an obligation to continue to run it, and it wasn't possible.

I'm aware that the minister tried hard to have a consultation with the community, that there was a fairly long time line to allow proposals to come forward and that in fact there were extensions on

that time line to allow a couple of the proposals, I think, to solidify what they wanted to do. I think that this is probably the best outcome that we could have expected: to have the town take it over, be willing to subcontract out the management of the convention facilities, because it does house a fair number of people for large groups. I think it's like 500 – isn't it? – for a sit-down meal. Yeah. It's a big facility. So the town is going to subcontract out the management of that and I believe put some of their own offices into the building plus the seniors' centre and the museum and art gallery, et cetera.

I will put on record that I far prefer that idea to one I had seen floating about, which included having a casino built, which I just felt was going backwards very fast. If we couldn't attract people to that area because it was a very good museum with all kinds of interesting things in it, we were certainly not going to attract people to that area for a casino with some sort of sideshow of this western ranchers museum. I was actually quite offended by that. So I'm pleased to see that the town did come forward with its idea and was able to get its ducks in a row, so to speak, and be able to make this proposal through to the government and that it seems to have been accepted.

4:50

As I understand it, then, the money as it's appearing in this supplementary estimate is, in fact, a disposing of assets off the books. It is showing the disposal of this asset, taking it off the books from Community Development. That's the value of the property at \$3.7 million. If I can just get a bit more information about how that valuation was handled. Was it tendered? Was there a sufficient number of people that applied for the ability to get the tender to do the valuation on it? I just want to make sure that this one is tied up with a bow, because it's been struggling along, dangling its shoe laces for an awfully long time in this province. So I just want to make sure that it's all going to be done and off the books and never coming back on again.

The other question that I have: is there an outstanding debt associated with this facility? If there is, is there any possibility that that debt will have to be assumed by the province, or has it ever assumed debts since December of 2000? I know that at one point there was a construction debt that was associated with it, and there may well have been an operating debt in operating it. I want to make sure that the government is not on the hook now or in the future for any kind of deficit or debt that's left over from this facility. So I'd like to get the minister on record with that, and I will give him an opportunity to respond to that, and then I can make my closing remarks.

Thank you.

THE CHAIR: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Chairman. I just wanted to let the hon. member know that I, too, have visited it, and I certainly concur with her assessment of the beauty of the building and the value of the artifacts and the importance of it to our western heritage. In fact, I've been there a number of times with our colleague from Banff-Cochrane. I just wanted to support her description of the site from that point of view.

It's a very important building, as we all know, not only for the wonderful artifacts it houses but also for the fact that the community uses it a great deal for graduation ceremonies and for wedding ceremonies and convention/conference type stuff. I believe it can accommodate somewhere in the order of 300 to 350 people at a sitting. It depends on how you evaluate the outdoor patio space, you know, but you're not far off with the 500 mark either, hon. member.

I'll just emphasize again, Mr. Chairman, that we're in a waiting and seeing mode right now for the town to give us their final decision on whether we're going to enter into this final agreement, but we're fully prepared to do that, and I want to give the member security in knowing that information.

With respect to the extensions that she commented on, I simply wanted to say that we did specifically meet with them on that issue. I was down many times, and the extensions were granted simply to allow them to do their feasibility study. The town put about a hundred grand into that feasibility study. In my view, they did a very, very good job, and they've come forward with a very sensible proposal that, from my point of view at least, makes a lot of sense.

Now, the question about the evaluation. This was, as is required, an independent evaluation. I'll have to find out for you exactly what the administrative procedures were behind that, but it was done totally by an outside source. I don't even know what their name is right now, but someone who's able to do those evaluations and assessments did a very thorough job. In particular, they evaluated the centre itself, in other words the building, for its value. They appraised the land on which the building sits, obviously, and the surrounding area; for example, there is a parking lot and there's that beautiful piece that banks up against the mountain. They went farther west and evaluated the Cochrane Ranche historic site as well. Then there were some on-site improvements, as I recall, that were also part of that. So it's very thorough and very independently done from government.

Your other question about outstanding debt. I believe that the previous minister, my predecessor, did address that, and I think that was all cleared off the books from whatever point of view, at least, we could. I also know that they did have some meetings with their banker, and I guess there are sort of two parts to this question. One is any debt with respect to the construction or the improvements to the facility itself. The second part would have been any operating debts of the society itself.

I can't comment, quite frankly, member, with respect to the society. It happened just before I took over, but all I know is that they became insolvent and had financial difficulties, and I think they have and/or did conclude some arrangement with the bank. I think, also, that the town in which this whole community, obviously, is involved is aware of any kind of lingering debt, if you will, that might exist, and if that's the case, I'm sure that they will be addressing it with whomever the creditors might be, but I don't think it's a huge amount compared to the evaluation adjustment that we're looking for here.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. Yeah, I just wanted to make sure that the government wasn't on the hook now or in the future for any kind of debt associated with this centre even when it's off their books.

Lastly, I'm wondering now: is the minister expecting that some component of the centre would be coming back to his department looking for operating grants? For example, would the museum section be eligible to apply through Museums Alberta acting as the PASO for a grant to operate the museum: (a) is it possible and (b) is it anticipated? If I can just get a comment on that, and then I guess we want to move on to another area.

Thank you.

THE CHAIR: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Chairman. In response to the first question – will the government of Alberta be on the hook or

have any continuing obligations? – the answer is no. It will be transferred lock, stock, and barrel to – well, I guess it'll be to the town, assuming that all is in accordance with their wishes. We have every reason to believe it is.

Secondly, is there a component in it that might see it coming back to us? There is no component built into the arrangement at this time at all. Is that what you're asking? Oh, will any component be coming back? I'm sorry. I misunderstood, perhaps.

MS BLAKEMAN: There still is a museum section to it. Can that museum section apply for a grant through the PASO?

MR. ZWOZDESKY: I'm sorry. I had that as a third question. I thought you had something about: would they be coming back? But maybe that was part of the first question.

Anyway, let me just go to the museums issue. As you are well aware, we do give a grant to the Alberta Museums Association, and they in turn receive applications from their member bodies, and then they pass out the grants. So if there is a legitimately organized museum within there as a stand-alone society or however they choose to do it, then I'm sure that they would be considered just like everyone else is for possible financial assistance, but that would be under the normal rules of eligibility, criteria being met, and so on. So I don't see any reason why that wouldn't be possible.

THE CHAIR: Okay. Are we ready for the next department? We next are going to sustainable development.

Edmonton-Riverview, do you wish to speak?

DR. TAFT: I'm just requesting that it be the Minister of Sustainable Resource Development. Thank you.

THE CHAIR: The hon. Minister of Sustainable Resource Development.

Sustainable Resource Development

MR. CARDINAL: Thank you very much, Mr. Chairman. As Minister of Sustainable Resource Development I'm here to discuss the supplementary estimates to my ministry's budget. The 2002 fire season was one of the most severe on record and is still continuing at this time. In order to deal with the increased costs of fire fighting this year, we request a supplementary estimate of \$229.2 million.

The fire program is essential to save communities, and protecting our forests is more important and more challenging than ever. Communities have expanded in forested areas, and industrial and recreational activities have also increased considerably, especially over the last few years.

5:00

There are more than 320 communities in the forest protection area, and many are at risk from wildfires. This year about 2,000 Albertans were evacuated or put on evacuation alert because of the risk of fires in about seven communities in northern Alberta. The House River fire alone was the largest wildfire since 1981, burning more than 247,000 hectares of forested area. Although the drought conditions had a huge impact on this year's fire season, we are able to limit the impact of fire on Albertans themselves.

The supplementary estimate is a result of a very dry and challenging fire season. That is why I make a motion that the supplementary estimates of \$229.2 million be approved by the Assembly.

Thank you.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. It's going to be very important for us to discuss this particular supplemental estimate because of its scale. Two hundred and twenty-nine million dollars is an enormous amount of money, and it seems to me that last year we also had a very large supplementary estimate from this department.

I'm not disputing that we need to fight forest fires. My concern is that in the future we're going to have to fight more and more of them and that year after year we're going to be coming back with bigger and bigger and bigger supplementary estimates. Indeed, as I've gone through the debate today, I see between this department and the department of agriculture and the Department of Municipal Affairs over \$650 million in supplementary estimates related directly to drought and the consequences of drought, including fires.

I know that recently our caucus met with the Alberta Forest Products Association. They are deeply, deeply concerned about drought and fire in Alberta's forests, and as you mentioned, Mr. Minister, there are a large number of communities in northern Alberta potentially at risk, some of whom have had very dramatic experience with forest fires.

So my first line of questioning is: given the evidence or the concern and the arguments from many in the scientific community that climate change actually is occurring and that climate change is leading to chronic risks and much higher risks for forest fires and drought, what long-term planning is this department undertaking, if any, to ensure that next year and the year after we do not have massive supplementary estimates like this?

MR. CARDINAL: That's a very good question. In fact, the Auditor General previous to this year, the past five years previously, had identified that our average expenditure was about \$158 million per year and suggested that we consider increasing our base budget from what we have now to that targeted area. We are working with Agenda and Priorities, Treasury, and also our colleagues to look at an increased budget as we move forward to accommodate the needs for the base budget. So definitely, yes, we are planning, when dollars become available, to try and increase the base budget closer to what the five-year average had recommended. So that's an area we're definitely looking at.

The other thing we're doing, of course, is – there are approximately 16 to 18 municipalities that are adjacent to the protected area of Alberta, and we do have fire agreements between the municipalities and our department, but we feel that they don't work as well as they could. Lots of times a fire may start in a municipality, and because the municipality is really not as equipped as we are in relation to forest fire fighting and because there may be a cost related to the fire, the municipality will not call us until it's too late and so much money has been spent. By the time we go in there, the fire is out of control. What this new agreement will do – and I'm going to be the lead minister to take it through our approval process: the standing policy committee, cabinet, and caucus – is try and put in a program that will be very proactive in relation to the working agreements, the billing process between the municipalities and our department and also Municipal Affairs. So we're definitely working on that.

The other thing we're doing with the communities that are within that protected area, the 300 or so communities, is looking at various ways of making the communities fire smart. For an example, Wabasca, one of the communities in my constituency – and we are looking at a number of others – wants to expand their hamlet boundaries. One of the conditions I put in in transferring public land to them is to develop an area where there will be a fire guard put in, and I've agreed to deduct the cost of that fire guard as part of the

transfer of the public land to them. So we are being very proactive.

The other one we have is, of course, the FireSmart program we have in place, where we are working with the fire departments and also municipal councils to ensure that the communities and facilities in the communities are protected as much as possible.

DR. TAFT: This planning is enormously important. It's important from a budgetary aspect. It's important from a human safety aspect, from an environmental aspect, from an economic aspect. Are there climate scientists involved in this planning process?

MR. CARDINAL: Of course, Mr. Chairman, we will have to work along with people who specialize in this area and people with scientific knowledge, no doubt, in order to develop a long-range plan. If the weather decides to stay the way it is, we will have to develop long-range plans to deal with an issue like that.

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you. Now, given the many communities that the minister mentioned that are at risk in these heavily forested areas, is the minister concerned that these communities may end up becoming uninsurable properties by the private insurance industry?

MR. CARDINAL: I don't believe, Mr. Chairman, that there is a problem in relation to fire insurance at this time. Now, I can't predict what the future will be like, but in the past history has shown that we've had dry trends in northern Alberta in the protected area and we've had wildfires burning. But, at the same time, then we've had years with lots of rain and cold temperatures. So at this time it's really something we have to monitor very closely and determine if there is a need for further action.

Definitely our first priority in the department is to protect the lives of Albertans, and then of course the second priority, while we're doing that, is the residences of Albertans in those areas. At this time there's really no indication to say that the communities are in danger on a long-term basis. We've had a number of dry years now, but that could change next year.

5:10

THE CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. Just to be clear and so that the minister is on the record for all time, he is arguing that the climate change projections of climate scientists which argue that Alberta is drying out and that northern forest are in increasing long-term risk are not valid. Is that correct?

MR. CARDINAL: No, I'm not saying that they're not valid. I'm just saying that we will continue monitoring the situation and determine as we move forward. Like I said earlier, one of the plans we're doing is to look at increasing the base budget to around the five-year average of \$160 million per year, again depending on the dollars that are available.

The other way to handle it, I guess, is what we are doing today, which is to have a base budget at what we have it now, and then each time there is a fire, we come back for a supplementary budget. That's been done for a long period of time, but I believe, you know, that the way to handle this at this time – it's not, like, out of control. We have a good handle on the issue of forest fires within the protected area. Although the fire was quite large in northeast Alberta, approximately 60 percent of the fire was in muskeg areas, which in a lot of ways is something that's needed to happen, so it's

not all negative. The merchantable timber that burned in that area is part of a quota and part of a FMA of another company. What they do is they alter, then, their logging operation plans for this winter and harvest that wood in that particular area rather than the original plans as they were laid out.

So I think we have a good handle on the issue. The forest industry is a very, very important industry to Alberta. Over 50 communities depend on it as the major source of revenue, major source of job creation, and also the tax base. There are over 54,000 people working in that industry. So it is good, and even with a bit of the negative side on the softwood tariffs and negotiations, our industry is still in a reasonably solid state.

THE CHAIR: Edmonton-Riverview.

DR. TAFT: Thank you. Given that the taxpayer is on the hook for some \$230 million more than we budgeted for forest fire fighting, is industry contributing any more to forest fire fighting than was expected from them?

MR. CARDINAL: Yeah. We have an ongoing review, of course, of our, you know, stumpage rates and other fees that we charge to FMA holders and quota holders. Although there was quite an expenditure this year in Alberta, it's a major industry as far as revenue for the province. It's about an \$8 billion to \$9 billion industry; it's not small.

Although our stumpage rates are market driven, we have an ongoing process to monitor the stumpage rates we have in place. Not to say that we're going to increase them or decrease them, but we continue to monitor them very closely to ensure that, number one, we don't create hardship for the industry and, number two, to make sure that when we have salvage wood from fires, it is economically viable for the industry to be able to harvest that wood rather than the wood falling and rotting. So we try and monitor it and keep a balance in the whole process.

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Hi. I'm hoping we can move on to Transportation, I think is the one that's left.

THE CHAIR: In the one minute remaining, sure.

MS BLAKEMAN: In the one minute remaining? Well, then I'll make a point that one day is not enough time to do supplementary supply, but I'd like to hear what I can. Are we really less than a minute? Well, we're not going to be able to get through all of them then. Thank you.

THE CHAIR: Okay. Does someone want to speak. The hon. acting minister.

Transportation

MR. LUND: Yes. As Acting Minister of Transportation I'm bringing forward a supplementary estimate for \$85 million. This would partially reinstate the projects that we deferred in 2001-2002 for highway rehabilitation, highway construction, and water management infrastructure and other road infrastructure.

Vote on Supplementary Estimates General Revenue Fund

THE CHAIR: I hesitate to interrupt whoever might wish to speak

again, but pursuant to Standing Order 59(2) and Government Motion 30, agreed to November 20, 2002, I must now put the following question. Those members in favour of each of the resolutions not yet voted upon relating to the 2002-2003 supplementary supply estimates, please say aye.

HON. MEMBERS: Aye.

THE CHAIR: Those opposed, please say no. Carried.
Shall the vote be reported?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

MR. ZWOZDESKY: I would move, then, that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions and reports as follows.

All resolutions relating to the 2002-2003 supplementary supply estimates have been approved.

Aboriginal Affairs and Northern Development: operating expense, \$32,150,000.

Agriculture, Food and Rural Development: operating expense and capital investment, \$405,118,000.

Community Development: operating expense and capital investment, \$3,700,000.

Infrastructure: operating expense and capital investment, \$15,000,000.

Learning: operating expense and capital investment, \$35,000,000.

Municipal Affairs: operating expense and capital investment, \$17,685,000.

Sustainable Resource Development: operating expense and capital investment, \$229,200,000.

Transportation: operating expense and capital investment, \$85,000,000.

Amount of operating expense and capital investment to be voted under section 1: \$822,853,000.

Mr. Speaker, I wish to table a list of those resolutions voted upon by the Committee of Supply pursuant to Standing Orders.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.
The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would seek unanimous consent of the Assembly to revert briefly to Introduction of Bills, and I'd also take this opportunity to remind everyone to clear off their desks so that the Alberta Debate and Speech Association, who is holding their mock parliament tomorrow, can have free and clear access to their chairs.

Thank you.

[Unanimous consent granted]

5:20

head: **Introduction of Bills**

(reversion)

THE DEPUTY SPEAKER: The hon. Minister of Finance.

Bill 36

Appropriation (Supplementary Supply) Act, 2002 (No. 2)

MRS. NELSON: Thank you, Mr. Speaker. I request leave to introduce Bill 36, the Appropriation (Supplementary Supply) Act, 2002 (No. 2). This being a money bill, Her Honour the Honourable the Lieutenant Governor, having been informed of the contents of this bill, recommends the same to the Assembly.

[Motion carried; Bill 36 read a first time]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, it's a pleasure to be back in the Assembly with all of our colleagues. We've had a very good week, so I would move that we now call it 5:30 and adjourn until 1:30 p.m. on Monday.

[Motion carried; at 5:22 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, November 25, 2002**

1:30 p.m.

Date: 02/11/25

[The Deputy Speaker in the chair]

head: **Prayers**

THE DEPUTY SPEAKER: Let us pray. At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature. We ask You also in Your divine providence to bless and protect those assembled here today and their loved ones and bless the province we are elected to serve. Amen.

Hon. members, please remain standing for the national anthem.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

THE DEPUTY SPEAKER: Please be seated.

head: **Introduction of Visitors**

THE DEPUTY SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed a great pleasure for me to rise today on behalf of the government of Alberta and all colleagues in the Legislature today to introduce some very special guests that we have with us. It's my pleasure to introduce to you and through you these members who are visiting here today.

AN HON. MEMBER: In Ukrainian?

MR. ZWOZDESKY: I could do it in Ukrainian, yes, but I'll start with English.

I would like to introduce the leaders of the delegation. Mr. Serhiy Shevchuk is a Member of Parliament and member of the European Integration Committee and a member of the Committee for Protection of Health, Motherhood, and Childhood in Ukraine. He is joined by His Excellency Yuri Scherbak, ambassador of Ukraine to Canada, who has been in our province several times, and he's joining this delegation on this very special visit. Included with this, I should say that Ambassador Scherbak is a very welcomed guest not only here but also in our Premier's office, and I know that they've had many good discussions on things pertaining to Alberta and Ukraine over the past couple of years, and we're grateful for his attention to this matter.

Mr. Speaker, this particular delegation from Ukraine is here to study our public health system as part of the ongoing Canada/Ukraine Legislative and Intergovernmental Project, also known as CULIP. CULIP, a program funded by the Canadian International Development Agency, or CIDA as we refer to it, is administered by the Canadian Institute of Ukrainian Studies at the U of A, and it focuses on sharing efficient and effective public-sector expertise. Alberta's participation in CULIP really goes back to the project's inception in 1996. This particular health and wellness module marks

the fifth of six modules under CULIP, and Alberta Health and Wellness and International and Intergovernmental Relations will be working together to assist Ukraine and the delegation here today in completing this module.

Let me close, Mr. Speaker, simply by saying that Albertans of Ukrainian ancestry have played a major role in helping to build our province and supporting the independent drive and the drive for economic freedoms in Ukraine. As such, I was delighted to accompany our own Premier on the first historic mission ever by an Alberta Premier to Ukraine earlier this year with our colleague from Redwater, and it's in that regard that we wish CULIP and all of our delegates who are here today all the very, very best in their visit to our province and to our capital city. May I ask that Mr. Shevchuk, His Excellency Scherbak, and all the guests who are with them please rise and receive the welcome. [remarks in Ukrainian]

head: **Introduction of Guests**

MR. SHARIFF: Mr. Speaker, on behalf of yourself, the Member for Highwood, I would like to introduce to you and through you to members of this Assembly a group of 17 home schooled young Albertans from Okotoks, from St. Paul's Academy, and the Argyll home based education centre. They are accompanied by Mrs. Gisele L'Abbee, Mrs. Colette Stasiewich, Mrs. Marilyn Schulz, Mrs. Cheryl Schulz, and Mrs. Colleen Korzan. They're all seated in the public gallery, and I would request that they all rise and receive the traditional warm welcome of this Assembly.

THE DEPUTY SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you very much, Mr. Speaker. Later today Bill 37, the Occupational Health and Safety Amendment Act, 2002, will be introduced, and I want to introduce to you and through you to the Legislative Assembly many men and women that were instrumental in this Workplace Safety 2.0 initiative, that we're currently embarking on. I would ask, as I read their names, that they stand and remain standing so that the members of the Legislature can see who each individual is.

I begin with Brad Anderson, the executive director of the Construction Owners Association of Alberta; Joe Melnychuk from Ledcor Industrial; Bill Bacon from Imperial Oil Resources; Brian Bickley from Syncrude Canada; John Brogly from Dow Chemical; Ron Czura from Shell Canada; Andy Felczak from Bird Construction; Gary Gylander from ATCO Electric; Sam Kemble from the Construction Labour Relations association; Hal Middlemiss from PCL Industrial Constructors; Mike Morton from Halliburton KBR; Kevin Nabholz from Suncor Energy; Stirling Rideout from Colt Companies; Doug Rowan from Shell Canada Limited; Harry Tostowaryk of the Ironworkers Local 720; Jackson Wong from Sherritt International; Peter Dunfield from Syncrude Canada; then Patty Whiting, who is the chair of the Occupational Health and Safety Council; and Julie Hamilton, the mother of a fatally injured worker that we had here in the province of Alberta. With that, I would ask for a warm welcome from all of the members of the Legislature.

THE DEPUTY SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of the House 58 visitors from St. Albert. These students attend Bertha Kennedy Catholic community school and are two of the grade 6 classes. The

students and staff there live up well to the heritage and standards of the school's namesake. They are accompanied by teachers Mrs. Kaplar, Miss McManus, Mrs. Clarke, and parent helpers Mr. Culvier, Mrs. Drinkwater, Mrs. Funtasz, Mrs. Neuls. They are seated in the public gallery, and I would ask that they rise and receive the traditional warm welcome of this House.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon. members of this Assembly a delegation from Suzuki charter school in the constituency of Edmonton-Gold Bar. The delegation is led by Mr. Ian Gray and accompanied by parent volunteer Mrs. Sandra Scolah, and there are also 15 bright, able, and polite students in the delegation. I believe they're in the members' gallery, and if they could now rise and receive the traditional warm welcome of this Assembly, I would be very grateful.

1:40

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. It's a pleasure to rise today to introduce to you and through you to members of the Assembly a very hardworking constituent of mine who is committed to the Alberta advantage. Betty Unger, who is with the Occupational Health and Safety Council, is seated in the members' gallery, and I would ask Betty to please rise and receive the traditional warm welcome of the Assembly.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have two introductions this afternoon. The first is to introduce to you and through you to members of the Assembly a group visiting us from NorQuest College. There are 29 of them, and they're here accompanied by their instructor, Ms Elaine Nichols. These are students in both the social studies and the legal studies courses. I think they're in both galleries. I would ask them to please rise and accept the warm welcome of the House. Thank you very much.

My second introduction is a group of students with the Community Cultures Institute. This is an adult English as a Second Language program. We have 20 students who are joining us in the public gallery today, and they're accompanied by their instructor, Karen McFarlane. I would ask that group to please rise and accept the warm welcome of the Assembly.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have two introductions today. First, I'm very pleased to welcome to this House and to introduce to you and to all members of this Assembly Mrs. Kathie Derman of Stony Plain. Mrs. Derman is here to witness democracy in action and how her best interests and interests of her fellow Albertans, especially in the area of health care, are being represented. Mrs. Derman is seated in the members' gallery, and now I would ask her to rise and receive the warm welcome of this Assembly.

Mr. Speaker, my second introduction is Chantelle Hughes. Chantelle is visiting from the city of Calgary, where she works as the

southern organizer for the Alberta New Democrats. Ms Hughes is a tireless volunteer in our community and recently raised more than \$5,000 for the Arthritis Society and the Joints in Motion campaign by running the Dublin marathon in the Republic of Ireland. I would ask Chantelle to rise and receive the warm welcome of the Assembly. I think she's seated in the members' gallery as well.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Manning.

MR. VANDERMEER: Thank you, Mr. Speaker. I have the honour today of introducing to you and through you to the members of this Assembly Stephanie Thero, who lives in the constituency of Edmonton-Manning. Stephanie is a third-year student at the University of Alberta. She is taking history and political science. Her main ambition is to get involved in federal politics. I'd ask Stephanie to rise and receive the traditional welcome of this Assembly.

THE DEPUTY SPEAKER: I think it's in order right now to bring birthday greetings to the Minister of Innovation and Science, the hon. Member for Red Deer-South. There's no year given on this, but it is the date November 25.

The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I have three individuals to introduce to you today who've added to the value-added of Alberta. The first one is Ferg Devins, the vice-president of corporate affairs for Ontario and western Canada for Molson Canada. The second is, I believe, Mr. Hal Danchilla, who is a political adviser with no peer. The third is the president and CEO of Arcis Corporation, Peter Boyd. If they'd all rise and please receive the warm welcome of this Assembly.

head: **Ministerial Statements**

THE DEPUTY SPEAKER: The hon. Minister of Economic Development.

90th Grey Cup Celebrations

MR. NORRIS: Thank you very much, Mr. Speaker. This past weekend, along with the Deputy Premier of Alberta, I had the honour of being part of Edmonton's Grey Cup parade and also going to what turned out to be a very exciting and hard-fought football game, the CFL's 90th Grey Cup. As a big sports fan I can tell you that Albertans and Edmontonians have everything to be proud of in the Edmonton Eskimos. They showed determination and grit in battling their eastern opponents from the beginning right to the very bitter end.

In every way Albertans were winners even though we did not see the cup return to Edmonton. The local organizing committee clearly demonstrated to Canada they know how to organize and throw one heck of a world-class party. Events like the Grey Cup are great for the local economy, and as the minister responsible for tourism I'm a very proud Edmontonian to say that the Grey Cup estimated bringing 25,000 visitors to Edmonton and the capital region, and it was worth over \$25 million to our local economy. In fact, nearly all of Edmonton's 11,000 hotel rooms were booked solid, and as many of us know, so were the bars.

Of course, none of this would have been possible without the efforts of thousands of volunteers who continue to make these types of events so successful. I would like to take a moment to recognize and thank all of these people for their efforts. I'm pleased to note

that Alberta has a per capita volunteer rate of over 40 percent, second only to our wonderful neighbours to the east in Saskatchewan.

Certainly, the greatest thanks, obviously, have to go to the Edmonton Eskimos, a team that never fails to show that it is deserving of the title of champions. To them I say: wait till next season; everybody in this House is with you. Today, Mr. Speaker, as an Edmontonian and Albertan I think we're all very proud of what happened this weekend.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Edmonton was jumping with activity this past week as residents, guests, and football players alike attended Grey Cup event after Grey Cup event, and we experienced an excellent boost to our economy. From the kick-off event to the igloo to the Grey Cup parade to, finally, the game itself thousands of individuals worked tirelessly behind the scenes to ensure that the 90th Grey Cup was one to remember. Each and every one of those individuals must be congratulated.

Thank you to the thousands of volunteers who made certain that each event went along flawlessly. Thanks to the Grey Cup Organizing Committee for co-ordinating and planning all of the details. The football players from both teams must be recognized for their efforts, and we certainly expect to see those Eskimos back there again next year. Football fans couldn't have asked for a more exciting game to watch. The 62,531 fans, who sat on the edges of their seats until the closing minutes of the fourth quarter, must also be recognized for their support. Finally, thanks to the city of Edmonton for providing the support they did.

The 90th Grey Cup is one that all Albertans can be proud of and will be remembered for years to come. Thank you.

head: Oral Question Period

Size of Cabinet

DR. NICOL: Mr. Premier, did you do your homework and calculate the total cost before creating the six new ministries you established after the last election?

MR. KLEIN: Mr. Speaker, I don't think that there were really any additional costs relative to the creation of new ministries because all of those activities that are now the responsibility of ministries were under one department or another and were either led by a senior public service employee or were a division or had a secretariat or were under a commission or an authority, so it was simply transferring the amount that was assigned to those authorities, commissions, agencies, public service employees to a ministerial office.

1:50

DR. NICOL: The cost of creating these new ministries is \$214 million a year. Will the Premier reverse this decision and put that money where it belongs, into priority programs for Alberta?

MR. KLEIN: I think that that is an absolutely false figure. I don't know where he got the figure, Mr. Speaker, but if he wants to take the time and go through the books with the hon. Minister of Finance, I'm certain the hon. leader of the Liberal opposition is welcome to do so. But that kind of a figure is way, way, way out of whack.

DR. NICOL: Mr. Premier, why did you flip-flop on your 1992

promise to reduce the size of cabinet and government, or was that just a short-term promise?

MR. KLEIN: Well, Mr. Speaker, indeed we did reduce the size of cabinet. With a substantial increase in the size of the Conservative majority we created ministries not only commensurate with the size of the majority but also to recognize and pay special political attention to areas that needed political concern and attention.

Travel by Cabinet Ministers

DR. NICOL: Mr. Premier, while your cabinet ministers jet set around the world collecting air miles, children in this province are going to bed hungry because AISH rates haven't increased in 10 years. The cost of government travel and communication is up almost 40 percent, almost 37 and a half million dollars since 1998. When are you going to rein in the spending of your jet-setting cabinet ministers?

MR. KLEIN: Mr. Speaker, I really take exception to the statement that our ministers are jet-setting ministers. We pay very special attention to travel by ministers. I can tell you that wherever possible, at least in North America, including Mexico and Central America, we jet set in the government King Air at about \$400 an hour, and there are no air mile points for that travel. You can't even stand up, and I'll tell you something: you don't even want to use the can on that airplane.

DR. NICOL: Mr. Premier, how can you justify nearly \$40 million in increased travel and communication costs when here at home children from low-income families are still going hungry?

MR. KLEIN: Mr. Speaker, I would be very, very happy to share with the hon. leader of the Liberal opposition the latest report of a national antipoverty organization entitled Campaign 2000. This organization issued its annual report on how well Ottawa has lived up to its commitment to end child poverty by the end of 2000. Minimum wage and low welfare benefits are noted as key factors in child poverty. You know, for the first time I'm happy to quote a national antipoverty organization because it says – and it's absolutely no surprise to me – that Ontario, Alberta, and Prince Edward Island have the healthiest economies and the healthiest situation as it relates to child poverty. It's no surprise to me that the three provinces whose child poverty rates were ranked the lowest are Conservative governments.

DR. NICOL: Mr. Premier, when can Albertans expect to see a reduction in the ballooning budget for your out-of-country travel by cabinet members?

MR. KLEIN: Mr. Speaker, as I've pointed out previously, we keep very careful tabs on ministerial travel, and indeed all the travel that's undertaken by ministers and MLAs is legitimate. When you are the government, you are required to attend various national and international meetings. The hon. Minister of Community Development recently alluded to the mission to Ukraine. Highly beneficial. A historic meeting to establish relationships with Ukraine. I will point out that we have sister-province relationships with Korea, with China, with Japan, to some degree with Mexico. We have just established a trade office in Germany, another trade office in Mexico. We have a trade office in Beijing. We have one in Harbin. We have one in Hong Kong. We have one in Tokyo. We have one in Seoul. So there is an obligation. There is an obligation to

maintain international relations as well as represent this province's interests at various national meetings.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

Affordable Housing

MS BLAKEMAN: Thank you, Mr. Speaker. The Edmonton homeless count released Friday showed that 65 percent more people are living on the streets in this city than two years ago. According to the Edmonton Coalition on Homelessness an additional 6,000 units of affordable and permanent housing are needed right now. The SSHIP and HAPI housing programs have now finished and created only 1,600 new housing units exclusively for seniors. My first question is to the Premier. How does the government of this rich province propose to help those thousands of Albertans needing housing?

MR. KLEIN: Mr. Speaker, I will have the hon. minister responsible for housing respond in detail, but I can tell the hon. member that though this study is not definitive, this government takes homelessness very, very seriously indeed. All one needs to do is to look at the commitments we've made in both Calgary and Edmonton to the situation of homelessness. Through a government community initiative accommodations are being added to house an additional, as I understand it, 415 individuals in shelters and supportive housing in Edmonton. This is very significant, and to me what is happening represents the finest form of partnership. We see the government participating with private-sector people – and I mean well-meaning people – people like Art Smith and John Currie in Calgary in particular, the government participating with church groups and other community organizations to develop programs like In from the Cold, and also the government participating by providing significant dollars to both Calgary and Edmonton to accommodate homelessness and to address a very serious situation.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you. Four hundred spaces created, 15,000 needed. Not very good.

My question is to the Minister of Seniors. Given that just a few days ago the minister's office did not know where its share of the money to match the federal \$67 million was going to come from, does the minister know today?

THE DEPUTY SPEAKER: The hon. minister responsible for housing.

MR. WOLOSCHYN: Thank you, Mr. Speaker. As the Premier indicated in the previous answer, this province has done an awful lot with addressing homelessness specifically, probably more so than any other province in the country. For example, we are the only province that has a homeless initiative policy that was drafted in 1999 which set out the parameters under which we would address the issue. That has funneled into the system some \$9 million through organizations such as the Edmonton Housing Trust Fund, whose sole purpose was to co-ordinate and address and identify the needs of the people – and I'll stick with Edmonton specifically – in order that we can work co-operatively together to meet the needs of the folks out there. This has resulted on a provincial level in a contribution of some 50 million dollars from the federal government in conjunction with something that would not have happened had Alberta not taken the step to have a policy, something, I might add,

whereby the federal government has used Calgary as a template for how the issues should be addressed, also is using Grande Prairie as a template for rural Quebec. So to sit there and say that we're not doing anything is just totally erroneous.

In addition to the money that is put on the seed end, Mr. Speaker, for the same period I do believe that human resources and development has put in some 34 million dollars toward shelter funding. If that isn't a sincere, strong effort to address the problem, I don't know what is.

2:00

MS BLAKEMAN: Well, he didn't answer my question.

Again to the Premier: is it this government's intention to use the seniors' housing money it has already spent in a shell game to match the federal government's \$67 million, essentially using seniors to subsidize everybody else?

MR. KLEIN: Mr. Speaker, there is no shell game going on here. Every dollar spent is clearly defined, identified in the budget documents and in the business plans.

Relative to how the dollars will be allocated, I'll have the hon. minister respond.

THE DEPUTY SPEAKER: The hon. Minister of Seniors.

MR. WOLOSCHYN: Thank you very much, Mr. Speaker. This just shows, just indicates the nonsense which comes from that particular member. If she did her homework and had made one phone call, I would have taken the trouble to explain to her that Alberta and Ottawa have agreed to an Alberta solution for affordable housing. The other provinces have their own. We signed off on a commitment in June of this year to cost share this \$67 million, which will trigger further money from the private sector and from communities. I have personally met with the seven mayors, who are currently working on plans which will be co-operative together. When the money is put into the system, it will be targeted where it's supposed to be. To have money announced without a plan is just not the way we do business.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

Electricity Rates

MR. MASON: Yes, please, Mr. Speaker. Thank you. Last week in question period the Minister of Energy ducked questions relating to the government's deregulation debacle by claiming that the highest price for electricity paid in the province was 6.7 cents per kilowatt-hour, ignoring the rate riders and other new charges which have been brought to people by deregulation. Now, I have a copy of a power bill from a farmer in Mayerthorpe which he received from his local REA. The farmer's bill has an energy charge of 7.95 cents a kilowatt-hour, which is higher than the EPCOR/Aquila service area. To the Minister of Energy: now that we know that some rural customers are paying higher energy charges than their neighbours served by EPCOR, will the minister now come clean and stop pinning the blame on EPCOR when it is obvious that it is deregulation that is to blame?

MR. SMITH: Mr. Speaker, if my memory serves me correctly, the rural electrification associations were along many years prior to the deregulation of power in the Alberta marketplace. In fact, that is a membership co-op, where members join REAs and on their own volition they make decisions whether to buy power, change their

distribution system, change their transmission system. It's, in fact, I guess, similar to the very genesis of the NDP, which would probably account for the high prices. They're simply a co-op.

THE DEPUTY SPEAKER: First supplemental.

MR. MASON: Thank you very much, Mr. Speaker. Well, since the minister responded to that question by just putting down REAs, will he now admit that they have to buy the power for their consumers on the market that this government established?

MR. SMITH: Mr. Speaker, let me make it very clear. I was not putting down REAs; I was putting down the NDs.

The REAs purchase power through a company known as Prairie Power. In fact, they do that with the full consensus and agreement of the REAs and have been doing it for some two to three years. To the best of my knowledge, Mr. Speaker, they're okay with the situation, because they have not contacted me to ask me to do something completely different for them. So when ATCO offers a rate of 4.9 cents per kilowatt-hour in the rural areas, where in December of this year they will have a lower rate than what they had in 2000, one can only find reasons of competition, deregulation, and private-sector competence as ensuring the lowest possible and most honest and transparent rates for all Albertans.

MR. MASON: Mr. Speaker, what does the minister have to say to Alberta farmers who in some cases are paying the highest power bills in the province because and only because of skyrocketing prices caused by this government's failed deregulation scheme?

MR. SMITH: Mr. Speaker, before I talk about what I'll say to farmers, let's just look across Canada and have a look at electrical jurisdictions that have been so blessed by an NDP government. British Columbia has some \$7 billion worth of public debt. That's public debt that taxpayers of the future – taxpayers are burdened – must pay in order to sustain their hydro. That generates 11,000 megawatts of electricity. In Manitoba, which is right now the king of ND land, the king of the New Democrat land, they have some 7.2 billion dollars in public debt, and they produce only 5,000 megawatts of power. This government will not put your policies of debt on future children of this province for a worse province. No, no, no.

THE DEPUTY SPEAKER: All hon. members are reminded to direct their questions and their answers through the chair.

The hon. Member for Edmonton-Beverly-Clareview.

Affordable Housing

(continued)

MR. YANKOWSKY: Thank you, Mr. Speaker. Last Friday the results of a recent count of homeless persons in Edmonton was announced. I was at the National Day of Housing Action vigil, where I spoke and was presented with many cards addressed to the Minister of Seniors, which I will be presenting in this Chamber. The results showed that the number of counted homeless people in Edmonton had risen by 65 percent since 2000 to a level of 1,915 persons. My question is to the hon. minister responsible for housing. In light of these increases what is the government doing to address the issue of homelessness in our province?

THE DEPUTY SPEAKER: The hon. minister responsible for housing.

MR. WOLOSHYN: Thank you, Mr. Speaker. With respect to the

count I might add that it was not an exact science, and I understand that they had twice as many volunteers counting this time in a larger area. The way the count is conducted is one, basically, where you meet the folks on the street and talk to them. I will say this much: I will not verify nor deny the numbers presented. What I will accept, however, is that it appears very much that the number of homeless is increasing.

Now, very briefly and in addition to what I said earlier, Mr. Speaker, we are working on the issue and will be looking at some new concepts to work the transitional portion, whereby, as I understand it, quite a few people in the shelters currently need transitional housing in that they're paying a partial amount to a shelter. So if we move some of the people into a more appropriate facility, we'll have more spaces in the homeless shelters.

THE DEPUTY SPEAKER: First supplemental, hon. member.

MR. YANKOWSKY: Thank you, Mr. Speaker. My first supplemental question is again to the Minister of Seniors. Mr. Minister, you talked about funding numbers in your previous answer, but what about the results of this funding?

MR. WOLOSHYN: Very briefly, Mr. Speaker, I'm very pleased to say that the results are very good. Those folks in this city who are familiar with Urban Manor can now go to a very clean, very well run, very good shelter, which is a replacement one for a facility that, quite frankly, should not have stayed open for as long as it was. So the Edmonton Housing Trust Fund took the initiative to identify the priorities. That didn't add necessarily very many extra spaces, but what it did do was replace and enhance what was already there. That particular project was \$3.17 million and had some 75 units in there.

The other one, and I'll just leave it at this, Mr. Speaker. We also had another project, with the Handicapped Housing Society, which is a complex for 56 low-income disabled persons, which is a new one. As was indicated earlier, some 400 additional spaces were added, and we've got quite a few more coming onstream this year.

2:10

THE DEPUTY SPEAKER: Final supplemental, hon. member.

MR. YANKOWSKY: Mr. Speaker, my second supplemental question has already been answered in a previous question from the Member for Edmonton-Centre.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. As a result of this government's botched deregulation process, high electricity bills, costly billing errors, and frustrated electricity consumers from across the province have become, unfortunately, all too common. Yet the government stands idly by and does absolutely nothing. To make matters worse, this government has continued with its failed deregulation plan with the MAP 2 auction process at a cost to Alberta taxpayers. My first question is to the Premier. How much has the MAP 2 auction process cost Albertans to date? Has it cost a hundred million dollars, \$300 million, or perhaps even \$400 million?

Thank you.

MR. SMITH: The MAP Balancing Pool assets, formerly held by government.

MR. KLEIN: Right. Why don't you answer the question?

MR. SMITH: Thanks very much, Mr. Speaker. The MAP 2 is the market achievement plan auction of 2002. This is simply those assets that remain in the purview and control of government because they were built at a time when regulation was around, and they were far more inefficient than what the private sector is building today under regulation. Therefore, because of that, they were not able to be sold in the first auction or the first tranche of auctioning these assets off. So what we have done is communicated with industry our policy with respect to how we manage these assets. We've gone through a tranche of selling these assets in lots that are easily digestible by the private sector. I would be more than pleased to table at some future date the precise value that was received for this auction, that I know has been accepted by the marketplace and accepted by generators in Alberta.

MR. MacDONALD: Mr. Speaker, given that Albertans cannot hold their breath waiting for the Minister of Energy to get control of the electricity prices in this province, again to the Premier: if the Balancing Pool had a \$345 million deficit at the time the annual report was tabled, what is the deficit in the Balancing Pool now?

MR. KLEIN: Mr. Speaker, I will have the Minister of Energy respond, and I guess I can respond in a more generic or global sense relative to the situation. Notwithstanding what the opposition claims, deregulation is working. More power is coming onstream. When you move from one system to the other, you can expect there will be some bumps along the road, and indeed we experienced that last year. That's why I take great exception to a statement made by the hon. member that we did absolutely nothing.

You know, I would remind the hon. member that very substantial rebates were given to all of the electricity consumers to see them over a very rough period. Over the long term, as the market develops, we can expect to see increased power generation. We can expect to see better customer service. We can expect to see downward pressure on prices, and certainly under a free market system we can expect to see more options for consumers, and that always serves to bring down the price.

Now, relative to where we are with respect to the actual cost of power, the hon. member well knows that when we introduced deregulation, there were a lot of factors that played into very, very high power rates at that particular time. Gas was at an all-time high. A number of generators, unfortunately, shut down, went down at the same time. The economy was at an all-time high. It was a super-heated economy. Yes, the average price in January of 2001 was 13.1 cents a kilowatt-hour, but I can tell you that the average rolling price for the year 2002 has been 4 cents a kilowatt-hour. Four cents a kilowatt-hour, Mr. Speaker. That is a very competitive price, certainly within the range of all consumers to pay, and to me that shows that deregulation is working.

Having said that, another thing that they forget to mention, purposely, deliberately forget to mention, is that those who want to stay in a regulated environment can do so, I believe, at least for another three years. They can do so. [interjection]

THE DEPUTY SPEAKER: We'll save it, hon. Minister of Energy. His final supplemental may hit you directly.

The hon. member.

MR. MacDONALD: Thank you very much, Mr. Speaker. Again to the Premier. Another bump up in Albertans' power bills will be whenever the deferral account from the Balancing Pool is forced

onto them. Will you wait until after the next election before Alberta consumers see that deferral account added to their bill and another bump up in their electricity prices?

MR. KLEIN: Mr. Speaker, a 4 cents average right now, the deferral rate coming off – when? – at the end of 2003, electricity bills not being unbearable as we speak, but there are some other problems associated with bills that have nothing to do with deregulation whatsoever. I think that we're going to be in very good shape indeed.

I'll have the hon. minister supplement.

THE DEPUTY SPEAKER: Briefly, hon. Minister of Energy.

MR. SMITH: Mr. Speaker, yes, we'll be in very good shape. As a matter of fact, the member was talking about a sales and market achievement plan. I can tell you that these have been purchased in units of 100 megawatts, 157 megawatts. They're out there. Any deferral account to the Balancing Pool – it is my understanding that there is nothing to be put forward in 2003. For the member to realize very carefully: those are decisions held by the Power Pool. They're not decisions made by the government. They're decisions made by a regulatory body in the area where the marketplace is regulated, and where the marketplace is free to flow, that's where we're seeing lower prices, prices of 4.1 cents. We're seeing deferral accounts drop off. We're seeing a fair and honest marketplace at work for Albertans.

THE DEPUTY SPEAKER: The hon. Member for St. Albert.

2:20

Anthony Henday Drive

MRS. O'NEILL: Thank you very much, Mr. Speaker. Every day thousands of Albertans who reside immediately north and west of Edmonton make their way into Edmonton to work. They come down from the garrison on 97th Street, they come from east Sturgeon county on 127th Street, they come down St. Albert Trail, they come down 156th Street, they come down 170th Street, and they come down 182nd Street. The question here is to the Minister of Transportation, because the answer to the traffic jam that all of those thousands of people entering the city come to is the Anthony Henday highway. Last week we heard that the federal minister will allocate some funding to assist the city of Edmonton with this transportation corridor. My question to the Minister of Transportation is: when will we see the completion of the northwest quadrant of the Anthony Henday highway in order for us to make progress?

THE DEPUTY SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Thank you, Mr. Speaker. As you know, the two ring roads around Edmonton and Calgary, of course, are our priority. The one around Edmonton: the design and construction phase has been agreed on by some 23 or 26 municipalities that surround the city of Edmonton. Given that support from the mayors and municipal leaders, we had sent the Minister of Industry, Allan Rock, a letter asking for support, part of the Canada strategic infrastructure fund, the \$2 billion fund. To complete at least part of the segments around the two cities would require about \$410 million. We had asked for roughly half of that and also supported that by saying that if we have, let's say, 10 percent of the population of Canada, then reasonably it's fair to ask for about 10 percent of the money.

Although there were some musings in the media and leaks to the media, I suppose, last week with respect to the amount of money that

we were to receive, I just recently – in fact, this letter was sent to me just as I came into the House, confirming that the government of Canada will commit to contributing up to \$150 million toward the cost of completing the ring roads in Edmonton and Calgary, specifically – and this is coming from the federal government – the northwest Calgary and southeast Edmonton sections. I can promise the Member for St. Albert and also all our colleagues that we will diligently work not only to obtain more funds to complete the two ring roads but to also expedite the section of the ring road that the hon. colleague is asking for.

I will of course table not only the letter to the Minister of Industry but also the copy of the letter that I received just momentarily confirming the money.

THE DEPUTY SPEAKER: Hon. member, any supplemental?

MRS. O'NEILL: No. Thank you.

THE DEPUTY SPEAKER: No supplementals? Fair enough.
Then we go to the hon. Member for Edmonton-Mill Woods.

Class Sizes

DR. MASSEY: Thank you, Mr. Speaker. One major urban school board is already running a deficit, and the arbitration awards arising out of the teachers' strikes are costing some boards up to 14 percent. Reducing the number of teachers and increasing class sizes are the only ways boards can capture the sizable amounts of money needed to meet the agreements. My questions are to the Minister of Learning. Given that class size was a major issue in the teachers' strike, what action is the minister taking to avoid a new budget-driven crisis?

DR. OBERG: Mr. Speaker, the ATA in their submission to the arbitration tribunal said that the awards could be funded by increasing class size and by decreasing the hours of instruction.

DR. MASSEY: To the same minister: does the minister support increasing class sizes?

DR. OBERG: Mr. Speaker, the mountain of evidence that is accumulating about class size basically shows that flexibility is by far the most important element when it comes to class size, where a class is not a class is not a class. Some classes, for example, at 12 might be too big; some classes of 35 might be fine. It's flexibility that is important, and that's my stand on class size.

THE DEPUTY SPEAKER: The hon. member.

DR. MASSEY: Thank you. Again to the same minister. The question was: does the minister support increasing class sizes?

DR. OBERG: I believe I just answered that, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Calgary-West.

Cross-country Ski Trails in Peter Lougheed Park

MS KRYCZKA: Thank you, Mr. Speaker. I have been overwhelmed by the number of very concerned constituents in Calgary-West who have contacted me due to the rumour that the cross-country ski trails in Peter Lougheed park in Kananaskis Country will not be groomed and trails not set this winter due to operational budget cuts, that would create pressure to reduce services. Thou-

sands of Albertans – seniors belonging to outdoor clubs, the handicapped at William Watson Lodge, families, students in school groups – and Canada-wide elder hostel tours all come to this prime recreational area to cross-country ski, which we all know is an excellent, affordable, healthy sport. My question is to the Minister of Community Development. Are you aware of the huge public concern, and is this, hopefully, only a rumour?

MR. ZWOZDESKY: Well, in short, Mr. Speaker, yes, I am aware of the concerns with regard to the need for continued trail grooming and track setting and trail maintenance throughout Kananaskis and elsewhere. However, whereas we did have a pool of labour that helped us out in that regard, that source is just not available to the department at the moment, so we do have to look at other options. But I want to tell you that the importance of this issue has not escaped us, and we are working to minimize any trail closures and to maximize the trail grooming and track setting that's necessary. In that respect, I want to assure the member and others who have this concern that we hope to have this situation rectified very soon.

Thank you.

MS KRYCZKA: Mr. Speaker, my first supplemental is to the same minister. Have you seriously considered a user fee approach for Kananaskis Country and other park users where all revenues would be directed towards park maintenance and capital requirements? This was a suggestion of people who wrote to my office.

MR. ZWOZDESKY: Well, as a matter of fact, Mr. Speaker, yes, we have been taking a look at other options, as I alluded to in the first answer. I think the suggestion that had come through to my office, at least, and one that our staff is looking at is whether or not it's possible to dedicate a user fee or a pay-as-you-go fee or some kind of pass system for that area in order for cross-country skiing to be continued. We do have the ability to do that. I think the department has had the ability since about 1996 or 1998 to receive direct revenues from camping fees or direct firewood sales where we operate the campground or other issues relative to Watson Lodge, which was referenced. So it is an option that we are taking a look at, and I should say, hon. member, that based on the letters that I've received, there is considerable warmth to that idea from and amongst members of the public. So, in short, yes, we will be looking at that as one of several options.

THE DEPUTY SPEAKER: Hon. member, your third question, final supplemental.

MS KRYCZKA: Thank you, Mr. Speaker. My second supplemental is also to the same minister. Many users have made another good suggestion: developing a system of volunteers to assist with trail maintenance. Have you considered that?

MR. ZWOZDESKY: Yes. In fact, that, too, has been given some consideration because it's an example that we already employ elsewhere. It's a good thing that we have these kinds of unique partnerships with the volunteer sector. We have well over 2,000 volunteers in this province who contribute well over 100,000 volunteer hours in the parks and protected areas division alone. That's not to mention all the other important areas where volunteers are involved. So we do value them, and we do see them as an important outreach component with whom we partner.

One quick example, Mr. Speaker, where we do exactly what the hon. member is asking about is the world-renowned Canadian Birkebeiner Ski Festival, which takes place here in the south Cooking Lake area. The staff there, who work with about 25

volunteers, ensure that this particular Birkebeiner Ski Festival takes place to the highest level possible. It all uses volunteers, and a lot of our staff, particularly from the Ukrainian Cultural Heritage Village, are involved there not only as staff but also as volunteers on weekends and in the evenings. So we will continue to maintain that partnership, because we do value volunteers here.

Contract Tendering Policy

MR. BONNER: Mr. Speaker, the Minister of Infrastructure said that if we had an example of how contracts have been mismanaged at the taxpayers' expense, we should bring it to his attention. Well, the Auditor General has already done that. One example is that a consultant was hired without the use of an RFP to co-ordinate the work of other consultants doing evaluations of postsecondary institutions. As the work progressed, the minister revised the consultant's fees from \$100,000 to \$450,000. My questions are to the Minister of Infrastructure. Can the minister explain how his policy of not using RFPs for projects costing hundreds of thousands of dollars is a sound business practice?

2:30

MR. LUND: Mr. Speaker, the one that the hon. member mentions I would have to check. I don't have that one at my fingertips. Certainly, they never brought it to my attention, and that's what I asked them to do if they had an example where procedure was not followed.

MR. BONNER: Mr. Speaker, to the same minister: since the Auditor General also found that the Ministry of Infrastructure hands out contracts for engineering, architecture, and cost consulting services without going to competitive bids and without documenting the justification for how it chooses these consultants, how can Albertans be assured that projects are awarded fairly and transparently?

MR. LUND: Mr. Speaker, as it pertains to some of the trades that you would find within a contract, like engineering, like architecture, if it's not a very large project, there are times that we would go directly to a contractor or a consultant to oversee the project. There are cases where it may be in a remote area where it makes no sense that you would expect somebody from a great distance to travel to that location and oversee a project, but as a general rule we do call for an RFP. We take what the Auditor General says very seriously, and we are putting in place procedures to make sure that we have the right balance, because if it makes no sense and you know that there's only one person qualified within that general area, why would you go through the exercise? So we have to find that balance, and we're currently, as I speak, putting those procedures in place.

MR. BONNER: Mr. Speaker, I don't think the Auditor General was referring to those selected situations.

To the same minister: will the minister table in the House the amount of money that has been spent on untendered contracts and the names of the individuals and companies who received those contracts over the past 18 months?

MR. LUND: Well, Mr. Speaker, we have in the House a procedure of written questions, and it sure sounds to me like that might be one that the hon. member would want to pursue.

THE DEPUTY SPEAKER: The hon. leader of the third party.

Electricity Deregulation (continued)

DR. PANNU: Thank you, Mr. Speaker. The Tory government's

deregulation scheme has proven to be a lose/lose proposition. It's a monumental failure. Customers are paying sky-high power bills, and companies like TransAlta Utilities are losing money. Not only is TransAlta taking a financial loss in its fourth quarter, but it is canceling a \$205 million order for four natural gas turbines to add new electricity generation. To the Minister of Energy: why does the minister keep asserting that deregulation is successful when companies like TransAlta are losing money at the same time that customers are paying sky-high power bills?

MR. SMITH: Well, you know, Mr. Speaker, the simple answer to why I would say that deregulation is successful is that, one, it's the truth; two, because it is working. It's too bad the leader of the third official party wasn't listening when his partner, Gaston, was talking, because you'd find that those assertions by them are simply not true. We have said all along that power prices today are higher than what they were in previous years, and we're also saying that we have not had a blackout in Alberta. We have not put taxpayers' investments at risk. Today, as a matter of fact, as of 1:35 some 4,300 megawatts of coal generation were working, some 2,500 megawatts of gas, some 249 megawatts of hydro, and some 107 megawatts of wind and other were being employed.

Mr. Speaker, if we would go back to 1998-1999 and look at the alternatives that this government, this economy, this Alberta was faced with, the only clear path to efficient market regulation of new generation of electricity was to be through a marketplace called deregulation. That has occurred. Of course, during the difficult times there were rebates of some four times \$150 as well as auction proceeds of \$40 a month delivered back to them. So if Alphonse and Gaston over there would just simply take . . .

THE DEPUTY SPEAKER: Hon. members, I think referring to each other by other names or our first names or our last names is not in keeping with the traditions or the Standing Orders of the House.

The hon. leader of the third party.

DR. PANNU: Thank you, Mr. Speaker. I wonder if the minister would like to comment on this: what is TransAlta's willingness to pay a \$42 million penalty for canceling the purchase of four natural gas turbines if not a vote of no confidence in this deregulation scheme?

MR. SMITH: Mr. Speaker, firstly, let me apologize to Alphonse and Gaston.

THE DEPUTY SPEAKER: An apology that carries with it the same that the apology is supposed to be for is not in order. If you wish to make an apology, please do so, but don't couch it in those unfortunate terms you've just used.

MR. SMITH: Well, Mr. Speaker, I was referring to the two individuals, as I had said earlier, to whom I apologized, and of course if a subsequent and second apology is necessary to the two members, I would consider that as well.

Mr. Speaker, to the question. TransAlta is simply making business decisions in a business marketplace. If we go back into a regulated model, you would see, as you have seen across Canada, where taxpayer supported debt approaches some \$100 billion. A regulated model may have forced TransAlta to build new coal plants, may have forced them to build new types of expensive energy sources that would have been not necessary in today's market because of the many changes. So, in fact, TransAlta is doing an appropriate thing in reacting to marketplace circumstances, and as

they do that, as I've listed from the power grid, much more power has come onstream, and it's been alternative power such as wind and co-fired gas generation power. There are ample amounts of power in this marketplace at honest and fair prices.

DR. PANNU: Mr. Speaker, given that the Ontario Tories have seen the error of their ways on deregulation of power and reversed direction, when will this government do the same over here in this province and provide relief and protection to Alberta customers?

MR. SMITH: Mr. Speaker, I would of course refer the member to numerous newspaper articles by experts throughout Canada that refer to the appropriateness of the Ontario move. Ontario is a much different marketplace than Alberta. Ontario has some \$30 billion to \$33 billion worth of taxpayer debt that they must divest themselves of over the next 10 years. Alberta was very fortunate in that no electricity generation in this province was ever owned by the province of Alberta. So, in fact, deregulation here is a way of getting open, transparent pricing to the consumer as quickly as possible in as market friendly a fashion as possible, and it has worked, because as the Premier said today: we're looking at 4-cent power.

head: **Recognitions**

THE DEPUTY SPEAKER: Hon. members, we have a number of people who are going to make recognitions today. Calgary-West, Cardston-Taber-Warner, Calgary-Fort, Edmonton-Castle Downs, Edmonton-Centre, and Edmonton-Glengarry. We'll start off with Calgary-West, followed by Edmonton-Centre.

2:40 **Calgary Public Library**

MS KRYCZKA: Thank you, Mr. Speaker. Today I am very pleased to praise in this Assembly the outstanding work of the Calgary public library. The library has received many awards in 2002 from Calgary, Alberta, Canadian, and American associations in recognition of their efforts on behalf of Calgarians, efforts that helped bring enrichment, inspiration, and information into their everyday lives.

Specifically, the Calgary public library received the inaugural W. Kaye Lamb award for service to seniors from the Canadian Library Association and the Ex Libris Association. This national award recognizes innovative services, programs, procedures, or facilities that benefit seniors. The award acknowledges the work that has resulted in a 75 percent increase in public library membership by seniors over the past five years and is a tribute to the dedication of volunteers and staff throughout the system.

Mr. Speaker, there's not enough time available to name all of the awards that this library has so deservedly received. However, let me conclude by saying what an honour it is to recognize the great work that is being done by the Calgary public library.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Well done. Exactly one minute.
The hon. Member for Edmonton-Centre.

National AIDS Awareness Week

MS BLAKEMAN: Thank you, Mr. Speaker. Today marks the beginning of National AIDS Awareness Week, and given Alberta's second to last rating in preventing the spread of HIV and hep C in prisons, I invite the Solicitor General to reconsider her position on harm reduction strategies. Preventing the spread of AIDS is a morality issue, and it is a mortality issue. Maybe we've forgotten that. You have HIV; your immune system breaks down. Then you have AIDS; then surely you die.

Inmates in our provincial jails are sentenced to a specific period of time. We do not have the constitutional jurisdiction or the moral authority to make that a death sentence. To say that issuing condoms or needles to prisoners is encouraging bad behaviour assumes that all sex in prison is consensual, which is shockingly naive, and it totally disregards volumes of research on the nature of addiction. Junkies stick needles in their arms. Even for those who choose unsafe sex or who start taking drugs in jail – yes, those are stupid and illegal choices, but we have a process for dealing with that, and it should not be a death sentence. Albertans can do better this National AIDS Awareness Week.

THE DEPUTY SPEAKER: The hon. Member for Cardston-Taber-Warner, followed by Edmonton-Glengarry.

Alberta Remington Carriage Museum

MR. JACOBS: Thank you, Mr. Speaker. I am pleased today to rise and give recognition to an award recently received by the Alberta Remington Carriage Museum wherein it was recognized as one of the best. Alberta's Remington Carriage Museum won a 2002 Attractions Canada award in the small indoor facilities category, recognizing it as one of Canada's best cultural and educational sites.

The Remington Carriage Museum houses one of the largest collections of horse-drawn vehicles in North America, with over 250 carriages, wagons, and sleighs. It also houses a working restoration shop, cafeteria, gift shop, and an active horse program in summer months. It is located in Cardston, approximately 250 kilometres south of Calgary.

Attractions Canada is a national information program sponsored by the federal government, the media, and private-sector firms. It is designed to encourage interest in Canada's many attractions that have cultural/educational value. The 2002 Attractions Canada awards cover 14 categories of attractions, and the awards were announced on Thursday, May 30, 2002.

I'm pleased to offer congratulations today to the staff and manager of the museum.

Thank you.

National Day of Housing Action

MR. BONNER: Mr. Speaker, Friday, November 22, was selected as the National Day of Housing Action. A number of cities across Canada held rallies to focus on the plight of the homeless. The Edmonton Coalition on Housing and Homelessness hosted an excellent conference on this subject. The keynote speaker for the conference was Senator Douglas Roche. His opening remarks included statistics on homelessness and poverty and were followed by this statement: the persistence of poverty in Alberta, where the deficit is down, taxes are low, employment is high, and oil and gas prices are generating more revenues for this province, is outrageous.

Group discussions were then held on topics related to the homeless. This was followed by a rally where results from this year's homeless count were announced, up significantly from last year.

Mr. Speaker, let us recognize the Edmonton Coalition on Housing and Homelessness, who continue to advocate and to assist the homeless, and their resolve to continue this mission so that all members of our society may participate equally in the Alberta advantage.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Castle Downs.

CKUA Radio

MR. CAO: Thank you, Mr. Speaker. For 75 years the CKUA radio station has been a much treasured Alberta institution. CKUA represents a truly unique radio station. It has set the bar for community-based public broadcasting in Canada. There is no question about the success of CKUA. Listeners and supporters of the station are growing daily. CKUA is all about music and quality programming. For many it is the only place to hear nonmainstream music like blues, jazz, and new experimental bands.

CKUA has become integral to the music scene in Alberta. The station promotes shows and encourages a diverse and popular live music scene. With CKUA local artists have an avenue to get their music heard alongside established artists.

CKUA is strongly committed to remaining accessible in order to best reach their audience. CKUA has learned to do things a bit differently. The station is now available live around the clock on the air and around the world on the Internet.

I am sure that all of the hon. members here can join me in this opportunity to recognize and thank the partners of CKUA, listeners, donors, program sponsors, corporate community, and many volunteers and dedicated staff to ensure CKUA is part of Alberta long into the future.

Thank you.

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Edmonton-Castle Downs.

Canadian Finals Rodeo Farmfair International Grey Cup Celebrations

MR. LUKASZUK: Thank you, Mr. Speaker. This month Edmonton hosted three premier events that brought thousands of rural and urban visitors to Edmonton: the Canadian Finals Rodeo, Farmfair International, and, of course, the Grey Cup. I rise today to recognize and congratulate the organizers and competitors in each of these events.

Every year Edmonton Northlands does a spectacular job of hosting the CFR and Farmfair. This year was no different. Close to 90,000 people took in the show. I also want to thank the major events' organizers.

Commonwealth Stadium, as well, was packed with more than 62,000 people last night, Mr. Speaker, and all of them were CFL fans, and I would say that a large majority were Eskimo fans. I daresay that the majority of them supported the Eskimos, and it really showed. However, I want to congratulate the champions of this year's Grey Cup, the Montreal Alouettes. Also, I want to thank the organizers of this event, Mr. Bill Gardiner and Mr. Rick LeLacheur, for putting on a world-class event in Edmonton.

Thank you.

head: Presenting Petitions

MR. GOUDREAU: Mr. Speaker, I rise today to present a petition signed by 21 Albertans from my constituency petitioning the Legislative Assembly to urge the government to deinsure abortion.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. MCFARLAND: Thank you, Mr. Speaker. I rise to table

petitions bearing 136 names mostly from the communities of Coaldale, Coalhurst, Diamond City, Enchant, Hays, Iron Springs, Monarch, Nobleford, Picture Butte, Turin, and Vauxhall, all in the Little Bow constituency, urging that the Legislative Assembly of Alberta deinsure abortions.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. On behalf of the hon. Member for Barrhead-Westlock I am pleased to present a petition signed by over 150 concerned Albertans. This petition urges the government of Alberta to "remove abortion from the list of insured services that will be paid for through Alberta Health."

THE ACTING SPEAKER: The hon. leader of the ND Party has a petition. The hon. leader of the NDP opposition.

DR. PANNU: Thank you, Mr. Speaker. I rise to present yet another set of pages signed by more Albertans urging this government to "not delist services, raise health care premiums, introduce user fees or further privatize" our health care system.

Thank you.

2:50

head: **Introduction of Bills**

Bill 37

Occupational Health and Safety Amendment Act, 2002

REV. ABBOTT: Mr. Speaker, I beg leave to introduce Bill 37, the Occupational Health and Safety Amendment Act, 2002.

This act proposes amendments to the Occupational Health and Safety Act which are part of government's Workplace Safety 2.0 strategy, that was developed in partnership with industry, labour, and safety associations. These amendments will help achieve a 40 percent reduction in the lost time claim rate by 2004 and will result in 15,000 fewer injured workers each year.

[Motion carried; Bill 37 read a first time]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would move that Bill 37, Occupational Health and Safety Amendment Act, 2002, as just presented, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following document was deposited with the Office of the Clerk: Alberta Alcohol and Drug Abuse Commission statement of operations for the year ended March 31, 2002, the hon. Mr. Mar.

THE ACTING SPEAKER: The hon. Minister of Energy.

MR. SMITH: Thank you, Mr. Speaker. It's with great pleasure that I rise today to table the required number of copies of the Ministry of Energy's 2001-2002 annual report. It includes a summary for the

fiscal year for both the Department of Energy and the Alberta Energy and Utilities Board. Details are included of the second highest amount of resource revenue collected in Alberta's history. Energy collected some \$6.23 billion in resource revenue, some 30 percent of the government of Alberta's total revenue.

THE ACTING SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. I would wish to table responses to Committee of Supply dated April 10, 2002, and lest the impression be that they had not been submitted before, they were, but it was suggested that because they didn't come on May 12 in time to be received in the House, they be tabled. So today I have the required number of copies, responses to questions not answered at the meeting.

THE ACTING SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Thank you, Mr. Speaker. I wish to table this afternoon copies of the letters I referred to earlier in question period. Thank you.

THE ACTING SPEAKER: The hon. Member for Banff-Cochrane.

MRS. TARCHUK: Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices I would like to table five copies of the 2001-2002 annual report of the Auditor General of Alberta. Copies were distributed to all members on October 17, 2002.

Thank you.

THE ACTING SPEAKER: The hon. Minister of Environment.

DR. TAYLOR: Thank you, Mr. Speaker. I am pleased to table 10 copies of the environmental protection security fund annual report. The purpose of this fund is to hold security deposits to ensure satisfactory land reclamation.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a number of tablings this afternoon. The first is five copies of letters from Mr. Kim Brown and Ms Wanda Lord of Stony Plain and Mr. Dave Parsons of Morinville. These Albertans are concerned about the Bighorn being closed off to highway vehicle users.

My second tabling for today is from Mervyn Pidherney. He is very concerned about predicted cutbacks in the highway funding for Alberta.

The third tabling is from Steven Brodie, and he has significant concerns about teacher funding in this province.

Thank you.

THE ACTING SPEAKER: The leader of the ND opposition.

DR. PANNU: Thank you, Mr. Speaker. I've got two tablings for today. The first tabling is a letter from Gerald M. Ross, vice-president, Cochrane Environmental Action Committee. This letter is dated November 19, the first day of this exceptionally short fall session, and it's addressed to the Premier. Mr. Ross is urging the government of Alberta to stop wasting public money on funding "a

campaign of senseless misinformation concerning carbon dioxide, climate change, provincial economy, and the Kyoto Protocol."

The second tabling, Mr. Speaker, is also a letter, from Miss Rhonda Moffat of the Winnifred Stewart Association, addressed to me. Miss Moffat is concerned with the most recently proposed PDD initiatives that could seriously jeopardize health, welfare, and wellness of individuals with developmental disabilities.

Mr. Speaker, to conclude, I must just draw your attention to the fact that my colleague the hon. Member for Edmonton-Highlands also has a tabling to make.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have three tablings this afternoon. The first one is a letter that I received on November 20 of this year from the Canadian Federation of University Women, Edmonton. This letter is urging the government of Alberta "to cooperate in the ratification of the Kyoto Protocol."

The second tabling I have is a survey from the World Bank Institute, a survey of chairs of public accounts committees throughout the British Commonwealth and also my response as chairman of Public Accounts to that survey and my ideas on how we can certainly improve the Public Accounts Committee in Alberta and make it a committee with a little bit more bite and a little bit more bark.

Also, I have a tabling this afternoon, Mr. Speaker. It is a letter addressed to myself from Shauna-Lee Williamson, and Shauna-Lee Williamson is expressing concern about the direction of persons with developmental disabilities, the department and the funds and the standards for agencies that are used to support individuals who can unfortunately not care sometimes for themselves.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm tabling five copies of a power bill from a farmer in Mayerthorpe showing that his bill includes energy charges of 7.95 cents per kilowatt-hour, amongst the highest in Alberta, which is due to the government's failed power deregulation scheme. All personal information on the bill has been removed.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I have three tablings today. The first is five copies of a letter from constituent Harvey Hook, who notes that he's getting a rental increase every six months. He's now had his rent raised by \$200 over the last 18 months. He's asking the government to please implement some sort of rental increase law so that he doesn't have to have an unknown future every six months. There's no maximum to the rental increase.

I also wanted to table five copies of the postcard campaign that's being launched by *Our Voice, The Spare Change Magazine* that was referred to earlier.

Finally, five copies of the Count of Homeless Persons in Edmonton prepared by the Edmonton Homelessness Count Committee, October 2002.

Thank you.

head: **Orders of the Day**

head: **Public Bills and Orders Other than
Government Bills and Orders
Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We shall call the committee to order.

3:00 **Bill 207
Alberta Wheat and Barley Test Market Act**

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Peace River.

MR. FRIEDEL: Well, thank you, Mr. Chairman. Back last May 13 I was pleased to give up my place on the floor of this Assembly so we could proceed with the adjournment of the spring session, and I have to say that I did so very reluctantly because I really wanted to continue as we were having so much fun about that time of the year. I know that all the members have been waiting with great anticipation to hear the rest of what I had to say on Bill 207, which is the Alberta Wheat and Barley Test Market Act. I thought this was the place where I was supposed to pause for some thunderous applause. [some applause] Thank you very much. Although most of the members are going to well remember what I had to say in the first couple of minutes of my presentation, I'm going to recap a couple of points just so that those who might not have been here that day can quickly get up to speed.

First of all, at the core of Bill 207 is the idea of choice. We know that free markets have always been important to other industries, and this bill would give our farmers a similar choice, and that would be whether to participate in the Canadian Wheat Board or to market their product independently. This freedom is enjoyed in eastern provinces such as Ontario and Quebec. The Wheat Board's monopoly control over prairie grain farmers is not only unfair, but it's an insult. The bill asks for the same choices that other provinces already enjoy.

Personally, I see that the Wheat Board monopoly is nothing more than a central government effort to retain control. You know, 80 percent of Canada's agricultural land is located in the western provinces, yet this archaic central institution manages it. It was set up 67 years ago to deal with wartime conditions, but our federal governments have either never figured out that those conditions have since changed or they assumed that our farmers are not intelligent enough to make market decisions on their own. This control has to end. Our farmers deserve the same market choices that eastern farmers and other Canadian industries have. The Wheat Board simply justifies its monopoly by claiming that farmers' best interest is in their mind. It's the old we know what's best for you mentality. Why is it that only prairie farmers are told what's best for them? I believe these farmers are as capable as anyone else of choosing for themselves.

I started, when I was speaking last spring, using a comparison of going to a stockbroker to manage your investments. Wouldn't you, if you were in this position, want a stockbroker that you are comfortable with? Wouldn't you want one who represents your interests? Don't you think that the ability to make that choice yourself is rather essential? How would you feel if you were simply assigned a broker and your business was going to be lumped together with everyone else's? Now, on top of that, you become aware that this broker has some serious problems, but you're still

stuck with him. You still cannot change brokers. Yet that's exactly what we're looking at with the Canadian Wheat Board.

Last February the Auditor General of Canada released a special audit of the Canadian Wheat Board. In it many troubling facts came to light. These give you an idea of how well Alberta farmers are being represented – not. The Auditor General found, and I quote: significant deficiencies in governance, strategic planning processes, performance measurement and reporting, and information technology; that is, significant deficiencies in four of the nine responsibilities of the Wheat Board.

First, the Auditor General found that the board of directors had not dedicated enough attention to its mandate of oversight and strategic direction. Mr. Chairman, that sounds like a good definition of mismanagement.

Secondly, she found that the Canadian Wheat Board lacks clear and measurable targets to assess its ongoing performance. How can farmers be assured that their interests are looked after when the Wheat Board cannot even establish its own goals?

Thirdly, in regard to performance measuring and reporting the Auditor General stated that the Wheat Board has failed to be completely accountable to farmers and stakeholders. In this area of strategic planning the Wheat Board lacks, and I quote: clear and measurable targets, both financial and operational, to assess its performance. Mr. Chairman, not only is the board's reporting inadequate; they could not even release their own financial report on time.

Finally, the audit discovered a number of deficiencies in the management of information technology. Based on current practices of similar organizations of similar size and complexity, there was found to be a lack of stable and effective leadership. There was also found to be a lack of corporate strategy, and there was no long-term plan to determine how information systems will support the board's business direction and operations. To me it's very disconcerting that information technology is so fundamentally flawed in this large and influential organization.

In addition to these deficiencies, the report stated that the Wheat Board's marketing function needs improvement and that its long-term marketing plan was inadequate. The report also suggests finding a more equitable way to share interest earnings among the farmers and, further, that farmers were not adequately informed of the price pooling policy and its effects.

Finally, "the communications and corporate policy functions lack operational plans with clear goals and strategies to guide activities and measure and monitor performance."

The Auditor General's report exposes some very serious problems in the Canadian Wheat Board. This is pretty scary stuff. While it might be desirable, Bill 207 isn't attempting to change the Wheat Board's practices. The province doesn't have that authority anyway. We're simply asking for a 10-year test market, during which time the Alberta farmers can make a choice. They can elect to sell their wheat and barley to the Canadian Wheat Board or to do so themselves. Allowing the board and private business to coexist would have many benefits, Mr. Chairman. There's no doubt that giving farmers more control over their product would stimulate activity in value-added processing. This would mean more jobs in Alberta. Presently, there is very little processing of wheat and barley in this province or anywhere else on the prairies compared to other commodities.

Also, allowing competition will encourage all farming activities, including production, marketing, and transportation, to become more efficient. Global support for free markets is continually increasing. Bill 207 will help our farmers in the area of ever growing competition from their American counterparts. Maybe we can't compete with their subsidies, but at least we can remove some of the hurdles that our farmers face.

Finally, Mr. Chairman, I would like to address some of the skepticism that has been raised about this bill. Some have said that the agriculture industry is not suited to free market competition, but no one has really said why that should be so. But that could be one reason to set it up as a 10-year test market. Let the experience speak for itself. I'm confident that Alberta farmers will be successful if we give them the opportunity to prove it. I'm also convinced that we can create an environment where both the Wheat Board and independent farmers can work side by side. We don't have to nor do we want to abolish the board. Given some competition to make it more aggressive, it could build on its status as the single largest exporter of wheat and barley in the world. The security it offers may well be preferred by some farmers, but just let those farmers decide which they prefer. It's clear, though, that we need another option.

I strongly support Bill 207, Mr. Chairman, and I urge all the members to do so as well. Thank you.

3:10

THE DEPUTY CHAIR: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Chairman. I'm very pleased, as well, today to have the opportunity to rise and speak in favour of Bill 207, the Alberta Wheat and Barley Test Market Act, in Committee of the Whole. I'd also like to thank the Member for Calgary-Mountain View for all his hard work in bringing this bill forward.

Bill 207 is about creating choices where currently none exist. This bill is also about doing away with unfairness that has been at work for almost six decades, and it's also about giving Alberta farmers the right to make their own choices. In a nutshell, Mr. Chairman, that's what Bill 207 is about. This bill does not call for the abolition of the Canadian Wheat Board. Quite the contrary. The Canadian Wheat Board will most certainly remain in place. All that Bill 207 calls for is that an open market for the purchase and sale of wheat and barley produced here in Alberta be established. It doesn't say, "End the Wheat Board's monopoly," although some may think that that's a good idea. It doesn't call for Alberta to unilaterally take action against the Canadian Wheat Board, nor does it encourage single individuals to do so. The only thing that Bill 207 seeks to do is to establish free and fair trade of wheat and barley that is grown in our province through the implementation of an open market.

Mr. Chairman, the Canadian Wheat Board controls the price, the marketing, and the transportation of all wheat and barley produced for human consumption or export. How can this be considered acceptable in today's economy? In most every sector the prevailing attitude is to decentralize operations, to open up markets, and to promote free and freer trade. No pun intended, but why are we letting the Canadian Wheat Board go against the grain of current practices?

Mr. Chairman, wheat is grown in every Canadian province but Newfoundland, whereas barley is grown in every Canadian province, yet it is only wheat and barley crops of Alberta, Saskatchewan, and Manitoba along with a small portion of British Columbia, up in the northeast corner of the Peace region, that are subject to the Canadian Wheat Board's control. Right now Alberta's wheat and barley farmers are prohibited from selling their crops directly to producers. All grain deliveries must be made to Canadian Wheat Board agents, where they are pooled together. The same holds true for the wheat and barley farmers in Saskatchewan and Manitoba. Deliveries to anyone other than the Canadian Wheat Board are unlawful.

To make matters worse, Mr. Chairman, wheat producers in the designated area consisting of Alberta, Saskatchewan, Manitoba, plus the northeast corner of British Columbia are prohibited from

delivering their wheat to a Canadian Wheat Board agent at will. Put differently, a wheat farmer must wait to make his or her delivery until such time as the Canadian Wheat Board calls for wheat through delivery contracts, the sole exception being when the delivery is made to off-board markets and then only as feed wheat.

It doesn't stop there, Mr. Chairman. For western farmers the Canadian Wheat Board has four pool accounts: one for wheat, one for durum, one for barley, and one for designated barley, also known as malt barley. Premiums and discounts between wheat classes and grades are established within the pool account based on administrative adjustments. On the other hand, Ontario wheat producers are free to sell their crops to any Ontario wheat board agent at any time, and they can do so directly to processors, thereby avoiding the fees they would otherwise incur by having their crop handled by an intermediary of some sort, such as country elevators.

Finally, Mr. Chairman, the Ontario wheat board has seen it appropriate to give Ontario farmers a variety of marketing options. Let's briefly touch upon three of these options. The first option is for the farmer to sign a one-year contract with the Ontario wheat board, for a year at a time, guaranteeing a locked-in price.

The second option available to Ontario farmers is to apply for an exemption from the Ontario wheat board. Such an exemption allows them to export to whomever they want whenever they want, whether it's to somewhere else in Canada, somewhere in the United States, or even beyond the shores of North America.

The third and final option is basically any or all of the above. As an example, then, an Ontario farm could go with the Ontario wheat board for intraprovincial marketing and then go with the Canadian Wheat Board for interprovincial marketing and get an exemption and export some of the crop to New York, for example, and some of it to Italy.

As we've seen, Mr. Chairman, wheat and barley farmers in Ontario have choices, as do their counterparts in Quebec and the Maritimes, but out here in the prairies, on the Great Plains, where our level of prosperity and economic growth is the envy of the rest of the country, the Canadian segment of the world's breadbasket is being reined in by a federal agency whose origin dates back to the end of World War I. They had it right back in 1920, when the first incarnation of the Canadian Wheat Board was abolished because the federal government could not justify a central marketing system during peacetime conditions. To use a more direct way of laying out the matter, there was no justification for a monopoly. That hasn't changed since there's still no justification for a monopoly, although one should perhaps be careful about using the term "monopoly." The Canadian Wheat Board prefers to use the term "single-desk selling."

This position is rationalized as follows on the Canadian Wheat Board's own web site: instead of competing against one another, Canada's 110,000 wheat and barley farmers sell as one and therefore command a higher price for their product. But, Mr. Chairman, is that really so? In the end, are western Canadian farmers really better off under the Canadian Wheat Board? I don't think so; however, what I do think is that the Canadian Wheat Board, this enormous agency that exerts so much control directly and indirectly over life in our province, is better off thanks to the Canadian farmer.

Mr. Chairman, the Canadian Wheat Board is a giant of untold proportions. It's a Goliath that's found its David in the western Canadian wheat and barley farmer. Obviously, there's disagreement about the role, function, and benefit of the Canadian Wheat Board not just among farmers but also amongst many and perhaps in this House. Some of us like the Canadian Wheat Board or at least have no quarrel with it as an institution nor with its mandate. I don't share that benevolent view, but I do respect the right of others to take that position.

However, Mr. Chairman, if we listen to those most affected by the Canadian Wheat Board, the farmers, it's clear that alternatives to the Wheat Board are being sought. In December 1995 a plebiscite was held, and two-thirds of the Alberta wheat and barley producers voted in favour of an alternative to the Canadian Wheat Board. As if that weren't enough, in a recent Alberta Barley Commission poll over 10,000 farmers, or 75 percent, indicated that they wanted the ability to sell their product to whomever they wanted. That did not exclude the Wheat Board; farmers simply wanted to have alternatives. In our own province more than four-fifths of the wheat and barley producers want such alternatives.

Mr. Chairman, this province's oil and gas resources are the envy of the rest of the country. We don't have a monopoly on them, but we have a variety of companies that drill, refine, and market these resources. Some of the companies are Canadian; others are not. When it comes to oil and gas, we all agree that competition is healthy. As consumers we like it when we can fill our tanks at less than 50 cents a litre and cry foul when it exceeds 70 cents. As producers we smile when the price of gas rises and worry when it decreases. That, however, is how the free market works. In the long run, we've benefited greatly from living in a free-market economy.

Can you imagine a giant like the Canadian petroleum board taking the stage and dictating prices, delivering schemes and export permits? No, you can't; neither can I. But surely you can remember the national energy program. The everyday reality of the western Canadian farmer is very much in the hands of such a giant. Mr. Chairman, this is not right. If it weren't enshrined in law, it would be illegal. Ethically I believe it's wrong. Let's allow our province's wheat and barley producers to enjoy the benefits of the free market.

3:20

I'll be voting in favour of Bill 207, and I urge everyone in this Assembly to do the same. Regardless of party affiliation or whatever area you represent, an urban or a rural riding, please support this bill. Thank you.

MRS. McCLELLAN: Mr. Chairman, it's a pleasure to rise and join the debate on Bill 207. I think, as members of the House are aware, I've been a strong advocate of the principles in this bill for many years, and I certainly commend the Member for Calgary-Mountain View, an urban colleague, for bringing this very important agricultural marketing issue to this forum. I wanted to just cover a little bit of the history of the Canadian Wheat Board to try and put this into perspective and then to finish with my views on choice and freedom and the things that we believe in so strongly in this province.

When you look at the Canadian Wheat Board, you know, it was really established in response to financial instability during World War I, and at that time it was a one-year experiment under the authority of the War Measures Act in 1919. Once that year was completed, the board was disbanded and traditional trading resumed.

In 1935 it was recreated because of the Dirty Thirties, the drought and the economic conditions. It was felt by those who believed they knew best that the open market couldn't operate, so it was again created as a temporary body. Then, as I understand it, it operated as a temporary or voluntary pool until 1943, and then World War II came in. Interestingly enough, at that time it was made compulsory to control inflation, in fact to keep wheat prices down. Hence, the creation of this monopoly in – well, we go back – 1943. Here we are in 2002, and we're virtually still operating in the same way.

The reason I mention this is that the Wheat Board has had a history, and it has had change, and it has had a number of reasons for operating. None of the reasons when it was put in place, that I could see, really ever suggested that it was the best means of trading wheat

and barley. It became a monopoly not because it was the best alternative between marketing systems; rather, it was created or adopted as a temporary wartime measure to deal with extraordinary issues.

Well, Mr. Chairman, I suggest that things have changed. There are a couple of things I want to make very clear. One, the government of Alberta's position has never been to abolish the Canadian Wheat Board. We have simply advocated choice for our producers, freedom to market a product that they grow. I have said a number of times, including when I spoke at the standing committee on agriculture in Ottawa, that it was absolutely ludicrous to me that producers could invest hundreds of thousands of dollars, even millions, into a farming operation, that they could plant a crop, that they could shepherd it through the growing seasons making all of the right decisions, harvest it with some of the most expensive equipment there is known to mankind – and that may be a farm wife's opinion – and then all of a sudden when it comes to marketing, something happens, and these same people are not capable or intelligent enough or something to actually sell this crop.

Now, it's interesting that that's only in two crops: wheat and barley. Farmers can market mustard. They can market canola. They can market mints. They can market beans. They can market peas. They can market all kinds of legumes, and an interesting one that one of my colleagues just tweaked to my memory – oats used to be under the Canadian Wheat Board, and when oats were removed, my goodness, the sky will fall, the oat business will end, and never shall there be marketing of oats in Alberta again, never mind the rest of Canada. Well, interestingly enough, the oat market does very well in an open system, and of course, no different than any other commodity, it has its highs and its lows.

[Mr. Johnson in the chair]

The other thing I want to point out is that it is my understanding that the Canadian Wheat Board actually markets somewhere between 17 and 22 percent of the barley yet controls the marketing of it all. Surely it does make sense to not have barley under a board when that is the amount that they would market. It's interesting: farmers can command good prices for any other commodity but wheat and barley. Hmm. It's sad when producers have spent years trying to change this monopoly, a monopoly that I only know exists in two other countries in the world: North Korea and Cuba. Somehow I did not ever expect that Canada would be in the same marketing system as either of those two countries.

It's interesting that when producers spend hours and hours, months, years, to try and change a system through negotiation, through discussions, through consultations, and are unsuccessful, go to some rather extreme lengths to prove their point, they end up in jail. As I heard a Member of Parliament speak on Friday night, they pointed out that four persons who were convicted of child pornography were given community service as a penalty and 13 Alberta farmers spent time in jail for marketing a product. Then the ultimate, I think, insult: the federal minister considers they're grandstanding.

Mr. Chairman, I know a number of these farmers, almost all of them. I assure this House that they are fine, honourable persons who are simply trying to promote freedom and choice for a business that they enjoy. I've known farmers all my life, and there are no more independent people than people in that industry. Let me assure Mr. Goodale, if he would deign to read the *Hansard* from this debate, that these farmers are not grandstanding. Maybe, Mr. Goodale, it is just time for a fair examination of Canadian Wheat Board practices, and maybe it's just time, Mr. Goodale, for the federal government to act on the recommendations of its own Commons Standing Commit-

tee on Agriculture and Agri-Food, that in its recommendation stated very clearly that the market as it is today did not seem to be working and that a test market should be established. Yet it appears that this report, as many others, has been shelved and ignored.

This debate is not hard to understand. Maybe the marketing of grain seems complex to some, but this debate is not hard to understand. This debate comes down to two things: freedom and choice. It's all about fairness, Mr. Chairman. It's all about equality for Alberta producers. Why can producers of wheat in other parts of Canada, east of Manitoba, market their product themselves? Yet if you are somehow on the west side of that magic line, on the prairies, who, incidentally – and I may be biased in this, but I don't think so; I think records will prove me out – produce the best quality wheat and barley that is grown anywhere . . . Western Canadian farmers cannot market their own product, but if you happen to be in Ontario or eastern Canada you can. Nobody has ever explained that to me, except they say that we produce too much. Well, we thought that was rather a good thing, that our farmers are productive and they produce and have continued to improve their production and have continued to improve quality and have continued to make it a product that is in demand.

3:30

So, Mr. Chairman, our farmers don't think they need some third party, some monopoly to tell them what fertilizer to use. They don't think that they need a monopoly or a third party to tell them what seed to use or what variety to grow, and thank goodness they don't have to wait on the monopoly or third party to tell them when to harvest or we wouldn't be having this debate today I'm sure. But, in fact, that's what we do do when it comes to marketing.

I have asked people who process that product if they would appreciate being in a monopoly, if they would appreciate milling all of the flour and then putting it in a central system and that system would sell into the world markets for them. And you know what? They're not too interested in that at all. Why are our producers not allowed to market, to make business choices, to be the judges of which market is best for them so that they can maximize their returns, handle their storage – all of these costs are borne by the producer – as well as the cash flow needs of their farm instead of some organization, some monopoly deciding when they will get paid? Yes, we've said thank you for cash advances, but that is not the same as having the choice to make the business decision, to manage the risk on your own farm.

We have great debates among ministers of agriculture across Canada, and the federal minister wants farmers to practise good management and risk management. Well, I say to Minister Vanclief: give Alberta farmers a chance and they will do that. They have proved it over the years.

We're not asking, Mr. Chairman, that all of Canada come into this test market. We're saying: let Alberta try it for a period of 10 years. If you don't want to do it in Saskatchewan, fine. If you don't want to do it in Manitoba, fine. If you don't want to do it in B.C., fine. When I met with the Wheat Board and they spent a day in Winnipeg explaining to me how good they were, my comment at the end of the day was: "Gentlemen, I do not have to make any comment, because you have made my point for me. You are so darn good that you don't need to be a bit afraid of us. People will choose you as a marketing choice and, of course, reject the free market system. Why not take that chance? Why not run that risk?" There were a number of my colleagues with me, and they will suggest that the Canadian Wheat Board did not take us up on our offer.

They tell us that we're doing great in value-added and that we have lots of processing in wheat. Well, we do. Sixty-five percent

of it's in eastern Canada. Sixty-five percent of wheat processing is in eastern Canada, and the majority of wheat is grown in western Canada, particularly the good milling variety. Well, I don't call that fairness, I don't call it any part of the Alberta advantage, and I don't know why we have to continue to be in these two commodities the persons who ship the raw commodity to somebody else to have the jobs. Been there; done that. We really don't need to do that today. We want to see value-added opportunities like we have in mustard, like we have in canola, and certainly like we have in oats.

Mr. Chairman, it only makes sense to give our producers the option, to give them the freedom to market their product. That is all they ask. You know, the farmers in this province do not need their money spent on ads that try to convince people that the Canadian Wheat Board is the best. They don't need mail-outs, they don't need brochures, they don't need television ads, they don't need all-expense paid trips to be told that the Canadian Wheat Board does the best job for them. You know what? Give the farmers the freedom in this province, and they will make the right choice. Our farmers have proved time and time again that they are very capable of being good, good producers and managers and I believe would, given the chance, make the right choices in marketing wheat and barley. After all, they do it in everything else.

[Mr. Shariff in the chair]

This is about breaking down barriers to producers, this is about letting them make their own decisions on their own behalf, and this is about breaking down ancient – ancient – monopolies that were put in place for far different reasons back in 1943, 60 years ago virtually, Mr. Chairman. Let us in Alberta grow the value-added side of our industry on behalf of both rural and urban residents in this province.

Mr. Chairman, again, this is a made-in-Alberta solution. I know it'll be a made-in-Alberta success if they will just listen and give us choice and give us freedom. Thank you.

THE DEPUTY CHAIR: The hon. Minister of Infrastructure.

MR. LUND: Thank you, Mr. Chairman. It gives me a great deal of pleasure to rise this afternoon and make a few comments relative to this very important issue that has been a plague upon Alberta farmers. I want to thank the hon. Member for Calgary-Mountain View for bringing this forward again. It's great to see an urban MLA recognizing one of the problems that Alberta agriculture has, and I'm sure that he's looking at it from the point of view of what other industry or what other profession would have such a millstone around their neck as the Canadian Wheat Board.

We are not talking about eliminating the Canadian Wheat Board. I have people in my constituency who feel that they want to continue to use the Canadian Wheat Board, and that's fine. They should have that option. We don't understand why it is that the administration of the Canadian Wheat Board is so opposed to allowing farmers to carry on an extension of their business and market their product in the way they see fit. When you think about it, the Canadian Wheat Board has a bureaucracy that has been built up over time through this monopoly that they have, and they have all kinds of contacts throughout the world. What are they afraid of? Why would they be afraid of allowing farmers to market their own product?

Certainly, when the Canadian Wheat Board was set up, the situation was completely different. I remember that even on our own farm for years we simply produced. We took it to the gate and expected somebody else to market it. Those days have gone, and things have changed dramatically. Basically, back then, you produced and hoped there was a market for it. Farmers have

changed completely. Today they look at where there's a market and then would produce toward that market.

I just think of, like, the malting industry within, you know, the province of Alberta and the opportunity that would be afforded them if they could go to direct contract with a producer. There are a number of things, like variety, that the maltster might want. Does he want a certain type of two-row, or is it a six-row that he wants? What does he want? They could direct contract and get their varieties that they wished to malt.

I believe that, in fact, there is great opportunity if you go the extension to that and have the companies invest a lot of money in research. If they knew that they could contract the variety, I'm sure they would spend money on research, and we would see two things. We would see increased production at the farm level, and we would see added value to our products right here in the province. I think about just a few years ago when farmers were wanting to set up a pasta plant and the difficulty they had. They simply could not because of the problem with the Canadian Wheat Board being in the way.

Now, while I would like to see this 10-year experiment, there are some other problems and things that the Canadian Wheat Board, possibly by default, maybe by design, managed to get into. I'm talking there about transportation. The Kroeger report, the Estey report all said that you've got to get the Canadian Wheat Board removed from transportation. When you think about it, with the rolling stock that the railways have and the control that the Canadian Wheat Board has over that rolling stock, they can make it extremely difficult for off-board grains to move to port.

3:40

Also, of course, they can create a real problem at the port, and we saw this about four years ago, when they just simply flooded the west coast with wheat that was going absolutely nowhere. There was no home for it. It ended up being stored out there. Then when people had, like, canola that they wanted to ship, they couldn't get cars, but they also couldn't get storage out at the west coast because the terminals were plugged with wheat, just being used as a storage bin. So ships would come in; they'd maybe pick up half a load and then have to go and berth in another location. Some even had to go down to Seattle to finish their load. Well, the farmer pays for that.

So I think that when you look at the overall situation, transportation needs to be more free flow. Of course, the ideal would be if we'd have open rail so that you would even get more competition within the transportation system. Now, I know that the board would be quick to point out that they have changed some of their ways of dealing with the transportation issue, and they have looked at some contracting as opposed to the old way where they just simply allocate cars, and, I guess, credit to them, they're noticing that some of these things could in fact improve the return to the farmer.

Overall, I think that it's a slap in the face of farmers when, in fact, they can't market their own grains as they see fit and allow more added value on the prairies. We saw in the transportation, when the first off-board barley was allowed, how difficult it was for producers to get producer cars. The board simply continued to tie them up. As a consequence, the difficulty there gradually over time did evolve so that we do have a little bit freer movement, but it still is a problem, and in order for this experiment to work, we need to go that one step further.

I would certainly urge all of the members in the House to vote for this very progressive move to have the dual system.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Chair. I would like to have this opportunity to speak to Bill 207 in committee. I take it that it's 10 minutes that I have, so in that brief time I would like to make a few observations on this bill in committee and then introduce an amendment that I have ready for distribution. Perhaps I can have the amendment distributed now, while I am speaking in general about the bill.

THE DEPUTY CHAIR: If you're going to propose an amendment, it had better be circulated now. We shall refer to the amendment as amendment A1.

DR. PANNU: Okay. Mr. Chairman, I should read the amendment that I am proposing into, I think, the record. The amendment stands in the name of my colleague from Edmonton-Highlands, and it moves that Bill 207, Alberta Wheat and Barley Test Market Act, be amended in section 2(2) by adding the following after clause (b). So clause (c), which is being added, reads as follows: "the price per unit of wheat and barley sold within the test market must not be lower than the current Canadian Wheat Board price." Then, next, clause (d) reads as follows:

- Producers are required to provide information to the Canadian Wheat Board about all sales, including
- (i) units sold and purchased,
 - (ii) price per unit, and
 - (iii) the identity of the purchaser.

So, Mr. Chairman, the amendment is clearly intended to make sure that there's no conflict between the federal Wheat Board legislation and the legislation that is before us, Bill 207. In order to be sure that this conflict does not exist or prevail, the amendment is introduced to address that problem, that I see as a serious potential problem with the bill: that it may, in fact, come into conflict with the existing federal legislation and thereby become inoperable. There's no point in passing a bill in this Assembly which we know in advance is in contravention of the federal legislation and then hope that we have done the right thing by passing it in spite of that information being available to us, because that won't be the right thing to do. What we want to do is certainly make sure that with the resources of this House the debate in the House is well informed, is cognizant of the constraints within which we must bring whatever legislation we want to bring into this House and vote on it.

I have spoken in the past on this bill, Mr. Chairman, and drawn attention to the fact that just a few years ago the hon. Member for Leduc spoke passionately against a similar bill and drew attention to why it is that the bill should be defeated. Indeed, a bill very similar to this one was defeated by this very Assembly, and I do commend the efforts of the Member for Leduc, who then spoke against the bill and drew our attention, the attention of this House, to some compelling reasons why the bill should be defeated. Those reasons that he gave then are valid today.

I just want to read into the record, into the *Hansard*, some statements that we have received by way of letters, e-mails, and other communications from concerned wheat producers in this province. The first one is an e-mail that we received on the 17th of November, less than 10 days ago, from Barry and Lana Love. Barry and Lana come from Hardisty, and I will just read a short excerpt from their fairly long letter addressed to me. I quote: years ago farmers fought to establish the Canadian Wheat Board for fair pricing practices and to have a better market for their grain. Grain buyers were dictating the price according to the desperation of the farmers' need for cash to pay their mounting bills. Do we want that system back? Absolutely not. End of quote.

Then, Mr. Chairman, from another communication, that we

received from the Canadian Wheat Board, a response to a Grain Growers of Canada proposal for a parallel market. Again, I quote from the Canadian Wheat Board response: in reality, a dual market is not a sustainable structure. It would eliminate the benefits for farmers of the CWB single-desk system. End of quote. Another quote from there: in a multiple-seller environment, even at a low exemption volume, these sellers would compete away the single-desk selling premiums. End of quote. So success stories for value-added processing in western Canada are also questioned in the CWB document.

One other quotation from the National Farmers' Union submission to the House of Commons Standing Committee on Agriculture and Agri-Food:

Producers gain several advantages from orderly marketing including risk management; predictable and fair delivery opportunities; relatively stable and predictable prices; security of payment; and market development.

Another article on the dual markets in Ontario, and there is a quote from there.

The chair of the Ontario Flour Millers' Association has a blunt message for prairie grain industry players considering whether the Canadian Wheat Board should organize a trial open or dual market: "It doesn't work."

That's the quote from there, Mr. Chairman.

3:50

So there are lots of letters and phone calls and e-mails that we have received. Given that I had a very limited time, I just wanted to bring some of these concerns and positions that have been stated in those letters before this House and urge that we either vote this bill down or at least amend it so that it is in compliance with the existing federal legislation governing the Canadian Wheat Board.

The amendment, Mr. Chairman, that I have put before the House is designed to remove any potential conflict between the provisions of this bill and the existing federal legislation which governs the Canadian Wheat Board. I would therefore urge all members to support the amendment that I've just introduced, and then we can later on deal with the bill as a whole. I think it will be much improved if this amendment is voted for and added to the bill as it presently stands.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: On the amendment, the hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Chairman. Just a few comments on the amendment. The amendment takes away what the bill is proposing to do. This is a 10-year test. The Alberta Wheat and Barley Test Market Act is a test of the free market. To control the price so that it can't go below what the current selling price of the Canadian Wheat Board is is not a proper test of the free market. It flies in the face of exactly what the Member for Calgary-Mountain View is trying to show here.

The other part of the amendment is:

- (d) producers are required to provide information to the Canadian Wheat Board about all sales, including
 - (i) units sold and purchased,
 - (ii) price per unit, and
 - (iii) the identity of the purchaser.

This is something producers would have liked the Wheat Board to provide to them for years and haven't been able to get that. I would say that it would be good information for this government to have so we can have a proper comparison, not comparisons that the Canadian Wheat Board would have to be able to massage and put out as

they see fit to make themselves look good. This is information I think our government should have and that I would support our government having, not the Canadian Wheat Board. We have to have a comparison, and I don't want a comparison that the Canadian Wheat Board can have and decide on how to publish those figures.

So I would urge everybody in this House to defeat this amendment because it takes away the intent of the bill itself. Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Chairman. I'd also like to rise to speak against this amendment. Quite frankly, I'm a little shocked that someone would introduce an amendment that completely goes against the entire purpose of the bill and would defeat the intention of the bill. In calling for increasing competition, we're looking to improve the market for the poor struggling farmers out there. Clearly, opposition members do not understand the concept of competition or the intended benefits of competition. This amendment, if passed, would not allow competition at all. It calls for selling at exactly the same price and also, incredibly, to reveal all the customers, the prices paid, and the sales amounts of what an innovative new competitor would be able to do that the old monopoly could not.

I mean, imagine if 50 years ago, for example, the only person that could sell computers was the government-funded program that invented the UNIVAC, that used to fill a room. Imagine if no competition was allowed and anyone that wanted to try had to sell at the same price as that original UNIVAC cost. Imagine how different the world would be today. We wouldn't have the computer age, the information age. We would never have put a man on the moon.

In creating free markets, people have to be able to innovate, and this amendment just absolutely prevents that. Imagine starting a small business. I can just imagine the hon. member opposite starting a small business, trying to compete against a huge monopoly corporation and having to turn his customer list over to them with the prices that he negotiated with them and expecting to survive as a small business. I mean, I just can't believe that this would even be proposed, frankly, Mr. Chairman, so I'd urge all members of this side of the House to defeat the amendment.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I'd like to respond to some of the comments of the hon. member. It's clear to me from the comments of that hon. member, also representing an urban municipality, I might point out, that the intention of the bill is to lower prices that the farmers receive. He said it himself right here: suppose somebody comes along and can beat the price and offer the grain for a lower price; what a wonderful thing that will be and will help us put a man on the moon and all sorts of other wonderful things. But it seems to me that there may be a few producers who can undercut the overall price that farmers receive for their grain. There may be some big producers, perhaps the brewing industry, that would like to have an opportunity to lower their input cost. Who will suffer? Who will suffer if this bill is passed? The small family farmer is the one that will suffer.

THE DEPUTY CHAIR: I hesitate to interrupt the hon. Member for Edmonton-Highlands, but under Standing Order 8(5)(a)(ii) and 8(5)(b), which states that all questions must be decided to conclude debate on a private member's public bill which has received 120

minutes of debate in Committee of the Whole, I must now put the following questions to conclude debate.

[Motion on amendment A1 lost]

[The clauses of Bill 207 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

[Several members rose calling for a division. The division bell was rung at 3:59 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Shariff in the chair]

For the motion:

Abbott	Horner	Melchin
Ady	Jablonski	Norris
Broda	Johnson	Ouellette
Cao	Jonson	Renner
Cenaiko	Lord	Snelgrove
Coutts	Lougheed	Stelmach
Evans	Lukaszuk	Stevens
Forsyth	Lund	Strang
Friedel	Marz	Tarchuk
Goudreau	Masyk	Taylor
Haley	McClellan	VanderBurg
Herard	McClelland	Vandermeer
Hlady	McFarland	Zwozdesky

4:10

Against the motion:

Bonner	Mason	Taft
Carlson	Pannu	
Totals:	For – 39	Against – 5

[The request to report Bill 207 carried]

THE DEPUTY CHAIR: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would move that the committee now rise and report.

[Motion carried]

[Mr. Shariff in the chair]

THE ACTING SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 207. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

head: **Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

Bill 208

Fiscal Stability Fund Calculation Act

THE ACTING SPEAKER: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Speaker. Just a chance to talk at the introduction of Bill 208. I'd like to move second reading of it.

The idea behind this bill was to have the government look into the process that would be available through our fiscal planning if we were to look at the idea of having stability and stability funds as part of the budgeting process. The bill, in effect, would allow for a test of whether or not the kind of process that we need would be available for, you know, giving us that stability, and it would also allow us to look at different structural components and structural ways to put together that stability fund.

The idea would be that if we looked at historical data, the fluctuations that occur mostly in that revenue, to look at it and pull together some of the ideas that would be – I guess what it would do, Mr. Speaker, is really give us a chance to look at the amount of money that we could save both in terms of giving predictability to those expenditure patterns and also give us a sense of how much we need to put into that stability fund. By doing these simulations on it, over time you'd be able to look at the degree to which any kind of fluctuation would be able to be met by stability funds of different levels or different funding plans that would go into them, the idea being that, in effect, we'd want to look at that.

Now, Mr. Speaker, what we end up doing is basically talking about the idea that if we could put in place this kind of a stability fund, whether it was tied to both the infrastructure components or just the social programs, this would also be able to be brought forward. You're well aware of the fact that for years now the Official Opposition has been proposing the use of a stability fund along with their budgeting practices for the Legislature, and we've basically introduced this kind of legislation on two previous occasions, and then this one was basically to ask the government to look and see whether or not those kinds of stability processes would contribute to our budgeting process.

It was interesting that in the last budget after we had submitted these bills, you know, the financial review commission was out there talking about how stability could be brought to the process of budgeting for the Legislature and for the province, but what it in effect did was it also looked at the idea of using the heritage fund as that stability fund and the issues that came up associated with that in terms of how dollars could be transferred back and forth. The end result was that the financial review commission chose to recommend that all dollars be put into the heritage fund from the natural resource revenues, and then they would be allowed to in effect take out 3 and a half billion dollars to put it into the general revenue. Anything else would be there as a stability, and then that would get added to the heritage fund.

I guess the issue there and the process that we've got here would allow us to look at how we can deal with determining whether or not that heritage fund would have grown or would have been enough to sustain over the long run with that 3 and a half billion dollar transfer

out. What we've been talking about as the Official Opposition in recommending would be that, in effect, the dollars that would go into general revenue wouldn't be designated as a specific hard number amount, the 3 and half billion that the financial commission recommended, but would be calculated on a moving average so that you could reflect the changes that occur in terms of the overview and the process of getting those kinds of numbers generated.

The main focus would be that by doing this calculation we could see whether or not a hard number, 3 and a half billion dollars, or a moving average or maybe possibly even some other mechanism for funding that stability fund would really work and provide us with the proper operation of this fund in the sense that it would be sustainable, it would be big enough to carry us through a couple of years of down, below average revenue, but it would also, then, give us a sense of, if it was getting to be too big: what do we need to do with it in terms of the surplus revenues that are accumulating there? That would have been one of the advantages of using the heritage fund because it would have just automatically been there for the future. But if we were going to deal with the focus that was on, you know, the magnitude of a single separate fund, we'd have to know whether or not we would have the dollars that were in it that we could put into it in terms of the focus that would have to come out of providing that stability.

4:20

I guess, you know, one of the things that we wanted to achieve by asking for this kind of a calculation was, in a sense, to test these numbers of options that I've talked about, to force a strong look at what were alternative ways of bringing stability, what kind of partnering we could do between the general revenue fund, kind of the social expenditure part of it, and some of the other parts. Should we include the total value of the budget, the approximate \$20 billion that we've got in it now, or should we include only those parts that are truly associated with particular different aspects? The programs that we've talked about and that we've tried to put forward for you really show that we would like to see the entire budget as part of the component that deals with stability rather than just looking at the issue of how to approach it from the point of view of separate parts of the budget. If we could put in the whole budget, then we wouldn't have to deal with any of the other aspects.

But as I talk about that, the thing that's really critical to recognize here is that this kind of stability and this kind of management of the budget is only good and only works if we do have, in effect, a sustainable budget to start with. What we've seen is a lot of processes that are coming out now by the government where they're dealing with the financial deficit of the province and transferring that off into other deficits and other aspects where we've got infrastructure deficits, we've got local government deficits, we've got authority deficits that, in effect, don't show up as part of the financial deficit. So if we look at it from the point of view of what is the true provincial budget that we want to make sure that the stability fund covers, we've got to make sure that it includes all of those expenditure parts and all of those issue parts that have to deal with the focus of the calculation that we're wanting the minister to go through on this so that we can make sure that, in effect, we have been able to show the functional part of it.

You know, Mr. Speaker, it would have been interesting to have seen the kinds of calculations that the financial review commission went through in order to determine the \$3.5 billion transfer from the heritage fund into general revenues and also how they came up with the rationalization for the fact that they were going to in effect put all of the resource revenues into the heritage fund to start with instead of accounting them separately and accounting them in a way

that the process, you know, in terms of getting those kinds of calculations, truly put in place.

Now, if we look at some of the discussions that the financial review commission had on this process and when I made my presentation to them, it's quite interesting. That was the way they looked at what was the mandate both of provincial budgeting and the review commission in bringing together the ideas that were necessary to deal with the stability that comes up as part of that kind of process. And, you know, the second spin-off that we see on this now is the heritage fund consultation. When the process of the financial review commission was being looked at, there was public feedback that said: we didn't want to see the use of the heritage fund for that stability function. Yet now in this consultation it's coming up again. But if we do that and tie the two funds together, what we run into are some real issues about how we, in effect, bring about the proper and independent mandates that exist for those funds.

You know, you could see in the way it was working that there was a lot of opportunity for the heritage fund to become too readily available for alternative uses. If we started doing these kinds of simulations that would look at the different ways that we could use it and the different ways that we could bring stability to the budgeting process, then, in effect, that's what we were trying to ask that the government undertake through this study that would show all of the different aspects. It would have been interesting, as I said, to see how the financial review commission actually went about doing that, and it would be, I guess, appropriate to ask the Minister of Finance to provide this Legislature with a sense of how that kind of process was followed. You know, how did they come up with those numbers? What kinds of confidence intervals were they looking at? What kinds of probabilities of being able to sustain their budget did they work with?

The focus that we wanted to look at here was how well it could work and how well it could provide all of these functions. You know, the main thing, too, is: how do we put together that full budget? As I mentioned a few minutes ago: do we have sustainable infrastructure built into the current budget? Also, do we have a process where we can in effect bring about some kind of aggregate level of probabilities that are associated with trying to get those calculations made about it to bring that into place? The main thing is that we go through this calculation, we provide some public viability and public justification for both the magnitude of a stability fund and the proper operation of that fund.

Mr. Speaker, I guess that was the kind of process that we wanted to see accomplished here. We need to, you know, look at whether or not it still would be useful to have that kind of information provided to the public. Then we can go about saying, "Yes, the idea of a stability fund will work," and we've got the background data to provide to Albertans to in effect make sure that they can be confident that we're managing their budgets properly.

With that, Mr. Speaker, I'll allow other people in the Legislature to have some comments. Thank you.

THE ACTING SPEAKER: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Speaker, for the opportunity to rise today and speak to Bill 208, the Fiscal Stability Fund Calculation Act. This bill is premised on the idea that, one, the government is not prepared to deal with unexpected declines in revenue and, two, that any reduction in social program funding and other expenditures is unacceptable.

On both points, Mr. Speaker, this bill is simply wrong in its assumptions. The tragic events of last year proved that this government is both fiscally prudent but also flexible in its response to

unforeseen circumstances that affect the budget. The hon. Minister of Finance when introducing last year's budget indicated that budgets are not about pinning hopes on forecasts; they're about acting responsibly. And act responsibly she did. The minister followed through on her words with a clear picture of Alberta's fiscal position with the first-quarter update. When the update showed that revenues were declining and that the situation required diligent monitoring, the minister firmly cautioned that the government must stick to its commitment of fiscal responsibility, that we must be cautious and realistic with future expectations.

4:30

The quarterly update process helped this province respond swiftly to a changing situation. Exactly two weeks later the horrors of September 11 unfolded, and an already weakening world economy was thrown into unstable times. Days after those events the hon. Premier and the minister announced corrective actions to preserve Alberta's fiscal position and expenditures responsibly. The results of those actions, which included a hiring freeze and then a cross-government budgetary lapse of 1 percent, helped to keep Alberta's books in the black.

In fact, on the whole, for the 2001-2002 fiscal year the government was able to balance the budget for the eighth consecutive year, repay a portion of the debt, provide \$3 billion to address infrastructure requirements, and increase spending for priority areas, all of this, Mr. Speaker, in spite of \$646 million in lower than expected revenues.

Bill 208's premise that the government is not prepared to deal with unexpected declines in revenue clearly does not hold. It is important to note that, in particular, Health spending increased by 14 and a half percent over the previous year and Learning received a 21.4 percent increase which included capital grants. This money was used to upgrade and construct health facilities and equipment, recruit physicians, and increase funding for MRIs. Learning used its money to increase operating grants to institutions; upgrade, expand, and construct educational facilities; and create new entry spaces in key degrees and apprenticeships.

But the real success story, Mr. Speaker, is that despite a 44 percent drop in resource revenues and an unstable economy this government was able to respond prudently and not at the expense of priorities important to all Albertans. Throughout the downturn in the economy Albertans were able to continue to receive world-class health and educational services. Important infrastructure projects did proceed, albeit at a slower pace. In essence, the impact to Albertans' daily lives was kept to a minimum, and despite Bill 208 and opposition beliefs to the contrary government continued serving Albertans. That is responsible leadership. That is what the people of this province expect, and that is what the people of this province received. All of this occurred in a turbulent year of unknowns. This record of achievement stands in stark contrast to opposition claims and the principle behind Bill 208 that somehow the government's failure to use smart fiscal tools caused essential programs such as education and children's services to suffer.

Realignments need to happen, Mr. Speaker. It was because of the government's diligence that they were able to respond to the circumstances of the situation. Prudent action was taken. The priorities and goals of the budget and Albertans were maintained, and the financial books of this province are better for it.

Past successes do not mean, however, that we should not necessarily look for new ways to do things in government. The continual review of Alberta's fiscal framework is an ongoing process that looks towards the future to provide innovation and excellence. The Minister of Revenue is currently reviewing the heritage savings trust

fund, and the Minister of Finance over the summer announced the results of a review of our fiscal and accounting policies to ensure Alberta remains a leader in fiscal planning.

This bill, that requires the Minister of Finance to research and report to the Legislature on certain paths not taken, serves no useful purpose. Decisions have to be made with the best information on that day. A report such as the one proposed in this bill would not add to the public discourse on the future of this province. Albertans are forward-looking people and generally not prone to second-guess themselves. One has to wonder, Mr. Speaker: what would hon. members across the way do with this report besides point out that special interest groups had not received enough money? One has to wonder what is the point of a report that asks a hypothetical question such as: what would you have done with a billion dollars? One has to wonder if the assumptions and wishful thinking that are evident in this bill are more appropriate for the horoscope section of the local paper rather than for a serious discussion on the fiscal future of this province.

Clearly, Mr. Speaker, the fiscal policies of this government were able to positively respond to negative economic forces of the past. As I have previously said, we want to make sure we remain on the right track to be able to respond to these sorts of situations in the future.

Through this year's review by the Financial Review Commission this government was able to examine the fiscal policies that have brought us so much success and recommend new ideas and ways to ensure Alberta's fiscal position well into the future. One of the recommendations of the commission called for the establishment of a stability fund, a fund that would help to stabilize the impact of volatile resource revenues on the provincial budget and a fund that would help the province in case of emergencies or disasters. It is important to note, Mr. Speaker, that according to the Financial Review Commission all natural resource revenues will be deposited into the stability fund while a set amount of money will be transferred from the fund to go towards general program spending. The only time the set amount can be exceeded will be in the cases of emergencies or disasters or when there are in-year declines in other revenues.

Conversely, when looking through the bill before us, it seems that the hon. member would have the government transfer money from such a fund at the drop of a hat to protect the sustainability of social programs. What one does not find when reading through this bill is an indication of which social programs or other expenditures the government would protect in times of economic turbulence. Mr. Speaker, Bill 208 does not answer this question because it does not want to. This bill does not define what is essential or a priority to government because some hon. members believe that every program and every expenditure is beyond review no matter what the fiscal reality may be.

For some members in this House no matter how much this government increases funding, it will never be enough. Funding issues are always an emergency or a disaster waiting to happen. With that sort of stability fund as envisioned by this bill, members would be tying the hands of government to find efficiencies and new ways of delivering services while also opening the government up to every interest and lobby group not satisfied that their area of interest is receiving enough support from the taxpayers of Alberta.

I believe that the taxpayers of this province, who ultimately must fund every expenditure, deserve better. I'm confident that the government through the next several months will deliver a stability fund that is designed to stabilize revenues rather than stabilize spending sprees. Mr. Speaker, the government has spent the last 10 years putting Alberta's fiscal house back in order, and they are not about to turn their backs on that hard work.

I would encourage all hon. members to vote against this bill and wait for the realities and successes of the government's new fund to take shape. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to stand and support Bill 208, the Fiscal Stability Fund Calculation Act. It's too bad the Member for Dunvegan didn't read the bill and hasn't been listening to his own Premier, because in fact they have had a great deal of talk about putting in place the stability fund, another good idea that they've taken from us. It will be interesting to see how they implement it over the next few months and how we see it come down into the next budget year.

In fact, a stability fund is a really good idea. We know that because the Premier has been saying that. It'll be interesting to see if he will prepare a report on finances to talk about how it can be put in place or whether he'll just do another money grab from the heritage savings trust fund, which we don't think provides the kind of solution to the instability in program funding that we've been facing in this province for many decades but particularly how we've seen them put in place over the past decade that the Premier has been in power.

Mr. Speaker, it is with very good intent that we take a look at how do we merge and implement the processes that the Premier has put in place with the kind of legislation that we are suggesting to be brought forward. So with that in mind and with the full support of the Leader of the Official Opposition, whose bill this is, and our caucus I propose to bring forward an amendment at this time. The Leader of the Official Opposition would like to have brought forward the amendment himself but can't bring forward two at the same time when he's speaking to his bill. So I will be moving that the motion for second reading of Bill 208 be amended by deleting all the words after "That" and substituting the following: "Bill 208, Fiscal Stability Fund Calculation Act, be not now read a second time but that it be read a second time this day six months hence."

I'll wait for the distribution.

4:40

THE ACTING SPEAKER: Hon. Member for Edmonton-Ellerslie, the amendment, I believe, has not been circulated as yet. Has it at least been provided to the table officers?

MS CARLSON: Yes. It has been approved with a minor adjustment.

THE ACTING SPEAKER: Okay. I see that the pages have it. Please circulate those amendments. I believe this is a hoist amendment.

MS CARLSON: Yes, it is.

So, Mr. Speaker, it is with great interest that we await what unfolds before the next six months, to see how the government, in fact, does implement the stability fund. At that point, if we support the stability fund as implemented by the Premier of this province, then there won't be any need to continue on with this bill. In fact, this bill has so far accomplished its intent; that is, to in a serious and a significant way bring forward an issue that is of extreme importance to this province. So in the best interest of the House and not wanting to waste any of the valuable time that could be devoted to other bills given the context that we're in, I support this particular amendment.

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I'm pleased to have the opportunity to rise today and speak to the amendment to Bill 208, the Fiscal Stability Fund Calculation Act, as introduced by the hon. Member for Edmonton-Ellerslie in regard to the bill from the hon. Member for Lethbridge-East, who, I might add, I'm very pleased to see in attendance again today, having been greatly missed.

THE ACTING SPEAKER: Hon. Member for Calgary-Currie, it is customary for us not to make reference about people's attendance in the Assembly.

MR. LORD: I apologize for that, Mr. Speaker, and withdraw that remark.

In any case, regarding Bill 208 and the amendment being proposed to debate it six months hence or deal with it today, there are always good arguments on both sides or on even more sides of every issue that comes before the government. In fact, no one has a monopoly on predicting the future or predicting what the outcomes of any particular course of action may be. So it comes as no surprise that this particular issue has many people in favour and many people against. Even at that, opinions may well change back and forth in the future depending on what the current situation becomes.

THE ACTING SPEAKER: Hon. Member for Edmonton-Ellerslie, are you rising on a point of order?

Point of Order Relevance

MS CARLSON: I am, Mr. Speaker. I draw the member's attention to Standing Order 23. We are on the amendment. I expect that member to speak to the hoist specifically. If you look at 23(a) and (b), he is not relevant.

THE ACTING SPEAKER: On the point of order, the Member for Calgary-Currie.

MR. LORD: On the point of order, Mr. Speaker. I am speaking to the amendment. I clearly said that in my opening sentence and was just about to refer to it again when the hon. member opposite stood up.

THE ACTING SPEAKER: I hope that resolves the clarification.

The chair will recognize the Member for Calgary-Currie to continue.

Debate Continued

MR. LORD: Thank you, Mr. Speaker. As I was mentioning in debating this amendment and whether we should deal with it today or six months hence, regarding Bill 208 I was going to say that it isn't even just the legislation that is the only variable here. It is, in fact, people who are applying the legislation which often makes the difference on the success or failure of any particular bill the government puts forward. This, of course, clouds the issues even further sometimes. However, I would say that in my own personal opinion, after careful deliberation of the expected outcomes of this amendment as it applies to Bill 208 as proposed, while I find some of the goals of Bill 208 to have some merit, I have no doubt that this amendment would not be helpful at all and that we should, in fact, deal with this bill today, a bill that I believe does have some merit. While I have no doubt that it appeals to a great many Albertans who

have considered it or may even expect it to have some benefit, I find I am unable to support the overall idea of the bill and amendment before us. I believe that we should deal with it today.

A stabilization fund for capital purposes only may be a very good idea, but a stabilization fund dealing with operating deficits and operating expenses, I think, is not something that we should proceed with or wait around six months to deal with. There is little reason in my mind, in fact, to see this bill move forward for approval, and thus we should defeat the amendment and, subsequently, the bill.

However, just for the sake of argument, Mr. Speaker, let us assume that we didn't do that and that the Legislature were to move this bill forward and eventually establish a large general fund in the manner proposed. In doing so, proponents claim that Albertans would greatly benefit by having the fund provide for and serve as a cushion in times of serious economic downturn. Frankly, isn't that what the already established heritage trust fund is for? Do we really need to deal with this amendment or the bill? At first glance it does seem reasonable to conclude that another proposed fiscal stability fund would offer even further government department insulation or, if you will, protection in cases of downturn in the revenues coming to government and that thus it would, presumably, provide for even further stabilization and approved predictability from year to year. There's certainly a solid argument to be made that this may be a good thing in many ways. In fact, the hon. member opposite should be congratulated for his initiative in bringing this forward.

My concern, Mr. Speaker, is that such a fund, in providing increased stability, if implemented incorrectly and especially if implemented in a manner which applies not just to capital expenses but also allows for operating deficits – my fear is that it might provide increased protection and insulation from having to take the hard corrective measures and useful budget reductions that might have provided even more benefits than stabilized revenues might.

It might seem a counterintuitive argument, not easily understood, but to use an analogy, think about a forest in which there has never been a forest fire. Think about all that deadwood that accumulates and all that tangled underbrush, which is never cleared out, and how it starts to choke off the life in the forest, especially new life. We used to think that all forest fires were bad, but we now know that this is not always the case, that the occasional fire going through might actually be a good thing in terms of rejuvenation and clearing out all that deadwood and tangled underbrush and so on. This is very important to allow new growth to sprout instead of always being overshadowed and killed off by the status quo deadwood.

Now, doesn't the occasional funding crisis in government budgeting also create a not dissimilar process, as does a forest fire, in that large tangled growth of government spending, bureaucracy, and the status quo? A budget crisis has a way of just cutting through all that obstructionist process aimed at stalling cutbacks, protecting turf, and maintaining status quo, which is what the amendment before us would promote. It does; doesn't it? We're all too familiar with that process.

So let's weigh the benefits of total stability in our budgeting process versus the drawbacks and what effect the amendment before us would have on that. As its name suggests, a fiscal stability fund, like the one that Bill 208 suggests we study, would offer, at least in the short term, budgetary stability. It would be there to fill in the gaps in times when the regular budget, due to an unexpected decrease in oil and gas revenues, for instance, wouldn't let us quite do what we have been accustomed to doing and would like to do, yet things are not serious enough to draw upon the heritage savings fund. A fiscal stability fund would at such a time perhaps enable us to maintain all our current programs at customary levels, albeit at an operating deficit.

4:50

With an economy as cyclical and resource driven as Alberta's, it is certainly true that we are familiar with how revenue shortfalls can have a negative impact on a variety of key government priorities, including health and education. However, Mr. Speaker, the resources of a fiscal stability fund in times of economic stagnation could be used to offset the loss of revenues and thereby allow many good programs to continue completely unaffected. However, it could also allow stale-dated, obsolete, and expensive government programs to remain unaffected as well, programs that could and should have been cut off a long time ago, but they continue unabated, unaddressed, and unaccountable since there is no great pressure to change. The deadwood starts to pile up, and over time there can be a lot of deadwood in a hurry because it's always easier, more politically polite, and just plain friendlier an approach to never have to give people who are enjoying the status quo any bad news. No one likes to give people bad news, and those who have become dependent and accustomed to the status quo certainly don't want to hear about any bad news or changes being made either. So the tendency definitely leans toward no one ever making those tough decisions.

At the same time, there are always many voices calling for new programs. The tendency when money is more plentiful is to just add them as well, so those expenditures get built into the base. When money gets tight again and deficits start to soar, we know, scientifically, from studying the stock market and other human decision-making processes, that people always tend to err on the side of optimism, hoping for a better day tomorrow. So everyone drags out the tough decisions, avoids the bad news much longer than they really should, hoping that the money will come back soon, tomorrow hopefully, but when it doesn't, pretty soon you now have a really big problem.

In spite of how positive a completely stabilized funding program may seem at first impression and despite the idea of this amendment before us promoting that, Mr. Speaker, I firmly believe that Bill 208 would cause more harm than it would do good, and the amendment would do the same, especially if such a fund became a target for lobbyists and those who have not shown fiscal restraint ability in the past. For those who don't believe this would happen, I'm sure that even many members of this Assembly have some very vivid memories of having to make a lot of tough calls already in terms of prioritizing and trimming programs. Members will recall, I'm sure, how doing so is always fraught with difficulty, full of contention, generally a very unpleasant task, that many would prefer to avoid, especially when it came to implementing necessary cuts.

Currently the job is already tough enough, Mr. Speaker, with so many expensive programs considered important or essential to Albertans, and taking away that honest defence that there's just not enough money coming in makes it all the worse. Again, in referring to this amendment and the problems that it would create, I'm concerned that a large general fiscal stability fund would lead to temptation within departments to spend what they cannot afford as well as lead to complacency and also be subject to much demand. I am concerned that with a large general fiscal stability fund it may seem unnecessary to some to always have to live within our means. I am concerned that the existence of a large fund of this type, allowing for operating deficits, may lead us to postpone making the tough, necessary decisions that would be better done sooner than later.

I come to this viewpoint honestly, Mr. Speaker, not through theoretical intellectualizing but by practical experience. As a small business entrepreneur during virtually my whole working life, I know how difficult it can be to determine what you can afford to

spend or plan to spend over the next year without a predictable revenue stream to work with. Setting priorities cannot only be difficult; it can also be wrong very quickly.

With that, I'll conclude my speech, Mr. Speaker, and thank you for this opportunity to speak to the amendment.

THE ACTING SPEAKER: On the hoist amendment, the hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. On the amendment to the Fiscal Stability Fund Calculation Act as presented, I will not centre on an idea of a fiscal stability fund, which is what the member across the way would like us to believe this bill calls for. Besides, the government's own fiscal management commission has already called for a fiscal stability fund to be enacted. As such, postponing six months hence, as the amendment calls for, does not have any reason or logic to even have an amendment. Instead, I will focus on what the bill really asks for: a study with flawless premises that would produce equally flawless . . .

MS CARLSON: Mr. Speaker, a point of order. He can't do that.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie is rising on a point of order.

**Point of Order
Relevance**

MS CARLSON: Once again, Standing Order 23, Mr. Speaker, specifically 23(b). Could you please advise the member that he has to speak to the hoist, not to the original bill, as he just indicated he wanted to do?

THE ACTING SPEAKER: The hon. Member for Redwater on the point of order.

MR. BRODA: On the point of order, Mr. Speaker. As I indicated in my opening remarks, it is on the amendment. I have to have a flow-through to the bill as well, and without doing that . . .

AN HON. MEMBER: Flow through all you want.

MR. BRODA: I can flow through on the amendment. Thank you, Mr. Speaker.

THE ACTING SPEAKER: Are you done with the point of order?

MR. BRODA: Yes, I am, sir.

THE ACTING SPEAKER: Anybody else wishing to speak on the point of order?

The chair has heard this argument. As you all know, a hoist amendment is a wide-ranging debate, and there is some flexibility to include matters that impact the bill and particularly the hoist issue.

So the chair now recognizes the Member for Redwater.

Debate Continued

MR. BRODA: Thank you, Mr. Speaker. Bill 208, referring to it, does not ask for a fiscal stability fund. It only calls upon the government to create a report which would determine how a fiscal stability fund would stabilize the position of the government, protect social programs, and improve the long-term planning of the government. So to say that we're going to amend and postpone it

for six months hence, I don't know what changes could be made to the bill that would be so important to advance it six months hence.

Using an analogy that if \$1 billion were put into a fund starting in 2000-2001, there's the pie in the sky, Mr. Speaker. To me the whole exercise seems a little pointless. One billion dollars was not put into the fund in 2000-2001, so asking Finance officials to prepare a report based solely on a hypothetical premise seems to be a waste of their time. After all, they are hard at work, doing what they do. As indicated earlier, to have an amendment to postpone it henceforward does not make any sense to me, Mr. Speaker.

If I may be blunt, I'm not sure that there is a case to be made that this government is remiss in any of the areas that this report would address. To start, let's take a moment to consider the long-term planning of this government. When this government committed itself to reining in social spending and eliminating the yearly deficit and overall debt, we said that we wanted to be debt free by the year 2025. We also wanted to ensure that our social programs were always adequately funded. Now, it's not 2005, but we are years ahead in eliminating the debt and are on track to make Alberta the first and only debt-free jurisdiction in Canada. If that doesn't count as first-rate, long-term planning, Mr. Speaker, I don't know what does. So as I indicated earlier, to advance it six months hence has no relevance here. Let's deal with the bill itself rather than amending it.

We are, therefore, a forward-looking government. Every budget we produce, every decision we make has everything to do with what is best for Albertans now and in the future. This is what the creation of the Financial Management Commission was all about, Mr. Speaker.

That brings me to social spending, Mr. Speaker. Bill 208 seems to be based on a supposition that social spending in Alberta is inadequate. It is true that there is always a program or service that some people think ought to be provided by government but isn't. This is true on both sides of the House. The beauty of the legislative debate is that we can all bring these concerns and causes to the table and reach a compromise that is mindful of the interests and desires of all Albertans.

On the amendment, Mr. Speaker, many times I've indicated that I don't see any relevance to moving it six months hence. Inevitably, however, we have come to the conclusion that the government's role in social matters isn't to be all things for all people. Our role is to help those in need; as our Premier has indicated many times, a hand up, not a handout. Sometimes this means that the government should test their own programs, and often it means revising and discontinuing a program if the program isn't achieving the objectives it had intended to.

5:00

Now, Mr. Speaker, it's true that some of the policy innovation takes place in the years when the province's revenues are greater, and we can attribute that to the fact that the government is able to top up social spending in those years. This is not to suggest that the spending in other years is lax. Study by study shows that Alberta routinely ranks as a province with one of the highest financial social systems in Confederation. Given this, it always amazes me when claims are made that we're letting programs deteriorate all over the place. I ask: "How much do we have to spend? How much do we have to tax?" Instead of just looking at the amount of money spent, why don't we keep doing what the government has always done, look at the ways it is spent and ensure that the priorities of Albertans are met?

Mr. Speaker, Albertans have indicated that Health and Wellness and Learning are their top priorities. They want to ensure that we

have a healthy, capable, and intelligent population not just because it would help our economy but because these are essential components of a good life. We responded to these priorities. Learning budgets increased to \$4.2 billion in 2000-2001 and to \$4.7 billion in 2002-03. Over the same time, Health and Wellness budgets have increased from \$5.6 billion to \$6.8 billion. With our response to the Mazankowski report we've indicated that we're not just going to throw money at the problems in health care but work to make the system more efficient and more effective.

We want to ensure that Albertans get the best service for every dollar the government collects. That's our goal; we work hard every day to achieve it, and we achieve these goals in a responsible manner, Mr. Speaker. This government will take the road that best suits Albertans. We will do it with their input, and we will do it with a view to providing the best government possible. This is what we've always done.

So, Mr. Speaker, on the amendment, again, I believe that this government has set a lot of priorities for Albertans, and I think we've done a lot in the right direction.

DR. TAYLOR: That's why there are 74 of us.

MR. BRODA: That's why there are 74 of us.

Six months down the road when we bring this to second reading, if that's the wish of everyone, I don't think much is going to change. Again, Mr. Speaker, we don't need a study to tell us what we've been doing right. We don't need a bill like Bill 208, which doesn't actually call for anything effective but merely trades on outdated notions of how to best spend our way out of problems.

So I do not support the bill, nor do I support the motion. Thank you.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is a pleasure to join debate on amendment A1 of Bill 208, the Fiscal Stability Fund Calculation Act. First of all, I would like to commend the Member for Lethbridge-East for bringing this bill forward, and secondly, I am downright puzzled as to why the hon. Member for Edmonton-Ellerslie would propose to amend this bill with a hoist motion. Now, I am going to support this amendment; however, I must first comment on my thoughts toward the bill itself to back up my position on the amendment.

Albertans appreciate the necessity of sound fiscal management, and that is why the Financial Management Commission was created by my government to investigate manageable, realistic solutions for growing funding pressures. The commission recommended that a sustainability or, if you will, stabilization fund be created to provide stable and predictable funding to general revenues. But a made-in-Alberta stability fund would only be one part of a bigger plan to soften the blow from volatile oil and gas prices. A stabilization fund could also help finance government programs when natural resource revenues are not so plentiful.

As the Member for Drayton Valley-Calmar I see the oil patch in action every day, Mr. Speaker. I see the ups and the downs. I'm sure that all members in this House are aware that oil prices and, therefore, oil revenues are unpredictable. This means that actual revenues often differ greatly from budget projections, which in the case of shortfalls requires fiscal adjustment or financing. It is believed that stabilization funds aim to solve the problem of unpredictable revenues. When revenues are high, money would be channeled from the budget to the stabilization fund. When revenues

dip below the budget forecast, like we saw last year, the stabilization fund could finance the shortfall. This would stabilize budgetary revenue and thus budgetary expenditure.

Now, every member in this Assembly is aware of the importance that Albertans place on fiscal responsibility, a term that means different things to different people. In the early '90s fiscal responsibility meant balancing the government books, trimming the fat, and eliminating the provincial deficit. As the deficit was eliminated by my government, fiscal responsibility meant readdressing areas most affected by budget restraint while maintaining a commitment to pay down the provincial debt.

Now Albertans see the elimination of the provincial debt as an achievable goal, nine years ahead of the legislated debt schedule. Nine years. Right on. Once again the definition of fiscal responsibility must be altered with the changing financial picture that we face. While other governments are forced to run deficits, Alberta Finance forecasts Alberta's GDP to grow by 2.3 percent in 2002 and 3.5 percent in 2003. This success is due in large part to the government's efforts to create a responsible budget process.

The Department of Finance established the Financial Management Commission to assess the current fiscal climate and provide recommendations to ensure financial security in the future. This past September the Alberta government accepted most of the recommendations from the commission, all of which play an important role in improving financial management in Alberta. The commission proposed a sustainability fund to help reduce the impact of volatile resource revenues on the province's budget and to manage the orderly pay-down of existing debt as it comes due. The fund would also address the backlog of deferred capital projects in the short term. Finally, Alberta's sustainability fund would serve as a transition to the time when resource revenues decline.

Mr. Speaker, the Financial Management Commission was a success because they made sure to stay away from simply addressing issues of the day. Their review of how this government finances our programs built on the success of the current system and looked at effective strategies to sustain those programs in the future. The commission also made important recommendations that will improve long-term planning for government departments.

I strongly believe that all constructive ideas should be debated in this House. We must be careful to ensure that only the most effective and productive initiatives are implemented to ensure Alberta's financial stability. It has been stated often that Alberta does not have a problem with revenues; rather, our problem is with expenditures. This government, along with Albertans, has worked very hard to diversify the economy, yet this province still relies heavily on oil and gas revenue to finance social programs. We've learned that Alberta can enjoy the benefits of high oil and gas revenues as long as we are prepared for the prices to drop.

Now, the past decade has proven that the Alberta government will do what is necessary to improve our financial performance. This Assembly has supported some incredible legislation that has surpassed expectations. I think one of the brightest lights in the recent history of Alberta's financial diligence was the passing of the Fiscal Responsibility Act. That act required Alberta to pay down the province's debt over a 25-year period and included five-year milestones to ensure that the goal is being attained. Because of this act Alberta aggressively paid off a large part of the debt. This, in turn, allowed us to take advantage of the money saved from financing the debt, some \$700 million to \$800 million annually, and address critical health care and education issues.

5:10

I'm also proud of the Government Accountability Act, which made each department prepare a three-year business plan available for public review. This act ensured that Albertans could access the

financial picture of any government department. The business planning and performance measurement processes also allow the government to continually identify core businesses of government, to prioritize the use of limited resources, and to make plans based on expected results.

The Financial Management Commission builds on the success of this legislation. Recommendation 13, for example, suggests that the current business planning process should be strengthened by requiring all government ministries, organizations and agencies to focus on measuring their decisions against strategic goals linked to the government's strategic [business] plan.

This recommendation is logical, and it's easy to implement. It will strengthen the long-range planning process.

Mr. Speaker, Bill 208 underestimates the work that this government has done to address the realities of Alberta's volatile economy, which is why I'm going to support this amendment. This government will remain on the right track and maintain a responsible approach to fiscal management. Again, that's why we had a Financial Management Commission in the first place. Over the past decade the Alberta government has been much more aggressive than other jurisdictions when it comes to fiscal management. Simply providing more money will never solve issues related to health, education, and the well-being of children. This government focuses on the long-term future and sustainability of Alberta, exercising fiscal restraint when oil prices are high, properly presenting issues to this House and to the public, and exploring conservative ways of preserving provincial funding in the often stormy oil and gas industries.

I believe that the Financial Management Commission provided important recommendations far above the traditional, problematic rainy day funds used in other jurisdictions. Fiscal stability funds are very popular in other countries and in the U.S.; however, Alberta has very few similarities to these jurisdictions, especially when it comes to the dynamics of its economy and this government's attitude toward public debt. While a rainy day fund has enjoyed success in some jurisdictions with moderate revenue fluctuations, we all know that Alberta experiences rapid and dramatic revenue peaks and valleys. Therefore, a stabilization fund would work in Alberta as long as it remained part of the larger plan rather than a stand-alone solution. That larger plan was written by the FMC and accepted by this government.

The stabilization fund proposed by the hon. Member for Lethbridge-East would therefore be redundant because of work done by the Financial Management Commission. This government has already accepted those recommendations to look at a new way of stabilizing and sustaining our revenues. Albertans have told us to find ways to ensure that government programs are sustainable while keeping the taxes the lowest in the land.

Now, another study, Mr. Speaker, a hypothetical study as suggested in Bill 208, will not help this government accomplish our goals. Therefore, I must support the amendment to Bill 208, and I hope that my colleagues will support it also.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Rutherford on the hoist motion.

MR. McCLELLAND: Thank you very much, Mr. Speaker. May I first commend the Member for Lethbridge-East for bringing Bill 208 forward, and may I also commend the wisdom of the hon. Member for Edmonton-Ellerslie for hoisting the motion this afternoon. It's sometimes very, very difficult for the opposition to read the writing on the wall because we get into a mode and we see it through to the end.

The notion as brought forward by the member of the Legislature representing Lethbridge-East, the leader of the Liberal Party, in my opinion has considerable merit, and obviously the member was listening to Albertans, because Albertans felt that the notion had considerable merit as well. That was represented in the Future Summit, that took place this last year under the auspices of the Minister of Revenue. It was very clear at the Future Summit and, I'm sure, at many other summits, perhaps in kitchens around the province, when people wondered how it was that we could have unprecedented revenues one year and then have to haul in the reins the next year. I know that most members of the Legislature were approached by citizens in coffee shops, were approached by organizations here in our offices, all of whom had a common purpose, and that was: surely there is some way that we can bring stability to the economic affairs of the province, particularly when we make contractual arrangements and others with service providers. They need to have the certainty that comes with stability.

For instance, if the province has a long-term projection to build X number of roads or highways, then the private sector has to gear up so as to be able to continue or to do that work in a timely and orderly fashion. When financial circumstances are such that we don't have the ability to plan in a sustained and predictable manner, it's the people who have made their life decisions around our stability who are most hurt by this. It is not just a financial hurt. Many people centre their lives around the stability and certainty of what will come forward from government expenditures. Therefore, the notion of a sustainability fund as presented by the Member for Lethbridge-East has considerable merit.

Members will know, as well, that from the Future Summit came the Financial Management Commission. The notion of stability from fiscal year to fiscal year was a central point in the Financial Management Commission. I believe there were 25 recommendations by the Financial Management Commission, 22 of which were accepted. The centrepiece of those recommendations was, in my opinion, the capacity of the government to be predictable through a sustainability-type fund.

Now, the Member for Lethbridge-East in his bill suggests that at the end of each fiscal year, commencing with the fiscal year ending March 31, 2003 . . .

That's a year hence.

. . . the Minister of Finance shall prepare a report on how the financial affairs of the Government would have been affected if there was a Fiscal Stability Fund.

I'm trying to understand the logic behind bringing forward a bill about sustainability based on a study of what might have been in a certain circumstance.

Section 1(2) in this: "In preparing the report under subsection (1), the Minister of Finance shall assume that \$1 000 000 000 was transferred to the Fiscal Stability Fund during the 2000-2001 fiscal year." Now, it doesn't say where that money would come from. It just says that it will be transferred into a fiscal stability fund. Perhaps it would be the heritage fund; that might be the source. As a matter of fact, the Minister of Revenue is currently seeking the advice of Albertans as to the future of the heritage fund. It's interesting to note that several members of the party represented by the Member for Lethbridge-East have had interesting comments as to whether or not the heritage fund should be used in any way, shape, or form as a stability fund.

Now, I wonder, then, why the leader of that party would have suggested that a billion dollars would be transferred to the fiscal stability fund but doesn't indicate where that billion dollars would come from. It would either come from increased taxation, reduced spending in key priority areas, which we might only guess at,

perhaps health care, because to my knowledge, Mr. Speaker, there are very few areas in government expenditures that have anything like the resources from which a billion dollars could be transferred. Probably health care and education. There just isn't any other place that it could come from.

5:20

So if we didn't increase taxes to fund this, if we didn't take it from the heritage trust fund, where would that billion dollars come from? That's why the devil is in the details. But that does not negate the fact that the notion is worth merit. As a matter of fact, it's so meritorious that members opposite will probably see much of their notion coming forward as government legislation eventually. There is one of the frustrations of being in opposition. It's kind of like when you come home and you put the brochure for the new car on the table, and your spouse is a little upset with you. You say: "Well, why are you upset? It's just a brochure." She says: it's a brochure on the table today, and tomorrow it's going to be in the driveway. Well, that's a little like being in opposition. The idea today ends up in someone else's driveway tomorrow, and that is just the way it is.

As I started, I wanted to commend the Leader of the Opposition and member representing Lethbridge-East because his bill does speak to a notion that has had resonance throughout the province, and that was evidenced in the Future Summit and again in the Financial Management Commission and again has been considered through the Minister of Revenue's consultation on the heritage fund and again will probably – and I can only conjecture about this – see the light of day in future government legislation.

Bill 208 asks the government to study the implementation of a fiscal stability fund, and that is well under way. The bill does not set up the fund but asks the government to study what the outcomes would be by looking at the past and what might have been had the fund been in place over the previous year. Now, again, I'm really not quite sure what that would have accomplished. Perhaps I would

have been more comfortable with this bill had the bill said that we will have a stabilization fund, that that fund will have X amount in it, that it will be used for this purpose or that purpose, that the resources will come from this order, and we will be held accountable for what our recommendations may or may not be.

At the Future Summit the idea of a stabilization fund was mentioned as a possible next step. Members across the way have discussed this, brought it to the table. [Mr. McClelland's speaking time expired]

MR. SNELGROVE: Mr. Speaker, it gives me a great deal of pleasure to encourage the support for this amendment, simply because we've been here nearly two years and it's just about the only thing they've put forward that looks ahead of the game instead of back. So I would encourage all members to support this amendment, and we would actually be doing the hon. Leader of the Opposition a favour, because pretty well all of Bill 208 looks back.

With that, Mr. Speaker, I would move that we call it 5:30.

THE ACTING SPEAKER: I believe the hon. member is calling for a motion to adjourn debate.

MR. SNELGROVE: That's right.

[Motion to adjourn debate carried]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. STEVENS: Thank you, Mr. Speaker. I move that we call it 5:30 and adjourn until 8 o'clock this evening.

[Motion carried; the Assembly adjourned at 5:25 p.m.]

Legislative Assembly of Alberta

Title: **Monday, November 25, 2002** **8:00 p.m.**
 Date: 02/11/25
 [The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated or take your seats, as the case may be.

head: **Motions Other than Government Motions**

Travel Assurance Fund

508. Mr. Amery moved:
 Be it resolved that the Legislative Assembly urge the government to introduce legislation to establish a travel assurance fund to compensate airline consumers who do not receive travel services purchased from a registered travel agency due to the agency's bankruptcy or insolvency.

[Debate adjourned May 13: Mrs. O'Neill speaking]

THE DEPUTY SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Speaker. Thank you for the opportunity to finish my remarks from last spring with regard to Motion 508, the Travel Assurance Fund. It seems to me that it's the federal government – and it's the role of the federal government, not the province – who should be looking at this issue. We know that it is their jurisdiction. We also know that they are the ones who have the ability to make it an equitable opportunity for all of us across this country, and they should be the ones to bring forward real reform and, certainly, solutions to a situation that is not perfect for the consumer.

Mr. Speaker, I once again would like to stress that I appreciate the motive of the hon. Member for Calgary-East, and I do hope that he is able to respond to some of the concerns that I raised last spring. If he does, then I would be pleased to reconsider my support for Motion 508.

THE DEPUTY SPEAKER: Our rules do call for up to five minutes for the mover of the motion to conclude debate. The hon. Member for Calgary-East.

MR. AMERY: Thank you, Mr. Speaker. Thank you for allowing me the opportunity to offer my closing remarks with regard to Motion 508, the Travel Assurance Fund. As I was saying last spring . . .

AN HON. MEMBER: I remember.

MR. AMERY: I'm sure you remember that.

Since the events of September 11 the attitude we have toward travel in North America and around the world has changed. People are afraid, and air travel has dropped dramatically. Mr. Speaker, as a result, the last couple of years have been extremely tough on the airline industry, including many of Canada's air travel providers. In 2001 we witnessed companies like Canada 3000 and CanJet go out of business, leaving hundreds of air travelers, including countless Albertans, stranded around the world.

Currently, Mr. Speaker, Albertans can protect themselves by purchasing cancellation insurance; however, cancellation insurance does not protect them from the airline going bankrupt. Certain credit cards can also insure the purchases they make; however, many Albertans don't qualify for these cards, or as many people in my constituency do, they prefer to use cash.

AN HON. MEMBER: Why?

MR. AMERY: They have a lot of it.

Albertans are also protected when making Internet purchases from Alberta companies; however, many Albertans are still uncomfortable buying items over the Internet, especially purchases as expensive as airline tickets. At the present time, it seems to me, all that the majority of air travelers can do is follow the financial stability of the travel company they use in order to guarantee that they receive the flight they have paid for. I believe that Albertans and all Canadians deserve better protection than this.

Mr. Speaker, Motion 508 would provide Alberta consumers with an assurance that the plane ticket they purchased will take them to their desired destination. It is my hope that a travel assurance fund would also help foster confidence in the beleaguered air travel industry. Consumer confidence is a wonderful thing to have. A travel assurance fund as proposed in Motion 508 would be financed entirely by Alberta's registered travel agents, including any administration costs.

I want to make clear that the fund would not cost the taxpayers a single cent. The government of Alberta would not act as operator or financier. Mr. Speaker, I believe that this government has the responsibility to protect Albertans from events like the bankruptcy of Canada 3000. A travel assurance fund would ensure that the thousands of Albertans who use the airline industry would be able to travel in confidence and security.

Mr. Speaker, thank you very much for giving me the opportunity to close, and I would like to thank all the members who spoke for Motion 508 and urge all members to support this motion.

[Motion Other than Government Motion 508 lost]

Confined Feeding Operations

509. Mrs. Gordon moved:
 Be it resolved that the Legislative Assembly urge the government to work with the Alberta Agricultural Research Institute in researching the use of cost-effective technology to assist farming operations in alleviating nuisance-causing odours from barns used in conjunction with confined feeding operations or other related farming practices.

THE DEPUTY SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. Time is a wonderful thing. Fourteen months ago, after speaking with several of my producers in my constituency, I brought forward this motion. At that point in time, this was a very, very important motion.

Since that time, a lot has happened in dealing with confined feeding operations, and I thank this Assembly very much for what transpired here several months ago when we put into place legislation that would help those that were involved in what was known then as intensive livestock operations and are now considered confined feeding operations, where we moved the regulatory control beyond the municipal level to be dealt with in a different realm. It has worked for the most part to the good, although my producers tell me today that the waiting time on the applications is getting considerably more and more, and it's something that we're going to have to deal with.

But at that point in time, this motion resulted in the fact that one evening I sat and listened to a public hearing advertised and promoted by Lacombe county to deal with their applications to do with intensive livestock operations, and there were over 650 people present at that particular open house. One of the things that struck

me that night is that most people concerned about confined feeding operations, intensive livestock operations, with the number of particularly hogs, because Lacombe county has a number of hog producers, was the fact that the smell from these operations was the number one concern of people, neighbours, various communities, various municipalities. That was their number one concern. This is the reason for this motion. This motion, in essence, encourages the government to focus funding and expertise through the already existing Alberta Agricultural Research Institute to develop cost-effective technologies to eliminate excess waste odour from Alberta's livestock farms.

Now, I know that this is easier said than done, but in today's world with everything we can do on the scientific end, on the medical end, we should be able to come to terms with odours, and this is something that my producers have long wrestled with. Way back, as I talked about earlier, when this whole intensive livestock or confined feeding operation issue came to a head, many of my producers told me that the first concern from the public was odour. Certainly, after odour there was environment; there was water; there were a whole lot of other things. But initially what you see is what you smell, or what you smell is what you see, and as a result people were very concerned about a hog operation being anywhere near them. So I thought that if we could work with what is already in place through the Alberta Agricultural Research Institute to try to come to terms with this, we would be better served. I understand that they are working somewhat to this end and hope that this motion would prompt them along, that we could rapidly move towards seeing something that would satisfy everyone.

8:10

Now, the hon. Member for St. Albert just told me a few minutes ago that she'd be glad to speak on this motion, but she has no hog producers, so she can't. I feel very badly about that.

One thing that we all can say in this Assembly is that what has happened over the last number of months if not years is that Canadian farms, Alberta farms are increasing in size, and urban centres are certainly expanding much more into what were previously known as rural areas, and the need for livestock waste management and odour management has certainly increased.

Confined feeding operations – we now call them CFOs – have become a prosperous business in Alberta, or they certainly were until what happened this summer with the drought, and they also have a great need for feed and hay. More and more applications are being submitted and approved for these operations each and every year. First and foremost, when you talk about a hog operation that is going to be near you or close to you, the first thing most people say is: what are we going to do about the odour? I had several producers during the discussion that took place prior to the legislation being passed – people just did not understand that the odour was part and parcel of the overall farming operation. As a result, most people want to right away say: we don't want it near us, by us, around us, or among us. However, if we are to continue to eat pork and other animal – no, by-products is not the word. I have to say pork because Lacombe county is the number one pork producer in all of Alberta, and it's not something I'm going to sit down and say, "Hey, this isn't good," because it's good.

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. member, sorry to interrupt. We have a couple of ministers and one in particular who for the moment will not be named who seem to feel it's their right and their privilege to speak whenever they want, no matter how loud their voices: one

in the middle bank and one at the far end. I would just . . . [interjection] Hon. member, if you don't stop interrupting and carrying on as if you're the only important person in this House, then we'll have to name you.

The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. Would it be a pun if I said that those ministers are hamming it up?

THE DEPUTY SPEAKER: The problem with having too many children in here sometimes is that you can't keep them quiet. We might ask all hon. members to remember their obligation, and that is to allow the person who is recognized for speaking to speak without all of these interruptions, no matter how funny you may think you are.

The hon. member.

Debate Continued

MRS. GORDON: Thank you, Mr. Speaker. Currently there are certainly gaps in knowledge pertaining to understanding the difference between health concerns and nuisance-causing odours. I remember one young fellow, a producer of mine, that wanted to put in a new hog operation, and basically at that point in time, before the government stepped in and legislation was passed, he was told to put in biofilters, a technology that at that time was still unproven, and he requested repeatedly: how can you tell me if this is what I should be putting in? There was a tremendous cost to these biofilters, and nobody could tell him that this was the end-all, be-all.

So I guess this is actually the crux of what I'm coming to. I think that somebody along the line has to say: if you're going to put in a particular system, a certain technology, we have to ensure it's the best one that's available and will certainly help the odours and the nuisance-causing concerns of the neighbourhood and the neighbours. We also have to tell these producers what the cost is going to be so that they can figure this into their overall business plan when they are thinking that they are going to increase what they are doing or start initially.

There's presently no standardized method of measuring odour. However, there are several methods of odour-control science being developed worldwide. It's my understanding that although they've wrestled with a lot of problems over the last several years, many European countries have finally come to terms with this, and they do have some technology that they believe is state of the art and will stand the test of time. So what I'm saying is that I want the existing research facility that deals with Alberta agriculture to take a look at some of these and possibly say, "Yes, this is good," or "This isn't good," and let's move ahead that way.

We'll never alleviate livestock odours. I remember years ago traveling up highway 2. This was even before I was a rural person, because I used to live in Calgary, Alberta. Traveling up highway 2, it was the smell of money. Now it's just the smell, and that's unfortunate because it's still very important not only to the producer, not only to the community, but also to the Alberta economy.

So I ask you to support me in asking the Alberta Agricultural Research Institute to take a look at this and tell us: what is the best thing for our producers? What kind of technology can they put in their barns to alleviate odour as much as possible? We're not going to do away with it entirely, but at least it's a start, and some of my producers would really appreciate it.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to enter into the debate on Motion 509, nuisance-causing odours from intensive livestock operations. [interjection] Perhaps that member would like to say that just a little louder.

This is an issue that I have talked about for a long time, so of course I am happy to support the sponsor of this particular motion. We know that this motion is going to cost some money, but this is money well spent in terms of the long-term investment of this province, I believe. There are some remarkable things being done.

AN HON. MEMBER: Tax and spend.

MS CARLSON: Tax and spend. Well, it's one of your own colleagues who brought forward this particular motion which is going to cost money. There are some times when a dollar spent today saves you a lot of money and a lot of grief down the road, and I think this is one of those particular instances. If this province is going to continue to pursue intensive livestock operations, or CFOs as they're now called, they need to invest some money in ensuring that the people who are not directly involved in those industries can enjoy a lifestyle which we advertise as being supported here in Alberta. That means a lifestyle where you can smell the air and it smells fresh, a lifestyle where you can drive down the road and not hit a patch of road where the stench is so strong that you just want to turn around and turn in a different direction. As this member has stated, this is particularly a problem with hogs. There is no doubt that that is a smell that takes some getting used to, that neighbours to these operations should really never have to get used to in that degree.

So we do need to spend some time looking at those kinds of strategies. There are countries that have already done this. Holland, for instance, has the largest per capita investment in intensive livestock operations on the globe, the most densely populated areas combined with intensive livestock operations, and they don't have a smell problem. Why is that? Because they have invested in advanced technology. Their per capita operating costs for the operations are higher than in Alberta, and that is why we see so many people from that country wanting to come over here and spend their investment dollars in this province, because it's a low investment cost as compared to their own country of origin. But we've got to get with the program here and make sure that we make these facilities and the surrounding areas livable for workers and for people in the surrounding areas, not just because, Mr. Speaker, we don't like the smell but also because there are health risks associated with that kind of air contamination and we have to be concerned about this.

8:20

Dr. Rudy Zimmer in his article *The Right to Farm, Not the Right to Harm* in the September/October 2002 edition of *Alberta Doctors' Digest* points to air quality issues as a potential health risk. In his words, "There have been a few community-based studies suggesting health effects [on area residents] similar to that of workers, and reduced quality of life." So we have to talk about how we can start to eliminate those. We know already from air studies that have been done in the northern quadrant of this province that we have some associated health risks with air contamination, and I would suggest that this could be a problem with intensive livestock operations in the future too.

What we didn't really see from this member when she talked about her motion was the sort of technology that she had in mind. I know that I have seen some really great examples. In Europe they sell in-vessel systems which take the waste products immediately

and put them in a contained unit, separate out the methane, so that's a salable product, potentially, back into the grid. It takes the water out of the rest of the product and has that as a by-product and then has a very dry by-product as a result of that, which is easily made into compost or other kinds of fertilizer. There is a company operating in Calgary right now that takes this waste product from both hogs and cattle, and it has a drying kind of format to it which reduces it to a pellet form as a fertilizer. It is completely odourless, Mr. Speaker. I think everyone in this Assembly would be very, very impressed with the product. In fact, I was so impressed with the product that I sent some samples of it to the minister of agriculture so that she, too, could take a look at what companies are doing on their own with very little support for research and development. We know that it's hard for these companies to keep going if they don't have some research support until they can get their product to market, so I heartily support that kind of investment in research and development.

There are many other ways that we have seen being tried and true. I know that in the Vegreville research centre this is a high priority for them. They're doing some excellent work out there, and we certainly support that. We have seen all kinds of processes where the open pits are capped or they're emptied quicker or other products are added to them to reduce the odour. We've seen a huge increase in composting over the years, which is a low-cost and very effective way to manage this product. I have spoken on the record before about being against spraying for a variety of reasons. Odour is one of them, but the concentration that we get now in heavy metals in areas that have been continuously sprayed over the years is a problem.

I see that our colleague who introduced this motion would agree with some of those statements. So those are the kinds of things we have to take a look at, not yesterday's technology and yesterday's treatments but tomorrow's and those for the next few decades. What is going to make us an industry leader? We don't just need to be the lowest cost producer. We need to be industry leaders when we talk about the management of the total system and its relation to the rest of the province and the people who live in this province.

So for all those really good reasons I'm very happy to support this motion and certainly hope it gets the support of the House. If it sounds like it's not going to, then we do expect to stand on this one, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Highlands.

MR. McFARLAND: Thanks, Mr. Speaker. I'm pleased to have the opportunity to also join in the debate on Motion 509, which, as the Member for Lacombe-Stettler indicated, urges the government to work through "the Alberta Agricultural Research Institute in researching the use of cost-effective technology to assist farming operations in alleviating nuisance-causing odours." I along with two other members of this Assembly today – the Minister of Transportation, past chair of the Alberta Agricultural Research Institute; myself as a past chair; and our current chair, the hon. Member for Dunvegan – am very proud of the proactive approach that the past and present board members of ARI have taken with many of the new technologies and research that they've prided themselves on looking at in terms of leading edge technology. I would also like to express my gratitude to the hon. Member for Lacombe-Stettler for bringing this motion forward, since it does address a very important topic that impacts the noses of many of us from time to time in Alberta.

Like so many other people of my generation, Mr. Speaker, I've seen a province transformed from a largely agricultural province to

the modern, multifaceted, industrial powerhouse that it is today. However, we all know that agriculture is vital to this province. It's one of the four pillars that contributes to our economy, and it's a cornerstone of Alberta's history and culture. Just as our province and our country have evolved over the years, so has agriculture.

We often hear the term "agribusiness" these days. Farming is no longer just about the family farm with a few cattle, a few fields where you grew barley and oats, some wheat, or some canola. Quite to the contrary, we have entered into an era where many huge conglomerates own vast tracts of land, and today many farmers lease or rent their farmland. There are also instances where farmers enter into large co-operatives and have their crops marketed jointly. Here in Alberta we also have the intensive livestock operation, or confined feedlot operations, as they're now called. In Little Bow, for instance, we have the largest total number of CFOs, including Feedlot Alley, which many of you have heard about in the paper, which is located in the county of Lethbridge. In each of these cases, Mr. Speaker, we're dealing with farming on a very large scale. The family farm may still come to mind for a lot of people when they think of farming the way it was 50 years ago. However, that kind of family farm is slowly becoming a thing of the past. For farming to be successful, size does not matter, not because of desire as much as necessity.

In any event, as the size of individual farms and farming operations has grown, I think it's fair to talk about farming being on a bit of a collision course with the urban landscape. Our cities and towns are growing steadily. Both Calgary and Edmonton are quickly approaching the 1 million inhabitants mark. In addition to, shall we say, Alberta's natural birth rate, there's little doubt that the strength of our economy is attracting people from both near and far from outside this province. Our garden, the farm, has become smaller geographically, but our production output has increased greatly. With such growth, Mr. Speaker, it follows that there's also going to be an increased need for housing. People need somewhere to live.

AN HON. MEMBER: Our garden?

MR. McFARLAND: Yeah. Our garden, the place that grows all our food products, is shrinking. As a result, our towns and cities are gradually expanding into what were previously rural areas, or the garden, as one of the members asked. At the very least, they're getting closer and closer to these farms and to the rural areas. There's even a term for this phenomenon that we commonly call urban sprawl.

Mr. Speaker, as Alberta's rural landscape changes, many city residents are moving into areas traditionally dominated by agriculture. Many people moving into rural areas have not been exposed to farms before. Today they may be located within short distances of some very large animal facilities. Going back to the idea of the family farm, some people want farms to look nice, but they don't want to deal with the reality of farming, including some noise and some smell. Generally speaking, where there's a farm, there's going to be at certain times of the year certain amounts of smell. However, it would be wrong to think that it's just our new neighbours who have had a bit of a rude awakening. So have many of us who have spent a good portion of our lives on or near these farms. While we're quite used to the smells associated with farming, make no mistake about it. They are stronger and sometimes more plentiful than ever before, an example I'm sure many of you may have experienced yourselves as you drove the highways of Alberta shortly after harvest. How many here have driven by a crop – they may not have actually realized it, but it was a canola crop that had been

swathed, combined, and you suddenly have this funny smell enter your vehicle? Well, actually it's the decay of the plant stem that's starting to rot. I've actually sat with people in a vehicle who thought it was animal by-product smells, and it actually came from a naturally occurring decay process within a plant, which many of us use to put in our fry pan in the morning when we're making pancakes or frying an egg.

8:30

Other people have a misconception about odour. I can relate it this way: the story of the fly who flew into a barn. He noticed this pungent aroma, and he saw a pitchfork standing in the middle of a pile of manure on the floor of the barn. Well, he thought: aha, here's supper. So he flew down from the pitchfork, and he gorged himself on this great feast, and he tried to get back up on the pitchfork, but he couldn't because he was too full. Well, the moral of this story is: don't fly off the handle when you're full of manure.

In the same context, maybe some people at times tend to think that there's nothing about odour that's good, that it's always bad, and maybe they should look for the root cause of it. Mr. Speaker, as far as I can tell, the reason for this has to do with what I mentioned a minute ago. The family small farm that makes us wax nostalgic doesn't exist to the same degree that it used to. Today farming is increasingly becoming a matter of large-scale operations. Farms are not the same as they were a half-century ago. For farmers their kids' shoes cost more, just like they do for everyone else. It costs more to go to movies and send kids to university, just like everyone else. But the prices that the farmers receive for their products historically – like meat, like milk, like grain – haven't kept up with inflation, and they've been forced into ever larger, ever bigger farms as a scale of economy just to keep the farm afloat.

New technologies have made it possible for farmers and ranchers to handle more animals on the same amount of land. These concentrated animal operations produce more manure, which means stronger odours. The little red barn and a subsistence number of livestock aren't nearly as common as they used to be. Farmers are not insensitive to these concerns. They're looking for ways to reduce agricultural odours cheaply and effectively. Many products on the market claim to reduce or eliminate odours by altering the microbial makeup in either the digestive system of the hogs or in the manure storage tanks, but as with so many other things this is an area where bogus or at the very least highly inflated claims abound.

There are a few reliable methods that are worthy of further exploration, and I think we're now going to get into some of the so-called details of the debate. Among them is soil injection. While not suitable for all soil types, this is a technique that's been used for decades. Instead of spraying manure directly on fields, a special tillage device incorporates the liquid manure underground and covers it so it never sits on top of the soil, and it disperses the odour.

Most everyone is familiar also with composting, at least on a small scale. In this process Mother Nature is in charge, letting micro-organisms break down the manure, and the finished product does not emit strong odours. However, the process of composting is often time consuming, so large-scale composting isn't always going to be feasible.

Another process called controlled anaerobic digestion, or biogas production, significantly decreases agricultural odours, although it requires machinery and technical knowledge. In biogas production manure is placed in a closed tank under manipulated environmental conditions. The organisms living in these conditions break down the manure, making it smell less offensive. This reduced-odour manure . . . [Mr. McFarland's speaking time expired] I'm out of time, and I'm sorry. We've got lots to go.

THE DEPUTY SPEAKER: I wonder if the Assembly would grant consent to briefly revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you very much, Mr. Speaker. It's a great pleasure to introduce to you and through you to members of this Legislature a great friend of mine whom I've known for some eight years, having been a member of the Calgary health region board. Howard Waldner is the executive vice-president and chief operating officer for the Calgary health region. He's in the Legislative Assembly tonight on his first visit to the Assembly, so I'd like to recognize him and ask him to stand and receive the warm welcome of this Assembly.

head: **Motions Other than Government Motions**
(continued)

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands. [some applause]

MR. MASON: Thank you very much, Mr. Speaker. Well, it's indeed a rare honour to be applauded by members on the other side of the House.

I must say that I have some research notes, but I left my reading glasses at home, so unfortunately I cannot see the facts clearly. Therefore, I have some sympathy for the members opposite tonight. So my comments will be necessarily, therefore, quite brief. [interjections] Well, Mr. Speaker, at least they're awake.

I want to indicate, first of all, that while I support this motion, I feel that some perspective on it is in order. This motion comes after a bill that was debated in the last session of this Assembly that took away the authority from local jurisdictions to cite these large industrial agricultural operations and basically gave the power to the government to approve them. So the government, in doing that, clearly set a course for the expansion of industrial style agriculture in this province. The Premier, of course, as I would never want to not point out, indicated that the number of hogs in this province should dramatically increase, I believe somewhere from 1 million or 2 million to around 8 million.

So the policy has been set. The expansion of this industry is already under way, and the hon. Member for Lacombe-Stettler, of course, was at the forefront of fighting for those changes. Now we have a motion to study the impact of what has already been done. So having approved and set a course, now we're going to study the effects. Now we're going to study how it is that we're going to actually clean up the mess.

So while I support this, Mr. Speaker, I have to indicate that I think that things are not being done in the right order. If people were concerned about the odour – and, certainly, we talked at great length about it, and I remember some of those debates – then this motion should've been passed first, and the studies should've been done before the government decided it was going to launch itself on the path of massive industrial hog operations in this province with their well-known impact on groundwater and on nuisance odours that affect people for miles around.

Now, one of the members has talked about changes in the countryside, and those are quite apparent for anyone that wants to see, but it's not just a matter of city folks who can't cut it in the country. It's a matter of a qualitative change that's taken place.

When I attended a meeting of people in Red Deer some months ago to talk about this issue, it was a mass meeting. There were hundreds of people in the room, and I found that many of them were, in fact, farmers. It was the farmers that were concerned about this development. They were concerned about the impact on their operations and on the quality of life of themselves and their families. So it's clearly something that is of significant concern to rural people, not just city people who might be driving down the highway and occasionally run into a wall of smell.

8:40

Mr. Speaker, I really want to just put on the record once again my concern with the overall direction of the province which necessitates this motion. That's really the issue, as far as I can see. Without proper research, without proper thought, without proper consideration for the quality of life of people in this province, the government, in my view, is recklessly headed down a path of massive industrial agricultural operations. There are jurisdictions in the United States and elsewhere where this path has been followed and has resulted in a significant deterioration of the natural environment and of the quality of life of people. So I think that that's really the source of the problem.

Mr. Speaker, I'll just conclude my remarks with that. I believe that the problem with this is that it's really trying to close the barn door after the smell has escaped, and I think that it's unfortunate that the government proceeds in a reverse order to what it ought to in solving some of these matters.

Thank you.

THE DEPUTY SPEAKER: Before recognizing the next member, I would just remind the hon. member that these are private members' public motions, not government motions.

The hon. Member for Calgary-Fort.

MR. CAO: Well, thank you, Mr. Speaker. It is a pleasure for me to rise this evening to join the debate on Motion 509, which urges the government to work through the Alberta Agricultural Research Institute in developing the use of cost-effective technology in alleviating nuisance-causing odours from farming related practices.

Yes, Mr. Speaker and hon. members, my constituency of Calgary-Fort borders on farmlands and is also the home of several animal product processing operations. I support this motion as I feel that Alberta's growing agricultural industry could benefit from developing technology which would allow livestock farms to be located in close proximity to residential development. As Alberta increases in population, we have become more concerned with the challenge of melding rural farming communities with sprawling urban suburbs, and as our cities grow, more rural land is being developed, placing people's homes closer to farms and other agricultural practices.

Alberta is an agricultural province in which the intensive livestock industry is becoming more prevalent through its known prosperity for farm operators. As a government we have developed regulations that these farming practices must abide by in order to maintain operating licences or gain eligibility to develop a confined feedlot operation. Many of these regulations are related to controlling the livestock conditions and impact on the environment around the farm. Though these regulations exist, there is currently little regulation regarding farming odour, particularly odours caused by livestock operations. Many farms practise what methods they can find to contain the livestock odours and ensure they are not presenting a hazard to the residents around them, but presently little is available in terms of cost-effective and well-researched options for farmers to alleviate the nuisance-causing odours of confined livestock waste.

I commend the hon. Member for Lacombe-Stettler for bringing forward Motion 509 in the hope of creating a consensus that odours caused by livestock operations are potential nuisances. Like all provinces in Canada we have standards and regulations about how close farms and livestock areas can be to the nearest neighbour, which has provided us with enough buffer room to enable both farming and residential growth to continue. However, as we continue to grow, these farms should not be jeopardized because they are encroaching on residential areas. The agricultural sector is an important part of our economy, and it should be able to grow simultaneously with our urban centres.

We have acknowledged that something must be done in order to help residential neighbours of farms enjoy the property and not be continually disturbed by farm odours. In 2001 the Agricultural Operation Practices Act was passed, legislating that farmers must turn manure nutrients into their soil within 48 hours of application and that animal waste is to be stored in a standardized container regulated by size and needs of farming practice. Such legislation is outstanding. This helped decrease the impact on neighbouring properties and enhanced courteous farming practices around the province. However, it doesn't alleviate future problems.

Confined feeding operations are growing in our province, and if we are going to plan for growth in this sector, we must look into developing appropriate methods of dealing with intensified odours coming from these operations because of the sheer volume of livestock. We are all aware that there are odour nuisances associated with farming practices. What we must also consider are the health and environmental concerns associated with farming practices coming into close proximity of residential homes. These are very real concerns, Mr. Speaker. If we look at how fast the population of southern Alberta is increasing and the residential land use expanding, I believe it is quite possible that we may reach a point of urgency in the near future. It would only seem logical if we were prepared before this happens as opposed to scrambling when we are faced with an emergency.

We are not certain how severe the health risks are related to such odours. However, we are aware that livestock operations do emit poisonous and noxious gases. Currently we have the luxury of separating these farms from residential communities. It would be a shame to cut short the economic growth taking place in the vibrant agricultural sector because we have no superior system available for farmers in Alberta to farm close to expanding neighbouring communities.

We must explore our options. European countries have much the same climate and farming operations as we do here in Alberta. By looking into other examples of odour-reducing systems, such as those used in Denmark, we could develop an appropriate system more specific to Alberta's needs, reducing farm odours and possible hazards associated with them. I believe research in this area is an important step for advancement and opportunity for Alberta's technological sector as well. Although our climate and farming practices are similar to those found in the countries that have managed to develop the technology, there are differences which would mandate the need to research a way to modify it to Alberta's specific needs.

There have been tremendous advances around the world in capturing the biogas produced by livestock farming and changing it into enough energy to sell into the energy grid. This would be a wonderful advancement for our future, Mr. Speaker. We would benefit from this technology by the investment of our Alberta resources and by modifying it to Canadian farming needs.

I support Motion 509. Mr. Speaker, I believe it would be a proactive step by this government toward our current nuisance

farming odour as well as ensuring that our province has a system that would properly deal with the health issues caused by the poisonous and noxious gases created through livestock farming practices. It is imperative that we think of the future. We are expanding in our population. It would make real sense to develop the technology to ensure that the Alberta livestock farming sector is not jeopardized but growing and prospering in the future.

I again commend the Member for Lacombe-Stettler on this motion. Thank you, Mr. Speaker.

8:50

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker, for the opportunity to rise today and speak to Motion 509. This motion deals with the concerns of many people, both urban and rural, and it's a motion that I will be supporting. Motion 509 encourages the government to focus funding and expertise on the development of cost-effective technology to eliminate waste odour from Alberta's livestock farms.

As a Legislature we should be encouraging this focus in Alberta's research community for a number of reasons. Chief among them are the intensifying nature of livestock production and the increasing movement of people past the traditional boundaries of our cities and towns. One only has to look at the recent census numbers to confirm the movement of people into historically rural areas. Back in March the latest census data confirmed that between '96 and 2001 the Canadian population grew by about 4 percent. Alberta, in particular, saw an influx of people from other provinces, an increase in population of approximately 10.3 percent, more than double the national average.

The census was also revealing about where people were actually living in those different regions. Almost four out of every five Canadians are living in an urban area of 10,000 people or more. More relevant to us today, metropolitan Calgary had the highest growth rate of any major city, increasing almost 16 percent to about 950,000 people. Edmonton's population grew by an aggressive rate of about 8.7 percent, making the capital and Calgary among the five largest cities in Canada. All told, Alberta can boast eight of the 25 fastest growing communities in the country.

With such high population growth it's only natural that city limits will expand further into the frontiers of rural Alberta. Cochrane and Strathmore, for example, are the first and third fastest growing communities in Canada. In my own particular constituency of Clover Bar-Fort Saskatchewan we see the community of Sherwood Park growing rapidly and the surrounding area of Clover Bar expanding rapidly as well, with acreages being built up all the time. Full quarter sections and full half sections are being developed with dozens of houses and up to 40, 50, 60 houses per quarter section.

With this growth come problems, problems that go beyond infrastructure and the time it takes to commute to work. As people continue to move to these acreages, we see more and more conflict between the traditional rural farming practices. These farm communities, where about 70,000 primary producers live and work – in fact, those producers are leading the nation in innovation and in quality of their product. If we consider Alberta's situation, where we have only 10 percent of Canada's population, through our farming practices we contribute a greater proportion than that 10 percent of farm cash receipts. About 23 percent of farm receipts come from primary agriculture. That's the contribution of Alberta. We look at a total of \$7.4 billion in farm cash receipts for the year 2000, and about 60 percent of that is from the sale of livestock and livestock products.

These figures translate, Mr. Speaker, into Alberta being the largest

beef producing province in Canada. In fact, our province was leading the nation in cattle production as well as cattle and calf inventories, at one time 6 million head. With the recent drought and sell-off we're not sure what those numbers are currently but somewhat less than that now perhaps. We also produce over \$176 million in the poultry and egg industry and over \$318 million in dairy production.

These huge livestock industries contribute a great deal to our provincial economy and, in fact, to our way of life, but the problems come when the by-products of agriculture begin to conflict with that interface of the urbanization of the rural area. I'm sure that a number of our rural members have often heard from constituents complaining about some of those issues where conflict occurs. As our population increases, so too will the issues surrounding the tension between the right to farm and the changing nature of rural Alberta. We already see, through the Agricultural Operation Practices Act, how it was necessary to protect producers from unnecessary lawsuits due to perceived nuisances. If the government can take a proactive approach to not only protecting producers but also trying to diminish some of the irritants, I think we as legislators will have done our job in this matter.

Mr. Speaker, I think it's possible to reduce some of the nuisances of production. In November 2001 the Alberta Agricultural Research Institute presented a workshop on manure in co-operation with the Alberta livestock industry development fund and the Alberta crop development fund. The workshop gathered the group's expertise and knowledge on manure science, focusing on issues such as agronomics and manure management, odour, and treatment techniques. Nine research projects were proposed, showing that the research community can respond to the concerns of our times.

In fact, Mr. Speaker, the world agriculture community has been developing several methods of odour control to help producers. In Europe a trend has developed to convert agricultural waste into a source of energy and a better by-product which does not harm the environment and that fertilizes without pathogens and odour. Closer to home new digestion systems are being developed where micro-organisms convert waste products into methane, or biogas, in a controlled and regulated manner. The energy produced can be used for heat or electricity. Currently, there are about 25 of these digestion systems operating in the States. Pilot projects in Canada, however, for the most part show that they were not economically viable. However, recent significant advances in the technology have made today's systems more feasible. A number of systems are currently running in Canada, including one in Saskatchewan and another near Lethbridge.

Mr. Speaker, I would like to commend the people in my own constituency who have taken the initiative and done some research and have moved toward improved agricultural practices. I'd commend the Scotford colony for their hog operation and the new techniques that are being involved on the colony with the recent new operation.

THE DEPUTY SPEAKER: I hate to interrupt the hon. Member for Clover Bar-Fort Saskatchewan, but the time limit for consideration of this item of business on this day has now concluded, and you'll get a chance next Monday.

9:00

head: **Government Bills and Orders**
Second Reading

Bill 36

Appropriation (Supplementary Supply) Act, 2002 (No. 2)

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader on behalf of the hon. Minister of Finance.

MR. ZWOZDESKY: Yes, indeed, Mr. Speaker. Thank you. On behalf of the hon. Minister of Finance I'd like to move second reading of Bill 36, the Appropriation (Supplementary Supply) Act, 2002 (No. 2).

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Happy to have an opportunity to speak to appropriation Bill 36 this evening. It's always a cause for great concern when we see these requests for big dollars coming in in supplementary supply motions, and in fact what we have here this year is the second one for this particular year. So when you have to ask for so much money, this time \$822.853 million, that's a lot of money. It's nearly a billion dollars.

This is the second request in a year, and where do we find the bulk of the dollars going to? This year the bulk of the dollars are going to pay for some different kinds of weather-related kinds of events, extreme weather-related events, be they forest fires or be they droughts – in fact, \$641 million is being asked for to cover that – extreme weather events to be paid for by a government who does not support climate change. You have to ask yourself the question . . .

SOME HON. MEMBERS: No correlation.

MS CARLSON: "No correlation," we hear from all over the Assembly, yet I would refer the members in this Assembly to the comments made by Jeremy Leggett, who wrote *The Carbon Wars* and who talks about some other world leaders, Mr. Speaker, who have begun to recognize that, in fact, there is a correlation, going back as far as the late '80s and early '90s. He quotes a number of people, including someone who this government has long held up as a fiscal role model, and that would be the U.K. Prime Minister Margaret Thatcher, who when giving a speech to the Royal Society in London summarized her concerns when she stated that "we may have unwittingly begun a massive experiment with the system of the planet itself." Not one known for eco-doom-mongering but speaking directly in reference to massive extreme weather events that were costing her government money. One of these days this government will wake up and smell the coffee, but it in fact for the most part . . .

AN HON. MEMBER: Smell the burning forest.

MS CARLSON: They'll smell burning forest. That could be exactly what happens, Mr. Speaker.

But, in fact, what's happening is what I've been saying for a long time. Business is on the ball with this issue. They're in the game. It's governments who are lagging behind. In the epilogue to this particular book this author says that while governments stall, business attendees are making headway, that since Kyoto new and positive atmospheres have built up in negotiations, and that the atmosphere was more of business opportunity than legislative threat. Not if you listen to politicians, Mr. Speaker. That's where the legislative threat is heard. We hear that day in, day out in this Assembly and with the massive propaganda campaign that we see from the government. Industry is now saying: how do we do this?

Government says: why should we, because in fact it can't be factual.

So what will happen, Mr. Speaker, is that we are going to continue to see increased funding requests in supplementary estimates because this government has the blinkers on, and they cannot see the forest fire for the trees. They have blinkers on that just keep them looking in one path. What's happening is that they don't budget

enough for disaster relief in this province and haven't for at least the past five years, Mr. Speaker.

Even though the Minister of Sustainable Resource Development in response to the Member for Edmonton-Riverview last Thursday talked about this government using five-year rolling averages to determine how much money they should be allocating to forest fires, when we take a look at the numbers and we do the math, which is not all that tricky, we find out that that isn't exactly accurate. In fact, for the last five years they have been coming back and asking for substantial dollars because when they actually go to fight the fires, they spend significantly more money than what was budgeted for. This year they've come back for money for the fires not once but twice. What can we anticipate happening next year, Mr. Speaker? Exactly the same thing.

In this particular budget \$229.2 million, lots of extra money for fires. If I recall correctly, it was about the same as the request for the first supplementary estimates, and that is in addition to what they budgeted for. So what's the problem here? The government can't really divide by five and figure out how much it's going to cost them or they run three-month budgets rather than three-year budgets, as they try to tell us about, or they just choose to rely on supplementary supply as a part of their budgeting process so that they don't have to truly invest any time or energy in long-term planning. It's a poor way to manage a province, and it's a poor way to manage nearly \$21 billion in revenue that this province takes in every year.

One of the members on the government side today said that this government doesn't have a revenue problem; it has a spending problem. That's exactly right. When you can't budget properly, you run bloated governments, inefficient, ineffective governments who say all the right things but don't practice what they preach. Mr. Speaker, that is really a shame because this truly is an outstanding province. This truly is a province that takes in more money than any other province per capita in this country. We are blessed by a largesse of riches which we see squandered every single year, and that's a shame not only for those of us living in this province at this time but for those who will come and for the children whom we are supposed to be leaving a legacy for. It doesn't happen in this particular province.

We see great examples of this when we take a look at supplementary estimates. Lots of money to the farm assistance program, the farm income disaster program, and the crop insurance. Our leader is on record repeatedly talking about how to better implement those programs and make them more efficient and effective, not the least of which is getting the money into the hands of the people who need it in a timely fashion, which, in fact, did not happen again this year. So not only do they have to come back for more money, but they can't manage it once they get it, and that's a problem. Our leader has talked about the Liberal farm cost of production insurance program for many years. That is an excellent option, and one that he and the minister of agriculture have talked about and that would have certainly got money into people's hands sooner when they needed it.

We see all kinds of ongoing problems come up on the farms. I haven't heard yet in this discussion of supplementary estimates any good projections for how some of these large outstanding issues are going to be dealt with next year in a manner that is more efficient and more timely than that one that we have seen so far. I am hoping that before we actually vote on this particular bill, we're going to see some of those answers come forward, Mr. Speaker, because it is a lot of money, nearly \$1 billion, and doesn't seem to be well thought out in terms of how they have requested the money, how they have budgeted for it, or how in the world you could ever benchmark when you ask for these kinds of dollars every couple of months.

So hoping that we hear some outlines from perhaps the Minister of Finance tonight on how the entire government will start to deal with these budgets in a truly fiscally conservative manner with proper management and an effective way of putting forward a future debt payment program where we can start to see infrastructure paid for on the kind of basis that is sustainable rather than this feast and famine kind of approach we have now. For a government that likes business so much, I can never understand why they would fund infrastructure the way they do, because what happens is that when you take all the money out of infrastructure, out of maintenance and repair, and out of new buildings or new roads that are required in the province, people are out of jobs. Companies go bankrupt. Then when you dump a lot of cash back in, trying to catch up on what is now a systemic deficit in infrastructure, what happens is that we don't get the best quality possible at the best possible price because now you've oversaturated the market. People get into bidding wars and construction is delayed and then there are cost overruns, and that isn't an effective way to manage an economy.

9:10

Business asks from this government the same as municipal governments ask, and that is sustainable, dependable funding that actually runs on a three-year term, not a three-month term, so that they can do their planning and so that they can be effective and efficient in the way they spend and manage their money. We could only ask that our provincial government could show that kind of leadership, and I would heartily applaud any attempts they make to move in that direction. But so far, for the past 10 years, not so good and not much to cheer about.

Thank you.

THE DEPUTY SPEAKER: The chair, before recognizing the hon. Member for Edmonton-Highlands, would remind all members that under the new rules, Standing Order 29, the mover of the bill or motion and the second speaker are entitled to 20 minutes. Then following that, each speaker has 15 minutes with up to five minutes of question and answer. So just a reminder of that.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise to speak to the supplementary estimates, and I want to concentrate on the same question that the hon. Member for Edmonton-Ellerslie raised. The provincial government is spending quite a bit of money, Mr. Speaker, to communicate, to use the term loosely, with Albertans on the question of climate change and the impact of the Kyoto accord on the economy of Alberta. Now, they have not researched in any detail these economic costs. The Pembina Institute has done I think one of the best studies so far on the economic costs of climate change and has found that at the most it would reduce the increase in the economic output of this province by 1 or 2 percent over a period of years.

So the question comes about the economic costs which are contained here. We are seeing, Mr. Speaker, the first inklings of the long-term economic cost to this province of not doing anything about climate change, and we're beginning to see increases on a regular basis for drought relief in this province and for the costs of fighting forest fires. It's my view, as well, that the water problem in this province will soon reach the point where it is a barrier to further economic development generally and specifically to further economic development in the agricultural sector. Quite simply, Mr. Speaker, it's obvious to anyone who has two eyes to see that this province is drying out. It is drying out. I think that that's increasingly obvious.

So here we have again in the supplementary estimates increased unbudgeted expenditures for things like drought relief and forest fires, and the government is not sharing a long-term view of the economic costs of not doing anything about climate change with Albertans. I believe that it's possible that potential economic losses related to the oil and gas industry in this province can be offset very, very successfully with technological developments. I think that technology can get us past many of the difficulties which may arise as a result of reducing our dependence on fossil fuels, but it will be only a matter of time before economic losses in the other sectors outstrip any potential losses in the petroleum industry.

I have here, Mr. Speaker, a letter dated October 22 to the Premier by a number of eminent scientists in Alberta led by David Schindler. It's signed by dozens – dozens – of scientists, professors emeritus, associate professors, assistant professors. There are actually attached to this letter four pages of signatures of eminent scientists in this province. I'd just like to read to members some of the contents of this letter because I think they bear very much on these expenditures that we're being asked to approve tonight.

Contrary to the views often portrayed by the press and industry spokespersons, there is little disagreement in the scientific community on climate warming. The Royal Society of Canada, the Royal Society of London, and the US National Academy of Sciences have all taken strong positions on the global warming issues. Virtually all scientific models agree that we are faced with 1-2° Celsius of additional warming by mid-century, and considerably more by the year 2100 . . . The current scientific consensus on global warming is now greater than, for example, the general consensus in the 1960s that humans could reach the moon, or the consensus in the early 1940s that we could create atomic weapons.

Temperature records show that in southern Canada, considerable warming has already taken place on the western prairies. Increases in temperature since the early 20th century have been from 1 to 3° Celsius at various prairie locations, including those where increased urbanization cannot be a confounding influence. The resulting increases in evaporation have without doubt aggravated the drought conditions that currently plague the western prairies. With further warming, desertification of these areas may occur.

Desertification. That means it turns into desert, Mr. Speaker.

There has been much publicity [generated] about alleged economic losses that will be suffered by the oil and gas industries if Kyoto is ratified and implemented. But losses that will be suffered by other resource sectors if climate continues to warm must also be considered.

The scientists go on to say, Mr. Speaker:

Of particular concern is the fate of agriculture on the western prairies, which contain 60% of Canada's agricultural land. Both historical records and paleoecological studies show that the western prairies have experienced prolonged droughts in the past, at frequencies of roughly 25 years. It is very likely that drought patterns will continue in the years ahead. But this is the first time that other factors will amplify the effects of drought. Climate warming is causing increased evaporation. We have populations of humans and livestock numbering several million in the western prairies, and a large irrigation program. We may already be seeing the combined effects of climate and evaporation on water supply. Predictions are that Canada will be importing, not exporting wheat this year.

Listen to that.

There is a shortage of food and water for livestock. The effects of climate warming on agriculture in western Canada will certainly cost tens of billions of dollars. Compensation payments and crop insurance payouts this year alone amount to over two billion dollars in Alberta and Saskatchewan. The federal government dispensed 22 billion dollars in farm relief between 1985 and 1991, mostly the result of the 1988 drought, according to Statistics Canada. Such costs can only increase with a warming climate. Recent analyses

predict that by mid-century the arid and semi-arid areas of Alberta and Saskatchewan will increase by 50% if climate models are correct.

MR. LUKASZUK: And the sky will fall.

MR. MASON: Yes. Well, you know, he believes that all of these scientists are Chicken Little, and one day he and his constituents are going to be crushed by a giant piece of falling sky, and that's for sure.

Mr. Speaker, the scientists go on to talk about forestry.

In the late 1980s and 1990s, the incidence of forest fire doubled in Canada compared to the 1960s and 1970s, burning a area equal to 80% of the province of Alberta during this 20 year period. In the worst fire years of the 1990s, the CO₂ emitted by forest fires almost equaled that from burning fossil fuels in Canada. The area burned was enough to turn our boreal forests from a "sink" for atmospheric CO₂ before 1980 to a "source" of carbon to the atmosphere in the 1990s.

9:20

Now, Mr. Speaker, we talk about our forests as being a protection against the emission of CO₂, something that absorbs the CO₂, that is produced by animals and by industrial activity. But what the scientists are saying is that as the country dries out, the forests burn so quickly that they are actually putting more carbon into the air than they take out. That is of considerable concern if

there are still huge amounts of carbon in the trees and forests of the Canadian boreal forest that would be released by increased forest fire. If climate continues to warm, there is a great potential for forest fire to amplify the effects of fossil fuel burning, resulting in warming that is beyond the predictions of climate models. Already, the costs of fighting forest fires in Canada average over 500 million dollars per year, with little effect on the amount of forest burned. The costs of fire suppression, lost revenues to the forest industry, evacuations of towns, and health impacts of smoke are likely to be extremely high. There will also be increased damage from disease and insect infestations, and direct effects on forests such as dieback due to warmer, dryer climate. Climate warming will increase the problem of freshwater for the prairies, and the water that remains will decline in quality. Already, wetlands are dry and many lakes have lost most of their water. Summer river flows are already flowing at 20-60% of historical values. Some communities have already lost their groundwater supplies, and have built or are proposing pipelines to our already overtaxed rivers.

It seems to me, Mr. Speaker, that we'll be considering a bill dealing with that in this fall sitting.

These pipelines appear to cost on the order of thirty million dollars each. Costs of water treatment, water conservation, and watershed protection will also increase.

It goes on to say that it's just a few examples of the effects of climate warming and concludes that the scientific community is broadly of the opinion that this is a most serious issue to be dealt with by governments here at home and abroad.

Mr. Speaker, I just want to indicate that I believe that the expenditures contained here, these extraordinary expenditures, unbudgeted expenditures, represent just the tip of the iceberg for the expenditures which will be required, which will balloon, which will mushroom over time. We tend to think of nature in terms of equilibrium, that if something gets pushed over on one side, it gets stopped by something and then a new equilibrium is reached. That's not necessarily the case in the area of climate change.

The example of the forests is one. As things dry out, more fires release even more CO₂, so it has a tendency to accelerate rather than to bring it back into balance. Similarly with the melting of the polar ice caps and with the snow cap that exists in the world. That reflects

an enormous amount of sunlight back into space, Mr. Speaker. As the amount of snow on the earth's surface decreases as the size of the polar icecaps shrinks, less of the radiation is returned to space, more is absorbed within the atmosphere. So you have a tendency for the effect of global warming to accelerate rather than to come back into balance, and it can in fact be a most dangerous situation.

The temperatures on Venus, which has an intense cloud cover, are in the order of 600 to 800 degrees Celsius. The effect is not caused by its closeness to the sun. [interjection] Well, if people want to laugh, they can laugh. Mr. Speaker, Venus has an extremely high temperature. The reason for that is because of its atmosphere, not its proximity to the sun, and it has experienced what's called a runaway greenhouse effect, which means that the effect rebounded upon itself many times. So Venus is, of course, uninhabitable, and it's possible . . . [interjection] How is it you don't know, hon. minister? It's 800 degrees.

THE DEPUTY SPEAKER: Hon. members, this is not a back and forth operation; it's one member speaking at a time, other members listening or being quiet.

MR. MASON: Now, I know that talking about Venus is just a little bit too far out for some of the hon. members here tonight, Mr. Speaker. I only raise it to indicate that notions about equilibrium in matters of climate change are just assumptions and that there is such a thing as a runaway greenhouse effect, which many scientists have predicted is possible on the earth if the present trends continue for too long.

That's something that maybe is beyond what people want to really consider at this point, Mr. Speaker, but I do think that Dr. Schindler's report is, in fact, a serious one, and I'd be happy to entertain any questions.

THE DEPUTY SPEAKER: We have three or four people who have indicated to me that they are desirous of asking questions. That will mean that we'll be down to about 30 seconds for a question and about 30 seconds for an answer.

But before we go, may we have agreement to briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you very much, Mr. Speaker. It again gives me a great deal of honour to introduce to you a number of young people that are here this evening sitting in the members' gallery who are with the PC Youth executive: Blake Robert, the president of the PC Youth executive as well as a constituent of mine, as well as Virginia Linkletter, Ashley Geis, Harrison Gallelli, William McBeth, and Dana Lea. If they'd like to rise and receive the warm welcome of this Assembly.

head: **Government Bills and Orders** **Second Reading**

Bill 36

Appropriation (Supplementary Supply) Act, 2002 (No. 2)

(continued)

THE DEPUTY SPEAKER: The list is as follows: the hon. Member

for Drayton Valley-Calmar will be followed by the hon. Member for Castle Downs, followed by the hon. Member for Edmonton-Centre, followed by the hon. Member for Edmonton-Rutherford. In asking of questions, you'll have to be succinct and similarly the answers on this part of the budget debate.

REV. ABBOTT: Mr. Speaker, out of respect for all the other members that would like to ask a question, I will defer to them.

Thank you.

THE DEPUTY SPEAKER: The next one on the list is Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. There are few gases in this world more noxious than those just emitted by the Member for Edmonton-Highlands. However, I would like to ask him: does he suggest that instead of helping out our farmers with the effects of weather disasters, we transfer the wealth from Alberta to Third World countries and tell them that this will help our farmers in the long run?

MR. MASON: Mr. Speaker, I quite frankly have no idea what the hon. member is talking about.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford. It's yours.

MR. McCLELLAND: Thank you, Mr. Speaker. The Member for Edmonton-Highlands brought the supplementary estimates over to the Kyoto accord and climate change, and I'm wondering if the Member for Edmonton-Highlands will advise the House: in his opinion, is the Kyoto accord primarily environmental or primarily wealth transfer?

9:30

MR. MASON: Mr. Speaker, I didn't speak about the Kyoto accord. I talked about the cost of not dealing with climate change and with CO₂ emissions. That's what I spoke about.

MR. McCLELLAND: On questions and comments, then, the Member for Edmonton-Highlands was not speaking to the Kyoto accord, was speaking to emissions which may or may not cause environmental catastrophes, which have a direct implication on the public purse. So my question again is: in the Member for Edmonton-Highland's opinion is the current environmental accord that is being considered by this Legislature as well as the national Legislature primarily concerning emissions, carbon dioxide, or wealth transfer?

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I would submit that the Kyoto accord depends on the implementation formula. Those are all matters that need to be negotiated between the provinces and the federal government, and I believe that if the provincial government here takes an active and strong role in fighting for Alberta's interests within the context of those negotiations, the Kyoto accord implementation can be fair to all provinces and share the burden. Our position has always been that the penalties ought to be based on consumption of fossil fuels, not on production, and that formula would ensure that Alberta's industry is not unduly impacted relative to the rest of the country.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford, as the time goes.

MR. McCLELLAND: Thank you very much to the member representing Edmonton-Highlands. At the Global Policy Forum representatives of the Heinrich Boell Foundation, which is affiliated with the German Green Party, made the case that the planet desperately needed resources for redistribution to Third World countries and the best, the most effective way to raise these resources was through a carbon tax or through the so-called Tobin tax.

MS CARLSON: A point of order, Mr. Speaker.

THE DEPUTY SPEAKER: A point of order. Do you have a citation, Edmonton-Ellerslie?

**Point of Order
Relevance**

MS CARLSON: I do, Mr. Speaker. I refer you to *Erskine May*, page 378, relevance. I'm wondering what this member's relevance is in the question he's asking with regard to the estimates, which were in second reading this evening.

THE DEPUTY SPEAKER: I think I'll hold that in reserve. I was wondering the same thing myself, hon. member, but that's primarily referring to questions in question period. This is a brand-new process that we're entering into; that is to say, allowing the free flow during debate of questions from members that are generated spontaneously. They don't know that that particular item is referenced in *Erskine May*, so I'll just take that under advisement and come back later for other things.

In the meantime, I think time has probably just about run out for the hon. member in any event.

MS CARLSON: Then I have a point of clarification on that.

THE DEPUTY SPEAKER: I'm sorry. I didn't hear. Was that a comment, a question?

MS CARLSON: Mr. Speaker, in terms of your comments on this point of order I have a clarification.

THE DEPUTY SPEAKER: Okay. Clarify.

MS CARLSON: The reference I referred you to on page 378 of *Erskine May* deals particularly with relevance in debate, which I assumed this to be, not to other types of questions.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford on the point of order.

MR. McCLELLAND: Mr. Speaker, I would be happy to accept admonishment to be relevant, and then I'll take my place and conclude the question rapidly. So admonish me to be relevant.

THE DEPUTY SPEAKER: All right. I give up. I'll admonish you to please stay relevant to the debate, Edmonton-Rutherford.

Debate Continued

MR. McCLELLAND: The Member for Edmonton-Highlands would know, then, that the preceding comments before the interruption would lead directly to our capacity to make our estimates without a

supplementary estimate. So would the Member for Edmonton-Highlands inform the House how after the application of a carbon tax Alberta's economy would be affected so as to be able to continue to make the payments to fund the carbon tax?

MR. MASON: Mr. Speaker, the hon. member would like me to stand here and say that I support a carbon tax, and I'm not going to do that.

THE DEPUTY SPEAKER: Edmonton-Centre, now we're in the debate on the bill.

MS BLAKEMAN: I hope so.

THE DEPUTY SPEAKER: Good. You have the floor.

MS BLAKEMAN: Thank you very much. There were three issues I wanted to raise in conjunction with this second reading of Bill 36, the appropriation act for supplementary supply. A number of people that have spoken before me have raised the point and have gone into much more detail – therefore I don't feel that I need to do that – but I think it's worth noting that we already had budgeted amounts for farm disaster relief, for fire fighting, and for flood disaster. Therefore, the appropriation amounts that we have before us in the sum of \$652 million are additional expenses, supposedly unanticipated expenses, and I'm raising the issue of how these could be unanticipated.

I think that on one side of that debate is the issue of disastrous or calamitous weather events and climate change and on the other side is being able to properly budget for what should be expected during any given year. I've raised the issue of additional expenses coming through at supplementary supply for fire fighting in the past, and I would venture to say that if we looked back on the percentage of correct figures that have been in original budgets for fire fighting, at this point the department should have a better idea of how much it actually costs given the number of times they've had to approach this Assembly for supplementary supply for those areas. So whichever reasoning the government wishes to use, I wish it would pick one and stick to it.

But they do keep coming in front of us. I think that every fall and, in some cases, every spring and every fall we've had supplementary supply estimates brought before this Assembly, which I think is a very sad comment on the ability of this government to control its budget and to adequately anticipate what we'll need to expend figures on. That comment is certainly backed up by the Auditor General's comments on the difficulties that are created and the expectations that are created for departments and for staff when they know that they can come forward to their minister for supplementary supply every year and that in all likelihood they will be able to get that supplementary supply. It sets up a very poor precedent and an expectation that they'll always be able to get more money whether that should have been coming in the original budget or not.

I do note that the Member for Edmonton-Riverview had challenged a number of the ministers as to whether they recognized these calamitous weather events as having any connection to climate change, and the ministers were not willing to admit that. I think time will prove this side of the House right on that in the long run.

It is a significant amount of money when we're asked to do it, and I do have issues and complaints about the budgeting process of the government to be that far off. We're talking almost a billion dollars in total in supplementary supply requests in front of us. That's part of the second issue that I was raising: this habitual and accepted process of coming before the Assembly asking for additional funds. With all the resources this government has, we should be able to get closer to actual budgeted amounts.

9:40

The last set of issues. I did have a fairly good exchange with the Minister of Community Development around the \$3.7 million for the transfer of the Western Heritage Centre. In response to our exchange I've had some contact from people in Cochrane who've raised some additional questions. I did send those questions over to the minister, and of course it can't be expected he would know the answer to these off the top of his head. I thought he might have some staff on that could quickly look some things up. He's aware of these questions. I'll just put them on the record. In fact, he has provided me with some responses already.

The situation we have with the Western Heritage Centre was that this was a huge white elephant. I think there's a strong argument that the centre really didn't have the support to be built in the first place or certainly not built to the size that it was built to, which has always been my feeling. I felt that the original museum was a more reasonable size for the amount of tourist activity that could be expected. Nonetheless, there was a huge banquet and convention facility that was built along with it, and frankly the tourist numbers have just not supported what was envisioned by the group that managed to talk both the provincial government and the federal government into money to build this larger facility.

So it has limped along for seven or eight years. It's been in trouble pretty much from day one. There were a number of attempts to come back to the government for bailout, and in fact they were successful a couple of times, I think. Finally, they got turned over to the friends-of organization in '98 or whenever that was, when most of the historical sites did assume responsibility through a friends-of society. That friends-of society, of course, was not able to keep the organization going. It's just far too big a facility for the actual numbers that were coming through.

So now the friends-of society just walked away from the facility in 2000, handed the keys over, I think, as of January 1, 2001. Now the government has got this facility back on their books that they don't really want. So there has been some lengthy consultation and a tendering process to accept proposals from the community and commercial interests as to what is the best use of this facility at this point, and there is a proposal from the town of Cochrane.

What's happening is that in Cochrane they've been led to believe that this facility would get turned over to the town of Cochrane for a very nominal fee, carrying with it no debt whatsoever. I've been trying to confirm that that, in fact, is what's going to happen with this facility. There has been debt attached to it in the past, and I've never been able to get what I felt was a straight answer coming out of the government as to exactly how that debt was either paid off or written off the books, or was it deducted from grants that were being sent out to the organization? It's never been really clear whether there's a debt attached to the facility or not attached to the facility, and I'm trying to determine that. In other words, I'm trying to confirm that when the province hands this over, does it retain any lingering debt that it, in fact, is absorbing that perhaps should be transferred to the town if the town is accepting this asset?

So the first question is: what liabilities, including debt, and what assets comprise the Western Heritage Centre as the government is ready to hand it over today? What are both sides of that balance sheet? What was the society's debt to the provincial government? Was there anything outstanding from the initial construction phase, and was there any debt left over from the nonprofit society's operation of the centre and the museum? Again, was that written off by the government? Was it clawed back from grants that were being issued to the organization, or is there still some sort of debt attached to the land? So is the government handing this asset of the Western Heritage Centre and the Cochrane Ranche over debt free with no

liens or encumbrances on it? Has the province done a title search to determine whether there are any additional liens against the property?

Now, I did ask the minister, and he has responded that the town of Cochrane could apply for operating grants for the Stockmen's library, which is an integral part of this centre and a very important one, I think, to all Albertans but particularly to southern Alberta. It's really an outstanding collection of literary work from the stockmen and certainly around the early parts of our province. Could the town of Cochrane be applying for an operating grant for that library? Or if we want, call it a museum. The minister, of course, has responded that to apply as a museum, that really goes through the Alberta Museums Association, which is a PASO, a provincial arts service organization, which receives its money from the Alberta Foundation for the Arts or through Community Development's access to lottery funds, and then the Museums Association disperses the money. So that's really up to the Museums Association as to whether they think that facility qualifies appropriately for grant material. That minister has already given me that information.

Further, if we were trying to look at it as a library and whether it was eligible as a library, they would have to become part of the library system; in other words, a full operating public library through the town or whatever setup there was. They might be considered for funding then through library grants.

So we have a bit of a unique situation here where, in fact, it is a collection of literary material. It's not part of the public library system, so it's not considered a library and not eligible for library grants as such, and it would have to change the way it operates in order to be eligible. Although it's an antique collection of writing, it's not considered a museum either. So we have an interesting situation there with an asset that's been collected and donated to the citizens of Alberta that isn't really fitting comfortably into any category and appears not to be eligible for any kinds of grants under the current situation.

Those were the questions that I wanted to get on record. I understand that the minister will have his staff endeavour to get me answers to that. I will ask for expediency with that as the vote for the town of Cochrane, whether or not to proceed with this proposal, is next Monday, December 2. So if I could possibly get information that I could forward down to them before then, that would be very helpful.

I've been involved with this issue of the Western Heritage Centre for six years actually, since I got elected, and I have to say that on behalf of Albertans I'm glad that what's turned into a burden is no longer on the books of the government, and therefore it's not the responsibility of Albertans. On the other hand, certainly some parts of what's in that centre, not the building per se but the artifacts and the Stockmen's library and certainly the artwork, are an asset and were donated so that all Albertans could enjoy them, and we want to ensure that they will be looked after appropriately.

There's nothing special about the building itself. It's not an antique. It's not a historical site as such, but it houses certain artifacts that are important to us. So, you know, if the town of Cochrane accepts this, I hope they're well aware of what they're accepting, and I am trying to clarify that they're not accepting any kind of hidden debt. Conversely, if the government has now accepted debt that was incurred and it hasn't really showed up and it hasn't been answered accurately in response to the many questions I've asked about the debt issue around this particular centre, then shame on the government for hiding that one. I certainly asked the question a number of times, not to the current minister, to the previous minister.

So those are the issues that I wanted to raise during second

reading of Bill 36, Appropriation (Supplementary Supply) Act, 2002 (No. 2), and I will note that it is the second time we have a supplementary supply act in front of us in 2002. Thank you.

THE DEPUTY SPEAKER: If the hon. members will bear with me for a moment, we have a little bit of a problem in that the hon. Deputy Government House Leader, who also is Minister of Community Development, has been asked a series of questions which he might attempt to answer. However, the rules of the House, since he is the mover of this bill, are that when he stands to answer questions, that closes debate. So we can have that in order to close debate, or we would have to seek unanimous consent to allow the minister to answer the questions without triggering this other provision. [interjections] Okay. The debate.

Are there any questions? No questions. Any further debate? Well, now we do have it. The hon. Minister of Community Development to close debate, maybe answer the questions.

9:50

MR. ZWOZDESKY: Well, thank you very much, Mr. Speaker. There being no other persons wishing to speak at this particular time on this particular bill, I would like to acknowledge the questions that the hon. Member for Edmonton-Centre has provided. First of all, I don't think it's accurate to say that the Western Heritage Centre is in any way, shape, or form a building or a piece of property that the government doesn't want. This is not a question of trying to unload it. This is a question of the local committee, local citizens there wanting to try and somehow retain the centre for its original intended use, and this has come to light over the last year of meetings that I've had with them in this regard.

Now, in attempting to address what the community wanted by way of preserving the site for that original intention, it's actually the town of Cochrane who came to us and asked whether or not they might be able to put forward some kind of a solution. So it was not the case where we went to the town asking them. They came to us and said: hey, this is a centre that's valuable and important to us; it houses all the things it does; it provides the kinds of functions that it does. So they were trying to work out a community-based solution, and I agreed with that. I said: that would be wonderful if you could work out a community-based solution.

Obviously, the society that had the very good intentions of running the centre fell into financial hardship. It did not attract the numbers, which the member knows, that had been anticipated, so it became financially unviable for the society to continue operating it. As well intentioned as it was, it just didn't work out. So that having been said, they turned over the keys, as you know, which was also something we didn't ask for. Nonetheless, we inherited the keys, so we're the keeper of the keys.

I want to put to rest one other issue, and that's with respect to any debts that might be lingering or whatever. To the very best of my knowledge and from the recollections that I have – and I will, hon. member, get you more details on this, as I sent you in the note – there is no truth to any kind of a loan obligation that exists that we're aware of. Okay?

Now, I don't think there's anything there that hasn't been cleared up or cleared off or one way or another addressed, so the proposed deal, if you will, between the government of Alberta and the town of Cochrane, should it proceed, goes ahead free and clear. There is nothing there that anyone is hiding or holding back or whatever. So that's that question.

With respect to the library issue what I did indicate to the hon. member, Mr. Speaker, in response to her written note to me a few minutes ago – could the library on site there apply for funding? I believe I indicated that if they meet the criteria or whatever for public library funding and they apply through the municipality to

join the local regional library system and they have the blessing of the municipality, then, by all means, they are welcome to apply and ask to be considered for the per capita rate, which at the moment is about \$4.03, and the regional library also gets \$3.07 or thereabouts over and above that. So that possibility may exist if they wish to proceed and if they meet specific criteria.

I think the member herself has accurately summed up the position of the question regarding the museum. That is entirely under the purview of the Alberta Museums Association. They have a membership list, and they have their own criteria. We provide a block grant to the AMA, the Alberta Museums Association, and then they in turn pass it out to their members on an individualized basis.

So I hope that addresses some of the concerns that the member had. There are some other specifics that I know she wants some detailed answers to, and I will endeavour to provide those to her in very, very short order.

Let me just close by saying that the town of Cochrane has recognized the value of the Western Heritage Centre as something that they want to build on, something they want to maintain, and something that they want to convert into a multi-use centre for many different citizens' uses, including a theatre. I think they also want to have a seniors' drop-in centre. In fact, they want to move their municipal business into that particular centre and do other things there as well, including maintaining as much of the original purpose and intent as is humanly possible. They're very dedicated to that purpose, and I do wish them well with it.

So I think, Mr. Speaker, that's probably enough for now, and I'll revert to the chair.

[Motion carried; Bill 36 read a second time]

Bill 35

Teachers' Pension Plans Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. On behalf of the hon. Minister of Learning it's my pleasure to move Bill 35, Teachers' Pension Plans Amendment Act, 2002, at second reading.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to make a couple of comments about Bill 35. First of all, to thank the government for taking the substance of this bill out of the miscellaneous statutes act and presenting it to the Assembly as a stand-alone bill. I think that had it appeared in miscellaneous statutes, it would have set a precedent that we might live to regret. So I thank them for having it as a stand-alone bill.

It's a part of the faith agreement that was undertaken by the government, the Alberta School Boards Association, and the Alberta Teachers' Association that resolved the dispute and saw classrooms returning to normal in the province. It's a good piece of work, and we're delighted that it's here and are very happy in supporting it.

[Motion carried; Bill 35 read a second time]

Bill 34

Seniors Advisory Council for Alberta Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader on behalf of the hon. Minister of Seniors.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to move on behalf of the hon. Minister of Seniors Bill 34, Seniors Advisory Council for Alberta Amendment Act, 2002.

In doing so, I'd just like to make a couple of very brief comments, if I could, and that is that the essential purpose here is to allow for the extended time in the chair, if you will, beyond the current six-year maximum for the person to occupy that chair position. As members in the House will know, it is a position occupied by an MLA of this Assembly, someone who is doing a very good job, from Calgary-West.

I should also add that the Seniors Advisory Council has been a particularly effective council, Mr. Speaker, because they not only work very hard with seniors groups in different locales across the province, but they also provide a very valuable liaison directly with the government, which helps in the creation of policy directions and in the creation of services. It performs a valuable role in helping to monitor and provide a voice for the constituent group involved.

So I'm pleased to move it at second reading on behalf of the hon. Minister of Seniors.

10:00

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker, for the opportunity to speak to Bill 34, the Seniors Advisory Council for Alberta Amendment Act, 2002, in second reading. As the minister mentioned, the purpose of this bill is singular. It's really amending the original act so that the chair of the council may serve as a member of the council for more than six consecutive years.

I listened intently to the minister's presenting remarks because I was hoping to get an explanation as to why it was felt that it would be a particularly good idea to have a chairperson in place for more than six years. I always find it very interesting that members of this government are very clear in their feelings that the federal government have been in place for far too long and are out of touch with people, et cetera, et cetera, and we're talking about an eight to a 10-year time frame there. So here we have them saying: no, no, no; we want longer than a six-year time frame when we're talking about the appointment of one of our own members. I've looked at the record of the individual that's being considered here, and although it's obviously not specific to that person, I think we can safely subtitle this particular bill as the Calgary-West memorial appointment bill because it is the Member for Calgary-West that would be able to take advantage of this extension.

Again, I listened carefully to the minister who moved this bill to see whether there was any anticipation of how long, how open-ended this would be. In fact, it is totally open-ended; there are no restrictions being put in place. So given this particular government's proclivity to get comfortable and stay in positions for an extended period of time, one presumes that this member would stay in this position as long as she was elected. I'd like to know the reasoning behind that.

Is there some advantage that's being anticipated by the government to having an individual stay in the position for an extended period of time? Is it the familiarity with the individuals on the council? Well, that can't be the case because all the other council members do have to abide by the two-term, no-more-than-six-year appointment. So having your chairperson there for an extended period of time doesn't get them any more familiar with the appointees to the board because, in fact, the board members are changing and turning over.

Does it give them any better understanding of the legislation? Well, there isn't a tremendous amount of very, very specific

legislation in this Legislature pertaining specifically to seniors, so I don't know that you need an extended period beyond the six years to become very familiar with the legislation.

Now, I can be corrected on this, but my understanding is that with this appointment comes an additional salary amount. I look forward to having the specifics of that laid out, if I may put that question before the members here and perhaps have the minister or someone else respond to that. I do have to wonder: is this just to enhance the financial well-being of the one member who has the appointment? Should it not be shared about with some of the other backbenchers who would like the opportunity to talk about seniors' issues? Or is there some particular reason why this one individual would be the beneficiary of that?

Again, I'm not absolutely certain about this, so please correct me if I'm wrong. My memory was that there was a time with the Seniors Advisory Council when the chairperson was not an MLA; it was a member of the community. That's my memory from when I was with the Advisory Council on Women's Issues. They never had an MLA appointed as the chairperson for the women's advisory council. I'm pretty sure I remember a time when there wasn't an MLA that was appointed as head of the Seniors Advisory Council. So I'd be interested in getting clarification on that, please. If it did change from a nonelected person, a member appointed from the public at large, to an MLA, what was the reasoning at the time to be doing that? And I think a question about whether that reasoning is still relevant today.

So we have a very thin bill before us with one purpose, and that is to extend the ability of one person to serve as the chairperson of the Seniors Advisory Council for a period longer than six years, and there's no cap on that. Seemingly, they could sit in that position for as long as they were elected. I'm looking forward to the explanation from the government as to why they feel this is necessary, why they don't think that a turnover, a change, or having someone else in that position would be a good idea.

I'll tell you one of my concerns. As I've looked through the various proposals that the current chairperson of the council has brought forward, I noticed that certainly in the earlier days she seemed to have been more successful in having her motions and bills accepted by the House. As we get further along, we get things that are not being accepted by the rest of the House. The one that I'm thinking of in particular is from 2000, I think. Sorry; I'm just trying to refresh my memory here. She wanted the House to establish a committee that would look at establishing standards of care. So it wasn't even taking the more courageous step of asking the House to approve the creation of standards of care for seniors in institutions; it was simply to create a committee that would start to look at this. I don't think that motion passed, and I was very disappointed at the time that it didn't because it struck me as, you know, pretty reasonable and fairly innocuous.

Yeah, there it is, Bill 203, Residential Care Housing Committee Act, which was defeated in Committee of the Whole. That was in 2001. So, indeed, although there were some successful motions that came forward in '98, '99, 2000, 2001, when we actually look at the private member's bill in 2001, it did not gain the support of the government members, which really surprised me at the time and continues to surprise me. So I'm wondering if perhaps a change isn't warranted here to bring in some fresh blood or new enthusiasm or new insight, that would perhaps have resulted in a more successful bid to have this bill or a subsequent bill passed.

So in principle I don't object to the idea of the extension of this term, but I do have a number of questions that have not been answered about why the government considers this a good idea. I'm looking for far more explanation and support and rationale for this

than certainly exists in the bill or we've heard from the sponsoring member. I did run this by the leaders in the seniors community. They were concerned that there was more to this bill than in fact there was. When I explained what it was, well, they didn't have a lot of comment, although they did wonder: why the extension? Why was that six years not enough? What was the rationale or the government reasoning behind wishing to extend that indefinitely?

10:10

So we're all asking the same question: what is the rationale behind that? What is being anticipated here? What's to be gained from having the same person serve in that position for an extended period of time? I mean, I notice that even on the front bench, we don't have ministers that serve in the same ministry for – I think six years would be a very long time for a minister to be in any given ministry. If that doesn't even happen on their front bench, why is this being anticipated for the chair of the advisory council on seniors issues?

As I say, in principle I don't necessarily object to this, but I would really like to hear some more explanation before I'm willing to support this bill or willing to urge my colleagues to support this bill. So I look forward to some explanation and perhaps some give-and-take while the bill is in Committee of the Whole.

Thank you.

THE DEPUTY SPEAKER: Are you ready for the question? The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. My question is: given that the hon. member earlier today said that she's been a part of this . . .

THE DEPUTY SPEAKER: The hon. member is perfectly free to ask a question of the third speaker of the evening. The hon. member just referenced was the second speaker, and you're not allowed to ask them questions.

[Motion carried; Bill 34 read a second time]

Bill 33

North Red Deer Water Authorization Act

THE DEPUTY SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. It's my pleasure to rise and move Bill 33, the North Red Deer Water Authorization Act, for second reading.

Ensuring a healthy and sustainable water supply for all Albertans is a top priority for this government. Although Mark Twain said that whiskey is for drinking, and water is for fighting over, Albertans would not stand by and watch their neighbours go thirsty when they could provide a supply of safe drinking water. The communities of Blackfalds and Lacombe are in immediate need of water, and this is why this is a very important piece of legislation. Ponoka and the First Nations at Hobbema are also in need of a sustainable, safe municipal drinking water supply to meet existing and future demands. Bill 33 will ensure that these needs are met. Specifically, this act allows treated drinking water to be transferred from Red Deer to Blackfalds, Lacombe, Ponoka, and the First Nations at Hobbema.

This bill is driven by members of the community. The North Red Deer River Water Users Group, consisting of members from Blackfalds, Lacombe, Ponoka, the First Nations communities of Montana, Samson, Ermineskin, and Louis Bull, Ponoka county, and

Lacombe county, is requesting a licence to allow for the transfer of treated drinking water to provide municipal water supplies to these communities.

The North Red Deer River Water Users Group held open houses in Red Deer, Drumheller, Lacombe, and Camrose during September 2002 to provide interested Albertans with information about the proposal and to solicit input. In addition, the water users group has worked closely with various stakeholders to ensure that all points of view have been recognized and addressed. Results from both the meetings and a questionnaire distributed at the meetings show that the majority of Albertans who participated in the consultation overwhelmingly support this project and are mainly satisfied that the environmental effects of diverting treated water are minimal.

Mr. Speaker, this is normally a very straightforward procedure that doesn't require an act of the Legislature; however, the Water Act specifies that water transfers between river basins must be approved by this House. The amount in this transfer is for the needs of these communities, and there is sufficient water in the Red Deer River to support this licence and future allocations. There's also enough water for existing licences for the natural ecosystem and to support our apportionment agreements with Saskatchewan and Montana. Also, while there are ecological risks associated with transferring raw water from one body to another, in this case the transferred water will be treated drinking water, not raw water, so there would be little risk of transfer of biological organisms between the two river basins.

Mr. Speaker, public consultations conducted by the North Red Deer River Water Users Group in Lacombe, Red Deer, Drumheller, and Camrose showed support for a licence that would provide an assured and safe drinking water supply for these communities. So, in short, this act allows us to meet a clearly defined need for a drinking water supply to these central Alberta communities in a safe, sustainable way and in a manner approved of by the people who will be affected.

In conclusion, Mr. Speaker, I'd just like to say that we recognize that many small communities across Alberta are facing similar situations, and we need long-term solutions. The Department of Environment is currently leading the development of a provincial water strategy to ensure that we continue to have safe and sustainable drinking water supplies now and in the future.

Mr. Speaker, Bill 33 is community driven and makes economic and environmental sense. With the support of this House the people of Blackfalds, Lacombe, Ponoka, and the First Nations at Hobbema will rest easy knowing that they will not have to fight for this life-giving resource of water, and they will be grateful for the good sense of their neighbours and leaders. Mark Twain, you can keep your whiskey and fight for water, but this province of Alberta will ensure a healthy and sustainable water supply for all Albertans.

Mr. Speaker, I move to adjourn debate on Bill 33.

[Motion to adjourn debate carried]

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Another productive day, and therefore I would move that the Assembly do now stand adjourned until 1:30 tomorrow.

[Motion carried; at 10:18 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, November 26, 2002**

1:30 p.m.

Date: 02/11/26

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. Our Father, keep us mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work give us strength and wisdom. Amen.

Please be seated.

head: Introduction of Visitors

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. It gives me great pleasure today to stand and introduce to you and through you to members of the Legislature a Liberal member of the Saskatchewan Legislature. Jack Hillson was first elected to the Legislature in a by-election in 1996 and has served six years as an MLA for North Battleford. He is a lawyer and before becoming an MLA was the director of Legal Aid and served as a city councillor in North Battleford. He is here today to listen to the debate on the climate change bill. Please join me in welcoming Mr. Hillson to our Legislature. I think he's in the members' gallery.

head: Introduction of Guests

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly 47 grade 6 students and their teachers, Mrs. Val Ritter and Ms Shandell Switzer from Earl Buxton elementary school in my constituency of Edmonton-Whitemud. They're here today to observe and learn with keen interest about our government, and they're seated in the members' gallery. I'd ask them to please rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you very much, Mr. Speaker. It's indeed my pleasure today to introduce to you and through you to the members of the Assembly three very special guests. First of all, we have Lieutenant Colonel LaPlante, the new commanding officer of the 408 tactical helicopter squadron; as well as Major Robert Bayes, the deputy commanding officer of the same squadron; and also the chief warrant officer, Robert Braybrook. Now, I might also say that the honorary colonel of the 408 tactical helicopter squadron, Bart West, is also joining them today. I'd ask these four distinguished gentlemen to rise and receive a very warm welcome for serving their country.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. It is my pleasure to rise and introduce to you and through you the grades 5 and 6 classes from Overlanders elementary school, which is located in my constituency. These very energetic students are also very excited to see their Legislature Building, some for the first time, and to learn

more about the legislative process. The students are accompanied by their teachers, Ms Laura Wenger, Mr. Jim Lovgren, also parents and helpers Mrs. Gloria Ames, Mrs. Kim Militsala, and Ms Krista Utas. They are seated in the public gallery, and I'd like them to stand at this time and receive the very warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure this afternoon to introduce to you and through you to all hon. Members of this Legislative Assembly Shirley Barg. Shirley Barg is a CAUS representative from the Athabasca University Students' Union, and she is in the public gallery, and I would now ask her to please rise and receive the warm and traditional welcome of this House.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have two introductions today. Last May I rose in this House to introduce a remarkable woman, Ann Keane, who planned to become the first woman to run across Canada, raising money for charity and encouraging people to raise their eyes and open their hearts to the opportunities we all have to reach out and make this a better world. Today it is my great privilege to reintroduce Ann to this Assembly. She succeeded. She's the first woman to run across Canada. Would she please rise in the public gallery.

Ann began in Newfoundland in May and prevailed over snowstorms, rain, mountains, drought, lost toenails, and risks of kidney failure to dip her tired feet in the water of Tofino in August. Ann gained strength the whole way and eventually was running the equivalent of two marathons a day every day, week in and week out. Ann's spirit is an inspiration to us all. When we are tired or feel that we have given all we have or when we feel like quitting, we should remember Ann and the message of hope and compassion and courage she took to every province in this great land. Please give her a warm congratulatory welcome.

Mr. Speaker, Ann is the first to admit that she did not achieve her goal alone. She had various sponsors, including an RV company and a company that provided her with many new pairs of running shoes. She had a team of people who supported her all the way, taking donations, driving her vehicle, and stirring up publicity. Three of those people are here today. Would they please rise as I read their names: John Duke, Betty-Jean Duke, and Samsen Rohm. Ann also had her dog with her, who undoubtedly is the first dog to have run from Newfoundland to Vancouver Island, but protocol wouldn't let me introduce the dog here today. Would the House please join me in giving these four a fine welcome.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. It's with considerable pride and delight that I rise to introduce to you and to all members of this House 28 very special guests. They are members of the Canadian Diabetes Association marathon team, their trainers, and officials. These guests, ages 21 to 67, have joined other teammates across Canada as part of the Canadian contingent to raise funds in support of fighting diabetes. Thirty-six Albertans trained for and completed the challenge of a lifetime, the 42-kilometre Great Bermuda Walking Marathon in Hamilton, Bermuda, on November 17. I had the pleasure of meeting some of them on the plane on November 18 on

my way back from Toronto. The team raised more than \$200,000. Many of these participants are able to join us today, and they are seated in the public gallery as well as in the members' gallery. I would ask all of them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you very much, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of this Assembly two businessmen who live in St. Albert and Edmonton. They are seated in the members' gallery. They are Joe Evans and John Shyback, and they are both involved in technology and technology business among other things. I'm pleased to present them to the Assembly today, and I'd ask them to please rise and receive the warm welcome of this Assembly.

MR. MAR: Mr. Speaker, it's my pleasure to rise today and introduce to you and through you to members of the Assembly Mr. Darcy Craig, a resident of Calgary-Nose Creek, a young man who has taken a great interest in political life for the last 10 years. He's here to observe today's proceedings, and I'd ask that he rise and please receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. On behalf of my colleague the MLA for Leduc it's my pleasure to introduce to you and through you to all members of the House 28 visitors from Leduc's East elementary school. They are accompanied by teacher Mrs. Mary Ellen Whitworth and parent helper Mr. David Argent. I understand they're in the members' gallery, and I would ask that they rise and receive the traditional warm welcome of the House.

1:40

head: **Oral Question Period**

Electricity Pricing

DR. NICOL: Mr. Speaker, yesterday the Premier said that the average rolling price of electricity for 2002 was 4 cents a kilowatt-hour, but when consumers call to request that rate, they are told it's not available to them. My question to the Premier: why did you promise Albertans a rate that's not available to them?

MR. KLEIN: Mr. Speaker, I'm quoting from the daily energy pricing report, and it's dated Monday, November 25, 2002. That was yesterday. I'd be glad to go through it. The average price for January of 2001 was 13.1; February, 11.7; March, 9.7; April, 11.5; May, 8.8; June, 6.4; July, 5.3; August, 5.2; September, 3; October, 4.4; November, 3.3; December, 3.4.

Now, 2002, the current year: January, 2.8; February, 2.2; March, 5.5; April, 4.5; May, 4; June, 4.6; July, 2.6; August, 3.2; September, 4.6; October, 4.4; and November, 6. We haven't yet reached December, so the average price to the end of November, which we're almost at, is 4 cents, according to the daily energy pricing report.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Premier: but that's not the price that shows up on the consumer's bill even under the generating charge; is it?

MR. KLEIN: Mr. Speaker, I'm not privy to every single electricity bill in this province, but I'll have the hon. minister supplement.

MR. SMITH: Mr. Speaker, since the inception of the Power Pool and starting last year, this price is published accurately in the *Edmonton Journal* and the *Calgary Herald* on a daily basis, and in fact the prices that are now available to customers in the marketplace are regulated rate options. In fact, the EPCOR rate for Edmonton is one that's approved by city council here in Edmonton. The Enmax rate is one that's approved by the Calgary city council. With the introduction of the Electric Utilities Act amendment in the spring of next year that will change, and those will come under the purview of the government of Alberta. Today the EUB, the Alberta Energy and Utilities Board, regulates the regulated rate option of EPCOR in the Aquila network and of ATCO in the rural network.

Now, Mr. Speaker, these are rates that under deregulation were given time for consumers all across Alberta to choose as new competition came into the retail marketplace. Frankly, that competition has been a little slower than what we would have liked to see appear, but I have been in discussions with people who are interested in entering this marketplace, and we're starting to see contract options being offered in the retail marketplace today.

DR. NICOL: Mr. Speaker, again to the Premier. And if he wants to, he can pass it off. Is it not true that what you're quoting here are wholesale prices, when in actual fact the consumer pays a retail price which shows the markup that the retailers put in place to discount for uncertainty, for risk, and for the aspects of dealing with the monthly changes in price?

MR. KLEIN: Yes, Mr. Speaker, and that's in accordance with the market and the philosophy that the market prevails. That would exist in a regulated or deregulated environment.

DR. NICOL: When this government undertook a policy of electricity deregulation, it promised Albertans that the price of electricity would be lower. Albertans thought that meant that their power bills would actually be lower. My question is to the Premier. Why hasn't that happened?

MR. KLEIN: Mr. Speaker, the prices have actually come down, and, you know, it would be unfair to compare them to last year because there were significant rebates allotted to all Albertans. As a matter of fact, relative to my own electricity bill I didn't have one single bill last year for my condominium in Edmonton. I'm now getting bills that average about \$24, \$25 a month, which I feel to be a reasonable amount, Mr. Speaker. I have no complaints whatsoever.

DR. NICOL: To the Premier: why did you make rules that make it necessary for electricity providers to add on charges such as the fixed service charge, the municipal franchise fee, delivery consumption charges, regulated rate option shortfalls, deferral riders, and franchise fees? Why is it that they couldn't be there in a simplified form so that consumers can understand their bill?

MR. KLEIN: Mr. Speaker, I don't know if we've made the rules or if the Alberta Energy and Utilities Board made the rules, but whoever made the rules, the rules make a lot of sense. I can recall people complaining about their electricity bills and being charged a global service charge without a breakdown of those charges. Now, at least, the power companies and the retailers of power are compelled to provide a detailed breakdown as to those costs rather than a global figure. I'll have the hon. minister supplement.

MR. SMITH: Mr. Speaker, that combination of pricing structure was put into place after complete, careful, and extensive consultation

with the Consumers' Association of Alberta, consumer groups, the providers of power – that would be EPCOR and Enmax – wholesalers into the marketplace. This program of deregulation that prevents taxpayer debt for new generation was an amalgam of good work done by everybody in this province involved in the electrical business. People asked for open and transparent pricing, and that's what they got. In fact, when we looked to the task force put together by the good Minister of Government Services and myself, it was found that we might have gone overboard in delivering total transparency on total unbundling of prices, but we would rather err on openness than anything else.

DR. NICOL: To the Premier: why do consumers in Alberta need a forensic auditor to understand their power bills?

MR. KLEIN: Oh, Mr. Speaker, nobody needs a forensic auditor to understand their power bill. I certainly don't. Perhaps the hon. leader of the Liberal opposition does, but my power bill is easy enough to read, and I can't understand why his isn't.

THE SPEAKER: Official Opposition third question. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. The Minister of Energy under the directive of the Premier responded in early October to electricity billing problems, but everyone knows this policy was just to keep the Tory backbenchers from open, loud, noisy revolt. Last year the Alberta Power Pool reported many occasions when power producers withheld electricity production to raise the pool price by creating artificial shortages to make the price skyrocket even more. I don't know how anyone could describe that as open and transparent. My first question is to the Minister of Energy. Which producers used this strategy of price manipulation to increase their profits?

MR. SMITH: Well, the answer, very clearly, to that question, Mr. Speaker, is none. It is absolutely none. Of course, we would like to see these wild allegations that this member puts forward on a continual basis substantiated with even just a little, just a small bit of fact just to add to the debate. Really, there was an investigation done by the market survey administrator. They talked about gaming in the marketplace, and do you know what the results of that exhaustive study proved? That, yes, some people gamed in the marketplace and that it didn't work, that it didn't move power prices, that the Power Pool actually is, at the rate of some 3 and 4 cents over this summer, a good reflective marketplace of power exchanges in Alberta today.

1:50

MR. MacDONALD: Again, Mr. Speaker, to the same minister: how much did the price manipulation by these producers cost Alberta energy consumers? Tell us that.

MR. SMITH: Well, Mr. Speaker, as I have just stated, the investigation of the gaming in the marketplace proved that trying to artificially restrict and hold back power did not work in the marketplace. I can review the prices of the Power Pool, as the Premier did earlier, but I think that if you can look back to the period of the investigation, you can see that the power prices were at all-time lows and continuing to drive downwards. I think that as companies purchase power and deliver regulated rate options for the next year, they will examine these power prices and realize that perhaps, just maybe, in the next round of regulated rate options these prices can indeed even be lower than what they are today.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. To the Premier: how can this government select and pick out EPCOR and blame them for electricity deregulation, and at the same time this government does not inform Alberta consumers of who was responsible for the price manipulation at the Power Pool? How can you do that?

MR. KLEIN: Mr. Speaker, we didn't pick out EPCOR. Indeed, we don't have EPCOR in our crosshairs. I would like to allude to a previous question because someone – I believe it was the hon. member – alluded to a caucus revolt. Well, there was no caucus revolt, but I can tell you some caucus members were steaming mad, and most of those caucus members represent constituents in the EPCOR service area. These are anecdotal, but when you hear complaints of a customer waiting nine hours – nine hours – on the telephone to get service, when you see just absolutely insane discrepancies in billings, then, of course, the constituents phone the MLAs, and the MLAs bring these matters to caucus, and rightfully so. As it turned out, most, if not all, of these complaints came from MLAs whose constituents were in the EPCOR service area, particularly in the rural areas. So it's not a matter of picking on EPCOR; it's a matter of basically addressing the facts. The facts are that most of the complaints are coming from the EPCOR service area, and our MLAs legitimately are bringing these complaints to caucus to fix the problem.

Now, as a result of these complaints and the concern expressed by the MLAs on behalf of their constituents, action was taken by both the Minister of Energy and the Minister of Government Services to basically impose very serious penalties if billing practices are not properly undertaken and to submit to the Alberta Energy and Utilities Board, also, billing practices along with power rates and applications for increases.

THE SPEAKER: The hon. leader of the third party.

Electricity Billing

DR. PANNU: Thank you, Mr. Speaker. In October of this year, just last month, a report on electricity billing issues was released by a task force co-chaired by the Minister of Energy and the Minister of Government Services. The task force made a number of recommendations for correcting billing errors, but none of them involved penalizing EPCOR or any other company. The task force even pointed to unbundling, a key feature of the government's own deregulation policy, as the culprit for the billing errors that have occurred. My questions are to the Minister of Energy. Why is the Minister of Energy singling out the people of Edmonton and fining one company only when his own report shows the errors are largely a by-product of deregulation and not the fault of EPCOR alone?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. I know that this is kind of an unusual flip in this House, but we're actually standing up for consumer rights while the NDs are standing up for utility rights. We think that it's very important that consumers get accurate information. No marketplace can work correctly without accurate information. We have not had the same volume of complaints from areas of jurisdiction outside of the EPCOR/Aquila network. When asked to examine this by MLAs and consumers in the marketplace, we did that. We did that with a very good report that the member has alluded to, and we came up with this option.

This option doesn't single out any company starting with E. What it does say is that in this area the retail provider who administers the regulated rate option has a responsibility for correct meter-reading frequency and for correct meter-reading accuracy. We expect EPCOR and Aquila, who entertain commercial relationships, to be able to remedy these mechanical problems and deliver those solutions to the consumer, and if they don't, we have found the right mechanism that will help the marketplace function more effectively.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. To the same minister: has the minister sought advice regarding the legality of singling out one company for regulatory punishment particularly when that company is not responsible for errors it is being fined for? If so, will he table this information?

MR. SMITH: Well, I appreciate the New Democrats' right to stand up for big business, but, Mr. Speaker, the reality is that the consumer has delivered a great deal of many more complaints. I've received them from areas such as Barrhead-Westlock, and in those areas there are examples of incorrect meter reads. There are examples of meter reads that take place five and six months apart. There is an example reported in, of all papers, the *Edmonton Journal*, accurately, that stated a customer's bill for 162,000 kilowatt-hours. Now, a person who uses some hundred to two hundred dollars worth of power a month getting a bill for 162,000 kilowatt-hours tells me that the consumer knows what he's doing, and he wants a solution.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Given that EPCOR is the one that's being fined, will this Minister of Energy and the Member for Calgary-Varsity apologize to the people of Edmonton for scapegoating them to deflect their political embarrassment?

MR. SMITH: Well, you know, Mr. Speaker, I will apologize to the consumers in rural Alberta who compose members and constituents of these people's ridings for the inability of commercial entities to move quickly on billing systems and meter irregularities, and I know they're going to work hard, and I know they're going to work diligently. Those companies, including the one named by the Member for Edmonton-Strathcona, who represents the other university in Alberta that is in a major city with over a hundred thousand in population, embraced deregulation right from its start. It was involved in the consultation process from 1993 and knows exactly the remedies that have to take place.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Riverview.

Energy Industry

MS DeLONG: Thank you, Mr. Speaker. Alberta provides energy for the world. Our oil and gas is used to manufacture and transport goods around the world. Our energy keeps people in North America warm in the winter and cool in the summer. North Americans travel freely due to our inexpensive energy. A very small proportion of our energy is used to supply Alberta's own electrical power grid. Now, my first question is to the Minister of Energy. How many windmills would it take just to supply Alberta's electrical power grid or replace what currently supplies the grid?

2:00

MR. SMITH: Well, you know, Mr. Speaker, it's actually a pretty good question. It's actually a pretty good question. If you look at what was happening in renewable energy prior to deregulation, there were very few windmills in this province. Today this province boasts more windmills than any other province except for Quebec, and we will be passing Quebec with the Enmax/Vision Quest deal for McBride down in Livingstone-Macleod.

But, you know, one of the difficulties with wind power, Mr. Speaker, is that it doesn't blow at the same speed every day 365 days a year. In fact, it peaks and it valleys. So in a grid now in a province that has some 10,000 megawatts, you would actually need some 34,000 windmills to deliver a complete replacement to a grid now in Alberta that has about 60 percent of its power supplied by coal – coal-fired electrical generation – about 35 percent provided by natural gas electrical generation, and between 1 and 5 percent on hydro and on biomass and on windmills.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you. Again to the Minister of Energy: what would Kyoto do to Alberta's production of nonrenewable resources?

MR. SMITH: No cash, no investment, no product, Mr. Speaker. Kyoto is one of the most visible examples of the federal government's woeful ineptitude – woeful ineptitude – on energy policy. There are many here who remember the national energy policy of 1980 and how it decimated an economy where people were working, how it, in fact, took some 60 billion plus dollars out of the economy. So the Kyoto protocol, if ratified in its present form, can shrink investment, can cost jobs, and, in fact, as Industry Canada has indicated, has a deleterious effect on Alberta's investment.

MS CARLSON: A point of order.

THE SPEAKER: The chair will recognize the hon. Member for Edmonton-Ellerslie at the conclusion of the question period.

The hon. member.

MS DeLONG: Thank you. To the same minister: what portion of Alberta's oil and gas revenues go to the federal government?

MR. SMITH: Oil and gas revenues as expressed by royalties: not one penny goes to the federal government, nor should it, because this province irrevocably has an inalienable right to these resources and an ability to develop these resources, Mr. Speaker. In fact, when you do look at what does happen, this industry is Canada's largest investment product. In fact, on an annual basis some \$15 billion worth of Canadian investment rolls into this province and creates a tremendous amount of jobs. The industry pays some 2 billion dollars in income tax, and in fact we see economic activity totaling some 50 billion dollars. This industry is the lifeblood of this province. This industry is the envy of countries throughout the world, and why a federal government would take active measures to decimate it is absolutely beyond my comprehension.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Rutherford.

Security of Registry Offices

DR. TAFT: Thank you, Mr. Speaker. Identity theft in post September 11 Alberta seems rampant. Criminals have broken into a string

of registry offices in the last year, and last week alone thieves broke into the same Edmonton registry office twice, stealing almost a thousand blank drivers' licences to go with a computer, monitor, and photo printer. Police warned that if the same bandits are responsible for both crimes, they now have all the equipment needed to print fake drivers' licences. To the minister of Government Services: does the minister have any idea what the street value of high-quality, custom-printed fake drivers' licences is?

MR. COUTTS: Well, Mr. Speaker, it's an amazing thing. Every radio station and every television station has provided the input for that question here today over the last 24 hours. I must say that even though the hon. member opposite makes mention that there is probably a correlation between the two thefts, one happening last Tuesday and another one happening on Friday, there is absolutely no evidence that the two are related at this point in time. Even amongst the police service there is only speculation that they are related, and you talk to another police service and there is speculation that they aren't related. So to the question that the hon. member gives me: no; I can't say that any information that was given out actually can be correlated to the second theft. It is too bad that there were professionals that went in there and cleaned that place out in less than four minutes.

DR. TAFT: The minister is indeed right. All of Alberta is waiting for answers, and they're still waiting.

Why does this minister continue to downplay these security breaches when even the police are telling people to be vigilant about discarding documents containing personal information?

MR. COUTTS: Well, Mr. Speaker, let's first of all clarify one thing. The cards that were secured on Friday night: there was no information on them whatsoever. They are blank cards, and with the equipment that was stolen, there is no way for the individuals to gain access to our database to put anybody else's information on those blank cards. Absolutely no way.

Let me say, Mr. Speaker, that we are putting forward a request for proposals, as I mentioned in this House last Thursday, for a central issuance of drivers' licences that will stop this type of thing, but at the same time it will still ensure that Albertans out there will still get their registry agents' service from the 227 registry agents that are in this province. That service will be provided all across Alberta, but it will be safe and secure for a driver's licence issuance out of a central office.

DR. TAFT: Given that the minister recognizes that professional thieves were involved and given that the minister in Thursday's question period made public where the thieves who committed last Tuesday's break-in could find the special paper they were missing and that they went back two days later and stole the safe containing the information, will the minister finally admit that he has no handle whatsoever on this issue?

MR. COUTTS: Mr. Speaker, we have a very good handle on this issue, very, very good. That's truly just speculation by the member opposite. I took the opportunity to phone the president of the Alberta Registry Agents Association when the second break-in took place, and I asked him to do a survey of his members, to do something to alert them to the fact that there are unscrupulous people out there. We always have to be reminded of this. He had within five minutes of my phone call sent a communique to every one of his registry agents' offices to alert them to the fact that there are people out there looking at this equipment and to beef up their security

measures. So that's the action that this government takes, that's the action that this department takes to make sure that everything is safe and secure for Albertans.

Funding for Police Services

MR. McCLELLAND: My question is first to the Solicitor General. The Edmonton Police Commission claims that the provincial government is not paying its fair share of the cost of providing police services directly attributable to the province's responsibilities, responsibilities such as document service, commercial vehicle inspection, parole apprehension. The release of patients with mental difficulties into the community often results in police involvement, as does the number of halfway houses and the increasing number of conditional sentences being served in the community. My question to the Solicitor General: is this true?

THE SPEAKER: The hon. minister.

MRS. FORSYTH: Thank you, Mr. Speaker. On the question that the hon. member has brought out, we do have concerns about police funding across this province. We not only heard it from Edmonton but around the entire province. Municipalities are coming to us about police funding. Under the Police Act police officers are responsible to perform all duties necessary to carry out their functions as peace officers, including apprehending individuals and executing warrants. I am in the process of meeting with all of the police chiefs across this province. I'm interested in hearing their concerns and some of the ideas that they have to deal with this specific problem. I'd be pleased to meet with Mayor Smith, who brought this to our attention, and Chief Wasylshyn and will be meeting with the Alberta Association of Chiefs of Police in December.

THE SPEAKER: The hon. member.

2:10

MR. McCLELLAND: Thank you. My supplementary question is to the Minister of Municipal Affairs. Is it possible to identify funds transferred in support of policing responsibilities in the current block funding to municipalities?

THE SPEAKER: The hon. minister.

MR. BOUTILIER: Yeah. Thank you, Mr. Speaker. Many years ago the Municipal Affairs ministry used to transfer conditional grants, where we would tell municipalities where the money had to be spent, but we thought that, in partnership with them, they know best where the money can be spent. This past year almost \$32 million, what we refer to now as unconditional grant money, has been allocated to municipalities from every corner of our province. Of that portion, \$8.8 million went to the city of Edmonton. They determine the best priority where it can be used. Part of that, of course, is towards policing.

THE SPEAKER: The hon. member.

MR. McCLELLAND: Thank you. My final supplementary is to the Minister of Finance. The Edmonton Police Commission has suggested that because alcohol is an underlying factor in much of the expense related to policing, perhaps a portion of the income that the province gets as a result of the sale of alcohol should be returned directly to policing. Is that an idea that could be given consideration?

MRS. NELSON: Well, Mr. Speaker, the proceeds from the sale of liquor, along with all the other revenue basis that we have, such as royalties and income tax, et cetera, are pooled in what's called the general revenue fund. The general revenue fund supplies the revenue base for all of the core programs that we offer through our government. One of those core programs, of course, is dealing with funding for municipalities in the form of an unconditional grant. Those dollars do flow through to the unconditional grant that is given to municipalities to pay for services such as policing, fire, roads, et cetera, so in essence those dollars do flow through the general revenue fund to municipalities. Now, what municipalities do when they receive those unconditional funds is something they must determine based on the requirements of their own municipality. We don't get involved in telling them what to do with the dollars we've granted forward.

Swan Hills Treatment Centre

MR. BONNER: Mr. Speaker, the government's toxic waste plant in Swan Hills has cost taxpayers about \$500 million since it opened for business, losing \$9.5 million last year alone, making it the provincial equivalent of the federal Sea King helicopters. Rather than shutting down this environmental and economic liability, this government continues to throw good money after bad, and it's now negotiating a sweetheart deal with a subsidiary of the financially shaken Tyco industries. My first question is to the Minister of Infrastructure. What subsidies and profit guarantees using taxpayers' money will Earth Tech receive to operate this plant?

MR. LUND: Mr. Speaker, to move this plant out to the private sector, we went through a very extensive process of first calling for requests for qualifications and then going forward with a request for proposal to take over the operation of the plant. We are currently working with the company that won the RFP. Of course, the objective would be to not have to provide any assistance to the operation of this plant.

But I think the hon. member must remember what a tremendous asset that plant is to the province of Alberta. It has done a tremendous job. It has cleaned the province of PCBs. It is currently processing many very toxic materials that would have to be processed at some location. It's not a lot different than what we as government have done to protect the environment relative to the utilities, the garbage collection, the various programs that we have to keep the province clean. This is just another example. It's a utility that is very, very important to protect the environment here in Alberta.

MR. BONNER: To the same minister: will the minister table the cost-benefit analysis showing why it makes financial sense to keep this plant operating at great taxpayer expense rather than shutting it down?

MR. LUND: Mr. Speaker, I find it very interesting that the Liberal Party would suggest that protecting the environment is something that the government shouldn't be into. I find that extremely difficult to accept. The fact is that the industry that we have in Alberta does generate very toxic materials, and in order for those to be processed and for the environment to be protected, we need to have a facility similar to the Swan Hills plant.

It was extremely interesting as we went through this RFP. A multinational company was very interested in it, and some of the comments that they made about that plant I found extremely interesting. For example, they said that as far as they could see –

and they're worldwide – there's no other plant like it in North America that can process PCBs, that can totally destroy those kinds of toxic materials. So, Mr. Speaker, for the hon. member to stand in this House and condemn that plant, I find it very disturbing.

MR. BONNER: Mr. Speaker, to the same minister: why did your government break their promise to Albertans that full public consultation would be done before toxic waste was imported from other jurisdictions?

MR. LUND: Mr. Speaker, the hon. member has very, very selective memory. Perhaps, as some hon. members have suggested, he does not have a memory at all. The fact is that there was a period of time when the plant, it was said, would only process Alberta waste but that beyond that it could possibly import waste from other provinces. That is exactly what's happened. There was no breaking of any promise. This is exactly what was laid out at the time when the plant was first commissioned.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Highlands.

Low-income Review Report

MR. CAO: Thank you, Mr. Speaker. The report from our capable MLA committee that reviews low-income programs was released last May. I continue to hear from my constituents who are asking when they can expect to see changes in the province's income support programs. My question today is to the Minister of Human Resources and Employment. Why is it taking so long to implement the recommendations of the MLA committee?

MR. DUNFORD: Well, Mr. Speaker, we've talked about the low-income review report in the House on previous occasions, a very extensive report. There have been a number of recommendations from that report that have been implemented. One of the things, though, that we're currently waiting for is the final release of market basket measurements for, really, across Canada but specifically for the area here in Alberta, so then we'll have a better feel for what sorts of benefit levels we ought to be looking at here in the province. So I understand the concern on many people's part. In some cases it's actually led to some frustration. But we want to do it right, so we're going to take the time to make sure that it's done right.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. My supplemental question is to the same minister. Mr. Minister, when will the talk become the walk in helping Albertans in need?

MR. DUNFORD: Hey, very good. That's the way. When I was a backbencher, that's what I did too; you bet.

I think I answered the question in the first part of my answer, Mr. Speaker.

MR. CAO: My second supplemental question is to the same minister. The low-income review proposed phasing in the market basket measurement as a benchmark against which to assess the benefit rates and also proposed increasing resources to clients whose income is less than the MBM. Mr. Minister, when will Albertans in need get an increase in their needed financial assistance?

2:20

MR. DUNFORD: Well, again, to go back to my first answer, we've been working with the federal government and other provincial

jurisdictions on the market basket measurement. We think it's a better indicator of what is required in order to survive and to compete within a particular economy, and we think it'll be a better benchmark than what's been available to us. We'd expect that we should start receiving at least on a quarterly basis some firm statistics early in '03. Of course, as far as the benefit levels, that's all subjective, as the hon. member already knows, because he attends our standing policy committees. It's a matter now of getting ready for next year's budget.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-North Hill.

Labour Relations Code

MR. MASON: Thank you very much, Mr. Speaker. On Friday afternoon a settlement of the long and drawn-out strike at the Shaw Conference Centre was finally reached, after the workers at Shaw had pounded the pavement for six long months while their employer tried every trick in the books to break the union. While the cooks, dishwashers, waiters, and busboys suffered on the picket line, EDE was repeatedly found in violation of Alberta's labour code by the labour board. Despite this, the labour board was unable to impose any penalties on EDE because Alberta's labour laws are so inadequate and biased in favour of employers. To the Minister of Human Resources and Employment: why is there no penalty which the labour board can impose in cases like EDE and this strike, where they were found in violation of the labour code?

MR. DUNFORD: The labour code in Alberta, Mr. Speaker, contemplates that the government would play an active role but, you know, as a referee or some entity that would provide for a level playing field. I think that in Alberta we actually do that. When you look at some of the measurements that one is concerned about within labour relations, you'd want to look at the number of agreements that are settled without job action, you'd want to look at the productive time that's lost due to strikes. In both areas Alberta is actually leading the nation. So to characterize the Alberta Labour Relations Code as something that is in dire need of repair is certainly not representative of the actual fact. The code itself, of course, provides for penalties that are deemed to be necessary by the labour relations community here in the province.

MR. MASON: Thank you, Mr. Speaker. Well, then, will the minister tell the House: why is it that the government comes down like a ton of bricks on workers and their unions when they violate the labour code but twiddle their thumbs when an employer does the same thing?

MR. DUNFORD: Mr. Speaker, I think that that's an unfair characterization of the role that the government plays. Clearly, under the Labour Relations Code it is the responsibility of employers or employees to bring actions. Although the particular instance was not characterized by the hon. member, I think we all know the one that he's referring to, and if he has a concern about that, he ought to be talking, then, to the employer group and not the government.

THE SPEAKER: The hon. Member.

MR. MASON: Thank you, Mr. Speaker. Given that the ministry has responsibility for ensuring that labour disputes are settled in a fair manner, will the minister bring forward amendments to the labour

code which would give the labour board the teeth it needs to enforce the law when an intransigent employer deliberately violates it?

MR. DUNFORD: Mr. Speaker, we've just had a government MLA committee look into whether or not there should be a general review of the Labour Relations Code, and earlier today I actually received that report. Now, we've not had time to go through it and its various recommendations, but certainly that will be part of the responsibility that we'll have. We'll go through it and through every recommendation, and I believe we'll take responsible action, then, based on those recommendations, and I want to congratulate the government MLA team for the work that they did.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, then the hon. Member for Calgary-North Hill.

Water Management

MS CARLSON: Thank you, Mr. Speaker. The scientific community has recognized that the status of our water resources will become the foremost ecological concern of the 21st century. Drought, contamination, and the commodification of our water supply threaten the livelihoods of all Albertans and the sustainability of their communities. To the Minister of Environment: how will the minister ensure a dependable supply of clean water to Albertans?

THE SPEAKER: The hon. minister.

DR. TAYLOR: Well, thank you. The member has actually put her finger on a very important issue for Alberta as we go forward, Mr. Speaker. I've always said that water will be the issue of the 21st century, and that's why we started late last year and continued into this year with the development of a water strategy. In fact, we held a forum in Red Deer – I think it was in May of this year – where we brought in people from all over this province and from all different viewpoints to have a discussion on water and the ways that we should deal with some of these significant water issues that we're facing in the province. Certainly, as we go forward, I've seen the first feedback from that meeting, the report, just last week. We're in the process as a department of just preparing those reports from those meetings, and then we'll bring recommendations forward to this House.

MS CARLSON: How does the minister expect to be able to manage the potential for contamination with water transfers?

DR. TAYLOR: Well, Mr. Speaker, I assume that she's referring to the Red Deer issue, where we have taken from the community an initiative. The number of communities around Red Deer is growing rapidly, as you know, and as a direct result of this they are having trouble with providing high-quality drinking water to the communities. So rather than trying to upgrade all those smaller communities to a certain level, the communities got together with Red Deer and said that we should, you know, upgrade Red Deer's plants and then pipe the water to these various communities: Penhold, Sylvan Lake, Lacombe, Blackfalds, and there may be several others.

As we do that, we're actually taking water from the Red Deer River basin, which is part of the South Saskatchewan River basin, and in some of the communities they put it back into the Battle River basin, which is part of the North Saskatchewan River system, Mr. Speaker. So you do have what under our legislation is considered an interbasin transfer, but the water that goes back into the Battle River is treated water.

MS CARLSON: Mr. Speaker, the question was a much larger issue. What is this government doing to ensure that water transfers in this province will never make water a commodity under the terms of the North American free trade agreement?

DR. TAYLOR: Well, certainly, we have investigated NAFTA as it refers to the one water transfer that we are doing, Mr. Speaker, and it has absolutely nothing to do with NAFTA. All the legal experts quite clearly point out that this type of basin transfer that we're doing, you know, has nothing to do with NAFTA.

THE SPEAKER: The hon. Member for Calgary-North Hill.

Age of Consent

MR. MAGNUS: Thank you, Mr. Speaker. In 1998 this Legislature passed a motion supporting raising the age of consent to 16 years of age from the current 14 years of age. A couple of weeks ago Canada's justice ministers met in Calgary, where the issue received much attention, but in the end the ministers decided to do nothing with respect to this issue. My questions today are to the Minister of Justice and Attorney General. Can the minister explain to Albertans why there is such reluctance by the justice ministers of Canada with raising the age of sexual consent?

THE SPEAKER: The hon. minister.

MR. HANCOCK: Well, thank you, Mr. Speaker. An excellent question and one that does need some clarification. I would want to indicate to this House that, first of all, the hon. Solicitor General and myself as representatives of Alberta at the meeting advocated very strongly for a change to the law with respect to the age of consent. I should also indicate to this House that all justice ministers across this country believe that we need to do more to protect children from predators.

The issue with respect to the age of consent was a question of whether or not we could best do that by raising the age of consent from 14 to 16 – and, in my personal view, it should probably go up to 18 – or whether that should be accomplished by changing the law, the Criminal Code, with respect to how you determine who the predators are and how you deal with the predators. At the conclusion of the meeting we weren't able to get unanimous agreement among the provinces and, unfortunately, as a result of that, Mr. Speaker, the federal Attorney General indicated that he would not proceed with a change to the Criminal Code with respect to the age of consent law, but he did make a commitment to move with respect to changing the law with respect to predators.

2:30

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. Speaker. How do our laws compare to those in other jurisdictions around the world?

MR. HANCOCK: Well, Mr. Speaker, the answer to that indicates that we lag behind other areas of the world when it comes to protecting our children in this area. Under Canadian law, of course, right now, as we know, the age of consent is 14, and there is really nothing you can do unless you can prove that somebody is in a position of authority under section 153 of the code to protect children from adult predators. Around the world it's a different story. In 49 states of the U.S., in England, in Austria, in Belgium, in Australia, in Luxembourg the age of consent is 16, and in France the age of consent is 15. Canada has a long way to go.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. Speaker. Again to the same minister: given the terrible impact that this nondecision has on the children and families who are the victims, is there any hope that the ministers responsible for justice in our country will see the wisdom and make changes that Albertans, Canadians, and, indeed, this Legislature have asked for?

MR. HANCOCK: Well, Mr. Speaker, I remain ever hopeful that we'll be able to convince all provincial governments to agree that we need to raise the age of consent. At each meeting that I've been to since I've been minister, the issue has been on the table, and it will be on the table at every meeting that I go to until we achieve success.

I should indicate, Mr. Speaker, that we have achieved some success. The federal Attorney General has agreed that in a bill that he's to introduce before Christmas he will bring in provisions, presumably to amend section 153, to increase the number of provisions dealing with those people who would be classified as predators, those people who can be prosecuted for engaging in sexual activity with persons under the age of 18. I hope and trust that in doing so he will go a long way to achieve the result that we've asked for from this Legislature over and over again.

THE SPEAKER: Hon. members, before calling on the first of four members today to participate in Members' Statements, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests** (reversion)

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I see that my group is filing out right now, but I did want to introduce to you and through you to all members of the House 63 visitors who have been visiting with us from J.J. Nearing school. J.J. Nearing is part of one of the fastest growing parts of St. Albert. They're great kids. They were accompanied by teachers Mrs. Christine Sowinski, Mrs. Teresa Belland, Mrs. Sonia Reid, and parent helpers Mrs. Lisa Hamilton, Mrs. Karen Wolansky, Mrs. Gerri Owen, Mrs. Linda Gull, Mr. Kevin Searcy, and Mrs. Carolyn Saccucci. I believe there are still a few of them left in the gallery. I'd ask them to stand and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm very fortunate to have about a dozen seniors' residences in my constituency of Edmonton-Centre, and one of the most active is Kiwanis Place. The seniors there are a very lively bunch. They like to get out and about, and they're certainly very politically aware. We have some of them joining us. A group of 13 are in the members' gallery today. I would ask the group to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the Assembly Mr. David Cournoyer, a

guest in the public gallery. David is a recent recipient of the Queen Elizabeth Golden Jubilee commemorative medal for his extensive volunteer work, and I know that he has a very bright future for he is also very active in the Alberta Liberal Party.

Thank you, Mr. Speaker.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Calgary-Fort.

Kyoto Protocol

MR. CAO: Thank you, Mr. Speaker. Personally, I have lived and worked and traveled in many parts of the world. I love our homeland, Canada, with its treasures of blue skies, white snow, fresh water, and green woodland. Yes, we must continue protecting our environment. Yes, we must continue reducing our wasteful consumption. Yes, we must continue developing our first-class technology. We have been doing all of this very well long before and without the Kyoto protocol.

In my early childhood my mother told me an oriental fable. One day a group of toads jumped out of their burrow into an open field. It was their first time out, and they were all elated by the large expanse and in awe at the size of a bull munching leisurely by. One toad boasted that it could be as big as that bull. The others challenged and egged it on. It gulped in air, holding its breath, one after another, ballooning up bigger and bigger, still not big enough to be the size of the bull. Its friends cheered it on. Boom. It exploded. In terms of global climate change there are many big bulls out there, Canada definitely and proudly not one of them. Please do not try to be one, becoming like the blown-up toad in my mother's fable.

From the global perspective Canada is big in geographical size but small in the rest. Frankly, our Canada is not bull sized in the world, so to speak. Canada has only 30 million people, .5 percent of the world's 6 billion consumers. We are currently attributed with only 2 percent of the world's emissions, equivalent to the margin of error in any global and geological calculation. Canada's Kyoto protocol targets affect only within that 2 percent globally. Out of the remaining 98 percent of global emissions 65 percent are from countries that do not accept the Kyoto protocol. A well-known engineering professor told me that. For example, eight months from now China's accumulated emissions will be as much as Canada planned to remove in the next 10 years to meet the Kyoto target.

Globally speaking, the quality of our air, water, and land is the envy of the world. As we all care about our planet, Canada should snap out of its trance of environmental self-flagellation and start helping other countries to catch up to our current environmental quality.

Thank you.

THE SPEAKER: The hon. Member for Calgary-West.

Teachers' Compensation

MS KRYCZKA: Thank you. Mr. Speaker, I have been an employee in the public sector as a Calgary board of education guidance counselor and therefore a member of the ATA. I have also been employed in the private sector as a personnel administrator of a large law firm. I believe it is time for this government to seriously consider a new approach to compensating teachers.

I do believe that excellent teachers are highly valued in our society the same as excellent employees are valued in other industries or sectors. In fact, every student deserves the very best education possible just as every Albertan deserves the best in health care services, financial planning services, and so on. But teachers

are compensated using an outdated 35-year-old grid approach that uses two basic criteria: years of education and years of experience.

What about additional, very important criteria such as recognition of workload or responsibilities beyond the basic expectations or attitude or specialized training or effective teaching skills or student improvement? Most employees in any given workplace know that there is a varying degree of excellence, hard work, and productivity between workers, and most employees would favour a compensation system that fairly and individually rewards performance. I know from experience how far 2 percent, for example, of any size of salary budget can go toward fair increases in compensation: from 1 percent through a range of 10 percent or more, where deserved.

Why are excellent teachers leaving the public system, and why are potentially excellent teachers choosing other careers? One obvious factor is the disincentive to superachieve or work very hard because one teacher is compensated on the same basis as every other teacher. Is this the compensation system that we really want for entrepreneurial Alberta?

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

2:40

Class Sizes

DR. MASSEY: Thank you, Mr. Speaker. On November 5 voters in the state of Florida endorsed the constitutional amendment to reduce class size, this over the strenuous objections of Governor Jeb Bush and a coalition of advocates objecting to the costs of smaller classes. The half million dollar study conducted by the Learning department in Edmonton confirmed what has been learned time and time again elsewhere: one, children in smaller classes consistently outperform children in larger classes; two, by the end of third grade students in small classes outperform their large-class peers significantly in reading and in mathematics; three, children in small classes consistently outperform regular classes with aides; four, the gains achieved in early years by students are maintained in later grades; five, children in smaller classes are less likely to be held back a grade; and six, K to 3 to students in smaller classes participate more in subsequent grades.

We need to act so that another generation of Alberta children is not robbed of the gains possible in smaller classes. If the government can't or won't bring itself to believe the research on smaller classes and hides behind flexibility, then let's give the schools flexibility and class-size funds to test other strategies. Let's explore some of the promising preschool programs that last until a child reaches kindergarten. Let's try the early/late class arrangements where part of a class arrives earlier for school and part remains late so teachers may work with smaller groups. Let's try out the tutoring programs that hold the same promise as smaller classes. Then let's plan to incorporate these promising practices we find on a province-wide basis. If there's no money today, let's at least begin making plans for the future.

Through budget decisions the government has made certain that class sizes will not only fail to decrease but will increase this year. Maybe the only hope for Alberta children is a Florida-type referendum at the next election.

THE SPEAKER: The hon. Member for Calgary-Shaw.

Family Violence Prevention Month

MRS. ADY: Thank you, Mr. Speaker. November has been declared Family Violence Prevention Month in Alberta by the Minister of Children's Services. This is the 16th year Family Violence Preven-

tion Month has been proclaimed in our province. This year's theme is Children Learn What They Live. This is a very simple statement but very profound because we know that children soak up what they see in their everyday existence. Indeed, what occurs in their earliest years affects them for the rest of their lives. The goal of Family Violence Prevention Month is to raise public awareness about family violence issues as well as the community prevention programs that are available.

The Children's Service ministry spends about \$14 million annually on family violence prevention and supports. The ministry helps to fund 29 shelters, family violence prevention centres, and second-stage housing facilities across the province that provide programs to help victims of family violence rebuild their lives. These programs are delivered in the community by community-based organizations, and we're so proud to partner with them, and we're so proud of the work that they do. The province also works closely with the Alberta Council of Women's Shelters to enhance services for victims of family violence.

November is a time to reflect on the responsibility we all have to end family violence. We all have a responsibility to lend a helping hand, to take a stand that family violence will not be tolerated, and to help break the cycle of abuse. Only by working together can we continue to raise awareness of this serious social problem and create an environment where victims feel safe to come forward for help.

I urge Albertans to take part in Family Violence Prevention Month activities in their communities to help raise awareness of this very serious issue. If you are a victim of family violence, please call your local police, RCMP, or tribal police. Help is available. For information about local family violence services and programs call the child and family services authority in your area toll free at 310-0000.

Thank you, Mr. Speaker.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. It's my privilege to present a petition on behalf of 4,811 citizens . . .

MR. HUTTON: How many?

MR. McCLELLAND: Four thousand eight hundred and eleven, who signed a petition petitioning and requesting the government to reconsider its position on community lottery funds. This was presented last June, and this is the first opportunity that I've had to present it to the House.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. Today I'm presenting a petition signed by 40 residents of Drayton Valley-Calmar, and later I will be tabling an additional 424 signatures on the same issue. This petition urges the government of Alberta to "remove abortion from the list of insured services that will be paid for through Alberta Health."

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'd like to table a petition signed primarily by residents of Fort Saskatchewan. These constituents request that abortion be removed from the list of insured services provided by Alberta Health.

THE SPEAKER: Hon. Member for Calgary-Fort, did you have a petition you wanted to table?

MR. CAO: I have a report, sir.

THE SPEAKER: Well, we've missed that part in the Routine. It's normally under Presenting Reports by Standing and Special Committees. We'll move on.

head: **Notices of Motions**

MR. JONSON: Mr. Speaker, today I wish to give notice of the following motion.

Be it resolved that the Legislative Assembly of Alberta, consistent with its commitment to protecting Alberta's environment, hereby endorses and accepts the following principles agreed to by all provinces and territories on October 28, 2002, to provide the basis for the development of a national climate change action plan.

- (1) All Canadians must have an opportunity for full and informed input into the development of the plan.
- (2) The plan must ensure that no region or jurisdiction shall be asked to bear an unreasonable share of the burden and no industry, sector, or region shall be treated unfairly. The costs and impacts on individuals, businesses, and industries must be clear, reasonable, achievable, and economically sustainable. The plan must incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives.
- (3) The plan must respect provincial and territorial jurisdiction.
- (4) The plan must include recognition of real emission reductions that have been achieved since 1990 or will be achieved thereafter.
- (5) The plan must provide for bilateral or multilateral agreements between provinces and territories and with the federal government.
- (6) The plan must ensure that no province or territory bears the financial risk of federal climate change commitments.
- (7) The plan must recognize that benefits from assets such as forest and agricultural sinks must accrue to the province and territory which owns the assets.
- (8) The plan must support innovation and new technology.
- (9) The plan must maintain the economic competitiveness of Canadian business and industry.
- (10) Canada must continue to demand recognition of clean energy exports.
- (11) The plan must include incentives for all citizens, communities, businesses, and jurisdictions to make the shift to an economy based on renewable and other clean energy, lower emissions, and sustainable practices across sectors.
- (12) The implementation of any climate change plan must include an incentive and allocation system that supports lower carbon emission sources of energy such as hydroelectricity, wind power generation, ethanol, and renewable and other clean sources of energy.

Be it further resolved that this Assembly, in the absence of agreement on a national plan by provinces and territories, denounces any unilateral ratification by the federal government of the Kyoto protocol in violation of the principles of constitutional law, convention, federalism, and long-established practice whereby the federal government must adequately consult with and seek the consent of provinces prior to ratification of international treaties or agreements that affect matters of exclusive provincial jurisdiction or that require provincial actions or legislation to achieve implementation where implementation will result in significant harm to the economy of Alberta and of Canada.

Thank you, Mr. Speaker.

MS CARLSON: Mr. Speaker, in accordance with Standing Order 15

I hereby give notice to all members of this Assembly that I intend to raise a question of privilege in this House at the appropriate time.

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

Bill 230
Community School Partnerships Act

DR. MASSEY: Thank you, Mr. Speaker. I request leave to introduce a bill being the Community School Partnerships Act.

This bill recognizes the unique position schools have in a community and their potential to be a central force in drawing together and strengthening a sense of community. I believe the bill could have a significant and positive impact on small schools, Mr. Speaker.

[Motion carried; Bill 230 read a first time]
2:50

head: **Tabling Returns and Reports**

THE CLERK: Pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited with the office of the Clerk by hon. Mr. Stevens: pursuant to the Gaming and Liquor Act the Alberta Gaming and Liquor Commission 2001-2002 annual report and pursuant to the Racing Corporation Act the Alberta Racing Corporation 2001 annual review.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I'm pleased to table in the Assembly today five copies, the requisite number, of annual reports for the Municipal Affairs delegated administrative organizations. The organizations included today are the Alberta Boilers Safety Association, the Alberta Elevating Devices and Amusement Rides Safety Association, the Petroleum Tank Management Association of Alberta, the Alberta Propane Vehicle Administration Organization, and a summary of the annual reports from the authorized accredited agencies.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I have six reports to table. The first is the Alberta Land Surveyors' Association report of proceedings of the 93rd annual general meeting of May 2 to 4, 2002; the Association of Professional Engineers, Geologists and Geophysicists of Alberta 2001-2002 annual report; the Certified General Accountants Association of Alberta 2002 annual report and annual general meeting and proxy information; the WCB-Alberta 2001 annual report; the Institute of Chartered Accountants of Alberta annual report 2002; and the College of Alberta Professional Foresters annual report 2001-2002.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to table in the Legislature today the appropriate number of copies of a submission that was made to me last May with respect to the funding formula for grade 10 students.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I rise today pursuant to section 22(4) of the Persons with Developmental Disabilities Community Governance Act to table the appropriate number of copies of the Persons with Developmental Disabilities 2001-2002 annual report, as provided courtesy of the PDD Alberta Provincial Board.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to table a letter signed by 30 members of the Happy Homesteaders square dance club in Leduc, Alberta, requesting that square dancing be declared as the official dance of Alberta, and they give reasons why they would like to see this happen.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of a summary of an article from the very prestigious *Journal of the American Medical Association* from last week. The objective of the study was to determine whether a difference in mortality rates exists between for-profit and not-for-profit dialysis centres, and it found that six of the eight studies showed a statistically significant increase in mortality in for-profit centres.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With permission I'll file five copies of the November 5, 2002, general election results in Florida, specifically the amendment to reduce class sizes, which was passed.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have three tablings today. The first is a workbook from the city of Edmonton community services and Capital City Savings. It's the Edmonton Task Force on Community Services for Seniors, and I had the pleasure to be involved in developing some comments in regard to this workbook on Saturday, November 16, at the Southeast Edmonton Seniors Association.

My second tabling is a letter that was written by myself on behalf of the Official Opposition to the hon. Minister of Energy, and it is in regard to a request for an immediate and independent audit of the billing practices of electricity retailers in Alberta.

The third tabling I have today is the actual posted pool price for November 25, 2002, at the Power Pool in Alberta. It's scandalous, Mr. Speaker. Alberta consumers are now going to have to check the Power Pool web site in the future before they turn on their ovens at 6 o'clock in the evening, because the electricity wholesale price last night was . . .

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm tabling five copies of a letter that I received from the executive director of the Calgary Women's Emergency Shelter, Ms Mary Ann Sanderson. The letter is dated November 12, 2002. In this letter Ms Sanderson expresses concerns about some fears that she has about the cuts to or cessation of the crucial funding sources coming from FCSS, and the effects that they would have would be primarily negative on the services

that her shelter has been providing to hundreds and hundreds of families who are under stress.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm tabling today five copies of an Edmonton residential power bill showing a dramatic increase in power rates due to this government's bungled deregulation scheme.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. As mentioned earlier, I am now tabling five copies of 424 signatures. It says, "We the undersigned residents of Drayton Valley and area petition the government of Alberta to deinsure abortion."

Thank you.

THE SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. With your permission I would like to table speaking notes about the Kyoto protocol from Professor David Wilson of the engineering faculty of the University of Alberta. Professor Wilson has been a concerned environmentalist for over 30 years and says in his notes, "I strongly oppose ratifying Kyoto for 3 reasons." The time frame for . . .

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have two tablings today. The first is a note from a constituent, Alvin Schrader, adding his voice of support for the timely passage of Bill 30.

The second tabling is from Tanya Coles, an e-mail of her disapproval of allowing any penned hunting.

Thank you very much.

THE SPEAKER: Hon. members, I'm pleased to table in the House today the 2001-2002 School at the Legislature annual report.

Now, before dealing with Orders of the Day, we have a purported point of order. The hon. Member for Edmonton-Ellerslie.

Point of Order Anticipation

MS CARLSON: Thank you, Mr. Speaker. I rise under Standing Order 23(e), which provides that a member will be called to order by the Speaker if that member "anticipates, contrary to good parliamentary practice, any matter already on the Order Paper or on notice for consideration on that day." I am referencing the second question given by the Member for Calgary-Bow this afternoon, where she directly referenced Kyoto and subsequent implications. Not only on the Order Paper today but, as agreed to by House leaders in this Assembly, we will be spending the whole afternoon and the whole evening on Bill 32, the Climate Change and Emissions Management Act, which directly deals with this issue. In fact, the third whereas in the bill is a direct challenge to Kyoto.

I would refer the Speaker to former rulings that he had made. The last time we had an issue of this kind of importance in the Assembly, which caused protracted debate to occur, was back in April of 2000. Prior to that debate on the bill occurring, the Speaker gave a ruling on anticipation the day before the debate started and talked about how they will be called to account if this happens and then subsequently in that year of 2000 on April 4, April 6, April 13, and three

times on April 19, ruled a question as anticipation prior to an answer being given. In this case an answer was given, so we would ask for a ruling on this, please.

THE SPEAKER: The hon. Government House Leader on this point

MR. HANCOCK: Thank you, Mr. Speaker. As usual the hon. House leader opposite makes much ado about nothing. Kyoto is not on the Order Paper for today, although with the notice of motion for tomorrow Kyoto is definitely on the Order Paper for tomorrow. Today we're talking about Alberta's plan: climate change and emissions management. Climate change and emissions management is clearly not Kyoto. It has nothing to do with Kyoto. It is nowhere related to Kyoto. It's about prudent management of resources in this province. It's about an intelligent plan to deal with climate change. It has absolutely nothing to do with Kyoto. That hon. member, if she'd been listening lately, would know that.

3:00

THE SPEAKER: Well, hon. members, the chair thought that the question period was moving along very, very smoothly today and was going to congratulate all the members for such, but the point being made by the hon. Member for Edmonton-Ellerslie is that in the second question raised by the hon. Member for Calgary-Bow, the hon. member raised the word "Kyoto." There was no intervention from the chair, and that's absolutely correct, as there was no intervention from the chair either when the hon. Member for Edmonton-Riverview added a preamble of some considerable length to his second question. The chair from time to time has indicated that the chair will bend over backwards to give an opportunity for all private members to in essence have the greatest amount of flexibility with respect to the subjects that they would want to raise with members of Executive Council. The chair thinks this is much to-do about nothing. This is not a point of order.

Now the hon. Member for Edmonton-Ellerslie on your notice of motion on a purported point of privilege.

MS CARLSON: Thank you, Mr. Speaker. I rise today . . .

THE SPEAKER: Hon. member, first of all, just before the hon. member proceeds, the chair would like to just provide some guidance. Before allowing the hon. Member for Edmonton-Ellerslie to proceed, the chair would like to indicate to the Assembly that notice of this purported question of privilege was received in the Speaker's office just before 11 a.m. today. The chair notes that based on the member's notice and the letter sent earlier today, it appears that her question of privilege is against the Speaker. Before the member explains her question of privilege, the chair would like to make some preliminary comments about the procedure to be followed in such a situation.

The chair notes that Marleau and Montpetit state at page 266 of *House of Commons Procedure and Practice* that "actions of the Speaker are not to be criticized in debate or by any means except by way of a substantive motion." Notice of such motion would have to be brought by the member in the usual manner and as outlined in the parliamentary authorities. The member may wish to consult a recent precedent from the House of Commons where on March 13, 2000, the Speaker ruled that a motion dealing with the partiality of the chair required notice. The matter was the subject of a special debate held on March 16, 2000. The chair would also like to refer the member to the debates of this Assembly from November 25, 1981, where the conduct of the Speaker was the subject of a substantive motion, not a question of privilege.

I'll now invite the hon. Member for Edmonton-Ellerslie for a brief statement of her purported question of privilege, and it may very well be that the chair will intervene in a matter of two to three minutes to advise that this matter might best be dealt with by a substantive motion.

The hon. member.

MS CARLSON: Thank you, Mr. Speaker. Are you suggesting, then, that I withdraw the point of privilege and deal with this in another manner?

THE SPEAKER: Well, hon. member, the difficulty in dealing with this matter is that there's no clarification. The chair has absolutely no way of knowing what it is the hon. member wishes to draw to the attention of the House. This matter was reviewed by all table officers at a meeting at noon today, and the general conclusion was that we have no idea of what is coming. So in anticipation of what is coming, we will await.

Privilege Impartiality of the Speaker

MS CARLSON: Thank you, Mr. Speaker. I will certainly take your guidance on this matter after you've heard the opening comments.

My question of privilege is as a member of the Assembly and on behalf of my colleagues in the Official Opposition, and it does regard the issue of impartiality of the Speaker. The question arises out of two separate events that I've only recently become aware of and on which I will go into some detail.

The first instance deals with a letter which was sent out under the letterhead of the Speaker of the Legislative Assembly of Alberta. This letter was written to former MLAs of this Assembly and contained information with regard to the government, particularly Alberta Environment's media campaign and position against ratification of the Kyoto accord. Mr. Speaker, I have copies of that letter. This letter contains points only from the government perspective. No mention was given of the opposition's role or position. Only information on the positions of the governing party was included. Attached to the letter was a copy of a brochure put out by the government.

Now, it would be fair for the Speaker, we believe, to send out information on an issue if it included all parties that are represented in the Legislature and not just the party that's in government. The substance of the letter reflects the position of a government MLA as opposed to the Speaker of the Assembly, which we believe should be impartial in these dealings.

There is a precedent for the Speaker to explain such actions. On June 30, 1981, the then Speaker of the Ontario Legislature was called on a point of privilege after making a radio station announcement in favour of a government bill. The Speaker then read a statement which was intended to explain his actions to all members of the Assembly as well as to the general public.

Mr. Speaker, this morning it came to my attention that the Speaker had breached what we believe is another long-standing precedent of this Assembly. *Beauchesne* 168(2) clearly states that "the Speaker does not attend any party caucus nor take part in any outside partisan political activity." I have copies of an article which appeared this morning in two city newspapers. Now, I know that in this Assembly we don't like to always reference articles in the newspaper, but this is something that we believe we have to follow up on. It states in a quote from the *Edmonton Journal* on page A7: "A Tory health committee could not agree what to do with health regions even after rural political heavyweight [naming the Speaker] weighed in." Further, the article stated that "Kowalski argued to keep the number of health regions the way they are."

Mr. Speaker, this article indicates what we believe is a clear breach of *Beauchesne* 168 and of a long-standing tradition of this Assembly and of the British parliamentary system. The Speaker of this Assembly attended, in a partisan manner, a Conservative caucus health committee meeting and debated as part of that caucus. This caucus was not open to members of the Official Opposition, and this makes it a partisan committee and, therefore, what we see as a direct breach.

Additionally, we have just received unsubstantiated information that the Speaker occasionally attends caucus meetings while the Legislature is in session. We've been looking at other cases where the Speaker gets involved in caucus meetings. Mr. Speaker, in Saskatchewan their Speaker . . .

THE SPEAKER: Okay. Hon. member, please. The chair would like to ensure that the hon. member has ample opportunity to raise her case and probably would advise that the hon. member might want to consider dealing with a substantive motion which is a motion of confidence in the chair. The difficulty with this situation as we're now proceeding is that there's really no precedent for a point of privilege because it does violate all the rules of the past. On the other hand, the chair wants to bend over backwards to ensure that the hon. Member for Edmonton-Ellerslie does have an opportunity to raise her concern.

What is missing in this process, of course, is an opportunity for the chair to explain. Perhaps by way of substantive motion, which would draw to attention, then, the purported allegations – a substantive motion of either confidence or nonconfidence in the chair might very much be in order, and the hon. member would have complete opportunity. The rules are very clear what the procedure is. The rules are also very clear what would then be entailed as a result of the motion. Perhaps the hon. member would like to proceed that way.

MS CARLSON: May I respond, Mr. Speaker? We do not wish to bring a motion of nonconfidence to the floor of the Assembly. Referring back to what happened in the Ontario case . . . [interjections] We don't. We don't. What we want . . . [interjections]

THE SPEAKER: Hon. members, please.

MS CARLSON: What we will subsequently ask for, Mr. Speaker, if allowed to proceed, is exactly what happened in the Ontario Legislature when the Speaker was called on a point of privilege and then had an opportunity to read a statement which was intended to explain his actions to all members of the Assembly as well as to the general public. What we want is a clarification of the rules in terms of the roles and responsibilities of Speakers versus private MLAs and the correlation that happens between the party politics and what happens here in the Assembly. We are not looking for a motion of confidence with regard to the Speaker.

3:10

THE SPEAKER: Well, do I take it, then, that the hon. member might have chosen to proceed? None of what we're talking about here, hon. member, has occurred in this Assembly. This is not a part of the daily Routine of the Assembly, not part of the institution of the Assembly, not part of the actions of the chair within the Assembly. We have Standing Order 13(2), that "the Speaker shall explain the reasons for any decision upon the request of a member," but in this case no decision has been made. The chair is in a difficult position on how to deal with this, because he finds himself unable to explain anything, including so-called allegations from third parties.

Hon. member, I go back to you.

MS CARLSON: Mr. Speaker, are you saying, then, that this similar kind of situation in Ontario was not handled correctly?

THE SPEAKER: Madam Member, once again, you're making assumptions that are totally incorrect. The hon. member has no right to assume that another member is thinking a certain way, and that was most certainly not the way the chair was thinking with respect to this. If the hon. member has an allegation that she wants to make in this Assembly, there is a mechanism for it. We're dealing with the conduct of a chair who was elected by secret ballot in this Assembly, with all the members having no idea who voted for whom, and it had nothing to do with respect to, as the chair can understand it, the chair's conduct within the Assembly.

Now, if it's clarification that the hon. member would like to make in terms of a policy that the chair, who also happens to be a Member of the Legislative Assembly of the province of Alberta, conducts himself 365 days a year with respect to parliamentary activities, political activities, electoral activities, the chair would at some subsequent time in the future be happy to rise in the Assembly and lay out how he deals with all of this from a philosophical point of view. But the chair has made it very, very clear in the past that he would conduct himself in this Assembly with the greatest degree of impartiality.

MS CARLSON: Mr. Speaker, we would be very satisfied if you would stand and clarify those positions for us.

THE SPEAKER: Then, hon. member, I would be very pleased to do that at a subsequent date and also advise that in the past the chair has also advised former leaders of the Official Opposition that the chair would be happy to attend caucus meetings of that caucus as well.

head: **Orders of the Day**

head: **Government Bills and Orders**
Second Reading

Bill 32

Climate Change and Emissions Management Act

THE SPEAKER: The hon. Premier on behalf of the hon. Minister of Environment.

MR. KLEIN: Mr. Speaker, thank you very much. At the outset I would like to advise members of the Legislature that Bob Mills, the Member of Parliament for Red Deer, is now in his seventh hour in the House of Commons on the Kyoto protocol, the resolution that was introduced, and is doing, I might add, a very good job on behalf of his constituents and the citizens of this province.

Mr. Speaker, it is with great pleasure that I rise to move second reading of Bill 32, the Climate Change and Emissions Management Act.

For months, actually for years now the federal government has taken great effort to paint Alberta and anyone else who opposes their Kyoto protocol, the federal government Kyoto protocol, as being in favour of global warming, like we want to see the climate warm up and we want to see Alberta as a wasteland desert in 50 years. What utter, stupid nonsense. You know, the federal government has tried to position Kyoto as a simple environmental issue, even though it is now obvious that for the Chretien government Kyoto has become more about winning a political battle, about gaining stature and maintaining stature in the international community than about helping the environment.

The federal government has ignored the economic implications of

ratifying the Kyoto protocol despite warning after warning from literally hundreds of groups in the country. It has ignored the unanimous voice of the provinces and territories, which have called for collaboration on a detailed implementation plan and cost analysis before ratification. The federal government has ignored the negligible environmental impact Canada's ratification of Kyoto would have on global warming.

Worst of all, Mr. Speaker, it has misled Canada about what Kyoto will achieve. Ottawa persists in portraying Kyoto as a tool to reduce smog, aided and abetted by the CBC. Every time they mention Kyoto, they have smoking, belching smokestacks as cover fill even though this is not what the protocol is designed to do. It's designed to deal with CO₂ primarily. Can't see it; we're exhaling it as we speak. Ottawa persists in representing Kyoto as an instrument to improve human health by cutting air pollution even though this isn't what the protocol is designed for either. Ottawa persists in claiming that ratifying Kyoto will make a big difference in the battle on global warming even though reductions made by Canada, a 2 percent contributor to global greenhouse gas emissions, will be more than eclipsed by increases from China, the United States, India, and many other countries that have no Kyoto reduction targets whatsoever.

Despite its determination to rush into Kyoto ratification even in the face of such opposition and misinformation, it appears that the federal government has no plan to meet the actual Kyoto targets. As a matter of fact, they have said, to quote the Prime Minister: well, we'll worry about that later; we will find a way. Why would Ottawa sign an agreement that it apparently has no intention of ever living up to? You know, that's one question. Why would it sign an agreement anyway? It makes no environmental sense. It makes no economic sense. Does it have something to do with ego and some undertakings that were made to the Chiracs and the Schroeders of the world and sacrificing the well-being of Canadians at the same time?

I don't know the answers to these questions except to observe that no matter how you look at it, the debate on ratifying the Kyoto protocol isn't really about the environment at all. It's about politics, Mr. Speaker. Alberta has tried to work with the federal government to come up with a better solution. We've tried to collaborate with Ottawa and the other provinces on a climate change plan that relies on intelligent Canadian innovation and know-how, a plan that won't create unnecessary economic hardship and job losses and a plan that actually works, but the federal government isn't really interested. The federal government isn't interested at all. They are not interested in working with others to come up with a better plan. In fact, all along Ottawa has said that the options are Kyoto or nothing, and the Ottawa government has refused to consider any other ideas.

The federal government talks about consultation. The Prime Minister has said: well, I've talked to the other Premiers. Mr. Anderson says: well, we've had full consultation. But nobody has talked to me. Nobody, I understand, has talked to the Minister of Energy or the Minister of Environment about the so-called federal government plan. Notwithstanding that, the federal government says that it has consulted extensively with the provinces to develop its climate change plan.

If you ask the provinces, they'll tell you that Ottawa hasn't talked to us at all, and certainly they haven't listened to us. The provinces have said unanimously as recently as yesterday, all the premiers and all the territorial leaders have said unanimously that they don't like the Ottawa plan and that they don't see the need to rush into ratifying Kyoto when so many questions remain unanswered. All of the premiers and territorial leaders said that they want to work together without the federal government if necessary to find a better way. To find a better way, Mr. Speaker.

3:20

I want to digress just for a moment before I come back to what the Canadian premiers say about this issue and what the ministers of energy and the ministers of environment say about the issue. I want to use a quote, and here's a quote on Kyoto.

The federal government has probably let Canadians down more than any other government I can think of over the last few years . . . The feds have really blown this, as far as we're concerned, as far as doing what's right for Canadians . . . The feds don't even listen when we talk to them about it.

I ask members to guess who might have made those remarks in a public discussion on Kyoto. Was it the Minister of Environment? No. Was it the Minister of Energy? No. Was it me? No. No, not this time, Mr. Speaker. Those remarks were made by the Leader of the Official Opposition only seven days ago. Only seven days ago those remarks were made by the Leader of the Official Opposition in a speech to the Athabasca rotary club, about a week ago. They were reported verbatim in the *Athabasca Advocate*, and, believe me, those small town newspapers report everything verbatim. [interjections] Seven days ago. These remarks were made by the same member who stood up in this Assembly last Thursday and again professed his party's full support for the Kyoto protocol.

You know, I find it puzzling why the opposition would say one thing in this House and something completely different out in Athabasca. Perhaps they think they don't have reporters out there. Could it be that when they face Albertans directly, such as in Athabasca, they are ashamed of their pro-Kyoto stance? What I can tell the House is that unlike the Liberals every member of this government is consistent when speaking about the Kyoto protocol and the federal government's approach to its implementation.

Mr. Speaker, if the Alberta Liberals are as concerned about the behaviour of the feds as their leader says they are, then why don't they stand in this Assembly and support the bill, the bill that we're here to discuss today and the approach of every single province in this country, who have all said that the federal plan is wrong and that the 12 principles for climate change must be addressed by the feds? Why don't they stand up and support both the resolution that will be introduced tomorrow and the bill that is here for second reading today? I ask them to do that in light of what the Leader of the Official Opposition said in Athabasca.

Politics aside, Mr. Speaker, Alberta will work with the other provinces to find a truly national, made-in-Canada climate change plan, and we're not going to wait for Ottawa. This province began taking action to address climate change a decade ago, long before the Kyoto protocol was ever conceived. Alberta will continue to take steps to address the challenge of global warming. Those steps that began so long ago have culminated in the bill that is now before this Assembly.

Mr. Speaker, the Climate Change and Emissions Management Act lays out a framework to support Alberta's action plan for reducing greenhouse gas emissions. Alberta wants to do and will do its fair share in the battle against global warming. This plan lays out how Albertans can make a difference without sacrificing the economic prosperity and the high standard of living they've worked so hard to achieve. And, believe me, we have worked so hard to achieve what we have today.

Mr. Speaker, that's what's so frustrating about this made-in-Ottawa, federal Liberal government, goofy protocol. That's what is so frustrating. We have worked so hard in this province to get where we are today, to have some ill-conceived scheme disrupt and threaten in a very significant way all of the sacrifices that we have made as a government, that the people of this province have made. It is so frustrating to go through the pain of eliminating the deficit,

of putting in unique legislation to pay down the debt, to reorganize and to reform government, to create what we now call the Alberta advantage all to have it threatened and possibly destroyed by some goofily concocted scheme dreamt up by international theorists and especially when this government has gone further than any other government in Canada to show its commitment to respond to climate change yet has underscored that commitment with actions, not just words. With this bill Alberta stands poised to do what no other Legislature in this country has done. It will enshrine that commitment in legislation.

Alberta's climate change plan builds on the successes that Alberta businesses and organizations have already demonstrated in reducing greenhouse gas emissions. The federal government would have Canadians believe that an international agreement like Kyoto is the only way – the only way – to respond to the threat of climate change. In fact, the federal Environment minister said as much last week. He said that voluntary measures don't work. Voluntary measures don't work. Well, if Mr. Anderson had done his homework, he would know that a statement like that is simply not true. There are plenty of Alberta examples that prove exactly the opposite, that Alberta and Canadian companies have invested literally billions of dollars in environmental improvements and have seen incredible returns on those investments.

In fact, Mr. Speaker, the emissions intensity from synthetic oil production has dropped by about 35 percent since 1990. Trans-Canada dropped its emissions by 29 percent last year through improvements to pipeline technology. Some 93 percent of Alberta companies responsible for upstream oil and gas emissions are working on voluntary emission reduction programs. David Anderson's comments are an insult to these and other Alberta companies that are working hard and voluntarily to tackle climate change.

You know, I recently discovered a new book that David Anderson should read. It's a book he could learn a lot from. It's by Sydney Sharpe. She's a Calgary-based journalist who is known for her hard-hitting approach to issues. Her book *A Patch of Green* looks at the environmental record of Alberta energy companies, and it's based on an extensive and comprehensive body of research, and I think even Sydney was surprised by her findings. Far from uncovering the kind of negligence and irresponsibility that David Anderson would have you believe is rife in the energy sector, Sydney found instead an industry concerned about its neighbours and aboriginal communities and the environment surrounding its operations. The book also uncovers a business community committed to using the best research and technologies available to tackle environmental concerns. The conclusion Sydney comes to is that the environmental successes of Alberta's energy industry are indeed remarkable. The environmental successes of the federal government are far less impressive, Mr. Speaker, believe me.

Last week the federal government unveiled its so-called final plan to implement the Kyoto protocol, and while Ottawa pays lip service to consultation and working with the provinces and territories, what they presented was a plan crafted by federal bureaucrats behind closed doors. I understand, Mr. Speaker – this is totally anecdotal, just a rumour but a good one – that at least two senior policy advisers on this file have resigned in absolute frustration, you know, relative to trying to craft something, working overnight, behind closed doors with MPs and ministers and the PMO saying: well, you've got to change this; you've got to change that; maybe this will work; maybe we can satisfy this segment of society or that segment of society. That's a plan? That is typical Liberal planning, planning on the fly. That's what it's all about. Now they've introduced a motion in the House of Commons to ratify the Kyoto protocol based on this made-in-Ottawa plan on the fly that has been repudiated by

all the provinces. I have no idea how Ottawa will implement its plan without the co-operation of the provinces, Mr. Speaker, but I will say this: if the feds want to commit Alberta to do more than we're committing to do in Bill 32, then it's up to them to do it, I guess, and up to them to pay for it. You know, that's going to be the attitude.

3:30

That leads me to the second purpose of Bill 32. In addition to reaffirming Alberta's commitment to take action on global warming, this bill will also help protect Albertans from the federal government's Kyoto agenda. This is the assurance we need to give industry in this province, that we are doing everything in our power to protect the Alberta advantage and to protect what is our responsibility under the Constitution and our jurisdiction under the Constitution. We will protect – we will protect – Albertans from the federal government's political agenda, and we will protect it by reinforcing the province's ownership and control over natural resources. I've said it before and I'll say it again in this House: this government will do whatever is necessary to protect the Alberta advantage.

In so many ways, Mr. Speaker, Alberta has been a leader in Canada. The people of this province have never been afraid to set their own direction and take their own path. The examples are endless. Alberta was the first province to come up with a balanced budget. You know, I've said so many times how un-Canadian it was at the time. You can't have governments without deficits. I mean, that's the way governments operate. And now all governments have either eliminated deficits or are trying very hard to eliminate their deficits. You can't put in a law that prohibits you from having a deficit and requires you to dedicate money to debt. I mean, that's un-Canadian too. All the kinds of things that we did, all the wonderful reforms that we've undertaken. We have been the first in so many instances, and we're being copied by all the provinces and, yes, the federal government.

I recall one federal budget speech by Mr. Martin, and it was almost as if he had taken our book and copied it, and then there were phrases that were word for word out of our budget speeches. We've pioneered a single-rate tax system and a provincewide high-speed Internet system. We set a new standard in investing, in research, in medicine and science and engineering, and we have the only legislation of its kind to shield people from soaring natural gas prices and to protect children involved in prostitution. These are groundbreaking, leading edge kinds of legislative practices.

Mr. Speaker, the list goes on and on. Alberta has been a leader in Canada on many, many fronts, and with the passage of Bill 32 Alberta will continue to be a leader on the issue of climate change.

Thank you.

THE SPEAKER: The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. Bill 32, the Climate Change and Emissions Management Act, brings forward an Alberta program to try to address the issues of global warming and climate change. The issues that come up as we deal with this have to look at kind of the whole process that we go through and that's been followed both by the world and by Canada in achieving this.

Yes, I stand by the statements that the Premier quoted from me in this House. The federal government has made a real mess of trying to implement this process. That doesn't mean that we don't believe we can comply with and enact the provisions of the agreement that was signed onto by about 168 countries now and counting, and in the sense that . . . [interjection]

THE SPEAKER: Hon. member, please, courtesy.

DR. NICOL: The process is a worldwide commitment to in effect do something in a staged process to reduce greenhouse gas emissions. We as Canadians chose to be included in the industrial group which will be making limits on our emissions in the first phase, and that, Mr. Speaker, in my mind is very acceptable for us as Canadians to do. The idea that we are going to commit to reducing our emissions to 6 percent below 1990 levels, in effect, makes a statement by Canadians that, yes, this is a critical issues; yes, we have the capability to make an adjustment; and, yes, we're willing to be a leader in the world.

The issue that comes up in the context of signing or initialing that agreement in 1996 and moving from 1996 to effectively late November 2002 is the fact that we don't know – and the federal government has not given us as Canadians or as provincial governments an indication of what they expect to happen – what they expect to be the process that we as Canadians take to comply with that agreement that they have in effect committed us to or initialed us to in 1996. If we're going to look at how we work forward on this, we have to make sure that we move in a progressive way.

Mr. Speaker, I separate out the issue of: should we ratify Kyoto and commit to the level and the worldwide process that was started many years ago, culminating with the agreement in 1996? I say yes. I say, yes, we can do that, and we can do it proudly as Canadians as long as we do it correctly when we get inside Canada. The whole idea is that once we're here, we have a broad spectrum of how we go about making choices, making changes in our policies, making commitments to each other about how we'll share both the responsibilities and the costs of complying with the Kyoto agreement.

The main thing is that as we go through this, we have to look at where we're at, and, you know, I in many ways support many of the things that the Premier said in his introductory comments on this bill in the sense that we don't know what the federal government is going to do in terms of changing its laws, setting regulations, setting standards. That has not been provided to us. So this is still part of the process that has to be debated and agreed to at the level of Canada and all Canadians, and, Mr. Speaker, I have called on the federal government on a number of occasions, including the occasion that was referenced by the Premier, to – let's start now; let's work with the provinces; let's work with industry; let's work with consumer groups; let's work with all individuals in Canada who are part of the emitters of greenhouse gases and come up with a viable solution that will allow us to in effect mitigate as much as possible the impact of the Kyoto agreement. If we're going to do this, we have to look at the very principles that were introduced into this House today and the motion for debate tomorrow and look at: how will we in effect implement a program that achieves a lot of those same principles?

3:40

You know, it's interesting, Mr. Speaker. As I reflect on those principles and I read the Alberta plan, I see some contradictions. I see places in that Alberta plan where those principles aren't really met. The thing that comes out here is that if we would in effect look at those principles – and I've summarized them for brevity in this debate into essentially five areas that I would like to see and that I use to judge comments on Kyoto and our actions to reduce greenhouse gas emissions.

First of all, they have to look at it from the point of view that any implementation cost or any implementation burden must be fairly shared by all emitters, Mr. Speaker, and that, in effect, means that we should not be putting caps on a geographic area of this province; we should not be putting caps on any sector. We should be making sure that all emitters participate equally and fairly in the requirements to reduce emissions.

The second that I look at is that implementation must not unduly affect our competitive position as a country. Now, this is where we have to look at how we as one of the industrialized nations fit in with the other industrialized nations, and I think we all agree that it is very unfortunate that the United States has chosen to follow the process that they are in dealing with it, because it doesn't put them at the same level of interaction or compliance with Kyoto as what we as Canadians will be.

Still, we have to recognize that many of the states – and a number that's been given to me is 17 of them; I can't confirm that – actually have emission standards that are more severe than what they would have to have met had the federal government in the United States acted to implement their Kyoto commitment. In effect, 17 states have said that they will actually cap – and I say cap because this is the way it's been presented to me – their emissions at a level even below what the U.S. government had originally agreed to in 1996 under the Kyoto agreement, Mr. Speaker. I would welcome anybody in the House that has the information that can show that the article I read didn't provide me with that kind of correct support.

The next thing that I look at in terms of judging it – and it again is a means of summarizing those 12 principles – is that all Canadians must share in any burden that we have to undertake to comply. The other one is that we have fair participation in the worldwide credit exchange; in other words, have a fair impact on any wealth redistribution. I know that this is something I will further talk about.

If we go through those five types of basic principles, they encompass all 12 of the ones that were introduced in our motion in the House earlier today. If we look at those principles and essentially look at the two developing or pseudo plans that we've got on the table right now, one being the federal proposal that was released last week and the other being the Alberta plan that was released in conjunction with the introduction of Bill 32, we see that really none of them tells us the kind of regulatory change or standards that will be set for the actual operational aspects of this compliance process, but we do have to look at that and see, first of all, how these two different plans fit within the principle categories that I've outlined. That basically is that if we look at the federal plan, I would guess that it doesn't really fit very many of those five principles or the 12 greater principles that we've talked about. It doesn't deal with the fairness issue in a way that I find satisfactory. It doesn't deal with the competitive position for Canada or our industries the way I think it could. It does limit growth of some of our sectors and the economy as a whole, but it also puts an unfair burden on capped sectors and geographic areas in our country because it implies limits on their emissions.

[Mr. Shariff in the chair]

The provincial plan, on the other hand, is a little different. It probably doesn't affect our competitive position because it's tied to technology adoption and, in a sense, keeps us in line with technology adoption in any other jurisdiction whether they are capped or not because it, in effect, reflects the ability of the economy to adopt new technology. I would suggest that the issue that comes up in conjunction with how they measure that compliance doesn't meet what I would see as the fairness criteria in my summary of those 12 principles that the provinces and territories have outlined.

More specifically, though, the provincial plan, in my interpretation of it – and I would encourage anybody in the House to help me out if I'm interpreting this wrong. [interjection] I like the comment from the member saying that I'm interpreting wrong, and he hasn't even waited for me, to give me a chance to get my interpretation out. That's what we call objectivity. We sat and listened to the Premier

talk and didn't interject, yet we're getting it when we start to talk. So, you know, this is part of the issue that we have to look at in terms of how debate goes on.

But that aside, Mr. Speaker, I want to also just continue my thought that it doesn't in my mind meet the growth-neutral criteria, and I say that because – and this is where I need some help – in reading the materials and discussing it with some of the people, they talk about the emission being tied to a share of GDP, and in Bill 32 they talk about the right to redefine GDP as well. But that's not an issue in terms of what I'm going to raise, because what I would like to say is that if we see a sector that is growing and has their emission standards set relative to GDP, then what we're going to see is, in effect, if we've got a sector that is vibrant with new technology, in a sense they will have two options: grow extremely well, because their technology is allowing them to stay below their limit on contribution to GDP or emission as a percentage of GDP. But if we're in a sector that is slower in technology growth – the technology is harder to develop – what we're going to see is that sector will not be allowed to contribute more to our economy because they, in effect, need to get a greater emission credit.

The other issue is that if we're going to see emerging industries or emerging sectors, how do they fit into that percentage of the GDP? How do they fit into their place in sharing the emission per unit of GDP? This also comes across on the other side, where we see if we've got a declining industry or a sunset industry that's starting to slow down or be replaced by a new technology or a new consumer product, then how does it, in effect, phase out? Because it's got lots of extra capacity. In this exchange will they be, in a sense, selling credits to the new sectors? If that's the case, what we're causing is sunset industries being given a wealth transfer to sustain them at the expense of the new innovation, the new economy sectors, because those are the sectors that are going to have to buy the rights to have emission from the phasing-out sectors that are no longer in our economy.

3:50

So the Alberta plan, to me, doesn't provide for neutral growth, neutral opportunity for industry coming into our province. We want our province to grow with the ability to have a vibrant economy, a vibrant approach to the Alberta opportunity for any industry to come, not only industries that are high-tech, high-innovation, low-emission, emission-improving types of activities. We want any industry to be able to come into our economy and grow without having to transfer to the sunset industries or the declining industries that are implied by this GDP.

From that perspective, I ask the government to more clearly indicate to Albertans and to other people evaluating this plan what they mean by that sector limit. We've got to make sure that, in effect, we do have a growth pattern here that is neutral. So I say that in my criteria the Alberta plan doesn't meet the growth-neutral condition. It also has little, if any, ability to deal with the capacity for sharing the burden.

You know, the credit exchange they talk about needs to be more clearly flushed out in terms of who would have credits to sell in it and who would be available to buy credits from it. But if we look at it from the perspective of how the international credit exchange falls into it, I guess in the federal plan there's not much of an indication there other than it's kind of a backstop or a last resort, but also in the Alberta plan – and I take this interpretation, Mr. Speaker, from a lot of the comments that have been made, not necessarily from things I can directly read into the bill – if we look at it from the perspective of what comments have come from the government in terms of the international credit exchange, I would suggest that the Alberta plan

would have no role or, essentially, a minimal role for those credit exchanges to have any role in helping to mitigate the impact on Alberta. I guess the issue that I raise with respect to that, Mr. Speaker, is the fact that what we've got is a worldwide agreement here, an agreement by all countries in the world to participate. So we, in effect, should be looking, as Canadians, at how can we contribute to a reduction in greenhouse gas emissions in that world perspective, and just to eliminate or to ignore the opportunities for international credit exchanges limits some of the flexibility that we have.

Mr. Speaker, what I want to do is hypothesize with you and the House about if we were to sit down and try and bring together a program that would work both to reach Canada's international commitment of 6 percent below 1990 and meet the five criteria that I've talked about. Had the Premier gone on to further report on the things I said at that meeting in Athabasca and also at a number of other meetings around Alberta, as recently as last Friday with the Chamber of Commerce in Lethbridge and the week prior to that with the Chamber of Commerce executive in Calgary and with a number of the oil and gas industry companies that I've had a chance to present this to – none of them has said: that won't work; that's a plan we should dismiss. In fact, one of the executives from an oil company that I was talking to said – and I presented this plan to him briefly, and I must admit it was briefly – you know, if the federal government would adopt something like that, we could buy into it. This was one of the oil companies where the executives have been the most vocal in opposing the federal plan for greenhouse gas emissions.

Briefly, let me again put on the record the plan that I was talking about to these companies, to the chamber meetings, to these community groups that I've talked to, and that is the fact that we have to start off by creating – and this builds on both the Alberta plan and the federal plan – and building a Canadian emission credit exchange so that, in effect, we can allow for trades between individuals who have reached or exceeded some level of reduction and others that have not or are not able to reach that.

Mr. Speaker, one of the things that we've been throwing about – I think it will work based on some of the experiences I've had in previous lives – is that it would be easy for us to define a CO₂ equivalent and put this into some kind of a commodity exchange basis where people can buy and sell on a very open free market, even possibly have, you know, some futures trading in it so that people could plan their investments into the future and then have CO₂ emissions available to be bought at a future time when somebody else's investment was going to free up emissions that they could trade into it. So something very much like the Winnipeg Commodity Exchange, but it would have to be very specific to small unit sales because if we're going to have all emitters participate in it, we'd have to have it open so that even small savings could occur.

The second thing we would have to do to make this plan work is to create a greenhouse gas emission standard for each emission or emitter category on a unit output basis. I tie it to the unit output so that we can encourage growth and facilitate growth if any particular emitter wants to increase their output in terms of physical units of production. These standards, Mr. Speaker, can either be based on the current average of emitters in that category, or we can use some other standard that's based on most likely technologies, or reasonable technologies as opposed to most likely technologies. That way, we're not building our emission expectations on standards and technology that are going to come in the future. You know, this is one of the other issues that really raises some questions about the Alberta plan and the viability of that Alberta plan in the sense that they're projecting out into the future to 2050 possible technologies that will give us reductions.

You know, as a scientist, Mr. Speaker, I've had enough experience with research, both development and implementation, to know that if we deal with aggregates, yes, we can kind of project innovation and technology development over time, but we also don't have the option to truly predict with any degree of accuracy where those technologies are going to come, as much as we would like. Let's look at the number of dollars and the number of years that have been put into some of society's major technology searches: you know, cancer cures. We're taking incremental steps, but those incremental steps have taken years and years, decades and decades. So to be able to say, "Yes, in 20 years we'll have a solution to that" is not, I think, good public policy.

4:00

The other aspect, then, that we could look at is setting these emission standards on the basis of some kind of acceptable measure; for houses, let's say. The R-2000 standard for housing construction is a good option because that's basically an industry standard. It's a householder standard, and it's accepted. We could use that. So if your house is below that, you have to, in effect, buy credits. If you're above it, in effect, you have credits that you can put into the trade system.

Similarly, we can look at how we deal with other examples by targeting fuel efficiency for vehicles, and I want to elaborate on that just a little further as I talk about some other aspects of this, the general aspect of how we develop public policy for emission control. Then what we have is if an emitter wants to comply – this is assuming that the emitter is not in compliance – they can either adopt new technology that brings their process in line with the standard or go to the credit exchange and buy credits, which raise their standard. Mr. Speaker, this is the normal process that everybody talks about when they're talking about these credit exchanges.

The thing is that it gives you the flexibility if your physical plant is not fully depreciated out, not obsolete, still producing very effectively except for its emission criteria, which wasn't part of your planning when you built that plant. It allows you, in effect, to buy credits for a little while to operate that plant until it becomes feasible and economical to upgrade it, at which time then you comply, and you can resell those credits or keep them if you want to and, in conjunction with that plant, expand your output to allow for growth in the economy. So, in effect, being able to phase in your new technology, your new investments through the use of this credit exchange really helps significantly. The other aspect that we look at in terms of the supply is how to deal with this in terms of the process of anybody who is below or takes an extra special effort at bringing about reductions in emissions. They then can put them into that exchange.

Now, Mr. Speaker, the advantage of this process is that it really doesn't target any geographic area in Canada, nor does it target any sector and say that you must commit to a certain level of reduction. What it does is it has every emitter participating in a true marketplace where they each, in effect, make their decisions based on a cost per unit of emission. This is true production economics in the context that everybody deals with the same marginal cost of emissions, and you have to share equally among all the emitters. That way, we don't penalize any one emitter group more than another.

We also end up with the idea that we have to deal with that fairness, yet we all know that with the marketplace, if there gets to be more demand than there is supply, we end up seeing the price start to creep up. Well, Mr. Speaker, if that market starts to creep up, this is where we can have government participate in it, and I

would like to suggest that that's when we bring in the international credit exchanges by bringing to Canada a supply of credits that can be released into that market in a way that doesn't create an undue burden on Canada in a competitive position with the international markets.

If we look at that, we can see that when we go internationally, we've got to make sure that we end up bringing back true credits in the context of the Kyoto interpretation by the countries that signed on to it. Here again I agree with those that say that we can't just throw our dollars into the international credit exchange and hope for the best. So what I'd like to suggest is that we never as a country, in effect, buy from a country that is not capped unless there's a technology-driven reduction within that country that we can capture and bring back to Canada. If the country isn't capped, then when their commitment to Kyoto comes about in phase 2 of the implementation, they'll start having sold us a bunch of credits which don't amount to anything. There was no commitment, no reduction. But if we end up going internationally and bringing back credits which are truly technologically driven, then that fits the spirit of the Kyoto agreement in the sense that we've made a commitment to reduce the world's level of greenhouse gas emissions. So we can make sure that when we're going international, we have that commitment.

The other option is if we go to countries that have experienced economic slowdowns because of the world's economic cycles. I don't think it would be right for us to buy credits that, in effect, are freed up by that economic slowdown. That's why I say that we have to make sure that any credit that we buy on the international market is only identified as being a technology-implementation identified credit. Now, one of the ways that we can do that – and I talked about that – is that the government can do it: bring it back and put it into the domestic credit exchange so that everybody has equal access to it on the basis of the price.

The other thing that we can do, as well, is if we have companies in Canada that operate internationally and they reduce their emissions in those other countries, they can bring those credits back. They can bring them into Canada, and they can become part of the Canadian supply of credits, which they can either use to grow their production in Canada or sell into the market to allow for Canadian entrepreneurship and Canadian sharing of the benefits of that. By making sure that those credits are technologically driven, that meets the fifth principle that I was talking about, looking at it in the sense that it gives a fair aspect of any wealth transfer.

If we're going to implement that in the international way to really, truly keep the integrity of these exchanges in place, one of the things that I would suggest, Mr. Speaker, is having some of our agencies that already deal with international activity and international economic development, international growth, become part of that in the sense that if we have federal or provincial agencies that provide assistance in an international context to change a process that results in a reduction of emissions, those credits then can be brought back as part of our international assistance. That, in effect, says that Canadian money that's already going into these international development projects brings back a benefit to Canada because we bring back to Canada those credit exchanges rather than just freeing them up in that country and allowing that country then to, in a sense, double up on our foreign aid by giving them an opportunity to sell those credits and create their own wealth.

But if we put into our development agreement that those credits come back to Canada, then we do get some direct benefit from our international development commitments. That way, I think we can make sure that, in effect, the international competitive position of our economy is kept in balance with the world businesses either in

other complying countries or even in countries that aren't compliant. We can do that by regulating the cost of that credit exchange market in Canada by increasing the supply and reducing the price. That way, none of our businesses are faced with an unfair, if you want to call it that, position in the world because we as a country have agreed to look at mitigation.

4:10

One of the things that I brought out, Mr. Speaker, was the fact that neither the federal plan, especially the federal plan, nor the provincial plan really has the nuts and bolts about implementation. I want to raise one of the issues in terms of an example of how, as we go about dealing with the regulatory or legislative changes that are necessary for implementing either one of these plans, we've got to make sure that it focuses on how to deal with those same principles that I've talked about.

I mentioned before that I was going to talk further about fuel efficiency, and I do this not because I'm recommending that people who drive vehicles carry an undue burden, but we want them to carry a fair burden. If we're going to get them to reduce their emissions, the one approach you can use is, you know, price signals; in other words, raise the price of gas. This study was done and reported a couple months ago that in order to get a 20 percent reduction in fuel consumption, we'd have to have the price of gas somewhere around \$1.10. Well, that has very serious implications for Canada's competitive position in a world market but also for the lifestyle that we as Canadians have come to enjoy; that is, you know, if we have to pay that much extra for our gas.

The other way to do it is to encourage vehicles that are more efficient. Mr. Speaker, I would suggest that almost everybody in this House over the next 10 years, which would be the compliance period for Kyoto, will trade a vehicle. Well, if we trade a vehicle that is more than 20 percent or 25 percent, whichever target we put on our vehicle efficiency or fuel consumption reduction, then we get those credits associated with buying that new vehicle. This can be facilitated very easily by having it done when we register our vehicles on a trade. You know, if you're trading in a vehicle and buying a new one that's 20 percent more efficient, you meet the standards. If you don't, then you have to buy credits to go with the expected lifetime consumption of that vehicle. Now, the unfairness there may be the fact that not everybody drives their vehicle the same number of kilometres per year, but it makes it a very easy way.

The really intriguing part of this proposal and this approach to fuel efficiency or fuel reduction is that if I have to pay more for my gas and I'm an employee, the first thing I'm going to do is go to my employer and say: "My cost of living went up. I need a raise." You know, the only thing that the employer can kind of say is: well, everybody's costs went up, so we're all the same. That doesn't usually work in the context of employee/employer negotiations. But if we use the second method of reducing fuel consumption, where we're encouraging people to drive vehicles that are more fuel efficient by giving them credits for the saved fuel, if I choose as an employee not to buy a more efficient vehicle but I still have to pay the same price for gas and I go to my employer and say, you know, "I had to buy a bunch of credits in order to register my vehicle," guess what the employer is going to tell me, Mr. Speaker? He's going to say: Ken, that was your choice. You, in effect, have to deal with that and make sure that you have that option.

The member behind made a comment about: well, what if you've got a big family? All we have to do – and, Mr. Speaker, I did this the other day when I was getting my car serviced. The salesman came along and said: Ken, when are you going to buy a new car? I

said: well, you know, if I'm going to buy the same vehicle next time, I want you to make sure that this vehicle is available for me with better fuel efficiency in the motor. I said: you've probably got a year and a half or two years before I'm going to trade my vehicle in, so I expect you, if you want me to buy that same size and same style of vehicle, to have one that's got a better efficiency in it. That's what we have to start doing with our automobile association in the sense that we send signals today to our auto dealers, to our home builders, to all of our consumer products that we want our products produced so that they are more energy efficient in the future, and that's how we can do it. Yes, many people in this province require vehicles that have the same physical capacity of the vehicle that's there today, but by having messages sent to the manufacturers that we want them more fuel efficient, we can do it.

The other option, Mr. Speaker, is for us as consumers to start choosing the fuel. Ethanol-based fuels, in effect, give us a greenhouse gas emission reduction because they use energy in the context of the hydrogen cycle or the carbon cycle as opposed to bringing carbon out of a sink. If we can do it that way, we can make contributions to those reductions.

Mr. Speaker, I guess that the thing I wanted to emphasize as I was going along was the fact that we have to separate signing on to an international agreement, making the commitment that we as Canadians will reduce our emissions by a set amount in conjunction with the worldwide agreement, from the process of: how do we go about implementing it? That's where I stand on this issue. I truly support the idea that we as Canadians can sign on to our commitment of the level of reduction that was specified in the Kyoto protocol, but what we really need to do is be really innovative and real thinkers outside the box in terms of how we go about complying.

I'll close, Mr. Speaker, with the same comment that I started with in connection with: how do we implement Kyoto? The federal government hasn't given us the idea. They haven't given us any time frame, really, to properly plan for this. I stick with my comments to the Athabasca Rotary Club when I said: the federal government has really let us down. As a policy program for Canada they could have done a lot better, and every Canadian should be disappointed in them.

THE ACTING SPEAKER: Before I recognize the hon. leader of the ND Party, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE ACTING SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I'm very, very pleased to be able to introduce someone from my constituency who works for the Department of Transportation in transportation inspection services. He's a district supervisor from the Balzac area. Just before I ask him to stand up, I wanted to tell you that he's allowed me to go out to his station a couple of times and just observe the weighing and inspection of some of the bigger trucks on our roads. I can tell you that it was an incredible experience to see it firsthand and to realize what incredibly well-qualified people we have observing the vehicles on our roads, and I felt tremendous about that. The gentleman's name is Arlen Mason. I would ask him to please rise in the Assembly and receive the warm welcome.

4:20

head: **Government Bills and Orders**
Second Reading

Bill 32
Climate Change and Emissions Management Act
(*continued*)

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. As I enter the debate on Bill 32, the Climate Change and Emissions Management Act, in second reading, I want to preface my remarks with some general comments on climate change and global warming. Global warming is a global problem that requires a global solution, not a patchwork of ineffective efforts which have no commitment to net reduction in greenhouse gas emissions in the foreseeable future. Moreover, global warming is already here. Failing to take meaningful action carries economic risks and costs at least as great and perhaps far greater than taking action. In other words, failure to meaningfully act against global warming risks not only Alberta's environmental future but also its economic future.

That's why, I think, 67 eminent Alberta scientists decided to send a letter to the Premier on October 22, 2002. All of these scientists teach at Alberta universities and either work with climate change or its effects. In that letter these eminent scientists expressed surprise that they had not been consulted by the Alberta government in the development of its so-called made-in-Alberta plan. Allow me to refer to some excerpts from this letter.

Contrary to the views often portrayed by the press and industry spokespersons, there is little disagreement in the scientific community on climate warming. The Royal Society of Canada, the Royal Society of London, and the US National Academy of Sciences have all taken strong positions on the global warming issues . . . The current scientific consensus on global warming is now greater than, for example, the general consensus in the 1960s that humans could reach the moon, or the consensus in the early 1940s that we could create atomic weapons.

The letter from the scientists continues:

Temperature records show that in southern Canada, considerable warming has already taken place on the western prairies. Increases in temperature since the early 20th century have been from 1 to 3° Celsius at various prairie locations . . . The resulting increases in evaporation have without doubt aggravated the drought conditions that currently plague the western prairies . . . Compensation payments and crop insurance payouts this year alone amount to over two billion dollars in Alberta and Saskatchewan . . . Such costs can only increase with a warming climate.

The scientists continue:

Another example is forestry. In the 1980s and 1990s, the incidence of forest fire doubled in Canada compared to the 1960s and 1970s, burning an area equal to 80 per cent of the province of Alberta during this 20 year period . . . Already, the costs of fighting forest fires in Canada average over 500 million dollars per year, with little effect on the amount of forest burned. The costs of fire suppression, lost revenues to the forest industry, evacuation of towns, and health impacts of smoke are likely to be extremely high.

To conclude quoting from this letter, let me use the last quote here.

Climate warming will increase the problem of freshwater for the prairies, and the water that remains will decline in quality. Already, wetlands are dry and many lakes have lost most of their water. Summer river flows are already flowing at 20 to 60 per cent of historical values.

Perhaps the most readily available proof that global warming is already here is the rapid melting back of the Rocky Mountain glaciers that feed Alberta's many river systems. Anyone who has

taken the short walk from the Banff/Jasper highway to the foot of the Athabasca Glacier can see the hundreds of metres this glacier has melted back in the last half century. Medium and longer term glacier melt-back threatens the future availability of water. The problem of glacier melt-back is most severe in the Oldman River basin, which has the shallowest glaciers, the driest climate, and the highest water use, especially for irrigation.

I next want to touch on how Albertans have been let down by both their federal government and the provincial Tory government. The federal Liberals and Alberta Tories have both failed us when it comes to being proactive on climate change. Mr. Speaker, there is no question that the federal Liberal government has dropped the ball. The federal Liberals took something that should have united us as Canadians and have turned it into a source of division between different regions and different sectors. The federal government's new ad campaign is using the slogan: Together, We Can Do It. This is most ironic. It's ironic because the federal Liberal government's actions have done anything but bring Canadians together. First, after signing on to the Kyoto protocol in December 1997, the federal government chose to put the issue of ratification on the back burner until this past summer. Climate change was given such a low profile by the federal Liberals that it's no wonder many Albertans and Canadians think ratification has been sprung on them at the last minute.

Moreover, the federal Liberals also bear a large part of the blame for the poisoning of relations with the provinces. The federal government signs international treaties, but the provinces share jurisdictions over the environment. Without provincial co-operation meeting the Kyoto targets will be much, much more difficult. Far from showing responsible leadership and unifying Canadians to meet environmental challenges, the federal Liberals' mishandling of Kyoto ratification is dividing Canadians. The federal Liberals' failure of leadership is dividing provinces and is exacerbating regional tensions.

I want to briefly now turn my attention to our provincial government. The approach being taken by this Tory government can best be described as a multimillion dollar smear campaign against Kyoto. Never has so much misinformation, scare-mongering, and outright falsehoods been packed into such slick packaging, Mr. Speaker. By using overheated rhetoric, this Tory government has succeeded in instilling fear and creating an investment chill. This destructive approach reached a new low two weeks ago when the Premier said that he was going to go to New York to warn Americans about how Kyoto ratification will drive investment out of Alberta. Now, after being deservedly criticized from all quarters, the Premier appears to have backed away from bad-mouthing Alberta and Canada in front of a foreign audience. The very fact that the Premier would have considered this, however, speaks volumes about the lengths this government is prepared to go in its destructive opposition to Kyoto ratification.

The Premier also knows better when he claims that Kyoto has somehow been sprung upon the Alberta government at the last minute. In fact, until last May the Alberta government co-chaired the national climate change forum or study group or whatever, and the Minister of Environment of Alberta was the co-chair. Alberta has not only been fully consulted in the five years as a province since the federal government first signed on to the Kyoto protocol, but it fully participated in those consultations and discussions. Now it claims that it hasn't been consulted at all.

A fact often concealed by the Tory government in its destructive campaign is that addressing climate change has economic opportunities as well as costs. There's no better example of this than a September 1990 study commissioned by the energy efficiency office

of the Energy department of this province, Mr. Speaker. This report did not propose raising gasoline prices or electricity prices. Instead the report set out in exhaustive detail a range of energy conservation and energy efficiency measures that would have resulted by the year 2005 in a 7.3 percent reduction in CO₂ emissions. The 1990 report found that a \$6.7 billion investment in energy conservation measures would have yielded first-year savings of \$2.2 billion. The average payback of an investment in energy conservation would have been 3.1 years. In other words, an annual return of about 30 percent per year if the recommendations had been implemented. Instead of implementing this report, the government under Premier Klein axed the energy efficiency office in 1994. We all know what has happened since. Instead of greenhouse gas emissions going down, they've actually gone up by almost 20 percent.

The government likes to pretend that Bill 32 is a real alternative to Kyoto. I submit, Mr. Speaker, that it's not. It's political posturing. Bill 32 is a licence for more pollution. The name says it all. Bill 32 is not about emission reductions; it is about emissions management.

The most flawed aspect of Bill 32 is its reliance on the concept of reducing emission intensity as opposed to absolute reductions in emissions. Bill 32 specifies that emissions will be reduced relative to GDP by "50% of 1990 levels" by the end of the year 2020. In other words, the faster our economy grows, the more emissions will be allowed to go up. An analysis of the Alberta plan by the Pembina Institute concludes that should Alberta's economic growth in the coming two decades be the same as it was in the past decade, greenhouse gas emissions might actually go up 83 percent compared to 1990. Clearly, this is not acceptable, Mr. Speaker.

4:30

Bill 32 also makes the preposterous claim that greenhouse gases released into the atmosphere are a natural resource to which the province claims ownership. Talk about getting it backwards, Mr. Speaker. If you release greenhouse gases into the atmosphere, they are pollutants. Instead of wasting money on useless court challenges and Supreme Court references, let's develop technologies to conserve energy and remove these pollutants from the atmosphere.

Next I'll make a few comments on the federal government's stated intention to ratify the Kyoto protocol before Christmas. The federal government's decision to ratify prior to having substantial agreement from most provinces and other shareholders is regrettable. As I said earlier, the federal Liberals have let Canadians down. The federal government has let Albertans down with this ham-fisted approach. Would it be desirable for there to be agreement of the provinces prior to Kyoto ratification by the federal government? Yes, it would. However, if the Tory government in this province were being honest with Albertans, it would tell them that their opposition to Kyoto ratification is not based on the absence of an implementation plan. The provincial Tories want to kill Kyoto, plain and simple.

The provincial Tories also know that the longer the federal government delays ratification, the more difficult it will be for Canada to meet its Kyoto emission reduction targets. The New Democrats would be in favour of delaying Kyoto ratification until early next year if we were convinced that this extra time would be used productively by the federal government and the provinces to agree on an implementation plan. However, given the Alberta government's stated goal of killing Kyoto ratification, the only thing that would be accomplished by a delay is to make it just that much more difficult for us as a nation to meet our Kyoto obligations. That's why the Premier's call for Kyoto to be delayed for 18 months or two years is really just a stalling tactic.

To conclude, the New Democrats support the ratification of Kyoto

for both environmental and economic reasons, Mr. Speaker. The Conservative government is betraying future generations of Albertans in its mindless opposition to ratification. The negative impacts of global warming are already beginning to affect important industries like agriculture and forestry, as the scientists have reminded us. The time for action is now. Alberta needs to fight hard to get a fair deal on the implementation of the Kyoto protocol within Canada. Rather than fear mongering, the provincial government should be aggressively formulating an implementation position that best safeguards Alberta's interests.

Bill 32 is not the answer. It will allow harmful emissions to continue increasing for decades to come. It's a plan tailor-made for big oil and other powerful special interests opposed to real action to combat global warming. Like other global agreements to protect the environment, reducing greenhouse gas emissions will over time improve the underlying competitiveness of the Canadian and Alberta economies. Should the national community fail to ratify Kyoto, negotiating a new protocol would take many years. In the meantime, the well-being of our children and our grandchildren would be placed in increasing peril.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Under Standing Order 29 we have five minutes for any questions if any member wishes to ask. The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. In light of the member's previous comments about this bill, Bill 32, I'd like to ask him just a commonsense question. If you put 100 people in this room and gave everybody in the room a cigarette and asked them to light it and then asked two people to put theirs out, would it make a difference?

DR. PANNU: Mr. Speaker, I'm pleased to answer this question. Any positive steps taken in the direction of reducing either greenhouse gas emissions or cigarette smoke I think are worthy of our action, and we should accept that challenge. You have to provide some leadership. Leadership is the issue here, and that's where I think this government is failing.

THE ACTING SPEAKER: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Yes, Mr. Speaker. With respect to the idea that the Alberta government's opposition to Kyoto is simply a way to put us in a position where we would not be able to comply, I have a question with respect to the protocol. Article 3 states that "each Party included in Annex I shall, by 2005, have made demonstrable progress in achieving its commitments under this Protocol." How would you propose that Canada is going to do that now? It's three years away.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. It's a very good question. I would put the question back to the member by asking: if we delayed the ratification by another two years, how would we meet the commitments that are stated in that article? Clearly, the sooner we get down to business, the better. And the provisions for that particular article do not require us to have reduced the emissions by 2005 but only to have taken substantial actions which will lead us to achieve that objective by 2010 and 2012.

THE ACTING SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you very much. I'd like to pursue the notion of emissions trading versus the efficiency of a carbon tax with the hon. member. James A. Paul, who is apparently a well-respected environmentalist, in a presentation that he gave to the global policy forum in March of this year indicated that an emissions trading regime is not nearly as effective or as fair as a carbon tax, which speaks to other presentations here today. I wonder if I could have the hon. Member for Edmonton-Strathcona comment on that notion.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. Not having direct access to what Mr. Paul had to say, it's very difficult to respond specifically to what he allegedly said and where and when. I think I would much rather be guided by two sources of information. Both are authoritative: 67 eminent Alberta scientists and their recommendations to this government and government's own energy efficiency group's report of 1990.

We don't have to worry about trading emissions if we are serious about taking action, and we should have taken this action early. In fact, Albertans were never told that such a report existed, and in fact it makes such sweeping and comprehensive recommendations which would have guaranteed us a return on our investment by the billions of dollars every year. That's where my disappointment lies, and that's why Albertans, I guess, are asking questions about the commitment of this government to doing something serious and substantial to address the problem of climate change.

[The Speaker in the chair]

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. First and foremost today I would want to make something absolutely clear. The Alberta government understands and agrees with the need to take action to reduce greenhouse gas emissions and address the issue of climate change. But I stand here certainly in amazement listening to the comments of the Leader of the Official Opposition and the leader of the third party and their inability to understand the difference between a Kyoto and a national-based solution, which is what the provinces want from across this country.

Mr. Speaker, the Leader of the Official Opposition was stating today, as he stated last week, that this is a vague plan and that there's lots of chance to change and move things along. Well, the plan that Kyoto is right now is actually very specific and has very specific targets that we would have to meet. We as a government with our people here have already analyzed that and seen the hits that it would take, and that's why we know that the national-based solution is the right direction to go, with all the provinces onside and understanding and meeting the 12 points that we've put forward here as well. Working on Bill 32 is something that allows us to make sure that we have the ability to have control here in this province and make sure that it's in the best interests of the economy of this province as well.

4:40

The Leader of the Official Opposition also spent a lot of time today, Mr. Speaker, speaking in regard to a commodity exchange. That concept you couldn't do under a Kyoto model. It doesn't work. That's not what they want. The federal government wants to take

control of our resources in the province here by using a compliance tool of emissions trading that they would have control over, not to allow carbon sinks in the form of our forests, in the form of our agriculture. They want to control all of that, take it away from us as a province, as well as our oil and gas, and put a tax back on us on a reverse takeover, if you would say, on our oil and gas through a carbon tax. That sort of thing that the leader talked about in regard to a commodity exchange would only be possible under a national-based solution or a North American model potentially, as well, in the future, but it certainly couldn't be done under the Kyoto plan.

Mr. Speaker, I'd like to spend a moment just talking about the position we're at. There are 168 countries that have signed on to Kyoto. There are 17 countries in Europe, in the European bubble that sits there today, that have signed on to this.

Japan has signed on to it, but what they've also done in Japan is they have determined that they are not going to hold industry's feet to the fire because industry explained to their federal government that their economy could not withstand the blow that Kyoto would put on their economy. So the Japanese are looking to meet their Kyoto commitments through emissions at the retail level, at the residential level. So either big taxes are going to come onto the individuals of Japan or they're going to find a way through new improved muffler systems for all of their vehicles in Japan, something along that line, but it has nothing to do with taking a big hit on their economy.

The European Union has 17 countries that are working inside a bubble, and they can trade amongst themselves for the amount of emissions that are going to work. So they can make that happen. However, there are countries inside the European Union right now that are saying that they don't think they can meet that as well.

There are only three other countries in the world that had targets that they had to meet: Australia, the United States, and Canada. Australia and the United States analyzed it and said: we can't do this; our economies cannot sustain the blows that this would do. Canada is the only country being sold down the river by its federal government, and it's a very sad state that we see today.

Mr. Speaker, a couple of stories that I think you might find very interesting. I was delivering a speech out in Okotoks to the Okotoks oilmen's association, about 120 folks that work in the service industry of the oil and gas industry in the southern part of the province with this particular group. The stories that you hear back from these folks that are seeing what is happening to our industry today based on the fear of ratification in this province is staggering. When you have \$25 oil and you have \$4 gas, there shouldn't be a service person in this province standing still. They should all be working double shifts to try to keep up with the drilling activity that has always gone on historically in this province. That's not true today. Today we're seeing a slowdown.

We have one of our colleagues who conveyed a story to me about his son who'd recently become a welder, gotten his ticket after apprenticing in welding, and had received a job here in the province. Whenever you get a job welding in this area, you're usually set until you retire with not a worry to be had. However, within a couple of weeks after receiving this job, he was laid off. He went to the welders' union and put his name on the list. He was 903 on the list, Mr. Speaker, of welders. Welders just aren't that unemployed in this province, not when you see the way the economy had been growing in the oil and gas area, with the prices of oil and the prices of gas that have been here for the last number of years.

So what we're seeing today, Mr. Speaker, is a serious slowdown. We've seen \$16 billion taken off the table already in investment up in the oil sands. We have also seen some very well-known, prominent federal Liberals who are in the oil and gas industry in

Calgary, and what they have done is they have come out and said to us: you can't trust this federal Liberal government because they're not doing what they said they were going to do even to their best supporters. It's amazing.

Mr. Speaker, as part of our commitment to take action, Alberta has met with the other provincial governments and with the federal government, and we've been trying to move towards getting something to happen. One, we've certainly tried to take part in a constructive consultation, to no avail, with the federal government. We've also asked the feds for a plan to see what they have got so that we can go forward with a review. We're starting to see something happening, but it's certainly not in regard to the implementation side. All we know is that they're looking to come forward in the spring with legislation, with no idea what that's going to mean and what it's going to entail, yet they're going to ratify before we have a chance to analyze and see what the legislation looks like, plus their implementation plan. They refuse to release that to us.

Mr. Speaker, I'd like to speak to our plan for a moment. Earlier, within the last month, our Minister of Environment released the action plan *Albertans and Climate Change: Taking Action*. That is something that we saw as a very important step and was actually doing something about dealing with the emissions. The plan focuses on energy efficiency, enhancing technology to control industrial emissions, seeking out new environmentally friendly sources of energy, and better managing our emissions today and in the future. These actions, when combined, will improve our efficiency in the short term and lead to substantial reductions in emissions over time, but to be successful, we need all Albertans, both organizations and individuals, to go beyond business as usual as we do these changes.

I'd like to focus on emissions reduction here for a minute. Our targets are based on reducing emissions intensity, Mr. Speaker, rather than on absolute reduction. What this allows us to do: it allows our economy to continue to grow and have jobs for our children, as they continue to see things happen, and allows for the wealth that everyone enjoys here in this province. But the concept and the model of Kyoto today leads to a transfer of wealth rather than really fixing the problem, and it works at the two levels: it works at the international level and at the national level. We're very concerned about that because this is how the federal government looks to bring back NEP in the form of NEP 2 and calling it Kyoto, and that's a very sad thing. What we know is that we took the hit without the full happening of the NEP. We're seeing it again right now. If it is actually implemented, the loss of control of our resources, which are set out as a provincial jurisdiction, would happen in an amazing way. We would have very great trouble in regard to seeing our economy grow and attract investment in the future.

What we want to do with emissions intensity really strikes a balance between environmental and economic goals for all Albertans, and at the same time our approach sets us on a path towards substantial and permanent reductions in overall greenhouse gas emissions. Alberta is focused on real reductions in realistic time frames. We will cut emissions intensity in this province by 50 percent below 1990 levels by 2020.

Mr. Speaker, I would sense that you'd have a different situation and you would have had different numbers coming out if this model of Kyoto had been implemented by, say, the year 2000 or even '96, because you have a country in the form of Germany that was very fortunate around 1990 to have East Germany come back in to be part of the greater Germany. West Germany was able to take great advantage of the poor producing plants in East Germany, and by shutting those down, they get credit for that. So they've been allowing their economy to grow, making things happen, and taking

advantage of the fact that they're shutting down these poor, inefficient plants and building new ones to replace them. That's been a very big advantage to them. If that hadn't happened at that particular time, you wouldn't have seen the advantage in Europe, and I would sense that if Germany was going to see a crush on their economy, this wouldn't have gone ahead in the European Union.

So 50 percent below the 1990 levels by 2020. That is the equivalent, Mr. Speaker, of a 60 million tonne reduction in greenhouse gas emissions. Ultimately, this strategy will make Alberta as good or better than anywhere else in the world. It would allow us to reduce our emissions from industrial and consumer activity without destroying our economy. To measure our progress, we have set an initial milestone of a 22 percent reduction in emissions intensity by 2010, that results in a reduction of 20 million tonnes. We recognize that more significant emissions reductions will be required over the longer term.

Mr. Speaker, one of the things that we're spending a lot of time on right now through AERI, through CERI, through Climate Change Central organizations – we have leading, cutting-edge technology being looked at – is looking at the concept of zero emission coal research that's going on. It's going on around the world, and we're working on that, and you can do that in a fundamentally positive way. We don't believe it can be done by 2010. The researchers don't believe they can have it by 2010, but by 2020 there's the potential to do that. By putting our money in and investing in research and helping the economy to grow, working in a proactive way rather than in a penalizing way, we think that we have a much better chance of making it work well here in Alberta.

4:50

In short, we are doing our part to reduce national and global emissions. We will train our economy at a steady pace to win the emissions reduction race in the long run. The Kyoto plan would have us sprint this first bit, transfer wealth out of this province, and really we wouldn't have a chance to get to the finish line. It's about a transfer of wealth. It's about a chance for other economies to try and gather from our wealth and not allow us to grow until they've caught up. It's not the right way. Kyoto is the wrong way to do this. Climate change is far too large an issue for any one company or industry or government to tackle alone, and it certainly needs to be on a global basis when we're dealing with emissions for this world.

The Alberta government will work with key sectors of the Alberta economy to ensure that our action plan on climate change achieves real and measurable results. This includes agreement with electricity, oil and gas, transportation, forestry, and other industries, plus municipalities. We will back up those sectoral agreements with strong legislation and regulations so that all organizations clearly understand our expectations for emissions reductions and will meet them. In fact, this is already under way, Mr. Speaker. We've already implemented a mandatory greenhouse gas emissions reporting program for large emission sources.

Technology and innovation are very important as well, Mr. Speaker. We will also work toward an effective use of the technology, and we'll continue to build on the strong international reputation that Alberta already has and work together with other governments around the world to make sure that we can see this technology implemented wherever it's in the best interests of the environment. Our plan will certainly allow for the technology to get up and running faster because we're investing back in that rather than just transferring wealth out of our province.

In regard to energy conservation, Mr. Speaker, we've been going ahead and making this a team effort through all Albertans. A major part of our plan involves working toward better energy conservation

among all Albertans so that we can see the positive effects. I think that examples certainly include helping to create an Alberta office of energy efficiency along with Climate Change Central. We think that the municipal governments, as well, will be working very closely with us, and we see establishing audits of municipal buildings. That will, again, make sure that we know whether the emissions are being reduced as we go along.

This government has shown leadership all the way along this process, Mr. Speaker. What we've done over the past decade in our government is cut greenhouse gas emissions from its own operations by more than 20 percent below the 1990 levels, for example. This has certainly far exceeded the 14.1 percent that we'd set as a target, and we're not done. Based on our success, we have established a new target of 26 percent below 1990 levels by 2005, and I'm very confident that we will achieve that.

We've also been supporting programs for energy-conserving retrofits in government facilities. I know that the Minister of Infrastructure has been working hard on that. Mr. Speaker, I think we'll see other things, along with the concept of the vehicles that will be working inside government as well.

I'm sure we will be continuing to fight on every front in the future. Thank you very much, Mr. Speaker.

THE SPEAKER: Standing Order 29(2) kicks in now. Questions? The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a question. Does this member support the concept of the government putting together a fund, either a loan fund or a grant program, for people to retrofit their homes to become more energy efficient?

MR. HLADY: Mr. Speaker, what we are doing is looking at everything we can do. There have been programs such as that in the past. At this time we are not looking at creating loans or grants, but those are things that certainly can come to the table and we can discuss to see what is the best way to create efficiencies in this province.

MS CARLSON: Mr. Speaker, why wouldn't this member support that kind of a program when it's been incredibly successful in other provinces, like Manitoba and the territories?

MR. HLADY: Mr. Speaker, this member seems to be quite happy to go and spend more money and so forth toward making that happen. But there's a lot of that happening right now in the private sector. Those are efficiencies that are happening. The marketplace is making it happen. People will be happier when they have triple-glazed windows on their house, if they add more insulation in the roofs or on the sidewalls of their homes. They can do all of that. They'll save lots of money in regard to their heating bills. This is all part of the private sector that makes it work. I think those things have to be taken into consideration before you just go and spend government money, which is the people's money.

THE SPEAKER: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Speaker. To the Member for Calgary-Mountain View: given that methane's global warming potential is 23 times that of CO₂, would you agree that our flaring and venting program that we have in Alberta, that you touched on briefly, demonstrates good environmental stewardship?

MR. HLADY: You know, today, Mr. Speaker, we are still at the

discussion point in the positioning of CO₂ and methane as natural resources rather than, actually, as emissions. I mean, those are part of the science that's still out there and being debated on what is real and what isn't. I think of the fact that we have huge resources of methane sitting below the confines of this province as a potential resource for natural gas. Today 6 percent of the natural gas being produced in the United States is coal bed methane, and I think what we have is a great opportunity with that. I think the whole concept of why Kyoto doesn't work is simply because the science still hasn't been completed. The whole defining of what is product is still a big piece of that. So it's not concluded on what and how you would classify that.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Could the member tell me why he supports government grants for electricity costs when prices spike but doesn't support grants for consumer retrofits of older homes, which will leave those people significantly disadvantaged in this market?

THE SPEAKER: The hon. member.

MR. HLADY: Thank you, Mr. Speaker. The member is not quite accurate in regard to grants. In a regulated market as well as in a deregulated market, in two years that were joined to each other, we had an auction of property that belonged to the people of Alberta. What happened was that they received money back as a credit on their bill in regard to the property that they owned in the form of paying down the one time on their electricity bills.

THE SPEAKER: Conclusion, then, on Standing Order 29? The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: In debate, sir?

THE SPEAKER: No. I'll recognize the hon. Member for Edmonton-Ellerslie first, I believe.
Proceed.

MS CARLSON: Thank you, Mr. Speaker. Speaking in second reading on Bill 32, the Climate Change and Emissions Management Act – second reading is the most important stage of a bill. It's the time when we speak to the whole principle that's at issue, when we're debating the topic under discussion, and the issue then is affirmed or denied by a vote in the House. It is particularly important to speak to the principle of what brought this bill into the Assembly, which is not policy. It is politics. Given that we won't see this bill come back after second reading stage . . .

AN HON. MEMBER: How do you know?

MS CARLSON: Let's trust the proceedings of the House to see that. I challenge the Government House Leader to bring this bill back in committee, and let's see if we get any serious debate on this. We are quite happy to stay here in the Assembly until this bill has passed through all the stages and is ready for royal assent. A lot of things will happen in this province before we see that happen with this bill, because this is an ability for this government to talk about politics, not, in fact, real policy or real principles. That is a real shame, because this is one of the most significant issues that we will be facing over the next year. No doubt it is this government's highest priority to be able, whenever possible, to pick a fight with someone

other than their own performance so that we don't look too closely at that particular performance.

So when we look at what the government has done on this bill, when we go back to the 1990s and review what the Premier has said over the years on these kinds of issues, what we see is that for the past decade and more he has really been leading by looking at his toes when he should have been lifting up his sights and having them focused on the horizon, Mr. Speaker, so that we could see some true leadership that takes us into the next decade and the next wave of technology advance and use of fuel systems to push forward our industries, our consumer products, and our manufacturing. We don't see that, by far, with this bill. This is a bill that's targeted at setting up a constitutional battle with the federal government. It's a bill that's targeted at minimizing any kind of contribution Alberta would have regardless of the kind of progress that we have seen by industry in this province, and the progress on the industry side has in fact been significant.

5:00

This protectionist attitude that we see from the government doesn't help. It isn't a long-term, effective strategy. What we need is for this government to set up a framework where Alberta businesses can be best in class, not best in class in Edmonton or Fort Saskatchewan or Grande Prairie or Lethbridge but best in class in a global marketplace. So they need to be forward thinking. They need to be leaders in their fields. They need to be getting whatever kind of competitive advantage they can from support by the government in innovation and in technology and in looking at other kinds of options that they can be putting forward to meet the kinds of needs that we're seeing in the global market. That definitely talks about how we reduce CO₂ emissions, how companies diversify, and how we start to level off the demand for fossil fuels not just in this country but throughout the globe.

When we take a look historically at what the Premier is on the record saying, we find that he hasn't done very much. If we take a look at the preamble of this particular bill when it talks about the government of Alberta is committed to reducing emissions of carbon dioxide, what we see is that not only does this current plan that we have in front of us not reduce emissions; it lets them increase as long as the Alberta economy grows, which is a problem. We see that historically the Premier has talked the talk but not walked the walk.

I'll take you back to *Hansard* of April 24, 1990, when the Premier, then the Minister of Environment, talks about "the Canadian Council of Ministers of the Environment has recently assigned a protocol that calls for a significant reduction in automobile emissions by 1994." In fact, what did the Premier, then the minister, do? We haven't seen any kind of leadership from our government on that, so how can we trust them to then keep this commitment that's in the preamble of this bill? I think that's a question that needs to be answered as this bill progresses.

If we go to June 19, 1992, once again the same minister, now the Premier, "agreed to create a new air quality management system." That is, in fact, a direct quote from him. Have we seen that yet? No. What do we see? Complaints from him saying that the federal government hasn't ruled out the plan and because of that we can't do anything. In fact, he is on the record as committing to working forward on some of these issues back in these years, and now he is complaining that they don't know what to do, that there are no rules. The rules have been developed over a course of more than a decade, and he is trying to duck and hide on this particular issue now.

Once again what does the minister say on June 10, 1991, the minister of the day, now the Premier? He says that what the province needs to do is

make a reasonable contribution to the reduction of those gases that contribute to not only the greenhouse effect . . .

So the greenhouse effect is no big surprise to him. On the record making a commitment from his ministry then.

. . . global warming, but depletion of ozone. In addition to that, there are national protocols that we have entered into relative to a decrease in automobile emissions by 50 percent by the year 1995.

Now the year has changed but still a commitment. "We have entered into protocols relative to the decrease in packaging and waste by 50 percent by the year 2000."

So as much as he committed to reducing waste, which has happened in this province, he also committed to global warming and the greenhouse effect and also the depletion of ozone.

What have we seen? We haven't seen the government roll out any comprehensive strategies that address this. Do we know that we have them, Mr. Speaker? We do. It was just last week that we saw a document come forward from the Minister of Energy's department that talked about how that department alone had figured out a way for us to meet the Kyoto protocol years ago. Not yesterday, not last month but years ago, before the five-year time period when this government actually sat at the table with the federal government and started to negotiate a system to implement the protocol. These people just don't keep their word and don't keep the commitments.

Here's another one. When we go back to 1990 again, the Premier talks about, "That's why we have identified the gases that contribute or are alleged to contribute to global warming, such as CO₂," and "whereby government can participate with the energy industry in this province," they commit to do so. Well, we don't see that happening, Mr. Speaker, and why is that? Why do we have to have this political fight, all this misinformation out there? And, I'll admit, misinformation on both sides. The feds have not been helpful in this regard, but misinformation from this province on the issue.

Let's talk about some of the misinformation that's gone out in all the propaganda, and that's the 450,000 job loss. What are we really talking about? The most extreme example that has come out has said that it could be up to 450,000 jobs that are not created in the time frame originally planned. What does that mean? Those jobs are delayed by a few months' time. What is a more realistic job loss when you just look at a flattening of the economy and the kind of implications that will roll out of this? We're talking somewhere between 60,000 and 120,000 jobs.

That is not taking into account the upside of this equation. Every single time that we have this kind of a situation happen – and this is not the only time this has happened. If we go back and take a look at history, CO₂, natural gas flaring – do you remember those days when we had the Turner Valley on fire in this province and the kind of outcry we had from industry when they suddenly had to sequester that gas and couldn't just flare it? What ended up happening down the road is that they sequestered that natural gas and it became a real revenue producer for this province. So it's a good thing they did that because we're reaping the benefits of that today. What did that action force? It forced innovation. It forced advanced technology, and it created a market. There are states now, not the least of which is Texas, who are actually selling CO₂ at this time.

So when we talk about a potential for 60,000 to 120,000 jobs postponed, not lost but postponed, what does that mean in the entire Canadian economy, not just the Alberta economy? That means that those new jobs won't be created for about six weeks. We're not talking about your neighbour losing their job or you losing your job. We're talking about that guy coming in from out of the province who is going to have to wait another six weeks before he gets a job in this province.

So when we talk about that, Mr. Speaker, we have to take a look

at the other kinds of implications that we have. This minister and this Premier talk about in their opening statements the government of Alberta owning the natural resources in Alberta, and carbon dioxide and methane are natural resources, setting up a constitutional challenge to any program that comes out.

When we talk about that in terms of what the Premier has said in years past, it's interesting to see that in former times when it was convenient to do so he was very much in line with a national and a global strategy. March 19, 1992: what does he say? He recognizes and commits "to adopt a global approach in addressing the new environmental realities." Great words once again. Talking the talk but not walking the walk. This is 1992. He says that the new environmental reality is a global approach. But now he says: no, we want a constitutional fight. And we don't want to do that.

He's on the record again. There are many examples. I'm just picking out a few of the very interesting highlights in terms of what he said in those days. What he said in 1991 was that they're "trying to get handle on all these gases" and the greenhouse phenomena, and that they will "develop a position, and put in place what is right" for not only Alberta, Mr. Speaker, but what is right for Canada. That's not what we see roll out in this particular plan, and he could do it. They could be at the table.

5:10

DR. MASSEY: That was then and this is now.

MS CARLSON: That was then and this is now. How many times have we heard that in this particular Assembly? More than I can certainly count.

Are there good alternatives? Yes, there are, Mr. Speaker. Do we see them being rolled out in anything that the government has brought forward in this bill? They're famous for floating trial balloons on issues that they may want to pursue in the future, but we haven't seen some really good ones here. One of the ones that I'd like to talk about is in reference to the question that I had asked of the earlier speaker, and that is: why wouldn't Alberta, the richest province in the country, put forward . . . [some applause] Well, that's right. The richest province, and to stay the richest province, it has to start acting smart.

One of the very important things that we need to do is provide the ability to consumers in this province to be able to adapt to the new realities that are facing them in terms of energy prices and their own personal commitment to being environmentally friendly and reducing CO₂ emissions. A very, very easy way to do that is to develop a loan program where people can borrow money to retrofit houses to meet the new challenges we have that we're facing on a day-to-day basis. I am increasingly getting calls from constituents who are wondering why this isn't happening. As they search around on the Net to find out what else is out there, they realize that other provinces, less wealthy provinces, and the Territories have for years had a system in place where they have a small loan or grant program where if you have your home assessed for energy efficiency and decide to move forward with increasing the efficiency, you can submit an estimate of what the work is going to be, and you can borrow that money from the government at a zero interest rate and then pay it back.

You know what? There are lots of ways to pay that back. They could pay that out of their monthly energy savings. They could pay it at a prescribed rate, and that small investment of money, to be able to provide the kinds of dollars we're talking about in a revolving fund, would be way less than a million dollars. We're asking for way less than one-third of the advertising already spent by this government to promote their own agenda. It would be a smart

investment to do this. They'd get the money back. They don't get any interest, so we all eat the cost of that, but I'll tell you: I'd rather have my tax dollars going to that than to see massive communication budgets and propaganda agendas put forward by this government on my tax dollar.

People are asking for that because do you know what energy retrofits cost? You can't do anything for less than \$1,500, and really if you're taking a look at getting energy efficient appliances and windows, it's much more than that.

THE SPEAKER: Hon. members, Standing Order 29(2) now kicks in for five minutes. Questions? The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm wondering if the hon. member would be able to tell us whether she thinks it's better for Alberta and for industries in Alberta to be able to attack the issues of climate change and the opportunities of jobs that might be created out of that opportunity if the economy is strong and if they are able to engage, as they are now, in very productive ways or whether they would be more able to do it if they were put out of business or severely curtailed in their business by arbitrary caps on their emissions.

THE SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker. I certainly welcome that particular question from the Government House Leader. He has made a number of assumptions that I haven't seen backed up by any kinds of facts, and in fact I do have some facts on how industry has adapted to the potential for climate change. The Government House Leader may not know it, but I did my master's thesis on climate change as a change management issue for Alberta industries. In fact, thank you for the question. Too bad I only have the rest of five minutes to answer it in.

What I did, Mr. Speaker, was I took a look at three different industries: one that is coal-fire based, one forestry industry, and one technology company to see how two directly affected industries and one who is affected peripherally were taking a look at this particular issue. What I took a look at was really what I feel were outstanding companies in this province to see who I felt had best practices and a best-in-class mandate and who were looking at global economies to see how they were addressing this issue.

In summary, what I found there was that regardless of what they felt about the science – I finished this paper in September of 1990, so that's when a great deal of the science debate about whether it was really going to happen or not was on. The conclusion all three companies came to was that, in fact, regardless of what anybody thought about the science, industry leaders, regardless of industry sector, throughout the globe were making progress on this issue. Why? Because they saw it as a global change management issue. What does change management mean? It means upcoming issues that you could or should deal with in the future that might impact your bottom line. Mr. Speaker, all of them decided that what they

would do is take this situation seriously and that they would start to meet what they expected to be the probable protocols down the road and start to invest in technology and development and move forward on the issue.

So, Mr. Speaker, the only people acting like dinosaurs in this case are the government, not industry.

THE SPEAKER: Additional questions? The hon. Member for Calgary-North Hill.

MR. MAGNUS: Not a question, Mr. Speaker.

THE SPEAKER: We're still in the time frame for questions under Standing Order 29(2).

MR. GRIFFITHS: Mr. Speaker, I have my honours degree specializing in environmental ethics, and fortunately it doesn't take an honours degree in that to understand this issue. I'm wondering if I could ask the question: given that a few countries like Canada have to either reduce their emissions or buy credits from countries who have no emission targets and can increase pollution – sorry, it's not pollution since it's Kyoto – increase their CO₂ levels while also selling credits, how is that going to reduce the total emissions anywhere around the globe?

THE SPEAKER: The hon. member.

MS CARLSON: Thank you, Mr. Speaker, and I thank the member for the question. First, before I address the question, I have to address one of the pieces of misinformation that was in his preamble, and that is that other countries don't have to meet the protocol. They don't in fact have to meet this phase of the protocol.

For instance, let's talk about China, which we hear quite a bit about in this Assembly. In fact, per capita right now China emits less than one unit per person. Alberta, on the other point, emits 78 units per person. When China – they're at about three-quarters of a unit per person right now – hits one unit per person, then the protocol kicks in for them as well.

THE SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. In view of the hour and in the interest of continuity of debate I'd move adjournment of the debate until 8 o'clock tonight.

[Motion to adjourn debate carried]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:19 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, November 26, 2002**

8:00 p.m.

Date: 02/11/26

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Government Bills and Orders**
Second Reading

Bill 32

Climate Change and Emissions Management Act

[Adjourned debate November 26: Mr. Magnus]

THE DEPUTY SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. I am grateful tonight for the opportunity to address Bill 32, the Kyoto question. First, allow me to place my personal opinion on the record simply and clearly. I believe the Kyoto protocol in Canada and around the world is an expensive, counterproductive waste of time, money, and political energy that could be better spent looking for solutions to human problems that are effective, realistic, and positive.

I know the heavy pendulum of scientific opinion is swinging slowly but surely against the Kyoto protocol. More and more scientists are publicly stating that countries like Canada do not produce enough CO₂ to impact the global climate and more and more concluding that cutting CO₂ will not measurably impact global climate change. More and more they're recognizing that the global climate change that is occurring now is likely little more than a natural, inevitable, historic fluctuation. Frankly, it is remarkable that it has taken so long for the scientific community to take sides on this issue and for the side of careful, sober review of the facts to emerge as a real voice in this issue, because, Mr. Speaker, even the United Nations has admitted for some time that the full implementation of the Kyoto accord will only reduce global warming at most by two-tenths of one degree by the end of this century and at the cost of retarding world economic growth.

If we slow global warming by two-tenths of one degree, Mr. Speaker, we may save a few lives around the world, but if we slow human development, if we slow the expansion of health care, if we slow the advancement of education, and if we slow the advancement of technology, then the human cost will be vastly higher than any theoretical cost from a marginal increase in global warming.

To briefly review what we know about global warming, while evidence suggests that the earth has warmed between .3 and .6 degrees Celsius since 1850, global satellite data, the most reliable of climate measurements, show little evidence of warming during the past 20 or so years. Even if the earth's temperature has increased slightly, the increase is well within the natural range of known temperature variations over the last 15,000 years. Indeed, the earth experienced greater warming between the 10th and the 15th centuries, a time when vineyards thrived in England, Vikings colonized Greenland and built settlements in Canada.

A Gallup poll found that only 17 percent of the members of the U.S. Meteorological Society and the American Geophysical Society think that the warming of the 20th century has been the result of greenhouse gas emissions, principally CO₂ from burning fossil fuels, and only 13 percent of scientists responding to a survey conducted by Greenpeace believe that catastrophic climate change will result from current patterns of energy use. While atmospheric carbon

dioxide has increased by 28 percent over the past 150 years, human-generated carbon dioxide could have played only a small part in any warming since most of the warming occurred prior to 1940, before most cars could cause carbon dioxide emissions. The vast bulk of greenhouse gas is water vapour. Only a small percentage, 3 percent to 5 percent, is human-produced CO₂.

Robert Essenhigh, the E.G. Bailey professor of energy conservation in the Ohio State department of mechanical engineering, suggests that the world is simply at the peak of a natural warming point, which has resulted in more water vapour and hence more CO₂.

Indeed, Mr. Speaker, it seems that science is winning out over rhetoric. Despite that, the federal government is determined to push ahead with the ratification of the Kyoto accord, and I think at some point we have to ask ourselves: why are they so determined? This debate is less about science and global warming and more about securing the future of a Prime Minister who is about to retire. This is not a scientific debate. If it were, the federal government would be commissioning scientists instead of pollsters to help craft this legislation or, in fact, to determine its necessity. This is not an environmental debate. If it were, the federal government would be looking into the real causes of pollution like soot and other contaminants that we can see, feel, taste, and that contribute to smog and health problems. This is not about engaging Canadians in a genuine effort to make an international environmental difference. If it were, the federal government would be prolonging debate, consultation, cross-country panels, reports, and royal commissions. Instead, they're shutting the door on debate. The federal government is well aware that as the pendulum of scientific opinion swings further and further against Kyoto, the pendulum of public opinion will likewise shift. It is absolutely remarkable that there is a direct correlation among Canadians between their knowledge of the science of global warming and the Kyoto accord and their opposition to Kyoto.

When the federal government of the day, a Conservative government, I might add, made a commitment to pass a free trade deal with the United States, they embarked on a massive, long-term campaign to seek expert opinion, to consult and to educate Canadians, to take the discussion to every community in the country. They knew that the more Canadians knew about free trade, the more they would in fact support it.

The opposite is occurring today. The federal government knows that it must rush this deal through and they have to impose it on Canadians. They know that if there's any chance of keeping public opinion onside, they must hide the details of the accord, obscure the costs, and avoid at all cost the publication of a plan for enforcement of the terms of this accord. Despite the absence of scientific evidence, despite the absence of support from provinces, despite the potential detriment to an already lagging economy, the government is plowing ahead at breakneck speed. It's accusing its opponents of being anti-environment, attacking the motives of its opponents, like Alberta, rather than making a case for the effectiveness of Kyoto and laying out a plan for implementation.

Why is Ottawa hiding the facts, delaying the plan, downplaying the costs, and steamrolling over its opponents? Simple. This is the Liberal government that's brought us NEP, gun control, thrown our farmers in jail for giving away their grain, and not to mention, Y2K. Having utterly failed at creating a domestic legacy during a decade in office, the Prime Minister will do whatever it takes to carve out an international legacy so that he can strut on international stages and accept rounds of applause for being green.

In Canada there's a word that applies in both official languages, and it is simply: poseur. Having done little in his time as Prime Minister to earn his stripes as an environmentalist, with one quick vote in Ottawa he just might be able to pull the wool over the eyes

of the international community. That's why the most interesting part of this Kyoto debate lately has not been about the science, the costs, the effect on industry, jobs, or our standard of living but on whether or not Paul Martin will take a position on the accord. The media understands that this isn't really a debate about the environment. It's a partisan ploy by a government and a Prime Minister that are old, tired, out of ideas, and out of gas, who need something that they can call an achievement.

It doesn't matter that the passage of Kyoto could come at the cost of hundreds of thousands of jobs across this country. It doesn't matter that Kyoto could result in a massive relocation of industry out of Canada to the U.S. and the developing world, and it doesn't matter that the Kyoto debate could fray even further the already fragile bonds of this federation that we call Canada. What matters is a perceived legacy for one man, and I have to say that this is a sad, cynical state of affairs, Mr. Speaker.

Let's imagine what could have been. Imagine that the federal government, instead of grabbing onto the flawed protocol called Kyoto, had come to Canadians, to the provinces, to industry, to unions, and to small business and said: let's work together to come up with a plan that grows our economy, helps spur development and higher standards of living internationally, cuts pollution, and makes the world a safer, healthier, and greener place. I'm willing to bet that there's not a single Canadian who would have been unwilling to consider that challenge.

8:10

In fact, the government of Alberta took that challenge upon itself and helped craft a made-in-Canada, made-in-Alberta solution to pollution, CO₂ emissions, and continued growth. We did because we believe there is a way to balance environmental protection with growth. This government believes that government can work together with industry, workers, and Canadians committed to the protection of the environment. This is not a zero-sum game. I think that if the federal government had simply come to Canadians and asked, "What will you do to cut pollution and still grow the economy?" there would have been 31 million takers to that challenge. I know that Albertans are up to that challenge because Albertans rise to challenges. We harness our collective entrepreneurial spirit to create solutions, to build, to progress, and to advance.

That's not the challenge that the federal government has put before us. Instead, they've put a hostile challenge to us. They have told us to get in line. They have told us that our opposition doesn't matter and that our plan won't be considered, that our jobs, our growth, and our future are less important than securing a place in international history for one retiring Prime Minister. Just as Albertans rise to positive challenges by building positive solutions, we are equally determined in our resistance to threats, to intimidation, and to ultimatums. Faced with this threat, this bullying challenge from the federal government, Albertans have to stand together and quietly, firmly, and resoundingly say no: no, Mr. Prime Minister, and no to Kyoto. Kyoto is not the solution. If the federal government insists on trying to impose this flawed deal, this killer of growth, this failure of environmental science, then Albertans will have to prepare themselves to go nose to nose with the federal government again. We've been there, we've done that, and we've bought the T-shirt.

After we win that wrestling match of common sense and provincial self-determination, then we'll get back to the drawing board and be leaders. We'll work with the other provinces, with industry, and with scientists and lead the environmental movement beyond ideology to a real made-in-Canada, made-in-Alberta solution. We'll make sure, Mr. Speaker, that our children benefit, we'll make sure

that the world benefits, and when we do, the real legacy of success will belong to Albertans.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Mr. Speaker, I'm wondering if at this time the member would accept a question or two?

MR. MAGNUS: I believe that's now the course of events.

THE DEPUTY SPEAKER: Actually, there is a five-minute period. So it isn't a matter of whether he will accept them; it's how he'll answer them. I think that's the question. So go ahead. If you wish to ask a question, then please do.

MR. MacDONALD: Thank you. The hon. member was talking about bullying, that there was bullying going on, in his mind, from the federal government. Could the hon. member please explain how he would describe the firing of Dr. Swann if that wasn't a bullying tactic by this government?

MR. MAGNUS: Mr. Speaker, while the question from the hon. member of the opposition really has nothing whatsoever to do with this discussion, I'm kind of surprised to hear him do it, because he has got some degree of common sense in most of his questions. However, I'll put the same question to this hon. member that I put to the leader of the third party earlier today, and that is: if you put a hundred people in this room and had them all light a cigarette and you asked two of them to put it out, at the end of the day would it make any difference to your air quality? That's what we're being asked to look at. We have no concept whatsoever beyond. We're going to ratify this before Christmas from the federal government. How are we going to ratify? How are we actually going to implement what they want to do? That's my question back.

THE DEPUTY SPEAKER: I don't know that there's anything in the provisions of Standing Order 29(2) for the person who has just given a speech and received one or more questions to then ask a question back. It becomes, then, just rhetorical.

So do you have another question?

MR. MacDONALD: Yes, Mr. Speaker. I have another question for the hon. member, and it is this: in what year did the Progressive Conservative government in Ottawa first discuss having an accord similar to the Kyoto accord?

AN HON. MEMBER: This isn't Trivial Pursuit.

MR. MAGNUS: Well, as one of my colleagues has pointed out, this is not Trivial Pursuit, and frankly I don't know exactly the year that they came in with this, but I believe back in the early '90s. Did you say "Conservative government?" I'm sorry. I missed that part.

MR. MacDONALD: The Progressive Conservative government. That's right.

MR. MAGNUS: Nineteen-ninety.

THE DEPUTY SPEAKER: Okay. Are there any further questions, or are you rising to speak?

MR. MacDONALD: I'm rising to speak, please, Mr. Speaker.

THE DEPUTY SPEAKER: There being no further questions, the hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much. It's a pleasure to participate in the debate on Bill 32. Now, it certainly is an issue that is causing a lot of discussion not only in this province and not only in this country but around the world. It seems that the closer people are to sea level, the more concerned they seem to be about global warming. We look at the industrial nation of Japan, and they do not seem to have any problem with recognizing global warming and the fact that something has to be done to correct it.

Now, I for one am certainly not a scientist, but I accept the validity of the argument from many, many scientists that carbon dioxide emissions and the increase in emissions are certainly having an effect on the earth. It's increasing the temperature, and we have to do something about it. That's why I believe that Kyoto is an important first step towards a clean energy future.

Climate change is perhaps the most serious risk to our environment, and we all have a responsibility to take action today. At the risk of sounding Edwardian, with wealth comes duty and responsibility. This province has created a great deal of wealth as a result of the natural resources that lie under it. We are participants in the global economy, and we have to recognize that we are members of the global village. With our wealth comes duty and responsibility, and we have to show leadership by starting to lead the way in reducing greenhouse gas emissions on this planet.

On the way down here I was listening to a debate, ironically enough, on CBC Radio. Now, CBC Radio had a very balanced program. They heard both sides of the argument. One person stated that we have to start now, and the other person stated, "Oh, no, it's not a problem. We can put this off." But when we consider the search for better air quality and lower emissions, this search should be fueled by our desire to pass on a better, cleaner world for the next generation. I agree with and I endorse government policy which recognizes that enormous public debt should not be passed on to the next generation. However, we cannot pass on to the next generation an environmental debt, and that's exactly what we're doing whenever we've got our heads in the sand about Kyoto. A clean energy future is in everyone's long-term interests.

How can we talk about having drought relief for farmers? How can we talk about having an increase in budgets because of extreme fire seasons and not think to ourselves that perhaps this is being determined by global warming when we can spend millions and millions of dollars on those programs and at the same time say, "Oh, we can't ratify Kyoto because it's going to hurt us economically"? Our climate, our province is changing, and we can't be anti-Canadian and pro-pollution, and that's what I'm afraid is happening here.

8:20

We can meet our Kyoto targets. Alberta can meet its Kyoto targets while still supporting sustainable economic growth. We need programs, we need policies, we need regulations aimed at reducing overall energy use, and we need to reduce energy use at work and at home. Boosting energy efficiency not only reduces greenhouse gas emissions but lowers the cost of energy, and it makes our industry and it makes our province and it makes the country more competitive internationally.

Now, there are many good things happening in this province, but for the hon. members across the way they want to know how we are going to do this. Well, the Premier whenever he was Environment minister had lots of good ideas on this.

DR. TAFT: Who did?

MR. MacDONALD: The Premier whenever he was Environment minister.

Now, the Premier has a lot to say about global warming and that the science is sound.

AN HON. MEMBER: Which Premier are we talking about?

MR. MacDONALD: The Premier of Alberta.

MR. BONNER: The present Premier?

MR. MacDONALD: The present Premier of Alberta talked about greenhouse gases and how they were to be reduced.

Now, at the same time the Premier – it's almost like it was a past life, as if he was to say: that was then, and this is now. But when you look at the initiatives that the Environment minister in this province between 1989 and 1992 initiated, the Premier was on the leading edge of the debate on changing environmental plans so that greenhouse gases could be reduced and we could stop this period of global warming. Here's what the Premier had to say.

The way we do that is to go throughout the province, get as much solid evidence as we possibly can, develop a program, develop a position, and put it in place what is right for Alberta and what is right for Canada.

Now, that's the hon. Premier.

The hon. Premier goes on to say in June of 1991 again, Mr. Speaker:

This province needs to do [more] to make a reasonable contribution to the reduction of those gases that contribute to not only the greenhouse effect, global warming, but depletion of ozone. In addition to that, there are national protocols that we have entered into relative to a decrease in automobile emissions by 50 percent by the year 1995.

Fifty percent by the year 1995.

We have entered into protocols relative to the decrease in packaging and waste by 50 percent by the year 2000.

So the Premier was very anxious to reduce greenhouse gas emissions and see that Alberta was a leader internationally in regard to this. I don't know what has happened since. I don't know how the Premier has forgotten those words and those policies and those initiatives. Certainly now whenever this government makes the argument that they have a made-in-Canada or a made-in-Alberta solution, how can you rely on their word whenever you look at what was said between 1989 and 1992? How can you believe them now after these statements and "we're going to do a lot of good work"? I have to conclude that nothing has been done. Nothing has been followed through, Mr. Speaker, unfortunately. Absolutely nothing. That saddens me, and it distresses me.

Now, the Premier goes on to say again from *Hansard*: it's called a clean air strategy for the province of Alberta, and we'll be looking at carbon dioxide; we'll be looking at sulphur dioxide; we'll be looking at volatile organic compounds. It's unfortunate that we didn't start then finding a way to address this.

The government, in my view, has been negligent, but industry has not. Industry has quietly been working. Between 1988 and the end of 2000 Syncrude Canada cut CO₂ emissions per barrel of oil produced by 27 percent. Suncor did likewise. Now, Husky Energy in Lloydminster at a coal generation project at its site was successful in reducing greenhouse gas emissions by 168,000 tonnes per year. Petro-Canada, according to their latest annual report, have through continuing improvements in energy efficiency reduced greenhouse gas emissions. Since 1990 Petro-Canada has eliminated over 1.3

million tonnes of annual ongoing greenhouse gas emissions. In 2000 total gas emission levels were over 8 percent below 1990 levels despite a 34 percent growth in overall production. It can be done. It is being done. When you look at Altasteel here in Edmonton, since 1991 it has recorded an overall improvement in specific energy consumption of 8 percent. We look at the development of CASA, the clean air strategic alliance, and what they have done.

Now, light industry is certainly where we could stand to improve. Foothills Creamery retrofitted its Edmonton warehouse in 1998. The company replaced its existing fixtures with lamps and reflectors that use PCB-free single electronic ballasts. Drawing only 58 watts, the new fixtures save 67 percent on the electricity use by each light. The company's \$20,000 investment in the retrofit has led to better lighting, reduced labour costs, and realized significant savings in electricity usage.

It is interesting to note that consumers and businesses often choose not to purchase highly cost-effective energy technology. The new electronic ballast installed by Foothills Creamery was clearly superior to the system it replaced. Electronic ballasts for lighting have been commercially available since 1976. They are a well-tested technology. However, it is interesting to note, Mr. Speaker, that by 1987 five American states, including New York and California, had prohibited the sale of standard ballasts, and I'm wondering if it's anything that this province has considered. We just resort to finger pointing and fear mongering instead of developing ways to be more energy efficient.

Now, there are many experts who have had the temerity to question the numbers used in this government's latest multimillion dollar propaganda campaign, and I would imagine there will be another one on health care, but we'll probably have to wait till next winter for that. Our hon. Premier was forced to admit that the numbers may have been less than factual and based on worst case scenarios. I think that rather than fighting Kyoto, like this province is doing, we must start investing now in technology and energy efficiency. The Alberta companies I mentioned earlier are doing something. Meanwhile, the provincial government has had no clear plan, with the exception of what was outlined by the Minister of Environment between the years 1989 and 1992.

Our future and that of our children and grandchildren includes a major global reduction in greenhouse gas emissions, so we must be prepared to deal with the new reality. With political will, government support, and private-sector innovation, Alberta could be a world leader in developing alternative energy technologies, like wind, solar, and biomass power generation. I see the time when the hon. Member for Calgary-North Hill is on the way to Banff, perhaps to ski, and the city that he proudly represents will be a place where the electricity is coming from the Morley flats, from farm after farm after farm of wind turbines.

The Germans: 12 percent of their power comes from wind turbines. But this is the new Alberta. This is what's going to happen after the carbon age. There will be routine sight-seeing adventures out the left-hand side of your car as you're going to Banff, and that's what you're going to see: row after row after row of wind turbines. Hopefully, they're not going to be imported from Denmark, but they're going to be imported from New Norway in Alberta. It will be a locally developed industry that will be part of the value-added manufacturing in this province.

I'm sorry that we only have 15 minutes.

8:30

THE DEPUTY SPEAKER: Hon. member, you weren't sitting down in light of some of these comments that were flowing back and forth; were you?

MR. MacDONALD: No, Mr. Speaker. I thought I heard the bell ring.

THE DEPUTY SPEAKER: Okay. That would be it; would it? Good.

So now for questions I have Grande Prairie-Smoky and then Edmonton-Rutherford.

MR. McCLELLAND: Questions and comments?

THE DEPUTY SPEAKER: Yes.

MR. McCLELLAND: The Member for Edmonton-Gold Bar, if I'm correct, mentioned that the Husky upgrader in Lloydminster had reduced emissions by 100,000 tonnes or something of that nature, however many it was. Is the member aware of the fact that the province of Alberta at one time had a very substantial investment in that, probably at the time that the work was done to lower the emissions?

MR. MacDONALD: Mr. Speaker, the hon. member is incorrect in that this was an industrial initiative that was a partnership with TransAlta as a cogeneration partner on that site. Since the development by the federal government and the provincial government of the Husky biprovincial upgrader, there has been a cogeneration plant situated there, and that is the reason, with improved engineering technologies, that greenhouse gas emissions have been substantially reduced. That amount, those 168,000 tonnes per year, is enough to meet that facility's annual reduction according to the Kyoto protocol.

THE DEPUTY SPEAKER: The hon. Member for Calgary-North Hill, followed by Spruce Grove-Sturgeon-St. Albert and then Wainwright.

MR. MAGNUS: Thank you, Mr. Speaker. The Member for Edmonton-Gold Bar asked me a question that, frankly, didn't have anything to do with the issue before us today, so I thought I'd repay the favour. The question for him is this: what year did the Conservative government of Canada bring in free trade? It makes just about as much sense as yours.

MR. MacDONALD: The Progressive Conservative government certainly introduced free trade, but in 1990 they also were very instrumental in bringing forward the first environmental package in this country. The federal Progressive Conservatives were forward thinkers. They were certainly invited and participated actively, as I understand it, in the Rio convention. Other hon. members of the government, I understand, go to Rio but not for environmental conferences. The Progressive Conservative government went there. They saw the Prime Minister himself of the time, Mr. Mulroney, I believe. He went to Rio and said: yes, there is a need to reduce greenhouse gas emissions. Your federal Progressive Conservative cousins are much more proactive on this issue than you are, hon. member.

THE DEPUTY SPEAKER: The next one is the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I was intrigued by the hon. Member for Edmonton-Gold Bar's statements with regard to the Husky upgrader and the emissions that they achieved. I'm wondering if he attributes that to Kyoto. Did they have some inside knowledge many years ago that the federal government was going

to ratify this thing at some certain point, or would you say that that was more of a market-driven type of an arrangement that the market came up with on their own?

MR. MacDONALD: In reply to the hon. Member for Spruce Grove-Sturgeon-St. Albert, Mr. Speaker, I would have to say that every forward-thinking corporation that is doing business in this province has known for the last decade that the Kyoto protocol and the idea of reducing greenhouse gas emissions is a reality, and they're dealing with it as an economic reality. There is not a corporation that is investing in the tar sands that doesn't go before the EUB with the reality that a substantial reduction in greenhouse gas emissions is part of their business plan.

THE DEPUTY SPEAKER: Not to echo the comments, but one of the things when you turn around and address other people is that you stop your microphone, so it becomes increasingly hard to hear.

The hon. Member for Wainwright.

MR. GRIFFITHS: Thank you, Mr. Speaker. The hon. Member for Edmonton-Gold Bar indicated that the drought on the prairies this year and the forest fires on the prairies this year were caused by global warming and climate change from CO₂ emissions. I'm wondering if the hon. member could answer where the drought from the 1930s, which was before most of the man-made emissions were introduced into the atmosphere, and the drought that was declared on the prairies 150 years ago, when it was first being discovered, came from and where the CO₂ emissions from that came from.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Mr. Speaker, in regard to that question from the hon. Member for Wainwright . . .

THE DEPUTY SPEAKER: One of the unfortunate limitations is that you can't extend the five minutes.

The Minister of Innovation and Science is next on the list for speaking.

MR. DOERKSEN: Well, thank you, Mr. Speaker. You have certainly, as is customary at second reading of a bill, permitted a wide-ranging debate. As a matter of fact, we are in second reading on Bill 32, and it's to that bill that I actually want to direct my comments this evening and to let the Assembly know some of the reasons why I support what is in this bill and why it is important to Albertans to support the bill.

Clearly, in the preamble what we are setting out is that the government of Alberta by its constitutional authority has the ownership of natural resources and the rights to manage the exploration, development, production of those resources for its own benefit. Further, we go on to assert the fact that we are also asserting our ownership position in the sinks. These are important considerations.

You'll also notice in the preamble to Bill 32 a number of statements which address the innovation and research agenda that we think is important with respect to Alberta's approach to climate change and one that we would hope could lead to a made-in-Canada solution, which unfortunately doesn't seem to be transpiring at the moment. The preamble sets out quite clearly that Alberta is already "recognized around the world for leading-edge innovation in environmentally sustainable technologies." It notes that we're committed to workable solutions to reduce emissions of carbon

dioxide and specified gases and to work together with industries and research providers in developing new and innovative approaches to successfully address the climate change challenge. We also note, again in the preamble, that it recognizes that "carbon dioxide and methane are natural resources" and "are inextricably linked with the management of other renewable and non-renewable natural resources, including sinks."

Mr. Speaker, what I want to talk a little bit about tonight is what we are doing already and some of the goals that we have with respect to innovation and technology in this province. These objectives have been set through the good work of the Alberta Energy Research Institute, which is capably co-chaired by the Member for Bonnyville-Cold Lake. We very much appreciate the work that they have done on behalf of all Albertans in setting forth the objectives that we want to reach with respect to innovation and research.

8:40

Mr. Speaker, I want to talk about one of their five key strategies right off and then move to the other ones. One of their strategies is – and we've heard a lot of discussion in the Assembly about this already tonight – alternative energy development, and in fact there is a desire to develop renewable energy related to hydrogen, fuel cells, bioenergy, solar and wind power. Nobody will dispute the fact that those are important elements, but it is equally important and, I would say, more important to recognize that there are many other things that we can currently do with fossil fuels. Here's where I'm going to give the federal government a little bit of credit because actually in their release they do talk about cleaner fossil fuels. That actually relates to some of the initiatives that we have been told by the Alberta Energy Research Institute to pursue. In fact, one of our goals is the goal of clean coal, and I will argue that clean coal technology, clean power, is green power. So it's not all just about the development of alternative replies. We have a vast resource in this province in our coal beds that we need to frankly find the technology to make use of. It's an important element of our research strategy.

Mr. Speaker, the government of Canada also in their Cleaner Fossil Fuels section talks about CO₂ capture and storage, and that fits right in with what the Alberta Energy Research Institute plan says as well. It's one of the goals in terms of carbon dioxide management, and there are a number of initiatives already under way with respect to CO₂ management. The Weyburn project has been mentioned in this House previously, and again it's referred to in the government of Canada submission. So they have recognized the fact that promoting technology, enhancing technology in the fossil fuel area is important.

Mr. Speaker, so far I've covered the alternative energy development in the plan. I've talked a little bit about the carbon dioxide management that is under the AERI plan, clean coal technology, using technology to develop our resources there. There are two other ones that we have been discussing. One has to do with increasing oil recovery. The use of carbon dioxide, or CO₂, into the geological structure where you find the oil is actually useful in enhancing and recovering a greater percentage of that resource, so we are doing research in that area.

The fifth element that we've talked about is also sustaining the oil sands development. Mr. Speaker, we announced some time ago a new recovery method known as vapex. Now, I'm not going to suggest that I understand how this technology works, but I understand that it will reduce or has the potential to reduce the CO₂ emissions by up to 85 percent in the heavy-oil extraction. AERI's contribution is 7 and a half million dollars, partnered with industry and other partners for a total project of \$30 million.

Mr. Speaker, we are already investing money, have invested money over a large number of years to improve our technology. I think that what's important to me as we debate this subject is that we would not want, through actions of the federal government, to penalize a jurisdiction that has the technology, that has the expertise, that has the ability to discover, innovate, and deliver global solutions, because I frankly think that we have the expertise in this province.

In fact, Mr. Speaker, if you just go through some of the expertise areas that we have in the province, at the University of Calgary, for instance, they have expertise in biofuels, geomatics, informatics. They have expertise in the regulatory and economic policy in geophysics. At the University of Alberta, located in Edmonton here, they have expertise in clean coal, oil sands extraction and processing, carbon dioxide management, hydrogen production. At the University of Lethbridge they have expertise in water research, which also relates to this whole area. The Alberta Research Council . . .

AN HON. MEMBER: Hello?

MR. DOERKSEN: I'm coming. The fortunate part is that in *Hansard* you don't notice the pauses in the comments.

The Alberta Research Council, as I was saying, Mr. Speaker, has expertise development in clean energy, in greenhouse gases, in oil sands, in enhanced oil recovery.

Mr. Speaker, the point I'm trying to make tonight is the fact that we have the capability, we have the talent spread throughout not only our universities, our research institutes, industry itself. I believe that we can provide global solutions, and we will pursue that.

I also want to refer to one thing that I am concerned about, quite concerned about, with the federal government approach. They do talk in their recent document about cost-sharing strategic investments. Let me tell you what I think that lingo means from the federal government. When we established the National Institute for Nanotechnology here at the University of Alberta, it was the first national research institute that Alberta had. Every other province had had a national research centre or institute, and the federal government funded those institutes, those centres 100 percent, but when it came to Alberta to establish a national research centre, suddenly they said: oh, in your case, Alberta, we want you to match our funds. So, Mr. Speaker, this is where I have the concern with this cost-shared strategic investment. I can just imagine the federal government using taxpayer money that comes from Alberta, to give it back to Alberta and then saying: match what you've already sent us. It's like asking us to match our own dollars, so I do have concerns about that.

Mr. Speaker, we are going to and will continue to improve our technology. We'll work on the innovation front. We have a commitment to that. It is a big part of our plan. Our commitment to it is outlined in Bill 32. You can even see in the sectoral agreements under section 4 that we talk about looking at the implementation of technological changes, co-operation on technology development, demonstration, and deployment, on and on in the bill. You'll see even in section 9, where we talk about the climate change and emissions management fund, that we're going to target demonstration projects that use new technologies "in the discovery, recovery, processing, transportation" of Alberta's energy resources; in the "demonstration and use of new technologies that emphasize reductions in specified gas emissions"; in the "demonstration and use of specified gas capture, use and storage technology"; in the "development of opportunities for removal of specified gases from the atmosphere through sequestration by sinks."

Mr. Speaker, quite clearly, from Bill 32 the government of Alberta is committed to innovation, is committed to technological change, and frankly with the expertise in this province we will lead the country and, dare I say, we will lead the world in coming up with solutions.

With those comments, Mr. Speaker, I want to say that I am in support of the principle of Bill 32, what we are debating now, so that we can move forward and assert Alberta's critical position in the debate that is now going on in this country.

8:50

THE DEPUTY SPEAKER: Questions and answers. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Thank you very much, Mr. Speaker. I have a couple of questions for the hon. minister of science and technology, the hon. Member for Red Deer-South. The first is: the hon. minister mentioned Weyburn in his remarks in regard to carbon sequestration, and I'm wondering if the hon. member could please enlighten this member and other members in the House regarding the cost of the capture and compression of that CO₂ gas from the Dakotas. I don't know whether it's from North or South Dakota. Could the minister please tell us how much that costs per tonne?

MR. DOERKSEN: Mr. Speaker, what carbon management really talks about is capturing CO₂ emitted from certain activity, such as the coal- and gas-fired plants, and using this CO₂ and ultimately storing it in the ground. That's what the Weyburn project is all about. The Weyburn project, as I understand it currently, is \$25 million of research over four years to evaluate and monitor the long-term reliability of CO₂ in geological formations. I also understand that as the CO₂ enters those formations, it, in fact, through some scientific procedure that I can't describe, actually allows the flow of oil outside to be able to flow and to recover a greater percentage than we're normally able to recover. So it actually has two benefits. One is that it stores the CO₂ in the formations, and secondly, it helps us enhance the recovery of the oil in the ground. So it looks like a double win to me.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Again to the hon. minister of science and technology. That's in Weyburn, Saskatchewan. Perhaps we'll move to Alberta here. The hon. minister mentioned the Canadian Energy Research Institute in his remarks. Could the hon. minister please tell me how much is estimated as the cost of CO₂ sequestration in this province? How much would that cost?

MR. DOERKSEN: Mr. Speaker, I don't know if I have the specific numbers for that particular question, but let me point out to the member some other things that we are doing with respect to what's called the SAGD technology. It's the steam-assisted gravity drainage technology developed between 1986 and 1998 between the government of Alberta and industry partners, and it allows for a more economic and environmentally friendly method for recovering bitumen from oil sands deposits not practical for surface mining. So there's another process that research has led us to. I've already mentioned the vapex method. Through AERI, the Alberta Energy Research Institute, and the Alberta Research Council, some of our research-granting agencies, we're currently investing upwards of \$24 million per year, as we speak, into energy and energy-related research projects. Clearly our commitment is there.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the same minister: how much research has been conducted in this province on capturing and compressing blue-gas emissions from coal-fired generating stations and piping it to, as you say, empty oil or gas fields, and what is the cost of the capturing and compressing of that CO₂ gas per tonne? What sort of research have you done on this so far?

MR. DOERKSEN: Well, clearly, Mr. Speaker, I don't have access to all the specific data that the hon. member is requesting tonight, and I invite him to send me a memo and ask those specific questions, and I'll find out the information for him that we can deliver to him. I know that the hon. Member for Bonnyville-Cold Lake, who's with the Alberta Energy Research Institute, is vitally interested in this topic too, and although he is not permitted to answer the question, I know that he probably has more answers than I do.

Mr. Speaker, the point that I've been trying to make all evening is the importance of research and innovation, and I think that objective is shared by the members of the opposition.

THE DEPUTY SPEAKER: Again I share with you the frustration of this deadline of five minutes on the mark.

The next speaker is the hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. It's my privilege to rise to speak to this bill tonight. This is an issue that's going to be with us as legislators and as human beings for the rest of our lives, I have no doubt.

We've covered a lot of territory. It's clear to me that we're not going to connect across the floor very well tonight. We've taken different perspectives on this issue based, I presume, on different values, but I for one want to get my position and my values on the record, and as time passes, I'm confident that that position will be justified.

I suppose that coming to a decision on this kind of a bill is a personal process for all of us. I know it has been for me, and it's been one that's grown over many years. I'm a lifelong Albertan, and I remember, for example, visiting the glaciers, visiting Athabasca Glacier at Saskatchewan River Crossing or visiting the glacier at Mount Edith Cavell and hiking into these locations and finding the markers on a trail showing where the glacier was in 1950, in 1960, in 1970, in 1980, and so on, and being startled at how dramatically the glaciers in Alberta have shrunk over the last 50 years. As an aside, I recently heard an account of the snowcap on Mount Kilimanjaro and how that snowcap has been there for tens of thousands of years. Within 15 years it will be gone. Things are changing.

I also reflect on my own experience with my family, my children and my father-in-law going fishing 10 years ago and pulling jackfish out of a lake one after the other and now listening to debates in this Assembly, realizing that to a very substantial extent the fish stocks in lakes across this province have collapsed. Again something is changing in this province.

This May I drove east and then south to Dinosaur park. Late May should be the greenest and lushest time of the year in this province. Instead, the dugouts were dry to the bottom; the fields were barren and dusty. On the drive back I stopped at a relative's farm, and he was hoping to begin seeding. We went for a drive around the farm, and I noticed the trails of white on the trails through the fields. He told me about how the alkali is destroying the soil on this prime

central Alberta farm. He talked about how the land is changing and how the climate is changing, and he wasn't sure what was causing it, but clearly something was different.

I talked to hunters this fall, one who went to a large body of water, a lake south of Stettler, only to discover that the lake didn't exist anymore and to another who headed northeast in September, driving with his wife. His wife looked ahead and said: is that a snowstorm we're seeing? In fact, as they got closer, they realized it was alkali blowing in the wind.

We've seen in the news for months and months and months, indeed in some parts of this province now for four or five years, the cost of drought, the burden of drought. Just the other day we voted here in this Assembly on a supplemental estimates bill to spend an additional \$650 million on drought relief, on forest fire fighting, and on flood control in southern Alberta, all of which are extreme weather events, all of which fit exactly – exactly – with the scenarios that the climate scientists are warning us about and exactly the kinds of warnings that are consistent with climate change.

Those kinds of personal messages, personal experiences speak strongly to me, and I think they should speak strongly to all of us. Something very fundamental is changing in our province and, indeed, in our world.

9:00

Earlier today the Premier referred to Bob Mills, the MP from Red Deer, who was at that point in his seventh hour of a filibuster in Ottawa, denouncing, as I understood it, or opposing the Kyoto accord. Earlier in the fall I actually obtained correspondence from Bob Mills and sat down with the climate scientists and went through the correspondence for it addressed his concerns with Kyoto. It was very clear to me after talking to the scientists that, in fact, this particular MP has the issue quite wrong. In fact, the science on this issue, despite some of the comments we're hearing tonight, is very clear, and it has been growing since the 1960s. The science on this issue tells us that in the last 50 years the climate is warming dramatically, and in the last 50 years the primary contributor to carbon dioxide and other greenhouse gases in the atmosphere is human activity.

I'd like to draw the attention of every member of this House to a paper prepared by the Department of Energy in 1990, a full 12 years ago. Even then this government, this government here, was accepting the need for action to reduce greenhouse gases. I'll just quote a couple of lines from this study. "There is growing concern that the increasing atmospheric concentration of greenhouse gases may be leading to global warming." This government was saying that 12 years ago. It went on to say, "Carbon dioxide is estimated to contribute about 49 per cent of the greenhouse effect." This very government was saying that 12 years ago. The science has become substantially clearer since then, and the science is, I believe, irrefutable. Human activity, fossil fuel burning, is contributing substantially to climate change.

We can also deal with the economics, and that seems to be the primary concern – sometimes it feels like the sole concern – of this government. The economics of adapting to climate change is an issue that this government has tried to raise great alarm over. In actual fact, if we go to the government's own document again – and I would encourage every MLA here to study this document, detailed analysis that took five person-years of work and was based on thousands of energy audits. What does it conclude in terms of the economics of adapting to climate change? Well, it does say that it will be costly. It makes no bones about it. The capital cost of adapting to climate change would be in 1990 the equivalent of a total of \$6.7 billion.

But what would be the benefits? Well, the result: first-year savings of \$2.2 billion and a further \$2.2 billion every year thereafter. The average payback of the investment would be 3.1 years, a 30 percent return on investment, an amazing economic achievement. I see the Minister of Revenue is here. I'm sure he wishes the heritage fund had that sort of return on investment.

We should also note, Mr. Speaker, that a number of the world's largest energy companies have accepted the science and the economics of the Kyoto accord, and I can name two or three. Suncor, BP, and Shell, for example, have all accepted the science of Kyoto and have all benefited as a result.

Too little time in this Assembly, I feel, is spent on addressing the costs, the costs of global warming, the costs of climate change, not the costs of addressing the issues but the costs of doing too little or nothing. What are the costs to forestry? Our caucus met a few days ago with the Alberta Forest Products Association, and they were driving home their profound concerns over drought and fire in the forestry industry in this province.

What about the agriculture industry? How many farmers are on the brink of collapse because of drought? When independent climate scientists warn me, backed up with very extensive analysis, that there is a genuine threat that Alberta will be simply the northern edge of a great central desert by the middle of this century, I pay attention and I worry about the future of our farmers.

What about the health costs of climate change? They are profound. We have seen, for example, as I raised in this Assembly the other day, the spread of diseases, diseases that were never known in Canada before but diseases that are beginning to be carried here because of the warmer climate, diseases like the West Nile virus, potentially even malaria. Mr. Speaker, I think those are important issues that we need to be dwelling on more in this government and in this Assembly.

As to dealing with a handful of specific issues, we are told time and time again: "Gosh, China and India aren't doing anything. Why should we?" Well, if we follow the whole process addressing the issue of climate change, we can go back 40 years. The first concerns were raised over the possibilities of global warming in the 1960s. By 1988 there was a major international conference in Toronto called the Changing Atmosphere Conference. In the early '90s there was the largest international conference in history at Rio, which led directly to the '97 Kyoto accord. The next round in this process will in fact bring many developing countries into the global change protocol, countries like China and India. We should not kid ourselves by believing or imagining that Kyoto is the end of the line. It isn't. The next step will bring in those countries that today are left out.

Now, as for the bill itself, I'll address a handful of issues here. Under the preamble the bill says that "the Government of Alberta has a deep and well established commitment to protect Alberta's environment." I won't debate that, but I will ask the question: how does this particular bill protect Alberta's environment when it lets emissions rise without limits? The bill also says that "the Government of Alberta owns natural resources in Alberta" and that "carbon dioxide and methane are natural resources." Well, if we go back to the throne speech of 1992 and quote the Premier, he said among other things: "My government recognizes that air, soil, and water do not respect provincial or national boundaries." That is going to be a profound legal problem for this government. I don't think this bill has a snowball's chance on the top of Mount Kilimanjaro of surviving a court challenge. Of course, we could go on and on in that account.

As for the issue, "Well, Canada only produces 2 or 3 percent of the globe's carbon dioxide, so why should we bother?" - I'm startled

with the irresponsibility of that attitude. How many of us here feel that's the way it should be with litterers? If I go down the street and, recognizing that I'm only one of 800,000 people in Edmonton, I litter and I don't care because it's only 1/800,000th of the problem, what sort of approach to a society is that? That is no way to build a society. That is no way for each of us as individuals to carry our burdens. We can't simply divide this problem into 50 little pieces of 2 percent and imagine it will go away. It will not. Our farmers, our foresters, people throughout this province will know that we have failed them.

Mr. Speaker, I've come to believe that climate change is the issue of our time, and as I said at the beginning, there is no avoiding it. It will be with all of us until long after we are dead. But I did like the comments of the Minister of Innovation and Science a few minutes ago, who said that we have the talent in Alberta to respond, that we have the talent to rise to this challenge. It seems to me that we must be confident in our ability to innovate and our ability to rise to the challenge. I would say to all of us here today: we must embrace change, we must accept our responsibility as stewards of our world, and we should get on with the business of adapting to climate change.

Thank you.

9:10

THE DEPUTY SPEAKER: Questions and answers. The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I listened with interest to the member's statements and his very good speech on his views as to what he sees is happening in Alberta and across the country and, really, around the world, and I felt myself thinking: I am a Member of the Legislative Assembly of Alberta; I'm here to balance the environment and the interests of Alberta. When I look at Kyoto and I look at Bill 32, I say: Bill 32 is going to accomplish that; Kyoto is going to kill it. I'm wondering if the member is standing in favour of what his federal Liberal cousins are doing over what I see as a responsibility to protect Alberta's interests and do it right.

DR. TAFT: Mr. Speaker, I've made it clear here over and over that I feel that the time for questions and answers is in committee, not in second reading, so I don't respond to questions.

Thank you.

MR. GRIFFITHS: Mr. Speaker, this member has afforded me the opportunity, since he brought up the same topics as the other member did, to ask the same question. The member also indicated that our drought this year across the prairies, our forest fires across the prairies, the spread of disease throughout the world, I think he was claiming, were all caused by global warming, climate change, et cetera, from CO₂. I'm wondering if the Member for Edmonton-Riverview would comment about the drought in the '30s, which occurred before most of the CO₂ emissions were emitted by humankind, about the drought that was written about on the prairies 150 years ago, about diseases like the black plague, which killed one-third of Europe. Where did the CO₂ emissions come from that caused all of those events?

DR. TAFT: Mr. Speaker, I've made it clear that I will respond to that question when it's in committee. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: On debate?

THE DEPUTY SPEAKER: Question and answer. If there are no other questions or comments, then the debate. Yes, you are next.

MR. McCLELLAND: On debate? No one else is standing.

THE DEPUTY SPEAKER: If there are no further ones, yes, on the debate.

MR. McCLELLAND: Well, thank you, Mr. Speaker. It's important to speak to this debate because it is so important to Albertans and to Canadians but particularly to Albertans and particularly to Albertans who lived through the national energy program and don't want to see a repeat of it.

We're debating the bill of the Alberta government, but underlying that is the rationale of why we're here in the first place discussing this. In my opinion, we need to ask: will the Kyoto accord legislation achieve its stated objective? The stated objective is to save the planet by reducing carbon dioxide emissions, thereby slowing or stopping global warming. My contention, Mr. Speaker, is that the stated objective of the Kyoto accord is not really its real purpose, because it's a very inefficient manner of achieving its stated purpose.

I'd like to lay out what I think is the foundation for the Kyoto accord. If it had been presented by the federal government, in my opinion, honestly and straightforwardly, I don't think that Canadians, particularly Albertans, would have objected as much, and I think it would have been possible to achieve a made-in-Canada approach. Of course, in the federal government's document Climate Change Plan for Canada on page 9, Key Principles: "It must be a made-in-Canada approach that is based on collaboration, partnerships and respect for jurisdictions." I don't think that there was much chance of that.

If I may, I'm going to quote from Maurice Strong and his statement at a hearing of the United States Senate Committee on the Environment and Public Works and the Committee on Foreign Relations on July 24, 2002. Now, Maurice Strong, as members know, was the chairman of the Earth Summit. He's a Canadian. He's world-renowned for his interest in environmental concerns and in Third World poverty. To quote from this paper:

Thanks largely to the leadership of the United States the world community has made impressive progress in its understanding of environment issues and their inextricable relationship with the economic development processes to which they give since the first global conference on the human environment convened by the United Nations in Stockholm in 1972 put the environmental issue on the international agenda.

He goes on to say, and I'm excerpting from this.

At the United Nations Conference on the Human Environment held in Stockholm in 1972, the first global intergovernmental environmental conference, we lost our innocence. We recognized that much of what we had been doing in pursuit of our economic goals had, however inadvertently, been producing environmental damage and social dichotomies . . .

The Declaration and Plan of Action agreed following intense negotiations at Stockholm recognized in a number of important respects the need to create a positive synthesis between the environment and economic development.

He goes on to say:

Despite progress on many fronts, the environmental health of the earth which was first diagnosed at Stockholm has deteriorated overall since then while the forces driving it persist – increased population, primarily concentrated in developing countries, and even greater growth of the world economy. The benefits have been largely concentrated in industrialized countries, even as newly

developing countries, notably China, are now accounting for an increasingly large share of the global economy . . .

One of the most disappointing trends since the Earth Summit in 1992 has been the lack of response by OECD countries to the needs of developing countries for the additional financial resources which all governments at Rio agreed were required to enable them to make their transition to a sustainable development pathway and to implement international agreements.

So this is Maurice Strong testifying to the U.S. Senate, trying to get them to change their mind and go to the Johannesburg conference last year, in which our Prime Minister put us on this course. He did so because the United States Senate by a vote of 95 to 0 had declined to ratify the Kyoto accord for two reasons: one, because it had no requirement of developing countries for any commitment; two, because to ratify an accord such as that without any idea of the cost of implementation was considered to be folly, even though up until that time the United States was the driving force behind the whole notion of the Rio Summit. Without the Rio Summit, without the United States' active participation, the strongest, largest economy in the world, it wasn't going to happen.

So, then, why did the United States back off? Well, I think that there is a clue to be found in information from a paper entitled Global Taxes for Global Priorities by James A. Paul and Katarina Wahlberg. James Paul is a very accomplished environmentalist and humanitarian who has an extensive background in humanitarian and Third World works. This paper was published by the Global Policy Forum, WEED, and the Heinrich Boll Foundation. Now, the Heinrich Boll Foundation, interestingly, which is associated with the Green Party of Germany is "a legally autonomous and intellectually open political foundation." They are "a federally organized national foundation with 16 state foundations in all parts of Germany." So the Heinrich Boll Foundation, which is the cornerstone of the Global Policy Forum, is associated with the German Green Party. The German Green Party, as members know, has tremendous influence in Germany, and Germany has tremendous influence on the European Union.

9:20

Let me read some selections from this paper entitled Global Taxes for Global Priorities, presented in New York, May 5, by the Global Policy Forum and the Heinrich Boll Foundation.

Many crises threaten the globalizing world, including international financial instability, growing worldwide poverty, global warming, and epidemic diseases that know no boundaries. Solutions require intense international cooperation and stronger global institutions. Progress will especially demand large new financial resources tens of billions of dollars to finance global public health, take steps towards environmental sustainability, and build programs to insure education and livelihoods for all.

Unprecedented wealth and productive capacity are available today, more than ever before in human history. Since 1950, gross world product has multiplied seven times and product per capita nearly three times, both in real terms. Yet the global economy organizes a vastly unequal division of the world's resources, promoting private consumption and accumulation over public well-being. Development aid funds have declined, urgent global projects have stalled for lack of money and worthy international organizations like the UN have fallen prey to budget caps and assessment shortfalls.

Bold and innovative steps are urgently needed to tap the world's wealth. Global taxes offer the most promising approach. International projects and organizations cannot depend solely on contributions from nation states, much less rely on private charity or business "partnerships." They must develop independent revenue sources to fund public purposes at the global level.

This is why I say: I don't think that the federal government has come

clean and been honest with us. Had they come clean and been honest with us, we wouldn't be going down the Kyoto accord road, but we may be making decisions to help the world and the world's poor.

Taxes amounting to just 1% of world GDP would raise over \$400 billion per year. Such a sum would meet many urgent needs while placing a very modest burden on the world's richest consumers.

Advocates have offered dozens of proposals for global taxes, but two have gained special attention: a tax on the carbon content of commercial fuels (often called a Carbon Tax) . . .

And make no mistake; this is a carbon tax.

. . . as a means to stop global warming, and a currency transaction tax (often referred to as a Tobin Tax), to reduce speculation and global economic instability.

Now, keep in mind that I'm reading from this paper presented at the Global Taxes for Global Priorities forum held May 5, 2001.

Some day, an international political authority will levy global taxes, but at present a robust authority of this kind, with sufficient accountability and enforcement powers, does not exist. So initially, national governments must levy such taxes as part of an international tax agreement. Part of the funds levied will go towards global purposes, while part will be kept in the national treasury. Transition towards truly global taxation will await strengthened and democratized global institutions, sometime in the future, but today we must make a start along the road.

That was the introduction to this paper. I see that I have about five minutes to conclude. Therefore, I'm going to have to skip a few pages of this, which I'm sure is going to make most of the people here very happy except, of course, the Liberals and New Democrats, who think this is probably nirvana. Perhaps not, and I shouldn't speculate on that.

Now, this paper makes the point that

emissions trading is a seriously flawed concept, that gives advantages to the biggest polluter countries and the big energy companies.

At best it will have only a limited capacity to reduce worldwide greenhouse gas emissions.

"Worldwide", because it will simply shift the emissions somewhere else.

A carbon tax is a fairer, more efficient policy tool that would speed progress towards Kyoto and Rio goals.

Now, I'm going to switch over to the part that we all dread because we knew it was coming: Assembling Political Blocs and Advocacy Campaigns.

As global taxes come closer to political reality, advocates must begin to think about assembling political blocs or coalitions to press forward towards enactment. We already can see the outlines of such coalitions.

Now, pay attention, because I think that members will see exactly what has taken place over the last five years.

In the case of the carbon tax, the coalition includes environmental groups, small island states and other coastal nations threatened by rising ocean levels, advocates of the UN and global institutions, intellectuals, sustainable energy industries, and insurance companies. This forms already a very substantial alliance. The CTT has managed to attract broad publics with a concern about globalization and the ills of the global financial system. The CTT also appeals to trade unions, countries negatively affected by currency speculation, economists, UN advocates, and others . . .

As the process moves forward, we will see the earliest steps in a new global political process. Global citizenship will at last take form, not as a dream or ideal, but as a real process involving common political tasks across national borders, to create a common future . . .

Though the global tax movement has made great gains, its future is still not assured. We need bold leadership and an imaginative strategy to bring global taxes – and the better world they promise – finally to reality.

Now, the author of this is a man by the name of James A. Paul, the

executive director of Global Policy Forum, and Katarina Wahlberg, a graduate student in political science at Stockholm University. Now, whether one agrees with what these people, well-meaning that they may be, are advocating or not, it doesn't change the fact that the Kyoto accord, which led to the bill that we're debating today and the situation that we have within our country, is really not the real issue. It is not about carbon taxes. It's about wealth transfer, and let's be honest about it.

THE DEPUTY SPEAKER: Questions? Comments? If not, the hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure this evening to rise and speak to Bill 32, the Climate Change and Emissions Management Act, and certainly to make some comments that need to be said.

For more time than man has been on this earth, the earth has been heated through the day by the sun and cooled off at night, and the insulating effect that we have had is the earth's atmosphere. We all know that if it's cloudy at night, then certainly we don't get as great a dip in the cool temperatures at night as if we have a clear sky. For nearly millions of years, probably billions of years, the earth has done a pretty good job of balancing the effect of heating through the day and cooling at night. It has had its fluctuations in time, whether they be the ice age or periods of very warm weather. As well, we know that roughly 200 million years ago the landmass on the earth was one single piece that broke up and started to spread in different directions. That is why we see the appearance of fossilized forests up in the Arctic, because it wasn't always in that position. The Earth did a very good job, and over time, when man started relying on technology, we started to burn fossil fuels, to use fossil fuels, and we've continued to do so in an ever increasing way, and with the burning of those fossil fuels, we get the greenhouse gas emissions going into the atmosphere, the main culprits being carbon dioxide, methane, and nitrous oxide.

9:30

Of course, there is a tremendous abundance of carbon dioxide that we put into the atmosphere, and in 2001 the Canadian Energy Research Institute had determined the distribution of assessed carbon dioxide emissions by industry in Canada. Coal-fired generation accounted for 43 percent of those CO₂ emissions. Oil sands and mines accounted for 19 percent of those emissions. The petrochemical and fertilizer industries accounted for 10 percent. Refining and upgrading accounted for 7 percent; pulp mills, 5 percent; cement and lime productions, 1 percent; gas processing and pipelines accounted for 9 percent.

Now, then, the methane is also a very great contributor to the trapping of energy in the atmosphere, and it has the ability to trap that energy some 20 to 25 times greater than what carbon dioxide does, and the nitrous oxides that we are contributing to the atmosphere have somewhere in the neighbourhood of 250 to 300 times the capacity of trapping the greenhouse gas emissions. So as human beings on this earth, and particularly in the last 50 years, when these gases have been measured for their content in the atmosphere – that content has increased in percentages, and it certainly has had a great impact on the climate systems and the increased heating that's occurring on the earth.

Earlier the Member for Edmonton-Riverview talked about visiting the Columbia Icefield. Now, my father had the opportunity to visit the Columbia Icefield; 1928 was his first trip there. At that time, the present highway was in the same location, but the reason the highway was built on the east side of the valley was that the icefields

extended all the way across the valley floor and that was the first spot they could come to where the glacier did not cover the valley floor and they could build a highway. We've seen that it has receded miles since that time, in less than a hundred years.

Now, then, as well, I happened to come across an article in *The Scotsman*, a paper from Edinburgh, and the title of this particular article is *The First Global Warming Refugees*. It talks about four homes that fell into the sea in the tiny village of Shishmaref on the northwest corner of Alaska. It goes on to say that this community, that has lived in that location for hundreds of years, is now, because of rising sea levels, going to lose that community. As well, at one time they had no problems with the permafrost. It was not an issue, but now the permafrost has melted.

MR. MacDONALD: It's affected the pipeline – right? – the Alaska pipeline.

MR. BONNER: Yes, it's definitely affecting the Alaska pipeline as well, certainly signs of global warming such as we have not seen before.

There was a news special here two nights ago on TV where the city of Venice is looking at spending \$24 billion on flood control gates to protect that city. Now, Venice as a city is 700 to 800 years old and has not encountered rising seas in all of that time, yet they are seriously concerned about the future of that city because of rising seas.

As well, if we look at the temperature that we're going to have in Edmonton tomorrow, which is plus 12, that is 16 degrees above the average for that date in history.

Global warming cannot be ignored, and what we are doing is we are looking at what role man has played here. I don't think that anybody can refute the evidence, Mr. Speaker, that the speed of change and the amplitude of change because of global warming is significant, and it's probably more significant than at any other time in history.

Now, then, as well, Mr. Speaker, it is an issue that has been greatly studied. There are many views, but I'd like to take the point of view of Michael Porter, who is a director for the Institute for Strategy and Competitiveness at the Harvard Business School. He goes on to say:

Only those companies that innovate successfully will win. A truly competitive industry is more likely to take up a new standard as a challenge and respond to it with innovation. An uncompetitive industry, on the other hand, may not be oriented toward innovation and thus may be tempted to fight all regulation.

When the Member for Edmonton-Gold Bar was speaking earlier, he talked about Alberta firms who have voluntarily made greenhouse gas reductions, and of course one was TransAlta. We have Enmax, ATCO, EPCOR, Husky Energy, Suncor, Syncrude, Talisman Energy.

DR. TAFT: That's quite a list.

MR. BONNER: Yes, quite a significant list and by some big players in this province.

If these people are supporting Kyoto, if these people realize that these controls will be put on them – they are investing \$4 billion in some cases in industry in Fort McMurray. They have done it. They haven't only done it, Mr. Speaker; they've exceeded those limits that we have set, and their profits are increasing. So certainly innovation is something that industry is very capable of doing and do a much better job than government does.

It would be quite interesting as well, Mr. Speaker, if we ever

printed in the papers in this province those companies that don't want to be compliant. Perhaps, then, consumers in this province could say: well, we will support those businesses or we won't. It would be quite an interesting situation.

Now, as well, when we look at global warming and what we contribute as a province to this, it's quite interesting that when we look at the tonnes of carbon dioxide per capita in the world – we look at Alberta – Alberta per capita produces 72 tonnes of carbon dioxide per person. The Canadian and Australian average is only 22 tonnes per person. In China emissions are 12 tonnes per person. India is at a two tonnes per person level. So, Mr. Speaker, if we live in a global community and we wish this problem to be shared equally, well, then, Albertans must be quite ready to share their emissions throughout the world. I can only see the great nightmare that we will have in this world if China or India says: Albertans produce 72 tonnes per person of carbon dioxide emissions per year; why can we not have that same advantage in trying to develop our economies, in trying to develop our country? They would have every right to do it if we are going to continue at those particular levels. So we do have to do something with these emissions. We do have to do something with this runaway climate change that's occurring, and we must stabilize those emissions.

9:40

Now, then, we talked also earlier about the impact of other industries here in the province, and certainly we have our oil and gas industry as being number 1, but we also have agriculture at number 2. We have forestry at number 3. These are also critical industries in this province. When the Alberta Forest Products Association was meeting with us, one of their great concerns was the millions of dollars that they put back into the forests each year with the planting of seedlings. If we have a prolonged drought, then their investment is wiped out, because those seedlings cannot grow without water. I think that it is time that we did look at innovative ways whereby we can comply with the Kyoto accord, and certainly we have seen examples here where many significant and major companies in this province have.

Now, as well, I was reading an article in the *London Times*, and this here is: green groups condemn plan to bury carbon dioxide at sea. Now, the green groups might, yet for literally millions of years we have been able to have methane, natural gas, stored underground in this province. I can't see any reason why those caverns that housed natural gas for all those millions of years could not be used to bury our carbon dioxide. So that is certainly another way that we can do it.

You know, when we look at innovation, one of the people that did talk about how they met their Kyoto agreements was John Browne, the chief executive for British Petroleum, and he goes on to say:

We set our own target – to reduce our own emissions of greenhouse gases by 10 per cent from a 1990 base line by the year 2010. . . . Now, five years on, I'm delighted to announce that we've delivered on that target. . . . It came through a reduction in the amount of energy we need to use. . . . And we avoided unnecessary emissions. . . . And by applying simple efficiency – stopping leaks. . . . In aggregate the net effect of all those actions is that we've met the target, seven years ahead of schedule. And we've met it at no net economic cost – because the savings from reduced energy inputs and increased efficiency have outweighed all the expenditure involved.

Now, then, Mr. Speaker, we as a province and as a people have always prided ourselves on being innovative, and the pioneers that came here came with that spirit, and I think that they have shown us over time that they were very capable of being innovative, of adjusting to the times. Certainly, as a government we have to look

to the future with a positive outlook, and I think that by accepting the Kyoto accord, we will be doing that.

Thank you.

THE DEPUTY SPEAKER: Questions? The hon. Member for Grande Prairie-Smoky, followed by the hon. Member for Calgary-Bow.

MR. KNIGHT: Thank you, Mr. Speaker. I was interested in the comments with respect to methane, and I understood you to say that methane has a global warming potential, or a GWP, between 20 and 25 times that of CO₂. Given that, could you tell me what percentage of atmospheric methane is attributable to natural release from decomposition, coal seams, and the breakup of suboceanic methane hydrates?

MR. BONNER: That certainly is a mouthful, Mr. Speaker, and I do thank the member for that question. What scientists have told us all along is that perhaps our greatest risk and threat of global warming is that in the oceans we will have a rise in temperature. If that occurs, then the incredible vast resources that are stored in a solid form in the ocean will be released, and they could play great havoc on the environment and on our way of lives, more so than any other factor. So I thank the member for that question.

MS DeLONG: A couple of comments. First of all, you were talking about the companies that have already reduced their emissions. These companies that have reduced their emissions are not going to somehow avoid any Kyoto penalties, so what they have done in terms of their emissions was certainly not because of Kyoto. There are two reasons why their emissions are reduced: one, because of Alberta's strong clean air legislation and, two, because of deregulation because they can make money cogenerating electricity.

The point that I really want to make is that I want to ask you this question. Man-made CO₂ makes up 20 percent of the CO₂ that's in the atmosphere. This is, by the way, a really optimistic calculation. Most people say that it's around 10 percent. But let's be really positive here and say that 20 percent of the CO₂ comes from man-made emissions. Okay? Of that, only 2 percent comes from Canada. With Kyoto we would be reducing that by 30 percent. Try multiplying those numbers. What you get is one in a thousand. That is the amount that we would be reducing our CO₂ in the world. If we follow Kyoto, Canada will be reducing the CO₂ by one one-thousandth. One one-thousandth. Is that really worth risking our economy?

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Speaker. That was a very good question. I didn't realize 30 seconds was that long.

Yes, it is, because we in this province have always prided ourselves as being leaders, and certainly as leaders we have a responsibility to the global economy, to our neighbours in other countries in this world. Without a doubt this is certainly one area where we can take the initiative to reduce those. It also gives us absolutely incredible opportunities with our innovation that we can market to other areas.

In the short time that I have to answer this question, I don't know if I can answer as to what the competitive edge will be for Alberta to follow this. But by taking a lead in addressing environmental issues, governments position firms in their jurisdiction to be more efficient and competitive in future markets. That's one thing.

Governments can design policies in a manner that respects legitimate competitiveness concerns, and that certainly is not ignoring the problem and thinking that we can burn without any controls whatsoever. There are many more as well, Mr. Speaker. It's unfortunate that I don't have the time here to respond fully to that question.

Thank you.

THE DEPUTY SPEAKER: The hon. Minister of Environment to close debate.

DR. TAYLOR: Yes. Thank you very much, Mr. Speaker. I appreciate the opportunity to rise and close debate on Bill 32. I'd like to start by saying that the federal government and their henchmen on the other side here are trying to give the impression that the Alberta government and the people of Alberta don't care about the environment. They're trying to give the impression that Albertans want to destroy the environment. What they do in all the name calling and the table thumping is that they neglect the facts of the matter. They neglect the fact, Mr. Speaker, that the government of Alberta is today 22 percent below its 1990 targets. They neglect the fact that the government of Alberta is the only government in the country to receive three awards under the voluntary challenge and registry.

9:50

MR. RATHGEBER: How many awards?

DR. TAYLOR: Three, Mr. Speaker.

The Alberta government has been taking action and encouraging industry in this province to take action since 1990. The other provinces recognize Alberta as a leader in this whole area in regards to climate change. We are spending more money on research than any other province. We are spending more money on research than the federal government in this whole area of climate change, and we are the only government in Canada to do that.

You know, as we go forward with our action plan, Taking Action, it is a real plan. It's a plan that proves that you can reduce greenhouse gases. The henchmen opposite continually say that it doesn't make a difference. Well, they haven't read the plan, because if we go forward with a business-as-usual case, Alberta would be producing by 2020 280 million tonnes of greenhouse gases. Just Alberta, Mr. Speaker. Under the Alberta plan we will be producing someplace in the neighbourhood of about 210 million tonnes. That is a real reduction of millions and millions of tonnes of greenhouse gas that our plan will clearly guarantee.

Our plan includes realistic time lines and realistic targets. It recognizes that there is a very clear connection between a healthy economy and a healthy environment, Mr. Speaker. This is clearly recognized in any number of studies I could cite: the World Economic Forum, that these people across the way like, and the World Bank studies quite clearly show recently, in 2001 studies, that there's a clear connection, a high correlation between a healthy economy and a healthy environment.

The countries that have the healthiest environmental sustainability indexes, Mr. Speaker, are the countries that have the highest GDPs. Those are the countries in western Europe. Those are the countries in North America: the U.S. and Canada. The highest GDPs, the highest environmental sustainability indexes. These are not Alberta government figures. These are World Economic Forum figures. Countries that have the lowest GDPs – Haiti, Eritrea, Ethiopia, other countries in Africa – guess what? They have the lowest environmental sustainability indexes. It's quite clear. There's a very clear connection. You can look at a country like Russia or the developing

east bloc countries, and they're somewhere in the middle. Their economies are improving, and as their economies improve, their environmental sustainability index improves as well. So there's a clear connection between a healthy economy and a healthy environment. It's a balance, Mr. Speaker, and we must be constantly aware of that balance.

Alberta's approach represents a holistic approach to action on climate change. It involves a number of actions, Mr. Speaker. What the federal government and their henchmen opposite fail to recognize is that consumers in this country produce 60 percent – 60 percent – of greenhouse gases. Now, you hear the Prime Minister saying that there will be no impact on consumers. How can you have a group that's producing 60 percent and not have any impact on them? The federal government needs to have the guts, if they want to make a difference, to stand up and say to consumers in this country: "You're responsible for 60 percent. You are going to have to change." But they don't. The Prime Minister said just last week . . .

MR. MacDONALD: Point of order, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar is rising on a point of order. Do you have the citation, please?

MR. MacDONALD: Yes, certainly, Mr. Speaker, 23(j).

THE DEPUTY SPEAKER: Okay. Yes.

**Point of Order
Parliamentary Language**

MR. MacDONALD: Mr. Speaker, the hon. minister has on three occasions described members on this side of the House as henchmen. Certainly, I consider that to be abusive or insulting language of a nature likely to create disorder. Now, when we look at the definition of "henchmen" in the dictionary that has been provided, it is: one prepared to engage in crime or dishonest practices. I consider that to be unparliamentary, and I would ask now for the hon. minister to withdraw those descriptive remarks that he's used on three occasions in this debate.

DR. TAYLOR: Well, Mr. Speaker, the definition makes my point exactly.

MR. MacDONALD: Mr. Speaker, I find that completely unacceptable, and again I ask the hon. minister, in light of that description – and this is a quote directly from the dictionary: a political supporter, especially one prepared to engage in crime or dishonest practices. If that sort of language is allowed to be tolerated in this Assembly tonight, to allow it to go on any further, it is a practice that simply cannot be accepted in this Assembly.

THE DEPUTY SPEAKER: The chair has on occasion admonished hon. members in the House who use language that is demeaning, unbecoming, noncomplimentary, derogatory. I think that the hon. minister might do the right thing, and then we could move forward. It really doesn't add to debate. It detracts from the whole House. It may be to some a laughing matter, but it does reflect badly on all members, even though they haven't participated in that form of name-calling.

The hon. minister.

DR. TAYLOR: Thank you, Mr. Speaker. I will, then, continue with my speech and not use that word any longer. It seems that it has offended the people. I will not use it any further.

THE DEPUTY SPEAKER: You will not use the language any further and . . .

DR. TAYLOR: I won't use it any further. Well, let's put it this way, Mr. Speaker: I regret that they took offence from the truth.

THE DEPUTY SPEAKER: I would hope that you will not repeat the offending words or similar kinds of words and that you now regret it, so the honourable thing is . . .

DR. TAYLOR: Yes. I regret it, Mr. Speaker, and won't use them any further.

THE DEPUTY SPEAKER: I've heard that.

DR. TAYLOR: What do you wish me to say, Mr. Speaker?

THE DEPUTY SPEAKER: I just thought you would do the honourable thing and withdraw the demeaning remarks.

DR. TAYLOR: Oh, certainly, Mr. Speaker. More than prepared to do that.

THE DEPUTY SPEAKER: To do what?

DR. TAYLOR: I'm supposed to sit down, I guess, when you're standing.

THE DEPUTY SPEAKER: That's right.

DR. TAYLOR: I'd like to withdraw the offending comments. I'm more than prepared to withdraw the offending comments. Can I stand now?

THE DEPUTY SPEAKER: If you haven't heard, hopefully *Hansard* has recorded that you've withdrawn the offending remarks. Further, you've indicated to the House that you wouldn't use any more of those kinds of remarks.

DR. TAYLOR: That's correct, Mr. Speaker. I won't use "henchman" anymore.

Debate Continued

DR. TAYLOR: So anyway, Mr. Speaker, in continuing with my speech, if I might, clearly our plan outlines a number of actions that we can take. As I was pointing out, the consumers are responsible for a large percentage of greenhouse gases across the country, 60 percent on average. In Alberta, because of the nature of our industry, it's only about 35 percent, so we have a little different balance in Alberta, and the consumers aren't responsible for as much as they are across the country. The Prime Minister will not stand up and say to the consumers of this country, "You have to change your behaviour," but Alberta's plan clearly identifies that consumers must change.

We have other aspects in the plan as well, Mr. Speaker. We have an emphasis on investing in research and technology, and the Minister of Infrastructure quite clearly elaborated on that, so I don't need to go into those details. Oh, I see some colleagues looking up the word "henchman" for me.

So, clearly, we don't need to go into those details. However, the minister did not mention the idea of sectoral agreements, and one of the major planks of the Alberta platform is to go forward with sectoral agreements, to have industry commit.

Now, once again, one of the falsehoods that is being portrayed by

the people opposite is quite clear. They have said that there's no force to be brought in Alberta's agreement. Mr. Speaker, that's simply not true. We have stated very clearly in our legislation: there will be regulations, there will be legislation, and there will be penalties. So when those people opposite stand up and say that there is no force, they simply are not telling the truth, and they continue to not tell the truth.

I've just been informed, Mr. Speaker, that the definition of henchman is also: faithful supporter.

THE DEPUTY SPEAKER: Yes. I'm sure we could go on about that. I thought that you withdrew the remark. Now you're bringing it back, hon. member.

DR. TAYLOR: Okay. Well, I will not refer to faithful supporters any longer, Mr. Speaker.

As we go forward, Mr. Speaker, our plan is an activeness plan, and quite clearly it proves two things. One, Alberta is clearly and firmly committed to taking action on climate change. Clearly and firmly committed, the only province that has a plan. The federal government doesn't even have a plan. Second, there are very serious and clear alternatives to Kyoto. It's not Kyoto or nothing. Alberta has never said: Kyoto or nothing. Alberta has always said: "Climate change is an important issue. Let's find a meaningful way to deal with it, one that does not harm our economy and still protects the environment."

10:00

Our plan is a clear signal for action, Mr. Speaker. It gives people tools to act, it inspires them to act, and Alberta's plan can serve as part of a made-in-Canada solution. In fact, one of the issues that we've dealt with other provinces on is: what is your plan for climate change? In Quebec I've spent considerable time talking to Andre Boisclair, the minister from Quebec, and they have a plan. Manitoba has a plan. B.C. has a plan. All of these plans are unique to the provinces because they have unique economies. What the faithful servants opposite fail to recognize is that Alberta was never asked to go below the 6 percent. It was a commitment made on behalf of the country. Manitoba is saying that it can get to 12 or 15 percent. Quebec is saying that it can get below 22 percent.

So for the members opposite to stand up and say, you know, "Alberta's got to get to 6 percent below 1990" – it was quite correctly recognized by the member opposite that it would be between 30 and 35 percent below today, not 6 percent – is not in the cards for Alberta. Yet with these various plans we can put together a made-in-Canada approach, because, as I said, each economy is different. You can manipulate your greenhouse gases in an economy like British Columbia or Quebec, that has much more forested area than Alberta does, in a different way than we do in Alberta.

This, Mr. Speaker, really is a bottom-up approach. It's not the top-down approach that's driven at the provinces by the federal government. What is particularly interesting is that all 10 provinces – that includes two Liberal governments. That includes two NDP governments. That includes a separatist government, not Alberta, in Quebec and includes some Conservative governments. All 10 provinces and three territories have thrown out the federal plan. None of them, none of us find that federal plan acceptable. All 10 provinces and three territories have signed on to 12 points. These 12 points recognize a made-in-Canada solution. We all agree. Do we all agree on ratification? No. Quebec and Manitoba think the protocol should be ratified. But by the same token, they sign on and respect the 12 points that the provinces have agreed on and want to develop a made-in-Canada plan on.

Ministers of environment and energy were there with me that

night. We met in Halifax I think from 6 o'clock till 1 o'clock the next morning, and we hammered out these 12 points. It wasn't easy, Mr. Speaker. Quebec had to give something. Alberta had to give something. B.C. had to give something. But we came together as provinces with 12 points we all agree on, and as a result of that, the federal government will not listen to us. The federal government has not responded in an adequate way. What they've done with the 12 points is they've rejected three of the most critical, they've rewritten seven, and they've rewritten the preamble and sent it back to us like we can't read and said: here are your 12 points. They've rewritten the preamble, seven principles, and rejected three. They say that's discussion with the province. They say that's accepting the province. Well, it's not, and all 10 provinces and three territories recognize that.

We can develop a made-in-Canada plan, a made-in-Canada plan that will reduce greenhouse gases and not send hundreds of millions of dollars into the Soviet Union to buy emission credits. How many Soviet mafia do these people want driving around in new Mercedes with personalized licence plates saying, "Thank you, Alberta"? I say: we don't want one on this side of the House, Mr. Speaker.

You know, another example of where Alberta is a leader is that last week the Minister of Infrastructure put out a request for a proposal. He put out a request for a proposal to secure at least 25 percent – 25 percent – of Alberta government power to be green power. No other jurisdiction in the country has done this, Mr. Speaker. Twenty-five percent green power for the Alberta government. Where is the federal government in this? They're not doing it. Where are the other provinces that even want ratification? They're not doing it. Alberta is once again quite clearly a leader. So I'm pleased to see that Infrastructure has requested this. In our plan the Alberta government only asked for 15 percent. We're going to get to 15 percent. Infrastructure has gone one better: 25 percent. So as we go forward, the Alberta plan is a good one.

I heard the member opposite talking about family. Well, I have children and grandchildren who live in this province. I have four daughters, four granddaughters, and one grandson. He's seven years old, and he lives in Sherwood Park. He's the best and smartest grandson in the world – he takes after his mother – and I want Alexander to have a healthy environment, you know, when he's 25, when he's 30. He's going to be educated. His parents are both very well educated. But you know what, Mr. Speaker? I want Alex to have a job in Alberta too, and that's the balance: healthy environment, healthy economy. And in spite of what the members opposite say, I care about my grandchildren.

[Motion carried; Bill 32 read a second time]

head: **Government Bills and Orders** **Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: I'd like to call Committee of the Whole to order.

Bill 36

Appropriation (Supplementary Supply) Act, 2002 (No. 2)

THE CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. At this time I certainly have a few comments regarding Bill 36. When we look at this bill, it's a reflection of the planning practices of this current government.

AN HON. MEMBER: You're right; I should have planned for that drought.

MR. MacDONALD: An hon. member opposite thought they should have planned for the drought. Unfortunately, the severity of that drought is still being openly questioned by members opposite.

10:10

When you look at the continuous parade of appropriation bills, the size of them, and you look at the total budget of the government, you have to understand that one would have, certainly, concern about the budgeting process by this government. Now, we go through this department by department, Mr. Chairman. We've got Aboriginal Affairs and Northern Development. The majority of this is certainly for Agriculture, Food and Rural Development. We've got Community Development. We've got Infrastructure. We have Learning. Consider the fact that there are in public schools in this city budget deficits, it's reported, in the range of between \$15 million and \$18 million; it certainly is significant. We have Municipal Affairs. We've got Sustainable Resource Development with, oh, roughly 25 percent of this appropriation, and we've got Transportation. You look at how we're going to account for all this money.

The hon. Minister of Environment spoke earlier about the World Bank and, recognizing that it was on the Kyoto Bill, spoke about the World Bank. The World Bank certainly has concern about governments and how they spend money, and I was surprised as chairperson of Public Accounts. Certainly, as chairperson of Public Accounts in this Legislative Assembly one has to seek ways to improve the auditing and the accounting of all government expenditures, including what's in this Bill 36, Mr. Chairman.

Now, how could we make the system better? Well, the World Bank sent this hon. member a letter in the middle of the summer this year and asked a series of questions. We need to improve all accounting and auditing systems, and I think that if we do, we won't have these large sums to debate every time. We will have better planning, and we will have better budgeting from this government, because certainly this government practises three-month, not three-year budgeting. We just have to look at the budget from last spring. The ink was hardly dry on it in this Legislative Assembly and it had to be changed.

So how could we make things better? Well, I think we could make things better by organizing and giving the Standing Committee on Public Accounts of this Legislative Assembly more authority. Certainly, I think that the Public Accounts Committee should look at how other jurisdictions operate, other jurisdictions in the British Commonwealth. It is amazing that the committee here cannot entertain questions relating to government policy or program delivery and, in my view, simply meets for the sake of meeting. It cannot be said that our committee in this province is a role model for public accounts committees in other developed or developing Commonwealth countries.

Now, if we met more often, if we increased the frequency and timeliness of meetings and reports, would it be necessary to be presented with Bill 36, to spend an additional \$822 million? If we were to consider that the Standing Committee on Public Accounts meets currently for one and a half hours each week when this House is in session and each meeting is dedicated to the review of the public accounts of a particular ministry or the annual report of the Auditor General of Alberta, in 2001, Mr. Chairman, the House was in session for eight calendar weeks, which allowed the committee to meet eight times. Thus, the committee met for only approximately 12 hours in the entire calendar year. Some of the portfolios that are mentioned in Bill 36, I would hazard a guess, certainly did not

appear before the Public Accounts Committee to have their budget scrutinized, yet they're in here looking for more money. They're looking for more money here in Bill 36.

Now, this 12 hours contrasts, Mr. Chairman, with the thousands of hours of deliberations of the federal Public Accounts Committee and the hundreds of hours of deliberations at provincial public accounts committees both within and without the sessions of their respective Houses. This committee in this Assembly has, to my knowledge, never presented a substantive report to the Legislative Assembly of Alberta. This compares to 16 reports and numerous press releases that the federal Public Accounts Committee has presented to the House of Commons in the current federal Parliament.

Now, if this committee had more authority, perhaps these appropriation amounts would not nearly be as large and we wouldn't be playing sort of budget roulette: oops; we need more money. The easiest thing to do is ask for more money. The difficult thing is to plan properly. Perhaps if the hon. Member for Edmonton-Glenarry had the authorization, I guess I could say – I hate to use that word “authorization” – to be on standing policy committees and could scrutinize this budget process, if there were opposition members on standing policy committees, then perhaps this system here would not be necessary, or certainly we wouldn't be talking about close to a billion dollars in appropriations. There would be, within the budgetary framework, questions asked by the members of the opposition, if they were allowed on those committees, to perhaps make the system a little bit more efficient.

If not only the standing policy committee but the Public Accounts Committee could expand the scope of the nature of issues that it could investigate, this would be better for democracy, better for budgets in this province, and certainly better for the taxpayers. This committee, Public Accounts, in this province is restricted to reviewing the public accounts of the government of Alberta in each of its ministries. The committee cannot entertain any questions relating to the public policies or programs of the government, and this contrasts to the wide-ranging nature of issues investigated by the federal and various provincial public accounts committees.

Now, one would also have to look at the diligence and the skill of committee investigators. Currently, the committee enjoys the administrative services of one clerk. This is an able clerk, but the clerk is responsible for such things as booking meeting rooms, circulating agendas, taking minutes, and responding to surveys, such as this survey that I responded to at the World Bank. But unlike the federal or various provincial public accounts committees, the committee does not have a budget to hire researchers or investigative staff. Perhaps at some time Public Accounts Committee researchers or forensic auditors can have a look at how we're quickly going to spend this 800-plus million dollars. Perhaps they could uncover some deficiencies in the budgeting process and fix them up so that it doesn't happen again. Again, the Public Accounts Committee does not have the mandate, the budget, or time to analyze any matters of public importance in a substantive manner. I'm sure that if they did, we wouldn't have such large sums as we have before us tonight in Bill 36.

10:20

Now, we need to certainly look at improving how we do business in this Assembly, and that is one way that we could do it. How do we do it? We have to change the Standing Orders. It is unfortunate that this committee meets only when the House is in session. We have to change that. We have to change the fact that it's supported by only one clerk. We have to change the fact that it does not have a budget or authority to meet when the House is not in session, nor

does it enjoy a budget to employ the services of an investigator or support staff. I realize that the committee draws its authority from Standing Order 50, which reads: "Public accounts, when tabled, stand referred to the Public Accounts Committee." Standing Order 50 does not provide much guidance to the committee on what its exact mandate is. For example, if the committee were to find a deficiency in the public accounts of the government, the standing order does not instruct the committee to report its observations on the matter and its recommendations on how to correct the deficiency.

For instance, if at some time, Mr. Chairman, under the diligent scrutiny of the Public Accounts Committee the hon. Member for Calgary-Bow was to determine that all the money that went to Agriculture, Food and Rural Development for drought relief actually didn't go to areas where needed and the hon. Member for Calgary-Bow was to ask the question: how come so many farmers in southern Alberta who raised their crops with irrigated water are getting drought relief when this government has no money to increase AISH or SFI benefits? Let's just say that the hon. Member for Calgary-Bow asked that question, Mr. Chairman, and it's a good question. Why are we providing in this \$400 million drought-relief program – it's a blanket approach – some money for farmers who use irrigation systems, yet we have no money for the hungry, for the homeless, for the unemployed, for children who are going to school hungry. I won't add overcrowded classrooms, but I think that in retrospect I will: hungry children going to school in overcrowded classrooms. This is the reality of some of these programs. With a revamped Public Accounts Committee, if we're to spend a few dollars, I think we would save millions and millions of dollars, Mr. Chairman.

In practice the committee invites ministers of the Crown to appear before it, and sometimes I think this is a waste of time of the hon. ministers of the Crown. I think it's a waste of time for them to be appearing on a regular basis at the Public Accounts Committee. I think that we should take the advice of the Auditor General from 10 years back and invite the ministers and deputy ministers, and on occasion we could invite the ministers of the Crown. Certainly it's my experience in the past that some of them have been reluctant to appear and have made every effort not to attend, but they have come. If they're that busy, I think that we should just say: leave them over in their offices and send the deputy ministers and the assistant deputy ministers and the officials that are running the programs in the department. Perhaps we could save everyone a little bit of trouble. Now, when the minister of the Crown does appear and gives a 15-minute overview of his or her department, it is interesting, but certainly it's something the deputy ministers or the assistant deputy ministers could do.

For those who don't have the privilege of sitting on the Public Accounts Committee at the moment, the committee members have the opportunity to ask questions of the minister relating to his or her statement and the public accounts of the ministry in question. I have never understood the exact process or where the committee draws its authority to do so. As this is not mentioned in the Standing Orders, it's unclear about the role of the Auditor General of Alberta. We could work with the hon. Government House Leader and change Standing Orders, Standing Order 50 to be precise, and improve the Public Accounts Committee so that we wouldn't be faced with such a large bill tonight as Bill 36. It is unfortunate.

Perhaps we can change this so the hon. Member for Calgary-Bow can write a report, can issue an opinion, an observation, a deliberation, or a recommendation from the Public Accounts Committee on this policy of giving farmers that are irrigating their crops drought relief while neglecting the hungry, the homeless, and the unem-

ployed and forgetting about overcrowded classroom conditions in this province. The hon. member would perhaps like to use the avenue of Public Accounts to address this.

In conclusion regarding the Public Accounts Committee, if one were to contrast the authority and practices of the committee in Alberta with the sister organization at the federal House of Commons or a sister organization in a similarly-sized Legislative Assembly, one would find that the committee in Alberta does not enjoy any substantive authority, nor does it play any substantive role in reviewing the financial statements and public policies of the government, nor does it have any authority to recommend changes to public policy, public finances, or program delivery. If it did, I am quite confident that this bill, Bill 36, yet another appropriation bill, would not be nearly so large.

Mr. Chairman, when we look at this government, it's an urban myth that it knows how to budget, because when you see this, you know they don't. It is a significant amount of money. It is probably 4 percent of the entire provincial budget. It's a little better than 4 percent, I suppose, but we will say that it's 4 percent. When we look at seeking legislative authority to put moneys from the general revenue fund towards expenses, operating expenses and capital investment that have not yet been granted, we're actually providing the government permission to spend over \$822 million in more than eight departments than was budgeted at the beginning of the year.

Unfortunately, my time has expired. I know that the hon. Minister of Agriculture, Food and Rural Development and Deputy Premier was anxious for me to continue, but I'll take my seat and cede the floor to another colleague.

[The clauses of Bill 36 agreed to]

[Title and preamble agreed to]

10:30

THE CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIR: Opposed? Carried.

MR. HANCOCK: Mr. Chairman, I move that the committee rise and report Bill 36.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 36.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 10:32 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, November 27, 2002** **1:30 p.m.**
 Date: 02/11/27
 [The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. Our Father, we thank You for Your abundant blessings to our province and ourselves. We ask You to ensure to us Your guidance and the will to follow it. Amen.

Please be seated.

head: Introduction of Visitors

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you a person with a lengthy record of public service to the people of Alberta. He was first elected to the Alberta Legislature in 1982 as the MLA for Edmonton-Norwood and as the New Democrats Leader of the Official Opposition from 1984 to 1993. Mr. Martin served the Alberta New Democratic Party as a member of the executive for over 15 years. His public service record continues today, as he is currently the public school trustee in ward D. He is seated in your gallery, and I ask him to rise and receive the warm welcome of this Assembly.

Mr. Speaker, I'm pleased to also introduce to you and through you Ms Lynn Odynski. As a former community health nurse Ms Odynski completed her graduate work on school councils at the University of Alberta. She then served as chair of the Edmonton School Council, an area council of the Alberta Home and School Councils' Association. As chair she promoted the need for parents to be active and legitimate partners in their children's education. She continues to believe strongly in this partnership and is currently a public school trustee in ward C in the city of Edmonton. She is seated in your gallery, and I'd ask her to rise and receive the warm welcome of this Assembly.

head: Introduction of Guests

THE SPEAKER: Hon. members, before I call on the first individual to do introductions, I do believe that this is the first time in the history of the Legislative Assembly of the province of Alberta that all of the pages today are women.

The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly 32 grade 6 students and their teachers, Mrs. Natalie Gago-Esteves and Ms Laurie Ewald, from Brander Gardens elementary school in my constituency of Edmonton-Whitemud. They, of course, are here today to observe and learn about the Legislature and about government, and they're seated in the members' gallery. I'd ask that they rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to all the Members of the Legislative Assembly 47 visitors from Calmar school. They are led today by two teachers, Mrs. Sue Biddell and the mother of one of our pages – that's Natalie Wilson's mother – Mrs. Jeanette Wilson.

They also have with them today some parent helpers: Mrs. Buehner, Mrs. Hughes, Mrs. Robinson, Mrs. Snider, and Mrs. Stepanko. They are seated behind me in the public gallery, and I would ask them all to please rise and receive a hearty welcome from this Assembly.

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm delighted to introduce to you and through you to Members of the Legislative Assembly visitors from Covenant Christian school, just south of Leduc in our constituency. They are accompanied by teachers Mrs. Colette Hayes, Mrs. Mary Geiger and parents and helpers Mrs. Ineke Van Beek, Mrs. Melanie Samuelson, Mrs. Linda Cameron, Mrs. Lore-Lee Wagner, Mrs. Monique Tolsma, Mrs. Jenny Ruysch, Mrs. Susan Schuurman, Mrs. Nynke Miedema, Mrs. Debbie Pequin, Mrs. Elly McGowan, Miss Trish Rudiger, Mrs. Karen Gengler, Mrs. Lauren Van Raamsdonk, Mrs. Carol Klooster, and Mrs. Leah Schmidt. I'd ask them to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It's certainly my pleasure to rise today to introduce to you and through you to the members of the Assembly 21 guests. They're from Newbrook school, first time ever in this Assembly since I was elected in '97, and they are accompanied by teachers Wayne Crosswell, Mrs. Shirley Frederickson, parent helpers Tony Kwasny, Mrs. Val Ferguson, and bus driver Mr. Nick Kuzyk. They're seated in both the members' and the public galleries, and I'd ask them to please rise and receive this warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Well, thank you, Mr. Speaker. This afternoon I have the pleasure to introduce to you and through you to members of this Assembly visitors from the constituency of Vegreville-Viking. They are here seated in the members' gallery. They're a number of families of home schoolers that have visited our office this afternoon. They're led by Mr. Barter, and they're from the Chipman and Lamont area, and I would ask them all to rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Well, thank you, Mr. Speaker. It's a great honour for me to introduce to you and through you to members of the Assembly Mr. Peter MacKay, the MP for Pictou-Antigonish-Guysborough and also the Progressive Conservative Party House leader. Mr. MacKay is out here finding out and learning what Albertans believe is the right way to bring together two federal parties and make things happen and create a very strong opposition to the Liberals in Ottawa. Along with Peter is his assistant, Maureen Murphy-Makin, and I'd ask them to please both stand and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to members of this Assembly three guests who are in the public gallery. They are Mrs. Arati Jaiswal and her husband, Colonel (Retired) V.K. Jaiswal, who are visiting from Nagpur, India. They are visiting their daughter

Madhvi Russell, who is the executive manager with the John Humphrey Centre for Peace and Human Rights. They're also accompanied by my husband, Jack. They're seated in the public gallery, and I'd ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. They say that in politics friends come and go, but enemies only accumulate. In the public gallery I have three friends that haven't gone yet, and it's my pleasure to introduce to you and through you Mr. Christopher Sowa, Mrs. Irene Sowa, and Mr. Eugeniusz Gergont. I would like them to rise and accept the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to introduce to you and to all my colleagues in the Assembly a very, very energetic young man who's a recent graduate of the University of Calgary with a master's degree in environmental sciences and management. His name is Jan Triska. Jan is the project co-ordinator for ARK, Albertans for Ratifying Kyoto. Mr. Triska splits his time between Edmonton and Calgary and works tirelessly to get the right information out to Albertans on the issue of ratifying Kyoto. He is here to observe the Alberta Legislature in action today and is seated in the public gallery. I'll ask Jan to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to introduce to you and through you to all Members of the Legislative Assembly nine residents of the Beverly Senior Citizens Lodge. I have been honoured to represent the Beverly lodge for many years at two levels of government, and I'm pleased that they have come to see their government in action, including the tabling of a petition on health care that was circulated in the Beverly lodge. It is always a particular pleasure to introduce the people who have helped build Alberta, Edmonton, and the Beverly area. Visiting us today are – and if they'd please rise when I call their names – Bill Boratynek, Rose Taje, Emily Credgeur, Olga Myshyniuk, Peter Myshyniuk, Clarice Stephens, Ann Kuny, Nancy Mozak, and Edith Brown. I'd also like to extend my congratulations to Olga and Peter, who celebrated their 58th wedding anniversary this past Saturday and who have rescheduled their celebration in order to be with us today. So I'd ask them all to rise and receive the traditional warm welcome of the Legislative Assembly.

1:40

head: **Oral Question Period**

Health Care Spending

DR. NICOL: Mr. Speaker, this spring we asked the Minister of Health and Wellness for a cost-benefit analysis on services provided at the Holy Cross hospital. The minister's response: "to date, no analysis has been conducted or sponsored comparing the relative costs and benefits of health services provided in specific facilities in Alberta." In other words, no evidence that contracting out saves money or improves our services. My question to the Minister of Health and Wellness: how can the minister justify expanding private health care delivery in Alberta when he has no evidence that this is more cost-effective or improves service?

MR. MAR: Mr. Speaker, our eyes are clearly on the future and not

on the past. We have undertaken an enormous undertaking with the Mazankowski report. We have asked a number of extremely qualified individuals to provide us with some guidance on the direction to go. Across this country, with the exception of Mr. Romanow, I might add, the idea that there is a role for private-sector providers of publicly delivered and paid-for health services seems to have gained some support in virtually every province and territory of this country. We do see evidence of it in British Columbia, in Ontario, in Quebec, right here in Alberta, where services are being provided. Take, for example, MRIs. But for the involvement of the private sector we would not have the capacity to do the MRIs that we do as we do now. We have invested, of course, in our own MRIs. We invested in a number of MRIs publicly, and we were able to significantly increase our capacity within the public system.

Mr. Speaker, the fact of the matter is that there is an important role for the private sector to play in the delivery of health care services. I would suggest that an individual who is ill will go into a facility, and the only operative questions in their mind will be: does this place have the resources, the people, the skills, and the equipment to diagnose me and treat me so I get better? They do not ask: who owns this place?

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. But as manager of the public purse he should be making sure it's done at a low cost.

Given that the recent report from the Canadian Institute for Health Information provides that health care spending in Alberta is sustainable, why does this minister continue to deny that evidence and claim it is not so?

MR. MAR: Well, Mr. Speaker, I have great respect for the Canadian Institute for Health Information. However, I would suggest that definitions of sustainability may differ from time to time and from place to place. When people talk about sustainability being expressed as a percentage of the gross domestic product and somehow suggest that that means that it's sustainable, well, that is not a particularly meaningful measure. Looking at gross domestic product as the denominator and expressing health care expenditures as a percentage of that denominator is not valuable. Let's say that Kyoto goes ahead and our gross domestic product drops dramatically and our health care expenditures as a percentage of GDP go from 4 and a half percent to 15 percent. Does that make it more sustainable? I don't think so.

DR. NICOL: To the minister: why is the minister so reluctant to table any evidence in this House to support his changes to the health care system? Is there no evidence?

MR. MAR: Well, Mr. Speaker, the facts speak for themselves, and I refer the hon. member to the historical fiscal summary of the province of Alberta where we can clearly demonstrate that the expenditures on health care have clearly risen since 1992-93 expressed as a percentage of the overall spending of the provincial government. We started off in 1993-94 somewhere in the range of roughly something in the magnitude of 24 or 25 percent of every dollar in this province being spent on health care. Now, in our current year, we're in the range of about 36 percent, and it's rising. The reason why it's rising is because of drugs, an aging population, new procedures that we're able to do, and new technology that's available.

So, again, taking a look at what it appears that the hon. Leader of the Opposition and Mr. Romanow both have associated themselves

with is the idea that we should just spend more on the status quo, that we want the status quo system that will be more expensive. Well, we think that there's a better way of doing this, that we need to look instead at what the outcomes are that we want and to drive our direction in the way of getting to the outcome of having an affordable, sustainable, accessible, high-quality, publicly paid for, publicly administered health care system.

DR. NICOL: Mr. Speaker, they still refuse to put standards down so we can judge their performance.

Rural Health Services

DR. NICOL: The new meaning of two-tiered health care in Alberta is better quality urban and a lower quality rural tier. Perhaps this government's plan for rural health care is superboards in urban centres managing 1-800 health lines for rural Alberta. My question again to the Minister of Health and Wellness: how much money does the minister expect to save by creating a handful of superboards and superregions to deliver health in Alberta?

MR. MAR: Well, Mr. Speaker, the Leader of the Opposition has got more baloney to sell than Oscar Meyer. It does not matter whether you are in rural Alberta or in urban Alberta. People have reasonable expectations with respect to the delivery of health care. Now, that doesn't mean that you will have exactly the same system operating in rural Alberta as urban Alberta, and in fact in urban Alberta there are also concerns with respect to accessing the health care system. Urban people are suggesting that there are enormous issues with respect to unacceptable wait lists in various areas, and there has been a general view that there should be a decentralization of the delivery of services.

On the subject of the number of regional health authorities again this is an issue that for most Albertans is completely invisible. People are not concerned about the number of regional health authorities. People are concerned that there is a system that is there when they need it, and that is the more important issue, Mr. Speaker. Let us not get caught up in this business of who administers this particular facility. Let's only concern ourselves with: is health care delivery of a service there when we need it?

DR. NICOL: To the minister: would the minister table in this Legislature any cost-benefit analysis that you have done creating this handful of superboards or superregions to deliver our health care?

MR. MAR: Mr. Speaker, we are moving forward with our goal that I've stated earlier in this House, and that is with respect to the delivery of health care. The administration of health care is far below in terms of the priorities in the minds of Albertans than is the delivery of health care, and that's our focus.

DR. NICOL: Again to the minister: why has the minister not allowed rural Albertans any say in how their health care services will be delivered? Where was the consultation?

MR. MAR: That's patently untrue, Mr. Speaker. The fact of the matter is that our members, who make up . . .

MS CARLSON: Ask your backbenchers if they agree with you.

MR. MAR: Well, okay. Let's see. How many rural members does the Liberal opposition have? Mr. Speaker, if rural Albertans are concerned about their level of health care, they have certainly taken

opportunity to express it to members of the government that represent rural Alberta.

1:50

Romanow Report

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview. I hope, hon. member, that your question will be heard. There seems to be a lot of chattering from your neighbours.

DR. TAFT: I'll do my best, Mr. Speaker. Thank you.

Mr. Speaker, the Minister of Health and Wellness has arrogantly rejected the Romanow report before even seeing it as if he had nothing more to learn. [interjections] My questions are to the Minister of Health and Wellness.

THE SPEAKER: Hon. member, I'm going to give you another chance to begin, but I'm going to apply the same rule to the other hon. members in the Assembly.

Please proceed.

DR. TAFT: My questions are to the Minister of Health and Wellness. Why does the minister so irresponsibly dismiss the Romanow recommendations as being "drafted on the back of a cocktail napkin" when he hasn't even seen the report?

MR. MAR: I regret referring to the report as being drafted on the back of a cocktail napkin. I meant a postage stamp, Mr. Speaker.

Mr. Romanow has really disclosed virtually all of his report in speeches that he has given to Harvard University, to Memorial University, to people in Washington in the United States. So, Mr. Speaker, it has been much like the dance of a thousand veils: he has revealed all the veils except for the last three. So there isn't anything that we should expect out of Mr. Romanow's report that he hasn't already disclosed.

I think the hon. Member for Edmonton-Riverview has a pretty good idea and would be able to put together the key recommendations of the Romanow report based on what he has seen in the newspaper and accounts of what Mr. Romanow has had to say in the media. I don't think that there will be any surprises coming to him either.

DR. TAFT: Given that the Romanow commission was publicly open and accountable while the Mazankowski commission was chaired by a paid lobbyist, why has the minister rejected the Romanow report before it has even been made public?

MR. MAR: Mr. Speaker, we've said all along that if - if - something came out of the Romanow report that would be constructive and helpful to us moving forward on the goal that I stated about a publicly paid for, administered, accessible, high-quality health care system that's sustainable, then we, of course, would be the first ones to embrace that idea and adopt it and employ it in this province to move forward on the yardsticks towards that goal.

Mr. Speaker, Mr. Mazankowski has prepared an outstanding set of recommendations that this government's moving forward on. It is of great interest to Canadians that Mr. Mazankowski's report contains a number of recommendations that are consistent with Senator Kirby, a Liberal Senator, I might add, who has come to similar conclusions, and that suggests to me that both Mr. Mazankowski and Senator Kirby were really thinking about health care delivery and were not locked up in ideology.

DR. TAFT: Well, given that the minister has not only marginalized himself with his comments but marginalized this government, how does he justify throwing away Alberta's voice on this important national dialogue?

MR. MAR: Mr. Speaker, let us examine what has happened across this country. Let's look at the Fyke commission report. Let's look at the Claire report. Let's look at Senator Kirby's report. Let's look at work that has been done by Mr. Mazankowski. All of them have come to the conclusion – whether they come from the background of economists, health care professionals, academics, individuals who work within the system, patients that work with the system – that the status quo is not an option. So we are taking steps forward in moving on this goal of improving what is already a good health care system.

Either the Leader of the Opposition or the Member for Edmonton-Riverview talked about CIHI earlier. Let us look at the data in CIHI. Let us see, for example, the results after having a heart attack. The five best places in all of Canada to have a heart attack are right here in the province of Alberta, where you'll get the best treatment anywhere, Mr. Speaker. We're looking to improve on that.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Olds-Didsbury-Three Hills.

Health Care Services

DR. PANNU: Thank you, Mr. Speaker. When the former Premier of Saskatchewan, Mr. Romanow, began his extensive public consultations 18 months ago, he issued a challenge to advocates of private, for-profit health care. Romanow said: show me evidence that for-profit health care saves money or delivers better health outcomes. Well, the privatization advocates have failed to deliver, Mr. Speaker. The emperor has no clothes. My questions are to the Minister of Health and Wellness. What evidence, if any, did the government provide to the Romanow commission that private, for-profit health care saves money or improves health outcomes, and will the minister table that evidence in this Assembly?

MR. MAR: Mr. Speaker, that is really avoiding the question. The question is really about the delivery of health care, not its manner. Whether it's Senator Kirby or Mr. Mazankowski or whether it is the Premier of Newfoundland or the Premier of Ontario or the Premier of British Columbia or the Premier of Alberta, we have all come to the conclusion that we should focus on the delivery of health care and its outcomes, and the issue of whether it is delivered in a not-for-profit or by private provider or by the public system is a secondary issue. People only care that the service is there when they need it.

DR. PANNU: Since the minister of the government has no evidence to present, when will the government take off its blinkers and acknowledge that Albertans would get more services with less money through public health care than they will through privatization, delisting, and user fees, that this minister is proposing to do?

MR. MAR: Mr. Speaker, if having blinkers means that you have an unflinching direction and a vision of where you are going, I am guilty as charged, but that is much better than closing your eyes and shutting your ears to all other possible options.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. If this minister doesn't have

a secret plan to delist services, why is the government's promise made to the Alberta Council on Aging that there won't be cuts in seniors' prescription drug coverage only good until the end of next year? Why did you make that promise?

MR. MAR: Mr. Speaker, we have the most accountable, up-front, transparent business plans and results reporting of any province in this country. We're proud of it. We expect that Albertans should hold this government accountable for the results that we achieve with the money that they give to us through taxes, so the suggestion that there's some secret plan – I mean, we've had press releases about this allegedly secret plan. I fail to understand how the hon. member can characterize our plans to look at the types of services that we should provide in a rational and in a reasonable way . . . [interjections]

THE SPEAKER: The hon. minister will continue. He does have the floor, and I'm going to ask my two hon. colleagues to just button it. The hon. minister.

MR. MAR: Thank you, Mr. Speaker. We are looking at how we can sustain our health care system, and we are again focused on results. We want to make sure that our health care system provides the kinds of services that help people get better, and if it means that we have to take a look at all of our services and ask what criteria should be applied to them to ensure that people get what they need when they need it, we're not afraid to do that.

Mr. Speaker, with respect to drugs, drugs are an area of great concern. It is estimated that there can be a prescription error rate of something in the magnitude of 20 to 30 percent. Now, that is anecdotal. I do not have something that I could table before this hon. member, but suffice it to say that when it comes to drugs, we want to make sure that we don't stand in the way of somebody who has a condition that can be alleviated by a prescription drug. On the other hand, we must also be cautious that we don't prescribe things that don't help people or, in fact, even worse, can harm people.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Gold Bar.

2:00

Provision of Abortion Services

MR. MARZ: Thank you, Mr. Speaker. Many of my constituents are very disappointed to hear that recently the Expert Advisory Panel to Review Publicly Funded Health Services has advised the minister of health that they have singled out one medical procedure and will exclude it from their final recommendations. That one procedure is abortion. My question to the Minister of Health is: what justification can the minister offer that one medical service can be determined by a single doctor as medically necessary and paid for and all other medical services require the review and advice of an expert panel?

MR. MAR: Mr. Speaker, this is a very, very difficult question to answer, but medically necessary abortion services will continue to be paid for by the Alberta public system. As is the case with any insured service, the government must rely upon professional judgment of physicians to determine which procedures are medically necessary. Now, the expert panel indicated that there would be some difficulty with respect to jurisdiction and legal issues if they were to deal with this particular service. I agree that that is true. Nonetheless, I will say that medically necessary abortions will continue to be paid for by our system.

THE SPEAKER: The hon. member.

MR. MARZ: Thank you, Mr. Speaker. Well, given that the College of Physicians and Surgeons has not defined medically necessary in their guidelines and the expert panel refused to do so, how is the minister going to deal with this issue of medically necessary?

MR. MAR: Well, Mr. Speaker, I can tell you that it would not be incumbent upon the judgment of the Minister of Health and Wellness to determine what is medically necessary. We do rely on the College of Physicians and Surgeons to establish clinical practice guidelines that help physicians guide their decisions about what is medically necessary. These physicians do follow these guidelines when making decisions about abortions for their patients. If a physician deems an abortion to be medically necessary, our system will provide it as required under the Canada Health Act.

MR. MARZ: Well, given that in a recent survey 72 percent of Albertans stated that they do not wish to fund non medically necessary abortions, will the minister, then, appoint a committee that's responsible and willing to take on this task of defining medically necessary, consult with Albertans, and resolve this issue once and for all?

MR. MAR: Mr. Speaker, I'm not aware of this statistic nor the methodology that was used to derive it, so I won't comment on the particular numbers, but I will say that this is a very, very emotional issue for many Albertans. There are two very distinctive views on what the resolution should be, and there appears to me to be no common ground that will satisfy both at the same time. We have to try and distance ourselves from the emotion of the issue and deal only with the facts which are before us.

First of all, the Canada Health Act requires us to provide medically necessary services through the public health system. Physicians determine medical necessity using clinical practice guidelines. A review by any committee, whether the expert panel led by Dr. Westbury or others, would not change the facts on which we base our decision to fund abortions. Finally, if a physician deems an abortion to be medically necessary, Alberta's publicly funded health care system will provide the procedure as required under the Canada Health Act.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-West.

Drivers' Licences

MR. MacDONALD: Thank you. Canada's new antiterrorism legislation could force all Albertans to retake their driver's test and prove citizenship in order to receive a new driver's licence in light of the insecurity of the current system. The holes in Alberta's privatized registry system were proven yet again by two break-ins at the same Edmonton registry office last week. It is very distressing to consider that with a fake Alberta driver's licence a terrorist could obtain any number of false documents including a passport and birth certificate. My first question is to the Minister of Government Services. How can this government guarantee the authenticity of any proof of citizenship when issuing new drivers' licences given that the security of drivers' licences has been compromised?

MR. COUTTS: Mr. Speaker, that's a very good question. We have a protocol in place for registry agents' offices to follow when it comes to citizenship papers, the primary citizenship papers and

secondary citizenship papers to be presented in front of a registry agent. As well, we also have the documentation of drivers' licences in our database, and that particular process is part of our policy that the registry agents use in identifying legitimate people coming up and looking for not only a proper identification but a proper driver's licence in the province of Alberta.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again to the same minister: are the recent thefts of driver's licence making equipment as good an excuse as any for this government to revive its plan to make all Albertans carry smart cards?

MR. COUTTS: Mr. Speaker, what we're looking at is an improvement to our driver's licence manufacturing facility by going to a central manufacturing facility that is safe and secure. It is not our intention at this time to look at any other cards. This is strictly a driver's licence proposal that has been put forward.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you. Again to the same minister: if all Albertans were to retake their driver's exam and get new drivers' licences, how on earth does this government propose to avert the utter chaos that would occur from that?

MR. COUTTS: Well, Mr. Speaker, that is strictly speculation, and as much as I respect the individual who brought that forward and made that public yesterday and as much as I respect the question that has come from the hon. member opposite, we've taken the initiative within our department this morning to take a look at the federal security bill and the regulations and the legislation around that. We'll be doing a thorough analysis to see if it's actually true that every Albertan would have to take a new test and get a new driver's licence. We'll do our thorough investigation of that and confirm that with Albertans as time goes on.

THE SPEAKER: The hon. Member for Calgary-West, followed by the hon. Member for Edmonton-Centre.

Long-term Care Facilities

MS KRYCZKA: Thank you. Mr. Speaker, the impact of an aging population is already being realized in Alberta, especially so with residents in our long-term care centres. Many have complex health needs that require a much higher level of care. The Calgary health region, for example, while working to balance its budget, has been decreasing staff and, thus, the hours of care the residents receive in their long-term care facilities, and many upset residents and families have written me and my colleagues over these changes. My question is to the Minister of Health and Wellness. What assurances can the minister offer to senior and disabled residents of their long-term care facilities that they will not suffer as a result of the reduction in care hours?

MR. MAR: Mr. Speaker, I have looked into this particular matter on behalf of the hon. member, and I can assure her that for the Calgary health region and other health regions throughout the province the well-being and comfort of their patients is an issue that they take seriously.

The change that's being referred to by the hon. member in Calgary is a minimal one. It will amount to a reduction of five and a half

minutes of care per patient per day, which in a 24-hour day is not a particularly large change, but it will save the region \$2.5 million. Now, I am being assured, Mr. Speaker, by the regional health authority that that \$2.5 million will be reinvested in improving their facilities and in the care of their residents. This is in addition to the Calgary health region adding \$4.6 million to long-term care funding, including the addition of 47 beds this year and an additional 50 long-term care beds each year – each year – over the next five years.

MS KRYCZKA: Mr. Speaker, my next question is also to the same minister. Many residents of long-term care facilities were already concerned about living conditions prior to these latest changes. What is the minister doing to improve the living conditions in Alberta's long-term care facilities?

2:10

MR. MAR: Well, first of all, Mr. Speaker, over the last five years we have provided \$280 million in capital for funding and upgrading of long-term care beds, but the recent findings of a long-term care review told us that many facilities are out of date with the contemporary needs of residents that are there, and we need to listen to these recommendations. We are implementing nine different strategies to improve continuing care in Alberta. One of those strategies is the regeneration of our long-term care centres. We want to create better environments for residents and improve care for clients with complex needs. Three- and four-bed wards will be phased out by the year 2006, and we are enhancing the skills and increasing the supply of workers that can provide assistance in this particular area.

Seniors' Benefits

MS BLAKEMAN: Mr. Speaker, for several months seniors across this province heard that the government would be cutting them off from Alberta Blue Cross coverage. An information bulletin was sent from the department of health to Tory MLAs saying that coverage was not in danger of being cut, but no one would or could deny that a committee had been struck to examine age-related benefits. My first question is to the minister of health. Are there any other plans to have Alberta seniors pay more for services that they used to get for free?

MR. MAR: No plans at this time, Mr. Speaker.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. My next question is to the Minister of Seniors. Can the minister tell us: what are the criteria and time line for the age-related benefits committee?

MR. WOLOSHYN: That, Mr. Speaker, is not my committee, so I can't give her an answer.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Then as the Minister of Seniors could I ask you to please find out about this committee and get some information through to me?

MR. WOLOSHYN: For my own edification I'll be pleased to do so, and I'll share the information with the hon. member.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Edmonton-Mill Woods.

Automobile Equipment Infractions

MR. YANKOWSKY: Thank you, Mr. Speaker. When I drive down the streets, I'm seeing all kinds of automobile equipment infractions. I'm seeing blue and green headlights, red and blue turn lights in the front of vehicles, blue turn lights on the rear of vehicles, and other various modifications. On a ride-along with police they point out these infractions but don't do anything about them because they say that the Alberta statutes are either unenforceable or the fines are so small that ticketing is not worth the effort. Also, for \$200 curbers can get any patched-up, written-off car back on the streets, and percentages of mechanically unsafe cars on our streets are much too high. My questions are all to the Minister of Transportation. Could the Minister of Transportation tell this Assembly why digression from established regulations regarding automobile equipment is given such low priority in Alberta and enforcement is very rare?

THE SPEAKER: The hon. minister.

MR. STELMACH: Well, thank you, Mr. Speaker. All Canadian jurisdictions, including the province of Alberta, place top priority on equipment legislation. There are certain penalties and regulations under the Traffic Safety Act that, of course, monitor and help enforce some of these various modifications to equipment that the hon. member has mentioned. We are currently reviewing fines in some of the areas that the hon. member has brought forward, and these will come in force, of course, once discussions have been completed with Alberta Justice, and then we go through a process through standing policy. We're looking forward to implementation sometime in mid-May of this year.

THE SPEAKER: The hon. member.

MR. YANKOWSKY: Thank you. Since any digression from established regulations for colours of lights and vehicle design pose a safety hazard, why are you not doing something immediately to curb these modifications?

MR. STELMACH: Under our current legislation any modifications, as mentioned by the member, are against the law, and police do enforce these violations. However, as the hon. member had brought forward in the past, some of the fines for these modifications, so to speak, are less than the cost of repair, et cetera. As a result, we are reviewing that whole policy, coming forward with changes. I know that I will be getting support for this legislation.

MR. YANKOWSKY: Will the minister consider bringing in some form of enforceable auto inspection program to get mechanically unsafe vehicles off our roads and streets?

MR. STELMACH: Mr. Speaker, we're not going to make mandatory inspections. At least, we're not entertaining that at the moment. However, we are working very diligently with the Minister of Environment in terms of working out a plan to ensure that any modifications to muffler systems are such that do not increase not only the noise level but also the amount of emissions. With the co-operation of the Minister of Environment we will be bringing the policy forward in this House soon.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Edmonton-Highlands.

Day Care Review

DR. MASSEY: Thank you, Mr. Speaker. Serious staffing problems confront Alberta day cares. In April 2001 the Minister of Children's Services told the House that the Clelland day care report was not yet ready to be tabled. Seven months later, in November, we were again told that the report was not ready, and 11 months after that, in March of this year, we were told that the report was still not ready for the House. My questions are to the Minister of Children's Services. After 19 months is the Clelland report ready to be tabled?

MS EVANS: Mr. Speaker, I think it's fair to say that the Clelland report was part of a number of reports that have been done not only on the basis of day care worker thoughts and observations and recommendations but on work that we have done further to the Clelland report to look at a system of providing early child development within centres in Alberta that will make meaningful and effective differences in the lives of the people who subscribe to day cares.

Let's come back to the basic tenet of providing day care service in Alberta. It is to provide supports to families who are the number one providers of services to children. Our system of providing subsidies to families who have low incomes so that they can make proper choices in day care has been the premise of being able to provide quality day care and quality assurance in day cares in Alberta.

One of our findings at the outset through our work on the Clelland report pointed out something that's been a very difficult hurdle in overcoming how we would do anything different in providing supports for families taking their children to day care. That was the fact, Mr. Speaker, regrettable as it may seem, that some day cares charge the province more – in other words, through the subsidies of the family – than they would charge families who did not require subsidies. It was that discovery through the implementation of a process of learning about day cares and through the Clelland report that created a great difficulty.

Mr. Speaker, if we were to examine the books of every day care to follow through to make sure that this wasn't a common practice – and I don't believe it's a common practice – we would have some difficulty in equalizing the supports. What we will come out with before Christmas of this year is a report that has been approved that I think will satisfy many of the issues of day care parents or parents subscribing to services in day care and will be met favourably by day cares and workers throughout this province.

DR. MASSEY: My question is to the same minister. Why won't the minister share this publicly paid for Clelland report with Albertans?

MS EVANS: Mr. Speaker, I think that would be sharing only part of the information. At the time we release our report and discuss the recommendations with Albertans, we will provide some background information relative not only to the findings in the Clelland report but the findings of other studies that we have done on this subject.

DR. MASSEY: To the same minister: when can we expect to see the Clelland report?

2:20

MS EVANS: Mr. Speaker, you can expect – and I said it in my answer to the first question – that before Christmas we will provide assurances to Albertans that they have been listened to, reports relative to all our findings on the day care issue, that we would bring them forward at that time.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Fort.

Balancing Pool Shortfall

MR. MASON: Thank you very much, Mr. Speaker. In the government's desperation to keep a lid on electricity bills just before the last provincial election, so many rebates were paid out of the Balancing Pool that it was left with a \$345 million deficit. Three guesses as to who is going to make up that deficit. The Balancing Pool's annual report says: "It is expected that a charge to consumers will be levied in the future to collect the anticipated short-fall." My question is to the Minister of Energy. Will the minister level with this Assembly and with all Albertans and tell us by how much electricity prices will have to rise when the \$345 million Balancing Pool shortfall is added to customer bills?

MR. SMITH: Mr. Speaker, the Balancing Pool has announced that there will be no charge or credit to consumers in 2003. I think that's the first important fact.

Secondly, the deferral account changes each year, Mr. Speaker, based on the results of the Balancing Pool operations and on electricity prices from now to 2020. In a marketplace that is in excess of \$5 billion between now and 20 years from now there will be fluctuations, positive and negative, and the Balancing Pool, which is an appropriately skilled group, will advise the government and will advise consumers appropriately on how much credit and how much deficit sits in the Balancing Pool. The original decision to dispose of the assets that were held in the Balancing Pool was one that got consumers their very own money back as quickly as possible. It was paid out in a 12-month period. It was a prudent decision.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, given that the assurance has been made that this will not be added to bills in 2003 and, further, given the minister's assumption that bills would be coming down in 2003 and 2004, can he tell us approximately how big the deficit is expected to be in 2004 and how much that will translate into in terms of an increase in people's power bills in the year 2004?

THE SPEAKER: Well, that's a lot of detail, hon. member.

MR. SMITH: That's correct, Mr. Speaker; it is a lot of detail.

THE SPEAKER: Well, there is a provision for detailed information. It's called Written Questions.

The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Will the minister please tell us: given that the black hole in the Balancing Pool deferral account is not going to get considerably bigger as a result of this year's sales of the Clover Bar, Sheerness, and Genesee power contracts, what effect will that have on bills?

MR. SMITH: Well, again, Mr. Speaker, that is substantial detail. We would be more than pleased to entertain a written question or a return.

I can say that the Balancing Pool has announced successful sales of certain tranches of 100-megawatt levels from the Balancing Pool into the private sector, and that will be added to the balance sheet, the income statement of the Balancing Pool, and on a regular basis and under generally accepted accounting principles the Balancing Pool comes forward and tells the government and all Albertans exactly what the status of their account is.

THE SPEAKER: The hon. minister wants to supplement?

MR. NORRIS: Yes, I would, Mr. Speaker. The member opposite has continued after the Energy minister for several days now, talking about energy deregulation and its negative effects. I'd like to actually offer some information to him that I think he'll find very interesting.

Since 2000, when deregulation started, the number of total immigrants into the province is up over 35,000, the number of international skilled workers . . .

THE SPEAKER: Hon. minister, please. [interjection] No, no, no, no. Sit down.

The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Ellerslie.

Infrastructure Funding

MR. CAO: Thank you, Mr. Speaker. Given that our Alberta government emphasizes partnerships – I call it the G3 partnership – among three levels of government in developing community infrastructure and given that the infrastructure plays a vital role in the development of the economy and the life of Alberta and also given that a few projects in my constituency are applying for such funding, my question today is to the hon. Minister of Transportation. In the G3 partnership what were the past year's ICAP funding and achievements?

MR. STELMACH: Mr. Speaker, Alberta has a very strong relationship, of course, with its municipalities, and in co-operation and consultation with those municipalities it was agreed that the primary priority of ICAP, the infrastructure Canada/Alberta program, is water and wastewater, followed by efficiency upgrades to municipal buildings. These are energy-efficiency upgrades. Then a second priority would be roads and bridges. I'm proud to say that all those applications that have come forward were centered around upgrades to water and wastewater.

Now, the whole ICAP is broken down into three areas. The first area is, of course, the entitlement that comes to every municipality based primarily on a per capita funding. Second, of course, is rural municipal green. Third is projects that are nominated by both the federal and provincial governments. On the provincial side most of the nominated projects are again related to water and wastewater. As a result, we have greatly caught up with the badly needed projects in the province of Alberta with respect to the green side, water and wastewater. To date the total program is about \$169 million or so. One point some million is administration; the rest all went into the projects.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. To me the ICAP program is quite a successful partnership, so what I'd like to ask the same minister is: what about the P3 approach, that is the private/public partnership, in your areas of responsibility?

MR. STELMACH: There are, of course, further discussions with Transportation, Infrastructure, and Finance with respect to moving P3 projects for road construction and possibly vertical infrastructure, buildings. To date we have had good success with private/public partnerships. A new bridge was opened just recently, 50 percent of the cost borne by the private sector. It's a bridge over the Brazeau River. Of course, relationships with the Department of Transporta-

tion in terms of private/public: we've outsourced to the private sector all of the engineering project design and maintenance. That has saved anywhere from 28 to 35 percent in all of those categories.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Unemployment Rates

MS CARLSON: Thank you, Mr. Speaker. An unemployment rate of 5.8 percent is not good news for all Albertans. My questions are to the Minister of Economic Development. What is this minister's department doing to increase the employability and decrease the deplorable rate of unemployment for aboriginals in Alberta, since 17 percent of aboriginals, on average, and a whopping 27 percent of those on reserves are unemployed?

THE SPEAKER: Now, hon. minister.

MR. NORRIS: If I may, Mr. Speaker?

THE SPEAKER: Please.

MR. NORRIS: Thank you. The basic premise that 5.8 percent unemployment is troubling is not correct. In actual fact, most economists will tell you that a 5 percent unemployment rate is relatively low by anybody's standards. In fact, there's a skilled labour shortage in Alberta, upwards of 30,000 people, due to a white hot economy, so if people don't have jobs, it's not for lack of trying.

There were a number of questions in the member's comments. Referring specifically to aboriginal people, I have worked very closely with the minister of aboriginal affairs, and she may want to supplement. We have a number of programs ongoing with companies such as Syncrude and Suncor to look at ways of getting aboriginals to not drop out of school and to get into apprentice training courses. I'd be happy to provide the hon. member with the information on those courses in due course.

THE SPEAKER: The hon. member.

2:30

MS CARLSON: Thank you, Mr. Speaker. When the minister says that if people don't have jobs, it's not for lack of trying, how does he relate that to the average duration of unemployment for Albertan workers 45 years or older, which is 24 weeks long, compared to 13 weeks for the labour force as a whole? Those people are trying to get jobs.

MR. NORRIS: Well, clearly, Mr. Speaker, I would never indicate that anybody who is trying to get a job isn't trying in sincerity. Not being in my mid-40s, I can't relate to the hon. member's question as well as she might be able to, but I have no way of knowing what happens on those job interviews or what they do in the course of their employment search, so how can I comment on that? I just can't.

MS CARLSON: Well, perhaps the smart-aleck minister can relate to this one: what measures are being taken to narrow the gap between the youth unemployment rate of a staggering 11.2 percent when the provincial average is 5.8?

MR. NORRIS: Well, Mr. Speaker, you know, last year it was rookie and softball and weakest link. Now at least there's "smart" in the title, so I feel like I'm improving a bit.

I have every belief in the Alberta economy. In fact, I know full well that in the Minister of Learning's department there are programs which accelerate people who don't want to necessarily go to university to get into trades. We're doing as much as we can through SAIT and NAIT, Mount Royal, and Grant MacEwan, which are some of the best institutions in all of Canada, and we will continue to provide opportunities. But, in actual fact, the best way to provide job opportunities is to provide a low tax base, continue to provide solid government, which we do, and have the best economy in all of Canada, which we do. So jobs are plentiful.

THE SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development to supplement.

MS CALAHASEN: Well, Mr. Speaker, I think it's really important to be able to address the concern that the hon. member has brought forward. She is right in terms of looking at the unemployment rate of aboriginal people, but in this province we're doing a number of things which are really important when talking about skill development and education. As a few examples, we've got the Calgary Urban Aboriginal Initiative Committee, which is collaborating with the Metis Nation of Alberta and Treaty 7 in development and implementation of a skills training program. That's one example. HR and E and petroleum land administrator training, Stoney tribal administration, Suncor, Olympia Energy, and UtiliCorp. HR and E, Treaty 7, and Metis Nation of Alberta zone 3 labour market development units project involving SAIT and Bow Valley College. First Nations resource training project involving four nations with industry, federal government, HR and E, and Petroleum Industry Training Service. Gift Lake employment training project working with PITS and Edge Petroleum. Petroleum Project 2000, Northern Lakes College, are training aboriginal workers in the High Level area for employment in the oil and gas industry. In fact, Alberta Learning has been involved with the Metis Nation of Alberta. We've granted 44 native education projects for school jurisdictions.

Mr. Speaker, I can go on with some of the really great projects that have been going on, but I think it's really important to address that issue.

THE SPEAKER: Well, hon. minister, thank you very much for that supplementary answer. There is a provision in the Routine, of course, for ministerial statements, that the hon. minister might want to take advantage of.

Hon. members, before we proceed, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE SPEAKER: The hon. Member for Edmonton-Meadowlark.

MR. MASKELL: Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through you to the members of this Assembly 54 talented students from Afton school. Afton is an arts alternative elementary school, and I'm certainly looking forward to attending their Christmas production in a couple of weeks. Unfortunately, they've just left the Assembly. Accompanying the students today are their teachers, Miss Erin Wilkes, Miss Brienne McBride, Mrs. Sherri Larson-Ashworth, and teacher aide Ms Lisa-Marie Szyron. I'm also pleased to introduce parents Mrs. Sarah Schwartz,

Ms Teri Urquhart, Ms Elaine Daly, Ms Monica Velt, and Mr. Brian Noorman.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and to members of the Assembly Anand Sharma. Anand is the chair of the Council of Alberta University Students and is in the public gallery. With your permission I would ask Anand to stand and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you very much, Mr. Speaker. It's a pleasure for me to rise today and introduce to you and through you to members of this Assembly a fine exchange student from Germany. Felix Wilke is a 17 year old from Minden, Germany, and he is staying with a wonderful family in my constituency, the Gordons, which includes one of our pages, Maya Gordon. It is a pleasure for me to introduce him, and if he would please stand and receive the warm welcome from this Assembly.

head: **Recognitions**

THE SPEAKER: The hon. Member for St. Albert.

St. Albert Children's Theatre

MRS. O'NEILL: Thank you, Mr. Speaker. I rise today in this Assembly to acknowledge the incredibly spirited creativity and demonstrated artistic talents displayed by the adults and children in St. Albert Children's Theatre. Boasting 20-plus years in growth, St. Albert Children's Theatre is a program that is unique in concept. It teaches a wide spectrum of artistic facets including dramatics, vocals, and dance. This program is educational and beneficial to youth, giving them the opportunity to acquire a variety of skills that will last them a lifetime.

Opening on the 29th of November is their current production called *Footloose*, which is the story of a free-spirited kid who reminds a local minister that it's no sin to be young.

So I would like to acknowledge all those who are involved in St. Albert Children's Theatre.

THE SPEAKER: The hon. Member for Edmonton-Calder.

Cerebral Palsy Association Bikeathon

MR. RATHGEBER: Thank you, Mr. Speaker. It is a pleasure to stand and recognize and congratulate members of the Alberta Cerebral Palsy Association who very recently conducted a very successful stationary bikeathon. Specifically, in the members' gallery today are Ronda Blasco, Carolyn Brown, and Ralph Leibo from the Alberta Cerebral Palsy Association.

Several members of this Assembly had the opportunity to participate in the stationary bikeathon. I was one of the participants in this fun-filled event, and Ralph, who suffers from cerebral palsy, was also a willing participant. The team that I was on was the celebrity team, and I might add that the Member for Edmonton-Castle Downs and also the Member for Edmonton-Strathcona participated. The entire event raised in excess of \$3,000 dollars for the Cerebral Palsy Association, and a good time was had by all.

I'd ask all members of this Assembly to recognize the Alberta

Cerebral Palsy Association for their fine dedication to finding a cure for this disease.

Thank you.

St. Mary & St. Mark Coptic Orthodox Church

MS CARLSON: Mr. Speaker, I would like to take this opportunity to congratulate St. Mary & St. Mark Coptic Orthodox Church, located in Edmonton-Ellerslie, and their congregation on celebrating two milestones in their history in Edmonton. This year marks the 25th anniversary of the church and the launching of their Canadian Coptic community centre project.

The mission of the centre is to serve the community by promoting the spiritual, physical, and emotional well-being of all through love, caring, and compassion. The CCCC is committed to building a healthy and safe community by promoting, supporting, and strengthening family values and spirit. As a multifaceted wellness centre the aims are to provide advice, counseling, and programs on a variety of issues to satisfy spiritual, social, health, educational, and recreational needs. The centre will provide a community focal point and gathering place in a safe and supervised barrier-free environment. They will facilitate events and activities through partnerships and co-operation with other nonprofit organizations.

We wish them every success in the years to come.

THE SPEAKER: The hon. Member for Redwater.

Redwater Area Forest Fire

MR. BRODA: Thank you, Mr. Speaker. In May of this year we had a large forest fire near Redwater which threatened homes and possible life. Today they're still putting out peat moss hot spots.

Mr. Speaker, I'd like to recognize the great service our volunteer firefighters provided to our community. They not only came from Redwater but from the whole of Sturgeon county and surrounding municipalities. I'd like to recognize the excellent leadership provided by Sturgeon county fire chief, Bart Clark, and Redwater's chief, Andy Makowsky, the numerous community groups and individuals for their assistance in preparing meals and providing security. Also, special thanks to the Edmonton garrison military personnel for providing relief for those volunteer firefighters who worked 10 to 12 hours, many of them high school students.

Please join me in saluting all firefighters in this province for a job well done.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

2:40 Northeast Alberta PDD Regional Conference

MR. DANYLUK: Thank you very much, Mr. Speaker. The fourth annual northeast Alberta PDD regional conference was recently held in St. Paul and attended by people from all over Alberta. This year's theme, Building Community Capacity for Individuals with Developmental Disabilities: Opening Our Hearts, Our Minds, and Our Doors, clearly reinforced and recognized the importance of community support, co-operation, and innovative ideas.

The conference also provided a unique opportunity and experience for our students from the regional high school to translate the board's business plan into a multimedia art project inspired by Inuit story quilts. Congratulations to organizers Donna Desjardins, Don Schultz, Glen Christensen, the regional high school art students, and all of the other community partners for a job well done and another phenomenal success.

Thank you.

THE SPEAKER: The hon. Member for Dunvegan.

Edward and Stella Pimm

MR. GOUDREAU: Thank you, Mr. Speaker. I rise today to recognize the 2002 Alberta 4-H Hall of Fame inductees, Edward and Stella Pimm of Berwyn. Induction into the Alberta 4-H Hall of Fame is the highest honour that 4-H leaders can receive. Edward and Stella Pimm joined the ranks of 55 volunteers inducted into the 4-H Hall of Fame since it began in 1971. The 4-H Hall of Fame recognizes men and women who have made significant contributions to the 4-H program, agriculture, and rural life. Their leadership exemplifies the 4-H motto of learn to do by doing. They live out the 4-H pledge of service through their commitment to their club, community, and country through all activities and levels of the organization.

Mr. Speaker, Edward and Stella Pimm have made volunteering in the 4-H program a way of life for themselves and their family. In addition to their significant work with 4-H, they were honoured individually as Berwyn's citizen of the year. In 1989 the Pimm family's contributions to agriculture and rural community life earned them the Alberta farm family of the year award.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Dr. Chuck Chamberlin

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and recognize Dr. Chuck Chamberlin, an exceptional educator and environmentalist and a person of extraordinary commitment and passion for community service and common good. The hon. Member for Edmonton-Mill Woods and I had the privilege of working with Chuck for many years at the University of Alberta.

Chuck Chamberlin came to this province in 1969 from the University of Minnesota and joined the Faculty of Education, where he retired as a professor of education in 1995. During his tenure at the U of A he published an impressive number of articles in scholarly and professional journals for teachers. After retirement from teaching, Chuck immersed himself in a cause most near and dear to his heart, the protection of the environment. He has served the Sierra Club for many years as a member and leader and served over the years as issue leader for Sierra Club's urban sprawl campaign and encouraged municipalities to embrace the concept of smart growth.

As well, Chuck Chamberlin has worked as a volunteer for many years both with my constituency office and my office at the Legislature. His contribution has been a godsend. He has continued this extraordinary commitment until a few months ago, in spite of the fact that he has been battling cancer for many years.

As I pay tribute to Chuck, I invite my colleagues in the Assembly to join with me in honouring this dedicated educator, passionate environmentalist, and model citizen.

Thank you, Mr. Speaker.

head: Statement by the Speaker

Calendar of Special Events

THE SPEAKER: Hon. members, as we're closing the month of November and as we do have the process of Recognitions in the House, the chair would just like to advise that November, this week and other weeks, will also be covered. What invariably happens is that when recognition is given to some types of weeks and recognition is not given to others, my office does receive inquiries why such is the case.

November is also Crohn's and Colitis Awareness Month, Diabetes Awareness Month, Family Violence Prevention Month, National Community Safety and Crime Prevention Month, Osteoporosis Month, Pancreatic Cancer Awareness Month. September to December is part of the United Way fund-raising campaign. October/November is our time for the March of Dimes campaign. October to December is the Christmas Seal campaign. The time frame October 21 to December 15 is the missing children calendar campaign. November 1 to December 15 are Girl Guides mint cookie weeks. November 24 to 30 is National Home Fire Safety Week. November 24 to December 1 is National AIDS Awareness Week. November 25 to December 6 is White Ribbon Week. Hanukkah will begin on November 29 and go through December 7. November 28 to December 4 will be the time frame for the Toys for Tots campaign, and November 28 to December 24 will be the Christmas kettles appeal. November 30 will be St. Andrew's Day.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. JACOBS: Thank you, Mr. Speaker. With your permission I would like to present two petitions today, one on behalf of the Member for Livingstone-Macleod, who has received a petition from 73 Albertans living in his constituency petitioning the Legislative Assembly of Alberta to urge the government of Alberta to deinsure abortion.

My other petition is on behalf of 20 Albertans from the constituency of Cardston-Taber-Warner, again petitioning the Legislative Assembly of Alberta to urge the government of Alberta to deinsure abortion.

Thank you.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'd like to present a petition signed by several members of the Clover Bar-Fort Saskatchewan constituency. These constituents request that abortion be removed from the list of insured services as provided by Alberta Health.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to present the petition signed by 20 residents of St. Albert and area urging the Legislative Assembly to "remove abortion from the list of insured services that will be paid for through Alberta Health."

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm presenting today a petition signed by 83 Edmontonians, primarily residents of the Beverly Senior Citizens Lodge, petitioning the Legislative Assembly to urge the government to "not delist services, raise health care premiums, introduce user fees or further privatize health care."

head: **Introduction of Bills**

THE SPEAKER: The hon. Minister of Finance.

Bill 38

Miscellaneous Statutes Amendment Act, 2002 (No. 2)

MRS. NELSON: Thank you very much, Mr. Speaker. On behalf of

the Minister of Justice I'd like to beg leave to introduce Bill 38, the Miscellaneous Statutes Amendment Act, 2002 (No. 2).

Mr. Speaker, the elements of this bill have been reviewed by the members opposite, and we request that it proceed in the normal fashion.

[Motion carried; Bill 38 read a first time]

head: **Tabling Returns and Reports**

MR. JONSON: Mr. Speaker, I wish to table five copies of the communique released by Canada's provincial and territorial ministers of energy and environment at their joint ministers' meeting in Halifax on October 28, 2002. The communique lists the 12 principles agreed to by the provinces and territories as being the necessary basis of a national plan to address climate change.

THE SPEAKER: The hon. Minister of Innovation and Science.

MR. DOERKSEN: Thank you, Mr. Speaker. I have three tablings this afternoon. I'd like to table copies of the 2001-2002 ICORE annual report. ICORE, of course, stands for informatics circle of research excellence.

The second tabling would be a copy of the 2001-2002 Alberta ingenuity fund annual report.

The third tabling is copies of the Alberta Heritage Foundation for Medical Research triennial report for 1999-2002 in the form of a 2003 calendar as well as the financial statements for 2001-2002 in this session of the Legislative Assembly.

Mr. Speaker, copies of all these reports have been previously sent to MLA offices, and I encourage them to read them because these highlight some of the very successful things the province has done in the areas of research and medicine, science, and information communications technology.

2:50

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you, Mr. Speaker. I have six tablings today. First, the College of Chiropractors of Alberta annual report for the year ended June 30, 2002; the Alberta Veterinary Medical Association radiation protection program 2001 annual report; the College of Physicians and Surgeons of Alberta radiation health administrative organizational annual report for the period of April 1, 2001, to March 31, 2002; University of Alberta authorized radiation health administrative organization annual report, 2001-2002; University of Calgary authorized radiation health administration organization annual report for the period April 1, 2001, to March 31, 2002; Alberta Dental Association and College 2001 radiation health and safety program annual report, January 1, 2001, to December 31, 2001.

THE SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I'm pleased to rise today in the Assembly to table the requisite number of copies of the review of school construction and operating cost committee's interim report and preliminary findings which highlights innovative ways in which significant savings might be realized when building new schools in our province.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. I rise today to table five copies of the policy of the College of Physicians and Surgeons of Alberta on the termination of pregnancy.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I have three tablings today. The first is a carefully handwritten letter from constituent Mike Wolfer in which he notes that at the present stage his AISH payment is \$855 a month while his rent has just gone up to \$475, and he can't afford to pay for other things like fresh fruit.

My second tabling is also on AISH from Richard Gagne, and he is noting that "with the cost of living constantly going up and the AISH amount is not, people just can't afford to get the [most] basic needs met."

Finally, a letter from the office manager of the Spina Bifida and Hydrocephalus Association of Northern Alberta noting that on behalf of adult members of their association that are receiving AISH she would ask that we "appeal to our provincial government to see the need for an increase in benefits."

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have one tabling today. It's appropriate copies of a letter dated November 8. It's from Ms Patricia Brownlee of Calgary and is addressed to the Minister of Environment, copied to me. She expresses in this letter deep concern about the Alberta government's opposition to the ratification of the Kyoto protocol and its general failure to protect the environment of this province.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have a number of tablings today. First I am tabling five copies of a speech delivered by Senator Douglas Roche, formerly a distinguished Member of Parliament for the Progressive Conservative Party, entitled *Demanding Conservative Government Action for the Homeless*, addressing the Edmonton housing and homelessness conference. Senator Roche pointed out that "the poor and homeless in Canada have been forgotten" by governments more interested in "appeasing big business than social justice" and that "persistence of poverty in Alberta . . . is outrageous." He believes that it's time that political leaders responded to the voices of marginalized people, calling for social reinvestment and a building of a more inclusive society.

I have some other tablings, Mr. Speaker. The first one is copies of an electricity bill from some individuals who own a recreational property at Square Lake, and they have only been there since Labour Day three times, but the charge for one month for their bill even though they're using almost no power is \$160.

Secondly, I have another electricity bill sent to me by a seniors couple in Edmonton. They are paying \$63 for a small condominium and live on a fixed income. They write, "We could not have made it last year without the rebates and wonder how we will survive this year."

My fourth tabling is also an electricity bill for a three-bedroom house in Wetaskiwin. The charge there, including all of the administration fees, is 8.18 cents per kilowatt-hour. They have sent me several bills that show their electricity has gone up from \$105 in July of 1999 to \$500 in the year 2002.

Finally, Mr. Speaker, I have an electricity bill from a farm near

Westlock. The bill was \$535 three years ago when there were two families and a significant amount of livestock on the farm, including 80 cows and 60 horses. It is now \$600 to \$900 per month, even though most of the livestock has now been sold.

Speaker's Ruling Tabling Documents

THE SPEAKER: Hon. members, before recognizing the next member under this part of the Routine, the chair wishes to advise the Assembly that the sheer volume of the tabling by the Member for Edmonton-Beverly-Clareview, roughly some 6,700 postcards, requires a slight relaxation of the rules concerning tablings. To meet the requirements of Standing Order 37(3) would mean that there would have to be a minimum of 10,000 pages to provide an additional four copies, which would consume significant resources.

Members may recall that the chair relaxed the rule on December 8, 1997, with respect to a great number of cards presented during the national unity debate. In keeping with the 1997 ruling, the original postcards will be kept in the Clerk's office for the historical records of the Legislative Assembly of the province of Alberta, but for this occasion, the library and the opposition will receive a copy of the first page with a notation that the original can be viewed at the Clerk's office.

head: Tabling Returns and Reports (continued)

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to table 6,126 postcards which I have received on behalf of the Minister of Seniors at the National Housing Day of Action vigil on November 22, 2002. These cards, signed by concerned individuals in a concerted campaign, urge the provincial government to provide funding to construct necessary, affordable housing as quickly as possible and continue to fund emergency and supportive housing needs. Our thanks to all those who co-ordinated the campaign and to those who signed the cards.

head: Orders of the Day

head: Government Motions

Climate Change Action Plan

33. Mr. Jonson moved:

Be it resolved that the Legislative Assembly of Alberta, consistent with its commitment to protecting Alberta's environment, hereby endorses and accepts the following principles agreed to by all provinces and territories on October 28, 2002, to provide the basis for the development of a national climate change action plan.

- (1) All Canadians must have an opportunity for full and informed input into the development of the plan.
- (2) The plan must ensure that no region or jurisdiction shall be asked to bear an unreasonable share of the burden and no industry, sector, or region shall be treated unfairly. The costs and impacts on individuals, businesses, and industries must be clear, reasonable, achievable, and economically sustainable. The plan must incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives.
- (3) The plan must respect provincial and territorial jurisdic-

tion.

- (4) The plan must include recognition of real emission reductions that have been achieved since 1990 or will be achieved thereafter.
- (5) The plan must provide for bilateral or multilateral agreements between provinces and territories and with the federal government.
- (6) The plan must ensure that no province or territory bears the financial risk of federal climate change commitments.
- (7) The plan must recognize that benefits from assets such as forest and agricultural sinks must accrue to the province and territory which owns the assets.
- (8) The plan must support innovation and new technology.
- (9) The plan must maintain the economic competitiveness of Canadian business and industry.
- (10) Canada must continue to demand recognition of clean energy exports.
- (11) The plan must include incentives for all citizens, communities, businesses, and jurisdictions to make the shift to an economy based on renewable and other clean energy, lower emissions, and sustainable practices across sectors.
- (12) The implementation of any climate change plan must include an incentive and allocation system that supports lower carbon emission sources of energy such as hydroelectricity, wind power generation, ethanol, and renewable and other clean sources of energy.

And be it further resolved that this Assembly, in the absence of agreement on a national plan by provinces and territories, denounces any unilateral ratification by the federal government of the Kyoto protocol in violation of the principles of constitutional law, convention, federalism, and long-established practice whereby the federal government must adequately consult with and seek the consent of provinces prior to ratification of international treaties or agreements that affect matters of exclusive provincial jurisdiction or that require provincial actions or legislation to achieve implementation where implementation will result in significant harm to the economy of Alberta and of Canada.

MR. JONSON: Mr. Speaker, the resolution that is before the Assembly this afternoon represents a strong statement from Alberta in support of the 12 principles that all provinces and territories agreed must be respected in any national plan on climate change. These principles were developed at a joint meeting of environment and energy ministers in Halifax on October 28, 2002, and they signify that all provinces and territories stand behind a made-in-Canada approach to climate change.

The 12 principles, Mr. Speaker, are not vague or ambiguous. They are clear statements that will protect Canadians' interests. They ensure greenhouse gas emissions are reduced across the country without sacrificing the economic prosperity of Canada. The fact that all provinces and territories, without exception, agreed to the principles speaks to the tremendous will across this country to tackle the issue of climate change in a way that makes sense for Canada and accommodates the unique needs of each province. Rarely is there such unanimous agreement among all provinces and territories.

But despite the provincial unity and agreement on this issue, the federal government still intends to ratify Kyoto by the end of the year and released its own Kyoto implementation plan on November 21, 2002. Mr. Speaker, this plan was not shown to the provinces prior to being released and provinces were not consulted about its content.

Even more troublesome, Mr. Speaker, the plan does not adequately address the 12 principles agreed to by the provinces. In particular, it totally disregards three of the principles that are of great importance to the provinces, those being principles 2, 6, and 7. These three principles ensure no region or jurisdiction bears an unreasonable share of the climate change burden. They emphasize that the federal government has an obligation to financially back its climate change objectives and not simply leave these costs to the provinces. They also recognize that benefit from assets such as agricultural and forestry sinks must go to the provinces. However, the federal government plan also fails to answer the question of how the Kyoto targets will be met and at what cost, questions that provinces and Canadians have been saying must be clearly answered before a decision regarding Kyoto ratification is made.

Mr. Speaker, it is unfortunate that the federal government has opted to act unilaterally on this matter, but it is certainly not uncharacteristic, particularly on the issue of Kyoto. The federal government has ignored the concerns of the provinces from day one. Ottawa has not undertaken any meaningful consultation with the provinces about Kyoto, the issue of whether or not to ratify it, on the nature of ratification, and how it will be implemented. Provinces called for a first ministers' meeting on climate change, but Ottawa refused. Then in September the Prime Minister took the astonishing step of announcing his intention to have Kyoto ratified before the end of the year despite the fact that meaningful consultations with provinces had not occurred.

3:00

Mr. Speaker, some say that it is not possible for governments to co-operate on this issue because the federal position is so different from the position of most provinces. However, I believe a co-operative relationship on change is possible. There are certain examples where the federal government and provinces have worked well together. The development of a health care dispute mechanism was done successfully, and we've worked co-operatively on the softwood lumber dispute. The G-8 conference held in Kananaskis, in southern Alberta, was a success. I can attest personally to the fact that federal officials and ourselves and the two governments generally worked together to make that an overall success. All governments can work together on a made-in-Canada climate change plan that makes sense for Canada and the provinces. We can provide a framework represented by these 12 principles for that co-operation to begin.

Alberta is certainly willing to tackle the issue of climate change. In fact, we are the only government in Canada to put our words into action. Not only have we released a detailed plan on how we will reduce greenhouse gas emissions in Alberta, but we have backed that plan up with legislation which is currently before this Assembly. Mr. Speaker, Alberta's approach will bring substantial but more gradual reductions in emissions. It involves actions aimed at reducing emissions, investing in research and technology, providing leadership, and adapting to change. It is based on partnership and working with industry, consumers, and all Albertans to address climate change. The plan is designed to be cost-effective while achieving meaningful long-term emission reductions, unlike Kyoto, which will simply move the creation of emissions to other parts of the world.

Mr. Speaker, the fact that Alberta is the first government in Canada to release such a detailed plan is not surprising. Alberta has shown leadership on climate change for many years. We led the way by establishing Climate Change Central, a unique public/private sector organization that has been working since 1999 to reduce greenhouse gas emissions in Alberta through research, education, and conservation measures.

We have also taken major steps to improve the energy efficiency of Alberta government facilities. In other words, Mr. Speaker, Alberta has moved beyond the rhetoric and beyond the good intentions to meaningful action. We have said time and time again that we are willing to work with other provinces and the federal government on a broader Canadian plan to address climate change. However, the federal government's response has been: it is Kyoto or nothing. The Prime Minister and his Environment minister have been clear that they plan to ratify Kyoto before the end of the year despite the fact that many reports show that implementing Kyoto will result in significant harm to the economy of Alberta and Canada.

At this point we are hopeful that the Prime Minister will reconsider his position, but if he does not reconsider, Alberta has other avenues to explore within the legal and constitutional realm. The province's legal position will depend on how the federal government intends to implement Kyoto, and we do not yet have a clear enough implementation plan from them, even though two federal plans have been released. Mr. Speaker, under the Constitution the federal government cannot legislate within areas of exclusive provincial jurisdiction. The development, management, and conservation of nonrenewable resources is exclusive provincial jurisdiction. Therefore, Alberta can challenge the federal government if its implementation plan intrudes into Alberta's jurisdiction.

There are also constitutional questions surrounding the ratification of Kyoto. Mr. Speaker, there is clear precedent in Canada that the federal government must undertake meaningful consultation with provinces and obtain their consent before ratifying a treaty that impacts the areas of exclusive provincial jurisdiction or where implementation requires provincial action. The federal government has done this in the case of many international trade agreements and many human rights conventions, but it has not happened with Kyoto. Alberta's Kyoto External Advisory Committee, chaired by former Premier Peter Lougheed, is looking at these legal and constitutional areas and will be providing advice to the Alberta government on how best to proceed. In the meantime, this resolution is one more step that Alberta can take to call on the federal government to stop its unilateral approach and work with the provinces and territories towards resolution of this particular matter.

Mr. Speaker, I understand that there are somewhere in the neighbourhood of nine major conferences that have been held on this particular topic since the initial concept of the Kyoto accord was developed about, I believe, eight or nine years ago. The activity in Canada, of course, I think is indicative of our priority that we put on the environment, but we certainly have to develop a plan which will work and which will fulfill the needs of Alberta and protect its economy. It has to provide for the needs of the whole nation and protect our economy as well.

One cannot help but wonder why at this particular point in time our neighbour to the south, that has certainly been examining the accord over the years, has chosen to not stop protecting the environment but, in fact, is moving forward with their own particular plan adjusted to their particular needs. Likewise, our Commonwealth sister country of Australia has been involved for a great time and has with due consideration decided not to become part of the accord, although again, as I understand it, they are developing many environmental measures that will be designed to protect their climate overall.

It raises the question, Mr. Speaker, as to the viability of the Kyoto accord, and it emphasizes, I think, and underlines the importance of us as Albertans being part of a Canadian program which is going to be sure to provide the reductions in emissions that are sought but, at the same time, not damage our economy and allows the country of Canada to continue to grow and prosper and to be able to serve its

people as well as the many countries that we are associated with.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to have an opportunity to speak to Motion 33, which is the government's own 12-step program, as they see it, on climate change. As with any of these programs they are very, very good in theory, and the principles as outlined here sound excellent and, certainly, very motherhood and apple pie, but as with any of those programs the problems really come with the application and the interpretation. Unfortunately, I have absolutely no hope that this government will interpret these principles as I see them. However, I still don't have much hope that they will interpret them in a manner that most Albertans would find to be . . .

3:10

DR. MASSEY: Preferable.

MS CARLSON: Yes, to them and acceptable to their families. So we go forward with this motion cautiously and take a look at what's been said so far and what we hope will be said in the remainder of the afternoon.

The minister didn't do very much to eliminate my concerns in terms of explaining the principles one by one and going into some detail on them. The way these principles are styled in the motion makes it very difficult to object to most of them in principle, and in practice it will be quite easy to manipulate them into the interpretations we've seen and in the way the government perceives things. For instance, when the government talks about protecting the environment, what they really mean is mitigating damage by industrial activity. I see protecting the environment as ensuring that we have a sustainable environment for generations to come. Same sentence, quite different interpretations, and that is the basic problem with these principles as they are laid out.

If we take a look at the background on this particular document, we see that at the joint meeting of energy and environment ministers in Halifax on October 28, 2002, a document entitled Provincial and Territorial Statement on Climate Change Policy was released at that time. The purpose was to establish principles agreed to by all of the provinces and territories that would guide the development of a national climate change plan. These are the same ones as we see before us now, but not all of the 12 principles in the motion have received federal approval. There are reservations about three of them. As the province has said, acceptance of or willingness to negotiate on the principles as a prerequisite to co-operation with the federal government – there's been little co-operation between this province and the federal government or other provinces at this point in time. So it becomes, then, very difficult to negotiate when you won't sit down at the table or when, as we saw the Minister of Environment do, you rudely get up and leave.

If we take a look at the 12 principles and we take a look at the end of the motion where it talks about "in the absence of agreement on a national plan," which is primarily denouncing any unilateral ratification, and then goes on to talk about how that plays out, what it's really calling for is for the federal government to consult with the provinces. But there's an inherent contradiction in this, Mr. Speaker, in that this province is demanding consultation from the federal government when they refuse to go to the table themselves. So how do they see this being resolved in a timely fashion? They don't. In fact, what they want is a fight. They are hoping that the advice they're going to get – and I must say that I did see that huge

troop of senior lawyers from the Justice department coming into the Assembly yesterday after 5:30. I know that this province will go well armed to that particular discussion and hope that they will get a constitutional challenge ability, but that isn't the right answer for Canada, and it isn't the right answer for us as participants in a global community. So I really raise some cautions and some concerns about that and hope that this provincial government truly has a good-faith intent to negotiate, because so far it doesn't look like that's happening.

I'd like to take the principles as laid out here one by one and talk about them a little bit. The first one talks about: "All Canadians must have an opportunity for full and informed input into the development of the plan." Well, that's an excellent principle, and we ask for that kind of principle to be applied to all of the major decisions this provincial government makes. But how do we see them actually interpret that? Time after time we see who they consult as being, for the most part, special-interest groups or consultation done through a process that is not open, that is not transparent, and that is not verifiable. So we would hope that when they take a look at this principle in this regard, they don't hold the federal government up to a standard quite different from the one they apply to themselves.

I'd like to see the bar raised for everybody. Let's know what the consultation process is. Let's know that it's open to whomever wishes to participate. Let's know that it's going to be open in a manner that is accessible to all people, that it is completely transparent, and that the information they get is verifiable. So nothing less in this particular case than something equivalent to forensic audits would be satisfactory, in my opinion. Then let them use that framework as a model for all future consultations in this province on key issues.

The second principle talks about the plan ensuring that "no region or jurisdiction shall be asked to bear an unreasonable share of the burden and no industry, sector, or region shall be treated unfairly," and so on. Also sounds very good when you first take a look at it, but we don't have any definitions. What do the terms "unreasonable" and "unfairly" mean? I know for sure, having listened to this government for 10 years, that their interpretation of those terms is quite different than mine, and how they apply to sectors and individuals and consumers and the environment is also quite different than mine. So I'm hoping this afternoon that we'll get someone who will stand up and define them, but it's how these get applied that really matters the most.

This government, the Alberta government, has said before that the determination of undue burden can only be made by the jurisdiction accepting the burden. Well, this just sets up everybody for a huge fall. The principle likely applies to the terms "unreasonable" and "unfairly" as well. If this is the case, then it's likely that each region will claim that it has been assigned an unreasonable burden and that each has been dealt with unfairly. So, then, if each region, sector, and industry has exclusive rights to determine the reasonability and fairness of its treatment and no other authority, who can claim otherwise? So what happens then is that you get a huge deterioration into a situation where no meaningful plan could ever be implemented.

What we need is some sort of ability to, first of all, define those and then someone who can interpret whether or not that, in fact, has happened. If everybody just takes their toys and goes to their corner and says, "It doesn't work for me because it's unfair," we never get any agreement. So definitely we need some definition here, and there needs to be someone who can do the arbitration when people and industries and sectors and governments don't agree. I don't see any provision for that here, and that would've shown some leadership on behalf of this government if they'd have done that. You

know, if they'd just give us a cursory definition of those two terms and then propose some sort of an arbitration method, I would be prepared to support this principle.

The third one talks about: "The plan must respect provincial and territorial jurisdiction." This is going to be one, I imagine, that is going to be quite controversial as time goes on because it hasn't been determined yet, Mr. Speaker, whether or not the federal government tackling environmental issues in our province does or does not exceed their jurisdiction or interfere with Alberta's. There have been ongoing disputes, there have been all kinds of discussions about this in the past, but we don't have, I don't think, any clear answer on this. Environmental issues are not exclusively the jurisdiction of the federal government and, I would say, are also not the exclusive jurisdiction of the province, so let's get some definition there too.

We take a look at the fourth principle. It talks about including the "recognition of real emission reductions that have been achieved since 1990 or will be achieved thereafter." Well, this is one that I really like. I think that this is excellent to have in there. I would be very dismayed if it wasn't in the federal plan when they roll it out. Certainly those organizations, companies, industries, governments who have taken action since that date, 1990, should have acknowledgment for the work that they have done, and there should be some way to measure that work and to give them credit for it. This to me should have been the first principle. It's really a fundamental building block of any kind of plan being able to go forward and be achievable. So this one is good, and let's hope we see it at the federal level and that we don't need to take too much time discussing it.

3:20

The fifth one talks about "bilateral and multilateral agreements between provinces and territories and with the federal government." Well, of course, to do that, you've got to go to the table. So if they're not prepared to go to the table at this stage, what exactly does this particular principle mean? I think it means they just get together and discuss it, but it could also mean: do you want subsidiary agreements between the provinces? So we would need to know then: what would those agreements look like? What would be in them? How would they expect to roll those agreements out? What would be any of the triggers for breaking the agreements? Those kinds of things we need to know, just more information. It just isn't here, and we need to see that.

The sixth principle talks about ensuring "that no province or territory bears the financial risk of federal climate change commitments." Well, this is an interesting principle. Does this also mean that no province or territory will bear the financial gain of federal climate change commitments, because, Mr. Speaker, there will also be some gains. We don't see any talk about that. So I would suggest that you can't have it both ways. If you won't take the risk, then you can't have the gain. So some of that discussion should be had. [interjection] Exactly. That's exactly right.

So do they really mean here that no one province should bear the entire or majority of financial risk or that none of the provinces or territories bear any financial risk? Not laid out here and left wide enough open that it could be interpreted any way the provincial government wants to. Certainly, we think that not one province should bear all the risk, but there is some burden to be shared here. As consumers we will bear some of the cost and some of the risk and we will also benefit from those gains.

As we see technological changes and innovations, we as consumers benefit from that. If we are sloppy consumers and overuse resources, then we will pay the price for that. That's just normal market conditions. I'm not sure why a free market government

would be so concerned about looking at this kind of protectionism for their own risks, because they for sure are the first at the trough when there's money to be had. So I have some concerns about that one.

Principle 7: "The plan must recognize that benefits from assets such as forest and agricultural sinks must accrue to the province and territory which owns the assets." Also, this is one that I heartily agree with and wish it had been closer to the top of the list. It's very reasonable, and for me it goes without saying that this is the way that this should happen and just makes good sense. It's reasonable. It provides an incentive for provinces to maintain or develop the carbon sinks that will come under their jurisdiction and to sustain their own industries in the manner that they have in the past, so I think this is excellent.

Principle 8 says that "the plan must support innovation and new technology." In some ways this is a good principle. I like it too, and in some ways the province is moving forward on this. But, you know, we don't have a definition of "support" here. Once again, is this province asking the federal government to do something that they are not prepared to do? While we see money going into research and development and while we see the province looking at doing retrofits for their own buildings, we heard yesterday in debate a number of people in this Assembly who did not support dollars or funding or grants or loans for consumer retrofits.

So, on the one hand, the feds are expected to support innovation and new technology. Does that just mean that they're going to support it on the business side too? What about the consumer side? This province is clearly on the record as not wishing to do that. I hope they change their mind. I hope that what we see is a full definition of innovation and new technology which includes financial support at both the federal and the provincial levels as we move through this transition time and that it truly reflects a real need being faced on the front lines by consumers today; that is, some sort of access to funding for retrofits. Retrofits are not cheap; they are expensive. If we expect all of us to move forward carrying our share of the need for technology upgrades, there's got to be some sort of provision in there. So let's see what they do on this.

Principle 9: "The plan must maintain the economic competitiveness of Canadian business and industry." What does this mean? The way I interpret it, it looks completely unrealistic, because I don't see in here any differentiation between rewarding businesses who are best in class and rewarding businesses who do nothing. Could we see some definitions in here? As it stands, I don't like it all.

Principle 10: "Canada must continue to demand recognition of clean energy exports." Once again, what do they mean? What does "recognition" mean? Does it mean global recognition? Does it mean money? Does it mean credits? There are no definitions in here. So let's get some information so that we can know what it is that we're supposed to be debating in this particular principle.

The 11th principle:

The plan must include incentives for all citizens, communities, businesses, and jurisdictions to make the shift to an economy based on renewable and other clean energy, lower emissions, and sustainable practices across sectors.

It's ironic that the government plan, as we've seen it, doesn't include any of these provisions, Mr. Speaker, but they certainly expect the feds to ante up.

Let's talk about who should provide that kind of support. We all know that the most effective support comes when it's closest to the source. Do you want the federal government, who are very removed from the people, to develop these kinds of plans, or should that support come at the most direct level? What I would like to see are municipal funding grants to look at consumer incentives because

that's the level of government that's closest to the people. It can provide often the most effective and efficient kind of service. So this government could show some leadership by taking a look at that. At the very least, they should look at doing it themselves. Hopefully, they'll do this.

It's my belief that on a global level what we see is that plans or laws that desire to meet non status quo targets have incorporated into them incentives. This government is quite happy to talk about that, particularly the Minister of Environment, who is on record as saying that. They see incentives for businesses and jurisdictions in the form of penalties, like fines and imprisonment and so on. So what does this government mean with this application when they talk about incentives? Do they want negative ones? Do they want positive ones? Are they willing to participate? Are they willing to look at delivering incentives to the most direct level of availability and adaptability, which I believe is municipal government? It doesn't talk about that here.

The 12th principle talks about: "The implementation of any climate change plan must include an incentive and allocation system that supports lower carbon emission." This one looks like it's alluding to an emission credit trading system. I hope they read the Leader of the Official Opposition's speech yesterday, because he talked extensively about how this could be put in place and be operable and move us forward on this. So, of course, this is a principle we support because it is very consistent with the Official Opposition's proposals. If they need more information or detail on that, I know for a fact that the Leader of the Official Opposition would be willing to participate in that discussion.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Bow.

MS DeLONG: Thank you, Mr. Speaker. Thank you for giving me the opportunity to speak to this resolution this afternoon. I wanted to speak to this resolution because it touches on the best way to protect Alberta's economy and environment, but it also shows a deep understanding of how federalism should work in this country.

3:30

I emphasize the word "should" because the resolution stands in stark contrast to the debate going on right now in Ottawa. Well, we can't really call it a debate; can we? What's going on there is a Prime Minister unilaterally steamrolling any opposition. It's one individual on an extended retirement tour who has disregarded the concerns of the provincial governments that would be forced to implement the Kyoto protocol at the ground level.

But in the resolution before us today we see a difference. We see governments of all political stripes from all regions of the country and on different sides of the Kyoto debate who are able to agree on 12 common principles centred around one common theme: that the essence of federalism should be fairness so that no jurisdiction suffers for the benefit of the other and that no laws are passed without a healthy, honest discussion between all governments concerned. All provinces have agreed to the principles enshrined in this resolution. That should count for something. In my mind, it shows that the provinces have at least said: let's ground this discussion in reality. Given reality, Mr. Speaker, it will be clear why I don't want to see a Kyoto plan; I want to see a Canadian plan tailored to Canadian realities.

Today I want to highlight those Canadian realities so that we can all get a sense of what it is we're really talking about. Canadian reality number one: Canada produces only 2 percent of the world's man-made greenhouse gases. Two percent; that's it.

AN HON. MEMBER: What percent?

MS DeLONG: Two percent, and by the way, it's only 1/10,000 of a percent of the total worldwide Kyoto gases that they want to reduce in Kyoto. As it should be, Kyoto cheerleaders say: what does it matter? Well, it matters quite a bit when the United States, which produces about a quarter of the world's man-made greenhouse gases, isn't even a party to Kyoto. It matters when China and India, two of the world's largest producers, have no reduction targets under Kyoto. It matters a whole lot when we consider that roughly half of the world's countries – half of them – who have less stringent pollution laws than Canada, are not party to Kyoto.

[Mr. Shariff in the chair]

There is no incentive for nonsignatory nations to reduce their output of greenhouse gases. Given that many of them won't sign on to Kyoto because they have no intention of reducing their output, what is the point of forcing industry to comply with an impossible time line meaning losses to their bottom line and our economy when not so much as a dent will be made in the overall amount of global greenhouse gas emissions?

Canadian reality number two: we're the only North American country with targets to meet under Kyoto. The President and Senate of the United States had the wisdom not to ratify this accord, and because of this, while one of our major exports is clean energy to the United States, we would get no credit for those exports under Kyoto. It's as though the protocol envisions a world in which the only countries that exist are those that have signed on. Further, southern Ontario is flooded with smog from the northeast United States, so while we force automakers to either shut down or reduce manufacturing levels, all in the name of ostensibly reducing pollution, more than enough pollution will come sailing over the border.

This leads me to wonder: just how does Canada benefit by crippling our manufacturing industry if we'll see no real improvements in the air quality? What do we say to the plant technician who will lose his job because a narrow-minded federal government failed to work with the provinces or industry to get a deal done that works in the best interests of all involved? It's time for the federal government to stop and take a breath and not ratify this flawed protocol.

Canadian reality number three: we have no European bubble. It's been speculated that countries in the European Union will not have to make any reductions whatsoever to meet the targets set by the Kyoto protocol. This is because they have signed on as a bloc of countries rather than individually. So what we've got there is a mixture of robust economies like Germany, stagnant former eastern European economies, traditionally low polluters like Norway and other Scandinavian nations, and other countries which do not have a heavy reliance on manufacturing or resource development. This mixture allows the European nations to assess their strengths and weaknesses and make deals which at minimal cost result in minimal actual change in their emission levels.

Essentially, these countries trade off with one another in order to strengthen the overall economy of the European Union. For them Kyoto is about economics, not the environment. It makes them money while it breaks our back. All of this has drastic implications for the Canadian economy. While the other signatories to Kyoto are either European countries that have something to gain by signing the protocol or developing countries that have no targets, Canada is the only country that will pay a heavy price, and of all the provinces it is ours that will bear the lion's share of that price.

Let's talk about our province, and let's talk about some Alberta

realities. In doing so, let's refute the critics on the front steps of the Legislature who say that we've done nothing to protect our environment. Alberta reality number one: in 1990 we started provincial cleanup air strategy consultations so that all provinces could become involved in Canada's effort to reduce greenhouse gases. Like the resolution before us today, that's federalism at its finest. I'd argue that the federal Liberals could learn a thing or two.

Reality number two: since 1999 the amount of electricity generated from wind energy in Alberta has doubled. We've worked with industry to develop new, cleaner ways of producing petroleum and natural gas. Flaring has been reduced dramatically. We're working on new technology for clean-burning coal.

Alberta reality number three: the Alberta plan, which has recently been developed by the Minister of Environment, provides a comprehensive framework for reasonable, well-thought-out actions to reduce greenhouse gas emissions. We're protecting the environment, and we're ensuring that our economy does not take a hit that it cannot withstand. We want to ensure that our economy can not only withstand environmental action but can actually thrive underneath new legislation. We need to work with the people who are most affected by it.

Finally, Mr. Speaker, Alberta reality number four: Kyoto will mean economic ruin in this province. Some Albertans believe that Kyoto will only hurt the energy sector. Nothing could be further from the truth. Kyoto will affect all parts of the Alberta advantage, right down to the family-owned corner store. If we allow Kyoto to drive business from Alberta, it means fewer jobs. It means less money in the pockets of Albertans.

There is a better way, Mr. Speaker. Let's work with the environmental groups and industry. As today's resolution suggests, let's keep getting together with other provinces to design a Canadian plan to accommodate Canadian realities. Let's work with our researchers in our universities who are on the cutting edge of designing clean technologies for Alberta's industry sector. Let's have an open discussion with industry and work to set time lines and tough emission standards that, unlike Kyoto, they're actually capable of meeting.

These are the initiatives we are focusing on. This is what other provinces are talking about. We're talking about a plan that achieves real results, one that actually improves the environment, one that does not unfairly penalize the average Albertan for working hard in a successful province. This can be done, Mr. Speaker, and this is what this resolution is all about.

I therefore support this resolution and call upon all the members of this House to do so as well. Thank you.

THE ACTING SPEAKER: Under Standing Order 29(2) we have five minutes allocated for questions to the hon. member. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Would the member please tell us whether or not she would support a provincially supported retrofit consumer program, like Manitoba has had for many years or like the territories has had for many years, where there would be a fund available, either through a loan or granting program, for consumers to do retrofits on their homes?

3:40

MS DeLONG: That's something that the private sector could handle very well. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'd like to ask the hon. member if she can tell us how much actual CO₂ has been reduced in the province since 1990 as a result of the steps that she claims the government took at that time.

MS DeLONG: I'm not sure how much greenhouse gases have been reduced, but I am very aware of the pollution that has been reduced in Alberta since 1990. Our flaring program has been extremely successful working with industry, and we have by far exceeded our targets when it comes to pollution.

MR. SMITH: I'd like to ask the member a question, Mr. Speaker: if she would compare or care to comment on the efficacy or the efficiency of having Albertans reduce their electrical consumption during the peak time from 4 to 8 and using market price signals. Would that be a more effective way of doing it than offering direct cash incentives to the marketplace, thereby distorting the marketplace?

THE ACTING SPEAKER: The hon. Member for Calgary-Bow.

MS DeLONG: Thank you very much. I think that's an excellent idea. That's something that we would be able to institute without paying to either consumers or industry, and it would result in less pollution.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. It's clear that the member didn't understand the question that I asked earlier. The point is not whether or not the private sector can provide services. The point is: can consumers afford to retrofit their homes? The answer is in large part no. Does she support a program, a loan or a grant, where consumers would have access to money for retrofits?

MS DeLONG: I personally am replacing my two-pane windows with three-pane windows, and, yes, the payout is going to be over several years. It is something that you can actually save money on in terms of retrofitting your home. Some of the easier things that save a tremendous amount of energy and reduce pollution have to do with just going around and finding the places in your home where air is escaping or where the cold air is coming in. There's a tremendous amount that you can do to reduce your bills and reduce pollution that way.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Is the hon. member aware of the comments made by the Minister of Environment, who clearly says that CO₂ is not a pollutant, that global warming and air pollution are two different things, and is she also aware that while flaring has been reduced in Alberta, the venting of natural gas – and that means a lot of methane, which is a more aggressive greenhouse gas than CO₂ – has actually increased dramatically? Is she further aware that since 1990 the amount of CO₂ that has been emitted in Alberta has increased by over 30 percent?

MS DeLONG: Yes, I am very aware of the difference between pollution and greenhouse gases. Greenhouse gases are what we are breathing out right now, CO₂. It's nontoxic. It's naturally occurring.

In fact, plants cannot exist without CO₂. It's something that is required in our environment, and it's totally different from pollution. It's pollution that we need to concentrate on much more than so-called greenhouse gases.

THE ACTING SPEAKER: Hon. member, are you rising to speak?

MS CARLSON: No. A question. Has the time expired?

THE ACTING SPEAKER: I believe the time has now left us.

Before I recognize the next speaker, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**
(*reversion*)

THE ACTING SPEAKER: The hon. Minister of Aboriginal Affairs and Northern Development.

MS CALAHASEN: Well, thank you very much, Mr. Speaker. Today I have the great pleasure of introducing two wonderful ladies who are seated in our members' gallery. One is from my constituency originally, who has now moved to Edmonton. Her name is Kim Thibeault Caudron, and she hails from Jossard, Alberta, where the fair usually is held. With her is a good friend of hers, Yasmine Shaheem, who is from South Australia, visiting Kim in Canada, so she's been touring Alberta the last month to see what it's like. I think we should give them a warm welcome from the Legislative Assembly.

head: **Government Motions**
(*continued*)

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I would like to make just a couple of comments on the information that's been put forward in this motion. First, I would like to note that my constituents in Edmonton-Centre support the ratification of Kyoto.

AN HON. MEMBER: Not all of them.

MS BLAKEMAN: Well, the ones that live there and vote, as compared to the many MLAs that I'm delighted to have actually live in the constituency who maybe vote somewhere else, are very supportive of Kyoto. I want to put that on the record because they've made it very clear to me that they expect me to do that.

Further to that, Motion 33 is not to be seen as an either/or situation. If it is in conjunction with the ratification of Kyoto, then we're all for it. If it's an either/or situation, there is not the support in the constituency of Edmonton-Centre for that.

The next thing I would like to say is: I'm not a federal Liberal. I don't think there's been a cheque that's been cashed in my name to join that party. I want to make that clear, because I know that members of this House are very fond of constantly pitching back on us and attempting to have the provincial Liberals accept responsibility for what's happening on the federal level. I don't think my colleagues here on the Conservative side are any happier with the poor performance of their federal cousins than I am with my federal cousins. So let's just get that on the record.

It also seems to me that to a certain extent part of this debate is about the battle of the scientists, and I will also put it very clearly on

the record that I believe in the science of Kyoto. I believe in the work that's been done by the Intergovernmental Panel on Climate Change. I believe that that's a fair system. The scientists do gather and review published material, and thus far the scientists that have been brought forward by the other side in this House have either not published anything that I can find or, in fact, their work has not been reviewed by the IPCC. So I will take the IPCC science anytime.

Now, when I look at the 12 points here – and I think my colleague for Edmonton-Ellerslie has been quite clear that many of these are pretty self-evident points and hard to disagree with at face value. The trick here is always in the implementation of it and in the interpretation of it. I've now been elected long enough to go through the debates on electrical deregulation and on the privatization of health care, otherwise known as Bill 11 in this House, and know how important it is to get that all written down, because, boy, does the land ever shift underneath your feet once the bill is passed and the government decides to put a different interpretation on things. So nailing down exactly what the interpretation is and what the implementation is is very important, and I'm not hearing that kind of detail coming forward, so I would like to hear it. I hope that in this debate we would have that kind of very detailed information brought forward.

Now, the first point is about consultation. I'm a big proponent of consultation, but I also have to say: just a minute here. This particular issue of climate change has been on the world agenda for a significant period of time. I believe that the first time the scientists met on this was in 1973. Now, that may have not hit the world newspapers at that time, but certainly we can start counting from 1988. Most definitely we can count from 1992, which was the Rio summit, which resulted in the beginning of what we know as the Kyoto protocol.

3:50

So, you know, frankly, unless you've been living somewhere without access to any kind of mass communication, I see no reason why people would not have had an ample opportunity to read and consider or to watch and consider or to listen and consider what's being brought forward in this debate. I don't know how much more consultation is being anticipated by this point 1, and perhaps the minister can fill in the gap there. There have been, as I pointed out, at least 10 years of world discussion on this. How many more years does he want to see happen? All Kyoto does is agree on a target. We can keep talking for some time about how we wish to implement it, but let's be realistic. That's what Kyoto does: it agrees on a target. We can continue to talk, if you like, on the implementation of it.

The second point is asking about the mitigation. Just let me get the exact wording here.

The plan must ensure that no region or jurisdiction shall be asked to bear an unreasonable share of the burden and no industry, sector, or region should be treated unfairly. The costs and impacts . . . must be clear, reasonable, achievable, and economically sustainable. The plan must incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives.

This is where I start to sense the differences that are applied between how this government wants to be treated and how this government treats others. Certainly, I don't know how realistic it is to be insisting that there be federally funded mitigation and, at the same time, to be insisting that all these natural resources are ours. That strikes me as a schism in thought here and a gap in logic. It seems to me that we're more than happy to take the wealth of the bonanza that's left under our feet, but there is no wish to be responsible for the by-products of that wealth. This doesn't stop us from making money from oil, but I think we have to recognize the responsibility

for what that product of oil does and to accept that. If we want to own and benefit from this, then we're going to have to shoulder some of the responsibilities for the damages of it.

Section 3 is talking about respecting provincial and territorial jurisdiction. Well, supposedly, or on the surface of it, an obvious point. But, again, I have no reason to trust, and based on two extensive debates in this Assembly on electrical deregulation and the privatization of health care, I have triple no reason to trust this government on blank statements like that on blank cheques. So I would like to know exactly what they are anticipating by that.

When we look at principle 4, the plan includes "recognition of real emission reductions that have been achieved." Of course, an obvious point. If people have done the work, they should get credit for it.

Principle 5: providing for "bilateral or multilateral agreements between provinces and territories and with the federal government." Fine.

Now, principle 6. "The plan must ensure that no province or territory bears the financial risk of federal climate change commitments." This is a very interesting one. I think that when we in Alberta have had the advantage of being able to emit and take up much more of the atmospheric ability to recover from greenhouse gas emissions, we have to take that proportionate share of the costs for it. I am interested in knowing if that is what is anticipated and is what is accepted by the government on this particular point. I think that if the government is saying, "Well, we want all the advantage of being able to continue to do whatever we're doing without shouldering the appropriate economic and whatever else is involved proportionate to what we are emitting," I think there's a problem here. I'm perfectly willing to say: it all has to be fair and equitable. Indeed it does have to be fair and equitable. I think the risk is greater of not doing anything and of being left behind. In this struggle against ratifying Kyoto, my concern as an Albertan is that this government resists so strongly, digs their heels in so strongly, that, in fact, we could be left behind, and I think that's a greater economic disadvantage than what's being considered here.

Principle 7. The government plan recognizes "benefits from assets such as forest and agricultural sinks." This one, I think, is a very good one, because while we in Alberta have the accidental bonanza of oil and gas under our feet, those provinces that have taken steps to preserve or expand their carbon sinks through their forestry management or their agricultural management policies should definitely be given credit for doing that. Conversely, in Alberta if there's been any evidence that we have put forward policies that took away from or reduced our forest or agricultural sinks, then we have to pay the appropriate price that goes with that.

Points 8, 9, 10, 11, and 12 are, you know, evident: yes, sure, fine, wonderful, delightful, excellent. But when we get to the section "Be it further resolved," where it's talking about denouncing "any unilateral ratification by the federal government of the Kyoto protocol in violation of the principles of constitutional law," et cetera, this is where I and my constituents come to a full stop in being able to support the government. As I said when I started, this is not an either/or debate for us. We very clearly stand for ratification of Kyoto, and let me be clear here. I have not had one letter, e-mail, phone call, or in-person encounter with a constituent who was not in favour of ratifying Kyoto. I have had e-mails, letters, phone calls, and in-person encounters with constituents who very clearly have asked me to support Kyoto. So I want to be very clear that that's where my constituents are coming from.

What I see involved in this "Be it further resolved" paragraph that is at the end is a form of provincial NIMBYism, and I question whether the province has any intention of moving forward on this

seeing as we have a government that is still disputing the science of this, that is still saying: no, we'll bring our own scientists forward. Again I say that we have 2,000 of the world's best scientists that have put their heads together. They've done reviews, and they've come to a consensus on the statements they put forward on the science of this, and we still have the government going: well, we don't believe them. I'm sorry, but I'll bet those 2,000 scientists against the 74 members of the Conservative caucus any day. If we're going to talk about the science of this, that's where I'm going to go, with the IPCC.

Let me give you an analogy. If we had a neighbour in our community who was growing noxious weeds or sorting manure or something particularly unpleasant in their backyard, as a society we look to the local authority to come in and say: clean that up, or we're going to do it for you. If they don't clean it up, then, in fact, the local authority does clean it up and bills them for it, and we are partly in that situation or could move into that situation with Alberta. So I would hope that Alberta would move forward and would work with the federal government in this ratification.

I think that in this instance I'm glad I live in a federation. I'm glad that there is another authority that can speak for me and that can speak for my constituents. We do end up with instances and different issues in this federation that have arisen from time to time where a province may take a point of view that in fact does not fit with the rest of the country, and I see that happening here on this issue of climate change and the ratification of Kyoto. I'm with the ratification of it.

So I just wanted to give that input into this debate, and I appreciate the opportunity for having been able to speak to it. Thank you.

THE ACTING SPEAKER: Under Standing Order 29(2) we have five minutes for questions to the hon. member. The hon. Member for Edmonton-Ellerslie.

4:00

MS CARLSON: Thank you, Mr. Speaker. I welcome this opportunity to ask the Member for Edmonton-Centre a question. Of those constituents to whom you have talked to about this issue, could you share with us what their thoughts are on how the Alberta government has handled their communication plan in regard to both the content and the cost?

MS BLAKEMAN: If I have to synthesize what I heard, putting it all together, then it would be people's concern that they were being given a massive propaganda rollout. Again, they were looking for the science of it. What people have talked to me about is going to town halls that have been sponsored on Kyoto, reading up on as much as they could get, phoning in to radio stations, and participating in debates that way. Their level of understanding of the issue was much higher than I had expected, frankly, and in a number of cases they had a better grasp than I did at the time. So they were . . .

THE ACTING SPEAKER: Hon. member, this opportunity is to exchange very brief questions and answers. It's five minutes to be allocated with different members.

MS BLAKEMAN: Okay. I'm still just trying to answer the question.

MS CARLSON: Point of order, Mr. Speaker, under Standing Order 13(2).

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

Point of Order

Explanation of Speaker's Ruling

MS CARLSON: Could you explain that ruling in a little more detail? We have had a series of questions asked in this Assembly where both the question and the answer were of greater duration than the one we just heard.

THE ACTING SPEAKER: Hon. member, are you rising on a point of order or a point of clarification?

MS CARLSON: Well, it's a point of order under Standing Order 13(2), which asks the Speaker to further clarify his comments.

THE ACTING SPEAKER: Anybody else on the point of order?

Standing Order 29(2) allows five minutes for questions and answers, back and forth. This is an opportunity for at least three or four or five members to ask questions, and if it's going to be a four- or five-member inclusion, it has to be succinct. Therefore, more people can ask questions and receive answers. That has been the tradition of the five minutes that has been allocated until now, and I believe that we would like to continue in that light.

The hon. Member for Grande Prairie-Smoky.

Debate Continued

MR. KNIGHT: Thank you, Mr. Speaker. I would like to ask a question of the member opposite with respect to the resolution before us or, at least, the motion that speaks to the resolution. I don't see anything in that resolution that says federal. What it says is "a national plan." A national plan indicates a plan that would be a partnership. It's a national plan; it's not a federal-against-provincial resolution. So my question is: given that this is a national plan, would we expect that the risks and rewards should be shared?

MS BLAKEMAN: In responding to the first part of the question on why I had referenced "federal" rather than "national," I'm reacting to the words that are used in the document. Section 5: "The plan must provide for bilateral or multilateral agreements between provinces and territories and with the federal government." Principle 6: "The plan must ensure that no province or territory bears the financial risk of federal climate change commitments." Under "Be it further resolved," about four lines in: "denounces any unilateral ratification," et cetera, et cetera, "constitutional law, convention, federalism." So I was referring to the federal government and federalism because it is referenced, as you can see, a number of times in the document.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. Could the Member for Edmonton-Centre tell us if her constituents want the government to spend any more money on an information campaign other than the \$3 million plus they've already spent?

MS BLAKEMAN: No, they don't. As I mentioned, they're very concerned with what they see as very one-sided propaganda and again referencing other attempts by this government in the recent past with Bill 11 and the electricity deregulation, both of which had massive government propaganda rollouts. The figure, my constituents are saying, is \$5 million, not \$3 million, including the costs of

agency fees for development of television ads and the payment of those ads and the radio ads.

Thank you.

THE ACTING SPEAKER: Hon. Member for Grande Prairie-Smoky, did you want to rise on a question?

MR. KNIGHT: No. Thank you.

THE ACTING SPEAKER: Hon. Member for Red Deer-North, are you rising on a question?

MRS. JABLONSKI: Yes. I just wonder if the Member for Edmonton-Centre knows what percentage of her constituents are oil field workers?

MS BLAKEMAN: Most of my constituents, a lot of them, work in the service industry and retail sector. There are not many oil field workers; it's a fairly small percentage. Most of my constituents are retail and service workers and then in a professional strata – dentists, lawyers, doctors, accountants – plus 13 percent are retired people. For oil field workers I don't have a definitive number for you, but I don't think it's a high number.

THE ACTING SPEAKER: Before I recognize the next speaker, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE ACTING SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Thank you very much, Mr. Speaker. In the members' gallery this afternoon are a couple of people I have the honour to introduce to you and through you to the members of the Legislature. Nychcole Penny is a young woman from Lethbridge that happens to work in the Lethbridge-West constituency office. She's accompanied today by Ace Northcott and also accompanied by my executive assistant, Shelby MacLeod. Please provide them a warm welcome.

head: **Government Motions**

(continued)

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. What is Canada? Canada is a country made up of ordinary people living ordinary lives. Canada is a country made up of ordinary people who stick to their guns or, more politically correct, who stick to their principles. Principles are fundamental truths. They are primary elements. Without principles we are like driftwood floating on the sea: going somewhere but going nowhere at the same time.

Before us today we have a resolution introduced by the Minister of International and Intergovernmental Relations that upholds 12 principles. Like the 12 days of Christmas these principles bring us a gift of reason that will protect all Canadians from those who are without reason. Mr. Speaker, everyone here today will agree that the environment is a priority and we must take action to protect it, but taking action that does more harm to this country than good is incomprehensible. I find these principles to be straightforward and

sensible, principles that every Canadian can easily understand. There is nothing hidden or secret, as my opposition colleagues have alluded to.

The first principle: "All Canadians must have an opportunity for full and informed input into the development of the plan." Are there any Canadians who would oppose this? The first principle of the national climate change action plan is not up for debate. Canadians want to be informed, and they want input.

The second principle:

The plan must ensure that no region or jurisdiction shall be asked to bear an unreasonable share of the burden and no industry, sector, or region shall be treated unfairly. The costs and impacts on individuals, businesses, and industries must be clear, reasonable, achievable, and economically sustainable. The plan must incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives.

No region shall "bear an unreasonable share of the burden." Since all regions are required to share through federal transfer payments by giving or receiving, this burden, too, should be shared for no region of Canada is more equal than another.

4:10

"No industry, sector, or region shall be treated unfairly." Do Canadians believe in the universal golden rule, "Do unto others as you would have them do unto you"? You bet they do. This country is made up of a majority of people who use this as their guiding principle. We are just asking to extend that principle to industries, sectors, and regions.

"The costs and impacts on individuals, businesses, and industries must be clear, reasonable, achievable, and economically sustainable." Tell me how much it costs. Can I afford it? Will I be able to make the payments? Every Canadian asks these questions. These are principles we use every day in our lives. These principles need to speak to Albertans and to all Canadians, for even the scientific elite have not yet reached a consensus.

In the final clause of the second principle it asks that the plan "incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives." This principle is one that has not been accepted by the federal government, but it shouldn't be too difficult, because I heard the federal Minister of the Environment say that they ran the numbers over and over and over and all they could determine is that the costs will increase by 3 cents a barrel. If the federal Minister of the Environment truly believes his own words, then he should have no problem accepting this principle.

The third principle asks that the plan "respect provincial and territorial jurisdiction." No Canadian would expect this line to be crossed. We pay our taxes through an honour system, and that system works. That's because Canadians live by their principles, and principle 3 is one principle of one truth that holds this regionalized federation together. This principle is ignored at the peril of our Canadian federation.

The fourth principle states that "the plan must include recognition of real emission reductions that have been achieved since 1990 or will be achieved thereafter." All the work and effort that has been developed since 1990 or thereafter cannot be ignored. This is a simple principle. We have taken positive action to protect our environment up to now, and this should be recognized. Do you think that those who live in the mountains, by the rivers and forests love and appreciate their environment less than those who live in the brown air of Burlington or the smog of Toronto? We know how beautiful and precious our environment is. We congregate every weekend to pay homage to the beauty of the rivers, the lakes, and the wilderness. We see the belching smokestacks of Sarnia, Ontario, in CBC presentations on Kyoto. We know we don't want that for our

environment, and we have worked hard to prevent that from becoming part of our landscape. Recognizing the emissions reductions that we have painstakingly achieved since 1990 is the right thing to do.

The fifth principle states that “the plan must provide for bilateral or multilateral agreements between provinces and territories and with the federal government.” Is there anything new here? Is this not how Confederation has succeeded for the last 135 years? Mr. Speaker, this principle is what makes Canada great. It’s what keeps Canada together.

The sixth principle states that “the plan must ensure that no province or territory bears the financial risk of federal climate change commitments.” The Prime Minister and the federal Minister of the Environment have told us that the effects of the Kyoto protocol implementation plan will be minimal. They should have no problem accepting principle 6.

The seventh principle states that “the plan must recognize that benefits from assets such as forest and agricultural sinks must accrue to the province and territory which owns the assets.” Mr. Speaker, when I invest in RRSPs and I earn interest, I keep the benefits of my assets minus the income tax, of course. This principle, like others, is simply common sense. This one has not been agreed to yet, which I don’t understand. Why argue over this principle if the impact of the Kyoto protocol will be barely noticeable, as stated by federal officials?

The eighth principle states that “the plan must support innovation and new technology.”

MR. DOERKSEN: Right on.

MRS. JABLONSKI: Now, I know that my colleague from Red Deer-South, the Minister of Innovation and Science, is pleased with this principle. So are all Canadians. Innovation and new technology are the lifelines to the future. This, Mr. Speaker, is as fundamental as the other principles.

The ninth principle states that “the plan must maintain the economic competitiveness of Canadian business and industry.” Mr. Speaker, I heard the Prime Minister say himself that he would not tear down what he has helped to build. Would the federal government destroy its provinces? Would the federal government execute a power play that will end up in penalties that will throw Alberta and other provinces out of the game?

Principle 10: “Canada must continue to demand recognition of clean energy exports.” Our clean energy exports must be recognized by the international climate cops. An agreement that does not recognize these clean energy exports is one-sided, unequal, and punitive.

Principle 11: Provide “incentives for all citizens, communities, businesses, and jurisdictions to make the shift to an economy based on renewable and other clean energy, lower emissions, and sustainable practices across sectors.” Provide incentives. What a brilliant idea. The entire capitalist system is based on incentives, and besides we pay enough taxes now to provide incentives for good clean energy. If we would only shift payment from unnecessary projects and questionable printing jobs to clean energy incentives.

Principle 12: In implementing a climate change plan we must include an incentive and allocation system that supports lower carbon emission sources of energy such as hydroelectricity, wind power generation, ethanol, and renewable and other clean sources of energy.

We encourage development and design. Once again this 12th principle is fundamental to change.

Mr. Speaker, this land is your land. This land is my land. It is

ours to work with, to play with, and to keep safe. The federal government knows that without the power to unilaterally implement Kyoto, their treaty promises will only be effective to the extent that the provinces agree to implement the plan. We know that the Canadian Constitution gives the federal government the authority to ratify an international treaty such as the Kyoto protocol, but implementation depends on the agreement and co-operation of the provinces.

Mr. Speaker, it is in the best interests of Canada that the federal government accept these 12 principles agreed to by all provinces and territories on October 28 of this year to provide the basis for the development of a national climate change action plan.

The Prime Minister of Canada needs to accept these principles. The Prime Minister does not want a black legacy. The Prime Minister does not want to push westerners to the breaking point. Even the supporters of the Kyoto protocol do not believe that the protocol would in itself reduce the planet’s temperatures. Is this dispute all about power?

Mr. Speaker, for the good of Canada, for the good of the people of Canada – the farmers, the mechanics, the auto workers, the steel workers, the labourers, and all Canadians – I respectfully demand that the government of Canada accept these 12 principles for the development of a national climate change action plan. For what is Canada if not a democracy of the people who stick to their principles?

THE ACTING SPEAKER: Under Standing Order 29(2) five minutes for questions. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. At one point the hon. member referred to something which I heard her to say was “questionable printing jobs.” Now, did she have in mind the questionnaire on the future of the heritage trust fund that the Minister of Revenue has distributed?

MRS. JABLONSKI: Thank you for the question. Mr. Speaker, I was more referring to the printing jobs that were paid for by the federal government that didn’t get done, that didn’t get completed, that were more than one, and that were given to people that I’m not sure deserved to have the job appointed to them.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am quite happy to ask a question with a very short preamble. This government supports royalty holidays and royalty reductions and tax incentives and tax reductions and all kinds of things of that nature on the business side, so it’s a surprise to me that they are not prepared to support a retrofit program for consumers. Does this member support some sort of a loan program or a grant program for consumers to do retrofits on their homes? Something that provides an incentive for us to move forward on this issue.

4:20

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. I certainly support doing retrofits to our homes. For example, we can all do simple things like replacing the light bulbs with the energy-efficient light bulbs. We can make sure that we don’t have those drafts going through our homes. I think that because this is an initiative of the federal government and it’s the federal government that’s insisting

that we go through with this at their rate of timing, then the federal government should step up to the plate and have some of these grants issued to all people in Canada.

DR. PANNU: Mr. Speaker, I have a question for the hon. member. I heard her supporting these 12 principles. It seems to me that these 12 principles really would provide a very good framework for implementing Kyoto, not ratifying Kyoto. Is my understanding, therefore, right, that the hon. member's support for all these principles is, in fact, a support for ratifying Kyoto and the moving on to implementation?

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. I do not support the ratification of the Kyoto protocol. I think it's the wrong thing to do; however, I've also been informed time after time that the federal government is going to ratify. So instead of pouting or sitting back and saying, "I'm not going to play with you anymore," then I think that we're doing the right thing by saying, "If we have to go through with this, if you're going to do this, then at least recognize what all of your provinces and all of your territories" – and, you know, every single Canadian lives in a province or territory – "have said and what they've agreed to, and at least let us have that much input to something we don't agree with."

MR. HUTTON: I'd like to ask the hon. Member for Red Deer-North if her constituents have been contacting her with regard to the Kyoto protocol and if they are supportive of it at all?

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you. I have been contacted by a number of my constituents, and the majority of my constituents are not in favour of the Kyoto protocol. As you know, the MP from the Red Deer area is Bob Mills – is he still standing? – and he is breaking records in the House of Commons to let the people of Canada know what the people in Red Deer and central Alberta think of the Kyoto agreement.

THE ACTING SPEAKER: Hon. Member for Calgary-Currie, are you rising with a question?

MR. LORD: No.

THE ACTING SPEAKER: There being no further questions, the hon. Member for Edmonton-Highlands has been . . .

MR. MASON: I have a question if there's still time, Mr. Speaker.

THE ACTING SPEAKER: Yes.

MR. MASON: To the hon. Member for Red Deer-North: does that mean that the hon. member supports filibusters by the opposition when they feel that something is seriously wrong with what the government is proposing?

MRS. JABLONSKI: Mr. Speaker, when it becomes necessary to repeat over and over and over again to people who have a hearing problem, I would agree with a filibuster.

THE ACTING SPEAKER: The chair now recognizes the hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to speak to this particular resolution. I must indicate that I really had hoped to ask that question of a minister, because the great glee with which members opposite are following the filibuster in the House of Commons fills me with hope that we may, in fact, at some point be able to match the performance of the hon. member. [interjections] One can always try; can't one? That certainly gives us something to shoot towards, and we'll see how the government likes it.

Mr. Speaker, I want to begin by talking a little bit about the path not chosen by Alberta about 12 years ago. There's a report that has been circulated and tabled in the House called A Discussion Paper on the Potential For Reducing CO₂ Emissions In Alberta, 1988-2005. It was produced by the energy efficiency branch of the Alberta Department of Energy in September of 1990. That energy efficiency branch was one of the first victims of the cuts by the Klein government in the early and middle 1990s.

AN HON. MEMBER: Whose government, Brian?

MR. MASON: That was the Klein government.

MS HALEY: You referred to people by their names here instead of their ridings.

MR. MASON: Then I apologize, Mr. Speaker. The current regime.

There are a couple of points, Mr. Speaker, that are interesting. The summary of results from this report indicated that retrofit energy conservation measures in 1998 could achieve a savings of 250 PJ of fossil fuels and 21,639 gigawatts of electrical energy. The capital cost of doing so would be \$6.7 billion and would result in a first-year saving of \$2.2 billion per year. The average payback of the investment would be 3.1 years.

It goes on to say that adding future energy savings potential, the province's 2005 total fossil fuel use would grow by 11 percent of the 1988 level, down from an estimated growth of 38 percent with no energy conservation measures. I might add, Mr. Speaker, that that was a fairly accurate prediction because, in fact, there were no serious energy conservation measures adopted when this report was produced. Electrical use would decrease by 48 percent of 1988 levels by 2005. The overall result would be a net decrease in Alberta's energy use.

So we see, Mr. Speaker, that, in fact, the government's own report 12 years ago showed that Kyoto targets could easily have been met with a substantial saving to the Alberta government. It leaves us wondering why the government is trying to create the impression among Albertans that implementing Kyoto now would have a devastating effect on Alberta's economy. This is the road that the government chose not to take and thereby, by following the other fork in the road, have landed us in the position that we now find ourselves.

The second point I want to make, Mr. Speaker, is that the federal government also chose the easy road at the time. Even though the federal government participated in a series of discussions internationally and ultimately in negotiation of the Kyoto accord, they have failed since that time to take any significant efforts either. With these efforts that Alberta could have taken, the results would have been magnified tenfold by the federal government had they also taken action at that time.

The federal government has also failed to engage the entire country, including the provinces, in a serious negotiation and discussion about the future of the country under climate change. The federal government bears, in our view, a very significant responsibility for the current serious situation that has arisen around Kyoto. Only at the last minute did they start doing any advertising

or communication about the accord. Now, Mr. Speaker, it's not good enough on an issue of this much seriousness to wait until the Grey Cup to start talking to Canadians about the effect of climate change. So we certainly think that the federal government is as culpable in this situation as this provincial government.

Now, I certainly think that we should be working co-operatively, in a co-operative federal manner, and I will say one thing in the federal government's defence, and that is that the provincial government of Alberta has waged guerrilla warfare against the Kyoto accord. They claim to want a made-in-Canada solution, but what they really want, Mr. Speaker, is just to kill the Kyoto accord. That's always what they've wanted, and they don't want to hear how it could be implemented in a way that would not damage the economy of this province. They simply want to kill it. So you have to ask yourself who they're acting on behalf of, whether or not they're actually acting for the people of Alberta or whether they are acting on behalf of oil companies based in Texas.

4:30

The government strategy of guerilla warfare has involved resigning from federal bodies that are charged with assessing economic impacts of Kyoto long before the federal government indicated that it was prepared to unilaterally ratify the treaty. It has involved things as crude as portraying chance meetings in hotel lobbies with federal ministers as international snubs designed to destroy relationships with the province of Alberta.

Now, I want to deal with Bill 32 for just a minute, Mr. Speaker. I find that it's very curious that this bill, which would have had to pass through committee stage and would have allowed extended opportunities such as those that have been grasped by the federal member for Red Deer – it has been now indicated that they're going to let this supposedly flagship piece of legislation die on the Order Paper. Why is that? They introduced this bill as if it was the centrepiece of Alberta strategy to fight the implementation of Kyoto, and now they're just going to quietly let it die after second reading, and instead they brought forward this particular resolution.

Well, I think the first thing is that there would have been an opportunity for the opposition to present amendments and to debate it at some length, and the government doesn't want that to happen. But I also think that it is such a flimsy piece of legislation that it would have been laughed out of the courts. For example, the whereas clause:

Whereas carbon dioxide and methane are natural resources, are not toxic under atmospheric conditions and are inextricably linked with the management of other renewable and non-renewable natural resources, including sinks,

and then corresponding clauses in the legislation claim that as these are so-called natural resources, the government of Alberta therefore owns them. That this is going to provide the basis of a constitutional challenge is, quite frankly, Mr. Speaker, a complete joke. If you want to use carbon dioxide in an industrial process, you might be able to make the case, but of course 99 percent of CO₂ is going to continue to be released into the atmosphere as a nontoxic waste product, and no court, not even one in Alberta appointed by this government, would accept such a ludicrous proposition. So I think the government saw that the bill that they had indicated was their key and paramount piece of legislation in their strategy for dealing with Kyoto was laughable, and as a result they're going to let it die.

But suppose I'm wrong, Mr. Speaker. Suppose it is, in fact, a really important piece of Alberta strategy. Then why would the government let this particular piece of legislation die if it's so critical to the future of this province at this very, very critical juncture for Alberta and for the country?

[The Speaker in the chair]

I want to indicate, Mr. Speaker, that the resolution before us is a substitute for the first failed attempt of the government to launch a pro-Kyoto strategy. It served, I suppose, rather well as a forum for the Premier to stand in this Assembly and make attacks on the opposition and on the federal government and to encourage Albertans to be dissatisfied with the federal government. I think that the government's actions in this regard have been irresponsible and have stirred up a lot of anti-Canadian sentiment in this province completely unnecessarily.

Now, there are 12 principles contained in the resolution, and it may surprise some members opposite to know that we've gone through them in our caucus, and we are of the view that we can support these 12 principles. There are some that are harder to swallow than others, and there are some that are quite excellent as a statement, as we see it, of all of the Premiers and all of the governments of this country. They talk about how the provinces need to be taken into account, in our view, in a plan to implement the Kyoto accord. So if we just took these 12 principles alone, it would indicate, in our view, support for a rational and fair approach to ratifying Kyoto. But the government, of course, doesn't want that, Mr. Speaker, so they have added a 13th principle.

That 13th principle is contained in the "be it resolved" clause where it says: unilateral ratification of Kyoto "in violation of the principles of constitutional law" and so on and so on "that affect matters of exclusive provincial jurisdiction," which they now are calling CO₂, or that require actions by provinces that could be harmful to the economy of Alberta and so on. So they've added a principle. This is not one that the other provinces have agreed to. This is something that they've added as a "be it resolved" clause.

So, Mr. Speaker, I would like to introduce an amendment to this resolution on behalf of my colleague the hon. Member for Edmonton-Strathcona. I have copies here. It's to amend Government Motion 33. The motion is amended by striking out the final paragraph, beginning "and be it further resolved that this Assembly . . ." I will provide the requisite copies of this particular amendment, which can be distributed now.

Mr. Speaker, would you like to wait while this is being distributed and resume my time at that point?

THE SPEAKER: Well, hon. member, as I understand it, the amendment the member will be circulating essentially says to delete the paragraph contained in Motion 33.

MR. MASON: That is correct.

THE SPEAKER: Well, then, on that basis, you continue with the understanding that nothing can come to a conclusion until all hon. members have a chance to see and study it. Continue.

MR. MASON: Thank you very much, Mr. Speaker. Well, I believe that this 13th principle that the government has slipped into the 12 principles that they actually got agreement from the other Premiers on needs to be deleted, and then we can have a straight-up vote on the 12 principles that the government has suggested we're doing. I believe that my amendment ought to be supported by all hon. members so that we can have a clean and fair vote on whether or not we support the 12 principles that have been provided to us that have been agreed to by the other provinces. Certainly, what the implication of the "be it resolved" clause is is that the provincial government of Alberta would have a veto on any federal treaties and the implementation based on spurious principles that CO₂ is somehow

a natural resource and therefore is subject to Alberta's rights under the Constitution.

So, Mr. Speaker, I think the government has been quite underhanded in how they've drafted this resolution. First, they introduce this big bill, which is used only as a bully pulpit by the Premier to attack people that don't agree with him. Then they let it slide off the Order Paper after second reading, not even to be dealt with in this sitting, and this is supposed to be their flagship piece of legislation. Then they introduce this one supporting the 12 principles, but they add their own language that essentially would give the province a veto.

Mr. Speaker, I urge all hon. members to support this amendment. Thank you.

THE SPEAKER: The hon. Government House Leader on the amendment.

MR. HANCOCK: Yes, Mr. Speaker. I will be very brief on the amendment. What the hon. member is doing by proposing this amendment is suggesting that we can support the 12 principles that all provinces and territories in this country have agreed to unanimously, have stressed must be part of a national plan, but that if the federal government doesn't agree and goes ahead to endorse Kyoto and ignores the 12 principles, we should do nothing about it. It goes without saying that we endorse the principles, and we call on the federal government to incorporate those principles into any ratification process or any national plan with respect to dealing with greenhouse gases and climate change.

By not dealing with those principles, Mr. Speaker, it again goes without saying, because it's one of the constitutional principles that's time honoured in this country, that when you enter into an international agreement that deals with issues that fall within provincial jurisdiction, you consult with the provinces. Obviously if they do not agree with those principles, we cannot agree with any plan that they put forward.

4:40

So it makes sense to ask. It's not underhanded at all, but rather it's logical to add the second "be it resolved," that if they do not seek the consent of the provinces, if they do not consult with the provinces, and if they do not accept the 12 principles that have been unanimously agreed to by the provinces and territories of this country, of course we would denounce the unilateral action of the federal government, and I would urge all members to soundly defeat the amendment.

THE SPEAKER: Under our provisions we have debate now on the amendment, and Standing Order 29(2) still applies, so there can be questions to the hon. Minister of Justice and Attorney General.

Is this under the question side?

MR. MASON: Certainly, Mr. Speaker. Yes. It certainly is.

THE SPEAKER: Proceed.

MR. MASON: Can the minister point out to us anywhere in the 12 principles that provides for an individual province on its own to essentially veto a federal treaty?

MR. HANCOCK: Well, Mr. Speaker, it has nothing to do with an individual province vetoing a federal treaty. It's a number of provinces, in fact all of the provinces and the territories, who have agreed that all of these principles ought to be included in any

national plan. The federal government has not accepted to date that all 12 principles ought to be included. Therefore, it's a unilateral plan that they have, and they ought to be denounced as they are being denounced, as I understand it, on an ongoing basis by the Member for Red Deer, who's still on his feet debating this issue in the federal Parliament of Canada and bringing to the attention of the federal Parliament of Canada that they ought to take into account these 12 principles.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. Can the Justice minister and Government House Leader interpret for us the resolves that are being proposed to be deleted and whether or not it would give the province of Alberta the authority on its own to veto federal treaties, a power that Alberta does not even have for constitutional changes?

MR. HANCOCK: Well, Mr. Speaker, that's not the interpretation of the clause at all. The clause says: "in the absence of agreement on a national plan by provinces and territories" – the straight, clear wording of the clause – "denounces any unilateral ratification by the federal government of the Kyoto protocol in violation of the principles of constitutional law." It couldn't be clearer on the face of it that we're not talking about a veto power. What we're talking about is the federal government, before it ratifies any international treaty dealing with greenhouse gases and climate change, agreeing with the provinces and adhering to the 12 principles that are there and, if they don't agree with those 12 principles, at least consulting with the provinces, which is their constitutional duty.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Can the minister, then, define for the Assembly what an agreement on a national plan is? How many provinces need to have bought into it before it's an agreement?

MR. HANCOCK: Well, Mr. Speaker, this one is easy. All of the provinces and territories have agreed to the 12 principles that need to be included in a national plan. So the only one that needs to come to the table now is the federal government, and they ought to come to the table very quickly because all the rest of the provinces and territories are in agreement with what needs to be in the plan.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. With respect, the minister didn't answer the question. It says, "In the absence of agreement on a national plan." Is he saying that if the federal government agrees to these 12 points, then we have a national agreement?

MR. HANCOCK: That would be obvious, Mr. Speaker. All of the provinces and territories have agreed to these 12 principles being the basis of a national plan. If the federal government agreed, I guess we'd have a national plan.

MR. MASON: Okay. That's simple.

THE SPEAKER: Continuing, then, on the debate on the amendment. The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I would like to speak to the amendment. The motion before us is clearly a two-part motion. The

justification for the amendment and speaking in support of the amendment requires me to talk about both parts because they are related. Certainly they are part of the motion before us.

The first part of the motion, of course, asked the Legislative Assembly to endorse the 12 principles agreed to by the provinces and territories on October 28 “to provide the basis for the development of a national climate change action plan.” Since October 28, whenever I have been asked, I have said that I support these 12 principles as a basis for a national climate change plan. In fact, many of the 12 principles mirror the positions taken by the New Democrat opposition in the Kyoto position paper that we released this last September.

For example, principle 1 says that “Canadians must have an opportunity for full and informed input into the development” of a climate change plan. We agree. We state that in our position paper. In fact, in my speech on Bill 32 yesterday afternoon I tore a strip off the federal government. It’s been five years since the federal government signed on to the Kyoto protocol, which is the global community response to the threat posed by human-induced climate change. Yet it is only in the past few weeks that the federal government began communicating with Canadians on the importance of taking meaningful action to reduce greenhouse gas emissions, which are contributing to global warming. To be blunt, the federal Liberals have blown it when it comes to exercising responsible leadership on the climate change issue, Mr. Speaker.

The New Democrats strongly support principle 2, which requires that “no region or jurisdiction shall be asked to bear an unreasonable burden,” and they should be treated fairly. We agree, and we have been saying this from day 1. Instead of mindless opposition and scare mongering, we have urged the provincial Tories to defend Alberta’s interests when it comes to the implementation of the Kyoto protocol.

Principle 3, Mr. Speaker, says that “the plan must respect provincial and territorial jurisdiction.” Again, we agree absolutely. At the same time, we have been critical of the Tories’ attempt through Bill 32 to claim provincial ownership of environmental pollutants.

Principle 4 says that any plan must recognize “real emission reductions” achieved by forward-looking companies since 1990. We agree. We believe that companies like Suncor and BP should not be penalized for being proactive in reducing emissions compared to companies like Talisman and Imperial Oil, that have been dragging their heels.

Principles 5, 6 and 7 deal with federal and provincial matters when it comes to intergovernmental agreements, bearing financial risks, and benefits of agricultural and forest carbon sinks. One positive win for Canada in the negotiations of the Kyoto protocol and mechanisms was the recognition that our agricultural and forest lands capture carbon and, therefore, contribute to fighting climate change. In fact, the recognition of carbon sinks will take us 10 percent or more on the path to meeting our Kyoto targets.

Principles 8 and 9 say that any climate change plan must support innovation, new technology, and improving economic competitiveness. Couldn’t agree more, Mr. Speaker, with this principle. The Alberta-based Pembina Institute has published an excellent study detailing how meeting greenhouse reduction targets will spur innovation, development of new technology, and thereby improve the underlying competitiveness of the Canadian and Alberta economies. The Pembina Institute study also points out that when previous environmental agreements were being negotiated – such as the ban on leaded gasoline, the ban on CFCs to protect the ozone layer, and the UN/Canada acid rain treaty – powerful vested interests predicted economic doom. What actually happened is that the costs of meeting those targets set out in the above treaties were way lower

than the critics said they would be. More importantly, these treaties not only reduced pollution; they spurred innovation and improved our economic competitiveness.

We do not oppose principle 10, which urges the federal government to “demand [the] recognition of clean energy exports.” However, I must point out that it would be much easier for Canada to achieve the recognition if the Bush administration reversed its position and ratified Kyoto. That’s because most of our clean energy exports go to the U.S.

Finally, principles 11 and 12 advocate using sort of incentives to achieve greenhouse gas reductions, not penalties. We also agree that it’s much better to use a carrot than a stick.

The New Democrats support the first “be it resolved” that endorses the 12 principles, but unfortunately this Tory government couldn’t leave these things well alone. They had to go further. The upshot of the second “be it further resolved” is to prevent the federal government from ratifying the Kyoto protocol unless all of the provinces consent. Even this might be acceptable if the Alberta government were willing, Mr. Speaker, at the end of a successful conclusion of this process to support going forward with Kyoto ratification. But we all know that this is not the case.

4:50

The Tory government’s agenda is not to develop an acceptable Kyoto implementation. The Tory government’s agenda is to kill Kyoto, not to enter into negotiations to seek its ratification on terms that would be acceptable to Alberta. That is why this second “be it further resolved” is a cynical ploy. I should remind members that had such a provision been in place during the free trade debate, that particular agreement would never have been signed. More than one province was opposed to the free trade agreement, yet the Mulroney government moved forward with it. The same thing applies to the UN convention on the rights of the child, which the Alberta government opposed prior to its federal ratification. We can’t support the second “be it further resolved”. It’s that simple, Mr. Speaker.

That is why I speak in support of the amendment that was moved on my behalf by the hon. Member for Edmonton-Highlands, and I urge all members to support it.

Thank you.

THE SPEAKER: The provisions of Standing Order 29(2) now kick in, and we will recognize the hon. Member for Edmonton-Highlands in the question portion.

MR. MASON: Thank you very much, Mr. Speaker. Does the leader of the third party and the Member for Edmonton-Strathcona – I believe that the 12 principles are a framework for a discussion of the ratification of the Kyoto accord. Could the Kyoto accord be approved consistent with these 12 principles, in your view?

DR. PANNU: Mr. Speaker, there are 10 provinces and two territories which are partners to this draft of 12 principles. I’m assuming that the government of Quebec and the government of Manitoba, which support ratification of the Kyoto agreement, have signed on to these 12 principles on the assumption that these 12 principles will ultimately provide a reasonable framework not only for ratification but moving beyond that to implementation.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands again.

MR. MASON: Thank you very much, Mr. Speaker. I would like to

thank the hon. leader of the third party for that most illuminating and outstanding answer to my question. You don't often get an answer like that in this place.

Now, my second question to the hon. member has to do with whether or not he believes that the Alberta government has ever been serious about the Kyoto accord or climate change, for that matter.

THE SPEAKER: I will recognize the hon. Member for Edmonton-Strathcona to respond, but if that would have been a question in question period, in all likelihood it would have been ruled out because the hon. Member for Edmonton-Highlands is seeking an opinion.

DR. PANNU: Mr. Speaker, before I answer the question, I want to thank the Member for Edmonton-Highlands for the compliments that he was so generous to offer in response to my first answer.

I think the question that my hon. colleague has asked is a very important one. I think Albertans need to know what the Alberta government's position has been on this issue, starting in Rio. This government sent its contingent of ministers there to oppose any steps being taken by the international community in Rio, then it packed up two members to Kyoto to again do the same: to oppose the conclusion by the international community of an agreement, of an accord which we now know as the Kyoto protocol.

This government had never any intention – quite the contrary, it had every intention to oppose and defeat any action taken globally by the international community to deal with global warming, which indeed, Mr. Speaker, is a global problem. I regret to mention this: the behaviour of this government on this issue has been anything but honest and honourable.

Thank you.

MS DeLONG: I would like to ask the hon. member whether he thinks it's more important to pay lip service to the environment or to clean up the environment. The Alberta government has been exemplary in cleaning up our air and cleaning up our water, and we have actually done it as opposed to what's happening with Kyoto, where it's all a bunch of hot air and CO₂.

THE SPEAKER: The question is to the hon. Member for Edmonton-Strathcona. We still have 38 seconds.

DR. PANNU: Mr. Speaker, I think the hon. member's question is rhetorical. I think we are talking about greenhouse gas emissions. The issue of greenhouse gas emissions is one on which there is powerful scientific evidence and advice, and that is that greenhouse gas emissions stand in and by themselves as a serious threat to economic well-being, to our environmental well-being, and the scientific warrant for making that statement is so powerful, so overwhelming that there's no room for any questions on this. So I say to the member that the GEs are a serious issue, and the government of Alberta is afraid to do anything about it.

Thank you.

THE SPEAKER: We're back to the debate on the amendment to the motion. Well, the question is being called. Then we'll now proceed to the debate with respect to this. We are now on an amendment to Motion 33, an amendment moved by the hon. Member for Edmonton-Highlands on behalf of the hon. Member for Edmonton-Strathcona.

[Motion on amendment lost]

THE SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. It's my great pleasure to rise today to speak to one of the many and perhaps more controversial issues of our time: the worldwide climate change debate surrounding the Kyoto protocol and how it relates to the 12 climate change principles that are before us today.

Mr. Speaker, I have heard a lot of discussion and debate on this issue. The facts of this or any other matter are that no one – no one – ever has a monopoly on the truth: not us, not them. But unfortunately, as is often the case, sometimes some think they do, and this makes it much more difficult for us as a society to find the best way to proceed in a focused and united manner. In cases like this I am mindful of a quote attributed to Vaclav Havel which states, "Follow those who seek the truth but flee from those who have found it."

Having heard much of this debate and, beyond that, having had quite a bit of background history dealing with these issues personally, Mr. Speaker, I have reached the conclusion that it would be far better for the federal government to not ratify the Kyoto protocol at this time or, at the very least, until such time as Canadians coast to coast have had a chance to start developing some sort of informed national consensus on how it is to be handled and until such time as the investor and consumer uncertainties which have been created by this argument have been alleviated and confidence in our economy and in our abilities to meet this challenge restored. Federal government acceptance of the 12 principles before us today would go a long way towards doing exactly that.

Now, Mr. Speaker, I know there are many who are disappointed with our government's position and worry that Canada might even end up getting blamed by the entire world for cratering Kyoto, since apparently our vote is a very critical one. Not surprisingly, we have seen a lot of emotional, angry opposition to our position; however, I have observed that this opposition mostly tends to start with an assumption that we Alberta politicians on this side of the House are neither intelligent nor competent, that we haven't done our homework on this issue, and that somehow we need to be educated on the facts. Well, nothing could be further from the truth. Any person who attempts to influence a government starting with an assumption that we lack intelligence because we do not share their point of view is making a serious error in judgment, in my opinion. I believe that there's not one single person in this entire Assembly – and I'll graciously include all members of the opposition parties in that – who is not blessed with exceptional intelligence. They simply would never have been elected otherwise. Besides, starting with a position of respect for everyone is always more effective than not, in my view.

5:00

We as a government have reached our conclusions about Kyoto not out of a base of ignorance but rather out of a base of experience, of knowledge, and of a caring viewpoint that encompasses a wide rather than a narrow range of stakeholder concerns. Of course, having said that, I realize that federal government politicians may well want to give us the same advice about them but perhaps I should add: there are always exceptions to every rule.

Mr. Speaker, I decided that it might be helpful in my comments today to put forward a few of the best points on both sides of this argument to demonstrate that we have reached our conclusions in a thoughtful and balanced manner. After all, I agree that anyone who cannot argue both sides of an issue equally well probably does not fully understand the issue and may have lost some perspective, and that is a dangerous thing. In fact, the first test of anyone you suspect of being a zealot is to first ask them if they can argue the other side of the issue, to see if they can do that. Almost always they cannot.

That's to prove that this government has in fact carefully looked at both sides of the argument and to let zealots know that we really don't need any new lectures from them.

Here are some of the main Kyoto arguments for and against that I think are pertinent. To start with, it has been put forward by Kyoto advocates that over 100 Nobel laureates and, beyond them, a huge body of literally thousands of scientists worldwide warn us that climate change is real and the earth is warming, and there's no doubt that many perceive, whether it be true or not, that the weather is being a little weird. It, in fact, is reported here in Alberta that the measurable water flow of the Peace River is apparently down 35 percent from its long-term average, the South Saskatchewan down 53 percent, and the North Saskatchewan down 62 percent. It's reported that weird weather has already cost us about \$16 billion across Canada in the last 10 years. Of course we're concerned about these sorts of reports, and of course we realize that, you know, there are a number of other observations by serious scientists with serious credentials who make a strong case that the earth is warming and it could have significant impacts on all life.

All that may well be true, but there are a number of other possible explanations for that other than just greenhouse gases. For example – and I'll just give one of the many examples – there's a new geothermal theory that has just been put forward by experts on the subject postulating that at the centre of the earth, rather than just molten silica, iron, and nickel, there may be, in fact, a 5-mile-wide ball of uranium drawn there by its heavier weight, which in its density may now be fissioning in a nuclear manner similar to what the sun does, only slower. Clearly, such a process would generate tremendous heat and greatly vary in temperature; thus, eventually the surface of the planet would vary greatly as well.

This theory also explains a number of other mysteries that have remained unsolved by the greenhouse gas theory. While this theory may not be generally accepted yet nor even heard of by most and, frankly, may not be correct, it does prove that there are plausible alternative explanations for global warming. It may well be the case that mankind is expending enormous time, money, and energy fighting the wrong battle entirely, which may in itself have disastrous consequences.

Furthermore, it doesn't take a lot of research into past history to find cases of where large bodies of credible scientists turned out to be very wrong, almost so much so, in fact, that some consider it the norm. For contrarians, which I admit to being, the moment we sense that there's a bit of a bandwagon going on, a bit of herd thinking acting up, well, I can't help but suspect that the truth may well lie in the opposite direction. History and the stock market provide lots of evidence of cases where this was true. So this is not a sufficient reason to blindly support Kyoto, the fact that there are large numbers of scientists that think it explains the mysteries of global warming, if it exists.

Next, it has been argued by Kyoto proponents that the Kyoto protocol does not contain any penalties, that we can unilaterally withdraw without penalty, et cetera. In other words: what are we afraid of? Well, it may be true that the Kyoto protocol isn't really much more than international puffery from a legal standpoint, and this is even understandable given the near impossibility of trying to get hundreds of sovereign nations to reach consensus on anything. But we must also remember that Canada's reputation and credibility are at stake here, and signing on with absolutely no intention of doing anything just because we couldn't be forced to legally is basically dishonest. It risks earning us worldwide scorn and further loss of credibility, maybe even more than what not signing might likely earn us. Thus, we should not ratify if our only expectation is to just withdraw at a later date. We may get European boycotts in

that case. We may get them either way. It's just not a sufficient reason to ratify Kyoto.

Thirdly, our government has been criticized for fear mongering, for saying that the Kyoto protocol is driven by a desire to see massive transfers of wealth to Third World countries, for example. Well, it doesn't actually rule that out, and it is true, we will admit, that the emission-trading idea was basically forwarded not as a penalty but rather as an incentive to inspire nations to try and exceed their Kyoto targets. In fact, it's also true that many Third World countries actually vigorously opposed the emission trading credit idea on the basis that they thought rich countries would just use the program to easily buy their way out of their commitments and not actually have to do anything. While it even may be true that there have been a number of voices calling for heavy penalties, calling for massive international wealth transfers, calling for international enforcement and Kyoto cops, et cetera, well, those voices did not carry the day of the initial agreement and are in the minority and likely will not convince the majority at any time in the future.

I can understand why some might say: well, you're fear mongering. The reality is: how else do we as Canadians fight this? Can we actually afford to sit back, do nothing, and gamble? Or more importantly, will consumers and investors gamble on how the federal government may interpret and implement this document within Canada? Will investors invest not knowing what an outgoing Prime Minister might do in terms of international wealth transfers, putting future Canadians' good names on the line for commitments that he will not actually have to be around to honour? Even if despite his dismal past track record in environmental issues to the point of reportedly even punishing backbenchers who promoted green issues in the past and even if we believed his intentions are honourable, we must still remember that investment capital is the world's greatest coward. It trusts almost no one. It always runs at the first sign of trouble, and trouble and lack of trust within Canada is what the federal government has wrought here and failed to address or even recognize even after five years.

Fourthly – and I could actually go on for hours with this debate, but we're only allowed 15 minutes – we have been accused of doing little or nothing, of not knowing of the benefits that would accrue from Kyoto. Actually, Alberta leads the nation on a number of energy conservation fronts, and those projects were started before Kyoto ever came along. Soon we'll also lead the nation in alternative energy generation in windmills. We have lots to celebrate here, even brag about, not apologize for, and not surprisingly either, considering that Albertans have been turning obstacles into opportunities better than almost anybody for almost a century now. Entrepreneurs in Alberta are among the best of the best if not the best anywhere, but they don't need any extra burdens. They are heavily burdened already.

As to comments about our government being influenced only by big oil or big coal, well, anyone can quickly see that our made-in-Canada proposal contains strong penalties, strong enforcement, strong regulations, none of which the Kyoto plan does. In fact, by bringing this subject up in such a vigorous manner, one could well observe that it actually has not helped big oil or big coal companies' share prices at all. So if this is big oil's plan, I could hardly say that it has been successful for them. In fact, quite the opposite, and they may well have preferred the federal government's mystery plan to what the strong regulations we are proposing would have in store for them instead. Clearly, that argument doesn't stand up to much scrutiny either. Besides, the world's two largest oil companies are already exceeding the Kyoto commitments, so why would they care or be trying to influence us?

To conclude, Mr. Speaker, we do know this argument well, and we have made our conclusions accordingly. The fate of this issue

now rests in the hands of one individual. Let us pray he makes the correct decision for all.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, Standing Order 29(2) now kicks in. 5:10

MR. OUELLETTE: Mr. Speaker, it is indeed a pleasure for me to rise today and speak to this present motion. The Kyoto protocol and the implications of its ratification are certainly issues that concern the majority of Albertans and a great many Canadians, and I am very glad to be able to offer my thoughts on the debate.

It is important to note at the outset of this debate that no one in the provincial government is questioning the merits of taking action on reducing greenhouse gas emissions. For the past 10 years the government of Alberta has proven itself to be a leader on this issue. No one in this nation can deny the leadership role that this province has taken in addressing this issue with more than just words and promises. In fact, I am very proud to be a part of Climate Change Central, a key government initiative that has been in operation since 1999 and that continues to bring together environmentalists, researchers, academics, industry and government representatives to address the problems of climate change. All of us are focused on reducing greenhouse gas emissions in Alberta through public education and outreach, policy advice, and demonstration products.

Alberta continues to prove itself as a leader on the issue of climate change. The present debate on the merits of the Kyoto protocol is in large part driven by Alberta's belief that the Kyoto protocol is wrong: wrong for this province, wrong for this nation, and wrong for the environment. But rather than listen to the concerns of Alberta and work with the government on a constructive solution, the federal government has simply closed its ears and mind to any contrary thought on this issue and has gone on to ignore the concrete actions that this government has undertaken to establish its roles and responsibilities in addressing greenhouse gas emissions. This is the fundamental problem that this motion works to address, 12 principles that call on the federal government to sincerely engage the provinces on the legitimate concerns they have on the Kyoto protocol.

Mr. Speaker, one can clearly differentiate between the reaction from other provincial governments and that of the federal government in this matter. From our fellow provincial governments the Alberta government has received support and encouragement, even from those governments who support the eventual ratification of the Kyoto protocol. That support and respect for the right to hold our position can be seen in the 12 principles that we are debating here today. These principles speak to the basic tenets of Confederation and our Constitution, principles that clearly state that no region should bear an unreasonable share of the burden of a federal government policy, that Ottawa must respect provincial and territorial jurisdiction, that agreements between the provinces and territories must be recognized by Ottawa. These principles agreed to by all provinces and territories are the result of negotiation and a healthy dose of respect for the different positions and unique considerations that each province must deal with. I must stress again that these principles were unanimously agreed to by all provinces and territories regardless of policy position on Kyoto.

What is the federal government's reaction to our position on Kyoto and the 12 principles we are debating today here in this motion? Mr. Speaker, at best it is an all-consuming arrogance that seems to pervade the entire federal cabinet. At worst it is a dangerous attitude of indifference which threatens the ties of Confederation. It is unacceptable for the federal government to blatantly

ignore the real and meaningful objections that many Canadians hold regarding this treaty. It is unacceptable for the federal government to promise a meaningful national dialogue and turn around and disdainfully order Parliament to support ratification. It is totally unacceptable for the federal government, which holds the fundamental responsibility to act on behalf of all Canadians, to ignore and vilify a particular province out of sheer political considerations.

Well, Mr. Speaker, Alberta's concerns with respect to the Kyoto protocol are legitimate, and we will not back down in protecting this province. The 12 principles that we are debating here today work toward addressing the legitimate concerns that we hold. For instance, for some nations the average emissions reduction requirement of 5.2 percent under Kyoto has already been accomplished. Russia's greenhouse gases, or then known as the Soviet Union, peaked in 1990. As a result of the collapse of the Soviet Union and its economy, greenhouse gas emissions have steadily fallen since that time, and Russia will not have to actually cut emissions to achieve its Kyoto targets.

Under Kyoto Russia and other such nations will be able to benefit significantly from the sale of hot air allowances; in essence, selling credits to other industrialized nations like Canada that are significantly above their Kyoto requirements. Also, because the European nations signed on to the Kyoto accord as a bloc of nations, it is expected that Canada's European industrialized competitors, such as the United Kingdom, France, and Germany, will benefit from the inclusion of eastern European nations with excess hot air allowances, such as Poland, the Czech Republic, and Hungary. These nations will not have to restructure their economies to the point that Canada and Alberta would be required to do under Kyoto. Mr. Speaker, is the federal government answering these concerns?

As well, Albertans know that not all nations are constrained by the Kyoto protocol. In fact, the countries constrained by Kyoto represent only about 30 percent of the world's greenhouse gas emissions. Since none of the highest emissions growth countries, including China and India, would be subject to Kyoto constraints, before long that 30 percent could fall as low as 25 percent or less. As Gwynn Morgan, one of Alberta's pre-eminent business leaders, has pointed out, the countries making commitments under Kyoto are economies with the lowest population growths and are already relatively efficient producers or users of energy. By signing Kyoto, these nations like Canada take on cost burdens which hinder growth and competitiveness while new growth investments are transferred to countries not constrained by Kyoto. Once again, Mr. Speaker, how is the federal government answering these concerns?

The benefits that Canada and the world might achieve under Kyoto are also being questioned by the scientific community. A model by Tom Wigley, one of the main authors of the report of the United Nations climate change panel, shows how an expected temperature increase of 2.1 degrees Celsius in the year 2100 would be diminished by the Kyoto protocol to an increase of 1.9 degrees Celsius instead. Or put another way, the global temperature increase that the planet would have experienced in 2094 would be postponed to 2100—six years, Mr. Speaker, at the cost of billions of dollars that could be directed at other environmental initiatives. Yet on this and so many other problems one has to wonder: where is the federal government in answering these concerns? Unfortunately, these issues are ignored and relegated to being concerns of a provincial government only worried with the bottom line.

That is why these 12 principles are so important. They simply try to force the federal government into doing its job: working towards a better Canada and respecting the concerns of all regions and all provinces. As Canadians we should expect no less from our national government. It is a sad commentary on the state of the nation that

it takes a motion such as this, that endorses 12 basic principles, to try and force the federal government to listen to its own people. But, Mr. Speaker, if a motion is needed, then so be it.

I would encourage all members of this Assembly to vote in support of this motion and send a signal to the federal government that it is time for it to listen to the concerns of Canadians. Thank you.

5:20

THE SPEAKER: Hon. Member for Edmonton-Glenora, I take it you're now participating under Standing Order 29(2)?

MR. HUTTON: I am, Mr. Speaker.

THE SPEAKER: Please proceed.

MR. HUTTON: Thank you. Obviously, the Member for Innisfail-Sylvan Lake has spoken eloquently opposing Kyoto, and I'm wondering if he has heard from a number of his constituents with regard to this protocol.

MR. OUELLETTE: You know, I've heard from a number of my constituents. I have a number of constituents that work in the oil patch, and they're saying things like: "We've had \$25 to \$30 a barrel of oil all year, we've spiked at \$6 in gas, and we have less than 25 percent of our rigs working. What's going on?" We've already affected our economy like this. Let's get on with the show here.

MR. HUTTON: And have you heard from any of your constituents that are supporting the protocol, hon. member, through the Speaker?

MR. OUELLETTE: Everyone is supporting us not ratifying.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Yes. Mr. Speaker, I'm wondering if I might ask the hon. member, given that he's had such a rousing speech and aroused our enthusiasm, whether he might consider moving adjournment of debate.

MR. OUELLETTE: Yes, Mr. Speaker, I'd like to adjourn debate.

THE SPEAKER: Well, I'm afraid, hon. member, that that is just physically impossible under our rules. Under Standing Order 29(2) the hon. member had the debate, and we're now participating under the question-and-answer segment. We'll deal with that, and then we'll recognize another member who can then deal with the adjournment.

Additional questions under 29(2)?

MS HALEY: Mr. Speaker, if there are no more questions under 29(2), I would move that we adjourn debate.

[Motion to adjourn debate carried]

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I would move that we adjourn until 8 this evening.

[Motion carried; the Assembly adjourned at 5:24 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, November 27, 2002**

8:00 p.m.

Date: 02/11/27

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: Please be seated.

head: **Government Motions**

Climate Change Action Plan

33. Mr. Jonson moved:

Be it resolved that the Legislative Assembly of Alberta, consistent with its commitment to protecting Alberta's environment, hereby endorses and accepts the following principles agreed to by all provinces and territories on October 28, 2002, to provide the basis for the development of a national climate change action plan.

- (1) All Canadians must have an opportunity for full and informed input into the development of the plan.
- (2) The plan must ensure that no region or jurisdiction shall be asked to bear an unreasonable share of the burden and no industry, sector, or region shall be treated unfairly. The costs and impacts on individuals, businesses, and industries must be clear, reasonable, achievable, and economically sustainable. The plan must incorporate appropriate federally funded mitigation of the adverse impacts of climate change initiatives.
- (3) The plan must respect provincial and territorial jurisdiction.
- (4) The plan must include recognition of real emission reductions that have been achieved since 1990 or will be achieved thereafter.
- (5) The plan must provide for bilateral or multilateral agreements between provinces and territories and with the federal government.
- (6) The plan must ensure that no province or territory bears the financial risk of federal climate change commitments.
- (7) The plan must recognize that benefits from assets such as forest and agricultural sinks must accrue to the province and territory which owns the assets.
- (8) The plan must support innovation and new technology.
- (9) The plan must maintain the economic competitiveness of Canadian business and industry.
- (10) Canada must continue to demand recognition of clean energy exports.
- (11) The plan must include incentives for all citizens, communities, businesses, and jurisdictions to make the shift to an economy based on renewable and other clean energy, lower emissions, and sustainable practices across sectors.
- (12) The implementation of any climate change plan must include an incentive and allocation system that supports lower carbon emission sources of energy such as hydro-electricity, wind power generation, ethanol, and renewable and other clean sources of energy.

And be it further resolved that this Assembly, in the absence of agreement on a national plan by provinces and territories, denounces any unilateral ratification by the federal government of the Kyoto protocol in violation of the principles of constitutional law, convention, federalism, and long-established practice whereby the federal government must adequately consult with and seek the consent of provinces prior to ratification of international treaties or agreements that affect matters of

exclusive provincial jurisdiction or that require provincial actions or legislation to achieve implementation where implementation will result in significant harm to the economy of Alberta and of Canada.

[Adjourned debate November 27: Ms Haley]

THE DEPUTY SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. I stand today representing the oil sands capital of the world, the small community of Fort McMurray. In fact, it hails as the largest mining project in the world. It's not often you can say "the world," but it's indeed a pleasure to be able to say that. I might also say that Fort McMurray and the Wood Buffalo region represent people that come from all parts of the world in terms of contributing to the development of the oil sands. In fact, I might also add that the hon. Minister of Seniors' son is one of the youngest superintendents at one of those oil sands plants, and I'm very proud of that. The youngest. It's not a surprise because their slogan in Fort McMurray is: "we have the energy," and that's youthful energy on top of natural resource energy.

In fact, it brings back a memory of mine when I was a mayor back in 1997, the youngest mayor in Canada at the time. It was a wonderful example of three levels of government working together, dealing with the environment, energy, and it was the fiscal regime on oil sands development. The hon. Minister of Finance at the time was the Minister of Energy, along with the federal Natural Resources minister, the Hon. Anne McLellan, as well as a representative, and I happened to be the mayor. They came in, and they demonstrated that by working together, it can help all Canadians. The oil sands project is a living example of the fact that there is a mere \$50 billion being invested today.

Now, I'm also very pleased to say that I'm here to talk about the response relative to the issue and the principles surrounding Kyoto and the issue of the principles that have been of course agreed to unanimously by all provinces. We have 360 municipalities in this province, and in fact I have received letters from almost all of them regarding their response to the issue of how the federal government is dealing with the issue of Kyoto. I want to say that I'm very pleased by the response, where Alberta cities, Alberta towns, Alberta counties, Alberta's municipal districts, Alberta's summer villages, Alberta's special areas clearly . . .

MR. DOERKSEN: Don't forget Red Deer.

MR. BOUTILIER: Red Deer was included in that preamble – of their undivided and overwhelming support of the position of the Alberta government relative to those 12 principles.

I might also say, just as a new piece of information – and I know the hon. Member for Edmonton-Highlands would be familiar. He was a part of this area, the Federation of Canadian Municipalities, the FCM. A very noble group. Now, originally they put forward a resolution representing 25 million Canadians. The president, of course, of the FCM comes, in fact, from Calgary, the hon. John Schmal, an alderman with the city council in Calgary. He is the president. Representing 25 million Canadians, they originally stated to the federal government that they conditionally supported the position on Kyoto; however, there were principles that had to be followed. What is really interesting today – I am so pleased in my discussion with the president – is now they are going to be indicating to the Federation of Canadian Municipalities that because of the fact the conditions they outlined and the principles that have been agreed to by all the provinces have not been followed, they are not going to be able to support the position of Kyoto, and I think that's very

significant in light of the fact that it represents 25 million Canadians.

So with that, I think that it's an important note that Alberta municipalities are supportive relative to the fact that we support the environment, but at the same time we support economic development. We think they're not mutually exclusive. They can be both achieved, and I think there is, it's fair to say, good evidence of that.

I travel, and I look to when I first came to Alberta as a young man of 17 years old back in the '70s.

AN HON. MEMBER: How old?

MR. BOUTILIER: Seventeen years old.

In actual fact, Syncrude Canada had just been opened by the hon. Premier of the day, the hon. Premier Loughheed. Twenty-five years later I see bison roaming, 150 bison on reclaimed land because of the reclamation and the environmental protection and enhancement that these oil sands companies have demonstrated and continue to demonstrate, and it truly is a model to every other company in Canada in terms of what they are doing not by their talk but by their actions.

I also want to say that I compliment the leaders within the oil sands industry, people like Eric Newell, people like Rick George, people like Tim Faithfull, who are out there supporting each and every day the balance between economic development and also that of environmental enhancement.

Now, this is a very important issue for all of us, not just for the provincial government but for all Albertans, especially for my constituents but as well as for municipalities across Alberta. We understand the need to take action on climate change, but we must make changes without crippling the price tag of implementing Kyoto. The plan the federal government released November 21 gives no indication of what the true costs of the Kyoto pipe dream will be to Canadians. I think that what's most important is the accountability. The ultimate sense of government is to be accountable. In fact, I'm just reading a book by Rudolph Giuliani, and in the book he talks about the accountability of police forces and fire departments. And you know what? The accountability of a federal government and a provincial government and municipal government are equally as important.

I'd like to say that that is, perhaps, something that we need to explore more in dealing with the way Kyoto has been able to come to where it is. I don't believe in autocratic types of systems. I believe in a consultative approach in something that we're encouraging the federal government to support. The fact that 10 provinces and three territories can come together unanimously is quite something to be able to do that, and now we're saying to the federal government: follow the principles that these provinces and territories have agreed to.

You know, if the protocol is ratified by Canada, it will cost Alberta literally estimated conservatively about \$8 billion and thousands of jobs per year. But what I'd like to do is talk about the fact, rather than saying "450,000 jobs," of what it means to that person. It may mean a job to that steel manufacturer in Hamilton, Ontario. It may mean a job to that auto plant worker down in Windsor, Ontario, or over in Ottawa, or the manufacturer in Kitchener-Waterloo. It really does have quite a negative impact on people in Ontario. Now, we know that in the oil and gas industry we'll also have a negative impact, but the reality of it is it will impact all Canadians, not just one particular sector, and that's why we believe that the principle that no one region will be unduly burdened by the protocol is something that needs to be adhered to.

It was interesting. While visiting with some people from the European Union, they made a comment that: we certainly hope that

the Russians will not sell their carbon credits at the same time to three or four nations. It really speaks to the fact of a transfer of wealth. This is really more about a transfer of wealth, and I could give the example of how the European nations have in their capital replacement where they've been and where they are today. It certainly advantages them as opposed to the good work we've done in Canada and other parts of North America. And my point I'm trying to make here is simply this: over the past few years countries in the European Union have been simply saying, "We're going to be able to meet our targets because of the fact we've closed down all of our plants in East Germany." Well, the reality of it is: is that environmental enhancement, or is that something that should have been done very much long ago because of the fact that the technology they're using has been back from the '40s and '30s?

What I find remarkable is the technology we're using today. Did you know that the price of a barrel of oil at the companies in the oil sands industry was over 30 bucks a barrel back in the '70s? Today they produce it for under \$15. The reason is simply because of technology. The hon. member here, the minister of science and technology and innovation, clearly knows the importance of technology, which I think is the key component for the recipe of success.

Now, when I happened to be working in the oil industry back then when it was 38 bucks a barrel, that clearly reflected the new innovation that was taking place, but they stuck with it, and today it truly is a Canadian success story, the jobs that it created in terms of economic development to all parts of Canada. I think we never want to forget that part of the economic equation. But what I want to say is: when people come to visit my community in Fort McMurray, they go out and visit the reclaimed area at the bison ranch, where it was actually land that was mined, where thousands and thousands of barrels of oil were mined, and then ultimately the land was reclaimed, and now we have bison roaming on it, grazing on it.

8:10

AN HON. MEMBER: Baby buffalo.

MR. BOUTILIER: Baby buffalo. Now, baby buffalo is something that's quite dear to my heart. It is. I've never had the opportunity to ride a baby buffalo. I had the pleasure, though, of riding a bull.

I can say that I do appreciate the honourable notes I've received from the Minister of Energy on this invaluable data that I'm sharing with you tonight. But what's even more important is this: why would an industry locate in Alberta or Canada when it could be located across the border and not have to worry about extra costs? Let's examine that theory for a moment. When I talked about that auto plant in Windsor, Ontario, when I talked about that plant in Kitchener-Waterloo or in Ottawa, the real issue is that the competitive disadvantage that this has potentially created for Canada is substantial both in Alberta, Ontario, and other parts of the country. So what we want to be able to do is make a plan that makes good sense.

The hon. Member for Innisfail-Sylvan Lake before we adjourned made comments about Climate Change Central. In actual fact, that was first commenced, the discussion of it, back in 1997, and I recall when the Premier had called and asked if I would sit as a director of Climate Change Central, both a public- and private-sector initiative. It really was the first of its kind in Canada and still is to this day. It's located in Calgary. Representatives from Edmonton sit on there as well as people from all across Alberta, and I think it really speaks well of the important partnership. Because what a partnership is, "What can I do for you that you can't do?" as well as "What can you do for me that I can't do?" Ultimately, this partnership is about

environmental enhancement, about municipalities working together collectively.

I actually have an inventory list that I intend to table in this House at the appropriate time relative to the green initiatives that municipalities, the 360 of them, are initiating regarding energy efficiency. What we call it is: it simply makes good sense. And I spell the word “sense” s-e-n-s-e and c-e-n-t-s. It makes good sense in terms of what it is that it’s doing.

Now, I want to be able to say that the oil and gas sector – the investment in Alberta, of course, in 2001 that the Minister of Energy shared with me was about \$20 billion, which is substantial. So a 15 percent reduction, which is being forecasted, would mean about a \$3 billion loss. Now, if you factor in an average salary of about \$50,000 or \$60,000 or \$70,000 as an annual income for \$3 billion dollars, that is a lot of jobs.

I want to say today that Alberta truly is driving the economy of not only this province but other parts of Canada because of the natural resources we actually have. But I think today what’s most important is as we go forward – I want to conclude by simply saying this: we want to have a plan that makes sense and that is best for Canada. Not made in Canada but best for Canada, because as the Minister of Energy at one point said: if I thought for a moment that by signing the Kyoto protocol this would help one asthmatic young girl or boy, you know, in terms of the air they breathe, then I know that we’d be recommending to sign it. But it will not. This is about a transfer of wealth and a loss of jobs in Canada.

So let me conclude by simply making my remarks in this way, and I say this to all of Canada: Albertans view sustainable development as more than just a bunch of bureaucrats and diplomats getting together on an international stage to come up with some artificial targets without foundation. To Alberta: Albertans believe that sustainable development – and they’ve proven it day in and day out – is truly a way of life.

Thank you very much.

THE DEPUTY SPEAKER: Before we go to the question and answer portion, I wonder if you might grant unanimous consent to revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I’m pleased to introduce to you and through you to all members of the Assembly 10 guests from Big Sisters and Big Brothers. Big Sisters and Big Brothers matches children and youth aged six to 18 with mentors who provide guidance, support, and friendship. They know that one person can really make a difference. Tonight they’re here to see the democratic process in action. I’d like to ask them to rise and receive the traditional warm welcome of the Legislative Assembly.

head: **Government Motions**

(continued)

MR. MASON: Mr. Speaker, I did have a question for the minister under 29(2).

THE DEPUTY SPEAKER: Okay. We had two or three people, but you were in fact first up. So we’ll have the hon. Member for Edmonton-Highlands, followed by the hon. Member for Edmonton-Glenora.

MR. MASON: Thank you very much, Mr. Speaker. To the Minister of Municipal Affairs: could he please clarify for the Assembly precisely what has occurred in the Federation of Canadian Municipalities with respect to any change in its position? This position was adopted by, of course, the membership at a conference. There are usually between 1,000 and 2,000 delegates from across the country that adopt the position, and then, of course, there’s a board of directors, and then there is an executive, and there’s a president. At what level was this decision made, how was it communicated, and when did it take place?

THE DEPUTY SPEAKER: The hon. minister.

MR. BOUTILIER: Thank you, Mr. Speaker. I also want to welcome the folks. They had the pleasure of visiting my office earlier, and they had some very good questions from the Boys and Girls Club. I want to say that it was a pleasure to see them here because they really represent the youthful energy in terms of the jobs for tomorrow.

In actual fact, I spoke to the president of the FCM. To the hon. member: the president of the board of directors of the FCM, the Federation of Canadian Municipalities, of course is John Schmal, an alderman from Calgary. I met with Mr. Schmal and had a lengthy conversation with him at the Alberta Association of Municipal Districts and Counties last week, which was hosted here in Edmonton. In our discussion he indicated the fact that the federal government had not agreed to follow the conditions that they had listed. Ultimately, he indicated to me that he was taking to the board of directors next week in Ottawa – and I would ask the hon. member to follow closely, as will I – the fact that the conditions have not been followed, and they are bringing it to the board of directors, where they’re having a discussion in terms of what their next point will be.

But my comment and discussion with the president of the FCM were quite simply this: they are not following the conditions that they had given conditional support to. The bottom line is: they said that they will not support Kyoto if those principles are not followed. They are not being followed, and ultimately the board of directors are now looking at their next steps in terms of dealing with the federal government on this commitment. So, obviously, you’ll have to wait for the meeting that takes place with the board of directors. The meeting will be taking place next week in Ottawa, but they had indicated that at this point, since the federal government had indicated that they do not intend to follow the principles, obviously this is a breach in terms of what conditions were set out by the FCM.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. I’d like to thank the minister for letting us know what impact this will have on his constituency. My question is with regard to that. Has the Member for Fort McMurray heard, through phone calls or letters or any form of communication to you or your office, from the fine working folks in Fort McMurray, the pipe fitters, the union people in McMurray, the fear or concern with regard to the signing of the ratification?

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: Mr. Minister.

MR. BOUTILIER: Thank you, Mr. Speaker. Perhaps the best example I could give is that the Chamber of Commerce invited me to speak about two weeks ago in Fort McMurray at 7 o’clock in the

morning. Now, first of all, to listen to me speak at 7 o'clock in the morning is sometimes even difficult for my wife, but the fact was we thought there would be 30 or 40 people there. There were over 300 people there – it really speaks of their interest – with some very good questions. So I'm pleased with the question that was asked because, clearly, not only in Fort McMurray but in other parts of Canada – I'm really encouraged by the response we've received in information I sent to the mayors across Alberta, the fact that overwhelming support has come back regarding this government's position relative to Kyoto and why we do not support it. I'm very pleased by that as well.

THE DEPUTY SPEAKER: Further questions? The hon. Member for Edmonton-Highlands, a question.

MR. MASON: Thank you very much. A comment and another question, Mr. Speaker. I understand from the minister's response to my first question that in fact the FCM has not changed or modified its position although it may, and I will follow that with interest.

The second question I have has to do with Suncor. The leader of our party, the Member for Edmonton-Strathcona, was in Fort McMurray a couple of weeks ago and had a tour of the Suncor plant and had an opportunity to discuss Suncor's position with respect to this. Is it not the case that Suncor is already Kyoto-compliant?

MR. BOUTILIER: I want to be able to say this: I'm uncertain if they are or not. But just let me say about their leadership quite simply this: in terms of emission intensity the oil sands companies in the largest mining project in the world, in Fort McMurray, have reduced their intensity per barrel by something over 35 percent, as much as they are expanding the actual unit, as you're aware.

I want to thank the hon. member for the question and the fact that the leader did come to Fort McMurray and met with people. In fact, he was on a live radio show there, and when he offered me the invitation to join his party, I had to of course decline. But I do want to say that I was very interested in his comments, in his interest.

Thank you.

8:20

THE DEPUTY SPEAKER: We're now ready for the next speaker on the motion. The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Grande Prairie-Smoky.

DR. MASSEY: Thank you, Mr. Speaker. Appreciate the opportunity to make a few comments about Motion 33. As I've listened today, it's sometimes difficult to distinguish between the debate on Motion 33, the 12 principles for a national climate change plan, and Bill 32, the Climate Change and Emissions Management Act. So if I seem to incur on both, it's only because I see that my colleagues have taken the same liberty.

I sat in a restaurant earlier this week and overheard three gentlemen at a dinner table responding to the Alberta ads on TV. The ad came on and talked about the Alberta government and their concerns, and at the end of the ad one of the gentlemen turned to the other two and said: "I just don't understand what the issue is. Is this an economic issue? Is this a political issue? Is this an environmental issue? Just what is it?" He said, "I have to admit that I'm being completely confused by the rhetoric." His colleagues joined in the conversation, and I suspect that they are not alone, Mr. Speaker, in not having a clear understanding in terms of what the issues are. I think that because there isn't a clear understanding, the kinds of decisions that a citizenry might make are not being made.

I think we could start off with: what are some of the underlying

assumptions that are imbedded in Motion 33? If you look through the 12 items in the bill – and I'm going to confine myself to those 12 items because I believe, as the Member for Edmonton-Highlands does and did try to make clear earlier in the day with his amendment, that the addition of the "whereas" or the clause at the end of the motion is really quite unfortunate. Without that, I think we have the stand-alone 12 principles that the Premiers and the representatives from the territories have agreed upon.

But if you look through the 12 items in the motion and try to look at the underlying assumptions, the first one seems to be political. Again, the aim is a political aim that's being accomplished: the notion that all Canadians have to have the opportunity to be fully informed, a political perspective in terms of the responsibilities and the rights of citizens in the country to have a say in terms of public policy that's going to affect them, their lives, and the lives of their children.

The second item is almost purely economics, and if you look through the 12 items, the economic sections far outnumber any others. There are seven of them that make economic arguments, three that I've classified as political, and two that you might label somehow or other as science or concerns with the environment. I think that it does reflect the government's approach to the problem and the government's approach to Bill 32 as being one that's overwhelmingly economic, and, you know, that's a judgment call, Mr. Speaker, that a government has to make.

But I wonder, in the rush to make those economic arguments, if some other very important matters haven't been overlooked. What I feel is missing from the debate and what I don't believe I've heard is the human face, those concerns that are not just with ourselves as Albertans and as Canadians but for all humanity. I think that's been lacking. I hear the comments about China and the guffawing that goes on in the House when that country is raised and the disparaging remarks about Russia, and it seems to me that for an environmental problem, one that is supposed to involve all humanity and all of us, that's unfortunate, Mr. Speaker. As much as I say I respect the decision to make the arguments primarily those of economics, I do think there are others.

There are some moral questions. If you look at the motion, it raises some questions. It raises the question of the integrity and the dignity of the nonhuman life on the planet. It raises moral and it raises religious views on the meaning of nature and our place in the scheme of things. I think we've had little if any consideration of those values and those underlying assumptions. I think we could ask a number of questions. Do we have the right to place in jeopardy the health of future generations? You know, do we have that right? Can we make judgments now that may have implications down the road for those who will follow us that will not be in their best interests health-wise?

I think we can ask about – and, you know, here again the economic aspects of the problem raise their head – do we have the right to compromise or make impossible the economic well-being of future generations? You could say that that's the argument the government is making, that the Kyoto protocol will really hamper economic development and hurt this province and the people who are here. But it can also be looked at from another perspective. If we fail to take action, will we equally impede or make impossible the economic development of future generations? I think you can look at the economics of Kyoto from at least two perspectives.

I guess that in all of this there's a question that has really puzzled me and one that I haven't heard addressed to any great extent. We held a town hall sponsored by the Member for Edmonton-Riverview and several other Edmonton constituencies. At the town hall there were scientists who presented a great deal of information from a

scientific perspective on water and air and environmental concerns, but the issue that really struck me and continues to haunt me is the notion that at some point we may trigger a calamity, that all our projections in terms of what's going to happen to the environment may be wrong. Even if they are right, the gradual increase in pollutants may sometime trigger a calamity. That's something that I've read little about and have heard little about, and again, as I said, it's something that haunts me and it's something that I think is worthy of further consideration. So you can look into the underlying assumptions of the motion and the clauses in that motion. We have to, I think, look at the values that underlie the bill.

8:30

A third area is: whose interests are being served? We've heard a wide range of interests from speakers on the motion, but primarily we've heard of economic interests and primarily those from the petroleum industry. I wonder, as important and crucial as the petroleum industry interests are to this province, if we aren't then blinded to other interests that we might be mindful of. I think economic interests are part of it and, as I said, the petroleum industry part of it, but it's not the whole story. There's more to this province than that.

I can't help but think of companies like BP, who now are operating some of their service stations in Europe without the use of petroleum, their own service stations. They're using solar power and other power to operate their stations and proudly talk of being beyond petroleum as being their future. It makes me wonder about putting all of our eggs in one basket.

So with those comments, Mr. Speaker, I'll conclude with, again, the concern about the narrowness of the debate, and I'm not sure that it serves us well to have confined it and defined it so narrowly. Thank you.

THE DEPUTY SPEAKER: Any questions or comments to be offered with respect to this speech? Edmonton-Highlands, you're rising. You've already spoken on this motion. [interjection]

Would the Assembly agree to revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. It gives me pleasure to introduce to you and through you to the House someone who probably needs very little introduction to many members. This individual was a member of Edmonton city council and is a leading environmental advocate. He also went on to run in actually quite a strong campaign for mayor of Toronto. He's worked for Greenpeace, and he's been an environmental activist ever since I've known him. I'd like to ask Tooker Gomberg to rise and receive the warm welcome of the House.

head: **Government Motions**

(continued)

THE DEPUTY SPEAKER: Okay. There being no questions, we're ready for the next speaker. Grande Prairie-Smoky, are you ready to go?

MR. KNIGHT: Thank you, Mr. Speaker. While my esteemed colleagues are eminently more qualified than I am to address this particular issue, I feel obligated to rise this evening in the Assembly to add my comments to the many voices that have addressed the resolution before us. Unfortunately, while many of these individuals were toiling in the sweatshops of the University of Alberta, the U of C, and some of the technical institutes that we have in the province, I had the relative good luck and good fortune of working on the floor of the Guthrie McLaren rig No. 2 in Swan Hills. As much as I don't perhaps have a really good handle on the academic end of this particular topic, I think I do have something to add with respect to what happens on the ground in the province of Alberta.

This resolution and certainly the act with which it is associated are absolutely critical to this province and to all Albertans. These actions clearly establish that Alberta is confirming its constitutional right to, firstly, ownership and, secondly, the management, exploration, development, and production of renewable and nonrenewable resources in Alberta for the benefit of not only our citizens but also the Confederation to which we belong. No jurisdiction, Mr. Speaker, can undertake this most important work with more confidence or technical expertise than the resource sector, both public and private, in this province. Alberta has unquestionably some of the most highly educated and trained personnel engaged in these industries across Canada and, indeed, North America.

Climate change is real. However, the scientific community both in our province and around the globe is not joined in a unified voice or even a consensus on the cause or causes of this natural phenomenon. A determination of the effects of human activity on this natural process is not at hand, and in the face of all the uncertainty our federal government is railroading – yes, Mr. Speaker, railroading – Canadians into an international pact that has no chance of making any meaningful difference to the level of greenhouse gas emissions globally or, for that matter, any meaningful change in the atmospheric or surface temperature of this planet.

A group of 27 international climate scientists, including 12 Canadians, has signed a letter recently delivered to our Prime Minister asking to have ratification of Kyoto delayed until consultation can be completed regarding global warming.

AN HON. MEMBER: What did he say?

MR. KNIGHT: He said: not today.

The expected benefit is extremely tiny, immeasurable, say members of this particular group.

The Kyoto accord isn't, Mr. Speaker. An accord is by definition an agreement between governments, a formal agreement between governments. This is anything but. It may more accurately be described as the Kyoto accordion, and everyone you hear is playing a different tune on it.

First and foremost, I think it must be clarified, Mr. Speaker, that it is not what we know about Kyoto that is important; it's what we don't know. Many Canadians do not understand that Kyoto is not about cleaner air. There may be side benefits that could reduce airborne pollutants produced when fossil fuels are consumed, but what will happen with cleaner, more efficient internal combustion engines, clean-burn coal technology, fuel cell development, and the move to hydrogen fuel generally in the next two decades without Kyoto or any other UN-sponsored protocol? Carbon dioxide is not a pollutant. The world as we know it would not exist without CO₂.

8:40

What we're talking about here is the balance or lack of balance in the global carbon cycle. CO₂ is a major part of this cycle, and

perceived excess atmospheric CO₂ is the target of the UN-sponsored disagreement. There is almost no doubt that atmospheric levels of CO₂ have been much higher and also somewhat marginally lower in the last few million years, a blink in our planet's lifetime. Us human beings are beginning to take ourselves way too seriously if we think for a moment that our activity on this planet is the major contributing factor to global warming or a host of other natural calamities, for that matter. Mother Nature, if you like, has us beat hands down on this one.

So we need to address mankind's contribution to the carbon cycle. To the best of my knowledge, Mr. Speaker, there is no accurate way to measure how much CO₂ produced by any hydrocarbon oxidation is actually released into the atmosphere to join the host of gases that constitute our blanket. Formulas indicating mass into an equation equal mass out just don't do it. There are too many variables. Humidity, temperature, the amount of green biomass in the vicinity, or snow cover all could affect the actual CO₂ released. How do we buy credits for something we can't measure? A coal-fired generation station in the boreal forest may be vastly more green friendly than one in Arizona. Who knows?

Move away from the numbers. They are very confusing, and honestly at the end of the day those numbers about jobs, economy, competitive disadvantages, et cetera, et cetera, are only accordion tunes composed and played for the benefit of one maestro or another. The numbers can bore you to tears, but let me plant a thought in your mind with one important number. A scientist has estimated that the cost of Kyoto over the first compliance period of '08 to '12 will be in the neighbourhood of \$200 billion U.S. dollars.

AN HON. MEMBER: How many?

MR. KNIGHT: Two hundred billion U.S. dollars in the first compliance period. He contends, Mr. Speaker, that this is sufficient to produce sanitation and safe potable water for most of our planet's population. Where would you spend your money?

I want to stress that the Alberta government understands and agrees with the need to take action on climate change. We are committed to addressing this issue and share Albertans' and Canadians' concerns.

However, as the Premier has stated, Kyoto is not the only option for reducing greenhouse gases. The U.S. has adopted its own plan, and like the new U.S. climate change strategy our made-in-Canada alternative calls for cutting emissions intensity. Emissions intensity refers, of course, to the ratio of emissions per unit of economic output. Mr. Speaker, a policy based on emissions intensity allows you to keep growing your company, to keep opening plants, to keep driving your economy forward as long as your activities grow steadily more efficiently. Our reduction targets will be met through sectoral agreements with industry, energy efficiency and conservation by consumers, and technological investment all backed up by legislation.

Alberta's plan focuses on real reduction in a realistic time frame. By 2020 Alberta will cut emissions intensity in the province by 50 percent below 1990 levels, or the equivalent of an overall reduction of 60 million tonnes of greenhouse gas emissions. In the interim, Mr. Speaker, we will cut 22 percent of emissions intensity by 2010, a reduction of 20 million tonnes.

Mr. Speaker, Alberta's plans would see substantial reduction in emissions over a more realistic time frame than Kyoto through a combination of investment in technology and energy conservation measures. Alberta's plan is a long-term strategy with a strong focus on partnerships and leveraged funding for emission reduction initiatives. For example, we propose that the Alberta government

will provide \$1 for every \$2 contributed by others, such as the federal government or the private sector, in funding such initiatives. Of course, our largest trading partner, the U.S., has rejected the Kyoto plan. The U.S. plan for the greenhouse gas issue is centered on safeguarding their economic growth, and our plan should address this also.

Alberta companies, institutions, and governments have adopted a host of greenhouse gas reduction measures currently. Methane, by the way, Mr. Speaker, is a good, clean fuel, and CBM is more good, clean methane. We are increasing sulphur recovery rates at gas plants, we're dramatically reducing flaring at oil and gas wells, and we have toughened emission standards on new coal-fired electricity plants. Oil sands operators, as has been stated, are reducing their emissions intensities, and Alberta is part of a dramatic North American research effort into cleaner coal technology with the ambitious goal of reaching zero-emissions electricity. We did all these things the Alberta way: in partnership with Albertans, the industries that employ them, and voluntary organizations.

Perhaps most important, we want to work towards more effective use of technology and innovation in meeting our greenhouse gas reduction goals. For example, through our proposed national institute for energy and environmental policy the Alberta government will support and encourage new technologies that emphasize cleaner environmental performance and the development, process, and transport of energy resources. It will become an integrated centre of excellence for energy research where all players can focus and co-ordinate their efforts.

A key focus area of Alberta's plan is carbon management, capturing and using carbon dioxide for resource development, plus storing it in geological formations. In Alberta CO₂ from oil sands upgrading, oil refining, or power generation could be captured and used to increase production from mature oil reservoirs and coal-bed methane and could be stored in geological formations. Currently, technical conditions and infrastructure do not encourage widespread commercial use of CO₂ in these or other applications. The economics of capturing a pure stream of CO₂ are at present marginal. However, with oil and natural gas prices at current levels, there is interest in exploring the options available. The Alberta government is working in co-operation with the industry and the federal government, I might add, to develop solutions for the capture, transport, and storage of CO₂.

AN HON. MEMBER: Again, co-operation.

MR. KNIGHT: Again, co-operation.

What Alberta is proposing is to keep money here in Canada, using it to develop cutting-edge technology and getting those technologies into countries where emissions are much higher than they are here so that those emissions may be reduced. The fact is that Alberta is saying: let's not go the Kyoto route; let's take on global climate change in proven ways, ways that protect the jobs of Canadians and the future economic growth of every region of this country.

Mr. Speaker, the 60-plus pages of this international mumbo jumbo can be supplanted by the 13 pages of Bill 32, and it will at the end of the day result in more positive action on the serious question of climate change.

Thank you.

8:50

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands on questions and comments.

MR. MASON: Yes. Thank you, Mr. Speaker. Well, where to start?

The hon. member has indicated that he does not believe that human activity is primarily the cause of CO₂ emissions and the greenhouse effect. Can he tell us, please, how he then responds to this list of scientists at the University of Alberta who say otherwise. We've got Dr. Schindler; Dr. Sharp, a professor from the Department of Earth and Atmospheric Sciences; James Byrne, director of the Water Resources Institute at the University of Lethbridge; John Spence, professor and chair, Department of Renewal Resources at the University of Alberta. It goes on and on, page after page. What special insight does this member have that allows him to stand there and to contradict the expert advice of about four dozen top experts from Alberta?

THE DEPUTY SPEAKER: The hon. Member for Grande Prairie-Smoky.

MR. KNIGHT: Thank you, Mr. Speaker. I will respond to the question that the hon. member has raised. Firstly, I'll respond by saying that it's unfortunate that perhaps his hearing device doesn't work quite as well as the one that I've been provided with, because I did not say what he repeated. What we say is that our activity on this planet is not the major contributing factor to global warming.

However, to go on to answer his question a little more fully, I believe that in the preamble to my comments with respect to this whole issue I did say that I had not been labouring in the universities and in the sweat mills in Alberta and in other places in Canada and around the world availing myself of further education, but I do say that I think that as a person that's been on the ground in the industry we are speaking mainly about for the last 40 years, I feel like I have an objective view that I could espouse and respond to him with respect to global warming and the issues concerning the release of emissions, not only carbon dioxide but certainly methane, sulphur compounds, and other compounds that are released through that particular industry.

Thank you.

THE DEPUTY SPEAKER: Hon. minister, did you have a question?

MR. SMITH: Yes, actually, I did.

THE DEPUTY SPEAKER: As soon as Edmonton-Highlands has his opportunity.

MR. MASON: Thank you, Mr. Speaker. The question I have next for the hon. member has to do with the concept of emissions intensity which is contained in the bill, that apparently is not even going to be passed in this session. I believe I heard the member say that it would allow people to continue to increase their economic activity and it reduces the amount of CO₂ per unit of production or per unit of energy. Is it not the objective of the government to increase overall economic output as much as possible? Therefore, would it not be possible for the actual total, absolute amount of CO₂ emitted in Alberta to continue to grow notwithstanding that the intensity per unit of energy or production was slightly less?

THE DEPUTY SPEAKER: The hon. member.

MR. KNIGHT: Well, thank you, Mr. Speaker. I guess I would have to reply by saying: is it the case that the hon. member is suggesting that as global activity increases both with respect to population increases and certainly the commercialization in other parts of the globe – is it his suggestion that globally we are going to see a decrease in the level of any types of greenhouse gas emissions? I would suggest that that is not going to happen.

Also, Mr. Speaker, when we talk about the contribution of Canada, generally speaking, and Alberta specifically, our contribution with respect to the greenhouse gases emitted globally, certainly it's such a minor amount as to be almost not worth speaking about.

The second thing is that I would suggest, then, that perhaps . . . Thank you very much.

THE DEPUTY SPEAKER: Unfortunately, we haven't had the opportunity to complete the answer nor to hear questions and possible responses from the minister. Five minutes is an absolute on this one.

So we're ready for our next speaker on this topic, and if not, then we're ready for the question. The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. It's a pleasure for me to rise today to speak on this resolution, the resolution of the 12 points. Let me say first and foremost that I believe strongly in conserving our energy consumption to protect Canada's natural resources and our environment globally and locally. I strongly support the 12 principles that provide the basis for the development of a national climate change plan. I believe that there is a far better alternative than the Kyoto accord, that Albertans and all Canadians are being forced to accept.

Mr. Speaker, the accord is unreasonable, unfair, and ineffective. Each developed country has a different target, and some have not even signed, while the European Union and Japan have ratified the accord with their own qualifications. The United States of America have refused to do so. Australia also refused. Kyoto simply does not work within the North American context. The resolution that we see today provides an opportunity for dialogue that would result in a made-in-Canada solution. It does not make sense for Canada to adopt a foreign-concocted plan like Kyoto.

Mr. Speaker, with my limited knowledge of Japanese history "Kyo" means capital and "to" means city. It's a beautiful word to indicate the ancient capital of Japan, but – and this is a big "but," very important – unfortunately, our current Canadian federal government leader has changed its meaning for Canadians. In Canada Kyoto – K-y-o-t-o – has become: kill your opportunity to outperform. And I will tell you why. Studies show that if Kyoto is signed, up to \$8 billion per year could be lost in Alberta economic activity. It is roughly 2 or 3 percent of our annual economy. Also, if Kyoto is ratified, jobs will be lost. Studies show that there could be between 40,000 and 70,000 Alberta jobs lost or not realized.

Further, Mr. Speaker, Kyoto will affect Canada's ability to compete in global markets. For instance, 80 percent of Canadian exports go to the U.S., who are not signing on to the protocol. Certainly this will affect our relative competitiveness. Kyoto could also result in higher costs for consumers. It is possible that taxes could rise along with gasoline prices, utility prices, and heating costs.

Mr. Speaker, Canadians are prepared to change their lifestyle to accommodate and protect our environment. We are all committed to this. However, Kyoto would impose restrictions beyond our control. For instance, consider the huge emission sources of personal automobile exhaust.

9:00

For an example, say that five years ago, Mr. Speaker, on behalf of this group here I simply signed a broad agreement with other countries or other groups out there and came back and told the group here that now we have an obligation within 15 years to reduce our driving distance by a hundred thousand kilometres from our annual level of seven years previously, and then five years have gone by

and no one has yet put together any detailed plan to implement my agreement.

Now, there are a few minor issues. You see, Mr. Speaker, now there are more people in our group; hence, more total driving mileage relative to 12 years ago, and in the next 10 years there will even be more and more people driving. How do I allocate my committed driving reduction to individuals in my group? How do I further stop the increase in the number of people in my group and their traveling? I also fail to realize that individuals in my group drive for different reasons, for different purposes. How do I ask the transport truck drivers to drive less? How do I ask the taxi drivers to drive less? How do I ask doctors, nurses, and teachers to drive less? Especially, how do I ask our farmers to drive even less? There are many unanswered questions. Further, there are people in my group who make wheels and vehicles, and there are children who will be learning how to drive in the coming years. Since I have no answer, you know what I did? I will try to do everything and adopt innovation which is already being done; for instance, new types of automobile engines, new types of fuels, hope for the future of research and technology, and I even talk about retraining people for jobs that require less driving and making driving or traveling cost prohibitive with higher fees and taxes. But the question still remains: who shares that 100,000 kilometre reduction that I committed to? Who shares that reduction? I argue that it's careless to sign the accord without any quantification, any detail. The fact of the matter is that ratifying the Kyoto protocol could impose unreasonable and harmful CO₂ reduction targets globally. On the whole, it is a very ineffective solution for CO₂ reduction.

Mr. Speaker, Kyoto proposes buying emission credits as a possible solution, but this money will leave Canada without doing anything or actually helping the environment globally. All in all, trading emissions will have very little impact on the global CO₂ level because it only covers 30 percent of man-made emissions, and the large polluters like the United States, China, India will not even ratify the Kyoto protocol. Ultimately, Kyoto will merely transfer wealth among countries rather than measure the real impact of CO₂ reduction. Kyoto will drain dollars, investment, and jobs from Canada and transfer them to the non-Kyoto countries with virtually no impact on global emissions.

The burden that Kyoto would have on Canada is huge, Mr. Speaker. Ratifying the Kyoto protocol would harm Canada more than any other country. This is probably due to the fact that Canada will not receive credit for our previous efforts of reducing CO₂ or for clean energy export, and as it hits home to us, consider the serious impact that Kyoto would have on the oil sands development in northern Alberta. Before Kyoto oil sands volumes are projected to account for more than 50 percent of Canada's oil production by 2010. Kyoto's effect on Alberta oil sands is important for all of Canada to realize. Without major oil sands development Canada would become a net importer of oil. This would have significant consequences for our national economy, energy, security, and even your safety.

In closing, I strongly support the resolution before us, and I support the move toward an alternative made-in-Canada approach that would better address climate change. Rather than Kyoto there are ways to focus CO₂ reduction efforts on energy efficiency instead of meeting rigid targets at the expense of our economy. Rather than conforming to Kyoto's time line, we should consider a realistic, reasonable time frame for CO₂ reductions unique to Canada's situation.

Before we do the question, I have something here to say to our Prime Minister en français. Au mieux, l'arrangement Kyoto du gouvernement fédéral canadien est un cas exemplaire d'un cœur

gentil et une tête de folie. Tenons notre cœur et purifions notre tête.

What I'm saying here in English is that at best the Kyoto scheme of the federal government is an exemplary case of a gentle heart and folly head, so keep our heart and clear our head.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands on comments and questions.

MR. MASON: Thank you very much, Mr. Speaker. The hon. member parlays considerably better than the Prime Minister, I believe. I congratulate him on that.

I want to clarify some numbers that he used, and I believe some other hon. members have also used numbers about the number of jobs lost. I thought he said, perhaps, that it was 40,000 to 70,000 jobs lost and \$8 billion. Can he first of all correct my numbers and make sure I've got them right, and then, secondly, can he please cite the source of this economic information so that we can all have a look at it?

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you. Thank you. That's a very good question. In fact, if you look at the brochure circled around Canada, now you have the federal government talking about hundreds of thousands, you've got 400,000 from the manufacturing association of Canada – okay? – and then you have a lot of ranges. They even talk about temperature variety. So the number that you are talking about here is still within that limit. That's a large range. I just focused on a particular smaller number for you to worry about.

[Government Motion 33 carried]

head: **Government Bills and Orders** **Committee of the Whole**

[Mr. Tannas in the chair]

THE CHAIR: We'll call the Committee of the Whole to order.

Bill 30-2 **Adult Interdependent Relationships Act**

THE CHAIR: Are there any questions, comments, or amendments to be made with respect to this bill? The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. It is my pleasure to rise tonight to speak to Bill 30-2 in committee and in particular to propose an amendment, which I understand the table has been provided with the necessary copies. The amendment basically deals with three connected issues relative to the act.

I spoke to Bill 30-2 in second reading, and I won't repeat the issues that were raised at that point in time, but I'd just like to put on the record for the House that in dealing with the bill, I have had the occasion to meet with members of the Canadian Bar Association, wills and estates subsection, both in Edmonton and in Calgary and have been in attendance at a meeting of the family law section of the Canadian Bar Association in Edmonton. In the meetings of those subsections some issues and concerns have been raised by members present about the bill from the perspective that the bill doesn't go far enough, in their viewpoint, to provide the certainty that they would like to see with respect to matters of defining who is actually in a relationship.

9:10

Now, Mr. Chair, I should be clear that I don't necessarily agree with those assertions. I've been dealing with this bill for close to a year now, perhaps more than a year now, and in terms of coming to a definition of an adult interdependent partner which makes sense, which people can see and can understand who's in that type of a relationship and what types of factors go into determining that type of relationship, I think we have in this bill achieved a pretty good standard and one which the courts would recognize and interpret as being a relationship which would be similar to the type of relationship that one might have normally called a common-law relationship. Of course, the courts have dealt with common-law relationships over the years and have extended certain obligations of the law and access to the law to people in common-law relationships. So I think the definition in the act very clearly attempts to establish that issue with respect to people who are in a relationship outside of marriage as being similar to what we would normally have called a common-law relationship.

However, the issue that has been raised by members of the bar relates to the so-called platonic relationships that might be included in the definition of adult interdependent partner. Because this is probably the first time in at least a Canadian jurisdiction that the law has actually preceded the court in terms of defining the relationship, there's concern about there being a lack of a body of law to interpret it and some issues around that. So in looking at that issue, I invited members of the bar to make suggestions as to what might be done from their view to make the definition that's in the act and make the interpretation of the act more certain.

The first portion of the amendment, which is titled in the amendment, which is being handed out, as A, refers to section 3 being struck out and the following being substituted. Then the substituted section which is being proposed basically repeats all of what used to be section 3 in the bill but then adds a subsection (2) which reads:

Persons who are related to each other by blood or adoption may only become adult interdependent partners of each other by entering into an adult interdependent partner agreement under section 7.

So what this portion of the amendment does, Mr. Chair, is to indicate that where people are related by blood or adoption, the question of being taken into an adult interdependent relationship by what is called ascription – in other words, they haven't actually signed a contract – would be prohibited, and they would actually have to take the formal step of signing a contract.

Now, why does this make sense, Mr. Chairman? Well, it makes some sense because most of the issues that people have raised with respect to a platonic relationship circle around the area of a family member taking care of a family member, and that relationship of care, which one normally assumes to be a normal family responsibility or an issue of one family member taking on what would be considered to be a family obligation with respect to another family member, ought not to by virtue only of that relationship be interpreted as an adult interdependent partnership.

It may well be prudent, and we have taken the step of agreeing with some members of the Bar Association that we ought to put forward a resolution which would then make it certain that those people who are members of families who are related by blood or adoption could only be in an adult interdependent relationship if they actually took the proactive step of entering into a contract in that respect. So it somewhat narrows the number of people that might be involved, but it gives those other people who would want to be involved the opportunity to contract in, so to speak.

Section B adds "and costs" after "loss" in sections 8(2) and 8(3) of Bill 30-2, and that is relevant when we look at amendment C. Amendment C adds a section 8.1 after section 8, and it suggests that

a person who alleges an adult interdependent relationship knowing that the relationship does not exist is liable in damages to compensate any person for pecuniary loss and costs incurred in reliance on the existence of the alleged adult interdependent relationship.

Again, the concern that was raised by members of the bar was that there would be a flood to the courts of cases in this area of people alleging an adult interdependent relationship where there's not a conjugal relationship in place – it's just a platonic relationship – and it may be difficult to prove one way or the other. I don't necessarily agree with the concern that's been raised. In fact, I do not believe that the courts would be flooded in this manner, but I think it is always prudent to discourage unnecessary litigation and discourage people from challenging the law just because they might have an opportunity of success. So I did agree with the Bar Association that putting the clause in here makes it clear that one ought not to go to the court unless there actually was an adult interdependent relationship. Alleging one for the purposes of trying to change the way an estate might be distributed, that type of claim, ought to be discouraged. Therefore, one should only take those cases to court if they clearly fall within the definition of an AIP. So that section 8.1, again, is a section based on a representation made to myself in discussions that I've had over the course of the last two weeks with members of the wills and estates section of the Canadian Bar Association and is responsive to the request that they raised.

I go back to section B, then, and say that because we've added costs in with the new 8.1, it's prudent to add costs into the provisions of section 8, which also deal with compensation issues.

The section D, as outlined there, deals with onus of proof, and while it ought to be clearly understood at law that the onus of proving that a relationship existed would be on the person who was alleging the existence of the relationship, section 9.1 puts it right into the act so it's clear for all to see and there's no ambiguity about it at all. The burden of proof is on the person who alleges that a relationship exists. Somebody doesn't have to disprove the relationship; the person alleging it has to prove the relationship.

With these amendments, Mr. Chairman, we're attempting to be responsive to concerns that have been raised. It has always been our intention that the relationships that are captured under Bill 30-2 are clearly those personal intense relationships which we normally at this point in time would consider to be common-law relationships but extended to include conjugal relationships and platonic relationships but, clearly, those relationships of such an intense personal nature that the parties have an obligation to each other, and when the relationship breaks down, there's a dependency that's been created and those parties have the obligation to deal with the dependency.

So I hope, Mr. Chairman, that clarifies to a certain extent why the amendments are being brought forward at this stage, the concern that they're being raised to satisfy. I think the bill, with these amendments, is still a landmark bill that deals with the issues and concerns about who has access to the law and for what purposes in order to deal with issues of relationship breakdowns, and they're consistent with the philosophy of the bill. I would be happy to answer any questions that the members of the House might have relative to these amendments or to the bill itself, but I would encourage the adoption of the amendments.

THE CHAIR: The hon. Member for Edmonton-Centre on amendment A1.

9:20

MS BLAKEMAN: Thanks, Mr. Speaker. Well, indeed, there's much to be said for clarity. I think there's even a series of commercials that is out these days extolling the virtues of clarity in life.

I have seen this amendment in advance, and I thank the minister

for the courtesy of that. I don't take particular issue with any of the sections that are being suggested for amendment here. I actually think that 3(2), where

persons who are related to each other by blood or adoption may only become adult interdependent partners of each other by entering into an adult interdependent partner agreement under section 7

is probably a good idea and will help alleviate some of the concerns that I've had raised with me about a number of the scenarios that have been raised where family members are residing together, and because they've been together for longer than three years, this adult interdependent partnership now exists, and that that would alter some of the other arrangements that had been made; in other words, the relatives wouldn't necessarily understand that they'd been captured by this new legislation. This now sets out that they would have to knowingly and with forethought enter into this agreement, so there could be no misunderstanding, that they didn't understand that it applied to them or that it caught them by surprise.

I am not so sure why we need the additions of the kind of legal-beagle stuff about having to prove it in court and not going to court to use these relationships as a way to get out of something or get into something that they really are not entitled to. But if that's what the recommendation is from the Canadian Bar Association, I'm willing to believe that that's a reasonable group of people and that they know what they're doing, and I will accept the suggestions that they've made.

I guess one of the issues that I do want to bring up and get on the record and get a response from the minister on is: will this amendment alleviate a situation that's described in a document from the Canadian Bar Association wills and estates subsection for northern Alberta, which outlines an anecdotal situation where we have a mother and adult son that are living together. The mother decides she wants to reward the son by leaving him more of the estate. I'm sorry; the actual example is that if the mother wanted to leave her estate to all of her children equally but that she was now deemed to be in an adult interdependent relationship, she would not have the ability to do that. The legislation would now essentially force the estate to give precedence to the son that was her adult interdependent relationship. I'm assuming that that is going to be addressed in this and that the mother and the son would have to knowingly enter this relationship. One presumes that the rest of the siblings would then be aware of what the arrangement is and would know this was the case, and that could be argued out in advance of the mother's demise then. So I'll just double-check with the minister that, in fact, I am reading that correctly and have him respond to me. That seemed to be the concern that was being raised there.

The other issue I've had raised with me around this – and I don't think it's being addressed by this amendment, and I'll probably bring it up again later – is that people may not be aware that if they had a will in place, the existing law is that if you get married, that will is null and void. With the passage of Bill 30-2, the Adult Interdependent Relationships Act, the same thing would now apply to these types of relationships. Any will that was in place once the people enter into or qualify for this relationship would render any pre-existing wills null and void. People need to know that and need to know that they should go in and write a new will. That I don't think is covered under the amendment that has been brought forward by the minister.

So, as I say, having had an opportunity to look at this amendment in advance, discuss it with a few people, review some of the information that has come my way from various divisions of the Canadian Bar Association and others who've contacted me, I do see this as an attempt by the minister to address some of the concerns that are brought forward by members of the legal profession

regarding this legislation. I hope that it will bring clarity to the process. I don't have a problem with what I'm seeing as far as I understand it.

With that, I'm hoping the minister can answer my questions, and I'm willing to support the passage of this amendment. Thank you.

THE CHAIR: Any further comments, questions?

MR. MARZ: Just a few comments, Mr. Chairman, on this and perhaps some clarifications on some of the clauses in the amendment. I received a call from a constituent over the supper hour. The constituent was a lawyer, and he expressed some concerns about this in addition to some of the other concerns that the minister talked about that he'd received from the Bar Association as well, and they were quite similar. I did talk to him at length about what would be satisfactory to ease his concerns, because apparently he's dealing with constituents and clients of his that are in estate planning, and they've expressed concerns about how this is going to affect their estate planning. It appears that one of the amendments that the minister introduced here, the one that

persons who are related to each other by blood or adoption may only become adult interdependent partners of each other by entering into an adult interdependent partner agreement under section 7

apparently he felt would go a long way to alleviating a lot of the problems that he's encountering in dealing with this particular bill.

There are some other problems that have been expressed to me over the last number of days, though, and one deals with the potential alleged interdependent relationship that may result from a caregiving situation. I see the Minister of Seniors in here tonight, and as we are increasing the baby boomer bulge, becoming retirees, that group of people is getting larger and larger, and we are encouraging as a government these people to stay in their homes as long as possible. Staying in their homes as long as possible is going to require care, and probably a lot of that care in the future is going to be provided by the private sector. There's nothing wrong with that, but the problem arises where there is a substantial estate and a caregiver, although only a caregiver, claims to have established an interdependent relationship at some time during that caregiving period with an individual and thereby is seeking to inherit a substantial part if not all of the estate.

I was wondering if the minister could provide some clarification of this particular situation. There may be a strong temptation for such an individual to claim that even though I see that in amendment 8(1) there are potential penalties for doing that by having court costs assessed and that sort of thing, but perhaps the size of the estate may provide temptation far beyond that. So I was wondering if the minister could provide some insight into these situations. We can't determine for certain what the courts are going to decide in these cases.

In talking to this lawyer at noon today, I spoke to him of a common-law relationship, having to have three years living together or a child to establish a common-law relationship. He said that that's not always the case. There are other instances where the courts have determined that a common-law relationship did exist, so perhaps the minister could enlighten me a little bit on that. If that is the case, could that not be the same in this particular thing, that the courts could decide that even though it says three years, even though it says that in less than three years a child would have to be a product of that union? Are there other instances where the courts may decide this could happen? It would be quite disastrous to those families if the courts made this determination based on this legislation. If this isn't ironclad, we certainly wouldn't want to be experimenting with families and their estates. Perhaps the minister could comment on some of these.

9:30

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. Just to deal with the concerns from the hon. Member for Olds-Didsbury-Three Hills first. It should be clear that there are two things which are being proposed: one that's already in the bill and one which is in the amendments, which should deal with the concerns raised by the hon. member relative to a caregiver being found to be an adult interdependent partner. In the amendment we're making it clear that if you're related by blood or adoption, you cannot be an adult interdependent partner unless you've entered into an agreement, therefore a conscious act between the two parties, to find the status of an adult interdependent partner. That takes care of the situation where it's a family member who's the caregiver who's moving in, and that was one of the concerns that people had. As I say, I think the definition that was in the bill was broad enough to stop that from happening, but out of an abundance of caution because of a concern that has been raised, we proceeded to bring that amendment forward to clarify that and to make it certain.

The other thing that I'd like to bring his attention to is section 4(2) of the bill, which provides that

a relationship of interdependence does not exist between 2 persons where one of the persons provides the other with domestic support and personal care for a fee or other consideration or on behalf of another person or organization, including a government.

So if you have a nonrelated caregiver who's resident and they're providing care for a fee or other compensation, they, by definition, cannot be an adult interdependent partner.

Now, relationships might always progress from that of being a paid caregiver into an actual relationship. If that happened, that would be a normal situation that people might find themselves in. But the fact of the matter is that if a person is actually a paid caregiver or somebody who's receiving consideration for providing the care, they cannot be in an adult interdependent relationship. I think I can safely say to the hon. member that for people in that position the issue with respect to a person's estate will not be aggravated by this bill.

I have had other discussions, of course, with the hon. member. I mean, there are situations in this world where people take advantage of older people or where they move in. You know, relationships are established. That happens, but again one shouldn't just assume that because people have entered into a relationship, even if it is an actual relationship that would be defined as a relationship under this bill or without this bill – those situations happen, and those situations are the subject of cases before the courts even now. This bill doesn't change that in any way, shape, or form.

I want to assure the member that we have dealt completely with the issue that he's concerned about, and that is a caregiver taking advantage of the person that they're taking care of and going for more than the fee that they were to be entitled to have. I think that deals with that situation.

Now, the other situation that he's raised is the question of whether the definition of three years or one year with a child is a firm definition. Actually, Bill 30-2 goes a long way to create certainty in that area as well, because at law in Alberta we have definitions of common-law relationships that range anywhere from one year or just people moving in together to five years in certain statutes, so we have it defined in a broad spectrum of ways in different definitions for different acts. This clearly makes one definition for all of the laws that we have relative to who fits into that relationship, and by having that clear definition and a public purpose so that people can have some certainty as to when those relationships exist, we can be,

I think, satisfied that the courts now will know what at law constitutes an adult interpersonal partnership, or formerly a common-law relationship. It's a common definition now, which is something we have not had before in Alberta.

I would just emphasize, although it doesn't need emphasizing, that, again, by virtue of this bill we're clarifying what "marriage" and "spouse" mean in all of the laws that we have and then what the common-law relationship, now the adult interpersonal partnership relationship, is in all of those laws. We're not confusing those two definitions, which we also have done in various statutes and laws in this province in the past. So I hope that deals with the hon. member's concerns relative to the issues that he raised.

The Member for Edmonton-Centre raised issues with respect to some letters received from various members of the Bar Association and one in particular, and I don't know whether she referred to the particular member that raised it or not. In any event, I'll just deal with it generically. First of all, some members of the Bar Association have been writing with concerns about us interfering with the ability of people to make their own wills and to devolve their own property. Clearly, we are not attempting in any way, shape, or form to take away the right of an individual that they have in this province to write a will and to determine who their property goes to.

Now, it has to be understood, of course, that the law in this province does still require that people take care of their dependants. So while adult children have no right to their parents' estate in Alberta, a parent can leave their property to anybody they wish in their will. They can leave it to the SPCA if they wish. They can leave it to a favourite charity. They have no obligation to leave it to their family, but people do have an obligation to take care of their dependants, and if they do not take care of their dependants in an appropriate manner and they leave somebody in a position where they don't have appropriate resources to live, people can make application under the Family Relief Act for relief.

In those circumstances, at law now, without this bill, the courts can determine that a person has not appropriately provided for a dependant and can give the family relief, and that would not change under Bill 30-2. Bill 30-2 still provides that an individual in this province can write a will, leave their estate to whomever they wish as long as they appropriately provide for dependants, and if they haven't appropriately provided for their dependants, the dependants would have access to the Dependants Relief Act, as I think we're changing the name to in this bill. So I think that deals with the question of the wills variation that was raised or how we might be interfering with the question of the person's ability to leave their estate.

In the example that was used specifically, of course, again, by virtue of the amendments that are being brought forward tonight, we're saying that you cannot be an adult interdependent partner if you're related by blood or adoption unless you've entered into an agreement. Therefore, the adult child living with the parent would not have the benefit of that relationship to take forward into their dependant relief application. Now, if they were truly dependent, they would have whatever application they have at law now, and that won't change.

So, clearly, Bill 30-2 does not do what people are concerned about with respect to interfering with the ability of a person to leave their estate to whomever they wish, and the concern that has been raised relative to family situations is very definitely dealt with now by virtue of the amendments that are being proposed tonight.

THE CHAIR: The hon. Member for Edmonton-Highlands on amendment A1.

MR. MASON: Yes. Thank you very much, Mr. Chairman. I'd like to ask the minister just some questions, and these I think bear on the basic content of the bill. Here's what I'm trying to figure out. If you are unrelated and you don't have a conjugal relationship – you might be roommates, for example, for an extended period of time, and one person might choose to make a greater financial contribution than the other, and then after three years all of a sudden the person who's making the greater financial contribution is required to make that greater financial contribution on an indefinite basis. But if you happen to be brother and sister or sister and sister or whatever, you don't. Now, I don't understand that. This is the problem I'm having with the basic concept of the bill, but it's embodied in this amendment, so it's a great chance to ask it, I think.

9:40

Why, if you are roommates and one provides a greater degree of financial support to the other, does the person receiving the financial support by mutual agreement have a right to enforce a continuation of that support in the courts? This is something I do not understand, Mr. Chairman.

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. Indeed, I would commend to the hon. member the Canadian Law Reform Commission's report *Beyond Conjuality*. It's a very good report, and it clearly outlines the issue.

Sometimes governments are accused of having to be dragged kicking and screaming into making amendments to the law. Now, when this government has reviewed completely the philosophy which underlies why we have this type of law, it then says: it ought to be extended to all of those people who are in a relationship of interdependency, who have created the emotional bond and the financial bond and have created that dependency. When the relationship breaks down, they ought to have access to it. Then people say: well, you're going way too far; you should wait for the courts to tell you to do that. Well, I think not. I think we ought to look at the philosophy of why we have the law and who should have access to the law.

We've said that that isn't limited to people who have sex, has nothing to do with people who have sex. It has to do with the type of personal emotional relationship that people have, and by coming together and having that type of relationship and intermingling their property and being co-dependent on each other both emotionally and financially – that's the type of relationship which historically we knew as marriage and more recently has included common-law people and more recently than that or perhaps forever has included other types of couples. Essentially, those are the types of relationships that the courts have said ought to have access to the same laws because they have the same problems. When relationships break down, property has to be separated and dependencies have to be dealt with.

So it makes sense to include those people who are in a platonic relationship of that type of personal emotional commitment and intensity, and we should be, again, very clear in what we're talking about here. We are not talking about two college roommates who lived together for three years, regardless of who pays the bills. One of them pays all the bills and the other pays none of the bills. It doesn't make it the type of relationship that you would say: those two people are holding themselves out as a couple in the community, they go to events together, they're known to be a couple, they're known to be together, and regardless of whether they're having sexual relationships or not, that's immaterial. The question is: do

they have the type of relationship where if they ought to have gotten married or they could have gotten married, they should have got married, as some would put it. That's what you're talking about in this situation.

It's not about casual, platonic relationships. It's not about two college roommates. It's about those people who have engaged in a close, intense, personal relationship that we now know as marriage or as a common-law relationship and also ought to include other relationships, because it's not up to us to determine what type of relationship you live in. It's only for us to make sure that you have access to the law when it's necessary, when the relationship breaks down either by virtue of disagreement or by death and you need to then sort out the issues which come out of those relationships. Now, why differentiate between family members and non family members? Well, quite frankly, personally, I would prefer not to. I think it makes sense if we're going to be philosophically pure not to do that.

However, I do understand that sometimes you have to move slowly in these areas. The area where there could be the biggest misunderstanding would be the situation where an adult child moves in with mom or dad and the rest of the family is concerned that the adult son moving in with mom or dad might be doing so to lay a larger claim on the estate or to somehow get an advantage.

So perhaps it's prudent. I've acquiesced in the view that it may be prudent to take this one step at a time and to say that in those situations where there's the potential for abuse and where people are concerned that they're going to be abused, we say that you have to take a positive, proactive step to enter into the agreement so that there could be clarity around that relationship. That's a prudent step, and we do need to take these steps slowly so that people can understand, a body of law can be built up around this, and we can be assured that it's not being applied inappropriately.

So I would ask that the House do support the amendment for those reasons.

THE CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I want to just follow this up because I really want to understand this clearly. The act is saying in the Interpretation section that

"relationship of interdependence" means a relationship outside marriage in which any 2 persons

- (i) share one another's lives,
- (ii) are emotionally committed to one another, and
- (iii) function as an economic and domestic unit.

Now, is there jurisprudence on this matter? Have the courts interpreted this adequately that it's going to make some sense?

Then the second question has to do with the amendment with respect to people who are related by blood or adoption. The question I would ask, then, is: if two brothers or two sisters have lived together in an interdependent relationship for an extended period of time, why would they have less protection than two people who are unrelated by blood? I can see the point about the freeloading offspring coming back into the nest. I can see that point, but I would suspect that there are a number of relationships where siblings have lived together in an interdependent relationship, and this amendment takes away their rights or reduces their rights to a level which is lower than people who are totally unrelated. Why is that?

THE CHAIR: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. First of all, with respect to the question of jurisprudence I would address the hon. member's attention to section 2(a) to (i), which are the factors which

are to be taken into account in determining whether a relationship exists. In fact, those are the factors which have come out of the case law over the years with respect to the determinations that courts have made in finding common-law relationships. These aren't invented or pulled out of the air. This comes from the body of law which has developed over time as the courts have developed this issue that relationships exist outside of marriage which have to be taken into account.

So I would say that there's a considerable amount of jurisprudence which will be helpful in guiding a court if any issues of this nature come up, because the courts, in fact, have been involved in determining those factors and applying those factors and determining what weight those factors might have in any given fact circumstance. Sometimes I've had the question: how many of these do you have to have? What weight do you give them? Well, those are subjective tests that a court has to apply having heard the evidence and having heard the people involved in the case. They've done a good job of that in the past, quite frankly, and those factors come from that area.

The second question that the member raises is a little bit more difficult because inherently it does look to be unfair to say that if you're related by blood or adoption, you have to have an agreement, but if you're not related at all, you don't have to have an agreement. The member makes a good point that if two sisters are living together, as was the example used in the *Beyond Conjugalities* report, that I referred to, they ought to have access to the law in the same manner. I don't inherently disagree with the member, and that's why this amendment was not included as part of the bill in the first place. But I have been swayed by the argument that we should proceed cautiously, that if we're going to expand into this area, there ought to be an opportunity for people to understand what this means and how it might affect them.

The single area that has been pointed out as being the most likely area of abuse, if there is an area of abuse, is the situation with close family relationships. Unfortunately – I wish it were not so – most estate litigation deals with families and family members and disagreements after death of a parent and those sorts of situations. So that is the place where the greatest anticipation of concern comes from. In looking at this and saying, "How do you best deal with it?" there's no easy way to codify this in a manner which would just isolate those people who are codependent children or parents or those sorts of things. You really have to take the whole bundle of family relationships.

I think it ought to be clear that there's a balance involved here, and the balance is one of trying to find the best place to create more certainty in the law, which is what the people planning the law would like to always have, but also providing the greatest access. So family members, if it's clear – and we make it clear to people that you can have this type of relationship, the adult interdependent relationship. By entering into an agreement, they're not precluded from having that type of relationship where it's appropriate to have it. They just don't get it by ascription. So we believe that that was a prudent place to start with this to see how it might develop at law, to see if there were the problems that come up that people are suggesting. I don't believe we'll see that, but that's a good place to start.

9:50

MR. MASON: Mr. Chairman, why not be very prudent and require everybody to sign the agreement?

MR. HANCOCK: Mr. Chairman, that would be the preference of many people. In fact, we used to call that marriage. That's the contract that people make, the intense personal contract that people

make, and that's what our society built its property laws around. It's a very good concept. I agree with the member: that's the concept we ought to probably use. However, we can't go back. The courts have determined that there are relationships outside of marriage where people need to have access to the law, and in all fairness the law is about property and about division of property after relationship breakdown. So people outside of marriage have those problems and have to have access to the law.

The courts have taken us there and perhaps appropriately so. We've just not built that consistently into our law. As I said before in answer to an earlier question, we have numerous definitions of common law. We have numerous definitions of spouse. The need is to provide clarity, so we now have a clear definition of spouse. We have now a clear definition of how we term those people who are in relationships outside of that contract which is called marriage and apply the law to those people in a fair and appropriate manner. The law, in my view, would not stand up if we said to everybody: in order to have this type of relationship, you have to register.

THE CHAIR: The hon. Member for Edmonton-Centre on amendment A1.

MS BLAKEMAN: Yes. Thanks very much. There have been two issues now raised. I'm glad to see that they have been raised, and hopefully we will all achieve clarity on this issue as a result of the discussion. In response to the issue raised by Edmonton-Highlands and answered by the Minister of Justice, it is true, and that's what happens when you start putting amendments into a bill that was already thought out as a package. You do start in some ways moving backwards. The point of this and one of the reasons that I was supportive of this bill was that it did capture people that fit the description. It did not require people to go somewhere and make some sort of overt act in order to be covered under the legislation. What the courts have very clearly said is that you cannot exclude somebody from a remedy or a benefit that they are entitled to because they didn't do something: because they didn't sign a piece of paper, because they didn't go to a particular place and say something. You cannot deny them a remedy or a benefit under the law because they didn't do that thing.

That's why the original definition that was under this act is one I thought was a very good one, and it was one, frankly, that I worked very hard to make sure was there. So, yes, I have problems with an amendment that starts to erode that, and that is what's in here. What we are trying to do now is to establish whether that erosion against that definition – in other words, the section that says: "Okay. If you're related by blood or by adoption, you are going to have to make an overt act in order to be captured by this legislation. You are going to have to sign something, do the written agreement in order to be recognized as being in" – is balanced against the fears and concerns of people that we would be capturing people who (a) did not want to be captured and (b) did not know they would be captured.

That leads me to my second point. What mechanisms are in place for the results of the passage of this legislation to be publicized to Albertans? This is new law. This is something new we are creating. People do not know about it. I've even spoken to the minister about the fact that there's been very little coverage of this in the paper. I'm hearing very little about it out in the community. So how do we now let people know that this now exists, that we have in fact captured them or captured a large number of people under this legislation? I would like to hear that discussion from the minister because I think it's something that we are going to have to do very deliberately. If the minister doesn't have specific plans in place,

then I think the minister needs to get specific plans in place in order to let people know that this, in fact, has happened.

So while I appreciate the question from the hon. Member for Edmonton-Highlands because it brought the issue up, I vehemently disagree with what I would see as taking a step backward and requiring all people to sign a written agreement in order to be captured under this legislation. That flies in the face of what the courts have given us. It flies in the face of human nature. Human beings don't do what they're supposed to do. If they did, we would not need an Intestate Succession Act, because everybody would run out and do wills exactly when they're supposed to do them. The day they turn 18, they would do exactly what they're supposed to do. But people don't. They do not do those things they are supposed to do, and we need to be providing legislation that understands that. There's no point in us writing a series of laws that then won't work for people because they don't do it. Then we just have a huge enforcement problem and start having to get into police officers or enforcement officers of some kind running around thumping on people because they didn't do something. You reach ridiculous extremes in that case.

Once again to the legislation. I'm looking to the minister for a very clear explanation of how this law, once passed, is going to be publicized so that people know that it exists and they've been captured by it. Two, I'm supportive of the legislation, but I am even more uneasy now than I was a half hour ago about eroding that original definition by requiring people that are related by blood or adoption to now sign the written agreement to enter into it, that to be recognized under this legislation as an adult interdependent relationship or adult interdependent partners, they have to sign a written agreement, because it does require an overt act from them. I understand that this was in response to concerns from the legal profession and other members of the community that were concerned that there would be not a wholesale attempt to defraud the system but that it increased the likelihood that that could happen and might be found enticing by some individuals.

So having said that, I will look forward to hearing the minister speak about how we are going to get information out about this, which may help address the issue that's also been raised by the Member for Edmonton-Highlands.

THE CHAIR: The hon. Minister of Justice.

MR. HANCOCK: Thank you, Mr. Chairman. Just to clarify, I think it is important that Albertans be made aware of this. In fact, I think that's one of the essential elements of having this bill come forward. Right now people are becoming subject to obligations that they never knew they had as we march from one court case to the next. Right now before the courts there's a challenge against the Dower Act, for example. If the courts determined that the Dower Act was not constitutional because it's limited to people who are married – and this is a situation, I believe, where it's a common-law relationship which is the subject of the challenge – all of a sudden people could find that there are dower rights on their property that they never knew existed.

10:00

That's the type of thing which happens, and it's probably an exaggerated example. But I use that as an example of the fact that people are in relationships across this province as we speak, and every time there's a court challenge relative to the definition of "spouse" and how it gets applied, more people become subject to obligations which they didn't knowingly enter into. That's why it's completely necessary to redefine "spouse" to mean spouse, to have

the adult interdependent partnership definition clearly there, and to have people understand that when they enter into these types of relationships, they carry with them obligations and burdens that they need to be cognizant of.

It's very necessary that we get the message out to Albertans when this bill is passed, which I hope will be passed, that we advertise to Albertans that there is an act in place – I can't identify for the hon. member tonight the nature and extent of an ad campaign – and speak to the amendment, which deals with the question of people related by blood or adoption having to enter into an agreement. This type of information has to be circulated. It has to be circulated through the bar; it has to be circulated through the organizations in our province which provide advice on a gratuitous basis to people who need it. It needs to be provided through our libraries so that people understand that entering into a relationship is serious business. They ought to pay attention. They ought to take the time to take care of their own affairs, write their own will or have somebody write a will for them, deal with their property issues, because if they don't, then they could be subject to a law which they didn't understand, and passing Bill 30-2 doesn't give them those rights and obligations. Those rights and obligations are out there. The courts are applying them on a daily basis to different people in different relationships.

So people ought to be aware of that, and the hon. member is absolutely right. We ought to make sure that it's well advertised, not necessarily by buying space in the media but, certainly, by encouraging the media to advertise, encouraging stakeholder groups and nongovernmental organizations and those people who are dealing with issues of relationships so that there's a good understanding of what the law is about and how it applies to them.

[Motion on amendment A1 carried]

THE CHAIR: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks. I'm glad to have the opportunity in Committee of the Whole to just examine some of the different aspects that are being raised through this bill without the confines of a particular amendment.

I want to do just a couple of things, and the first one is to walk through the acts that are being included here. So essentially what we have is that the state is insisting on hanging onto the original definition of "spouse." Spouse now means most particularly a heterosexual marriage. Then there is an additional relationship which is called an adult interdependent relationship, or two people being adult interdependent partners, which is covering a number of other relationships including committed platonic, what we would have called common-law, and same sex.

So some of what we have being captured by this are some definitions that are different, and there are about four of them. One is the Alberta Personal Income Tax Act. What we have here is a definition of common-law partners. Now, one of the things that I want to question the minister on tonight is: what specifically is that definition? In attempting to have one definition under this act, we have had to have some exemptions and/or exceptions or differences. What exactly is the definition that's been accepted by the courts under common-law partners? If I could get that definition from the minister. Is that defined as being conjugal? Is it left totally undefined so it would mean and is accepted by the courts as meaning two people who set themselves forward as what we would now call an adult interdependent partnership? I want to know who would be captured under the Alberta Personal Income Tax Act.

Now, the employment pensions act we've seen before, and they have a definition called "pension partners," which has no further

definition on it. Basically, anyone that you assign as your pension partner is your pension partner, so there's a lot of freedom there.

The MLA pension act has also been included recently, and it has that same definition of pension partner, which is self-determined, so no problems there.

The Assured Income for the Severely Handicapped Act has a definition that talks about cohabitating partners. Again I'm looking to see whether there's a specific definition set up or whether that is self-determined.

Now, there are a couple of acts that I just want to highlight and clarify that what's going to happen is what I think is going to happen. We've got the Alberta Evidence Act. I don't have questions about that, but with the Alberta Health Care Insurance Act I'm looking for what is now possible as our new definition of "AIRs" or "AIPs" gets included in that.

Also, further on down the list I notice that there's the Health Insurance Premiums Act. Now, I am just trying to make sure that this now means that companies like Starbucks that offer to pay health benefits for same-sex couples, for example, who have until now had their cheques returned because Blue Cross and health care premiums would not recognize those same-sex partnerships – so they would get a cheque from Starbucks saying that this is for person A and their partner, person B, and Alberta health care went: we don't recognize that kind of relationship, and therefore we're shipping the cheque back to you; start over again.

So those companies, and some of them international companies, were very frustrated in that they weren't able to offer the benefits equally to all of their employees depending on which province they were in and even which country they were in, and they were being precluded from offering a benefit here in Alberta that they could offer somewhere else. I actually had on my desk at one point three examples of that. One I know was Starbucks, and there were a couple of other large companies in the same situation there. I'm trying to make sure, then, that we can have, for example, a same-sex couple that can be covered under a family membership which would cover two people under the health care insurance premiums. So I'm looking for a confirmation on that, please.

The Election Act. I'm just double-checking what's being anticipated under that or what in particular opens up there. The other ones were the Income Support Recovery Act and the Interpretation Act.

Now, the Maintenance Enforcement Act. This is interesting. Will this now require that there's a maintenance order that is issued against one of the adult interdependent partners? Just because you have a relationship that breaks up, say, six months down the road, you don't automatically have a maintenance agreement there. You still have to go through court and have a court order issued the same way that a common-law couple or a married couple would have had to today, before this act is passed. So again can I double-check that that's what's going to be required here? There's nothing automatic that falls into place. They're going to require the same court order that anybody else requires. You know, that's not right, because you can self-register under . . . No. I'm looking for clarification there, because I think you can self-register under the Maintenance Enforcement Act. Is that what's possible and anticipated here?

Now, the Partnership Act is also included in the list, but in another place it's listed that it doesn't mean partners as in a legal partnership or a law firm or something.

The Protection for Persons in Care Act. I'm looking for some discussion of what's anticipated there, what's being granted there, any changes that we'd be expecting.

The other one was the one about having to testify against a partner in court. That's the other one that I've seen raised in the community

as being of some concern, and perhaps that's appropriate. I mean, it's been in place previously that a married couple could not be required by the courts to testify against one another. Would that now apply to adult interdependent partners? Those are the specific questions that I have there.

10:10

Once again I'll bring up the issue of the wills being null and void, which is one of the reasons I'm so concerned that there be a very strong campaign to inform and educate members of the Alberta public that this is now coming into place, because if with the passage of this bill we have wills that are null and void for those people that qualify immediately under an adult interdependent relationship, then they need to know that so they get their wills rewritten or updated in some way so that they are valid under this new relationship. That is a matter of expediency, so I am concerned here that we don't have some long time lag where, you know, the government comes out with some sort of ad campaign or a leaflet or something next September, because I think that would cause us some problems in the interim. I agree with the minister about informing the various divisions of the Canadian Bar Association in Alberta about these changes – fine; great idea – but there's a whole bunch of other people out there that are not going to know what's happening.

We also have a number of acts that do not appear here in which the word "relative" is undefined, and I take it – and I'm looking for clarification here – that now includes these adult interdependent relationships under that undefined phrasing or undefined category of relative. I'm just making sure that they will be included in that and we don't have problems with, you know, people standing in hospitals not being allowed to see someone because they are not determined to be a relative. In fact, the Hospitals Act is one of the ones that's being covered here, but I really am looking to make sure that where the word "relative" appears in other acts, these adult interdependent relationships will be deemed to be part of that, even though they're not specifically spelled out.

Now, it's been noted by the minister and by myself a number of times that there are three acts that are not included here, that we need to be very alive to the fact that they're not. One is the Dower Act, which the minister just spoke of; again, there's currently before the courts a challenge on that one. The Widows' Pension Act is also not in here, I suspect because the government is looking to repeal the act and it would just disappear, so no point in putting it in this legislation. That leads to a whole other discussion.

Finally, the Matrimonial Property Act. It is much more of a concern to me that that one is not included in this act. Now, I know that it's not in here because, again, it's being challenged currently in front of the courts, but I think this is a much larger issue that we don't have this in the act. Is the minister anticipating bringing forward a miscellaneous statutes, for example, in order to add in matrimonial property once this particular case that's before the courts clears? Even given all these other acts that are being added in, matrimonial property is a huge part of a relationship that falls apart, and I think that to not have that included in this package is problematic.

I've talked about the wills being null and void, if I understand that properly. I asked something else before that I haven't had answered yet, and this certainly exists. If we have a couple who are a couple, who are an adult interdependent relationship – they hold themselves out to the community as such, they commingle assets, they are a financial and emotional support for one another, but they do not live in the same residence – can they sign the written agreement that says "We are adult interdependent partners" and have everything applied to them even if they don't actually live in the same place? They

could in fact have a conjugal relationship but may not live in the same house. That is not as rare as we would think. There are lots of people that are very deeply committed to one another. They just don't want to share the same tube of toothpaste in the morning and therefore keep separate residences, often in the same apartment building – for example, down the hall or one floor up from each other – or next door, across the street in a house on the same block. So what about those people? Will they be captured under this act? I would think, in my reading of it, that if they signed the written agreement that says, “Yes, we acknowledge and we put ourselves out as adult interdependent partners,” in fact all other things then apply to them even though they do not physically reside in the same residence.

Okay. Clarify roommates. I don't think it should be an amendment, but what other reassurance can be given to the community that the spectre of the college roommates that is constantly being brought before us as an example of where things can go wrong, where people could use this act to take advantage of other people – what other reassurance is there in the act for people that, you know, college roommates will not be captured under this? Is it enough to say that the courts have already given us all this criteria which has been tested and that's enough, that we don't have to worry about it? When people say this to me, I go: yeah, there's going to be a certain amount of testing it in court. Do I think it's going to be wholesale testing? No, I don't, because it costs money, and if you want to be able to test certain parts of this act and try and make it apply to you, you're going to have to hire a lawyer and go to court.

Now, I don't know how many people really want to go through all of that just so that they might make an extra couple of bucks off somebody. Nonetheless, I think we are going to have to test the act in some ways, and that will inevitably happen, but I do not think that there's going to be a wholesale rush on the courts while all of these various relatives or arm's-length relatives or roommates or, you know, best friends or spinster aunts try and take advantage of one another. I just don't see it, but I am concerned that the clear information of what this act is intended to do does get out to people in a timely manner.

So those are the things I'm still looking for clarification on. Are the wills being nullified by the passage of this for anyone that has them and immediately qualifies as an adult interdependent relationship? What other clarification can be offered through the legislation about the whole roommate thing, and what does the minister plan to do or anticipate to do about bringing the Matrimonial Property Act under this as soon as possible, assuming that the court's decisions don't preclude that?

Okay. Thank you very much for the opportunity to go line by line.

THE CHAIR: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Chairman. The hon. member has provided a litany of issues relative to the line-by-line analysis. I'm not going to go through each one of them with an answer. I think it's fair enough to answer most of them by saying that where the term “spouse” is used in our statutes in Alberta, we're now replacing that with “spouse or an adult interdependent partner.” Therefore, she can assume that where that has been done in all of the statutes that she's referred to, there is no difference in the application of the law; it's just a question of making sure who's included in that application.

10:20

To use the example she used with respect to maintenance enforcement, of course you'd have to get the court order before you

registered it, whether you're getting a divorce or whether you're leaving an interdependent relationship. The law doesn't change; the application of the law doesn't change. It's just that we now have a clearer understanding of who has access to the law.

Now, there are some differences that the member has pointed out; for example, with respect to pensions. Clearly, we have passed orders in council under government pension plans to use the term “pension partner.” I've mentioned in the House before, I believe, that that's been used because for pension plans you have to adhere to the federal definitions, those that are allowable under the Income Tax Act, in order for a pension plan to be registerable and applicable, and therefore the pension partner has a different definition. That's defined in the act, I believe, and in the regulations, but it's a slightly different definition, and that's the reason for the different definition.

With respect to the applicability of this to various plans and benefit programs and that sort of thing, of course the answer is yes. As I mentioned before, where it used to say spouse, now it will say spouse or adult interdependent partner, and the plans will be applicable. Regulations may have to be written under various of those acts, and that will happen in due course if the Legislature agrees to pass the bill. So I think that deals primarily with the issues.

There are some issues that have been left out. The member referred to the Matrimonial Property Act, and I had this discussion with her outside the House, that the Matrimonial Property Act and the Dower Act have consciously not been included in this bill. Matrimonial property is before the Supreme Court of Canada. We felt that it was prudent to await the decision, which is expected sometime in December. We are dealing with family law in the spring, and if it's appropriate, we may deal with it in that context or may deal with it separately, but we're going to wait for the decision of the Supreme Court of Canada to see what that says before we take steps. It's the prudent thing to do.

With respect to the Dower Act, the Dower Act has a specific purpose and a specific language, and it's a difficult act to deal with in the context of this type of expansion because you need to have some registerable relationship in order to effectively use an act like the Dower Act. We really need to look at the Dower Act in its entirety to determine whether it is still necessary in the modern context, whether the need for the Dower Act has been supplanted by matrimonial property law and other laws. So we've left it out from that perspective, because it needs to be looked at in its own right.

In terms of the definition of “relative,” well, that includes people who are relatives. In some places that's defined; in other places it's not. One would assume that the courts will use the definitions that are in the various acts and use them consistently, but where it has not been defined, we didn't feel it was necessary to open that particular thing and put a definition in.

The member does raise a good question with respect to people who are in a relationship but who are living separate and apart. Of course, sometimes in the past we've seen situations – and it still occurs today, I guess – with seniors where one person is in need of care and needs to move into a seniors' residence or an extended care facility of some sort and is no longer living physically at home. One would not consider them to be living separate and apart simply because by virtue of the necessity of medical treatment or particular issues of care they're no longer living at home. I think we understand that at law, and the body of law around that is, I think, evident enough to deal with those situations. It could be a situation that we may have to watch and see whether there needs to be a tinkering with the act to make sure that that's clear, but I think there's a good understanding of who lives together and who doesn't live together. You know, the student who goes away to university is not consid-

ered to have left home, necessarily. I think the law is clear enough on those particular parts.

So, Mr. Chair, I'll take my seat.

AN HON. MEMBER: Question.

THE CHAIR: The question is called. However, we have a member standing, and the hon. member is entitled to stand and speak. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I have an amendment. [interjections] In fact, if this carries on, I have several.

THE CHAIR: Hon. member, then we can hand that out. [interjections] A1 was passed, yes. We're on the main bill. Now you're wishing to make an amendment.

MR. MASON: Mr. Chairman, if the amendment could be distributed, if it hasn't already been. I'm moving this on behalf of the Member for Edmonton-Strathcona. This is an amendment to the preamble of the bill which strikes out the preamble. It strikes out the preamble and substitutes the following:

Whereas there are Albertans in interdependent relationships that encompass the economic, social, and emotional aspects of marriage, while being outside marriage; and

Whereas it is appropriate to define a legal context for the nature of those interdependent relationships and to set out the applicability of Alberta laws to them.

So it would remove, essentially, the first three whereas and would modify the fourth "whereas" to be more appropriate for this particular act.

There are a number of reasons for this. First and foremost, this bill is about adult interdependent relationships. It is not about marriage, and a definition of marriage at the beginning is gratuitous and unnecessary and irrelevant to the act. I believe that the whereases that are proposed to be deleted are one-sided and do not represent the broad consensus within the province of Alberta. It is certainly true that marriage is an institution which does have traditional religious, social, and cultural meanings for many Albertans. The suggestion that "it is recognized in Alberta as a fundamental principle that marriage is a union between a man and a woman to the exclusion of all others" is debatable. That is certainly this government's definition of a fundamental principle, but there are many, many Albertans who would disagree and who in fact might find this assertion in the preamble to be offensive. The sensitivity of that point is, I think, inadequate.

The suggestion that the Legislature "affirms that a spouse is a person who is married" leaves out a growing and very significant number of people who are involved in common-law relationships and who believe they are, in fact, spouses. This would turn the clock back and define marriage very, very narrowly and certainly not in the direction that society is taking.

Mr. Chairman, I believe that the preamble is a political statement that represents only part of the views of Albertans or, rather, the views of a part of Alberta and is not broad and inclusive in nature, which it should be in dealing with a bill like this. Secondly, it is, as mentioned earlier, superfluous to the contents of the bill as a whole, which is meant to define adult interdependent relationships in the way that the minister has so eloquently described in answer to my questions and to questions of Edmonton-Centre as well.

So it's unnecessary. It's unnecessarily divisive, and it's unnecessarily narrow. The bill could easily prosper and enjoy wider support if these contentious definitions in the preamble were dispensed with.

With that, I would urge members of the Assembly to support this amendment.

THE CHAIR: The hon. Member for Edmonton-Centre on amendment A2.

MS BLAKEMAN: Thanks very much, Mr. Chairman. I'm very happy to rise in support of this amendment. I'm pleased to see that the Member for Edmonton-Highlands has brought this forward on behalf of his colleague the Member for Edmonton-Strathcona, because if he hadn't, I would have. I agree absolutely with this. I do know why that preamble is in here. I just disagree with why the preamble is in here. I think that preamble sets up a "na, na, na, na, na, we're better than you, but we're forced to do this" scenario, which, I think, demeans the rest of what is being intended by this bill, which, I think, is a noble purpose. I would prefer to see no preamble.

10:30

If what we're trying to do here is to define this new definition and bring it under the laws of Alberta, then let's just get to it. Why do we have to set out some two-tiered scenario right off the top in the bill, which is exactly what the "whereas" as presented in the bill does. I think it quite clearly sets it up that something else is more special and wonderful, but we have to do this other thing, so regrettably we do it. There's just a tone of puritanism, and it's not in following with what the reality of Alberta is. I spoke about this in second reading of this bill, and I spoke about how my constituents and others had approached me with their feelings that it was demeaning, that it was hurtful, that it was a slap in the face, that it was just grinding it into them that they weren't as good. They say: why do you have to do that? If what we're trying to talk about here is inclusion and bringing people under the law to be able to achieve the same remedies and benefits and obligations and responsibilities, then fine. Let's do that. Why do you have to grind somebody's nose in it? It's just mean-spirited.

Now, I know that there's a political expedience behind this. I accept that there's a political expedience behind it. I'm even willing to go along with it in order to achieve the rest of what's in this act, but I sure don't like doing it. I would speak very strongly in favour of the passage of this amendment because it does take that tone and that two-tiered status out of the "whereas" to this bill, and I would far prefer to see us go forward with legislation that can hold its head up all the way through.

Thanks very much, Mr. Chairman.

[Motion on amendment A2 lost]

[The clauses of Bill 30-2 as amended agreed to]

[Title and preamble agreed to]

THE CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE CHAIR: Opposed?

SOME HON. MEMBERS: No.

THE CHAIR: Carried.

The hon. Government House Leader.

MR. HANCOCK: I'd move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

MR. LOUGHEED: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 30-2 with some amendments. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Concurred.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
Third Reading

Bill 36

Appropriation (Supplementary Supply) Act, 2002 (No. 2)

THE DEPUTY SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. I'm very pleased to move third reading of Bill 36, Appropriation (Supplementary Supply) Act, 2002 (No. 2).

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: I just briefly wanted to speak in third reading on Bill 36, Appropriation (Supplementary Supply) Act, 2002 (No. 2). I see that the Member for Edmonton-Calder is still alive and kicking, and I look forward to what he has to contribute on the record as compared to sitting back and heckling constantly. We look forward to his extensive debate on this. I'm being warned to be careful what I ask for lest he does in fact rise to debate.

To the effect of the bill, Mr. Speaker, which is what we are debating in third reading. I feel it's necessary to reiterate once again

the uniqueness of what we see in front of us or rather that it is not a unique situation, that we have some \$652 million of additional money required above and beyond what's already budgeted for and passed in the budget, a request for an additional \$652 million that is connected directly to extreme weather conditions. Yet there is no recognition and there was a refusal to recognize, as a matter of fact, during debate that this has anything to do with climate change. I find that an astonishing set of affairs. Nonetheless, there it is. But I do want to put that on the record and to recognize that once again.

We have a total of \$822,853,000 that's being requested in the second supplementary supply appropriation act in this Assembly in this fiscal year. So we have a situation where an original budget is passed and this is now the second time that the Treasurer has come before us asking for additional money to be put into the budget. Now, I think that says something or certainly raises questions about the ability of this government to budget adequately in the first place, and I suppose it could be argued with some of these particular categories that, in fact, they were unanticipated. But, again, I challenge by saying: how unanticipated were they when we're talking about drought relief, flood relief, disaster relief, and fire relief? I think that I'll leave that with you for some thought.

I am not and I'm on record previously as not being in favour of these constant supplementary supply bills. I think we need to do a better job of the budgets in the first place but understand that this money is much-needed, and in fact some of it is simply a paper exchange, which is the case with the Western Heritage Centre, which I've spoken about a fair amount in earlier readings of this bill and in Committee of the Whole.

So I just wanted to get those few more points on the record in the last opportunity to debate this bill and thank you for the opportunity.

[Motion carried; Bill 36 read a third time]

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 10:40 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Thursday, November 28, 2002**

1:30 p.m.

Date: 02/11/28

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance. Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: Hon. members, it's my pleasure today to introduce to you Mr. Giuseppe Filippo Imbalzano. Mr. Imbalzano is currently posted at the Italian embassy in Prague in the Czech Republic, and he's in charge of consular affairs. He was formerly the Italian vice-consul in Alberta from 1991 to 1995. Mr. Imbalzano is a commander of the Italian navy in the reserves and was recently elected president of the Interallied Confederation of Reserve Officers within NATO. Our country, Canada, is also a member of this confederation. During his visit to Alberta Mr. Imbalzano will also attend the celebrations for the 10th anniversary of the founding of the Alberta branch of the Italian Naval Association, of which he is the honorary president. Mr. Imbalzano is accompanied by Mr. Vito Spadavecchia, a longtime Edmonton resident. Mr. Spadavecchia is the president of the Alberta branch of the Italian Naval Association. They're seated in the Speaker's gallery today, and I would ask them to rise and receive the traditional warm welcome. Welcome back to Alberta.

MR. JONSON: Mr. Speaker, I am pleased to introduce to you and through you to members of the Assembly Mr. Yeh Fung-jee, director of the Heilongjiang Department of Personnel, and Ms Shing Rong-hwa, also a division director of the Heilongjiang Department of Personnel. Together they are leading two delegations totaling 58 senior public- and private-sector officials from Heilongjiang, China. They are taking executive management training at the University of Alberta, and this is a partnership between the Heilongjiang government, the Alberta government, and the University of Alberta School of Business. The partnership is a key initiative under Alberta's 22-year-old sister province relationship with Heilongjiang. Participants in the program complete six months of training at the University of Alberta and a four-week practicum in various Alberta government ministries. We are pleased that these officials have come to Alberta to study western management and business practices. I would ask that our honoured guests seated in the members' gallery please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. It's my pleasure today to introduce two groups of guests who are in the Assembly today. First of all, I'd like to introduce to you and to the members of the Assembly the members of the Northern Alberta Development Council who are here today following a day and a half of meetings. Unfortunately, some of the members had to leave early and are on their way home. They're seated in your gallery, and I would ask them to stand as I call out their names and to remain standing. First is Mr. Art Avery of Fort McMurray, Berkley Ferguson from Boyle, Michael Procter from Peace River, Al Toews from Fort Vermilion.

Some of the staff members are Allen Geary; Corinne Huberdeau; Jan Mazurik; Rita Phillips; Gladys Gammon, my legislative assistant; and Emily Dye, my constituency assistant. I would like our members to afford them the traditional warm welcome of this Assembly.

The second group of guests is 29 people from Peace River, from Peace River high school to be exact. They're a group of high school students accompanied by teacher Mrs. Hill and parents Ms DeWit and Mr. Ross. There are actually two classes. One is an English 10 class, and the other is a French immersion class. They tell me that they were very impressed with their meeting with you earlier today. I'll give you some of the more intimate comments in private later on. They're seated in the members' gallery, Mr. Speaker. I would ask them to rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you, Mr. Speaker. I am very pleased to introduce a very special guest who is visiting us from the agriculture community of New Brigiden. She's very young, and she lives on a farm in New Brigiden with her horse Sweetie and her dog Mojo. She's a very special young lady who is the granddaughter of the Deputy Premier. Her name is Shelby T. Cox, and I'd like her to stand and receive the warm welcome of the Assembly.

THE SPEAKER: Hon. members, we're just sliding right into the second portion of the Routine.

The hon. Leader of the Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. It's a real pleasure today to stand and introduce to you and through you to the members of the House Rebecca Holgate. Rebecca is in Edmonton today with the constituency workers' meetings, but she serves in my office in Lethbridge-East. She began with us in September of 2001 after completing a degree from the University of Lethbridge in political science. She works part-time in our office, and in the rest of her time she's now considering joining the army reserves. She'll be able to keep me in line, I guess, a little more if she learns some of the things that go on there. I'd ask Rebecca to stand and receive the warm welcome from the House.

Thank you.

THE SPEAKER: Hon. members, I'll be introducing all of the constituency assistants later on as most of them are not coming in until a little later.

The Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It gives me great pleasure to introduce to you and through you today 59 visitors from Strathmore. They are from Wheatland elementary school and consist of 44 grade 6 students and 15 teachers, parents, and bus drivers. They've made the long trek from Strathmore here today. This is the first time that I've had the opportunity to introduce a school group from Strathmore in this Assembly, so I'd now ask that the Wheatland elementary school grade 6 students and their parent helpers and the teachers please stand and receive the greetings from the Legislative Assembly.

THE SPEAKER: Hon. Minister of International and Intergovernmental Relations, do you have an additional introduction?

MR. JONSON: No.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have the pleasure of introducing one of my constituents to the House today and to you. This constituent responded to an open invitation from me to my constituents to call my office if they would like to come here and observe the proceedings of the House. Mr. Houlihan is the first of the three who responded by e-mail to us. He is seated either in the public gallery or the members' gallery; I'm not sure. I would certainly ask him to now please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. I am really pleased today to introduce to you and through you to all members of this Assembly two very wonderful gentlemen from Calgary. Neil Hamilton is a constituent of mine in Calgary-West but most important, to this Assembly, Neil is a true Alberta and Canadian hero. His wonderful autobiography, *Wings of Courage: A Lifetime of Triumph over Adversity*, is a wonderfully moving story about a World War II bomb aimer and his amazing and challenging journey through life. Neil's personal motto has always been: "Quit? Never." His son Robert Hamilton, a great admirer of Neil's and, I would say, certainly an exemplary caregiver, also has, I've heard, many of his father's fine qualities. I would ask my two special guests to rise and receive the traditional warm welcome of this Assembly.

Thank you.

1:40

MR. McFARLAND: Mr. Speaker, when we come up to Edmonton quite often we see a sign that says: the city of champions. But I'm really honoured to introduce to you and to members of this Assembly somebody that doesn't get the recognition so often deserved. She's a numerous provincial/national power lifting master record holder. She's a master provincial/national Pan-American world weight lifting record holder. She's the first Canadian female to be inducted into the Canadian masters Weight Lifting Hall of Fame. She's a six-time gold medalist at the national and provincial masters weight lifting championships, a five-time gold medalist at the Pan-Am Masters weight lifting championships. She's competed in world masters competitions in Scotland, Poland, Canada, Greece, U.S.A., Australia, winning three gold and three silver and just recently and finally returned from the World Masters Games in Melbourne, Australia, where she won the gold again in her age and weight category for the sport of weight lifting. Right here from Edmonton, personally trained by herself along with her friend, personal trainer, weight lifter, and coach, I'd like to introduce to you somebody that's quite well known, Wendy Rogers. Would you please rise.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'm excited and delighted today to introduce to members of this Assembly and ask them to acknowledge the visit of 40 grade 6 students and their teachers, Mr. Dale Mandryk and Ms Colleen Reeder, teacher aide Mrs. Olga Miranda, parent helpers Mrs. Ann Baker, Mrs. Stephanie Tempest, Mrs. Connie Connery, and Mrs. Laurel Laing from the George P. Nicholson elementary school, the first brand-new school of the 21st century built by the Edmonton public school board. It's located in the constituency of Edmonton-Whitemud. The community of Twin Brooks celebrated the grand opening of this school this past Saturday. They sang the George P. Nicholson song, which says:

Learning values to love and share makes our school fine.

Inspired by parents and teachers who care,

I know the future is mine.

This is our song about our school,

and we sing it loud.

We come together to do great things and make our community proud.

The former Minister of Infrastructure, the MLA for Vegreville-Viking, did great work with the Edmonton public school board to resolve issues around formulas and boundaries to make sure that this school could be built. This is the first class from that school who is attending the Legislature. They will be coming into the members' gallery at 2 p.m. and departing before question period ends, but I'd like the Members of this Legislative Assembly to give their warm welcome to this class, which celebrates the future of our community.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. It's my pleasure today to rise and introduce to you and through you two distinguished guests to our province from the country of Thailand. Dr. Nongluk Chintanadilok is from the Mahidol University in Bangkok. She is in residence at the university Faculty of Nursing studying qualitative research. Professor Omjit Wongwanich from the Srinakharin Wirat University in Thailand is as well in residence at the university Faculty of Nursing studying pediatric nursing. Joining them today is my wife, Dr. Karin Olson, who's the associate professor at the Faculty of Nursing. I would ask them all to rise and receive the warm welcome of this Assembly.

THE SPEAKER: Hon. members, may I also introduce you to the hon. Member for Leduc, who's having a birthday today.

head: **Ministerial Statements**

Romanow Report

MR. MAR: Mr. Speaker, this morning I spoke with Mr. Roy Romanow and ministers of health federally, provincially, and territorially, and I conveyed to Mr. Romanow my thanks to him for an enormous amount of work that has been done. I want to add that I wanted to congratulate Mr. Romanow on some of his conclusions. He agrees that the health system needs to change. He agrees that the time to change is now. He agrees that we need to look at how we deliver and how we are accountable to taxpayers for health services. He proposes some initiatives on which Alberta is already acting. He speaks eloquently and often on shared Canadian values, and these values are equally important to Albertans. However, we disagree with how Mr. Romanow proposes to implement change and how to act on these values.

We agree that some of the solutions are national, but we disagree that the only solutions are national. Canada already has a body to achieve national solutions and accountability where it is appropriate. That body is called the Council of Ministers of Health. It is made up of elected people who report back to their constituents. In recent years our relationship has strengthened, as seen in our recent agreement on a national drug program.

Absent in Mr. Romanow's report, this September all provinces and territories issued the country's first nationally comparable health results. That first report offered reliable information on in-hospital survival rates for heart attack and stroke and years of life lost to cancer. We use this information to save lives and to improve our services and our results.

Mr. Romanow proposes a national health system in which

provinces and territories answer to a nonelected body on which all of western Canada – British Columbia, Alberta, Saskatchewan, and Manitoba – share one representative. He proposes that reporting be included in the Canada Health Act so that the federal government has yet another reason to withhold money and yet another means to impose its will. In return we share in billions of dollars, all of which have strings attached. Mr. Romanow, Alberta's responsibilities for health care to Albertans are not for sale.

To say that I am disappointed in this part of the Romanow report is an understatement. I expected a former Premier of this country to understand that health care is a provincial and territorial responsibility. From his consultation I expect him to appreciate our uniquely Canadian approach, that our diversity is reflected in our different medical services and models. I expected him to understand that collectively we are accountable to Canadians for their health care, not to an unelected council.

Mr. Speaker, I also anticipate that many other provinces and territories will share Alberta's disappointment. It seems that Mr. Romanow gives little credit to work that is already being done, to previous reports that are already being acted upon, or to the long and productive partnerships that already exist among our federal, provincial, and territorial governments. I will be interested to see how the federal government chooses to react to this report.

The additional federal money Mr. Romanow proposes sounds impressive until you realize he's expanding public health care to include a host of new responsibilities and services. This does little to help sustain the services that we are already struggling to maintain. When we are struggling to pay our bills, we don't go out to spend more.

Mr. Speaker, the one thing as valuable as more funding is more flexibility. Alberta, like many provinces, wanted the Canada Health Act to be open to create that flexibility. Mr. Romanow instead seeks to make it more restrictive by incorporating provincial reporting to a national body and by adding a range of services, conditions, and costs. One area where flexibility is paramount is service delivery. Since Mr. Romanow acknowledges access as a priority for Canadians, I'm disappointed that he rejects alternative delivery systems.

In Alberta access to insured systems has only one entry, through the public health system, and only one payer; that is, the public. Private providers only offer insured services within our public health system. Money has not, does not, and will not determine access to insured health services in Alberta no matter who the provider is.

Mr. Speaker, if we are serious about sustaining medicare, we must be open to all options that provide the access that Canadians value when and where it is needed and without financial consideration. We need to encourage innovation, not stifle it. Innovation is at work here in this province.

Alberta agrees with Mr. Romanow that access is a big issue. So are wait lists, palliative care, and home care. Alberta is acting on those priorities. Mr. Romanow holds up Edmonton as a model for palliative care. As part of our own health reform agenda we are developing a wait list registry, centralized provincewide booking, and access targets for selected services. A provincewide electronic health record will be implemented in another 16 months. Alberta covers the cost of catastrophic drugs under our Blue Cross benefit plans, and we welcome improvements to drug coverage. Regions already deliver home care services with provincial funding. We already have extensive accountability reporting, including our three-year business plans, annual results reports, and quarterly wait list reports.

Alberta believes prevention is important. Staying healthy is the first theme of our health reform agenda. We are implementing a tobacco reduction agenda. We are developing 10-year health objectives and targets to reduce disease.

I am looking forward to exploring where the options and recommendations in the Romanow report can support our own health reform efforts in Alberta, but to be clear, Mr. Speaker, we will look at the Romanow report in the light and through the lens of the Mazankowski recommendations, not the other way around. I will work with my colleagues in Alberta and across the country to make use of innovative and practical solutions that do not diminish our responsibilities to the citizens of Alberta or our flexibility in meeting them.

Thank you.

1:50

DR. TAFT: Mr. Speaker, today Albertans and all Canadians were handed a vision for an end to the feeling of crisis in health care in the form of the Romanow report. This report confirms what experts across this country have long been saying. It says with perfect clarity that a public health care system is sustainable and, more than that, that a public health care system is the best way to deliver the health care that Canadians want and deserve. This report also makes it clear that by any reliable measure spending on health care is in no way out of control. In fact, the report confirms that we are spending less of our wealth on health care today than we did a decade ago and that it is time to make well-considered reinvestments.

Mr. Romanow has served as a Premier during very difficult times, and despite claims we hear in this House, he made Saskatchewan, not Alberta, the first province with a balanced budget in the 1990s. He knows the importance of both leadership and vision. What does he say we need? First and foremost, to save medicare, strong leadership, and improved governance. So let us apply the questions of strong leadership and good governance to Alberta's health care system.

In the past 10 years there have been eight deputy ministers of health. No one can lead in those circumstances, and there is no possibility of good governance. In the past 10 years Alberta's health care funding has swung wildly, crashing down and cranking up more dramatically than any other province. Instability, demoralization, and waste have been the results. In the past 10 years we have seen thousands of staff laid off, then, to counter the ensuing staff shortages, huge wage settlements. In the past 10 years we have seen regional health authorities hurriedly created and suddenly disbanded, and for months now we have watched a paralyzing debate over their boundaries. For the past 10 years we have seen the process for establishing health authority budgets and business plans simply break down. This year not a single health authority – not one – had its budget approved on time. I could go on, Mr. Speaker, and on and on.

The sense of crisis in Alberta's health care system is not the fault of the people who use the system nor the people who work in it. It is the fault of failed leadership, but there is now a way out. We urge this government to set aside its plans to create yet another round of upheaval in Alberta's health care system. It is unneeded and unwanted. Albertans are tired of the bickering. They are tired of the confusion. The Romanow report is clear, constructive, and workable. We urge the government of Alberta to adopt it.

Thank you.

head: Oral Question Period

Federal Health Care Funding

DR. NICOL: The Romanow report outlines a national framework for delivering all Canadians with a comprehensive, borderless health care system. One of the recommendations is for new federal funds to be specifically targeted for health care initiatives. My question is

to the minister of health. Will the minister accept federal fund transfers if they are targeted for specific health initiatives?

MR. MAR: Mr. Speaker, this is an area that will have to be discussed among not just ministers of health across Canada but also first ministers when they meet in January to discuss health care. It will depend on what those areas are targeted to. I've said in this House and I've said in public that it is difficult for some provinces to have dollars that are targeted to certain areas that are new areas when they have difficulty and struggle with the existing areas that they already cover.

Now, as I indicated, there are some elements of the Romanow report that may be valuable and things that we have as a province already embarked upon. We agree that there is a need for a rural health strategy. We agree that there is a need to improve access. We agree that there is a need for primary health care reform. We are already acting on those areas. If the federal government chooses to implement those portions of the Romanow report that are consistent with the priorities the provinces have already established, then, yes, we will be happy to go down that road, but if the federal government insists that there are new programs that are created that are not consistent with the priorities of provinces and territories, we cannot.

DR. NICOL: Given that the Canadian Medical Association recently reported that federal funds for medical equipment were either misspent or misused by provinces, what sort of accountability is the government willing to provide for new federal funds?

MR. MAR: Well, Mr. Speaker, I can assure the Leader of the Opposition that money that was allocated for medical technology in the province of Alberta by the federal government was used for medical technology. That's the first point. But that there were provinces that may not have spent their moneys on medical technology is at the very heart of the problem. There were provinces that did not spend it on medical technology, and the reason for it is because they did not have sufficient moneys to match the federal government's moneys, which was a requirement under this program. They had difficulties matching the program dollars put up by the federal government, and they couldn't afford the operational dollars for that equipment. That's exactly the reason why this idea of matching federal dollars, that is inconsistent with provincial priorities, is the heart of the problem.

DR. NICOL: Again to the minister: will the minister use funds provided through the new diagnostic services fund recommended by Romanow to improve access to publicly delivered diagnostic services, or would they be used to prop up private facilities?

MR. MAR: Mr. Speaker, we are going to be focused on access. This is something that we agree with with Mr. Romanow. We are not, however, prisoners of ideology to suggest that you cannot use the private sector in the delivery of publicly paid for services. We have invested an enormous amount of money in buying new diagnostic equipment. We have increased dramatically our publicly owned MRIs, as an example, in this province such that the number of MRIs which were done three years ago was roughly 20,000. This year it will be almost quadruple that, nearly 75,000 MRI scans. Now, that is done partly through the public system but also through private delivery of MRI scans in this province.

Private Health Care Services

DR. NICOL: Mr. Speaker, the Minister of Health and Wellness

admits that he has no evidence that contracting out in Alberta has saved money. Today the Romanow report concluded there's no clear evidence that contracting out is more efficient or less costly. To the Minister of Health and Wellness: given that no evidence exists, how can the minister claim he's following evidence-based decision-making when he pushes for greater privatization?

2:00

MR. MAR: Mr. Speaker, the Canadian Institute for Health Information clearly says that when institutions, when facilities do a large volume of a narrow group of services, they get better at it. It makes perfectly good sense that if a regional health authority can provide greater access to a service by use of a private surgical facility and that service is paid for by the public system and if it doesn't cost any more and it does improve the volume of activity that can be generated, then it is a prudent move. It's not just about dollars and cents. It's also about being able to improve access and reduce queues and wait lists.

DR. NICOL: Again to the minister: since the minister has no evidence for contracting out, why has he disregarded his own legislation requiring him to consider cost-effectiveness before approving any contracts?

MR. MAR: Well, Mr. Speaker, the hon. member knows that cost-effectiveness is not the only criterion that is to be considered. It is quite clear that in our tendering process, which is available to any who wish to see it – and any of the contracts that have been approved under our legislation are available for the hon. member to see – cost-effectiveness is but one of a number of different criteria. It also has to include the quality being maintained and the access to the service being improved.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you. Mr. Minister, are you prepared to table in this House the calculations for each one of the conditions on a contracting out that are listed in the legislation?

MR. MAR: Mr. Speaker, that sounds like an entirely appropriate question to be done through a written question request.

Romanow Report

DR. TAFT: A research budget of over \$2 million, 40 discussion papers, three major research projects, eight roundtable discussions, six televised policy forums, 12 dialogue sessions with randomly selected Canadians, numerous in-depth interviews with various policy experts: that, Mr. Speaker, is the Romanow commission, which the Minister of Health and Wellness so arrogantly dismissed before even seeing its final report. To the Minister of Health and Wellness: given the multitude of research that has gone into the Romanow report, we ask again why the minister has decided to callously disregard so many of its findings.

MR. MAR: Mr. Speaker, unless the hon. member has been sitting in a cave somewhere for the last several weeks, he would be aware that there have been many reports in various media outlets, electronic and newspaper, about what would be contained in the Romanow report. Mr. Romanow has made no secret about trying to outleak himself through speeches that he's made at Harvard University, speeches that he's made at Memorial University, speeches that he's made in Washington, D.C. So for anybody to suggest that there are any surprises coming out of today's official release of the Romanow

report – I'm astonished that the hon. member had no idea of what was coming down the pike.

So, Mr. Speaker, I have indicated, and not in a callous way, that there are elements of the Romanow report that we find consistency with, but at the end of the day we are moving forward on the recommendations set out by Mr. Mazankowski. Anything that can be contained in the Romanow report that can improve on what we are already doing, we are happy to entertain, but we must stand up for what is right in the province of Alberta.

DR. TAFT: Wouldn't it be nice if they did stand up for what is right once?

Will the minister admit that the real reason he won't embrace the Romanow report is because it doesn't support the government's position of rapidly expanding privatization, which Mr. Mazankowski would like?

Thank you.

MR. MAR: Mr. Speaker, he has completely missed the point on what the issue in health care is. The issue is improving access and maintaining the quality of the health care system. I have used this example on many occasions; I'll use it again. When an individual is ill and goes into a facility, the questions that they will ask: does this place have the people and the equipment and the skills to diagnose me and treat me so I get better? People don't ask: is this a public or a private facility? That is an irrelevant question.

DR. TAFT: To the Premier: can the Premier tell us when his government's position changed from listening to the experts and became one of either firing them, like they did with Dr. Swann, or ignoring them, like they are with Mr. Romanow?

MR. KLEIN: First of all, Mr. Speaker, it is not true, to say the least – and there's another word for not true – to say that this government fired Dr. Swann. This government had absolutely nothing to do with Dr. Swann's dismissal or his rehiring. Absolutely nothing. If the hon. member were truly honourable, he will stand up and apologize for that very misleading, to say the least, allegation. But if he's honourable.

Mr. Speaker, we listen to the experts, and indeed we're listening to Mr. Romanow. We agree entirely with Mr. Romanow that there is a need for more federal funding, that the feds need to step up to the plate and pay their fair share. We don't agree, considering that health is exclusively a matter of provincial responsibility under the Constitution, that there should be strings tied to that money unless, of course, those strings allude to programs that we already have in place or are contemplating and are deemed to be our priorities. We certainly don't agree – maybe the Liberals do, because they like the socialist, centralist kind of control; maybe they agree – that there needs to be a national council, a new bureaucracy, formed to act as a watchdog over health care spending.

Mr. Speaker, when we went through the last round with the federal government in the year 2000, when they increased somewhat funding through the Canada health and social transfer, I said that I would sign my name in blood that that money would go to the delivery of health care, and I'm sure the other Premiers would be willing to make an absolute commitment. As the hon. minister pointed out, there's already a council in place, and that is the ministers of health, people who are duly elected to deliver health care programs in their provinces according to their constitutional authority.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. Roy Romanow has done all Canadians a great service by laying out a detailed blueprint for modernizing, strengthening, and sustaining medicare. By contrast, the health care agenda of this Tory government can be summed up in three simple words: privatization, delisting, and user fees. The Tory government's approach is ideologically driven and so simple that it can be written on the back of one napkin and with lots of space to spare. My question to the Minister of Health and Wellness: other than blind ideology and a need to reward Tory-friendly investors, why does the Tory government ignore the facts and continue to push a for-profit health care delivery agenda, that costs more and delivers less?

MR. MAR: Mr. Speaker, when I saw the sign go up, I thought I might have been across the hall from Stockwell Day.

The fact is, Mr. Speaker, that we are not bound by an ideology. We are bound by an unfailing focus on improving the delivery, the access, maintaining or improving the quality of a health care system that Canadians, that Albertans treasure. These are common values between what Mr. Romanow has espoused and what we as an Alberta government have espoused. We believe that the system should be sustainable, that it should be affordable, that it should be accessible, that it should be of high quality, and those are the commitments that we have. If that's an ideology, then we're guilty of following that ideology.

2:10

Mr. Speaker, there needs to be an examination of alternative ways of delivery. We know, for example, that long-term care has in this province long been served by a not-for-profit sector, by a for-profit sector, by the public sector, and this idea of having a blend of all of these things to deliver a high-quality, affordable service is what we want in our health care system.

DR. PANNU: To the same minister, Mr. Speaker: why is the government so hell-bent on delisting necessary health services in direct opposition to the Romanow report's call that medically necessary diagnostic and home care services be brought inside the medicare umbrella?

MR. MAR: Mr. Speaker, what Mr. Romanow has done is he has gone well beyond anything that Tommy Douglas had ever contemplated when medicare was first introduced in the Saskatchewan Legislature in 1961. I have referred to Mr. Douglas's speeches from 1961 in the Saskatchewan Legislature where he talks about the fact that he felt that it was important that individuals make a contribution for the use of the health care system. What was originally contemplated was ensuring that Saskatchewan people and, ultimately, Canadians would be protected from catastrophic financial loss as a result of catastrophic health consequences, and what was really talked about was doctors and hospitals, not all of this other stuff. So we have gone well beyond what the original contemplation of medicare was originally viewed to be as the scope of a social program, but what we seek in this Legislature and with this government is more flexibility, not less flexibility, which is what Mr. Romanow is contemplating.

DR. PANNU: To the same minister, Mr. Speaker: why is the government on the verge of introducing MSA-style accounts that will force sick and injured Albertans and their families to pay deductibles in direct opposition to the Romanow report's conclusion that these approaches don't save money, only serve to shift costs onto the shoulders of patients and their families?

MR. MAR: Mr. Speaker, there is no such plan, and I will not answer a question that is based on speculation, innuendo, and conjecture.

Electricity Deregulation

MR. McCLELLAND: Mr. Speaker, my question is to the Minister of Energy. When private companies use electricity generated by public utilities, utilities subsidized by the tax base, are they in contravention of the North American free trade agreement?

MR. SMITH: Mr. Speaker, it's my understanding that it would be extremely difficult to argue that electricity companies in the United States are harmed by electricity imported from Canada. For example, the majority of generators in the Pacific Northwest are still regulated, and they would not be harmed as they would be guaranteed the rate of return, which is the fundamental side for putting a restrictive trade practice against NAFTA. Now, for example, if a company were to take the federal government to a NAFTA trade panel for imposing the Kyoto protocol, there might indeed be a restraint of trade hearing held, but I'm only speculating on that.

Mr. Speaker, 70 percent of the power generated in Canada is hydro power. It's generated by utilities that have encountered some one hundred billion dollars' worth of taxpayer-supported debt. They export power to the United States to the tune of \$2 billion to \$3 billion a year, and there has not been any NAFTA claim on them.

MR. McCLELLAND: To the same minister: given the minister's answer then, in backing away from the deregulation of electricity, has the government of Ontario put its economy in the future in jeopardy?

THE SPEAKER: Hon. minister, this is the Legislative Assembly of the province of Alberta, and we're not going to comment on what's going on in Ontario.

Hon. member, your third question.

MR. McCLELLAND: All right. To the same minister: by embracing the deregulation process advocated by the government, has EPCOR not contributed to the long-term competitive advantage of Alberta, to the Alberta advantage?

MR. SMITH: Mr. Speaker, in evaluating an individual corporation's performance, those determinants are usually the function of, one, the perception by consumers in the marketplace and, secondly, by those investors and shareholders that organize the capital that's necessary to make that company run.

For the effects of having a generator such as EPCOR in Alberta and what has happened to this marketplace with respect to EPCOR's involvement, I would turn to the Minister of Economic Development to talk about what EPCOR has done with respect to the competitive advantage of Alberta as well as deregulation.

MR. NORRIS: I appreciate my hon. colleague deferring to me on this point. Obviously, deregulation has had remarkable success in Alberta. As you know, the province of Alberta requires about 7,800 megawatts of power. With new power coming on-line, we anticipate having about 8,500. We may actually become a net exporter like the provinces of Quebec and British Columbia, which is a whole new industry to Alberta. New power is up from deregulation, but it's done something very interesting as well, Mr. Speaker. It has allowed companies to see the market opportunities, invest in new forms of power such as wind power in the beautiful Crownsnest Pass, experiment in clean coal exports, and deregulation of power from

clean coal. Overall, it shows that the Alberta government is ideologically welcoming new challenges and changes from deregulation and willing to embrace them, so it's been a remarkable success.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Drayton Valley-Calmar.

Electricity Deferral Accounts

MR. MacDONALD: Thank you, Mr. Speaker. EPCOR in its third-quarter report announced that about \$312 million was yet to be collected on electricity charges for the year 2000 and 2001, that this government would not allow them to collect leading up to and during the provincial election. This is not a remarkable success story. There is no end in sight for these extra charges on Albertans' power bills, because sooner or later we are going to have to pay for Balancing Pool deferral accounts as well. The exact amount of the Balancing Pool deferral account is a mystery that will continue to haunt Alberta consumers in the form of high electricity bills for years into the future. My first question is to the Premier. Can the Premier please confirm that the Balancing Pool stands to lose substantial amounts due to its commitments to the owners of the electricity production?

MR. KLEIN: Well, Mr. Speaker, no, I can't confirm that that, indeed, will happen or that it won't happen. Hopefully, it won't happen. All I can say is that consistently power rates generally have been going down. They have stabilized considerably. There are some problems with the delivery of electricity, in the billing practices relative to electricity in some areas, not all areas. It's anticipated that the Balancing Pool will have some electricity to sell. It's anticipated that profits will be made. It's also anticipated that because of our sound management of this very difficult issue, we will not have to go into another subsidy program and that power rates will remain stable.

The hon. member is making all kinds of assumptions; in other words, everything that he is basing his assumptions on goes back to the year 2001 and is purely and absolutely hypothetical. [interjection] Back to 2000, yes.

MR. SMITH: Can I just add a very short point? In his preamble the member referred to the \$312 million in the run-up before the election of 2001. That was the year 2000, Mr. Speaker. This province was under a regulated model during that period of time. He knows it, and I think he's just maybe fudging a little bit for the House.

2:20

MR. MacDONALD: Mr. Speaker, this isn't conjecture. This is information from the Balancing Pool's annual report.

Again to the Premier: given that you stated that the average rolling price of electricity is 4 cents per kilowatt-hour, which, by the way, is not available to consumers anywhere in this province, can the Premier please confirm that the deferral account could increase by \$100 million this year because the Balancing Pool's commitment to the owners of the electricity production is 5 cents per kilowatt-hour for fixed and variable costs?

MR. KLEIN: No, I can't confirm that, Mr. Speaker. Relative to the daily energy pricing report this is, I take it, the Power Pool price. The average to the 25th of November was about 4 cents a kilowatt-hour. That document is available; it's published on a daily basis, and that is the report to noon, Monday, November 25. I doubt that it's changed very much since then.

Relative to the question I can confirm absolutely nothing other

than that the hon. member is speculating and he's putting forward a hypothetical case, Mr. Speaker.

With regard to the hon. member's preamble we announced deferral of rate riders so that people wouldn't have to pay the riders when prices were so high. Indeed, prices were high. As I pointed out, in January of 2001 it was 13.1 cents a kilowatt-hour. By the time it reached the consumer and the costs were added on, the retail price was even much higher than that, so we introduced rebates. The deferral was not connected to the election, and we make absolutely no apologies for doing what was absolutely right at the time; that was, protecting consumers.

We feel that the situation has stabilized. There are some bumps that have to be flattened out, certainly, relative to billing practices, and we'll deal with that.

THE SPEAKER: The hon. member.

MR. MacDONALD: Thank you, Mr. Speaker. Again to the Premier: what is the total amount of interest Alberta consumers must pay on these secret deferral accounts because you want to hide those additional charges from them until after the next provincial election?

THE SPEAKER: We have to move on here. Questions are supposed to be about government policy, not about all kinds of other things.

The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Centre.

Softwood Lumber Trade Dispute

REV. ABBOTT: Thank you, Mr. Speaker. Forestry industry jobs and jobs in secondary industries associated with the forestry industry are important to the Drayton Valley-Calmar constituency. Earlier this fall, in light of the ongoing softwood lumber dispute, the federal government announced a \$246 million assistance package for workers and communities dealing with this issue. Yesterday in Ottawa the four opposition parties held a rare joint press conference to demand more. My question is to the Minister of International and Intergovernmental Relations. Can you please tell the Assembly how this package will help Alberta?

MR. JONSON: Mr. Speaker, as the hon. member and other members of the Assembly know, we've been working closely with the forest industry in Alberta throughout this very lengthy dispute. With respect to the recently announced support package from the federal government we are working with the industry, particularly, though, with the communities that are impacted by this development, and we are advising them on the formulas that should be applied in terms of assistance to communities across, actually, all parts of Alberta that are impacted by this particular issue.

Mr. Speaker, we're very much involved with the program. We're suggesting that the federal government should be prepared to have money available not only in the current fiscal year but in the year ahead because we cannot guarantee that the dispute will be resolved in a prompt way. So I think we're certainly fulfilling our responsibility in terms of representing and working with industry in this regard.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. My next question is also to the Minister of International and Intergovernmental Relations. What is your ministry doing to work with the forest industry in Alberta to help deal with this ongoing dispute?

MR. JONSON: Well, throughout the dispute, as I just mentioned, we have met regularly with the Forest Products Association. We have provided both legal and strategic advice. We continue to support the challenges that have been made to NAFTA and to the World Trade Organization. Mr. Speaker, I think most important right now, we are awaiting and urging as we can the American government to consider coming back to the table with respect to negotiations. There is something that has developed in the United States known through the Department of Commerce as a possibility of opening some discussions about changed circumstances; that is, there'll be an opportunity perhaps to work out agreements on a province-by-province basis, although that was not our preference, in the coming year. So it is, I know, an issue which we wish could be resolved quickly and satisfactorily, but that is the nature of what are very complex matters that involve negotiations with the United States.

THE SPEAKER: The hon. Member for Edmonton Centre, followed by the hon. Member for Wainwright.

Rent Supplement Program

MS BLAKEMAN: Thank you, Mr. Speaker. My first question is to the Minister of Seniors. Could the minister please tell us what the status is of the private landlord rent supplement program?

MR. WOLOSHYN: The private landlord rent supplement program is still on an ongoing basis. We have taken the initiative to ensure that people with emergency situations are being housed. We are having significant budget pressures on the program simply because the rents are rising beyond our ability to meet them and that of the housing that's in the private sector.

MS BLAKEMAN: This is the private landlord supplement, and when I contacted the Capital Region Housing Corporation, Red Deer Housing Authority, Calgary Housing Authority, and Lethbridge Housing Authority, they all say that the program is on hold and has been since October of '01 due to lack of funding from the province. Why is the minister saying that it's okay?

MR. WOLOSHYN: I can't comment on the conversations you may have had with these authorities. Like I said earlier, the program is still there; it is still going. We're under a severe financial crunch, and we're meeting the emergency needs of the people in these various communities that you listed.

MS BLAKEMAN: What additional programming, then, is the minister looking at to increase the number of rental housing accommodation that's subsidized and available to people?

MR. WOLOSHYN: Mr. Speaker, this province has thousands of supportive housing programs for the seniors through the lodge program, thousands there through our support for people in social housing. We have thousands of units that we support there through the various housing foundations. We also have the rent supplement program, resources for which, I readily admit, are being stretched to the limit because of the escalating rents. We are also currently working with the federal government on the affordable housing program, which, when it is implemented, I'm sure will have a very positive effect on transitional housing, and putting people who are in the workforce in these very same communities to give them some availability of units. Also, I might add that through the initiatives of this government and with the support of other levels of government, we have added hundreds of homeless spaces and are working on that problem also.

We must remember, Mr. Speaker, that the solution to the housing

crisis is not solely the responsibility of any single government. It's a responsibility that is taken on by the communities and municipalities involved in conjunction and partnership with the private sector, with the provincial government, and indeed with the federal government.

2:30

THE SPEAKER: The hon. Member for Wainwright, followed by the hon. Member for Edmonton-Ellerslie.

Federal Report on Implications of Kyoto Accord

MR. GRIFFITHS: Thank you, Mr. Speaker. Industry Canada produced a report that describes devastating effects to key sectors of Alberta's and Canada's economies under the Kyoto protocol. Can the Minister of Economic Development tell us what is being done to address the report and the alarming projections it makes?

MR. NORRIS: Well, at the outset, Mr. Speaker, I'd like to thank the member for the excellent question. Clearly, the member understands the significance of the Kyoto report, and at the very least this report not being shared with us is a travesty on so many different levels that I don't know where to begin. But the Department of Industry Canada does have in its hands a report that outlines the effects of the Kyoto accord and its implications on Alberta. It talks about the loss of tens of thousands of jobs, billions of dollars worth of investment, and dried-up investment in years to come, and they know this. It is not an Alberta government report. It's done by the government of Canada, and they refused to share it with us.

What we have done as a course of action is written a very sternly worded letter to the Minister of Industry telling him that it is his responsibility to share that with us and to let the rest of Canada know the devastating effects that this accord is going to have on not only Alberta but all of Canada, Mr. Speaker.

MR. GRIFFITHS: My first supplementary question is to the Minister of Energy. Can the Minister of Energy tell us how his department is responding to the details of the report?

THE SPEAKER: The hon. Minister . . . There is some confusion. One minister says the report's not public. How can another minister know what it is? Please, some clarification here or consistency, if nothing else.

MR. SMITH: Mr. Speaker, I'd be pleased to provide the clarification in that the report has been released by Industry Canada, but it cannot be found by Industry Canada officials. Therefore, what happens is that this information, like ink from a squid, leaks out of Ottawa in a purported business relationship with a province where none of this information is available. So what we have to work on are some difficult details, but when you see in pages of a report that there is expected to be a 48 percent decline in investment in the coal industry – the coal industry not only being the backbone of Edson-Yellowhead; it also represents some 5,700 megawatts of a 10,000-megawatt grid in this province – that means that over half that investment would be gone.

Secondly, Mr. Speaker, in the crude petroleum and natural gas sectors, that natural gas that heats up 70 percent of Ontario's homes, that estimated decline is 33 percent, 33 percent of a present \$20 billion investment in Alberta. That's \$6 billion down the drain. It also talks about a 55 percent decline in refined petroleum. Shell Scotford, Petro-Canada: their upgrading facility from the oil sands will provide Edmonton with the backbone of refining for the next 70 years.

So, Mr. Speaker, in a short summary, the council of Manufacturers and Exporters, the Canadian Chamber of Commerce, the council of business executives, the Alberta Building Trades Council, the C.D. Howe Institute, and David Dodge, the governor of the Bank of Canada, have all said that Kyoto is bad for Canada. When will they listen?

MR. GRIFFITHS: To the Minister of Environment: what response has your ministry received from the federal government about the contents of this report?

DR. TAYLOR: Mr. Speaker, like other departments we haven't received a lot, and Canadians are now starting largely to recognize that the federal government has some conflict within itself in terms of the information it's willing to put out. In fact, even the environmental movement is starting to recognize that. I might quote from Patrick Moore, the founder of Greenpeace. He says that this country's push to implement the Kyoto protocol is politically motivated and unrealistic. He goes on to say that Canada is risking a "political civil war" for an accord that isn't likely to have a significant environmental impact and could severely damage the nation's economy. He further says that climate change is nowhere near the crisis it's being made out to be: "Where are the bodies? Where is the so-called climate disaster they keep talking about? I don't see people falling over from heat-prostration by the millions."

THE SPEAKER: Thank you, hon. minister. You will be prepared to table the required document a little later.

Bighorn Wildland Recreation Area

MS CARLSON: Mr. Speaker, for 26 years the Alberta government has respected and protected the environmentally sensitive terrain and resources of the Bighorn wildland recreation area. [some applause] They're clapping too soon, because last year the provincial government went back on its promise to protect this fragile and beautiful land. It took the Bighorn wildland off its maps, sold gas leases within the area, and initiated an access management planning process that will allow access into areas where policy explicitly prohibits off-road vehicles and industrial development. And let the record show that the Minister of Energy clapped for this. To the Minister of Sustainable Resource Development: what is it that has convinced you that Alberta's most fragile ecosystems and beautiful parklands are no longer worth protecting?

MR. CARDINAL: Mr. Speaker, in fact this is just the opposite. We are protecting, of course. If the socialists across the way had their way, they'd do nothing, like they always do. Wait on the sidelines and criticize, that's all they do. What we are doing there – there are 5,000 square kilometres between Banff and Jasper.

AN HON. MEMBER: How many?

MR. CARDINAL: Five thousand square kilometres of area, Mr. Speaker. The area was recommended as a special places project. The committee reviewed it, and the committee agreed at the time that the best process for that area is to develop an access management plan. Our government, of course, was asked to do that. We put in a committee of six government departments and also 15 multi-use users to develop a plan. The plan was developed. It went through the process, got approved; it's in place. We have a monitoring committee now in place that will continue to do ongoing monitoring and recommending changes in the area, and that is just

the first step. Developing the plan is just the first step. From here on is where the work starts.

In addition to that, the way the system is set up now – and this is very, very important to Albertans – there are recreation users in the area, and there always have been. There's commercial use in the area; there always has been. And there's environmental protection in the area, Mr. Speaker. That will continue. The problem with that whole region, the whole 5,000 square kilometres . . .

AN HON. MEMBER: How many?

MR. CARDINAL: Five thousand square kilometres. We never had any regulations to be able to enforce usage in that area. This plan does that exactly.

MS CARLSON: Mr. Speaker, if the plan and the consultation process worked so well, then why are so many of those environmental groups, who spent hours and months and years working on putting in input, now withdrawing from ever doing anything with this government again because they're not consulted and they are never a part of the plan?

MR. CARDINAL: Mr. Speaker, this plan was developed over a long period of time. Again I'll stress the fact that it was recommended to be part of the special places program. The area committee did not agree with that, and that involves people from the environmental side. They did not agree with that. They agreed with a multi-use access management plan. That is exactly what we have developed, keeping the balance between environmental management and economic development. It's trying to protect the environment. It is a top priority, but the worst thing for our environment is poverty, and that is why you have to develop new resources in a balanced way to ensure that proper developments take place in Alberta.

MS CARLSON: Mr. Speaker, unfortunately this government doesn't understand balance, only economic development. How does this minister justify the destruction of such an integral component of an international effort to preserve the biological diversity, natural processes, and recreational activity of the Rocky Mountain corridor as the Bighorn wildland?

2:40

MR. CARDINAL: Mr. Speaker, this member needs a good education on what is out there and what has happened and what we are doing, but I'm not sure she can learn. I'll give you an example of the recreational users presently out there before the plan was in place: there are 700 kilometres of trails used by hikers, by snowmobilers, by trail riders, by mountain bikers, but the problem with that was we didn't have regulations to be able to monitor and manage that. That is exactly what this plan does.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Currie.

Private Health Care Services (continued)

MR. MASON: Thanks very much, Mr. Speaker. The Romanow commission was exhaustive in its efforts to hear from the public. It held 21 days of public hearings, conducted nine opinion polls, and received over 18,000 on-line surveys. It also produced 40 research papers, held international roundtables and 12 televised policy dialogues. Conversely, when this government decided to examine health care, they held no public meetings, conducted no opinion

polls or surveys, or at least none that they would share with the public, and listened only to their own friends and insiders. My question to the minister of health is this: will the minister admit that the only way he can foist private health care on this province is to do it behind closed doors and without the full participation of the Alberta public? I don't know which minister wants to answer the question. Maybe the Deputy Premier.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'll undertake the question for advisement and referral to the minister of health at the appropriate time. However, I do take some exception to the allegations in the member's question about how he so freely and inappropriately uses the term "privatization of health care." It's true that there are private providers involved in the delivery of health care, but they are subsidized through that process with public funding. That is what the minister of health and others here have indicated time and time again, that it's important that those facilities, including doctors' offices and certain clinics, provide those services.

THE SPEAKER: The hon. member.

MR. MASON: Thank you very much, Mr. Speaker. Well, then, to the hon. Deputy Government House Leader, who's answering the questions: why are decisions to delist medically necessary services being made behind closed doors? Why is the public excluded?

MR. ZWOZDESKY: Mr. Speaker, again I'll undertake that question for advisement to the hon. minister of health. What's important is that health services be provided for through publicly funded abilities, and that's what we're doing, and that has been a very open and accountable process.

THE SPEAKER: The hon. member.

MR. MASON: Thank you, Mr. Speaker. Why doesn't this government have the guts to admit that the reason it wants to delist services, privatize, and cut health care is so that the government's corporate friends can add billions of dollars of public health care money to their bottom line?

MRS. McCLELLAN: Mr. Speaker, I think that clearly the health minister covered a number of these areas earlier in question period today. The one thing that he did make clear in answering those questions is that we're not really interested in dealing with conjecture, innuendo, what might happen, what could happen, and what-ifs. What this government has done is reformed a health system that delivers a system that is number one in Canada. In fact, the Capital region, in which we are sitting right now, for two years running has been named as the top delivery system of health services in Canada. I would suggest to the hon. member that he perhaps pay just a little bit of attention to what is happening in this region, to the access to the most dedicated professionals anywhere in the country who are right here delivering health services.

The health minister also noted very clearly earlier today that the Canada Health Act is about doctors and hospitals, and that is not what we are about in delivering services. We deliver a wide range of services far beyond the Canada Health Act, which, in fact, if you want to take the time to read it, hon. member, is nothing more than a funding mechanism.

THE SPEAKER: The hon. Member for Calgary-Currie.

Small Business

MR. LORD: Thank you, Mr. Speaker. Poverty and issues surrounding poverty continue to be of concern. There are calls for increases in minimum wage rates, and often it is cited as one solution. However, capacity to pay higher wages by small business owners does not appear to be a subject which has received the same degree of attention or study. My questions are to the Minister of Economic Development. If the Department of Economic Development has done any extensive studies of poverty rates among small business owners, what were the highlights of those studies?

MR. NORRIS: Well, I'd like to thank the hon. member for his question. As a former small business owner, Mr. Speaker, I think it's a vital one to the future of Alberta. As many people in this House know, small business is clearly the backbone of our economy and continues to drive our economy. There is an assumption that all businesses are profitable, that all businesses are a gravy train. The studies that we have undertaken and the information we have tell us a remarkably different story. In fact, many times small business owners are working for the better part of nothing, when all the dust settles, only to say that they are their own bosses.

Exact studies show, Mr. Speaker, that on average the annual household income of employers of self-employed businesses is \$12,000 less than the Canadian average. In the small business category about 75 percent of those firms reported losing money or breaking even at best. I should also note that in that study 80 percent of the same small business owners report that they always – always – work 60 hours a week or more, compared with only 14 percent of their employees who said that.

The member raises a great question that needs more research. There is a theory that small business is a licence to print money, Mr. Speaker. The evidence is that it's the hard work and determination of those people that keeps them going rather than the money that's involved.

MR. LORD: My second question, Mr. Speaker: if the Department of Economic Development has done any extensive studies of the numbers or percentages of small business failure rates as a percentage of small business start-ups, what were the highlights of those studies?

THE SPEAKER: The hon. minister.

MR. NORRIS: Thank you, Mr. Speaker. Yes, we actually have. As I said at the outset, as a former business owner I understand this issue implicitly, and having had many colleagues who have struggled and not succeeded, the evidence is overwhelming. Unfortunately, it points out that of most businesses that start up, within the first five years 75 percent do not make it. They don't make it, which flies in the face of common wisdom of the members opposite that all small businesspeople and businesspeople in general are taking a free ride in this economy.

It also reported, Mr. Speaker, that about 4,000 businesses started up in Calgary, and about 75 percent of those did not survive. The same number is available in Edmonton and around the province. Again, I relate it back to the same premise. We as Economic Development understand that small business and business in general drives this economy. We want to make sure we can do everything possible, which is a low tax regime and a fair set of rules, and we will continue to work with small business, who, I sincerely believe, drive this Alberta economy to be one of the greatest in Canada.

THE SPEAKER: The hon. member.

MR. LORD: Thank you, Mr. Speaker. My third question is: if the Department of Economic Development has done any studies of the effects or impacts of raising the minimum wage payable by small business owners in an effort to alleviate poverty among their employees, what would those results indicate?

MR. NORRIS: Well, this is probably the most important point of the series the hon. member raises, Mr. Speaker. When most small businesses are at a break-even point at best, they're doing their best to provide jobs and employment to other people in society. I'd like to reiterate the point: governments do not create jobs or wealth. They never can, never will. The people who create jobs and wealth are the small businesspeople who risk their own hard-earned capital and build something with it. It is fairly obvious to all concerned who have run a small business that there are many more things than minimum wage that keep people happy: things such as loyalty, job satisfaction, recognition of a job well done, a team spirit that seems to thrive in a small business enterprise.

The overwhelming studies show, Mr. Speaker, that a minimum wage raise will do nothing but kill jobs. The first response as a small businessman is to pay his suppliers, his rent, and keep his doors open. Then he has to deal with whatever government intervention there is, and I'm glad to say that in Alberta there's very little. A raise in the minimum wage or a significant increase in that will do nothing more than kill jobs and drive our economy into a slowdown, which is not what we're attempting to do.

What I'd really like to point out, Mr. Speaker, that I found fascinating in Alberta – and you can drive in any neighbourhood, whether it's Calgary-McCall or Calgary-Egmont or Edmonton-Meadowlark. You'll see signs: part-time work, \$7, \$8, \$9 an hour. Those jobs aren't being filled because of a white-hot economy. This government believes that the economy, being strong enough, will drive that minimum wage up naturally and let businesspeople do what they have to do to survive.

THE SPEAKER: Hon. members, before I call on the first of several to participate today in Members' Statements, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

2:50

head: **Introduction of Guests**

(reversion)

THE SPEAKER: Well, hon. members, I want to take this opportunity to recognize a group of individuals in the galleries today who play a key role in the democratic process in the province of Alberta. These are the men and the women who work for members of this Assembly in their constituency offices. Each year the service and the contributions of these individuals are celebrated with an employee recognition dinner, which I'll be hosting a little later this evening along with the Deputy Speaker. Today over 50 constituency office staff members are with us, and 18 will be recognized with five or more years of service, two with 10 or more years of service, two with 15 or more years of service. One constituency staffer, Ms Jeanette Weatherill, has served the constituents of Wainwright for over 20 years. Now, that means that her current member had reached the great age of 10 when she started working.

I would ask that Ms Weatherill and the rest of the constituency staff contingent in the public gallery this afternoon please rise and receive the warm recognition of members of this House.

The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I gather we were a little bit out of sync previously, so with your kind permission I will repeat my introduction from the beginning of this afternoon.

Mr. Speaker, I'm very pleased to rise and introduce to you and through you two distinguished guests to our province from Thailand: Dr. Nongluk Chintanadilok from Mahidol University in Bangkok, who is in residence at the university Faculty of Nursing studying qualitative research, and Professor Omjit Wongwanich from Srinakharin Wirat University in Thailand. She is, as well, in residence at the university Faculty of Nursing and studying pediatric nursing. Joining them today is my wife, Dr. Karin Olson, associate professor at the Faculty of Nursing. I would ask all three to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly Scott Winder, who is a constituent of Edmonton-Centre and has joined us in the public gallery today to watch us in question period and in Routine of the day. I would ask Scott to please rise and accept the warm welcome of the Assembly.

head: **Members' Statements**

THE SPEAKER: Let me now call on the hon. Member for Edmonton-Norwood.

Sprucewood Library

MR. MASYK: Thank you, Mr. Speaker. I'd like to take the opportunity to rise and speak today on an issue very dear to me and my constituents. Last week the city of Edmonton announced the possibility of a library closing in the city. One of four potential branches considered for closing is in my constituency. The Sprucewood library is a source of learning, information, inspiration to my constituents. It's a shame that city hall has not seen fit to prioritize the minds of our young children over other items in their budgets. The closing of a library will take away more opportunity for the underprivileged in my constituency to break the cycle of poverty that surrounds them. Libraries are institutions of equality that provide a resource of self-improvement. To close a library in a neighbourhood like Edmonton-Norwood, that already is disadvantaged, will only perpetuate poverty.

Mr. Speaker, libraries are an important parenting tool. They're a place where children can be taken and learn and expand their imagination. The minds of youth should not be sacrificed for a mere \$220,000. I strongly urge – actually, no; I don't urge at all. I demand that they keep this library open, because the youth have to be educated on such things as the Kyoto accord. They can go and find out for themselves, as shareholders of a power company generated by coal, what it really means to them, what it means to their family, what it's going to be at the end of the day. I cannot understand why anybody would close such facilities.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Centre.

Health Care Services

MS BLAKEMAN: Thank you, Mr. Speaker. Today Canadians were handed a vision and a plan to strengthen our public health care system. At the same time, the Alberta government was meeting behind closed doors, cutting the heart out of rural Alberta. This

government is disbanding health care regions without ever having done a review of whether regionalization works or not. Where's the proof? Where's the proof that this decision is the most efficient way possible to deliver health care services to all Albertans? Where's the proof that this decision won't result in reduced access to health care services in rural Alberta? There isn't any. This government feels that it doesn't have to base its health care decisions on evidence.

The bottom line is that without a thorough evaluation of regionalization the government can't be sure whether one or nine or 16 health regions is the right number. It's pretty clear that no one in the government really knows what it's doing on this issue. Given this government's lack of evidence that amalgamation won't mean less service, Albertans, especially rural Albertans, should be concerned. We need a plan with a long-term vision that's based on the real needs of communities, not directives by a minister bent on implementing a flawed strategy. Now that we have Romanow, it's time to set Mazankowski aside and get on with the business of building a stronger public health care system for Albertans.

THE SPEAKER: The hon. Member for Calgary-West.

Neil Hamilton

MS KRYCZKA: Thank you, Mr. Speaker. Neil Hamilton was born in 1920 in Regina, Saskatchewan, was raised on a farm nearby, graduated from Regina Luther College, was an outstanding athlete, was employed by the Saskatchewan Wheat Pool as an accountant, and in 1941 was drafted into the RCAF, where he graduated as an observer/navigator and flew with the Wellington bomber squadron posted in England and Tunisia. He completed 37 – yes, 37 – successful bombing missions over Germany, Sicily, and Italy and near the end of World War II was flying as an instructor on a training flight when in an instant his eyes hemorrhaged, and he was left with only 10 percent of his sight. Neil returned to Canada, only to be struck with tuberculosis at 25 years old. He recovered but only after six years of lying nearly motionless in a half-body cast. Soon after his release Neil lost part of his hearing.

Throughout all his trials Neil's personal motto, "Quit? Never!" became his prescription for life and for survival. Neil's training with the CNIB helped him to rise to an executive position with that organization and to live life to the fullest. Neil also worked tirelessly with local Lions clubs to develop and implement innovative programs that still benefit the visually impaired and blind, especially the young, in Alberta and across Canada. Through Lions Club enrichment programs Neil excelled in golf, bowling, and curling, and – get this – becoming a true role model, he holds the world record for the highest bowling score for a visually impaired person and consistently shot below 100 in golf.

Like many executives, Neil balanced a demanding career with a rich family life, with June and their three children. In his 50s Neil suffered a heart attack, lost much of his hearing, and overcame a crippling condition. At age 80 he launched his autobiography, *Wings of Courage: A Lifetime of Triumph over Adversity*, which tells an amazing story to inspire all of us.

Through it all Neil never quit, and he continues today to find laughter, friendship, and new opportunities wherever he goes. He is a real true Albertan hero, and our young people should have more opportunities to learn from the very best like him.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

Romanow Report

DR. PANNU: Thank you, Mr. Speaker. Today is a defining moment

for the future of health care in Canada. We've been presented with an historic opportunity. This opportunity involves making a choice. One choice is for a more comprehensive, adequately funded, and accountable public health care system. This is the choice of the Romanow commission, made after exhaustive consultation with Canadians. The other choice is for a public health care system that's steadily weakened through privatization, delisting, and user fees. This is the choice of the Mazankowski report and the handpicked government committees devoted to its implementation.

Before the Romanow report was even released, it was under attack by this Tory government. The reason is that the Romanow report threatens the provincial Tory agenda, an agenda that will inevitably lead to a two-tier, American-style health care system. Roy Romanow spent 18 months challenging the advocates of for-profit health care to prove that their approach would save money and improve health outcomes. The privatization advocates failed to provide such evidence; they had none. Romanow calls on the government to stop wasting public dollars to subsidize private facilities. Unfortunately, what Albertans are instead getting are private, for-profit hospitals that line the pockets of Tory-friendly investors.

3:00

Romanow rejects schemes like medical savings accounts, which far from constraining health care costs contribute to their escalation. Yet the Tories in this province with their ideological blinkers firmly in place seem all hell-bent on pursuing such failed schemes. Romanow recommends that medicare cover more health care services, starting with diagnostic services and home care, with prescription drug coverage added down the road. By contrast, the provincial Tories' handpicked panel has been told to delist and shift costs onto patients. The choice is clear, Mr. Speaker. We must make medicare more comprehensive, not less. We must reject the Tory government's scheme of privatization, delisting, and user fees.

Thank you, Mr. Speaker.

head: **Presenting Reports by Standing and Special Committees**

THE SPEAKER: The hon. Member for Edmonton-Calder.

MR. RATHGEBER: Thank you, Mr. Speaker. As chair of the Select Special Freedom of Information and Protection of Privacy Act Review Committee I rise to table the committee's final report, dated November 2002. I'd like to take this opportunity to thank all members of this committee from all parties for all the hard work and dedication they put into the final draft of this report.

Thank you.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you very much, Mr. Speaker. Today I would like to present two petitions on behalf of the Member for Lethbridge-West. The first petition is signed by five residents of the city of Lethbridge urging the government to "remove abortion from the list of insured services that will be paid through Alberta Health."

Mr. Speaker, the second petition is signed by approximately 180 residents of the cities of Medicine Hat and Lethbridge and the towns of Whitecourt and Coaldale. These individuals are urging the government to "ensure that the Children's Advocate should become an officer of the Legislative Assembly and report directly to the Assembly."

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table a petition signed by 200 Albertans urging the government of Alberta to provide health care coverage for medical supplies for diabetic children under the Alberta Health Care Plan and provide financial assistance to parents to enable them to meet their children's necessary dietary requirements and cover costs incurred in traveling to Diabetes Education and Treatment Centres outside their own communities in Alberta.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I rise today to present a petition signed by 26 of my constituents urging the government to deinsure abortion that's not medically necessary.

Thank you, sir.

head: **Notices of Motions**

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. As the House knows, normally at this time I'd be moving a motion that written questions and motions for returns stand and retain their places, but there are none on the Order Paper, but I thought I'd better at least make mention of it in the event that the House was not aware of that.

Thank you.

DR. NICOL: Mr. Speaker, I rise today to give notice that after the completion of the daily Routine I plan to make a motion under Standing Order 30.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. Today I rise to table five copies of the audited financial statements and other financial information of the Alberta Law Foundation. The Law Foundation receives the interest that banks, credit unions, trust companies, and Treasury Branches must pay on clients' funds held in lawyers' general trust accounts. Interest is then made available to organizations engaged in activities considered to be in keeping with the foundation's objects, two of which are conducting research into and recommending the reform of law and the administration of justice and contributing to the legal education and knowledge of people in Alberta and providing programs and facilities for those purposes.

THE SPEAKER: The hon. Member for Calgary-West.

MS KRYCZKA: Thank you, Mr. Speaker. I am pleased to rise today to table in the Assembly the five requisite number of copies of the Seniors Advisory Council for Alberta annual report for the previous year.

Thank you very much.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to table a letter addressed to the Edmonton Symphony Orchestra, to Mark Gunderson, their volunteer chair, and to Elaine Calder, the CEO, congratulating them this weekend on their 50th anniversary of providing outstanding music to our city and to our province.

THE SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. With your permission I would like to table the appropriate number of copies of a letter I received from a constituent, Ms Amber Pikula. She goes on in this letter to say:

I fully support the Kyoto Protocol, and believe that Alberta and Canada should get behind it immediately. It's a great problem when people, especially our present provincial government, value money over health.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I have two tablings today. The first is five copies of a paper prepared by Dawna Haslam on women and public policy.

The second tabling is a description of the contents of the convention on the elimination of all forms of discrimination against women. This protocol and an alternate protocol were signed by the federal government on October 18, 2002, this year, in commemoration of Persons Day.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of information released on March 15, 1990, by the then Minister of Environment in conjunction with the then Minister of Energy – of course, the then Minister of Environment is now our Premier – where they actually committed back in 1990 to respond to the impact of energy-related emissions on global warming on behalf of this province.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. I have two tablings this afternoon. The first one is a letter that I received from the hon. Energy minister on August 19, 2002, and this is a letter regarding information on matters related to the Balancing Pool.

The second tabling this afternoon is also a letter that I received on September 4, 2002, from the hon. Minister of Energy, and this letter is in regard to the government of Alberta and its proposals or discussions on joining the Regional Transmission Organization West.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got two tablings today. My first tabling is a letter that I received from Ms Helene Paquin from Medicine Hat, director region 8, Alberta Council on Aging. Ms Paquin has heard reports of the discontinuation of Blue Cross coverage for seniors' programs. She writes: should this happen, seniors who have difficulty in paying for their medication may well do without it or try to space medication out to make it last; in either case the results could be disastrous.

The second tabling is a letter addressed to me accompanied by a document prepared by the Interfaith Coalition on Health Care, Edmonton chapter. This is a study on the health care system in Alberta and Canada. This study supports the strengthening of a publicly operated health care system based on the values of compassion and concern for all.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I am tabling five copies of an ATCO Electric bill from a consumer in the town of Blackfoot, near Wainwright. The bill indicates that the consumers are being charged 4.9 cents per kilowatt-hour for the electricity actually used and an additional 4.62 cents per kilowatt-hour for delivery charges for a total cost to these consumers of 9.52 cents per kilowatt-hour.

THE SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. I have two tablings today. Earlier in question period I referred to a letter that I had sent to the Hon. Allan Rock. I would like to table the appropriate number of copies of that letter.

I have another tabling, Mr. Speaker, which is our department report on the international offices' performance in the year 2001-2002. Most notably, Alberta businesses had an 87 and a half percent approval rating of their experiences with those offices. I have the appropriate number of copies here.

head: **Projected Government Business**

THE SPEAKER: The hon. Official Opposition House Leader.

MS CARLSON: Thank you, Mr. Speaker. I would now ask that the government share with us their projected government business for next week.

THE SPEAKER: The hon. minister.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yes, indeed, we'd be pleased to do that. On Monday afternoon we will of course begin with private members' business – Written Questions, Motions for Returns – followed by Public Bills and Orders Other than Government Bills and Orders. Then I assume we will possibly be recessing for the lighting of the lights. Maybe not. I'm not sure what the latest status on that is, but we'll find out. In the evening we'll be dealing with Motions Other than Government Motions, and at 9:00 p.m. we'll be doing Government Bills and Orders, probably proceeding with second reading of Bill 38, the Miscellaneous Statutes Amendment Act, 2002; then onward to Committee of the Whole, as may be necessary, for Bill 31, the Security Management Statutes Amendment Act, 2002; Bill 33, the North Red Deer Water Authorization Act; Bill 37, the Occupational Health and Safety Amendment Act, 2002; Bill 34, the Seniors Advisory Council for Alberta Amendment Act, 2002; Bill 35, the Teachers' Pension Plans Amendment Act, 2002; and Bill 38, the Miscellaneous Statutes Amendment Act, 2002 (No. 2).

3:10

On Tuesday afternoon under Government Bills and Orders we hope to be doing third reading for Bill 30-2 and Bill 31. On Tuesday evening, December 3, we will be continuing with Government Bills and Orders under Committee of the Whole bills 33, 37, 34, 35, as may or may not be necessary, and third reading of bills 25, 30-2, 31, 33, 37, 34, 35, and 38, again as may be necessary.

On Wednesday, December 4, under Government Bills and Orders for third reading bills 25, 30-2, 31, 33, 37, 34, and otherwise as ordered on the Order Paper. That evening, Wednesday, December 4, under Government Bills and Orders, as necessary, Committee of the Whole bills 33, 37, 34, 35 and third reading of bills 30-2, 31, 33, 37, and otherwise as per the Order Paper.

On Thursday, December 5, in the afternoon under Government Bills and Orders for third reading bills 30-2, 31, 33, and 37, again dependent on how progress goes earlier in the week.

THE SPEAKER: Hon. members, there is some business arising from earlier in the Routine. First of all, I presume it's the Deputy Government House Leader on behalf of the hon. Government House Leader on a point of order.

Point of Order Exhibits

MR. ZWOZDESKY: Thank you, Mr. Speaker. I was listening with some intent to the questions during question period, and I believe that the hon. leader of the ND opposition did contravene a standing practice of this House, which I think this Speaker has ruled on in the past, and that's with respect to the use of exhibits or props or things of that nature. I think that sort of falls under the generic issue of 23(h), (i), and (j), but more specifically to the point that falls under *Beauchesne* 501, and I'd just like to briefly read two or three sentences from this because it's germane to the point of order. It reads:

Speakers have consistently ruled that it is improper to produce exhibits of any sort in the Chamber. Thus during the flag debate of 1964, the display of competing designs was prohibited. At other times boxes of cereal, detergent and milk powder have been ruled out of order.

In this case, when the hon. leader of the ND opposition rose with his prop, being certain language on a serviette, I believe he contravened the general practice of this House and also the standing rule under *Beauchesne*, and in that respect I would ask him to recant his actions and await the ruling of the chair in that regard.

THE SPEAKER: The hon. third party House leader.

MR. MASON: Thank you very much, Mr. Speaker. Well, the hon. Deputy Government House Leader has quoted under section 501 of *Beauchesne*, which says that exhibits are not allowed. He neglected, I might add, under 503 to mention that potatoes were also included in the list of things that have been ruled upon. But if I can quote generally from Documents Cited, which is 495, it deals quite extensively in a number of points about the right of members to quote from documents and from notes. I would submit that the document in question here, although it is written on yellow paper, is part of the notes of the speaker and is not, in fact, an exhibit, but it's a document with writing on it and it's made of paper, and it can hardly be considered an exhibit.

THE SPEAKER: Do hon. members want to participate in this very important point of order? The hon. Opposition House Leader.

MS CARLSON: Thank you, Mr. Speaker. I would refer you to your own ruling on May 6, 1999, page 1535, where you allow that the then member's minibanners did not offend the rules of the Assembly in accordance with the notes that you have given us regarding exhibits.

THE SPEAKER: Do no members want to participate? It is Thursday afternoon. Hon. Member for Edmonton-Highlands, at the point in time that your hon. colleague was raising his question, there was a lot of movement in the galleries, and the Speaker's eyes were vigilantly searching as to what might or might not be happening. During the question that did arise, there were three simple words:

privatization, delisting, and user fees. Then when the eyes of the chair came back to the floor, the chair saw a yellow sheet being moved, and at that point in time the hon. Government House Leader then did rise on a point of order.

Now, is the hon. Member for Edmonton-Highlands suggesting that the eye ability of the hon. Member for Edmonton-Strathcona is such that he needs larger than normal lettering that has to be provided on a particular piece of paper which forms the point of notes for the hon. member and that it would not be the whole text of the hon. member's question that would require this exaggerated heightening of the words but only certain words? Perhaps in the future the hon. member might then be guided by having all of his speaking notes in similar size printed before him so that there would not be an opportunity for other members to suggest that there was a prop being used, which clearly would violate all the rules of the Assembly and would be completely out of order and would cause great retribution to be handed to the hon. member.

So perhaps the hon. Member for Edmonton-Highlands might be governed by these words of guidance this afternoon, consult with his colleague about this use of this particular speaking note or prop in the view of others, and perhaps not return unless everything is consistent. Would that conclude this point of order?

The hon. Member for Edmonton-Ellerslie on a purported point of order.

MS CARLSON: Mr. Speaker, the first point of order will be handled by the Member for Edmonton-Gold Bar.

Point of Order Explanation of Speaker's Ruling

MR. MacDONALD: Thank you, Mr. Speaker. I rise on a point of order this afternoon, and I quote *Beauchesne* 410(5) and (6) and Standing Order 13(2). *Beauchesne* states in 410(5): "The primary purpose of the Question Period is the seeking of information and calling the Government to account." Section 6: "The greatest possible freedom should be given to Members consistent with the other rules and practices." Standing Order 13(2) of our own Assembly: "The Speaker shall explain the reasons for any decision upon the request of a member."

In light of the fact that I was questioning the Premier earlier this afternoon on the Balancing Pool, which is made to comply with all applicable laws and regulations specifically adhering to the deregulation principles that are outlined in the Electric Utilities Act, I would appreciate an explanation as to why my third question was ruled out of order. And particularly, to the Speaker, I respect the fact that the Speaker was absent on Monday, November 25, 2002, and the Deputy Speaker was in the chair. There was a similar question asked, and it was not ruled out of order. I would like to clarify that; the Speaker that was in the chair on November 25, 2002. [interjections]

THE SPEAKER: The member has the floor.

3:20

MR. MacDONALD: Thank you, Mr. Speaker. I would like to withdraw the previous reference to the absence of the Speaker in the chair and note that in *Hansard* on page 1482 on November 25 I asked a very similar question, and it was not ruled out of order.

Thank you.

THE SPEAKER: Hon. member, advice was provided to the chair that this would be a point of order. Now, recognizing the hon. member on a point of order, the hon. member now wants to get an explanation? Please identify what it is we're after here.

MR. MacDONALD: That is correct. In 13(2), “The Speaker shall explain the reasons for any decision upon the request of a member.”

Thank you.

THE SPEAKER: May the chair refer all members, please, to *Beauchesne* section 409. We’re now dealing with the third question in a series of questions that occurred in the question period this afternoon. In the third series of questions – by the way, even with the abbreviated version and the lack of response to the third question it lasted 6.5 minutes. The first series of questions was four minutes in length; the second series of questions, between the Leader of the Official Opposition and the minister of health, was two and a half minutes; the third one was 6.5; the fourth one was five; the fifth series, four; the sixth series, 6.5; the seventh series, 2.5; the eighth series, 3.5; the ninth series, .5; the 10th series, 10.5; the 11th series, four minutes; and the last one, five minutes plus.

Now, we refer to *Beauchesne* 409, and I would like to read:

A brief question seeking information about an important matter of some urgency which falls within the administrative responsibility of the government or of the specific Minister to whom it is addressed, is in order.

But be guided by:

- (1) It must be a question, not an expression of an opinion, representation, argumentation, nor debate.
- (2) The question must be brief. A preamble need not exceed one carefully drawn sentence. A long preamble on a long question takes an unfair share of time and provokes the same sort of reply. A supplementary question should need no preamble.
- (3) The question ought to seek information and, therefore, cannot be based upon a hypothesis, cannot seek an opinion, either legal or otherwise, and must not suggest its own answer, be argumentative or make representations.
- (4) It ought to be on an important matter, and not be frivolous.
- (5) The matter ought to be of some urgency. There must be some present value in seeking the information . . . rather than through the Order Paper or through correspondence.
- (6) A question must be within the administrative competence of the Government.

And there are further additional things in there.

- (7) A question must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it.
- (8) A question that has previously been answered ought not to be asked again.
- (9) A question cannot deal with a matter that is before a court.
- (10) A question ought not to refer to a statement made outside the House by a Minister.
- (11) A question which seeks an opinion about government policy is probably out of order in that it asks for an opinion and not information.

There are additional things that go on with respect to that.

That is just part of the explanation, hon. member, including the one that if a question has already been asked, it’s not going to be asked again.

So this afternoon, then, to specifically respond to the request being made for explanation, which I’m very, very happy to give in any and all circumstances and occasions, this was the third series of questions, and I do believe that the previous two probably violated all the rules I just talked about. But then the hon. Member for Edmonton-Gold Bar:

Thank you, Mr. Speaker. Again to the Premier. What is the total amount of interest Alberta consumers must pay on these secret deferral accounts because you want to hide those additional charges from them until after the next provincial election?

Now, if the hon. member is in a position to tell me that some of the

words used in this question clearly do not violate at least all 10 of the clauses just read by the Speaker with respect to this, then the Speaker would be very, very happy to meet with the member in the Speaker’s office to kindly go through the words and the meanings of the words.

In this case, six and a half minutes had already transpired with respect to this. The purpose of question period is to afford all members in this Assembly, as many of them as possible, an opportunity to have questions and answers. The question was not ruled out of order by the chair. The advice was just provided to the person to whom the question was addressed that it was not one that need be answered, which is quite different than ruling the question out of order.

All in all, that was only section 409 that was used in providing an explanation for the hon. Member for Edmonton-Gold-Bar. There are a number of other books here that the chair could use if there’s any difficulty with respect to this, but I suspect that probably it answered the question.

The hon. Member for Edmonton-Ellerslie on a point of order.

Point of Order Oral Question Period Practices

MS CARLSON: Yes, Mr. Speaker. I refer to Standing Order 13(2), where I would ask for reasons for your decision in the question from the Member for Wainwright to not intervene in the questions and then the subsequent answers. As I heard the question, it clearly contravened *Beauchesne* 410(12): “Questions should not be hypothetical.”

In light of the ruling you just gave with reference to the most recent point of order, *Beauchesne* 410, specifically 410(12), and some of the other points as well, what we had was a question from the Member for Wainwright to three ministers asking about a report that all three ministers said they had not seen, even though they had heard of its existence, so really were not in a position to comment on in terms of any factual reference to the implications within their departments.

I was very surprised not to see you intervene in that case and would like some explanation.

THE SPEAKER: Well, quite frankly, the hon. Opposition House Leader is wrong. The chair did rise. The chair did rise, and there’s no doubt about that whatsoever. The questions appeared to be quite a bit in order after the hon. Minister of Energy started responding to the question. Whether or not two members of Executive Council speak from the same song sheet with respect to a particular document or knowledge of a particular document is secondary to the chair.

Ministers have agreed and disagreed in this House in responding to various questions. This afternoon was a case where the impression of the chair was that one minister basically said that such a document did not exist. It does not necessarily mean that the other minister was not aware that the document did exist.

Thirdly, within the time frame allocated to the questions and answers there were four minutes and about 50 seconds that were used on this. It was not an abuse of the time of the session. It may have been in one hon. member’s view questions and responses that would have been on the line, but I think virtually every question would be ruled out for that test.

I think that covers that.

head: Request for Emergency Debate

THE SPEAKER: Now we have the hon. Leader of the Official Opposition on a Standing Order 30 application.

Romanow Report

DR. NICOL: Mr. Speaker, I rise today under Standing Order 30 to request an emergency debate, the timing of which is very urgent for this Assembly. Today the Romanow report was released. As you know, this report itself and the recommendations contained therein are of great importance to the future of health care not only for our province but for our country. The question may be asked: why are we raising this debate now? The answer is simply that we have not had the full report from Romanow until today. The debate over these recommendations that will affect our province is, of course, necessary and is very urgent for several reasons.

First, health care is not on the government's agenda for this session. There has been no health legislation introduced this fall. As a result, there will be no opportunity to talk about the Romanow report and its effect on our health care until plans are already on the way to implement it. Mr. Speaker, this will be the last opportunity for this Assembly to discuss this matter before the Premiers' meeting in January, less than two months away. This meeting would signal the beginning of closed-door meetings, the contents of which probably will not be available for public consumption until an implementation plan is reached. That's too late.

It has also come to light that the provincial, territorial, and federal health ministers will be meeting in eight days to begin planning the broad strokes of health care renewal for Canada. The need for this debate therefore becomes even more urgent than before.

Mr. Speaker, this government is on the verge of implementing changes to our health care system in this province. We know that there are discussions on regional health boundaries with the news released today. It is imperative and urgent that we have this debate now to see how the Romanow report will affect those changes, many of which will be expected soon.

Why, Mr. Speaker? Because it has been made clear that the goals of the Romanow report and the goals of this government are at odds. We need to discuss how the two will integrate. This is our last chance before potentially wide-sweeping changes are made to our health care system behind closed doors and past the scrutiny of the majority of elected officials in this province and this country. The Romanow report will have lasting changes on our province. I ask you in this Assembly to allow this debate, the window for which is almost closed.

Thank you, Mr. Speaker.

3:30

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you. Mr. Speaker, I would just rise to remind all members of the House, including our colleague from across the way here, that under Standing Order 30(7) the essence of what constitutes Motion 30 is explained, and it reads:

(7) A motion under this Standing Order is subject to the following conditions:

(a) the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration.

And it goes on.

Now, while I would agree that there's great importance attached to these reports, including the one previous, which Senator Kirby had released, and the one before that, which Hon. Don Mazankowski had released – so, too, I'm sure, is the Romanow report of some importance – I don't think it comes to us as a case of urgency because it was only released today, and it's been 18 months in the preparation. Clearly, if it was urgent, it would have been dealt with in that way by the federal government, who, in fact, are the ones that

commissioned it. But it wasn't dealt with in that way. It was given 18 months to be written, and I expect that there will probably be a significant portion of time allotted to its debate to get some feedback, to allow the ministers of health a chance to really study it in great detail as well as first ministers, our Premiers to do the same.

So this decision by the federal government is pending. I don't think they've given any indication yet in response to the Romanow report as to whether or not they're going to accept any of the report recommendations, all of the report recommendations, or just some of the elements of that report. They will need a chance to respond to that, as will we and as will other provincial and territorial governments. So I fail to see why we would recess the House for an urgent debate on something that has not yet been accepted or officially responded to by the federal government. I don't believe that was the precedent set with respect to the release of other reports such as the Kirby one or the Mazankowski one as referenced earlier, nor would it be done this time.

What's important here, though, Mr. Speaker, is that this Romanow report, which, as I say, has been waited upon by Canadians for many, many months, is now a public document. It contains, I understand, about 400 pages or thereabouts. I don't think that any members of this House have yet had a chance to read every single section of that report in great detail, although our Minister of Health has had an opportunity to look at most of it by now, and he's doing more of it as we speak. But I don't think it's fair to impose a debate on members of this House in an urgent fashion (a) where no urgency exists and (b) where all hon. members haven't had a chance yet to even really consider what that document really contains in any great detail.

I am aware, Mr. Speaker, that ministers of health did talk earlier today, and they confirmed their intentions to meet next week, so there will be an opportunity for them to discuss the content of that report with the federal Minister of Health. The federal government has confirmed that the first ministers' meeting will be held early in January, and I think this will be key to determining what the position is that they come forward with regarding the Romanow report. So we'll be taking some time to review the report in greater detail, and I know that there will be discussions amongst federal health counterparts and amongst Premiers. At the same time, I know that health ministers are going to continue to be saying and to be doing whatever they find is necessary to continue on with finding the solution to a truly sustainable health care system that is there for all Canadians regardless of where they live when and how they might choose to need it.

So in that respect, I would suggest that one of the important factors referenced in the report is the need for the federal government to step up to the plate with additional funding. I know they will need some time to consider how to do that and what the source of that funding will be.

As a result, Mr. Speaker, and in conclusion, I would suggest to the hon. member and to others here that there is no case for urgency at this time for this Standing Order to proceed.

THE SPEAKER: The hon. Deputy Government House Leader.

DR. NICOL: Thanks for the promotion.

MS CARLSON: That's okay. I won't take that promotion, thank you very much.

THE SPEAKER: The hon. Opposition House Leader has the floor.

MS CARLSON: Thank you, Mr. Speaker. With regard to the

urgency I speak primarily to the fact that we don't have any opportunity to debate this particular issue prior to the meetings that the Deputy Government House Leader just alluded to. In fact, we have a few question periods left in this particular session. Question period is question period, not question and answer period, so there is no ability to debate within the rules of that particular structure. We do not have anything left on the Order Paper that could even remotely be considered to relate to this kind of a health debate so that we could have an open discussion.

It's very important that a public document like this be debated publicly in an open and transparent manner so that all Albertans who may or may not agree with the proposed government position have an opportunity to have their comments heard on the floor of the Assembly and then assimilated into the message that the Minister of Health will go forward with and the Premier will go forward with in the future. It is urgent that this happen sooner rather than later so that their thoughts are actually considered when the decisions are made as early as next week on December 6, when these proposed meetings start.

We will not have an opportunity to debate this particular issue before those decisions are made before we come back in the spring because the spring session will not start until some time in February, at which time most of the major decisions will have been made.

AN HON. MEMBER: Question.

THE SPEAKER: No. There's already been input there, hon. member.

That's the conclusion, then, with respect to this input with respect to the Standing Order 30 application? Hon. members, the chair is prepared to rule on this leave for a motion to proceed under Standing Order 30. First of all, the Leader of the Official Opposition has given the chair proper notice of his intention to seek permission to present this motion under Standing Order 30. The chair confirms that notice was received by the Speaker's office yesterday at 10:44 a.m., so the requirements under Standing Order 30(1) have been met.

Before the question as to whether this motion should proceed to be put to the Assembly, the chair must rule whether the motion meets the requirements under Standing Order 30 as to whether the matter is of "urgent public importance" that calls for immediate and urgent consideration by this Assembly. Needless to say, one has listened attentively to the arguments put forward in considering whether the proposed debate on the Romanow report is of such an important, urgent nature that it warrants the postponement of the business schedule for this afternoon in this Assembly.

The chair has also earlier today reviewed the parliamentary authorities in this matter, specifically *Beauchesne's* paragraphs 387 and 390 and the *House of Commons Procedure and Practice's* pages 586 and 589. The chair would like to point out as well the two important factors that are relevant in considering whether or not a motion is in order. First, in determining the issue of urgency of the debate, the chair must consider whether there is another opportunity for the members of the Assembly to discuss the matter. Secondly, the chair must also consider whether or not it is the general wish of the House to have the debate.

Upon reviewing the Order Paper, the chair is of the view that there does not appear to be another opportunity in this fall sitting for this issue to come forward to debate. There are no motions or bills that are relevant to the matter, nor does there appear to be an opportunity afforded by other types of debate such as the throne speech or consideration of the estimates, which were options available earlier in the session. Having heard earlier the report from the Deputy Government House Leader with respect to the agenda identified for

next week and the subsequent week's activities, there was no notification given that this matter might be on the agenda as well.

3:40

The chair would also like to point out via page 589 of *House of Commons Procedure and Practice* that Speakers have periodically allowed for an emergency debate on an issue which was not necessarily urgent or a genuine emergency, but the issue was one that prevented members from participating as a result of the parliamentary timetable for discussion on such a matter. What we have here today is a report that was released just this morning in which, although in itself it does not constitute a genuine emergency, the subject matter appears to be of great interest, and there does not appear to be another time that this matter will be brought forward during the fall sitting for debate by this Assembly.

Accordingly, the chair finds that the request for leave to adjourn the ordinary business of this Assembly is in order, and before putting the matter to a vote pursuant to Standing Order 30(3), the chair would remind members that the debate under this Standing Order does not entail any decision of the Assembly. The chair will now put the question. Shall the debate on the urgent matter proceed?

SOME HON. MEMBERS: Agreed.

SOME HON. MEMBERS: No.

THE SPEAKER: Hon. members, you have to know the rules if you want to play the game. Okay? You've got to know what the rules are if you want to play the game. I don't have to explain the rules if you want to play the game. I put the question forward.

MS CARLSON: And we said yes.

THE SPEAKER: You've got to rise under the rules.

The question was: should the debate on the urgent matter proceed?

[Several members rose calling for a division. The division bell was rung at 3:42 p.m.]

[Ten minutes having elapsed, the Assembly divided]

THE SPEAKER: Hon. members, what we have now before the Assembly is a division with respect to a motion that was put forward by the hon. Leader of the Official Opposition. Because there tends to be some degree of confusion with respect to this Standing Order and there tends to be maybe even some misinterpretation by some or lack of understanding by some with respect to the ruling given by the chair with respect to this, members should know that the chair has indicated at this point in time that the motion put forward by the hon. Leader of the Opposition met the tests that would be used today in evaluating the question. It has to be made very, very clear once again that even though our Standing Orders talk about a genuine emergency, there are also recognitions and leverages given to the chair by other precedents in terms of the timetable that might be available to all members in order to deal with a particular issue.

After looking at and hearing the timetable that's been laid out in this particular Assembly for the subsequent week and the week thereafter, it appeared quite clearly that this would be probably the only opportunity that members might even have to make a comment with respect to the question put forward by the Leader of the Official Opposition. On that basis, the chair ruled that the test had been met with respect to this matter, and the chair did put the question before the hon. members so the debate on the urgent matter could proceed.

The chair might have also asked those members at that time to rise. It was just inherent in chair that the members would rise immediately.

So now what we have is a division before us on the question: shall the debate on the urgent matter proceed? And this is what will happen depending on how hon. members would deal with this, and members might be further confused by what the chair will say about the decision of the vote. If less than 15 members vote in favour of the question "Shall the debate on the urgent matter proceed?" then there is no procedure with respect to the debate. It ends there. If more than 15 say yes but a greater number say no, the matter will still proceed because our Standing Orders say that you must have at least 15. So the question will now be put. The Standing Orders, remember, are the Standing Orders of the Assembly. What you have here is an interpretation of the Standing Orders that are written by the members.

So, for all clarity, the question was: shall the debate on the urgent matter proceed?

For the motion:

Blakeman	MacDonald	Nicol
Bonner	Mason	Pannu
Carlson	Massey	Taft

Against the motion:

Abbott	Haley	McFarland
Broda	Hancock	Nelson
Cao	Herard	Norris
Cardinal	Horner	Pham
Coutts	Hutton	Renner
DeLong	Jablonski	Shariff
Dunford	Jonson	Snelgrove
Evans	Klapstein	Strang
Forsyth	Kryczka	Tannas
Friedel	Lord	Vandermeer
Gordon	Lougheed	Woloshyn
Goudreau	Lukaszuk	Zwozdesky
Graham	Lund	

Totals:	For – 9	Against – 38
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[Motion lost]

head: **Orders of the Day**

head: **Government Bills and Orders**
Second Reading

Bill 33
North Red Deer Water Authorization Act

[Debate adjourned November 25: Mrs. Jablonski]

MRS. JABLONSKI: Mr. Speaker, I spoke on this bill and adjourned the debate, so I have no further comments except that I encourage everyone to support this bill because of the need for drinking water in Blackfalds, Lacombe, Ponoka, and Hobbema.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I am happy to rise and speak to this particular bill in second reading. I listened intently to the comments from the member who introduced the bill the other day and was encouraged that those comments were what I thought

the interpretation of this bill was. In brief, it's a water basin transfer from the South Saskatchewan River basin to the North Saskatchewan River basin, and it's required by the communities, as she said again, of Blackfalds, Ponoka, Lacombe, along with several First Nations bands, for drinking water. The actual object of the bill is to issue a licence under the Water Act that will provide for the transfer of water between these basins in an amount not to exceed 13,391 cubic decametres annually.

[Mr. Shariff in the chair]

We know that these communities have been experiencing problems in both the quality and the quantity of available water supplies. This solution that has been devised takes the water from the Red Deer River and pipes it into the communities, Mr. Speaker. The problem is that Lacombe and Ponoka are both located in the North Saskatchewan River basin, and the transfer of water is, therefore, technically an interbasin transfer because the water would be returned to the North Saskatchewan River rather than the Red Deer River.

Any interbasin water transfer requires an act of the Legislature under the terms of the Water Act. We are very supportive of that requirement that it require an act of the Legislature under the terms of the Water Act. While we are happy to take a look at any of these transfers on an individual basis, we have very, very large concerns about this becoming a situation that occurs with any frequency, not even more frequently, and we certainly would be opposed to large interbasin water transfers, and we certainly would have a few more concerns if this one didn't actually end up back in the same basin eventually. The good news for this particular transfer is that an environmental impact study was commissioned, and it concluded that there are no biological issues and that the proposal would have minimal effect on the volume of flow in the Red Deer River, the two key issues for us when it comes to water basin transfers.

4:00

We, in fact, have a bill coming up – looks like it was on the Order Paper; it wouldn't come up for debate this time; we'll reintroduce it again next year – that says: just say no to interbasin transfers unless there are some really strict conditions being met. So, then, very, very strong fences built around the ability to do that. This interbasin transfer appears to meet all of those conditions. Normally I would be opposed in principle to any kind of an interbasin water transfer and then perhaps vote for a bill subsequently in committee in third reading, but in this particular instance I'm not even opposed in principle because it is very minor in nature. There are a few red flags that we like to raise at times like this, though, because there are some real potentials for problems down the road.

As we see the increasing changes in weather conditions around us, we see that the potential for interbasin transfers could significantly increase. The demand in southern Alberta for clean water is only going to grow. It is exacerbated by weather conditions, by changing weather patterns, by rising temperatures generally, and regardless of whether you believe that those conditions are caused by global warming, they are at the very least a weather pattern that we are in for some time, not just for a year or two. It looks like we could be in a cycle that could last anywhere from three to 10 to 15 years if not longer, and at least I don't think anyone can challenge the science of that.

So this is going to become an increasing problem in particularly southern Alberta, although northern Alberta has many water issues too. People think that we have lots up there and that it's all clean, but in fact that isn't the case. Water will definitely be, I think, the

crisis of the coming decades and a subject that we increasingly hear debated in this Legislature and other Legislatures who have similar kinds of weather patterns.

The general policy of our party and the Official Opposition is against interbasin water transfers because they are potentially very environmentally damaging and are expensive in nature. We believe that we need to start looking at where we have communities located where there are severe strains on the existing water flows and particularly in those areas where we have some control over development, so particularly in terms of industrial development, and I include intensive livestock operations within that framework. We need to ensure that we are not adding an additional burden to water flows in regions that are already under some stress or even that we project to be under some stress in the next three to five years. I'm not saying for the next 50 years, but at least in the short term we need to look at those areas and ensure that we are going to be minimizing the impact on the environment and the stress on the water flows before we make any decisions.

We really need an integrated strategy to assess the effect of water transfers on the landscape, and this is the only way that we can ensure that we really have sustainable development in this province that includes the needs of people, industry, agriculture, the landscape, the flora and fauna. That is a definition of sustainable development that we need to talk about, not just how we progress through supporting industry's needs for growth. It's a way bigger issue, and it needs to be addressed.

Another red flag we would like to raise on this particular issue is the discussion about water becoming a commodity. We hear that being talked about occasionally by the Minister of Environment particularly, and that does raise some ramifications for us in the long term. I asked a question earlier this week that the Minister of Environment was not prepared to answer, and I will be bringing that question back in this House, and we do expect an answer from him. Does he believe that water is a commodity? Does he believe that we are well enough protected to be able to keep control of our own water in upcoming considerations?

If people think that the fight about trees and softwood lumber is a big deal now between Canada and the United States, it is nothing compared to the fight we will have about water if water becomes a commodity as defined under NAFTA. That is something that this government should be addressing at this stage. It is something that they should be making public and having a general debate on, I believe. So we would like them to definitely progress in that particular area.

I hope we never see a time in this Legislature where the government brings forward any positions to eliminate the need to have this kind of a debate in the Legislature when we talk about interbasin transfers. There is and has been for many, many years a plan that this government instituted in the very early years of their takeover from the Social Credit which talked about serious interbasin transfers from the north of the province to the south of the province. It would require another dam. It was a plan that was built with canals and pipelines to facilitate this transfer. I really hope that that thing is buried under a tonne of dust and never sees the light of day, because that would be hugely controversial in this province and a real detriment, I think, to the challenges we see before us.

Essentially, that's all I have to say in principle to this bill at this time. When we get into committee, I will be introducing an amendment on behalf of the Leader of the Official Opposition which just puts a little bit stronger fence around this particular bill in terms of who has distribution of the water rights in the future. I hope that it will be seriously considered and debated, if not passed, by members from the government. Until that time, Mr. Speaker, I will take my seat.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to rise this afternoon and participate in the debate on Bill 33, the North Red Deer Water Authorization Act. It's quite interesting that this legislation would be before the Assembly at the same time that we're having this national discussion on the Kyoto protocol. Certainly, when we consider water quality, not only, again, in the area of central Alberta but throughout the province and throughout the country, I for one believe that it is an issue that is of concern not only to the citizens of Blackfalds and Ponoka and Lacombe and many of the smaller communities surrounding those towns, but also it certainly is an issue of concern for citizens in Walkerton in Ontario and North Battleford in Saskatchewan.

When we consider that we now must transfer water from one basin to another, in this case from the South Saskatchewan River basin to the North Saskatchewan River basin – and it is required; it is necessary for those towns to have, I guess we could just simply call this, potable water – this indicates to this hon. member that we'd better have a good look at the entire water supply in the rest of the province. Maybe this bill is a wake-up call.

There are certainly many resources in this province. Water is perhaps one of the most precious resources, but also, in my view, one of the most precious resources of this province would be Dr. Schindler from the University of Alberta. The knowledge that this professor has accumulated on this particular issue is respected around the world, and I'm certainly curious as to what an individual with the academic background and the stature that Dr. Schindler has would have to say regarding Bill 33.

Whenever you think of the communities of Blackfalds, Lacombe, and Ponoka along with several of the First Nations peoples and when you consider the problems they are experiencing in both the quality and the quantity of available water supplies, a solution certainly had to be devised, and this looks like for them the right solution. However, when we look at this – and all members across the way can be silent on this – I think this is also related to the debate on Kyoto.

4:10

AN HON. MEMBER: How so?

MR. MacDONALD: "How so?" one of the backbench hon. members questions. I would have to say that there's no doubt that the drought conditions that exist, the recent dry years that have existed in this province, are not only a result of a natural weather pattern or a natural weather cycle; they are also affected and unfortunately there is an increase in drought conditions because of global warming. It was in the paper today – I believe it was in the *Globe and Mail* – that there's going to be a significant reduction not only in the area but in the thickness of the Arctic ice cap over the next number of centuries, and we cannot argue that global warming is not affecting this. Mount Logan, I believe it was – scientists from the University of Calgary had conducted some extensive studies regarding the snowpack on Mount Logan and concluded that global warming was affecting their climate.

Now, we have that issue to deal with whenever we look at the present situation that is, unfortunately, upon Blackfalds, Lacombe, Ponoka, and their surrounding areas. Perhaps the Minister of Environment, in the normal practice of participation in debate in this Assembly, can answer this question in due time, Mr. Speaker, and that is what effect oil and gas activity has had on the water supply and the water table surrounding Blackfalds, Lacombe, and Ponoka.

I note in here in an information package that was provided that the

town of Blackfalds has three wells. Two wells have high levels of H₂S and fluoride. I would have to wonder why. Is this a natural occurrence? Have these levels increased? Is the water table decreasing, Mr. Speaker? Now, Lacombe has seven active wells. Ponoka has eight wells. When you consider that we now use water for enhanced oil recovery, large volumes of water, perhaps it's time to reconsider this practice or perhaps it's a time to look at alternate sources of obtaining this water for enhanced oil recovery. This bill is an ideal opportunity from which to perhaps discuss some of these issues.

Now, perhaps we could quit using water altogether in this province for enhanced oil recovery and start using CO₂.

MR. BONNER: I thought you were going to compare it to no breathing.

MR. MacDONALD: Well, the no breathing policy or the heavy breathing policy is obviously not going to work. You know, the only thing it's going to do to the hon. members across the way is perhaps increase risk of oxygen deprivation. It's certainly not going to work.

I would certainly encourage the members opposite to consider this; that is, to replace the water that's used in enhanced oil recovery, save it for those communities and those surrounding industries, and use CO₂. CO₂ has certainly been used in Weyburn, Saskatchewan, for enhanced oil recovery. As a matter of fact, as I recall, pure CO₂ is coming from Joffre, the industrial complex. Pure CO₂, Mr. Speaker, is a by-product of that industrial process, and that's being used to sweep a formation east of Red Deer, east of some of these very towns, for enhanced oil recovery. So why could we not expand that? Why do we have blinders on about Kyoto? Why don't we see CO₂ as a resource, as a resource perhaps to be utilized so that we can take another precious resource, water, and correct our rather haphazard practices regarding the use of that water? Certainly, we could take the coal-fired plants and experiment with compression. [A cell phone rang] Dr. Schindler, I assume.

Mr. Speaker, I think we should look at compressing the flue gases and piping them from the coal-fired plants to some of those areas in central Alberta where we're currently using water for enhanced oil recovery. We should have a serious look at this and take our water and recognize that it is a precious resource that is not endless. The water supply in this province is not endless.

Now, I'm sure the hon. Member for Peace River – there are certainly vast amounts of water in northern Alberta. Are we going to look at a policy in the future perhaps with northern development – and I believe that hon. member is the chair of a committee – of moving development and people to the water instead of moving the water to more arid areas where, unfortunately, there is less water than what is currently needed.

So we can look at this bill and we can say that this is just a minor transfer from one basin to the other, or we can look at this bill as the start of a public debate not only on how we can use Kyoto as a means of economic activity in this province but also as a warning that water is not endless and it is precious. Perhaps this bill is that warning, and perhaps we're going to look at how we use water.

I for one have had the pleasure of working down in the Clearwater River basin. Many times I have worked there. The water is racing out of the mountains; the flow rates are aggressive. I was startled to learn that a lot of that water is taken out and used by resource companies. Some of the farmers in that neighbourhood – and this is in the Rocky Mountain House region – are frustrated with the use of that water. They're frustrated to the point that they're willing to speak out on national TV.

I watch the CBC. I'm guilty of watching the CBC, and I enjoy the

CBC. I think it's terrific. The CBC had quite a story with residents of the Sundre area and their concerns about water allocation. I realize that water problems are a provincial issue, and they're certainly not just limited to the north Red Deer River or any of the surrounding communities.

In conclusion, Mr. Speaker, I would urge all hon. members of this Assembly to consider replacing water that's used currently for enhanced oil recovery with CO₂. This doesn't have to be done overnight. We could gradually work this into the plan so that industry could get a handle on this without it costing them enormous sums of money. I think it can be done. We can look at a long-term strategy so that there's going to be plenty of water for everyone and for every purpose in this province, regardless of where they choose to live.

Thank you.

4:20

THE ACTING SPEAKER: Under Standing Order 29 we have five minutes for questions. The hon. member for Edmonton-Glenora.

MR. HUTTON: Thank you, Mr. Speaker. I was just curious. The member mentioned that he's an avid watcher of CBC television. I was just wondering what his favourite program was.

MR. MacDONALD: *The National*, and my second favourite program, Mr. Speaker, would be *This Hour has 22 Minutes*, because it portrays this government as what it really is.

THE ACTING SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. I would be remiss if I didn't stand up and actually thank each and every one of you that has debated this bill thus far, Bill 33, the North Red Deer Water Authorization Act.

A little history and background. The town of Lacombe and the town of Blackfalds have a severe water shortage and have had a problem for quite some time, so their need is immediate. The four First Nations bands at Hobbema and Ponoka have also identified that their need is growing, and they're being very, very courageous to sit down, all four of them, to work through this to find a solution.

What I would like to do today is thank all those municipal people that have spent considerable time. First off, I would like to thank the mayor of Lacombe, His Worship Bill McQuesten. Bill has probably spent in the last year probably about 55 to 60 percent of his time on this particular act and what was needed here. He is the chairman of what they now call the Regional Water Committee. It does my heart good, because it's a number of communities working together in a very proactive fashion, and I think that they are to be congratulated. They really have taken a regional approach to this since they have started and have come this far. They have had other municipalities in the area phone them and want to sit down and talk about their need for water, and I think this is the beginning of something that's going to work and work very well.

I also would be remiss if I didn't thank the Minister of Environment. He has done an exceptional job of listening to and acting upon what he's heard from these various communities. As well, several discussions have been held with the Minister of Transportation, and he, too, has been willing to listen and respond to a need. As such, I would thank each and every one of you because you've also listened. I know that when we get to the final point and the last vote on this particular bill, it sounds to me like we will have your okay for it to go ahead. Water, as my hon. colleague from Red Deer-North said, is a top priority of this government, but water is a

top priority of every municipal government in this province as well. It's very, very detrimental to your community when you know that your aquifer is no longer there, yet you have a growing population and you have a need for water. Something that I think we must do – and it's been talked about with other pieces of legislation that have come before this Assembly. I think that we have to be very proactive as we move ahead and try to educate the electorate, try to educate the people on water use, because each and every one of us in our own houses in our own communities, I think, could really take a hard look at how much water on a given day we waste, that totally goes down the drain. I think that we need to be very proactive in that. With new housing construction starts there are a number of new plumbing fixtures that can certainly reduce the amount of water that's used. I think that if we are going to have to look at this, which in time I know we are throughout the whole province, we need to be proactive here and in municipalities and try to work very much to educate the general public.

So I'm not going to go over what has been said here. I again want to thank all those from those various communities that worked very hard. They have done an environmental impact study. They spent considerable days and hours on public consultation, asked for written submissions. I just want to say thank you to them for working together and then bringing forward what they found and the compromise and the solution that they thought would best serve them. Hopefully, we're able to accommodate them through this Legislature.

Thank you.

THE ACTING SPEAKER: Standing Order 29(2), five minutes. There being none, the chair recognizes Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. It is a pleasure to rise this afternoon and talk to Bill 33, the North Red Deer Water Authorization Act. I think that when we look at the purpose for this bill, we have to realize that this is the first legislation of its kind in Alberta, but it won't be our last. It certainly is an effect of global warming, of climate change, and because of that I think it is incumbent upon this body here to certainly pass legislation which not only transfers water but looks at our future requirements for water and where we're going to allow communities to build in the future and where we're going to allow industry to locate.

Now, then, this water transfer is unique. It is interbasin, but because of the way the water flows, they will join up down the line, so in some sense this is a very special type of interbasin water transfer. It's one that is desperately required. It's desperately required by the communities of Lacombe, Ponoka, Blackfalds, and the First Nations' Samson, Ermineskin, Montana, and Louis Bull communities. It is critical. This is one of the basics of life, and it's certainly incumbent upon us to provide water to those communities who are lacking water, because it is one of the essentials.

So when we do consider the cost of \$23.5 million to build a 66-kilometre pipeline to fulfill the requirements of these communities for water, I don't think as a Legislature we have any other choice, but I also think it brings to light what can happen when we start these types of transfers and where they go. I certainly think that if we are not careful with the way we transfer water, particularly interbasin water, there is enormous potential for adverse ecological impacts.

All we have to do is look at the program that Russia undertook a number of years ago where they tried to transfer and reverse the flow of water from the north to the south. The ecological damage that has occurred in Russia as a result of that is widespread. It's not only widespread, but it is irreversible. It is not only irreversible, Mr.

Speaker, but it is also irreparable. So, again, I think that what we are seeing with this piece of legislation is simply the tip of the iceberg, that the impact on Alberta has only just begun.

The Member for Edmonton-Gold Bar referred to Dr. Schindler earlier. Certainly, I've enjoyed many of his talks when it does come to Alberta's stake in regards to water, and I think we have many living examples in the province that are strong indicators that we must take some action. I think of the Bonnyville area, where we have Muriel Lake. Muriel Lake is a mere slough compared to the beautiful lake it was some 25 years ago when I was looking at buying a lot on that lake. I think that when we look at the wetlands not only in Alberta but across western Canada, they are virtually dry. I look at statistics that have been compiled on the Peace River. We all think that northern Alberta does have this enormous supply of fresh water, yet the Peace River is flowing at 30 percent less of the volume that it did a hundred years ago.

4:30

In our discussions yesterday and the previous day about Kyoto we heard of how the Columbia Icefield was an enormous glacier and is receding rapidly. We also have many other examples of that around the world. So if it's happening at Mount Kilimanjaro, if it's happening at Mount Logan, if it's happening at the Athabasca Glacier, then it is certainly something we have to make the appropriate plans on now, because we are going to have to address a shortage of water in the future.

I think it's also important at this time, Mr. Speaker, that we do look at an overview of public comments as conducted by the department. For most Albertans who provided comments on the discussion paper, their first comment was that there was a negative impact on river ecosystems if we have a huge transfer of water. So as the Member for Edmonton-Ellerslie had indicated, there were studies done which indicated that we would not have a great negative impact if this amount of water was transferred. We also have to realize, Mr. Speaker, that ecosystems are extremely sensitive. History has shown, as I mentioned earlier, that when these ecosystems are put under stress, the changes that occur are irreversible and the damage is irreparable.

As well, in the public consultations to the discussion papers there were many that felt that in special circumstances – and I would think that this is one of those cases when we do have a special circumstance – the interbasin transfers were acceptable but only for short periods of time. I think that what we're going to see in Alberta, particularly because of climate change and because climate change is one of those things that does not turn around quickly – they felt that interbasin transfers of water should only be for a short period of time and not a long period, but I think we will see that. I think that we're going to see more and more communities in this province requiring some type of assistance in the way of a pipeline to deliver water.

Certainly, members of this caucus strongly believe that this is a good bill in the fact that it will address the shortage of water in those particular communities. We would like to see that only for urgent needs would we see bills like this come before the Legislature, and I would certainly urge all members of the Assembly to support this bill.

Thank you very much.

THE ACTING SPEAKER: Standing Order 29. Any questions for the hon. member? The hon. Member for Medicine Hat.

MR. RENNER: Thanks, Mr. Speaker. I just wonder if the member might consider for a moment this whole issue of interbasin transfer

in light of the fact that my understanding is that at the end of the day all of the waters that are referred to in this bill eventually feed together and end up in Hudson's Bay. The member spent a good deal of his time during his speech referring to the calamities that can happen in the case of interbasin transfer. Is the member aware that at the end of the day, no matter whether or not this bill is passed, water from these communities will end up mixing at some point in time anyway?

THE ACTING SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Yes. I thank the member for that question. I think if he'll go back and check the Blues, he will certainly see that that was exactly the point I made very early in the debate: that these waters will join up farther down. What makes this a good bill is the fact that they will join up farther down. So I thank him for that question.

THE ACTING SPEAKER: Hon. Member for Edmonton-Riverview, did you want to speak on the bill?

DR. TAFT: Thank you, Mr. Speaker. I appreciated the comments from the Member for Lacombe-Stettler thanking us for participating in the debate here. It's clearly an issue of profound importance for her constituency and for many other residents of central Alberta. Indeed, I have family and friends who will be directly affected at both ends of the pipeline that's being proposed here. I agree: I think it's the consensus here that this is a serious problem for those communities and that we really have no choice but to proceed. I appreciate the way the bill is structured. I think that from the people I've spoken to, it doesn't trigger any considerations or worries under NAFTA. It seems to be carefully thought out and well written, so I, like other members of this Assembly, will be supporting this bill.

But I do need to raise my concerns that we are here treating a symptom. We're treating a symptom of a much more profound problem, and that's the problem of Alberta basically drying out. It's a problem that I think we're all aware of as we've gone around this province. My colleague from Edmonton-Glengarry I think put it extremely well; I don't need to repeat those points. But there is a sense that this is a band-aid to a much bigger disease. I do worry about farmers, for example, in the areas of Ponoka, Lacombe, Blackfalds, and the other communities involved who are tapping into those same aquifers that may be drying out. What does the future hold for them? Do they have any opportunity to participate in this water supply? I assume not. Then what happens to the economic viability of those farms and the agricultural basis of that area? I think that's something we need to attend to. Again, we may reach a point in this province where it's simply not practical to be piping water all over the place. Historically we've been able to rely on natural sources. If the natural sources are gone and we can't pipe water everywhere, what's our choice? What are we going to be doing?

One option to this problem – and I assume that the communities involved are looking at this very aggressively – is conservation. As I go through my background documentation, the information I have is that the residents of the communities involved use an average of about 80 gallons of water per person per day. It's a stunning amount of water. I imagine that all of us are equally guilty, and we don't even realize it. Every time we flush the toilet or turn on the dishwasher or have a shower, we're using a tremendous amount of water. It may well be that in areas across this province we're going to have to change our lifestyles, and it may be that the leading

communities that can teach all the rest of us how to do that will be the communities of Lacombe, Ponoka, Blackfalds, and the other communities covered under this bill. Let's hope so, because we are all going to be, I think, needing to learn these lessons, and we're all going to need teachers to teach us how to live by using less water.

So it would be great if there was some program, some extension of this legislation, or some extension of other government activities to improve our water conservation efforts. Maybe that will come through building codes. Maybe that will come through other provisions. I'd love to have more information on it if the Member for Lacombe-Stettler or elsewhere has any information on how that conservation will be achieved.

4:40

Another issue may be, ultimately, some kind of limit to growth. I mean, maybe it's the fact that central Alberta can't sustain a city the size of, say, Saskatoon or Edmonton or Calgary. At some point we may actually have to start designating limits to how big communities can get. I don't know the answer to that, but I think that's an issue that needs to be on the table. How do we get there? How do we achieve that? Do we do that simply by some kind of regulation or planning, or do we do that just through letting the market sort it out and at some point the cost of water just becomes prohibitive and people stop locating there? I don't know which way is the best way to go, but I think we will be quite possibly encountering limits to growth in this area of Alberta and indeed other parts of Alberta and Canada.

So with those comments – an encouragement to these communities and to all Albertans to look at conserving energy, concern about the rural base in this area and their access to these rapidly declining aquifers, and a general concern that we are here treating a symptom and not the disease – I say to the government: a job well done on drafting a clean, simple, straightforward, effective bill that addresses a concrete kind of problem. I'll be there supporting it.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Standing Order 29. Any questions? The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I'll just ask one brief question. The hon. member opposite is promoting energy conservation, a very worthwhile goal, and water conservation, which is often promoted as a worthwhile goal too. But it seems to me that when someone, whether it be an individual or an entire city, baths in water, they don't destroy it. All that happens to it is that it comes out of the river, gets cleaned. They bath in it. It goes down the drain back into the river dirty. So I'm wondering why the hon. member opposite would promote the idea that we are somehow annihilating or destroying water by using it to bath in or using 80 gallons a day, as he has mentioned, and whether or not he's ever realized that it doesn't actually get destroyed.

DR. TAFT: Mr. Speaker, sticking with my own personal policy, I'll respond to that in committee, which is the time, in my view, for question and answer.

Thank you.

THE ACTING SPEAKER: The hon. Member for Red Deer-North to close debate.

MRS. JABLONSKI: Thank you, Mr. Speaker. Ensuring a healthy and sustainable water supply for all Albertans is a top priority of this government. Bill 33 will help us to do that for these central Alberta communities.

One of the concerns raised in the debate was concern for our

farmers. We have considered that if we pipe treated drinking water into all residential areas in Blackfalds, Lacombe, and area, there will be more water in the aquifers for the farmers to use. Members in the House have also repeatedly raised the concern that we need a long-term solution for water concerns in Alberta. The Department of Environment is currently leading the development of a provincial water strategy to ensure that we have safe and sustainable drinking water supplies now and in the future.

Mr. Speaker, I ask that all members support Bill 33 so that our friends, neighbours, and family members in the central Alberta towns that we've mentioned here will have safe drinking water.

[Motion carried; Bill 33 read a second time]

Bill 37

Occupational Health and Safety Amendment Act, 2002

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is my pleasure to rise today to move second reading of Bill 37, Occupational Health and Safety Amendment Act, 2002.

The act proposes five major amendments to the Occupational Health and Safety Act. Firstly, Bill 37 increases the maximum fine for a first offence under the act from \$150,000 to \$500,000. The maximum fine has not been changed since 1988, and stakeholders have told us that \$150,000 is not a sufficient deterrent for a large corporation. This change will give the courts the ability to ensure that fines match the severity of an offence. Second and subsequent offences – and we trust there will never be any with these new amendments, Mr. Speaker, but if so – will increase from a maximum of \$300,000 to \$1 million.

Bill 37 also introduces penalties other than fines or incarceration for OHS offences, such as introducing safety programs or education programs. We believe that compelling a negligent employer to speak to their peers or their community about what they did wrong will act as a deterrent and increase awareness of the importance of workplace safety. It turns a negative into a positive, Mr. Speaker. It brings good out of bad.

Thirdly, Bill 37 streamlines the process for updating workplace health and safety rules by allowing the creation of an occupational health and safety code to govern the codes of practice for work site safety. This will include the requirement that government must consult with stakeholders before changing the code. By creating a code, Mr. Speaker, our technical safety standards for work sites can be updated without having to reopen the legislation or regulations. This will ensure that our safety standards keep pace with our rapidly changing work environment.

Now, number four: Bill 37 will allow for the use of administrative fines similar to those awarded for traffic violations. The introduction of these fines will depend upon the results of our current review of such fines in other jurisdictions to determine their effectiveness. While there is stakeholder support for introducing administrative fines, government will not do so until we are sure of the effect they would have in Alberta. Ontario has similar legislation that allows officers to give, quote, tickets, unquote, for noncompliance of specific safety regulations only at a construction work site. The penalty amount is typically small, between \$100 and \$200. The administrative fines or tickets are mostly applied to workers who refuse to follow safety procedures; for example, not wearing a hard hat. The system is well received by employers as a means to promote safety compliance among workers at a work site. The

Ontario Ministry of Labour issued 90 fines out of 300,000 workers in the construction industry. So this regulation will create a partnership of safety between employers and employees; in other words, shared responsibility, Mr. Speaker.

Finally, the fifth amendment: Bill 37 also allows for the publication of the names of employers with the best and worst safety performance in the province. Now, as in the case of alternative sentencing, we believe that this will work as an effective deterrent for employers with poor safety records. Mr. Speaker, Alberta employers generally have a good record on workplace health and safety, but in my time as the chair of the Council on Workplace Safety I have spoken to a number of Alberta employers who believe that we can do better. Albertans are number one in terms of economy and productivity, and now we want to be number one in safety too.

In the past 20 months I've also spoken to the families of dead workers, Mr. Speaker, and I've heard how their lives have been shattered by these workplace incidents. When a person is killed on the job, it does more than reduce the workforce by one. All of us grieve their lost potential. We can never really know what we have lost because we do not know what these people would have contributed to our society had they lived. Tragedies like these occur on Alberta work sites 118 times a year, and it is time to say that enough is enough.

In May of this year the hon. Minister of Human Resources and Employment assembled 150 representatives of industry, labour, and safety associations and asked them to help develop a government and industry plan to reduce workplace injuries in Alberta by 40 percent by the end of 2004. Now, this is an aggressive plan, Mr. Speaker, but we believe these amendments will help to achieve this. Workplace safety 2.0 is intended to be both a journey and a destination. There is no question that we need to make workplace safety part of the way we do business. Only by challenging ourselves can we make a difference. The time has come to change the way we work, the way we teach workplace safety, and the way we regulate workplace safety. Bill 37 sets the wheels in motion and represents an important step forward.

Mr. Speaker, I encourage all of my colleagues to join me in support of Bill 37 and look forward to hearing their comments during the debate. We must make safety our new bottom line.

Thank you.

4:50

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to participate in the debate this afternoon on Bill 37, the Occupational Health and Safety Amendment Act, 2002. At this time I would like to express my gratitude not only to the hon. Member for Drayton Valley-Calmar for the work that he has done on this legislation but also for the commitment that has been shown by the Minister of Human Resources and Employment in increasing the safety and with that safety the productivity of Alberta work sites.

I certainly have noticed that there has been a significant change in direction towards workplace health and safety by this government in recent times, and I think it is a tribute to the leadership of the hon. minister and his recognition that we cannot have accidents like we had a couple of summers ago when a person under the age of 16 was unfortunately killed on a luxury condominium construction site in this province, in this city as a matter of fact. The minister over the last number of years while the department has been under his stewardship has certainly made an effort. It is unfortunate that the

day this bill was announced there was yet another series of accidents on work sites in this province. Unfortunately, and unnecessarily I believe, three Albertans in the window of 48 hours lost their lives as a result of workplace accidents. That is unfortunate and it is sobering.

I think all hon. members of this Assembly should pay close attention to Bill 37. It is going to affect how Albertans work for the next number of years. I see this bill as an admittance that voluntary compliance did not work. Voluntary compliance was introduced and supported by past ministers in charge of this occupational health and safety legislation, but I believe I can say that this minister does not support this notion that voluntary compliance is the answer to everything.

There are certainly going to be some changes in the occupational health and safety laws that I think are an improvement. Certainly, whenever we look at the statistics and we look at the double-digit increases in WCB premiums, hopefully we won't see that in the future because of this legislation. I think that we can work safely in this province and we can work productively. I think one goes with the other. Certainly, education is needed, and I think this is something, also, that is recognized by this minister, but, Mr. Speaker, whenever we look at Alberta's prosperity and the staggering price that workers have paid for that through injury and loss of life, it is important that we recognize the significance of this legislation. The number of workers covered by the WCB increased by only 4.8 percent in 2000 compared to 1999, but the number of new claims reported to the WCB jumped by over 18 percent in 2000 compared to 1999.

The minister and the hon. member are on the right track with this bill, I believe. The number of lost-time claims reported to the WCB rose by 10 percent in 2000 compared to 1999, and the number of work site trauma fatalities escalated by a shocking 35 percent in 2000 compared to 1999. When you look at the government's fiscal plan released on April 24, 2001, it shows that the WCB's provisional rates were forecast to be \$1.25 per hundred of gross payroll, and that is currently the lowest among the provinces. As a result of accident rates we know what happened with the double-digit increases, and these rates cannot be sustained. I don't know how much more business can pay, but it's in the economic interests of businesses to have safe and productive work sites. It makes good economic sense.

Now, in recognition to the minister the Department of Human Resources and Employment has also recently stepped up efforts to prevent injuries and fatalities. I understand that they have hired six more work site inspectors and a new workplace safety call centre. We've discussed this in this Assembly before, and I'm told that there will be more occupational health and safety officers hired in the future. I for one believe that vigilant enforcement of occupational health and safety laws and regulations will work.

Just the other day I learned where we're going to spend \$9 million from the WCB to support work site safety through the occupational health and safety department. That is a small price to pay for safe work sites that are productive and also a small price to pay because I think we can reverse this trend of premiums of the WCB unfortunately increasing on an annual basis at a double-digit rate. I think this is a step in the right direction.

Now, with the bill itself, Mr. Speaker, one has to be very cautious with some of the initiatives. This idea that we can simply take proposals to allow for the implementation of administrative fines – and I realize that may work well in Ontario, but I'm not so sure that we need to go this route. There are many people here, including the hon. Member for Vermilion-Lloydminster – I'm sure that on a work site that hon. member was on, if a worker was not working safely as instructed, as per the occupational health and safety law and its regulations, then they would be terminated. You're getting one

chance. If you're not working safely, get rid of them and hire someone else. It's that simple, and that sends a strong message to everyone else on the site. I think this is the route that should be taken.

I think we should be cautious about this idea that occupational health and safety inspectors may show up and start ticketing people. We should be very, very cautious about that approach. I think the occupational health and safety officers have enough to do. Certainly, whenever we look at the accident rates in this province and we look at the number of fatality claims accepted, it's way too high. It ranges from 120 victims in 1997, unfortunately, to 118 in 2001. That's over two per week, and consider that occupational health and safety officers have to investigate these accidents and write a report.

5:00

If hon. members across the way have any doubt about this legislation and how it may improve the work sites, I would advise them to go to the minister's department, Human Resources and Employment, just up the hill here, and go to their local library. It's almost like you're looking at a coffin. There's a long steel filing cabinet there, and it has the accident reports that have been written by the occupational health and safety officers on each case. You open that, and you can go through there from years back. The steel is cold on that filing cabinet, to say the least. It's an uncomfortable feeling to go through those files. There are photographs of the sites; there are written reports. Sometimes I would like these reports to be in greater detail, but unfortunately they're not. But my point is that the occupational health and safety inspectors have enough work to do without running around with a ticket book.

Then there's also the appeals process, which I have questions about. How do I appeal? For instance, let's say that the hon. Member for Edmonton-Highlands was moonlighting as a construction worker, and someone gave him a ticket for working on scaffolding that was unsafe. The ticket was for \$75, and he was to go to another site, Mr. Speaker, and he wanted to appeal that. What sort of process is there for an appeal? I don't know. Perhaps in the debate we will get to that.

But when we look at occupational health and safety, we have to remember those that have lost their lives and we have to reverse this trend of over two Albertans a week dying on the job or in job-related activities. The reversal of this trend is not going to be done through an administrative penalty, in my view. How are we going to do this?

I read with a great deal of interest the hon. minister's speech, I believe, that was presented to the Australian occupational health and safety authorities, I assume this summer. I saw it on the Internet. The minister mentioned many things in that speech, but the thing that caught my eye was that 1 percent of Alberta employers are responsible for 26 percent of the accidents. I want this minister and the officials in that department to name names, and I'm going to get to that a little later, but there are other work sites in this province that are very safe and very productive at the same time, Mr. Speaker. As you may be aware, union construction sites in this province are the safest in Alberta with millions of hours worked on some of the largest construction projects in Canada, and they're done without lost time. The workers are trained, they're safety conscious, and if they don't work safely, they're run off. It's that simple. They don't have a job tomorrow. Now, I can't say that about the rest of the province.

I would encourage all members of this Assembly to have a look at the records that are available, and certainly there are two sets of accident records in the construction industry. It's noteworthy to compare. Now, where would these inspectors, if they're going to do administrative fines, start? Hopefully, they will start in the areas that

the minister was describing to the Australians, and those are the 1 percent of outfits that are responsible for 26 percent of the accidents. That's a shocking figure. That's why this is good legislation, and I think we can make it better, Mr. Speaker. We're going to get at this in committee at some time. The minister shall – not may but shall – name names. That would be one amendment that I would like to see.

Another way to make this bill better, I think, Mr. Speaker, would be to also increase the amount of time that occupational health and safety inspectors have to investigate an accident. I know there are plans to hire more, but whenever you look at this accident rate of more than two fatalities a week, occupational health and safety inspectors under this legislation and the work load they have – they must be getting a lot of overtime, because certainly they're going to be working very, very diligently. I would like to see the amount of time that they have to investigate accidents and present their results of their investigations to the Crown prosecutor increased from one year to two years. I think this is a good idea. Certainly, in the Environmental Protection and Enhancement Act there is a two-year period from which you can lay charges from the date of the release or whatever. I think the same should apply to the Occupational Health and Safety Act.

This caught my eye whenever I was investigating the Hub Oil explosion, the tragic explosion at Hub Oil that left two individuals dead. I saw all the media reports. Since then, I've had the opportunity to meet some of the family members of the victims, and if there's one thing we can do, it's ensure that this sort of explosion does not happen again. There was a great deal of work done in the one-year time period. Charges were laid under the Occupational Health and Safety Act for the explosion at Hub Oil, and then almost two years to the calendar there were charges laid under the Environmental Protection and Enhancement Act. These charges somehow were dropped in the first week of January this year.

AN HON. MEMBER: What?

MR. MacDONALD: Those charges were dropped the first week of January this year, much to my dismay. There have been criminal charges laid in this matter, but the charges in regard to the Occupational Health and Safety Act and the Environmental Protection and Enhancement Act were dropped, and I still consider that, Mr. Speaker, to be clouded in mystery. How this occurred – I think it was January 4, before a justice of the peace in Calgary. How that occurred after all the effort that went in by occupational health and safety inspectors and I don't know who else – but I can imagine the amount of time that went into these files. For that to occur, to me, is a justice not done.

I certainly hope this doesn't happen again. I'll be watching for it. But when I see that, I can't help but think that this is a way, again, to improve matters for all Albertans on job sites, and that's to increase the time period from one to two years from which an investigation and, potentially, charges may or may not be laid. I think this is a very good start.

Mr. Speaker, in conclusion, I would like to say that I think the object of this bill, to reduce workplace accidents and put in place penalties that act as a deterrent, is a good start. We are looking at amendments to current legislation, and I'm looking at the consultation process that has gone on in regard to this bill, and it seems to be adequate, to say the least. There seems to be a great deal of interest in this. Many people from across the province, particularly in the construction industry, as I understand, have had input into this legislation. But there are some concerns expressed by the Canadian Federation of Independent Business. These concerns, I think, are valid. When you consider that there are close to 9,000 members in Alberta, one has to take their concerns to heart. Everyone is affected by this, not only the workers and the supervisors but the business owners as well. Again, a safe work site is also a productive work site, and when you think that a safe and productive work site is going to, I believe, reduce the WCB premiums that these individual companies are going to pay, I would encourage those businesses to phone the minister's office directly and ask about the certificate of recognition programs and the partners in injury reduction programs. It astounds me that there's such a low participation rate in those programs. I would encourage the businesses to do that: phone the minister directly.

Thank you, Mr. Speaker

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

5:10

MS CARLSON: Thank you, Mr. Speaker. I'm happy to have an opportunity to speak to Bill 37, the Occupational Health and Safety Amendment Act, 2002. [interjection] No. If you understand the rules, the person who speaks first to the bill gets 20 minutes without questions.

This is a bill that in principle is a good bill, but it also in principle gives us an opportunity to raise many concerns about how health and safety has been handled in the past in this province. Given that, all of my colleagues in this Assembly wish to speak to it in principle. In reviewing the time and the good work that we've done this week, though, Mr. Speaker, I would now ask to adjourn debate.

[Motion to adjourn debate carried]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you Mr. Speaker. Once again, a very productive week, and that being the case, I move that we now call it 5:30 and adjourn until 1:30 p.m. on Monday, December 2.

[Motion carried; at 5:13 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, December 2, 2002**

1:30 p.m.

Date: 02/12/02

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy. As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country. Amen.

Hon. members, would you please remain standing as we now participate in the singing of our national anthem, and please participate in the language of your choice. We will be led by Mr. Paul Lorieau.

HON. MEMBERS:

O Canada, our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise,
The True North strong and free!
From far and wide, O Canada,
We stand on guard for thee.
God keep our land glorious and free!
O Canada, we stand on guard for thee.
O Canada, we stand on guard for thee.

THE SPEAKER: Please be seated.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Whitecourt-St. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly special visitors in the members' gallery, our Grasmere school: teacher Mrs. Sharon Hansen; teacher's aide Mrs. Sandra Hoffman; parents Mrs. Carol Suvanto, Mrs. Cookie Farnsworth, Mrs. Wendy Scott, Mr. Brian Lichty, and Mrs. Lois Burletoff; and bus driver, Mrs. Aidan Thibault. I'd like to ask them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It is indeed a pleasure today to introduce to you and through you to all the members of the Assembly 60 very enthusiastic and bright students from Assumption junior/senior high school in Cold Lake, Alberta's newest city. They are accompanied today by teachers Ms Lynne Lefebvre and Mr. Shawn Belsher, parent helpers Ms Mary-Jo Avery, Mrs. Valerie Brousseau, and Mrs. Joy Smith. They are seated in the public gallery, and I'd ask that they please rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got four different introductions today. Let me start with the first one. It's my pleasure to introduce to you and to all my colleagues in this House two of my constituents. Both of them are here to observe the Assembly in session and develop an understanding of how the democratic processes work and how effectively we as their representatives are

servicing the interests of all Albertans. These two guests are Ms Aimee Caster and Ms Patricia Szastkiw. They are both seated in the public gallery. I would now ask them to please rise and receive the warm welcome of this Assembly.

My second introduction, Mr. Speaker, is of an organization whose representatives are here today. I'm pleased to introduce them here. They are a group of extraordinary women. As I name them, I would ask them to please rise and keep standing: Janice Williamson; her younger daughter Bao Williamson, I think, if she's here; Patti Hartnagel; Linda Winski; Nancy Brine; Barbara Sykes; Carol McDonald; Valerie Ali; Lindsay McWhirter; and Gail Sidonie Smith. They are members of an international network of women who share a common philosophy of opposition to militarism, violence, and racism. The Edmonton Women in Black, formed in the fall of 2001, stand in silent demonstration for a world without violence. I would now ask the Assembly to give these valiant women a warm, warm welcome.

Mr. Speaker, my third introduction is of a prominent Edmonton lawyer, Ms Marie Gordon. Marie Gordon is a partner in the law firm of Cochard Gordon. She's here today to observe the proceedings of the House. She's also seated in the public gallery, and I ask her now to please rise and receive the traditional warm welcome of the Assembly.

My last but not the least introduction, Mr. Speaker. In this I have the honour of introducing to you and to all members of the House today Mr. Scott Winder. He is the co-ordinator of the Council of Alberta University Students, an organization known as CAUS, C-A-U-S. He, along with all the members of CAUS, close to 100,000 students, is trying to convince the government to reduce tuition fees. He is also among those students who are wondering why the government, on the one hand, is letting tuition fees go up while the government is actively engaged in cutting corporate tax in this province. I would ask Mr. Winder now to please rise and receive the warm welcome of the Assembly.

Thank you, Mr. Speaker.

head: **Oral Question Period**

Allegations of Interference in Justice System

DR. NICOL: Mr. Speaker, the Attorney General is looking into allegations that the Solicitor General may have intervened in her son's assault case trial. The Premier said that he stands behind his Solicitor General while this investigation continues and that he will not ask for her resignation, but since the Solicitor General's grasp of the justice system has come into question, the legal community agrees that the minister should step down until the issue is resolved. My question to the Premier: what information does the Premier have, information that is evidently not available to the public, that leads him to pre-empt, influence, or ignore the Attorney General's investigation?

Speaker's Ruling

Referral of Matter to Ethics Commissioner

THE SPEAKER: Hon. Premier, just a second, please.

Hon. members, we have to be guided by the Legislative Assembly Act and the Conflicts of Interest Act, and I will provide for great leeway here, but there are a couple of clarifications that must be made.

Under Section 24 of the Conflicts of Interest Act there is a section called Investigations into Breaches: Requests for investigation. Section 24(6) indicates, "Where a matter has been referred to the Ethics Commissioner under subsection (1), (3) or (4), neither the Legislative Assembly nor a committee of the Assembly shall inquire

into the matter.” It is my understanding that the matter has been referred to the Ethics Commissioner by a member of the hon. leader’s caucus. Now, if that is so, then we should guide ourselves appropriately by the legislation that we do govern ourselves by. Questions with respect to policy of the government are certainly appropriate, but perhaps someone, including the hon. member who has asked the Ethics Commissioner to investigate such, might want to verify that in fact such a request has been made.

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you. I’ve been notified by the Ethics Commissioner’s office that the Ethics Commissioner is away and will not be returning to the office and is unable to look into this until after December 10.

THE SPEAKER: Hon. member, the clause says, “Where a matter has been referred to the Ethics Commissioner under subsection (1), (3) or (4), neither the Legislative Assembly nor a committee of the Assembly shall inquire into the matter.” So I provide this as guidance to all Members of the Legislative Assembly. The matter has been referred. This is the law of the province of Alberta, approved by this Assembly and written by this Assembly, and the Conflicts of Interest Act is very, very clear in what it says.

So, hon. leader, let’s deal with this matter. If it’s dealing with policy, perhaps so, but it appears to me in the reading of this that these questions may be very, very close to being offside.

Now, please proceed.

1:40 **Allegations of Interference in Justice System**
(continued)

MR. KLEIN: Did you want me to answer the question?

DR. NICOL: I’ll go to the second question.

Mr. Speaker, the second part of that question deals particularly with policy. In the judicial and policing system it is accepted practice to have a person removed from their position when any investigation concerning their action is undertaken. Is that not the policy of this government, Mr. Premier?

MR. KLEIN: Mr. Speaker, I’ll have the hon. Attorney General and Justice minister respond relative to the policy because I’m not clear as to what the policy is. I do understand that the Justice department is not – not, underlined – conducting an investigation. It is simply gathering information. There’s a big difference.

I’ll have the hon. minister respond.

MR. HANCOCK: Mr. Speaker, I confirm exactly what the Premier has just indicated to the House, that allegations have been made. They came to light on Thursday of last week. On Friday and since we have sought the copy of the transcript that was referred to in those allegations. The department has reviewed the transcript, and we’re seeking further information from New Brunswick officials that might have been involved. This is not an investigation at this time. We’re attempting to find information to determine whether or not this need go any further.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. To the Attorney General then. In the context of this allegation is it not true that when an individual is under any kind of question in the public eye or any kind of review, it is normal practice to have them step down from their position?

MR. HANCOCK: Well, Mr. Speaker, allegations are made fast and furious in the course of politics and public life. One doesn’t step aside every time an allegation is made. This is a serious situation. A serious allegation has been made, and when we have pursued the information and have the information at hand to determine whether or not there’s any basis for an investigation, then I will so advise the members of the House and the public. If we get to that point where there’s a necessity to deal with an investigation, that would be a different circumstance.

Expropriation of Property

DR. NICOL: On Friday the Alberta Court of Appeal ruled that Alberta taxpayers are on the hook for more than \$10 million in damages because the government expropriated the land of an Albertan without providing adequate compensation. The written judgment found that the cabinet and Crown officials foresaw that damage would occur from their actions, yet the government proceeded with them. My question is to the Premier. Why, if this government foresaw problems with the expropriation in question, are Albertans still on the hook for millions of dollars in damages?

MR. KLEIN: Mr. Speaker, I have to plead ignorance. I’m not aware of any court decision or any judgment relative to an expropriation case. Perhaps the Minister of Municipal Affairs or the Minister of Infrastructure can shed some light on it. Whatever. Whoever.

MR. LUND: Mr. Speaker, it is accurate that there was a ruling on Friday, and we are currently studying that ruling.

DR. NICOL: Then to the Minister of Infrastructure: since the Department of Infrastructure’s annual report shows 48 outstanding legal claims totaling \$232 million with 18 additional claims of unspecified amounts, exactly how much more is government incompetence going to cost Alberta taxpayers?

MR. LUND: Well, Mr. Speaker, I take great exception to the hon. leader’s comment about government incompetence, because quite frankly it often happens that there is a disagreement, particularly when it comes to the purchasing of land. To some folks and to most folks land is a very precious commodity, and it’s something that people aren’t anxious to part with in many cases. So we end up in cases where there is a disagreement, and of course if there’s some kind of litigation, we have to record it as just that, the possibility of a litigation. We resolve most.

THE SPEAKER: The hon. leader.

DR. NICOL: Thank you, Mr. Speaker. Given the direct involvement of Alberta government officials, how can other landowners be assured that they will be treated fairly by the government? Or will they, too, have to endure a lengthy and costly court battle to get fair value for their land?

MR. LUND: Well, Mr. Speaker, there’s clearly a process for purchasing land. If there is a disagreement and, as a last resort, there’s expropriation, there is a process for that. Also, there is then a process for determining the value of that property. So I don’t know why it wouldn’t be something that would be acceptable to most Albertans. We have a third party that determines those values if, in fact, there’s a disagreement among the staff that is going out to purchase the land, an agent that is trying to purchase the property, and the landowner.

Asbestos Removal at Holy Cross Hospital

DR. TAFT: Mr. Speaker, last year there was a serious mishandling of asbestos removal at the Holy Cross hospital in Calgary, endangering the health of workers. The incident also poses a health threat to the long-term care residents and staff at the Holy Cross who have been living and working in a building that a Calgary health region report describes as loaded with asbestos. To the Minister of Health and Wellness: is the minister aware of this incident? If so, does he believe that construction workers, staff, residents, and their families were adequately informed of the incident?

MR. MAR: Mr. Speaker, I'll be happy to take this question under advisement.

DR. TAFT: All right. Then to the Minister of Human Resources and Employment: given that he is responsible for the Occupational Health and Safety Act, is this minister aware of any investigations by his department into serious and dangerous violations of proper asbestos removal procedures at the Holy Cross hospital?

MR. DUNFORD: Yes, Mr. Speaker, we did have our investigators on the scene. There were some results coming out of that investigation that were forwarded to the owners, and we sought compliance on the handling of that asbestos.

THE SPEAKER: The hon. member.

DR. TAFT: Thank you, Mr. Speaker. To the Premier: given that last May the Premier acknowledged having met with the owners of the Holy Cross hospital and that he has also acknowledged that asbestos was a concern, has the Premier been made aware of any incidents concerning asbestos removal at the Holy Cross hospital?

MR. KLEIN: Mr. Speaker, no, I hadn't been made aware of it. You know, I find it strange, ironic. The Liberal opposition are standing up, or at least they were last session, complaining about the sale of the Holy Cross hospital by the Calgary regional health authority, and I assumed from that that they wanted that hospital to remain open. Now they're saying that the hospital is unsafe and that it's full of bad asbestos. There's that old adage about sucking and blowing, and they seem to be able to do it quite well.

THE SPEAKER: The hon. leader of the third party.

Cataract Surgery

DR. PANNU: Thank you, Mr. Speaker. In response to a question last Thursday the Minister of Health and Wellness justified privatizing surgeries by saying: "It's not just about dollars and cents. It's also about being able to improve access and reduce queues and wait lists." Well, the figures from the minister's own department directly contradict this statement. To the Minister of Health and Wellness: if contracting out reduces waiting lists, why are wait times for contract eye surgery almost three times longer in Calgary, where a hundred percent of the surgeries are done in private clinics, than they are in Edmonton, where most surgeries are done in a public hospital?

1:50

MR. MAR: Well, Mr. Speaker, the more appropriate comparison would be to look right at the Capital region itself, where they do these procedures both in the public and in nonhospital surgical facilities. The wait times in both cases are relatively similar: in the public system a 49-day mean wait time; in nonhospital surgical

facilities 51 days. So no significant difference there. With respect to the median times within the Capital region: within the public facilities it is 43 days median average; and in the Capital region nonhospital surgical facilities, 47 days.

DR. PANNU: Well, Mr. Speaker, the minister needs to look at his own numbers on his own web site.

My second question to him: how can the minister keep claiming that contracting out surgeries reduces wait lists when the evidence from the minister's own department on its own web site puts a lie to this claim?

MR. MAR: Well, Mr. Speaker, I just shared with the hon. member stats that appear and, I think, would appear to most reasonable people to be comparable ones. This is information from standards and measures, Alberta Health and Wellness, dated October 9, 2002, comparing public facilities in the Capital region with private surgical facilities. Again, in the Capital region not much appreciable difference between the wait times, either median or mean times in both cases.

DR. PANNU: Mr. Speaker, I'm talking about cataract surgeries, in particular, and the minister hasn't commented on that. So the last question to him so that he can clarify, have another chance: how can the minister justify using public dollars to subsidize private, for-profit health facilities when all of the available evidence, including that available from his own department, on cataract surgeries shows that private, for-profit costs more and delivers less?

MR. MAR: Mr. Speaker, he asked the question three times. I've provided him with the answer twice now, and I'm happy to do it a third time. Looking at wait times for cataract surgery performed in 2002 for the reporting period from April through June, I can say that throughout the province it varies dramatically, but the best apples-to-apples comparison is looking at these two numbers. The wait times for doing cataract surgery within the public system and within the private surgical facility system, both within the Capital health region, are roughly the same.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Gold Bar.

Kyoto Accord

MR. CENAIKO: Thank you, Mr. Speaker. This morning in today's newspapers there was a front-page article about a survey conducted by the Investment Dealers of Canada that warned the Prime Minister that his plans to ratify the Kyoto accord will harm the Canadian economy by scaring away investors. My question is to the Minister of Energy. What can you tell this Assembly about this report and the possible implications it might have on Alberta's energy industry?

THE SPEAKER: Hon. member and hon. members, we all know that one of the violations of the rule is to refer to newspaper articles, asking for their veracity or authenticity. If that's what the hon. member is doing, then the question is not in order.

Proceed with your second one.

MR. CENAIKO: Mr. Speaker, my supplementary question would be to the same minister, the Minister of Energy. With so much uncertainty created as a result Kyoto, what is the province doing to alleviate investor concerns?

MR. SMITH: Well, I think, Mr. Speaker, that the member has got the very essence of the question and why it's important. It's: what are we fighting over?

Mr. Speaker, today I'd like table a brochure that was put together by the Department of Energy, and it shows in this brochure that this province has over 80 percent – 80 percent – of the proven developable oil reserves in North America. That 80 percent is some 179 billion barrels, which has an estimated U.S. value of \$4 trillion – 4 trillion U.S. dollars.

Now, Mr. Speaker, these reserves cannot be developed without investment from the United States, without the investment that is greater than what Canada can sustain. So each time the federal government puts a collar around investment, puts a Kyoto chill throughout Canada, not only are they harming mutual funds that are placed in the savings and the retirement plans of all Canadians, which have gone down in value substantially since the Kyoto debate has started – there's no question that ministers Anderson, Dhaliwal, and the Prime Minister are hurting Canadian investments today – but this report also highlights what is happening as the world starts to look at the Kyoto protocol in respect to U.S. investment into Canada, and the story is not healthy.

THE SPEAKER: The page will return the documents back to the Minister of Energy. The appropriate time for tablings comes under the Routine known as Tabling Returns and Reports.

The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Drayton Valley-Calmar.

Manhattan Resources Ltd.

MR. MacDONALD: Thank you, Mr. Speaker. In the Ardrossan area a company by the name of Manhattan Resources is proposing to drill six sour gas wells in the vicinity of four schools and a few thousand residents. My first questions are to the Minister of Energy. How can the EUB even allow a company to put forward such a proposal in such a densely populated area? Is the minister not concerned about public safety and public health?

Thank you.

MR. SMITH: I'm as much concerned about public health and public safety, Mr. Speaker, as I am concerned about this member politicizing the work of a quasi-judicial board that has operated in the public interests of Albertans for 40 years. They have been out there. The board has been out there. They've held hearings; they've spoken with lawyers, representatives of the individuals out there. They have sat during the hearings till 9 to 10 o'clock in a constructive, meaningful relationship. It's only the meddling and the trouble-starting by this member that continues to create the controversy. This is in front of the board, and I shall not comment upon it until the board has commented on it.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: given that 30 percent – 30 percent – of Manhattan's wells and facilities were deemed noncompliant by EUB inspectors in the past five years, how can a company with such a poor compliance record be allowed to even propose six sour gas wells in such a densely populated area?

MR. SMITH: Mr. Speaker, I shall not comment on this issue until after the Alberta Energy and Utilities Board has ruled on it.

MR. MacDONALD: Again, to the same minister – or no. Perhaps, Mr. Speaker, to the Premier: given that the Premier said earlier that this government had to get its pound of flesh as far as oil and gas

royalties are concerned, how can this government allow a company like this to operate in this province when they do not calibrate their gas nor their hydrocarbon meters on a yearly basis, as is dictated by the EUB? Where are the royalties going that we are losing?

MR. KLEIN: Mr. Speaker, the EUB has an international reputation of being the model of regulatory authority and has done an outstanding job in determining if in fact oil and gas wells should be drilled, to consider all of the things that the hon. member has mentioned: the wells' proximity to residences, schools, and so forth.

If I were to phone or the minister were to phone the chair of the AEUB and say: "Don't allow this application to proceed," the Liberal opposition would be the first on their feet screaming and yelling that the minister is interfering with a quasi-judicial, arm's-length agency of government. Will they promise to never, ever, ever say anything about anyone if they ever phone the AEUB? I doubt it very much, Mr. Speaker.

All I ask of the Liberal opposition is: be consistent. We know that it's improper to give direction, to phone in any way, shape, or form any member of the EUB, Mr. Speaker, and provide direction to that board, because it is a quasi-judicial body. It does an outstanding job, and it renders a fair, independent, unbiased adjudication on all cases.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar, followed by the hon. Member for Edmonton-Mill Woods.

2:00

EPCOR/Aquila Billing Errors

REV. ABBOTT: Thank you, Mr. Speaker. Now for an intelligent, consistent question to the Minister of Energy. Today is an important day for the people of Drayton Valley-Calmar and thousands of other Albertans because I understand that today is the day that the Alberta Energy and Utilities Board will start receiving complaints from electricity consumers in the EPCOR/Aquila territory, and if the consumers' complaints remain unresolved, they may potentially see a \$75 credit on their bill. My question is to the Minister of Energy. Can you tell me which of my constituents are eligible for this AEUB complaint process?

MR. SMITH: Mr. Speaker, I can comment on this issue because the Alberta Energy and Utilities Board has made a decision, and they have implemented their decision. What they have implemented is a complaint process that will include residential, farm, irrigation, and small commercial customers on the regulated rate option with EPCOR in the EPCOR/Aquila service area. Now, customers who reasonably feel that the consumption on their bill issued on or after December 2 is inaccurate can register a complaint with the EUB. EPCOR is required to settle the dispute within 60 days. If the EUB finds that the bill is incorrect or if EPCOR cannot provide an actual meter read to support the disputed bill, the constituent or customer of EPCOR, the regulated rate provider, may be entitled to a credit of \$75. The member's constituent must, one, be an EPCOR regulated rate option customer in the Aquila service area; second, have an electricity bill issued on or after December 2, 2002; and thirdly, feel that the consumption on their bill does not accurately reflect the amount of electricity they have used.

THE SPEAKER: The hon. member.

REV. ABBOTT: Well, thank you. My first supplemental is to the Minister of Energy. For some of my constituents that have been having problems on their bills for three or four months, do they also qualify for this process?

MR. SMITH: Mr. Speaker, the EUB will consider billing errors on bills issued on or after December 2, 2002. Now, if a constituent began having problems in October and the problem is still appearing on their bill, that issue will be considered by the EUB under this regulation. Constituents with billing errors that occurred before December 2 and are not appearing on bills issued after December 2 are encouraged to deal directly with their regulated rate option provider or, if they have already done so, to contact the EUB's Edmonton call centre, which routinely handles utility complaints. That number, if I may, is 427-4903. Full details of this program, this important program, are available on the Alberta Energy and Utilities Board web site: www.eub.gov.ab.ca.

THE SPEAKER: The hon. member.

REV. ABBOTT: Thank you, Mr. Speaker. My second supplemental, also to the Minister of Energy: what should my constituents have ready when they call the EUB, and how long are they going to be on hold?

MR. SMITH: Mr. Speaker, the constituent will need a couple of things. One, they must be sure that the electricity bill was issued on or after December 2 and, secondly, that they are served by EPCOR.

Now, I appreciate that there are no rural members over there in that small group of six . . . [interjections] But they act like six.

They should also have the bill, Mr. Speaker, in front of them to answer these questions. Consumers should have a meter reading ready when they call. The fact sheet on our customer choice web site has information for consumers on how to do this. Again, they can call the EUB's call centre toll free at 1-866-215-1181, extended hours Monday to Friday, open on Saturday.

We hope that there is a speedy resolution of this issue, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Fort.

Shared Public/Catholic High School Facilities

DR. MASSEY: Thank you, Mr. Speaker. In Fort McMurray the promise of a shared high school between the public and Catholic school boards ended in acrimony and in lawsuits. In Edmonton, in an effort to fulfill an election promise to provide a high school in Castle Downs, a community is being split with a nonsensical, shared high school proposition. My first question is to the Minister of Finance. Given that the public school board has not requested, cannot justify, nor has future plans for a high school in Castle Downs, how fiscally responsible is it for the government to force them into building a school with the Catholic school board?

MRS. NELSON: Well, Mr. Speaker, I'd ask that the Minister of Learning respond to the question.

THE SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. Roughly two months ago the Minister of Infrastructure and myself sat down with the four bishops and got their views on the whole idea of joint facilities. They felt that there was a large issue about the Catholicity of the school environment, and it was their belief that they could not properly have the Catholicity that they felt they needed. They said that they could not change on that view. They said that it was something that was very serious to them. Indeed, there have been a

lot of groups around the province that have since that time expressed the fear of the loss of their Catholic religion when it comes to putting the two schools together.

I would ask, Mr. Speaker, that the Minister of Infrastructure also be allowed to speak on this as he can tell you the potential savings that are there, the direction that we're moving from the Infrastructure point of view.

THE SPEAKER: We'll move on with the hon. Member for Edmonton-Mill Woods. Perhaps there'll be time for additional supplementals.

DR. MASSEY: Thank you. My second question is to the Minister of Infrastructure. Given that the Catholic school board in Edmonton alone meets the requirements for a high school, why are they being threatened into a forced marriage with the public board?

MR. LUND: Mr. Speaker, there are a number of allegations in the hon. member's comments that are just simply not true. The fact is that nobody is forcing anybody to do anything.

The other thing that I want to comment on is the fact that currently the Catholic board has requested a high school in the Castle Downs area. Currently, though, the utilization in that broader area doesn't warrant a high school. However, we do know that it's their number one priority, so it's kept on the list as a priority since it's the Catholic board's number one priority. What we have said is that if the public board deems that they need a high school in that particular area as well – and looking at their utilization, we know that unless they close a high school that's very close there, they wouldn't meet the criteria for one, but they perhaps would if, in fact, the one school is closed – then because of all of the savings that are achieved through a joint school, we may look at it. In fact, if you're serving a larger population of students and giving the students more opportunity at the same dollar as just building a single, then it would rise in its priority because then you're serving more people at the same dollars and giving more opportunity for students.

DR. MASSEY: How does closing a school and building a new one save money?

My question is again to the Minister of Infrastructure. Will the approval of the Catholic high school be contingent on participation with the public school board?

MR. LUND: Mr. Speaker, I don't know if I went through that too quickly or what the problem is. The fact is that I made it very clear that it's the number one priority of the board. It remains as a high priority as far as the government is concerned. But if the public board were to come aboard and want to build a high school in the area, then of course you're serving more students, giving more students an opportunity at the same dollars, and the priority would rise as far as the competition as we look at the whole provincial picture. You've got to remember that we have a lot of requests throughout the province, so we have to prioritize on a provincial basis. I can tell you that if it was a joint facility, serving more students at the same dollars, then of course the priority would come up.

THE SPEAKER: The hon. Member for Calgary-Fort, followed by the hon. Member for Edmonton-Centre.

2:10

Infrastructure Funding

MR. CAO: Thank you, Mr. Speaker. Given the great growth of population in Calgary and that our Alberta government emphasizes

the partnerships with municipal government in the development of public infrastructure and given that the transportation infrastructure plays a vital role in the economic development and quality of life of Albertans, a few months ago the hon. Minister of Transportation participated in the ground breaking of the major interchange construction at 18th Street and Glenmore Trail in my constituency. Recently this major project has been completed before schedule and under budget, thanks to the great dedication and professionalism of Albertans involved in the project. My question today is to the hon. Minister of Transportation. What were the past year's total provincial funding amounts and specific projects for transportation infrastructure in Calgary?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. The city of Calgary participates in the city transportation fund grant. We calculate the grant both to the city of Edmonton and the city of Calgary based on 5 cents a litre of fuel consumed in those two jurisdictions. When it comes to Calgary, we also participate and pay full cost of the maintenance and rejuvenation of the Deerfoot Trail through the city of Calgary.

THE SPEAKER: The hon. member.

MR. CAO: Thank you. To the same minister: as the population of Calgary is about one-third of the province, a question from my Calgaryian constituent is that the city should receive one-third of the provincial funding. Could the minister explain the government policy on this topic?

MR. STELMACH: Mr. Speaker, the 5 cents a litre computes to about \$85 million for the city of Calgary in terms of a grant plus \$25 million that's invested annually on not only the maintenance of the Deerfoot but also the completion of the additional road work, especially interchanges. If you look at the population census of Calgary, it's about 30 percent of the total population of the province; 27 percent is the \$85 million of our total budget in the municipal grants going to Calgary, with an additional \$25 million. So I think that we more than offset the 30 percent population.

THE SPEAKER: The hon. member.

MR. CAO: Thank you, Mr. Speaker. To the same minister. I heard a lot about the P3, public/private partnership. Could the minister see anything involving this partnership to meet the demand of growth in Calgary and in Alberta in general?

MR. STELMACH: Mr. Speaker, there are certainly possibilities to pursue in terms of the P3, public/private partnership. I had the pleasure of announcing in the House a few days ago one that's successfully completed, and that's a bridge over the Brazeau River which was a 50-50 split between the private sector and the government.

With respect to P3 partnerships we want to make sure that there is an economic benefit to the province of Alberta as a whole, that at the end of the day we can accommodate the P3 partnership, whatever agreement we have with the private sector to do a specific project on an Alberta roadway, within our three-year plan targets, and also that it won't offset other badly needed priorities in the province.

Charitable Gaming Licences

MS BLAKEMAN: Mr. Speaker, one of the ways in which nonprofit groups in Alberta raise money for their activities is to hold casinos

or bingos. The Alberta Gaming and Liquor Commission, the AGLC, has a policy that sports teams are not eligible for casino or bingo licences. However, exceptions have been made for children, the disabled, and seniors. The only group left which hasn't been exempted is adults. My questions are to the Minister of Gaming. Given that this government has recognized sports as an activity that contributes to the healthy lifestyle of children, seniors, and persons with disabilities, why is the government not using the same logic for adults?

THE SPEAKER: The hon. minister.

MR. STEVENS: Thank you, Mr. Speaker. At this point in time the charitable gaming model as it relates to licences, whether it be for casinos, bingos, or pool tickets, is based on a combination of the Criminal Code and on common law. That body of law defines what is charitable, and at this point in time the advice that we have received within Gaming is that adult sports groups do not qualify. Having said that, we recognize that this is an area that had not received review for some time, and as such there is a committee chaired by the hon. Member for Calgary-Cross and staffed with personnel from the AGLC reviewing the entire issue of eligibility and use of proceeds with respect to the charitable gaming model.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thank you. Well, given that the AGLC grants casino and bingo licences for recreational organizations which promote adult activity, why won't they license sports organizations whose role is for the same physical benefit of adult Albertans?

MR. STEVENS: Mr. Speaker, I don't have any quarrel at all with the value that any sports organization provides to their members. I think that it provides a situation where an opportunity is given to increase their activity and thereby increase their health and well-being. That's not the issue.

At this point in time, Mr. Speaker, as I indicated in the first answer, we have a body of law which has received an opinion that gives us the position we're in, which is that that group does not qualify. Part of what we are doing through this committee is revisiting the rules, looking at what they do in other jurisdictions, revisiting the opinion of the lawyers who provide us opinions on these matters, and a report will come out. But one of the issues clearly is the eligibility of adult sports teams to qualify for charitable licences. That is without a doubt an issue.

THE SPEAKER: The hon. member.

MS BLAKEMAN: Thanks very much. Well, Mr. Speaker, again to the same minister: what's the big deal? This is not about giving away taxpayers' money or lottery money through grants; it's just about a group's eligibility to get a licence to hold a casino. So why are we picking on the sports groups? What's the big deal?

MR. STEVENS: Mr. Speaker, one more time I'll answer that. It's about the law. The law in Canada is established through the Criminal Code and through common law, and we have an opinion from the Justice ministry indicating that there are restrictions as a result of that. One of the restrictions happens to apply to the eligibility of adult sports groups for charitable licences. That is the law.

Now, having said that, Mr. Speaker, as I indicated in both of my previous answers, that is one of the issues that's being looked at by

the hon. Member for Calgary-Cross. It is an issue that will be addressed when that report comes out. It will be an issue that my colleagues will be able to take a look at as we go forward and determine whether there is a possibility of expanding the eligibility for licences to adult sports groups.

THE SPEAKER: The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-North Hill.

Federal Health Care Funding

MR. MASON: Thank you very much, Mr. Speaker. Last Thursday health care commissioner Roy Romanow recommended earmarking \$15 billion over three years to improve home care, prescription drug coverage, rural health care, primary health care reform, and to purchase high-end diagnostic equipment. Instead of welcoming this additional money, the health minister said that these were boutique programs and that the province might turn down the federal dollars. To the Minister of Health and Wellness: why is the minister prepared to turn his back on increased federal funding earmarked for prescription drug costs, thereby hurting Albertans living with AIDS who face severe financial hardship in buying their needed medications?

MR. MAR: Mr. Speaker, I've had much criticism of the Romanow report over the last week. I've indicated that those areas of priorities that have been established by Mr. Romanow are nothing new. In fact, a former deputy minister of health from the province of Saskatchewan the other day noted that much of the improvement and innovation in the health care system has really been because of the efforts of the provinces and territories over the last 10 years and that the federal government did have a responsibility to fund those priorities established by the provinces and territories. That's the reason why the Romanow report was not particularly illuminating in terms of disclosing new areas. When Mr. Romanow talks about the importance of primary health care reform, we agree. When he talks about issues of improving access to services and diagnostics, we agree. We've already done that.

2:20

What is not correct, Mr. Speaker, is for the federal government, if they so choose, to accept the Romanow recommendation that would make one level of government responsible to another one in terms of its accountability. That would be wrong. We're not afraid of being responsible and accountable, but who we should be accountable to is Canadians and Albertans, the people who pay the taxes, not another layer of government.

So, Mr. Speaker, I feel that it's important for Albertans to know that there are priorities that this provincial government has in health care. Again, the big goal is this: we want an affordable, accessible, high-quality, publicly paid for, publicly administered health care system. But we could not accept that all the priorities across Canada in health care would be the same. I've said from time to time that the priorities that may exist in Petitcodiac, New Brunswick, would differ dramatically from those here in Red Deer, Alberta.

We accept and agree with Mr. Romanow's basic notion that the federal government has to put up more money. We agree with that, Mr. Speaker. Right now the provincial government of this province puts up 86 percent of the spending, the federal government only 14. So we agree that there should be more money. What it should not be, though, is conditional, and it should not require that one level of government be accountable to another.

MR. MASON: Mr. Speaker, I wonder if the minister's little speech would satisfy the people living with AIDS.

Why is the minister turning his back on cancer patients who would benefit from Roy Romanow's recommendations for federal funding of palliative care home costs?

MR. MAR: Well, Mr. Speaker, the fact of the matter is that we believe that these areas are important. But again the essential response to the hon. member's question is that we have priorities here in Alberta, and we should not be stuck with a federal government that wishes to put money into its priorities, which it thinks are the same across Canada. They are not.

One of the weaknesses of the Romanow report is that Mr. Romanow is of the view that you can look at the Canadian health care system as a single system. It is not, Mr. Speaker. It is made up of 13 different provinces and territories, each with its own health care system, each with its own priorities. We agree as provinces and territories that we need to better co-ordinate our services across Canada. We agree with that, but what we don't agree to is that we should accept a lower standard rather than a higher standard that we establish here in this province.

Mr. Speaker, I should note that I did take notice of what the hon. member asked about last Thursday with respect to the Romanow report and comparing it to the Mazankowski report. I should say that I want to dissuade him of any assumption that the Mazankowski committee did not look at many, many different sources of information for its advice. If one looks at the appendices, there are hundreds of . . .

THE SPEAKER: Thank you. We've now gone six-plus minutes and only two questions.

Hon. member, quickly. There are other members as well.

MR. MASON: Thank you, indeed, Mr. Speaker. Why is the minister once again showing a lack of concern for rural Albertans by saying that a federal program that would put billions into improving health care in rural and remote communities is a boutique program?

MR. MAR: Mr. Speaker, we have a rural physician action plan in this province that is second to none. I certainly would not want to see us move to a lower standard rather than the high standard that we maintain. We do have outstanding rural health care delivery. We make every effort to maintain the kinds of services that are reasonable expectations of people, whether they live in Hairy Hill or Two Hills or Fort McMurray or Fort Macleod or Pincher Creek or Red Earth Creek. That's true throughout this province.

THE SPEAKER: The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Glengarry.

Firefighters' WCB Cancer Claims

MR. MAGNUS: Thank you, Mr. Speaker. Firefighters are among the bravest, toughest, most physically fit people of almost any profession. They also get six different types of cancer at a much higher rate than the general population as a result of the toxic smoke that they're exposed to. Currently when a firefighter gets one of these cancers, they must apply to the WCB, prove their case, appeal their case, and fight the system for coverage. My questions are all to the minister of human resources. Can the minister explain why the WCB has not provided presumptive coverage of firefighters up to this point, and will the minister work with the WCB to ensure that cancer claims from firefighters are acknowledged as work related?

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you very much, Mr. Speaker. I would certainly agree with the member in terms of the stature that firefighters have earned within our society. I mean, the service that they provide to our communities is just tremendous.

Regarding the issue that is of concern here with the question, the WCB, as I understand the administration of the program, has recognized that firefighters are susceptible to – I think he mentioned six cancers in his preamble, and I understand that that would be consistent with the way the WCB looks at the matter. I'm informed, however, that they prefer to view the situation on an evidentiary basis and then make their judgments on individual claims.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. Speaker. Given that 23 states and, I believe, one province have now moved to this presumptive legislation, can the minister advise under our current system in Alberta how many of these claims have actually been accepted by the WCB other than the one last week?

MR. DUNFORD: I think it's an excellent question. I met with firefighter representatives on this particular matter, and this was one of the issues that they came to the table with. Of course, their issue is that if the WCB says that, yes, they look and recognize the certain cancers and, yes, they look at a particular case and deal with it on an evidentiary basis, well, why haven't there been more claims, then, that have been adjudicated? I think that's an excellent question. My commitment to the firefighters that I met with was to ask that question of the WCB and continue to investigate.

THE SPEAKER: The hon. member.

MR. MAGNUS: Thank you, Mr. Speaker. The final question also to the Minister of Human Resources and Employment: will the minister support legislation that is presumptive in nature; in other words, a legislative move to make WCB coverage automatic when firefighters get one of what they call the six firefighter cancers?

MR. DUNFORD: Well, it's a direct question, and I'm hesitant to get into a yes or no situation on it. We do need to have more information on presumptive clauses in other legislation.

One of the things, Mr. Speaker, that I'm concerned about is that within the Manitoba legislation, again, as I've been briefed on it, there's actually a space of time in which a firefighter must have worked in order to even qualify, then, for the investigation; for an example, I believe it's 20 years for kidney cancer. I'm not sure that that's a kind of system that I want to get into. I mean, what is the difference between 19 and a half years, a firefighter having kidney cancer, and 20 years plus one day? I think there's more examination of this issue that has to go on, and I'm of course prepared to take on that further examination.

head: **Recognitions**

THE SPEAKER: The hon. Member for Whitecourt-St. Anne.

Century Farm and Ranch Award

MR. VANDERBURG: Thank you, Mr. Speaker. I want to share with you one of the highlights of my summer. Our province is not yet a hundred years old, but we already have farm and ranch families that have continuously farmed the same 160 acres for at least a century. William and Mary Turnbull journeyed from England to Canada in 1902 and established a homestead in the Onoway area.

Three generations later Brian Turnbull and his family continue to represent the deep spirit of Alberta pioneers who worked long and hard to establish homes for themselves and their families. At the same time, these people initiated schools, churches, and communities that were followed by industries and cities.

On August 4, 2002, I had the privilege of attending the Turnbull centennial homestead celebration near Onoway. It was humbling to think of the sweat, tears, and pride that had gone into the very ground I was standing on. As the MLA for the Turnbull family it was an honour to represent the Hon. Shirley McClellan, Minister of Agriculture, Food and Rural Development, to present the Alberta century farm award to the Turnbull family on behalf of the province of Alberta. As MLA for Whitecourt-St. Anne I sincerely hope that all my colleagues have the opportunity and experience to present this award to people in their constituency.

2:30

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

Edmonton Outlaws Lacrosse Team

MR. MacDONALD: Thank you, Mr. Speaker. I rise today to congratulate the Edmonton Outlaws amateur lacrosse team, who, on August 25, 2002, won the gold medal and brought home to Edmonton the President's Cup in the Senior B national lacrosse championship. For the first time in 27 years and only the second time in 100 years Edmonton has been successful in reaching this goal.

The Outlaws won the provincial playoffs against the Calgary Mountaineers in July. In the President's Cup they lost only one game in the round-robin playoffs to the team that they met in the gold medal round, where the final score was 12 to 4 in the Outlaws' favour.

This local team is made up of volunteer players, several of whom came from the Gold Bar Miners. Hard work, hours of practice, years of friendship, team spirit, and the love of the game helped the Edmonton Outlaws become the champions that they are today. Edmonton can now proudly add the Edmonton Outlaws lacrosse team to its legacy as the City of Champions. Congratulations on behalf of all members to the Outlaws.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Norwood.

Duncan Leung

MR. MASYK: Thanks, Mr. Speaker. I would like to take this opportunity to recognize a fine young gentleman. His name is Duncan Leung. This summer he was the STEP student at the constituency office. He did an exceptional job. He went out into the community. He went door-to-door putting pamphlets in mailboxes. Coming back in, he wanted to know more about the political process and about the different parties, so I explained to him how they all worked, what their fundamental values were, and he ran to buy a PC membership.

Mr. Speaker, also, he's in his second year as a media student at U of A, and I would really highly recommend him in anybody's employment.

Thank you very much.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

Edmonton Friends of the North

MS CARLSON: Thank you, Mr. Speaker. I would like to recognize the Edmonton Friends of the North Environmental Society for their

dedication and commitment in raising issues of importance to all Albertans. Today I will present a petition with the first 1,500 signatures urging the government of Alberta to “introduce legislation declaring a moratorium on any future expansion of Confined Feeding Operations.” They ask for this moratorium due to adverse health effects on CFO workers and nearby residents; environmental degradation including water, soil, and air contamination – water both ground and surface; substantial overuse of antibiotics; negative impacts on rural communities and family farms; inhumane conditions for animals during production and transportation.

We support their concerns, Mr. Speaker. Those concerns also carry over into related types of industries that are supplying the CFOs with services, like trucking operations. We would like to add our concern about water and water use in this province.

THE SPEAKER: The hon. Member for Calgary-Currie.

Brown Bagging for Calgary Street Kids Society

MR. LORD: Thank you, Mr. Speaker. I’m pleased to rise today to recognize the big accomplishments of a little charity organization in Calgary known as Brown Baggin’ It. It started in 1990 by the World Job and Food Bank. People such as Joe Edison, Frances Ramberg, Joyce Shaw, Martha Canales, and many other dedicated volunteers including myself struggled to keep it going through those first of many difficult years. Frances remains today as the longest serving volunteer.

The concept was to offer a free brown-bag lunch to hungry street kids as an enticement to get them to come into counseling agencies such as Exit and the Calgary Urban Project Society. By drawing the kids in instead of wasting time looking for them, this program has been of immeasurable help to counselors in being able to focus on helping to get these kids off the streets.

This year the Brown Baggin’ It program is marking the delivery of over one million brown bag lunches to hungry street kids in downtown Calgary since 1990. Congratulations to program director Ed Weibe, fund-raiser and administrator Kimberly Wolroth, and the dozens of unsung hero volunteers such as Agnes Horne who have been so tirelessly preparing these meals each morning since 1990. Keep up the good work, everyone.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for St. Albert.

Bertha Kennedy

MRS. O’NEILL: Thank you, Mr. Speaker. Today it’s my honour to recognize a long-term resident of St. Albert, Mrs. Bertha Kennedy. Bertha, who is in her 90s and visually impaired, lives independently in her own home in the old mission area of our community. As a former teacher who has guided many young children in the classroom over the years, Mrs. Kennedy is a delightful musician who still plays the organ weekdays at the small mission chapel. She is also an astute political observer.

Today I wish to recognize the numerous contributions Bertha Kennedy has made to the quality of education and community values in St. Albert.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

Wetaskiwin Masonic Lodge No. 15

MR. JOHNSON: Thank you, Mr. Speaker. I rise today to recognize and congratulate an organization that has been in the Wetaskiwin

area longer than Alberta has been a province. This year marks the 100th anniversary of the Wetaskiwin Masonic Lodge No. 15. The Masons of Wetaskiwin have done marvelous work helping to build our city. They have contributed to many charities and have also helped to fund different organizations and groups around the community.

One of the many community focus programs that the Wetaskiwin Masons contribute to is the Alberta-wide higher education bursary fund. The students that benefit from the scholarship are those who face financial barriers to postsecondary schooling. Each individual Mason contributes to the fund, and last year alone over \$125,000 in scholarships were distributed to 100 students around Alberta. The Wetaskiwin Masons have had a very successful 100 years, and they have played a significant part in the building of this province.

I ask that all members of the Legislature join me in congratulating the Wetaskiwin Masons on a very productive 100 years. Thank you.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you Mr. Speaker. I would like to present a petition today calling for a provincewide moratorium on confined feeding operations. It is signed by about 1,500 people from throughout the province.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I rise today to table a petition from a number of constituents expressing concerns over abortion as an insurable medical service.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to table yet another petition signed by many Albertans requesting this Legislative Assembly to urge the government to “not delist services, raise health care premiums, introduce user fees or further privatize health care.”

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I’m rising to present still another petition signed by 76 Edmontonians, mostly seniors, petitioning the Legislative Assembly to urge the government to “not delist services, raise health care premiums, introduce user fees or further privatize health care.”

I have a second petition, Mr. Speaker, signed by 210 Albertans petitioning the Legislative Assembly to urge the government of Alberta to

provide health care coverage for medical supplies for diabetic children under the Alberta Health Care Plan and provide financial assistance to parents to enable them to meet their children’s necessary dietary requirements and cover costs incurred in traveling to Diabetes Education and Treatment Centres outside their own communities in Alberta.

head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Government Services.

MR. COUTTS: Thank you, Mr. Speaker. It gives me great pleasure to present to the Legislature the seventh annual report on the

operations of the Freedom of Information and Protection of Privacy Act for the year 2001-2002.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I have one tabling today, so I rise to table it and the appropriate number of copies of it, which constitutes the response to Written Question 8 as amended.

MR. SMITH: Mr. Speaker, in the excitement of me trying to get such good news about Alberta out as quickly as possible, I talked about tabling the 2001 North American Oil Reserves report and brochure, as subsequently done by Alberta Energy and by the Energy and Utilities Board. I would like to now table this document showing that Alberta has some 177 billion barrels of crude oil available for development and that it's put in great jeopardy with the nonsense that the federal government is undertaking at this time with respect to the Kyoto protocol.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. I wish to table five copies of a petition with over 1,800 signatures from Elk Point and area residents regarding their concerns with cuts in health services in the Elk Point hospital and other Lakeland regional authority facilities.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

2:40

MS CARLSON: Thank you, Mr. Speaker. Today I have four sets of tablings. The first is with regard to cutbacks taking place within the department for persons with developmental disabilities, letters from Mrs. Lois Zadler, Shauna-Lee Williamson, and Tatjana Schenk.

The second set of tablings is from people with concerns about cervid harvests. Some of them are supporting cervid harvests. They would be Dale Braun, Todd Loewen, and Len Jubinville on behalf of the farmers organizing on diversification. Against, from Roxanne Hastings.

My third tabling is from the Canadian Federation of University Women Edmonton chapter, with concerns about the McLennan Lake wetland decision.

My fourth tabling, Mr. Speaker, is all people who have concerns about education funding in this province, and they are Lori Goble, Kathy Galvin, Henry D. Johns, Charlotte Wentland, Chris Werstiuk, Berkley Beingessner, N. Blais, Bruce McKinnon, and Bill and Colleen Musselman.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I have four tablings this afternoon, three of which are on behalf of the constituents of Edmonton-Gold Bar. The first tabling is a letter directed to the constituency office of Edmonton-Gold Bar complaining about the cuts in the grant intended for Dramawork Alberta, and that is signed by Freda Rankin.

The second tabling is from another constituent of Edmonton-Gold Bar, Azhar Hussain. This gentleman is writing to the constituency office, and he is describing his concern about the government's promise to protect the critically important wilderness area of the Bighorn wildland recreational area.

The third tabling is a letter to the constituency office, again, from Mr. Bob Smith of Edmonton-Gold Bar, and he is expressing his feelings about the current forest management review of the Bow-Crow forest reserve.

The last tabling this afternoon, Mr. Speaker, is an editorial from yesterday's *New York Times*, dated Sunday, December 1, 2002, and it is entitled *Shrinking Glaciers*. It is an encouragement by the *New York Times* to the President of the United States to reconsider the government's proposals on global warming, and I would urge the Premier to read it before he goes to New York City on Friday.

THE SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I have three tablings today, all concerning cuts to the Persons with Developmental Disabilities program. The first is from Kerry Kleinbergen, who wants to express concerns over drastic funding cuts to individualized funding under PDD.

The second is from Eleanor Jerram, who herself receives services and feels that these cuts will seriously impact her life.

The third is from Leanne Weidman, writing to "strongly protest the way that PDD plans on balancing their budget."

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to rise and table an important document. It's entitled *Cataract Surgery: Volumes, Wait Lists, and Wait Times 2002-2003, Quarter 1, April 1 to June 30, 2002*. This is drawn from standards and measures, Alberta Health and Wellness, October 9, 2002. The document shows that waiting times for contract surgery performed in private facilities in Calgary is three times longer than in public hospitals in Edmonton. It's a recommended reading for every member of this House.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm tabling a letter from Ms Maureen Harper of Hinton dated November 22, 2002, addressed to the Premier. She's urging the Premier not to be shortsighted and to show "statesmanship, maturity, wisdom and courage" by supporting the Kyoto accord.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. CENAIKO: Thank you, Mr. Speaker. It's my pleasure to table the appropriate number of copies of letters supporting Bill 212, the Traffic Safety (Seizure of Vehicles in Prostitution Related Offences) Amendment Act, 2002, from each of the following: 22 letters from the Community Action Project; 20 letters from the staff in Parkdale school; 19 letters from the Prostitution Awareness and Action Foundation of Edmonton; the principal of Norwood school; the Metis Child and Family Services Society; Action for Healthy Communities; the Alberta Avenue Community League; the Knights of Columbus St. Nicholas Council No. 8314; the Jasper East Village Steering Committee; the Parkdale-Cromdale Community League; the Victoria Crossing board of directors; as well as members from the public. All of these dedicated, hardworking, and passionate Albertans agree that Bill 212 would help restore communities ruined by the effects of street prostitution.

Thank you.

head: **Orders of the Day**

head: **Public Bills and Orders Other than
Government Bills and Orders
Third Reading**

Bill 207

Alberta Wheat and Barley Test Market Act

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. It is a great privilege for me to rise today and begin debate on Bill 207 in third reading. It was also very humbling to be in Lethbridge a few weeks ago and see the passion and conviction of our Alberta farmers and their families as they went to jail fighting for what they believed in.

Mr. Speaker, this past fall, in response to increased American efforts to force change in the Canadian wheat and barley market, the chairman of the Canadian Wheat Board, Mr. Ken Ritter, said quite emphatically that only Canadian farmers will dictate how their grain is marketed. I can only assume that Mr. Ritter was also referring to the 15 Alberta farmers who had the gall to take their own grain across the border into Montana in 1996 to sell to a local Montana 4-H club. One of those farmers is, in fact, a director of the Canadian Wheat Board. What did these producers get for their efforts to dictate how their grain was to be marketed? Each producer received a fine in the thousands of dollars and, for some, countless court appearances to explain their actions. What happened to those producers who refused to pay the fines, who were driven to action by a set of principles that all Albertans would be able to identify with? Last month each farmer received jail time for daring to defy the Canadian Wheat Board.

Mr. Speaker, while our farmers were put in jail, farmers in eastern Canada were able to drive across the border to sell their grain as they wished. It is also believed but can't be proven, because you can't get any information out of the Canadian Wheat Board, that eastern farmers sell their grain across the border for their best price and then turn around and buy western grain at bargain prices to feed their own livestock, another example of the west subsidizing the east.

Clearly, our producers are, in the words of one of those jailed farmers, guilty of taking our own property and selling it to the highest bidder, just like absolutely everyone else in the free world is able to.

Sorry, Mr. Speaker. Did I forget to say that I'd like to move third reading of Bill 207? No?

THE SPEAKER: You're still on your feet, hon. member.

MR. HLADY: Thank you.

Mr. Speaker, it is time for this Legislature to send a signal to Ottawa that this is not only unacceptable in this province but is also abhorrent to the very core principles that we as Albertans hold dear. This is not just a rural issue. This is an Alberta issue, one that every citizen of this great province, regardless of locality, should be deeply concerned about. This is one issue attacking freedom of choice, just like Kyoto, choosing an elected Senate, gun control, trying to control health care funding as it is a provincial responsibility. This is the same.

Mr. Speaker, there are many examples of the implicit unfairness of the system that Bill 207 and most Albertans are trying to change. It seems to me that there is a problem when we have a system that stifles and chokes out innovation and productivity rather than encouraging it. It seems to me that there is a problem when the federal government's own agriculture standing committee recom-

mends a free market for the sale of wheat and barley on a trial basis and all the Canadian Wheat Board can do for a response is to say how they know better than everyone else. It seems to me that there is a problem when the very same people that this board is trying to serve are being imprisoned for exercising the fundamental rights inherent in the ownership of property. If this current federal Liberal government won't respect our farmers, I look forward to a change of that government so I can request an absolute discharge or a full pardon of these charges for our farmers.

Many hon. members have carefully laid out the multitude of reasons to proceed with Bill 207, Mr. Speaker, oftentimes speaking with passion about their own personal experiences, and I sincerely thank all of them for speaking to this. I hope that all members have come to the same conclusion: that it is time for us to act. It is time for this province to stand with producers and provide them with the freedom of choice that they are entitled to. Quite simply, in the words of one of our national papers: it is time for this province to help set western farmers free.

While Bill 207 will not create an open market immediately, it does represent another step in the fight to restore the inherent rights of Alberta producers to have control over their own product. I would hope that all members of this Assembly would support this process and vote for Bill 207.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

2:50

MR. MacDONALD: Yes. At this time, Mr. Speaker, I would like to direct a question to the hon. member, please.

THE SPEAKER: Standing Order 29(2) does not apply at third reading of private members' bills. Does the hon. member want to participate in the debate?

MR. MacDONALD: No. Thank you.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Mr. Speaker. It's a pleasure for me to rise today and add some final comments in third reading on Bill 207, the Alberta Wheat and Barley Test Market Act. This bill calls for a 10-year test market giving Alberta producers the ability to engage in unrestricted trade of their product. Currently, of course, the product categories and sale of wheat and barley are managed and restricted by a monopolistic entity, the Canadian Wheat Board.

The Canadian Wheat Board came into existence in 1919, born out of World War I conditions. Mr. Speaker, it goes without saying that the agricultural economy of today is vastly different than it was back in 1919. The economy of today demands increased openness, competitiveness, and innovation, none of which the Canadian Wheat Board facilitates. Today I'll go beyond suggesting that the Wheat Board is irrelevant, and I'll go beyond showing how the Wheat Board does more harm than good for Alberta farmers. We've heard these discussed by other hon. members. Instead, I'd like to talk about how the case against the Canadian Wheat Board monopoly has been made time and time again by our own federal government. For decades Canada has hailed the virtues of free trade and stood in opposition to its obstruction. I'll argue that in doing so, the federal government proves its own case against the Canadian Wheat Board's continued existence.

Looking at the big picture, it seems ridiculous to defend the Canadian Wheat Board, yet the federal government persists despite

mountains of evidence showing that the free marketing of tradable products is more efficient, increases quality, and ultimately benefits consumers. Internationally Canada has long been an advocate of eliminating barriers to trade. Indeed, we've entered into many unilateral agreements protecting and encouraging free trade. The General Agreement on Tariffs and Trade, the establishment of the World Trade Organization, and the North American free trade agreement are only a few of the significant international trade agreements aimed at fostering an atmosphere for fair and free trade.

Without fail, Canada's aim was, as prescribed in the 1947 text of GATT, the substantial reduction of barriers to trade and the elimination of discriminatory treatment in international commerce. Given Canada's support of free trade, I argue that it's hypocritical and wrong to defend and continue the Canadian Wheat Board's clearly restrictive and monopolistic practices.

Let me take a moment to describe specifically what our federal government stands for. On January 1, 1995, Canada became a founding member of the WTO, or World Trade Organization. This new organization effectively replaced the General Agreement on Tariffs and Trade, or GATT, and was born out of the 1986 to 1994 Uruguay round of negotiations. Along with the commitment to reduce tariffs, the round's agreements included greatly expanding export opportunities for agricultural products by limiting restrictions to trade such as quotas, subsidies, and other obstructive domestic policies and regulations. The Uruguay round called for consistent standards across all member countries. Specifically, the round produced agriculture agreements with the objective of reforming trade by making policies more market oriented. This, it was agreed, would improve predictability and security for importing and exporting countries alike.

It's important to stress, Mr. Speaker, that the round also brought about new rules and commitments applying to market access and domestic support, including eliminating programs that raise or guarantee farm gate prices and farmers' incomes. Of course, to the 144 member countries of the WTO the Canadian Wheat Board claims that it does none of these. Western farmers, however, get a very different story. The Canadian Wheat Board assures farmers: "Farmers get an initial or partial payment upon delivery of their grain and the Canadian government guarantees this payment." Of course, that's only a partial payment. Farmers have to wait over a year to find out what the final price is going to be, and whether that's the best price or not is totally up for speculation.

Mr. Speaker, Canada's commitment to the WTO's founding principles has been questioned numerous times. Foreign producers understand that the Canadian Wheat Board operates contrary to fundamental free trade principles. Why, then, doesn't our own federal government understand? The Canadian Wheat Board has been challenged and examined for years by government bodies, independent auditors, and international panels. Of course, as monopolies do, the secrets of the Wheat Board's operation are kept under lock and key. This makes proving these charges or any charges very difficult. The federal government's response to these international complaints, which I'll discuss a little later, is proof that the Canadian Wheat Board is unnecessary, irrelevant, and nothing but harmful to Alberta farmers.

I'd like to offer a second case. On October 23, 2000, the office of the United States Trade Representative initiated a 16-month investigation of the marketing practices of the Canadian Wheat Board. It was concluded that the Canadian Wheat Board subsidizes and isolates its domestic markets. The report concluded, and I quote: the Canadian Wheat Board undermines the integrity of a competitive trading system. Alberta farmers are upset with these same abuses. Frankly, it shocks and disturbs me to know that our

farmers' interests are being better supported by a foreign agency than by our own federal government.

Further, the United States Department of Commerce announced on October 24 that it will proceed with an investigation in response to antidumping and countervailing duty petitions filed by the North Dakota Wheat Commission on September 13 of this year. According to Canadian Wheat Board estimates this latest U.S. trade challenge will cost western Canadian farmers an additional \$8 million to \$10 million just to defend it. While the farming community is dealing with the huge financial strain of drought conditions, I argue that spending millions of dollars defending an indefensible institution is reckless behaviour.

Since 1990 there have been at least nine different high-level investigations into the Wheat Board's unfair business practices. In addition, there have been countless formal complaints. So, Mr. Speaker, the federal government is facing continued and ongoing pressure from the international community claiming that the Wheat Board engages in unfair trading practices. The federal government is also facing pressure from its own western farmers claiming that the Wheat Board hurts their product and their competitiveness.

In responding to international charges, the federal government continues to argue that the Canadian Wheat Board does not give unfair advantages to Canadian farmers. The Wheat Board, they claim, simply does not influence the price or quality of Canadian wheat and barley. So, Mr. Speaker, my question is a simple one. If the Wheat Board does not give unfair advantage to Canadian farmers, then why aren't Canadian farmers allowed to choose whether they participate in the Wheat Board or not? It seems obvious that the Wheat Board infringes on our farmers' freedom of market exploration. Our farmers' hands are tied, and for what gain? According to the federal government the Wheat Board does not manipulate price or quality of wheat and barley sales. The market's hand, we are told, is free to decide both. However, the Wheat Board claims on their web site:

Instead of competing against one another for sales, Western Canada's 85,000 wheat and barley farmers sell as one through the [Wheat Board] and can therefore command a higher return for their grain.

So if the Wheat Board does not affect prices, restrict or dump the product in the U.S., this is absolutely impossible. It's clear that the Wheat Board is speaking out of both sides of its mouth.

Mr. Speaker, our farmers are not asking for unreasonable changes to be made. Simply, our farmers want the ability to sell into whichever markets they choose and to establish their own prices and product specifications. In fact, Alberta farmers are only asking for fair provincial treatment. You see, Ontario and Quebec are not bound by the Canadian Wheat Board constraints. This is another example of favoritism amongst provinces.

Bill 207 aims to eliminate any special treatment. Bill 207 would establish a 10-year test market to study the effects of individually marketed wheat alongside the existing Canadian Wheat Board. I'd like to urge all the members to stand up for the Alberta farmers and to stand up for fair treatment along with the provinces and to stand up for the free trade market principles Canadians have championed again and again and for the success Alberta's farmers have shown in marketing their non Wheat Board grains, such as feed grains, peas, and canola, and they've been very successful at that.

So, again, I'd urge everyone in this House to support this bill, and thank you for the opportunity to speak on it.

3:00

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker, for the opportunity to rise and speak today on Bill 207, the Alberta Wheat and Barley Test Market Act. I would like to begin this afternoon by thanking the hon. Member for Calgary-Mountain View for bringing forward this bill and for his continued efforts to see change brought to the Alberta wheat and barley industry.

The era of globalization is now in full swing and will only increase in the years to come. As a member of NAFTA, the WTO, and the upcoming FTAA Canada has become a leader in pushing for trade liberalization. However, Alberta's wheat and barley producers have been held back in this global phenomenon. The federal government's maintenance of the Canadian Wheat Board as the only marketing agency for western producers has severely restricted the great entrepreneurial spirit of Alberta's wheat and barley producers. Bill 207 would give the wheat and barley farmers of this province professional choice. It's my belief that farmers should have the right to choose what they can bring to market and determine their own price. Currently, these choices are not available to them under the Canadian Wheat Board, options which I believe are essential for a fully functioning, competitive, and efficient marketplace.

Bill 207 would allow a free and flexible test market to be established in Alberta. The results of this would be closely monitored and certain stipulations maintained for a period of 10 years. Carefully monitored developments under a free system would allow enough time for prosperous growth to occur, and a realistic picture of what Alberta can do in a free market system could be determined. Bill 207 would allow Alberta's farmers to keep pace with global buyers' demands for specialty crops which exist for organic grains, hull-less barley, waxy barley, and specialty wheats. Various contract arrangements are emerging that require direct dealing between grower and end-user.

It cannot be overstated that wheat and barley are the only two crops made to follow such repressive marketing rules. Crops which leave the farmers free to choose marketing practices have steadily increased in production and processing while growth for wheat and barley controlled by the CWB has been stagnant. The domestic processing of oats has increased 12-fold since it was removed from the Canadian Wheat Board in 1989. During the same period domestic crush of canola has increased 125 percent and, as a percentage of annual production, from 25 percent in 1989 to 35 percent last year. Canola oil and meal shipments have doubled over the five-year period from '93-94 to '97-98.

Bill 207 would also have the result of increasing the processing capacity in the province. By eliminating the middleman, processors would see the incentives of setting up local industries where they would be closer to their producers. It's sad to see that even though western Canada produces 95 percent of Canada's wheat, it only has 31 percent of the flour milling capacity. Eastern Canada does the vast majority of wheat processing. We can also directly compare Alberta and Ontario manufacturing shipments for grain and oilseed milling. In 1999 alone Canada had total grain and oilseed milling manufacturing shipments of over \$5 billion. Of that, Alberta constituted approximately \$863 million. Ontario, on the other hand, represented nearly \$3 billion of those shipments.

Compared to our American competitors, the processing numbers are equally depressing. There are two to three times more wheat milled in the northern tier U.S. states compared to the Canadian prairies. The volume of durum processed in the U.S. northern tier is also higher than here on the prairies. Canada's share of world flour production has decreased by 9 percent over the last 10 years. Over the same period the quantity of U.S. wheat milled has increased approximately 30 percent. One has to wonder why the United States processed more than twice as much malt barley as

Canada, yet they have only about half the barley production relative to Canada.

It is clear that Alberta is losing out due to the restrictive regulations of the Canadian Wheat Board. When, Mr. Speaker, will we unshackle the repressive federal chains which hold back the entrepreneurial and innovative spirit of our agriculture industry? The Canadian Wheat Board only includes wheat and barley producers from Manitoba, Saskatchewan, and Alberta. Why are farmers from Ontario and the rest of eastern Canada free from the board's control? The answer the federal government would give is that western Canada is the breadbasket of the country, and the Canadian Wheat Board was created to maintain stable prices in times of crisis.

[The Deputy Speaker in the chair]

The reality is that the times of crisis, the Great Depression and World War II, in which the Canadian Wheat Board was created are half a century behind us. It seems that the main function of the Canadian Wheat Board today is to remind westerners that the federal government is in control of their livelihoods. The Canadian Wheat Board is one main factor creating sentiments of western alienation among rural Albertans. When one farmer cannot sell his crop to his neighbour without going through a federal agency, you know that something is seriously wrong with the system. Currently, the only thing the Canadian Wheat Board seems to be providing Alberta farmers is additional costs. In fact, the Canadian Wheat Board's general and administration expenses have increased by 45 percent over the last five years and have doubled over the last 10, while export numbers have fallen.

Mr. Speaker, Alberta wheat and barley farmers need a more efficient mechanism to market, transport, and manage their product. The time has come for alternative methods of getting grain to domestic and international markets. Clearly, the Canadian Wheat Board can no longer provide Alberta farmers with a cost-efficient and competitive solution to achieve this goal.

In recent years western farmers have begun to voice their concerns about the Canadian Wheat Board. Bill 207 reflects the desires of Alberta's farmers. In a poll conducted in 2000 and released by the Alberta Barley Commission, almost 11,000 prairie farmers were surveyed and 75 percent indicated that they wanted the ability to sell their grain to any buyer, including the Canadian Wheat Board, in domestic and export markets. In Alberta, Mr. Speaker, 81 percent wanted that choice.

Alberta's farmers are also seeking change by working within the Canadian Wheat Board system. Jim Chatney, a well-known advocate of a free market economy for farmers, serves as Alberta's voice on the board of directors of the Canadian Wheat Board. He has been elected twice in district 2, which stretches from south of Edmonton to the U.S. border. In the last election he got 69.5 percent of the vote, which is the highest margin of victory any elected board member has received. It is clear that Alberta's farmers want a choice in how they market their products.

If Alberta's farmers are going to see their desire for freedom of choice, people like Jim are going to need our help. The antimonopoly sentiment is so strong in Alberta that Alberta's farmers are willing to go to jail for the cause. On October 31 of this year, as was mentioned, 13 Alberta farmers were jailed for selling their grain independently. My heart goes out to each of these farmers and their families, and my support is fully behind them for their fight to change the system.

Mr. Speaker, the time has come to allow Alberta wheat and barley producers to enter the global era of free trade. Bill 207 does not call to abolish the Canadian Wheat Board but simply allows alternatives to operate next to it. Value-added industries will naturally increase

in Alberta because of competition introduced into the marketing process. Bill 207 will reward the entrepreneurial and innovative qualities of Alberta's wheat and barley farmers, and it's time we provide Alberta farmers with the freedom necessary to effectively deliver their products to the world markets so that their industries can prosper.

I strongly support Bill 207, and I urge all of my colleagues, especially my rural colleagues on both sides of this House, to support this important piece of legislation as well. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. DANYLUK: Thank you very much, Mr. Speaker. I am very pleased to have the opportunity to join my colleagues in support of Bill 207, the Alberta Wheat and Barley Test Market Act. I'd also like to stress that this is not a southern Alberta issue. This is an Alberta issue in its completeness because it affects northern Alberta as it does southern Alberta.

I believe that the bill is extremely important for our province and our wheat and barley farmers, who have waited a long time to see some changes in the way that their products are being marketed. The issue at hand, Mr. Speaker, is the Canadian Wheat Board, which for decades has enjoyed the status of being the only body allowed to market wheat and barley grown in western Canada. Over the past decade the issue of whether the Canadian Wheat Board has outlived its purpose has been debated over and over. It is a topic which deeply concerns all Albertans – and I stress again: all Albertans – and especially the farmers who live with the current marketing arrangements outlined in the federal Canadian Wheat Board Act.

3:10

As mentioned previously by my colleagues, the events that took place in late October of this year, when the 13 Alberta farmers were incarcerated for choosing to bypass the Canadian Wheat Board and marketing their products on their own, just illustrated how unpopular and unjust the board's rules and regulations really are. Those Albertans were fighting for fairness, equality, and marketing freedom. They ended up with prison sentences and records to show their commitment and devotion to what they believe is right and fair.

The event of October 31 clearly illustrated that there is something seriously wrong with current wheat and barley marketing and that it is time for some change. Change is precisely what Bill 207 is designed to bring. The bill will give wheat and barley farmers exactly what they have been fighting for: marketing their products independently of the Canadian Wheat Board. For the first time since 1943 Alberta farmers would have the opportunity to take the initiative to develop markets and seek out customers on their own. This bill will finally enable western producers to enjoy the same opportunities that their counterparts in eastern Canada and the United States have enjoyed for years. It gives our farmers various marketing alternatives, which also include the option of staying with the Canadian Wheat Board.

In simple terms, Mr. Speaker, this bill gives Alberta farmers choice. Presently, the farmers do not have choice. The Canadian Wheat Board Act forces farmers from western Canada to sell their wheat and barley only to the Canadian Wheat Board. They have no power over how and to whom their grain is sold. The Canadian Wheat Board acts as the sole price setter, the marketer, the transporter of all wheat and barley. Wheat and barley farmers complain that this lack of control over their product – and I stress: their product – is costing them thousands if not tens of thousands of dollars in potential profits.

Producers point out that the Canadian Wheat Board's grain price is routinely lower than the value for the same product south of the border, and as an example they cite that in 1996 the board was offering farmers \$3.40 a bushel for wheat while the price of wheat in the United States was \$8.50. That means that if farmers were allowed to market their wheat independently of the Canadian Wheat Board, they could have earned \$5.10 per bushel more. This, Mr. Speaker, is just one of the many examples of disadvantages that our farmers face when they deal with the Canadian Wheat Board.

I believe that this is unfair. Farmers should not have to forfeit potential profit while farmers in other parts of North America can sell their products freely on the market and get the best possible price. The Canadian Wheat Board's inability and unwillingness to adapt to modern times has not only shortchanged western wheat and barley farmers but also the economics of western Canada. The board's outdated rules and regulations have continuously discouraged individuals from investing in the value-added grain processing sector of the Alberta economy.

According to a 2002 study prepared by the George Morris Centre, the biggest problem that the potential investors face is the Canadian Wheat Board's monopolistic stranglehold over the wheat and barley market. The study indicates that the Canadian Wheat Board charges the various domestic processors an inflated premium price for unprocessed wheat and barley. This unfortunately creates a disincentive for individuals looking to invest into the value-added sector due to the fact that high prices of unprocessed wheat and barley compromise potential profits. The same study argues that if the individual farmers were free to sell their product directly to processors, the price of their product would depreciate, as it would represent the real market value of their grain. This, in turn, would create greater incentives for individuals to invest into value-added sectors of the Alberta economy.

The reason why I'm mentioning this, Mr. Speaker, is because had western Canada's value-added industry grown at the same rate as Ontario's during the 1990s, it could have been a difference of between \$300 million and \$1 billion to the economy of this country.

AN HON. MEMBER: How much?

MR. DANYLUK: Between \$300 million and a billion.

Currently, Mr. Speaker, the only way the western Canadian farmers can market wheat and barley on their own is to sell it first to the Canadian Wheat Board and, I stress, at a lower price specified by the Canadian Wheat Board and then buy it back from the board at a higher price. This scheme not only prevents our farmers from independent marketing, but it also prevents them from being able to compete with the rest of North American wheat and barley farmers. While our producers must accept the Canadian Wheat Board prices, their counterparts in other regions are free to obtain the best possible price for their product.

Mr. Speaker, wheat and barley farmers in eastern Canada are not bound by the same rules as the farmers in western Canada. As I've stated before, unlike their counterparts in the west, Ontario producers have the opportunity to market their products freely. Granted they still have to acquire export permits for their wheat from the Canadian Wheat Board, but they have the choice of selling their grain to any purchaser of their choice, including the Ontario Wheat Producers' Marketing Board. While the OWPMB performs a similar function as the Canadian Wheat Board, it serves as an optimal marketing body, not as a mandatory one. So why is it that the farmers in the east have alternatives and the farmers in the west do not?

Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's my pleasure to rise again to make a few additional comments at third reading, after I had the pleasure of speaking at second reading. I want to start off, first, by again thanking on behalf of a lot of my constituents the Member for Calgary-Mountain View, who's brought forward Bill 207. I wanted to thank the Premier and the Deputy Premier for taking part in showing support for the farmers who were incarcerated on October 31.

I wanted to ask a question that many of the farmers in our area especially have asked me over a number of years, and maybe it's obvious: why is the federal minister responsible for the Canadian Wheat Board the same federal minister who's been responsible for the wheat board through many federal cabinet shuffles? How does that federal minister in this day and age go back to his home riding in Saskatchewan and continue to support without question a Canadian Wheat Board that basically has not changed at all since farmers sent a message loud and clear on October 31?

3:20

Many of the farmers that I've also had the pleasure to represent have wanted to know: why is it that the Canadian millers seem so supportive of the Canadian Wheat Board? Is it because of the special deal that they receive in terms of freight rates that they pay for the importation of their durum from the Canadian Wheat Board? As I recall the comments that I'd made at second reading, I tried to outline what it would cost the average farmer in our constituency to freight grain out to Vancouver. I believe the number at that time that I quoted for durum wheat was \$24.91 a tonne. How was it that we had to pay that freight for grain that never went to Vancouver but in fact went down to a milling plant in Lethbridge and could have been done for \$8 a tonne compared to \$24.91? The farmers then said: well, if that's what we're paying, how much are the millers paying to bring back the grain, that we as farmers could have sent to the mill, hypothetically, from Vancouver, when they know darn well that a lot of it came in for the same \$8 a tonne trucking charge? Although I can't pin down a number, it would appear that perhaps the millers have had special favour with the Canadian Wheat Board, because it may appear that they, in fact, only pay \$12, on paper, for the same grain that comes back from Vancouver that I paid \$24.91 for.

I want to move ahead to those that I have a great deal of respect for, those 13 farmers who voluntarily chose not to pay a fine, which, again, is another question, Mr. Speaker, that I don't truly understand. How is it that these farmers weren't charged for not having a federal export licence for grain but in fact were charged under a customs regulation for improper removal of a vehicle? Three of the 13 were from our constituency. Two of these young farmers had children at home, still had crops out in the field, still had cattle out on their pastures, and chose to make a very strong statement and serve some time. I'm especially pleased with the response that neighbours and farmers showed to particularly two of my constituents who spent considerable amounts of time in jail. As a matter of fact, I went down to the jail to visit one of these fellows the weekend after they had been incarcerated. Really, what an experience. To see somebody sitting in a jail alongside somebody who's actually committed something that may have been quite a serious crime is not something, I think, that a lot of people could imagine.

I guess in terms of a retail businessperson, can you imagine if you had a clothing store, Mr. Speaker, and that same small business in eastern Canada could sell at their own whim, at their own discretion, at their own markup? Can you imagine what you would feel like if

you had that men's clothing store, a ladies' clothing store, and you were told that you could only sell a portion of your clothes during this time of the year because there's only a quota available and that you maybe, in fact, could only sell it at a certain price? Now, if you didn't comply with that, you would go to jail. Would you be very happy? I don't think so.

To those people who don't really want to stand up and debate the merit of this bill but would rather hide in the corner and say: "Well, they broke the law. What do they expect?" I would say, "Well, if you really feel that way, why do you not support some change?" The majority of farmers at least in Alberta and I'm quite sure throughout western Canada right now have indicated that they want to see change enacted. To those of you who would only argue that the individuals deserve what they got, that they broke the law, I'd like to finish, Mr. Speaker, by quoting from a fellow by the name of Martin Luther King Jr. It came from a constituent who summed up his feelings by saying:

An individual who breaks the law that conscience tells him is unjust and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice is in reality expressing the highest respect for the law.

With that, Mr. Speaker, I do appreciate the opportunity to stand up and make a few more comments about this bill. Once again, thank you to the sponsor from Calgary-Mountain View and especially to the farmers who had the jam to do what they did.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. Picking up where the hon. Member for Lac La Biche-St. Paul left off and in the light of his intelligent comments, one must ask the question: why is it that the farmers in the east can have alternatives and the farmers in the west cannot?

The federal minister responsible for the Canadian Wheat Board, Minister Goodale, would have us believe that the western farmers do not oppose but actually endorse the current CWB regulations. He recently stated that according to a plebiscite held a few years ago, the board received support from about two-thirds or 75 percent of farmers, yet according to a survey conducted by the Alberta Barley Commission in November of 2000, 75 percent of prairie farmers supported voluntary marketing. The same survey indicated that 81.2 percent of Alberta farmers, 75.8 percent of Saskatchewan farmers, and 69.25 percent of Manitoba farmers voted for the establishment of a voluntary grain marketing system. These numbers represent clear evidence of growing dissatisfaction among prairie farmers with the current CWB regulations.

One can also cite the CWB's own statistics, which indicate that farmers in Alberta are increasingly choosing not to obtain Wheat Board permits and are, instead, pursuing other crops such as canola and dry peas, which are not regulated by the CWB. As a result, in 1990-91 the board had about 44,230 permit holders. However, in '99-2000 this number fell to 27,066 holders. That is a 48 percent loss in the number of permit holders. Such figures only underline the unpopularity of the CWB and indicate that prairie farmers are ready for change, Mr. Speaker.

Bill 207 symbolizes this change, and it also serves to remedy the injustice that the farmers of western Canada have had to endure for over half a century. Yes, Mr. Speaker, there was a time when the Canadian Wheat Board served a purpose, but that was over 50 years ago. The present regulations are hopelessly out of touch with reality. The board was created in 1918 as a result of the Great War, a

conflict which did much damage to the economies of the western world. The board was quickly disbanded in 1920 as the Canadian government decided that it served no purpose during times of peace and economic stability. The CWB was brought back in 1929, the year when the Great Depression hit. The CWB played an important function during the Second World War. At the time, the board played a leading role in keeping inflation down and preventing grain prices from rising too high.

However, Mr. Speaker, the days of extreme economic hardship and devastating global conflicts are long gone. Since then our country and the vast majority of the world have embraced market economy and free trade. In 1994 Canada signed a free trade agreement with our neighbour and our biggest trading partner, the United States of America. Our wheat and barley farmers have been left out of this agreement and continue to be at the mercy of the CWB. Clearly, we must allow them to become a part of the modern free trade system so they can enjoy the fruits of their labour as much as thousands of other Canadians have.

Mr. Speaker, I believe it is time to give our farmers the tools that they need in order to succeed in the modern world. Bill 207 gives our farmers these tools, and this is why I hope all of the members of the Legislature will join me today in voting in support of Bill 207.

Thank you very much.

3:30

THE DEPUTY SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I'm very, very grateful to have this opportunity to just make a couple of concluding comments about this bill and how incredibly proud I am of my colleague the Member for Calgary-Mountain View for having done all of this work and brought this forward. It's incredible not just for the fact that I've worked with him for a long time but that he's an urban MLA, as well, who clearly understands our issues in rural Alberta. I'm just incredibly proud of him for all the work that he's done on this.

I was given a news clip, Mr. Speaker, that was a letter that was written to the *Calgary Herald* by the owner of Big Rock Brewery, Mr. Ed McNally. It's a two-page letter, and I just want to read two little paragraphs to quote from this, from his perspective as somebody who had been a farmer and a rancher, later on went on to a different business, using barley in a whole other way. He said that the Wheat Board from his perspective – we just heard the history on when it was established, unestablished, re-established – when it was re-established again in about 1933, was intended to help prairie farmers market, store, and transport their grain.

It was established only for farmers who wanted or needed help, most of whom were based in the remote northern areas of Alberta and Saskatchewan, and it was voluntary, not compulsory. Producers had a choice and in normal years, most could do better selling into the free market, which was really a cash market that operated through the elevator companies, the major railways and the Winnipeg Grain Exchange.

Indeed, it was not until the Second World War, under the War Measures Act, that the federal government brought an end to “dual marketing,” which is to say marketing either through the Canadian Wheat Board or on the open market. The same legislation [at that time] closed the Winnipeg Grain Exchange, created price controls, and effectively put a lid on the rising price of grains.

The really dirty part of this move did not appear until after the war was won. Then, it became [apparent] that the effects of the federal government's action had been to cap the price of postwar grain shipments because it had entered into a long-term contract with the [United Kingdom] at a price well below the market.

Mr. Speaker, I want to say to you that my involvement through the Wheat Board over the last 30 years has been that they consistently and repeatedly entered into contracts with Russia or China or other countries around the world and never had to disclose the price. We've never been able to see into their financial affairs. It was my belief and it still is today that the federal government has used the Wheat Board as their tool for foreign relations. It had very little to do with selling or marketing our grain, and it had everything to do with their foreign policy. What always has offended me so greatly about this is that you can't even find out how much they sold us out as taxpayers, as Canadians, how many billions of dollars have never, ever been recaptured from countries that chose not to pay those bills, how many of them were written off over the years because that was the foreign policy of that day. Kyoto in another form. We live with this endlessly. If they want to give away all of our resources, maybe they could just tell us what they're doing once in awhile. Then as Canadians we could make our minds whether or not we supported it. Don't play games. The Wheat Board is one game; Kyoto is another. I know that it must seem like a reach to tie them together, but in my mind just about everything with the federal government is bad, you know, and it just goes downhill from there.

My experience when we were trying to establish our own grain company in this province is that we had nothing but support from our provincial government. They encouraged us always to continue to look at new and viable ways to help our farmers that wanted an alternative, and our farmers responded so incredibly well on wanting to try to grow a niche crop rather than just the standard Wheat Board crops. We tried to provide a full service to our clients, so we spent four years, Mr. Speaker, trying to get a permit so that we could handle Wheat Board grains, four years, a gazillion trips to Winnipeg so that you could do enough ring kissing in order to, you know, make them believe that it was possible that you might actually be able to handle the board grain for them.

The real one we were trying to deal with was oats, and they didn't even want to sell oats. They had control of it; they didn't care about it. We had a market in Venezuela for 50-pound bags or 100-pound bags of oats for all of the racehorse industry down there, but they weren't mechanized, and they couldn't handle huge shipments at a time. They needed something that an unmechanized society could handle and deal with, but they wanted the world's best oats, and those are the ones grown right here in Alberta. It took us four years. Finally, years later they delisted it because everybody in Alberta had pretty much quit growing oats by then. They drove us into the ground because they wouldn't market it. Now we've got oats again, Mr. Speaker, and it just shows that wherever the Wheat Board is, you end up with people pulling back, pulling out of the traditional markets. If we're such a great breadbasket, you know, why can't we sell our own wheat? Why are we growing so much canola? Why are we growing lentils and peas and mustard? We're growing canary seed now. We're doing all of these things in any effort at all to try and raise revenues on farms and get away from the Wheat Board, who consistently never tells you what your product is really going to be worth or as a taxpayer, on the other hand, how much money you are going to lose because we're subsidizing some other country on the other side of the world without everybody even knowing what we've done.

Mr. Speaker, like I say, I'm incredibly proud of my colleague for bringing this forward. I'm incredibly proud that my colleagues are going to support this bill, and I just hope that as we go through this and into next spring, we can make a difference and give our farmers the right to make the choice on which system they want to market their own produce in and that never again will one of our farmers go

to jail for something as ludicrous as giving a bushel of grain over to a 4-H club on the other side of the border.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: May I have the opportunity to speak, Mr. Speaker, on the bill?

THE DEPUTY SPEAKER: If you wish to speak on Bill 207.

DR. PANNU: On Bill 207, Mr. Speaker. Thank you for recognizing me. I want to take this opportunity – I've spoken on this bill a few times, Bill 207, the Alberta Wheat and Barley Test Market Act. This bill is raising all kinds of questions in the minds of Albertans, and I thought it would be useful to share with the hon. members of this Assembly a letter that I received from a concerned Albertan, Billy Dobson of Paradise Valley. He has a point, I think, in what he says, so I thought I'd share it with the House. I start right away, time being limited, to make sure that Mr. Dobson's points get recorded. The letter is addressed to the Premier. Mr. Dobson says:

I sure am relieved to see you gettin' involved in this here Canadian Wheat Board stuff. You've just opened up a whole new world of possibilities for me now that you are onside.

I got my first brainwave the other night at the hockey game. I went up to the counter to get myself a beer. I know you don't drink those real beers any more but I'm sure that you still remember how good one seems to taste at those Oilers and Flames games. I looked at the price and I couldn't believe my eyes – \$6.50 for a beer. I figured no problem. I'll just go down the hall and get a cheaper one. Be darned if the next place was \$6.50 too. Then I realized the same outfit was sellin' all the beer. This was when I figured out that I was dealin' with one of those single desk sellers I've been hearin' so much about. They were chargin' way too much for that beer and there was only one place to get the darn stuff.

That's when it came to me a real perfect plan. I'm just goin' to sell some beer of my own at the next hockey game. I got a \$50 ticket and a truckload of beer bought so I figure I'm pretty well in business. I'm a bit of a marketer myself so I calculated that if I sell the beer for \$3.00 a glass I'll still be doublin' my money. I'm sure that I'll sell lots because it's way cheaper than those hoodlums are chargin'. I reckon I should be able to sell about 5000 glasses pretty easy at a profit of \$1.50 per glass, \$7500 for an easy night's work.

Now some people are tellin' me that I could have some trouble with the law over this but I'm not too worried 'cause I know you'll be there for me Ralph. Other people in Canada are sellin' beer for \$3.00 a glass so I should be able to also.

REV. ABBOTT: Isn't this a breach of FOIP? He's reading somebody else's letter.

3:40

THE DEPUTY SPEAKER: Hon. member, the point of order should be on you. You've interrupted a number of times. You had your opportunity to speak. This hon. member did not interrupt you. So why don't we let him in the minute or so that he has left.

DR. PANNU: Thank you, Mr. Speaker, for the advice for the member.

If the cops confuskate my beer, I'll just take it back 'cause I know that's okay too. You'll help with those court costs won't you?

I'm really lookin' forward to workin' with ya [Mr. Premier].

THE DEPUTY SPEAKER: Hon. member, I hesitate to interrupt you, but under our Standing Orders the time for discussion on this item

has now reached the point where we call upon the hon. Member for Calgary-Mountain View to close debate.

MR. HLADY: After hearing the Member for Edmonton-Strathcona, it's nice to know that we on the Conservative side are still very safe and probably the only ones in this House who understand the market principles.

In closing, Mr. Speaker, I wanted to let the Legislature understand that I will send an open letter to Minister Goodale in regard to asking him that he do the right thing and listen to his own committee, which said that we should have a test market, and also respond to our legislation that we're passing here today in this Legislature asking for that free open test market in Alberta. If they will not, then I believe our government will explore all options in regard to a constitutional challenge and use whatever means necessary to get freedom for our farmers.

Mr. Speaker, I'm glad to have been able to move third reading of Bill 207 today, and I'd like to call the question.

[The voice vote indicated that the motion for third reading carried]

[Several members rose calling for a division. The division bell was rung at 3:43 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Abbott	Haley	McFarland
Ady	Herard	Melchin
Broda	Hlady	Nelson
Cao	Horner	O'Neill
Cardinal	Jacobs	Ouellette
Cenaiko	Jonson	Renner
Coutts	Knight	Snelgrove
Danyluk	Lord	Stelmach
DeLong	Lougheed	Stevens
Dunford	Lukaszuk	Strang
Evans	Lund	Tannas
Forsyth	Marz	Taylor
Friedel	Masyk	VanderBurg
Goudreau	McClellan	Vandermeer
Graydon	McClelland	Zwozdesky

Against the motion:

Bonner	Mason	Massey
MacDonald		

Totals:	For – 45	Against – 4
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[Motion carried; Bill 207 read a third time]

head: **Public Bills and Orders Other than Government Bills and Orders Second Reading**

Bill 208

Fiscal Stability Fund Calculation Act

Ms Carlson moved that Bill 208, Fiscal Stability Fund Calculation Act, be not now read a second time but that it be read a second time this day six months hence.

[Adjourned debate November 25: Mr. Snelgrove]

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Mr. Speaker, thank you. I'll be very brief. As I mentioned before, the hoist amendment, I think, is appropriate because it does reflect the fact that the bill at this time is not needed. It's not a forward-thinking bill. It's more of a rear view of what would be accomplished by guessing what might have happened. Coulda-, shoulda-, woulda-kind of politics doesn't work very well. I would just encourage us to support the positive move by the hon. member to hoist this bill.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar on the amendment.

MR. MacDONALD: Yes. Thank you, Mr. Speaker. When we look at the bill and certainly the amendment to hoist it, it is important at this time, after the brief remarks from the hon. Member for Vermilion-Lloydminster, that we consider just what exactly the Fiscal Stability Fund Calculation Act could have done for this province when you consider that so much of the government's revenue comes from nonrenewable natural resource revenue. The value of that is determined by North American commodity markets. Sometimes you see dramatic increases in price, and royalty rates increase with price increases. As prices decrease for those commodities, well, then, so do the royalties to this province.

[The Deputy Speaker in the chair]

So the whole idea of Bill 208 is sound. When you consider that the objective of this bill is to encourage the provincial government to create a fiscal stability fund by calculating the positive impact a fiscal stability fund would have on Alberta's financial affairs, that is reason enough for individuals to certainly take notice.

Now, many people besides this political party have over the years been advocating for a fiscal stability fund. This whole idea, Mr. Speaker, will not end with this amendment. Certainly, there have been other proposals. When you look at how the government in Alaska is dealing with their resource revenue, what portion is directly allocated to the citizens and which portion is set aside, it brings one to think of the rainy day fund. That is what it was originally called in this province. The Alberta heritage savings trust fund was the rainy day fund.

4:00

When we look at the recent changes in this province, we look at – for instance, let's go back to the first of this month, when the government party had a policy convention. Now, Mr. Speaker, there was an important message to constituency presidents, as we debate this bill, delivered to Progressive Conservative constituencies by a former MLA of this Assembly. When we're discussing this amendment, we also have to take heed and take caution from that former hon. member's words, certainly whenever we look at the fiscal stability fund.

It is noted by this former hon. member, Mr. Moore, who represented the Lacombe constituency between 1982 and 1993, that "there was evidence of a drastic change" and that the government, unfortunately, is moving "completely away from the policies implemented by [the Premier] upon his election in 1993 – policies which Albertans overwhelmingly endorsed then" and up to the election of 1997. Now, I think that we need to consider that former hon. member's view when we look at hoisting this bill. "Up to that point," this message goes on to say, "our government had the respect and support of the general public for their statesman-like administration of our affairs and tax dollars. From that point on their popular-

ity has gradually but steadily" been declining. "The fact that [the Premier's] presence is there has kept it from reaching" the previous government's.

When we look at Bill 208, the Fiscal Stability Fund Calculation Act, would that stop or halt the deterioration that began, it is said here, "with unnecessary and irresponsible decisions"? They go on to say what these unnecessary and irresponsible decisions that led to this financial decline are, and they start out like this, Mr. Speaker:

- Increasing the number of unjustified portfolios, thereby spiralling the costs of administration and nullifying one of [the Premier's] key promises, made when elected leader, that he would cut the number of portfolios to 16.

And then:

- increasing their MLA salaries by a much greater percentage than increases paid to civil service and service unions.

Another issue of accountability that Bill 208 could perhaps address because of the dramatic increases and decreases in resource revenue is the education and health care sectors and their budgets and what affects those budgets under intense lobbying.

Now, certainly, with a fund as proposed here, it would be much easier to budget in the bad times as well as the good times. When you consider this notion that there has been a failure, a failure to rein in the runaway spending, Mr. Speaker, and you consider that Albertans do not know what the future of the heritage trust fund is, one has to be very cautious. If we allowed the heritage trust fund to be changed, what would this mean to the fiscal stability fund?

That's a question for this Assembly, I believe, to deal with, because the heritage savings trust fund was set up for the children of those who are singing in the rotunda this afternoon and their grandchildren. We do not have the right to take this fund and spend it on a giant birthday party for the province in the year 2005. We certainly don't have that right, and when you consider what might happen, the heritage savings trust fund could become a legacy fund for the current Premier, and I don't think that is the direction we should be going in. I think we should take a good look at the proposal from the hon. Member for Lethbridge-East, and we should realize that it provides a solution to the instability in program funding Albertans face because of our dependence on North American oil and gas markets and, as I said earlier, the revenue that is generated.

Now, if we were to prepare a study similar to the one that the state of Alaska has done and not look out a window that's opened for three years into the future, Mr. Speaker, but look out a window that is opened for 10 years – if the fine people in Alaska and the people who are running their government have the capability of 10-year forecasting for oil and gas revenue, then certainly I think this province can too.

With those remarks, Mr. Speaker, I shall take my seat and cede the floor to another hon. member. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak to Bill 208, the Fiscal Stability Fund Calculation Act, in second reading. I will support the hoist amendment that has been introduced by the hon. Leader of the Opposition. It was like music to my ears. This amendment would defer debate on Bill 208 for six months. As we know, the government is currently in the process of establishing a framework to address Alberta's historically volatile revenue streams.

Mr. Speaker, this issue is an important one for all Albertans, and it's important that we engage in debate on how best to shield Alberta from revenue instabilities. However, the government is concerned

with having a useful debate on the issue. Given the nature of Bill 208 and how similar it is to the stabilization framework currently being developed, it makes sense that we not debate this legislation at this time.

As for Bill 208 as it stands now, Mr. Speaker, I have some serious concerns. One of the biggest is that this is nothing more than a hypothetical exercise. In itself it's not worthy of support. The bill calls for a full study to report on the effects on Alberta's financing supposing there had been \$1 billion allocated to a fiscal stability fund in 2000-2001. I am sure that Albertans across the province are questioning this hypothetical study when there's real business at hand. Indeed, this government is currently developing a framework to address revenue instability. I can assure you that there is nothing hypothetical about this government's objectives. I agree that studies can be worth while. A government certainly should not entertain changes to its revenue management without first studying the effects. Regarding such significant legislative changes, I'm interested in studying the effects of what would happen, not the effects of what might have happened.

In reading Bill 208's wording carefully, Mr. Speaker, I notice that it not once mentions the future benefits of their proposal. In fact, the bill's wording seems to very carefully avoid discussing how their fund would help Albertans. What does this tell us? It tells me that their fund is so scantily defined that it's impossible to talk about it realistically. Like blinders on. Ultimately, I am concerned that Bill 208 can only exist in a hypothetical world.

Second, the study that Bill 208 proposes is not well thought out, and it does not necessarily address the issue of revenue fluctuation head-on. The bill is not only built on a hypothetical premise; it represents a band-aid solution to problems that won't go away unless we deal with them head-on. The hypothetical fund in Bill 208 suggests no mechanism to flag overspending or inefficiencies, whereas consolidated budgeting, benchmarking, and multiyear reporting do. This fund offers no way to ensure that individual departments, let alone government as a whole, spend their allocation in the most effective manner. By introducing a system of interdepartmental competition over the fund, any incentive to reduce spending or make better spending decisions is lost.

4:10

Our government is committed to making prudent, educated predictions and managing our province's finances in an accountable manner. Our concern is to best target spending in priority areas, and we are now in the midst of introducing a framework that will help smooth revenue streams. Bill 208 offers an overly simple solution to a very complex problem. It also makes a very dangerous assumption. The bill assumes that government spending can be fully protected simply by setting up this mysterious fund. The bill would have us believe that we only need to put money in one year and take it out the next. To assume a zero-sum transaction like this is far too simplistic and, I argue, reckless management of Albertans' money.

The fact of the matter is, Mr. Speaker, that international oil prices don't shift around a constant average. Cycles exist but not over a predictable period of time. Energy markets don't rise and fall like the sun. They are heavily influenced by circumstantial events such as Middle East uncertainty or political decisions such as OPEC supply control. The point is: no one should assume that an oil and gas surplus will negate an oil and gas deficit over any given period of time. In talking about a stability fund, we need to take these realities into consideration. The bill's fund as is runs contrary to this government's established record. For years this government has worked hard to balance the books and aggressively manage and pay down our debt. This has given us the highest credit rating among the

provinces and the strongest economy in Canada. Any discussion of revenue stabilization must work alongside these achievements and not undermine them.

In conclusion, Mr. Speaker, while I stand against preparing a hypothetical report that does nothing to examine the realistic issues facing Alberta, I believe that this government is on the right track to address revenue instability. Therefore, I urge my colleagues to support the hoist of Bill 208. There is no need to legislate a study or a hypothetical fantasy akin to: what will we do when we win the lottery? We have already examined this issue and will take all required steps to ensure the continued strength of Alberta's financial position.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to speak to the hoist amendment that's before us. The subject of a stabilization fund is one that has long been with our party. I think it first appeared in this Legislature in 1994, and it was an idea that was fostered by the late Laurence Decore, the leader at the time. I think we all recall that Laurence had a long history of sound financial management as a mayor of this city and saw it on the road to debt freedom, and he brought that strong fiscal management to ideas for the Liberal opposition.

This bill has been before the Legislature in a number of different forms. Laurence believed, as I said, in sound fiscal management, and he had been able to apply his thoughts to the finances of this city to the benefit of ratepayers and all citizens. What we have in Bill 208 is a modification of Laurence's ideas, and they really fall into three parts. There's been some refinement over the last decade, and it falls into three parts. The first, of course, is the fiscal stability fund, the second is an infrastructure enhancement fund, and the third is a process in terms of being able to arrive at amounts of money that should be captured in those funds and how withdrawals and replenishment of the fund should take place, so a plan with three important aspects but, again, based on the original stability fund. It is interesting and somewhat gratifying that the government is now looking at presenting to this Legislature or to Albertans a form of the stability fund. It may differ in details, but there's no doubt that the genesis of the idea originated with our party before the 1993 election.

The whole history of boom-and-bust spending is one that's troubled all Albertans, and the kind of agony that we went through in the early '90s, '93, '94, '95, really should have taught us a lesson then that we needed a stability fund. If you look at the cuts that were made to education, the kinds of decisions that were taken were just decisions that in retrospect were almost incredible: the cutting of kindergartens, the huge amounts that were cut out of university budgets, 21 percent, some of the largest cuts, and those institutions are still recovering from it. So the notion of boom-and-bust financing and the kinds of hurt that that imposes on Albertans should be one that we remember from the '90s for a long time into the future. Not having stability hurts Albertans, and this proposal before us, I think, is one that would make that possibility of hurt happening much less.

It's a notion that I said is being expanded into an infrastructure fund. The Auditor General has not been asking for that particular fund, but he has been warning the government in report after report of the need for planning for infrastructure and putting away money for infrastructure. I think the first warning came in the budget with respect to advanced education at that time. He made the point that

a certain percentage of dollars should be set aside each year to ensure that moneys that were needed for capital projects and modernization were available. I think the figure that he used was 2 percent.

In the last Auditor General's report the recommendation on page 191 says:

We again recommend that the Department of Learning improve its systems to ensure that long-term capital planning for school facilities is consistent with plans for the delivery of education.

So, again, the Auditor General is pointing out the need for what we find in the bill that is being hoisted, the need for an infrastructure enhancement fund. I think I heard a member make some rather derogatory comments about the way the money would be put into that fund or taken out, but the fact is that it would put in place over a period of time the kinds of dollars that would assure Albertans that the huge, huge investment that they have in infrastructure in this province is maintained and that new investments are undertaken in a timely fashion.

The government is going to come forward with a stabilization plan. I assume it will if I look at the information coming out of the government's committee. Stabilization is a really important consideration, and the details of the government's plan will be forthcoming. So it's with that kind of information, Mr. Speaker, that I, too, will support the hoist amendment, and I do that recognizing that this is an idea whose time has come. I guess that in the final analysis it doesn't matter where ideas originate. If they're sound ideas and they are a benefit to all Albertans, then they deserve our support.

Thank you very much, Mr. Speaker.

4:20

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you very much, Mr. Speaker. I do welcome the opportunity to stand this afternoon and speak to Bill 208, the Fiscal Stability Fund Calculation Act, and particularly to the amendment, and I, also, support this amendment.

I think that we have to look at the history of what's happened in this province. This goes back many, many years, to the infancy of our petroleum industry here in the province, certainly one that we're very, very fortunate to have. Many places in the world would love to have the problems we have or have not the problems but the assets we have in our oil and gas industry. But, as well, we know, Mr. Speaker, that we also have the boom and bust, the peaks and the valleys, when we look at revenues that flow into this province. Even our neighbour next door, Saskatchewan, has a stability fund, and just last week, I believe it was, they announced that they're going to use \$100 million out of their stability fund to balance the books.

Now, as well, we know, Mr. Speaker, that the AAMD and C constantly ask at every convention for predictable, stable, equitable funding. At their convention a year ago there were many speakers that got up and asked members of the front bench how they expect them to have three- to five-year business plans when they have a budget that only lasts three to five days. Certainly, if people at the AAMD and C can recognize that there's a huge problem here, then also we should.

Probably what highlighted this more than anything in that particular year was the fact that we had the second highest revenues this province has ever had, yet all of a sudden we had cuts. We had cuts to many, many programs, and it impacted many Albertans even though we had the second highest revenues that we'd ever had in this province. Of course, anybody that's building budgets certainly knows that you have to have flex in that budget. You have to be

able to account for unexpected expenditures, whether that be forest fires, whether that be huge droughts because of global warming, and as well we have to expect increased revenues if for any reason the price of oil soars.

We look at this, and we certainly see that in that particular year we had \$600 million cut from the budget, from the Heavy Road Builders Association here in the province. Now, there was a huge reaction on their part, because they do make their three- to five-year business plans. They certainly know the impact of what a \$600 million cut would be to their programs here in the province in that they would certainly lose a lot of very skilled workers in that particular industry. As well, they have set their business plans on not only the purchasing of inventory, inventory that's very, very costly, but as well they have to pay for that. They certainly plan to pay for it over time, and they plan to pay for it with moneys that this government has indicated will be there.

So when I hear hon. members say in this House that the fiscal record of this government is good, we have to question that. We have to question that. And when we see that the government miscalculates revenues by \$6 billion – \$6 billion – that's incredible. It's a beautiful problem to have, but it is not very good budgeting.

We look, for example, as was announced here today by the hon. Member for Edmonton-Gold Bar, at how Manhattan meters their wells. These should be calibrated every year, yet some of these wells have not been calibrated for up to five years. Now, then, what is happening to our royalties in this particular case? Again, when we look at revenues, Mr. Speaker, it is very, very important that we take this into consideration.

We also have in this province legislation which does not allow a deficit at the end of the year, yet we don't get the expenses that we run up in the fourth quarter until well after the end of our business year. So certainly it creates a situation where government has to keep extra money on hand just for unforeseen expenses and whatever. So, again, not a good situation where we can set a budget.

Now, then, as well, when we look at a stability fund, it certainly would avoid the infrastructure deficit that now occurs in this province, and this, Mr. Speaker, is growing. It continues to grow because that is one of the first areas that is cut when moneys get tough. But more importantly here are our social programs. These are the people and the programs – as one senior put it to me, just because I'm not productive anymore, the government doesn't consider my needs.

So we have people on AISH that haven't seen an increase in their benefits for a number of years. We have in this province, which has all these revenues from oil and gas, the lowest minimum wage of any province in Canada. We have people on supports for independence that haven't seen any break in their rates. I look at some of the comments made by Senator Roche in his address to the housing commission in dealing with the homelessness issue here in the province, and what is happening to homeless people in this province and what is happening with child poverty is unforgivable in a province where we like to say that there is an Alberta advantage. Well, it certainly isn't for these people.

Now, this Bill 208, the Fiscal Stability Fund Calculation Act, would certainly bring stability to the process of budgeting. It would allow for moneys that would keep our social programs, keep any programs such as road construction, infrastructure going whether or not the times in Alberta were good or bad. We have a great need for this particular type of bill.

As well, Mr. Speaker, we had the Financial Review Commission, which certainly did their calculations. It's unfortunate that none of us have been able to see what their calculations are, but they estimate that the fiscal stability fund in this province would have to

be in the neighbourhood of \$3.5 billion. Unfortunately, one of their solutions was to use the heritage fund as part of this stability fund, and it was certainly never intended to be such. A stability fund certainly should be totally separate from the heritage savings trust fund. Albertans have long said that the Alberta heritage savings trust fund was a fund that they wished to be kept. It is certainly easy to understand why, when we had oil at \$10 a barrel back in the '80s, we could not contribute to that particular fund. But here in the last decade we've had an incredible good run of luck with the price of oil in the world, yet we have not done anything to increase the value of that heritage savings trust fund. We have not inflation proofed it.

There is a great need for this bill, and I thank you for the opportunity to speak to it, Mr. Speaker.

[Motion on amendment carried]

4:30

Bill 209
Electoral Fairness Commission Act

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. It's a great pleasure for me to rise and kick off the debate on Bill 209, the Electoral Fairness Commission Act, at second reading. May I note that circumstances that attend on the beginning of the debate on Bill 209 couldn't be more propitious. We have angels singing outside, and for that I thank the University of Alberta Mixed Chorus.

Recently there has been considerable attention paid to what has come to be known as democratic deficits in both the federal Parliament and in this provincial Legislature. For example, Mr. Speaker, attention has been drawn to the lack of all-party standing policy committees in the Alberta Legislature. This Legislature is the only one in Canada where standing policy committees are made up solely of members of the government caucus while excluding opposition members.

Most of the public discussion about the democratic deficit has focused on making more democratic the internal workings of parliaments and legislatures. Surely there's a great deal of room for debate to happen on the internal workings of parliaments and legislatures, but there's also another important aspect of an electoral democracy, which is to have serious debate on reforming the voting system on which all electoral democracies, representative democracies, depend.

That's exactly the purpose behind Bill 209. The purpose of Bill 209 is to establish a voting system that would ensure that each political party's representation is proportionate to its share of the provincewide popular vote. However, Bill 209 does not itself seek to make changes in the voting system. Instead, it establishes a process to consult Albertans on this important question. Bill 209 establishes a broadly based commission to widely consult with Albertans on the reform of the voting system. The membership of the commission would mirror that of the Electoral Boundaries Commission. It would be chaired by a judge, a retired judge, the president of a public postsecondary institution, or someone of similar credentials, qualifications, and stature. One member would be appointed on the recommendations of the Official Opposition, one member would be nominated by other opposition parties represented in the Legislature, and, finally, two members would be nominated by the Executive Council.

The Electoral Fairness Commission would engage Albertans in a wide-ranging examination of our voting system. The commission would engage Albertans in considering alternatives to the existing

first-past-the-post voting system. Based on the input received, the commission would prepare an interim report outlining proposals for how proportional representation could be adopted in Alberta to complement the present electoral system and to comply with the unique circumstances and conditions of Alberta.

Among the considerations that could be covered by the commission would be the following. To maintain a link between elected members and geographically based constituencies: many proportional representation systems around the world continue to be based on constituency representation on either a single-member basis or regional basis. Second, to ensure stable and responsive government: contrary to the perceptions of some, most voting systems based on proportional representation result in governments every bit as stable as those based on first past the post and certainly more democratic. The commission would also examine extending voter choice by eliminating strategic voting and ensuring that every vote counts and has the same value.

Finally, Bill 209 would ensure that in any alternative voting system recommended by the commission, the total number of seats in the Legislature will be no greater than the 83 at present. We have plenty of politicians per square mile in this Legislature, Mr. Speaker, and this provision would put to rest any concern that an alternative voting system would result in a greater number of seats in the Legislature. It will not.

Furthermore, the PR system would be a means to achieve these objectives. To achieve these objectives the commission will seek expert advice, research voting systems in use around the world that already incorporate some form of proportional representation, and hold extensive public hearings throughout the province. After the commission has made public its proposals and alternatives in an interim report, a second round of public hearings would be held to enable the public to make further representations to the commission on the interim report. After this second round of hearings the commission will then prepare a final report, Mr. Speaker, and make recommendations to the Legislative Assembly. Any subsequent legislation passed by the Legislative Assembly incorporating a voting system based on proportional representation would need to be approved by a majority vote in a provincewide referendum prior to proclamation.

I want to conclude by making some general comments about why this Legislature should approve Bill 209, which would initiate a wide-ranging public debate on the voting system. Under the existing system of first past the post, citizens do not get what they voted for in terms of composition of this Assembly, Mr. Speaker. Political parties that are elected with a minority of votes routinely receive a majority of seats in this Legislative Assembly. How many Albertans are aware that in two of the past four provincial elections the Progressive Conservatives failed to secure even 45 percent of the provincewide vote? Yet in those 1989 and 1993 elections the Conservatives ended up with large majorities in this Assembly. Even in this most recent election almost 40 percent of Albertans voted for parties other than the governing Conservative Party. Yet the distortions caused by the first-past-the-post system resulted in the opposition parties winning only nine of 83 seats in the Legislature. In other words, a vote for a government MLA carried almost four times the electoral weight as a vote for an opposition member did.

4:40

Proportional representation is an idea whose time has come, Mr. Speaker. Doubters should take notice. Albertans will demand that our electoral system be made more democratic, more representative of their will. More and more democratic countries are using some form of proportional representation to elect their parliaments and

legislatures. Canada and the United States are the only two remaining holdouts. New Zealand now uses a proportional representation voting system for its federal parliament. Britain uses PR for its regional assemblies in Scotland and Wales. Australia uses PR for its Senate elections. Every single country in western Europe uses some form of PR, as does the European Parliament.

The bill aims to retain the benefits of constituency-based representation, Mr. Speaker. Some countries, like Sweden and Ireland, elect members from multimember constituencies using a single transferable vote to achieve proportionality. In fact, until the mid-1950s MLAs from Edmonton and Calgary were elected to this Legislature using exactly this voting system. The system was changed by the then ruling Social Credit government because it feared losing the next election if a PR voting system for Alberta's two largest cities was retained.

Other countries, like Germany and New Zealand, use a voting system called mixed member proportional. Under . . . [Mr. Pannu's speaking time expired]

Mr. Speaker, I understand I have 10 minutes according to Standing Order 29. I'd like you to check that for me.

THE DEPUTY SPEAKER: Yes, hon. member, that's right, and you've had the 10 minutes.

Before we proceed to the hon. Member for Edmonton-Rutherford, I wonder if we might receive consent to briefly revert to Introduction of Guests.

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE DEPUTY SPEAKER: The hon. Member for Edmonton Strathcona.

DR. PANNU: Thank you very much, Mr. Speaker, for the opportunity for me to introduce some very special guests this afternoon. They are here to observe the debate on Bill 209, the Electoral Fairness Commission Act. They're all members of Fair Vote Canada. They're very actively engaged in starting a public debate on how to change our electoral system in order to make it more reflective of the political will of each and every voter in this province and this country. So I have the pleasure of introducing to this House Professor Paul Johnston. He is from the Department of Political Science and is an expert on voting behaviour and electoral systems in the province. The second person is Ms Helene Narayana, a prominent constituent of my Edmonton-Strathcona riding, a well-known broadcaster in the past, and now a political volunteer and social activist. The third person present in the gallery who's active in Fair Vote Canada is Mr. Douglas Bailie, a historian from the University of Alberta who has been actively engaged in the activities of Fair Vote Canada. I'd ask these three guests to please rise and receive the recognition and the welcome of the Assembly.

head: **Public Bills and Orders Other than Government Bills and Orders Second Reading**

Bill 209

Electoral Fairness Commission Act

(continued)

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. It's a pleasure to

speak to Bill 209, as proposed by my friend representing Edmonton-Strathcona, the leader of the New Democratic Party and leader of the New Democratic Party in opposition.

Proportional representation is an issue that pops up from time to time as many parties in many Legislatures around the world seem intent on exploring the subject. The idea itself is an interesting one and is not entirely without merit. Several countries around the world employ one form of proportional representation or another to varying degrees of success. As well, if the intent of voting is to provide an outcome directly proportional to all votes cast in the province, proportional representation would indeed seem to be the way to accomplish it. Finally, the introduction of the bill highlights the fact that our first-past-the-post system is not satisfactory in cases where a particular candidate comes out on the losing end.

DR. PANNU: Point of order.

THE DEPUTY SPEAKER: Hon. member.

The hon. Member for Edmonton-Strathcona on a point of order. Your citation, please?

Point of Order Speaking Time

DR. PANNU: Mr. Speaker, it's Standing Order 29, and these are the rules effective from February 26, 2002. This is the most recent and current version. I would like to draw your attention to 29(1)(b), which states that on a private member's bill the mover of the bill will have 20 minutes of speaking time.

THE DEPUTY SPEAKER: The hon. member is perfectly correct; 29(1) and (2) would substantiate what you are attempting to say. However, this is motions and bills other than government motions and bills, so if you go to 29(3), on the second page you will see that "the mover in debate of a resolution or a Bill shall be limited to 10 minutes' speaking time and 5 minutes to close debate." That's because we're on motions and bills other than government motions. That is what we're guided by, not the former. Those are for the other motions. So the point of order is not upheld as you can clearly see by the Standing Orders that we have.

The hon. Member for Edmonton-Rutherford to continue.

Debate Continued

MR. McCLELLAND: The bill as presented by the Member for Edmonton-Strathcona proposes that the commission must

- (a) review alternatives to the first-past-the-post electoral system, and
- (b) make proposals to the Legislative Assembly on what form of proportional representation should be adopted to complement the present electoral system.

So we're being asked to put forward a commission that will review alternatives but report on what form of proportional representation would be most desirable. I certainly can't support that because I don't think proportional representation is going to add to the democracy that the Member for Edmonton-Strathcona would like to achieve, and I will try to make my point and the reasons clear. For the record, I would propose that an alternative system, if we're going to move to that, would be the French system, which would be a runoff election.

In any event, as to speaking to the bill as presented by the Member for Edmonton-Strathcona, I'd like to centre on two key issues. First, it's my belief that proportional representation schemes concentrate more power in the hands of party executives and leaders. This concentration takes away from the amount of real democratic participation that citizens can exercise. Second, the introduction of

proportional representation invites the creation of single- or narrow-interest parties which are often partisan and divisive. In contrast, the first-past-the-post system encourages political parties to build on a broad base that has the capacity to aggregate interests in the public good. If we change the rules of our electoral system so that a system which places little emphasis on the aggregation of social interest takes effect, we will, despite the best intentions of Bill 209, have done democracy a disservice.

4:50

On my first point, none of us sitting here today in the Assembly should forget why we're here. We're here by the good graces of the citizens in each of our ridings, because either as individuals or as members of a party we advance values, priorities, and a way of doing things that Albertans either trust or admire. This is true of all members, regardless of which side of the House they sit on. We're not here because we're chosen by a party executive. There is, of course, an element of party politics that determines whether we will be here or not, and this is the nomination process. However, once we're nominated, it's our job to sell ourselves, our parties, our ideas, and leadership to Albertans at the constituency level.

Now, I understand that individual election is dependent upon, ranking from first to last, in my view, party leadership, because we become very leadership oriented; the political party which we belong to and represent; and the individual candidate. So make no mistake: it's because of the leadership issues, because of the concentration of media, that we've become very leader-oriented, especially through the direct election of leaders in one person, one vote. However, that being said, at the end it's often in an individual constituency that 10 percent that an individual candidate can bring to the table that will either make it or break it.

This is a marked improvement over the type of proportional representation that Bill 209 calls for, and I quote from section 6(1) of the proposed bill.

In reviewing alternatives to the first-past-the-post electoral system the Commission shall consider a mixed member proportional electoral system where each voter has 1 vote for a political party and 1 vote for an individual candidate in the voter's electoral division.

A mixed member proportional representation system is one in which some MLAs are voted in by their constituents and others are chosen by the party from a list. The question we have to ask ourselves is: who's choosing the nonelected members?

Now, I'm sure this process could differ in each political party, but there's a catch. It's not the public and the constituency that's making the choice, and that has the potential to be problematic. It becomes a problem because under the system advocated by Bill 209, the public has a reduced say in who their representative in the Assembly will be. While the public's influence is reduced, the power of the party executive becomes greater as candidates vie to be placed on a list of appointed members.

If I may, I'd like to again draw a comparison to our current system. When, at the constituency association level, an individual presents himself to his party to be selected as the party's candidate, that constituency association must take into account the effectiveness of the individual in building a consensus among a range of voters with diverse policy interests. They must ask themselves, in addition to whether the candidate will represent the party well: will that candidate represent the public well?

Now, under the system favoured by Bill 209, this consideration is, in the case of the appointed members, moot. It's not essential for an appointed member to be a good representative of the public. Rather, he will most likely be there to do the bidding of his party's interests or his party's leader. Sounds kind of like an appointed Senate, and this, of course, raises a larger question: just how do you get on that

list? Who is that MLA accountable to if it isn't the public?

On my second point, Mr. Speaker, I'd like to mention that in most countries where a proportional representation system exists, there aren't just two or three parties but 10, 20, or even more. The reason for this is that single-interest parties attempt to gain enough of a share of the vote in order to secure a seat or two in their Assembly and then form coalitions based not on consensus but on vote trading. Essentially, they're left with tit-for-tat legislation that appeals not to the common interest but to the specific interest of each party. Again, public input is denied in favour of personal interest, and interests are not aggregated in the common interest.

The first-past-the-post system, on the other hand, rewards parties who build consensus before they enter the House. It compels parties to appeal to a broader cross section of citizens and to have ideas designated to benefit the common good, ideas that the majority of citizens can get behind and support. The difference is clear: parties that attempt to appeal on all matters to members of the public or parties that exist to advance a single issue and give precious little care to any other pressing interest of the day.

[The Speaker in the chair]

Now, in the midst of this, I don't want to be mistaken for someone who would deny the right of anyone or any group of persons to set up or start a party. Indeed, the more voices there are in the political sphere the better democracy. However, that doesn't mean that we should make it any easier for smaller or fringe parties to make it into the House or to hold greater power in the Assembly. The rules we have in place at the moment demand that any party wishing to hold a degree of legislative power ought to have done their homework and put together a reputation for being trustworthy as well as a solid policy platform that resonates with a cross section of Albertans. The system we have now demands that this be done before any electoral success.

So I thank the Member for Edmonton-Strathcona for raising the important issue of considering alternatives to the present system, and it does speak to a necessary question that should be considered but not proportional representation, in my opinion.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak in favour of Bill 209, the Electoral Fairness Commission Act, and the intent of the bill before us. The arguments in terms of the kind of electoral system that would best serve our needs have gone on and, I assume, will continue to go on, but I think what we have before us is a proposal for a telling re-examination of the way we do things. The proposal doesn't place before us a particular form of representation by population to endorse but puts it in the hands of an independent commission to look at the differences in systems, the advantages and disadvantages, and then to come forward with recommendations. It seems to me that this sort of hands-off approach would be in the public interest in terms of the kind of debate that it would spark and the ultimate outcomes that might result from a very serious look at the way we elect provincial representatives at the present time.

So, as I said, I will support it. I guess, if I have a reservation – it's not really a reservation. If I would have had my way, it would have been a much broader bill because for at least 10 years we have been advocating a look at democracy in the province that includes some form of representation by population but also includes another series of proposals that it would have been interesting to have this particular commission look at at the same time as it was considering representation by population.

One of those proposals was that there would be fixed sitting dates for the Legislature. There are some problems around that in terms of being able to handle nonconfidence votes, but it's a process that we use at the municipal level to elect our city councils and our school boards without much difficulty. It's a proposal that I note has just recently been adopted in British Columbia. British Columbians know the date of their next provincial election, and they knew that the date that they elected their current government. So I think that an examination of the merits or downside of fixed sittings for the Legislature would be in everyone's interests. I think that the kind of guessing and trying to arrange your schedules around the way the sittings are now determined does not serve citizens well.

5:00

Another proposal that we had put forward was the recall of members. It's, again, being used elsewhere. There have been some criticisms of it in terms of its misuse by special-interest groups, but it would give citizens recourse at some time during the four-year or five-year period that the representatives are elected if they were sorely upset or disappointed by their representative's action. It would give them an opportunity to recall that member and to have someone more appropriately serve them. Again, it was something that would have been interesting for this commission to look at.

The whole notion of referendums is also an issue that we would like to see examined. There have been issues in this province where a referendum would have been very useful in the last number of years. It would have been interesting to have a referendum on the privatization of health care in the province just to see to what extent the move to private hospitals and private medical care is supported by citizens at large. It would also, in just the last week or so, have been interesting to have had a referendum on Kyoto and whether or not the government should support that move. Opinion polls are one thing, but I think that a referendum is something else. We would have included in the package some consideration of referendums.

I guess what is more important in terms of what happens today in this House would be to look at a package of legislative reforms, and it would start, I think, with, as the member has already mentioned, the standing policy committees, which are government committees, not all-party committees, and would also look at committees like the committee on Law and Regulations, a standing committee of the House that in other legislatures is charged with looking at laws when they're passed and the regulations that are being formulated to put the law into effect. That committee has members appointed to it by this Legislature and doesn't meet. I've been in the Legislature for 10 years, and that committee, as far as I understand it, has never met, never considered a law or the regulations that surround a law. So it's something that could be reformed within this legislation that, I think, would help democracy.

I guess that another area, when we look at our own activity, is our Standing Order 21(1), the Standing Order that looks at the debate limitations. All parties are a part of putting together the Standing Orders, but the government, of course, has the hammer as far as those procedures are concerned. I think it is rather ironic that we saw applauded in this House the representative from Red Deer standing up in the House of Commons and debating, filibustering the Kyoto bill at the federal level, yet that same filibustering is impossible in this Legislature now since the institution of Standing Order 21(1), where should the opposition attempt a filibuster, the government has only to stand up and make a motion that limits the debate. A filibuster could never get going or be sustained under those rules.

So I think it's a good bill. It's a start, Mr. Speaker. I think there are some other things that are crucial and critical to our democratic system in the province that need examination, and the examination

was long overdue. I've mentioned a few of them. I think this is a good start. Of the hundreds of electoral systems around the world, I think it would be good for us to pause and to look at what we do in our own backyards.

Thank you very much.

THE SPEAKER: The hon. Member for Dunvegan.

MR. GOUDREAU: Thank you, Mr. Speaker. I'm pleased to have the opportunity to rise and speak to Bill 209, the Electoral Fairness Commission Act, introduced by the hon. Member for Edmonton-Strathcona.

Mr. Speaker, in 1852 Benjamin Disraeli, the Conservative Chancellor of the Exchequer and future Prime Minister of Great Britain, declared famously that "England does not love coalitions." His remark rallied those opposed to tinkering with Britain's first-past-the-post system, which by its very nature magnifies now, as it did then, the electorate's intentions. If you want to see strong majority governments, the first-past-the-post system is the right ticket. Britain is, of course, not the only nation where the public votes in accordance with the first-past-the-post system. We need not look further than our own country to see a shining example of this system at work. Our good neighbours to the south use this system, and so do many other countries which, like Canada, are former British colonies.

Mr. Speaker, with all due respect for the hon. Member for Edmonton-Strathcona, his bill is filled with assumptions. For instance, the preamble to Bill 209 states that

the existing first-past-the-post voting system leads to distortions such as lopsided majorities, strategic voting and wasted votes which result in lower voter turnout and increased cynicism.

In particular, I take issue with the charges that our current system would promote lower voter turnout and increased cynicism. I'm not aware of a cause-and-effect relationship between our current first-past-the-post system and cynicism. I will grant the hon. member that there is some cynicism in our society today, but is it really increasing? If it is, I would like to see some science data to support such an assertion. Moreover, to say that our existing voting system contributes to an increase in cynicism is, I think, a bit of a stretch. The only way we could substantiate that claim would be if we were to introduce another voting system and see if it made people less cynical, although I'm not certain in what manner we would quantify this.

Mr. Speaker, if voters are cynical today, I think it has more to do with the calibre and qualifications of those who hold public office as well as with the candidates the public has to choose amongst at election time. If those who run for office fail to connect with the electorate, how appealing will it be to cast votes for them? If those who run for office do not speak to the issues that matter to the voters, what incentives do they have to vote? As well, part of the onus rests with the electorate. If the electorate does not take an interest in the elections nor in those who run for office, there is little that candidates can do beyond campaigning.

One of the most sacred rights we have in a democracy like Canada is the right to vote freely for the candidates and issues of our choice. In fact, the right to vote may be more sacred than any other democratic right we have. However, the right to vote must by definition also imply the right not to vote. I find it regrettable, of course, that not everyone chooses to take advantage of his or her right to vote, but that is a right all of us have: the right to abstain from voting.

The reasons why people choose not to vote run the gamut from a lack of interest to a lack of appeal, from personal illness to climatic conditions at election time, or whether it's harvest time or not, Mr.

Speaker. If we wish to increase voter turnout at the ballot box, I think the answer lies not in a new voting system but in nominating candidates who speak to the issues that matter to voters. That proportional representation does not automatically ensure increased voter participation is borne out by the following examples.

Consider the case of Switzerland, a country that, like our own, is often considered amongst the world's foremost democracies. Switzerland adopted proportional representation in 1919. It would be another 52 years, however, until Swiss women were granted the right to vote. That year, 1971, voter participation in Switzerland was 97.3 percent. The Swiss vote every four years, and since 1975 voter participation peaked at 43.6 percent and has been in a steady decline ever since. In 1999 34.9 percent of voters turned out. Mr. Speaker, it is true that Europeans exercise the right to vote more frequently than we do, but it has been conclusively proven that proportional representation attracts more voters, thereby enhancing the exercise of democratic rights. I am not so sure. I would suggest that history has a greater role than does any specific voting system.

That Canada is a democracy is something I think all of us can and will agree on regardless of party affiliation. Here in Canada 54 and 68 percent of Canadians have opted to cast their ballots in our four most recent federal elections. As I said earlier, I wish that everyone would take the time to vote, that everyone would exercise the privilege and the right to vote whenever an election rolls around, but you will recall that I also said that the right to vote must imply the right to abstain from voting, whatever the reason, whatever the cause. That, too, is part of living in a democracy. We can't make people vote if they don't want to. That would not be our democratic system. In some countries voting is mandatory. If you don't vote, you get penalized in one way or another. To me that's another instance of an undemocratic process, and I am certain that no Canadian and certainly no Albertan would be favourably disposed towards such a law.

5:10

Now, to get back to the proportional representation voting system, Mr. Speaker, I'd also like to address some of the problems inherent in that system. One of the foremost problems with the system is that it is promoting instability in parliament. It does so by allowing minor parties and candidates with narrow issues and limited appeal to win seats. As a result, the balance of power can be held by a number of members elected by a small minority of the electorate. Italy is a case in point. Quite frankly, the Prime Minister's office in Rome seems to have had a revolving door since the end of World War II. Since then, Italian Prime Ministers have been in office for an average of about 10 months. The 59th Prime Minister, Silvio Berlusconi, took office in April 2001. The Christian Democratic Party and the Italian Communist Party, which were active during the Cold War, both split apart.

As a result, there are now more than 40 political parties in Italy. Of the more than 6,000 bills they submitted to the lower House in 1996, only 61 were enacted into law. This is what can happen under proportional representation. Do we really want this here? I really don't think so. In addition, the proportional representation voting system is not an easy system to administer. To the contrary, it is a highly complex system that's complicated, costly, and time-consuming to administer.

Mr. Speaker, Alberta is a large province. Those of us who have the honour to represent our fellow Albertans come from all walks of life. We come from big cities and small hamlets. Our backgrounds are in industry, agriculture, education, and a wide range of other areas. Some of us are young; some of us are younger still. Philosophically we are not a homogenous group. To the contrary, within

the government caucus we see a great deal of diversity of views and values represented. It would be naive, I think, to expect all of us to think exactly alike just because we belong to the same party. Likewise, our constituents bring different values with them to the ballot box when they cast their votes. The diversity you see in our caucus is therefore a reflection of our constituents and all of their values. My point is that as a government we have managed and we continue to manage to be inclusive. Ours is also a government that is effective without being strong and having a bully approach. Albertans are an outspoken bunch. If they didn't like what they saw, they'd tell us, and I know of no particular desire to overhaul our voting system.

Earlier I mentioned that Benjamin Disraeli stated that England does not love coalitions. Neither does Canada. If anything, it would seem that we positively loathe them here. In the last 135 years, Mr. Speaker, that have passed since Confederation, our nation has seen only one coalition government. In retrospect, it would seem that the prevailing circumstances at the time really warranted it, and that was during the Great War, World War I. There's no such crisis looming at the present time. Sure enough, there is greater uncertainty in the world now than in a long time, but we face no constitutional crisis in Canada.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure to participate in the debate this afternoon on Bill 209, the Electoral Fairness Commission Act, as presented to the Assembly by the hon. Member for Edmonton-Strathcona. This is an ideal time for not only members of this Assembly but for Albertans to have a look at how we are electing representatives and perhaps look at doing things differently. Certainly, in the past in this province there was the use of the single transferrable vote from the 1920s through to the 1950s, and it was a different approach than we are currently using. One only has to look at the current parties that are represented in this Assembly – the Progressive Conservatives, the Liberals, and the New Democrats – to consider that there were inequalities in the system.

For instance, if we look at the 1944 election, Mr. Speaker, the results show that in order for the CCF to win one seat they needed to get 35,000 votes. The independents needed roughly 5,900 votes to win a seat, and the Social Credit only needed 2,870 votes to win a seat. Now, in the election of 1944 the Social Credit wound up with a total of 51 seats, the CCF two, and the independents eight. So even if there were different political parties represented in the Assembly, the problems that are trying to be addressed by the hon. Member for Edmonton-Strathcona certainly have persisted in this province's and in this Assembly's history.

Now, earlier this afternoon there was discussion on a previous piece of legislation, Bill 207, and I believe it was the hon. Member for Calgary-Mountain View who was talking about freedom of choice and about electing a Senate and why people had to support Bill 207. Well, the same, Mr. Speaker, applies for this legislation. If we're going to be presenting the argument of having freedom of choice and the election of a Senate, that's fine, but why don't we start electing standing policy committees in this Assembly? We could certainly start that. I was honoured to present a motion to this Assembly where we could get at this with a change to the Standing Orders, but unfortunately it was defeated.

Now, we can talk about democracy all we want, but I think all hon. members of this Assembly should have the option, should have the vote to elect the standing policy committee chairpersons and

other committee members of this Assembly. I think it's the honourable thing to do. If we're going to talk about election reform, let's clean up our own house, so to speak, first, Mr. Speaker.

The hon. Member for Edmonton-Rutherford was afraid that if this bill became law – and I think we have to make this bill law, because the commission that is proposed by the hon. Member for Edmonton-Strathcona has to be appointed by New Year's Eve of this year. So we don't have much time, and I really think that we should get at this and support this initiative and see what the electoral fairness commission comes up with as far as proposed changes.

In regard to the hon. Member for Edmonton-Rutherford and his concern that “oh, this would put the power in the hands of the party members, and they might not be able to deal with it,” well, who is making the decision now on the chairs of the standing policy committees in this House? Is it the Conservative caucus, is it the Premier's office, or is it someone at PC headquarters? If an hon. member could answer that question. Certainly, power is not in the hands of members of this side of the House in regard to the election of those chairpersons.

Now, there was a question raised of who would choose these nonelected members. Well, I have to again direct the question: who's selecting the standing policy committee chairs? I just pick up a government press release, and, voila, there it is, who is going to be there, and no choice in the matter whatsoever. The fact that I can't even sit in the committees is disappointing enough. Certainly, I think that if we were going to be sincere about democratic reform, we would start in this House and opposition members would sit on standing policy committees as well as government members, and many jurisdictions have that. I'm sorry; I think we need to look at that in this Assembly. I again, Mr. Speaker, find it quite unusual that we talk about reform elsewhere, but we just do not feel that it applies to us.

5:20

I have discussed this whole issue of democratic reform in this province many times, and people are amazed. People are amazed. They do not pay attention to the proceedings here, and they're amazed when I tell them. One only has to look at the previous point of order, Mr. Speaker, and our speaking times and the reduction of speaking times in this Assembly in the brief time that I've been in this Assembly. I don't think that is in the best interests of democracy. The hon. Member for Edmonton-Strathcona was very anxious to present his case regarding Bill 209 to all members of this Assembly, and his initial remarks have been reduced to 10 minutes.

MS HALEY: That's right.

MR. MacDONALD: The hon. government whip there says, “That's right.”

I think it is a further erosion of the democratic principles in this province by the current government. The changes to these Standing Orders have been draconian, and as session proceeds, Mr. Speaker, we get more and more opportunity just to see how limited democracy is in this province and in this Assembly.

It's not a one-person show, and the first thing that mature democracies realize is that every voice matters and every voice should be heard. If there are citizens who feel that we should look at discussing alternative ways of selecting Assemblies, then we should certainly take their concerns and not only have the proper time to discuss them but have a serious look at changing our system, and these are certainly changes that this member would endorse.

When we think of voter turnout rates – and I can look around, and I can see, for instance, the constituency of, let's pick, Calgary-Fort

or Calgary-Montrose or Calgary-East, and we have voter participation rates of less than 39 percent. We look at the hon. Minister of Transportation. His constituency has the largest voter turnout rate in the province. Edmonton-Riverview, Mr. Speaker, is another constituency. Edmonton-Gold Bar is another constituency with a high voter turnout.

DR. PANNU: And Edmonton-Strathcona.

MR. MacDONALD: And Edmonton-Strathcona.

I think that if we could change the system and increase voter participation in the elections and get rid of voter apathy, then we would be doing democracy a good turn. You look at the constituencies that I mentioned – Calgary-Montrose, Calgary-Fort, Calgary-East – and the voter participation rate. These are areas of the province which have the most to gain or the most to lose from good or bad public policy, yet Edmonton-Norwood is going to be eliminated, unfortunately.

I for one am going to fight that. I don't think that's sound. I don't think it's sound that Edmonton loses seats in this Electoral Boundaries Commission. I think we should be gaining a seat, Mr. Speaker, to reflect population growth and economic growth, but I just can't go there. There was another motion that was not addressed in this Assembly that I thought should have been, and that was the interim report.

Mr. Speaker, on this bill I would urge, in conclusion, all members to take a serious look at the legislative proposal by the hon. Member for Edmonton-Strathcona and please vote for it. Thank you.

THE SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I'm pleased to rise today to speak to Bill 209, the Electoral Fairness Commission Act, in second reading. Today if I have time I'll outline seven reasons why Alberta's current first-past-the-post voting method is the best system for Albertans. In doing so, I'll show how Bill 209's proposed proportional representation voting method is inherently flawed, not suited to Alberta's population distribution, and could lead to some very bad electoral results.

Mr. Speaker, before getting too far into my thoughts on this matter and the specifics of why I question proportional representation, let me just observe that the bottom line to me on proportional representation is that it seems to be a concept that is promoted almost exclusively by political parties that have lost the election or failed to win an election regardless – and I will say “regardless” – of political ideology. I have had members from the left and the right – members of the Alliance, members of the federal PCs – promote to me proportional representation, and it seems to me it's promoted when people have not won an election or can't seem to win one. Thus, on the surface it appears to be just another attempt to change the definition, to deny the outcome of the reality of the democratic process. Thus, people really just seem to want to reverse the election results because they didn't get the results they wanted, blaming the system for their own inability to appeal to a successful number of voters and win the election.

Now, here, Mr. Speaker, are seven reasons why I suggest we do not support this bill. First, the current first-past-the-post method gives the best determination of a constituency's preferences. The system allows each constituency to vote directly for their own representative. Each vote is equal. The measurement is simple: the candidate with the most votes wins. This means the elected official that received the most votes from anyone else who ran wins the election. End of story. Alberta has a unique population distribution,

and our current voting method appreciates that. Alberta consists of booming, heavily populated urban business centres alongside rural areas with unscathed environment and a sparse population. It's important that all areas of Alberta are represented locally. Alberta's diversity requires local representation to voice their local issues.

Second, our current method allows voters to choose between people rather than just between parties. In addition, voters can assess the performance of individual candidates. Under the bill's proposed proportional representation, voters would only have a say on a general list of candidates represented by a party with exclusive emphasis on party platforms and no ability for people to vote on individuals who may have exceptional talent or abilities which are recognized in our current system. I think it's important, Mr. Speaker, that our current method allows for popular, independent candidates to be elected.

Third, our first-past-the-post method facilitates broadly based, inclusive political parties, whereas proportional representation discourages it. Allowing competition based on individuals specific to regions brings many different viewpoints together.

Fourth, our current method provides a clear choice for voters along a political spectrum. Currently, Mr. Speaker, political parties are encouraged to clearly outline their stance on certain issues.

Under the system we see parties necessarily gravitate towards the popular left/right scale. As such, political debate is clear and focused. Please note that fringe parties do have a chance to win just as many seats, but unless the minority party support is actually representative of a large percentage of the population, it's difficult for them to gain seats.

Fifth, the influx of fringe or one-party ideas that Bill 209 would usher in would lead to a dangerously unstable provincial government. Mr. Speaker, an unstable government would undermine the public's confidence in their government's ability, and that's key to Alberta's security and prosperity. As well, the flip side of an established governing party is that the opposition is also given enough seats to perform a critical checking role and present itself as a realistic alternative to the government of the day, but it doesn't get to become the pure obstructionist party that can stop any new legislation.

Sixth, in encouraging legislation . . .

THE SPEAKER: Hon. members, the House stands adjourned until 8 p.m.

[The Assembly adjourned at 5:30 p.m.]

Legislative Assembly of Alberta

Title: **Monday, December 2, 2002**

8:00 p.m.

Date: 02/12/02

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated.

head: **Motions Other than Government Motions**

Confined Feeding Operations

509. Mrs. Gordon moved:

Be it resolved that the Legislative Assembly urge the government to work with the Alberta Agricultural Research Institute in researching the use of cost-effective technology to assist farming operations in alleviating nuisance-causing odours from barns used in conjunction with confined feeding operations or other related farming practices.

[Debate adjourned November 25: Mr. Lougheed speaking]

THE ACTING SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Well, thank you very much, Mr. Speaker. It's a pleasure for me to rise this evening to speak in favour of Motion 509, the Alberta Agricultural Research Institute focus on alleviating farm odours, which was moved, by the way, by the Member for Lacombe-Stettler. Motion 509 encourages the government to focus funding and expertise through the Alberta Agricultural Research Institute to develop cost-effective technologies to eliminate excess waste odour from Alberta's livestock farms.

As Canadian farms increase in size and urban centres expand into previously rural areas, the need for livestock waste and odour management has increased. Confined feedlot operations, or CFOs as we've come to know them, have become a prosperous business in Alberta, and more applications are submitted and approved for these operations every year. These farms produce a large amount of livestock waste, some of which can be used by farms as fertilizer for feed crops and some of which may need to be transported to other farms if regulations do not permit a certain volume of waste to remain in one area. Mr. Speaker, the purpose of Motion 509 is to ensure that the Alberta government is actively seeking alternatives for waste management options and utilizing technology from around the world to enhance farming practices while protecting the quality of life in communities that surround these operations.

The Alberta Agricultural Research Institute is the primary agency in Alberta for funding, co-ordinating, and promoting strategic agriculture research initiatives and technology transfer in the agriculture and food sectors. AARI was established by the Alberta Science and Research Authority Act and funds numerous projects each year that play a significant role in advancing Alberta's position as a global player in the agriculture and food sectors. AARI's mission is to enhance the economic contributions of the Alberta agriculture and food industry through support for research and technology transfer with strategic emphasis on life sciences.

In November of 2001 the Alberta Agricultural Research Institute presented a workshop in co-operation with the Alberta livestock industry development fund and the Alberta crop development fund on manure. The Alberta research funders' manure research focus workshop gathered their expertise and knowledge on manure science, specifically focusing on three key issues of agronomics and manure management, odour, and treatment of manure. Agriculture research in Alberta has supported many research projects dedicated

to livestock waste management. However, with the growing numbers of large farms and CFOs Alberta may have to look at enhancing their efforts to find an efficient and effective method of controlling nuisance odours.

As Alberta's population grows and communities are expanding into rural areas, investment into methods of controlling livestock waste odour are necessary to ensure that private property values are not affected, that environmental integrity is preserved, and that the quality of life of all Albertans is maintained. I don't want to leave the impression, Mr. Speaker, that this is strictly an urban/rural issue. It's also a rural/rural issue involving intensive light agriculture, or CFOs, and residential homes regardless of whether they're country residential or extensive farming residential, meaning to say non-CFO residential.

As you know, CFOs are a very cost-effective, efficient method of livestock production. However, with that comes an array of other problems, not the least of which is nuisance odours, which is a very divisive issue in rural communities. In my previous life as a municipal councillor as well as in my current life as an MLA I can tell you that I have received hundreds of complaints concerning CFOs. Most common amongst those complaints is odours and how that affects the quality and enjoyment of life. Previous measures to address this issue by municipalities include mandatory direct injection of liquid manure, filling lagoons from the bottom, which doesn't disturb the surface and also limits odours. These were initiatives that were imposed upon the industry by municipalities, and they deserve credit for that. New guidelines developed by the NRCB, which is now responsible for permitting, should further help in alleviating odours and nuisances in that industry.

I should also point out, Mr. Speaker, that individual farmers should also receive credit for their innovation and research on their own farms for limiting nuisances generated by their own operations. The Member for Lacombe-Stettler acknowledges that because she lives in an area where there are many of them, as I do. Farmers that I've talked to in the central Alberta area are quick to embrace new technologies as they become available. Some of you may have heard of Olds College. [interjections] Everybody has heard of Olds College, and if you've heard of Olds College, you've heard of the research and innovative work they've done in composting as well as their digester, that they've had on campus right in the middle of town for many years, which digests the manure and turns the methane gas produced by that into electricity. The University of Alberta is also known for some research projects on composting as well.

The technology to assist farming operations in alleviating livestock manure odours is presently in development, and large-scale waste management operations are currently in use in many European jurisdictions. Since our climate and seasons are similar, there is a possibility that these technologies from European countries could be adapted to our needs as well. The process by which odour is alleviated can also add value to animal waste by-products. For example, composting not only alleviates livestock waste odour but results in a nutrient-rich soil which can be sold as fertilizer. If economically viable technologies are developed, that would allow farmers to harness the energy from livestock waste products and, as I stated before, possibly to be used as a source of power, which could be sold through the Alberta Power Pool.

Motion 509, in the alleviation of livestock odours, would make the presence of confined feeding operations more palatable to nearby towns and villages and to their neighbours in the country. This, in turn, may allow larger operations to exist closer to communities, providing for more efficient use of Alberta's nutrient-rich farmland.

Mr. Speaker, with that, I'd like to urge all my colleagues to vote in favour of this motion. Thank you.

THE ACTING SPEAKER: The hon. Member for Lacombe-Stettler to close debate.

MRS. GORDON: Thank you, Mr. Speaker. I just wish to thank all the members that have leaped to their feet tonight and last week as well to support this motion. I know that over the last week a number of my producers have actually phoned me and were well aware that this motion was before this Assembly, and they are very, very pleased that we are supporting their endeavours. We're all trying to work for the good of agriculture, the good of the product, and the good of the people.

With that, I would just encourage each and every one of you to vote yes in favour of Motion 509.

[Motion Other than Government Motion 509 carried]

Efficiency Targets for Measurable Outcomes and Goals

510. Mr. Cao moved:

Be it resolved that the Legislative Assembly urge the government to require that the measurable outcomes and goals for government departments and government-funded agencies include targets for improvements in efficiency in their measurable outcomes and goals to free up resources for all high-priority areas.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. It is my pleasure to rise this evening and begin debate on Motion 510, measurable outcomes for efficiency. The purpose of Motion 510 is to urge the government to strengthen its commitment to fiscal responsibility.

When this government was elected in 1993, it set out to change the way the government works in this province. The plan contained four basic commitments: to balance the budget, to create a climate for private-sector job growth, to eliminate waste in the public sector, and to listen to Albertans. The goal of this government was not just to reduce our spending but to restructure the government as a whole so that Albertans could receive essential services at an affordable price. The goal was to increase openness and accountability, eliminate waste and duplication, improve cost-effectiveness of programs, encourage innovation and creativity, and establish new partnerships.

Mr. Speaker, I believe that this government has stuck to that goal. I believe that it has come very close to achieving everything it has set out to accomplish. I believe that this government is moving this province towards a future that will be unsurpassed by any other in North America because it has kept its promises to Albertans. Motion 510 attempts to give this government an extra tool so that we can continue to keep our promise to Albertans, that promise being improved cost efficiency and effectiveness of government spending. This motion urges the government to develop better goals and stricter targets in their business plans so that we can better measure the improvement of various government departments. This is not to say that the system we have in place right now is inadequate. This is definitely not the case, but I believe we can never stop looking for improvement.

8:10

Mr. Speaker, this government needs to put more emphasis on effectiveness and accountability of business plans of the government-funded agencies, boards, and regional authorities. We need to look at the targets and standards these groups have developed and use them to improve the delivery of services at the highest level.

Allow me to give you an example of what I would like to see this motion achieve. The government could establish performance indicators to measure efficiency and effectiveness of programs. These indicators could be such things as improvement suggestions, the awareness of cost per unit of service, per activity, per unit of procurement, and so on. This could then create targets and indicators that would determine what resources could be better reallocated to other high-priority areas or used for new initiatives. This, in turn, would lead to the government being even more watchful of where and how the money is being spent.

Imagine that targets were developed and show how resources were being spent for a certain area in the initiatives. As part of the targets are met or found to be lacking, we could use this data to provide us with an idea of where the program is achieving its purposes and where it is not. If we see in one part that resources are more than what is needed, we know that we can take those extra resources and reallocate them to other sections where the resources are unsatisfactory. This way, through the measures we can tell where the program is operating properly or where it is not. It is important to note that government departments and agencies would have to continually examine their operation, including gathering input from the frontline staff, to improve cost efficiency. I believe this is the most important benefit of Motion 510. We as a government need to include the input of our frontline workers into the decision-making more often. They are the ones who understand the operations, and they can be used to better their work environment. Cost-cutting decisions seem to be made by bureaucrats who are frequently unfamiliar with what is being eliminated.

Mr. Speaker, continuous improvement is something this government strives for every single day. We look for opportunities to eliminate inefficiencies that hold us back. Motion 510 would ensure that all business plans, not just ministry business plans but all business plans of government-funded entities, include continuous improvement measures in their efficiency. Those which hinder this government's progress can be recognized, reorganized, and resolved at every level of government and bureaucracy. Newly developed measures would encourage all government departments and organizations to work together with administration managers and frontline staff to solve inefficiencies, to look within their own operation to create more co-operative interdepartmental programs.

Mr. Speaker, co-operation is a key in this motion. This is not something that is foreign to government. For instance, our government departments worked together in creation of the Alberta Corporate Service Centre. ACSC improved government's efficiency and the cost-effectiveness of administrative services through a shared service model. The ACSC is committed to providing high-quality services in a cost-effective manner through innovation and the best use of resources. This source of ingenuity is what all government departments, agencies, authorities, and boards must show. If we could have all levels of government co-operate better in the development of targets and goals, I feel that we would be better able to cut off the fat that naturally occurs when you do business.

Motion 510 is designed to improve the way the government works in this province. It gives the government and all agencies an opportunity to re-examine their priorities, performance measures, and goals to determine more cost-efficient procedures. In the process of government evolving to better serving Alberta, I think that Motion 510 is the next step to help this government continue the progress forward.

Mr. Speaker, Motion 510 recognizes the fact that whatever gets measured gets done. This is very important. When a department or organization sticks to its performance measures, efficiency will be accomplished. We should not have business plans that provide us

with performance measures and targets that change from year to year. We need to develop targets that will improve our efficiency and that can be measured from year to year. Being efficient, effective, and economical is what this motion is all about. I believe that this motion gives government an opportunity to be a model in other publicly funded organizations. It gives the government of Alberta another great opportunity to lead the rest of the country toward a greater government.

The last benefit of Motion 510 is that it would promote greater program transparency and departmental accountability through increased monitoring. With better performance measures, targets, and goals Albertans will have increased knowledge of what departments and programs accomplish and how resources are allocated to priority areas. The more Albertans know about the government and its operations, the better able the government of Alberta can be.

Mr. Speaker, I believe that Motion 510 will benefit all the people in this province and will definitely benefit this government and its operation. The focus of this motion is triple E, like my hon. colleagues just said. Its aim is simply to drive at continuous improvement to be effective, efficient, and economical in deploying public taxpayers' dollars. I urge all members of the Assembly to consider the benefit of this motion, and I urge you to vote for it favourably.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It's a pleasure, again, to participate in the debate this evening on the motion as presented by the hon. Member for Calgary-Fort, the government targets for improvements in efficiency, Motion 510.

The hon. member mentioned the Auditor General's report, and I will get to that in my remarks in a minute or two, but certainly Alberta was the first provincial government in Canada to adopt performance measures. Alberta began publishing performance measures six years ago, and that's about the time I was elected. It amazes me that this is a government that removes performance measures whenever it doesn't suit their purpose. You see the budget tabled every winter. You're looking to examine one performance measure and how it might relate to a previous one, and sometimes it can be very difficult, Mr. Speaker, because, well, the one previous was simply removed.

But the performance measures in Alberta, I believe, are based on three principles: firstly, to measure the right stuff; secondly, to find the most accurate measures and use them consistently; and, finally, to report the results. Performance measures can certainly be used by a department in a variety of ways, including to track trends, finding the results of programs and services over the long term, measuring progress, developing goals, and evaluating performance.

8:20

Since the implementation of the performance measures in Alberta the Auditor General has been very critical of the province's implementation plan. The Auditor General's criticisms centre around three main points. Firstly, most departments do not use the same performance measure from year to year, making it difficult, as I said before, to measure progress. Secondly, some departments have developed performance measures where the measured results are unverifiable, making the true measure of progress next to impossible. Thirdly, the performance some departments or portfolios have established is not directly relevant to the goals of the department or the specific portfolio.

Now, the wording of this motion suffers, in my view, from a certain lack of clarity. It can be taken in a number of different ways, Mr. Speaker. Firstly, it can be taken to mean that when performance measures are not met, departments must set efficiency targets to establish when and how they're going to meet performance measures. Secondly, this motion can also be interpreted to mean that efficiency targets should be established to allow for the reallocation of resources. An efficiency target would likely measure how successful a given department is in producing the desired result with the minimum wasted effort.

In principle efficiency targets could serve as an effective performance measure. However, there are several cautions that must be taken into consideration when considering efficiency targets. Firstly, efficiency targets are more practical for some departments than for others. The Executive Council is not an example of a department that could and probably should strive for efficiency. The hon. Member for Edmonton-Riverview may take a different view on that, but it's hard to say. Certainly, the Executive Council could strive to find ways to complete the same task using fewer resources than they are now. However, for the department of health the same principles may not apply. Striving for efficiency may have detrimental effects on other, more important goals like quality of service. For example, reducing the number of health authorities may be more efficient, but it may also decrease access to health services for rural Albertans.

Now, secondly, Mr. Speaker, efficiency targets are only valid performance measures for a finite period of time. There will come a time for every department when maximum efficiency has been reached. At this time striving for further improvements in energy efficiency will come at a cost of other goals a department may have.

Thirdly, in general efficiency measures are not good for the social services. The nature of social services often means that efficiency would be sacrificed to meet some other, more important goals. Perhaps the best example of this occurs in the Department of Learning. Efficiency targets, if defined as the ration of useful work to total energy input, would support the use of larger classes. However, small class sizes, although less efficient to some, are preferable because they afford a higher quality of education for the students.

This motion indicates that the funds that become available through efficiency savings should go towards priority areas. The wording implies that the author of the motion has taken the fact that the efficiency targets are suitable in all areas. Instead, efficiency targets can be seen as a way to reallocate resources according to priorities.

There are areas in all departments that are suitable for efficiency targets. For example, travel costs, ministry size, salaries, office supply costs, and communication costs are all areas that could stand to benefit from efficiency targets. For instance, last week in the Department of Energy, which was before the Public Accounts Committee, there was a substantial increase in the communications budget. I recall, without having the advantage of having the annual report from the Department of Energy here before me, that the communications budget had doubled. It was like the electricity bills of Albertans. It had increased a great deal, but to what purpose? Obviously, I think the communications budget of that department was overspent trying to do some damage control on those spectacularly high electricity bills because of the failure of electricity deregulation. That would be one example of a suitable efficiency target, certainly, for communications costs.

Now, Mr. Speaker, efficiency can't be the only criteria that this government measures their success against. The government's overarching goal is to provide services and programs for Albertans that meet the needs of Albertans. While Albertans are concerned about the amount of taxes that they have to pay, Albertans are

arguably more concerned about emergency room waiting times, and certainly there's a lot of work to be done there to provide public health care to Albertans.

Now, in the government's 2001-2002 annual report in the Measuring Up section one out of 19 performance measures deals with efficiency. The performance measure in question is number 11, and it states: "Albertans will have effective and efficient infrastructure." It is measured by infrastructure capacity, and over the past year the target was achieved. Now, how could we work with this motion? When used appropriately, efficiency targets as performance measures could help to significantly improve this government's performance. Efficiency targets, if used properly, could reallocate resources so that priority areas like education, health, and Children's Services had access to more funding.

This government currently employs a number of performance measures that measure things that are not a direct result of the government's actions. For example, agriculture output is a result of the weather more so than anything the department of agriculture can do. Therefore, the government must ensure that the efficiency targets it implements measure things that the department actually does.

Efficiency targets would be a valuable contribution to the performance measures of this government as they would help to improve the value of the services and programs this government provides. Albertans will undoubtedly be happy if their taxes are lower and they can receive quality health care programs. I would also like to add the word "public" to that phrase: if their taxes are lower and they can receive quality public health care programs.

Finally, Mr. Speaker, if the motion can be interpreted to mean the efficiency targets should be applied to help government meet their performance measures, this is a positive. This government is notorious for not meeting its performance measures, and anything that can be done to help this government . . . [Mr. MacDonald's speaking time expired]

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Speaker. I'm delighted to have this opportunity today to join the debate on Motion 510, which urges the government to require and review benchmarking and best practices performance measures in government departments and government funded agencies in order to find efficiencies which might free up resources for other high priority areas.

Mr. Speaker, when this government was first elected nearly 10 years ago, it had a four-prong plan to guide it through those first few years. Among those four prongs was the commitment to eliminate waste in the public sector, and part of the government's approach to accomplish this goal was the establishment of a wide range of performance measures. Having performance measures in place has many benefits. You establish benchmarks and targets as a departmental goal, targets that must be reached in order to establish minimum levels of acceptable performance. Additionally, you give your customers, in this case Alberta citizens, valuable insight on how the government is doing its job and how well it is managing taxpayers' money, especially as compared to other jurisdictions and/or past trends.

Now, Mr. Speaker, I'd also like to take the opportunity to speak for a few moments about the importance of vision in all of this. The overall objective of this government when it was first elected in '93 was to restructure government in order that Albertans could receive services of the highest quality at the lowest cost. Such long-range planning requires vision. Having vision doesn't have to mean some mystic talent or lofty, nearly unattainable goals. To the contrary,

having vision is simply a matter of being able to think on several levels at the same time and being able to foresee the consequences of one's actions before they become reality.

8:30

One way to think about vision, then, is that it is the difference between doing things right and doing the right things. Doing things right refers to the process, focusing on the right process as opposed to the outcome, and is a common mistake of many bureaucratic organizations that get stuck in a rut of doing things the way they have always been done, just trying to do them slightly better each year. Doing the right things, on the other hand, refers to getting the desired results, period, even if you end up getting there in a very inefficient manner or in a new way.

Now, since doing the right thing sometimes involves not following an old process, perhaps because it isn't working anymore, of necessity it involves innovation, which often causes or results in inefficiency. We've all heard about necessity being the mother of invention. At the very least, doing the right thing is often viewed as an incorrect process. Efficiency and effectiveness, in fact, are two very different and maybe even opposite or at least competing goals and, unfortunately, are often confused as being the same thing when it comes to designing benchmarks and performance measurement. But these two concepts do not have to be mutually exclusive. I believe, in fact, it's possible to do the right things the right way, but you do have to have exceptional planning and you have to have good vision.

The challenge for any organization, then, is to be both efficient and effective at the same time. So how do we know when we are doing both? Well, what the hon. Member for Calgary-Fort is proposing in his motion, Mr. Speaker, is a review of our current set of standards to see if they meet this test and potentially setting a new set of standards for the government on how best to spend its resources, meaning the taxpayers' money.

The hon. Member for Calgary-Fort has proposed a very important initiative which I strongly support. However, I would like to take this opportunity to suggest we even take it one step further. Using the hon. member's initiative as a stepping stone, I propose that we strive provincially for independent ISO 14000 certification, the world's premier benchmark business process system. What, you might ask, is ISO 14000 certification? Allow me a few moments to broadly outline what this new-style benchmark is all about.

Mr. Speaker, the ISO 14000 series is a project of the International Standards Organization, building on work that was actually a Canadian invention started some 50 years ago. In Canada many of us are familiar with the benefits of knowing that our electrical devices are all CSA approved, meaning that as long as they are CSA approved, we don't have to carefully inspect every single electrical device for faults or have buyer-beware policies in terms of safety and quality. Also, if they are CSA approved, we know that they are standardized across the country and will work wherever we travel in Canada.

Well, Europeans have taken the standardization idea of ours considerably further. They took this great idea of developing recognized and accepted standards of quality and consistency and started applying it to entire business organizations and the output of their product and services. This is now the number one most recognized benchmark in the world, the ISO 9000 series of certification, which tells customers what they can expect from that company and what they will get every single time with absolute consistency. It also gives the company a business process road map to follow to ensure that they can actually deliver every single time the level of quality and consistency they said they would deliver.

ISO 14000 adds to the business process for engineering standards of ISO 9000 by adding the world's premier environmental management system into the mix. In other words, not only are we consistently the best in our delivery of products and services, but at the same time we are creating those products and services in the most technologically advanced, environmentally friendly manner known. ISO 14000, then, is a very dynamic road map for benchmarking and re-engineering your business processes to create efficiency and effectiveness, to be able to walk the talk and to be able to prove it as well as continually improve it. That is why I would hope that we as a government would consider adopting this standard as one of our main benchmarks for each department.

Mr. Speaker, we encounter standards each and every day as we go through life. For example, all fire hydrants in North America have the same size of outlets and hose fittings as a result of a complicated set of fire prevention standards. More recently Canada and the United States have begun talks on how to unify customs procedures in order to facilitate the movement of people, goods, and services between our two countries. The word that's commonly used to describe the desired outcome of these talks is harmonization of customs procedures, but it would be equally appropriate to say that what is being advocated is the standardization of Canadian and U.S. customs regulations.

Standards, Mr. Speaker, are closely associated with trade. Agreements on formal standardization are making life much easier for buyers and sellers of goods and services around the world. Market pressures are calling for a better understanding of the environmental costs and benefits of products and services. Environmental credibility, in other words, is becoming a factor in national and international competitiveness. More and more people are factoring in environmental credibility in their purchases. They do this because the environment is quickly becoming as important a concern to consumers as more traditional concerns like price, durability, quality, and serviceability.

Implementation of the ISO 14000 series and our attendant certification could help us increase our Alberta competitiveness through measurement and innovation, leading to increased profit, more efficient processes, reduced costs, and a more credible image worldwide. Seeking ISO 14000 certification is becoming more and more commonplace in the private sector. Here at home, Shell Canada became the first major integrated oil and gas company in Canada to achieve ISO 14001 registration for all its key operating facilities. They did that in October 2001, and it's one of the main reasons they're actually ahead of the Kyoto curve. Why did Shell Canada take this step? Because doing so was consistent with their commitment to integrate economic, environmental, and social dimensions into everyday business conduct.

We have other examples. The first municipality in the world to achieve ISO 9000 certification was actually Canadian: St. Augustine, Quebec. It not only recovered all costs within two years from identified savings through this process; it saw citizen approval ratings soar to over 90 percent and saw a nearly 50 percent reduction in customer complaints. Similarly, the city of Calgary is now, among only a handful of cities in the world, working towards this same goal. As a Calgary alderman I am proud to have brought the motion to have Calgary embark upon this major process to strive for ISO 14000 certification across all city departments. I'm pleased to be able to report that now in its fourth year the city is achieving great success in this undertaking and hopes to have all 10 major operating departments, all policy and administrative business units, and the overall corporation registered to the ISO 14001 standard by August of 2003. In doing this, Calgary is the first major municipality of its size in Canada and, again, one of only a handful of cities in the

entire world to implement this internationally recognized benchmark standard, which is rapidly becoming a prerequisite for doing business internationally.

Mr. Speaker, our government has always stressed that it is open to new and innovative ideas with regard to development and programs. I think that Motion 510 makes an already existing practice even better by encouraging the government to look even more diligently for ways to control and reduce spending. By implementing the ideas outlined in Motion 510, this government would become a model for other publicly funded organizations to institute performance measures to improve their cost efficiency and effectiveness. As I have suggested, it would enable us to lay the groundwork for ISO 14000.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make just a few comments about Motion 510. I think the previous speaker made an important point when he pointed out that there's a vast difference between effectiveness and efficiency and that the values that are supported by effectiveness versus those that are supported by efficiency can be dramatically different. I think you can use some examples that come readily to mind. For instance, if you value efficiency, then it may lead you to support top-down management. Certainly, if you want things done quickly, in a hurry, and what some would call efficiently, then you'd organize the management teams into a top-down configuration, and that is one way of gaining efficiency. But if you value human input and if you value a team effort and if you value the individuals in an organization, then effectiveness may predominate, and it leads you to quite a different style of management decision-making. So I think, as the previous speaker pointed out, it's important to examine the underlying values and not to take efficiency and effectiveness as part and parcel of the same concept.

8:40

I'd like to leave efficiency and effectiveness aside for the moment because as I have read the Auditor General's reports over the last number of years, and as I listen to the public, it seems to me that what is missing and what is badly needed much more than a consideration of effectiveness and efficiency is a consideration of validity. How can we make an effort to assure the public that what is being measured, the targets that are set, are really valid targets?

The business plans of the government are filled with measures, many of them quite meaningless. In Learning, for instance, if you ask any number of adults if they're satisfied with their local school, you can be guaranteed that you'll get 90 percent plus support for the local school in that kind of a general question. If you change the question, for instance, and start asking about some specifics – "Are you satisfied with class sizes in your local school?" – then the responses change quite dramatically and you don't get that overwhelming support. If you were to go further and to ask them, "Are you satisfied with the resource allocations for textbooks and for computers?" you would get, again, quite a different response than the 90 percent plus support for the local school. If we were to start asking university students if tuition rates were within their means to pay, we would again get a different view of the government's programs and business plans than what we are presented with each budget time, Mr. Speaker.

I think that efficiency and effectiveness are valid concerns, but getting to the core of the matter, I think you have to start and look at

validity. Are we measuring the things that we should be measuring in terms of their meaningfulness to citizens?

Thanks very much.

THE ACTING SPEAKER: The hon. Member for Calgary-Shaw.

MRS. ADY: Thank you, Mr. Speaker. I am pleased to join the debate on Motion 510. I'd like to begin this evening by thanking the hon. Member for Calgary-Fort for bringing forward this motion and for his continued efforts to strengthen the government's commitment to fiscal responsibility. The purpose of Motion 510 is to strengthen the government's commitment to fiscal responsibility by encouraging the development of performance indicators, targets, and goals that measure continuous improvement in the business plan of departments, publicly funded government agencies, boards, and regional authorities.

Mr. Speaker, I fully support Motion 510, and I believe it will add to Alberta's position as the country's leading fiscally responsible government. Since 1993 Alberta has changed the way the government does business in the province. Many are aware of the fiscal wonders that this government has performed over the last decade. Alberta is well known throughout Canada for balancing its budget and creating a business friendly environment which has made this province the fastest growing economy in the country, and I think most of them are moving into my constituency.

The other side of this revolution that may not be as well known is the restructuring of the public sector. Trimming the fat off the bulky bureaucracy was the first order of business. The second order of business, and equally important, was creating a more effective, efficient, and responsible public sector. The introduction of the Government Accountability Act in 1995 was a key factor in reforming the public sector. The act called for consolidated fiscal plans that included targets for each subsequent fiscal year, consolidated business plans that included core business goals, measures, and targets, consolidated annual reports detailing results achieved, and quarterly reports on government's fiscal plan.

The Government Accountability Act also gave ministries a vehicle to be accountable for their budget and program choices. This was necessary as the new way of doing government business shifted significant control and responsibility from central agencies and Treasury Board to ministers and their executives. The Government Accountability Act has had a very positive impact on public-sector reform. However, Mr. Speaker, it is time to take government accountability to the next progressive level.

Motion 510 has two components. One component is the development of tracking and reporting systems to assist decision-makers in the reallocation of resources. The second component is the development of systems that track and report on the efficiency of government processes. These two aspects will infuse accountability into the everyday activities of government departments, publicly funded government agencies, boards, and regional authorities.

Mr. Speaker, I would like to talk about the meaning of accountability and how it's related to government. In its simplest terms accountability is reporting. The basic ingredients of accountability are as follows: set measurable goals and responsibilities, plan what needs to be done to achieve goals, do the work and monitor progress, report on results, evaluate results, and provide feedback including target improvements. If all government-funded agencies and boards had to follow these guidelines and provide performance indicators to measure efficiencies and effectiveness of programs, for example, they could provide improvement suggestions or the cost of services provided per activity and per unit of procurement. Government transparency would be greatly increased. This newfound transpar-

ency would breed opportunity. Government agencies, departments, and boards would know exactly what they're spending their money on. They would know where to reallocate money within their departments and what programs were most cost-effective.

An example of this increased accountability that would be a result of Motion 510 is in the area of, say, regional authorities. The child and family services authorities, or the CFSAs, for example, could break down their spending to cost per unit of service and then develop targets and indicators that would determine what resources could be better diverted to other high-priority areas or used for new initiatives. This would lead to greater self-awareness of government agencies, which in turn leads to government being even more accountable to the public that it serves.

Through Motion 510 the government would increase our already stellar efficiency and transparency, which is the mandate of more government accountability that Albertans have given us. Government accountability and fiscal responsibility are top priorities of this government, and our track record in this area is excellent. Many provinces have followed our lead as they have restructured. Motion 510 is another tool to keep Alberta as a leader in responsibility and accountable government.

I strongly support Motion 510 and hope that my colleagues in the Legislature will also vote for this progressive addition to our commitment of government accountability in this great province. Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. Good evening. I appreciate the opportunity to speak to Motion 510, measurable outcomes for efficiency. I would like to talk briefly about the merits of the motion before we call for the question at 8:58 p.m.

Mr. Speaker, since 1993 this government has committed itself to becoming more efficient. This has been done fiscally by reducing Alberta's debt and bureaucratically by increasing accountability. Motion 510 aims to encourage efficiencies across all government agencies, boards, and authorities through performance indicators, targets, and goals. In doing so, Motion 510 would free up resources for higher priority areas. Continual improvement like that proposed by Motion 510 is at the core of this government's success.

Of course, Mr. Speaker, our government does currently employ performance targeting in its operations and public documents. In fact, in 1995 the government introduced Measuring Performance, a set of performance measures and targets aimed at accurately evaluating government programs. This commitment to openness is reflected in the Government Accountability Act. Motion 510 would build on this commitment by requiring that targets for continuous improvements and efficiency be included in measurable outcome goals across Alberta's public sector. It's important to note that performance measurement has become a widely used management tool in both the public and private sectors. In the public sector, Mr. Speaker, governments have created various methods of gauging the performance of their programs and services.

One of the first major policy shifts relating to improved public efficiency came in 1949, when the United States Hoover commission recommended performance budgeting. The commission recommended the allocation of budget resources according to the direct outputs or activities of government. That commission represents one of the first high-level government efforts to improve the efficiency and effectiveness of government.

8:50

In private industry performance measurement has become a finely

tuned science responsible for some of the most important technological advancements in the past 50 years. Over time, Mr. Speaker, government has adopted certain practices from the private sector, including benchmarking and continual improvement. I strongly believe that including specific targets for efficiency to our government's measurable outcomes will be a very beneficial next step.

I'd like to take a few minutes, Mr. Speaker, to talk about some of the specific benefits of Motion 510. First and most important, it's hoped that efficiency targets will improve public services. They will help strategic planning and goal setting throughout the entire public sector. An important part of increasing efficiency is improving the ability to detect and correct problems in policies, processes, or methods. An effective government, one that is doing its job, must recognize that problems exist and work towards addressing them. Motion 510 does just that. Further, enhanced performance measures across government departments and agencies can be valuable in a quality control sense. Ongoing monitoring is the only way to ensure that services are being provided to the public's expectations.

Second, performance measures provide a tool for government to communicate and drive forward their agenda. For instance, Mr. Speaker, performance measures require departments to consider their own objectives in light of the government-stated priorities. Further, if funding distribution is considered next to efficiency targets, then spending inefficiencies could be caught. Once changes are made, this would free up resources for higher priority areas like roads and schools.

Third, extending targets for efficiency to performance measures will lead to better government decision-making and less waste. The people of Drayton Valley-Calmar hate waste, Mr. Speaker. [some applause] Thank you. The key to making good decisions is having good information. Consistent, widespread measurable outcomes would provide elected officials and managers with an important source of useful information. Subsequently, Motion 510's recommendations would all help identify effective working practices across all government departments and agencies. Client-focused measures would help departments to improve responsiveness to their clients – that is, the public – and specific interdepartmental measures would help ensure that departments and agencies are co-operatively moving forward in line with their priorities.

Fourth, Mr. Speaker, performance measures and efficiency targets can also be a useful motivator for employees. If used correctly, performance targets can link the individual employee with government's broader goals. Having everyone working towards the same end and motivated to reach the same expressed targets could increase job productivity and satisfaction dramatically. Just think about it. How important is it to know how your specific job fits into the overall government business plan and how exactly your job is measuring up in a very specific way? On the whole, though, it is important that our performance measurement is fair, consistent, and clear, as the hon. members across the way have noted. This will ensure that the information taken from it is valid, reliable, and usable.

Fifth and similarly, tracking and clearly communicating government's performance will lead to increased public accountability. Voters demand the highest level of public services and expect that their tax dollars are used wisely in providing those services. As a result, Mr. Speaker, government has an important responsibility to ensure that programs are meeting their objectives in a cost-effective manner. Measuring program efficiency in the way Motion 510 recommends can play an important role in judging cost-effectiveness. Improved public confidence would follow as a result of demonstrating bureaucratic efficiencies and accomplishments.

Mr. Speaker, financial accountability is just as important to

Albertans as public accountability. A government is financially accountable only when it demonstrates what the public is getting from the use of tax dollars in terms of products and services, how these expenditures benefit their lives, and how efficiently and effectively the funds are used. This type of accountability holds the government responsible not only for its actions but also for the results of its actions.

A sixth benefit of Motion 510, Mr. Speaker, is that performance measures allow citizens to more easily understand and monitor how their tax dollars are being spent. Citizens can also assess the quality and timeliness of the services being provided by government. Performance measurements focus on the result or outcome of government operations and not solely on how results are attained. This system takes a customer-oriented approach by emphasizing the impact government services has on citizens and by fostering increased public awareness and involvement. From this, Motion 510 could encourage increased public participation in the political process. Clear reporting of performance measures could stimulate the public to take a greater interest in how well the government is working. By opening up government in this way, individuals become more able to examine their government's performance and then more prepared to hold their government to account by getting involved. This is crucial. In this way, reporting of extensive performance measures represents another opportunity for valuable communication with the public.

In conclusion, Mr. Speaker, an improved system of continuous performance measurement would cause the government to reassess how it operates in light of its priorities and on the basis of objective information. The evaluation of public performance today goes beyond simply examining the dollar value of the costs and benefits of government programs. Valuable performance measurement cuts to the core of public confidence in their elected officials. In the words of John F. Kennedy, "The basis of effective government is public confidence." My hon. colleague from Calgary-Fort, who sits beside me in this Assembly, always talks about the three Es: efficient, effective, and economical. This motion supports and promotes these important concepts, and for these important reasons I urge my colleagues to support Motion 510.

Thank you.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort to close debate.

MR. CAO: I'll call for the question to close the debate.

[Motion Other than Government Motion 510 carried]

head: **Government Bills and Orders**
Second Reading

Bill 38
Miscellaneous Statutes Amendment Act, 2002 (No. 2)

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's my pleasure tonight on behalf of the hon. Minister of Justice and Attorney General to move Bill 38 at second reading, that being the Miscellaneous Statutes Amendment Act, 2002 (No. 2).

THE ACTING SPEAKER: The hon. Deputy Government House Leader to close debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to all members of the House for their unanimous co-operation.

[Motion carried; Bill 38 read a second time]

Bill 37

Occupational Health and Safety Amendment Act, 2002

[Adjourned debate November 28: Ms Carlson]

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar to close debate.

REV. ABBOTT: Thank you, Mr. Speaker. Just to close debate, I'd like to say that I'm looking forward to debating this in Committee of the Whole and at that time will answer any questions that came out of the speeches.

[Motion carried; Bill 37 read a second time]

9:00

head: **Government Bills and Orders
Committee of the Whole**

[Mr. Shariff in the chair]

THE DEPUTY CHAIR: We'll call the committee to order.

Bill 35

Teachers' Pension Plans Amendment Act, 2002

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. We're pleased to support Bill 35, and in keeping with our commitment to pass it through the Legislature as quickly as possible, we'll have no further comment at committee stage.

Thank you.

[The clauses of Bill 35 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 38

Miscellaneous Statutes Amendment Act, 2002 (No. 2)

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

[The clauses of Bill 38 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 33

North Red Deer Water Authorization Act

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

[The clauses of Bill 33 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 34

**Seniors Advisory Council for Alberta
Amendment Act, 2002**

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill?

[The clauses of Bill 34 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

Bill 31

Security Management Statutes Amendment Act, 2002

THE DEPUTY CHAIR: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I rise today to express great ambivalence about this bill. I find it somewhat ironic, I guess, that – well, it's not ironic at all, in fact. I'm standing here expressing my great concern about big government getting bigger and more intrusive and more powerful in the face of a government that is claiming to favour small government. While I understand the general rationale for strengthening our security management statutes, I nonetheless feel that we need to exercise great caution in our society as we give government more and more power to legislate and in many cases under this bill to regulate aspects of people's lives and to intrude further into people's lives. The effect of this bill I think is to substantially increase the powers of government to do exactly that, and it makes me uneasy. If I was confident that this was the end of the line in this trend, I wouldn't be nearly so concerned, but I am not confident of that at all. I think this may well be just one in a very large number of steps we see in the future that increase the power of government to do all kinds of things under all kinds of circumstances.

We are seeing this played out right now in the United States, where there is a move towards total information access, I think is what they're calling it, TIA, where individuals will have all kinds of personal information collected and compiled on them and provided to government officials. That really worries me greatly. I'm not sure how a free and civil society can continue to function if we go too far down that road.

I could go on in detail on that. I don't want to wander too widely away from the specifics of this statute, but I do want to express my very great caution that we need to keep the abilities of government to intrude into people's lives to a bare minimum. I do worry when I watch this government and listen to some of the discussions, for example, on health information or on emergency measures or on other aspects of government activity that they are not respecting people's rights to privacy.

One of the insidious effects of this, actually, is to affect the way that people think about themselves. I think that we can all identify with the sense we have when we're under observation. If we're in front of a crowd of people or if we're under the watchful eye of a camera, we end up modifying our own behaviour to suit the expectations of whoever is behind the camera or whoever is in the crowd. There's a sort of subtle censorship and a subtle shift in self-identity that's occurring there, and I'm concerned that we force people into narrower and narrower patterns of behaviour and in the process restrict their freedoms by observing them too closely.

So I think that we need to keep surveillance to a minimum. We need to keep the powers of the government to intrude into people's individual lives to a minimum, and I'm concerned that what we're seeing here in Bill 31 may only be, as I said earlier, the first step into a much larger intrusion into people's privacy. To the extent that Bill 31 complements the federal legislation, which is heading even further in the same direction, I am concerned about that as well. In fact, in many ways I think the federal legislation is more worrisome than what we're seeing here.

9:10

With those very general comments I will watch and listen to see where further debate goes and to see if any members on the government side express any similar concerns.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Chairman. Bill 31, the Security Management Statutes Amendment Act, 2002, is a very important bill because it modifies our freedoms as citizens. I think that in the aftermath of September 11 we have become inoculated, if you will, to changes in our freedoms, and I think it's with alarm that a number of Americans are reflecting on those changes and asking the question: what is happening to basic freedoms? In the attempt to strike some balance between the ability of the government to deal with terrorists and an attempt to maintain individual freedoms, it seems that the individual freedoms, individual liberties are being sacrificed, or at least it seems that way to many commentators south of the border, and Bill 31 raises the same issue for those of us in this province.

One of the concerns, of course, with Bill 31 is that it leaves a great deal up to regulation and to subordinate legislation, and when privacy is a concern I think that that's unfortunate. How can we be assured that the regulations are measured, that the regulations are appropriate, and that those regulations don't unnecessarily intrude into the lives of Albertans? I think the lack of assurance that that's going to happen is what worries many of us who examine Bill 31.

I think that at least for me the most contentious parts of the bill are those sections dealing with freedom of information. It's in this part of the act that citizens are denied access to information, and it's done in a way that would seem I suppose acceptable to some, but I think it's very, very questionable. If you read the present clause, it says, "The head of a public body may refuse to disclose information to an

applicant if the disclosure could reasonably be expected to . . ." and then there's already a list of three items. Then added to it is striking out (b), "or harm the detection, prevention or suppression of espionage, sabotage or terrorism." Then the next section it has added: "disclose activities suspected of constituting threats to the security of Canada within the meaning of the Canadian Security Intelligence Service Act (Canada)." The question is: how is it determined that a terrorist threat is present? I think that is a crucial question that has to be asked when we look at this particular section of the bill, and it's one that causes great concern.

The sharing of information with other authorities is another concern with the bill, and particularly

A minister may share with

- (a) the government of a foreign jurisdiction, the Government of Canada or the government of any province or territory, or a department, agency, board or commission of such a government.

Those are broad, sweeping powers for a minister to take private information that they may have about Canadians and their lives, Albertans in particular, and then to share that with any agency.

I guess that the most distressing part is section (c) of 9.1(1), and that's that they may share that information with "a police service in or outside Canada." That is a rather huge responsibility to hand to a minister in terms of private information about the lives of Canadians. You can think of all kinds of scenarios – and it makes you shudder – where private information is shared with some police forces in the world regardless of a reason for doing so.

The section of the bill that attempts to counter those concerns is subsection (3). It says: ". . . may use the information only for the purposes for which it was provided and may not release any of that information without the consent of the appropriate Minister." Again, the question is raised: how do you ensure that? Once you start sharing information with other police forces, with departments elsewhere, how do you ever in the world track it and make sure that the information is adequately protected and only used for the purposes for which it was originally intended and given to another agency?

I'd just like to conclude with one final concern, and that's section 66.1. That starts off with, "No action for damages may be commenced against . . ." and then it's got a whole list of people, individuals, starting with the minister and ending with "a teacher, a person in charge of an institution or a medical director of a facility." You can't commence action against them "for anything done or not done by that person in good faith while carrying out duties or exercising powers under this or any other enactment." Mr. Chairman, I think that relieves those agents of a great deal of responsibility and might cause them to act in a less careful manner than if they could be held accountable for their actions. So I think it's an unfortunate piece of legislation. I understand why it's there, but again I think it's unnecessary.

So there are a number of aspects of the bill that are questionable. I think that when we look at the danger of government officials overstepping or taking unnecessary action or reacting in an inappropriate manner to threats or supposed threats, the possibilities that Bill 31 allows, I think, are unfortunate.

I guess the other thing is that there's no assurance that should this bill pass, it's going to be the kind of tool that's useful in ferreting out terrorists or terrorist organizations here or abroad. There was no assurance given at the introduction of the bill that that would happen. So the burden to prove that the bill will do what is intended I think rests on the government and rested there when it was introduced. Like much of the American legislation at the present time, again, there's no proof that many of the new powers do

anything to increase safety. It may give a feeling of increased safety to some, but for anyone serious about individual freedoms and the erosion of those freedoms, for anyone really concerned about their privacy, I think Bill 31 could be an alarming piece of legislation, and actually the measures in the bill may be more of a threat to citizens than any external threat to our country.

So with those concerns and reservations I'd conclude, Mr. Chairman.

9:20

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. I, too, have reservations about this legislation. Earlier, in second reading, I expressed concern and caution about when this act will be reviewed, and I have not received a satisfactory answer. That's one reason why I cannot support this legislation. Again, is there a sunset clause because of, in my view, the broad, sweeping powers that this legislation is going to have?

Certainly in light of what has occurred internationally, security measures have to be increased, but there are far too many unanswered questions in regard to this bill for me to endorse it or to support it. When we look at the federal legislation and the outcry that there was from Canadians in regard to Bill C-17 – I think it's the Public Safety Act – there's authorization for not only the RCMP but CSIS to collect passenger information from all domestic and international flights and to keep it for at least seven days. Now, one would think that it is reasonable to use such files to detect the movement of suspected terrorists, but at the same time the review of that legislation and the manner and the time in which it is going to be reviewed are still up in the air. It's still to be questioned. The same applies here with Bill 31, the Security Management Statutes Amendment Act, and until those questions are adequately dealt with in debate in this Assembly, I will not support this legislation.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I have raised a number of concerns at second reading with this bill, and I'd like to elaborate a little bit on them now.

One of the concerns, I think, that is the strongest that I have deals with the ability of ministers to provide information to a wide range of foreign governments, foreign police agencies, and so on and to do so without any reference points. There is no requirement in this legislation to have a minister ensure that information that is provided is, in fact, appropriate and that the minister is providing information to appropriate bodies. There's no requirement, for example, that the Minister of Infrastructure is providing information to agencies on the same basis as the Minister of Children's Services or the minister of sustainable resources or the Minister of Gaming. The Minister of Justice may provide information on a different basis and to different agencies who may not be working to common purposes, and the Solicitor General may be providing information to an entirely different set of agencies and so on. The question of whether or not individual ministers on their own initiative ought to be making decisions about providing information related to so-called terrorist activity without any guidance is a great concern, Mr. Chairman.

So the bill is very loose. It defines terrorist activity in reference to the Criminal Code of Canada, and that's fine, but it doesn't define, for example, which foreign jurisdictions information can be shared with. Does that mean that a minister could, for example, share information with the government of Iraq if the government of

Iraq claimed to be chasing terrorists and that they'd operated, for example, for a period of time within Alberta and, therefore, there was information relevant and a particular minister all on their own could make decisions with respect to what information could be provided to that government? Another minister, for example, could be providing information to the government of Israel or to police agencies of Israel about their concern about terrorist activities.

Now, I happened to hear on the radio this evening an interview with someone from the Civil Liberties Association operating out of London, and this person was responsible for the file on Iraq. She indicated that their information had been taken and had been used by the British government and the American government in order to make a propaganda case against Iraq in order to prepare the populations here and there for war. She pointed out that this information was widely known, that they had been campaigning on the abuses of human rights that were taking place in Iraq for a number of years, and nobody had paid them any attention. The government of Britain and the government of the United States had not acted on the purely human rights related information, but when they are prepared to go to war, then, of course, they take all the information and they want to make use of it as the basis for – and these are her words – propaganda for war.

So she was lamenting the fact that the governments were not taking human rights violations seriously in countries like Iraq. What was interesting is that she pointed out that there are many people who have fled Iraq that are now part of the opposition against Iraq that, in her view, should be detained and brought to trial for human rights abuses. These are people who are now forming part of the opposition to the current regime in Iraq. So the question arises: if these people are, in fact, guilty of human rights abuses inside Iraq and have now fled the country and are forming part of a government in exile and they have allegedly been involved in human rights abuses and perhaps terrorism, then wouldn't it be possible for the government of Iraq to approach ministers within Alberta and say: these people are guilty of a campaign of terrorist acts against our country, and we want information within your files so that we can pursue their terrorist acts?

One person's terrorist act is another person's act of fighting for freedom. So the question is: who decides? Who decides on that question? In this act any minister could make that decision. Any minister can make a decision for his ministry or her ministry and say: I'm going to give information to this foreign government. There's no requirement for the minister to actually report that to the Premier, to the Executive Council offices, or share it with their colleagues. There's nothing in the act that requires that. So I have to ask why that is. Why is it that our personal information as Albertans can be shared at the discretion of a minister, with no accountability, with any foreign government that that minister deems appropriate? So there's a serious hole in this entire legislation, Mr. Chairman, and I think that we ought to do something about it.

With that in mind, Mr. Chairman, I would propose an amendment to the bill, which I will distribute.

9:30

THE DEPUTY CHAIR: Hon. member, the chair will require the original signed by Parliamentary Counsel.

MR. MASON: I believe that's what that is, Mr. Chairman.

THE DEPUTY CHAIR: Okay. We shall refer to this amendment as amendment A1. You may proceed.

MR. MASON: Thank you very much, Mr. Chairman. I will move

that Bill 31, the Security Management Statutes Amendment Act, 2002, be amended in section 8(2) in the proposed section 9.1(a) in subsection (2)(a) by striking out “the government of a foreign jurisdiction,” (b) in subsection (2)(c) by striking out “or outside,” and (c) by adding the following under subsection (3): “(4) A Minister may only share or release information under this section in accordance with regulations made by the Lieutenant Governor in Council for that purpose.”

Mr. Chairman, just to speak to this amendment, members will see that the first clause of the amendment strikes out “the government of a foreign jurisdiction.” That is because it’s entirely inappropriate for provincial ministers on their own to share information about Albertans with a government of a foreign jurisdiction. This is not something that ought to be considered appropriate for a provincial minister or a provincial jurisdiction, for that matter. I’m strongly of the opinion that it is the federal government’s role and federal security agencies’ role, whether it be CSIS or the RCMP or military intelligence, for that matter, to make the determination about which intelligence information ought to be shared with which foreign government.

I don’t think that it’s up to the Minister of Sustainable Resources, for example, or the Minister of Gaming, the Minister of Agriculture, the Minister of Learning to make these decisions. I think it’s entirely inappropriate that this government ought to be giving information about Albertans to foreign governments. Why? Why should we consider that that is in any way appropriate, Mr. Chairman, particularly when there’s no requirement that it be an allied foreign government? There are no rules around this at all. There are absolutely no fences around the unfettered jurisdiction of individual ministers to make their own calls with respect to that, and I don’t think the provincial cabinet ministers ought to be conducting foreign policy on their own. That’s exactly what this bill gives them the power to do. We’re going to have – I forget how many cabinet ministers we’ve got now. Lots.

MR. MacDONALD: Twenty-four.

MR. MASON: Twenty-four.

MR. MacDONALD: Well, we might have 23.

MR. MASON: Yes. There are quite a few. Twenty-four. Twenty-four different foreign policies being conducted by this government according to this bill. So you’ve got the foreign policy of the Ministry of Infrastructure, and you’ve got the foreign policy of the Minister of Children’s Services, and none of them, Mr. Chairman, have a licence to practise foreign policy. That’s something that ought to be reserved for the federal government, and that’s something that ought to be reserved for the Minister of Foreign Affairs. I shudder to think of the foreign policy of the Minister of Environment. I can just imagine what kinds of foreign policy – in fact, what wars – he might get us involved in if he’s able to conduct his own foreign policy against countries, for example, that have endorsed the Kyoto accord.

Can you imagine the kinds of things that could go on. You know, it just boggles the mind. It boggles the mind to think of 24 different ministers each conducting their own foreign policy in their own department and handing out information about Albertans without any kinds of checks and balances in place whatsoever. This is serious. I make a bit of a joke about the Minister of Environment, but quite frankly it’s a very serious matter that individual ministers can hand out information to foreign governments about Albertans. They can collect information about Albertans. Then they can turn

it over to any foreign government they want, any foreign police agency they want. They don’t have to report it to the cabinet. They don’t have to report it to their colleagues. They don’t have to report it to this Assembly. You could drive a Mack truck through the loopholes of this bill. It’s one of the most poorly thought-out pieces of legislation that I’ve had to deal with in the two short years that I’ve been in this place, and that’s going something. So that’s the first clause of the amendment.

Now, the second one says to strike out “or outside,” and that amends subsection (2)(c), which now says, “a police service in or outside Canada.” So it strikes out “or outside.” That means that the minister is now within his or her authority to share information with any police service inside Canada, but not outside. Once again, Mr. Chairman, what are the checks and the balances about sharing information with a police force outside of Canada? Why should a minister be sharing information with police services that may represent undemocratic states or states that are engaged in all kinds of international shenanigans? There are a number that do that. I don’t know whether or not this particular clause would cover the Mossad, for example.

AN HON. MEMBER: The Mossad?

MR. MASON: The Mossad, which is the Israeli secret service. It’s a foreign service. Now, their reputation for hunting down enemies of their country around the world is legendary, and they have made use of Canadian passports for their agents. They’ve kidnapped people. They’ve performed all kinds of activities. I saw a piece on the television – I think it was the Discovery Channel, Mr. Chairman – just this past week about the individual, Dr. Vanunu, who revealed the existence of Israeli military secrets, and he was kidnapped on an airline flight which was diverted through the use of secret agents entirely in violation of national laws of the countries he was involved in.

It seems to me, Mr. Chairman, that information could be provided in order to support these kinds of activities, which are clearly illegal by the laws of this country, by any minister who sits across from us. So I have rather more comfort if the information is provided first to a Canadian police force, and then the Canadian police force can make whatever decisions they want to make relative to whom it’s safe and appropriate to share information with by way of other police forces in other countries. This is not the kind of decision that should be taken by individual cabinet ministers in this government. So that’s the second clause, Mr. Chairman.

9:40

Now, the third part I think is not going as far as I would like, Mr. Chairman, but in the interests of trying to get some consensus here and get support from government members for this most necessary amendment, I’ve gone considerably less far than I would prefer to do. It says in (4), “A Minister may only share or release information under this section in accordance with regulations made by the Lieutenant Governor in Council for that purpose.” Now, this gives the government an opportunity to put some fences around the unfettered discretion of individual ministers. What it does is say that the government can make regulations to govern how ministers provide information and to whom they provide that information.

Right now there’s no regulation, no control, no fences whatsoever. Each minister can make their own decision, and the decisions can contradict one another, and there’s no co-ordination at all. This would imply that the government is responsible to sit down and say: “All right. Here’s how we’re going to give the information. Here’s what kind of information we’re going to give. Here’s who we’re

going to give it to.” They decide as a government, and then they have a set of rules which are passed as part of an order in council that governs how each minister needs to operate.

This is a minimum. This is an absolute minimum, as far as I’m concerned, before this bill can be made acceptable. I don’t know why – and I’d really hoped that somebody on the government side would stand up and say why – this is not a good idea if that’s what they think, because it really strikes me as a critical piece. It doesn’t take away power from the government, but it gives the government some responsibility to go with that power. It says that you need to determine the criteria under which information is shared. It means you have to determine who you share it with and who you don’t share it with. I think that’s very important indeed. I think it will prevent inadvertent contradictions in government information policy, and it will prevent contradictions between ministries in terms of providing information to foreign governments, and I think that it’s absolutely essential.

So, Mr. Chairman, I would hope that all members would support this amendment because I think that it’s a bare minimum to correcting the gaping holes in this legislation that put Albertans’ information at risk, which give any minister the power to share information with any government or any police service anywhere in the world with no checks, no balances, no supervision, or no oversight, and nobody knows about it. That’s the other thing: nobody will know. If their information has been shared with a foreign government, a foreign intelligence agency the people won’t know that this has, in fact, happened.

In fact, the Premier won’t know. If one cabinet minister wants to give the information, the Premier doesn’t even know that it’s gone on. Nobody else in the government knows it’s gone on, and certainly nobody in the opposition knows it’s gone on. Nobody in the population as a whole knows it’s gone on. I just think that that’s a totally unacceptable situation for us to be in. This amendment will plug one of the gaping holes in this piece of legislation, Mr. Chairman, and I would urge all members to support it.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Chairman. I rise to speak against the amendments which the hon. member opposite has put to Bill 31, the Security Management Statutes Amendment Act, 2002. I certainly understand some of the concerns the hon. member opposite has brought forward. I appreciate that he has brought these concerns forward, and I do not doubt his sincerity in being concerned about these issues that might affect Albertans and Canadians. However, I still rise to speak against his proposed amendments.

Mr. Chairman, the hon. member opposite talks about how the federal government, in his opinion, should have exclusive jurisdiction in negotiations, discussions, and policy regarding foreign governments, and then goes on to complain that this government has been too proactive in getting involved in discussions with foreign governments. I guess I would first point out that, in fact, discussions with foreign governments can be a very positive thing. It is not something that this government has done to excess. In fact, cities across the nation have twin city arrangements, which could be called discussions with foreign governments. Other provinces have certainly been involved in discussions with foreign governments. It’s not an area of exclusive jurisdiction or something that should be zealously guarded by the federal government, as the hon. member opposite implies. He goes on and talks about federal military intelligence – and, of course, we all laugh about what an oxymoron that one is – and says that we should leave these issues up to the federal government exclusively.

Mr. Chairman, the one thing that I’m noticing in his argument in favour of his amendment is that he’s assuming that this is a one-way flow of privileged and private and confidential information about Albertans or about Canadians that we are giving over to some foreign government over which we have little control. I think the hon. member opposite should be aware that, in fact, the information flow might be in the other direction. It may well be a foreign government that is giving us information about a potential terrorist or other dangerous person who has arrived in our province. In fact, if we are not talking to them and sharing information with these foreign governments, they will not be sharing information with us which might be vital to our own safety and security here within the province. So I would say that these amendments would virtually prohibit us from receiving information from foreign governments that might be vital to our own self-interests. So that’s one area that, I think, the hon. member opposite may have missed.

As far as putting fences around what we can and cannot do in terms of policy and what we cannot do in terms of red tape and prior approvals, Mr. Chairman, I guess the concern I have is that we are operating in a somewhat different environment since September 11 of last year. I do understand the concerns that he is bringing forward, and it may well be that this is something that needs to be reviewed and looked at in the future, but one thing I do know also is that terrorists do not operate by known regulations. They don’t wait for proper approvals. They move fast if discovered. They don’t respect red tape, et cetera, and while we are dithering about with the red tape and looking for approvals and trying to get all this process in place, they may well have come here, done their damage, and be long gone. So in this new environment, Mr. Chairman, we may be required to move quickly, do things that we maybe didn’t contemplate and haven’t developed policies or process around.

For that reason, I don’t think we should support the amendments before us. I think we may have to adapt in the future. We may have to adapt these amendments if problems do arise, but let’s not tie our hands ahead of time and prevent Albertans from maximizing information flow to and from foreign governments that may be very important for our own security and for our own safety here in the province.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It’s a pleasure to speak to amendment A1 as proposed by the hon. Member for Edmonton-Highlands, and I certainly listened to his remarks with a great deal of interest. When one considers the role of the federal government – and I spoke about this earlier in debate – and the issue around Bill C-17, I think this is a very good amendment.

When you consider that it was only last Monday that the American President, George W. Bush, signed a bill to create the massive Department of Homeland Security, which will house the Customs Service, Immigration and Naturalization, the Secret Service, the Coast Guard, and 18 other government agencies – the aim is to share information in the pursuit of terrorists. I think this is better done by the federal government, and we will leave it up to the federal government. Certainly, I know there are many people disappointed in the Kyoto accord, and there’s the S word, the separatist word, floating around Alberta. I don’t think we need to go there in this province at this time.

9:50

Certainly, we had security arrangements, which the hon. Member for Edmonton-Centre talked about in the last two sessions of this

Legislature, regarding the Kananaskis summit. It would be my view that these summits should be canceled entirely and the money spent on programs to aid Third World countries with water systems and perhaps our own homeless and hungry. We could use vast sums – I think it was in the area of \$400 million – to reduce child poverty. Let's let these world leaders meet in secret locations if these conferences are more than photo ops.

However, in regard to amendment A1, now that the Americans have created this sort of superagency, they can share the information with our federal government. At the same time, the Pentagon – and I'm getting my information from today's edition of the *Globe and Mail* – is working on its total information awareness program, a database that will

house information indiscriminately gleaned from passports, work permits, airline tickets, car rentals, and the like. The guiding theory is that if the system knows all it can about as many people as it can, whoever these people may be, it can detect subversive patterns. The records will also be available to the Homeland Security Department's Directorate for Information Analysis and Infrastructure Protection.

Now, I don't think that any minister or this government is planning on sharing with those organizations any sort of detail on Albertans, but this amendment would certainly, in my view, put a stop to it if it were.

I find this interesting. In the *Globe and Mail* today it also states:

When asked to justify the considerable crimp in civil liberties from this random information-gathering and retention, the authorities offer much the same response: Would you rather have a police officer watching you or a terrorist? Assistant U.S. attorney-general . . . delivered an Orwellian variation: "It is not a balance between security and liberty. It is a liberty rooted in security.

Hmm.

The government and the bureaucracy excuse their overzealous collection on the assumption that any use they make of the information will be benign.

And we heard this in the previous speaker's remarks.

This is, as Oscar Wilde said of second marriages, the triumph of hope over experience. Consider the grudges pursued by former Federal Bureau of Investigation head J. Edgar Hoover, whose files brimmed with material the FBI had no business collecting, except to give him leverage over those who might mess with him.

The same thing could apply here. I believe the hon. Member for Edmonton-Highlands might be on to something here. What if, for instance, some authority in Alberta started to collect information on this hon. member just the same as J. Edgar Hoover did? This is an extreme example, Mr. Chairman, but it could happen, and we always have to be very, very careful about what we do with information.

In conclusion, I would also like to bring to the attention of hon. members of this House another item from the *Globe and Mail*. They have this to add.

And who will head the Total Information Awareness Program?

We discussed that earlier. The answer to that is none other than John Poindexter, who, in his previous incarnation as national security adviser to then-President Ronald Reagan, failed to tell Congress about covert American support of the Contra seeking to overthrow the government of Nicaragua. His explanation: "I simply did not want any outside interference."

If that is not reason enough to support the hon. member's amendment A1, I don't know what else I can say.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: All right. Thank you, Mr. Chairman. Actually, I'd be interested in some questions to the minister responsible for this

legislation based on the amendment that comes up. I think the Member for Edmonton-Highlands has raised some interesting issues around the relations between Alberta as a province and other international jurisdictions. Of course, there are constitutional questions here, but really my questions to the minister are mostly administrative ones. I'm wondering if the minister has considered any administrative structure for handling this kind of information exchange. What policies, if any, would there be around a minister of this government contacting an international government? What might the costs be?

This amendment raises various questions around the relations between Alberta as a province and other countries. I think it raises important questions, and I'd be interested in the minister's response, if he has any. Is there any administrative structure for this section of the act? Are there policies going to be put in place, and what are the costs?

Then I have some other questions for him if he's prepared to respond. If he's not prepared to respond, then I'm jumping back to my feet. Do you want to respond, Mr. Minister?

THE DEPUTY CHAIR: Hon. Member for Edmonton-Riverview, are you rising to speak on the amendment again?

DR. TAFT: Yes, I am.

THE DEPUTY CHAIR: The chair recognizes you.

DR. TAFT: Given that the amendment raises questions and issues around Alberta as a province sharing information with international governments, I'm wondering if the minister has any information to give us on how that information sharing might be administered. Are there any costs considered to that, and are there any policies considered to guide ministers on how that information might be shared, which governments might be suitable, and which aren't? Has any thought been given to implementing that section of this legislation? Do you want to respond?

THE DEPUTY CHAIR: Hon. member, there's no compulsion in this House for any member to speak.

DR. TAFT: No. I understand that.

THE DEPUTY CHAIR: You can raise a question, but there's no compulsion on any member to respond.

DR. TAFT: If you want to respond, I'll sit down. If you don't, I'll carry on.

AN HON. MEMBER: Carry on.

THE DEPUTY CHAIR: The chair recognizes the hon. Member for Edmonton-Riverview. You are requested to speak through the chair. That's the common courtesy.

DR. TAFT: All right. Thank you, Mr. Chairman, for reminding me of that. I appreciate that.

I also notice under this same section and under this debate on relations between the provincial government of Alberta and international governments that there are provisions here that a government, department, agency, board, commission or police service that receives information referred to in subsection (2) may use the information only for the purposes for which it was provided and may not release any of that information without the consent of the appropriate Minister.

That's a quote from the bill. Now, the amendment would greatly narrow the scope of that list of governments, departments, agencies, and so on, that would get information. If we do not accept this amendment and let the bill stand as is, I'm wondering how the government might act to control or enforce this. If we provide information to France or Japan or the U.S. or India or anywhere else, do we have any way of enforcing this law? Again, if the minister has any comments, I'd be very interested in them.

Thank you, Mr. Chair.

10:00

THE DEPUTY CHAIR: Okay. Hon. Member for Edmonton-Highlands, are you rising to speak again?

MR. MASON: Yes, Mr. Chairman, I am.

THE DEPUTY CHAIR: The chair recognizes you.

MR. MASON: I just want to stress that I did share these amendments – and I have a number more – with the Government House Leader, and he did take a look at them. I think it's fair to say that he was unable to get a consensus on dealing with them.

But, Mr. Chairman, I just want to indicate that we have seriously looked at this bill. We don't deny the importance of legislation to govern information relating to security. We don't deny that the government may wish from time to time to both give and receive information, but we find that it has not been thoughtful enough in placing safeguards in the legislation about the information, and the amendment is intended to make sure that appropriate information is shared with appropriate governments and agencies and that there is a plan for the government so that all the government ministers are operating within a framework that they share and they are not freelancing and they are not making individual decisions with no accountability.

So we are putting forward this amendment, Mr. Chairman, with a great deal of seriousness. This is not an amendment to just simply make a political point; it is a serious attempt to try and close what we believe are some significant loopholes in the legislation. The government, I would hope, will support that. If they won't support it, hopefully they will have some other amendments of their own to offer so that we can pass the legislation with a clear confidence that the information of Albertans is not going to be indiscriminately or casually shared with people that shouldn't really have it. That's really the question.

I'd urge all members to support this amendment. Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thanks, Mr. Chairman. I'm wondering if I can ask a question of the Member for Edmonton-Highlands. Does he have any information that this sort of information sharing may already have occurred between Alberta and other governments? Has this happened in the past, do you know?

MR. MASON: Mr. Chairman, that's a good question, but I think he's asking the wrong person.

THE DEPUTY CHAIR: Hon. Member for Edmonton-Highlands, I would prefer that members in this Assembly speak through the chair.

MR. MASON: Thank you. I was saying that the hon. member is asking the wrong person and that he ought – and using the word

“he,” I think, clearly implies that I'm not speaking directly to that hon. member but going through you, Mr. Chairman.

I think, Mr. Chairman, that he's asking the wrong person, that if, in fact, this sort of thing has gone on, then one of the main points I'm trying to make is that no one will know, least of all the hon. Member for Edmonton-Highlands.

[Motion on amendment A1 lost]

SOME HON. MEMBERS: Question.

THE DEPUTY CHAIR: Question? The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Chairman. I have several more amendments. If I can get some assistance with this one.

THE DEPUTY CHAIR: Hon. members, the chair has recognized the hon. Member for Edmonton-Highlands, who is bringing forward an amendment, and we shall refer to this amendment as amendment A2.

MR. MASON: Will you please check and see if that amendment is just exactly the same as the one I just moved?

THE DEPUTY CHAIR: No, it's not the same one as you've just talked on.

MR. MASON: All right. Then will you bring me a copy of it? Could I have one, please?

THE DEPUTY CHAIR: Hon. members, the amendment that is being circulated I believe is being moved on behalf of the hon. Member for Edmonton-Strathcona. Is that correct?

MR. MASON: No. I'm moving it. I changed the name and signed it because I didn't have the signature of the hon. Member for Edmonton-Strathcona.

THE DEPUTY CHAIR: You may proceed, hon. member.

MR. MASON: Thank you very much, Mr. Chairman. Has everyone got it now?

THE DEPUTY CHAIR: The chair has recognized the hon. Member for Edmonton-Highlands to proceed with the amendment that he has just moved.

MR. MASON: Thank you very much, Mr. Chairman. This amendment will change section 6(2) of the act, and it adds to subsection 2 “subject to approval by the Lieutenant Governor in Council” after “The Power Pool Council may.” What this simply does is to require that the plans and the measures that are put in place by the Power Pool Council so that they can carry out their powers and duties under this act in a manner that's secure against the threat of terrorist activity are subject to approval by the Lieutenant Governor in Council. In other words, they don't make the decisions with no reference to anyone else. Their security measures and the steps that they take must be approved by the government. I, you know, don't imagine that an amendment that gives more power to the government will be totally and completely objectionable, but I think that this simply makes it . . .

REV. ABBOTT: Point of order.

THE DEPUTY CHAIR: The hon. Member for Drayton Valley-Calmar is rising on a point of order.

**Point of Order
Clarification**

REV. ABBOTT: I'm sorry, Mr. Chairman, but I have to bring up a point of order. This amendment that I was just handed says, "Dr. Pannu to move that Bill 31" blah-blah-blah, and then it's signed by Brian Mason.

THE DEPUTY CHAIR: You require a citation.

REV. ABBOTT: Standing Order 20. It says, "Dr. Pannu," and then it's signed by Brian Mason. I'm just wondering who is making this amendment, Mr. Chairman.

THE DEPUTY CHAIR: Hon. Member for Drayton Valley-Calmar, the chair just draws to your attention that at the time the amendment was being circulated, the chair sought clarification as to on whose behalf this amendment is being moved. The hon. Member for Edmonton-Highlands did correct the amendment that he is moving and not the hon. Member for Edmonton-Strathcona, so the chair has recognized that this amendment has been moved by the hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. The hon. Member for Drayton Valley-Calmar has a way to go before he's the Stanley Knowles of this House. It could be a grueling journey.

10:10

THE DEPUTY CHAIR: Hon. members, the chair also wishes to just clarify that the point of order that was raised on Standing Order 20 had the wrong citation, so it really wasn't even an appropriate point of order.

Hon. Member for Edmonton-Highlands, you may proceed with the debate.

Debate Continued

MR. MASON: Thank you very much, Mr. Chairman. The amendment simply says that Alberta Energy and Utilities Board steps that are taken in order to provide security for the energy supply for this province need to be ratified by the government, and I think that that's an appropriate step to take. I think the government needs to have overall supervision and oversight of security arrangements in respect to this very important matter. It's not something that the government should be washing its hands of, and I think that this ensures that there's government responsibility and accountability for the security measures, and I think that it's entirely appropriate.

The intention of the section is that there will be plans and implementation measures to ensure that the Power Pool is able to carry out its powers and duties under the act in a manner that's secure against the threat of terrorist activity. I would say that it's important that we have some government responsibility. I might add, Mr. Chairman, that this is consistent with changes to the Alberta Energy and Utilities Board Act, and again I think that there's some consistency here between pieces of legislation that has not been attended to in the drafting of this act. So I would urge the government to take a look at that and, in fact, make sure that all of the acts dealing with this subject are consistent with one another.

So it's a pretty simple amendment, and I would urge all members to support it, Mr. Chairman, and at this point I will take my seat.

THE DEPUTY CHAIR: The hon. Member for Calgary-Currie on the amendment.

MR. LORD: Thank you, Mr. Chairman. I rise to speak to the amendment again proposed by the hon. member opposite raising some issues and concerns regarding Bill 31. In this one he is proposing, apparently, that the Power Pool Council may be proposing security measures and that those measures should be brought before the government for full discussion and that we should perhaps put rules, regulations, et cetera, around those security measures according to past rules and recognized procedures.

I am reminded of a quote, and I can't remember it exactly, but it has basically the message of fighting the last war. In reference to, you know, looking forward into future threats and future problems, are we fighting the last war with requirements for procedures and regulations and red tape, and is that what this would require? I have to say, Mr. Chairman, that the idea that security measures taken by these private companies, by utility companies, by the regulatory authorities must be approved by the government first – well, I'm sure that they would design those procedures in accordance with federal government statutes, criminal codes, and so on. I'm wondering – perhaps I could ask the question of the hon. member opposite – if he's actually proposing that we have a full public discussion and full public disclosure of all the security measures being taken by these companies before we allow them to take those security measures and if he thinks that's an advisable course of action.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much. Mr. Chairman, I think the hon. member raises an interesting point. The question is: does this amendment mean that all of the security arrangements with respect to the Power Pool would be subject to public disclosure and be out there for anyone? I would answer quite simply: the answer is no. It requires the government – that is, the cabinet, which can meet behind closed doors – to consider and approve the arrangements that have been made, and they can do that simply. They don't have to disclose those arrangements in order to approve them, so I think it would be no risk whatsoever to public security, provided that you trust your cabinet.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. The Member for Edmonton-Highlands raises another interesting point with this act. The way the relevant paragraph reads right now is:

The Power Pool Council may develop plans and implement measures for the purposes of ensuring that the Power Pool Council and the persons referred to in section 9(1)(b) and (c) are able to carry out their powers and duties under this Act in a manner that is secure against the threat of terrorist activity.

Now, it strikes me as a fairly vague statement, and it could include all kinds of terrorism, although it does in the preceding section refer specifically to the definition of terrorist activity in the Criminal Code. So I take some reassurance from that.

But I do feel some concern as I consider the arguments I've heard that we may be delegating too much power to groups like the Power Pool Council. If we allow them to not only develop plans but implement measures relating to security without the supervision of the government, or the Lieutenant Governor in Council, I'm starting to wonder if we aren't empowering a group like the Power Pool

Council to establish a kind of private security or even paramilitary force to protect power stations and power lines. It could be quite a far-reaching force, and it's not clear to me at all that in the way the bill is drafted right now those people would be accountable to a public sector or to the government.

So I do express some concerns. I'm not a fan at all of private paramilitary forces, and if this could lead in that direction, I'd be quite alarmed. I'm sure it's not intended that way now, but it's not hard to imagine that if there were a threatened attack on a power plant or on a power line, we would see the Power Pool Council rapidly ramp up its security forces and begin implementing plans that could in some sense be a threat to civil society. So I could well understand why the Member for Edmonton-Highlands is suggesting that the activities, the plans, and the implementation of those plans by the Power Pool Council be subject to approval by the Lieutenant Governor in Council.

I am convinced by what I've heard from the Member for Edmonton-Highlands, and I wish that the other members tonight were paying more attention to this debate. If there is any member here tonight who wishes to venture a thought on the legality of delegating this sort of power to the Power Pool Council, I'd be interested in any of those thoughts, but I'm not expecting anybody to respond. It doesn't look like anybody will respond.

Those are my comments. I think this is a sensible amendment. Thank you, Mr. Chairman.

[Motion on amendment A2 lost]

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.
10:20

MR. MASON: Thank you very much, Mr. Chairman. I have another amendment here, which I will provide to the pages.

THE DEPUTY CHAIR: The amendment again is indicating that the hon. Member for Edmonton-Strathcona is moving it. Are you moving this on his behalf, or are you going to move it yourself?

MR. MASON: I am moving it myself, Mr. Chairman.

THE DEPUTY CHAIR: We shall adjust that accordingly.
The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. I will move that Bill 31, the Security Management Statutes Amendment Act, 2002, be amended as follows. Section 1(2) is amended in the proposed section 30 by adding the following after subsection(4): "(5) A regulation made pursuant to subsection(2)(c) shall not be in force for more than 30 days."

Mr. Chairman, just to speak to that, this is one of the key parts of the Security Management Statutes Amendment Act, and it changes the Alberta Energy and Utilities Board Act. It defines terrorist activity as being within the meaning of the Criminal Code, and it allows the board to make regulations "for the purposes of addressing security in respect of terrorist activity or the threat of terrorist activity." These regulations are

- (a) respecting the shutting down of a well, facility, pipeline, hydro development, power plant, transmission line or electric distribution system;
- (b) respecting security measures to be taken [relative to] a well, facility, pipeline, hydro development, power plant, transmission line or electric distribution system;
- (c) respecting access to information filed with the Board in respect of a well, facility . . .

and so on and so on. The same things.

Now, this does have the benefit of requiring it to be approved by the Lieutenant Governor in Council, so the cabinet has to approve this. Here's something that's a concern, Mr. Chairman. This particular section of the act will exempt these regulations, anything covered by these regulations from the Freedom of Information and Protection of Privacy Act. So it allows the EUB to override the FOIP Act by a regulation. Now, that's interesting. You have an act of the Legislature which can now be overridden by the regulation passed by a nonelected regulatory body. That's a curious situation. That's a curious situation, indeed, and something that's quite a concern. In fact, I think it's a very, very serious concern. Here we have a provincial Legislature of duly elected people who pass a law that provides for privacy protection and provides for freedom of access to information, you have that act, that very seminal piece of legislation, which can be overwritten by an appointed body of unelected people, and I think there's something seriously wrong with that.

Now, the board with cabinet approval can also shut down by regulation any well or facility. It could be a gas plant, I would assume, any pipeline, hydro development, power plant, transmission line, or an entire electric distribution system if they believe it's under threat of terrorist activity. Again, there is some oversight on this by the cabinet. I think that that's important to keep in mind, because I think that's actually a positive element of this particular section.

But the question that really comes into play, Mr. Chairman, is: how long are we expecting a terrorist threat to last? So these regulations can be made, but how long do they need to be in place? What this amendment does is add subsection (5), which says that "a regulation made pursuant to subsection (2)(c) shall not be in force for more than 30 days." It puts a sunset clause on it. It says: yes, EUB, you can make a regulation, you can shut anything down, but you can't go more than 30 days without revisiting it. If, in fact, it's a sustained threat, then it could of course be renewed, and this amendment would not preclude renewing it.

So, Mr. Chairman, just to summarize, I think that it may be necessary and, in fact, the EUB with government oversight may be the appropriate body to determine whether or not security measures for a power plant or a pipeline or some other similar facility are appropriate or to shut it down in serious circumstances. I think that that's appropriate. I think it's also appropriate that the cabinet is required to approve these regulations. I think that's entirely appropriate. But I don't think that we should be having this kind of ongoing power with no review for an extended period of time, and the amendment is an attempt to address that. It's an attempt to say: you know, after a month has gone by, it's time we had another look at this. In fact, I think that that's a reasonable step to take, and I would certainly hope that other members will support this and will speak to it because I think that it really adds to the legislation. It strengthens the legislation.

Thank you.

THE DEPUTY CHAIR: Hon. members, just for the record, this amendment shall be dealt with as amendment A3.

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Chairman. Well, I have to say that I think the Member for Edmonton-Highlands has done a lot of the work that I was expecting the government to do. This, in fact, answers one of the questions that I raised when I was looking at this bill in second reading, which was my concern that there was no end point that had been written into the legislation. I reiterate that it always makes people very uneasy when they see sweeping

powers of enforcement and revocation of people's personal freedoms with no time limits on it, with no fettering of that.

So what's being proposed here – and it's specific to the Alberta Energy and Utilities Board, but it does allow for, I think, a bit more security for those that are operating in that sector to know that whatever is brought forward has a 30-day renewal period on it and gives them some ability to hopefully plan or at least understand when they could expect a change or to have whatever limitations have been placed upon them lifted or whatever expectations are there, what could be expected of them for what period of time.

Indeed, I think this has been a very careful reading of this bill by the Member for Edmonton-Highlands, and I applaud his thoroughness. I think this is an excellent amendment, and I urge the government to consider accepting it.

Thank you, very much.

THE DEPUTY CHAIR: The hon. Member for Calgary-Currie.

MR. LORD: Thank you, Mr. Chairman. Again I rise to make a few points on the amendment that's before us because, frankly, it suffers from the same problems as the previous amendments. They simply do not seem to fully comprehend or understand the seriousness of the situation before us and the different situation we have before us than maybe what we've experienced in the past.

10:30

Mr. Chairman, the hon. member opposite has suggested in this amendment that any regulations "made pursuant to subsection (2)(c) shall not be in force for more than 30 days." Well, if it is known and on the public record that any regulation made is only good for 30 days, well, what happens on day 32? Kaboom? You know, obviously, if we're aware of it, the public is aware of it, everyone is aware of it, it will clearly factor into a potential terrorist's plans to take advantage of that being on the record. The hon. member opposite is certainly bringing forward a sincere concern. I share those concerns. I understand that in studying history, it hasn't been confidence inspiring to give these kinds of powers to authorities and then take them back in the future, but we simply do not have a lot of choice in this case. We are faced with a very different situation.

The hon. member opposite discussed having these regulations approved by the Lieutenant Governor in Council. Of course, that would put it on the public record – wouldn't it? – and make it available to anyone who may wish to use it for their own purposes. Of course, if you did something like that, then you would have to deal with the fact that we do have some forward-looking freedom of information and protection of privacy regulations, which were put in place at a point in time and for very good reasons that gave people a great deal of comfort with their government. Of course, that was prior to 9-11. Perhaps some people feel differently about the situation or somewhat differently, and certainly we have to be cognizant of the reality that we simply cannot have security regulations, security plans, people's ideas of how to protect themselves on a public record and available for the bad guys to be studying and planning accordingly.

Again, Mr. Chairman, I guess I share many of the concerns of the hon. member opposite. I'm sure we all do. But we did not bring this situation on. We did not cause it. I have to say that we are all suffering as a result of the actions of the terrorists on September 11. This is part of the price all of society in the world is having to pay. But when it comes to amendments like this, I do have to say that common sense, which we all know is not so common, would dictate that we have to turn down this amendment for the reasons that I have outlined. Perhaps the hon. member opposite may have some good

points that perhaps some of our members could take into account, but I would urge us to defeat this amendment.

Thank you, Mr. Chair.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. Well, I appreciate the comments of the hon. Member for Calgary-Currie, and I appreciate the fact that he's actually prepared to engage in debate in this place, which is what this place was made for. Having said that, I would point out that the hon. member perhaps needs to read the amendment and the bill a little more carefully.

The main argument that he has put forward against my amendment is that by passing these regulations by order in council, it would place it on the public record. Now, I don't accept that that would be the case, but if he reads carefully, it is not my amendment that would require these regulations to be approved by order in council. My amendment simply says that they are only good for 30 days and then they would need to be renewed. It's the government's bill that says that these regulations need to be approved by order in council. If that's his concern and the reason for voting against my amendment, then I would fully expect that he would be voting against the government's bill as well, because this is, in fact, precisely the reason he's given for voting against the amendment, erroneously so. But if he believes it's a valid reason, then it's a valid reason to vote against the entire bill. This is not a fault of my amendment but a fault of the government legislation. So I look forward with interest to his vote on third reading of this bill.

[Motion on amendment A3 lost]

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. Well, undaunted, I will press on. I'll distribute this amendment.

THE DEPUTY CHAIR: Okay. I've just received the amendment as it's been proposed. We shall refer to this amendment as amendment A4. Once again, for the purpose of recording this correctly, I presume that this amendment is being moved by the hon. Member for Edmonton-Highlands and not by the Member for Edmonton-Strathcona, as indicated on the amendment.

MR. MASON: That is correct, Mr. Chairman. Thank you.

THE DEPUTY CHAIR: Okay. We shall make the adjustment.

MR. MASON: Mr. Chairman, I move that Bill 31, Security Management Statutes Amendment Act, 2002, be amended as follows. Section 12(10) is struck out, and the following is substituted: 12(10) Section 53 is amended (a) in subsection (4) by adding the following after clause (a).

(a.1) to any person with the written consent of the Minister, where the Minister believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health and safety of any person.

And (b) in subsection (5) by adding the following after clause (a):

(a.1) to any person with the written consent of the Minister, where the Minister believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health and safety of any person.

Now, Mr. Chairman, this is an interesting section of the act. The existing proposed act basically allows the chief medical officer, regional health authority, employee, or agent who "believes on

reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person” to disclose the information. Similarly, the next clause as well. This is, I might say, the most personal information. This is information respecting the medical history of individuals, which is normally given the highest degree of protection in our society. Personal information of a medical nature is considered to be the most privileged, I think, of just about anything, and we believe that the clause in the bill allows far too much leeway to nonelected medical and administrative staff.

We believe as well that the final responsibility and the accountability for the release of this information ought to lie with the government and not with, again, people. Starting with the chief medical officer, virtually any employee of a health authority will have the authority to disclose personal health information if they believe – and they may well honestly believe – that it would avert or minimize an imminent danger to the health and safety of any person. This is a huge lowering of the barriers that have been set up to protect our personal privacy in this province, Mr. Chairman. Any employee can release any information on any person if they believe on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person. So the potential for abuse of this particular section is enormous. It’s absolutely a serious matter which I would hope that members of this Assembly would pay close attention to.

10:40

I can imagine any number of scenarios where employees of a hospital might believe that somebody was taking an incorrect decision with respect to a transfusion, with respect to abortion, with respect to any number of matters that might place their health in danger, and that person would be authorized by this section to disclose personal health information to any person in order to deal with the situation as they perceive it. No check, no balance, no safeguards. Once again this act is tearing gaping holes in people’s right to privacy in this province.

This is another very serious one, Mr. Chairman, and I would certainly hope that the government would be prepared to address this while we’re having the debate on the amendment instead of just sitting there and hoping that the opposition will go away. Well, we won’t, but the government has an opportunity to actually address some of these serious concerns if they respect the legislative process and if, in fact, they care about people’s personal privacy in this legislation. Their silence will condemn them on both counts.

Thank you.

MS CARLSON: Mr. Chairman, in speaking to the amendment, I wonder if the Member for Edmonton-Highlands could define for us what he sees as reasonable grounds.

THE DEPUTY CHAIR: Are you ready for the question on the amendment?

MS CARLSON: I asked a question of the Member for Edmonton-Highlands.

THE DEPUTY CHAIR: Hon. Member for Edmonton-Ellerslie, you may ask any questions that you want, but there’s no compulsion on any member to answer them. Since nobody is rising . . .

MS CARLSON: He didn’t hear it, Mr. Chairman. I’m going to repeat the question. It’s a little too noisy in here.

THE DEPUTY CHAIR: The chair will recognize the hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. To the Member for Edmonton-Highlands: could you define what you see as reasonable grounds for us?

MR. MASON: Well, I think that’s a good question, and that’s a question I would certainly have for the people who have drafted this legislation. The proposed act says that if any “employee or agent believes on reasonable grounds that the disclosure will avert or minimize an imminent danger to the health or safety of any person,” then they can disclose that information. Now, I understand that reasonable grounds are something that would probably ultimately be defined by the courts, that if there was any court action, there would be some definition. There may, in fact, be some jurisprudence around that now. But if someone felt that their personal information had been unjustifiably released, they could, I assume, take court action, and the court would render a decision. I think that’s an awkward, cumbersome, and expensive way to deal with it. I think it would be a lot better if we simply held the government accountable for this kind of decision, and that’s what the amendment would in fact do.

Thank you for the question.

MS CARLSON: Mr. Chairman, I have one more question for the member, who seems to be the only person able to answer questions this evening on this amendment and this bill. What would this member see as a remedy for malicious intent of anyone who might go forward and say that they had reasonable grounds but who didn’t really?

THE DEPUTY CHAIR: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Chairman. To the hon. Member for Edmonton-Ellerslie, unless it’s precluded in some section of the act that I’ve missed, the only recourse would be through the courts. I certainly think that that is not an entirely acceptable way to deal with this.

The problem really is that this act is any employee. Any employee of any health authority has the right to use their own judgment in this matter and release personal health information. Now, unless I’m wrong – and I could be – and the government is willing to address this question, then I think that’s an appalling breach of the principles that have been established to date in Alberta about personal privacy and especially as it respects personal health information. So this is a really serious breach. I mean, even if it were the chief medical officer, my amendment says it’s got to be approved by the government. But even if it were limited to the chief medical officer, it would be a substantial improvement. But as I read it – and again I’m begging to be corrected by the minister over there – any nurse, clerk, orderly, or janitor of the health authority could release health information of an individual if they thought that it was justified to protect anybody’s health or safety.

[Motion on amendment A4 lost]

MR. MASON: Mr. Chairman, I’m advised by the Parliamentary Counsel that my last amendment is similar enough to my first amendment that it would probably be ruled out of order. So, alas, I’ve run out of amendments.

[The clauses of Bill 31 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed?

SOME HON. MEMBERS: Opposed.

THE DEPUTY CHAIR: Carried.

Bill 37

Occupational Health and Safety Amendment Act, 2002

THE DEPUTY CHAIR: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. It's with a great deal of interest and anticipation that I rise to participate in the debate on Bill 37 at committee. Certainly, as I said before, at second reading one cannot overlook the commitment not only of the hon. Member for Drayton Valley-Calmar but, certainly, of the minister. The Minister of Human Resources and Employment has made a commitment to improve the work sites of this province.

Now, Mr. Chairman, I think one has to look at this legislation. Certainly, you're not always going to get everything that you want. In light of the statistics that have been discussed earlier, this will be an improvement, and we're just going to have to give it time and see if it works out. I think it will.

10:50

I do have some questions and I have some amendments to this legislation, but before we get to that, Mr. Chairman, I would like it if at some time members from across the way could assure this member that small business can feel comfortable with this legislation. If the smaller companies unfortunately do have an accident, how will the recording or the reporting of those accident records be dealt with by the government? Certainly, we have to create a safety culture with the business interests of this province. Small businesses have to feel comfortable phoning the call centre that was designed and implemented by the current Minister of Human Resources and Employment. I hope that small business owners are not fearful that if they do call the call centre, somehow an inspector would be knocking on their door the following day to check out their operation.

I am seeking assurance from the other side of the House that this is not going to happen. I don't think it would or it will. I don't know how the phone calls are monitored, but I gather it to be an information-only basis, and it wouldn't be a means for inspectors to be seeking out employers. I didn't get that impression whenever I had the privilege of a tour of that place, but if that's a practice that's going on, I think people are going to lose confidence very quickly in that call centre. I don't think it is a practice that's going on, but in the course of debate hopefully we can get to the bottom of that.

Now, we look at the number of accidents and the fact that the minister – and I referred to this earlier – talked about this in a speech that was given, I believe, in Australia, where 1 percent of the employers are responsible for 26 percent of the accidents. I'm looking at section 28.1 and the publication of information about employers.

Mr. Chairman, at this time I have an amendment if I could leave this for the pages to deliver to the table. I think we're going to have to shame some of those employers into a better safety record. I have to encourage all members of this Assembly to have a look at this, and this is the amendment. The amendment would be to have the minister name names, not be left with the option that they may name

names. I think that I would be much more comfortable with "The Minister shall," in order to enhance the protection of workers and the prevention of work site injuries by encouraging good and discouraging bad work site records, and it goes on to list. I would be much more comfortable if the minister were obligated to name names, point out not only to employees but other employers in the field – the competitors, so to speak, in the field – the track record of some of these outfits that have dismal records, and this would be one way to do it.

The idea behind the amendment that I'm proposing this evening to section 28.1 is that the minister would be obligated to name names. At the same time, I would caution the government to consider, again, having a ceiling on this: I have to have so many accidents, or I have to have so many employees. That's to protect small business because in a company with, say, four workers, if two of them got injured, well, that's 50 percent of your workforce; right? I don't think that is appropriate.

Mr. Chairman, I believe the amendment has been circulated.

THE DEPUTY CHAIR: The amendment has been circulated, and we shall refer to this amendment as amendment A1.

MR. MacDONALD: Thank you very much, Mr. Chairman. In that regard, amendment A1 would take good legislation and, I believe, make an improvement to it. At this time, now that the amendment has been circulated, I would cede the floor to other hon. members of this House.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Chairman. I just want to respond to the one question brought up by the hon. Member for Edmonton-Gold Bar in speaking to amendment A1. In fact, amendment A1 would do exactly what the minister has asked us not to do, and that is to obligate small business to be a part of this best and worst performance list. The way that the bill currently reads is that the publishing of the best and worst is optional, so because it's optional, that leaves it to the minister's discretion. I like it that way because if it is a small business that, as the hon. member pointed out, only has four employees, and if they happen to have a bad year and two of them get injured – you know, it looks like they have a 50 percent injury rate – the minister at his discretion would say: well, this is an anomaly; therefore, they're not going to be a part of the worst performers.

Therefore, Mr. Chairman, I would propose to my colleagues that we do not support this first amendment and that we do leave it discretionary for the minister so that he can have that opportunity for fairness and to treat each individual case as per its merits and as per its history, et cetera, with the specific notion to help small business and to make sure that no small business is unfairly treated but, at the same time, to try to help improve the safety performance of the larger corporations or even of the small businesses that are repeated, repeated offenders.

Thank you.

THE DEPUTY CHAIR: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Chairman. I find this an interesting debate. I listened to the Member for Edmonton-Gold Bar, and he made sense. I listened to the Member for Drayton Valley-Calmar . . .

MS BLAKEMAN: And he didn't.

DR. TAFT: No, he made some sense, too. It's good to see that the Member for Drayton Valley-Calmar has such respect from his colleagues.

But as I read this, I'm wondering what I see here in the example that the Member for Drayton Valley-Calmar gave, a small business with four employees. Maybe there's a car accident and two of them are injured. It looks like they have a terrible injury rate. I think that's a good example, a compelling example even. But it seems to me that under section 28.1(a) the minister may "establish indices and measurements of work site injury prevention" and so on and under (b) "maintain a register." The minister would have the full capacity to establish measurements and regulations and indices that would accept or accommodate for that sort of an anomaly. He may have one set of standards for small businesses and another set for large employers, or it may be something that's measured over several years. So I think that while the Member for Drayton Valley-Calmar gives a very good example, this section would allow the minister to develop indices and measurements that would accommodate those problems.

11:00

So then I return to the amendment, which would change "may" to "shall," and I think to myself: if we really are serious – and I believe we are serious in this province about improving workplace safety – then we should make certain demands, unequivocal demands. I like the sense that the proposed amendment would strengthen 28.1 and make it absolutely clear yet at the same time, I suspect, give the minister enough leeway to define indices and measures that account for the problems raised by Drayton Valley-Calmar. So I go back and forth and end up coming back to support the amendment.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. minister of human resources.

MR. DUNFORD: Yes. Just to speak to the amendment, I want to reaffirm my colleague from Drayton Valley-Calmar's position. We're trying to provide some discretion as we move forward in a new venture in terms of publishing these names, so we don't want to get locked into a situation. We're trying to provide, then, as much discretion as we can.

I'm rising, though, also to address the questions that the mover made regarding the call centre. I can assure this member and all members of the House that we do not use the call centre as some sort of retribution mechanism. If an employer calls seeking bona fide information, then we provide that information as best we can. There are some reasons, though, when a call to a call centre might create an investigation or an inspection, and that is that we do accept anonymous calls to that particular call centre. We know that sometimes there's a hesitancy on the part of a worker or perhaps even a member of a worker's family that believes that Workplace Health and Safety should be made aware of a particular situation, but they choose to do it anonymously. We will accept that call, and we will seek that information. But the assurance that the member is looking for, as I understood it, was that because an employer called in for bona fide information, that would not make that employer a target.

[Motion on amendment A1 lost]

THE DEPUTY CHAIR: The hon. Member for Edmonton Gold-Bar.

MR. MacDONALD: Thank you very much, Mr. Chairman. Now,

the importance of this bill cannot be overlooked. On the day that it was introduced or around the period of time it was introduced, there were, unfortunately, accidents across this province that cost three workers their lives just in a short period of time. One cannot underestimate the importance or the significance of this bill, and I certainly hope that we will see in the future an improved safety record by all in this province.

However, when you look at this legislation, before we proceed any further in committee, Mr. Chairman, one has to consider the use of penalties, the administrative penalties. I at this time have to certainly question allowing the use of administrative penalties similar to those used for traffic violations. The introduction of these fines, as I understand it, will depend upon a review of these fines in other jurisdictions to determine their effectiveness.

Well, Mr. Chairman, these administrative fines have been used in other jurisdictions, and the Canadian Federation of Independent Business is strongly opposed to any system of administrative fines. Now, from documents that I have received from the Canadian Federation of Independent Business, they have had quite a discussion regarding this. They state here that they are encouraged that the joint industry and government strategy on workplace safety is proposing to study the experience elsewhere, and the Canadian Federation of Independent Business has challenged them to provide solid information that shows that administrative fines actually reduce the incidence of workplace injury before moving forward in Alberta.

The members do not believe that administrative fines will contribute significantly to reducing workplace injury. Instead, the Canadian Federation of Independent Business fears – and I share that fear – that the use of administrative fines may become a core revenue source for Workplace Health and Safety, and there is a danger that the use of administrative fines may be abused by officers, which will come at an extreme cost to employers. It should also be noted that Alberta employers found guilty of serious workplace health and safety violations may face prosecution, with a maximum fine of half a million dollars under this proposed legislation.

Now, the Canadian Federation of Independent Business recommends against the introduction of administrative fines as the government will be increasing its ability to punish employers who do not meet their obligations under the act. Also, employees who may be in an industry, the construction industry, where this is used in Ontario, may find this difficult to appeal.

In conclusion, Mr. Chairman, in regard to the administrative penalties it should be noted that few jurisdictions in Canada utilize administrative fines. British Columbia is currently reviewing their utilization, Ontario limits the use of administrative fines to the construction industry, and while Manitoba recently passed a system of administrative fines for situations of noncompliance with safety orders, there were a number of changes made that limit the scope and authority of safety officers to hand out tickets. It is important to note in the Canadian Federation of Independent Business presentation that Saskatchewan has resisted the use of administrative fines, despite attempts by unions to have them introduced.

Now, I will wait and certainly see what the review of these fines in other jurisdictions does here in this province, but I, too, share that concern. If we can have another attempt at making this legislation better, Mr. Chairman, it certainly would be an amendment which I sent to the table earlier, and I await your instructions in regard to this proposed amendment.

THE DEPUTY CHAIR: We shall refer to this amendment as amendment A2.

MR. MacDONALD: Thank you very much, Mr. Chairman. Now,

I would at this time like to amend section 17 of the Occupational Health and Safety Amendment Act, 2002. Section 17 is amended by adding the following clause after clause (c), and it's (d), by striking out subsection (4) and substituting the following: "A prosecution under this Act may be commenced within 2 years after the commission of the alleged offence, but not afterwards." This amendment would allow the hon. minister and his staff and occupational health and safety officers two years in which to conduct an investigation regarding an accident, a fatality. They would have two years instead of one year in which to prosecute.

Now, I think that in light of the accident rates and in light of the fact that, unfortunately, we have over two persons killed a week in this province, occupational health and safety officers, in my view, do not have enough time to perhaps as thoroughly investigate this as they would like. That's why I would like to see this increased from one year to two. It shouldn't be much of a change when you consider, for instance, that the Environmental Protection and Enhancement Act has a two-year limit, and you look at the Hub Oil explosion, where charges were laid almost to the hour a year after the explosion that killed two Albertans.

11:10

So when we have a look at the fatality claims accepted, if hon. members of this Assembly would be kind and gracious enough to support this amendment, I think we can have better legislation. If they have any concerns about increasing this limit from one to two years, I would encourage them to go to the minister's library on the second floor, the old Alberta Labour library, and just open those files on the fatalities that have occurred in this province, just go through them. For the sake of a year, to increase rigorous enforcement of this act, I would encourage all members to have a good look at amendment A2.

Thank you, Mr. Chairman.

THE DEPUTY CHAIR: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Chairman. Speaking to amendment A2, I certainly see this as a friendly amendment, and I would suggest that my colleagues support this amendment by the hon. member across the way. In fact, I'm going to speak to it for a moment.

This amendment would extend the statute of limitations for prosecutions to two years from the current one-year limit. I know that the Crown prosecutors' office supports this amendment on the basis that the gathering of evidence often takes longer than one year. In fact, a two-year statute of limitations would make the Occupational Health and Safety Act consistent with most other provincial statutes, as the member mentioned; for example, the Alberta Environmental Protection and Enhancement Act. This makes it easier for the Crown prosecutors' office to co-ordinate the laying of charges in cases where more than one statute has been violated. So I do see this as a friendly amendment.

I also want to make a comment with respect to the member's comments about the use of administrative fines. While I do have the greatest respect for the Canadian Federation of Independent Business, I do want to remind the member that his own words in his speech on second reading were that "voluntary compliance did not work." That's the reason for this whole bill. The reason we have brought in these administrative fines, Mr. Chairman, is because Alberta has had a history of compliance problems with certain industry sectors; for example, roofing, where workers and supervi-

sors would knowingly ignore the Occupational Health and Safety law. Prosecutions are not an effective use of the resources under such situations because of the minor fines. An administrative fine or fixed-fine system would be an efficient way of achieving the necessary deterrent effects to improve workplace health and safety.

So, Mr. Chairman, as I look at this, I do want to recommend that my colleagues support amendment A2. I do want to remind the hon. Member for Edmonton-Gold Bar of a few of his quotes from his speech in second reading where he said that he thinks that these amendments "are an improvement." He said this on page 1634 of *Hansard*. He said, "The minister and the hon. member are on the right track with this bill, I believe." He said, "I for one believe that vigilant enforcement of occupational health and safety laws and regulations will work." These are the words of the hon. Member for Edmonton-Gold Bar.

He also said on 1635 of *Hansard*, "This is good legislation, and I think we can make it better." Certainly this amendment will help us to do that. Therefore, we support this amendment, and I urge my colleagues to support it as well.

Thank you.

[Motion on amendment A2 carried]

[The clauses of Bill 37 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIR: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIR: Opposed? Carried.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would move that the committee now rise and report.

[Motion carried]

[Mr. Shariff in the chair]

MR. JOHNSON: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: Bill 35, Bill 38, Bill 33, Bill 34, and Bill 31. The committee reports Bill 37 with some amendments. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. In view of the excellent progress on both sides of the House this evening I would move that we now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; at 11:18 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Tuesday, December 3, 2002**

1:30 p.m.

Date: 02/12/03

[Mr. Shariff in the chair]

head: **Prayers**

THE ACTING SPEAKER: Let us pray. Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others. We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of Alberta. Amen.

Please be seated.

head: **Introduction of Visitors**

THE ACTING SPEAKER: The hon. Member for Lethbridge-East, Leader of Her Majesty's Official Opposition.

DR. NICOL: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you a former Member of this Legislative Assembly. Nick Taylor served the province of Alberta from 1986 to 1994, first as an MLA for the constituency of Westlock-Sturgeon and then the constituency of Redwater. Nick was leader of the Alberta Liberal Party from 1974 to 1988. Then he served all Canadians as a Senator from Alberta and now faces retirement. Why are you back here, Nick? Looking for another job? Nick has been very involved in the oil and gas exploration industry with a reputation that is worldwide. Please join me in giving Nick Taylor a warm welcome back to the House.

MR. OUELLETTE: Mr. Speaker, it gives me great pleasure to rise today to introduce to you and through to all members of the Assembly a man that is no stranger to this House. He represented the great people of Innisfail-Sylvan Lake as their MLA from 1989 to 2001. He served on numerous committees and did a great job for all Albertans. He is still very active in government. He's also very active in the Innisfail-Sylvan Lake constituency keeping the new MLA in that constituency on track, and everyone knows how tough a job that is. He is seated in your gallery, Mr. Speaker, and at this time I would like Gary Severtson to rise and have a warm welcome from the House.

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It is with great pleasure that I introduce to you and through you to the Members of the Legislative Assembly Mr. Scott Sutton, the Ombudsman for the province of Alberta. Mr. Sutton is seated in your gallery, Mr. Speaker, and I'd ask that he please rise and receive the traditional warm welcome of the Assembly.

head: **Introduction of Guests**

THE ACTING SPEAKER: The Minister of Agriculture, Food and Rural Development, Deputy Premier.

MRS. McCLELLAN: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to all members of the Assembly a very accomplished young woman, Lauren Chykalsky. Lauren is from Peace River. She is with us today in your gallery, Mr. Speaker. Lauren is the 2002 Premier's 4-H award recipient, the

highest honour the 4-H program bestows on a member. The Premier's 4-H award winner recognizes that youth demonstrate strong project management, leadership skills, dedication to service. They exemplify the 4-H motto of Learn to Do by Doing. Lauren's parents, Walter and Jeanne, and sister Tara are accompanying her today, and I would invite Lauren and her family to rise and receive the very warm welcome of this Assembly.

THE ACTING SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed a great pleasure and an honour to introduce to you two groups visiting here today. First of all, some very special guests who are here from Velma E. Baker elementary school. These are grade 6 students. Among other things they are touring the Legislature, and they're also taking part in the mock Legislature session. Could I ask all the students from Velma E. Baker school, Reva Robillard, the parents and helpers who are here with them to please rise and receive the very warm welcome of our Assembly.

Secondly, Mr. Speaker, it is an additional honour for me to introduce to you and through you to all members of the Assembly some very special guests who are seated in the members' gallery. They are board members, both current and past, of the Premier's Council on the Status of Persons with Disabilities. I would ask each of them to give us a wave or a nod or, if possible, to rise as I announce them: Shirley Dupmeier and her Seeing Eye dog, Willie, from Medicine Hat; Judy Hellevang from Calgary; Gerald Gordey from Edmonton; Jim Killick from Morinville; Helen MacHugh, the personal care attendant for Jim; Margaret Conquest from Edmonton, who also chaired today's international day in recognition of disabled persons at city hall; past members Anne Belehorec from Sherwood Park, Ruth Petersen from Edmonton, and George Schmidt from High Level; and a council staffer, Pheona Churn; and others who are in their entourage. Please join me in giving them a very rousing and a very warm welcome on this very special day.

THE ACTING SPEAKER: The hon. Minister of Transportation.

MR. STELMACH: Well, thank you, Mr. Speaker. Today I'm truly honoured to introduce to you and through you to the Members of this Legislative Assembly three gentlemen seated in the members' gallery. The first gentleman is Mr. Jim Morrison of Reid-Built Homes. Second, is Mr. Bob Carwell, who is the chairperson of the Edmonton transportation cluster group, from a company called Logistix, and another person who is quite familiar to many in this Assembly, Mr. Bob Rosen from City Lumber. All three are very instrumental in setting the transportation cluster group's plan for Edmonton transportation needs well into the future. I see that they've risen in the gallery. Please offer them a very warm welcome.

THE ACTING SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAN: Thank you, Mr. Speaker. Today it is my very great pleasure to introduce to you and through you to members of the Legislature 28 students and four teacher's helpers. They are students at the St. Stanislaus school here in Edmonton in the constituency of Edmonton-Rutherford. It is a bilingual French immersion school. The students are accompanied by M. Jean-Francois Bugeaud, M. Guy Bussiere, Mrs. Nicole Plamondon, and Mrs. Elaina Anselmi. I would ask all members to please give these students and their teachers the traditional warm welcome of the Legislature.

MR. LORD: Mr. Speaker, it is my great pleasure today to rise to introduce to you and through you to all members of this Assembly a number of the people who are making it happen at CKUA Radio, which is celebrating its 75th anniversary this year. I would ask that the following, who are seated in the public gallery behind me, rise as I call their names and be recognized: Ken Regan, general manager, CKUA Radio Network; Bud Steen, chairman, CKUA Radio Foundation board of directors; Henry Scheil, treasurer; Ian Nicol, secretary; Sharon McMullan-Baron, officer with the board; Ralph Henderson, officer with the board; Jack Hagerman, host and producer of *The Old-Disc Jockey* and former general manager.

I might add that an important note in Alberta history is that Jack did the first radio broadcast of a question period of any Assembly in the British Commonwealth, the entire British Commonwealth. He did that right here in this Assembly. So a very important piece of Alberta history there.

We also have Wes Denison, volunteer and president with the Edmonton chapter; David Ward, host and producer of *Alberta Morning* and the *Bluegrass State of Mind* show; Kristine Britt, executive assistant; Danielle Scheil; and finally Maureen Workman, who is the volunteer co-ordinator of CKUA Radio Network. I would ask that we all please give these people the warm traditional welcome of the Assembly.

THE ACTING SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

1:40

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased today to rise and introduce to you and the members assembled Oliver Cardinal, a member of the Alberta Disability Forum. I'd ask that Oliver please wave from the members' gallery and be acknowledged by the House.

head: **Oral Question Period**

THE ACTING SPEAKER: The Leader of Her Majesty's Official Opposition.

Class Sizes

DR. NICOL: Thank you, Mr. Speaker. Last week the Minister of Learning claimed that teachers support raising class sizes in order to fund their salary settlements. My questions are to the Minister of Learning. Has the minister talked to a single teacher in Alberta who wants larger class sizes?

THE ACTING SPEAKER: The hon. minister.

DR. OBERG: Thank you very much, Mr. Speaker. When you take a look at class sizes around the province, first of all, on the study that we did last year from kindergarten to grade 6, the average class size was 23. When you take a look at all the data that is out there at the moment, what they say is that, basically, the solution to class size is more flexibility. I think everyone in this Assembly knows that a class, for example, that has 12 students where three or four of them have learning disabilities is completely different than a class of 30 students where everyone is a top-notch student. So the answer to that is flexibility. I believe that the majority of studies out now are backing me on flexibility, and hopefully that's the direction we'll go.

DR. NICOL: Again to the Minister of Learning. Why has the minister misrepresented the position of the ATA in last spring's arbitration?

DR. OBERG: Mr. Speaker, I would be more than happy to submit to this Assembly the arbitration ruling where the arbitrator stated exactly what the ATA had said.

DR. NICOL: Will the minister permit school boards to increase revenues if the alternative is to increase class sizes?

DR. OBERG: Mr. Speaker, again, I find this line of questioning about the public education system increasing revenues completely shocking and against what has been said in the past. There are specific lines, specific directions as to how they can raise revenues. I do not believe that they need to fund-raise more, if that's what the hon. Leader of the Opposition is getting at. Our teachers are now paid probably anywhere from 7 to 15 percent higher than any other teacher in the country.

DR. NICOL: Mr. Speaker, the Minister of Learning has frequently said that when it comes to class sizes, school boards should have the flexibility to set whatever class sizes are appropriate. While parents complain of class sizes numbering 38 children, is the minister satisfied that his policy of flexibility is working?

DR. OBERG: Mr. Speaker, there are a lot of different reasons as to why there are class sizes of 38. For example, last night I heard from the Member for Medicine Hat about a class size in his school that was actually 39 students. When asking the principal of that school, he said it basically turned out to be a scheduling issue, and they decided to put those students together.

Mr. Speaker, the key is that they decided on what to do. That's something that we feel very strongly about. The Alberta School Boards Association has continually made representations to me about giving them more flexibility on how to spend their money, more flexibility on making these decisions, and quite frankly that's something I agree with.

DR. NICOL: Again to the minister: what use is it for parents to plead with school boards that clearly do not have the flexibility to maintain appropriate class sizes?

DR. OBERG: Well, Mr. Speaker, I believe that they are elected every three years. The parents have the ability to make representation to any school board that I've ever seen. If there is any school board that is not allowing parents to make representation to them, I certainly would like to hear about it, and I will certainly look into it. They are quite capable of doing that.

DR. NICOL: Again to the minister: how can the minister maintain the myth of flexibility when school district after school district is being forced to increase class size to pay for the government-ordered arbitration settlement?

DR. OBERG: Mr. Speaker, if you remember, back in the spring of this year, Larry Booi, the president of the ATA, went to our Premier's office and asked that there be compulsory arbitration, asked that the teachers' strike be ended that way. This was not government-ordered arbitration; this was a request from both parties to end a very drastic strike. The opposition could have quite easily allowed these people to stay out, but we wanted the students back in the classroom; the ATA wanted to get back into the classroom; the School Boards Association wanted to get back into the classroom so that the students can learn because that's what they're there for.

Victims of Violence

MS BLAKEMAN: Mr. Speaker, in an excerpt from an April 2002 news release the Solicitor General is quoted as saying, "The provincial government is following through on its commitment . . . to ensure a more meaningful voice in the justice system for victims." In the 2001-2002 Solicitor General annual report it states, "My ministry continues to make strides in ensuring that victims of crime play a significant role in the justice system, and are treated with the dignity and respect they deserve." My first question is to the Premier. Has this government's policy towards victims of abuse changed in the past weeks, and what is this government doing to ensure that victims of abuse are not denied their day in court?

MR. KLEIN: Mr. Speaker, our policy hasn't changed at all. This pertains to the Criminal Code, and as I understand it, law enforcement agencies in this province treat abuse as a very serious situation. If they find evidence or if they deem that there's enough evidence that abuse has taken place, then charges will be laid, as they should be.

MS BLAKEMAN: My next question is to the Solicitor General. What specifically will the Solicitor General do in terms of new policy and programs to ensure that victims of violence get a more meaningful voice in the justice system?

THE ACTING SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Speaker. What the Solicitor General will do is continue to listen to Albertans on what they want and the police and the policing community.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you. Again to the Premier: what is this government prepared to do to offer restitution to victims of domestic violence who have lost their day in court due to interference by a third party?

MR. KLEIN: Mr. Speaker, that question is not only cruel, insensitive, and stupid, but it bears no relationship to anything that is happening relative to government policy.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

Rate Riders

MR. MASON: Thank you very much, Mr. Speaker. Today the New Democrat opposition announced proposals to eliminate rate riders from Albertans' power bills. Recognizing rate riders for what they are, a cynical ploy to lower power bills before the last election only to raise them again once the government was safely re-elected, the New Democrats are calling for their immediate elimination. This proposal will save power consumers \$260 million in unfair and discriminatory power costs. My question is to the Minister of Energy. Will the minister support the New Democrat opposition's proposal to eliminate the 2003 rate riders?

MR. SMITH: Mr. Speaker, first this party supports big business – the big business of a utility company – and now this party wants us to pay \$260 million to that big business? What kind of guys are you really?

MR. MASON: Mr. Speaker, given . . . [interjections]

THE ACTING SPEAKER: Hon. members, the hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Thank you, Mr. Speaker. Given that the minister knows full well that those rate riders are not paid by the power companies but are in fact paid for by consumers, how can he justify spending \$2 billion in expenditures to reduce power bills before the last election but turn up his nose at a modest proposal to actually give some real relief to power consumers that's not just before an election?

1:50

MR. SMITH: Well, Mr. Speaker, repaying \$260 million to his favourite – I don't know; possibly – donor would be, I think, not in the best interests of Albertans. The \$2 billion that was repaid to Albertans in the 2001 period was paid to the individual Albertan via the Balancing Pool. They are the proceeds that were delivered as a result of these auctions that took place of the power purchase agreements in the year 2001. It was determined that these funds should be returned to Albertans as quickly as possible, as transparently as possible, and as efficiently as possible. If we were to follow down the line of zany reasoning that the hon. member has suggested – for example, in 2001 ATCO, which has a rate of 4.9 cents a kilowatt-hour, very, very close if not lower than the rate offered prior to regulation, if they then refunded a rate rider, we would have to actually go back and collect the rate rider from them.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Why does this minister continue to try and pull the wool over the eyes of Albertans by trying to pretend that it is EPCOR that has to pay the rate riders when he knows perfectly well that it's people all over Alberta, not just in the EPCOR service area, that are paying rate riders, which are merely paying back the power companies for giving the government cheap power before the election?

MR. SMITH: Well, Mr. Speaker, in answering this question, first let me recognize how nice it is to see you in the chair in such an important period in the House.

Secondly, Mr. Speaker, the only wool that's being used right now is the woolly reasoning employed by the hon. member of the ND, who have long had a tradition of milking taxpayers and then giving them their own money back. In fact, if you look at ND, New Democrat, electricity policy across this country, you will see that they have generated some \$100 billion in taxpayer debt that the taxpayers of future generations are going to have to pay back simply because they didn't have the guts to put real electricity policy out-front in today's marketplace.

THE ACTING SPEAKER: The hon. Member for Calgary-Shaw.

Allegations of Interference in Justice System

MRS. ADY: Thank you, Mr. Speaker. When a person becomes a public servant, they never really know the extent to which their life may be the focus of attention or come under scrutiny. Certainly, it is difficult for those looking on and in the absence of full information to distinguish between fact and fiction or, say, the actions of a concerned mother for her child versus something else. Over the last

few days there have been allegations made and a great deal of speculation about the process involved in determining whether an investigation is warranted into the allegations concerning the Solicitor General. My question today is for the Attorney General. Could the Attorney General advise the House as to exactly what process he's undertaken to review this matter?

THE ACTING SPEAKER: The Minister of Justice and Attorney General.

MR. HANCOCK: Well, thank you, Mr. Speaker. All members of the House will know that under the British parliamentary tradition the Attorney General is not only a minister of the Crown and a member of the House but also stands alone in terms of being responsible for matters of public prosecution. The short answer to the member's question is that the matter referred to will be handled in exactly the same manner as we handle all allegations that are made to the office of the Attorney General.

That process is that if an allegation is made to our office, it is referred to the prosecution service to obtain information and to review that information to determine whether the allegations warrant any further investigation. The decision as to whether or not an investigation should be undertaken is made by the prosecutor's office. Indeed, any determination made by the Crown with respect to any file brought to the prosecutor's office is made by that office without any direction or interference from a political office, including the office of the Attorney General.

In the case of any real or perceived conflict, it is our practice to seek an outside independent opinion. Specifically, we ask another jurisdiction to do an independent assessment of the file. When we ask for an outside assessment, we do not advise the outside party of what our opinion is or in any other way bias their view. We give them the information we have, we ask them to determine what other information they might need, and we ask them for their advice and direction with respect to what ought to be done.

In regard to the allegations concerning the Solicitor General, I can advise that we have asked the department to gather information. We have now approached the government of New Brunswick and the Crown prosecutor's office in New Brunswick to assess the information and to advise us as to whether there should be anything further undertaken. Let me be very clear. There is no investigation at this time. We have simply asked New Brunswick to do an independent assessment of the information available to determine whether any further action is warranted.

Asbestos Removal at Holy Cross Hospital

DR. TAFT: Mr. Speaker, stop-work orders are issued for significant workplace safety violations, and it is clear from the government's own regulations as well as its staff that stop-work orders are intended to be public. Despite this, repeated requests for copies of the stop-work order issued as a result of the asbestos release at the Holy Cross hospital have been denied both to our staff and to legal counsel. To the Minister of Human Resources and Employment: can the minister explain why the file concerning the asbestos release at the Holy Cross appears to have been covered up even when regulations and the minister's own staff say it should be public? Why the stone wall?

THE ACTING SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you very much, Mr. Speaker. On the

particular question there has been an investigation. As I understand it, there have been concerns about the cleanup of the asbestos. The latest information that I have is that there are actually discussions going on now between our staff and the Minister of Justice surrounding the area, and this may, then, have led to some of the problems that he might be having in terms of gaining access to material. There's certainly nothing that has come from me as the minister, from the minister's office, in terms of restricting any information from anybody here in the public.

DR. TAFT: Mr. Speaker, stop-work orders by regulation are public or at least are intended to be. So will the minister commit to immediately releasing not only the stop-work order but also all supporting documents that go with it?

MR. DUNFORD: No, I won't make that commitment. As I stated in my first answer to the question, in my view there's an ongoing investigation under way. We have provided material to the Minister of Justice's office, and we're waiting for direction. I'm not going to, for the sake of a question in question period, do anything or say anything at this point in time that might hinder an ongoing investigation.

DR. TAFT: Given the obvious secrecy over this incident, what assurances can the minister give this House that all affected parties – workers, staff, and residents – have been properly informed of their exposure to asbestos at the Holy Cross site?

MR. DUNFORD: Well, you know, the tone of the question is as if some sort of conspiracy is at play here. I want to assure the hon. member that as much as he likes to play politics over workplace health and safety – and we've had indication of that in the House here previously – we have policies and procedures in place. An investigation is under way, and there's currently information that's been provided to the Minister of Justice to see whether or not we need to proceed with any further court hearings.

THE ACTING SPEAKER: The hon. Member for Vermilion-Lloydminster.

2:00

Agricultural Assistance

MR. SNELGROVE: Thank you, Mr. Speaker. It's been a difficult year for those in the agriculture business, and I would like to mention on behalf of the farmers and ranchers of Alberta that we do appreciate the hard work the minister and, in fact, her entire department have done for everyone. Thanks very much.

In an effort to stay current and provide new programs that better reflect the reality of agribusiness today, the various ag departments are developing pilot projects throughout Alberta. To the Minister of Agriculture, Food and Rural Development: could you please explain who is ultimately responsible for the development and implementation of these projects, and can you assure the participating farmers and ranchers that they will not be put at any extreme disadvantage by participating in these pilot programs?

MRS. McCLELLAN: Mr. Speaker, first of all, it has been a difficult year for agriculture in its entirety, and my thanks go out to all of my colleagues in this Legislature who have had a part in trying to alleviate that difficulty over this year.

The issue of programs and pilot programs in Ag Financial Services is one that our caucus has spent a great deal of time on. We try very hard to have insurance programs in place that respond to the

various regions of this province because agricultural conditions are not the same across the province. Hence, when we design a new program, we tend to run it purposely in a pilot area rather than putting it provincewide because you may find some anomalies in that program.

One of the programs that I know the hon. member has great interest in is the cereal silage program. That was run this year in a small part of the province as a pilot, and sure enough we found some anomalies in that program. However, the information that we have gained and the learning process of applying something that is theoretical into practice, I believe, will allow us to take those anomalies out of the program and have a very good, strong program that we can extend to a greater part if not all of the province for next year.

MR. SNELGROVE: My first supplemental is to the same minister. Farmers and ranchers in the Gem area north of Brooks and the Rivercourse area south of Lloydminster believe they have been treated unfairly because of glitches in the pilot program due to the lack of or accuracy of information being shared between the different departments. Because these were jointly developed programs, the regular crop insurance appeal process does not apply to them. Could the minister explain the process that these producers could appeal to for an independent or unbiased hearing so that they can be assured of fair compensation?

THE ACTING SPEAKER: The hon. minister.

MRS. McCLELLAN: Thank you, Mr. Speaker. Well, first of all, I can assure you that the MLAs in both of those areas have been very aggressively pursuing this issue with the minister and with Ag Financial Services, who are the operators of the program.

First of all, Mr. Speaker, the first thing that we try to do is pull together all the information that we had on the program, look at the information as to how it applies to the guidelines of that program, and make sure that the information that we had was applied fairly in the program. This comes to one of the anomalies that we have in those programs, where the program worked for 90 percent of the area but because of some very unusual circumstances, which nobody would doubt happened this year across the province, did not work for 10 percent.

What we have agreed to do is completely review that to ascertain whether we can take any information that is available to us to answer the concerns in the 10 percent. Nobody is disputing the fact that there are some unusual circumstances in those areas. However, because it is an insurance program and because we do have a responsibility under the contract of that program, we have to take the time – we being the Ag Financial Services Corporation, who administer that program – to see if any information that they've been able to garner will help to alleviate those concerns in that 10 percent.

MR. SNELGROVE: With the bleak outlook in regard to the current moisture levels in Alberta what, if any, new programs are you planning to bring forward to help with this potential problem and to ensure the long-term viability of agriculture in Alberta?

MRS. McCLELLAN: Mr. Speaker, no question: the insurance programs are critical to the ability of our producers to insure as much as possible against production loss. One of the things that I think is the strength of the program is producer input. Last year we had a group of my colleagues who visited and had focus meetings with farmers from across the province to try to deal with some changes in crop insurance that were important. This year three of my colleagues took the time – somebody from north, central, and

south – to talk with producers across the province on the pasture program, the hay program, 4-H programs, cereal and silage programs. It is my expectation, with that knowledge that they have brought back, that we will be able to adjust those programs, to, I hope, offer them provincewide, and in that way allow producers to take advantage of the risk management tools that are available to them so that this government does not have to react in an ad hoc manner. Producers don't like ad hoc programs; governments don't like ad hoc programs.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

Electricity Deregulation

MR. MacDONALD: Thank you, Mr. Speaker. It is the yearly anniversary of Enron's spectacular bankruptcy filing in America. Enron's spectacular failure is very similar to what has happened in this province with our electricity deregulation scheme as promoted by this government. Enron was a billion-dollar fiasco in America; electricity deregulation is a billion-dollar fiasco in this province. It is the greatest Tory blunder of all time. My first question is to the Minister of Energy. What role did Enron play in promoting and implementing electricity deregulation in this province?

MR. SMITH: Mr. Speaker, the member is sitting dangerously close to the third party.

We will say that at the period of deregulation, when it started January 1, 2001, in Alberta, I was not the minister of this portfolio and, therefore, would not be able to accurately comment.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. Given that this minister is dangerously close to rejoining the backbenches, again to the same minister: given that there are 38,000 documents, costing over \$15,000 to the Official Opposition, indicating a major role between the government of Alberta and Enron in electricity deregulation, will that minister commit in this House this afternoon to tabling those 38,000 documents for the benefit of not only this member but also Alberta consumers, who are footing the bill for this expensive deregulation scheme?

THE ACTING SPEAKER: The hon. Minister of Energy.

MR. SMITH: Well, thank you, Mr. Speaker. The member, as he has demonstrated in the past, is very cognizant and aware of the methods used in the freedom of information policy guidelines. The policy is open for everyone. There is absolutely unfettered and open access of this government like there's never been of any other government in the dominion of Canada, including the federal government. We would simply ask the member to use the appropriate means that are available to him or, of course, entertain yet another motion for openness and transparency, and that's written questions.

MR. MacDONALD: Again, Mr. Speaker, to the same minister: given that the only thing higher than Alberta power bills these days are FOIP request estimates to the Official Opposition, will the minister, then, commit to waiving the fees entirely to the Official Opposition and surrendering the 38,000 documents which indicate that Enron has been involved in government deregulation?

2:10

MR. SMITH: Mr. Speaker, we have an outstanding public service, who work diligently and hard each day. They're here contributing

to a better Alberta. Those activities of those individuals are for the future; they're certainly not for the past. There is, of course, the freedom of information mechanism, that the individual can use. He can use letters and correspondence to me, as the other member has today. We look forward to specific and succinct information requests from the member and would entertain them in the most open fashion, as this government has become known for.

THE ACTING SPEAKER: The hon. Member for Little Bow.

EPCOR Billing Practices

MR. McFARLAND: Thank you, Mr. Speaker. Last week we heard the NDs tell us that EPCOR wasn't to blame for anything, that it was simply the cost of power that was to blame. On Friday, this past Friday, I was informed by one of my constituents, that had just lost her husband and moved from a farm into a nearby community, that after having over 30 years of business with Calgary Power, TransAlta, Aquila, and now EPCOR, she would have to pay them \$140 to do a credit check in order to set up a new account. Clearly not a government direction. Mr. Minister of Energy, I would like an explanation for this House why EPCOR can get away with charging that kind of money for a long-standing customer who changed simply because of her marital status.

MR. SMITH: Mr. Speaker, I think that it's very important, because there are cases – and if I can just relate personally. In the marriage situation we've ensured that my wife carries a credit card so that in case anything did happen to me, she would be able to get credit on an easily available basis. I think this is one of those instances where that could prove the case.

We have checked with EPCOR, and EPCOR, as any commercial entity would do, undertakes to check a consumer's credit history. They then require only a credit deposit from customers with a poor credit history or no established credit history. So a customer who has an exemplary or good credit history with EPCOR would not be assessed as charged. If a deposit, though, is needed, the deposit is held for the first 12 months of service, and if the customer has paid all the bills on time, the deposit is returned to the customer. Now, Mr. Speaker, if the customer closes their account which is in good standing during these 12 months, the \$150 deposit would pay for any power used since the most recently paid bill, and the balance then is returned to the customer.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. My second question, from a second constituent. EPCOR has substantially overcharged this customer to the tune of \$1,500 for a home in a small community, demanded and received payment, and subsequently has a large credit. When the customer asked to have it refunded – who wants to have \$1,200 sitting in somebody else's account? – they were told that it would remain as a credit. To the minister: why can EPCOR hang on to the money? The customer isn't asking for interest. They simply want the money back.

MR. SMITH: Well, Mr. Speaker, that policy, which is a policy established by EPCOR, is to credit the account, but if the customer insists and phones or contacts EPCOR, then it's my understanding that the company, EPCOR, will in fact send them a cheque.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you. My second and final supplemental is to the same minister. With respect to EPCOR's applications to the EUB for the year 2003 under the regulated rate option, are you aware if EPCOR has in fact applied for any new rate riders?

MR. SMITH: Mr. Speaker, that is a very good question. Work is being done at the board level, as I understand it, right now, because the 2003 regulated rate option should be coming available to all consumers, whether they be in the ATCO service area, the Aquila service area, the Enmax service area, or the EPCOR service area. Unfortunately, those services by Enmax and the EPCOR city area will not be under the purview of the Energy and Utilities Board until next year. But it's my understanding and, again, the information that I have is that EPCOR has not applied for any new rate riders for the EPCOR/Aquila service region in 2003. The 2000 and 2001 rate riders will continue to show up in 2003 in accordance with the previous EUB decisions. Both of these rate riders will expire on December 31, 2003. Aquila has also applied to the Energy and Utilities Board to establish new rates for distribution costs, and that EUB decision is expected by the end of February.

Proposed Blairmore-Bellevue Water Pipeline

MR. BONNER: Mr. Speaker, the Crowsnest Pass Ratepayers Association has expressed many allegations to this government with regard to the proposed Blairmore-Bellevue water pipeline. These concerns deal with the municipality's handling of taxpayer dollars in implementing a project. My questions are to the Minister of Municipal Affairs. Has the minister met with the municipality with regard to this issue?

THE ACTING SPEAKER: The hon. Minister of Municipal Affairs.

MR. BOUTILIER: Thank you, Mr. Speaker. The short answer is: no, I haven't, but I'm aware of the situation. I understand that we are going to be meeting with them on that very topic.

MR. BONNER: To the same minister, Mr. Speaker: is the minister going to conduct an inspection under the provisions allowed in the Municipal Government Act?

MR. BOUTILIER: Mr. Speaker, we will follow what is in the law of Alberta, but I want to again assure the member that we'll certainly update this House relative to our meeting, relative to this very important issue that is in front of us. We're dealing with it and investigating it.

MR. BONNER: To the same minister, Mr. Speaker: what is this minister prepared to do to address this very serious issue?

MR. BOUTILIER: Mr. Speaker, the same answer as to question 1 to the hon. member.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

Tuition Fees

DR. PANNU: Thank you, Mr. Speaker. University student tuition has more than tripled in the last 10 years in this province. This is a rate 500 to 600 percent more than the rate of inflation. Now, on top of another 6.4 percent tuition increase for all students the University of Alberta is proposing differential tuition fees, that could see tuition in the faculties of Medicine, Law, or Business go up as much as

\$50,000 for a four-year degree. My questions are to the Minister of Learning. Why is the minister allowing universities to proceed with differential tuition fee schemes when he knows or he should know that this will put careers in law, medicine, and business beyond the reach of most if not all students from low- and middle-income families in this province?

DR. OBERG: Because quite simply, Mr. Speaker, that is the law of this land, that was passed in this Legislature, that allows them to do that.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I thought the minister knew the law or should have better knowledge of the law. The law doesn't allow the university to increase tuition fees by 500 percent.

My second question to the minister: exactly how much debt does the minister think an aspiring doctor or lawyer can incur before students from modest backgrounds decide that entering these professions is just not worth the financial risk that it entails?

THE ACTING SPEAKER: The hon. Minister of Learning.

DR. OBERG: Well, thank you, Mr. Speaker. I will comment upon an ad that appeared in the newspaper probably about a week or two ago. What it had, quite simply, was that it would cost Emma, who was going through to become a doctor, about \$112,000 over her lifetime for her education over the eight years that were required. The interesting part is that the first year that person that graduated from school as an ophthalmologist, because she was going to cure blindness, would make between \$700,000 and \$800,000 per year.

2:20

Mr. Speaker, the other issue that I will say – and I will be tabling this today, actually, in a direct response to one of the written questions, but I'll comment on it if I may – was that the average student debt level of students who received assistance from the Students Finance Board in '95-96, which was five or six years ago, was \$11,604. In 2000-2001 it was \$12,620, an increase of \$1,000.

If I may, I'll just also comment on what it was in British Columbia, where tuition has been frozen for over five years. It was 33 percent more at 16 and a half thousand dollars.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Mr. Speaker, my second supplementary to the minister: would the minister explain why his differential tuition fee scheme would not scare students out of their minds to financially risk \$50,000 more in tuition fees alone to get a degree in law or medicine when the cost of this degree may well be more than their family's annual income?

DR. OBERG: Mr. Speaker, I'm absolutely delighted that the hon. member asked me that because I get the ability to expound on the virtues of our great student loan program. We have increased our student loan program by over 50 percent in the last three years. That enables students who can't afford to go to school to utilize our student loan program. On a four-year degree they can claim up to 10 and a half thousand dollars per year, of which they pay back \$5,000 and receive \$5,500 free. The key thing to remember in all of this discussion is that ordinary Albertans – the taxi drivers, the truck

drivers, the people in this Assembly – pay over 75 percent of a student's education.

THE ACTING SPEAKER: The hon. Member for Calgary-North Hill.

Refugee Claim

MR. MAGNUS: Thank you, Mr. Speaker. My questions today are for the Minister of Children's Services. We have learned about the case of a mother and her four daughters who have applied for refugee status in Canada, but their claim has been denied. If this Nigerian family is sent back to their homeland, it is likely that these girls will suffer FGM, feminine genital mutilation. They are now taking refuge in a Calgary church. Can the minister tell us whether her department will get involved in this case to ensure the safety and security of these children?

THE ACTING SPEAKER: The hon. Minister of Children's Services.

MS EVANS: Thank you, Mr. Speaker. I have been impressed by the number of overtures to my office on behalf of children and a mother that people perceive some very dreadful consequences would arise for should they return to Nigeria. The hon. Member for Calgary-North Hill asks me: what do we do? I should tell you that frequently children who are immigrants come to places like Calgary, come to Alberta, and Children's Services will intervene if we believe there are child protection issues, things that we can help with. I spoke this morning with a social worker in consultation about this particular issue, and she advised me that they were going to look into it, but we recognize and I should identify that immigration is a federal matter.

Our jurisdiction can be really questioned where federal issues are concerned, and my understanding is that this particular applicant may be back in court in December later, about December 10. So all I would say is that at this time we can look into the situation and see if there are child protection issues that relate to the four young women in question, and I understand that we're looking into those issues as we speak.

MR. MAGNUS: To the same minister, Mr. Speaker: can the minister tell us what other options her department has at their disposal in relation to this case?

MS EVANS: Mr. Speaker, on such an investigation we can find out if the children's basic needs are attended to, whether they need counseling, provision of food, other amenities to assure their safety. Now, in this case the mother is obviously a strong advocate for her children, but if she wishes to request that private guardianship be considered, she can look at some other options. It is as individual as the individual case. Although we're very concerned about the best interests of the children, it would appear to me as Children's Services minister that unless the mother is willing to relinquish the authority by which she looks after her own children to some government agency or somebody else, she is perfectly entitled to look after those children as she is so doing. But we are engaging in a review of the situation to just find out if there are child protection issues that exist.

THE ACTING SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. My second supplement-

tary will go to the minister responsible for immigration in Alberta, and it is the same as the second question to the Minister of Children's Services. Can that minister tell us what options his department may have at his disposal in relation to this case?

THE ACTING SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. Cases such as these are a federal matter. From a provincial point of view, we are not there to get actively involved in the case, but I will say that I have complete faith in the immigration minister, and for me to say that about a federal minister – I don't say that about many. But I will say that I have complete faith in the ministry of immigration, the minister of immigration, and I do feel that they will get to the bottom of this and ultimately do the right thing.

Alberta Productivity

MS CARLSON: Mr. Speaker, Alberta has a unique and volatile economy when compared to other jurisdictions. Employment variability is 4.8 times greater than in other provinces, relative income trends have dropped 10 percent over the last decade, and productivity is almost 25 percent lower when compared to the United States. My questions are to the Minister of Economic Development. What is the minister doing to enhance Alberta's productivity?

MR. NORRIS: Well, clearly, Mr. Speaker, productivity in Alberta outweighs any other province in Canada, so the question would have to be taken on a different tack. I think that where we would examine it is in our federal taxation system, which punishes people who want to earn more money and rewards people who want to stay in the middle levels, which has driven down productivity throughout the nation. For us to address that issue on a province-by-province basis seems not only counter-productive but not necessary in Alberta, where we have the highest level of income per capita in all of Canada.

MS CARLSON: Mr. Speaker, he is still not the brightest cookie in the jar, because the right answer is education. Why isn't the minister working aggressively to increase investment in both postsecondary and K to 12 education? That's where the solutions will come from.

MR. NORRIS: With all due respect, Mr. Speaker, all I heard was something about a cookie jar, and I'm not sure how that relates to Economic Development. Could the hon. member ask the question again?

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'll put the next two questions together. Why aren't you aggressively pursuing investment in both postsecondary and K to 12 education? That's where the solutions arise. And when will you start to work on continuous professional development and certification in this province? Those are the serious problems that are causing our productivity problems.

MR. NORRIS: Well, I would like to thank the hon. member for the question because I think we agree 100 percent on what you're talking about, if I understand it correctly. Indeed, the Alberta government has done that, and through the Department of Learning we have increased spaces to postsecondary education in SAIT and

NAIT, some 2,200 students. We now have programs that bypass the apprenticeship program for high school students who want to go directly into an apprenticeship program and directly to trades. Certainly, with my colleague in the department of aboriginal affairs we have addressed that issue through the high school which used to be the municipal airport to encourage aboriginal youth to continue with their studies.

So I think it should be abundantly clear to the member that although government doesn't have all the answers to the problems in every economy, we certainly are addressing them not only with extra positions but with extra money and extra commitment, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

2:30

Tourism Industry

MR. HORNER: Thank you, Mr. Speaker. Tourism is one of the pillars of the Alberta economy, worth almost \$4.8 billion to the provincial GDP last year. It is critical to the economic development of every community in this province from our mountain parks to our large urban centres and every rural municipality. The government has said that it wants to grow tourism into a \$6 billion industry by 2005, yet Alberta continues to lose market share due to Alberta's diminished marketing efforts and increased competition from other jurisdictions. My questions are to the hon. Minister of Economic Development. Some time ago an MLA committee was established to look at how we could grow this industry. That committee reported to you almost a year ago. Can the minister tell the House the status of this report?

MR. NORRIS: Well, I'd like to thank the hon. member for the question. At the very outset I want to thank the member for his question and for his involvement on that committee.

AN HON. MEMBER: What's the answer?

MR. NORRIS: Oh, I'll get to the answer, but it's such a wonderful topic, I could go on all afternoon, hon. member. I would be delighted . . . [interjections]

THE ACTING SPEAKER: Hon. members, please respond through the chair.

MR. NORRIS: Mr. Speaker, I was attempting to, but they seemed so enthralled with my answer.

Clearly, tourism is vital to the province. We have been blessed with an abundance of glorious tourism opportunities, and under my department and in conjunction with the Minister of Agriculture, Food and Rural Development we've been looking at ways to tie in tourism to all methods of economic development. This is clearly a vital one. In Alberta right now the tourism industry employs over a hundred thousand people, generates about 4 and a half billion dollars in revenues, and kicks back about \$600 million in taxes to this government. So we are focusing on it as a vital industry. Mr. Hutton, the hon. Member for Edmonton-Glenora, chaired the committee, among others.

THE ACTING SPEAKER: Hon. member, there is a tradition in this Assembly not to refer to members by their names. They are referred to by the constituency they serve. Please be guided by that practice.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. I'm not sure that I got the answer to my first question, but we'll plow on.

Can the minister confirm that one of the key recommendations of the report is to link the hotel tax to tourism marketing and development activities?

THE ACTING SPEAKER: The hon. Minister of Economic Development.

MR. NORRIS: Thank you, Mr. Speaker. May I also echo my learned colleague the Minister of Energy and say what a delight it is to see your smiling face in the chair today, and I take your advice to heart.

The answer to your question is yes. One of the key recommendations, made by the hon. Member for Edmonton-Glenora, was that we look at having long-term and sustainable funding for the tourism industry, and that was deemed to be best done through linking it to the hotel tax, which generates about \$45 million. Ironically, Mr. Speaker, that's about the amount of money that our nearest and best competitor, British Columbia, spends, so it would put us right back into competition with them and regain those lost tourism dollars.

THE ACTING SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Thank you, Mr. Speaker. My final question to the same minister is: will the minister be moving on this recommendation soon, and if so, when?

MR. NORRIS: The answer to the hon. member's question is that through our process of government, which is an outstanding one, Mr. Speaker, it has gone through all levels of debate. It has been rigorously debated at every step of the way and has been refined to be what I think is one of the finest programs in all of Canada, if not North America, if implemented. At this point it is waiting for final approval at the last level of our government, which is made up of hon. members of the Treasury Board. When and if I get an answer, I will be delighted to give it to the House and to the hon. member.

head: **Members' Statements**

THE ACTING SPEAKER: The hon. Member for Calgary-Currie.

75th Anniversary of CKUA

MR. LORD: Thank you, Mr. Speaker. Today I rise to offer my congratulations to the staff and supporters of CKUA Radio on the occasion of their 75th birthday this year. This is an amazing but true Alberta and Canadian success story: the incredible little radio station that could and did, the station that has and continues to confound critics and skeptics, outlived almost all its peers, the oldest and the first listener-supported broadcasting station in Canada, older even than the CBC, and Canada's first educational broadcaster as well.

Mr. Speaker, I wanted to mention some things people may not know about CKUA beyond its tumultuous recent history. For example, CKUA has put more than 500 audio features about Alberta history free on-line for our children as well as contributed hundreds of hours of its award-winning environmental program *EcoFile*. CKUA is virtually the only public broadcaster in North America that actually is entirely self-sustaining. CKUA does not seek handouts; instead, they raise more than \$2 million annually through the voluntary – and, I might add, enthusiastic – contributions of its listeners. This is unprecedented in broadcasting in this nation.

CKUA is also host broadcaster for Alberta's emergency public warning system and the recently announced Amber Alert system. CKUA engineers designed, installed, and maintain the many transmitters of this internationally acclaimed and important public safety system.

Speaking of international acclaim, I should mention that CKUA is now going to be broadcasting worldwide, spreading goodwill from Alberta all day, every day through the technology of the Internet.

To sum up, Mr. Speaker, for 75 years CKUA has been a companion, a teacher, a mentor, a broadcaster, a cultural icon, and an example of what intelligent, quality broadcasting can be like in this country. We should all be extremely proud of CKUA's contributions and its remarkable and illustrious history in this province.

International Day of Disabled Persons

MR. LOUGHEED: Mr. Speaker, I rise to recognize the International Day of Disabled Persons, December 3, which was proclaimed by the General Assembly of the United Nations in 1992. This day aims to increase awareness and understanding of persons with disabilities and the issues that impact their lives with an additional goal of getting support for practical action at all levels by, with, and for persons with disabilities.

In Alberta we are recognizing this day in a number of ways. This morning the Premier's Council on the Status of Persons with Disabilities, which I have the privilege to chair, released our Alberta disability strategy. This independent report makes suggestions to the provincial government on ways we can support the full and equal participation of the half million Albertans with disabilities.

At noon today the council partnered with the Alberta Disabilities Forum and the city of Edmonton to stage a recognition event at city hall. An information bulletin was issued to create awareness of the day.

The Alberta government currently spends, Mr. Speaker, about \$1.7 billion annually on programs and services for the disabled community across 11 ministries. Examples include the persons with developmental disabilities program in Community Development, the disability-related employment supports program in Human Resources, the resources to the children with disabilities program in Children's Services, and the programs for schoolchildren with special needs offered by Learning.

The Alberta government is committed to providing supports to persons with disabilities so that they can live, earn, work, and participate in our communities. On this special day I encourage all Albertans to think about ways they can include and support persons with disabilities in the life of this province.

Thank you.

THE ACTING SPEAKER: The hon. Member for Red Deer-North.

International Volunteer Day

MRS. JABLONSKI: Thank you. Mr. Speaker, Mahatma Gandhi said that "the best way to find yourself is to lose yourself in the service of others." On December 5 we will recognize International Volunteer Day. On this day each year the world pauses to reflect on the work that volunteers do. From teaching a child to read to bringing meals to the elderly, volunteers touch many lives every day.

This week our Premier along with the Minister of Community Development and the Wild Rose Foundation will honour six outstanding Alberta volunteers with a stars of the millennium volunteer achievement award in the category of youth, adult, or senior. They will also be inducted into Alberta's own volunteer wall of fame that was created as a tribute to volunteers and as a lasting

legacy to the International Year of Volunteers in 2001.

Each one of us knows a volunteer. In fact, we probably know many. These are good people doing great things. About 70 percent of adult Albertans volunteer for an average of 15 hours per month donating their time, skills, or talents to help others. Please let them know how much their service means to your community. Can you imagine a community without a hockey, ringette, or soccer coach, a community without a Festival of Trees, a community without a July 1 or a New Year's Eve celebration, a community without Boy Scouts or Girl Guides, or a community without mentors?

The work that volunteers do is invaluable. Volunteers are the backbone of our communities and valued partners who contribute so much. I ask all members of this Assembly to recognize our Alberta volunteers and to show them our deep appreciation whenever and wherever we can.

Thank you.

2:40 Allegations of Interference in Justice System

MS BLAKEMAN: In the fall of 1999 charges of assault causing bodily harm were dropped against the son of the current Solicitor General. The court transcripts from a later court martial on the same incident indicate that the then MLA for Calgary-Fish Creek attempted to compel a key witness, the victim, not to testify against her son. To put the timing in context, this contact took place after six months of almost daily media coverage of another member of cabinet, the former Treasurer, for involving himself in the process of justice, and that ended up costing Alberta taxpayers over \$800,000 for that member's inability to understand that he is not above the law. The current Solicitor General could not have been unaware of the consequences of such behaviour.

A number of issues arise from this. The Solicitor General must offer her resignation immediately, and the Premier must accept it. If the allegations are true, it is totally unacceptable that an individual who shows such a limited grasp of the process of justice should be one of the top two people responsible for the access to and administration of justice in this province. [interjections]

THE ACTING SPEAKER: Hon. members, this is the time for Members' Statements. The chair has recognized the hon. Member for Edmonton-Centre.

MS BLAKEMAN: To believe it is acceptable to interfere with a witness subverts the entire process the Solicitor General is supposed to uphold. Stakeholders such as the RCMP, police chiefs, and lawyers have spoken on the record, stating their deep concern over the Solicitor General's actions and their belief that the minister should resign.

I have lost faith in this government's ability to recognize the seriousness of this situation. Instead of the "we're looking into it" brush-off, I think we now need to bring in an investigator from outside of the province. This gets us around the difficulty of which cop in Alberta could investigate the top cop, especially when they're still in charge. You see, justice must not only be done; it must be seen to be done.

head: Presenting Petitions

THE ACTING SPEAKER: Hon. Member for Edmonton-Riverview, did you have a petition?

DR. TAFT: Yes. Thank you, Mr. Speaker. I rise today to table a

petition that I tabled incorrectly yesterday. It's now in order, and it expresses concern over abortion as an insured service.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got two petitions for tabling today. The first petition is signed by 45 small businessmen and -women. They are owners of bed-and-breakfast places or restaurants, and they are urging the government of Alberta to repeal the amendment to the Public Health Act regulation approved by Executive Council on June 25, 2002; and . . . undertake thorough consultation with small business, the food industry and consumers before imposing any fee or tax to pay for health inspections.

My second petition, Mr. Speaker, that I want to table is signed by 74 Albertans, and it requests the Legislative Assembly to urge the Government of Alberta "to support the establishment of Bighorn Country as a legislated protected area."

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have two petitions today. First of all, I'm presenting a petition signed by 50 small businesspeople urging the government of Alberta to repeal the amendment to the Public Health Act regulation approved by Executive Council on June 25, 2002; and . . . undertake thorough consultation with small business, the food industry and consumers before imposing any fee or tax to pay for health inspections.

The second petition, Mr. Speaker, is signed by 69 Albertans, and it petitions the Legislative Assembly to urge the government of Alberta "to support the establishment of Bighorn Country as a legislated protected area."

head: Notices of Motions

THE ACTING SPEAKER: The Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It's my pleasure to provide oral notice today of the following motion.

Be it resolved that when the Assembly adjourns to recess the fall sitting of the Second Session of the 25th Legislature, it shall stand adjourned until a time and date as determined by the Speaker after consultation with the Lieutenant Governor in Council.

head: Tabling Returns and Reports

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited with the office of the Clerk. By hon. Mr. Mar responses to questions raised to the hon. Mr. Mar, the Minister of Health and Wellness, during Oral Question Period on November 28, 2002, by Mr. Mason, the hon. Member for Edmonton-Highlands; by the hon. Dr. Oberg pursuant to the Teaching Profession Act the Alberta Teachers' Association 2001 annual report; pursuant to the Apprenticeship and Industry Training Act the Alberta Apprenticeship and Industry Training Board 2001-2002 annual report; pursuant to the Advanced Education Foundations Act, the University of Alberta 1991 Foundation financial statements for the period ended November 7, 2000; Public Colleges Foundation of Alberta financial statements, March 31, 1999; Non-profit Private Colleges Foundation financial statements, March 31, 1997; the Arctic Institute of North

America financial statements, March 31, 2001; Olympic Oval/Anneau Olympique statements, March 31, 1999; Olympic Oval/Anneau Olympique statements, March 31, 2000; Olympic Oval/Anneau Olympique financial statements, March 31, 2001.

THE ACTING SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today for two tablings. The first tabling is in direct representation from what was stated in question period, and it is a 2002 interest arbitration between Edmonton public school board No. 7 and the Alberta Teachers' Association, which states:

(q) School boards can accommodate higher salaries and benefits by adjusting instructional hours or class sizes . . . Accordingly, there can be no argument about their ability to pay for the increases being sought by the ATA.

In summary, the ATA is seeking end rate grid adjustments of between 18% and 20%.

That's the ATA's submission.

AN HON. MEMBER: Who said that?

DR. OBERG: It's the ATA's submission.

The second tabling, Mr. Speaker, is the answer to Written Question 7, which shows that the debt load of postsecondary students who receive assistance from the Students Finance Board was \$12,620 in the year 2000-2001.

THE ACTING SPEAKER: The hon. Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to table 156 names of residents of the constituency that I am honoured to represent, the constituency of Edmonton-Beverly-Clareview. The signatories are requesting the government to remove abortion from the list of insured services that are being paid for through Alberta Health. They express concern that Alberta pays for 10,000 abortions per year, the majority of which are done for convenience sake, many followed by serious physical and mental consequences costing the government even more.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I have a series of tablings. The first is from James Sexsmith, who is very concerned about where the Premier is going on his policy decisions to, as he says it, "deprive senior citizens of comfortable and worry free living."

Also, I have one from Rhonda Tanton, the executive director of Skate Canada, who is expressing her concern with the proposed revisions to the Alberta Gaming and Liquor Commission's eligibility for gaming licences and use of gaming proceeds policies.

Sherry Banack is very concerned about the funding cap for grade 10 students.

D. Simmons wrote a letter in support of Kyoto.

The Bell family are very concerned about education funding.

Dennis Turner is very concerned about the use of cell phones in cars.

Dave Majeau is very concerned about the spring closure for fishing season.

The Alberta chapter of the Wildlife Society is looking at the field of wildlife management that's been removed from the provincial

wildlife management division, and it has concerns about those.

Thank you, Mr. Speaker.

2:50

THE ACTING SPEAKER: The hon. Member for Edmonton-Manning.

MR. VANDERMEER: Thank you, Mr. Speaker. I rise today to table five copies of a petition signed by members of my constituency, Edmonton-Manning, urging the government to deinsure funding for abortions.

Thank you.

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. I rise to table petitions bearing 323 names mostly from constituents in Vulcan, Champion, Arrowwood, Milo, Lomond, Picture Butte, Carmangay, and Barons. These people say they are clients of the Headwaters health authority and ask that the boundaries remain the same.

MR. LOUGHEED: Mr. Speaker, it's my pleasure on behalf of the hon. Minister of Community Development to table the appropriate number of copies of the information bulletin he released earlier today recognizing the International Day of Disabled Persons.

I'm also pleased to table as chair of the Premier's Council on the Status of Persons with Disabilities five copies of the Alberta Disability Strategy. The strategy has two parts: a summary document and a second, companion document to provide supplementary information.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I am tabling the appropriate number of a set of questions, which is a letter from the Minister of Seniors to myself stating that the private landlord rent supplement program is in operation – in fact, it had an increase in funding – and a report accompanying it from me stating that I've contacted the Calgary Housing Company, Capital Region Housing, Lethbridge Housing, and Red Deer Housing, and they state that the program has been on hold due to lack of funding since October 2001.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I've got two tablings today, two letters that I received, the first one from my own constituents. They are the seniors who are residents of Pleasantview Place seniors' lodge. These low-income seniors are very concerned and want me to express their concern to the Assembly and to the government with respect to the \$40 increase in their monthly rental charges and also additional service charges that have since been increased. These increases are effective January 1, 2003, and they are asking the provincial government to assist them in covering those increases.

The second letter, Mr. Speaker, is a letter that I received from the Canadian Mental Health Association. It is dated November 7. It's a letter from Bob Campbell, president and chair of the Alberta division of the Canadian Mental Health Association. The association is requesting that suicide prevention services be integrated under the regional health authorities.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I have a number of tablings this afternoon. The first is a letter and power bill from a rural Albertan. Doreen Loney* writes: "We can't afford \$500 for electricity. This last bill we received last week. We are trying to pay it off at approx. \$250/month. Needless to say Christmas is spoiled. You are scared to put on Xmas lights."

The second one is a letter faxed to us by a Mr. Lee* in Edmonton, who says: we have certainly not noticed a reduction in our electricity bill.

The next tabling, Mr. Speaker, is a letter and power bills from a Bonnyville business owner. He writes a letter that states in part that "deregulation was the most stupid thing our politicians ever concocted."

The next tabling, Mr. Speaker, is a bill from Wandering River with a letter attached to his MLA for Athabasca-Wabasca. This writer indicates how "discouraging and financially frustrating this is for our family."

The next one, Mr. Speaker, is a bill from Sherwood Park. This particular letter asks a number of questions about why their power bill is so high. They raise five separate questions in this one, and they've attached their utility bill from Enmax.

This next tabling, Mr. Speaker, is a letter and bills from a town councillor in Athabasca stating that the town's power bills have increased over 170 K, and this means "cutting back on services to seniors, youth, recreation . . ."

THE ACTING SPEAKER: Hon. member, this is a time for tabling, not reading.

MR. MASON: Thank you, Mr. Speaker. I understand that we're allowed to extract a few comments.

This is a fax that we've received, Mr. Speaker, which I'm now tabling, dealing with a copy of an EPCOR bill. The person writing claims, "We are being robbed."

The next tabling, Mr. Speaker, is some bills from Spruce Grove, and it includes a letter which states: "Absolutely nothing has changed from last year . . . in the way of additional occupants or appliances . . . My belief is that we are plain and simply being totally ripped off."

The next tabling, Mr. Speaker, is a letter to the government strongly urging the Alberta government to abandon the deregulation of utilities.

The next one, Mr. Speaker, is a fax to the New Democratic Party from Lamont outlining their concerns with power.

The next tabling, Mr. Speaker, is from Wes and Amy Bogdane, and they say that their bill has doubled in one month, "This is outrageous," and thanking the New Democrats for speaking for the people.

The next one, Mr. Speaker, is a letter from a pensioner living on a fixed income who wonders how she can budget with the increase.

The next one, Mr. Speaker, is a letter from a single mother who says, "I cannot afford to pay it."

The next tabling . . .

THE ACTING SPEAKER: Hon. member, how many more tablings do you have?

MR. MASON: I'm about halfway through, Mr. Speaker.

THE ACTING SPEAKER: Are these all pertaining to electric bills?

MR. MASON: Yes, sir.

THE ACTING SPEAKER: They could be tabled to the Assembly, and for members who wish to read them, they can be circulated to them, if they are for the same subject.

MR. MASON: With respect, Mr. Speaker, each person has taken individual time to write to us, so if I can continue.

Mr. Speaker, this one is from St. Albert.

REV. ABBOTT: Point of order, Mr. Speaker. These are exhibits. This is supposed to be . . .

THE ACTING SPEAKER: Hon. Member for Drayton Valley-Calmar, you are not being recognized. The hon. Member for Edmonton-Highlands has the floor.

MR. MASON: Mr. Speaker, we have made five copies of each one, and we'll be tabling them as per the rules of the Assembly.

This is a letter with some bills attached from St. Albert which says: "If you can figure it out please let me know. If power deregulation works this way I am not impressed."

THE ACTING SPEAKER: Hon. Member for Edmonton-Highlands, I just want to caution you that tabling is appropriate. However, it has to follow with a very, very brief statement.

MR. MASON: Thank you, Mr. Speaker. I'll endeavour to keep it to one sentence.

This is a letter from someone in Edmonton who asks why consumers will have to pick up another shortfall and: can someone stop hiding these shortfalls in our bills?

Mr. Speaker, this is from the village of Lougheed, and this is a comment that says that for 16 years the annual billing was \$566.09. Now from January to November their bills totaled \$1,212.63.

The next tabling, Mr. Speaker, is an EPCOR bill which shows . . .

THE ACTING SPEAKER: Hon. member, I have just been advised that the brief statement you make should reflect on the subject matter and that quoting from the letter is not appropriate. Please be guided by that advice.

MR. MASON: Thank you, Mr. Speaker. This is indeed a new departure for tablings.

This EPCOR bill shows a 66 percent increase from 1999.

This bill has a graph that shows an increase from \$92.34 to \$134.27 over four years.

This is a letter from someone in Vimy, Alberta, and this person is protesting his billing.

Here is a letter and a bill from someone in St. Albert. Their power bill has doubled.

Here's another one. I believe this is from Edmonton. This bill is for a one-bedroom apartment, and the person is concerned about why the bills are so high.

3:00

Mr. Speaker, here's another tabling, and this is from a senior in Fort Saskatchewan. The bills here have gone from \$35 to \$45 to \$105 and \$101 and have more than doubled.

Mr. Speaker, this is a bill from someone in Edmonton who has no comment other than to say that their bill is now \$257.52.

This is a bill and a letter from a couple in Wetaskiwin, and they have attached bills here from EPCOR, from TransAlta, and from

*These spellings could not be verified at the time of publication.

UtiliCorp. They are very concerned that the amount they're paying is steadily increasing.

Mr. Speaker, here's a bill from Edmonton for \$190.88. The shortfall charges are \$15.95, the deferral rider is \$9.13, and the local access fee is \$4.17.

I'd like to rise to table this bill, which is from rural Edmonton, and it is \$136 for one month.

DR. OBERG: Where is rural Edmonton?

MR. MASON: I used to represent it, hon. minister. There's a large portion of Edmonton that is actually rural. I represented on city council more farmland than many rural MLAs, and I did it well, I might add.

Mr. Speaker, here is an EPCOR bill for \$251.05.

THE ACTING SPEAKER: Hon. member, if all those tablings that you have reflect energy bills, the chair requests you to table them together as X number of copies or X number of letters on a subject matter that you are presenting to the Assembly.

MR. MASON: Thank you, Mr. Speaker. I will defer these and many others for tomorrow's sitting.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Riverview.

DR. TAFT: Thank you, Mr. Speaker. I only have two tablings today. One is the appropriate number of copies of a letter I delivered earlier this afternoon to the Minister of Human Resources and Employment requesting the release of the stop-work order on the Holy Cross asbestos incident.

The other is an article explaining in dramatic detail a number of problems with the Australian parallel private health care system.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. With permission I would table five copies of a petition from 253 people protesting overcrowded classes at Summitview school in Grande Cache. Currently, the grade 6 classes have 35 students, and the grade 8 classes have 38.

I'd also table a letter from Shauna-Lee Williamson protesting the cutbacks made to services for developmentally disabled adults.

I'd also table five copies of a letter from Pamela Head, with enclosed statements of water and power charges, protesting the high cost of deregulation.

I'd table five copies of a letter from Jon Head, with an enclosed article from the *Edmonton Journal*, expressing outrage at the high cost of electricity deregulation.

I'd table five copies of a petition from 98 Albertans requesting a change to the motor vehicles act so that registries can no longer charge for changing a client's address.

Thank you.

THE ACTING SPEAKER: Hon. members, pursuant to section 28(1) of the Ombudsman Act I am pleased to table with the Assembly the 35th annual report of the office of the Ombudsman for the period April 1, 2001, to March 31, 2002, and the financial statements of the office of the Ombudsman for the period April 1, 2001, to March 31, 2002.

MR. MARZ: I have one tabling today, Mr. Speaker. It's 17 letters and the appropriate number of copies of each letter from the communities of Acme, Elnora, and Linden, and they're all expressing their objections to tax-funded abortions.

THE ACTING SPEAKER: Hon. members, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

MR. OUELLETTE: Mr. Speaker, it's with great honour that I rise here to introduce a large group of students from Fox Run school in Sylvan Lake. I see now that they have left. They couldn't wait, with the great number of tablings we had. Anyway, there were 105 students in the gallery, and they were brought together with 21 parents, helpers, teachers, and student teachers. The teachers and student teachers were Mrs. Karen Adair, Ms Robin Irvine, Mr. John Fielder, Mr. Justin Bander, Mrs. Connie Kwantes, Miss Jenny Fletcher, Miss Amanda Cunningham, Mrs. Jill Shipton, and Mrs. Edith Denning. The parents and helpers were Mrs. Duffy, Mrs. Campbell, Mrs. Anderson, Mrs. Wonenberg, Mrs. Engle, Mr. Breit, Mr. Lapointe, Mrs. Mays, Mrs. Braitenback, Mrs. Carreau, Mrs. Mattson, and Mrs. Ferguson. They belong to a school that's a shared facility. It's a brand-new facility that just opened two to three years ago, just a superb facility, and it's a shared one.

Thank you.

THE ACTING SPEAKER: Hon. members, the hon. Member for Highwood, our Deputy Speaker, has a special presentation to make today.

Page Recognition

MR. TANNAS: Thank you, Mr. Speaker. All hon. members each day of the session are served by the tireless efforts of our pages. It is my honour and pleasure on behalf of all the members of this Assembly to give each page a small Christmas gift to say thank you and to wish each and every one a Merry Christmas. I'd ask our head page, Nicholas Fowler, to distribute these gifts for us. On behalf of the members we wish you all a Merry Christmas and a Happy New Year.

THE ACTING SPEAKER: We have some points of order.

The first point of order is from the hon. Member for Edmonton-Highlands.

Point of Order Relevance

MR. MASON: Thank you very much, Mr. Speaker. In his question to the Minister of Energy the hon. Member for Little Bow raised in his preamble positions and comments related to the New Democrat opposition, and in *Beauchesne* 409, in particular, it is clear that questions must be with respect to government policy. While I appreciate him asking the minister about the policy of Alberta's New Democrats on energy, it is not in order.

MR. HANCOCK: Well, Mr. Speaker, it's quite normal, albeit sometimes improper, for members to raise lengthy preambles with respect to questions that they raise in the House. Often members of the opposition, including members of the third party, including the member who raises this particular objection, in their preamble to the

question set the context of the question by, in their case, inappropriately paraphrasing what their version of government policy is. I listened intently to the question that was asked by the hon. Member for Little Bow, and he was clearly putting an appropriate context around his question and, in doing so, referred to policies raised in the House by other members of the House in framing his question. If anything, he was more polite and more accurate than preambles that have been raised by the opposition in the context of their questions.

3:10

THE ACTING SPEAKER: The chair has just referred to the Blues. The hon. Member for Little Bow began by saying, "Last week we heard the NDs tell us that EPCOR wasn't to blame for anything," and then proceeded with the rest of the question. The chair just wishes to caution everyone that the purpose of Oral Question Period is to ask questions of government policy and not of other parties' policies. That's the intent of question period. I hope that clarifies this position.

Point of Order

Explanation of Speaker's Ruling

MR. MASON: Mr. Speaker, I have a second point of order, and that is consistent with Standing Order 13(2), which says, "The Speaker shall explain the reasons for any decision upon the request of a member." I would respectfully request that the ruling that was made that one may not quote from documents being tabled – I would appreciate it if citations could be provided for that or if that ruling could be explained.

Thank you.

THE ACTING SPEAKER: The hon. member has a valid citation. The chair received advice from table officers, and I certainly will request that a statement be made with appropriate references to that matter. Thank you.

The hon. Minister of Justice and Attorney General.

MR. HANCOCK: No, Mr. Speaker. I waive that point of order.

THE ACTING SPEAKER: The hon. Member for Drayton Valley-Calmar.

Point of Order

Abusive Language

REV. ABBOTT: Thank you, Mr. Speaker. I have two points of order today. First of all, the first one that I stood up on was Standing Order 23(j), abusive or insulting language. I think that if you look at the videotape and listen to the recording of the proceedings today, you'll hear the hon. leader of the third party tell me to shut up. He was sitting there, and he said it. I'll tell you something. We try to teach our kids not to use this word, and I'm very offended, because my kids could have been sitting at home watching this on TV. They could have heard him say that. I want an apology for that. That's my first point of order.

THE ACTING SPEAKER: We'll deal with one point of order at a time.

The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Well, thank you very much, Mr. Speaker. I was sitting right next to the hon. Member for Edmonton-Strathcona. I did not hear him say that, but I will have an opportunity to discuss it with him. I'm sure that if the hon. member did in fact say that, he will have no hesitation about apologizing.

THE ACTING SPEAKER: The chair hasn't had the opportunity to look at the Blues. The chair requests the hon. Member for Edmonton-Highlands to please review the Blues, and if such a comment was made, as the hon. Member for Edmonton-Highlands said, it will be withdrawn. We shall deal with that matter once we have had a chance to look at the Blues.

The hon. Member for Drayton Valley-Calmar on another point of order.

REV. ABBOTT: Thank you for that ruling, Mr. Speaker. I do have a lot of respect for the hon. leader of the third party, and I wouldn't want anything to cause me to lose that respect.

Point of Order

Exhibits

REV. ABBOTT: My second point of order is on the hon. Member for Edmonton-Highlands. It's *Beauchesne* 501 to 504. It says that exhibits are not allowed. He was clearly using these EPCOR power bills as exhibits. He was not using them as tablings. Mr. Speaker, I think they should all be ruled out of order, and they should not be submitted to the annals of the Legislature.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Well, Mr. Speaker, if you look at the sections in *Beauchesne* under Exhibits, section 501 refers to things like boxes of cereal, detergent, and milk powder. It refers to potatoes. It refers to things which are not documents.

Now, we are entitled by the rules of this House to table documents. That's what the section in our Order Paper is, and I would submit to you, Mr. Speaker, that tabling documents, including perhaps large numbers of documents, is a tradition that goes back in parliamentary democracy in this country many, many years. I would submit that the hon. member has absolutely no point of order whatsoever and would ask that you would so rule.

THE ACTING SPEAKER: The chair was looking attentively at the Member for Edmonton-Highlands at the time those tablings were made, and the chair did not, in the chair's opinion, feel that they were being used as exhibits. They were documents that the hon. member was presenting, and he was referring to them as he was making his presentation. So clearly I do not see a point of order.

head: **Orders of the Day**

head: **Government Bills and Orders**
Third Reading

Bill 25

Alberta Corporate Tax Amendment Act, 2002

THE ACTING SPEAKER: The hon. Minister of Revenue.

MR. MELCHIN: Thank you, Mr. Speaker. I'd like to move third reading of Bill 25, the Alberta Corporate Tax Amendment Act, 2002.

As we've discussed, this bill will enact the second phase of the reduction of the corporate income tax rates in Alberta and will parallel recent changes made in the federal tax act. These changes are necessary to ensure that businesses in Alberta continue to operate in a tax environment that allows for increased economic activity, growth, and employment opportunities so that they might increase for everybody.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. In the final reading of this bill we continue to have some concerns. This is a province where the government prides itself on bringing down the tax rates, but at the same time they significantly increase user fees and reduce other kinds of social benefits for people in need. This particular government has a problem keeping its promises, including this one to lower taxes, because the tax rates are being lowered less than what they had committed to. So we will continue to watch and monitor how the government proceeds in these matters, but we believe that it is time for them to clearly put a focus on quality-of-life issues rather than the race to the bottom.

[The Deputy Speaker in the chair]

[Motion carried; Bill 25 read a third time]

Bill 38

Miscellaneous Statutes Amendment Act, 2002 (No. 2)

THE DEPUTY SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to move Bill 38, Miscellaneous Statutes Amendment Act, 2002 (No. 2).

As has previously been mentioned, I'm sure, at previous stages, the miscellaneous statutes is an act which allows the introduction of various amendments to various acts where corrections needed to be made or where changes are being made that are not of a significant policy nature and are only included in the bill if opposition parties agree.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We have an agreement in this House not to speak to miscellaneous statutes because the arrangements are supposed to have been made beforehand in terms of ironing out any concerns that people have. However, it was brought to my attention by the Member for Edmonton-Gold Bar that, in fact, he hadn't been in contact with three of the ministries that were involved with changes to miscellaneous statutes in this particular bill. So I would ask that in the future when these bills come before us, in fact ministers do try to contact the critic for the area so that this can be a smooth process.

Thank you.

3:20

THE DEPUTY SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Yes, and an unusual opportunity to close debate, Mr. Speaker. It should be readily known by members of the House that the process with respect to miscellaneous statutes acts is that the Government House Leader sends a copy of the proposed miscellaneous statutes act to both opposition parties well before it's introduced in the House and gets the agreement from the parties on that package before it's introduced in the House. So I am given a bit of pause by the comments made today on the record, and I just wanted to clarify for the record that the usual process of the Government House Leader to the opposition House leaders was followed in this case.

[Motion carried; Bill 38 read a third time]

Bill 35

Teachers' Pension Plans Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today to move third reading of Bill 35.

This is a bill that allows for the onetime only payment of \$35 million in recognition of the good-faith agreement that was signed with the Alberta Teachers' Association this spring. This bill will allow the \$35 million to be paid as the first installment of this, and there will be a further \$25 million paid as the second installment.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. We're delighted to support it, and we are willing to support the government in their efforts to resolve the disputes with teachers. Hopefully, this will be part of a better future in terms of relationships between the government and the teachers, so we're happy to support it.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm pleased to rise to speak to third reading of Bill 35, the Teachers' Pension Plans Amendment Act. I want to recognize the long and difficult struggle of the teachers in the strike that we had. Notwithstanding that in some cases the government did not always treat the teachers as the teachers would have liked to have been treated, this represents a significant step towards healing that dispute and, quite frankly, represents a significant victory for the teachers with respect to that struggle.

Thank you.

THE DEPUTY SPEAKER: The hon. Minister of Learning to close debate.

DR. OBERG: Thank you very much, Mr. Speaker. Quite simply, I'll rise to close debate. This bill allows for \$60 million, roughly a little under \$2,000 per teacher, to be paid to them as per our good-faith agreement of this spring.

[Motion carried; Bill 35 read a third time]

Bill 33

North Red Deer Water Authorization Act

DR. TAYLOR: I'm very pleased to move third reading of Bill 33.

This is a bill that was necessary because of the requests of various communities in central Alberta, and I think as we go forward, people will see that it has been a worthwhile activity to have this bill passed in the House.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I'm happy to support Bill 33 at third reading. This bill passed through committee so quickly that I didn't have an opportunity to make some of the closing remarks that I wished to at that time, so I will make them now.

The Member for Lacombe-Stettler asked me if I had received

submissions from the towns, the Samson Cree Nation, and various directly affected communities with regard to this bill. We did, Mr. Speaker, and we received those submissions in a timely fashion. So I thank her for recommending to the various locales that we should be included in this particular discussion. It certainly helped in clarifying the issue for us and identifying the user groups and who, in fact, would be directly affected and how they would be directly affected. So the letters of support came from the new group, the North Red Deer River Water Users Group, being the town of Blackfalds, the town of Ponoka, Ponoka county, Samson Cree Nation, Louis Bull Cree Nation, town of Lacombe, Lacombe county, Montana First Nation, and Ermineskin Cree Nation. We thank them for that. It does, I believe, always make the process a lot more streamlined in here when there is co-operation with information from all sides, and that certainly happened.

We had anticipated bringing forward an amendment in committee, Mr. Speaker, that never got brought forward to address the concern we had, which was strengthening the fences around this particular legislation, so I am going to put the wording of that on the floor just for information. I won't be tabling it or anything else. We had asked that after section 1 the licence to be issued under section 1 of this act be issued exclusively to the city of Red Deer, which is responsible for providing water to other parties under the licence. That was not to exclude other communities but to control the management of the process a little more, as we expect that over time this issue will occur more frequently and, perhaps, not with the same kind of good co-operation and with a greater effect on the waterways.

So we want to just be on the record that we will continue to monitor these kinds of situations very closely, Mr. Speaker, but certainly in this particular instance we fully support Bill 33.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. Well, I also will rise on third reading to speak to the North Red Deer Water Authorization Act, Bill 33. We have raised concerns and continue to have ongoing concerns about anything that might seem to be a transfer of water between the basins of two rivers. In this particular case . . .

MRS. McCLELLAN: Why?

MR. MASON: Well, the hon. member wants to know why. There are two reasons. First of all, the ecological reason, and I'm not saying that it applies in this case, because she didn't let me finish. There are real risks that the actual ecosystem – the actual plant, animal, fish life in rivers – is different between one basin and another. It can have the effect of disrupting the ecological balance in a river basin when you introduce water as well as all of the life-forms that exist in that water into a different basin. That's the first reason.

The second reason is that we're very, very concerned about the long-term temptation and pressure on the government to approve the transfer of water to not only meet drought, which, if it's in Alberta, is one thing, but particularly we're concerned about the long-term political potential for transferring significant parts of Alberta's fresh water to the United States. That's something that we are unalterably opposed to, Mr. Speaker, for a variety of reasons, which I won't get into here.

In this particular case I think it's clear that what we're talking about is drawing water from one basin which is connected to

another, passing it through a wastewater treatment plant and then into a different basin, and this is being done in order to provide necessary water to a number of communities. As such, while we certainly would not accept this as a precedent, we will support it because of that and because it meets the needs of Albertans and because it is not transferring the water directly. It's just simply that the drinking water comes out of one river basin, and the wastewater after treatment goes into a different one. That is something that under the circumstances we're prepared to support, Mr. Speaker, so we'll support this bill.

THE DEPUTY SPEAKER: The hon. Minister of Environment to close debate.

DR. TAYLOR: Yes, to close debate. Thank you. I'd like to thank the members opposite for their support of this bill. This is the first interbasin transfer bill that we've ever had in this province, and I appreciate their support on this interbasin transfer bill, that we will shortly conclude. As we go forward, I look forward to their support on other community-driven bills that may be looking at interbasin transfer as well; mind you, driven by the communities that are involved. I look forward to their future support.

Thank you.

[Motion carried; Bill 3 read a third time]

3:30

Bill 34
Seniors Advisory Council for Alberta
Amendment Act, 2002

THE DEPUTY SPEAKER: The hon. Government House Leader on behalf of the hon. Minister of Seniors.

MR. HANCOCK: Thank you, Mr. Speaker. I'd like to move Bill 34, Seniors Advisory Council for Alberta Amendment Act, 2002, for third reading.

The bill is very straightforward, requires no further explanation. It simply allows for the extension of the term of the chair of the Seniors Advisory Council.

MS CARLSON: Mr. Speaker, in spite of our questions at second reading and in committee, we still haven't got the answers as to why this was a necessary bill, why now all of a sudden the length of term served by the chair of the Seniors Advisory Council, which is currently held by the Member for Calgary-West, needs to be extended beyond the six-year, or two-term, maximum. We haven't seen any justification for that in this Assembly, so the question arises: is it just a job creation program? That question hangs out there because it hasn't been answered. So in the absence of any answers I will not be supporting this bill.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. We're doing Bill 30-2; right?

THE DEPUTY SPEAKER: Bill 34 is the one that I have.

MR. MASON: Oh. Well, Mr. Speaker, I can speak on that one too.

THE DEPUTY SPEAKER: On Bill 34?

MR. MASON: Mr. Speaker, on Bill 34. We think it's a good idea to consult with seniors, and we're supporting the bill. Thank you.

[Motion carried; Bill 34 read a third time]

Bill 30-2
Adult Interdependent Relationships Act

THE DEPUTY SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. I'm pleased to move for third reading Bill 30-2, Adult Interdependent Relationships Act.

In so moving, Mr. Speaker, I would like to thank members from all sides of the House for the good work that has been put into developing an act which, I think, is forward looking, which reflects the values of Albertans, which clearly retains for many Albertans their desire to have the institution of marriage recognized for what it is, as a very important institution for our society, while still balancing that with the necessity to allow people in relationships of their making to have access to the law.

[The Speaker in the chair]

Bill 30-2 is a bill which has taken a lot of work by members of the Assembly over the course of the past year in making sure that all of our issues and concerns, our values and our structures have been addressed. I think it has achieved that in a very comprehensive and appropriate way. I would like to thank the members of the opposition for the co-operation they've given in pointing out concerns and raising issues as I would members of the government caucus in very carefully and very thoroughly looking at the issues being raised and assisting with responses to those issues and concerns in order that we might have an act which will I believe in its entirety do Alberta proud.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We will be supporting this bill, and I would like to be on record as stating that I certainly support it. It perhaps doesn't go quite as far as what we could have wished for, but it certainly makes some progress. We certainly see this particular bill having been strengthened by the amendment that came forward and that amendment certainly addressed many of the concerns that we were hearing in the community. So we look forward to this particular bill being proclaimed.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. At third reading of Bill 30-2 I wish to put on record my support and admiration for the Attorney General and Minister of Justice, who, in my view, very skillfully put this piece of legislation together. I would like to thank members of caucus, many of whom had to search into their consciences to support this bill. In my view – and this has been a very long quest for me – it required a certain amount of giving on both sides, and I respect and acknowledge that and thank them very much. In particular, as I've said, I do wish to recognize the particular skill and effort of the Attorney General and Minister of Justice.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Mr. Speaker, thank you for the opportunity to make

some comments on third reading of Bill 30-2, which we understand is going to be the last hyphenated bill ever considered by this Assembly. I want to indicate at the outset that the New Democrat opposition is going to support the bill at third and final reading. However, I must indicate that we are supporting the bill with some very serious reservations. There are some serious flaws in this legislation which may come back to haunt this Legislature down the road.

We're supporting Bill 30-2 because at long last people in same-sex relationships will have equal access to the laws of this province. These laws impose obligations as well as confer rights. Whether we're talking about employment benefits, pensions, or family law, same-sex couples will at long last have the same rights and obligations as opposite-sex couples.

It's been over three and a half years since the Supreme Court in *M versus H* ordered governments to end discrimination against those in same-sex relationships. This province is one of the very last in Canada to take this long overdue step of ending this discrimination. So I do commend the Minister of Justice for taking this long overdue step. Approval of Bill 30-2 by this Assembly will mean that people in relationships that are not traditional will no longer be required to fight expensive battles in the courts and through the Human Rights Commission to have equal access to the law.

Having said this, however, I continue to be concerned that the compromises the Minister of Justice had to make to gain the support of his own caucus for this bill may come back to haunt Albertans down the road. The preamble, in particular, Mr. Speaker, is unnecessarily narrow and excludes many Albertans, and to suggest that it is a representation of the views of all Albertans is not correct. It might well represent a concession made within the government caucus in order to gain support for the rest of the bill, but it continues to marginalize, sideline, and isolate many Albertans.

I think it's well established in constitutional law that the federal government is paramount in matters dealing with marriage and divorce. This is the second time in the past few years that this Conservative government has chosen to intrude on the federal government's jurisdiction over who may enter into marriage or marriage-like relationships. Several years ago Bill 202 was passed in this Legislature, that purported to define marriage as between a man and a woman, clearly intruding into the federal government jurisdiction over who may marry. Even the Minister of Justice at that time commented that Bill 202 could well be found unconstitutional if it were ever to be challenged in the courts. It is for good reason that the framers of our Constitution decided to give the federal Parliament the power to establish legal relationships such as marriage. If every province had this authority, we could well end up with a patchwork quilt of such relationships across the provinces.

3:40

I fear that we may well be going down the same road with this attempt to create a new category of relationship called adult interdependent partners, or AIP for short. *Edmonton Journal* columnist Paula Simons commented that this government appears to want to turn this province into the planet of the apes.

Now, I am aware that the Minister of Justice genuinely believes that it is appropriate to provide legal recognition to relationships other than conjugal relationships. There may well be merit in doing so, Mr. Speaker, but this does not entitle the Minister of Justice to legislate in an area that is properly the constitutional responsibility of the federal government.

I have noted and others may have noticed as well that the government is rather sensitive about any intrusions by the federal government into provincial jurisdiction, whether it's in the area of

health care or control over natural resources or control over CO₂. This government went so far in Bill 32 as to complain that pollutants being released into the atmosphere were natural resources over which the provincial government was claiming ownership. You would think, Mr. Speaker, that this Tory government would be more careful about intruding into federal jurisdiction, yet whether it has to do with wheat marketing or purporting to define adult relationships, this government seems only too eager to wander into areas that are properly the responsibility of the federal government when it suits them. All this government had to do to provide legal equality to Albertans in various relationships was to use a definition such as common-law partners. Instead, it took something that was simple and made it complicated by creating a brand-new category of relationship.

So we may in the end regret some of the things in this bill, Mr. Speaker, but in the end it does in a roundabout way what could have been done more simply and which the courts have ordered and which only human decency and respect for other people requires us to do, and as a result the third party, the New Democrats, will support this bill at third reading.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I'm pleased to have the opportunity in third reading to speak to Bill 30-2, the Adult Interdependent Relationships Act. This is new law, and I'll certainly grant to the Attorney General that it's difficult to make new law. It's very hard to look forward and anticipate what may not be workable, and I think credit is due to him for trying to come forward with a piece of legislation that (a) passes this Assembly and (b) was implementable and (c) is Charter-proof, and I know he tried hard to do that. Now, we don't know whether he will have been successful.

As I have mentioned a number of times before in speaking to this bill, I was pleased with part of the definition, the inclusive part, but still have reservations about going beyond what was absolutely necessary and opening it up to the committed platonic relationships. It has caused such issue in the community about whether, in fact, the law will be capturing people that are not committed but are certainly in platonic relationships and the concern that has been caused there that people would be in fact captured under a law and responsible under a law that they didn't know they were falling under. I think that causes its own set of problems.

There continues to be discussion in all communities, I think, about what the appropriate path to follow is. Some people would feel very strongly that marriage should be left as it currently is, between a man and a woman, and as constituted by the federal government, but even that is up for change. Certainly, the federal government is looking at whether it would step aside from the responsibility of defining who gets married, opening that up and setting it to the churches or perhaps even back to the provinces.

I'm certainly aware of the point the Member for Edmonton-Highlands was making that something was made complicated that should have been simple. I will agree that people have spoken to me: why can't we just open up the definition of marriage and have everyone be able to be married? But not everyone agrees with that, frankly, and I'm not going to take sides one way or another.

My concern with this legislation was that we be able to make sure that common-law couples were able to access the remedies, benefits, obligations, and responsibilities that existed under law for married couples. That, for the most part, had already happened as a result of a number of court challenges and Charter challenges over the years. Of course, given my constituency and a very long association with

enshrining gay and lesbian rights in legislation, my concern around this definition was that it would adequately and positively capture same-sex couples underneath this legislation.

I will note again here my extreme unease with the preamble as it exists. In fact, I supported the amendment that was brought forward by the Member for Edmonton-Highlands to change that preamble. I think it didn't need to be there at all, and it's taking a bat and beating a group of people over the head, which is I feel really unnecessary.

Nonetheless, am I willing to reject the entire legislation and what it can bring to a significant number of my constituents because of the preamble and because of some of the problems that are caused by these uncommitted or casual platonic relationships? No, I'm not. I will support this legislation. It is the culmination for me of many years of work to make sure that that definition does include same-sex couples. It is enshrined under law that they do have protection, that there are ways for couples if they break up to be able to look to one another for support, that upon death if they die intestate there is a reasonable distribution of property, and for a number of administrative legal details as they go through life: change of name, Public Trustee, the banking, a number of other technicalities that will affirm their chosen family.

I think it's also important to note here that with the inclusion of the number of pieces of legislation we've included in this definition, we will also get away from some of the truly silly situations we had where, for example, with the conflict of interest legislation the one group of people who were not subject to it were, in fact, those couples living in a same-sex relationship. Everybody else it applied to; not to them. Also, the situation that I raised in a previous debate around health care insurance premiums where employers were willing and interested and, in fact, tried to pay family health care insurance premiums on behalf of employees, and the cheque was sent back and refused by Alberta health care because they wouldn't recognize the relationship. I think this government often talks about having strong partnerships between the corporate sector and the public sector, and here was one that was trying very hard to work and was being in fact stopped by current legislation.

So, on the balance of things, I encourage all members of the Assembly to support this legislation. It will move Alberta forward amongst our colleagues in the other provinces across Canada and in the federal government.

I will admit to one hesitation, and I hope that it doesn't cause us trouble. I still query the amendment that was brought forward while we were in Committee of the Whole. It seems to have alleviated a number of people's concerns, and for that I think there is a great deal of merit that can be put on it, but it almost instantly started to raise other questions. That was the amendment that stated that those related by blood or adoption would not be considered adult interdependent partners unless they signed a written agreement. Right there you've already created a differential. You have a group of people who by all appearances should be captured by it who now are not. Now, how do you get the word out there that these people will be covered if they cohabit for three years or for less if there is a child by birth or adoption or they sign a written agreement? Now you have a group of people that must sign a written agreement, and the three years does not pertain. So I hope that that one does not come back on us. I hope it remains as part of the package and helps us Charter-proof this.

Thank you for the opportunity to speak repeatedly to this legislation, to the minister for having been so willing to meet with me – I can't count the number of times over the last year – and to listen to my concerns and to be willing to, in fact, address some of my

concerns in the legislation. I think we should be proud of this. We're certainly making history here.

Thank you.

THE SPEAKER: Hon. members, Standing Order 29 kicks in, but none of the members want to exercise it today.

[Motion carried; Bill 30-2 read a third time]

3:50

Bill 31

Security Management Statutes Amendment Act, 2002

THE SPEAKER: The hon. Minister of International and Intergovernmental Relations on behalf of the hon. Minister of Justice and Attorney General.

MR. JONSON: Thank you, Mr. Speaker. I would just like to speak at third reading to Bill 31, and I think that I would first like to point out that the bill is designed to prepare Alberta for various types of threats and emergencies but particularly terrorist threats. Members of the Assembly will have noted that it covers numerous pieces of legislation and many areas of Alberta government responsibility including drivers' licences, public lands, transportation, and fundraising. It is a reality in our current situation in this country, in this province, and in this world that we do have to take measures, put in precautions to protect our population and our infrastructure and resources but most importantly the millions of individuals that live within this country and in this province.

The bill is a result of a comprehensive review undertaken by the Ministerial Task Force on Security, of which I happen to be the chair. I would like to just note very quickly that in the formation of the bill a number of steps were taken to strengthen security provisions across the province. We reviewed security at key energy and utility sites in co-operation with oil, gas, and utility industry officials. We improved links with the RCMP, the Canadian Security Intelligence Service, other provinces, and industry. The Alberta Emergency Preparedness Partnership was reconvened. For those of you who might not be familiar with this group, it is made up of a number of groups and organizations including federal, provincial, and municipal government representatives, industry and utility representatives, as well as fire, police, military, and intelligence officials, and that overall umbrella organization has been very instrumental and very much a part of our overall security effort.

There have been some additional resources put into the whole security effort in the province, Mr. Speaker. Particularly, significant equipment is being provided to the major cities to help detect chemical, biological, radiological, and nuclear threats. Registry procedures in terms of identification have been changed to prevent the creation of fraudulent identification such as drivers' licences and birth certificates. Alberta Health has been co-chairing a national health sector review to strengthen existing strategies on bioterrorism. A new crisis management process was created that outlines the responsibilities of governments and organizations in the event of a terrorist attack and puts the province on even more secure footing. We've held conferences which have brought together all of the stakeholders in the security initiative. One of the most successful was just held last month in the city of Calgary.

We have connected communicationwise with nearby provinces and U.S. states, and we found, perhaps just being a bit presumptuous, that we have some of the best emergency response plans and procedures in North America. The federal government, Mr. Speaker, has acknowledged this as well by stating that Alberta is very well prepared and well ahead of other jurisdictions. This legislation makes us even better prepared to deal with the possible terrorist threats and other dangers.

Mr. Speaker, one of the main comments that I wanted to make, though, in conclusion of my speech on the third reading of this bill is that I know that there are concerns expressed about the violation of civil liberties or the possible intrusion upon reasonable privacy for individuals. But I would like to note that in the legislation there are a number of safeguards, and the main one, I think, is that there is the frequent reference in the legislation through its various clauses to the fact that we are taking action on terrorist activity as defined by the Criminal Code of Canada. We are not creating a new set of laws by which people will be judged should terrorist acts occur.

Secondly, with respect to the health area we are, again, not taking any measures that are not provided for in natural disasters and that sort of event that we've had to cope with in the past. We do have to recognize that the method by which, for instance, biological agents might be spread throughout the population – and I guess the best known of those substances is anthrax. We must be changing our procedures and our approach to make sure that we can react very quickly and very comprehensively to, let us say, an anthrax attack in our province. Anthrax, of course, has been around for a long time. It is not a new substance. But in this province and all across Canada we are used to dealing with it as a spore or substance which is typically associated with the raising of cattle and the pollution, you might say, of the soil. If we did not know before the tragedy in New York at the World Trade Center, we know now that anthrax can be used in a much more deadly way on a much broader basis.

So I appreciate that there needs to be a watch always maintained by governments on behalf of their populations that the measures that are being taken are not too extreme. We feel that in this particular piece of legislation, Bill 31, Mr. Speaker, we have provided for the right balance. We have to recognize that there is a reality now that Canada and Alberta are potential sites for terrorist action, and we can only be vigilant.

It's our responsibility as a government to make sure that to the greatest extent possible we have provided for the protection of the people of Alberta and those who visit Alberta and to provide for this protection in a reasonable manner, but most importantly, Mr. Speaker, it also has to be in an effective manner that will protect the lives of the people in this province.

4:00

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. I would like to thank the minister for his comments in third reading on Bill 31. It certainly does clarify some of my concerns, and we certainly do support the need to tighten up in several areas for the security of the people of Alberta.

We still have some concerns, though, about the power that's been given to the ministers and the areas that have been changed. While the minister has explained the reasons behind those changes and we support those changes, the problem for us is still that a great deal is being left up to regulation and subordinate legislation then. So that always raises some concerns for us.

Privacy is still a concern in several of the sections. I haven't adequately had the question answered: where's the oversight for the preparation of the regulations? Can we ultimately be sure, Mr. Speaker, that the steps are measured, appropriate, and not unnecessarily intrusive? There could be situations where it's very necessary to be completely intrusive, but the part about doing this behind closed door with the regulations is still a concern for us.

Nick Taylor, who joined us today, has a saying for opposition members, and that is: when in doubt, vote against. So, Mr. Speaker, while we support the intent, we are not sure about the application, and I personally will be voting against this bill.

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm rising to speak against Bill 31 at third reading. Many of the concerns which have just been briefly touched on by the minister at third reading were raised in considerable detail during the debate at second reading and at committee stage and during the discussion of a number of amendments that were put forward by myself. I do not believe that the rather brief and general response now in third reading is satisfactory.

There remain a number of loopholes in this bill that put people's civil liberties at risk and create the potential for considerable confusion with respect to who's making policy within the government. There are quite a number of those. The two most serious ones, in our view, are the ability of ministers, independently and without any sort of accountability to their colleagues, to make independent decisions about sharing information under the control of their ministry with foreign governments, foreign police services, and indeed any other government within Canada. We would have been far more comfortable had our amendment or an equivalent one from the government side been adopted in committee, which would have required government departments to have a consistent policy and to refrain from on their own authority sharing information with whichever foreign government or foreign intelligence agency or police force they choose. That's the first one, Mr. Speaker.

The second one is the sections in the bill that allow any employee of a health authority to share personal and confidential information about any individual with anyone they deem necessary if they have reason to believe that any person may be put at risk, and that just rips a gaping hole in the Freedom of Information and Protection of Privacy Act. We believe that it is poorly thought out and does not meet the test of a reasonable balance between people's personal information and the general public good.

So with those comments, Mr. Speaker, I just want to indicate that we're not going to support the bill. We think that it is poorly crafted and doesn't take into account many of the rights of people that have been established previously by this Assembly.

Thank you.

[Motion carried; Bill 31 read a third time]

Bill 37

Occupational Health and Safety Amendment Act, 2002

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. I'd like to move third reading of Bill 37, the Occupational Health and Safety Amendment Act, 2002.

Bill 37 is part of government's commitment to Workplace Safety 2.0, a comprehensive government and industry strategy to reduce the injury rate on Alberta work sites by 40 percent by the year 2004. The actions proposed in this bill include increasing the maximum fine for Occupational Health and Safety Act violations from \$150,000 to \$500,000; introducing penalties other than fines or incarcerations for OHS offences, such as providing safety programs or education programs; streamlining the process for updating OHS rules by allowing the creation of an occupational health and safety code to govern the codes of practice for work site safety; allowing the use of administrative fines similar to those used for traffic violations – the introduction of these fines will depend upon a review of these fines in other jurisdictions to determine their

effectiveness – and finally, publishing the names of employers with the best and worst safety performance in the province.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. We certainly support the intent of Bill 37, the Occupational Health and Safety Amendment Act, 2002, and we would like to thank the government for the support of the amendment from Edmonton-Gold Bar last evening. We think it strengthens the bill, and we like to see that this government has taken a stance in endeavouring to further promote workers and their safety. Definitely, workers should be given better odds of staying alive when they're working for a living than perhaps they had in the past, and hopefully this bill will help strengthen that.

We raised a number of concerns, heard a number of amendments come forward, but at the end of the day this is a pretty good bill, Mr. Speaker, and we're happy to support it.

THE SPEAKER: The hon. Minister of Human Resources and Employment.

MR. DUNFORD: Well, thank you, Mr. Speaker. I want to begin by saying thank you to the Member for Drayton Valley-Calmar for carrying this bill forward for us, also to the Member for Edmonton-Gold Bar for the amendment that we viewed as friendly and were able to accept last evening but also to all members here in the House that support workplace health and safety.

I thought the Member for Drayton Valley-Calmar made an excellent synopsis of the provisions of the bill, but I just want to assure everyone that there's far more to workplace health and safety and to meeting the goal of a 40 percent reduction by the year 2004 than just the enforcement side. Of course, legislation is there to provide, then, the framework for enforcement, but what goes far beyond this is a renewed commitment on the part of employee representatives, employer representatives, the Workers' Compensation Board, and the workplace investment division of our department in dealing with what has become a more political and a more politicized situation here in Canada, not only in Alberta.

The idea that governments would stand back and watch carnage in the workplace: those days are over. There is a new time now in Canada and especially a new time in the province of Alberta when we're going to work very actively and, I might say, even intrusively in the workplace in making for better and safer workplaces here in this province. This bill goes toward that, and I look forward to all members supporting this bill here at third reading.

4:10

THE SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. It's my pleasure to rise at third reading and indicate our support for Bill 37, the Occupational Health and Safety Amendment Act, 2002. For quite a number of years now I've attended either as an MLA or before that as a city councillor ceremonies marking the Day of Mourning, which is a day set aside by the labour movement to mark workplace health and safety. Year after year we've heard speeches, we've heard poems and presentations, we've seen videos, we've heard from the families of people who have been killed or badly injured at the workplace, and always there has been an undertaking by government to fix the situation. Yet year after year a hundred or more people are killed in this province at the workplace. Nobody goes to work expecting not to come home. They expect and their families expect

that they're going to go to work, that they're going to work safely, and when their shift is over, they're going to come home, and they're going to have dinner with their family. For too many people for too many years that hasn't happened.

Mr. Speaker, I want to say that this is the first indication that I've seen in all of those years of attending those ceremonies marking the Day of Mourning that there's an actual will on the part of the government to change the situation. The situation, as the minister has indicated, is completely unacceptable. It has become politicized. Workers have driven home the message that they're not prepared to allow this state of affairs to continue and to have dozens and dozens and dozens of people killed at the workplace. So this bill, in my view, marks a very good step, a first real step towards correcting that situation, and I commend the minister for it. I believe that he's the first minister with the intestinal fortitude to actually put his foot down and say: enough is enough.

Now, whether or not this bill is sufficient or whether or not additional steps need to be taken remains to be seen, Mr. Speaker. I believe that there will have to be additional steps taken if we're going to actually deal with this issue, because in the end there should be zero tolerance for workplace death and injury. The objective should be to eliminate workplace death and injuries completely and utterly.

Just in closing, Mr. Speaker, I'd also like to commend the Member for Drayton Valley-Calmar for his work on this bill. He's done a good job, in my view, of explaining the bill and assisting with its passage through the Assembly, so I extend to him my congratulations.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Good afternoon, Mr. Speaker. It's a pleasure to rise this afternoon and participate in Bill 37 at third reading.

DR. PANNU: Take a deep breath.

MR. MacDONALD: I am quite concerned about greenhouse gas emissions and deep breathing. But in light of the importance of Bill 37 and workplace health and safety, I heard from the Annex the hon. Member for Edmonton-Highlands speak, and I was compelled to come over and join the debate at third reading.

In conclusion, for a long period of time the minister consulted publicly with unions, with business, with various groups across the province. This legislation is the result of that consultation. One cannot take lightly this legislation when one considers that on the day it was introduced, unfortunately two more Albertans were killed on the job, and the following day another individual didn't come home from work. So when we consider that and the initiatives that have been proposed here, it is very important, I believe, that we support the minister and his department and the hon. Member for Drayton Valley-Calmar for the work that they have put into this, and we have to hope, Mr. Speaker, that these legislative changes will make a reduction in the number of fatalities that were discussed earlier by the Member for Edmonton-Highlands.

Now, we all know that there seem to be two different statistical stories in this province. There is one for the union sector and one, unfortunately, for the non-union sector. The union sector has a remarkable safety record, and that is the bar that I think all . . .

AN HON. MEMBER: Nobody moves; nobody gets hurt.

MR. MacDONALD: Now, someone said that on union jobs no one

works, no one gets hurt. But the productivity on those jobs is second to none, and I would only ask the hon. Member for Edmonton-Castle Downs and the hon. Member for Edmonton-Calder that perhaps they should go for a day or two and see if they can keep up with those unionized workers in their line of duty, just see if they can keep up.

Mr. Speaker, if we look at the oil sands downstream development at Albion, 6 million person-hours were worked without lost-time injury; at the MRC project in Fort McMurray, 4 million person-hours worked without lost-time injury. Overall, union construction sites are well below the 2.0 rate and into the zero range on rates. This is why I say that it is a bar or it is a target for all work sites in this province.

With that, Mr. Speaker, I believe I'm going to say that I'm the first speaker in this Assembly that has been breathless from his own words. I am going to take my seat and wish the minister, his department, his staff, and the hon. member the very best, and hopefully, with cautious optimism, there will be an improvement in the occupational health and safety record of work sites in this province.

Thank you.

SOME HON. MEMBERS: Question.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar to conclude? The question has been called, then.

[Motion carried; Bill 37 read a third time]

Speaker's Ruling Tabling Documents

THE SPEAKER: Hon. Government House Leader, just before recognizing you, just a comment that I want to make with respect to an event this afternoon in the Assembly.

4:20

It had to do with tablings. There seemed to be a situation that developed, so I think perhaps it's in order just to make a few comments regarding the rules governing tablings in this Assembly. One of the fascinating things about the various parliaments that exist in the world is that even in one of the key documents we use – it's just one of a number of documents we use – *Beauchesne's Parliamentary Rules & Forms*, if one went into the table of contents and tried to find the word "tabling," you would not find it. It simply does not exist. As an example, in *Beauchesne's Parliamentary Rules & Forms* there is one section, just one innocuous section in the documents, section 347. It just basically talks about "two methods by which the government may table documents in the House."

We've had these discussions in this Assembly before. Our Assembly is probably one of the most permissive parliaments to be found anywhere that follows the British parliamentary form of governance. In most parliaments the only individuals who provide documents and participate in the tablings of documents are members of Executive Council or parliamentary secretaries, essentially, and they're tabling documents that are official publications of the government.

In our Assembly we've had a situation in our Routine that allows for tabling returns and reports, and people sometimes do go beyond what would normally be the prescribed methodology that most members would deal with. However, we have allowed such tablings of documents to be made in the Assembly, and members from time to time have basically been rather imaginative with respect to what they have done. It strikes the chair, anyway, that one of the reasons the three House leaders agreed to move this section of the Routine

to another spot in the Routine is to make sure that whatever time was afforded for television coverage of the question period would not simply be all eaten up in the tabling of documents. However, some members will stand and table a document and say that there are 1,800 names in a document and not read the 1,800 names. That's the appropriate way of tabling a document, one would suspect, because one of the key things has to deal with the length, and there's no provision, basically, for editorial comments, ministerial statements, or lengthy quotations. Brevity is the key.

The Acting Speaker cautioned the members today more than once I understand, and although it is the practice we have to provide considerable latitude, it's also the role of the chair to ensure that the business of the Assembly is conducted in an orderly fashion. All members, including the Member for Edmonton-Highlands, may wish to consult previous rulings from April 15, 1999, December 2, 1999, and August 14, 1996, on this particular topic.

Hon. members, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(reversion)

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much. Timing is everything. I would like to introduce to you and through you to all members of the Assembly a constituent and her guest. Joining us in the public gallery is Diane Oxenford, who is a very dedicated community member and was very active working on the ConCerv project to decommission the Rosedale power plant. With her is a foreign exchange student, Daniel Gomes. He's from Brazil, and he is currently attending St. Francis Xavier high school. Diane has been taking Daniel around to many of the fun things to do in Edmonton during the winter. I would ask them to both rise, please, and accept the warm welcome of the Assembly.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. In light of the fact that the only remaining item of government business on the Order Paper is Bill 32 and we previously indicated our intention to table Bill 32 for public discussion, perhaps with a view of bringing back it or some other version in the spring, I believe it would be in order to move that we adjourn until 1:30 p.m. tomorrow rather than the usual adjournment motion to 8 this evening.

[Motion carried; at 4:25 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]

Legislative Assembly of Alberta

Title: **Wednesday, December 4, 2002**

1:30 p.m.

Date: 02/12/04

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon.

Let us pray. O Lord, we give thanks for the bounty of our province: our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all Albertans. Amen.

Please be seated.

head: **Introduction of Visitors**

MR. JONSON: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly Mr. Defay, the consul general of France. He is accompanied today by his wife, Mrs. Defay. France is a significant trade and investment partner for Alberta with two-way trade totaling more than \$300 million last year. We co-operate in many different areas such as culture, education, and tourism. Alberta is home to a vibrant and active French community consisting of more than 300,000 people of French descent. I would ask that our honoured guests please rise and receive the traditional warm welcome of this Assembly.

Thank you, Mr. Speaker. Bienvenue.

THE SPEAKER: Hon. members, I'd like to introduce today three guests from Capital City Savings & Credit Union. Capital City Savings is a community sponsor of the School at the Legislature program, which gives grade 6 teachers from across the province an opportunity to relocate their classroom to the Alberta Legislature for an entire week. In the fiscal year 2001-2002, 500 students and 145 teachers and parent volunteers participated, and for this current year the program has been filled once again. Capital City has been an integral part of the program's success, and we're very grateful for their support. Seated in the Speaker's gallery today are Mr. Harry Buddle, chief executive officer; Mr. Peter Galloway, chairman of the board of directors; and Mrs. Jacqueline Broverman, community investment adviser. I would ask that they rise and receive the warm welcome of the House.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Finance.

MRS. NELSON: Thank you very much, Mr. Speaker. Today we have with us a group of 12 very dedicated people from the Department of Finance. They are here to observe question period in addition to having a tour of the Legislature Building. They are seated in the public gallery, and we have with us Rod Matheson, the executive director; Lowell Epp; John Forst; Frank Hanus; Mavis Harke; David Hinman; Chris Hoogewoonink; Sue Kitson; Mike Neuman; Dave Parker; and Marie Perpeluk. I would ask that they now rise and receive the very warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I'm pleased today to introduce to you and through you to members of the Assembly Miss Lindsay Paulsen from Stavely, Alberta, which is in my constituency. Lindsay currently attends the University of Alberta and is working on a degree in science. She's also a member of the soccer team and

the rugby team and intends to work in the agricultural industry on her graduation. I would ask that Lindsay Paulsen, who is seated in the members' gallery, rise and receive the warm traditional welcome of the Assembly.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to the members of this Assembly 33 very bright young individuals from a school in Thorhild. They're grade 6 students. They're accompanied by their teachers Mr. Mike Popowicz and Mr. Larry Hryciw; also, parent helpers Peter Kochmarski, Mrs. Brenda Danbrook, and Mrs. Leslie Kwasny. I would ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. It gives me great pleasure to rise and introduce to you and through you to members of the Assembly 31 visitors from Rosedale school. With them is their teacher, Mrs. Kate Blackburn, and parents Ms Anne Wallis, Mr. Cliff Courtice, and Ms Betty-Lynn Morrice. Recently on their unit of Canadian studies they averaged 86 percent in the class. After an hour and a half of discussion and debate on Kyoto in their classroom, I'd like to just say that I think it was, actually, a higher quality than I've heard from some of our opposition. [interjections] Sorry. I'd ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly 14 people joining us from NorQuest College. We have 12 students, and it says here that they're from Wetaskiwin and Stony Plain. They're accompanied today by their instructors Mrs. Pat McQueen and Mr. Bruce Huebener. I believe that they're seated in the members' gallery. I would ask them to now please rise and accept the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. It is my great pleasure to introduce to you and through you 18 visitors from Thorsby high school. These students visited our Provincial Museum this morning and later will tour these historic hallways with their principal, Mr. Al Bratland. I would ask them all to rise and please receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. Two introductions today. First of all, I'm pleased to introduce to you and to the members assembled two people from Fort Saskatchewan, Stu Hennig and his son Scott. Stu and Scott are the grandson and great-grandson of Rudolph Hennig, who was the MLA for the newly constituted constituency of Clover Bar from 1930 to 1935. Scott manages my Fort Saskatchewan constituency office. I'd ask them to please rise and receive the warm welcome of the Assembly.

Also, Mr. Speaker, I'm pleased to introduce Dr. Gary McPherson. Gary was the chair of the Premier's council for the first 10 years,

and he's a leader in our community, an advocate for disability issues. I'd ask that the Assembly please welcome Dr. McPherson.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. VANDERBURG: Thank you, Mr. Speaker. I'd like to introduce to you and through you four guests today in the members' gallery. They're representatives of Alberta's nonenergy mineral industry. Visiting us today are Larry Kryska, president of New Blue Ribbon Resources; Mike Dufresne, president of APEX Geoscience Ltd; Brooke Clements, the vice-president of Ashton Mining of Canada; and, most important, from Whitecourt-Ste. Anne, my number one gold prospector and diamond prospector, Brian Testo from Grizzly Gold. I'd ask them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. Today it's a pleasure and a privilege for me to rise in my place and introduce to you and through you to Members of this Legislative Assembly a number of very, very special people to all of us. I mentioned these people last week in the Assembly. Let me say that they are the bravest, toughest, most physically fit profession in the entire world. It's also said that they're the only people crazy enough to run into a burning building. There are four representatives with us today, and I'd ask them to rise as I call their names – I don't see them in the members' gallery, so I assume they're behind me in the public gallery – Alex Forrest, who is the president of the United Firefighters of Winnipeg; Ken Block, the president of the Edmonton Firefighters Union; Gord Colwell, the president of the Alberta Fire Fighters Association; and Sean McManus, the former Canadian director of the International Association of Firefighters. No pun intended, but I'd like you to give them a very warm welcome.

MR. SNELGROVE: Mr. Speaker, I would like to introduce to you and through you to the members a friend of mine from the city of Lloydminster. This gentleman is currently working with the Onion Lake First Nations in the capacity of economic development and is one of the many Albertans who believe that the future of the First Nations lies in the partnerships that we can develop with them and with business. I would like you to extend a warm Legislative welcome to Mr. Glenn Soloy, who is in the members' gallery.

Thank you.

1:40

THE SPEAKER: Are there additional members who have introductions?

DR. PANNU: Mr. Speaker, I have some introductions of guests.

THE SPEAKER: Okay. Please continue.

DR. PANNU: Thank you, Mr. Speaker. I've got two introductions today. I would like to introduce to you and to all members of the House an individual who's attempting through his work with the Edmonton Coalition on Housing and Homelessness to put a safe, warm, and affordable roof over the heads of about 2,000 homeless in the city. While most would rather ignore this fact, he and the coalition are highlighting this problem and finding solutions. The name of this guest is Jim Gurnett. I trust many of the members of the House either know him or know of him. So I will now ask Mr. Gurnett to please rise and receive the warm welcome of the Assembly.

Mr. Speaker, my second introduction is a very special one. I'm thrilled to rise today to introduce to you and through you to the Assembly my very dear grandniece who is visiting with us from India. Dr. Rupeet Sandhu is here to write some exams that will enable her to go into graduate studies in the area of dentistry in either Canada or the U.S. She lives with her family in the capital city of Punjab, Chandigarh, and she's leaving tomorrow for a short visit to Vancouver before she returns to India. She's accompanied by my significant other, that is, my wife, Swinder Pannu, who is sitting with her in the public gallery. So I would now ask both of them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. HANCOCK: Thank you, Mr. Speaker. It gives me great pleasure today to rise and introduce to you and to all members of the Assembly a group of people who are with us in both the members' and the public galleries today who support the work that we do day in, day out, long days, so that we can serve the people of Alberta: staff from ministerial offices, ministerial assistants, special assistants, legislative assistants, the research branch for caucus, even members from the party offices, people who work very, very hard to make sure that the work is done for the people of Alberta so that we can do our jobs. There are too many to name individually, but I'd ask them all to rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Solicitor General.

MRS. FORSYTH: Thank you, Mr. Speaker. It gives me great pleasure to introduce through you and to you Dan McClelland, who is the president of AUPE. Dan is in the public gallery. We had a nice lunch of turkey sandwiches and pumpkin pie, and Dan tells me that's only the second time he's ever had pumpkin pie. I ask you to give him a warm welcome.

THE SPEAKER: Well, the section of the Routine known as Ministerial Statements hasn't been called, but before proceeding, hon. members, would the hon. members consider today just deviating from the Routine as normal to allow the leader of the third party and the leader of the government party to participate in this segment of the Routine?

[Unanimous consent granted]

head: Ministerial Statements

Premier's 10th Anniversary as Leader

MRS. McCLELLAN: Mr. Speaker, I rise today to speak of an event that is very significant to this Legislature and to Alberta. Tomorrow, December 5, will mark the 10th anniversary of the selection by the Progressive Conservative Party of Alberta of its new leader and Alberta's 12th Premier, the hon. Member for Calgary-Elbow.

Mr. Speaker, when the party chose its new leader on that wintery day, very much like today, I don't know if its members fully realized that they were launching Alberta on a historic path, a path that is still being charted today, some 10 years later. This path has been one of prosperity, and it's been built with leadership. So far during the Premier's term Alberta has been a leader in eliminating its deficit and making deficits illegal under the law. It has been a leader in launching a debt elimination program and delivering on that program. It has been a leader in reducing personal and corporate taxes. It has been a leader in charting a course of health care reform to keep the health system sustainable.

The list of achievements of the Alberta government with our Premier is a long one, and it includes Alberta leading the nation in every significant economic category for most of the Premier's first 10 years in office. In fact, these achievements have been noted nationally, Mr. Speaker, and have led to the Premier receiving several national awards for political and fiscal leadership. Just last month, for example, he was the recipient of the Fraser Institute's T. Patrick Boyle award, presented for his work in improving the performance of the Alberta economy.

Throughout his term the Premier has also shown a strong awareness that in and of themselves economic achievements are of limited value. He has always stressed that the truest measure of prosperity is how a government deals with its people. In that area, too, our Premier has excelled. Alberta has developed the most comprehensive set of seniors' support programs in Canada. Its schools have produced students who rank number one in the entire world in scholastic achievement. It has produced more new jobs per capita than any province in Canada, and it has the best educated workforce in the country. With the Premier at the helm Alberta has worked hard to build strong, safe communities where diversity overcomes intolerance. It has designed effective programs to keep children safe and to reach children in need. It has taken an aggressive approach in fighting crime and to building a strong social safety net for those who need help. Common to all of these achievements is one factor: the leadership, the skills, the determination, and the compassion of our hon. Premier.

Over the last 10 years, Mr. Speaker, our Premier has rewritten the rules for political leaders in Canada. He has bucked conventional wisdom and chosen instead to listen to the voices of Albertans. He has removed political baffle from the dictionary in Alberta and chosen instead to always speak plainly and openly to Albertans no matter how difficult or how sensitive the issue. He has said no to the strictures of the old ways of doing things and chosen instead to try new ideas and new approaches when they hold promise. Like all good leaders the Premier has not tried to do everything by himself. He has always relied on the support and the guidance of his caucus and on the direction that Albertans have given him.

I should also note that members of the opposition parties both past and current have been part of the province's achievements over the last 10 years. I know the Premier would be the first to acknowledge that their input, their criticisms, and their dedication have made a very real contribution to the growth of this province.

1:50

Of course, when speaking of those who have given the Premier support over his first decade in office, the contributions of his family and especially his wife, Colleen, are foremost. Colleen is a true life partner for the Premier. All government members know that she is a constant source of inspiration and wisdom and love to him. She has also been a great help to all MLAs and their spouses, offering support and encouragement with great kindness and openness.

The accomplishments of the Alberta government over the past decade have been of a historic nature. Just as important, I know that there are more accomplishments to come under the leadership of this remarkable man. Our Premier realizes the job is never done. There are still issues to face, improvements to be made, and goals to be achieved.

Mr. Speaker, as I travel the province and talk to Albertans, I firmly sense that the people's faith in this Premier is stronger than it has ever been. Under this Premier Albertans feel confident about their personal futures and the future of this province. They feel secure, knowing that the issues that matter most to them are being handled properly. Most of all, they feel respect for this Premier, who has delivered on his promises.

Serving under this Premier has been one of the greatest honours of my life. He has given me the opportunity to serve this province in the best way that I can. For that I wish to extend my personal thanks as an MLA. As an Albertan, however, my thanks are far more profound. I want to express my thanks to him for what he has done and is doing to build a better Alberta. He has helped keep Alberta the best place in the world to live, and he has helped create a province that I will be proud to bequeath to my grandchildren. I know my gratitude mirrors the feelings of my colleagues in government and all Albertans in all regions of this province. Therefore, on behalf of members of caucus both past and present I extend our very warmest congratulations to the Premier on the occasion of his 10th anniversary in office.

May there be many more years of accomplishments, Mr. Premier. Finally, Mr. Premier, may you always know that your leadership has meant so very, very much to the people of our great province. Happy anniversary.

THE SPEAKER: The hon. Leader of Her Majesty's Official and Loyal Opposition.

DR. NICOL: Thank you, Mr. Speaker. I'm pleased to have the opportunity to respond to the Deputy Premier on behalf of the Official Opposition. Pausing today to recognize the years of public service the Premier has given seems most appropriate on this the 10th anniversary of his becoming Premier of our province.

You, Mr. Premier, know more than most the demands of public life, the loss of privacy, the unending schedules, the family compromises, and the difficulties of keeping members of a political party headed in the same direction. Anyone who has made those sacrifices and that commitment to public service deserves recognition.

Mr. Premier, my party and I would pursue much different public policy directions from those you have followed in the past 10 years. Those differences aside, there has never been any doubt in our minds that you have worked hard and continue to put into practice those ideas that you feel will benefit Albertans, and it is for that effort that we join in marking today's anniversary.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. leader of the third party.

DR. PANNU: Thank you, Mr. Speaker. It's not often that we get an opportunity to roast a sitting Premier on the floor of this House, so I want to thank members for the opportunity to get in on this barbecue. Love him or hate him, there's one thing you can say for his 10 years in the Premier's chair: never a dull moment. When historians close the book on our current Premier, I suspect they will find his record of political accomplishments decidedly mixed. However, one thing they will all agree on: the current Premier will certainly go down as one of the most colourful Premiers in this province's history.

"What are the secrets of this Premier's political success?" one might ask. Dumb luck has got to be one of them; that is for sure. It seems that no sooner did the Premier take office that oil and gas prices started going up. This guy really does have the horseshoes in his pants, Mr. Speaker. Another secret is controlling spin. One of the Premier's first acts upon taking office was to centralize the communications functions of government in his own office. He is the Premier who closed three public hospitals in the city of Calgary and was rewarded for it by taking Calgary seats away from the Liberal opponents in the 1997 election. Go figure. He is the Premier whose government made a total mess of electricity deregulation and covered it up with billions in rebates from the windfall

energy revenues, thereby paving the way for an even bigger victory in the 2001 election.

He is the Premier in charge of the wealthiest province in Canada, yet Alberta has Canada's lowest minimum wage and a growing homelessness problem. Here is the Premier whose government brought in a flat tax that dramatically shifted the tax load onto middle-income Albertans and gave huge tax breaks to the wealthiest 1 percent. To top it off, the government then turned around and hiked health care premiums 30 percent, which hits middle-income seniors particularly hard. Unfortunately, the so-called Alberta advantage has not worked for everyone, and this, too, will be part of this Premier's legacy.

One lesson I have learned is to never underestimate the sitting Premier. I might add that some former Liberals of the Assembly learned this lesson the hard way. Under that affable and aw-shucks exterior beats the heart of a hard-nosed politician with a steely resolve to always want to come out on the winning side of every issue. Mr. Speaker, you might vouch for that as well.

In my judgment the Premier has been on the wrong side of many key policy issues. This includes issues of expanding the role of private, for-profit health care, the Tories' erroneous tuition fee policies, and the current debate over the Kyoto protocol. Yet despite our disagreement over policy, the Premier fights hard and honourably for his vision of what he thinks is best for Albertans.

2:00

I wish the Premier well, though not too well, in his remaining time in politics. In fact, I'm pleased to offer the Premier my utmost cooperation and assistance in any efforts to ensure his speedy retirement from politics. Being an elected politician is not an easy life, Mr. Speaker, especially the constant demands on one's time and the invasion of one's privacy.

Let me conclude by extending my sincere best wishes to the Premier and his wife, Colleen, as we enter the holiday season.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Well, Mr. Speaker, thank you so much for allowing me to respond today. I want to begin by thanking the Deputy Premier and the other speakers today. After hearing the hon. leader of the ND opposition, my resolve to stay on is much greater than it ever was. You know, it's better to be lucky than to be sitting where he is. But I am deeply moved by the kind words and the display of support from all hon. members.

Needless to say, Mr. Speaker, the last 10 years have been very meaningful to me. I've been blessed with the opportunity to hold the best job one could ever hold in Canadian politics, and there has never been a day in my life that I have not felt thankful and extremely lucky, by the way, to be in this position.

It's certainly true that the last decade has been a very good one for Alberta. However, there were some tough periods for us amidst those successes, and indeed I allude to them very, very often, especially going back to '93 and '94, when I say that our days weren't complete without a protest. I must acknowledge the tremendous wisdom and support of this caucus and those members who served in previous mandates throughout those difficult times.

Like any successful team the achievements of this government over the last 10 years were made possible by a vision, and it was a vision shared by all of us and a commitment to achieving that vision. It wasn't a complicated vision; it was a commonsense vision. It was a vision of not spending more than you earn. Pretty simple. It was a vision of planning a program for the orderly pay-down of the debt,

much like all householders in this province do, Mr. Speaker, and it was a vision of really sticking to the core businesses of government.

You know, I often used to say and I still say today that there was a time when this government owned everything. We had barber-shops and restaurants and airlines and telephone companies and oil companies. You name it; we had it. When you look at the fundamental responsibility of government, it's to look after the core and key businesses of government: health and education and good infrastructure and safe communities, all those things that people expect of government.

Throughout the years I've been so very, very proud of the men and women of this caucus. They bring thoughtfulness to all they do, and they bring talent to all their work, so I thank them for all that they have done to help the team.

I also want to thank, as the hon. Deputy Premier did, the opposition parties and their members today for the work that they have done over the past 10 years. You'll never hear me say these words outside the Chamber, but Alberta's opposition members have helped shape the direction of the province in important and productive ways. Their diligence in keeping us on our toes has made good programs better and has brought distinction to them and to the democratic process. Mr. Speaker, if there's something I've always understood and, I believe, all of us in this caucus, it's that opposition, really dissent, is the essence of democracy. It is the fundamental underpinning of democracy.

Allow me as well to acknowledge and thank my wife, Colleen. You know, it's not easy to be a political spouse, but her personal support, encouragement over the last 10 years – well, actually over the past 22 years. She has been a constant source of inspiration to me, and I'm a better Premier and a better person because of her, believe me.

Above all, Mr. Speaker, I want to take this opportunity to thank Albertans for their hard work and contributions over the years. All of the successes of the past decade have been due primarily to Albertans themselves. They are very, very special people. They act with common sense. They demand no less of their leaders. They work tirelessly for their families, their communities, and their province, and here, as well, they demand no less of their leaders. I've never been more proud to represent a people who, to me, give off a sense of pride and a sense of community. It is a very, very proud community, a province indeed. Above all, Albertans know that the future of this province is exceptionally promising as long as they focus on what's important and continue to make the sacrifices that are occasionally necessary to keep Alberta strong. Being Premier of this province with its kind of people is for me a reward beyond measure. It really is.

I enjoy nothing more, as the Deputy Premier said, than traveling this province and meeting people and going into the local cafe and, well, still going into the local bar, although I have to have near-beer now. I've often said that the best part of my job is the opportunities I have to travel and to talk with ordinary Albertans. You know, it's a wonderful thing to do, and I know you've heard me say this before, but it cures you of dome disease. I've often said that the more time you spend under the dome here in the Legislature, the more susceptible you become to that disease, dome disease, and you start to think that unless it's happening here, it's not happening at all. It's when you get out and about and talk to Albertans that you find that concerns are different and that what concerns us here isn't exactly what concerns them out there.

So it's from these kinds of opportunities that I learn the most about what is going on in Alberta, what is really going on in Alberta, and what is on people's minds. If I have been able to bring some of that wisdom and sound input to the government planning table, then

I think I will have done the most important part of my job, and that is to listen to people and bring what ordinary people have to say back to the cabinet table and to the caucus table. I encourage all my caucus colleagues to do the same thing.

Finally, I want to thank members of the Legislature. I want to thank my staff and my constituency association. I want to thank especially the public service. It is a very fine public service indeed. I want to thank the many, many Albertans who have supported me both politically and personally over the years. On many occasions this support has made all the difference between success and failure. I will always remember the kindness people have shown me, and I'll always remember and appreciate so greatly the words that were said back in '93-94 that are still being said today. Those words were: don't blink; we know it's tough; stay on track; you're on the right road; stay the rails. Those kinds of phrases were so very, very encouraging.

2:10

On Friday I begin my second decade as Premier of Alberta. I believe that the challenges this province faces today are as demanding as those of 10 years ago. They're different challenges, but they are, indeed, very interesting challenges. We have the challenge of Kyoto and how we're going to deal with that. We have the challenge of health care. We have the challenge of achieving sustainability in education. We have the challenge of finding new and imaginative, innovative ways of doing our accounting in our finances to support these services. We have the challenge of maintaining a sustaining infrastructure. These are tremendous, worthwhile challenges, and I'm sure all of us will be so very, very proud to have as our epitaph nothing more or nothing less than: we provided good government. Nothing more or nothing less. So, Mr. Speaker, we have challenges. I also believe that Albertans' resolve to face those challenges has never been stronger.

So with great pride and gratitude I look forward to working together with this Assembly and with all Albertans as we continue to build a strong and prosperous Alberta. I want to thank you again for all your kind words today. This is a day, Mr. Speaker, I will never forget.

Thank you.

head: Oral Question Period

Private Member's Statement

DR. NICOL: Mr. Speaker, after all the celebrations I turn to what I consider to be a very grave question. Freedom of speech is the essence of democracy. When a member of this House is silenced, all those Albertans represented are also silenced. The very basis of democracy is that an elected member has the freedom to be heard. Yesterday the principles of democracy were removed from this House when the Member for Edmonton-Centre was denied her right of free speech. My question is to the Premier. Will the Premier apologize immediately and unequivocally for the actions of the government caucus yesterday?

MR. KLEIN: Mr. Speaker, I recall the question, and I recall my answer to the question as being one of saying that the question was insensitive, was irresponsible, and was stupid. I don't recall an unusual outburst of response from members of my caucus. I recall some outrage at the insensitivity of the question, but the hon. Member for Edmonton-Centre was allowed to ask her question. As I recall, my answer was quite clear. I really don't recall what happened after that because I didn't give the question much thought, but I do recall hearing some comments of outrage that such an insensitive question should be asked in the first place.

DR. NICOL: Mr. Speaker, it was a private member's statement. The decorum of the House says that everybody should have a chance to speak. In that private member's statement I ask the Premier: will this Premier apologize immediately and unequivocally for the actions of the MLAs in this caucus, for their actions in this House yesterday?

MR. KLEIN: Mr. Speaker, I know that you require decorum in this Legislature, but that applies to both sides. When a question is posed in such a way that it elicits a response of outrage, then that can be expected, and I apologize for none of my colleagues in caucus who were outraged, legitimately outraged, by the question.

DR. NICOL: Mr. Speaker, it's obvious this government does not believe in freedom of speech and that it should be carried on in this House. I refuse to participate in the rest of this session. [The Liberal opposition members left the Chamber]

THE SPEAKER: The hon. leader of the third party.

Health Effects of Sour Gas

DR. PANNU: Thank you, Mr. Speaker. Serious questions are being raised about an October 2002 Health and Wellness study into the health effects of short-term exposure to sour gas. The report concludes that there are no harmful effects of exposure to low levels of hydrogen sulfide gas for healthy people and animals. The principal author of this health ministry study is a toxicology consultant with extensive links to the energy industry, including dozens of appearances in support of oil and gas companies at EUB hearings. The same consultant is currently representing Manhattan Resources in their controversial application to drill sour gas wells in the Ardrossan area near country residential subdivisions. My questions are to the Minister of Health and Wellness. Why did the Ministry of Health and Wellness contract a scientist who has worked extensively as a hired gun for oil and gas companies to author a study on the health effects of sour gas?

MR. MAR: Mr. Speaker, the report's primary author, Dr. Donald Davies, is one of the most respected consulting scientists in the province of Alberta today in the area of toxicology. He is one of the few people who hold a certification from the American Board of Toxicology, which is, again, a rare distinction in Canada. He has done a considerable amount of work for both the government and the private sector, both for national and international agencies. The result is that he has an impeccable record of scientific expertise and integrity. He holds a postgraduate degree from the University of Guelph. He has served on national and international technical committees concerned with environmental risks. His committee work has included the Natural Sciences and Engineering Research Council of Canada and the Organization of Economic Co-operation and Development, OECD. We're pleased that a scientific expert with the credentials and the background and experience of Dr. Davies and people of his calibre and experience have agreed to perform this review, whose results will ultimately help better protect the health of Albertans.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. It's not the qualifications of the expert in question; it's the judgment of the government.

To the same minister: by the same logic, Mr. Speaker, if the government was doing research into the health effects of tobacco, would the minister hire someone who has worked extensively as a paid expert for the tobacco industry?

MR. MAR: Mr. Speaker, I think that I've answered the questions about Dr. Davies' qualifications, and if the hon. member wishes to challenge any of the qualifications that I've indicated, I wish he would rise and please indicate that.

THE SPEAKER: The hon. leader.

2:20

DR. PANNU: Thank you, Mr. Speaker. My last question to the same minister: why were peer-reviewed studies – I'll be tabling one of them later on in the House – including one recently published in the *Southern Medical Journal*, ignored in the ministry's report if not because they contained findings that contradicted the views of the author of the minister's study?

MR. MAR: Mr. Speaker, I can't answer that question because I don't know which report he is referring to, but I can say that Alberta Health and Wellness drew from a distinguished panel of recognized experts to ensure that all of the reviews met exacting criteria for scientific accuracy and validity. Those included Dr. Brent Friesen, medical officer of health, Calgary health region; Dr. Paul Hasselback, medical officer of health, Chinook health region; Dr. Ingrid Vicas, medical toxicologist from Alberta's Poison and Drug Information Service; Dr. Randy Angle from Alberta Environment; Dr. Stephan Gabos from Alberta Health and Wellness; and Geoff Granville, a scientist from Shell Canada.

Federal Gun Registry

MRS. JABLONSKI: Mr. Speaker, I can think of many ways to spend \$1 billion instead of using it on an unaccountable, ineffective gun registry. There's health care, education, seniors, housing, day care, lower income taxes. Why does the federal government have a program that turns law-abiding citizens into criminals, like the farmers who carried a bushel of wheat across the border to a 4-H club who were arrested, charged, and thrown into jail? Will the federal government now throw a farmer into jail because he used a .22 rifle to shoot a gopher? Gun control laws in Canada have been very effective, as is education in gun handling and hunter training. A gun registry, however, has no hope of preventing . . .

THE SPEAKER: Hon. member, please. This does not fall within the jurisprudence of this Legislative Assembly.

The hon. Member for Wainwright.

Seniors' Housing

MR. GRIFFITHS: Thank you, Mr. Speaker. As the representative of a constituency with one of the largest ratios of seniors to nonseniors, I understand that seniors' housing is a growing concern within the province. My first question is to the hon. Minister of Seniors. What does the minister have in place or propose in the near future that will help our communities to provide adequate seniors' housing facilities so that seniors can age in place and in grace?

THE SPEAKER: The hon. minister.

MR. WOLOSCHYN: Thank you, Mr. Speaker. I'd like to point out that the Ministry of Seniors currently provides support to well over 24,000 seniors in some 8,000 lodge units. Another 14,000 seniors are in self-contained apartments that are supported by the ministry. The support we provide, I might point out, reaches all four corners of the province, with over half of these units outside the seven major urban areas.

In recent years, however, in keeping with the member's point, the government has identified a need for additional supportive housing units for seniors who wish to live longer on their own and, as you indicated, in grace. We had two programs: the senior supportive housing initiative program as well as the healthy aging partnership initiative, in which about \$50 million was invested in capital grants over the past three years. These grants helped leverage an additional \$112 million, the end result being some 1,650 additional supportive housing units directed towards low-cost housing for seniors with low income.

So, Mr. Speaker, I think that what we're doing is quite significant, and I might point out to the member that I continue to request to my colleagues the reinstatement of both SSHIP and HAPI so that we may continue with this fiscal condition permanently.

THE SPEAKER: The hon. member.

MR. GRIFFITHS: Thank you, Mr. Speaker. My first supplemental is to the same minister. Realizing that the provincial government has limited funds and realizing that the provincial government cannot be responsible for every need that our communities have, the community of Castor in my constituency provided your department a plan to go out on their own and borrow money to build facilities to meet the desperate seniors' housing needs in that community but were advised by your department against doing such.

THE SPEAKER: Hon. member, please. Brief, to the point.

MR. GRIFFITHS: Can the minister explain why a community with initiative was stopped by your department from meeting the needs of its community members?

THE SPEAKER: The hon. minister.

MR. WOLOSCHYN: Yes, Mr. Speaker. I might point out that the housing provided by that particular housing body is directed to low-income seniors, which means that the amount of rent that can be charged is limited. They intended to borrow 100 percent of the cost. In the mind of this minister that could have made the project unsustainable, and if they wish to proceed with it, I'd have to get written assurances from the participating municipalities that they would in fact underwrite this particular project.

MR. GRIFFITHS: My second supplemental is to the same minister. Can the Minister of Seniors indicate if he foresees any options or potential solutions that may diminish the growing problems and conflicts that are arising between seniors, communities, and your department?

MR. WOLOSCHYN: I think, Mr. Speaker, that what we have been doing up to this point has been very effective. What we will continue to do, hopefully, is work in partnership with the lodge authorities, with the municipalities, with nonprofit groups, with for-profit operators to ensure that seniors of all income levels have appropriate choices with respect to their lodgings.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Strathcona.

Family and Community Support Services Funding

MS DeLONG: Thank you, Mr. Speaker. Given that our Alberta government emphasizes helping children and families in need and

in partnership with local municipal governments, also given that there is a great growth in population in Calgary, my question today is to the hon. Minister of Children's Services. Particularly on FCSS funding in partnership with the municipal authorities what was the past year's total provincial funding amount and projects specifically for Calgary?

THE SPEAKER: The hon. minister.

MS EVANS: Thank you. Last year we increased to full funding all of the FCSS, family and community support services, across Alberta. In its 35-year history we have never before fully funded at the request of the municipalities the preventive nature of this 80-20 split; in other words, 80 percent from the province, 20 percent from the local. Mr. Speaker, \$57 million have gone out to municipalities, and in Calgary that was an increase. They now receive some \$17 million for their family and community support services.

Mr. Speaker, this has been a good-news story in Calgary, because many of the projects that will help them deal with issues like family violence, children's needs, keeping the community safer will result because of the additional funding from Children's Services supported by this government.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you. My supplemental question is also for the Minister of Children's Services. Recently, questions from my Calgary constituents have been raised about a reduction in FCSS funding. Would the minister please shed some light on this concern?

THE SPEAKER: The hon. minister.

MS EVANS: Thank you, Mr. Speaker. In fact, there has been a 55 percent increase over the past three years in the funding in Calgary, but I would suggest that perhaps because of some of the discussion in the media about possibilities in reduction of funding for social services needs by the city, it resulted in some confusion about what was in actual fact going on. We have been very happy to work with the city, and most recent reports are that not only the mayor but the city council have been very supportive of retaining this funding. It is an increase over the past three years.

Mr. Speaker, I think it's really important that we focus on the opportunity to build community capacity so that children at risk will have other places to go: Boys and Girls Clubs, Catholic Social Services. An absolutely stalwart assistant of Children's Services is the Salvation Army in the city of Calgary, who has done a great deal to build the capacity in communities and help the families help themselves. All the churches have been of great support. This type of preventive funding that we have got in Calgary has made a difference for the people of Calgary and is showing some results, particularly in some of the areas.

THE SPEAKER: The hon. member.

MS DeLONG: Thank you, Mr. Speaker. The new Alberta Response model strives to provide supports to children through their immediate family and extended families. What role will FCSS play in the new Alberta Response model?

MS EVANS: Mr. Speaker, the question from the Member for Calgary-Bow is very insightful and actually right on target as to what is the crux of the challenge for social workers and community members alike, and that is to make sure that we don't simply scoop

up children and try and take them into child protection but that we, in fact, help the community help itself so that children and families at risk get that support.

2:30

The biggest role to help us with the Alberta Response model will be to network between those that care for children in crisis situations and the people that are working on the so-called soft side of the agenda in the city of Calgary and look for ways and means of supporting them in their work. I'll give you an example. Social services workers today work with the city of Calgary police on a pilot project in northeast Calgary to go out and make sure they measure the degree of crisis before either party acts. We have many teams that are building with the United Way and with the Calgary health authority to find ways of working in communities to make sure that we defuse gang relations so that we, in fact, enhance the capacity of families to seek help. I think Calgary is on the leading edge with the work that's being done through the Minister of Justice on HomeFront, working to build the capacity so that families who have perpetrators of violence within them are getting support almost immediately.

So to the hon. member opposite: I truly believe that if we keep working with Children's Services' networks through family and community support services, both being funded by this province through Children's Services, hand in hand we'll get a better support network so that we won't be taking kids into care without giving communities and families the chance to show their sense of responsibility in addressing children and family needs. I thank the hon. member for an excellent question.

THE SPEAKER: Hon. members, I have 11 members who still want to participate today, so we're going to accelerate this with shorter questions, briefer answers.

The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Bonnyville-Cold Lake, then the hon. Member for Clover Bar-Fort Saskatchewan, then the hon. Member for Whitecourt-Ste. Anne.

Seniors' Programs

DR. PANNU: Thank you, Mr. Speaker. Among the hardest hit Albertans by this government's inaction on high power bills are seniors. The New Democrats have heard many stories from seniors on fixed incomes struggling to pay power bills that have skyrocketed since deregulation. One senior from Fort Saskatchewan, whose letter we tabled yesterday, tells us that the power bills have gone from \$35 per month to over a hundred dollars all because of deregulation. To the Minister of Seniors: can the minister tell this House and advise seniors already struggling to cope with the rent increases at nursing lodges, health care premium hikes, and rising drug costs, not to mention the many other ways the government nickel and dimes them, how they can cope with huge increases in power bills?

THE SPEAKER: The hon. minister.

MR. WOLOSZYN: Thank you, Mr. Speaker. I want to clarify a couple of things. Our programs are directed to low- and moderate-income seniors. With respect to the premium increases there are some additional 8,000 seniors who were put on the protected list, if you will, so they would only pay a partial or no premium at all. With respect to lodge accommodation increases, the rent increases there, the power bills would have absolutely no effect on those

people. Additionally, we increased the supplement to the folks on seniors' benefits in the long-term care facilities to ensure that they weren't adversely affected.

With respect to the others, yes, it is a concern of this minister and of this government with respect to the impact of all rising costs including electricity prices. Although we do not have a program specific to electricity, there are some areas of this province where the rates are higher, some where they're lower, so it's not a universal impact. So we have to be focused as to where we're going. I would say, Mr. Speaker, that any seniors who are for whatever reasons under extreme financial stress have the opportunity to apply for assistance through our special-needs assistance program.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. My question again to the same minister: when will the Premier do his job and sell seniors' priorities to government instead of trying to sell government priorities to seniors?

MR. WOLOSCHYN: I can only say this much: that is one of the most ridiculous statements I have heard in this House. This is the only province in the country, the only area, that has a ministry dedicated to seniors. The priorities of this government are focused on seniors as well as all other residents of this province, and I think that that statement wasn't even a question. It was just, I guess, Mr. Speaker, an indication that you've let the Member for Edmonton-Strathcona have too many questions.

THE SPEAKER: The hon. member.

DR. PANNU: Thank you, Mr. Speaker. Let me ask the same minister my last question. Given that we are hearing from seniors who are complaining about seeing their bills increase by 60 percent, can the minister tell us what he is doing to bring the bills of these seniors down?

THE SPEAKER: The hon. minister.

MR. WOLOSCHYN: Thank you, Mr. Speaker. I do apologize to the member for my last comment in that retort. It was inappropriate. I do apologize.

However, with respect to what we are doing, I must stress to the hon. member that we are working with seniors who are under financial stress. Programs are income tested, and quite frankly whatever we can do to help them, we will do. We are reluctant to start focusing on any particular area. I might point out that special needs looks after the low-income seniors' dental, optical, home repairs, appliance support, as well as any things that we can't even sometimes think of that they require for their day-to-day comforts. Again, I must stress that if there are seniors who are in this area of, you know, not being able to pay their bills, we do want to hear from them.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Clover Bar-Fort Saskatchewan.

Chronic Wasting Disease

MR. DUCHARME: Thank you, Mr. Speaker. Elk and deer producers in Alberta continue to focus on establishing a fresh venison meat industry. In order to process the meat for human consumption, all harvested animals must be tested for chronic

wasting disease, or CWD. Producers are complaining that the CWD testing process takes too long, and this delay may cause them to lose contracts with butcher shops requesting fresh venison carcasses. My questions are to the Minister of Agriculture, Food and Rural Development. Can the minister explain to me the CWD testing process?

MRS. McCLELLAN: Mr. Speaker, it does take about seven to 10 working days for this testing process. The average is about eight days. It takes about five days to actually perform the test. If a head comes in frozen, that lengthens the test by a couple of days. There is no question that we have been short of people in this area, and we have staffed up as much as we can get the expertise to do this. It is an issue for the industry. We've talked about how we can change that and hopefully get it down to five to six days, particularly in the cases where they do have these markets at butcher shops, in particular, for fresh-slaughtered meat. So we'll continue to work with the industry and try and get that time down to a reasonable amount.

THE SPEAKER: The hon. member.

MR. DUCHARME: Thank you, Mr. Speaker. To the same minister: is the minister aware that an American scientist has developed a testing program for chronic wasting disease that is performed on live animals?

THE SPEAKER: The hon. minister.

MRS. McCLELLAN: Yes, Mr. Speaker. This is actually very exciting news for the industry. I'm sure that all members know that today in order to do a test on an animal, the animal has to be dead because you do the test on its brain, and it's not too popular with the elk to be alive while they do that. This test has great promise. The difficulty is that it hasn't been approved yet by the USDA and/or Canada. So there will be some fairly rigorous testing. I think this is one of the opportunities that we might broach to our American colleagues that we do a joint testing. I certainly will be talking to the Canadian government responsible in this area and saying: because it's such a critical test for the industry, could we possibly do some of these protocols together and save some time and get a test, if it proves out, for the live animals?

THE SPEAKER: The hon. member.

MR. DUCHARME: Thank you, Mr. Speaker. During the cervid harvesting preserve public debate, elk and deer producers often heard that their animals were domesticated animals. Can the minister tell me when these cervids will be recognized and treated as domesticated animals in government laws and regulations?

MRS. McCLELLAN: Mr. Speaker, I don't want to dash anybody's hopes in this Legislature, and the minister responsible for sustainable development may want to supplement, but I just have to be honest with producers. I do not see making them a domestic animal an option, not when wild elk and deer live outside those fences. I think it would be extremely difficult to do this, and I certainly would not hold it out as a hope for the industry right now.

2:40

THE SPEAKER: Hon. members, I now have a list of 13 hon. members who want to participate in question period today, so could we go back to brevity for everybody: brevity of question, brevity of answer.

The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Calgary-McCall.

Energy and Utilities Board

MR. LOUGHEED: Thank you, Mr. Speaker. Currently in the rural area of Strathcona county there's a great deal of concern being expressed by residents about natural gas exploration and pipeline activity. Residents wonder why the government allows such activity near their homes and why their MLA or the minister does not intervene and instruct the EUB to stop the drilling and the pipeline activity. Could the minister responsible clarify the relationship between his department and the EUB and explain how the current regulations were formulated?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. This organization, which has been around for well over 50 years, is a quasi-judicial board. It operates independently of government. Its appointments are made by OC, but it has over the period of 50 years developed an independent history of making regulations, of interpreting government policy, and then once they make these decisions, those decisions come into force and come into effect. They work under two fundamental principles: a no harm test and working in the broader public interest of all Albertans.

MR. LOUGHEED: Mr. Speaker, if the residents are dissatisfied with the process or with the ruling of the EUB, to whom do they appeal?

MR. SMITH: Mr. Speaker, once an Energy and Utilities Board decision is rendered, there are two methods of appeal. One, you can go to the Alberta Court of Appeal, but first you must obtain leave to appeal from a court justice to confirm the seriousness of your application. Secondly, you can appeal to the Energy and Utilities Board itself by applying either for a review or a rehearing. If there was an error in law or fact, if new evidence becomes available, then a formal review would take place. The board may uphold, vary, or rescind its decision at the end of a review. They are doing something rather novel as well. They have an appropriate dispute resolution mechanism that does use an independent mediator that can be selected by two parties.

THE SPEAKER: The hon. member.

MR. LOUGHEED: Thank you, Mr. Speaker. Will the minister consider a review of regulations such as notification distances, especially as they impact landowners and adjacent residents?

MR. SMITH: Mr. Speaker, I would be more than pleased to entertain that suggestion, as it is clear evidence of an MLA who's in touch with his constituents. They have brought up some issues that can be important to how an organization interprets its policy, interprets its regulations. It is a government's responsibility to establish policy, and I certainly will take that advice.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne, followed by the hon. Member for Calgary-McCall.

Nonfuel Mineral Resource Industry

MR. VANDERBURG: Thank you, Mr. Speaker. It's well known that Alberta relies heavily on oil and gas development. However,

the province has an excellent potential for the development of a nonenergy mineral resource. It seems the discovery of a commercial mineral deposit, whether it be diamonds, gold, base metals, or uranium, in northern Alberta, and in Whitecourt-Ste. Anne possibly, is very likely. My questions are for the Minister of Energy. Would the minister consider assisting this industry in developing a strategy to attract investment in Alberta's nonenergy mineral industry?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you very much, Mr. Speaker. In short and clearly the answer is yes to that question. In fact, diamonds may indeed, as I've said before, be a province's best friend. We have also looked in areas where the economic benefit to all Albertans can be enhanced by developing a nonfuel mineral strategy that, one, streamlines our administration – we've worked on that – two, improves geological information on minerals, and establish a cross-government team to establish strategies to meet these commitments. So we do have a mineral development strategy. This is the first step.

MR. VANDERBURG: The minister talked about the economic impact. Do you have any idea, Mr. Minister, of the economic impact that an active mine would have in this province?

MR. SMITH: Mr. Speaker, very quickly, the full evidence of economic impact of nonfuel mineral development is unknown but needs to be brought forward with further exploration, further delineation of where these products can be found, where these minerals can be found. I'm seated next to an individual who has the presence of kimberlites in her constituency, in the constituency of Lesser Slave Lake, and in that area. We need more exploration. We need to find more ways. Just to the north of us there are diamond mines being developed that will replace Australia by Canada as one of the four largest diamond producers in the world.

MR. VANDERBURG: Mr. Speaker, new investment is key to this industry. Would the minister support the availability of flow-through funds for mineral exploration?

MR. SMITH: Mr. Speaker, I would be more than pleased to support mechanisms that I can bring to this government through the standing policy committee system for consideration by cabinet and caucus, anything that would help enhance and further the exploration and development of the diamond industry and the nonfuel mineral industries of this province. That would include products such as tax credits, a generic royalty process similar to what we have in the oil sands, and other mechanisms that could be put together by good meetings, constructive relationships with the Member for Whitecourt-Ste. Anne and his advisory committee.

Provincial Nominee Program

MR. SHARIFF: Mr. Speaker, yesterday the Minister of Health and Wellness announced that up to 75 foreign health care professionals would be recruited to immigrate to Alberta under the provincial nominee program. My question is to the hon. Minister of Economic Development. Can the minister tell us if the provincial nominee program, otherwise referred to as PNP, has proven itself effective to date as a way to help address the shortage of skilled workers in Alberta's economy?

THE SPEAKER: The hon. minister.

MR. NORRIS: Well, thank you very much, Mr. Speaker. The short answer to the member's question is yes.

MR. SHARIFF: Mr. Speaker, could the minister advise if this program is being used by Alberta employers outside of the major cities?

MR. NORRIS: Again a very simple answer would be yes. To date, Mr. Speaker, we've had under the program a number of applications, in excess of a hundred from various different employers. Most, if not all, are outside of Edmonton and Calgary, 70 percent of those being small businesses with 50 employees or less, and it is addressing the chronic skill shortage in Alberta caused by a white-hot economy.

MR. SHARIFF: Mr. Speaker, my final supplement is also to the same minister. If this is a pilot program, when will a decision be made about the long-term effectiveness and the strategy of this program?

MR. NORRIS: Well, Mr. Speaker, that's an excellent question, and I would like to take a few more minutes to answer that. The PNP allows the provincial government the ability to speed up immigration in conjunction with the federal government, as everyone knows, and the program has been very, very successful. It was a two-year pilot program. We had the ability to approve up to 400 people a year with an open end on the contract with the federal government if it was going well. The hon. Minister of Learning and I work on this jointly, and our initial response to the program has been so strong in finding people from as varied backgrounds as bread making to iron pipe laying to Shumka dancing that we will be continuing this program when it expires in two years' time.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Medicine Hat.

Trucking Regulations

MR. YANKOWSKY: Thank you, Mr. Speaker. As railroads are closed, goods are being moved more and more by trucks which are beginning to dominate our highways. It seems that as our roads deteriorate, we continue to allow trucks that are bigger and heavier than are allowed in the United States. A trucker tells me that B trains are only allowed a short distance into the States and have to unload onto rail cars and turn back. Railways maintain their own roads, whereas huge trucks break up our public roads and continue to contribute little to their repair. Also, I continue to hear concerns about mechanical safety of trucks on our roads. My questions are all to the Minister of Transportation. Would the minister tell this Assembly why he allows such huge, heavily loaded trucks on Alberta roads?

THE SPEAKER: The hon. minister.

MR. STELMACH: Thank you, Mr. Speaker. There, of course, are a number of really good reasons why we do allow heavier trucks on our provincial highways. One is the larger the truck the more weight they can carry and the smaller the unit cost of transporting those goods, which allows, of course, for better competition in terms of selling those goods and services.

2:50

Secondly, Mr. Speaker, this gives another meaning to bigger is

better. If you look at all other modes of transportation, they are following the same strategy, following the same economies of scale: longer trains, larger planes hauling freight in the province. So the bottom line is we're doing whatever we can to ensure that we're still competitive in the world markets.

MR. YANKOWSKY: To the same minister: have you given any consideration to imposing a road maintenance tax on trucks to help pay for damage caused by trucks on our public roads?

MR. STELMACH: Actually, this question with respect to if there's fairness, by the time you calculate the amount of fuel burned in the large trucks, the fees that they've paid – the licence fees, the permits – they more than offset the use of the highway. In fact, I would say that about 40 percent of revenues that come to Transportation in terms of fuel and that come from the large trucking industry. So, quite frankly, they do more than cover the cost of using our Alberta highways.

MR. YANKOWSKY: Would the minister inform this Assembly regarding the roadworthiness of transport trucks on Alberta highways? Can Albertans feel safe sharing our roads with large trucks?

MR. STELMACH: Mr. Speaker, I believe the question was with respect to safety. Undoubtedly, the large trucks have the best safety record compared to any other vehicles on Alberta highways. Given the kind of competitive climate, insurance costs, et cetera, most carriers ensure that their drivers are properly trained and do go through a more strenuous protocol before they do obtain a class 1 driver's licence to operate these big trucks.

THE SPEAKER: The hon. Member for Medicine Hat, followed by the hon. Member for Edmonton-Rutherford.

Train Derailment

MR. RENNER: Thank you, Mr. Speaker. My questions today are for the Minister of Environment. I'm advised that during the night last night a train derailment occurred just southwest of Medicine Hat on the CPR main line through the Crowsnest Pass, and in conjunction with that derailment I understand that there was a fire. My question to the minister is: can the minister advise this House if toxic fumes, poisonous fumes, resulted from that fire?

DR. TAYLOR: The member is quite correct, Mr. Speaker, and I do have a special interest in that because it's in my constituency of course. We had people on-site with handheld monitors shortly after the accident had happened, and, no, there were no toxic fumes.

MR. RENNER: Could the minister advise if any residents or livestock in the area were at risk at any time during that fire?

DR. TAYLOR: Because of the quick action, in fact, Mr. Speaker, four farmhouses were evacuated. I'm not sure of the total number of residents, but four farmhouses were evacuated, and the folks from those houses will be back in their houses probably by now.

MR. RENNER: Finally, Mr. Speaker, to the same minister: what will be done to ensure that there's adequate cleanup of the environment so that the residents need not worry about future concerns regarding the spill?

DR. TAYLOR: Certainly, Mr. Speaker, Alberta Environment will be

making sure that the cleanup is adequate. We have rules around the way things have to be cleaned up. We've had two people on the site already, and we will continue to monitor that site.

THE SPEAKER: The hon. Member for Edmonton-Rutherford, followed by the hon. Member for West Yellowhead, and then I'm going to call on the hon. Member for Edmonton-Strathcona.

Equalization Payments

MR. McCLELLAND: Thank you, Mr. Speaker. My question is to the Minister of Finance. Regarding the Kyoto protocol it would appear that two of the provinces most aligned with the federal government are Quebec and Manitoba, both provinces who stand to gain significantly under the accord due to their hydro potential and both of whom benefit significantly from government equalization. My question: why are Quebec's and Manitoba's hydro resources not considered in the same manner as Alberta's hydrocarbon resources in determining the equalization formula?

MRS. NELSON: Mr. Speaker, that's a very good question. In Quebec and Manitoba their hydro corporations are Crown corporations and, therefore, don't contribute to the overall tax mix of the country. In fact, in both cases they're highly in debt, I believe, as the Minister of Energy is reminding me. So they don't contribute to the tax framework of the country or the tax contributions that are made to the federal government by the corporate entities. In Alberta we enter into lease agreements with oil and gas companies who, in fact, are taxed on profit as a corporation. So they contribute, but one Crown does not tax another Crown.

MR. McCLELLAND: To the same minister: is this fair?

THE SPEAKER: Sorry. This is really not for opinions.

MR. McCLELLAND: Okay.

To the same minister: why does Alberta transfer so much more to Ottawa than we get back, an amount that equals, by 2000 figures, about \$2,400 per Albertan?

MRS. NELSON: Well, Alberta has always been a contributor to Canada, and we have never held back from being a player that has considered Canada as a country and as a family. This last year our contributions net to Canada will exceed \$9 billion.

We did a little look back, Mr. Speaker, to see what that meant to the average Albertan, and lo and behold we again discovered that Alberta contributes more per capita than any other jurisdiction in the country. In fact, this last year Albertans have contributed \$2,890 more than they received back in transfers to the federal government. That's a very large contribution to a federal government that is bent on trying to destroy the economy of the province that actually contributes to the well-being of this country.

So I think Albertans have to be very much aware that they are, in fact, the economic drivers of this country, and to put that in jeopardy by outrageous policies such as Kyoto is unbelievable, to ruin the economic well-being of not only Alberta but this entire country.

THE SPEAKER: The hon. Member for West Yellowhead, followed by the hon. Member for Edmonton-Strathcona.

Alberta Supernet

MR. STRANG: Thank you very much, Mr. Speaker. My questions today are all to the Minister of Innovation and Science. I've been

questioned by numerous people in Alberta wondering what the progress is of our Alberta Supernet.

MR. DOERKSEN: Well, Mr. Speaker, that is a very important question, because the Alberta Supernet project is one of the most critical projects that we have undertaken for a long time in this province to extend rural development. That point was brought home to me in a recent visit to a small manufacturing company who designs circuit boards on their computer. They get that circuit board manufactured in Calgary, but they want to send it via the Internet and currently can only do it through a dial-up connection. Their request to me was that that harms their productivity to an enormous degree. They have to dial up at nighttime, send that circuit diagram down the slow speed. It takes it all night. With high-speed broadband they can send that in probably a minute or less.

Mr. Speaker, the progress on Supernet is continuing. There are two aspects. The base network, which combines the major centres of Alberta, is progressing very nicely. There is dark fibre being purchased and bought as per our agreement. In the extended network, which will be more of an impact to the rural community, there are some delays in the project, but we fully anticipate that the entire project will be completed mid-2004.

THE SPEAKER: The hon. member.

MR. STRANG: Thank you, Mr. Speaker. My first supplemental question is to the same minister. Are municipalities included in building the Supernet?

MR. DOERKSEN: Mr. Speaker, we have heard from municipalities over the course of a few years about their wanting to be involved and connected via the Supernet. When we initially negotiated the contract, we made sure that they were included with respect to having the same rates that we would guarantee to the government of Alberta operators. However, the connection charge from the Supernet point of presence to their door has been an agreement reached between the two contracting parties, either Bell West or Axia, at a very reasonable rate.

3:00

THE SPEAKER: The hon. member.

MR. STRANG: Thank you, Mr. Speaker. My second supplemental question is to the same minister. Can the minister tell me when the schools of West Yellowhead are going to be hooked up to the Supernet?

MR. DOERKSEN: Well, Mr. Speaker, the Member for West Yellowhead is one of the most ardent supporters of this project, and I can't tell him today specifically when the connections will be at the West Yellowhead schools, but in view of my earlier answer, there have been some delays, but the contract provisions to have the entire network built by 2004 will still be met.

THE SPEAKER: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Edmonton-Castle Downs.

Homelessness

DR. PANNU: Thank you, Mr. Speaker. We're making a bit of history here today.

The most recent homelessness survey has indicated that over 1,900 Edmontonians are homeless. My questions are to the hon.

Minister of Seniors. Why has the government left 67 million federal housing dollars lying on the table for over six months now all because the minister doesn't have a heft in cabinet to match those dollars and announce a program to immediately build new, safe, and affordable housing units?

MR. WOLOSZYN: Mr. Speaker, I'd like to point out that the Alberta/Canada affordable housing agreement is directed at low-income working people for their housing. Yes, we would like to get the program going. We are currently working with all seven municipalities plus remote housing areas of northern Alberta, and as soon as the money is available through this government, which I hope will be fairly soon, we will be moving.

But I must point out that in announcing a program, having the dollars announced means nothing until you have the plan in place and you're prepared to implement the plan. We're currently working on the plan. When it is ready to go, the program will proceed.

THE SPEAKER: The hon. leader.

DR. PANNU: Thank you, Mr. Speaker. When will the minister announce these concrete plans to build new affordable housing units, that are so badly needed in this province? When will it happen?

MR. WOLOSZYN: Mr. Speaker, I think I have just announced that we are working with all the municipalities plus northern Alberta communities to try to get moving. Now, this is not short term. This is a four-year plan, and we have to ensure that not only do we have our money in place, the federal government's contribution, but, indeed, participation from non-profit organizations, municipalities, and the private sector to maximize our investment.

DR. PANNU: My final supplemental to the minister, Mr. Speaker: will the minister commit to providing funding that fully matches the \$67 million federal commitment, and if so, within what time frame?

MR. WOLOSZYN: Mr. Speaker, when I signed the agreement in June of this year with the minister responsible, there was a commitment for matching funds. I've just indicated that this is a four-year program, and it will be varied across those four years depending upon needs and fiscal availability.

I'd also like to point out that, yes, we do have a serious concern for the homeless both in Edmonton and Calgary, but in addition I'd like to say that for the past three years this government has been taking the lead in combating that issue. We've put in about \$3 million a year directed strictly at the homelessness problem, which has leveraged some \$73 million from the federal government and non-profit organizations. That has translated into some thousand spaces already plus another 800 planned, so in three years we've got 1,800 spaces. Quite frankly, it's virtually impossible to predict the number of homeless from year to year.

THE SPEAKER: Hon. members, although it seems that we've reached certainly the largest number of questions and answers we've had in this particular fall session, 15 members, I do want to apologize to the following members for not being able to get them into the question period today: the hon. Member for Red Deer-North, the hon. Member for Edmonton-Castle Downs, the hon. Member for Olds-Didsbury-Three Hills, the hon. Member for Edmonton-Meadowlark, the hon. Member for Lac La Biche-St. Paul, the hon. Member for Cardston-Taber-Warner, the hon. Member for Calgary-Shaw. If memory's in place, I'll certainly be recognizing you tomorrow with respect to this.

Before going on to the next item on the Routine, might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

MRS. McCLELLAN: Mr. Speaker, we've been joined by a guest in the members' gallery, Mr. Arthur Kroeger. Arthur Kroeger has a long and distinguished career with the federal government. He's probably most famously known in this Legislature for two reasons. The first one would be the Kroeger-Estey report, which we regret was not implemented fully, Mr. Kroeger. Secondly, one other distinction that I'm most proud of: he is the brother of my predecessor, the hon. Henry Kroeger, who served in this Legislature for many years. Could we ask Arthur to please stand and receive the very warm welcome of this House.

head: **Recognitions**

Trochu Meat Processors Ltd.

MR. MARZ: I rise today to recognize the 2002 recipient of the Agriculture and Agri-Food Canada award of excellence in agri-food export, Trochu Meat Processors, and its president, Mr. Ray Price from Trochu. This national award for excellence recognizes achievement in areas that are key to the success and growth of agriculture across the country. Award winners exemplify the direction and leadership that governments and industry are taking to make Canada a world leader in agriculture.

Trochu Meat Processors is a role model of success for the agri-food sector in the province. Mr. Price and Trochu Meat Processors have pioneered vertically-integrated hog production from gate to plate. Since 1994 Trochu Meats has custom produced hogs for processing and export to Japan. Their export sales achieved \$24 million in 2001. This is a company that started out in the '60s, and I pounded some nails in the first hog barn that they ever built.

Would you please join me in congratulating Trochu Meat Processors and Mr. Ray Price on their achievements in the agri-food export industry.

THE SPEAKER: The hon. Member for Red Deer-North.

Lindsay Thurber Raiders Volleyball Team

MRS. JABLONSKI: Thank you, Mr. Speaker. I am standing in the House today to recognize the outstanding efforts of Red Deer's Lindsay Thurber Raiders senior high school volleyball team on winning the provincial championships. Ranking as the number one team in the province and defending their provincial title from last season, this team of 12 young ladies demonstrated their talent and tenacity on the court. Facing the very talented Harry Ainlay Titans of Edmonton in a rematch of last year's final, the Lindsay Thurber Raiders concentrated on returning to Red Deer once again with the provincial championship trophy. A special congratulation to their coach, Kirsten DeZutter, who played a major role in taking this team to the top.

Please join me in congratulating these provincial champions: Justine Barthel, Saralyn Raugust, Jen Atkinson, Julie Young, Amanda Steen, Raelene Purnell, Taryn Holmes, Azadeh Boroumand, Sarah vanDoesburg, Krista Hennigar, Ashley Fleming, and Cailey Gray. Congratulations, girls.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

Dr. Gary McPherson

MR. LOUGHEED: Thank you, Mr. Speaker. I rise today to recognize and acknowledge the contribution of a good friend of all Albertans, Dr. Gary McPherson. Dr. McPherson was the first chair of the Premier's Council on the Status of Persons with Disabilities. As the current chair of the Premier's council I am pleased that Gary has agreed to lend his name to a new award that will recognize outstanding leadership or achievement by individuals, public, private, and not-for-profit organizations for enhancing and enriching the lives of persons with disabilities. The council is also pleased that Gary has agreed to serve as honorary chair of the committee and will provide his insight and vision in the creation of this recognition of excellence.

From the inception of the Premier's Council on the Status of Persons with Disabilities in 1988 until his departure in 1998 Gary as the chair of the council encouraged the involvement of all Albertans in the process leading to the inclusion of persons with disabilities into all aspects of community life. Gary's leadership and his vision of full citizenship are grounded by many of the universal values that are at the very heart of community and private life.

Thank you, Gary, for your vision and leadership.

THE SPEAKER: The hon. leader of the third party.

Edmonton Coalition on Housing and Homelessness

DR. PANNU: Thank you, Mr. Speaker. In the context of well over 1,900 Edmontonians homeless, 130 of them children, with over 2,000 families on waiting lists two to three months long for low-cost housing, I stand in this Assembly today to recognize a coalition of people doing real work towards alleviating this desperate situation. The Edmonton Coalition on Housing and Homelessness in its campaign called Home Sweet Home is calling for funding in the form of a 1 percent solution, a small part of the government surplus from both the federal and the provincial governments, to eliminate the shameful fact that in the richest province of the country there are people living on the streets of our cities.

For six months this government has dithered and delayed, failing to announce an affordable housing program despite the offer of \$67 million in matching funds from the federal government. As Senator Roche has noted, shelter is a basic human right, and governments have a duty to ensure this right. I would urge the government to immediately move forward with a program to build new safe and affordable housing.

My thanks to the Edmonton Coalition on Housing and Homelessness for the hard work in highlighting this provincial disaster and for putting forth workable solutions to end it.

Thank you, Mr. Speaker.

3:10

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

Alberta Summer Games

MR. JOHNSON: Thank you, Mr. Speaker. Today I rise to recognize an outstanding sporting event, the Alberta games, as well as the city of Camrose, who hosted the Alberta Summer Games this past August. The Alberta Summer Games is Alberta's largest multisport event and is held every two years. It showcases Alberta's top young athletes who range in age from 12 to 17. In August of 2002, the city of Camrose did a marvelous job in hosting approximately 2,800 athletes, coaches, and officials participating in 17 different sports.

Hosting the Summer Games is nothing new for the city of

Camrose. Since the inception of the Alberta games Camrose has hosted three Seniors Games, one Winter Games, and now the Summer Games. The success of the games in Camrose can be attributed to the hundreds of dedicated volunteers and staff and to the tireless work of Dale Toogood, who did a marvelous job as chairman of the winter games and now the August Summer Games.

I'd like to ask all members to join me in congratulating both the Alberta games for its continued success and the city of Camrose for its continued support of the games and Alberta's athletes. Thank you.

THE SPEAKER: The hon. Member for Calgary-East.

Ramadan

MR. AMERY: Thank you, Mr. Speaker. Today marks the last day of the holy month of Ramadan. Ramadan is a very important event for the 600,000 Muslims in Canada and some 1.2 billion Muslims living worldwide. It is the month in the Islamic lunar calendar during which Muslims have an opportunity to reflect upon themselves, pursue their devotion to God, and exercise self-control.

Ramadan is a month of fasting. Muslims are expected to abstain from food, drink, smoking, and other pleasures from the break of dawn to sunset. Fasting is a way of developing sympathy for the less fortunate and learning to be thankful and appreciative for the gifts that we receive. Fasting is also beneficial to the health and provides a break in the cycle of rigid habits or overindulgence. It can be said that Muslims think of it as a kind of tune-up for their spiritual and physical lives.

The holiday is a time of intensive worship, reading of the Koran, charity, compassion, and purification of one's behaviour and deeds. It is also a time when people of other faiths can learn more about the faith of Islam and the Canadian Muslim community. At the end of Ramadan comes the most important of the Muslim holidays, Eid-al-Fitr, the festival of fast-breaking.

Mr. Speaker, I would like to close by wishing Alberta's 75,000 Muslims an Eid Mobarik and a Salaam Aleichem. Peace be with you.

THE SPEAKER: The hon. Member for Edmonton-Glenora.

The Hon. Member for Calgary-Fish Creek

MR. HUTTON: Thank you, Mr. Speaker. I rise today to recognize a very fine colleague of mine, the hon. Member for Calgary-Fish Creek, who has demonstrated depth of character and hard work and continues to be an outstanding Solicitor General. Although there has been a huge media and opposition storm of late, she continues to represent her constituency well and works hard on her government duties with poise and grace. I would ask all members from the government to recognize the Solicitor General.

Thank you, Mr. Speaker.

Calendar of Special Events

THE SPEAKER: Hon. members, as we are now into December, let me also remind members of the following events. December 5 is the International Volunteer Day for Economic and Social Development; December 6 is the National Day of Remembrance and Action on Violence Against Women; December 7 is International Civil Aviation Day; December 7 is also the Santa Shuffle, that's the fun run for the Salvation Army between Edmonton and Calgary; December 1-7 is National Safe Driving Week; December 10 is Human Rights Day; December 15 to December 31 is a Holiday Fire

Safety Campaign; December 18 is the International Migrants Day; December 22 is the Festival of Carols Day; and for the Minister of Economic Development, December 25 is Christmas Day and December 26 is Boxing Day; and December 29 is the International Day for Biological Diversity.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Edmonton-Norwood.

MR. MASYK: Thank you, Mr. Speaker. I have a petition signed by 197 Alberta residents. It's requesting that the Legislative Assembly "leave the Edmonton Norwood riding with its present boundaries."
Thank you.

THE SPEAKER: The hon. Member for Drayton Valley-Calmar.

REV. ABBOTT: Thank you, Mr. Speaker. On behalf of the hon. Member for Cypress-Medicine Hat, the hon. Minister of Environment, I am pleased to present a petition that urges the government of Alberta to "remove abortion from the list of insured services that will be paid for through Alberta Health."

THE SPEAKER: The hon. Member for Red Deer-North.

MRS. JABLONSKI: Thank you, Mr. Speaker. Today I'm presenting a petition with 271 signatures asking the Legislative Assembly to urge the government to "remove abortion from the list of insured services that will be paid for through Alberta Health."

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I rise to present a petition signed by 52 Edmontonians petitioning the Legislative Assembly to urge the provincial government to "reinstatement the Community Lottery Board Grant Program, its Boards and annual funding of at least \$53.3 million."

Thank you, Mr. Speaker.

head: **Tabling Returns and Reports**

THE CLERK: Mr. Speaker, pursuant to Standing Order 37.1(2) I wish to advise the House that the following documents were deposited with the office of the Clerk on behalf of the hon. Mr. Mar: response to questions raised during Oral Question Period on December 2, 2002, by Dr. Taft, the hon. Member for Edmonton-Riverview, and the Alberta Cancer Board annual report 2001-2002. Pursuant to the Regional Health Authorities Act, Chinook health region annual report 2001-2002, Palliser health region annual report 2001-2002, Headwaters health authority annual report 2001-2002, Calgary health region annual report 2001-2002, David Thompson health region annual report 2001-2002, East Central health annual report 2001-2002, WestView regional health authority annual report 2001-2002, Crossroads regional health authority annual report 2001-2002, Aspen regional health authority No. 11 annual report 2001-2002, Lakeland regional health authority annual report 2001-2002, Peace health region annual report 2001-2002, Keeweenok Lakes regional health authority No. 15 annual report 2001-2002, Northern Lights regional health services annual report 2001-2002, Northwestern health services region annual report 2001-2002, and the Alberta Mental Health Board annual report 2001-2002.

THE SPEAKER: The hon. Minister of Community Development.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Three quick tablings today. First, a news release that I issued earlier today entitled: A call to Albertans to remember victims of violence: Observing the National Day of Remembrance and Action on Violence Against Women. The day occurs on December 6. Speaking out and taking action against violence is something we must all do.

Secondly, Mr. Speaker, a letter of congratulations that I have sent today to the 2002 world ringette champions, that being, of course, Team Canada, an event that I was pleased to participate in at the opening ceremonies, and I know our Deputy Premier also had the pleasure of attending one of the games and enjoying it.

Finally, Mr. Speaker, a letter I've sent to a constituent, Elisabeth Trudell, who was recently named the grade 5 light music champion by the Alberta Society of Pipers and Drummers. Her family is very proud, especially her dad, Bernie, and so am I.

THE SPEAKER: The hon. Minister of Seniors.

MR. WOLOSHYN: Thank you, Mr. Speaker. I have two tablings today. The first one is with respect to question period on November 27 regarding a question from Edmonton-Centre about an age-related benefits committee. Unfortunately, no matter how we researched it, we couldn't find what was being referred to as an age-related benefits in Alberta committee.

The other tabling, Mr. Speaker, is also with respect to a tabling done yesterday by the Member for Edmonton-Centre where she inferred that the rent supplement program is on hold. I might restate clearly that the rent supplement program is alive and well.

THE SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. McCLELLAND: Thank you, Mr. Speaker. It's my pleasure to table today on behalf of the hon. Member for Edmonton-Whitemud the required number of copies of three letters from Colin Andrichuk, Ruth Mryglod, and Weslyn Mather regarding the protection of the Bighorn wilderness area.

THE SPEAKER: The hon. Member for Edmonton-Strathcona.

DR. PANNU: Thank you, Mr. Speaker. I have three tablings today. The first one is appropriate copies of the scientific paper that I referred to in my question to the Minister of Health and Wellness. Its title is: Exposure to Reduced Sulfur Gases Impairs Neurobehavioral Function. This paper is written by Dr. Kaye Kilburn, MD, Los Angeles, California. Just to draw attention to the significance, the office says that "the most surprising finding was that even moderate occupational exposure and insidious downwind environmental exposure to H₂S can cause permanent impairment." So that's one.

3:20

The second tabling, Mr. Speaker, is a letter from Mr. and Mrs. Hugh and Margie Jones of Ponoka, dated November 26, 2002, addressed to the Minister of Infrastructure. These members of a nonprofit group called the Central Alberta Women's Outreach Society are concerned with the huge increase they are required to pay to the Department of Infrastructure for renting a storage room at Michener Centre.

The third tabling, Mr. Speaker, is a letter from parent council president for Sherwood school in Edmonton, Ms Lisa McNutt, dated November 23, addressed to the Minister of Learning. She's expressing her frustration and disapproval at the way the government

is ruining the education of thousands of Albertan children through underfunding.

Thank you, Mr. Speaker.

Point of Order
Abusive Language

THE SPEAKER: Hon. members, business arising out of the House yesterday had to do with at least one outstanding aspect. The hon. Member for Drayton Valley-Calmar rose on an alleged point of order. The hon. Member for Drayton Valley-Calmar cited Standing Order 23(j) in alleging that the leader of the third party had directed an unparliamentary phrase at him.

Review has been undertaken of the Blues yesterday and *Hansard*, and we've been unable to find any proof of such a statement. All members know that the rules of order and decorum as published by – at least one of the rules we use in terms of the Canadian *House of Commons Procedure and Practice* states that if the chair has not heard the offensive word or phrase, and if the offensive language has not been recorded into debates of the *Hansard* in this case, the chair cannot be expected to rule where there is no record.

head: **Orders of the Day**

head: **Royal Assent**

MRS. McCLELLAN: Mr. Speaker, Her Honour the Honourable the Lieutenant Governor will now attend upon the Assembly.

[Mrs. McClellan and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

THE SPEAKER: Hon. members, while we await the return of the hon. Deputy Premier and Her Honour, might I take this opportunity to extend to all hon. members the very best for the upcoming season. Make it safe; make it happy; make it enjoyable; be kind to those you love; and particularly be kind to your children.

Might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

(*reversion*)

THE SPEAKER: The hon. Member for Vermilion-Lloydminster.

MR. SNELGROVE: Thank you, Mr. Speaker, and a Merry Christmas to you too, sir.

I would like to introduce to you and through you to the members of the Assembly a small group of students and their teacher and supervisor from Tulliby Lake, which proves that numbers don't matter; it's quality that counts. Their teacher today is Mrs. Sandra Lawson, and they're accompanied by Mr. Allan Belsheim. These young children have been given a fantastic tour of the facilities. As I ask them to rise and accept the warm welcome of the Assembly, I want to also thank the staff you have in the Assembly for the terrific job they do of escorting the many, many students and people through the facility. Thank you very much. Would you please rise.

head: **Royal Assent**

(*continued*)

[The Sergeant-at-Arms knocked on the main doors of the Chamber

three times. The Assistant Sergeant-at-Arms opened the doors, and the Sergeant-at-Arms entered]

THE SERGEANT-AT-ARMS: All rise, please. Mr. Speaker, Her Honour the Lieutenant Governor awaits.

THE SPEAKER: Sergeant-at-Arms, admit Her Honour the Lieutenant Governor.

THE SERGEANT-AT-ARMS: Order!

[Preceded by the Sergeant-at-Arms, Her Honour the Lieutenant Governor of Alberta, Lois E. Hole, CM, and Mrs. McClellan entered the Chamber. Her Honour took her place upon the throne]

HER HONOUR: Would everyone please be seated.

THE SPEAKER: May it please Your Honour, the Legislative Assembly has at its present sittings passed certain bills to which and in the name of the Legislative Assembly I respectfully request Your Honour's assent.

THE CLERK: Your Honour, the following are the titles of the bills to which Your Honour's assent is prayed.

- | | |
|------|--|
| 25 | Alberta Corporate Tax Amendment Act, 2002 |
| 30-2 | Adult Interdependent Relationships Act |
| 31 | Security Management Statutes Amendment Act, 2002 |
| 33 | North Red Deer Water Authorization Act |
| 34 | Seniors Advisory Council for Alberta Amendment Act, 2002 |
| 35 | Teachers' Pension Plans Amendment Act, 2002 |
| 36 | Appropriation (Supplementary Supply) Act, 2002 (No.2) |
| 37 | Occupational Health and Safety Amendment Act, 2002 |
| 38 | Miscellaneous Statutes Amendment Act, 2002 (No.2) |
| 207 | Alberta Wheat and Barley Test Market Act |

[The Lieutenant Governor indicated her assent]

THE CLERK: In Her Majesty's name Her Honour the Honourable the Lieutenant Governor doth assent to these bills.

HER HONOUR: I just wanted to take this opportunity to thank you all, to wish you the best of the season, and to say how much I have enjoyed being the Lieutenant Governor of this province. You've all made it very nice for me. You make it a joyous position, let me say, and I can't thank you all enough for the kindness you have all extended to me and the way you treat me. I'm the luckiest Lieutenant Governor in Canada. So to all of you, may I thank you very much, and I wish you a very good season.

3:30

May I just say to you, just so you know, that my husband is not well. You should know that he is having a very difficult time, and we know that the time is fast approaching. However, I know that you all feel for me. I know that, and I thank you for it. And life goes on. I have to say that years ago I had a friend who was 33 years old who died of cancer and left three small children. That to me is a tragedy. Losing my husband will be very difficult, but he lived into his early 70s. He saw his boys grow up, accomplish things. They graduated from university; they took over the business and did better at it than Ted and I. So that in itself has got to be great. I know that

Ted has received many accolades for it even though now he doesn't even remember that he had a farm or any part of it. He still knows me and knows the boys, but that's about it.

I wanted you all to know personally, and I thank you again because you have made me feel like I am the luckiest person in the world. Thank you. [applause]

THE SPEAKER: Your Honour, go knowing full well that all the prayers of all of the members of the Assembly are with both Ted and yourself. God bless.

HER HONOUR: Thank you. I'd love to give you all a hug.

THE SERGEANT-AT-ARMS: All rise, please.

[Preceded by the Sergeant-at-Arms, the Lieutenant Governor and Mrs. McClellan left the Chamber]

[The Mace was uncovered]

THE SPEAKER: Please be seated.

Hon. members, in the ensuing days it would also probably be helpful for hon. members to just tidy up their desks a little. We will have a number of youth parliaments in here in the next period of time, so your office and systems and the like. These young people that do come in and use the Chamber do not open desks or anything like that, but just your own thought process with respect to it would be helpful.

Hon. members, it may very well be that the hon. Deputy Premier is having tea with the Honourable Lieutenant Governor, so perhaps I'll call on the hon. Government House Leader.

MR. HANCOCK: Well, thank you, Mr. Speaker. After this afternoon and the visit of the Lieutenant Governor nothing more need be said.

head: **Government Motions**

Adjournment of Session

34. Mr. Hancock moved:

Be it resolved that when the Assembly adjourns to recess the fall sitting of the Second Session of the 25th Legislature, it shall stand adjourned until a time and date as determined by the Speaker after consultation with the Lieutenant Governor in Council.

[Government Motion 34 carried]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Pursuant to Government Motion 34, just passed by this Assembly, I move that the Assembly stand adjourned.

[Motion carried; pursuant to Government Motion 34 the Assembly adjourned at 3:38 p.m.]

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